

County Council of Cuyahoga County, Ohio

Resolution No. R2019-0094

Sponsored by: **County Executive Budish/Department of Public Works**

A Resolution approving and accepting a plat covering the vacation of a certain portion of Warrensville Center Road located in the City of Shaker Heights, as a County Road; ordering the vacation of a certain portion of Warrensville Center Road located in the City of Shaker Heights, Cuyahoga County, Ohio; ordering all proceedings copied into the proper Road Record of the County by the County Engineer; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, County Council adopted Resolution No. R2019-0060 on March 12, 2019 which authorized the vacation of a certain portion of Warrensville Center Road located in the City of Shaker Heights, Ohio (the "Property"), setting the date, time and place for a view and date, time and place for a final hearing in connection with said vacation; and

WHEREAS, County Council viewed said Property on March 25, 2019; and

WHEREAS, County Council after such viewing of the Property considered the same of sufficient public importance to have a plat and survey made.

WHEREAS, the County Engineer has this day deposited with County Council the plat and survey of said vacation of a certain portion of Warrensville Center Road located in the City of Shaker Heights as a County Road, as described above together with his report thereon, which report this day has been read; and

WHEREAS, it is hereby found and determined by County Council that the vacation of a certain portion of Warrensville Center Road located in the City of Shaker Heights, Ohio, as described above, will serve the public convenience and welfare, and the vacation thereof, as recommended in the report of the County Engineer, is hereby ordered in accordance with the boundaries set forth in said plat and survey of the County Engineer; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. The plat, survey and report submitted by the County Engineer be, and the same are, hereby approved and accepted, and said vacation of a certain portion of Warrensville Center Road located in the City of Shaker Heights, as a County Road, be, and the same is, hereby ordered.

SECTION 2. All proceedings, including the plat and survey and accurate description of said vacation are hereby ordered copied into the Road Record of the County by the County Engineer.

SECTION 3. The Clerk of County Council be, and she is, also instructed to transmit two copies of this Resolution to David Marquart, P.E., P.S., County Engineer.

SECTION 4. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 5. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Tuma, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

Yeas: Gallagher, Schron, Conwell, Jones, Brown, Stephens, Simon, Baker, Miller, Tuma and Brady

Nays: None

Don / Bevil
County Council President

4-26-19
Date

[Signature]
County Executive

4-26-19
Date

Jaime Lortz
Deputy Clerk of Council

4-23-19
Date

First Reading/Referred to Committee: April 9, 2019
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC034
April 23, 2019