

# County Council of Cuyahoga County, Ohio

## Resolution No. R2019-0111

Sponsored by: <b>County Executive Budish/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> approving a Right-of-Way Exhibit as set forth in Plat No. M-5034 for replacement of Memphis Road Bridge No. 00.62 over CSXT Railroad in the City of Brooklyn; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended approving a Right-of-Way Exhibit as set forth in Plat No. M-5034 for replacement of Memphis Road Bridge No. 00.62 over CSXT Railroad in the City of Brooklyn;

WHEREAS, the primary goal of this project is to obtain Council's approval of the right-of-way exhibit and approval of the required acquisitions needed for the Memphis Road Bridge Project over CSXT Railroad; and

WHEREAS, the project is located in Council District 3; and

WHEREAS, the current estimated rights-of-way acquisition cost is \$200,000.00 and will be funded by County Road and Bridge Funds; 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.** That the Cuyahoga County Council hereby approves a Right-of-Way Exhibit as set forth in Plat No. M-5034 for replacement of Memphis Road Bridge No. 00.62 over CSXT Railroad in the City of Brooklyn.

**SECTION 2.** That the County Executive through the Department of Public Works is hereby authorized to acquire the Rights-of-Way necessary for said improvement.

**SECTION 3.** That all proceedings relative to the Right-of-Way Exhibit are hereby ordered copied into the Road Record of the County by the Department of Public Works and copied into all other proper records of the County by the Fiscal Officer as required by law.

**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. Schron, the foregoing Resolution was duly adopted.

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

Nays: None

_____	_____
County Council President	Date
_____	_____
County Executive	Date
_____	_____
Clerk of Council	Date

First Reading/Referred to Committee: April 23, 2019  
Committee(s) Assigned: Public Works, Procurement & Contracting

Legislation Substituted and Amended in Committee: May 1, 2019

Journal CC034  
May 14, 2019