

# County Council of Cuyahoga County, Ohio

## Resolution No. R2022-0319

Sponsored by: <b>County Executive Budish/Department of Public Works</b>	<b>A Resolution</b> authorizing the vacation of a certain portion of a County-owned right-of-way within Station Road located in the City of Brecksville, setting the date, time and place for a view and setting the date, time and place for a final hearing in connection with said vacation; and declaring the necessity that this Resolution become immediately effective
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WHEREAS, the County Executive, through the Department of Public Works requests authorization to vacate a certain portion of a County-owned right-of-way within Station Road located in the City of Brecksville at the request of the Cleveland Metropolitan Park District so it may use grant money to improve the property and adjacent properties, and

WHEREAS, the vacated right-of-way will be added to PPN 602-31-014, owned by Metroparks, PPN's 602-32-005, 602-32-006, 602-31-012, 602-33-001 and 602-33-003, owned by the United States of America and PPN 602-31-013, owned by the County of Cuyahoga; and

WHEREAS, pursuant to the authority granted under Ohio Revised Code §5553.02, County Council is authorized to vacate a right-of-way on public road, or a portion thereof, when it is of the opinion that it will be for the public convenience or welfare to do so; and

WHEREAS, the County Council has determined that the vacation of the Property is for the public convenience or welfare and, therefore, should be properly vacated pursuant to §5553.04 of the Ohio Revised Code; and

WHEREAS, the real property is located in Council District 6; 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 said proposed vacation of the Property shall be viewed by members of the County Council on the 7<sup>th</sup> day of October at 10:00 a.m. local time, via

link or Public Viewing in Council Chambers, 4th Floor, Cuyahoga County Administrative Headquarters, 2079 East 9th Street, Cleveland, Ohio 44115.

**SECTION 2.** That the final hearing upon said proposed vacation of the Property shall be held on the 2<sup>nd</sup> day of November at 10:00 a.m. local time in the C. Ellen Connally Council Chambers, 4th Floor, Cuyahoga County Administrative Headquarters, 2079 East 9th Street, Cleveland, Ohio 44115.

**SECTION 3.** That the Clerk of Council is hereby directed to give notice of both such view and final hearing as provided by law and is hereby instructed to transmit a copy of this Resolution to the Director of the Cuyahoga County Department of Public Works and to the Director of the Ohio Department of Natural Resources.

**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 Ms. Turner, the foregoing Resolution was duly adopted.

Yeas: Baker, Miller, Sweeney, Tuma, Schron, Conwell, Turner, Stephens, Simon, and Jones

Nays: None

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County Council President                      Date

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County Executive                                      Date

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Clerk of Council                                      Date

First Reading/Referred to Committee: September 13, 2022  
Committee(s) Assigned: Public Works, Procurement & Contracting

Legislation Substituted in Committee: September 21, 2022

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