

AN ORDINANCE VACATING THE UNIMPROVED RIGHT-OF-WAY AT HUDSON CROSSING BUSINESS PARK; AND DECLARING AN EMERGENCY.

WHEREAS, the unimproved right-of-way at Hudson Crossing Business Park is a dedicated public right-of-way platted in 2006, located within the City of Hudson, owned by the City, and which was never improved for public use; and

WHEREAS, an application has been filed with the City by the property owner abutting the unimproved right-of-way at Hudson Crossing Business Park, Premier Development, which requests the right-of-way be vacated; and

WHEREAS, Revised Code §723.05 provides for the legislative authority of a municipality to vacate a street for good cause; and

WHEREAS, pursuant to Revised Code §723.06, all owners abutting the unimproved right-of-way at Hudson Crossing Business Park agree to the vacation thereof; and

WHEREAS, the Planning Commission has recommended approval of the vacation of the unimproved right-of-way at Hudson Crossing Business Park and this Council deems this vacation to be for good cause based upon its longstanding unimproved status and with the conditions for the vacation approved by Council herein;

NOW, THEREFORE, BE IT ORDAINED by the Council of Hudson, Summit County, State of Ohio, that:

Section 1: Pursuant to Ohio Revised Code §723.05, the unimproved right-of-way at Hudson Crossing Business Park is hereby vacated.

Section 2: The vacation of the unimproved right-of-way at Hudson Crossing Business Park set forth in Section 1 of this Ordinance is subject to the following conditions being satisfied:

- (a) The replat shall provide information describing the proposed terms or rights associated with the proposed 30-foot easement and to whom it shall benefit.
- (b) The comments of City Engineer, Brad Kosco, regarding his review of the easement and lot split/consolidation must be addressed per his letter of June 6, 2018.

Section 3: The City Manager is authorized and directed to execute such documents as are necessary to accomplish the vacation of said unimproved right-of-way at Hudson Crossing Business Park.

Section 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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.

Section 5. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health and welfare and for the further reason that it is immediately necessary in order to create employment opportunities within the City of Hudson at the earliest possible time; wherefore, this Resolution shall be in effect immediately upon its passage provided it receives the affirmative vote of five (5) members of Council except that six (6) affirmative votes shall be required if all members are present; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

\_\_\_\_\_  
David A. Basil, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth Slagle, Clerk of Council

I certify that the foregoing Ordinance No. 18-90 was duly passed by the Council of said Municipality on \_\_\_\_\_, 2018.

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Elizabeth Slagle, Clerk of Council