

**AN ORDINANCE ACCEPTING THE DEDICATION OF THE PUBLIC STREET AND EASEMENTS ALONG FRANKLIN STREET, ENTERING INTO EASEMENT AGREEMENTS WITH PROPERTY OWNERS, AND VACATING A PORTION OF FRANKLIN STREET.**

WHEREAS, in order to improve safety for students and pedestrians walking to and from Hudson Middle School, City staff commenced with the design of a new sidewalk along Franklin Street; and

WHEREAS, during the design process for the new sidewalk, City staff discovered Franklin Street had never been officially dedicated to the City as a public street; and

WHEREAS, the City Solicitor recommended petitioning the Summit County Court of Common Pleas to formally dedicate Franklin Street as a public right-of-way pursuant to Ohio Revised Code § 723.09; and

WHEREAS, City staff hired a professional land surveyor to verify the correct dimensions of the street's width as provided in Exhibit "A" and met with adjacent landowners to discuss the proposed project and the formal dedication of the road; and

WHEREAS, on August 28, 2025, the court officially approved the adjacent landowners and the City's petition, City staff is now requesting the City's formal adoption and dedication of the street as a public right-of-way; and

WHEREAS, pursuant to the City's agreement with the adjacent landowners and the court's August 28, 2025 order, City staff also requests that the City vacate an eight-foot-wide section of the proposed right-of-way along the west side of Franklin Street; and

WHEREAS, City staff also seeks the establishment of five-foot-wide easement agreements with the three (3) property owners on the west side of Franklin Street for the following parcels:

<u>Parcel No.</u>	<u>Address</u>	<u>Property Owner(s)</u>
3204105	180 Aurora Street	James and Neille Vitale
3204106	136 Franklin Street	Robert Dyer Jr. and Sara Dyer
3200220	132 Franklin Street	Joshua and Gina Ney; and

WHEREAS, these five-foot-wide easements, which will be provided by adjacent property owners, will accommodate the construction of a new sidewalk and the installation of underground utilities; and

WHEREAS, once complete, the required easements, deeds, and plat will be recorded with the Summit County Fiscal Office, Recorder's Division.

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

Section 1. That Franklin Street is hereby approved, accepted, and dedicated as a public right of way, dedicate a portion of said right-of-way to abutting landowners and enter into easement agreements with the noted property owners.

Section 2. That the eight-foot-wide section of the proposed right-of-way along the west side of Franklin Street is hereby vacated.

Section 3. That a reservation of a five-foot-wide sidewalk and utility easements, which will be provided by adjacent property owners, is hereby approved, and that the City Manager is hereby authorized to enter into agreements and/or contracts in a form approved by the City Solicitor for the acquisition of easements of certain parcels of land as may be required for the construction of a new sidewalk and the installation of underground utilities.

Section 4. That the aforesaid recitals are rendered to be the findings of this Council, and such recitals and Exhibit “A” are hereby incorporated into this Ordinance.

Section 5. 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 6. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Jeffrey L. Anzevino, Mayor

ATTEST:

\_\_\_\_\_  
Aparna Wheeler, Clerk of Council

I certify that the foregoing Ordinance No. 25-148 was duly passed by the Council of said Municipality on \_\_\_\_\_, 2025.

\_\_\_\_\_  
Aparna Wheeler, Clerk of Council