

3-90-15 5/10/90

ORDINANCE NO. 42-1990

Offered by Mayor Waszak

AN ORDINANCE AMENDING SECTION 921.03 AS ENACTED PER ORDINANCE 38-1978 AMENDING THE BOUNDARY DESCRIPTION FOR SEWER DISTRICT NO. 2 AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Ohio Revised Code Section 727.44, the Council of the Village of Richfield, per Ordinance 38-1978, passed on June 20, 1978, created a sanitary sewerage district to be known as Sewer District No. 2; and

WHEREAS, the Village's Consulting Engineer, Finkbeiner, Pettis & Strout, Ltd., has devised a general plan dated November 15, 1983 for sanitary sewerage service throughout Sanitary Sewer District No. 2 ("the Plan"); and

WHEREAS, the Plan has been devised with regard to the present and prospective needs and interests of the Village of Richfield; and

WHEREAS, pursuant to Ohio Revised Code Section 727.44 et seq., the Village of Richfield wishes to adopt the Plan for sanitary sewerage service in Sewer District No. 2; and

WHEREAS, the Plan contemplates utilizing approximately \$260,000 of Issue 2 infrastructure funds to construct sanitary sewer improvements in Sewer District No. 2; and

WHEREAS, in order to adopt the Plan it is necessary to amend the description of Sewer District No. 2 as set forth in Section 931.03 of the Streets, Utilities and Public Services Code; and

WHEREAS, Ohio Revised Code Section 727.48 provides that sewerage districts may, from time to time, be altered.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1: That Section 921.03, as enacted per Ordinance 38-1978 passed on June 20, 1978, be, and the same hereby is, amended to read as follows:

"921.03 SEWER DISTRICT NO. 2.

Pursuant to Ohio Revised Code Section 727.44, a district is hereby established to be known as Sewer District No. 2.

The description of such District, as prepared by Finkbeiner, Pettis & Strout, Ltd., the Village's Consulting Engineer, is approved and such District is described as follows:

Situated in the Village of Richfield, County of Summit, and State of Ohio,
and bounded and described as follows:

Beginning at a point on the south line of Tract 1 at the intersection of the
centerlines of Streetsboro Road and Humphrey Road;

Thence easterly a distance of 211.19 feet along the centerline of Streetsboro
Road to the Northeast corner of the said Richfield Township property;

Thence southerly along the easterly line of the said Richfield Township property,
a distance of 1,250.7 feet to the south-easterly corner of the said Richfield
Township property, to the point of beginning;

Thence westerly along lands now or formerly owned by S. Antolik, F. A. and M. J.
Stofko, H. and A. A. Boryk, Village of Richfield, and Richfield Township, a
distance of approximately 1,855 feet;

Thence northerly along lands now or formerly owned by S. Antolik and F. A. and
M. J. Stofko a distance of 555.59 feet;

Thence westerly along lands now or formerly owned by R. M. and D. J. Heinle, and
P. E. and E. J. Felber, a distance of 437.0 feet, to a point on the centerline
of Broadview Road;

Thence northwesterly along the centerline of Broadview Road, a distance of
approximately 90 feet;

Thence southwesterly along the lands now or formerly owned by M. A. Parker,
H. D. Parker, R. J. Parker and G. P. Whalen, a distance of 357.85 feet to
the Southwest corner of said Parker/Whalen property;

Thence northerly along the lands now or formerly owned by M. A. Parker, H. D.
Parker, R. J. Parker and G. P. Whalen, a distance of 212.97 feet to the northwest
corner of the said Parker/Whalen property;

Thence westerly along the lands now or formerly owned by K. and C. Boester and N.
R. Curci, Trust, a distance of approximately 285.19 feet;

Thence southerly along the lands now or formerly owned by N. R. Curci, Trust, a
distance of 1000.56 feet;

Thence westerly along the lands now or formerly owned by N. R. Curci, Trust, a
distance of 231 feet;

Thence northerly along the lands now or formerly owned by N. R. Curci, Trust and
T. and S. J. Schoolcraft, a distance of 1190.6 feet;

- Thence westerly along lands now or formerly owned by T. and S. J. Schoolcraft, a distance of 132.8 feet;
- Thence southerly along lands now or formerly owned by H. R. and L. E. Eastwood, a distance of 400.2 feet, to the southeast corner of the said Eastwood lands;
- Thence westerly along lands now or formerly owned by H. R. and L. E. Eastwood, R. C. and C. L. Carome, a distance of 172.0 feet;
- Thence southerly along lands now or formerly owned by R. C. and C. L. Carome, a distance of 76.73 feet;
- Thence westerly along lands now or formerly owned by R. C. and C. L. Carome, a distance of 300.75 feet;
- Thence northerly along lands now or formerly owned by R. C. and C. L. Carome, a distance of 161.0 feet;
- Thence westerly along lands now or formerly owned by K. Ahlborg, a distance of 233.51 feet, to the southwesterly corner of the said Ahlborg lands;
- Thence northerly along lands now or formerly owned by K. Ahlborg, a distance of 309.31 feet;
- Thence easterly along the lands now or formerly owned by K. Ahlborg, a distance of 99.9 feet;
- Thence northerly along the lands now or formerly owned by K. Ahlborg, a distance of 350.15 feet, to a point on the centerline of Streetsboro Road;
- Thence westerly along the centerline of Streetsboro Road a distance of approximately 109 feet;
- Thence northerly along lands now or formerly owned by R. J. and J. Mihalick, Jr., a distance of 694.2 feet, to the northwesterly corner of the said Mihalick lands;
- Thence westerly along the lands now or formerly owned by J. G. and L. A. Johnson, a distance of 132 feet, to the southwesterly corner of the said Johnson lands;
- Thence northwesterly along lands now or formerly owned by J. G. and L. A. Johnson, a distance of approximately 305 feet, to the centerline of Richfield Woods Drive;
- Thence northeasterly along the centerline of Richfield Woods Drive, a distance of approximately 225 feet;
- Thence northwesterly along lands now or formerly owned by R. M. and M. M. Jackson, P. A. and D. M. Smrtka, and S. B. Cugini, a distance of 406.47 feet;
- Thence southwesterly along lands now or formerly owned by T. M. Shaver, a distance of 120.96 feet, to the southwesterly corner of the said Shaver lands;

Thence northwesterly along lands now or formerly owned by T. M. Shaver, and P. A. Horn, a distance of 336.56 feet, to the northwesterly corner of the said P. A. Horn lands;

Thence northeasterly along lands now or formerly owned by G. I. Smith, and P. A. Horn, a distance of 507.9 feet, to the centerline of Broadview Road;

Thence northwesterly along the centerline of Broadview Rd a distance of approximately 140 feet;

Thence northeasterly along lands now or formerly owned by N. F. and P. R. Hamilton, a distance of 300 feet, to the northeasterly corner of said Hamilton lands;

Thence southeasterly along lands now or formerly owned by N. F. and P. R. Hamilton, a distance of 150 feet, to the southeasterly corner of said Hamilton lands;

Thence northeasterly along lands now or formerly owned by S. J. & P. Celebrezze, a distance of 667.71 feet, to the northeasterly corner of the said Celebrezze lands;

Thence easterly along lands now or formerly owned by J. M. and S. E. Barber, P. and H. Courtock, D. A. and J. M. Kostar, P. Gapiński, T. P. and C. M. Resley, T. A. Brutz, and A. E. Falor a distance of 2163.64 feet, to the northeasterly corner of the said A. E. Falor lands;

Thence southerly along lands now or formerly owned by A. E. Falor, a distance of approximately 700 feet;

Thence easterly along lands now or formerly owned by F. L. and M. S. Ramp, a distance of approximately 441.76 feet, to the centerline of Humphrey Road;

Thence southerly along the centerline of Humphrey Road, a distance of approximately 120 feet;

Thence easterly along lands now or formerly owned by M. A. Neidermeyer, a distance of 1,119.9 feet;

Thence southerly along lands now or formerly owned by M. A. Neidermeyer, K. S. Hersing, and W. E. and M. L. Steiger, a distance of 595.25 feet, to the northwesterly corner of lands owned by East Ohio Conference, The United Methodist Church;

Thence easterly along lands now or formerly owned by East Ohio Conference, The United Methodist Church, a distance of 408.20 feet, to the northeasterly corner of said Methodist Church lands;

Thence southerly along lands now or formerly owned by East Ohio Conference, The United Methodist Church, a distance of 624.05 feet;

Thence easterly along lands now or formerly owned by A. F. and A. Krivis, a distance of 67.10 feet, to the northeasterly corner of said Krivis lands;

Thence southerly along lands now or formerly owned by A. F. and A. Krivis, a distance of 202.27 feet, to the centerline of Streetsboro Road;

Thence westerly along the centerline of Streetsboro Road a distance of approximately 44.78 feet;

Thence southerly along lands now or formerly owned by B. L. and W. L. Kucharski, a distance of 414.58 feet, to the southeasterly corner of said Kucharski lands;

Thence southwesterly along lands now or formerly owned by B. L. and W. L. Kucharski, E. and L. Mortimer, and D. Beshara, a distance of approximately 464.22 feet, to the southwesterly corner of the D. Beshara lands;

Thence southerly along lands now or formerly owned by K. R. and K. Jurek a distance of 398.41 feet, to the south easterly corner of said Jurek lands;

Thence southwesterly along lands now or formerly owned by K. R. and K. Jurek and The Richfield United Church of Christ a distance of approximately 479.72 feet;

Thence southerly along lands now or formerly owned by The Richfield United Church of Christ a distance of 483.81 feet, to the southeasterly corner of said Church lands;

Thence westerly along lands now or formerly owned by The Richfield United Church of Christ a distance of 503.58 feet, to the southwesterly corner of said Church lands;

Thence northerly along lands now or formerly owned by The Richfield United Church of Christ a distance of approximately 281.16 feet to the southeasterly corner of Richfield Township property, to the point of beginning.

containing approximately 340.27 acres of land."

SECTION 2: Pursuant to Ohio Revised Code Section 727.46, the Clerk be, and she hereby is, authorized and directed to publish, once a week for two consecutive weeks in a newspaper of general circulation in the Village of Richfield, a notice stating that the plan has been prepared and is on file in the office of the Clerk of the legislative authority for examination by interested persons and written objections to such plan may be filed in the office of such Clerk before the date specified in the notice, which shall not be earlier than the 17th day following the date of the first publication in said newspaper.

SECTION 3: That Section 921.03 of the Streets, Utilities and Public Services Code, as adopted per Ordinance 38-1978, passed on June 20, 1978, as the same existed prior to the effective date of this Ordinance be, and the same hereby is, repealed.

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and for the further reason that it is immediately necessary to amend Sewer District No. 2 to utilize Issue 2 infrastructure grant funds and provided this Ordinance receives the affirmative vote of two-thirds (2/3) of the members elected or appointed, this Ordinance shall take effect immediately upon its passage and signature by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: June 5, 1990

[Signature]
President of Council

[Signature]
Mayor

Dated: 6/5/90

ATTEST:

[Signature]
Clerk of Council