



**Special Meeting of the Board of Trustees
December 9, 2016**

1. Opening of Meeting - 4:30 pm
2. Administration – Resolution Approval – Jonrose Avenue Vacation.....Action
3. Adjournment of Meeting

Colerain Township • 4200 Springdale Road • Colerain Township, Ohio 45251
www.colerain.org • Phone (513) 385-7500 • Fax (513) 245-6503

Trustees: Michael T. Inderhees, Gregory K. Insco, Jeffrey F. Ritter
Fiscal Officer: Heather E. Harlow
Administrator: Daniel P. Meloy

COLERAIN

The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio, met in special session at _____p.m., on the ____ day of December, 2016, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Michael Inderhees, Greg Insco, Jeffrey F. Ritter

Mr. _____ introduced the following resolution and moved its adoption:

RESOLUTION NO.: _____-16

RESOLUTION VACATING PORTION OF JONROSE AVENUE

WHEREAS, the Colerain Township Board of Trustees, by Resolution No. 31-14 dated May 13, 2014, a copy of which attached and incorporated herein as Exhibit “A”, did petition the Hamilton County Board of Commissioners to vacate a township road located in Colerain Township, Hamilton County, Ohio being further described as follows: with the termini being the county bridge as the eastern terminus, a line connecting the northern boundary of parcel No. 051000710242 with the northern boundary of parcel No. 051000710435 as the northwestern terminus (hereinafter the “Portion of Jonrose Avenue”); and,

WHEREAS, pursuant to the Ohio Revised Code § 5553.045, the Colerain Township Board of Trustees, provided Resolution No. 31-14 to and did petition the Hamilton County Board of Commissioners to vacate the Portion of Jonrose Avenue, on or about January 25, 2016, and whereas Resolution No. 31-14 and petition was received by the Hamilton County Board of Commissioners on February 10, 2016, as evidenced by a true and accurate copy of the relevant correspondence attached and incorporated herein as Exhibit “B”; and,

WHEREAS, the Hamilton County Board of Commissioners failed to vote on the vacation of the Portion of Jonrose Avenue within sixty days of the Petition being filed with the Board on February 10, 2016; and

WHEREAS, Ohio Revised Code § 5553.045(D) provides:

“If the board of county commissioners fails to vote on the issue of vacating the road or portion of the road within sixty days after the township's resolution is filed with it, the road or portion of the road specified in the resolution shall be deemed to be vacated, and the petitioner board of township trustees shall adopt another resolution describing the road or portion of the road that has been vacated and explaining this vacation is by action of this section. The board of township trustees shall file a certified copy of that resolution with the board of county commissioners, the county recorder, and the county engineer.”; and,

WHEREAS, pursuant to the Ohio Revised Code § 5553.045, the failure of the Hamilton County Board of Commissioners to vote on the issue of the vacation of the Portion of Jonrose Avenue by April 11, 2016, resulting in the Portion of Jonrose Avenue being deemed vacated; and

WHEREAS, pursuant to Ohio Revised Code § 5553.045(D), the Colerain Township Board of Trustees adopts this resolution describing the Portion of Jonrose Avenue that has been vacated and is more specifically identified in the plat and survey attached and incorporated herein as Exhibit “C”, and

WHEREAS, pursuant to Ohio Revised Code § 5553.045(D), the Colerain Township Board of Trustees, this resolution explains that the vacation of the Portion of Jonrose Avenue is by action of Ohio Revised Code § 5553.045(D); and

WHEREAS, this resolution will address and set forth the final steps and actions that will be taken by the Colerain Township Board of Trustees as required by Ohio Revised Code § 5553.045(D) in order to confirm the vacation of the Portion of Jonrose Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. Pursuant to Ohio Revised Code § 5553.045(D), as the Hamilton County Board of Commissioners did not vote on the vacation of the Portion of Jonrose Avenue within sixty days, the Colerain Township Board of Trustees now vacates the Portion of Jonrose Avenue.

2. The Township Clerk shall file a certified copy of this Resolution with the Hamilton County Board of Commissioners, the Hamilton County Recorder, and the Hamilton County Engineer.

3. Once such certified copies of this Resolution are filed with the Hamilton County Board of Commissioners, the Hamilton County Recorder, and the Hamilton County Engineer, then the Law Director is instructed to draft and provide a resolution to the Board of Trustees ordering the Portion of Jonrose as described in Exhibit "C" vacated.

4. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

5. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.

6. That this Resolution shall be effective at the earliest date allowed by law.

Mr. _____ seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Inderhees _____, Mr. Ritter _____, Mr. Insko _____

ADOPTED this _____ day of December, 2016.

BOARD OF TRUSTEES:

Michael Inderhees, Trustee

Jeffrey F. Ritter, Trustee

Greg Insko, Trustee

ATTEST:

Heather E. Harlow,
Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)
Scott A. Sollmann (0081467)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this ____ day of December 2016.

Heather E. Harlow,
Colerain Township Fiscal Officer