

# CITY OF CLAYTON, OHIO

## RESOLUTION NO. R - 03 - 22- 25

### **A RESOLUTION DECLARING THE NECESSITY OF REPAIRING AND/OR REMOVING AND REPLACING CURBS, GUTTERS, SIDEWALKS, AND DRIVEWAY APPROACHES WITHIN THE CITY OF CLAYTON, OHIO RELATIVE TO THE PROPERTIES IDENTIFIED ON THE ATTACHED EXHIBIT A**

**WHEREAS**, City staff has heretofore studied the need to repair and/or remove and replace curbs, gutters, sidewalks, and driveway approaches within the areas identified on the attached **Exhibit A**; and

**WHEREAS**, a list of properties requiring repair and/or removal and replacement of curbs, gutters, sidewalks, and driveway approaches is appended hereto as **Exhibit A** and was filed with the Clerk of Council; and

**WHEREAS**, this Council, with and upon recommendation of staff, has reviewed and hereby approves the general plans, specifications and estimate of cost to repair and/or remove and replace the above referenced curbs, gutters, sidewalks, and driveway approaches which plans, specifications and estimate of cost were filed with the Clerk of Council; and

**WHEREAS**, such curbs, gutters, sidewalks, and driveway approaches as are identified on the list of properties appended hereto as **Exhibit A** and filed with the Clerk of Council shall be repaired and/or removed and replaced by the respective property owners after service of notice upon said property owners in accordance with the law and in accordance with the plans and specifications filed with the Clerk of Council; and

**WHEREAS**, in the event said curbs, gutters, sidewalks, and driveway approaches are not repaired and/or removed and replaced by the respective property owners after service of notice upon said property owners by **April 25, 2022** and in accordance with the plans and specifications filed with the Clerk of Council, the municipal corporation will cause such repair and/or removal and replacement to occur and assess the cost thereof against the lots and lands abutting thereon.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Clayton, Ohio:

1. That this Council hereby declares it necessary for the preservation and promotion of the public health and welfare, for the reasons set forth in the preambles hereof, for the property owners identified on the attached listing to repair and/or remove and replace the curbs, gutters, sidewalks, and driveway approaches abutting their properties in accordance with the plans and specifications filed with the Clerk of Council.

2. The listing of properties subject to this Resolution of Necessity are appended hereto as **Exhibit A** and are described and set out in the plans, specifications, and estimate of cost, which are on file in the Clayton Government Center, 6996 Taywood Road, Englewood, Ohio, 45322 where they may be examined and which plans, specifications, and estimate of cost, are hereby

approved.

3. That the total cost of repair and/or removal and replacement of all of the curbs, gutters, sidewalks, and driveway approaches on the appended list is estimated to be 3,066 linear feet not to exceed \$32.00 per linear foot. And \$10.00 a square foot for approach repair.

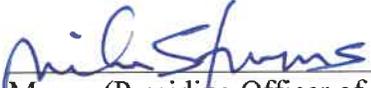
**4. That Notice of the passage of this Resolution of Necessity and the filing of the plans, specifications and cost estimate shall be served upon the owners of the lots or parcels of land identified on the list appended hereto by certified mail addressed to such owner at his/her last known address or to the address to which tax bills are sent.**

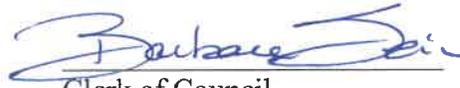
5. That in the event said curbs, gutters, sidewalks, and driveway approaches are not repaired and/or removed and replaced by the respective property owners after service of notice upon said property owners and prior to **April 25, 2022** in accordance with the plans and specifications filed with the Clerk of Council, the municipal corporation will cause such repair and/or removal and replacement to occur and assess the cost thereof against the lots and lands abutting thereon.

6. That this Council hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Council, and that all deliberations of this Council, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

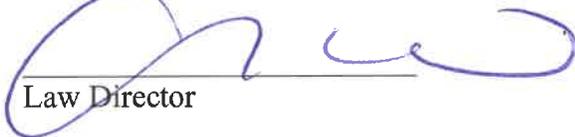
ADOPTED BY COUNCIL ON MARCH 17, 2022.

AUTHENTICATION:

  
\_\_\_\_\_  
Mayor (Presiding Officer of Council)

  
\_\_\_\_\_  
Clerk of Council

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Law Director

**CERTIFICATION**

State of Ohio, County of Montgomery, ss.

I, Barbara Seim, Clerk of Council of the City of Clayton, Ohio, do hereby certify that the foregoing is taken and copied from the Record of Proceedings of said City of Clayton, Ohio; that the same has been compared by me with the Resolution on said Record and that it is a true and correct copy thereof.

Witness my signature this 17<sup>th</sup> day of March, 2022.

  
Clerk of Council

**CERTIFICATION OF PUBLICATION**

This shall certify that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper Brookville Star Date of publication March 23, 2022

  
Clerk

## Exhibit A

Owner Last Name	Owner First Name	ServiceAddress	Parcel ID
Limberty	Bradley or Linda	7187 Thundering Herd	M60 25224 0010
Anderson	Jeffery or Cheryl	7185 Thundering Herd	M60 25224 0011
Sweeny	Timothy or Melissa	7177 Thundering Herd	M60 25224 0012
Darrell Dechon	Miranda Aracely or	7169 Thundering Herd	M60 25224 0013
Lang	Jaynetta or Raymond	7161 Thundering Herd	M60 25224 0014
Nyberg	Edwin	7153 Thundering Herd	M60 25224 0015
Perry	Travis	7145 Thundering Herd	M60 25224 0016
Barrow	Michael or Sandra	7137 Thundering Herd	M60 25224 0017
Cassidy	Scott	7130 Thundering Herd	M60 25224 0018
Newton	Kevin or Mary	7138 Thundering Herd	M60 25224 0019
Knerr	Mandy or Dan	7146 Thundering Herd	M60 25224 0020
Stephens	Charles or Esther	7154 Thundering Herd	M60 25224 0021
Combs	Ron or Jocelyn	7162 Thundering Herd	M60 25224 0022
Wise	John or Jeanne	7178 Thundering Herd	M60 25224 0023
Salem Crossing Homeowners			M60 19104 0019
Keck	Emerson or Carol	7160 Salem Crossing	M60 19104 0020
Beck	Suzanne	7164 Salem Crossing	M60 19104 0021
Salem Crossing Homeowners			M60 19104 0022
Klohe	Carolyn	7150 Salem Crossing	M60 19104 0023
McKinney	Brandon	7154 Salem Crossing	M60 19104 0024
Salem Crossing Homeowners			M60 19104 0025
Alexander	Robert or Dorothy	7074 Salem Crossing	M60 19104 0026
Whitely	Iona	7070 Salem Crossing	M60 19104 0027
Salem Crossing Homeowners			M60 19104 0028
Smith	Sherri or Stanley	7104 Salem Crossing	M60 19104 0029
Bell	Patricia	7100 Salem Crossing	M60 19104 0030
Salem Crossing Homeowners			M60 19104 0031
Cebulka	Michael	7112 Salem Crossing	M60 19104 0032
Delaet	Sandra	7110 Salem Crossing	M60 19104 0033
Salem Crossing Homeowners			M60 19104 0037
Miller	Carolyn	7134 Salem Crossing	M60 19104 0038
Campise	Alan or Debra	7130 Salem Crossing	M60 19104 0039
Salem Crossing Homeowners			M60 19104 0040
Kroger	Rita	7060 Salem Crossing	M60 19104 0041
Aldredge	Maxine	7064 Salem Crossing	M60 19104 0042
Salem Crossing Homeowners			M60 19104 0043
Janet Reynolds	Janet Combs or	7124 Salem Crossing	M60 19104 0044
Bazzell	James	7120 Salem Crossing	M60 19104 0045
Lopez	Susan	7084 Salem Crossing	M60 19104 0046
Mileski	Larry or Karen	7080 Salem Crossing	M60 19104 0047
Salem Crossing Homeowners			M60 19104 0048
Salem Crossing Homeowners			M60 19104 0049
David Appelblatt	Deborah Holdeman or	7144 Salem Crossing	M60 19104 0050
Brandenburg	Linda	7140 Salem Crossing	M60 19104 0051

Salem Crossing Homeowners			M60 19104 0052
Boerger	Melvin or Mary	7094 Salem Crossing	M60 19104 0053
Knab	Donna	7090 Salem Crossing	M60 19104 0054
Barbee	Benjavan	7115 Salem Crossing	M60 19104 0055
Austerman	Raymond	7111 Salem Crossing	M60 19104 0056
Salem Crossing Homeowners			M60 19104 0057
Coriell	Carolyn	7095 Salem Crossing	M60 19104 0058
Saugstad	Gail	7091 Salem Crossing	M60 19104 0059
Malott	Rodney	7055 Salem Crossing	M60 19104 0060
French	Joyce	7105 Salem Crossing	M60 19104 0061
Mattox	Christopher	7101 Salem Crossing	M60 19104 0062
Salem Crossing Homeowners			M60 19104 0063
Payne	Allen or Ann	7135 Salem Crossing	M60 19104 0064
Ann Zwiesler	Jennifer Duckro or	7131 Salem Crossing	M60 19104 0065
Salem Crossing Homeowners			M60 19104 0066
Grise	Richard or Susan	7125 Salem Crossing	M60 19104 0067
Coats	Lisa	7121 Salem Crossing	M60 19104 0068
Salem Crossing Homeowners			M60 19104 0069
Spencer	Frank or Lameika	3440 Whispering Meadow Dr	M60 03209 0134
Lybarger	Tom or Wendy	3411 Whispering Meadow Dr	M60 28514 0009
Minton	Travis or Tiffany	3421 Whispering Meadow Dr	M60 28514 0010
Lake	Rosalyn	3420 Whispering Meadow Dr	M60 28514 0011
Olinger	Eddie or Tracey	3410 Whispering Meadow Dr	M60 28514 0012
Prestigious Investments		3400 Whispering Meadow Dr	M60 28514 0013
Simpson	William or Jennifer	7200 Colleen Ct	M60 25018 0003
Timmons	Christina or David	7240 Colleen Ct	M60 25018 0004
Timmons	Christina or David	Vacant Parcel	M60 25018 0007
Salone	Ricky or Crenee	7237 Colleen Ct	M60 25019 0001
Eloi	Randoph or Requette	7111 Colleen Ct	M60 25020 0001
Hayes	Dennis or Chevelle	7100 Colleen Ct	M60 25020 0002
Henderson	Elaine or Ronald	211 Dolores Ct	M60 25019 0002
Broomhall	Douglas or Barbara	221 Dolores Ct	M60 25019 0003
Crump	Martin or Gail	220 Dolores Ct	M60 25019 0004
Bernard	Ronald or Judith	210 Dolores Ct	M60 25019 0005
McCluskey	Johnny or Carla	900 Jackie Circle	M60 16430 0003
Klink	Michael	908 Jackie Circle	M60 16430 0004
Burchett	Deborah	914 Jackie Circle	M60 16430 0005
Fugett	Thomas or Deanna	913 Jackie Circle	M60 16430 0006
Hayden	Willie or Ayonda	907 Jackie Circle	M60 16430 0007
Burke	Jennifer	906 Debbie Court	M60 16432 0012
Brown	Felecia	912 Debbie Court	M60 16432 0013
Brian Poe	Stephanie Fauver or	918 Debbie Court	M60 16432 0014
Johnson-Tilley	Amber or Ashley	924 Debbie Court	M60 16432 0015
Keough	Michael or Tinera	930 Debbie Court	M60 16432 0016
Scranton	Paul or Kelly	936 Debbie Court	M60 16432 0017
Smiley	Brian	937 Debbie Court	M60 16432 0018
Terry	Kimberly	931 Debbie Court	M60 16432 0019

Parker	Sandra	925 Debbie Court	M60 16432 0020
Pritchett	Julius or Michelle	919 Debbie Court	M60 16432 0021
Lynda Fagely	John Erickson or	913 Debbie Court	M60 16432 0022
Evans	Michael	907 Debbie Court	M60 16432 0023
Hunter	Carmen	831 Sue Lane	M60 16431 0013
Derringer	George or Kathleen	819 Sue Lane	M60 16431 0014
Williams	Sabrina	807 Sue Lane	M60 16431 0015
Sheldon Garber	Patrick Hopkins or	800 Sue Lane	M60 16431 0016
Coons	Joseph or Dianne	806 Sue Lane	M60 16431 0017
Mender Moore	Darryl Scott or	812 Sue Lane	M60 16431 0018
Robinson	Estill or Lillian	818 Sue Lane	M60 16431 0019
Frierson	Terry	824 Sue Lane	M60 16431 0020
Cudney	Terry or Dawn	830 Sue Lane	M60 16431 0021
Marixa Martinez	Ronald Alexander or	833 Jean Drive	M60 16431 0008
Getter	Tammy	830 Jean Drive	M60 16431 0009
Neal	Bradley or Jodi	836 Jean Drive	M60 16431 0010
McGrath	Kathi	842 Jean Drive	M60 16431 0011
Williams	Wanda	4984 Old Salem Road	M60 25413 0020
Parsons	Glen or Paula	6888 Union Road	M60 25413 0004
House	Devon or Kimberly	6900 Union Road	M60 25413 0005
Hoschouer	David	6910 Union Road	M60 25413 0014
Cooper	Steven or Beth	6930 Union Road	M60 25413 0015
Blue	Gloria	6868 Union Road	M60 25426 0001
Hamilton	Nicolas or Barbi	6856 Union Road	M60 25426 0002
Moody	Dirk or Mary	6844 Union Road	M60 25426 0003
Holston	Shannon	6832 Union Road	M60 25426 0004
Monaghan	Michael	6546 Union Road	M60 19101 0002
Loiselle	Kayli or Joseph	4811 Rushwood	M60 25013 0002
Terry Bratchette	Minnie Harris	6847 Rose Bud	M60 28514 0008
Heinz	Larry or Patrice	186 Hilltop	M60 25108 0004
Whitt	Michael or Katelyn	208 Hilltop	M60 25109 0011
Staten	Tommy	6101 Cheri Lynne	M60 16430 0008
Duncan	Adrian or Brandi	6200 Cheri Lynne	M60 16431 0007
Kring	Mary	6124 Cheri Lynne	M60 16431 0012
Heflin	Tabatha	6112 Cheri Lynne	M60 16431 0022
Fugate	David or Cynthia	6229 Cheri Lynne	M60 16432 0011
Baber	Bobette	6301 Cheri Lynne	M60 16432 0024
Valleybrook HOA		Union Road	Various Parcels