

**ORC §505.86 - ABATEMENT OF PROPERTY NUISANCE CONTRACT WITH MAHONING COUNTY LAND BANK AND OR MAHONING COUNTY LAND REUTILIZATION CORPORATION (MCLRC)**

Smith Township, Mahoning County

RESOLUTION FOR

CONTRACTING WITH THE MAHONING COUNTY COMMISSIONERS LAND BANK AUTHORIZING THEM TO ABATE THE PROPERTY NUISANCE(S) BY REMOVAL AND DEMOLITION OF NUISANCE STRUCTURES ON BEHALF OF THE TOWNSHIP

*WHEREAS*, SECTION §505.86 ORC, authorizes the township to declare property to be a nuisance by reason being insecure, unsafe, structurally defective, or dangerous to life or health and unfit for human habitation; and to provide for the abatement of said nuisance by securance or demolition and removal of said property structure(s); and

*WHEREAS* the Mahoning County Board of Commissioners Land Bank and or the Mahoning County Land Reutilization Corporation is working to manage, rehabilitate or otherwise reclaim blighted properties and dwellings within the County with resources available to the County for neighborhood stabilization: now therefore,

*BE IT RESOLVED*, the Board of Trustees, having previously declared the Real Estate Property Lot, Situated in the Township Smith, County of Mahoning, and State of Ohio, further described as follows:

OWNER OF RECORD: **SAMS S. EDWARD**

PROPERTY ADDRESS: **835 W. TENNESSEE AVENUE  
SEBRING, OHIO 44672  
(Smith Twp, Unincorporated Area)**

AUDITOR'S PARCEL ID# **14-015-0-017.00-0**

To be: *Check all that apply:*

- **insecure, unsafe, or structurally defective by the Township Fire Department;**
- insecure, unsafe, or structurally defective by the Mahoning County Building Inspector
- in a condition dangerous to life or health, or unfit for human habitation by the Mahoning County Health Department;

**See Attached Property Description of the Property herein declared to be a Nuisance.**

and The Board of Trustees having given proper legal notice to the Owner(s) of Record, Lienholder(s) of Record, and the Mahoning County Treasurer; and

That in the absence of any Owner of Record, Lienholder of Record and the Mahoning County Treasurer failing to file a written request for an administrative hearing before the Board pursuant to RC§ 505.86 (C)(1), to show cause as to why the property should not be declared a nuisance and be abated within the time limit prescribed and the thirty day period in which the property own has to abate the nuisance, prior to the Township providing for the Abatement of the declared Nuisance being Friday June 24, 2022; with the township's right to enter upon the property and provide for the abatement of the nuisance being on or after June 25<sup>th</sup>, 2022;

the Board of Trustees does hereby authorize the Mahoning County Land Bank and or the Mahoning County Land Reutilization Corporation (MCLRC), to provide for the abatement of the nuisance as prescribed in ORC Section §505.86(B) as a contract agency.

**BE IT FURTHER RESOLVED** that the Board of Trustees and Fiscal Officer are hereby authorized to execute any and all legal documents with the Mahoning County Land Bank, and or Mahoning County Land Reutilization Corporation to effect such Nuisance Abatement.

Moved by Trustee Barnett, Seconded by Trustee Criss \_\_\_\_\_ :

ROLL CALL VOTE:

TRUSTEE BARNETT                      X Yes    \_\_\_ No

TRUSTEE CRISS                        X Yes    \_\_\_ No

TRUSTEE SHOWALTER                X Yes    \_\_\_ No

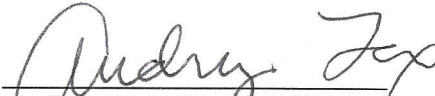
Adopted this 7th day of June 2022.

  
\_\_\_\_\_  
Fiscal Officer

*Prepared by:*  
*Mark S. Finamore, Esq. "Of Counsel"*  
*Turner, May & Shepherd*  
*Township Special Legal Counsel*

**CERTIFICATION**

I, the undersigned fiscal officer of Smith Township, certify the foregoing is a true and correct copy of the Resolution adopted by the Smith Township Board of Trustees on the 7th day of June 2022, as appears in the minutes of the record of the official proceedings of the Board of Trustees.

  
Audrey Fox , Fiscal Officer