

**ORDINANCE NO. 125-13**

**AN ORDINANCE ACCEPTING THE DEDICATION OF  
A PUBLIC STREET, TO WIT: THE EXTENSION OF FREEMAN DRIVE  
AND DECLARING AN EMERGENCY**

**WHEREAS**, Freeman Drive is an improved and dedicated City street that currently extends approximately 625 feet east from Moore Road; and

**WHEREAS**, Turco Real Estate Holdings, Inc. the owner of land abutting Freeman Drive desires to dedicate and additional 2.0372 acres of land (1,480' x 60') to the east of the current Freeman Drive as unimproved right of way; and

**WHEREAS**, pursuant to the City Charter, Planning Commission held a Public Hearing on October 16, 2013; and

**WHEREAS**, upon conclusion of the Public Hearing, Planning Commission reviewed the dedication plat for said right of way and by a vote of Five (5) in favor and Zero (0) opposed, voted to recommend approval to City Council; and

**WHEREAS**, Council had the opportunity to review the dedication plat and after discussion, review and further consideration, Council believes that acceptance of same would promote the health, safety and welfare of the citizens of Avon by making additional lands available for future commercial/industrial development.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:**

Section 1 – That the dedication of an additional 2.0372 acres of land (1,480' x 60') to the east of the current Freeman Drive as unimproved right of way currently owned by Turco Real Estate Holdings, Inc. and further described in Exhibit "A", which is attached hereto and incorporated herein by reference, is hereby accepted and the premises conveyed are hereby dedicated as part of an unimproved public right of way which shall continue to be known as FREEMAN DRIVE.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to accept the dedication of approximately two (2) acres of unimproved right of way extending Freeman Drive; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Ordinance No. 125-13 (Con't.)

PASSED: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Daniel S. Zegarac, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
James A. Smith, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasiar, Law Director

ATTEST:

\_\_\_\_\_  
Ellen R. Young  
Clerk of Council

POSTED: \_\_\_\_\_

In Five Places as  
Provided by Council

Prepared by:  
John A. Gasiar, Esq.  
Law Director