

ORDINANCE NO. 16-14

**AN ORDINANCE TO AUTHORIZE THE FINAL PLAT
AND SUBDIVIDER'S AGREEMENT FOR
HALSTED VILLAGE SUBDIVISION NO. 2**

WHEREAS, on April 15, 2009, by a vote of Four (4) in favor and Zero (0) opposed, the Planning Commission voted to recommend to Council approval of the Final Plat and Subdivider's Agreement for Halsted Village Subdivision No. 2; and

WHEREAS, the subdivider elected not to proceed; and

WHEREAS, the subdivider has modified the Preliminary Plat for Halsted Village Subdivision and the Final Plat for Halsted Village Subdivision No. 2; and

WHEREAS, the subdivider submitted the revised Preliminary Plat and Final Plat to Planning Commission on March 30, 2011 and by a vote of Five (5) in favor and Zero (0) opposed, Planning Commission approved the amendment to the Preliminary Plat of Halsted Village Subdivision and recommended to Council approval of the revised Final Plat for Halsted Village Subdivision No. 2; and

WHEREAS, on March 21, 2012 and on April 30, 2013, the Applicant received Planning Commission approval for successive one (1) year extensions in which to obtain authorization of the final plat and subdivider agreement by Ordinance; and

WHEREAS, the Subdivider has now elected to go forward and seeks Council approval of an ordinance authorizing the Final Plat and Subdivider's Agreement for Halsted Village Subdivision No. 2; and

WHEREAS, Council had the opportunity to review same and provide the Subdivider with the opportunity for discussion; and

WHEREAS, after discussion, review and further consideration, Council has deemed the Final Plat acceptable and appropriate and agrees to enter into a written Subdivider's Agreement to provide for construction of all improvements in Halsted Village Subdivision No. 2.

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

Section 1 - The City of Avon hereby accepts the Final Plat for Halsted Village Subdivision No. 2 and enters into a Subdivider's Agreement and Performance Bond for the completion of said improvements therein, a copy of which is attached hereto, and marked "Exhibit A", and incorporated into this ordinance by reference.

Section 2 - The Mayor and President of Council are hereby authorized to sign said Agreements on behalf of the City.

Ordinance No. 16-14 (Con't)

Section 3 - 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 4 - That this Ordinance shall take effect and be in force at the earliest date allowed by law.

First Reading _____

Second Reading _____

Third Reading _____

PASSED: _____ DATE SIGNED: _____

By: _____

Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Ellen R. Young
Clerk of Council

POSTED: _____

In Five Places as
Provided by Council

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