

**ORDINANCE NO. 113-20**

**AN ORDINANCE TO AUTHORIZE THE FINAL PLAT AND SUBDIVIDER’S AGREEMENT FOR THE RESERVE AT MASS ESTATES SUBDIVISION AND DECLARING AN EMERGENCY**

**WHEREAS**, on September 16, 2020, the Planning Commission voted to recommend approval of the Final Plat for The Reserve at Mass Estates Subdivision by a vote of Five (5) to Zero (0); and

**WHEREAS**, Council has had the opportunity to review the Final Plat and Subdivider’s Agreement for The Reserve at Mass Estates Subdivision, and has provided the Subdivider the opportunity to discuss same along with plans for The Reserve at Mass Estates Subdivision; 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 public improvements in The Reserve at Mass Estates Subdivision.

**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 The Reserve at Mass Estates Subdivision subject to the provisions of the Subdivider’s Agreement which is hereby entered into for the completion of all improvements in said Subdivision, a copy of which is attached hereto, and marked Exhibit A, and incorporated herein by reference.

Section 2 - The Mayor and President of Council are hereby authorized to sign the Subdivider=s Agreement on behalf of the City.

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 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 authorize a Subdivider’s Agreement for the completion of improvements in The Reserve at Mass Estates Subdivision and to enable completion within the current construction period; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

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

By: \_\_\_\_\_  
Brian Fischer, Council President

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

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

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

ATTEST:

\_\_\_\_\_  
Barbara Brooks, Clerk of Council

Posted: \_\_\_\_\_  
In Five Places as  
Provided by Council

Prepared By:

John A. Gasior, Esq.  
Law Director