

ORDINANCE NO. 34-14

**AN ORDINANCE TO ACCEPT IMPROVEMENTS IN
STONEBRIDGE ESTATES SUBDIVISION
AND DECLARING AN EMERGENCY**

WHEREAS, the owner has constructed the improvements in Stonebridge Estates Subdivision; and

WHEREAS, said improvements have been inspected by the City's Engineer, who has certified that said improvements have been constructed in accordance with the terms set forth in the Subdivider's Agreement and in conformance with City Subdivider Regulations.

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

Section 1 - That the City of Avon, Lorain County, Ohio, hereby accepts dedication of the improvements constructed TGG Land, LLC, to be designated as Stonebridge Estates Subdivision, subject to the Subdivider meeting all conditions set forth in Section 2 below.

Section 2 - The City's acceptance of dedication of improvements herein is contingent upon the Subdivider providing the City with the following: (1) A Three (3) Year Maintenance Bond or similar Financial Guarantee for said improvements in the amount of Fifty Thousand Six Hundred Sixty-One and 00/100 (\$50,661.00) Dollars; (2) a cash deposit in the amount of Twenty-Two Thousand Eight Hundred Fifteen and 00/100 (\$22,815.00) Dollars as a financial guarantee for the installation of sidewalks within the Subdivision pursuant to the Subdivider's Agreement and City Ordinance; (3) a cash deposit in the amount of Three Thousand and 00/100 (\$3,000.00) Dollars which represents the cost of planting the required trees in the Subdivision; (4) a cash deposit in the amount of One Thousand and 00/100 (\$1,000.00) which represents the cost of putting up traffic control devices within the Subdivision; and (5) a cash deposit in the sum of Ten Thousand and 00/100 (\$10,000.00) Dollars to cover miscellaneous costs incurred by the City relating to this Subdivision. The City agrees to refund half of the deposit set forth in item (5), above, if Subdivider completes catch basin punch list items by June 1, 2014. Upon compliance with all the requirements set forth herein, the Finance Director shall authorize the Subdivider's lending institution to release the acquisition and development escrow account.

Section 3 - Upon recommendation of the Law Director and the City Engineer, the Finance Director shall authorize the release of all or part of deposits for legal and engineering fees set forth in the Subdivider's Agreement.

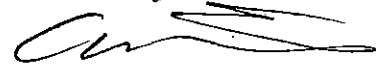
Section 4 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Ordinance No. 34-14 (Con't)

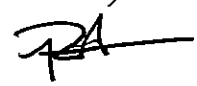
Section 5 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to accept improvements constructed by TGG Land, LLC, to be designated as Stonebridge Estates Subdivision; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

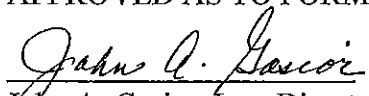
PASSED: March 10, 2014

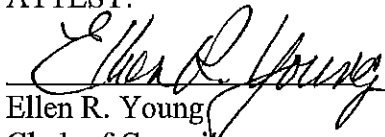
DATE SIGNED: March 10, 2014

By: 
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: March 11, 2014


Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

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

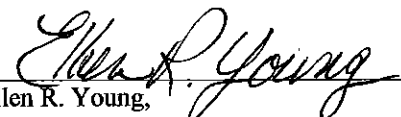
ATTEST:

Ellen R. Young
Clerk of Council

POSTED: March 13, 2014
In Five Places as
Provided by Council

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

I, Ellen R. Young, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 34-14, passed by the Council of said City on March 10, 2014.

IN WITNESS WHEREOF, I have on this 12th day of March, 2014, affixed my signature and official seal.


Ellen R. Young,
Clerk of the Council of the City of Avon, Ohio