

1 RESOLUTION NO. 2012-077

First Reading Passage Requested

(Developer)

2 SPONSOR Mr. Pry

3 DATE March 5, 2012

COMMITTEE Planning

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6  
7 **A Resolution accepting and approving a subdivision titled "Natures Preserve Phase I",**  
8 **located in Twinsburg Township, Council District 1, for the Executive-Planning**  
9 **Commission and the County Engineer, and declaring an emergency.**

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11 WHEREAS, on January 26, 2012, the Planning Commission approved a subdivision  
12 titled "Natures Preserve Phase I", concerning a subdivision located in Twinsburg Township; and

13  
14 WHEREAS, under Section 1104.06 (b) (4) of the Codified Ordinances of the County of  
15 Summit and Section 711.041 of the Ohio Revised Code, the approval of this Council is a  
16 prerequisite for the recording of said plat; and

17  
18 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
19 that the acceptance and approval of the aforementioned replat is necessary and in the best interest  
20 of the County of Summit;

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22 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State  
23 of Ohio, that;

24  
25 SECTION 1

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27 The subdivision, together with restrictions, covenants, and easements thereon, is hereby  
28 accepted by the County of Summit, to be recorded by the County Fiscal Officer. The subdivision  
29 shall be known as the "Natures Preserve Phase I," and is located in Twinsburg Township,  
30 County of Summit, Council District 1.

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32 SECTION 2

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34 The following performance bond furnished by American Contractors Indemnity  
35 Company in the amount of \$ 851,325.00, having been submitted and approved, was accepted in  
36 conjunction with the "Natures Preserve Phase I." The documents are to be retained by the  
37 County Executive, who is authorized to release said bond, in part or in full, upon satisfactory  
38 completion of the obligations set forth. Additionally, the acceptance of the subdivision and  
39 associated plat is granted in reliance upon the developer's representations in Exhibit A, wherein  
40 the developer agrees not to transfer any of the lots in the subdivision until such time as a letter of  
41 credit or performance bond is provided by the developer ensuring completion of the sanitary  
42 sewer improvements or the same are completed by the developer.

43  
44 SECTION 3

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46 This Resolution is hereby declared an emergency in the interest of the health, safety and  
47 welfare of the citizens of the County of Summit, and for the further reason that it immediately  
48 facilitates development in Twinsburg Township.  
49

1 RESOLUTION NO. 2012-077

2 PAGE TWO

3  
4 SECTION 4

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6 Provided this Resolution receives the affirmative vote of eight members, it shall take  
7 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
8 effect and be in force at the earliest time provided by law.

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10 SECTION 5

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12 It is found and determined that all formal actions of this Council concerning and relating  
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
14 deliberations of this Council and of any of its committees that resulted in such formal action,  
15 were in meetings open to the public, in compliance with all legal requirements, including Section  
16 121.22 of the Ohio Revised Code.


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19 INTRODUCED March 5, 2012

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21 ADOPTED March 5, 2012

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25 CLERK OF COUNCIL

  
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PRESIDENT OF COUNCIL

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27 APPROVED March 5, 2012

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31 EXECUTIVE

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33 ENACTED EFFECTIVE March 5, 2012

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Voice Vote: 9-0 YES: Comunale, Crawford, Feeman, Kostandaras, Kurt Lee, Rodgers, Roemer, Schmidt ABSENT: Prentice, Shapiro