RESOLUTION NO. 2012-077

SPONSOR Mr. Pry

DATE March 5, 2012

COMMITTEE Planning

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

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

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

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

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

SECTION 1

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

SECTION 2

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

SECTION 3

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit, and for the further reason that it immediately facilitates development in Twinsburg Township.
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SECTION 4

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

SECTION 5

It is found and determined that all formal actions of this Council concerning and relating
to the adoption of this Resolution 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 action,
were in meetings open to the public, in compliance with all legal requirements, including Section
121.22 of the Ohio Revised Code.

INTRODUCED _____ March 5, 2012 _____
ADOPTED _____ March 5, 2012 _____

CLERK OF COUNCIL

APPROVED _____ March 5, 2012 _____

EXECUTIVE

ENACTED EFFECTIVE _____ March 5, 2012 _____

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