

**AN ORDINANCE TO ACCEPT THE IMPROVEMENTS IN  
AVENBURY LAKES SUBDIVISION NO. 2 AS  
SHOWN ON THE PLAT OF SAID SUBDIVISION AND  
AS REQUIRED BY THE CITY SUBDIVISION REGULATIONS  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Subdivider, Avenbury Lakes, Inc., has constructed the improvements, except sidewalks and planting of trees, in Avenbury Lakes Subdivision No. 2; and

**WHEREAS**, said improvements have been inspected by the City Consulting Engineer, who has certified that the Subdivision has been constructed in accordance with approved plans and in conformance with City Subdivision Regulations.

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

Section 1 - The City of Avon, Lorain County, Ohio, hereby accepts dedication of the improvements in Avenbury Lakes Subdivision No. 2 as having been completed in accordance with the Plat of said Subdivision and Subdivision Regulations, with the exception of sidewalks to be constructed and the planting of trees.

Section 2 - The City's acceptance of dedication of improvements herein is contingent upon the Subdivider providing the City with a Three (3) year Maintenance Bond for said improvements in the amount of Ninety Thousand Seven Hundred Twenty-Six (\$90,726.00) Dollars and a bond in the amount of Forty Thousand Two Hundred Sixty-Three (\$40,263.00) Dollars as a financial guarantee for the installation of sidewalks within the Subdivision and a cash deposit of Nineteen Thousand Three Hundred Fifty (\$19,350.00) Dollars which represents the cost of planting the required trees in the Subdivision pursuant to the Subdivider's Agreement and City Ordinance.

Section 3 - Upon satisfaction of contingencies set forth in Section 2, the Finance Director shall authorize the Subdivider's lending institution to release the acquisition and development escrow account.

Section 4 - All references to Dawn Street contained on any map or plat shall be changed, renamed and hereinafter referred to as Middleton Drive.

Section 5 - 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