



# LORAIN COUNTY COMMISSIONERS

Michelle Hung

David J Moore

Jeff Riddell



March 13, 2023

Robert Duncan, Director  
LCCDD  
226 Middle Avenue  
Elyria, Ohio 44035

Attn: Reese Dunton

Lorain County Board of Commissioners adopted Res#23-225 on March 10, 2023 authorizing approval and acceptance of a Plat dedicating land for public street or road purposes from Amherst Consolidated Properties LLC.

This is being forwarded for your information along with the executed plat for your distribution.

Sincerely,

Theresa L. Upton  
Clerk

tlu/Enclosure

Cc: Ken Carney, LC Engineer  
Craig Snodgrass, LC Auditor  
Ted Spillman, LC Tax Map  
File

d.14

RESOLUTION NO. 23-225

In the matter of authorizing approval and acceptance )  
of a Plat dedicating land for public street or road )  
Purposes from Amherst Consolidated Properties LLC)

March 10, 2023

WHEREAS, Amherst Consolidated Properties LLC (the "Developer") owns or owned certain real property located between State Route 58 and Oberlin Road in Lorain County currently listed as Permanent Parcel Nos. 05-00-046-000-045, 05-00-047-000-032, 05-00-054-000-060, 05-00-054-000-061, 05-00-054-000-062, 05-00-054-000-063, and 05-00-055-000-044 containing approximately 263.9315 acres of land (the "Project Site"); and

WHEREAS, the Developer desires to develop the Project Site by constructing (or causing to be constructed) approximately 210 multi-family senior living rental units, and approximately 459 single family homes, certain commercial office and retail buildings, and related improvements on the Project Site (collectively the "Improvements" or the "Project"); and

WHEREAS, the Developer has requested that the County accept the transfer and dedication for street, highway or road purposes certain real property traversing across a portion of the Project Site for the future construction of a spline road (the "Spline Road") connecting State Route 58 and Oberlin Road; and

WHEREAS, the County and the Developer previously entered into a Development Agreement, dated November 10, 2021 (as adopted by the County in Resolution #21-691) (the "Development Agreement"); and

WHEREAS, under separate Resolution this day, this Board has approved a First Amendment to Development Agreement between the County and the Developer; and

WHEREAS, pursuant to the Development Agreement as modified by the First Amendment to Development Agreement, and pursuant to Ohio Revised Code Section 5553.31, Developer desires to dedicate certain real property for street, highway or road purposes where the Spline Road will be located and constructed, and has submitted to the County the Sandstone Parkway Dedication Plat (the "Plat"), which Plat provides a definite description and detailed depiction of the real property dedicated for the Spline Road, pursuant to which the Developer will transfer the real property so described to the County; and

WHEREAS, the Developer has submitted to the Lorain County Engineer the detailed engineering plans and specifications for the construction of the Eastern Segment (as defined in the Development Agreement, as amended) of the Spline Road; and

WHEREAS, the County has determined that the development of the Project Site with the Improvements described in the Development Agreement as modified by the First Amendment to Development Agreement, and the fulfillment generally of the Development Agreement as modified, are in the vital and best interests of the County and the health, safety and welfare of its residents, and are necessary of the purpose of enhancing the availability of adequate housing and commercial retail space, reduction or prevention of the recurrence of blight, creation of jobs and employment opportunities, improving the economic welfare of the people of the County and addressing property conditions and circumstances that preclude and inhibit environmentally sound and economic use or reuse of the property comprising the Project Site.

NOW, THEREFORE, BE IT RESOLVED, the Lorain County Board of Commissioners:

Section 1. This Board hereby approves and accepts, pursuant to Ohio Revised Code Section 5553.31, the dedication for street, highway or road purposes and the transfer from the Developer of the real property specifically described in the Plat for the Spline Road in substantially the form attached as Exhibit A and authorizes this Board to indorse, execute and deliver the Plat, together with such changes as this Board shall determine are not substantially adverse to the County and to take such actions as are necessary or appropriate to implement the transactions contemplated by this Resolution.

Section 2. The real property transferred and accepted pursuant to Section 1 will be a County road.

Section 3. Promptly after the Lorain County Engineer approves the engineering plans and specifications for the construction of the Eastern Segment of the Spline Road, the Engineer is hereby generally authorized to proceed with the applicable process to seek bids for the construction of the Eastern Segment of the Spline Road.

Section 4. The County Administrator, or any other official, as appropriate, is authorized and directed to sign any other documents, instruments or certificates and to take such actions as are necessary or appropriate to consummate or implement the actions described herein or contemplated by this Resolution.

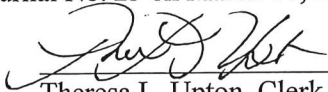
Section 5. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any decision making bodies of the County that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements.

Section 6. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Motion by Moore, seconded by Riddell to adopt Resolution. Upon roll call the vote taken thereon, resulted as: Ayes; Moore, Riddell & Hung / Nays: None  
Motion carried.

EXHIBIT A – SPLINE ROAD PLAT

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 23-225 is a true copy as it appears in Journal No. 23 on March 10, 2023.

  
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Theresa L. Upton, Clerk

