

FIRST Reading 3-13-74
3RD Reading 4-15-74

T24-74 RESOLUTION NO. 328 -74

A RESOLUTION APPROVING MILLS CREEK
SUBDIVISION, SECTION E AND ACCEPTING LAND
DEDICATED FOR PUBLIC USE, AND DECLARING AN
EMERGENCY.

WHEREAS, Bob Schmitt Homes, Inc., has obtained preliminary approval of its Mills Creek Subdivision, Section E, and

WHEREAS, Bob Schmitt Homes, Inc., has submitted said Subdivision to the Council of the City of North Ridgeville, Ohio, for final approval, and

WHEREAS, the Planning Commission of the City of North Ridgeville, Ohio has approved said Subdivision, and

WHEREAS, it is the desire of the Council of the City of North Ridgeville, Ohio to approve said Subdivision, accept lands dedicated for public use, subject to conditions;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO:

SECTION 1. That final approval is given to Mills Creek Subdivision, Section E, of Bob Schmitt Homes, Inc., consisting of Sublots Nos. 501 thru 714, situated in the City of North Ridgeville, County of Lorain and State of Ohio, as set forth on the proposed plat, subject to the hereinafter imposed conditions,

SECTION 2. That the land dedicated for public use on said plat, be and the same, is hereby accepted by the Council of the City of North Ridgeville, Ohio, provided the conditions hereinafter set forth are complied with, subject also to water and sewer being available to said Subdivision.

SECTION 3. That it is a condition to the issuance of Building Permits and/or Certificates of Occupancy, within said Subdivision, that the Developer shall give satisfactory guaranty to the City of North Ridgeville, Ohio, that the sewer, water and other improvements, according to the City's specifications shall be completed to the satisfaction of the City or shall be guaranteed therefor and shall be free and clear of any claim from any laborer,

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materialmen, contractor or subcontractor or guaranteed therefor.

SECTION 4. That as a condition of the approval of this Subdivision, the Developer shall deliver to the City of North Ridgeville, Ohio, a final certificate of title covering said Subdivision in such form as is approved by the City, free and clear of all incumbrances, liens, except current taxes and special assessments, if any, zoning ordinances, rights of way and easements of record, said final certificate of title to be dated and timed no earlier than the filing of the plat with the Lorain County Recorder; provided, however, that said property may be subject to a Mortgage, provided that the Mortgagee endorses the plat.

SECTION 5. That as a condition to the issuance of building permits and/or certificates of occupancy, the Developer shall enter into a Subdivider's Agreement with the City setting forth all of the terms and conditions herein, in such form and substance as approved by the City.

SECTION 6. That the Developer shall provide the City with adequate means for the treatment of sanitary waste to include any necessary expansion of the sewage treatment plant in the event that the capacity of the present plant is reached, prior to the issuance of any building permits and/or certificates of occupancy.

SECTION 7. That this Resolution, be and the same, is hereby declared to be an emergency measure, the emergency being the immediate necessity to provide for the public peace, health and welfare of the Citizens of the City of North Ridgeville, Ohio, by providing for the approval of a Subdivision; wherefore, this Resolution shall be in full force and effect from and immediately after its passage and approval.

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PASSED:

April 15, 1974

President of Council

Sally L. Richards

ATTEST:

[Signature]

Clerk of Council

APPROVED:

April 16, 1974

Charles H. Stuart
MAYOR

I hereby certify that this is a true and correct copy of the City of North Ridgeville, Ohio, Resolution No. 378-74

BY:

[Signature]

CLERK OF COUNCIL
CITY OF NORTH RIDGEVILLE, OHIO

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