

5-00-058-B

05-00-058-900-008 1.62 A.

RECEIVED

RESOLUTION NO. 87-2-943

DEC 17 1987

In the matter of accepting Hidden Valley )  
Subdivision #10 and all the improvements )  
for concrete pavement and sanitary )  
sewers for Moss Canyon Drive and Cobble )  
stone Drive. )

LAWRENCE V. McGLINCHY  
LORAIN COUNTY ENGINEER

December 8, 1987

WHEREAS, by letter dated December 8, 1987 the Lorain County Engineer Submitted a report on the status of Hidden valley Subdivision #10 in Amherst Township recommending that the Board accept all the improvements therein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Lorain County, Ohio, that we do and hereby accept the concrete pavement and sonitary sewer improvements of Moss Canyon Drive and Cobblestone Drive in Hidden Valley Subdivision #10, Amherst Tawnship, Lorain County, Ohio and do hereby dedicate to public use said streets in the subdivision. The same streets, Moss Canyon Drive and Cobblestone Drive are hereby accepted on behalf of the Amherst Township Trustees to become a part of their road system and to be maintained by them.

FURTHER BE IT RESOLVED by the Board of Commissioners that the following Maintenance Guarantee Agreement was submitted by the First Federal Savings and Loan Association of Lorain for one (1) year, in the sum of \$15,158.00:

**MAINTENANCE GUARANTEE AGREEMENT**

This Agreement is entered into by and between the Board of Cammissioners of Lorain County ("Baard") and First Federal Savings and Loan Association of Lorain ("Developer").

Whereas, Developer is about to complete or oversee completion of all pavement and drainage improvements in Hidden Valley Subdivision #10, Amherst Township, Lorain County, Ohio as recorded in Lorain County Recard of Plats Volume 42, page 72; and

Whereas, a maintenance guarantee is required by the Lorain County Engineer Specifications and Regulations for Subdivision Development at the time of final acceptance by the Board of the improvements within a subdivision; and

Whereas, Developer is prepared to set aside and deposit the required sum as such maintenance guarantee.

NOW, THEREFORE, the parties agree as follows:

Developer guarantees that all improvements are in satisfactory condition and agrees that it will repair, at its sole cost, all failures due to faulty construction as soon as same become apparent. Developer shall also be responsible for repairing damage due to erosion or abuse by owners and utility or construction companies working within the subdivision.

All improvements shall be in a condition acceptable to the Lorain County Engineer at the end of the maintenance period, which period shall expire one year from the date of the execution of this Agreement.

As security for Developer's guarantees and covenants herein, Bank shall deposit and set aside the sum of \$15, 158.00. If Developer fails to perform the aforementioned maintenance of the improvements to the complete satisfaction of the Lorain County Engineer, Developer shall pay all or part of the aforementioned sum to the Board to be utilized by the County Engineer in making any needed repairs.

Board shall give at least ten (10) days written notice to Developer of any default in Developer's performance of repair and maintenance. Such notice, to be effective, must be delivered by Board to Developer within one (1) year of the date of this Agreement. Developer shall be solely liable for all maintenance expenditures, including any and all expenditures over and above the stated amount.

In witness whereof, the parties hereto have set their hands at Lorain, Ohio this 23rd day of October, 1987.

WITNESSES:  
S/ Dennis J. Muzilla  
S/ Tina Gigliatti

S/ Mona L. Walsh  
S/ Carol Spanski

DEVELOPER:  
First Federal S & L Assn. of Lorain  
S/ Robert E. Brosky, Its President

Board of Commissioners of Lorain County:  
S/ George I. Koury, Jr.  
S/ Leonard P. Reichlin

The foregoing resolution was introduced upon a motion by Commissioner Herbert J. Jacoby, seconded by Commissioner Leonard P. Reichlin and the vote taken thereon resulted as follows: Herbert J. Jacoby, "aye"; Leonard P. Reichlin, "aye"; George I. Koury, Jr., "aye".

Motion carried.

---

I, Mona L. Walsh, Clerk of the Board of Lorain County Commissioners do hereby certify that this is a true copy of Resolution No. 87-2-943 as it appears in Journal No. 1987 on date December 8, 1987.

Mona L. Walsh