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*Olya Swish*  
Clerk of Council

ORDINANCE NO. 0-89-70

AN ORDINANCE TO ACCEPT THE PUBLIC IMPROVEMENTS, BEING WATERLINES, SEWERS, STORM SEWERS, AND CONCRETE STREET PAVEMENT TO APPLE ORCHARD SUBDIVISION NO. 1 FOR PUBLIC USE AND MAINTENANCE PURSUANT TO SECTION 1107.02(b)(4), AND DECLARING AN EMERGENCY.

WHEREAS, the Building and Lands Committee of the Council of the City of Amherst at a special meeting held October 9, 1989 has determined to accept the dedication of the improvements to Apple Orchard Subdivision No. 1 for public use and continued maintenance upon the recommendation of the Administration and the Planning Commission, and upon the representation of the City Engineer that all such improvements have been properly installed.

NOW, THEREFORE, BE IT ORDAINED, by the City of Amherst, County of Lorain, State of Ohio:

SECTION 1. That the Council of the City of Amherst, Ohio upon the recommendation of the Administration and the Planning Commission and the representation of the City Engineer that all improvements to Apple Orchard Subdivision No. 1 have been properly installed, does hereby accept the dedication of the improvements to Apple Orchard Subdivision No. 1, being the installation of water lines, sanitary sewers, storm sewers, and concrete pavement for continued public use and maintenance by the City of Amherst, Ohio. RECORDED PLAT VOL 44 PAGE 73

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance 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 Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of Amherst, Ohio. The emergency being the immediate necessity of accepting the improvements to Apple Orchard Subdivision No. 1 to provide for their public use and continued maintenance by the City of Amherst, Ohio.

WHEREFORE, this ordinance shall be in full force and effect immediately upon its passage and approval.

1st reading 1/22/90  
2nd reading \_\_\_\_\_  
3rd reading \_\_\_\_\_

PASSED January 22, 1990  
ATTEST Olga Swinski

John Higgins  
PRESIDENT OF COUNCIL  
JANUARY 23, 1990  
APPROVED  
John Jaworski  
MAYOR

Approved as to form by:  
Thomas H. Sanborn  
Thomas H. Sanborn  
Director of Law

Filed with the Mayor: 1/23/90

A-90-9/1-22-90