

**ORDINANCE NO. 8-14  
AN ORDINANCE AUTHORIZING AN AMENDMENT  
TO THE FINAL PLAT AND SUBDIVIDER'S AGREEMENT  
FOR PALMER VILLAGE NO. 5  
AND DECLARING AN EMERGENCY**

**WHEREAS**, Margam Investment Palmer Village East & West, LLC (hereinafter referred to as "Margam"), is the owner/subdivider of Palmer Village No. 5; and

**WHEREAS**, Margam desires to split off 0.5844 acres of land that is currently a part of Palmer Village No. 5 and consolidate it with 1.4737 acres of land owned by AJC Land One, LLC to create one lot of 2.0581 acres; and

**WHEREAS**, following a public hearing on September 18, 2013, Planning Commission, by a vote of five (5) to zero (0), approved the amendment to the preliminary plat of Palmer Village Subdivision and recommended to Council approval of the amended final plat of Palmer Village No. 5, thereby allowing Margam to split-off 0.5844 acres of land it currently owns as part of Palmer Village No. 5 and consolidate it with the 1.4737 acres of land owned by AJC Land One, LLC; and

**WHEREAS**, Council, having reviewed the amended final plat for Palmer Village No. 5 and after discussion, review and further consideration, has deemed it in the best interests of the health, safety and welfare of the citizens of Avon to accept said amendment and thereby allow the lot split and consolidation.

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

Section 1 - That the final plat and Subdivider's Agreement for Palmer Village No. 5 is hereby amended to allow for the splitting-off of 0.5844 acres of land owned by Margam Investment Palmer Village East & West LLC, to be consolidated with 1.4737 acres of land owned by AJC Land One, LLC to create one lot of 2.0581 acres as set forth in the amended final plat which as presented to Planning Commission on 9/18/13, a copy of which is incorporated herein as Exhibit A.

Section 2 - All terms and conditions set forth in the original Subdivider's Agreement for Palmer Village No. 5 and which are not inconsistent herewith, shall remain in full force and effect.

Section 3 - 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 that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - 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 the City of Avon, the immediate emergency being the necessity to amend the final plat and Subdivider's Agreement for Palmer Village No. 5 to permit the consolidation of lands between two adjoining property owners; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasior, Law Director

ATTEST:

\_\_\_\_\_  
Ellen R. Young  
Clerk of Council

POSTED: \_\_\_\_\_

In Five Places as  
Provided by Council

Prepared by:  
John A. Gasior, Esq.  
Law Director