

**ORDINANCE NO. 112-16**

**AN ORDINANCE TO ACCEPT IMPROVEMENTS CONSTRUCTED BY  
CARMEL AT STONEBRIDGE, LLC FOR THE CONSTRUCTION/INSTALLATION OF  
PUBLIC UTILITIES ON APPROXIMATELY 19.5 ACRES OF LAND LOCATED  
WITHIN THE DEVELOPMENT KNOWN AS REDWOOD AT CARMEL  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the owner, Carmel at Stonebridge, LLC, has constructed/installed public utilities on approximately 19.5 acres of land located within the development known as Redwood at Carmel; and

**WHEREAS**, said improvements have been inspected by the City's Engineer, who has certified that said improvements have been constructed in accordance with the terms set forth in the Developer's Agreement and in conformance with City Development Regulations.

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

Section 1 - That the City of Avon, Lorain County, Ohio, hereby accepts the construction/installation of public utilities on approximately 19.5 acres of land located within the development known as Redwood at Carmel, subject to the Developer meeting all conditions set forth in Section 2 below.

Section 2 - The City's acceptance of dedication of the public utilities in the development known as Redwood at Carmel, is contingent upon the Developer providing the City with the following: (1) A Three (3) Year Maintenance Bond or similar Financial Guarantee for said improvements in the amount of Thirty Eight Thousand Seven Hundred Ninety Six and 00/100 (\$38,796.00) Dollars; (2) a cash deposit in the sum of Five Thousand and 00/100 (\$5,000.00) Dollars to cover miscellaneous costs incurred by the City relating to this Development; and (3) a payment of Fourteen Thousand Eight Hundred Fourteen and 73/100 (\$14,814.73) Dollars for the Stormwater Drainage Improvement Fund. Upon compliance with all the requirements set forth herein, the Finance Director shall authorize the Developer's lending institution to release the acquisition and development escrow account.

Section 3 - Upon recommendation of the Law Director and the City Engineer, the Finance Director shall authorize the release of all or part of deposits for legal and engineering fees set forth in the Developer's Agreement.

Section 4 - 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.

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Section 5 - 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 accept the construction/installation of public utilities on approximately 19.5 acres of land located within the development known as Redwood at Carmel by the Developer Carmel at Stonebridge, LLC; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

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

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

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

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

APPROVED AS TO FORM:

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

ATTEST:

\_\_\_\_\_  
Barbara J. Brooks  
Clerk of Council

Posted: \_\_\_\_\_  
In Five Places as  
Provided by Council

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