

ORDINANCE NO. 60-17

**AN ORDINANCE AMENDING SUBDIVIDER'S AGREEMENT
FOR ARLINGTON PLACE SUBDIVISION NO. 11 TO INCREASE THE
NUMBER OF MODEL HOMES FROM TWO (2) TO THREE (3)
AND DECLARING AN EMERGENCY**

WHEREAS, on August 9, 2016, Council passed Ordinance No. 90-16 which authorized the Subdivider's Agreement for Arlington Place Subdivision No.11; and

WHEREAS, the original Subdivider's Agreement for Arlington Place Subdivision No. 11, Paragraph 17, authorized the construction of Two (2) model homes; and

WHEREAS, the Subdivider has requested a modification of the original Subdivider Agreement to add One (1) additional model home for a total of three (3) model homes in Phase 11.

WHEREAS, all other aspects of the Subdivider Agreement shall remain in full force and effect; and

WHEREAS, Council, taking into consideration the circumstances presented by the Subdivider, deems it in the best interest of the health, safety and welfare of the citizens of Avon to amend the Subdivider Agreement to permit the construction of one additional model home.

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

Section 1 – That the Subdivider's Agreement for Arlington Place Subdivision No. 11 is hereby amended to permit the Subdivider to construct One (1) additional model home for a total of Three (3) model homes.

Section 2 - 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 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 the City of Avon, the immediate emergency being the necessity to amend the Subdivider's Agreement for Arlington Place Subdivision No. 11 to allow for the construction of an additional model home; therefore, this Ordinance shall be in full force and effect immediately upon its passage and

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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:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director