

ORDINANCE NO. 2022-7

**AN ORDINANCE ACCEPTING THE FINAL PLAT
FOR CHAGRIN MILL FARM SUBDIVISION, AND
DECLARING AN EMERGENCY.**

WHEREAS, Sommers Development Group, LLC, developer of Chagrin Mill Farm Subdivision, has filed the Final Plat of Chagrin Mill Farm Subdivision ("Final Plat") with the Planning Commission of the City of Willoughby, Ohio, and has requested approval thereof; and

WHEREAS, the Planning Commission and the City Engineer have reviewed and approved the Final Plat and the City Engineer has further certified said approval and estimated the cost of the remaining improvements to Council, which estimate amounts to \$25,000; and

WHEREAS, the developer has offered certain streets, alleys, public grounds, and utility easements for dedication to public use, as shown and described on the Final Plat;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY, THE COUNTY OF LAKE, AND THE STATE OF OHIO:

SECTION 1. That the Council of the City of Willoughby, Ohio, hereby accepts and approves the Final Plat, and authorizes the recordation of said Final Plat upon receipt from the developer, in a form acceptable to the Director of Law of the City, of the following:

1. financial guarantee in the amount of no less than \$25,000 to guarantee the cost of the remaining improvements; and
2. developer's liability insurance policy which covers personal injury and property damage in the amount of \$2,000,000 per person and per occurrence.

SECTION 2. That with the acceptance of the Final Plat, certain streets, alleys, public grounds, and utility easements dedicated to public use, if any, as shown thereon, is hereby confirmed.

SECTION 3. That the Clerk of Council is hereby authorized and directed to cause the Final Plat to be recorded with the Lake County Recorder's Office as provided by law upon receipt from the developer of the fees to be paid to effect such recording and upon delivery to the Clerk of Council of a statement of title guaranty for Chagrin Mill Farm Subdivision, in the amount of \$10,000 issued by a title company and approved by the Director of Law showing title to the utility easements shown on the Final Plat to be good in the City of Willoughby, Ohio, free and clear of all encumbrances whatsoever as of the date and hour of the filing of the Final Plat for record. In the event it is more convenient, the Clerk of Council and the Director of Law may engage a title company to provide for the recording and, upon receipt of the title company's charges for such service, obtain reimbursement from the developer.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such actions were conducted in meetings open to the public in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the community; and for the further reason to provide for the immediate commencement of the Chagrin Mill Farm Subdivision, and provided that it receives the affirmative vote of two-thirds of the members elected to Council, it shall be in full force and take effect immediately upon its passage by Council and approval by the Mayor; otherwise, it shall be in full force and take effect from and after the earliest period allowed by law.

Passed: January 18, 2022 [Signature]
President of Council

Attest: [Signature]
Clerk of Council

Date: 01.19.22 Approved: [Signature]
Mayor

Submitted to the Mayor for his approval on this 19th day of January, 2022.

[Signature]
Clerk of Council