

RESOLUTION NO.: 2010-R1
SPONSOR: MAYOR NORTON
INTRODUCED: January 26, 2010 **ASSIGNED TO:** PLANNING

A RESOLUTION ACCEPTING THE DONATION OF LOTS 36, 47, 48, 49 AND 50 IN THE MYSTIC POINTE SUBDIVISION, ~~AND DECLARING AN EMERGENCY.~~

WHEREAS, the Developer, Union Commerce Corporation, previously promised to deed sublots 36, 47, 48, 49 and 50 to the Ohio Department of Natural Resources as a buffer to the 27-acre city-owned Myersville Fen.

WHEREAS, after years of debate and discussion with the Army Corp of Engineers and the Ohio Department of Natural Resources, the Army Corp of Engineers has recommended that the City of Green would be the best government entity to hold title to these parcels; and

WHEREAS, the addition of Lots 36, 47, 48, 49 and 50 would become an extension of the Myersville Fen; and

WHEREAS, the City of Green is accepting these parcels as open space/preservation area and no construction will occur upon them; and

WHEREAS, the acceptance of donation of real estate by the City of Green requires approval of City Council; and

WHEREAS, it is in the best interest of the citizens of Green and the residents of the Mystic Pointe Subdivision for the City of Green to accept title to lots 36, 47, 48, 49 and 50 as detailed on the map attached as Exhibit A"; and

WHEREAS, Union Commerce Corporation, the owner of the lots in the Mystic Pointe Subdivision, has provided executed Warranty Deeds for these parcels which are available for inspection and copying in the Department of Law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION ONE:

Council accepts the donation of lots 36, 47, 48, 49 and 50 of the Mystic Pointe Subdivision and directs the Law Department to record the Warranty Deeds to accept title to those parcels.

SECTION TWO:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:

~~Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.~~

ADOPTED: February 23, 2010

Molly Stevens
Molly Stevens, Clerk

Bruce Manwaring
Bruce Manwaring, Council President

APPROVED: Feb. 23, 2010

Richard G. Norton
Richard G. Norton, Mayor

COPIED _____
SVCE ZONE PARK ROAD ENG
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: March 25, 2010

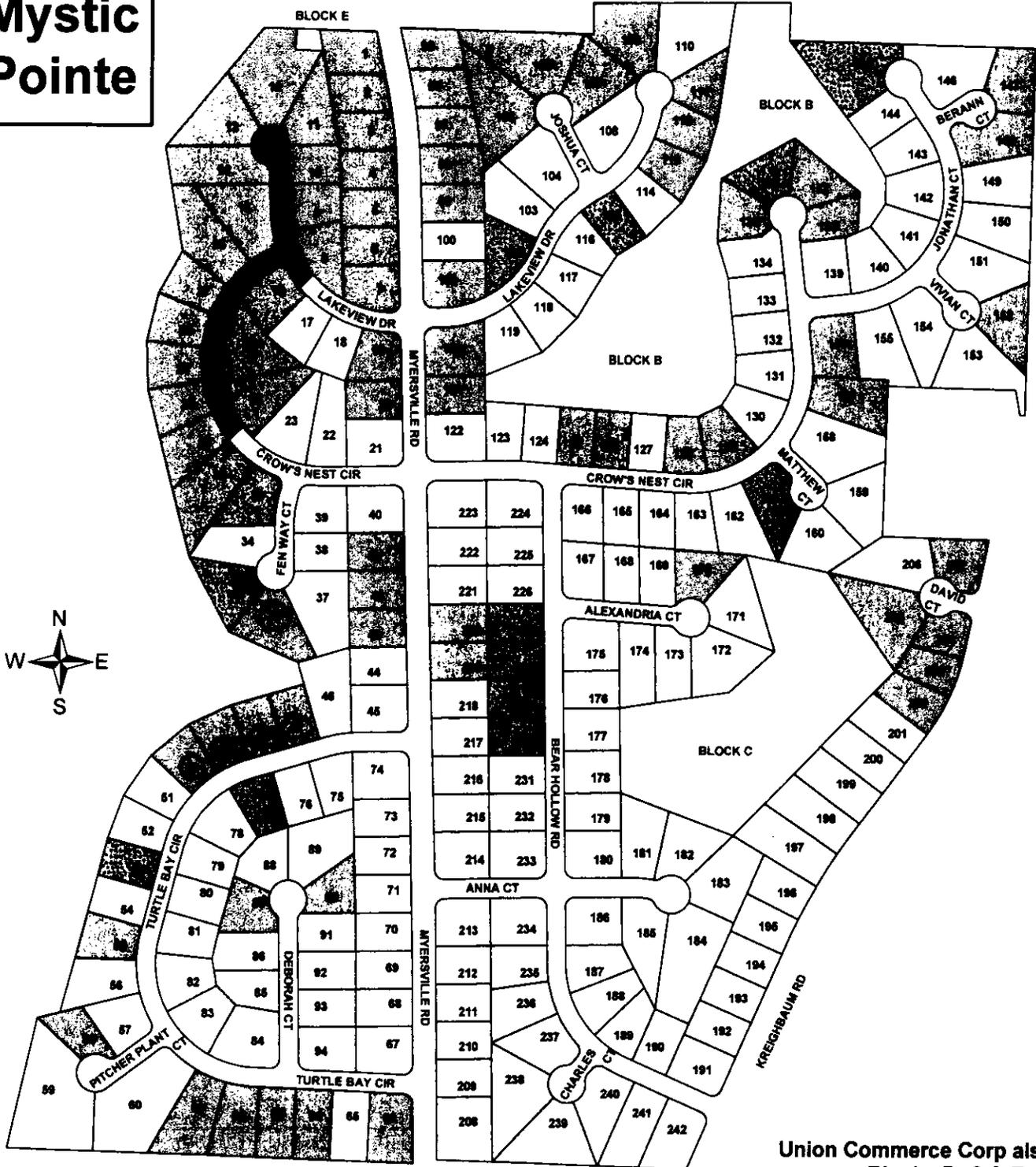
ON ROLL CALL: Colopy -yea DeVitis -yea France -yea Manwaring -yea
Reed -absent Summerville -yea Smole -absent Adopted 5-0

Suburbanite publication on Feb. 28 and March 7, 2010

Molly Stevens
Molly Stevens, Clerk

Approved as to form and content by Stephen J. Pruneski, Law Director SP 1/21/10
1/21/2010 9:06 AM

Mystic Pointe



Union Commerce Corp also owns Blocks B, C & E



Mystic Pointe

-  Vacant Owned by Union Commerce Corp (80 Lots)
-  Vacant Owned by Other Party (12 Lots)
-  Mystic Point Block
-  Mystic Pointe (Developed)
-  Unbuilt Road