

RESOLUTION NO.: 2013-R15
SPONSOR: MAYOR NORTON
INTRODUCED: MARCH 12, 2013

ASSIGNED TO: PLANNING

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ACCEPT A TRANSFER OF LOT 33 IN THE MYSTIC POINTE SUBDIVISION AND FURTHER AUTHORIZING THE CITY TO TRANSFER LOT 33 TO SCOTT AND SHARON DURBIN IN EXCHANGE FOR LOT 35, AND DECLARING AN EMERGENCY.

WHEREAS, as part of the Development of the Mystic Pointe Subdivision, the Army Corp. of Engineers and the Ohio Department of Natural Resources required Union Commerce Corp. the developer, to deed Lots 35, 36, 47, 48, 49, and 50, to the City of Green to preserve as open space; and

WHEREAS, Union Commerce Corp. deeded Lots 36, 47, 48, 49, and 50, to the City of Green; and

WHEREAS, Union Commerce Corp. wishes to transfer Lot 33 to the City of Green; and

WHEREAS, Union Commerce Corp. subsequently and mistakenly sold Lot 35 (with Lot 34) to Scott and Sharon Durbin; and

WHEREAS, Scott and Sharon Durbin are willing to accept a deed for Lot 33; and

WHEREAS, in exchange, Scott and Sharon Durbin are willing to deed Lot 35 to the City of Green to satisfy the requirements of the Ohio Department of Natural Resources and Army Corp. of Engineers to provide a buffer between the Subdivision and the Myersville Fen.

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

SECTION ONE:

City Council authorizes the City of Green to accept the transfer of Lot 33 in the Mystic Pointe Subdivision from Union Commerce Corp.

SECTION TWO:

City Council authorizes the City of Green to transfer Lot 33 in the Mystic Pointe Subdivision to Scott and Sharon Durbin in exchange for the transfer of Lot 35 from the Durbin's to the City.

SECTION THREE:

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.

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SECTION FOUR:

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. It is necessary to immediately pass this Resolution to expedite the proposed Project and promote highway safety. 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: APRIL 9, 2013

Molly Stevens
Molly Stevens, Clerk
KAPUZLUCIC

Dave France
Dave France, Council President

APPROVED: APRIL 9, 2013

Richard G. Norton
Richard G. Norton, Mayor

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

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ENACTED EFFECTIVE: APRIL 9, 2013

ON ROLL CALL: Colopy -yca France ~yca Humphrey -yca Knodel ~yca
Neugebauer -yca Reed -yca Summerville -yca Adopted 7-0

Suburbanite publication on APRIL 14 and APRIL 21, 2013

Molly Stevens
Molly Stevens, Clerk
KAPUZLUCIC

03/07/2013 Approved as to form and content by Stephen J. Pruneski, Law Director Stephen Pruneski 3/7/2013
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