

**RESOLUTION NO.:** 2013-R17  
**SPONSOR:** MAYOR NORTON  
**INTRODUCED:** MARCH 12, 2013

**ASSIGNED TO:** PLANNING

**A RESOLUTION ACCEPTING THE FINAL PLAT AND PERFORMANCE BOND FOR CVS DRIVE, AND DECLARING AN EMERGENCY.**

WHEREAS, at its regularly scheduled meeting on January 16, 2013, the City of Green Planning and Zoning Commission approved the final plat of CVS Drive, by a vote of 5-0; and

WHEREAS, Environmental Design Group, the City's consulting engineer, has reviewed and recommended that a minimum performance bond be posted in the amount of Two Hundred Thirty Two Thousand Eight Hundred Ninety Six Dollars and Ninety-Five Cents (\$232,896.95) to be held pending the satisfactory completion of the public improvements within CVS Drive; and

WHEREAS, the City of Green Land Development Code requires City Council to confirm the final plat.

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

**SECTION ONE:**

Green City Council, pursuant to Section 1224.06(4)(J) of the Land Development Code, confirms the final plat of CVS Drive.

**SECTION TWO:**

Green City Council accepts a performance bond in the amount of Two Hundred Thirty Two Thousand Eight Hundred Ninety Six Dollars and Ninety-Five Cents (\$232,896.95) submitted by Dearborn Land Investment, LLC., and ("Developer") and directs the Finance Director to retain the bond until such time as all obligations have been met and the bond is released in accordance with City regulations.

**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.

**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. 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: MARCH 12, 2013

Molly Stevens  
Molly Stevens, Clerk

Dave France  
Dave France, Council President

APPROVED: March 12, 2013

Richard G. Norton  
Richard G. Norton, Mayor

COPIED \_\_\_\_\_  
SVCE ZONE PARK ROAD ENG  
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: March 12, 2013

ON ROLL CALL: Colopy -yes France -yes Humphrey -yes Knodel -yes  
Neugebauer -yes Reed -yes Summerville -yes Adopted 5-0

Suburbanite publication on MARCH 17 and March 24, 2013

Molly Stevens  
Molly Stevens, Clerk

SP 3/6/13