

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 05-54

INTRODUCED BY: Koch, Gentile, Willey

AN ORDINANCE AMENDING THE DEDICATION PLAT APPROVED BY ORDINANCE 04-55 WHICH ACCEPTED THE DEDICATION OF 1,082.52 FEET OF SILVER TREE TRAIL, 295.67 FEET OF ETHAN TRAIL AND 270.37 FEET OF RAYA OVAL IN THE TRAILS SUBDIVISION FROM PREPCENTER LAND GROUP LLC, BY REVISING THE FRONT BUILDING SETBACKS OF SUBLOTS 21, 22, 23, AND DECLARING AN EMERGENCY

WHEREAS: On August 5, 2004, Council adopted Ordinance 04-55 accepting the dedication of 1,082.52 feet of Silver Tree Trail, 295.67 feet of Ethan Trail and 270.37 feet of Raya Oval in The Trails Subdivision from Prepcenter Land Group LLC; and

WHEREAS: After the introduction of Ordinance 04-55, but prior to its adoption, Council introduced and approved Ordinance 04-75 on March 30, 2004, which approved Prepcenter Land Group's proposed The Trails subdivision for record purposes only; and

WHEREAS: The developer recorded the record purposes only plat on April 5, 2004 with the Cuyahoga County Recorder's Office, #200404050998; and

WHEREAS: After adoption of Ordinance 04-55, it was discovered that it was necessary to revise the front building setbacks of Sublots 21, 22 and 23 from a concentric arc setback from Raya Oval's right-of-way to a straight chord setback that meets the city's required 100 foot wide requirement; and

WHEREAS: The Developer has submitted a revised dedication plat showing these changes; and

WHEREAS: The City Engineer has reviewed and approved these changes; and

WHEREAS: The Developer has not yet had the original dedication plat recorded with the Cuyahoga County Auditor's Office; and

WHEREAS: It is therefore necessary to approve the revised dedication plat in order to have it properly recorded.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The dedication plat for approximately 1,082.52 feet of Silver Tree Trail, 295.67 feet of Ethan Trail and 270.37 feet of Raya Oval in The Trails Subdivision from Prepcenter Land Group LLC, and as approved by the Engineer is hereby accepted, amended, approved and ordered to be recorded by the developer in the Office of the Recorder of Cuyahoga County, Ohio.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend the dedication plat to reflect the correct front building set backs and to enable said plat to be recorded.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Robert A. Stefanik
PRESIDENT OF COUNCIL

APPROVED: /s/ Cathy Luks
MAYOR

DATE PASSED: May 4, 2005

DATE APPROVED: May 6, 2005

First reading suspended
Second reading suspended
Third reading May 4, 2005

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

YEAS: Stefanik, Bobulsky, Gentile, Willey,
Koch, Zaccardelli, Uffman-Kirsch

NAYS: none