

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

RESOLUTION 09-110

INTRODUCED BY: Mayor Stefanik

A RESOLUTION ASSENTING TO AMENDMENT NO. 1 TO THE DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR CRYSTAL CREEK SUBDIVISION AND ITS EXHIBITS E AND F, AND DECLARING AN EMERGENCY

WHEREAS: The Declaration of Easements, Covenants and Restrictions for Crystal Creek Subdivision was filed with the Cuyahoga County Recorder's Office on June 5, 2003; and

WHEREAS: Exhibit E, Article Ten entitled Amendments of the Declaration of Easements, Covenants and Restrictions for Crystal Creek Subdivision states: "Amendment of these Articles shall require the assent of members owning not less than sixty percent (60%) of the voting power of the Association. Amendment of Articles Tenth and Eleventh shall also require the assent of the City of Independence" (sic) [should read North Royalton]; and

WHEREAS: It is therefore necessary to provide the assent of the City of North Royalton to Amendment No. 1 to the Declaration of Easements, Covenants and Restrictions for Crystal Creek Subdivision and its Exhibits E and F.

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

Section 1. The City of North Royalton hereby provides the assent to Amendment No. 1 to the Declaration of Easements, Covenants and Restrictions for Crystal Creek Subdivision and its Exhibits E and F, a copy of which is attached hereto as Exhibit A.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 Resolution 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 provide the assent of the City of North Royalton to Amendment No. 1 to the Declaration of Easements, Covenants and Restrictions for Crystal Creek Subdivision and its Exhibits E and F.

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/ Vincent A. Gentile
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: November 4, 2009

DATE APPROVED: November 4, 2009

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

First reading suspended
Second reading suspended
Third reading November 4, 2009

YEAS: Gentile, Nickell, Petrusky, Willey,
Farrell, Antoskiewicz, Kasaris

NAYS: none