

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 215

By: Mr. Maloney

AN ORDINANCE ACCEPTING FOR DEDICATION TO PUBLIC USE CERTAIN LANDS LOCATED AT PEARL AND DRAKE ROADS WITHIN THE GETGO SUBDIVISION; ACCEPTING CERTAIN PUBLIC UTILITIES CONSTRUCTED THEREIN; AUTHORIZING AND DIRECTING THE ACTS REQUIRED IN FURTHERANCE THEREOF, AND DECLARING AN EMERGENCY.

WHEREAS, GetGo Portfolio II, LP, a Delaware Limited Partnership, and/or its affiliates or subsidiaries, the Owner of the GetGo Subdivision, located on a portion of Pearl Road, and being known as Permanent Parcel Nos. 397-10-010 and 397-10-012, is offering to the City of Strongsville for dedication to public use those certain lands for streets, drives, roads, and easements (the "Public Rights-of-way"), as shown on the plat for the subdivision (with consolidation of parcels) which was approved by the Planning Commission on October 9, 2014 (the "Subdivision Plat"); and

WHEREAS, the Owner is offering to the City of Strongsville for acceptance certain public utilities, public sanitary and storm sewers, and appurtenances constructed above and beneath the surface of the ground within the aforesaid lands (the "Public Improvements") as shown in the improvements plans for said subdivision approved by the City Engineer on October 9, 2014, and on file with the City Engineer (hereinafter referred to as "Improvement Plans"); and

WHEREAS, the City Engineer has reported that the Public Improvements, including street pavements, curbs, sanitary sewer systems, storm sewer systems, and water mains as shown on the Subdivision Plat and described in the Improvement Plans have been completed; and

WHEREAS, this Council desires to accept for dedication to public use the lands offered by GetGo Portfolio II, LP, including but not limited to the land reflected on Exhibit A attached hereto and incorporated herein to be utilized for a turn lane and sidewalk ("Public Right-of-Way").

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA, AND STATE OF OHIO;

Section 1. That the Subdivision Plat, Exhibit A, is approved, and all of the Public Rights-of-way offered to the City of Strongsville be and are hereby accepted by the City of Strongsville and dedicated to public use, provided that the Developer provides to the City a bond securing or guaranteeing the maintenance of the Public Improvements for a period of not less than two years from and after the effective date of this Ordinance in a sum no less than 10% of the cost of installation of the improvements.

Section 2. That all of the Public Improvements constructed above and beneath the surface of the ground within the aforesaid Public Rights-of-way, all as shown on the Improvement Plans, except private storm and sanitary sewers, if any, utilities, and appurtenances which do not serve the general public in said Subdivision, be and are hereby accepted by the City of Strongsville, subject to the provisions of this Ordinance.

Section 3. That the Clerk of Council be and is hereby authorized and directed to execute the acceptance and dedication on the Subdivision Plat upon determination that the City is in receipt of the required bonds or deposits and the Developer's deposit of such sums as are required to pay existing taxes, liens, or other assessments which are a lien upon any of the lands to be accepted or dedicated by this Ordinance, and to pay the fees to effect recording with the Fiscal Officer of Cuyahoga County.

Section 4. That the City Engineer be and is hereby authorized and directed to cause said Subdivision Plat to be filed for record with the Fiscal Officer of Cuyahoga County as provided by law, upon the Engineer's determination that, as of the date and hour of such filing the City, or its authorized agent, is in receipt of a statement of title guarantee in an amount of One Thousand Dollars (\$1,000.00) issued by a title company approved by said Engineer showing title to all lands dedicated to public use shown on the Subdivision Plat to be good in the name of the City of Strongsville, free and clear of any easements, taxes, liens, assessments, or other encumbrances of any kind except as set forth in this Ordinance, and that any and all required bonds and deposits have been submitted and approved.

Section 5. That this Council further directs that such sums as shall be required to pay existing taxes, liens, or other assessments which are a lien upon any of the lands to be dedicated in this subdivision shall be deposited with the City of Strongsville before the evidence of acceptance of the City of Strongsville is entered upon the dedication.

Section 6. That 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 the 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 7. That 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 assure proper development of all lots and land within the City of Strongsville. 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.

Michael Daymut
President of Council

Approved: Thomas Z. Bruer
Mayor

Date Passed: November 17, 2014

Date Approved: November 18, 2014

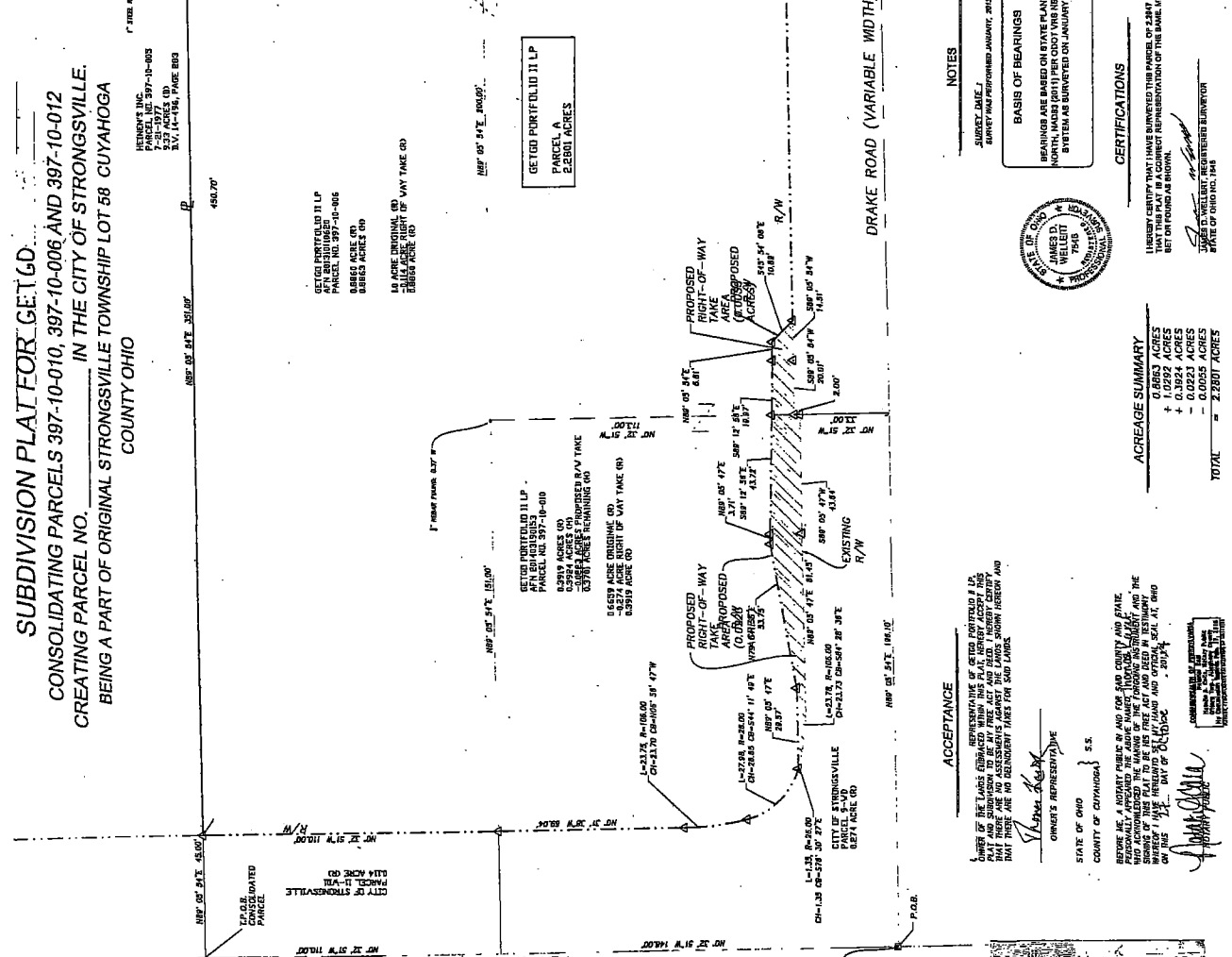
	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	_____
Daymut	<input checked="" type="checkbox"/>	_____
DeMio	<input checked="" type="checkbox"/>	_____
Dooner	<input checked="" type="checkbox"/>	_____
Maloney	<input checked="" type="checkbox"/>	_____
Schonhut	<input checked="" type="checkbox"/>	_____
Southworth	<input checked="" type="checkbox"/>	_____

Attest: Aimee Pismka
Clerk of Council

ORD. No. 2014-215 Amended: _____
1st Rdg. 11-17-14 Ref: _____
2nd Rdg. Suspended Ref: _____
3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: 11-17-14 Defeated: _____

SUBDIVISION PLAN FOR GETGO
CONSOLIDATING PARCELS 397-10-010, 397-10-006 AND 397-10-012
CREATING PARCEL NO. _____ IN THE CITY OF STRONGSVILLE,
BEING A PART OF ORIGINAL STRONGSVILLE TOWNSHIP LOT 58 CUYAHOGA
COUNTY OHIO



APPROVALS

APPROVED BY THE CITY OF STRONGSVILLE, OHIO, PLANNING COMMISSION

DATE: _____ BY: _____

SECRETARY OF PLANNING COMMISSION

CITY ENGINEER

OWNER'S REPRESENTATIVE

STATE OF OHIO } S.S.
 COUNTY OF CUYAHOGA

ACCREAGE SUMMARY

0.8563 ACRES
+ 1.0292 ACRES
+ 0.2923 ACRES
- 0.0055 ACRES
TOTAL = 2.2801 ACRES

ACCEPTANCE

REPRESENTATIVE OF GETGO FUEL STATION #3086

PLAT AND SUBDIVISION TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF RECORDATION AND THEREAFTER.

STATE OF OHIO } S.S.
 COUNTY OF CUYAHOGA

LEGEND

- 1. ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED
- 2. DIMENSIONS OF PROPOSED TAKE ARE SHOWN IN RED
- 3. DIMENSIONS OF EXISTING TAKE ARE SHOWN IN BLACK
- 4. DIMENSIONS OF PROPOSED TAKE ARE SHOWN IN RED
- 5. DIMENSIONS OF EXISTING TAKE ARE SHOWN IN BLACK
- 6. DIMENSIONS OF PROPOSED TAKE ARE SHOWN IN RED
- 7. DIMENSIONS OF EXISTING TAKE ARE SHOWN IN BLACK

SITE LOCATION MAP

SCALE: 1" = 100'

DATE: _____ BY: _____



MEMORANDUM

TO: Aimee Pientka, Council Clerk
Ken Kraus, Law Director

FROM: Carol Oprea, Administrative Assistant, Boards & Commissions

SUBJECT: Referrals to Council

DATE: October 10, 2014

Please be advised that at its meeting of October 9, 2014 the Strongsville Planning Commission gave Favorable Recommendation to the following;

GET GO/Joe Tassone, Agent

Subdivision of PPN's 397-10-006 and 012 and dedication of right-of-way to the City of Strongsville, located at the corner of Pearl and Drake Roads, zoned Motorist Service.

SIEDEL FARMS/ Chris Bender, Agent

Preliminary and Final Subdivision Plan approval for the proposed Siedel Farms SFD & CD Subdivision, Phase 4, to consist of 20 Single Family Sublots; property located off Westwood Drive, PPN's 392-13-001 and 003 zoned R1-75 **subject to the reports of the Engineering and Fire Departments and the Tree Plan dated 10-9-14.**