

**RESOLUTION NO.:** 2022-R36  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** JUNE 14, 2022 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION APPROVING THE FINAL PLAT AND PERFORMANCE BOND FOR FOREST LAKES SUBDIVISION PHASE II, AND DECLARING AN EMERGENCY.**

WHEREAS, at its regularly scheduled meeting on December 16, 2021, the City of Green Planning & Zoning Commission recommended approval of the final plat for Forest Lakes Planned Development Phase II, by a vote of 5-0; and

WHEREAS, Environmental Design Group (“EDG”), the City’s Consulting Engineer, has reviewed and recommended that a minimum performance bond be posted in the amount of One Million Three Hundred Twenty-Eight Thousand One Hundred Eighty-One Dollars and Twenty-Five Cents (\$1,328,181.25) be held pending the satisfactory completion of the public improvements within Forest Lakes Planned Development Phase II; and

WHEREAS, Green Codified Ordinance Section 1224.06(4)(J) requires Green City Council to review and judge that the final plat, along with the recommendation of the Planning and Zoning Commission.

**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 Green Codified Ordinance Section 1224.06(4)(J), approves the final plat of Forest Lakes Planned Development Phase II, a copy of which is attached hereto as Exhibit “A”.

**SECTION TWO:**

Green City Council accepts a performance bond in the amount of One Million Three Hundred Twenty-Eight Thousand One Hundred Eighty-One Dollars and Twenty-Five Cents (\$1,328,181.25) submitted by K. Hovnanian Forest Lakes, LLC (“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:**

Green City 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 and for the further reason that the plat may be recorded, and construction proceed immediately and forthwith. Provided that

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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: \_\_\_\_\_, 2022

\_\_\_\_\_  
Nichole Messner, Clerk of Council

\_\_\_\_\_  
Dave France, Council President

APPROVED: \_\_\_\_\_, 2022

\_\_\_\_\_  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2022

ON ROLL CALL:   Babbitt \_\_\_\_\_ Brandenburg \_\_\_\_\_ DeVitis \_\_\_\_\_ France \_\_\_\_\_  
                          Noble \_\_\_\_\_ Meager \_\_\_\_\_       Yeargin \_\_\_\_\_

*Southside Leader* publication on \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_  
Nichole Messner, Clerk of Council

06/09/2022 Approved as to form and content by Lisa Dean, Director of Law. \_\_\_\_\_