

ORDINANCE NO. 08-64 AC CMS

AN ORDINANCE APPROVING A DEVELOPMENT CONSTRUCTION AGREEMENT WITH KENDAL AT OBERLIN FOR THE CONSTRUCTION OF A PUBLIC MAIN RELATED TO THE KENDAL AT OBERLIN PHASE II EXPANSION AND DECLARING AN EMERGENCY

Whereas, Kendal at Oberlin has submitted plans to the Oberlin Planning Commission and the City of Oberlin for the proposed Phase II Expansion of residential living units in the Kendal at Oberlin Planned Residential Development, and;

Whereas, the Oberlin Planning Commission has approved the site plan and the improvement plans for same, and;

Whereas, the City of Oberlin desires to enter into a Development Construction Agreement with Kendal at Oberlin to ensure installation of a proposed public water main in the proposed development in accordance with the approved improvement plans.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, 5/7ths of all members elected thereto concurring:

SECTION 1. That the proposed Development Construction Agreement between the City of Oberlin, Ohio and Kendal at Oberlin for construction and installation of a proposed public water main located in and adjacent to the Kendal at Oberlin Planned Residential Development at 600 Kendal Drive, Oberlin, Ohio, a copy being attached hereto and incorporated herein by reference, is hereby approved, and the City Manager is hereby authorized and directed to execute same on behalf of the City.

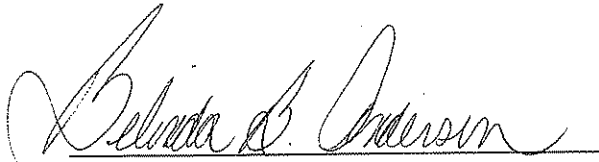
SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

"to approve a Development Construction Agreement in a timely manner so as to avoid construction delays", and shall take effect immediately upon passage.

PASSED: 1st Reading – August 25th, 2008 (E)
 2nd Reading –
 3rd Reading –

ATTEST:



Belinda B. Anderson
CLERK OF COUNCIL

POSTED: 8/26/2008



David E. Sonner
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 8/25/2008

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