

ORDINANCE NO. 2024-09

AN ORDINANCE ACCEPTING THE FINAL PLAT OF THE MAUMEE LANDING SUBDIVISION - PHASE 13 (LOT 5) TO THE ADDITION TO THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, PURSUANT TO ORDINANCE NO. 94-17, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp approved the preliminary plat of the Maumee Landing Subdivision submitted by Olen McMichael, the developer for the Maumee Landing Subdivision. Said preliminary plat was discussed, approved and accepted by the council at its regular meeting on May 8, 2006; however, the minutes from that meeting failed to reflect council's action on the preliminary plat. At the special meeting of the council on July 30, 2008, the council renewed its motion to accept the preliminary plat for the Maumee Landing Subdivision, which motion was passed by a unanimous vote of the council members present.

WHEREAS, Olen McMichael has submitted the final plat of the Maumee Landing Subdivision - Phase 13 (Lot 5) to the Village of Antwerp Planning Commission, n/k/a Planning and Zoning Commission (the "Commission"), as well as to the Village of Antwerp Council, as required by Ordinance No. 94-17, the Village Subdivision Ordinance.

WHEREAS, the Commission recommended that the final plat for Phase 13 (Lot 5) of the Maumee Landing Subdivision and the infrastructure improvements provided thereon be accepted.

WHEREAS, the final plat has been prepared by a licensed land surveyor, and in accordance with the Subdivision Ordinance, Ordinance No. 94-17, action will be taken by the Village Council within thirty (30) days after the submission of the final plat.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. That the recommendation of the Commission as to the final plat of the Maumee Landing Subdivision - Phase 13 (Lot 5) to the addition to the Village of Antwerp, Paulding County, Ohio, described in **Exhibit A**, which is attached hereto and made a part hereof, is hereby approved, and that the final plat of the Maumee Landing Subdivision - Phase 13 (Lot 5) is hereby accepted.

Section 2. That the Village's engineer shall, upon the written request by the developer herein, inspect the construction of the streets, sewers, water mains, fire hydrants, and other infrastructure improvements identified in the plat and make a determination whether those improvements have been constructed in accordance with the specifications set forth in the approved plat and that such improvements are in good repair, which such findings shall be endorsed on the approved plat, and such endorsement shall constitute an acceptance of the improvements for public use by the Village.

Section 3. That all or parts of drives, roads and avenues as shown on the plat and not heretofore dedicated are hereby dedicated to public use as such, and easements shown on the plat are for the construction, operation and maintenance of all public and private

utility purposes above and beneath the surface of the ground and, where necessary, are for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage, said streets identified by the developer on **Exhibit A**.

Section 4. That none of the lots as proposed on the plat be sold to any third party until all infrastructure improvements, as shown on the attached plat, have been completed and accepted by the Village of Antwerp, Paulding County, Ohio.

Section 5. That all requirements for the final plat have been provided as set forth in Ordinance No. 94-17, including, but not limited to, a notarized certification of the owners of the adoption of the plat, the dedication of the streets and other public areas, the approval and the signature of Village officials concerned with the specifications and inspection of utility installations and improvements, and certification by the County Auditor that there are no unpaid taxes on the property involved.

Section 6. That the Fiscal Officer for the Village of Antwerp, Ohio, is hereby authorized to record the final plat with the Paulding County Recorder and to obtain the certification of the Paulding County Recorder that the plat has been recorded. The payment of the recording fees are the responsibility of the developer.

Section 7. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the 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 all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

Section 8. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the final plat for Phase 13 (Lot 5) of the Maumee Landing Subdivision must be approved in order to comply with the Village's Subdivision Ordinance and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this 11 day of September, 2024



Jan Reeb,
Mayor of the Village of Antwerp

ATTEST:


Kevin A Hornish, Fiscal Officer