

ORDINANCE NO. 2024-21

AN ORDINANCE ACCEPTING THE FINAL PLAT OF THE MAUMEE LANDING SUBDIVISION – PHASE 14 (LOTS 1 AND 4) 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, Ohio 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 member present; and

WHEREAS, Olen McMichael has submitted the final plat of the Maumee Landing Subdivision – Phase 14 (Lots 1 and 4) to the Village of Antwerp 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”), and all subsequent amendments thereto; and

WHEREAS, the Commission has recommended that the final plat for Phase 14 (Lots 1 and 4) of the Maumee Landing Subdivision and the infrastructure improvements provided thereon be accepted; and

WHEREAS, the final plat has been prepared by a licensed land surveyor, and in accordance with the Village Subdivision Ordinance, action must be taken by the Council within thirty (30) days after the final plat is submitted; and

WHEREAS, this ordinance is being deemed an emergency measure for the reason that Council must respond to the submission of the final plat within thirty (30) days of its receipt by the Council, in accordance with the Village Subdivision Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY A MINIMUM OF A THREE-FOURTHS VOTE by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. That the rules requiring three readings of any ordinance or resolution prior to its passage by a minimum of the majority of the council are hereby suspended pursuant to Ohio Revised Code Section 705.15.

Section 2. That the recommendation of the Commission as to the final plat of the Maumee Landing Subdivision – Phase 14 (Lots 1 and 4) 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 accepted, and that the final plat of the Maumee Landing Subdivision – Phase 14 (Lots 1 and 4) is hereby accepted.

Section 3. That an engineer, licensed by the State of Ohio, chosen by the Village 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 of 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 4. 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 land and for storm water drainage, said streets identified by the developer on Exhibit A.

Section 5. 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 6. That all requirements for the final plat have been provided as set forth in the Village Subdivision Ordinance and all subsequent amendments thereto, 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 7. 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 is the responsibility of the developer.

Section 8. That it is hereby found and determined that all formal actions of the Council concerning or relating to the passage 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 9: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, and welfare of the Village of Antwerp, Ohio, more specifically, it is necessary that the Council act on the submission of the final plat within thirty (30) days of Council's receipt of said plat in accordance with the Village Subdivision Ordinance, and provided it receives the affirmative vote of at least three-fourths of the members of this Council, the Ordinance shall take effect and be in force immediately upon its adoption by this Council or otherwise it shall take effect and be in force after the earliest period allow by law.

Date: 12/11/24

Bryan A. Smith
Jan Reeb, Mayor of the Village of Antwerp

ATTEST:

Kevin Hornish
Kevin Hornish, Fiscal Officer

Bryan Smith
Acting Mayor
Dec 731.10