

1st reading 12-12-18
P&Z Action
2nd reading 1-5-19
3rd reading 2-13-19
Voted On
Ayes: 5 Nays: 0
PASSED DEFEATED

**ORDINANCE NO. 2018-49
(AS AMENDED)**

**AN ORDINANCE
ACCEPTING CERTAIN PUBLIC IMPROVEMENTS FOR
ORANGE PLACE, SOUTH OF HARVARD, AND RELATED
IMPROVEMENTS.**

WHEREAS, Chagrin Highlands, Ltd., has submitted its notice of completion of public improvements to the Village for approval; and

WHEREAS, Chagrin Highlands, Ltd., has substantially completed the public improvements for Orange Place, south of Harvard Road, and related improvements; and

WHEREAS, Chagrin Highlands, Ltd., has requested that the Village accept the completed improvements; and

WHEREAS, the Village Engineer inspected the completed improvements and has recommended that council accept those improvements; and

WHEREAS, Council desires to accept for maintenance the improvements that have been completed, subject to the filing of a maintenance bond as required under the Orange Village Codified Ordinances; and

WHEREAS, this matter has been referred to the Planning and Zoning Commission for a report and recommendation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That the Public Improvements for Orange Place, south of Harvard Road, and related improvements, except as provided below, which have been deemed to be Orange Place, south of Harvard improvements, be and hereby are accepted by the Village for maintenance, and the bonds which were filed to secure the construction thereof shall be released upon the filing of a maintenance bond.

SECTION 2. That, there remain improvements to be completed as stated on the attached "Exhibit A", however, due to current inclement weather conditions, it is anticipated that such improvements may not be performed until the spring of 2019, as such, the uncompleted improvements are not accepted by the Village for maintenance. The improvements listed on the attached "Exhibit A" shall be completed at the earliest of the following times: as weather permits, or no later than June 1, 2019. Chagrin Highlands, Ltd. shall post a performance bond to secure this obligation in an amount approved by the Village Engineer and in a form approved by the Law

Director within thirty (30) days of the passage of this ordinance and at the completion of the improvements shall file the maintenance bond for the project as required under law.

SECTION 3. That the actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 105 of the Codified Ordinances of Orange Village.

SECTION 4. That this Ordinance shall be in full force and effect at the earliest time permitted by law.

PASSED: FEB. 13, 2019



Council President

Submitted to the Mayor for approval on this 13th day of FEBRUARY, 2019

Approved by the Mayor this

13 day of FEBRUARY, 2019

ATTEST:

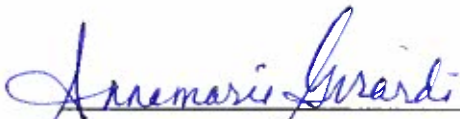

Clerk of Council
Mayor

EXHIBIT A

**ORANGE PLACE, SOUTH OF HARVARD
ROADIMPROVEMENTS NOT ACCEPTED
PURSUANT TO ORDINANCE NO. 2018-49**

The Orange Village Engineer has recommended the acceptance of the right of way of the newly constructed Orange Place, south of Harvard Road, except for the following conditions which must be corrected as weather permits in the spring of 2019:

1. The pond area must be re-vegetated.
2. Street signs must be erected on mast arm. The signs must match existing signs in the intersection.
3. The signal pole on the southeast corner of the intersection must be painted, and this must be coordinated with the Pinecrest Development's painting of the signal pole on the northeast corner of the intersection.
4. The roadway painting must be re-evaluated and re-painted as necessary.