

AN ORDINANCE APPROVING THE SUBDIVISION OF LAND AND THE EXECUTION AND RECORDING OF A LOT SPLIT AND CONSOLIDATION PLAT OF PARCEL NO. 0904176 AND PARCEL NO. 0904181 WITHIN THE AREA COMMONLY KNOWN AS ROSEMONT GREENS PUD, TO CREATE THREE NEW PARCELS OF LAND

WHEREAS, the original approval of the Rosemont Greens PUD site plan in 2021 included the creation of the Links subdivision which allowed for the construction of 179 townhome units; and

WHEREAS, Rosemont Land Company, LLC was granted approval of an amendment to the Rosemont Greens PUD site plan by the Planning Commission in 2024 to accommodate unfavorable soil conditions resulting in the reduction of proposed townhome units to 140; and

WHEREAS, in order to proceed with the amended site plan, Rosemont Land Company, LLC and the City have agreed to split and convey 0.2626 acres of City-owned property from Parcel No. 0904176 to Rosemont Land Company, LLC in exchange for 0.0401 acres of land owned by Rosemont Land Company, LLC to be split from Parcel No. 0904181; and

WHEREAS, Rosemont Land Company, LLC received approval of the lot split and consolidation plat from the Planning Commission for the proposed amended subdivision and consolidation of Parcels 0904176 and 0904181, creating three new parcels of land; and

WHEREAS, Rosemont Land Company, LLC has caused a licensed surveyor to prepare the necessary plat with appropriate legal descriptions for all the new parcels of land that are attached hereto as Exhibits B-1, B-2, and B-3; and

WHEREAS, the City Administration recommends approval of the proposed amended plat subdivision of land to permit the development of the Property under the applicable PUD District zoning regulations and the proposed development plan.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF FAIRLAWN, OHIO THAT:

Section 1: The Council hereby approves and accepts the subdivision of the Property into three new parcels of land in accordance with the lot split and consolidation plat, which is attached hereto as Exhibit A, and legal descriptions that are attached hereto as Exhibits B-1, B-2, and B-3.

Section 2: The Mayor, the Council President, the Clerk of Council, and/or the City Engineer are hereby authorized and directed to sign the approved plat that is attached hereto as Exhibit A, and to take the actions necessary to record the plat and legal descriptions that are attached hereto as Exhibits B-1, B-2, B-3 with the Summit County Fiscal Office in accordance with applicable law.

Section 3: The approval and execution of the plat and the legal descriptions shall be subject to any conditions set forth by the Planning Commission in their approval of same.

Section 4: It is hereby found and determined that this legislation complies with Section 121.22, O.R.C. regarding notification of meetings and all deliberations of this Council pertaining hereto have been conducted in accordance therewith.

Section 5: This Ordinance shall be in full force and effect from and after its enactment and approval by the Mayor or at the earliest period allowed by law.

Enacted: _____ 2025

Approved: _____ 2025

Jonathon Groza, President of Council

Russell T. Sharnsky, Mayor

Approval of the form and corrections by R. Bryan Nace, Director of Law:

CERTIFICATION OF PASSAGE

I, Tonja K. Caldwell, Clerk of Council of the City of Fairlawn, hereby certify that the foregoing Ordinance was duly and regularly passed at a meeting on _____, 2025.

Tonja K. Caldwell, Clerk of Council

CERTIFICATION OF POSTING

This is to certify that on _____, 2025 the within Ordinance was published as required by Section 222.03(a) of the Codified Ordinances of the City of Fairlawn.

Tonja K. Caldwell, Clerk of Council