

AN ORDINANCE ACCEPTING THE FINAL PLAT FOR THE SEASONS BUSINESS PARK, IN THE CITY OF STOW, UNDER THE TERMS AND PROVISIONS OF SECTION 1119.04, C.O.S.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO:

SECTION 1. That pursuant to Section 1119.04 of the Platting Ordinance, the plat of land located in the City of Stow, Summit County, Ohio, known as the Seasons Business Park is hereby accepted as a duly dedicated plat of property in the City of Stow, in accordance with the terms and provisions of Section 1119.04, C.O.S., and the necessary approvals be endorsed thereon in accordance with the City Planning Commission's recommendation of January 26, 2016, specifically that the City Engineer be authorized to endorse his signature thereupon.

The Seasons Business Park is a 43.5-acre industrial development located at the southeast corner of S.R. 8 and Seasons Road. The applicant has constructed a single public road (Scarlet Lane) south of Seasons Road and is proposing to create four sublots ranging in size from 6.5 acres in area. Lots 1, 2, and 3 are currently zoned I-1 Limited Industrial and Lot 4 has two zoning classifications. The northern portion of Lot 4 (6.3 acres) of the 12.9-acre parcel is zoned C-5 Highway Services and the remaining southern half is zoned I-2 Limited Industrial.

This final plat is consistent with the preliminary plan approved by the Planning Commission on March 10, 2015 (P.C. 2015-007) and City Council on April 9, 2015 (Res. No. 2015-057).

Further, such approval shall be contingent upon the applicant complying with the following terms and conditions:

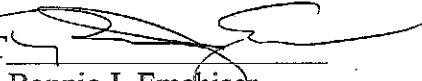
1. The applicant shall either execute the Assent and Acceptance By Applicant attached hereto or, in lieu thereof, and pursuant to 965.01, C.O.S., the applicant shall post a cash or surety bond in the amount of \$2,000.00 to the City of Stow to guarantee the applicant's faithful performance of all conditions and stipulations contained herein. Said bond shall be in a form approved by the Law Director.
2. Future construction of a de-acceleration lane on Seasons Road 150 feet west of the proposed public road.
3. The applicant dedicating an additional 10 feet of right-of-way along Seasons Road to accommodate future improvements.
4. To compliance with the Final Plat as approved by the Planning Commission on January 26, 2016, which is incorporated herein by reference and made a part hereof as if fully reappearing herein.
5. This approval is non-assignable and may not be transferred without the consent of Council.
6. The authorization granted by this legislation shall become null and void if it is not signed or if the bond is not posted within 30 days from the effective date of this legislation.

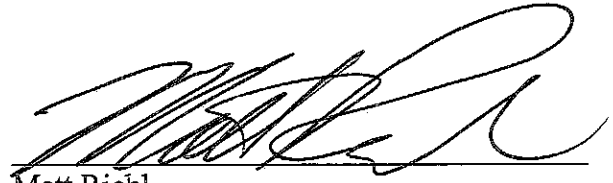
SECTION 2. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees or subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 3. That this Resolution was adopted pursuant to Section 4.11, Charter, and shall take effect thirty (30) days after its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

ADOPTED BY COUNCIL 1/28/16

ATTEST

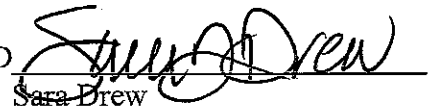
  
Bonnie J. Emahiser  
CLERK OF COUNCIL

  
Matt Riehl  
VICE PRESIDENT OF COUNCIL

FILED WITH MAYOR 1/29/16

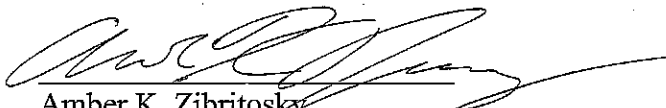
FILED WITH CLERK 1/29/16

APPROVED

  
Sara Drew  
MAYOR

APPROVED AS TO FORM

EFFECTIVE DATE 2/28/16

  
Amber K. Zibritosky  
LAW DIRECTOR

ASSENT AND ACCEPTANCE BY APPLICANT

We, Mike Novachek of Ray Fogg Building Methods, Inc., applicant, and Joseph Weber of BH Ohio Leasing, LLC, property owner, have read the foregoing enactment by Stow City Council and do hereby assent and accept all terms and conditions contained herein as being the basis upon which approval was granted and upon which the authorized activity is expressly conditioned.

RAY FOGG BUILDING METHODS, INC.

\_\_\_\_\_  
Date

\_\_\_\_\_  
By: Mike Novacheck

BH OHIO LEASING, LLC

\_\_\_\_\_  
Date

\_\_\_\_\_  
By: Joseph Weber

**I, Bonnie J. Emahiser, Clerk of Council, do hereby certify that copies of the forgoing were posted in accordance with Section 10.13 C.O.S.**

