

ORDINANCE 11-16

AN ORDINANCE EXTENDING THE 180 DAY LIMIT ON THE RECORDING OF THE BLUEBIRD SUBDIVISION PLAT AND ACCEPTING AND REAFFIRMING THE PLAT AS SIGN DECEMBER 29, 2015.

WHEREAS, Council approved the plat for the Bluebird subdivision on December 29, 2015 and

WHEREAS, the plat could not be recorded until certain properties were annexed into the village; and

WHEREAS, due to timing issues with the petitioners, the Village and the County Commissioners there was a delay in the filing of the petition with the County; and

WHEREAS, June 28, 2016 became the soonest this Council could act to accept the annexation of the certain properties; and

WHEREAS, the 180-day requirement in Village Subdivision Regulations to record the plat expired on June 26, 2016; and

WHEREAS, in accordance with ORC 711.07, the Village has no authority over land designated or intended for streets, alleys, ways, commons or other public uses until such plat is recorded; and

WHEREAS, Council does not want to further delay the project; and

WHEREAS, in accordance with Lithopolis Subdivision Regulations Section 3.4.8(B) Council may grant an extension to this recording requirement;

NOW, THEREFORE, BE IT ORDAINED by the Village of Lithopolis, County of Fairfield and State of Ohio:

SECTION I: Council hereby accepts and reaffirms the plat as signed on December 29, 2015.

SECTION II: Council hereby extends the 180-day limit to recorded the plat by thirty (30) days.

SECTION III: That this Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the Village of Lithopolis, and for the additional reasons that Council does not wish to further delay the rights of these newly annexed residents and that once the plat is recorded the property can come under full village jurisdiction. This ordinance shall take effect and be in force immediately upon its passage and signature of the Mayor.

DATE PASSED: 6-28, 2016

ATTEST: *Lerra Wysock*
CLERK

SIGNED *Marianne Daily*
MAYOR President Council

DATE: 6-28-16

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APPROVED AS TO FORM: