

RESOLUTION NO. 78-2007 (As Amended 7/31/07)
INTRODUCED BY: Morgan

**A RESOLUTION APPROVING THE DETAILED DEVELOPMENT PLAN
AND ASSOCIATED FINAL PLAT FOR PHASE I OF THE HIGHLAND
RIDGE SUBDIVISION RESIDENTIAL CLUSTER DEVELOPMENT.**

WHEREAS, the Planning Commission has recommended the approval of the detailed development plan and the plat for Phase I of a residential cluster development subdivision to be known as Highland Ridge, which is proposed to be developed off of Highland Road and Donna Drive in the City by DMD Richmond, LLC ("DMD"); and

WHEREAS, the Planning and Zoning Committee of this Council reviewed the proposed detailed development plan and final plat and deferred recommendation to the Council-of-the-Whole of approval of Phase I of the Highland Ridge residential cluster development subdivision detailed development plan, including a final plat, which approval is required to construct this development for a single-family residential use within the R-2 Single-Family Residential District; and

WHEREAS, this Council's Committee-of-the-Whole has recommended the approval of the detailed development plan and final plat for said Phase I with conditions.

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: This Council hereby approves the detailed development plan, development agreement, and final plat for Phase I of the Highland Ridge single-family residential cluster development subdivision submitted by DMD Richmond, LLC with the following conditions:

- a. Prior to recording of the plat with the County Recorder, the City shall determine whether it will be the grantee of the conservation easements on the plat or, if the City is not the grantee, the City and DMD shall mutually agree on a third party to be the grantee;
- b. DMD shall timely cause to be made all payments to the City required by the development agreements which have been assigned to and assumed by DMD for this development;
- c. Prior to recording of the plat with the County Recorder, pursuant to Codified Ordinance 1109.02(d), DMD shall provide title insurance to the City in the amount of \$1,000 meeting the approval of the Director of Law, covering the lands in the plat to be dedicated to the City for public use and showing that DMD can pass good and unencumbered title to those land areas to the City; and
- d. Prior to recording of the plat with the County Recorder, final approval by the Director of Law of all declarations of covenants, conditions, restrictions and reservation of easements for the subdivision, as well as all bylaws, codes of regulations, and design guidelines of all homeowners associations for Phase I of this subdivision.

Section 2: The Clerk is hereby instructed to mail a copy of this Resolution to the applicant, DMD Richmond, LLC.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this 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, including Section 121.22 of the Ohio Revised Code.

Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council