

RESOLUTION NO. 11-2006

Offered by All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO A TAP-IN FEE AGREEMENT WITH LIFESTYLE NEIGHBORHOODS COMPANY

BE IT RESOLVED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That the Mayor and the Finance Director be, and they hereby are, authorized and directed to enter into a Tap-In Fee Agreement with Lifestyle Neighborhoods Company for the Prairie Vista Subdivision, a copy of which Agreement is attached hereto as Exhibit "A" and incorporated herein fully as if by reference.

SECTION 2. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 3/7/06

[Signature]
President of Council

[Signature]
Mayor

Dated: 3/14/06

ATTEST:

[Signature]
Clerk of Council

February 10, 2006

VIA E-MAIL

Mr. Neil F. Brennan
Development Director
Lifestyle Neighborhoods Company
10474 Broadview Road
Broadview Heights, OH 44147

Dear Neil:

Enclosed please find a draft of the tap-in agreement for the Prairie Vista Subdivision for your review. Please let me have your comments or questions at your earliest convenience.

Very truly yours,



Charles T. Riehl

CTR:kaw

Enclosure

cc: The Honorable Michael K. Lyons (w/encl.)

AGREEMENT

THIS AGREEMENT made this _____ day of _____, 2006, by and between the VILLAGE OF RICHFIELD, 4410 West Streetsboro Road, P. O. Box 387, Richfield, Ohio 44286-0387 ("Richfield") and LIFESTYLE NEIGHBORHOODS COMPANY, 10474 Broadview Road, Broadview Heights, Ohio 44147 ("Developer").

WHEREAS, Developer is the developer of certain land situated in Richfield now known as Prairie Vista Subdivision ("Prairie Vista"); and

WHEREAS, Prairie Vista has been approved by the Richfield Planning Commission; and

WHEREAS, Developer further has entered into a Development Agreement with the Village of Richfield over the development of Prairie Vista; and

WHEREAS, Developer and Richfield have determined that Prairie Vista requires an extension of the sanitary sewer currently located in the Woods at Glencairn Subdivision; and

WHEREAS, Richfield has an agreement with Glencairn Corporation dated October 20, 1993 whereby Glencairn transferred ownership of the sewer lines in the Woods at Glencairn to Richfield; and

WHEREAS, Richfield wishes to allow extension of sanitary sewers from the Woods at Glencairn to the 45.33 acre Prairie Vista Subdivision; and

WHEREAS, the Developer currently estimates that there will be twenty (20) sewer taps in the Prairie Vista Subdivision.

NOW, THEREFORE, IT IS HEREBY AGREED by and between the parties:

SECTION 1. That Richfield, at the sole cost and expense of Developer, shall allow the extension of sanitary sewers from the Woods at Glencairn to the 45.33 acre Prairie Vista Subdivision.

SECTION 2. Developer shall provide for twenty (20) sewer taps in the Prairie Vista Subdivision. Developer further agrees that it shall pay, in addition to all other fees, a \$2,000.00 sanitary sewer tap-in fee for each sewer tap in the Prairie Vista Subdivision, which fee shall be paid at the time a building permit is issued.

SECTION 3. All of the terms and conditions of the Development Agreement between Developer and Richfield shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have set their hands as of the _____ day of _____, 2006.

VILLAGE OF RICHFIELD

By: _____
Michael K. Lyons, Mayor

And: _____
Eleanor Lukovics, Finance Director

LIFESTYLE NEIGHBORHOODS
COMPANY

By: _____
Its _____