

**AN ORDINANCE AUTHORIZING THE MAYOR TO  
ENTER INTO A DEVELOPMENT AGREEMENT WITH  
VA LAND, LLC; AND DECLARING AN EMERGENCY**

**WHEREAS**, Chapter 1119 of the Codified Ordinances of the City requires the completion of all public improvements within a development area, with a guarantee of completion; and

**WHEREAS**, VA Land, LLC desires to install these required improvements, to deposit a Financial Assurance, and has presented its Improvement Plan to the City; and

**WHEREAS**, the City has established and the developer has agreed to fund, a Private Purpose Trust Fund, being Fund No. 781, in the amount of Two Hundred Seventy-Five Thousand, Two Hundred and 00/100 Dollars (\$275,200.00) for the improvements provided for in the Development Agreement and the Improvement Plans of which, Fifty Thousand and 00/100 Dollars (\$50,000.00) has previously been deposited.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

**SECTION 1.** The Mayor be and is hereby authorized to execute a Development Agreement on behalf of the City of Brecksville with VA Land LLC, relating to the installation of roadway and infrastructure improvements, a copy of such Development Agreement is attached hereto, expressly made a part hereof by reference and marked Exhibit "A."

**SECTION 2.** The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof, and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available, non-tax revenue, funds of the City. The Director of Finance be and is hereby further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 1 hereof and is further directed to issue vouchers of this City in the amounts and for the purposes as expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

**SECTION 3.** The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is to commence required work on the roadway and infrastructure improvements, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

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MAYOR

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CLERK OF COUNCIL