

RECORD OF ORDINANCES

Ordinance No. 2025-3

Passed JANUARY 15, , 2025

SPONSOR: PLANNING AND ZONING COMMITTEE

AN ORDINANCE APPROVING THE FINAL PLAT OF PHASE 1 OF THE WEST VILLAGE SUBDIVISION, AND ACCEPTING THE DEDICATED RIGHT-OF-WAYS, EASEMENTS, OPEN-SPACES AND PUBLIC INFRASTRUCTURE IMPROVEMENTS WITHIN SAID SUBDIVISION, AND DECLARING AN EMERGENCY.

WHEREAS, an application has been filed with the Village of Mogadore Planning Commission requesting approval of the Final Plat for Phase 1 of the West Village Subdivision, located at 197 N. Cleveland Avenue, Mogadore, Ohio 44260. A copy of the Final Plat of Phase 1 of the West Village Subdivision is attached hereto as Exhibit A and incorporated herein by reference.; and

WHEREAS, on January 8, 2025, the Planning Commission recommended approval of the Final Plat for Phase 1 of the West Village Subdivision; and

WHEREAS, pursuant to Section 151.023 of the Codified Ordinances of the Village, this Council has reviewed the Final Plat for Phase 1 of the West Village Subdivision and the recommendation of the Planning Commission to approve the same; and

WHEREAS, pursuant to Section 151.102 of the Codified Ordinances of the Village, and provided that all requirements are met, it is also necessary for this Council to accept the dedicated right-of-ways, easements, open-spaces and public infrastructure improvements (consisting of the streets and the associated curbs, gutters, sidewalks, stormwater facilities, and other miscellaneous improvements) within Phase 1 of the West Village Subdivision; and

WHEREAS, subject to further approval by the Village Engineer, this Council desires to accept the dedicated right-of-ways, easements, open-spaces and public infrastructure improvements (consisting of the streets and the associated curbs, gutters, sidewalks, stormwater facilities, and other miscellaneous improvements) within Phase 1 of the West Village Subdivision; AND

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to approve the Final Plat of Phase 1 of the West Village Subdivision, and to further accept, subject to further approval by the Village Engineer, the dedicated public right-of-ways, easements, open-spaces and public infrastructure within Phase 1 of the West Village Subdivision.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Mogadore, Counties of Portage and Summit, Ohio as follows:

SECTION 1: The Final Plat of Phase 1 of the West Village Subdivision, together with the plans and descriptions on file with the Village and incorporated by reference herein, as approved by the Village Planning Commission, is hereby approved pursuant to Section 151.023. A copy of the Final Plat of Phase 1 of the West Village Subdivision is attached hereto as Exhibit A and incorporated herein by reference.

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SECTION 2: The dedicated right-of-ways, easements, open-spaces and public infrastructure improvements (consisting of the streets and the associated curbs, gutters, sidewalks, stormwater facilities, and other miscellaneous improvements) within Phase 1 of the West Village Subdivision are hereby accepted by this Council.

SECTION 3: That it is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in a duly noticed virtual, open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately providing for the subdivision of the lots within the West Village Subdivision so that the same may be sold and improved with single-family attached and detached homes as soon as possible, provided this Ordinance receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

Michael Raddish 1-15-25  
President of Council Date

Paul H. 1-15-25  
Mayor Date

Attest:

[Signature]  
Clerk-Treasurer



**SURVEYOR**  
 THAT I HAVE SURVEYED THE LAND SHOWN ON THIS PLAT AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE STATUTE OF THE STATE OF OHIO AS ADOPTED BY THE STATE BOARD OF REGISTRATION IN OAC CHAPTER 4733.07, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DENNIS W. STOFFER, P.E. #7004 \_\_\_\_\_ DATE \_\_\_\_\_

**APPROVALS**

APPROVED BY THE VILLAGE OF MOGADORE ENGINEER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

VILLAGE ENGINEER \_\_\_\_\_

APPROVED BY THE VILLAGE OF MOGADORE PLANNING COMMISSION AT A MEETING HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

CHAIRMAN \_\_\_\_\_ SECRETARY \_\_\_\_\_

THE PLAT WAS DULY ACCEPTED BY ORDINANCE OF THE MOGADORE VILLAGE COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024  
 ORDINANCE NUMBER \_\_\_\_\_

MAYOR \_\_\_\_\_ CLERK \_\_\_\_\_

ENTERED FOR TRANSFER BY THE PORTAGE COUNTY AUDITOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

MATT KELLY  
 PORTAGE COUNTY AUDITOR

RECEIVED FOR RECORD BY THE PORTAGE COUNTY RECORDER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

THE VILLAGE  
 PORTAGE COUNTY RECORDER

VILLAGE ENGINEER

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

VILLAGE ENGINEER \_\_\_\_\_

VILLAGE COUNCIL

THIS VACATION PLAT WAS DULY ACCEPTED BY ORDINANCE OF THE MOGADORE VILLAGE COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 UNDER ORDINANCE NO. \_\_\_\_\_

CLERK \_\_\_\_\_

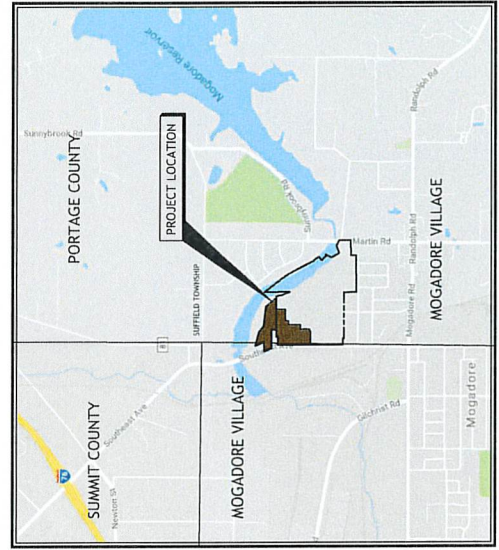
MAYOR \_\_\_\_\_

**Environmental Design Group**  
 PROJ. NUMBER 15-00337-010  
 DESIGNED BY: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 FILE NO. \_\_\_\_\_  
 16325 CANTON ST., APERREN, OH, 44131  
 W. ENDS@EDGROUP.COM

# WEST VILLAGE PHASE 1

SITUATED IN THE TOWNSHIP OF SUFFIELD AND VILLAGE OF MOGADORE, COUNTY OF PORTAGE AND STATE OF OHIO AND KNOWN AS PART OF ORIGINAL SUFFIELD TOWNSHIP, LOT 46 IN RANGE 9 WEST, TOWNSHIP 1 NORTH OF THE CONNECTICUT WESTERN RESERVE SURVEY

- AREA IN 61 LOTS = 7.6610 ACRES
- AREA IN BLOCK A, B & C = 11.8701 ACRES
- AREA IN BLOCK D (FUTURE PHASE 2) = 20.7647 ACRES
- AREA IN BLOCK E (FUTURE DEVELOPMENT) = 66.0673 ACRES
- AREA OF PROPOSED R/W = 2.8067 ACRES
- AREA OF EXISTING R/W = 0.5642 ACRES
- (TO BE DEDICATED)
- TOTAL AREA = 109.7340 ACRES



## LOCATION MAP

NOT TO SCALE

**INDEX OF DRAWINGS**

TITLE SHEET	1
INDEX SHEET	2-3
PLAT SHEETS	4-8

**OWNER'S CONSENT AND DEDICATION**  
 NEW OWNERS OF THE LAND SHOWN ON THIS PLAT, DO HEREBY CONSENT TO THE DEDICATION OF THE LAND SHOWN ON THIS PLAT TO THE PUBLIC USE FOR THE PURPOSES OF THE PLAT AND TO THE DEDICATION OF THE PLAT TO THE PUBLIC USE FOR THE PURPOSES OF THE PLAT AND TO THE DEDICATION OF THE PLAT TO THE PUBLIC USE FOR THE PURPOSES OF THE PLAT.

STATE OF OHIO  
 COUNTY OF PORTAGE  
 DENNIS W. STOFFER, P.E. #7004  
 SURVEYOR

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE NAMED TESTA ENTERPRISES INC. AN OHIO LIMITED LIABILITY COMPANY BY: TESTA ENTERPRISES INC. ITS SOLE MEMBER, BY: TESTA ENTERPRISES INC. ITS SOLE MEMBER, AND AS SO REPRESENTATIVE. I HAVE HEREBY SET MY HAND AND OFFICIAL SEAL AT \_\_\_\_\_ OHIO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

NOTARY PUBLIC \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

BY MEANS OF THIS PLAT, THE DEVELOPER, TESTA ENTERPRISES, LLC AN OHIO LIMITED LIABILITY COMPANY, HEREBY ASSUMES THE FOLLOWING RIGHTS, RESPONSIBILITIES, AND OBLIGATIONS:

- MAINTENANCE AND REPAIR OF THE STORM WATER MANAGEMENT BASIN (SWMB) SHALL BE DONE IN ACCORDANCE WITH THE LOCAL TOWN MAINTENANCE PLAN APPROVED BY AND ON FILE WITH THE PORTAGE COUNTY SOIL AND WATER CONSERVATION DISTRICT, IN ACCORDANCE WITH THE PORTAGE COUNTY ORDINANCE 100-001-001, AND THE PORTAGE COUNTY SUSPENSION ENACTED IN CONSTRUCTION PLANS APPROVED BY AND ON FILE WITH THE PORTAGE COUNTY SUSPENSION ENACTED.
- ALL INLET AND OUTLET STORM SEWER SPOCS SHALL BE MAINTAINED IN GOOD WORKING CONDITION KEPT FREE OF DEBRIS/LOGGAGE AS NECESSARY FOR THE BASIN TO FUNCTION PROPERLY.
- THE COST ASSOCIATED WITH SAID MAINTENANCE AND REPAIR OF THE SAME SHALL BE BORNE BY THE DEVELOPER.
- NO DRUG SEIZURE PLAY/WORK EQUIPMENT, LANDSCAPE BEDS OR STRUCTURES OF ANY KIND ARE PERMITTED WITHIN THE LIMITS OF THE BASIN EASEMENT.
- PUBLIC DRAINAGE EASEMENTS AND STORMWATER EASEMENTS FOR PIPES, SWALES, CATCH BASINS, EMBANKMENTS, AND THE USE THEREOF SHALL NOT BE BROADCAST OR BROADCASTED. NOB SHALL ANY STRUCTURE, FENCE, TREES, SPRINGS, OR OBJECTS BE PLACED ACROSS, ON, OR WITHIN THE EASEMENTS THAT MAY IMPERE ACCESS ON THE FLOOR OF WATER AS INTENDED.
- THE DEVELOPER SHALL MAINTAIN THE STORMWATER FEEDLINE AND APPURTENANCES.
- SAWTOOTH SEWER EASEMENTS SHALL COMPLY WITH ALL LOCAL ORDINANCES TO INSPECT, REPAIR, MAINTAIN, MAINTAIN, AND REPAIR ANY OTHER STRUCTURE ERRECTED OR PLACED ACROSS, ON, OR WITHIN THE SANITARY SEWER EASEMENTS.
- AT SUCH TIME AS THE DEVELOPMENT IS COMPLETE AND THE PORTAGE COUNTY COMMISSIONERS HAVE RELEASED THE PERFORMANCE AND MAINTENANCE BOND AND THE HOMEOWNERS ASSOCIATION (HOA) FORMS INTO EXISTENCE, THE DEVELOPER, TESTA COMPANIES, HEREBY ASSUMES THE RIGHTS, RESPONSIBILITIES AND RESTRICTIONS TO THE HOA, WEST VILLAGE HOMEOWNERS ASSOCIATION, INC.

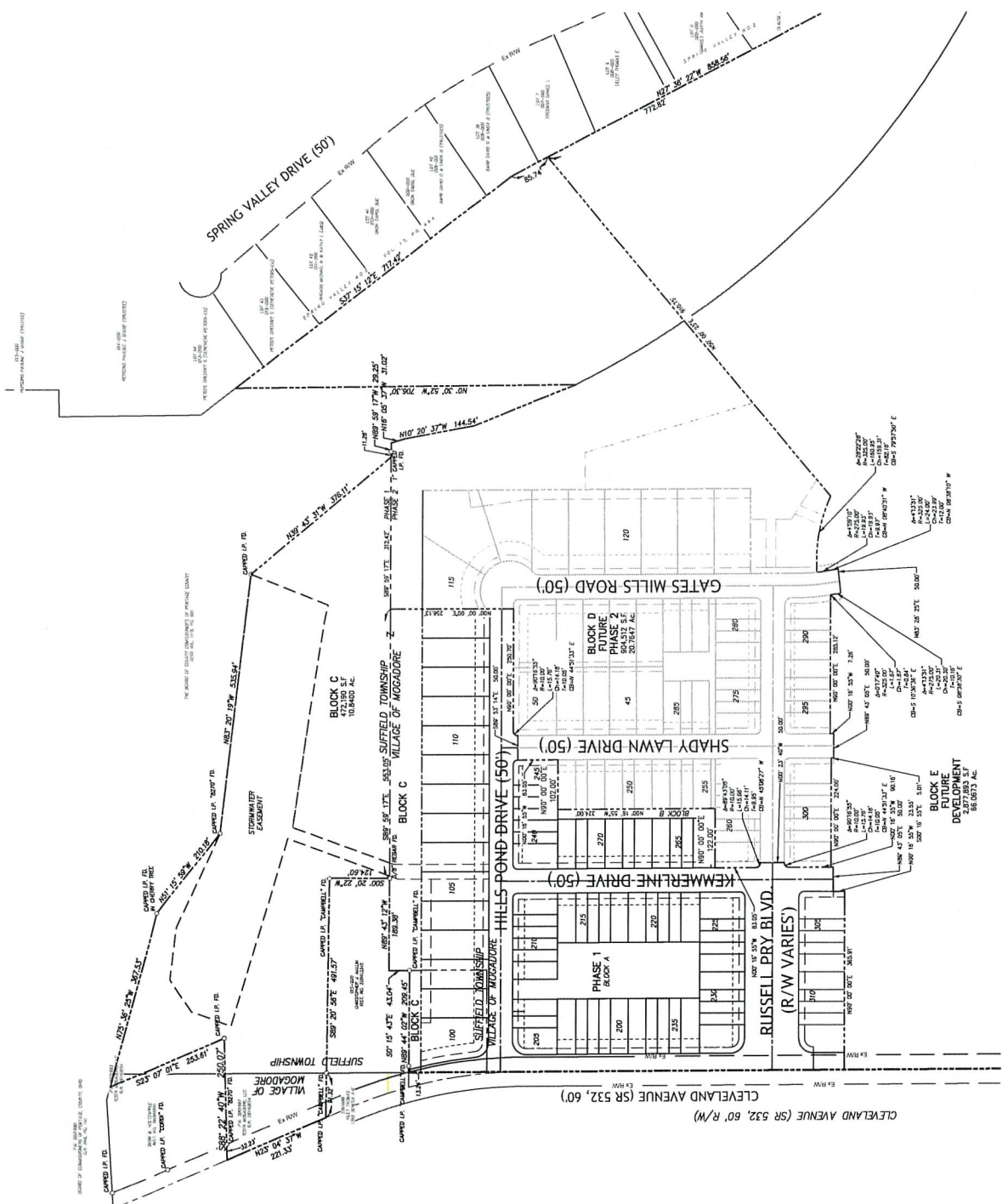
### UTILITY EASEMENT

IT IS HEREBY EXPRESSLY UNDERSTOOD THAT A 10 FOOT WIDE EASEMENT ON THE SIDE OF EACH LOT AS IT ABUTS CONTIGUOUS TO THE STREETS WITHIN THIS ALLOTMENT SHALL BE PRESERVED FOR OHIO ERISSON CO., AT&T AND UNDERGROUND CABLES, COAXIAL, FIBER OPTIC, SANITARY SEWERS, AND WATER LINES. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION AND STRUCTURES WHICH MAY BE CONSTRUCTED, RECONSTRUCTED, REPAIRED AND MAINTAINED IN, ON, OVER, UNDER, THROUGH, AND AROUND THE EASEMENT. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND REPAIR OF THE EASEMENT. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND REPAIR OF THE EASEMENT. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND REPAIR OF THE EASEMENT.

### RESTRICTIONS, EASEMENTS & COVENANTS

- 1. THE WITHIN PLATTED LAND IS SUBJECT TO THE TERMS AND CONDITIONS OF THE DECLARATION OF RESTRICTIONS, EASEMENTS AND COVENANTS WHICH IS INCORPORATED HEREIN BY REFERENCE AS IF FULLY REPRINTED HEREIN INCLUDING FUTURE AMENDMENTS AND REVISIONS.
- 2. ALL LOTS TO HAVE SANITARY SEWER.
- 3. ALL LOTS TO HAVE SANITARY SEWER.
- 4. ALL INTERNAL LINES WITHIN BOUNDARY OF THIS PLAT ARE NEW LINES OF DIVISION.
- 5. ALL LOTS TO BE SUBJECT TO THE RESTRICTIONS, EASEMENTS AND COVENANTS OF THE PORTAGE COUNTY SUB DIVISION REGULATION.
- 6. ALL LOTS HAVE 20' BUILDING LINE AND 20' REAR YARD AND 10' SIDE YARD UNLESS NOTED OTHERWISE.
- 7. LINES UNLESS NOTED OTHERWISE. COVENANTS INCLUDING STRIP 1/4" ARE PARALLEL WITH AND CONTIGUOUS TO ALL STREET.
- 8. THE DEVELOPER, TESTA COMPANIES, AND TESTA COMPANIES, THEIR SUCCESSORS OR ASSIGNS.

BASED ON THE STATE COORDINATE SYSTEM, NORTH ZONE (NAD83), NORTH AMERICAN DATUM OF 1983, 1983 ADJUSTMENT (NAD83-1983).  
 ALL BEARINGS ARE SHOWN BASED ON GRID NORTH. ALL DISTANCES ARE SHOWN BASED ON GRID DISTANCE. ALL DISTANCES MULTIPLY THE GRID DISTANCE BY THE CORRECTION FACTOR OF 0.999999999.



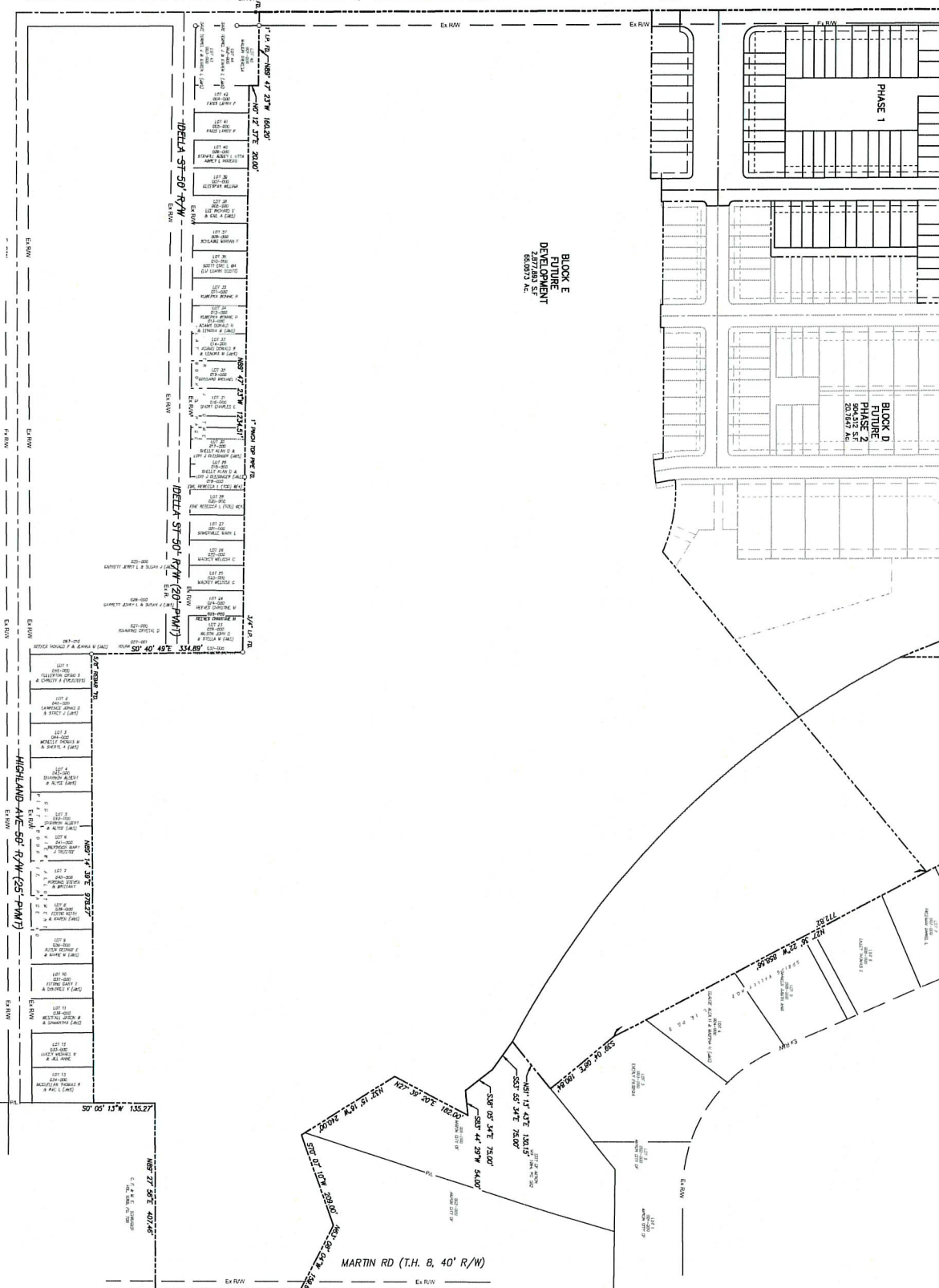
CLEVELAND AVENUE (SR 532, 60' R/W)

ELL AVE 50' R/W

PHASE 1

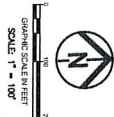
BLOCK D  
PHASE 2  
2,977,883 SF  
80,543'2" x 37'  
23,787' x 46'

BLOCK E  
PHASE 1  
2,977,883 SF  
80,543'2" x 37'  
23,787' x 46'



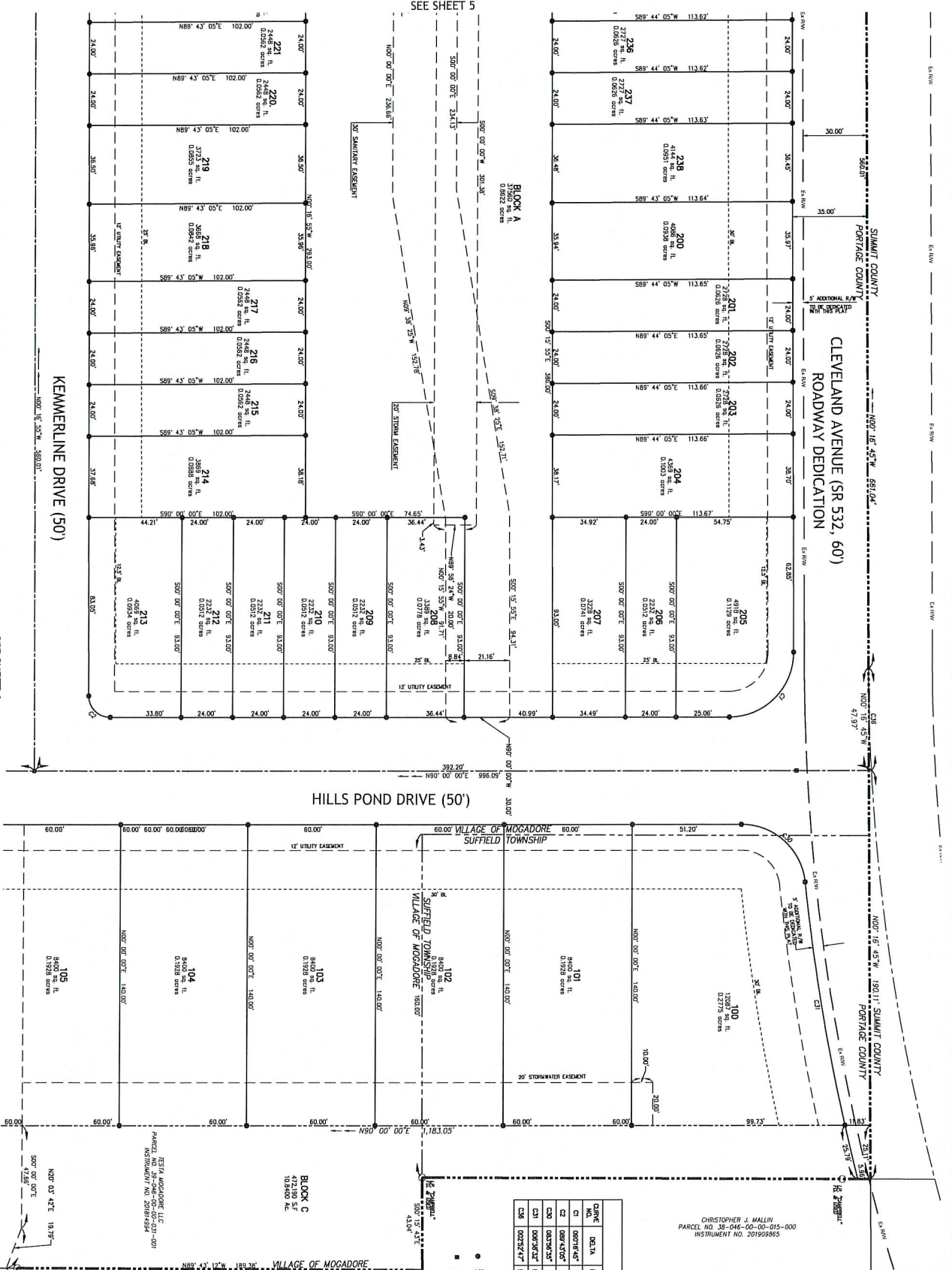
HIGHLAND AVE 50' R/W (25' PAVED)

MARTIN RD (T.H. B., 40' R/W)



INDEX SHEET  
 Environmental  
 Engineering  
 Planning & Architecture  
 10000  
 10000  
 10000  
 10000

WEST VILLAGE PHASE 1 SHEET 3 OF 9



**CURVE DATA**

CURVE NO.	DELTA	RAIUS	LENGTH	CH. BEARING	CH. LENGTH
C1	90.0000°	30.00'	47.27'	N 44.330° E 46.52'	
C2	109.4710°	10.00'	15.88'	S 45.907° E 14.11'	
C3	105.2930°	30.00'	42.85'	S 49.014° E 40.13'	
C4	100.2847°	114.00'	114.00'	S 09.224° E 114.00'	
C5	100.2847°	64.433'	47.89'	N 07.430° W 47.89'	

CHRISTOPHER J. MALLIN  
 PARCEL NO. 16-046-00-00-015-000  
 INSTRUMENT NO. 201605865

**LEGEND**

- 3/8" W/D CAR TANKON DESIGN GROUP
- TO BE SET
- PROP. EASEMENT BOX WITH 1" IRON PIN TO BE SET



**Environmental**  
 CONSULTING  
 10000 W. STATE ST.  
 SUITE 200  
 CLEVELAND, OH 44122







**BLOCK E  
FUTURE DEVELOPMENT**  
2,877,893 S.F.  
66.0873 AC.

ESTIA MORGADORE LLC  
PARCEL NO. 16-046-00-00-011-001  
NO. 201902195

**BLOCK D  
FUTURE PHASE 2**  
364,522 S.F.  
8.3191 AC.

ESTIA MORGADORE LLC  
PARCEL NO. 16-046-00-00-011-001  
NO. 201902195

**BLOCK B**  
1,531,748 S.F.  
35.02 AC.

SEE SHEET 6

**RUSSELL PRY BLVD.  
(R/W VARIES)**

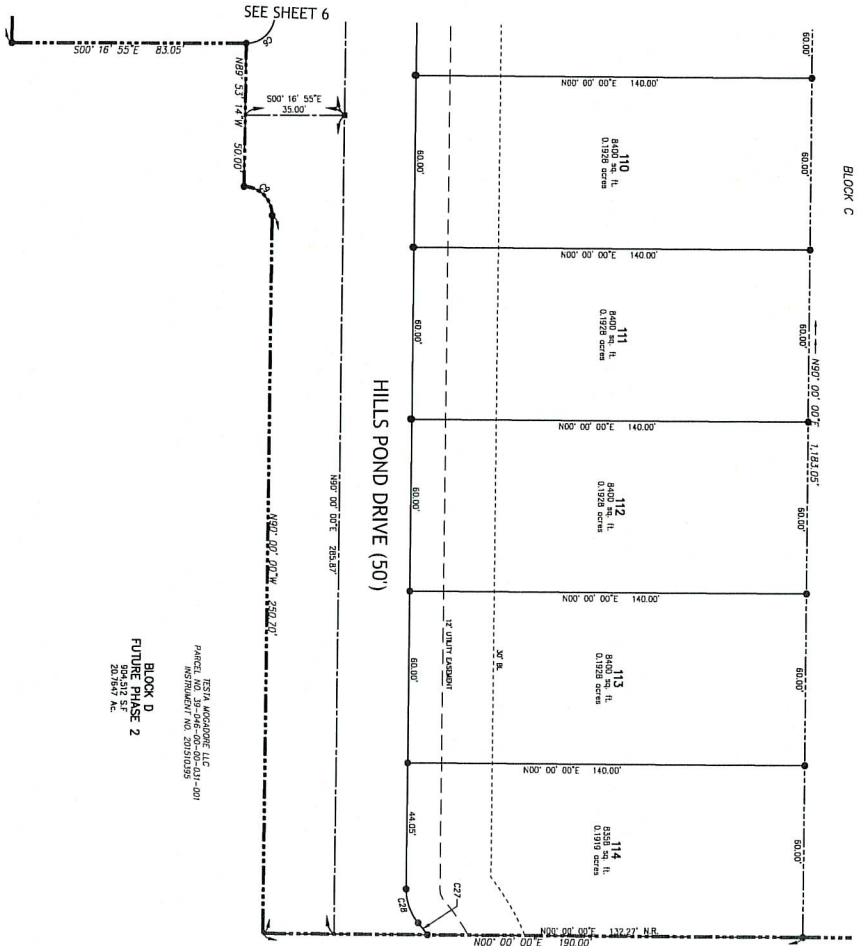
**KEMMERLINE DRIVE (50')**

SEE SHEET 5

NAME	DELTA	RADIUS	LENGTH	OK BEARING	OK LENGTH
C3	000°18'55"	10.00'	15.70'	S 44°51'55" W	14.14'
C7	000°18'55"	10.00'	15.70'	N 44°51'55" E	14.14'
C8	008°43'00"	10.00'	15.86'	S 80°27'7" E	14.11'
C14	008°43'00"	10.00'	15.86'	S 80°27'7" E	14.11'
C15	000°18'55"	10.00'	15.70'	N 44°51'55" E	14.14'

- LEGEND**
- 5/8" WALS CAP THROUGH DESIGN GROUP TO BE SET
  - PROP. MONUMENT BOX WITH 1" ROW PIN TO BE SET





IESHA HOGADORE LLC  
 PARCEL NO. 16-046-00-00-044-000  
 INSTRUMENT NO. 201910359

IESHA HOGADORE LLC  
 PARCEL NO. 16-046-00-00-044-000  
 INSTRUMENT NO. 201910359

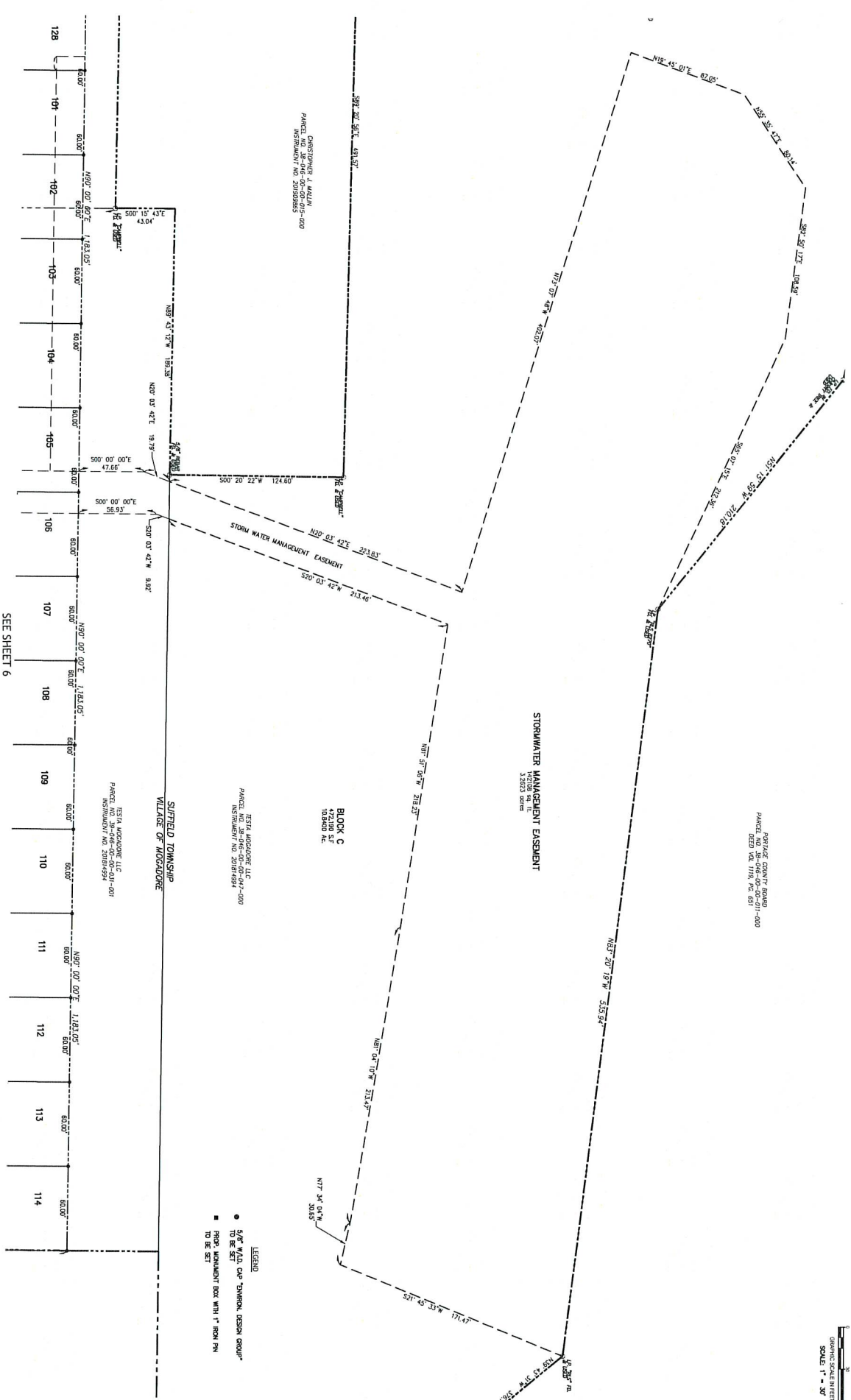
BLOCK D  
 FUTURE PHASE 2  
 894,912 SF  
 201941 AC

CURVE DATA

CURVE NO.	DELTA	RADIUS	LENGTH	CH BEARING	CH LENGTH
C08	089°43'02"	10.00'	15.88'	N 43°02'27" W 14.11'	14.11'
C09	089°43'02"	10.00'	15.37'	S 44°03'33" W 14.81'	14.81'
C10	089°43'02"	10.00'	15.88'	N 43°02'27" W 14.11'	14.11'
C27	089°52'29"	62.00'	53.27'	N 51°01'41" E 24.27'	24.27'
C28	041°07'01"	18.00'	12.82'	N 69°28'50" E 12.84'	12.84'
C29	181°28'13"	62.00'	198.52'	N 40°17'54" W 123.89'	123.89'

- LEGEND
- 5/8" W/4" CAP TYPICAL DESIGN GROUP
  - 5/8" W/4" CAP TYPICAL DESIGN GROUP
  - PROPOSED MONUMENT BORN WITH 1" IRON PIN 10 IN SET





CHRISTOPHER J. MALIN  
 PARCEL NO. 38-146-00-00-015-000  
 INSTRUMENT NO. 201808885

TESTA DEVELOPMENT LLC  
 PARCEL NO. 38-146-00-00-014-000  
 INSTRUMENT NO. 201818844

TESTA DEVELOPMENT LLC  
 PARCEL NO. 38-146-00-00-011-001  
 INSTRUMENT NO. 201814934

PORTAGE COUNTY BOARD  
 PARCEL NO. 38-146-00-00-000-000  
 DEED VOL. 1158, PG. 631

**LEGEND**  
 ● 5/8" W.A.D. CAP TOWNOK DESIGN GROUP  
 TO BE SET  
 ■ PROP. MONUMENT BOX WITH 1" IRON PIN  
 TO BE SET

SEE SHEET 6