

RESOLUTION NO. 2, 2016

**IN THE MATTER OF THE WATERFRONT PERMIT
FOR POINTE FALLS CONDOMINIUMS**

WHEREAS, in April of 1998, the Developer of Pointe Falls Condominiums applied for and received a waterfront permit allowing it to improve the shoreline; and

WHEREAS, the Village of Marblehead Ordinance in effect at that time, Ordinance No. 20 of 1991, did not require this Council to pass a Resolution to issue a waterfront permit; and

WHEREAS, the current Village of Marblehead Waterfront Permit Ordinance codified as §151.01 et seq. and pursuant to R.C. §1506.11 requires a Resolution to issue a waterfront permit; and

WHEREAS, the current Pointe Falls Association desires to modify its Submerged Land Lease with the State of Ohio and as part of that modification the State requires a Resolution verifying the issuance of a permit; and

WHEREAS, it is determined by the Council of the Village of Marblehead, Ottawa County, Ohio, that the submerged lands in question are not necessary for the construction, maintenance, or operation by the municipal corporation, county, or port authority of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements, and marginal highways in aid of navigation and water commerce and that the land uses specified in the application comply with the regulation of permissible land use under a waterfront plan of the local authority.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MARBLEHEAD, OTTAWA COUNTY, OHIO, THAT:

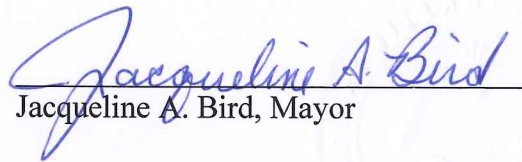
Section 1.

That the waterfront permit issued to Smugglers Bay Pointe Development Corp. for the waterfront now owned and controlled by Pointe Falls Condominium Association is hereby ratified and approved from the date it was issued.


Section 2.

It is found and determined that all formal actions of the Village of Marblehead concerning and relating to the passage of this resolution were passed in an open meeting of the Village of Marblehead, and that all deliberations of this Village 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.

Approved: March 23, 2016


Jacqueline A. Bird, Mayor

Attest:


Rhonda Botti Sowers, Fiscal Officer

Dated: March 23, 2016