

RECORD OF RESOLUTIONS

Dayton Legal Blank Co., Form No. 30045

Resolution No. 2001-21 Passed December 18 19 2001

A RESOLUTION TO CONDITIONALLY ACCEPT PORTIONS OF THE PUBLIC IMPROVEMENTS IN THE MURPHY PARK, SECTION 1 SUBDIVISION AS THE SAME IS NUMBERED AND DELINEATED UPON THE PLAT THEREOF RECORDED IN CABINET 2, SLIDES 647 A, B & C, DELAWARE COUNTY, OHIO RECORDS.

WHEREAS, Council has previously approved a plat for Murphy Park, Section 1, which has been duly recorded in the offices of the Delaware County Recorder in Cabinet 2, Slides 647 A, B & C, and

WHEREAS, all major components of the portions of the public improvements of the development consisting of the Murphy Parkway roadway and the Grey Oaks Drive roadway are completed to the extent that does not present undue health, safety, and welfare hazards to the citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: That all major components of the portions of the public improvements of the development consisting of the Murphy Parkway roadway and the Grey Oaks Drive roadway as noted upon the plat of Murphy Park, Section 1 of record in Cabinet 2, Slides 647 A, B & C, and Delaware County, Ohio records are accepted by the Municipality of Powell.


Section 2: That this acceptance shall be conditioned upon:

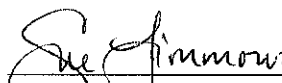
- A. All conditions contained within the executed Development Agreement for Murphy Park, Section 1, dated November 27, 2001 with particular attention to Section 1, Sub-paragraph 1.8 of said Development Agreement regarding acceptance of portions of the entire public improvements;
- B. This Conditional Acceptance under Resolution 2001-21 excludes the portions of Murphy Park, Section 1 consisting of the Murphy Parkway/SR 750 intersection/traffic signal improvements and Public Park improvements. These remaining improvements shall be completed and conditionally accepted by July 1, 2002, pursuant to the executed Development Agreement, unless approved otherwise by the City;
- C. All major components of the public improvements of the development being completed and maintained to the extent that they do not present undue health, safety, and welfare hazards to the citizens;
- D. Incomplete pathways shall be barricaded and posted "Sidewalk Closed" until such time as the pathways are complete and the City Engineer authorizes the removal of said barricades;
- E. Pathway crossings at the Murphy Parkway / Village Pointe Drive / SR 750 intersection shall be barricaded and posted "Sidewalk Closed" until such time as the Traffic Signal is complete and operational and the City Engineer authorizes the removal of said barricades;
- F. All incomplete pathways shall be paved and complete to the satisfaction of the City Engineer by February 1, 2002, unless approved otherwise by the City Engineer;
- G. Final Acceptance shall not be granted for portions of the public improvements, but shall only be granted for all public improvements, in their entirety, upon all deficient items being completed.

Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 4: That this Resolution shall take effect at the earliest possible date permitted by law.

VOTE ON RESOLUTION 2001-21: Y 7 N 0


MARK F. KLEIN
MAYOR
1/1/2002
DATE


SUE TIMMONS
INTERIM CLERK OF COUNCIL
1/1/2002
DATE

A copy of this resolution has been posted in
three (3) public places as defined in ordinance
94-11 dated 5-3-94
on this date 1-3-02


Sue Timmons
Clerk of Council