

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 2002-11 Passed March 19 YEAR 2002

AN ORDINANCE GRANTING AN EASEMENT TO THE FALCON RIDGE HOMEOWNERS' ASSOCIATION FOR THE INSTALLATION OF AN ENTRY FEATURE AND LANDSCAPING ON MUNICIPAL PROPERTY AT THE INTERSECTION OF BENNETT PARKWAY AND EAST OLENTANGY STREET AND DECLARING AN EMERGENCY

WHEREAS, a proposal has been submitted by the Falcon Ridge Homeowners' Association to install an entry feature on Municipal property, being a portion of a 8.425 acre tract and the Bennett Parkway right-of-way at the intersection of Bennett Parkway and East Olentangy Street; and

WHEREAS, the Planning and Zoning Commission has approved the installation of the proposed entry feature and landscaping on February 14, 2002.

WHEREAS, Council find that an emergency exists necessitating immediate implementation of this ordinance for the reason that the contractor is ready to proceed and 30 days worth of delay may result in the loss of the commitment of contractor to the contract.

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

Section 1: Council hereby ratifies the terms of a certain landscaping easement in favor of the Falcon Ridge Homeowners' Association, a copy of which is attached hereto and incorporated herein by reference. The City Manager is authorized to execute the easement on behalf of the Municipality of Powell with the following conditions as recommended by the Planning and Zoning Commission.

1. That the height of the main wall of the sign be consistent in elevation with the rear wall of the gatehouse.
2. That matching conditions apply on the opposite side of Bennett Parkway.
3. That the columns match the existing columns on the rear wall of the gatehouse.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance 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 3: That this Ordinance shall take effect at the earliest period allowed by law.

VOTE OF RULES SUSPENSION: Y 6 N 0 (Abstain: Cline)

VOTE ON ORDINANCE 2002-11: Y 5 N 1 Wfencek (Abstain: Cline)

Art Schultz
Art Schultz
Mayor

Date

This ordinance of Powell, Ohio, shall be printed in three (3) public places in the Municipality of Powell, Ohio, on this date 4-11-02 dated 4-3-04 4/12/02

Dawn Nauman
Dawn Nauman
Clerk of Council

Date

[Signature]
Clerk of Council