

**RESOLUTION 2003-22  
Passed December 16, 2003**

**RESOLUTION 2003-22: A RESOLUTION AMENDING RESOLUTION 2003-19 SETTING FORTH AN INTENT TO APPROPRIATE A FEE SIMPLE INTEREST IN A 1.597 ACRE TRACT MORE OR LESS FOR ROADWAY PURPOSES, SUCH PREMISES BEING SITUATED IN THE STATE OF OHIO, COUNTY OF DELAWARE AND CITY OF POWELL AND DESCRIBED ON THE ATTACHMENT HERETO.**

**WHEREAS,** Council had previously determined that it is necessary to appropriate a fee simple interest in 0.348 acre tract, more or less for roadway purposes pursuant to the provisions of Resolution 2003-19, a copy of such Resolution is attached hereto and incorporated herein by reference and,

**WHEREAS,** Council has further determined that it is now necessary to appropriate for the same purpose the entire interest in such premises consisting of 1.597 acres, more or less and,

**WHEREAS,** the owners of the property, Mr. & Mrs. Michael A. Lechler do not dispute that the entire interest in such premises is necessary for roadway purposes as indicated by an offer to sell the entire interest submitted to the City this date.

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

Section 1: Council hereby considers it necessary and declares its intention to appropriate a fee simple interest in and to the following described premises consisting of 1.597 acres, more or less situated in the State of Ohio, County of Delaware and City of Powell as more particularly described on the attachment hereto as Exhibit A. Council determines that the appropriation is necessary for the purposes of opening and extending Murphy Parkway, a city street, to be open to the public without charge.

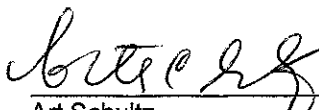
Section 2: That Resolution 2003-19 declaring a Resolution and intent to appropriate a portion of the subject premises, a copy of such Resolution is attached hereto and incorporated by reference as Exhibit B, is hereby amended to describe the premises to consist of 1.597 acres, more or less.

Section 3: The Mayor and City Manager shall forthwith cause written notice of the passage of this Resolution to given to the owners and persons in possession and having an interest of record in the premises. The notice shall be served and returned according to law.

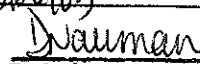
Section 4: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 5: That this Resolution shall take effect at the earliest possible date permitted by law.

**VOTE ON RESOLUTION 2003-22: Y 6 N 0 (Abstain: Lackey)**

  
Art Schultz  
Mayor

  
Dawn Nauman  
Clerk of Council

This ordinance or resolution has been posted in three (3) public places as defined in ordinance 4-294 dated 12/16/03 on this date 12/16/03  
  
Clerk of Council