

RESOLUTION 2005-29

Passed October 4, 2005

A RESOLUTION TO CONDITIONALLY ACCEPT AND BEGIN THE REQUIRED, MINIMUM ONE-YEAR MAINTENANCE PERIOD FOR THE WEST CASE AVENUE PUBLIC IMPROVEMENTS, CONSTRUCTED BY CAPITAL CITY BUILDERS IN ASSOCIATION WITH POWELL INDUSTRIAL PLAZA. THE ROADWAY IS LOCATED WITHIN THE EXISTING PUBLIC RIGHT-OF-WAY, EAST OF INDUSTRIAL PARK PLACE AND WEST OF VILLAGE POINT DRIVE.

WHEREAS, all major components of the public improvements of the development are completed to the extent that does not appear to 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 public improvements associated with the construction of West Case Avenue as described above are conditionally accepted by the Municipality of Powell.

Section 2: That this acceptance shall be conditioned upon:

- A. The posting of a Maintenance Guarantee to remain valid and current until final acceptance;
- B. All components of the public construction of the development being complete and maintained to the extent that they do not present undue health, safety, and welfare hazards to the citizens;

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

VOTE ON RESOLUTION 2005-29:

Y 6

N 1 (Kaitsa absent)

Dan Wiencek 10/18/05
Date
Dan Wiencek
Mayor

Susie Ross 10/24/05
Date
Susie Ross
City Clerk

This legislation has been posted in accordance with the City Charter on this date 10/25/05.

Susie Ross
Clerk of Council

