



## City of Powell, Ohio

RESOLUTION 2006-04

Passed January 17, 2006

**A RESOLUTION TO CONDITIONALLY ACCEPT AND BEGIN THE REQUIRED, MINIMUM TWO-YEAR MAINTENANCE PERIOD FOR THE PUBLIC IMPROVEMENTS IN THE WOODS OF POWELL, NORTH, PHASE 1 SUBDIVISION AS THE SAME IS NUMBERED AND DELINEATED UPON THE PLAT THEREOF RECORDED IN CABINET 3, SLIDES 674 THRU 674B, DELAWARE COUNTY, OHIO RECORDS.**

**WHEREAS,** the City of Powell has previously approved a plat for Woods of Powell, North, Phase 1, which has been duly recorded in the offices of the Delaware County Recorder in Cabinet 3, Slides 674 thru 674B, and;

**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 as noted upon the plat of Woods of Powell, North, Phase 1, of record in Cabinet 3, Slides 674 thru 674B, Delaware County, Ohio records are conditionally accepted by the Municipality of Powell.

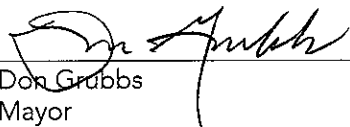
**Section 2:** That this acceptance shall be conditioned upon:

- A. The immediate posting of a maintenance guarantee to remain valid and current until final acceptance;
- B. All major 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-;
- C. The Developer shall correctly construct the overland, major flood routing grades, between curb inlet 99 and the retention pond and between curb inlet 101 and the retention pond, in accordance with the approved engineering plans and to the satisfaction of the City Engineer, and provide the City Engineer with an as-built of said improvements no later than February 3, 2006. Should the Developer fail to perform this requirement, the City may discontinue issuance of zoning certificates for building construction;
- D. The Developer shall correctly construct the retention pond embankment and emergency weir spillway, around the southeast side of the retention pond, in accordance with the approved engineering plans and to the satisfaction of the City Engineer, and provide the City Engineer with an as-built of said improvements no later than February 3, 2006. Should the Developer fail to perform this requirement, the City may discontinue issuance of zoning certificates for building construction;
- E. The Developer shall complete all unfinished portions of the landscape buffer mounding along the mounding running adjacent to the south boundary of the subdivision in accordance with the approved engineering plans and to the satisfaction of the City Engineer, and provide the City Engineer with an as-built of said improvements no later than February 3, 2006. Should the Developer fail to perform this requirement, the City may discontinue issuance of zoning certificates for building construction.

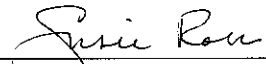
**Section 3:** That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the Municipality of Powell 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 2006-04: Y 6 N 0

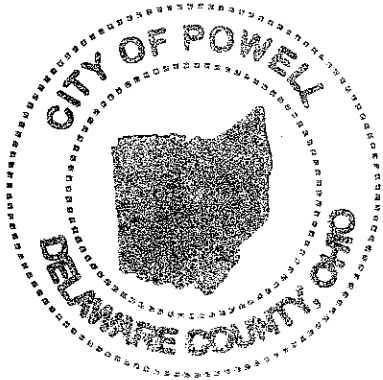
  
\_\_\_\_\_  
Don Grubbs  
Mayor

1-31-06  
\_\_\_\_\_  
Date

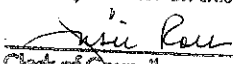
  
\_\_\_\_\_  
Susie Ross  
City Clerk

1/31/06  
\_\_\_\_\_  
Date

EFFECTIVE DATE: January 17, 2006



This legislation has been posted in accordance with the City Charter on this date 1/31/06

  
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Susie Ross  
Clerk of Council