City of Powell, Ohio

ORDINANCE 2007-44

Adopted August 21, 2007

AN ORDINANCE TO VACATE AN UNRECORDED 0.080 ACRE EASEMENT, LOCATED ON LOT 332 OF THE RETREAT SECTION 4, OF RECORD IN PLAT BOOK VOLUME 14, PAGES 123, 124 AND 125, IN THE RECORDER'S OFFICE, DELAWARE COUNTY.

WHEREAS, an unrecorded 0.080 acre easement exists, which was obtained on Lot 332 of the Retreat Section 4, of record in plat book Volume 14, Pages 123, 124, and 125, in the Recorder's Office, Delaware County; and

WHEREAS, said easement was obtained by the City of Powell from R. Allen Miller and Linda L. Miller on July 23, 2003, and said easement, legal description, and plat map is attached as Exhibit "A"; and

WHEREAS, the Council finds that there is good cause for vacation of the said easement, and that such vacation will not be detrimental to the general interest of the citizens of the City.

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

Section 1. That the unrecorded easement granted to the City of Powell by R. Allen Miller and Linda L. Miller on July 23, 2003, all of which is more fully and accurately described and depicted in the easement, legal description and survey plat which are attached hereto as Exhibit "A" and made a part hereof, is hereby vacated.

Section 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the City of Powell which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

Section 3: That this Ordinance shall take effect on the earliest possible date permitted by law.

VOTE ON RULE SUSPENSION: Y 6 N 0

VOTE ON ORDINANCE 2007-44: Y 6 N 0

9-1-07
Don Grubbs Date
Mayor

9-1-07
Susie Ross Date
City Clerk

EFFECTIVE DATE: September 20, 2007

CITY OF POWELL DELAWARE COUNTY, OHIO

This legislation has been posted in accordance with the City Charter on this date 9/6/07

Clerk of Council

City Council

Don Grubbs, Mayor

Richard Cline Tom Counts Elmer Meider Bill Morton Art Schultz Dan Wiencek