



**City of Powell, Ohio**

**ORDINANCE 2007-48**

Adopted September 4, 2007

**AN ORDINANCE TO VACATE A 10-FOOT PERMANENT PUBLIC PATHWAY EASEMENT, LOCATED ON LOTS 27 AND 28, SECTION 4, TOWNSHIP 3, RANGE 19 OF RECORD IN PLAT BOOK VOLUME 0532, PAGES 2059, 2060, AND 2061, AS RECORDED IN THE DELAWARE COUNTY RECORDER'S OFFICE.**

**WHEREAS,** a permanent public pathway easement exists, which was obtained on Lots 27 and 28, Section 4, Township 3, Range 19 of record in plat book Volume 0532, Pages 2059, 2060, and 2061, as recorded in the Delaware County Recorder's Office; and

**WHEREAS,** the Council finds that there is good cause for vacation of the permanent public pathway easement on the aforementioned plat, 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 permanent public pathway easement granted to the City of Powell which is of record in Volume 0532, Pages 2059, 2060, and 2061, of the Delaware County Recorder's Office, all of which is more fully and accurately described and depicted in the deed of easement, legal description and survey plat which are attached hereto and made a part hereof as Exhibit "A," is hereby vacated.

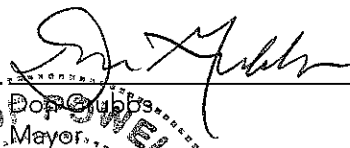
**Section 2:** That the Clerk of the City of Powell is hereby directed to file a copy of this ordinance with the Delaware County Recorder evidencing the vacation of such portion of such easement.

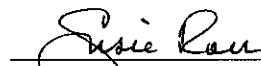
**Section 3:** It is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

**Section 4:** That this Ordinance shall take effect on the earliest possible date permitted by law.

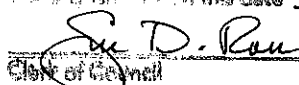
**VOTE ON RULE SUSPENSION:** Y 6 N 0

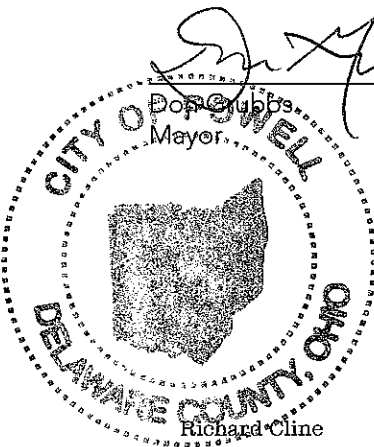
**VOTE ON ORDINANCE 2007-48:** Y 6 N 0

 9-17-07  
Date  
Don Grubbs  
Mayor

 9/18/07  
Date  
Susie Ross  
City Clerk

**EFFECTIVE DATE: October 4, 2007**

This legislation has been posted in accordance with the City Charter on this date 9/19/07  
  
Sue D. Rau  
Clerk of Council



**City Council**  
Don Grubbs, Mayor  
Richard Cline      Tom Counts      Elmer Meider      Bill Morton      Art Schultz      Dan Wiencsek