



**City of Powell, Ohio**

**RESOLUTION 2009-01**

Adopted January 20, 2009

**A RESOLUTION TO CONDITIONALLY ACCEPT AND BEGIN THE REQUIRED, MINIMUM TWO-YEAR MAINTENANCE PERIOD FOR THE WEST CASE AVENUE AND LINCOLN STREET PUBLIC IMPROVEMENTS, A PART OF THE WEST CASE AVENUE AND LINCOLN STREET ROADWAY IMPROVEMENT PLANS AS APPROVED ON JUNE 13, 2006, CONSTRUCTED BY TRADITIONS OF POWELL, LLC.**

**WHEREAS,** all major components of the above mentioned public improvements of the development are completed to the extent that they do not appear to present undue health, safety, and welfare hazards to the citizens.

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


**Section 1:** That, pursuant to Section 1115.05 of the Codified Ordinances of the City of Powell, the public improvements as noted above are conditionally accepted by the City of Powell.


- Section 2:** That this acceptance shall be conditioned upon:
- A. The posting of 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. Establishment of grass to the satisfaction of the City Engineer by June 30, 2009;
  - D. The final installation of the street name sign by June 30, 2009.

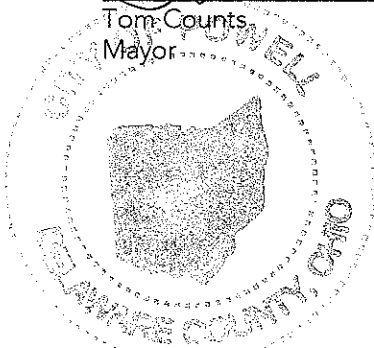
**Section 3:** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the City of Powell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

**Section 4:** That this Resolution shall take effect immediately upon its adoption.

**By unanimous consent, Resolution 2009-01 was adopted as a part of the Consent Agenda.**

  
 \_\_\_\_\_  
 Tom Counts  
 Mayor  
 2/4/09  
 Date

  
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 Susie Ross  
 City Clerk  
 2/4/2009  
 Date



**EFFECTIVE DATE: January 20, 2009**

This legislation has been posted in accordance with the City Charter on this date 2/5/2009  
 \_\_\_\_\_  
 Susie Ross  
 City Clerk

**City Council**  
 Tom Counts, Mayor  
 Richard Cline      Don Grubbs      Jim Hrivnak      Elmer Meider      Art Schultz      Dan Wienczek