



**City of Powell, Ohio**

**ORDINANCE 2017-33**

Adopted July 5, 2017

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO GRANT A WATERLINE EASEMENT FOR WATER SERVICE TO DEL-CO WATER COMPANY, INC. OVER A PORTION OF THE PARK AT SELDOM SEEN WITHIN THE CITY OF POWELL AND DECLARING AN EMERGENCY.**

**WHEREAS,** the Del-Co Water Company, Inc. has requested a permanent waterline easement from the City of Powell over a certain portion of The Park at Seldom Seen located within the City; and

**WHEREAS,** Council hereby finds and determines that execution of the foregoing easement is in the best interest of the City of Powell; and

**WHEREAS,** Council also finds and determines that an emergency exists requiring immediate passage of this ordinance, such emergency consisting of Del-Co Water Company, Inc.'s need to commence construction as soon as possible;

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

Section 1: That the City Manager is hereby authorized to grant a permanent easement for water service to Del-Co Water Company, Inc., which easement will be in substantially the same format as the easement attached as "Exhibit A" and incorporated herein by reference, in favor of Del-Co Water Co., Inc.

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 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 is hereby declared to be an emergency measure, necessary for the preservation of the public health, safety and welfare, such emergency arising from the Del-Co Water Company's necessity to commence construction as soon as possible; wherefore, this Ordinance shall take effect and be in force from and after its passage.

**VOTE ON RULE SUSPENSION:** Y 7 N 0

**VOTE ON ORDINANCE 2017-33:** Y 7 N 0

  
Brian Lorenz  
Mayor



  
Karen J. Mitchell  
City Clerk

EFFECTIVE DATE: July 5, 2017

This resolution has been posted in accordance with the City Charter on this date 7/10/2017  
City Clerk

Jon Bennehoof      Frank Bertone      Tom Counts      Jim Hrivnak      Brendan Newcomb      Daniel Swartwout