



ORDINANCE 2022-33

AN ORDINANCE ACCEPTING PUBLIC IMPROVEMENTS ASSOCIATED WITH THE HARPER'S POINTE DEVELOPMENT AND RELEASING MAINTENANCE GUARANTEES. (SUSPENSION OF THE RULES REQUESTED.)

WHEREAS, the City previously granted conditional acceptance of: (1) the roadway improvements (Susan Lane) associated with Harper's Pointe, Phase 1, pursuant to Resolution 2020-18 and (2) the Harper's Pointe offsite storm sewer improvements pursuant to Resolution 2020-19 (together, the "Public Improvements"), upon substantial completion of the same; and

WHEREAS, the Harpers Pointe developer guaranteed the Public Improvements for a period of at least two years from the date of the conditional acceptance, which was September 15, 2020; and

WHEREAS, the City has determined that the Public Improvements have been satisfactorily maintained without any current defects or deficiencies and therefore recommend final acceptance of the same.

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

Section 1: Pursuant to Section 1115.07, the City accepts the Public Improvements in the Harper's Pointe Development and releases the maintenance guarantees that were previously provided for these Public Improvements.

Section 2: 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 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 period allowed by law.

[Signature] 10-18-22
Daniel Swartwout
Mayor Date

[Signature] 10-19-22
Amy Deere
City Clerk Date

EFFECTIVE DATE: November 18, 2022

This legislation has been posted in accordance with the City Charter on this date 10-19-22.
[Signature] City Clerk