



City of Powell, Ohio

RESOLUTION 2018-21

Adopted December 18, 2018

**A RESOLUTION TO CONDITIONALLY ACCEPT AND BEGIN THE REQUIRED, MINIMUM TWO-YEAR MAINTENANCE PERIOD FOR THE PUBLIC IMPROVEMENT OF STORM SEWER AND ASPHALT ROADWAY IMPROVEMENTS, A PART OF THE IMPROVEMENT PLANS APPROVED ON JULY 19, 2018 FOR NOCTERRA BREWING, CONSTRUCTED BY MCCLURG PROPERTIES LLC.**

**WHEREAS,** the public improvements associated with the Nocterra Brewing development are substantially completed to the extent that it does 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 associated with the Nocterra Brewing development is 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.

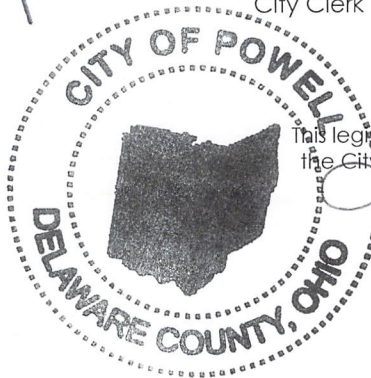
Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the City of Powell which 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.

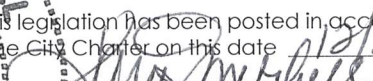
Section 4: That this Resolution shall take effect immediately upon its adoption.

**Resolution 2018-21 was adopted as part of the Consent Agenda.**

	12/26/2018		12/26/2018
Jon C. Bennehoof Mayor	Date	Karen J. Mitchell City Clerk	Date

**EFFECTIVE DATE: December 18, 2018**



This legislation has been posted in accordance with the City Charter on this date 12/26/2018  
 City Clerk