



**ORDINANCE 2022-40**

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT REGARDING THE ACQUISITION OF PRIVATE ROADS AND ACCEPTING SAID PRIVATE ROADS AND RELATED SEWER INFRASTRUCTURE AS PUBLIC IMPROVEMENTS.**

**WHEREAS**, the Lakes Edge at Golf Village Homeowners Association (the "HOA") currently own and maintain the private streets known as Blue Water Drive, Cold Water Drive, and Cold Water Loop, and the related subsurface infrastructure (together, the "Private Streets"); and

**WHEREAS**, the HOA approached the City and requested that, in exchange for the payment of funds, the City take ownership of the Private Streets, and accept the same as public improvements; and

**WHEREAS**, the City staff has negotiated specific terms associated with this transaction, inspected the Private Streets, and recommend accepting the Private Streets as public improvements subject to the terms in the proposed agreement.

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

Section 1: The City accepts the Private Streets as public improvements subject to the terms of the agreement between the parties.

Section 2: That the City Manager is authorized to enter into an agreement to memorializes the terms of the agreement between the parties, and to enter into any other agreements and do all things necessary and appropriate to accept the Private Streets as public improvements, consistent with this Ordinance.

Section 3: 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 4: That this Ordinance shall take effect on the earliest period allowed by law.

*D Swartwout*

Daniel Swartwout  
Mayor

12-6-22

Date

*Amy Deere* 12-13-22

Amy Deere  
City Clerk

Date

EFFECTIVE DATE: January 3, 2023

This legislation has been posted in accordance with  
the City Charter on this date

*Amy Deere* 12-13-22  
City Clerk



City Council

Daniel Swartwout, Mayor

Ferzan Ahmed

Jon C. Bennehoof

Tom Counts

Christina Drummond

Heather Karr

Brian Lorenz