



## CITY OF PATASKALA

### RESOLUTION 2019-044

Passed June 3, 2019

#### **A RESOLUTION TO ACCEPT AND CONFIRM INFRASTRUCTURE IMPROVEMENTS FOR THE BROADMOORE COMMONS, PHASE 2 DEVELOPMENT FOR PUBLIC MAINTENANCE AND OPERATION BY THE CITY OF PATASKALA**

***WHEREAS***, R.C. 723.03 and Section 1121.30 of the Pataskala Subdivision Regulations authorize Council for the City of Pataskala to accept improvements for public maintenance and operation upon final inspection and approval by the City of Pataskala; and

***WHEREAS***, the City of Pataskala has finally inspected the infrastructure requirements for the Broadmoore Commons, Phase 2 Development and is satisfied; and

***WHEREAS***, the Developer of the Broadmoore Commons, Phase 2 Development signed a contract guaranteeing that, if construction defects occur within one year, the Developer will correct such defects, at its sole cost and expense, to the satisfaction of the City of Pataskala; and

***WHEREAS***, acceptance and confirmation of the infrastructure requirements for the Broadmoore Commons, Phase 2 Development is consistent with the public interest of the City of Pataskala and its residents.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:**

**Section 1:** The infrastructure improvements required for the Broadmoore Commons, Phase 2 Development, as set forth on the plat thereof, are hereby formally accepted and confirmed for public maintenance and operation by the City of Pataskala. The acceptance and confirmation contained herein does not affect the City's right under Section 1121.30 of the Subdivision Regulations of the City of Pataskala to hold the Developer responsible for defects in the accepted infrastructure improvements discovered within one (1) year of the effective date of this Resolution.

**Section 2:** 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 Council and that all deliberations of the Council and any of the decision-making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

**Section 3:** This Resolution shall take effect at the earliest time allowed by the Charter of the City of Pataskala.

**ATTEST:**

  
Kathy M. Hoskinson, Clerk of Council

  
Michael W. Compton, Mayor

**APPROVED AS TO FORM:**

  
Brian M. Zets, Law Director