ORDINANCE NO. 3696

ACCEPTING DEDICATION OF A CERTAIN STREET, SIDEWALK, PORTION OF WATER LINE, UTILITY EASEMENT AND UTILITY HARDWARE AND DECLARING AN EMERGENCY

WHEREAS, each of those conditions precedent as set forth in Section 2 of Resolution No. 993 are determined by this Council to have been satisfactorily fulfilled;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That Carrie Drive, intersecting with Rombach Avenue and running along the west margin of the Wal-Mart Development Area as identified in the Dedication Plat, Carrie Drive, and Utility Easements prepared by CLINCO Engineers & Surveyors, dated June, 1996, attached hereto as "Exhibit A", including the sidewalk adjacent thereto on the west, rights-of-way, and that portion of the water line running under said street and sidewalk rights-of-way, are hereby accepted for public use.

Section 2. That all of the utility easements as defined on the Dedication Plat prepared by CLINCO Engineers & Surveyors dated June, 1996, including the sanitary sewer easements, storm sewer easements, detention basin which is to be maintained by the Owner, and water line easements are hereby accepted for public use, provided that the Grantor will not construct upon, above, or sub-adjacent thereto within the limits of the above-described easements, any building or improvement other than those presently in existence and replacements thereof, or otherwise in any manner interfere with the use of the easements without the express written consent of the City of Wilmington, Ohio.

Section 3. That the utility lines, lift stations, pumps, hydrants, manholes, catch basins, and all other appurtenances presently located in said easement areas are hereby accepted for public use.

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, and accordingly, shall be in full force and effect immediately upon its passage.

Passed this 1st day of August, 1996.

[Signature]
President of Council - ProTem

ATTEST:

[Signature]
Clerk of Council

Approved by me this 1st day of August, 1996.

[Signature]
Mayor