

RESOLUTION NO. 5-82

By: James H. Kloss

WHEREAS, Bexley City Council adopted Resolution No. 15-80 on November 25, 1980, which gave approval to the first phase of the Planned Unit Residential Development by Bexley Properties on the south side of Bryden Road as authorized by Ordinance No. 28-80; and

WHEREAS, Subparagraph (d) of Section 1 of said Resolution provided that if the second phase of said development has not been submitted to Council within one year after the approval of the first phase, all land in the development be maintained by the developer in lawn, with landscaping compatible with the landscaping of the first phase; and

WHEREAS, a period of more than one year has lapsed since the approval of the first phase and the developer, Bexley Properties, has not satisfactorily complied with the request of the City dated June 23, 1982, to landscape the undeveloped portions of the property; and

WHEREAS, Subparagraph (j) of the Architectural Criteria made part of Amended Ordinance No. 28-80 adopted on June 17, 1980 provides that the City of Bexley reserves the right to enter any undeveloped portion of the property in order to maintain such property, if the undeveloped portion of the property has deteriorated and is constituting a blighting influence on the neighborhood and the community and that the City may assess each owner for the cost of such municipal maintenance;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BEXLEY, OHIO:

Section 1. That the undeveloped portions of the Planned Unit Residential Development located on the south side of Bryden Road is declared to be deteriorated and is constituting a blighting influence on the neighborhood.

Section 2. That the Mayor is hereby authorized to order Bexley Municipal Employees to enter onto the property, to grade, clear, seed, straw and fertilize the undeveloped portions and the entire cost thereof shall be assessed upon the property by law with penalty and interest as provided by law.

Section 3. That the Clerk of this Council is directed to cause a written notice of passage of this resolution to be served as required by law.

Section 4. That this Resolution shall go into full force and effect upon its adoption and approval by the Mayor.

Adopted: September 28, 1982

ATTEST: John H. Kloss
Clerk of Council

President of Council

Approved: _____, 1982

David H. Madison, Mayor