

ORDINANCE NO. 2006- 80

CONSENTING TO DELETION OF A PORTION OF THE PROPOSED LIBERTY TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT I TERRITORY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE WRITTEN CONSENT, AND DECLARING AN EMERGENCY.

WHEREAS, this Council previously passed Ordinance No. 2006-01 approving the proposed Liberty Township Joint Economic Development District I [Liberty Township JEDD I] Contract (the Contract) among the Township of Liberty, the City of Middletown and the City of Mason (collectively the contracting parties);

WHEREAS, the contracting parties executed the Contract as approved;

WHEREAS, the Contract has not been approved by the Board of County Commissioners of Butler and Warren Counties;

WHEREAS, the construction of the Liberty Interchange and other proposed transportation links are important to the City for economic development to occur;

WHEREAS, the Contract provides that contracting parties are authorized by consent to delete a portion of the proposed JEDD I territory;

WHEREAS, deletion of a portion of the proposed JEDD I territory is appropriate to assure compliance with the majority petition requirements applicable to owners of property and owners of businesses to be located in the Liberty Township JEDD I territory;

WHEREAS, the resulting JEDD I territory after deletion still consists of 527.89 acres.

WHEREAS, this Council acknowledges that adoption of the Liberty Township Joint Economic Development I is critical for funding of the proposed Liberty Interchange and other planned road improvements; and

WHEREAS, approval of the Liberty Township Joint Economic Development District I by the Board of County Commissioners of Butler and Warren Counties is time sensitive due to planned construction of major development activities, which will be located within the JEDD I territory.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Mason, Ohio that

SECTION 1 - The City consents to deletion of a portion of the proposed Liberty Township JEDD I as described in the Contract. The following areas have acreage deleted from the JEDD I Territory:

<u>Deleted Area Number</u>	<u>Deleted Legal Description</u>	<u>Acreage</u>	<u>Exhibit Number</u>
Area			
# 1-A		29.0	2
# 1-C-2		00.6	4
# 1-C-3		00.5	5
# 1-C-4		03.0	6
# 1-D-1		04.6	7
# 1-D-2		01.7	8
# 3-A-1		34.0	10
# 3-A-2		15.3	11
# 3-A-3		07.0	12
# 3-B-1		11.0	13
# 3-C		06.4	15
# 3-D-1		06.4	16
# 3-D-4		01.318	19
# 3-E		37.0	20

SECTION 2 - The City hereby deems their consent to be appropriate and expedient in order to assure compliance with the petition requirements applicable to the majority owners of property and owners of businesses to be located in the Liberty Township JEDD I territory in furtherance of a voluntary joint economic development district.

SECTION 3 - The City Manager is authorized to execute and deliver the Consent of Contracting Parties to Deletion of a Portion of Territory now on file with this Council (the Consent) with such changes that are not materially adverse to the interests of the City, are consistent with this ordinance and are approved by the Law Director.

SECTION 4 – This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5 – This ordinance is hereby declared to be an emergency necessary for the immediate preservation of the public health, safety and welfare and shall be effective immediately upon its adoption. The reason for said emergency is the need to amend the JEDD area as soon as possible to proceed with the economic development of the City of Mason.

Passed this 24th day of July, 2006.


Mayor

Attest:


Clerk of Council

7/21/06
282031.1