

ORDINANCE NO. 2009-89

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT WITH DEERFIELD TOWNSHIP AND THE PROPERTY OWNER, BOXWOOD FARMS, LLC, FOR THE ANNEXATION OF 9.7337 ACRES TO THE CITY OF MASON (MASON ROAD PROPERTY).

WHEREAS, the City has been approached by Boxwood Farms, LLC ("Owner"), a property owner seeking the annexation of its 9.7337 acres in Deerfield Township to the city of Mason; and

WHEREAS, the Owner of the 9.7337 acres in Deerfield Township desires to annex its property to the City of Mason and the Owner and Township request that the City conform its boundaries and remove the land from the township, if annexed; and

WHEREAS, the Council of the City of Mason is desirous of accepting the annexation of that property to Mason and, upon annexation of the property to the city, Mason, Deerfield Township and the Owner are desirous of having Mason conform the boundaries of the property to the city in order to exclude Deerfield Township from such area and to provide for other matters pertaining to the annexation; and

WHEREAS, Ohio Revised Code will only permit that the land be removed from the township in a special annexation proceeding if the city and township agree to it in an annexation agreement; and

WHEREAS, Boxwood Farms, LLC and Deerfield Township desire to enter into an annexation agreement with Mason upon the general terms and conditions set forth in the Annexation Agreement attached as Exhibit A; and

WHEREAS, the attached Annexation Agreement requires the City to remove the land from the township following annexation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, at least five members of the seven members elected thereto concurring:

Section 1. That the City Manager is hereby authorized to enter into an Annexation Agreement with Deerfield Township and Boxwood Farms, LLC pertaining to the annexation of 9.7337 acres in Deerfield Township to the City of Mason in substantially the same form that is attached hereto as Exhibit A and incorporated herein by reference.

Section 2. That the Clerk of Council is hereby directed to immediately provide a certified copy of this ordinance to the agent for the annexation petitioners in the petition for the annexation of 9.7337 acres from Deerfield Township, Warren County, Ohio to the City of Mason.

Section 3. That this Ordinance shall be effective from and after the earliest period allowed by law.

Passed this 17th day of August, 2009

Attest:


Clerk of Council


Mayor

CERTIFICATE

The undersigned, Clerk of Council of the City of Mason, hereby certifies this to be a true and exact copy of Ordinance 2009-89, adopted by the Council of the City of Mason on August 17, 2009.

Clerk of Council