

ORDINANCE 2017 - 34

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT WITH UNION TOWNSHIP FOR THE ANNEXATION OF CERTAIN PROPERTY TO THE CITY OF MASON

WHEREAS, the City has been approached by Charles W. Thornton, Trustee, a property owner and developer, seeking the annexation of approximately 5 acres of the owner's property in unincorporated Union Township to the city of Mason; and

WHEREAS, the sole owner of property in Union Township desires to annex to the City of Mason and the owner and Union Township request that the land be removed 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 Mason, Mason and Union Township are desirous of having Mason conform the boundaries of the property to the City in order to exclude Union Township from such area; and

WHEREAS, the Ohio Revised Code permits land to be removed from the Township following a special annexation proceeding if the City and Township agree to it in an annexation agreement; and

WHEREAS, the attached Annexation Agreement requires the City to remove the land from the Township following annexation, the developer to make certain payments to the Township and provides that the City shall not be required to make any payments for taxes to the Township pursuant to Ohio Revised Code Sections 709.19 and 709.191 or any other law.

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

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

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 petitioner in the petition for the annexation of certain property identified in the Annexation Agreement from Union 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 20th day of March, 2017.

Mayor

Attest:

Clerk of Council

2195114.1