

ORDINANCE 2017 - 35

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

WHEREAS, the City has been approached by Crooked Tree, Ltd., the owner of approximately 4.8 acres of property in Deerfield Township located north of Bethany Road across from Hickory Woods Drive surrounded on three sides by the City of Mason seeking the annexation of its property to the City of Mason; and

WHEREAS, the sole owner of the property in Deerfield Township desires to annex its property to the City of Mason and the owner and 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 Deerfield Township are desirous of having Mason conform the boundaries of the property to the City in order to exclude Deerfield Township from such area; and

WHEREAS, the Ohio Revised Code permits that the land 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 its annexation and states that the City shall not be required to make certain payments to township following annexation and the conformity of boundaries under Ohio Revised Code Section 709.19 or 709.191 and 503.07 currently or as they may be amended, or any other provision of Ohio 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 Deerfield 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 described in the Annexation Agreement 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 petitioners in the petition for the annexation of certain property described in the Annexation Agreement 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 20th day of March, 2017.

Mayor

Attest:

Clerk of Council

2195114.1

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