

ORDINANCE NO. 2007- 99

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT WITH UNION TOWNSHIP FOR THE ANNEXATION OF 262.967 ACRES TO THE CITY OF MASON (FALLS OF MASON, LLC).

WHEREAS, the City has been approached by the owners, Falls of Mason, LLC, seeking the annexation of 262.967 acres to the city of Mason; and

WHEREAS, all of the property owners of 262.967 acres in Union Township desire to annex to the City of Mason and the owners 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 properties to Mason, Mason and Union Township are desirous of having Mason conform the boundaries of the properties to the city in order to exclude Union Township from such area; and

WHEREAS, the 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, the attached Annexation Agreement requires the city to remove the land from the township and states that there will be no revenue sharing with the township; and

WHEREAS, even though state law allows revenue sharing and allows the township and city in annexation agreements to address revenue sharing, neither the township nor the city are requesting revenue sharing and the agreement provides that there will be no revenue sharing.

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 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 262.967 acres 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 262.967 acres 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 18th day of June, 2007.

Attest:



Clerk of Council



Mayor