

ORDINANCE NO. 2008-121

ACCEPTING THE ANNEXATION OF 103.606 ACRES LOCATED IN DEERFIELD TOWNSHIP, WARREN COUNTY, OHIO, TO THE CITY OF MASON (GREAT AMERICAN)

WHEREAS, by Ordinance No. 2008-93, the City of Mason adopted a statement indicating services will be provided to the 103.606-acre territory; and

WHEREAS, the petition for annexation was duly considered by the Board of County Commissioners of Warren County, Ohio, on September 16, 2008; and

WHEREAS, the Board of County Commissioners approved the annexation of the territory to the City of Mason as hereinafter described; and

WHEREAS, the Board of County Commissioners certified the transcript of the proceedings in connection with the annexation, with a map and petition required in connection therewith to the Clerk of Council, who received same on September 17, 2008; and

WHEREAS, sixty (60) days from the date of the filing have now elapsed in accordance with the provisions of Ohio Revised Code §709.04.

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

Section 1. That the proposed annexation as applied for in the petition of the citizens of Deerfield Township, who are the owners of the real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Warren County, Ohio, on August 11, 2008, and which petition prayed for annexation to the City of Mason, Ohio, of certain territory adjacent thereto as hereinafter described, and which petition was approved for annexation to the City of Mason by the Board of County Commissioners on September 16, 2008, and the same is hereby accepted. The territory is described in the attached Exhibit "A" which is incorporated herein by reference as part of this Ordinance.

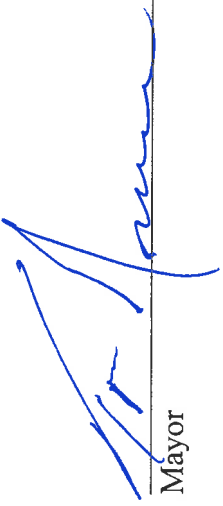
A certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for its annexation and other papers relating to the proceedings thereto of the County Commissioners are all on file with the Clerk of Council of this City and have been for more than sixty (60) days.

Section 2. That the Clerk of Council be and she is hereby authorized and directed to make three copies of this Ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of the proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Clerk of Council shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, one copy to the Secretary of State and shall file notice of annexation with the Board of Elections within thirty (30) days after it becomes effective, and the Clerk of Council shall do all things required by law.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest

period allowed by law.

Passed this 24th day of November, 2008.



Mayor

Attest:

Clerk of Council

CERTIFICATE

The undersigned, Clerk of Council of the City of Mason, hereby certifies this to be a true and exact copy of Ordinance No. 2008-_____, adopted by the Council of the City of Mason on _____, 2009.

Clerk of Council

July 23, 2008

**LEGAL DESCRIPTION
ANNEXATION TERRITORY**

Situated in Sections 17 & 18, Town 4, Range 2, Deerfield Township, Warren County, Ohio, being a territory to be annexed to the City of Mason the boundary of which being more particularly described as follows:

Beginning at the northwest corner of a 52.718 acre tract being conveyed to Kings/71 in Official Record 2852, Page 530;

Thence along the east right-of-way of Interstate Route 71 the following six calls:

1. S27°16'20"W, a distance of 584.84 feet;
2. S39°19'43"W, a distance of 400.03 feet;
3. S43°51'03"W, a distance of 379.65 feet;
4. S26°58'35"W, a distance of 284.68 feet;
5. S17°43'53"W, a distance of 438.20 feet;
6. S14°06'14"W, a distance of 137.30 feet;

Thence S86°23'23"E, a distance of 103.36 feet;

Thence S36°27'16"W, a distance of 285.53 feet;

Thence N21°11'29"W, a distance of 62.58 feet;

Thence along the aforesaid right-of-way on Interstate Route 71, S73°54'33"W, a distance of 358.42 feet;

Thence S00°38'44"W, a distance of 148.27 feet;

Thence S89°21'16"E, a distance of 268.00 feet;

Thence along the right-of-way of Kings Center Court the following ten courses:

1. along a curve to the left a distance of 129.63 feet, said curve having a radius of 45.00 feet and a chord bearing S63°18'42"E, a distance of 89.23 feet;

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Annexation
Petition
EXHIBIT A

Cincinnati, OH

Columbus, OH

Dayton, OH

Sierra Vista, AZ

www.kleingers.com

6305 Centre Park Drive
West Chester, Ohio 45069

(513) 779-7851

FAX (513) 779-7852

2. along a curve to the right a distance of 21.69 feet, said curve having a radius of 22.00 feet and a chord bearing N62°24'21"E, a distance of 20.82 feet;
3. S89°21'16"E, a distance of 322.84 feet;
4. along a curve to the right a distance of 31.08 feet, said curve having a radius of 160.00 feet and a chord bearing S83°47'22"E, a distance of 31.03 feet;
5. along a curve to the right a distance of 69.91 feet, said curve having a radius of 34.50 feet and a chord bearing S20°10'33"E, a distance of 58.55 feet;
6. along a curve to the left a distance of 33.09 feet, said curve having a radius of 160.00 feet and a chord bearing S43°47'49"W, a distance of 33.03 feet;
7. S49°43'15"W, a distance of 123.52 feet;
8. along a curve to the left a distance of 266.81 feet, said curve having a radius of 190.00 feet and a chord bearing S09°29'29"W, a distance of 245.43 feet;
9. S30°44'17"E, a distance of 103.71 feet;
10. along a curve to the right a distance of 20.94 feet, said curve having a radius of 34.50 feet and a chord bearing S13°20'20"E, a distance of 20.62 feet;

Thence S34°16'02"E, a distance of 100.19 feet;

Thence along the right-of-way of Kings Island Drive the following five courses:

1. N59°15'45"E, a distance of 203.45 feet;
2. along a curve to the left a distance of 781.11 feet, said curve having a radius of 869.02 feet and a chord bearing N33°30'46"E, a distance of 755.08 feet;
3. N07°45'45"E, a distance of 251.94 feet;
4. along a curve to the right a distance of 38.83 feet, said curve having a radius of 25.00 feet and a chord bearing N52°15'36"E, a distance of 35.04 feet;
5. N06°45'36"E, a distance of 3.39 feet

Thence along the right-of-way of Kings Mill Road S83°13'20"E, a distance of 878.41 feet;

Thence S11°29'20"W, a distance of 249.91 feet;

Thence S59°13'20"E, a distance of 126.00 feet;

Thence along the westerly right-of-way of Columbia Road S30°46'40"W, a distance of 1095.57 feet;

Thence along the north right-of-way of Wilson Avenue the following five courses:

1. S89°18'33"W, a distance of 423.50 feet;
2. N88°20'00"W, a distance of 287.74 feet;
3. N85°17'27"W, a distance of 504.13 feet;
4. along a curve to the right a distance of 72.85 feet, said curve having a radius of 75.00 feet and a chord bearing N57°27'49"W, a distance of 70.02 feet;
5. N29°38'11"W, a distance of 199.95 feet;

Thence along the aforesaid right-of-way of Kings Island Drive N59°15'53"E, a distance of 96.27 feet

Thence N29°14'39"W, a distance of 405.00 feet;

Thence S60°45'23"W, a distance of 172.20 feet;

Thence N50°45'44"W, a distance of 15.05 feet;

Thence S60°45'26"W, a distance of 135.39 feet;

Thence N44°04'20"W, a distance of 490.83 feet;

Thence along the aforesaid right-of-way of Interstate Route 71 the following four courses:

1. S52°00'47"W, a distance of 83.07 feet;
2. S36°12'29"W, a distance of 392.30 feet;
3. S42°37'00"W, a distance of 501.22 feet;
4. S38°36'45"W, a distance of 1891.56 feet;

Thence along the existing Mason Corporation Line N51°23'15"W, a distance of 300.00 feet;

Thence along said Corporation Line and with the aforesaid north right-of-way of Interstate Route 71 the following fourteen courses:

1. N38°36'45"E, a distance of 1591.56 feet;
2. N31°29'15"E, a distance of 201.54 feet;
3. N39°23'23"E, a distance of 598.55 feet;
4. N32°49'28"E, a distance of 285.47 feet;
5. N16°55'11"E, a distance of 256.74 feet;
6. N01°43'32"W, a distance of 232.08 feet;
7. N03°36'45"E, a distance of 200.00 feet;
8. N43°42'29"E, a distance of 170.01 feet;
9. N66°41'58"E, a distance of 389.36 feet;
10. N56°23'27"E, a distance of 563.50 feet;
11. N48°58'39"E, a distance of 197.02 feet;
12. N36°38'52"E, a distance of 595.33 feet;
13. N41°28'29"E, a distance of 400.51 feet;
14. N38°36'41"E, a distance of 273.80 feet;

Thence S85°01'36"E, a distance of 360.35 feet to the Point of Beginning.

Annexation containing 103.606 acres more or less.