



City of Powell, Ohio

ORDINANCE 2018-29

Adopted July 5, 2018

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH THE OHIO STATE UNIVERSITY, AND DECLARING AN EMERGENCY.**

**WHEREAS,** The Ohio State University is in contract to purchase approximately 29.56 +/- acres located at the northeast corner of Home Road and Sawmill Parkway, and desires annexation to the City of Powell; and

**WHEREAS,** the parties have negotiated a written Pre-Annexation Agreement setting forth their respective rights and duties;

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:**

**Section 1:** That Council authorizes the City Manager to enter into a Pre-Annexation Agreement, in a form substantially similar to the Pre-annexation Agreement attached hereto as Exhibit "1" and incorporated herein by reference, to provide for annexation of the approximately 29.56 +/- acre tract and adjacent parcels located at the northeast corner of Home Road and Sawmill Parkway.

**Section 2:** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the City of Powell which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

**Section 3:** This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants, such emergency arising from the reason that there exists an imperative necessity to commence the annexation in compliance with the terms of the Pre-Annexation Agreement; WHEREFORE, this Ordinance shall take effect and be in force from and after its passage.

**VOTE ON RULES SUSPENSION:** Y 6 N 1 (Newcomb)

**VOTE ON ORDINANCE 2018-29:** Y 7 N 0

*Jon C. Bennehoof*  
Jon C. Bennehoof  
Mayor

*7/17/18*  
Date  
Kare Mitchell  
City Clerk

*Kare Mitchell*  
Date  
*7/23/2018*

**EFFECTIVE DATE:** July 5, 2018

The legislation has been posted in accordance with the City Charter on this date 7/23/2018  
City Clerk

Frank Bertone Tom Counts Brian Lorenz *Jon C. Bennehoof* *John Newcomb* Melissa Riggins Daniel Swartwout

