



City of Powell, Ohio
ORDINANCE 2018-51
Adopted February 5, 2019

AN ORDINANCE ACCEPTING THE ANNEXATION OF 44.29 +/- ACRES, MORE OR LESS, LOCATED AT THE CORNER OF SAWMILL PARKWAY AND HOME ROAD, FROM LIBERTY TOWNSHIP TO THE CITY OF POWELL, AND TO DECLARE AN EMERGENCY.

WHEREAS, a Petition having been filed with the Board of Delaware County Commissioners for annexation of 44.29 +/- acres, more or less, located at the corner of Sawmill Parkway and Home Road to the City of Powell by Aaron L. Underhill, Agent, Underhill & Hodge LLC; and

WHEREAS, proceedings having been had before the Board of Commissioners of Delaware County on August 9, 2018, wherein said Commissioners approved the annexation; and

WHEREAS, more than sixty days having elapsed from the date of filing of the transcript of such approval by the Board of Delaware County Commissioners with the City Clerk;

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

Section 1: That the proposed annexation, as applied for in the petition by Aaron L. Underhill, Agent, Underhill & Hodge LLC, which petition was filed with the Board of County Commissioners of Delaware County, Ohio, on July 10, 2018, and which petition prayed for the annexation to the City of Powell of certain territory adjacent thereto and hereinafter described, which petition was approved for annexation to the City of Powell by the Board of County Commissioners on August 9, 2018, be, and hereby is, accepted. The territory annexed hereby is described in the legal description attached hereto as Exhibit "A" and made a part hereof as though fully rewritten herein. The certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for annexation and other papers relating to the proceedings thereto of the County Commissioners are all on file with the Clerk of the City of Powell and have been for more than 60 days.

Section 2: That the Clerk be, and hereby is, authorized and directed to make three copies of this Ordinance, to each of which shall be attached a copy of the transcript of proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to the Secretary of State, and shall file notice of this annexation with the Board of Elections within thirty days after it becomes effective.

Section 3: 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 4: That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of public peace, health, welfare and safety for the further reason that there exists an immediate need to accept the annexation to facilitate the closing of the acquisition of the subject property by The Ohio State University; **WHEREFORE**, this Ordinance shall take effect and be in force from and after its passage.

VOTE ON ORDINANCE 2018-51:

Y 6

N 1 (Newcomb)

Jon C. Bennehoof
Jon C. Bennehoof
Mayor

2/14/2019
Date

Karen J. Mitchell
Karen J. Mitchell
City Clerk

2/14/2019
Date

EFFECTIVE DATE: February 5, 2019

The legislation has been posted in accordance with
the City Charter on this date 2/14/2019
Karen J. Mitchell City Clerk



City Council

Jon C. Bennehoof, Mayor

Frank Bertone

Tom Counts

Brian Lorenz

Brendan Newcomb

Melissa Riggins

Daniel Swartwout