



ORDINANCE 2020-38
Adopted January 5, 2021

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH BREAGHA PLANA II, LLC AND REDWOOD USA LLC.

WHEREAS, Breagha Plana II, LLC own approximately 35.336 +/- acres located south of Home Road between the CSX railroad tracks to the west and Liberty Road to the east, and desires annexation into the City of Powell; and

WHEREAS, Breagha Plana II, LLC is working with Redwood USA LLC to develop this property along with an adjacent property it owns within 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 "A" and incorporated herein by reference, to provide for annexation of the approximately 35.336 +/- acres located south of Home Road between the CSX railroad tracks to the west and Liberty Road to the east.

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 shall take effect on the earliest possible date permitted by law.

VOTE ON ORDINANCE 2020-38:

Y 7

N 0

Handwritten signature of Frank Bertone, dated 1/18/2021, Mayor

Handwritten signature of Karen J. Mitchell, dated 1/20/2021, City Clerk

EFFECTIVE DATE: February 4, 2021

This legislation has been posted in accordance with the City Charter on this date 1/21/2021, City Clerk

Handwritten signature of Karen J. Mitchell, City Clerk