**ORDINANCE 2024-06**

**AN ORDINANCE ACCEPTING THE ANNEXATION OF 6.357 ACRES, MORE OR LESS, FROM LIBERTY TOWNSHIP TO THE CITY OF POWELL (petitioner: Horsepower Farms, LLC).**

**WHEREAS,** An annexation petition was filed with the Board of Delaware County Commissioners for annexation of 6.357 acres, more or less, to the City of Powell by Donald T. Plank, Plank Law Firm, LPA, agent for the petitioner; and

**WHEREAS,** The Board of Commissioners of Delaware County conducted a proceeding and approved the annexation petition on November 27, 2023; and

**WHEREAS,** More than sixty (60) days have 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, COUNTY OF DELAWARE, STATE OF OHIO AS FOLLOWS:**

Section 1**:** That the proposed annexation, as submitted by Donald T. Plank, Agent for the Petitioner, which petition was filed with the Board of County Commissioners of Delaware County, Ohio on November 15, 2023, 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 November 27, 2023, 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 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 Auditor, one copy to the County Recorder, and one copy to the Secretary of State, and shall filed notice of this annexation with the Board of Elections within thirty days after it becomes effective.

Section 3: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 Council and that all deliberations of 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 shall take effect on the earliest period allowed by law.

Tom Counts Date Elaine McCloskey Date

Mayor City Clerk

**EFFECTIVE DATE:**  April 19, 2024 This legislation has been posted in accordance with

the City Charter on this date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .

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