

Review of Petition to Annex 89.6+/- acres from Norwich Township to the city of Hilliard by Jackson B. Reynolds, III, Esq.

Case #ANX-EXP2-09-09

(ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Jackson B. Reynolds, III, Esq. filed on behalf of Anderson Farms LLC on May 28, 2009 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited 2 petition, and having considered all the facts with reference thereto, being fully advised, and

WHEREAS, the Commissioners make the following findings based upon the exhibits and testimony presented at the review of this matter:

1. The petition does meet all the requirements set forth in, and was filed in the manner provided in, section 709.021 of the Revised Code.
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation and constitute all of the owners of real estate in that territory.
3. The territory proposed for annexation does not exceed five hundred acres.
4. The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.
5. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
6. The municipal corporation to which annexation is proposed has agreed to provide to the territory proposed for annexation the services specified in the relevant service resolution #09-R-24, passed on June 8, 2009 by the city of Hilliard.

Review of Petition to Annex 89.6+/- acres from Norwich Township to the city of Hilliard by Jackson B. Reynolds, III, Esq.

Case #ANX-EXP2-09-09

(ECONOMIC DEVELOPMENT & PLANNING)

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

That, in accordance with the findings made in the preamble, which are incorporated herein, the prayer of the Petition be *approved*, and the territory sought to be annexed by the petition filed herein *shall* be annexed to the city of Hilliard, Ohio, in accordance with the law; that the orders and proceedings of this board relating to the Petition, and map and description attached thereto, and all papers on file relating to this matter be delivered forthwith to the Clerk of Council, city of Hilliard, Ohio.

Prepared by: R. Lee Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0517-09

June 30, 2009

**REVIEW OF PETITION TO ANNEX 89.6+/- ACRES FROM NORWICH
TOWNSHIP TO THE CITY OF HILLIARD BY JACKSON B. REYNOLDS, III,
ESQ. CASE #ANX-EXP2-09-09**

**(Economic Development and
Planning)**

Upon the motion of Commissioner John O'Grady, seconded by Commissioner Marilyn Brown:

Voting:

**Paula Brooks, President
Marilyn Brown
John O'Grady**

**Aye
Aye
Aye**

Board of County Commissioners
Franklin County, Ohio

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by the Board of County Commissioners, Franklin County, Ohio on the date noted above.



Debra A Willaman, Clerk
Board of County Commissioners
Franklin County, Ohio



Commissioners
Paula Brooks, President
Marilyn Brown
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

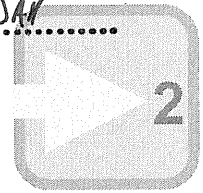
Application for
**Annexation
Petition**

Expedited Type 2
Pursuant to ORC §709.023

RECEIVED

MAY 28 2009

Per DAV



Property Information	
Site Address	2400 Alton Darby Creek Road, Hilliard, Ohio 43026
Parcel ID(s)	200-000209/000001/000191/000057
Total Acreage	89.6+/- acres
From Township	Norwich Township
To Municipality	City of Hilliard

Property Owner Information	
Name	Anderson Farms Ltd. c/o Glen Anderson
Address	2338 Alton Darby Creek Road
	Hilliard, Ohio 43026
Phone #	
Fax #	
Email	

Attorney/Agent Information	
Name	Jackson B. Reynolds III
Address	Smith & Hale LLC, 37 W. Broad St., Ste. 725
	Columbus, Ohio 43215
Phone #	(614) 221-4255
Fax #	(614) 221-4409
Email	jreynolds@smithandhale.com

Staff Use Only
Case # ANX-EXP II 09-09
Hearing date: 6-30-09
Date filed: 5-28-09
Fee paid 650.00
Receipt # 7997
Notifications deadline: 5 days 6-1-09
Svc statement deadline: 20 days 6-16-09

Document Submission
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:
<input checked="" type="checkbox"/> Legal description of property
<input checked="" type="checkbox"/> Map/plot of property
<input checked="" type="checkbox"/> List of adjacent properties

Waiver of Right to Appeal			
<p>WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.</p>			
Property Owner	Date	Property Owner	Date

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF HILLIARD
OF 89.6 ACRES MORE OR LESS
IN THE TOWNSHIP OF NORWICH

TO THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO:

The undersigned, petitioners in the premises, and being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described, consisting of 89.6 acres with a total perimeter boundary of 11,597', more or less, in the Township of Norwich which area is contiguous along 1,983' or 17% and adjacent to the City of Hilliard, do hereby pray that said territory be annexed to the City of Hilliard according to the statutes of the State of Ohio and that no island of unincorporated area will be created by this annexation.

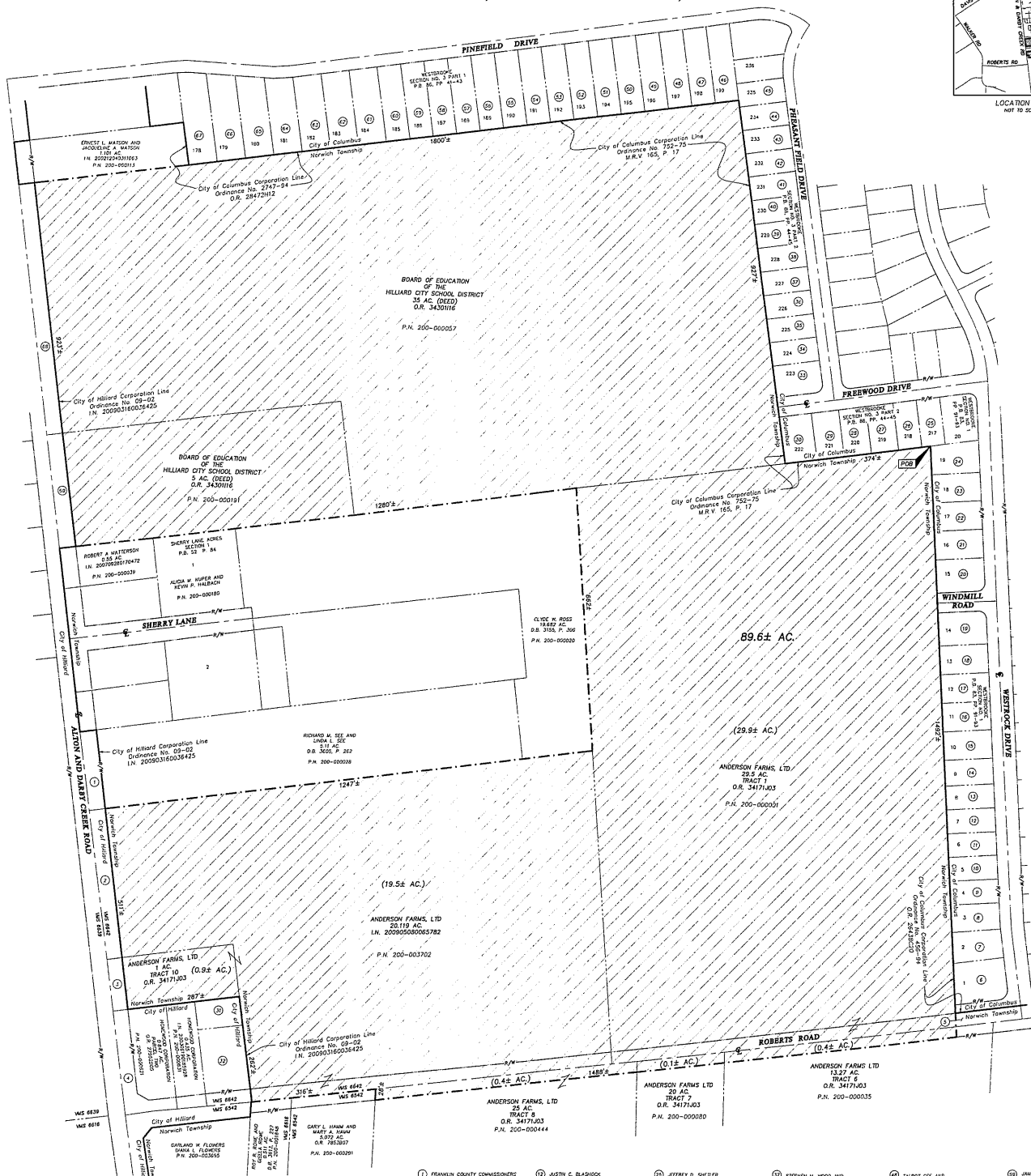
A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto and made part hereof.

In support of said Petition, your petitioners state that there is/are within the territory so prayed to be annexed ONE OWNER OF REAL ESTATE.

Jackson B. Reynolds, III, whose address is 37 West Broad Street, Suite 725, Columbus, Ohio 43215, is hereby appointed Agent for the undersigned Petitioner(s), as required by Section 709.02 of the Revised Code of Ohio. Said agent is hereby authorized to make any amendment and/or deletion which in his absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Franklin County Engineer in his examination of the Petition and Plat. Said amendment shall be made by the presentation of an amended plat and description to the Board of County Commissioners on, before, or after the date set for hearing on this Petition.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THE SPECIAL ANNEXATION PROCEDURE SET FORTH IN SECTION 709.023, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR SAID SPECIAL ANNEXATION PROCEDURE.

<u>NAME</u>	<u>DATE</u>	<u>ADDRESS</u>
By: <u><i>Janet Anderson</i></u> Anderson Farms Ltd.	<u><i>3-2-9</i></u>	<u><i>2338 Alton-Darby Rd.</i></u> <u><i>Hilliard, O, 43026</i></u>
_____	_____	_____
_____	_____	_____
_____	_____	_____



- | | | | | | | | | | | | |
|----|---|----|--|----|---|----|---|----|--|----|--|
| 19 | FRANKLIN COUNTY COMMISSIONERS
OFFICE
P.O. BOX 62-400
PAID 10/23/82 | 20 | JUSTIN C. BLACKBURN
EASTON, MA
PA ID-234167 | 21 | STEFFY D. SKILLER
SARASOTA, FL
PA ID-234168 | 22 | STEPHEN W. WOOD
AND
WILLIAM E. WOOD
PA ID-234169 | 23 | ALBERT E. CHAMBERLAIN
KATH L. CHAMBERLAIN
PA ID-234170 | | |
| 24 | FRANKLIN COUNTY COMMISSIONERS
0.248 AC
PAID 11/1-81
IN 1939/2025/4208 | 25 | ERIK L. BLACKBURN
PAID 11/1-81
IN 1939/2025/4208 | 26 | JENNIFER W. DOWNEY
PAID 11/1-81
IN 1939/2025/4208 | 27 | CURTIS W. AND
COURTNEY WOODWARD
PAID 11/1-81
IN 1939/2025/4208 | 28 | BOULAS AND DARRIN E.
CARROLL
PA ID-234171 | 29 | EDWARD S. WILSON
PA ID-234172 |
| 30 | FRANKLIN COUNTY COMMISSIONERS
0.137 AC
PAID 11/1-81
IN 1939/2025/4208 | 31 | DAVID DOWNEY
PAID 11/1-81
IN 1939/2025/4208 | 32 | JOHN E. CORTNEY
TIPPECANOE, IN
PA ID-234173 | 33 | JOE KASCHAKA AND
BARBARA KASCHAKA
PA ID-234174 | 34 | BRUCE D. GAMBE AND
BENNETT L. GAMBE
PA ID-234175 | 35 | EDMUND S. HARTLEY
AND
KATHERINE W. HARTLEY
PA ID-234176 |
| 36 | FRANKLIN COUNTY COMMISSIONERS
0.137 AC
PAID 11/1-81
IN 1939/2025/4208 | 37 | DEBBIE M. HANDELL
PAID 11/1-81
IN 1939/2025/4208 | 38 | ERIN A. AND KATHERINE S.
BRYAN
PA ID-234182 | 39 | EMORY C. AMADIO AND
KATHERINE AMADIO
PA ID-234183 | 40 | DEBBIE E. WALKER
PA ID-234184 | 41 | DEBBIE E. WALKER
PA ID-234185 |
| 42 | FRANKLIN COUNTY COMMISSIONERS
0.137 AC
PAID 11/1-81
IN 1939/2025/4208 | 43 | ROBIN R. MITCHELL
LEON R. MITCHELL
PA ID-234177 | 44 | HOWARD E. BEZ AND
WESLEY BEZ
PA ID-234178 | 45 | REILLY CITY SCHOOL
PA ID-234179 | 46 | VALLEY AND
VALLEY
PA ID-234180 | 47 | EDWARD C. GASTENBERG
AND
KATE GASTENBERG
PA ID-234181 |
| 48 | FRANKLIN COUNTY COMMISSIONERS
0.137 AC
PAID 11/1-81
IN 1939/2025/4208 | 49 | JOHN HORNBLADT
PAID 11/1-81
IN 1939/2025/4208 | 50 | HOWARD E. BEZ AND
WESLEY BEZ
PA ID-234178 | 51 | LAURA A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234186 | 52 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234187 | 53 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234188 |
| 54 | CITY OF COLUMBUS
OFFICE
PAID 11/1-81
IN 1939/2025/4208 | 55 | LAUREY DUNSTON
PAID 11/1-81
IN 1939/2025/4208 | 56 | HOWARD E. BEZ AND
WESLEY BEZ
PA ID-234178 | 57 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234186 | 58 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234187 | 59 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234188 |
| 60 | DANIEL S. PINEY AND
KATHERINE S. PINEY
PA ID-234171 | 61 | ANDREW SOLORHIA
PAID 11/1-81
IN 1939/2025/4208 | 62 | HOWARD E. BEZ AND
WESLEY BEZ
PA ID-234178 | 63 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234186 | 64 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234187 | 65 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234188 |
| 66 | JOHN E. DOWNEY
PAID 11/1-81
IN 1939/2025/4208 | 67 | DARR R. SMITH
PAID 11/1-81
IN 1939/2025/4208 | 68 | HOWARD E. BEZ AND
WESLEY BEZ
PA ID-234178 | 69 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234186 | 70 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234187 | 71 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234188 |
| 72 | ROGER W. HEDDER
FOUNDAIRY PARKING
PA ID-234161 | 73 | HOWARD E. BEZ AND
WESLEY BEZ
PA ID-234178 | 74 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234186 | 75 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234187 | 76 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234188 | 77 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234189 |
| 78 | CHRISTINE L. DOWNEY
PAID 11/1-81
IN 1939/2025/4208 | 79 | HOWARD E. BEZ AND
WESLEY BEZ
PA ID-234178 | 80 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234186 | 81 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234187 | 82 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234188 | 83 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234189 |
| 84 | COUNTY/STATE HOME LEADS INC
PO BOX 2400
PAID 11/1-81
IN 1939/2025/4208 | 85 | HOWARD E. BEZ AND
WESLEY BEZ
PA ID-234178 | 86 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234186 | 87 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234187 | 88 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234188 | 89 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234189 |
| 90 | BRIAN BALDWIN
PAID 11/1-81
IN 1939/2025/4208 | 91 | HOWARD E. BEZ AND
WESLEY BEZ
PA ID-234178 | 92 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234186 | 93 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234187 | 94 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234188 | 95 | JOHN A. HONANZEE
AND
JOHN A. HONANZEE
PA ID-234189 |



ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER

PROPOSED ANNEXATION
89.6 ACRES

RECEIVED

MAY 12 2009

By BB Date 5/12/09

FROM: NORWICH TOWNSHIP

RECEIVED

Franklin County Engineer
Dean C. Ringle, P.E., P.S.

TO: CITY OF HILLIARD

MAY 28 2009

Situated in the State of Ohio, County of Franklin, Township of Norwich, lying in Virginia Military Survey Numbers 6542 and 6642, being all of that 29.5 acre tract (Tract 1), part of that 13.27 acre tract (Tract 6), part of that 20 acre tract (Tract 7), part of that 25 acre tract (Tract 8), all of the remainder of that 1 acre tract (Tract 10) conveyed to Anderson Farms, Ltd by deed of record in Official Record 34171J03, all of that 20.119 acre tract conveyed to Anderson Farms, Ltd. by deed of record in Instrument Number 200905080065782 and the remainder of that 35 acre and 5 acre tract conveyed to Board of Education of the Hilliard City School District by deed of record in Official Record 34301I16, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the northwesterly corner of Lot 19 of that plat entitled "Westbrooke Section No. 1" of record in Plat Book 83, Pages 91-93;

thence southerly, with the westerly perimeter of said "Westbrook Section No. 1", with the westerly line of that 0.351 acre tract conveyed to the City of Columbus by deed of record in Official Record 26939J01, with the westerly line of the existing City of Columbus Corporation Line, as established by Ordinance Number 456-94, of record in Official Record 26438C20, across said 13.27 acre tract (Tract 6) and the right-of-way of Roberts Road, an approximate distance of 1492 feet to a point in the southerly right-of-way line of said Roberts Road;

thence westerly, with said southerly right-of-way line, crossing said 13.27 acre tract (Tract 6), said 20 acre tract (Tract 7), and said 25 acre tract (Tract 8), an approximate distance of 1488 feet to a point in the easterly line of that 5.072 acre tract conveyed to Gary L. Hamm and Mary A. Hamm by deed of record in Official Record 7853B07;

thence northerly, with said easterly line, across said right-of-way, an approximate distance of 28 feet to the northeasterly corner of said 5.072 acre tract and the centerline of said Roberts Road;

thence westerly, with said centerline, the northerly line of said 5.072 acre tract and the 0.511 acre tract conveyed to Roy R. Rowe and Gisela Rowe by deed of record in Deed Book 3613, Page 227, an approximate distance of 316 feet to the southeasterly corner of that 0.518 acre tract conveyed to Homewood Corporation by deed of record in Instrument Number 200803050033792, being an angle point in the existing City of Hilliard Corporation Line as established by Ordinance Number 09-02 of record in Instrument Number 200903160036425;

thence northerly, across said right-of-way, with the easterly line of said 0.518 acre tract and that 0.185 acre tract conveyed to Homewood Corporation by deed of record in Instrument Number 200803050033791, with said existing City of Hilliard Corporation Line, an approximate distance of 262 feet to the northeasterly corner of said 0.185 acre tract;

thence westerly, with the northerly line of said 0.185 acre tract, that 0.435 acre tract conveyed to Homewood Corporation by deed of record in Instrument Number 200306190185928, and that 0.847 acre tract conveyed to Homewood Corporation by deed of record in Official Record 27952B05, with said existing City of Hilliard Corporation Line, an approximate distance of 287 feet to a point in the easterly right-of-way line of Alton and Darby Creek Road, the common corner of said 0.847 acre tract, that 0.257 acre tract conveyed to the Franklin County Commissioners by deed of record in Instrument Number 199812070314210, and that 0.121 acre tract conveyed to the Franklin County Commissioners by deed of record in Instrument Number 199812070314208;

thence northerly, with said easterly right-of-way line, the easterly line of said 0.121 acre tract and that 0.348 acre tract conveyed to the Franklin County Commissioners by deed of record in Instrument Number 199812070314208, with said existing City of Hilliard Corporation Line, an approximate distance of 511 feet to the common corner of said 0.348 acre tract, the 0.184 acre tract conveyed to the Franklin County Commissioners by deed of record in Instrument Number 199812310337405 and the remainder of that 5.11 acre tract conveyed to Richard M. See and Linda L. See by deed of record in Deed Book 3605, Page 262;

thence easterly, with the southerly line of said 5.11 acre tract and that 19.682 acre tract conveyed to Clyde W. Ross by deed of record in Deed Book 3155, Page 306, an approximate distance of 1247 feet to the southeasterly corner of said 19.682 acre tract;

**PROPOSED ANNEXATION
89.6 ACRES**

- 2 -

thence northerly, with the easterly line of said 19.682 acre tract, an approximate distance of 662 feet to a point at the northeasterly corner thereof;

thence westerly, with the northerly line of said 19.682 acre tract, Lot 1 of the plat entitled "Sherry Lane Acres Section 1" of record in Plat Book 52, Page 84 and that 0.55 acre tract conveyed to Robert A. Matterson by deed of record in Instrument Number 200709280170472, an approximate distance of 1280 feet to the southeasterly corner of that 0.266 acre tract conveyed to Franklin County Commissioners by deed of record in Instrument Number 199907290192381, being in the easterly right-of-way line of Alton and Darby Creek Road and an angle point in the said existing City of Hilliard Corporation Line;

thence northerly, with said easterly right of way line, the easterly line of said 0.266 acre tract and that 0.581 acre tract conveyed to Franklin County Commissioners by deed of record in Instrument Number 199907290192381, with said existing City of Hilliard Corporation Line, an approximate distance of 923 feet to a point in the southerly line of that 1.101 acre tract conveyed to Ernest L. Matson and Jacqueline A. Matson by deed of record in Instrument Number 200212040311063;

thence easterly, with the southerly line of said 1.101 acre tract and the southerly perimeter of the plat entitled "Westbrooke Section No. 3 Part 1" of record in Plat Book 86, Pages 41-43, with an existing City of Columbus Corporation Line, as established by Ordinance Numbers 2747-94 and 752-75, of record in Official Record 28472H12 and Miscellaneous Volume Record 165, Page 17 (respectively), an approximate distance of 1800 feet to the southeasterly corner of Lot 199 of said "Westbrooke Section No. 3 Part 1", being in the easterly line of Lot 235 of the plat entitled "Westbrooke Section No. 3 Part 2" of record in Plat Book 86, Pages 44-45;

thence southerly, with the westerly perimeter of said "Westbrooke Section No. 3 Part 2", with said existing City of Columbus Corporation Line (752-75), an approximate distance of 927 feet to the southwesterly corner of Lot 222 of said "Westbrooke Section No. 3 Part 2";

thence easterly, with the southerly perimeter of said "Westbrooke Section No. 3 Part 2", with said existing City of Columbus Corporation Line (752-75), an approximate distance of 374 feet to the POINT OF BEGINNING, containing 89.6 acres, more or less.

This description is for annexation purposes only, and is not to be used for deed transfer.

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

Edward J. Miller
Professional Surveyor No. 8250

Date

5/11/09



I, Lynne M. Fasone Clerk of Council hereby certify that the foregoing is a true copy of Resolution 09-R-24 duly adopted by the Council of the City of Hilliard the 8th day of June, 2009

Resolution Lynne M. Fasone **Resolution No. 09-R-24**
of the Clerk of Council
City of Hilliard **Page 1 of 2**
City of Hilliard, Ohio **Adopted: June 8, 2009**

A RESOLUTION INDICATING WHAT SERVICES THE CITY OF HILLIARD WILL PROVIDE TO THE 89.6 ACRES ± LOCATED IN NORWICH TOWNSHIP, FRANKLIN COUNTY, OHIO, UPON ANNEXATION TO THE CITY, AND TO PROVIDE FOR BUFFER REQUIREMENTS.

WHEREAS, on May 29, 2009, pursuant to Ohio Revised Code Section 709.023, the property owner seeking the annexation of 89.6 acres ± of real property in Norwich Township, Franklin County, Ohio, contiguous to the City of Hilliard, filed a Petition for Annexation of its property to the City of Hilliard with the Board of County Commissioners of Franklin County, Ohio, a copy of which is attached hereto as Exhibit "A", notice of which was duly served upon the City of Hilliard as prescribed by law; and

WHEREAS, Ohio Revised Code Section 709.023(C) provides that within twenty days after the date that the petition is filed, the municipal corporation to which annexation is sought shall adopt a Resolution stating what services the municipal corporation will provide to the territory seeking annexation and an approximate date by which it will provide those services; and

WHEREAS, Ohio Revised Code Section 709.023(C) also provides that within that same twenty day period, a municipal corporation shall adopt an ordinance or resolution stating that, if the territory is annexed and becomes subject to zoning by the municipal corporation and that if the municipality corporation's zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining in the township from which the territory was annexed, the municipal corporation shall require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio that:

SECTION 1. In the event that the proposed 89.6 acres ± (the "Property") is annexed to the City of Hilliard, Ohio, the City will provide to the Property the full range of municipal services available to the residents of, and to the property within, the City of Hilliard, including but not limited to police protection, mayor's court, public works and street maintenance, residential refuse collection, planning, building, zoning and engineering services, and parks and recreation, all of which can be provided immediately upon the effective date of the annexation as provided by law. Should it be determined that as a result of the annexation, the boundary line between the township and the City divides or segments a street or highway so as to create a road maintenance problem the City, as a condition of the annexation, shall assume the maintenance of that street or highway or otherwise correct the problem.

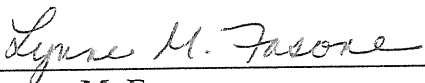
SECTION 2. The County Commissioners have previously requested information on the status of water and sewer services to and within suburbs of the City of Columbus. The proposed annexation area is included within the boundaries of the area of the City of Hilliard's Water Service Contract and Sewerage Contract with the City of Columbus and those services are provided in accordance with the terms and conditions of those contracts. The City of Hilliard shall be under no obligation to extend water or sewer lines to any of the Property at the cost of the City or in contravention of the contracts.

SECTION 3. If the Property is annexed and becomes subject to the City of Hilliard zoning and the City zoning permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under applicable county or township zoning regulations in effect at the time of the filing of the petition on the land adjacent to the annexed territory remaining in the unincorporated area of Norwich Township, then the City of Hilliard will require the owner or owners of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Norwich Township.

SECTION 4. The Clerk of Council is hereby directed to forward and file certified copies of this Resolution with the Franklin County Board of County Commissioners and to send a copy to the Agent for the Petitioners for annexation within twenty days following the date that the petition was filed.

SECTION 5. This Resolution shall become effective upon its adoption.

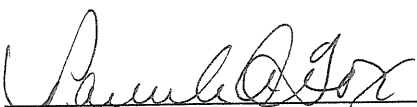
ATTEST:


 Lynne M. Fasone
 Clerk of Council

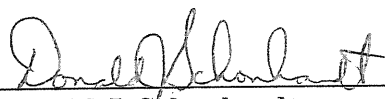
SIGNED:


 Brett A. Sciotto
 President of Council

APPROVED AS TO FORM:

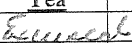

 Pamela A. Fox
 Director of Law

APPROVED:


 Donald J. Schonhardt
 Mayor

09-R-24

Vote:

	Yea	Nay	Abstain
President Sciotto			
Vice President Uttley	✓		
Vacant Seat			
Iosue	✓		
McGivern	✓		
Nichter	✓		
Roberts			✓
Results:	4	0	1

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JUN 16 2009


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