

RESOLUTION NO. 12-2016

A Resolution Indicating What Services the City of Worthington Will Provide to the 0.10 ± Acres Located in Perry Township, Franklin County, Ohio, Upon Annexation to the City.

WHEREAS, on February 29, 2016, pursuant to Ohio Revised Code Section 709.023, the property owners seeking the annexation of 0.10± acres of real property in Perry Township, Franklin County, Ohio, contiguous to the City of Worthington (the "Property"), filed a Petition for Annexation of a portion of their property to the City of Worthington 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 Worthington 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 the municipal corporation will require a buffer separating the use of the annexed territory and the adjacent land remaining within the township, if the municipal corporation determines that its permitted zoning is incompatible with the uses permitted under the county or township zoning, but for reasons stated herein, this section is inapplicable; and,

WHEREAS, the Property consists of an approximate 80 foot strip of Linworth Road right of way that was not included in annexation applications for either the City of Columbus or the City of Worthington at the time the contiguous parcels were annexed to those respective municipal corporations.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. In the event that the proposed 0.10± acres is annexed to the City of Worthington, Ohio, the City will provide to the Property the full range of municipal services available to the property within the City of Worthington, including but not limited to police and fire protection, mayor's court, public works and street maintenance, and planning, zoning, building and engineering services, 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.

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SECTION 2. The proposed annexation area is included within the boundaries of the area of the City of Worthington's Water Service Contract and Sewerage Contract with the City of Columbus and those services are provided in accordance with the terms and condition of those contracts.

SECTION 3. The portion of the Property to be annexed consists of approximately 80 feet of the Linworth Road right of way and therefore cannot be separated by a buffer from the remaining portion of the roadway located in Perry Township to the south. Consequently, the City determines that the zoning uses are compatible with the county or township zoning and a buffer is not required. No other portions of the Property are contiguous to township property.

SECTION 4. The Clerk 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 petitioner for annexation or the petitioner's agent within twenty days following the date that the petition was filed with Franklin County.

SECTION 5. That the Clerk be and hereby is instructed to record this Resolution in full in the appropriate resolution book.

Adopted March 7, 2016

/s/ Bonnie D. Michael
President of Council

Attest:

/s/ D. Kay Thress
Clerk of Council