

RESOLUTION NO. 29-2013

A Resolution Indicating What Services the City of Worthington Will Provide to the 2.8 ± Acres Located in Perry Township, Franklin County, Ohio, Upon Annexation to the City, and to Provide for Buffer Requirements.

WHEREAS, on June 27, 2013, pursuant to Ohio Revised Code Section 709.023, the property owner seeking the annexation of 2.8± acres of real property in Perry Township, Franklin County, Ohio, contiguous to the City of Worthington, filed a Petition for Annexation of its 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.

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 2.8± acres (the “Property”) is annexed to the City of Worthington, 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 Worthington, including but not limited to police and fire protection, mayor’s court, public works and street maintenance, planning, zoning, building 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.

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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. The City of Worthington 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 with Columbus.

SECTION 3. If the Property is annexed and becomes subject to the City of Worthington 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 Perry Township, then the City of Worthington 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 Perry Township.

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 July 8, 2013

[Signature on File]  
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President of Council

Attest:

[Signature on File]  
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Clerk of Council