

**ORDINANCE NO. 2021.13**

**AN ORDINANCE ACCEPTING A PETITION FOR ANNEXATION OF TERRITORY CONSISTING OF 78.017 ± ACRES LOCATED IN BERKSHIRE TOWNSHIP (2.002 ACRES) AND BERLIN TOWNSHIP (76.015 ACRES), DELAWARE COUNTY OWNED BY BRIAN E. MILLS AND KATHY A. MILLS; FRANK BIANCONE AND SANDRA S. BIANCONE, AND THE RAVINES AT MEADOW RIDGE LLC AND DECLARING AN EMERGENCY**

**WHEREAS**, Michael R. Shade as attorney and agent for the Petitioners Brian E. Mills and Kathy A. Mills; Frank Biancone and Sandra S. Biancone, and The Ravines at Meadow Ridge LLC, the owners of certain real property, more specifically described in Exhibit “A”, attached hereto, filed a Petition for Annexation of 78.017 ± acres, more or less, to the Village of Sunbury; and

**WHEREAS**, pursuant to Ohio Revised Code 709.04, the Village of Sunbury now wishes to formally accept said petition for annexation.

**NOW, THEREFORE, BE IT ORDAINED** by the Council for the Village of Sunbury, Delaware County, State of Ohio, that:

**SECTION I:** Pursuant to Ohio Revised Code 709.04 the Village of Sunbury hereby accepts the petition for annexation of 78.017 ± acres, from Berkshire Township (2.002 acres) and Berlin Township (76.015 acres) to the Village of Sunbury pursuant to the petition filed by Michael R. Shade as attorney and agent for the Petitioners Brian E. Mills and Kathy A. Mills; Frank Biancone and Sandra S. Biancone, and The Ravines at Meadow Ridge LLC.

**SECTION II:** It is found and determined that all formal actions of this Council concerning and related to the adoption of this Ordinance were adopted in open meetings of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION III:** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the Village of Sunbury, Ohio, to finalize the annexation of the subject property which is intersected by the proposed interchange area in the US36/SR37 – I-71 corridor and thus facilitate participation by the Village of Sunbury in thoroughfare and public infrastructure planning at the earliest possible date; to facilitate implementation and funding of adequate infrastructure financing mechanisms at the earliest possible date; to allow construction of the infrastructure improvements to be financed by associated tax financing agreements including the first stage of the future interchange at the earliest possible date, thus improving roadway infrastructure for Village residents to begin at the earliest possible date; to facilitate housing opportunities for Village residents in the interchange area at the earliest possible date and to commence collection of associated income tax revenues at the earliest possible date.

**WHEREFORE**, this Ordinance shall take effect and be in force immediately from and after its passage.

**VOTE ON SUSPENSION OF THE RULES**

**YEAS**

**NAYS**

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\_\_\_\_\_

**VOTE ON THE EMERGENCY**

**YEAS**

**NAYS**

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\_\_\_\_\_

**VOTE ON ORDINANCE 2021.13**

**YEAS**

**NAYS**

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\_\_\_\_\_

**PASSED:** \_\_\_\_\_, 2021

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**Tommy Hatfield, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kathy Belcher, Director of Finance**

**CERTIFICATION**

I hereby certify on this \_\_\_ day of \_\_\_\_\_, 2021, that the foregoing is a true and accurate copy of the Ordinance passed at the meeting held on \_\_\_\_\_, 2021, of the Village of Sunbury, County of Delaware, State of Ohio.

\_\_\_\_\_  
**Kathy Belcher, Director of Finance**