

ORDINANCE NO. 2023.17

**AN ORDINANCE ACCEPTING A PETITION FOR ANNEXATION OF TERRITORY
CONSISTING OF 84.932 +/- ACRES OF LAND LOCATED IN BERKSHIRE
TOWNSHIP, DELAWARE COUNTY AND OWNED BY AEP OHIO TRANSMISSION
COMPANY, INC. AND DECLARING AN EMERGENCY**

WHEREAS, Aaron L. Underhill, Esq., David Hodge, Esq., and Eric Zartman Esq., as agents for AEP Ohio Transmission Company, Inc., the owner of certain real property, more specifically described in Exhibit “A”, attached hereto, filed a Petition for Annexation of 84.932 ± acres, more or less, to the City of Sunbury; and

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

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

SECTION I: Pursuant to Ohio Revised Code 709.04 the City of Sunbury hereby accepts the petition for annexation of 84.932 ± acres, from Berkshire Township to the City of Sunbury pursuant to the petition filed Aaron L. Underhill, Esq., David Hodge, Esq., and Eric Zartman Esq., as agents for AEP Ohio Transmission Company, Inc.

SECTION II: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting 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 City of Sunbury, Ohio, to finalize the annexation of the subject property without further delay; to facilitate future proceedings with the city which, upon completion will allow future development and associated economic development beneficial to the city to occur in a timely fashion; to facilitate taking advantage of current development opportunities; and to commence collection of associated city 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

VOTE ON EMERGENCY

YEAS

NAYS

VOTE ON ORDINANCE 2023.17

YEAS

NAYS

PASSED: _____, 2023

Joseph St. John, Mayor

ATTEST:

Amber Swain, Clerk of Council

CERTIFICATION

I hereby certify on this _____ day of _____, 2023, that the foregoing is a true and accurate copy of the Ordinance passed at the meeting held on _____, 2023 of the City of Sunbury, County of Delaware, State of Ohio.

Amber Swain, Clerk of Council