

RESOLUTION NO. 6-11
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCIL MEMBER Paul Gresham ON THE 21st
DAY OF February, 2011.

RESOLUTION ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF CENTERVILLE, OHIO WILL PROVIDE TO THE TERRITORY PROPOSED TO BE ANNEXED TO THE CITY OF CENTERVILLE, OHIO PURSUANT TO A PETITION FILED WITH THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO BY GW REAL PROPERTY LLC, ("PETITIONER") AS PROVIDED BY OHIO REVISED CODE SECTION 709.023(C).

WHEREAS, GW Real Property LLC, ("Petitioner"), has filed with the Board of Commissioners of Montgomery County, Ohio, a petition to annex to the City of Centerville, Ohio, 2.58 acres of land, more or less, in Washington Township, Ohio (the "Territory"); and

WHEREAS, Ohio Revised Code Section 709.023(C) provides that the legislative authority of the City shall adopt an ordinance or resolution indicating what services the City will provide to the land to be annexed to the City upon receiving notice of the petition for annexation; and

WHEREAS, it is the intent of the City Council to respond accordingly.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Centerville, Montgomery County, Ohio that:

Section 1. The City of Centerville, Ohio hereby states that it will provide, within ninety days of the finalization of the annexation, the following services to the Territory: law enforcement, recreation programming, maintenance of any and all public streets and alleyways, keeping same open, in repair and free from nuisance, and professional planning staff all shall be available immediately upon annexation; in addition, the facilitation of public utility services which include potable water, sanitary and storm sewerage, solid waste collection and disposal, electricity, street lighting and fire inspection, fire protection, paramedic and ambulance services, and any and all other services provided to or made available to the Citizens of the City of Centerville, Ohio, as appropriate shall be available as the Territory is developed and such services become appropriate. Extension of all public utility services shall be subject to such regulations and conditions as the City deems appropriate.


Section 2. If the Territory becomes subject to zoning by the City and the City permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the Territory was annexed, City Council will require, in the zoning ordinance permitting the incompatible uses, the Petitioner to provide a buffer separating the use of the Territory and the adjacent land remaining within the township.

Section 3. The Clerk is hereby directed to forward a copy of this resolution to the Board of County Commissioners of Montgomery County, Ohio.

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including, but not limited to Section 121.22 of the Ohio Revised Code.

Section 5. This Resolution shall go into effect upon its passage as provided by law and by the Charter of this City.

ADOPTED by the Council of the City of Centerville, Ohio, this 21st day of February, 2011.



Mayor

ATTEST:



CLERK OF CENTERVILLE COUNCIL

PREPARED BY: CITY ATTORNEY

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 6-11, passed by the Council of the City of Centerville, Ohio on the 21st day of February, 2011.

Julia M. Weaver
asst. Clerk of the Council

Approved as to form and consistency
with existing ordinances, the charter
& constitutional provisions.
Department of Law
Scott A. Liberman
Municipal Attorney