

ORDINANCE 2016-11

AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH LEHMANN FARMS, LTD, AND FOXFIRE GOLF CLUB, INC. AND DECLARING AN EMERGENCY.

WHEREAS, Foxfire Golf Club, Inc. (Hereinafter referred to as “Foxfire”) owns property which is contiguous with the boundaries of the Village; and

WHEREAS, Lehmann Farms, Ltd desires to develop approximately 156 acres. This Property is currently not contiguous with the Village of Commercial Point.

WHEREAS, In order that a portion of the Lehmann Property be annexed, the Village has, simultaneously entered into an agreement with Foxfire to annex a portion of its property into the Village; and

WHEREAS, the Village has negotiated a written Pre-Annexation Agreement with Foxfire and Lehmann Farms, Ltd setting forth each party’s respective rights and duties; and

NOW THEREFORE, be it resolved by the Council of the Village of Commercial Point, Pickaway County, Ohio, a majority or more of the members elected thereto concurring that:

SECTION 1: The Council of the Village of Commercial Point hereby authorizes and directs the Village Administrator and/or Mayor to enter into a Pre-Annexation Agreement in a form substantially similar to the Pre-Annexation Agreement hereto attached as Exhibit “A” and incorporated herein by reference, to provide for annexation of property owned by Foxfire and Lehmann Farms, Ltd

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution 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 in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: That this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. This emergency measure is necessary for the health, safety and welfare of the residents of Commercial Point, such emergency arising out of the imperative necessity to commence the annexation and zoning in compliance with the terms of the Pre-Annexation Agreement, Ohio Revised Code and Village Ordinances.

Vote on Passage of the Ordinance:

Motion by: Mr. O'Neil 2nd Mr. Laxton

Roll Call:

Yes Mark Geiger
Yes David Sadler

Yes Ben Townsend
Yes Brad Laxton

Yes Scott O'Neil
 Nicole Evans

Adopted this 1 day of August 2016.

Gary Joiner, Mayor

Wendy Hastings, Fiscal Officer

Approved as to Form:

Michael D. Hess, Law Director