

RESOLUTION NO. 16-2017

**A RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR
A PROPOSED ANNEXATION OF ±163.708 ACRES FROM SCIOTO
TOWNSHIP TO THE VILLAGE OF COMMERCIAL POINT AND
DECLARING AN EMERGENCY**

WHEREAS, a petition for an Expedited II method of annexation of ±163.708 acres from Scioto Township was filed with the Board of County Commissioners of Pickaway County, Ohio on or about May 17, 2017 by Donald Plank, attorney and agent for Petitioner Lehmann Farms Limited Partnership; and

WHEREAS, R.C. 709.023(C) requires that, within twenty days of an annexation petition being filed, the municipal authority shall adopt a statement of services indicating which services the municipal corporation will provide to the territory proposed for annexation and an approximate date by which it will provide services to the territory upon annexation; and

WHEREAS, R.C. 709.023(C) requires that, within twenty days of the annexation petition being filed, the municipality to which annexation is proposed must adopt an ordinance or resolution relating to land uses and buffers if the territory proposed to be annexed is currently subject to either county zoning pursuant to Chapter 303 or township zoning pursuant to Chapter 519 of the Ohio Revised Code; and

WHEREAS, R.C. 709.023(C) defines “buffer” to include open space, landscaping, fences, walls, and other structured elements, streets and street rights-of-way, and bicycle and pedestrian paths and sidewalks; and

WHEREAS, the total perimeter of the proposed annexed territory is approximately 15,096.24 feet, of which 3,649.03 feet are contiguous with the Village, giving 24.2% contiguity, and the Village is adjacent to said territory primarily to the north of the territory.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF
COMMERCIAL POINT, OHIO THAT:**

SECTION 1. The Village of Commercial Point will provide the following municipal services for the ±163.708 acres, subject territory currently in Scioto Township (Pickaway County) immediately upon the annexation of the area to the Village of Commercial Point, Ohio:

- (a) Centralized Sanitary Sewer;
- (b) Potable Water;
- (c) Zoning under Village Ordinances;
- (d) Police;
- (e) Refuse pick up under current contract.

SECTION 2. Should the territory (a) be annexed and (b) subsequently become subject to zoning pursuant to the Village, and (c) the municipal zoning permits uses in the annexed territory that the Village Council determines are clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the territory was annexed, the Village Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township should land adjacent to the territory be determined to be unincorporated territory.

SECTION 3: 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 Council and that all deliberations of the Council and any of the decision making bodies of the Village of Commercial Point which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 4: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

SECTION 5: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that this services resolution must be filed with the Board of County Commissioners no later than June 6, 2017. Wherefore, provided this Resolution receives the required affirmative votes of Council, this Resolution shall take effect and be in force immediately upon passage by Council and approval by the Mayor.

Vote on Suspension of Readings:

Motion by: Brad Laxton 2nd Mark Geiger

Roll Call:

<u>Yes</u> Mark Geiger	<u>Yes</u> Ben Townsend	<u> </u> Scott O'Neil
<u>Yes</u> David Sadler	<u>Yes</u> Brad Laxton	<u>Yes</u> Becky Blevins

Vote on Passage of the Resolution and declaring it an emergency:

Motion by: David Sadler 2nd Brad Laxton

Roll Call:

Yes Mark Geiger
Yes David Sadler

Yes Ben Townsend
Yes Brad Laxton

 Scott O'Neil
Yes Becky Blevins

Adopted this 5th day of June, 2017.

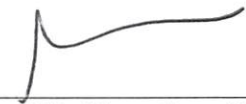


Gary Joiner, Mayor



Wendy Hastings, Fiscal Officer

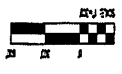
Approved as to Form:



Michael D. Hess, Law Director

1 of 1
SHEET
STRAIGHTENING
LEHMAN FARM ANNEXATION
NO. 2 - PART 1 - 163.708 ACRES

LEHMAN FARM ANNEXATION
NO. 2 - PART 1 - 163.708 ACRES
This plat was prepared based on a record book copy of the
proceedings and is not intended to be a substitute for the
original proceedings. The original proceedings are on file
at the County Clerk's Office, Fauquier County, Virginia.
The County Clerk's Office, Fauquier County, Virginia, is
the official depository for this plat and is authorized to
accept for filing and to issue a certified copy of this plat
and to issue a certified copy of the original proceedings
thereon.



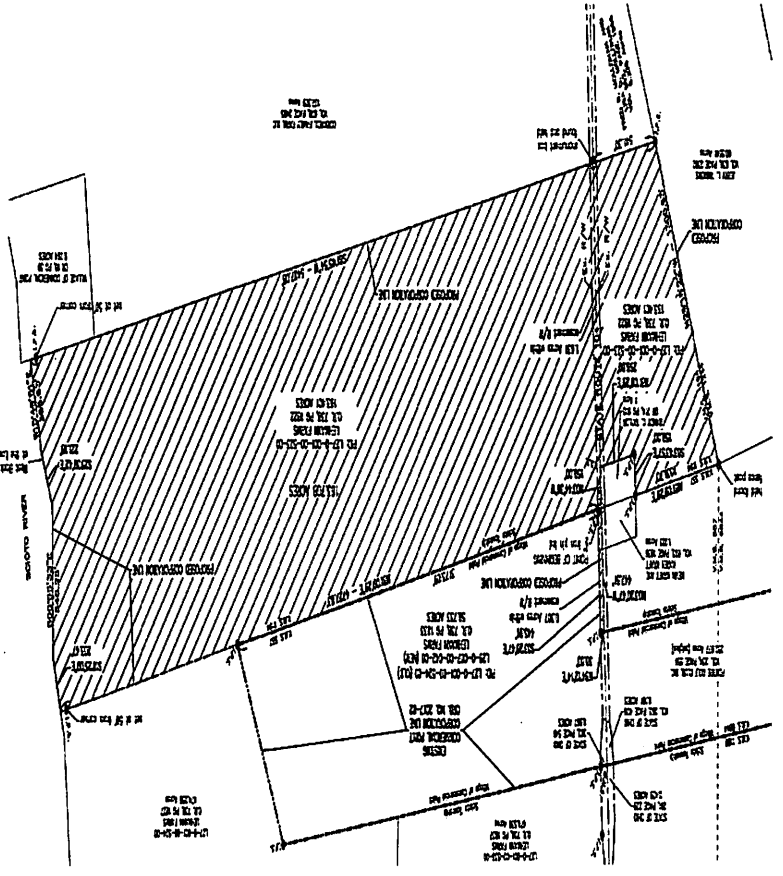
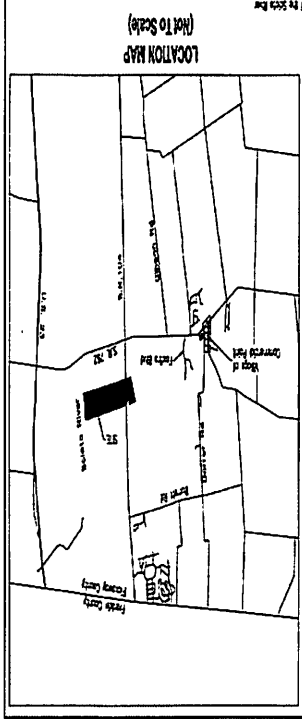
LEGEND

Existing Corporation Line
Proposed Corporation Line
Proposed Annexation Area
Iron Pin Set (6" dia. x 30" long rebar with cap ASIS PS 64387)
Iron Pinage Found

Total Perimeter of New Annexation Area = 11,942.17'
Length of Existing Adjacent Corporation Line = 9,121.17'

CORPORATION NAME	PARTIAL ACRES	ADJACENT ACRES
LEHMAN FARM	127.6749-127.6749	127.6749
LEHMAN FARM	127.6749-127.6749	127.6749
LEHMAN FARM	127.6749-127.6749	127.6749

ACREAGE TABLE



ANNEXATION PLAT OF 163.708 ACRES
FROM SCIOTO TOWNSHIP
TO VILLAGE OF COMMERCIAL POINT
VIRGINIA MILITARY SURVEY NOS. 1194 AND 557