

**FOURTH AMENDMENT  
TO  
ANNEXATION AGREEMENT**

**Between Plain Township, the City of New Albany,  
and the City of Columbus**

This amendment (the “Fourth Amendment”) to the Annexation Agreement (the “Agreement”) is entered into and effective on or as of \_\_\_\_\_, 2026, by and between the Board of Trustees of Plain Township, the legislative authority of and for Plain Township, a political subdivision duly organized and validly existing under the laws of the State of Ohio (“Plain Township”), the Council of the City of New Albany, the legislative authority of and for the City of New Albany, a municipal corporation duly organized and validly existing under the Constitution and laws of the State of Ohio and its Charter (“New Albany,” formerly known as “Village”), and the Council of the City of Columbus, Ohio, the legislative authority of and for the City of Columbus, , a municipal corporation duly organized and validly existing under the Constitution and laws of the State of Ohio and its Charter (“Columbus”) and, collectively with the Township and New Albany, the “Parties” and each a “Party”.

**RECITALS**

WHEREAS, on or as of February 26, 2008, the Parties entered into the Agreement pursuant to Section 709.192 of the Ohio Revised Code; and

WHEREAS, the Agreement provides, in part, coordinated development and annexation objectives within the territories to which the Agreement pertains (the “Agreement Territory”); and

WHEREAS, the Parties entered into an Amendment of the Agreement on May 20, 2009, to adjust the boundaries of the Agreement Territory; and

WHEREAS, the Amended Agreement included Growth Areas within the Agreement Territory; and

WHEREAS, the City of Columbus and the City of New Albany entered into a Water Service Agreement and a Sewer Service Agreement in 2022, which was subsequently amended in 2025; and

WHEREAS, the Water and Sewer Agreements establish the terms of service and the New Albany Water and Sewer Contract Service Area Boundaries map where such services may be provided; and

WHEREAS, amendments to the New Albany Water and Sewer Contract Service Area Boundaries map have a direct impact on the Growth Areas that were designated and agreed to in the Annexation Agreement; and

WHEREAS, the Parties desire to amend the Agreement Territory boundaries map to align with the New Albany Water and Sewer Contract Service Area Boundaries map; and

WHEREAS, this Fourth Amendment has been approved by the Board of Trustees of the Township by Resolution No. \_\_\_\_\_ adopted \_\_\_\_\_ 2026, by the Council of the City of New Albany by Resolution No. adopted \_\_\_\_\_ 2026; and by the Council of the City of Columbus by Ordinance No. adopted \_\_\_\_\_ 2026.

### **Amendment**

NOW THEREFORE, in consideration of the mutual agreements and promises in the Agreement and this Fourth Amendment, the Parties hereby agree as follows:

1. **Service Area Map.** The Water and Sewer Service Area Map attached to and incorporated in the Agreement as Attachment A is hereby deleted in its entirety and replaced with the map describing and outlining the New Albany Water and Sewer Contract Service Area Boundaries as adopted by the City of Columbus and the City of New Albany which is attached to and incorporated in this Amendment as Revised Attachment A (which map shall hereinafter be referred to in both this Fourth Amendment and the Agreement as “Attachment A”).
2. **Agreement Territory.** The map of the Agreement Territory referred to in Section 1.1 of the Agreement and which is attached to and incorporated in the Agreement as Attachment B is hereby deleted in its entirety and replaced with the map describing and outlining the Agreement Territory which is attached to and incorporated in this Fourth Amendment as Revised Attachment B (which map shall hereinafter be referred to in both this Fourth Amendment and the Agreement as “Attachment B”).
3. **Continuing Effect.** Except as modified by this Fourth Amendment, all sections of the Agreement remain unchanged and in full force and effect. To the extent this Amendment is inconsistent with the Agreement, the terms of this Fourth Amendment control.

4. **Counterparts.** This Fourth Amendment may be executed in one or more counterparts or duplicate signature pages with the same force and effect as if all required signatures were contained in a single original instrument. Any one or more of such counterparts or duplicate signature pages may be removed from any one or more original copies of this Fourth Amendment and annexed to other counterparts or duplicate signature pages to form a completely executed original instrument.

IN TESTIMONY WHEREOF, Plain Township by its Administrator, the City of New Albany by its City Manager and the City of Columbus by its Director of Development have each hereunto set their signatures on or as of the date first set forth above.

**PLAIN TOWNSHIP**

By \_\_\_\_\_

Title \_\_\_\_\_

**CITY OF NEW ALBANY**

By \_\_\_\_\_

Title \_\_\_\_\_

**CITY OF COLUMBUS**

By \_\_\_\_\_

Title \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney, City of Columbus

\_\_\_\_\_  
City Attorney, City of New Albany