

**CITY OF COLUMBUS/VILLAGE OF ASHVILLE/MADISON TOWNSHIP
FIRST AMENDMENT TO MADISON TOWNSHIP ANNEXATION MORATORIUM
AGREEMENT**

This First Amendment To Madison Township Annexation Moratorium Agreement (the “First Amendment”) is executed effective _____, 2015 by and between the City of Columbus, Ohio (“City”), Madison Township, Pickaway County, Ohio, a township formed and existing under the laws of the State of Ohio, through its Board of County Commissioners (the “Township”); and the Village of Ashville, Ohio, an Ohio municipal corporation (the “Village”).

RECITALS:

A. Pursuant to Ohio Revised Code (“R.C.”) Section 709.192, the City, Township and the Village executed the Madison Township Annexation Moratorium Agreement (the “Original AMA”) effective June 30, 2010. A copy of the Original AMA is attached hereto as Exhibit A and incorporated herein by this reference.

B. The Original AMA pertained to a portion of the Township (the “Original AMA Area”), commonly referred to as the Northern Industrial Area, as depicted on the map attached as Exhibit A to the Original AMA and attached hereto as Exhibit B and incorporated herein by this reference.

C. The Columbus Regional Airport Authority (the “Authority”) and DRCS, LLC (“DRCS,” and together with the Authority, the “Developers”) desire to develop a parcel of land for commercial purposes (the “Project”) at a site within the boundaries of the Township (the “Project Area,” which is further described on the attached Exhibit C and incorporated herein by this reference), provided that the appropriate economic development incentives are available to support the economic viability of the Project..

D. The City, Township, the Village and the Companies desire to reaffirm that the Project Area is included in the Original AMA Area. The Original AMA Area and the Project Area are referred to collectively here in as the “Reaffirmed AMA Area.” The Reaffirmed AMA Area is depicted on Exhibit D hereto and incorporated herein by this reference.

E. Pursuant to Resolution No. _____, passed _____, the City Council of the City has approved the execution of this First Amendment. Pursuant to Resolution No. _____, passed _____, the Board of Township Trustees of the Township has approved the execution of this First Amendment. Pursuant to Ordinance No. _____, passed _____, the Village Council has approved the execution of this First Amendment.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the receipt and sufficiency of which is hereby acknowledged, the parties herein agree as follows:

Section 1. Exhibit A to the Original AMA, which depicts the Original AMA Area, shall be replaced by Exhibit D hereto, which depicts the Reaffirmed AMA Area.

IN WITNESS WHEREOF, the City, Township and the Village have caused this Agreement to be executed in their respective names by their duly authorized officers or representatives, as of the date hereinabove written.

VILLAGE OF ASHVILLE, OHIO

By: _____

Its: _____

Approved as to form:

Village Law Director

BOARD OF TRUSTEES OF MADISON TOWNSHIP, PICKAWAY COUNTY, OHIO

By: _____
Trustee

By: _____
Trustee

By: _____
Trustee

Approved as to form:

Township Law Director

CITY OF COLUMBUS, OHIO

By: _____

Its: _____

Approved as to form:

City Attorney

EXHIBIT A

ORIGINAL AMA
(attached hereto)

EXHIBIT B

DEPICTION OF ORIGINAL AMA AREA
(attached hereto)

EXHIBIT C

DEPICTION OF PROJECT AREA
(attached hereto)

EXHIBIT D

DEPICTION OF REAFFIRMED AMA AREA
(attached hereto)

Note to map preparer: We need to ensure that the map not only shows the entire Northern Industrial Area, but also shows the three sub-areas described in Section 4.A of the AMA.