

Columbus/Mifflin Annexation Agreement for Ramseyer Church Property

January 4, 2016 Draft

This is an Annexation Agreement (the "Agreement") entered into by and between the City of Columbus, Franklin County, Ohio, an Ohio Municipal Corporation (hereinafter "Columbus") and the Board of Trustees of Mifflin Township, Franklin County, Ohio, an Ohio Township (herein after "Mifflin"), pursuant to the provisions of Ohio Revised Code Section 709.192.

WHEREAS, Columbus and Mifflin are political subdivisions located entirely within the State of Ohio, with Columbus and Mifflin being contiguous and, in some cases, having overlapping boundaries within areas located within Franklin County, Ohio; and

WHEREAS, annexation to Columbus is proposed by Ramseyer Presbyterian Church ("Owner") for a parcel of 1.858 acres within Mifflin located east of Westerville Road and being described on Exhibit A attached hereto and incorporated herein ("the Annexation Property"), and further depicted on the annexation plat attached hereto and incorporated herein as Exhibit B; and

WHEREAS, a larger parcel, also held by the Owner, adjoining the Annexation Property and for which improvements are anticipated, is located within in Columbus outside of Mifflin; and

WHEREAS, Columbus and Mifflin recognize the benefits of the Owner's entire site being within one jurisdiction and are supportive of having Columbus conform the boundary of the Annexation Property upon annexation; and

WHEREAS, Columbus and Mifflin have determined that it is in the best interest of their respective residents, citizens and taxpayers to enter into this Agreement upon the terms hereinafter set forth; and

WHEREAS, this Agreement is authorized under Section 709.192 of the Ohio Revised Code and other applicable laws and has been approved by the Board of Trustees of Mifflin Township by Resolution Number _____ adopted on _____, 2016 and by the City Council of the City of Columbus by Ordinance Number _____ adopted on _____, 2016.

NOW, THEREFORE, in consideration of the mutual promises contained herein, Columbus and Mifflin agree as follows:

1. This Agreement is entered into pursuant to the provisions of Ohio Revised Code Section 709.192 to permit the annexation of the Annexation Property to Columbus pursuant to the provisions of Ohio Revised Code Sections 709.021 and 709.022. Mifflin hereby specifically consents to, agrees with, and does not oppose the annexation of the Annexation Property, provided such annexation complies with the terms of this Agreement.
2. Columbus shall, in cooperation with the Agent for the Owner, process the annexation of the Annexation Property under one (1) annexation petition which includes all of the Annexation Property. The annexation petition shall be filed pursuant to and comply with the provisions of "Expedited Procedure Type 1" as

contained in the Ohio Revised Code Sections 709.01 and 709.21, as such provisions exist on the effective date of this Agreement.

3. Upon the annexation to and acceptance by Columbus of the Annexation Property, Columbus shall submit a petition to the Board of Franklin County Commissioners seeking conformance of the boundaries of the Annexation Property to Montgomery Township in order to exclude Mifflin from such area pursuant to Section 503.07 of the Ohio Revised Code. Upon the exclusion of Mifflin Township from the Annexation Property, Columbus shall not be required to make any compensation payments to Mifflin as set forth in Section 709.19 of the Ohio Revised Code, as said Section exists on the Effective Date of this Agreement.
4. This Annexation Agreement may only be amended, revised or altered pursuant to an amendment in writing, executed by the Parties, and properly promulgated and approved in accordance with their respective legislative authorities.
5. This Annexation Agreement shall not apply to any annexation other than to the Annexation Property described in Exhibit A and as shown on Exhibit B.

IN TESTIMONY WHEREOF, the Parties have caused multiple counterparts hereof to be duly executed on or as of the Effective Date of this Agreement.

MIFFLIN

By: _____
Joseph Spanovich, Trustee

Date: _____

By: _____
Lynn Stewart, Trustee

Date: _____

By: _____
Richard Angelou, Trustee

Date: _____

COLUMBUS

By: _____
Steven R. Schoeny, Director of Development

Date: _____

Approved as to form:

By: _____
City Attorney, City of Columbus