

BY:

ORDINANCE NO. 14-09

TO AUTHORIZE THE VILLAGE MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT DESCRIBING THE INTENTIONS OF THE PARTIES TO ANNEX CERTAIN REAL PROPERTY LOCATED ALONG LANCASTER ROAD (SOUTH MAIN STREET) IN GRANVILLE TOWNSHIP, OWNED BY MILL DISTRICT, LLC AND 1919 LANCASTER ROAD, LLC

WHEREAS, Mill District, LLC, an Ohio Limited Liability Company, and 1919 Lancaster Road, LLC, an Ohio Limited Liability Company (collectively, the "Property Owners", are the owners of approximately 5.01 acres of land located on the east side of Lancaster Road (also known as South Main Street), being more fully described in Exhibit "A" of the Annexation Agreement Exhibit (the "Annexation Agreement") attached hereto and incorporated herein (collectively, the "Properties"); and

WHEREAS, the Property Owners desire and propose to have the Properties annexed to the Village pursuant to and in accordance with Section 1155.04, Annexations, and this Agreement; and

WHEREAS, the Properties are not within the corporate limits of any municipality but will be contiguous to the corporate limits of the Village once the Kiwanis Properties (Tax Parcel #019-044682-00.000 and #019-043590-00.000) and Village Properties (Tax Parcel #019-043590-02.000 and # 019-043590-01.000) have been annexed with the Properties; and

WHEREAS, the Village and the Property Owners desire to annex the Properties to the Village in order to obtain municipal services, including sanitary sewer and water services, and zoning necessary to support the appropriate development of the Properties; and

WHEREAS, the Village desires to annex the Properties in order to obtain and serve the economic potential of the Properties for the benefit of its citizens and residents; and

WHEREAS, the Property Owners desire and propose to develop the Properties consistent with the Site Plan attached hereto as Exhibit "B" (the "Site Plan") of the Annexation Agreement, and as a mixed use development, and

WHEREAS, the Village and the Property Owners desire that the Property be developed and used only in compliance with the Annexation Agreement, and

WHEREAS, the Village, after due and careful consideration, has concluded that the annexation, zoning, development, and use of the Properties pursuant to and in accordance with the Annexation Agreement would further enable the Village to

control the development of the area and would serve the best interests of the Village, and

WHEREAS, the Village has reviewed and considered the proposed development of the Properties, including the Site Plan, and have found it to be consistent with the character and quality of existing development patterns in the Village and consistent with the comprehensive plan.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Granville, Ohio that:

Section 1. The Village Manager on behalf of the Village is hereby authorized to execute the Annexation Agreement, which is attached hereto as the Annexation Agreement Exhibit and which states the intent of the parties to accept the annexation of certain lands owned by the Property Owners.

Section 2. This Ordinance shall take effect and be in force from and after the earliest date permitted by law.

Passed this _____ day of _____, 2009.

Melissa Hartfield, Mayor

ATTEST:

Mollie Prasher, Clerk of Council

APPROVED AS TO FORM:

D. Michael Crites, Law Director