

RECORD OF RESOLUTION

Date Presented 06/27/2023

Sponsor Mayor Sandine ^{Resolution} Ordinance No. 02-23 Date Passed June 27, 2023

A RESOLUTION CONCERNING SERVICES TO PROPERTY PROPOSED FOR ANNEXATION CONSISTING OF 1.412 +/- ACRES IN BLOOM TOWNSHIP TO THE VILLAGE OF LITHOPOLIS (EXHIBIT A) AND DECLARING AN EMERGENCY.

Whereas, the owners of property consisting of 1.412 +/- acres in Bloom Township have petitioned for annexation to the Village of Lithopolis, and

Whereas, the owners and the Village have entered into a pre-annexation agreement for the property, and

Whereas, the Village is statutorily required to acknowledge certain statements prior to the County Commissioners action on the petition,

NOW, THEREFOR, BE RESOLVED BY THE COUNCIL OF THE VILLAGE OF LITHOPOLIS, FAIRFIELD COUNTY, STATE OF OHIO;

Section 1. The Village of Lithopolis **consents to the annexation and shall provide water, sewer, police and franchised solid waste pickup services to the 1.412 +/- acres** proposed for annexation as described in the annexation packet attached as Exhibit A and incorporated by reference. Such services shall be available upon annexation.

Section 2. That if this 1.412 +/- acres site is annexed and if the Village of Lithopolis permits uses in the annexed territory that the Village of Lithopolis determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining in the township, **the Village of Lithopolis shall 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.** The term "buffer", as used herein, includes open space, landscaping, fences, walls, and/or other structured elements; streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

Section 3. **If a street or highway is divided or segmented by a newly created municipal or township boundary line as to create a road maintenance problem, the Village of Lithopolis shall assume the maintenance of that street or highway** or shall otherwise correct the problem. "Street" and "Highway" shall have the same meaning as in Section 4511.01 of the Ohio Revised Code.

Section 4. That the Fiscal Officer of the Village of Lithopolis shall immediately file a certified copy of this Resolution hereby adopted, to the Board of County Commissioners of Fairfield County.

Section 5. That this Resolution is deemed to be an emergency measure necessary for the immediate preservation of the public safety and health, and further so the Resolution can be submitted to the County Commissioners within the timelines required by the Ohio Revised Code; wherefor upon adoption by Council this Resolution shall be in effect immediately upon signature by the Mayor.

Attest/Date: Jacinta Flowers
Clerk

Signed/Date: [Signature]
Mayor

Approved as to form: [Signature]
Jon M. Browning

First Reading 6/27/23 Second Reading _____

Revised Second Reading _____ Third Reading _____

VOTE FOR 5 AGAINST 0