



Prepared: 09/07/2016
Introduced: 09/20/2016
Adopted:
Effective:

RESOLUTION R-39-2016

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE FRANKLIN COUNTY AUDITOR

WHEREAS, the City Council of New Albany, Ohio met in regular session on the 20th day of September at the New Albany Village Hall with the following _____ members present, to adopt this resolution for the next succeeding year commencing January 1st 2017;

WHEREAS, This Council in accordance with the provision of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2017; and

WHEREAS, The Budget Commission of Franklin County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of New Albany, Franklin and Licking County, State of Ohio that:

Section 1. The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

Section 2. That there be and is hereby levied on the tax duplicate of said city the rate of each tax necessary to be levied within and without the ten mill limitation for tax year 2016 (collection year 2017) as follows:

See Attached Schedule A.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, Ohio, and that the Clerk of Council be and is hereby directed to certify a copy of this Resolution to the County auditor of said County.

Section 4: Pursuant to the Article VI, § 6.07(A) of the charter of the City of New Albany, this Resolution shall take effect upon passage.

Moved by: _____

Seconded by: _____

The roll being called as follows:

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY APPROVED BY THE
BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount to be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Full Tax Rate to Be Levied	
			Inside 10 Mill Limit	Outside 10 Mill Limit
<i>General</i>		\$1,187,746.66	1.94	
<i>General Fund Charter</i>				
<i>Bond Retirement</i>				
<i>Bond Retirement Charter</i>				
<i>Police Pension</i>				
<i>Police Operating</i>				
<i>Fire Pension</i>				
<i>Fire Operating</i>				
<i>Police/Fire Pension</i>				
<i>Capital Improvement Charter</i>				
<i>Road & Sidewalk Fund</i>				
TOTAL		\$1,187,746.66	1.94	

and be it further

*RESOLVED, That the Clerk of this Council be and is hereby directed to certify a copy of
this Resolution to the County Auditor of said County.*

_____ *seconded the Resolution and the roll being
called upon its adoption the vote resulted as follows:*

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Adopted the _____ day of _____, 2016.

Attest:

Clerk of Council

President of Council

NEW ALBANY

Franklin County, Ohio.



Prepared: 09/07/2016
Introduced: 09/20/2016
Adopted:
Effective:

RESOLUTION R-40-2016

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE LICKING COUNTY AUDITOR

WHEREAS, the City Council of New Albany, Ohio met in regular session on the 20th day of September at the New Albany Village Hall with the following _____ members present, to adopt this resolution for the next succeeding year commencing January 1st 2017;

WHEREAS, This Council in accordance with the provision of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2017; and

WHEREAS, The Budget Commission of Licking County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of New Albany, Franklin and Licking County, State of Ohio that:

Section 1. The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

Section 2. That there be and is hereby levied on the tax duplicate of said city the rate of each tax necessary to be levied within and without the ten mill limitation for tax year 2016 (collection year 2017) as follows:

See Attached Schedules A and B.

Section 3. That the Clerk of Council be and hereby is directed to certify a copy of this resolution to the Licking County Auditor.

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this Council and any decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, Ohio, and that the Clerk of Council be and is hereby directed to certify a copy of this Resolution to the County auditor of said County.

Section 5: Pursuant to the Article VI, § 6.07(A) of the charter of the City of New Albany, this Resolution shall take effect upon passage.

Moved by: _____

Seconded by: _____

The roll being called as follows:

_____,

_____,

_____,

_____,

_____,

_____,

_____,

_____,

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director



Prepared: 09/08/2016
Introduced: 09/20/2016
Revised:
Adopted:
Effective:

RESOLUTION R-41-2016

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH AN ENGINEERING FIRM FOR THE DESIGN OF A REGIONAL WATER BOOSTER STATION AND ASSOCIATED TRANSMISSION WATER MAINS IN THE VICINITY OF MORSE ROAD AND BEECH ROAD

WHEREAS, additional water capacity is necessary to facilitate the expansion of the eastern campuses of the business park; and

WHEREAS, the city desires to enhance and supplement water service to the business park by providing an additional redundant water source; and

WHEREAS, it is necessary for the city to engage an engineering firm to perform the design work and prepare the associated construction plans; and

WHEREAS, it is estimated that the cost of the design services should not exceed \$500,000.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of New Albany, State of Ohio, Counties of Franklin and Licking, _____ of the elected members concurring that:

Section 1. The city manager is hereby authorized to obtain proposals and enter into a contract for engineering services related to the design of the regional booster station and associated transmission water mains in an amount not to exceed \$500,000.

Section 2. That it is hereby found and determined that all formal actions of this council concerning and related to the passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of this council and any decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public or in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

Section 3. Pursuant to Article 6.07 of the New Albany Charter, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

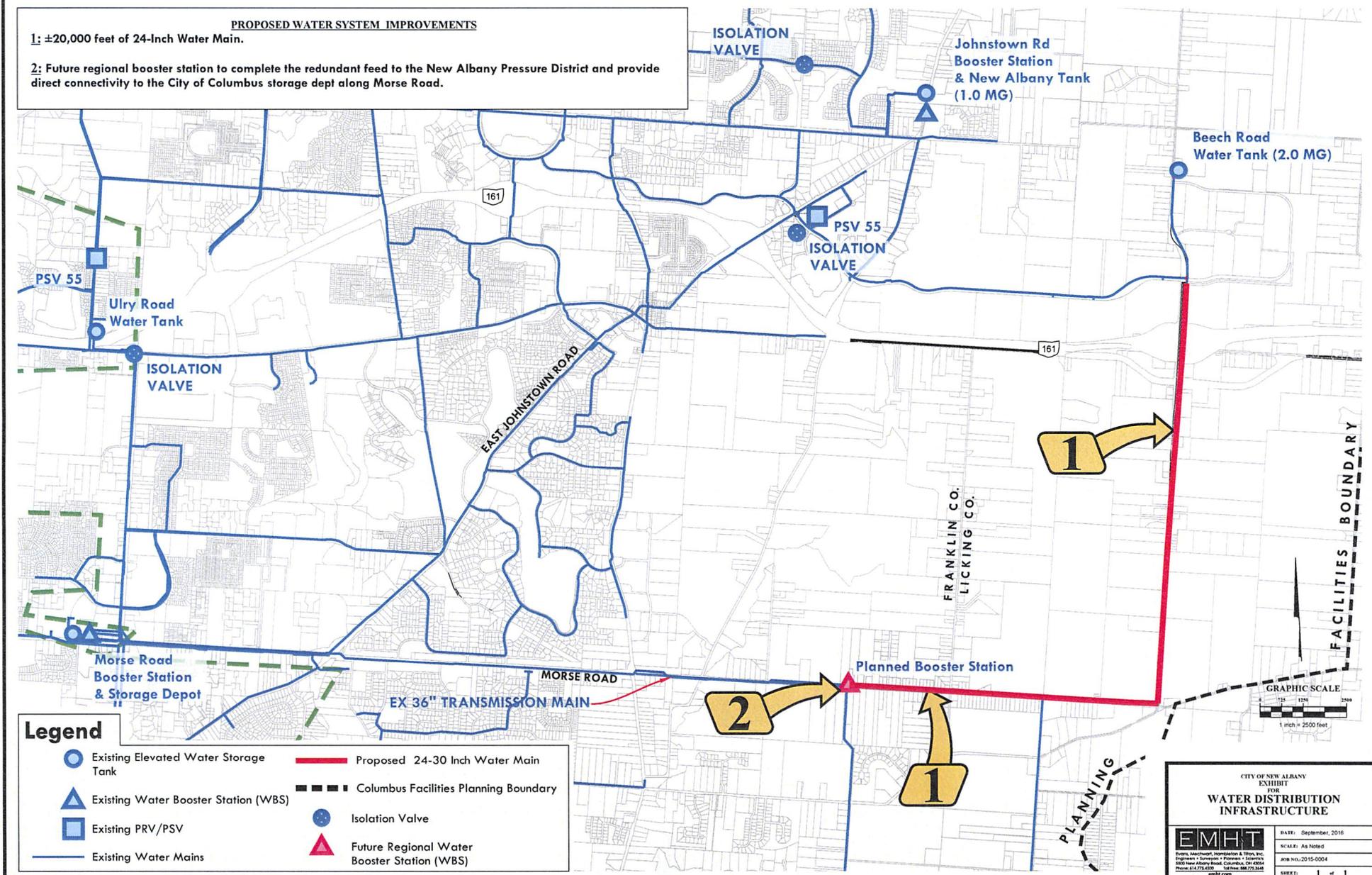
Mitchell H. Banchefsky
Law Director

PROPOSED

PROPOSED WATER SYSTEM IMPROVEMENTS

1: ±20,000 feet of 24-Inch Water Main.

2: Future regional booster station to complete the redundant feed to the New Albany Pressure District and provide direct connectivity to the City of Columbus storage dept along Morse Road.



Legend

- Existing Elevated Water Storage Tank
- Existing Water Booster Station (WBS)
- Existing PRV/PSV
- Existing Water Mains
- Proposed 24-30 Inch Water Main
- Columbus Facilities Planning Boundary
- Isolation Valve
- Future Regional Water Booster Station (WBS)

CITY OF NEW ALBANY
EXHIBIT
FOR
**WATER DISTRIBUTION
INFRASTRUCTURE**

EMHT
Engineering • Surveying • Planning • Consulting
3050 New Albany Road, Columbus, OH 43204
Phone: 614.775.2200 Fax: 614.775.2444
www.emht.com

DATE: September, 2016
SCALE: As Noted
JOB NO.: 2015-0004
SHEET: 1 of 1



Prepared: 08/25/2016
Introduced: 09/06/2016
Revised:
Adopted:
Effective:

ORDINANCE O-19-2016

APPROPRIATION AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2016

WHEREAS, it is necessary to perform budget transfers within multiple Funds that do not increase appropriations, but do require council approval; and

WHEREAS, it is necessary to increase appropriations in the General Fund and the Wentworth TIF Fund to provide additional funding for utilities, contractual obligations, furnishings for the municipal building, and to provide for a police officer and a sergeant hiring process; and

WHEREAS, the city has been awarded a Jobs and Commerce Economic Development Grant through the Ohio Department of Transportation, which must be appropriated in the Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio that:

Section 1. City Council hereby authorizes the following budgetary transfers:

101.401.527411	Developer Incentive	\$	(3,520)
101.401.523024	Misc. Contractual Services	\$	3,250
211.705.523000	Contractual Services	\$	(66,576)
211.706.527350	Payment to Plain Township	\$	66,576
230.705.523000	Contractual Services	\$	(6,549)
230.706.527350	Payment to Plain Township	\$	6,549
231.705.523000	Contractual Services	\$	(11,083)
231.706.527350	Payment to Plain Township	\$	11,803
233.705.523000	Contractual Services	\$	(688)
233.706.527350	Payment to Plain Township	\$	688
235.705.523000	Contractual Services	\$	(3,218)
235.706.527350	Payment to Plain Township	\$	3,218
236.705.523000	Contractual Services	\$	(7,556)
236.706.527350	Payment to Plain Township	\$	7,556
238.705.523000	Contractual Services	\$	(296)
238.706.527350	Payment to Plain Township	\$	296
239.706.525503	Project Expense	\$	(5,467)
239.720.523404	County Charges	\$	5,467

Section 2: City Council hereby authorizes an increase in appropriations in the General Fund (101) and the Wentworth Crossing TIF Fund (230) as follows:

101.103.523400	Personnel Hiring	\$	15,000
101.105.523101	Utilities	\$	3,000
101.700.525101	Furnishings	\$	14,000
101.702.525101	Furnishings	\$	10,000
101.706.523012	Income Tax Collection Fees	\$	16,000
101.710.523100	Street/Traffic Utilities	\$	1,000
101.715.523101	Utilities	\$	5,000
101.720.523024	Misc. Contractual	\$	1,000
101.720.523030	Records Storage	\$	3,000
101.725.523101	Utilities	\$	500
101.755.523101	Utilities	\$	3,000
230.706.527350	Payment to Plain Township	\$	5,346

Section 3. City Council hereby authorizes an increase in appropriations in both revenue and expense to the Capital Improvement Fund (401) as follows:

401.140.414200	State Grants	\$ 1,952,000	
401.706.527326	Repayment to NACA ED Fund	\$	1,952,000

Section 5. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this ordinance were adopted in an open meeting and that all deliberations of this council and any decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

Section 6. Pursuant to the Article VI, § 6.07(a) of the charter of the City of New Albany, this ordinance shall take effect upon passage.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

**CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION**

I certify that copies of Ordinance **O-19-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on _____, 2016.

Jennifer Mason, Clerk of Council

Date



Prepared: 08/30/2016
Introduced: 09/20/2016
Revised:
Adopted:
Effective:

ORDINANCE O-25-2016

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 61.2+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to petition filed by Aaron L. Underhill and David Hodge, agent for petitioners, with the Licking County Development and Planning Department, on June 30, 2016, and

WHEREAS, the foregoing Resolution #86-15 of the Licking County Commissioners was delivered to the City of New Albany on July 11, 2016, and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

WHEREAS, pursuant to Resolution R-104-2014 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation.

WHEREAS, the real estate is located in Licking County and is subject to the "New Albany East Community Authority" and subject to a special property assessment in compliance therewith, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, County of Franklin, and Licking, State of Ohio:

Section 1: That the application of property owners set forth in Licking County requesting the annexation of 61.2 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: That an accurate map of the territory, hereby attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this Council as required by law, and are hereby accepted.

Section 3: That City Council of the City of New Albany hereby accepts the annexation of a 61.2 +/-acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: That the Clerk is herewith directed to deliver certified copies of this Ordinance and other Proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

Section 5: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

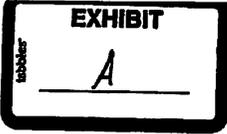
Mitchell H. Banchefsky
Law Director

**CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION**

I certify that copies of Ordinance **O-25-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on _____, 2016.

Jennifer Mason, Clerk of Council

Date



PRE-APPROVAL LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY:	<i>[Signature]</i>
DATE:	<i>4-5-16</i>

ANNEXATION DESCRIPTION
61.2+- ACRES

FROM: JERSEY TOWNSHIP

TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in the Northwest Quarter of Section 16, Township 2, Range 15, United States Military Lands, and being all of that 47.201 acre tract conveyed to 416 Beech LLC, by deed of record in Instrument Number 201602180003083, the remainder of that 3.580 acre tract conveyed to MBI Holdings LLC by deed of record in Instrument Number 201603220005480, that 3.374 acre and 0.570 acre tracts conveyed to MBI Holdings LLC by deed of record in Instrument Number 201603220005481, that 0.660 acre tract conveyed as Parcel 17-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200706040014111, that 0.612 acre tract conveyed as Parcel No. 13-WDV to Licking County by deed of record in Instrument Number 200508250026462, that 0.427 acre tract conveyed as Parcel No. 13-E to State of Ohio Department of Transportation by deed of record in Instrument Number 200511100036015, that 1.799 acre tract conveyed as Parcel 27-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200712140031878, that 0.499 acre tract conveyed as Parcel 28-WDV to Licking County by deed of record in Instrument Number 200608180024135, that 0.445 acre tract conveyed as Parcel 29-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200712120031620, that 0.853 acre tract conveyed as Parcel 30-WDV to Licking County by deed of record in Instrument Number 200511150036423, and part of that 2.128 acre tract conveyed as Parcel No. 7-WDV2 to Board of Commissioners of Licking County, Ohio by deed of record in Instrument Number 200510280034302 and that 0.169 acre tract conveyed as Parcel No. 7-WDV1 to Board of Commissioners of Licking County, Ohio by deed of record in Instrument Number 200510280034302 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Dublin-Granville Road (A.K.A. Worthington Road per Licking County) with Beech Road (FRA-161-23.20 & LIC-161-0.00 ODOT Plans);

Thence South 03° 15' 23" West, with the centerline of Beech Road, a distance of 198.14 feet to a point of curvature;

Thence continuing with said centerline, with the arc of a curve to the right, having a central angle of 02° 08' 30", a radius of 7639.44 feet, an arc length of 285.57 feet, a chord bearing of South 04° 19' 38" West and chord distance of 285.55 feet to a point;

Thence North 87° 00' 34" West, across said Beech Road and said 2.128 acre tract, a distance of 0.12 feet to a point on the westerly line of the existing Village of New Albany Corporation Line as established by Ordinance Number O-30-2002 of record in Instrument 200210280040677 and the southerly line of the existing City of New Albany Corporation Line as established by Ordinance Number O-13-2015, of record in Instrument Number 201506090011439, being the TRUE POINT OF BEGINNING;

Thence South 03° 08' 04" West, with said westerly Corporation Line (O-30-2002), a distance of 537.28 feet to a point in the southerly line of said 2.128 and northerly line of said 0.853 acre tract;

Thence South 86° 28' 10" East, with said Corporation Line (O-30-2002), with line common to said 2.128 and 0.853 acre tracts, across said Beech Road, a distance of 57.00 feet to a point on the easterly right-of-way line of said Beech Road, at a common corner of said 2.128 and 0.853 acre tracts, the remainder of that 7.838 acre tract conveyed to MBI Holdings, LLC by deed of record in Instrument Number 200107180025705, and that 5.272 acre tract conveyed to Lynne E. Hamilton and Brenda E. Gerwig by deed of record in Instrument Number 201505040008274;

Thence South 07° 13' 03" West, with said easterly right-of-way line, the common line to said 5.272 and 0.853 acre tracts, a distance of 311.11 feet to a point;

ANNEXATION DESCRIPTION
61.24+ ACRES
- 2 -

Thence South 04° 19' 40" West, continuing with said easterly right-of-way line and the line common to said 5.272 acre tract, said 0.853 acre tracts, a distance of 244.19 feet to a point at the common corner of said 5.272 acre tract, said 0.445 acre tract, and the remainder of that 2 acre tract conveyed to Deborah A. Bryan-Beckard by deed of record in Official Record 508, Page 350;

Thence South 02° 12' 30" West, continuing with said easterly right-of-way line, with the line common to the remainder of said 2 acre tract and said 0.445 acre tract, a distance of 319.06 feet to a point at the common corner of the remainder of said 2 acre tract, said 0.169 acre tract, and the remainder of that 22.10 acre tract conveyed to MBI Holdings, LLC by deed of record in Instrument Number 200002110004512, being in said existing Corporation Line (O-30-2002);

Thence North 86° 57' 08" West, with said Corporation Line (O-30-2002), with the line common to said 0.445 and 0.169 acre tracts, across said Beech Road, a distance of 34.65 feet to a point in the original easterly right-of-way line of said Beech Road;

Thence South 03° 08' 02" West, with said Corporation Line (O-30-2002), with the original easterly right-of-way line of said Beech Road, a distance of 151.37 feet to a point in the existing City of New Albany Corporation Line as established by Ordinance Number O-11-2015 of record in Instrument Number 201506090011437;

Thence North 86° 13' 13" West, with said Corporation Line (O-11-2015), across the right-of-way of said Beech Road, with a distance of 60.00 feet to a point in the easterly right-of-way line thereof, at the common corner of said 0.499 acre tract and that 51.478 acre tract conveyed to MBI Holdings LLC, by deed of record in Instrument Number 201501140000751;

Thence North 28° 38' 33" West, with said easterly right-of-way line, easterly line of said 51.478 acre tract and said Corporation Line (O-11-2015), a distance of 57.55 feet to a point;

Thence North 03° 58' 28" East, with said easterly right-of-way line, said Corporation Line (O-11-2015), the line common to said 51.478 and 0.499 acre tracts, a distance of 330.02 feet to a point at the common corner of said 47.201 acre tract, said 1.799 acre tract, said 0.499 acre tract and said 51.478 acre tract;

Thence North 86° 36' 25" West, with the line common to said 47.201 and 51.478 acre tracts being the half section line of Section 16, with said Corporation Line (O-11-2015), a distance of 1775.40 feet to a point at the common corner of said 47.201 acre tract, and that 68.591 acre tract conveyed to MBI Holdings, LLC by deed of record in Instrument Number 200212230049294;

Thence North 02° 28' 24" East, with the line common to said 47.201 and 68.591 acre tracts, with said Corporation Line (O-11-2015), a distance of 1170.36 feet to a point;

Thence South 87° 00' 34" East, with the northerly line of said 47.201 acre tract and the southerly line of said 68.591 acre tract, with said Corporation Line (O-11-2015), a distance of 61.32 feet to a point at the common corner of said 68.591 acre tract and said 3.580 acre tract;

Thence North 03° 44' 25" East, with the westerly line of said 3.580 acre tract, the easterly line of said 68.591 acre tract and that 0.932 acre tract conveyed as Parcel No. 5-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200604260011638, with said Corporation Line (O-11-2015), a distance of 1053.49 feet to an angle point in the southerly right-of-way line of said Dublin-Granville Road (A.K.A. Worthington Road per Licking County);

Thence North 03° 40' 02" East, with the westerly line of said 0.612 and 0.427 acre tracts, the easterly line of said 0.932 acre tract and that 0.572 acre tract conveyed as Parcel No. 5-WL to State of Ohio Department of Transportation by deed of record in Instrument Number 200604260011638, across said Dublin-Granville Road (A.K.A. Worthington Road per Licking County) and partially with the southerly limited access right-of-way line of State Route 161, with said Corporation Line (O-11-2015), a distance of 296.24 feet to an angle point in the said southerly limited access right-of-way line, being the common corner of said 0.427 acre tract and that 0.242 acre tract conveyed as Parcel

ANNEXATION DESCRIPTION
61.2+/- ACRES

- 3 -

No. 13-WL to State of Ohio Department of Transportation by deed of record in Instrument Number 200508250026463, and being an angle point in the existing Village of New Albany Corporation Line as established by Ordinance Number O-34-2010, of record in Instrument Number 201101100000694;

Thence South 89° 58' 09" East, with the line common to said 0.242 and 0.427 acre tracts, with said Corporation Line (O-34-2010) and with said southerly limited access right-of-way line, a distance of 148.39 feet to a point at the common corner of said 0.242 acre tract, said 0.427 acre tract, said 0.570 acre tract, and that 0.196 acre tract conveyed as Parcel No. 17-WL to State of Ohio by deed of record in Instrument Number 200706040014111;

Thence South 86° 06' 16" East, with the line common to said 0.570 and 0.196 acre tracts, being said southerly limited access right-of-way line, with said Corporation Line (O-34-2010), a distance of 148.39 feet to a point in the existing City of New Albany Corporation Line as established by Ordinance Number O-13-2015, of record in Instrument Number 201506090011439, being the common corner of said 0.570 acre tract, said 0.196 acre tract, that 10.830 acre tract conveyed to 160 Main Street LLC by deed of record in Instrument Number 200804230009324 and that 2.528 acre tract conveyed as Parcel No. 18-WL1 to State of Ohio, Department of Transportation by deed of record in Instrument Number 200712120031622;

Thence South 03° 43' 57" West, with the easterly line of said 0.570 acre tract, said 0.660 acre tract and said 3.374 acre tract, the westerly line of said 10.830 acre tract, that 6.845 acre tract conveyed as Parcel No. 18-WDV to The Board of Licking County Commissioners by deed of record in Instrument Number 200712120031622 and that 12.131 acre tract conveyed to 160 Main Street LLC by deed of record in Instrument Number 200804230009324, across said Worthington Road, and with said Corporation Line (O-13-2015), a distance of 1355.06 feet to a point at the common corner of said 3.374 and 12.131 acre tracts, being in the northerly line of said 47.201 acre tract;

Thence South 87° 00' 34" East, with the northerly line of said 47.201 acre tract and the southerly line of said 12.131 acre tract, that 5.129 acre tract conveyed to MBJ Holdings LLC by deed of record in Instrument Number 200503020006069, that 0.477 acre tract conveyed to MBJ Holdings LLC by deed of record in Instrument Number 200504190011492, that 0.185 acre tract conveyed as Parcel 25-WDV to Licking County by deed of record in Instrument Number 200503020006063 and across said 2.128 acre tract, with said Corporation Line (O-13-2015), a distance of 1516.27 feet to the TRUE POINT OF BEGINNING, containing 61.2 acres, more or less.

This description is for annexation purposes only and is not to be used for transfer.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Meyer
Professional Surveyor No. 8485

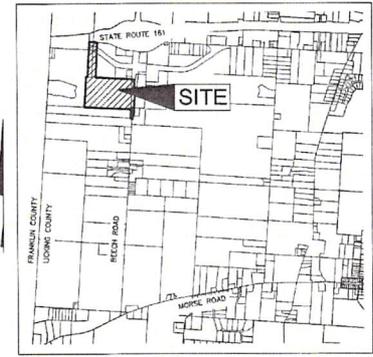
3-23-2016

Date

PROPOSED ANNEXATION OF 61.2± ACRES TO THE CITY OF NEW ALBANY FROM JERSEY TOWNSHIP

SECTION 16, TOWNSHIP 2, RANGE 15
UNITED STATES MILITARY LANDS
TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Exhibit B - O-25-2016



LOCATION MAP
Not to Scale

AREA TO BE ANNEXED

PROPOSED CORPORATION LINE

EXISTING CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 9627.35 feet, of which 8752.99 feet is contiguous with the Village of New Albany by Ordinance Numbers O-30-2003, O-34-2010, O-11-2015 and O-13-2015, giving 91% perimeter contiguity.

Note:
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

- (A) MBJ HOLDINGS LLC
0.570 AC. (DEED)
I.N. 201603220005481
P.N. 082-108390-00.000
- (B) BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL NO. 17-WDV
0.660 AC. (DEED)
I.N. 200708040014111
- (C) LICKING COUNTY
PARCEL NO. 13-WDV
0.812 AC. (DEED)
I.N. 200508250026482
- (D) STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
PARCEL NO. 13-WE
0.427 AC. (DEED)
I.N. 200511100038015
- (E) BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL 27-WDV
1.790 AC. (DEED)
I.N. 200712140031878
- (F) LICKING COUNTY
PARCEL 28-WDV
0.489 AC. (DEED)
I.N. 200603180024135
- (G) BOARD OF COMMISSIONERS OF LICKING COUNTY, OHIO
PARCEL NO. 7-WDV1
0.169 AC. (DEED)
I.N. 2005010200034302
- (H) BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL NO. 29-WDV
0.445 AC. (DEED)
I.N. 200712120031820
- (I) LICKING COUNTY
PARCEL 30-WDV
0.853 AC. (DEED)
I.N. 200511150036423
- (J) BOARD OF COMMISSIONERS OF LICKING COUNTY, OHIO
PARCEL NO. 7-WDV2
2.126 AC. (DEED)
I.N. 200510280034302
- (K) DEBORAH A. BRYAN-ECKARD
ORIGINAL 7 AC. (DEED)
O.R. 508, P. 350
P.N. 082-107748-00.000
- (L) MBJ HOLDINGS, LLC
22.10 AC. (DEED)
I.N. 200602110004515
P.N. 094-107108-00.001
- (M) BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL NO. 5-WDV
0.837 AC. (DEED)
I.N. 200604260011638
- (N) STATE OF OHIO
PARCEL NO. 5-WL
0.572 AC. (DEED)
I.N. 200604260011638
- (O) STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
PARCEL NO. 13-WL
0.242 AC. (DEED)
I.N. 200508250026463
- (P) STATE OF OHIO
PARCEL NO. 17-WL
0.196 AC. (DEED)
I.N. 200706040014111
- (Q) STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
PARCEL 18-WL
2.528 AC. (DEED)
I.N. 200712120031622
- (R) THE BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL NO. 29-WDV
6.845 AC. (DEED)
I.N. 200712120031622
- (S) MBJ HOLDINGS LLC
0.477 AC. (DEED)
I.N. 200504190011492
P.N. 094-108370-00.000
- (T) LICKING COUNTY
PARCEL 25-WDV
0.185 AC. (DEED)
I.N. 200503020006063
- (U) VILLAGE OF NEW ALBANY
CORPORATION LINE
ORDINANCE NO. 0-34-2010
I.N. 201101100000994
- (V) CITY OF NEW ALBANY
CORPORATION LINE
ORDINANCE NO. 0-13-2015
I.N. 201506050011439
- (W) CITY OF NEW ALBANY
CORPORATION LINE
ORDINANCE NO. 0-11-2015
I.N. 201506050011439
- (X) VILLAGE OF NEW ALBANY
CORPORATION LINE
ORDINANCE NO. 0-30-2002
I.N. 200210280040677

Proposed Annexation
of 61.2 ± acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on 20____, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Permit Received _____, 20____
Commissioner

Permit Approved _____, 20____
Commissioner

Transferred this ____ day of _____, 20____, upon the duplicates of this office.

Containing _____ acres.
Transfer Fee _____
Licking County Auditor

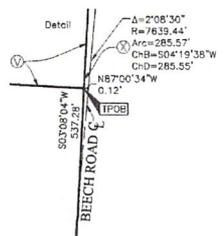
Received for Record _____, 20____, at _____ (AM-PM) and recorded _____, 20____, in plat ordinance, petition, etc. in Plat Book Volume _____ Page _____

Plat Fee _____
Ordinance, etc. Fee _____
Licking County Recorder

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 20____, and approved by the mayor on _____, 20____, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

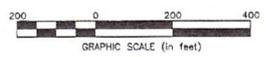
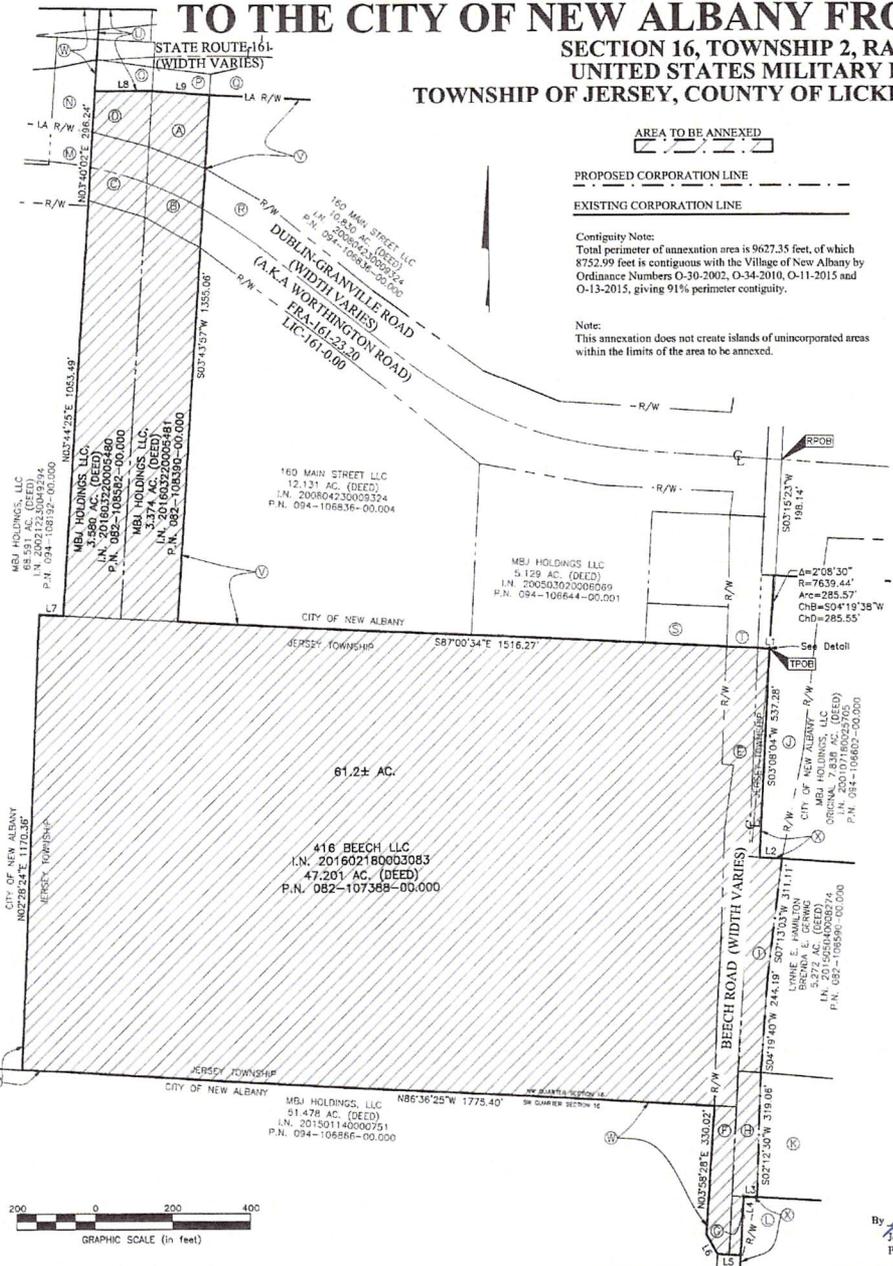
Attest _____
Clerk, City of New Albany

LINE	BEARING	DISTANCE
L1	N87°00'34"W	0.12'
L2	S86°28'10"E	57.00'
L3	N86°57'08"W	34.65'
L4	S03°08'02"W	151.37'
L5	N86°13'13"W	60.00'
L6	N28°38'33"W	57.55'
L7	S87°00'34"E	61.32'
L8	S89°58'09"E	148.59'
L9	S86°06'16"E	148.39'



By Joshua M. Meyer
Professional Surveyor No. 8485

Date 3-25-2016





Prepared: 08/30/2016
Introduced: 09/20/2016
Revised:
Adopted:
Effective:

ORDINANCE O-26-2016

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 4.0+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to petition filed by Aaron L. Underhill and David Hodge, agent for petitioners, with the Licking County Development and Planning Department, on June 30, 2016, and

WHEREAS, the foregoing Resolution #86-16 of the Licking County Commissioners was delivered to the City of New Albany on July 11, 2016, and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

WHEREAS, pursuant to Resolution R-21-2016 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation.

WHEREAS, the real estate is located in Licking County and but is not subject to the "New Albany East Community Authority" as it is less than 7 acres in size, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, County of Franklin, and Licking, State of Ohio:

Section 1: That the application of property owners set forth in Licking County requesting the annexation of 4.0 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: That an accurate map of the territory, hereby attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this Council as required by law, and are hereby accepted.

Section 3: That City Council of the City of New Albany hereby accepts the annexation of a 4.0 +/-acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: That the Clerk is herewith directed to deliver certified copies of this Ordinance and other Proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

Section 5: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

**CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION**

I certify that copies of Ordinance **O-26-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on _____, 2016.

Jennifer Mason, Clerk of Council

Date



PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED	CONDITIONAL
<input checked="" type="checkbox"/>	<input type="checkbox"/>
APPROVED BY:	<i>[Signature]</i>
DATE:	4-5-16

ANNEXATION OF 4.0+- ACRES

FROM: TOWNSHIP OF JERSEY
TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in Sections 15 and 16, Quarter Township 3, Township 2, Range 15, United States Military Lands, and being all of that 1.529 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201603150004905, all of that 1.189 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201512160027175, all of that 0.977 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201411170022766, part of the remainder of that 95.493 acre tract conveyed to MBJ Holdings, LLC by deeds of record in Instrument Numbers 199912010048758, 199912010048759, 199912010048760, and 199912010048761, and part of that 80.176 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 199912010048766 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, in the centerline of Lucille Lynd Road (formerly Worthington Road/S.R. 161) at a common corner of said Sections 15 and 16 with Sections 14 and 17 of said Quarter Township 3, Township 3, Range 15;

Thence North 86° 39' 33" West, with said centerline, with the line common to said Sections 15 and 16, a distance of 1069.56 feet to a point at the common corner of said 1.529 acre tract, and that 4.337 acre tract conveyed to Emerald Storage, LTD. by deed of record in Official Record 905, Page 64, being the TRUE POINT OF BEGINNING;

Thence South 03° 06' 27" West, with the easterly line of said 1.529 acre tract, the westerly line of said 4.337 acre tract, a distance of 440.00 feet to a point in the northerly line of that 101.539 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200005030014047 and a northerly line of the existing City of New Albany Corporation Line as established by Ordinance Number O-30-2002, of record in Instrument 200210280040677;

Thence North 86° 39' 33" West, with the northerly line of said 101.539 acre tract, the southerly line of said 1.159, 1.189 and 0.977 acre tracts, with said Corporation Line (O-30-2002), a distance of 364.49 feet to a point at the southwesterly corner of said 0.977 acre tract, being the northwesterly corner of said 101.539 acre tract, being in the easterly line of that 31.892 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 199912010048763;

Thence North 03° 14' 20" East, with said Corporation Line (O-30-2002), with the line common to said 0.977 and 31.892 acre tracts, across said Lucille Lynd Road, across the remainder of said 95.493 acre tract, a distance of 484.61 feet to a point on the southerly limited access right-of-way line of State Route 161, being on the northerly line of the remainder of said 95.493 acre tract, being on the southerly line of that 28.262 acre tract conveyed as Parcel No. 7-WLA to State of Ohio, Department of Transportation by deed of record in Instrument Number 200510280034304;

Thence South 83° 00' 56" East, with said Corporation Line (O-30-2002), with the line common to said 28.262 acre tract and the remainder of said 95.493 acre tract, with said southerly limited access right-of-way line, a distance of 6.10 feet to a point on the westerly line of that 0.375 acre tract conveyed as Parcel No. 14-WL to State of Ohio by deed of record in Instrument Number 200712140031874, being in the westerly line of the existing City of New Albany Corporation Line as established by Ordinance Number O-34-2010, of record in Instrument 201101100000694;

Thence South 03° 12' 02" West, with said Corporation Line (O-34-2010), with the line common to said 0.375 acre tract and the remainder of said 95.493 acre tract, across said Lucille Lynd Road, a distance of 44.65 feet to a point on the centerline of said Lucille Lynd Road, being on the northerly line of said 0.977 acre tract, and being the common corner of 0.375 and the remainder of 95.493 acre tracts;

Thence South 87° 04' 03" East, with said Corporation Line (O-34-2010), with the line common to said 0.375 and 0.977 acre tracts, and with said centerline, a distance of 59.26 feet to a point;

Thence South 86° 39' 33" East, continuing with said Corporation Line (O-34-2010), with the line common to said 0.375 and 0.977 acre tracts, and with said centerline, a distance of 6.74 feet to a point at the common corner of said 0.375 and 80.176 acre tracts;

Thence North 03° 12' 02" East, with said Corporation Line (O-34-2010), with the line common to said 0.375 and 80.176 acre tracts, across said Lucille Lynd Road, a distance of 44.36 feet to a point on the

ANNEXATION OF 4.0+- ACRES

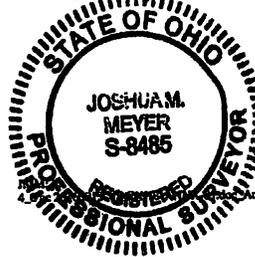
-2-

northerly right-of-way line of said Lucille Lynd Road, being an angle point in said Corporation Line (O-30-2002);

Thence South 86° 46' 52" East, with said Corporation Line (O-30-2002), with said northerly right-of-way line, across said 80.176 acre tract, a distance of 291.29 feet to a point;

Thence South 03° 06' 27" West, across said 80.176 acre tract and said Lucille Lynd Road, a distance of 44.98 feet to the TRUE POINT OF BEGINNING, containing 4.0 acres, more or less, of which 1.5 acres which lies within Auditor's Parcel Number 082-108720-00.000, 1.2 acres within Auditor's Parcel Number 082-108720-01.000, 1.0 acre within Auditor's Parcel Number 082-107880-00.000 and 0.3 acre within Auditor's Parcel Number 093-107136-01.000.

This description is for annexation purposes only and is not to be used for transfer.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

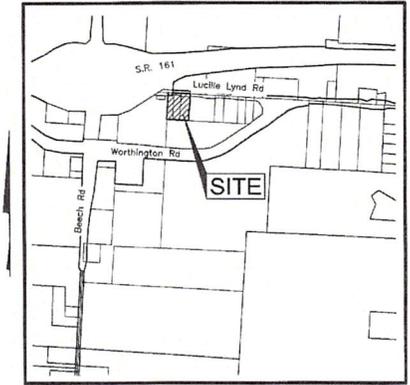
J.M.M.
Joshua M. Meyer
Professional Surveyor No. 8485

3-23-2016

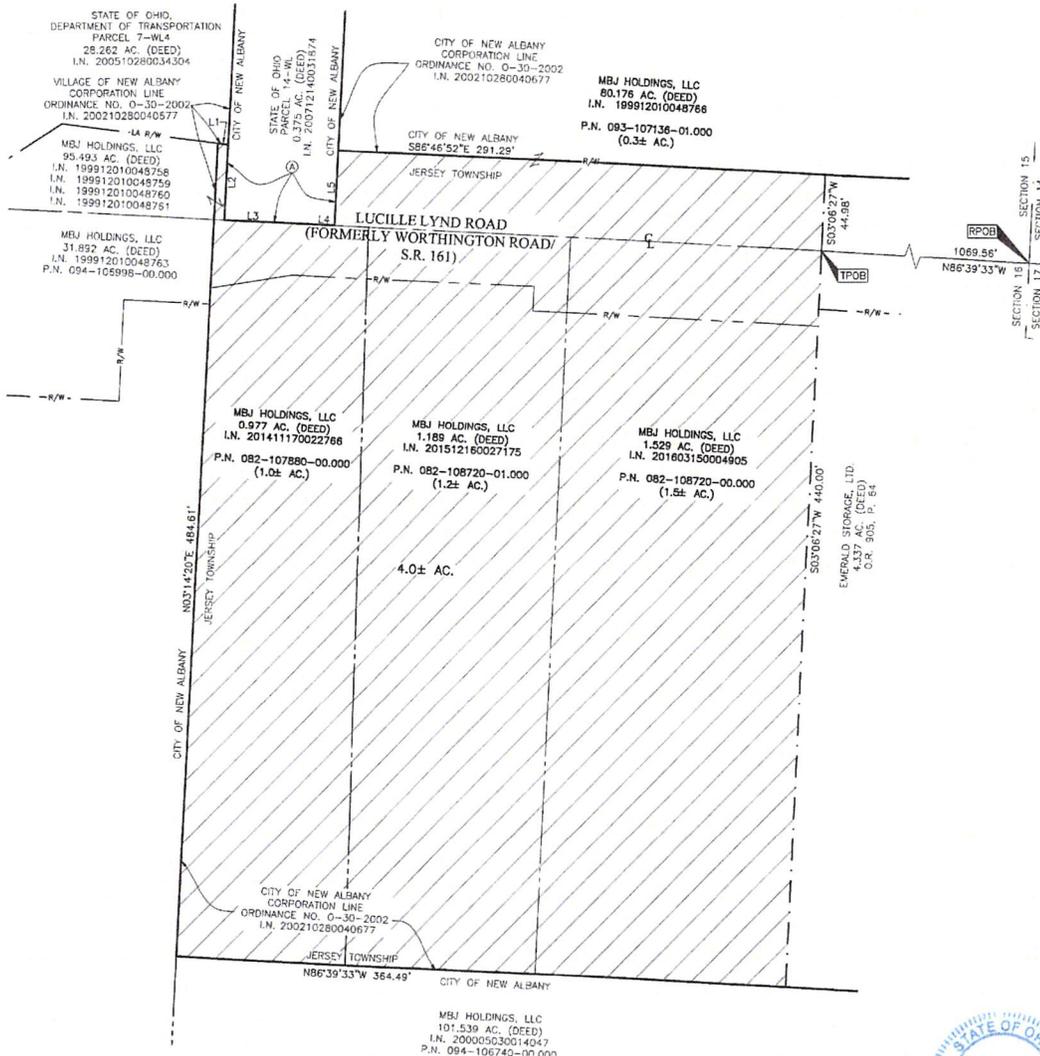
Date

PROPOSED ANNEXATION OF 4.0± ACRES TO THE CITY OF NEW ALBANY FROM JERSEY TOWNSHIP

SECTIONS 15 & 16, QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 15 UNITED STATES MILITARY LANDS TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO



LOCATION MAP
Not to Scale



Proposed Annexation
of 4.0 +/- acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____, 20____, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____, 20____
 _____ Commissioner
 Petition Approved _____, 20____
 _____ Commissioner
 _____ Commissioner

Transferred this _____ day of _____, 20____, upon the duplicates of this office.

Containing _____ acres.
 Transfer Fee _____
 _____ Licking County Auditor

Received for Record _____, 20____, at _____ (AM-PM) and recorded _____, 20____, in plat ordinance, petition, etc. in Plat Book Volume _____, Page _____.

Plat Fee _____
 Ordinance, etc. Fee _____
 _____ Licking County Recorder

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 20____, and approved by the mayor on _____, 20____, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest _____
 Clerk, City of New Albany

(A) CITY OF NEW ALBANY CORPORATION LINE
 ORDINANCE NO. 0-34-2010
 I.N. 201101100000694

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S83°00'56"E	6.10'
L2	S03°12'02"W	44.65'
L3	S87°04'03"E	59.26'
L4	S86°39'33"E	6.74'
L5	N03°12'02"E	44.36'

AREA TO BE ANNEXED

PROPOSED CORPORATION LINE _____

EXISTING CORPORATION LINE _____

Contiguity Note:
 Total perimeter of annexation area is 1786.48 feet, of which 1301.5 feet is contiguous with the City of New Albany by Ordinance Numbers 0-30-2002 and 0-34-2010 giving 73% perimeter contiguity.

Note:
 This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.



By Joshua M. Meyer 3-23-2016
 Professional Surveyor No. 8485 Date

	Date: March 23, 2016	
	Scale: 1" = 50'	
Evans, Mechwart, Hambleton & Titton, Inc. Engineers • Surveyors • Planners • Scientists 5500 New Albany Road, Columbus, OH 43054 Phone: 614.775.4500 Toll free: 866.775.3648 emht.com	Job No: 2016-0013 Sheet: 1 of 1	
REVISIONS		
MARK	DATE	DESCRIPTION





Prepared: 08/30/2016
Introduced: 09/20/2016
Revised:
Adopted:
Effective:

ORDINANCE O-27-2016

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 9.378 +/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to petition filed by Aaron L. Underhill and David Hodge, agent for petitioners, with the Licking County Development and Planning Department, on June 30, 2016, and

WHEREAS, the foregoing Resolution #86-17 of the Licking County Commissioners was delivered to the City of New Albany on July 11, 2016, and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

WHEREAS, pursuant to Resolution R-104-2014 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation.

WHEREAS, the real estate is located in Licking County and is subject to the "New Albany East Community Authority" and subject to a special property assessment in compliance therewith, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, County of Franklin, and Licking, State of Ohio:

Section 1: That the application of property owners set forth in Licking County requesting the annexation of 9.378 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: That an accurate map of the territory, hereby attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this Council as required by law, and are hereby accepted.

Section 3: That City Council of the City of New Albany hereby accepts the annexation of a 9.378 +/--acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: That the Clerk is herewith directed to deliver certified copies of this Ordinance and other Proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

Section 5: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

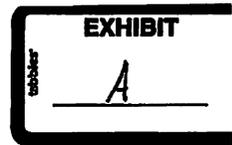
Mitchell H. Banchefsky
Law Director

**CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION**

I certify that copies of Ordinance **O-XXc-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on _____, 2016.

Jennifer Mason, Clerk of Council

Date



**ANNEXATION DESCRIPTION
9.3+- ACRES**

FROM: JERSEY TOWNSHIP

TO: CITY OF NEW ALBANY

PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED	CONDITIONAL
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
APPROVED BY:	<i>[Signature]</i>
DATE:	1-5-16

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in the Southwest Quarter of Section 16, Township 2, Range 15, United States Military Lands, and being all of the remainder of that 9.378 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201509140019689 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the intersection of the centerline of Beech Road (County Road 88) with the line common to Section 16 and Section 25 of said Township 2, Range 15, being in the existing City of New Albany Corporation Line as established by Ordinance Number O-23-2011, of record in Instrument Number 201206120012996, being in the existing City of New Albany Corporation Line as established by Ordinance Number O-15-2015, of record in Instrument Number 201506090011435;

Thence North 03° 31' 11" East, with said centerline and said Corporation Line, a distance of 643.20 feet to a point at a common corner of said 9.378 acre tract, that 2.91 acre tract conveyed to MBJ Holdings LLC., by deed of record in Instrument Number 201409160017933 and in the westerly line of that 1.9733 acre tract conveyed to Eugene Hamilton by deed of record in Instrument Number 199803250009985, being the TRUE POINT OF BEGINNING;

Thence North 86° 34' 43" West, across the westerly right-of-way line of said Beech Road, with the southerly line of said 9.378 acre tract, the northerly line of said 2.91 acre tract and that 7.284 acre tract conveyed to MBJ Holdings LLC., by deed of record in Instrument Number 201407280014231, with the said Corporation Line (O-15-2015), a distance of 1660.30 feet to a point in the easterly line of that 50 acre tract conveyed to David L. Haegele and Deborah S. Haegele, Trustees by deed of record in Instrument Number 200708170021693;

Thence North 03° 17' 57" East, with the common line to said 9.378 and 50 acre tracts, a distance of 325.04 feet to a point at the common corner of said 9.378 acre tract, and that 57.212 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200505200015068 and in the easterly line of said 50 acre tract, being in the existing Village of New Albany Corporation Line as established by Ordinance Number O-30-2002, of record in Instrument Number 200210280040677;

Thence South 86° 39' 13" East, with the line common to said 9.378 and 57.212 acre tracts, with said Corporation Line (O-30-2002), of record in Instrument Number 200210280040677, a distance of 1158.21 feet to a point at a common corner of said 9.378 acre tract and that 3.00 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201407310014404, being in the existing City of New Albany Corporation Line as established by Ordinance Number O-14-2015, of record in Instrument Number 201506090011431;

Thence South 02° 51' 46" West, with the line common to said 9.378 and 3.00 acre tracts, with the existing Corporation Line (O-14-2015), of record in Instrument Number 201506090011431, a distance of 267.15 feet to a point at a common corner of said 9.378 and 3.00 acre tracts;

Thence South 86° 18' 36" East, with the line common to said 9.378 and 3.00 acre tracts, with said Corporation Line (O-14-2015), a distance of 500.28 feet crossing the westerly right-of-way of Beech Road to a point at a common corner of said 9.378 and 3.00 acre tracts, being in said centerline, being in said Corporation Line (O-23-2011) and the westerly line of that 27.595

**ANNEXATION DESCRIPTION
9.3+- ACRES**

- 2 -

acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201108050014459;

Thence South 03° 31' 11" West, with said centerline, the line common to said 9.378, 27.595, and 1.9733 acre tracts, partially with said Corporation Line (O-23-2011), a distance of 57.08 feet to the TRUE POINT OF BEGINNING containing 9.3 acres, more or less.

This description is for annexation purposes only and is not to be used for transfer.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

1-7-2016

Joshua M. Meyer
Professional Surveyor No. 8485

Date



Prepared: 08/30/2016
Introduced: 09/20/2016
Revised:
Adopted:
Effective:

ORDINANCE O-28-2016

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 18.168 +/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to petition filed by Aaron L. Underhill and David Hodge, agent for petitioners, with the Licking County Development and Planning Department, on June 30, 2016, and

WHEREAS, the foregoing Resolution #86-18 of the Licking County Commissioners was delivered to the City of New Albany on July 11, 2016, and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

WHEREAS, pursuant to Resolution R-29-2014 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation.

WHEREAS, the real estate is located in Licking County and is subject to the "New Albany East Community Authority" and subject to a special property assessment in compliance therewith, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, County of Franklin, and Licking, State of Ohio:

Section 1: That the application of property owners set forth in Licking County requesting the annexation of 18.168 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: That an accurate map of the territory, hereby attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this Council as required by law, and are hereby accepted.

Section 3: That City Council of the City of New Albany hereby accepts the annexation of a 18.168 +/--acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: That the Clerk is herewith directed to deliver certified copies of this Ordinance and other Proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

Section 5: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

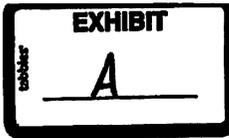
Mitchell H. Banchevsky
Law Director

**CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION**

I certify that copies of Ordinance **O-28-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on _____, 2016.

Jennifer Mason, Clerk of Council

Date



ANNEXATION OF 18.168 ACRES

FROM: TOWNSHIP OF JERSEY
TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Licking, Township of Jersey, in Lot 17, Quarter Township 2, Township 2, Range 15, United States Military Lands, being comprised of all of those tracts of land conveyed to MBJ Holdings, LLC by deeds of record in Instrument Numbers 20160113000642, 201604040006404 and 201605020008417 (all references are to the records of the Recorder's Office, Licking County, Ohio) and more particularly bounded and described as follows:

BEGINNING at the northeasterly corner of Innovation Campus Way, as dedicated by Instrument Number 201508180017452, in the centerline of Harrison Road (County Road 26) and the line common to Lots 17 and 16;

Thence North 86° 40' 21" West, crossing said Harrison Road, with the northerly line of said Innovation Campus Way, and with the northerly line of that 221.034 acre tract conveyed to Heath-Newark-Licking County Port Authority by deed of record in Instrument Number 201408210016049, a distance of 1173.52 feet to the southeasterly corner of that 5.516 acre tract conveyed to Smith Mill Road, LLC by deed of record in Instrument Number 201502250003371;

Thence North 03° 34' 06" East, with the easterly lines of said 5.516 acre tract and that 11.495 acre tract conveyed to Smith Mill Road, LLC by deed of record in Instrument Number 201502250003370, a distance of 681.74 feet to the southwesterly corner of that 2.376 acre tract conveyed to Timothy R. Porter and Maureen S. Porter by deed of record in Instrument Number 199808180031432;

Thence South 85° 54' 17" East, with the southerly line of said 2.376 acre tract, a distance of 442.57 feet to a point;

Thence South 86° 15' 30" East, with said southerly line, a distance of 74.54 feet to the southwesterly corner of that 3.000 acre tract conveyed to Timothy R. Porter and Maureen S. Porter by deed of record in Official Record 653, Page 96;

Thence South 86° 14' 17" East, with the southerly line of said 3.000 acre tract, a distance of 653.56 feet to a point in the centerline of said Harrison Road;

Thence South 03° 19' 26" West, with said centerline, a distance of 670.31 feet to the POINT OF BEGINNING, containing 18.168 acres of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk
Matthew A. Kirk
Professional Surveyor No. 7865

9 May 16
Date

MAK:ht
18_168 ac 20160012-VS-EXHB-ANNX-01.doc



PRE-APPROVAL
LICKING COUNTY ENGINEER
APPROVED [checked] CONDITIONAL
APPROVED BY: [Signature]
DATE: 5-13-16

ANNEXATION OF 18.168 ACRES TO THE CITY OF NEW ALBANY FROM TOWNSHIP OF JERSEY LOT 17, QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 15 UNITED STATES MILITARY LANDS TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Exhibit B - O-27-2016

Proposed Annexation
of 18.168 acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____, 20____, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____, 20____
Commissioner _____
Petition Approved _____, 20____
Commissioner _____
Commissioner _____

Transferred this ____ day of _____, 20____, upon the duplicates of this office.

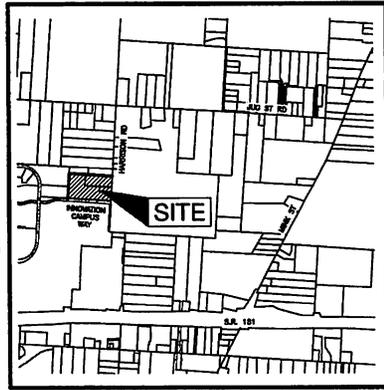
Containing _____ acres.
Transfer Fee _____
Licking County Auditor _____

Received for Record _____, 20____, at _____ (AM-PM) and recorded _____, 20____, in plat ordinance, petition, etc. in Plat Book Volume _____, Page _____.

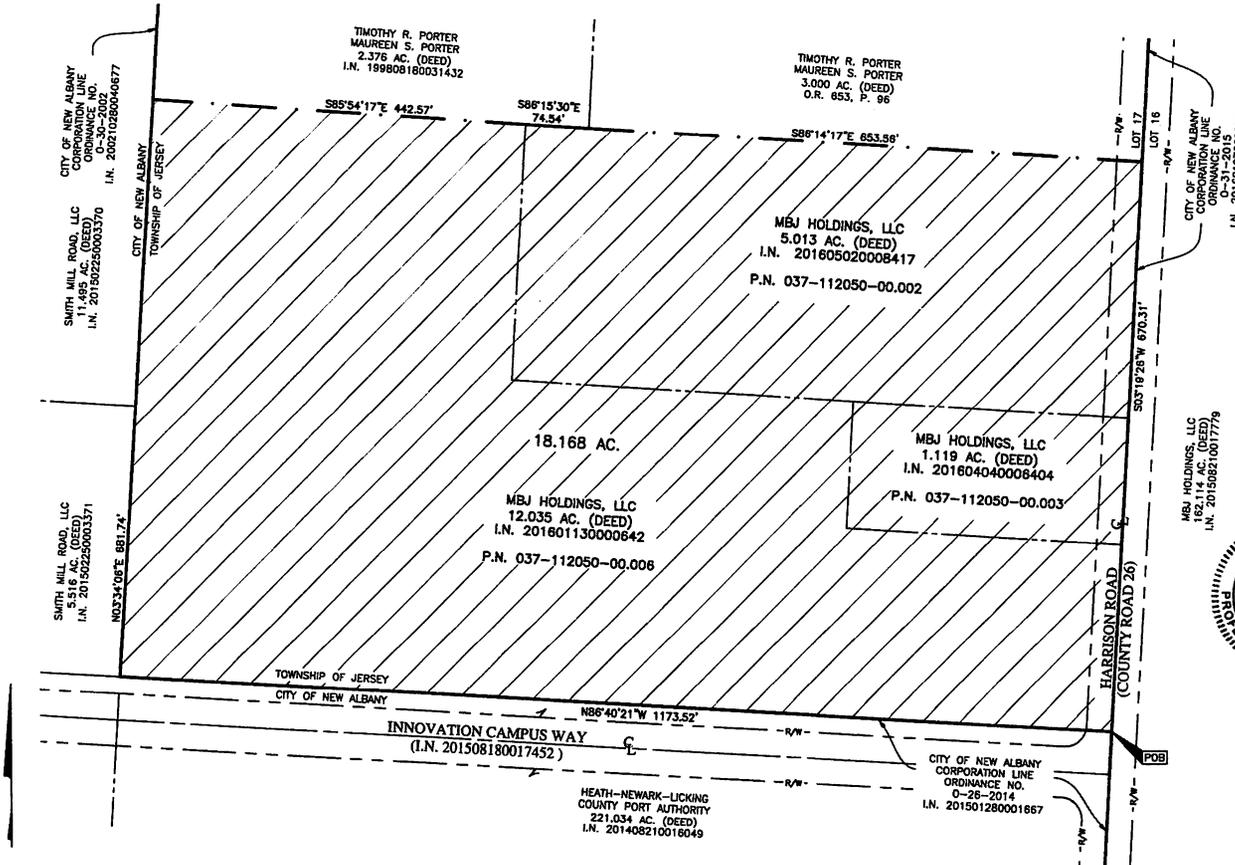
Plat Fee _____
Ordinance, etc. Fee _____
Licking County Recorder _____

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 20____, and approved by the mayor on _____, 20____, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest _____
Clerk, City of New Albany



LOCATION MAP AND BACKGROUND DRAWING
Not to Scale



AREA TO BE ANNEXED

PROPOSED CITY OF NEW ALBANY CORPORATION LINE

EXISTING CITY OF NEW ALBANY CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 3696.25 feet, of which 2525.57 feet is contiguous with the City of New Albany giving 68% perimeter contiguity.

Note:
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.



By Matthew A. Kirk 9 May 16
Matthew A. Kirk Date
Professional Surveyor No. 7865

EMHT		Date: May 9, 2016
Evans, Meschwart, Hambleton & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 5500 New Albany Road, Columbus, OH 43054 Phone: 614.775.4300 Fax: 614.775.3448		Scale: 1" = 100'
emht.com		Job No: 2016-0012
		Sheet: 1 of 1
REVISIONS		
MARK	DATE	DESCRIPTION



Prepared: 08/30/2016
Introduced: 09/20/2016
Revised:
Adopted:
Effective:

ORDINANCE O-29-2016

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 41.294 +/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to petition filed by Aaron L. Underhill and David Hodge, agent for petitioners, with the Licking County Development and Planning Department, on June 30, 2016, and

WHEREAS, the foregoing Resolution #86-19 of the Licking County Commissioners was delivered to the City of New Albany on July 11, 2016, and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

WHEREAS, pursuant to Resolution R-36-2015 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation.

WHEREAS, the real estate is located in Licking County and is subject to the "New Albany East Community Authority" and subject to a special property assessment in compliance therewith, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, County of Franklin, and Licking, State of Ohio:

Section 1: That the application of property owners set forth in Licking County requesting the annexation of 41.294 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: That an accurate map of the territory, hereby attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this council as required by law, and are hereby accepted.

Section 3: That City Council of the City of New Albany hereby accepts the annexation of a 41.294 +/--acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: That the Clerk is herewith directed to deliver certified copies of this ordinance and other proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

Section 5: That it is hereby found and determined that all formal actions of this council concerning and relating to passage of this ordinance were adopted in an open meeting of the Council and that all deliberations of this council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

**CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION**

I certify that copies of Ordinance **O-29-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on _____, 2016.

Jennifer Mason, Clerk of Council

Date



PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY <i>[Signature]</i>	<i>[Signature]</i>
DATE: <i>4-12-16</i>	

ANNEXATION OF 41.294 ACRES

**FROM: TOWNSHIP OF JERSEY
TO: CITY OF NEW ALBANY**

Situated in the State of Ohio, County of Licking, Township of Jersey, in Lots 2 and 15, Quarter Township 2, Township 2, Range 13, United States Military Lands, being comprised of all of those tracts of land conveyed to MBJ Holdings, LLC by deeds of record in Instrument Numbers 201510300023659, 201602110002644 and 201604050006496 (all references are to the records of the Recorder's Office, Licking County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at the centerline intersection of Jug Street Road (County Road 22) with Clover Valley Road (County Road 26), the common corner of Lots 15, 14, 3, and 2;

Thence North 86° 36' 02" West, with the centerline of said Jug Street Road, a distance of 227.64 feet to the northwesterly corner of that 22.453 acre tract conveyed to Nine Properties, Limited by deed of record in Instrument Number 200503250015574, the TRUE POINT OF BEGINNING for this description;

Thence South 04° 24' 16" West, with the westerly line of said 22.453 acre tract, a distance of 1058.91 feet to a point;

Thence South 39° 22' 09" East, with the southerly line of said 22.453 acre tract, a distance of 845.83 feet to a point in the westerly line of that 32.553 acre tract conveyed to Ray E. Ruzmisl and Vicki D. Ruzmisl by deed of record in Official Record 155, Page 296;

Thence South 03° 58' 03" West, with said westerly line, a distance of 10.00 feet to a point;

Thence North 86° 34' 06" West, with a northerly line of said 32.553 acre tract, a distance of 344.64 feet to the northeasterly corner of that 162.114 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201508210017779;

Thence with the boundary of said 162.114 acre tract the following courses and distances:

North 86° 22' 07" West, a distance of 1132.38 feet to a point;

North 03° 36' 21" East, a distance of 1183.44 feet to a point;

North 83° 57' 55" West, a distance of 174.36 feet to a point; and

North 03° 30' 59" East, a distance of 499.55 feet to a point in the centerline of said Jug Street Road;

Thence South 86° 36' 02" East, with said centerline, a distance of 1090.39 feet to the TRUE POINT OF BEGINNING, containing 41.294 acres of land, more or less.

This description is for annexation purposes only and is not to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk
Matthew A. Kirk
Professional Surveyor No. 7865

7 APR 16
Date

MAX:sk
41.294 ac 20151443-V3-EXHIB-ANNOC02.doc



ANNEXATION OF 41.294 ACRES

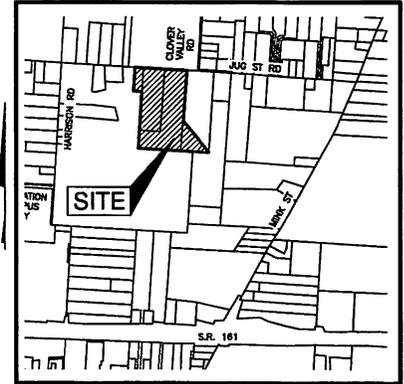
TO THE CITY OF NEW ALBANY FROM THE TOWNSHIP OF JERSEY

LOTS 2 & 15, QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 15

UNITED STATES MILITARY LANDS

TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Exhibit B - O-29-2016



LOCATION MAP AND BACKGROUND DRAWING

Not to Scale

Proposed Annexation
of 41.294 acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____, 20____, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____, 20____

Commissioner

Petition Approved _____, 20____

Commissioner

Commissioner

Transferred this ____ day of _____, 20____, upon the duplicates of this office.

Containing _____ acres.
Transfer Fee _____

Licking County Auditor

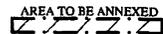
Received for Record _____, 20____, at _____ (AM-PM) and recorded _____, 20____, in plat ordinance, petition, etc. in Plat Book Volume _____, Page _____.

Flat Fee _____
Ordinance, etc. Fee _____

Licking County Recorder

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 20____, and approved by the mayor on _____, 20____, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest _____
Clerk, City of New Albany



AREA TO BE ANNEXED

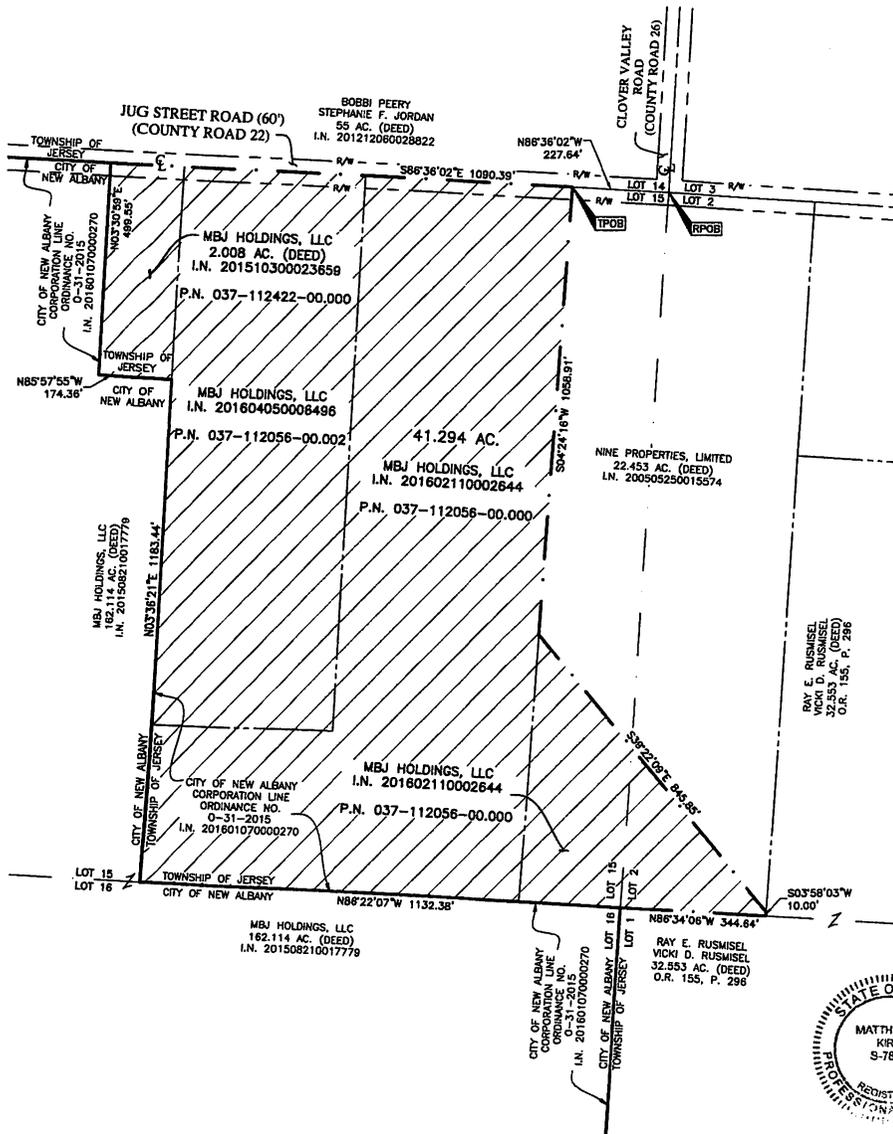
PROPOSED CITY OF NEW ALBANY CORPORATION LINE

EXISTING CITY OF NEW ALBANY CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 6339.53 feet, of which 2989.73 feet is contiguous with the City of New Albany giving 47% perimeter contiguity.

Note:
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

By Matthew A. Kirk 7 April 16
Matthew A. Kirk Date
Professional Surveyor No. 7865



EMHT Evans, Mechwart, Hambleton & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 8200 New Albany Road, Columbus, OH 43254 Phone: 614.773.4500 Toll Free: 888.773.3468 emht.com		Date: April 7, 2016
		Scale: 1" = 200'
Job No: 2015-1443		Sheet: 1 of 1
REVISIONS		
MARK	DATE	DESCRIPTION



Prepared: 08/07/2016
Introduced: 09/20/2016
Amended:
Adopted:
Effective:

ORDINANCE O-30-2016

AN ORDINANCE IMPOSING A SIX MONTH MORATORIUM, (WITH THE POSSIBILITY OF A SIX MONTH EXTENSION) ON THE ISSUANCE AND PROCESSING OF PERMITS FOR RETAIL MEDICAL MARIJUANA DISPENSARIES, CULTIVATORS AND/OR PROCESSING WITHIN THE CITY OF NEW ALBANY, OHIO

WHEREAS, Substitute House Bill 523, legalizing the cultivating, processing, and dispensing of medical marijuana in the State of Ohio, became effective September 8, 2016; and,

WHEREAS, for the purposes of this ordinance, "cultivators," "processors," and "retail dispensaries" shall utilize the same definitions as set forth in Substitute House Bill 523 and Chapter 3796 of the Ohio Revised Code, entitled Medical Marijuana, which became effective on September 8, 2016; and,

WHEREAS, Ohio Revised Code Section 3796.29 authorizes municipalities to limit the number of, or to entirely prohibit, cultivators, processors, or retail dispensaries licensed under Ohio Revised Code Section 3796.29; and,

WHEREAS, city council seeks time to study whether to limit or entirely prohibit the cultivation, processing and/or retail dispensing of medical marijuana in accordance with Ohio Revised Code Section 3769.29, or, to amend its business and/or zoning code and/or implement regulations regarding the location and operation of medical marijuana-related businesses within the city, including medical marijuana-related businesses for retail dispensaries, cultivators, and processors; and,

WHEREAS, a six months moratorium on the granting of permits for medical marijuana-related businesses in the city will allow council and staff time to study these issues in order to ensure the public peace, health, safety, and welfare; and,

WHEREAS, council authorizes the city manager to administratively extend this moratorium for up to an additional six months in the event more time is needed for staff to present its recommendations to council.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, Counties of Franklin and Licking, State of Ohio:

Section 1. Council of the City of New Albany hereby imposes a six month moratorium on the issuance and processing of permits for cultivators, processors, and retail dispensaries of medical marijuana. The purpose of this moratorium is so that council and staff may study the new law and

the related issues and then determine whether to limit or entirely prohibit cultivators, processors, and retail dispensaries in the city and to prepare any necessary amendments to the city's zoning or business codes, in order to ensure the public peace, health, safety, and welfare.

Section 2. The city manager may administratively extend this moratorium for up to an additional six months in the event more time is needed for staff to present its recommendations to Council.

Section 3. Council hereby directs that no permits for cultivators, processors, or retail dispensaries of medical marijuana shall be issued or processed by the city during the 6-month moratorium or the extended moratorium period.

Section 4. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this ordinance were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121 of the Ohio Revised Code.

Section 5. Pursuant to Article VI, Section 6.07(a) of the charter of the City of New Albany, this Ordinance shall be in effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director



Prepared: 09/09/2016
Introduced: 09/20/2016
Revised:
Adopted:
Effective:

ORDINANCE O-31-2016

AN ORDINANCE TO ACCEPT THE GENERAL WARRANTY DEEDS FOR THE PARCELS KNOWN AS:

222-004394 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 24)
222-004395 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 24)
222-004396 (RESERVE C OF NEW ALBANY COUNTRY CLUB SECTION 24)
222-004179 (RESERVE A OF THE VILLAGE HALL ROAD PLAT)
222-004180 (RESERVE B OF THE VILLAGE HALL ROAD PLAT)
222-004181 (RESERVE C OF THE VILLAGE HALL ROAD PLAT)
222-004617 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004618 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004619 (RESERVE C OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004620 (RESERVE D OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004621 (RESERVE E OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004622 (RESERVE F OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004623 (RESERVE G OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004624 (RESERVE H OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004625 (RESERVE I OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004786 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 28)
222-004787 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 28)
222-004788 (RESERVE C OF NEW ALBANY COUNTRY CLUB SECTION 28)
222-004756 (RESERVE E OF NEW ALBANY COUNTRY CLUB SECTION 28)
222-004757 (RESERVE F OF NEW ALBANY COUNTRY CLUB SECTION 28)
222-004758 (RESERVE G OF NEW ALBANY COUNTRY CLUB SECTION 28)
222-004726 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 29)
222-004727 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 29)
222-004728 (RESERVE C OF NEW ALBANY COUNTRY CLUB SECTION 29)
FROM THE NEW ALBANY COMPANY LLC FOR PUBLIC PARKLAND

WHEREAS, Resolution R-69-2009 was adopted by the New Albany Council on September 1, 2010 approving the final plat for New Albany Country Club section 24, which included the commitment to dedicate reserves A, B, and C to the city for public parkland; and

WHEREAS, Resolution R-58-2006 was adopted by the New Albany Council on September 19, 2007 approving the final plat for Village Hall Road Section 2, which included the commitment to dedicate reserves A, B, and C to the City for public parkland; and

WHEREAS, Resolution R-27-2013 was adopted by the New Albany Council on August 6, 2014 approving the final plat for The New Albany Links Section 6, which included the commitment to dedicate reserve W-2 to the city for public parkland; and

WHEREAS, Resolution R-04-2002 was adopted by the New Albany Council on January 22, 2002 approving the final plat for New Albany Country Club section 28, which included the commitment to dedicate reserves A, B, C, E, F, and G to the city for public parkland; and

WHEREAS, Resolution R-45-2014 was adopted by the New Albany Council on July 1, 2015 approving the final plat for New Albany Country Club section 28 Part 1, which included the commitment to dedicate reserves A, B, and C to the City for public parkland; and

WHEREAS, Resolution R-28-2015 was adopted by the New Albany Council on June 2, 2016 approving the final plat for New Albany Country Club section 28 Part 2, which included the commitment to dedicate reserves E, F, and G to the city for public parkland; and

WHEREAS, Resolution R-81-2014 was adopted by the New Albany Council on November 4, 2015 approving the final plat for New Albany Country Club section 29, which included the commitment to dedicate reserves A, B, and C to the city for public parkland; and

WHEREAS, the general warranty deeds have since been provided to the City of New Albany granting to the city the parkland which was required and committed to; and

WHEREAS, New Albany City Council has agreed to the terms and conditions by which this parkland will be donated.

NOW, THEREFORE, BE IT ORDAINED by Council for the city of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. New Albany City Council hereby accepts the lands, described in the attached Exhibit A and shown on the map attached hereto as Exhibit B, under the terms and conditions outlined and the covenants and restrictions stipulated in the deed and final plat.

Section 2. That the general warranty deed is attached to this ordinance and made a part hereof as if fully reproduced herein.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting and that all deliberations of this Council and any decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

Section 4. Pursuant to Article VI, Section 6.07(a) of the charter of the City of New Albany, this Ordinance shall be in effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H Mason
Clerk of Council

Approved as to form:

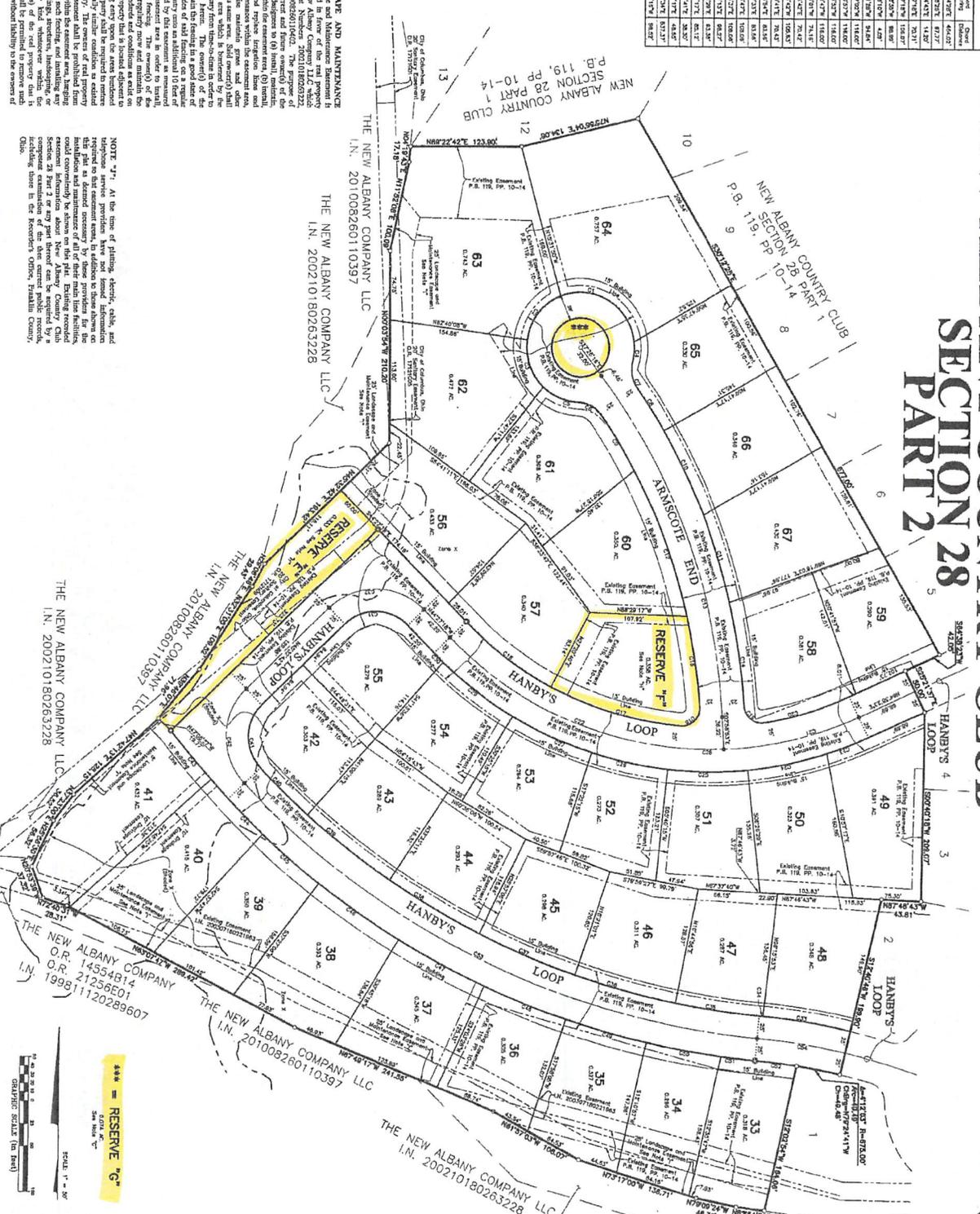
Mitchell H. Banchefsky
Law Director

PROPOSED

NEW ALBANY COUNTRY CLUB SECTION 28 PART 2

PLAT BOX 199836

Lot	Area	Length	Width	Area
1	0.0000	0.0000	0.0000	0.0000
2	0.0000	0.0000	0.0000	0.0000
3	0.0000	0.0000	0.0000	0.0000
4	0.0000	0.0000	0.0000	0.0000
5	0.0000	0.0000	0.0000	0.0000
6	0.0000	0.0000	0.0000	0.0000
7	0.0000	0.0000	0.0000	0.0000
8	0.0000	0.0000	0.0000	0.0000
9	0.0000	0.0000	0.0000	0.0000
10	0.0000	0.0000	0.0000	0.0000
11	0.0000	0.0000	0.0000	0.0000
12	0.0000	0.0000	0.0000	0.0000
13	0.0000	0.0000	0.0000	0.0000
14	0.0000	0.0000	0.0000	0.0000
15	0.0000	0.0000	0.0000	0.0000
16	0.0000	0.0000	0.0000	0.0000
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98	0.0000	0.0000	0.0000	0.0000
99	0.0000	0.0000	0.0000	0.0000
100	0.0000	0.0000	0.0000	0.0000



NOTE "A" - No determination has been made by the City of New Albany as to whether the proposed development is a use permitted by the Albany Zoning Ordinance. It is the responsibility of the applicant to determine the zoning classification of the property and to obtain any necessary zoning variances or rezoning from the Albany Zoning Commission. The City of New Albany, Ohio, approval of this plat does not constitute an approval of the proposed development.

NOTE "B" - At the time of platting, part of Lot 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, and 101, were owned by the New Albany Country Club. The City of New Albany, Ohio, approval of this plat does not constitute an approval of the proposed development.

NOTE "C" - **ACQUISITIONAL REQUIREMENT**
 The applicant shall be responsible for the acquisition of all easements, rights, and interests in the property described in this plat which are necessary for the proposed development. The applicant shall be responsible for the acquisition of all easements, rights, and interests in the property described in this plat which are necessary for the proposed development.

NOTE "D" - **DETERMINED BOUNDARIES**
 The applicant shall be responsible for the determination of all boundaries, easements, and interests in the property described in this plat. The applicant shall be responsible for the determination of all boundaries, easements, and interests in the property described in this plat.

NOTE "E" - **ACREAGE REQUIREMENTS**
 The applicant shall be responsible for the determination of all acreage requirements for the property described in this plat. The applicant shall be responsible for the determination of all acreage requirements for the property described in this plat.

NOTE "F" - **RESERVE "G"**
 The applicant shall be responsible for the determination of all requirements for the Reserve "G" area. The applicant shall be responsible for the determination of all requirements for the Reserve "G" area.

NOTE "H" - **LANDSCAPE AND MAINTENANCE AGREEMENT**
 A Landscape and Maintenance Agreement shall be entered into between the applicant and the City of New Albany, Ohio, prior to the recording of this plat. The purpose of this agreement is to ensure that the proposed development is maintained in accordance with the City of New Albany, Ohio, standards for landscape and maintenance. The applicant shall be responsible for the execution and recording of this agreement.

NOTE "I" - **RESERVE "G"**
 The applicant shall be responsible for the determination of all requirements for the Reserve "G" area. The applicant shall be responsible for the determination of all requirements for the Reserve "G" area.

NOTE "J" - **RESERVE "G"**
 The applicant shall be responsible for the determination of all requirements for the Reserve "G" area. The applicant shall be responsible for the determination of all requirements for the Reserve "G" area.

NOTE "K" - **RESERVE "G"**
 The applicant shall be responsible for the determination of all requirements for the Reserve "G" area. The applicant shall be responsible for the determination of all requirements for the Reserve "G" area.

NOTE "L" - **RESERVE "G"**
 The applicant shall be responsible for the determination of all requirements for the Reserve "G" area. The applicant shall be responsible for the determination of all requirements for the Reserve "G" area.

NOTE "M" - **RESERVE "G"**
 The applicant shall be responsible for the determination of all requirements for the Reserve "G" area. The applicant shall be responsible for the determination of all requirements for the Reserve "G" area.

NOTE "N" - **RESERVE "G"**
 The applicant shall be responsible for the determination of all requirements for the Reserve "G" area. The applicant shall be responsible for the determination of all requirements for the Reserve "G" area.

NOTE "O" - **RESERVE "G"**
 The applicant shall be responsible for the determination of all requirements for the Reserve "G" area. The applicant shall be responsible for the determination of all requirements for the Reserve "G" area.

NOTE "P" - **RESERVE "G"**
 The applicant shall be responsible for the determination of all requirements for the Reserve "G" area. The applicant shall be responsible for the determination of all requirements for the Reserve "G" area.

NOTE "Q" - **RESERVE "G"**
 The applicant shall be responsible for the determination of all requirements for the Reserve "G" area. The applicant shall be responsible for the determination of all requirements for the Reserve "G" area.

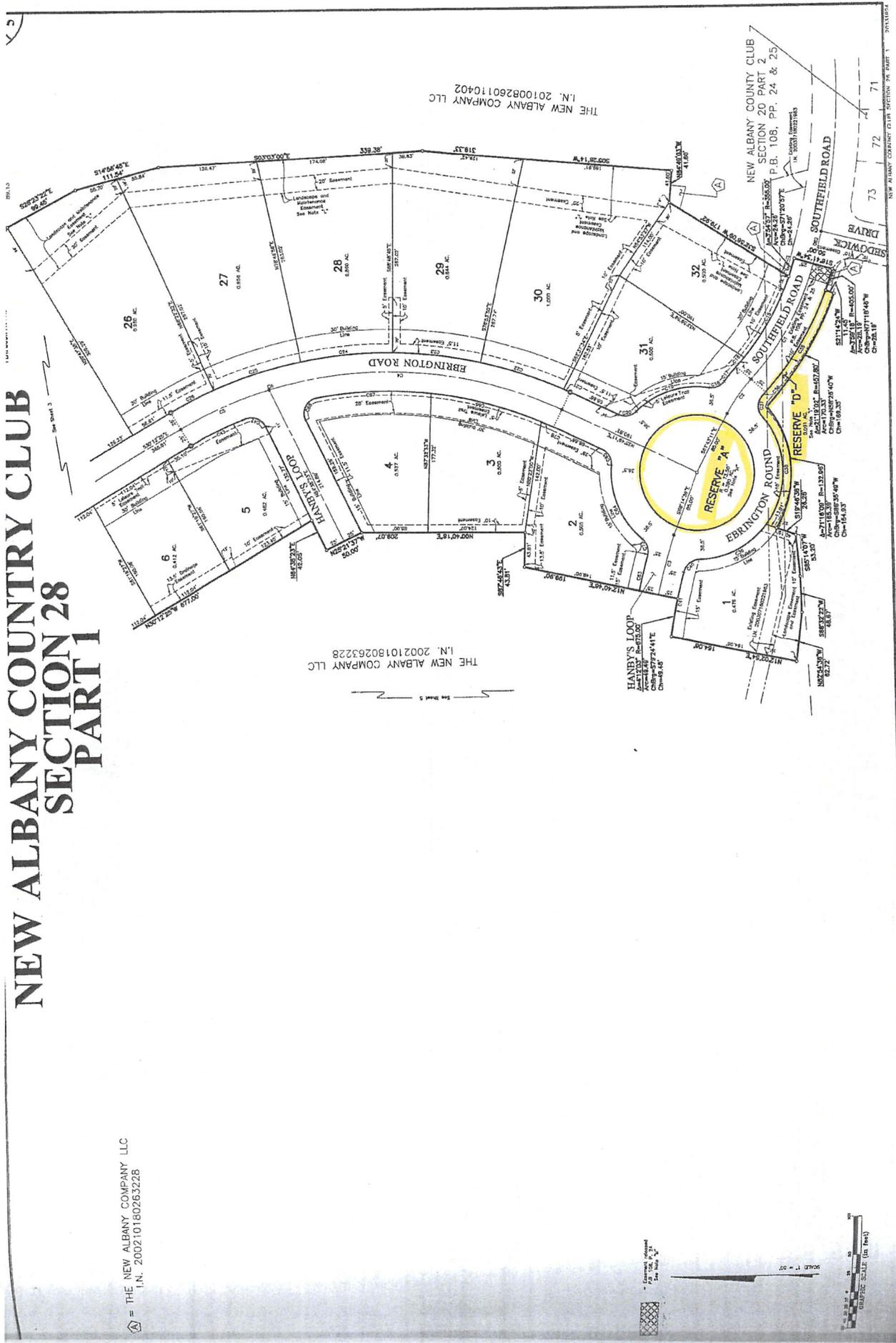
NEW ALBANY COUNTRY CLUB SECTION 28 PART 1

Ⓐ = THE NEW ALBANY COMPANY LLC
I.N. 200210180263228

THE NEW ALBANY COMPANY LLC
I.N. 200210180263228

THE NEW ALBANY COMPANY LLC
I.N. 201008260110402

NEW ALBANY COUNTY CLUB
SECTION 20 PART 2
P.B. 108, PP. 24 & 25



Easement
See Note A

1/2

High-
p. 2

27

NEW ALBANY COUNTRY CLUB SECTION 20 PART 1
SECTION 20 PART 2
SECTION 28 PART 1
SECTION 28 PART 2



Prepared: 09/09/2016
Introduced: 09/20/2016
Revised:
Adopted:
Effective:

ORDINANCE O-32-2016

AN ORDINANCE TO AMEND CHAPTER 1125.06 "COMPLIANCE WITH NEW ALBANY COMMUNITY AUTHORITY" OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES

WHEREAS, it has been found that the Codified Ordinances of the City of New Albany, Chapter 1125.06, needs to be amended; and

WHEREAS, the following amendment will expand the applicability of this provision to any community authorities established within the city; and

WHEREAS, the Planning Commission has held a public hearing and received public input into the amendment of the codified ordinance; and

WHEREAS, the Planning Commission recommended approval of the proposed amendment to the codified ordinance.

NOW, THEREFORE, BE IT ORDAINED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. The Codified Ordinance Chapter 1125.06 be amended to "Compliance With Any Existing New Community Authority" (labeled Exhibit A) as requested by the City of New Albany.

Section 2: That it is hereby found and determined that all formal actions of this council concerning and relating to passage of this ordinance were adopted in an open meeting of the Council and that all deliberations of this council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

Section 3. Pursuant to Article VI, Section 6.07(a) of the charter of the City of New Albany, this Ordinance shall be in effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this _____ day of _____, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

PROPOSED

1125.06 COMPLIANCE WITH ANY EXISTING NEW ALBANY COMMUNITY AUTHORITY.

(a) The Municipality shall not enact any legislation accepting the following territory for annexation under Ohio R.C. 709.04 until there has been compliance with the following requirements relating to any existing New Community Authority established within the Municipality pursuant to Ohio Revised Code Chapter 349~~the New Albany Community Authority~~ (the applicable~~the~~ “Authority”):

(1) If the newly annexed area is greater than seven acres and the current use is agricultural or residential, the property shall be irrevocably added to the applicable Authority, such addition effective upon annexation, but shall not be subject to any community development charge levied by the applicable Authority until such time as the property or property owner requests and is granted a rezoning to a higher use.

(2) If the current use of the newly annexed area is other than agricultural or residential, regardless of its size, the property shall be irrevocably added to the applicable Authority, such addition effective upon annexation, and thereafter shall be subject to any community development charge levied by the applicable Authority.

(b) If the newly annexed area is seven acres or less and the current use is agricultural or residential, the Municipality shall not enact any legislation rezoning the territory to a higher use until there has been compliance with this requirement relating to the applicable Authority: The property shall be irrevocably added to the applicable Authority at the time of and effective upon rezoning to a higher use, and thereafter shall be subject to any community development charge levied by the applicable Authority.

(Ord. 1-96. Passed 1-23-96; Ord. O-1-2012. Passed 1-24-12.)