



## ORDINANCE O-19-2022

**AN ORDINANCE TO DECLARE THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, EXEMPT 100% OF THAT IMPROVEMENT FROM REAL PROPERTY TAXATION, REQUIRE THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, PROVIDE FOR THE DISTRIBUTION OF THE APPLICABLE PORTION OF THOSE SERVICE PAYMENTS TO THE JOHNSTOWN-MONROE LOCAL SCHOOL DISTRICT AND THE CAREER AND TECHNOLOGY EDUCATION CENTERS OF LICKING COUNTY (C-TEC), PROVIDE FOR THE DEPOSIT OF THE REMAINDER OF THOSE SERVICE PAYMENTS INTO A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND, SPECIFY THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT DIRECTLY BENEFIT THOSE PARCELS, AND APPROVE AND AUTHORIZE THE EXECUTION OF ONE OR MORE TAX INCREMENT FINANCING AGREEMENTS**

**WHEREAS**, Sections 5709.40, 5709.42 and 5709.43 of the Ohio Revised Code (collectively, the “*TIF Statutes*”) authorize this Council to declare the improvement to certain parcels of real property located within the City of New Albany, Ohio ( the “*City*”) to be a public purpose and exempt from taxation, require the owner of those parcels to make service payments in lieu of taxes, provide for the distribution of the applicable portion of those service payments to the Johnstown-Monroe Local School District and the Career and Technology Education Centers of Licking County (C-TEC), (each, a “*School District*”), provide for the deposit of the remainder of those service payments into a municipal public improvement tax increment equivalent fund, and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels; and

**WHEREAS**, the parcels of real property identified and depicted in Exhibit A attached hereto (each, as now or hereafter configured on the tax list and duplicate of real and public utility property, a “*Parcel*”, and collectively, the “*Parcels*”) are located in the City, and this Council has determined to declare the Improvement (as defined in Section 1 of this Ordinance) to each Parcel to be a public purpose; and

**WHEREAS**, this Council has determined that it is necessary and appropriate and in the best interest of the City to exempt from taxation one hundred percent (100%) of the Improvement to each Parcel as permitted and provided in Section 5709.40(B) of the Ohio Revised Code for thirty (30) years and to simultaneously direct and require the current and future owner of each Parcel (each such owner individually, an “*Owner*,” and collectively, the “*Owners*”) to make annual Service Payments (as defined in Section 2 of this Ordinance); and

**WHEREAS**, the City has determined that a portion of the Service Payments shall be paid directly to each School District in an amount equal to the real property taxes that the School District would have received if the Improvement to the Parcels had not been exempted from taxation pursuant to this Ordinance; and

**WHEREAS**, pursuant to Section 5709.43(A) of the Ohio Revised Code, this Council has previously to established a municipal public improvement tax increment equivalent fund in which there shall be deposited the remaining Service Payments distributed to the City; and

**WHEREAS**, this Council has determined to designate the public infrastructure improvements described in Exhibit B attached hereto (the "*Public Infrastructure Improvements*") as public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, the Parcels; and

**WHEREAS**, this Council has determined to provide for the execution and delivery of one or more Tax Increment Financing Agreements (each, a "*TIF Agreement*"), which will more fully provide for the collection of Service Payments; and

**WHEREAS**, the Boards of Education of Johnstown-Monroe Local School District and the Career and Technology Education Centers of Licking County (C-TEC) have waived any and all requirements for notice from the City under Sections 5709.40 and 5709.83 of the Ohio Revised Code in furtherance of the commitment made by the City in the Compensation Agreements entered into between the City and those Boards of Education;

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

**Section 1.** Authorization of Tax Exemption. Pursuant to and in accordance with the provisions of Section 5709.40(B) of the Ohio Revised Code, one hundred percent (100%) of the increase in assessed value of each Parcel that is used or to be used for non-residential purposes and that would first appear on the tax list and duplicate of real and public utility property after the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "*Improvement*", as further defined in Section 5709.40(A) of the Ohio Revised Code) is hereby declared to be a public purpose and shall be exempt from taxation for a period commencing with the first tax year that begins after the effective date of this Ordinance and in which an Improvement attributable to a new structure on that Parcel first appears on the tax list and duplicate of real and public utility property for that Parcel and ending on the earlier of (a) thirty (30) years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Statutes. The real property tax exemption granted pursuant to this Section and the payment obligation established pursuant to Section 2 are subject and subordinate to any real property tax exemption granted pursuant to Sections 3735.65 to 3735.70 or Sections 5709.61 to 5709.69 of the Ohio Revised Code.

**Section 2.** Service Payments and Property Tax Rollback Payments. Pursuant to Section 5709.42 of the Ohio Revised Code, this Council hereby directs and requires the Owner of each Parcel to make annual service payments in lieu of taxes with respect to the Improvement allocable thereto to the Treasurer of Licking County, Ohio (the "*County Treasurer*") on or before the final dates for payment of real property taxes. The service payment in lieu of taxes for each Parcel, including any penalties and

interest at the then current rate established under Sections 323.121(B)(1) and 5703.47 of the Ohio Revised Code, as the same may be amended or supplemented from time to time, or any other applicable provisions of the Ohio Revised Code (collectively, the "*Service Payments*"), shall be charged to each Parcel and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement to that Parcel if it were not exempt from taxation pursuant to Section 1 of this Ordinance, all in accordance with Section 5709.42 of the Ohio Revised Code. The Service Payments, and any other payments with respect to the Improvement that are received by the County Treasurer in connection with the reduction required by Sections 319.302, 321.24, 323.152 and 323.156 of the Ohio Revised Code, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time, or any other applicable provisions of the Ohio Revised Code (collectively, the "*Property Tax Rollback Payments*"), shall be allocated and distributed in accordance with Section 4 of this Ordinance.

**Section 3. Tax Increment Equivalent Fund.** This Council previously established, pursuant to and in accordance with the provisions of Section 5709.43 of the Ohio Revised Code, the Oak Grove II Public Tax Increment Equivalent Fund (the "*Fund*") to be maintained in the custody of the City and receive all distributions to be made to the City pursuant to Section 4 of this Ordinance. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement to each Parcel and so deposited pursuant to Section 5709.42 of the Ohio Revised Code shall be used solely for the purposes authorized in the TIF Statutes and this Ordinance, as the same may be amended from time to time. The Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the Fund shall be dissolved and any incidental surplus funds remaining therein transferred to the City's General Fund, all in accordance with Section 5709.43 of the Ohio Revised Code.

**Section 4. Distribution of Funds.** Pursuant to the TIF Statutes, the County Treasurer is hereby requested and directed to distribute the Service Payments and Property Tax Rollback Payments as follows:

(i) to each School District, an amount equal to the amount the School District would otherwise have received as real property tax payments (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvement to each Parcel if the Improvement had not been exempt from taxation pursuant to this Ordinance; and

(ii) to the City, all remaining amounts for further deposit into the Fund for payment of costs of the Public Infrastructure Improvements upon appropriation for that purpose by this Council. If so appropriated, such costs may but shall not be required to include, without limitation, all debt service payable on debt issued by the City or The New Albany Community Authority or The New Albany East Community Authority (each an "*Authority*") to pay for Public Infrastructure Improvements, all amounts owed to any fund of the City or an Authority to reimburse that fund for the costs of any Public Infrastructure Improvements previously paid from that fund, including interest payable on those amounts, and all amounts owed by the City or an Authority to any third party for the construction of Public Infrastructure Improvements, including interest payable on those amounts.

**Section 5. Public Infrastructure Improvements.** This Council hereby designates the Public Infrastructure Improvements described in Exhibit B attached hereto, and any other public infrastructure improvements hereafter designated by ordinance, as public infrastructure

improvements made, to be made or in the process of being made by the City that directly benefit, or that once made will directly benefit, the Parcels.

**Section 6.** Tax Increment Financing Agreement. The form of TIF Agreement presently on file with the Fiscal Officer is hereby approved and authorized with changes therein and amendments thereto not inconsistent with this Ordinance and not substantially adverse to the City and which shall be approved by the City Manager. The City Manager, for and in the name of the City, is hereby authorized to execute and deliver one or more TIF Agreements with one or more owners of a Parcel or Parcels in substantially that form along with any changes therein and amendments thereto, provided that the approval of such changes and amendments by the City Manager, and the character of those changes and amendments as not being substantially adverse to the City or inconsistent with this Ordinance, shall be evidenced conclusively by the City Manager's execution thereof.

**Section 7.** Further Authorizations. This Council hereby authorizes and directs the city manager, the director of law, the director of finance or other appropriate officers of the City to make such arrangements as are necessary and proper for collection of the Service Payments from the Owners, including the preparation and filing of any necessary exemption applications. This Council further hereby authorizes and directs the city manager, the director of law, the director of finance or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance.

**Section 8.** Filings with Ohio Department of Development. Pursuant to Section 5709.40(I) of the Ohio Revised Code, the City Manager or other appropriate officer of the City is hereby directed to deliver a copy of this Ordinance to the Director of Development of the State of Ohio within fifteen (15) days after its adoption. Further, on or before March 31 of each year that the exemption set forth in Section 1 of this Ordinance remains in effect, the City Manager or other appropriate officer of the City shall prepare and submit to the Director of Development of the State of Ohio the status report required under Section 5709.40(I) of the Ohio Revised Code.

**Section 9.** Tax Incentive Review Council. This Council hereby designates the Tax Incentive Review Council created pursuant to Resolution No. R-46-2009 as the tax incentive review council responsible for reviewing annually all exemptions from taxation resulting from the declarations set forth in this Ordinance and any other such matters as may properly come before that council, all in accordance with Section 5709.85 of the Ohio Revised Code.

**Section 10.** Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including Section 121.22 of the Ohio Revised Code.

**Section 11.** Effective Date. Pursuant to Article 6.07(b) of the New Albany Charter, this Ordinance shall become effective thirty (30) days after adoption.

CERTIFIED AS ADOPTED this 5 day of June, 2022.

Attest:



Sloan T. Spalding  
Mayor



Jennifer H. Mason  
Clerk of Council

**Approved as to form:**



Benjamin S. Albrecht  
Law Director

**Legislation dates:**

Prepared: 06/09/2022

Introduced: 06/21/2022

Revised:

Adopted: 07/05/2022

Effective: 08/04/2022

## **EXHIBIT A**

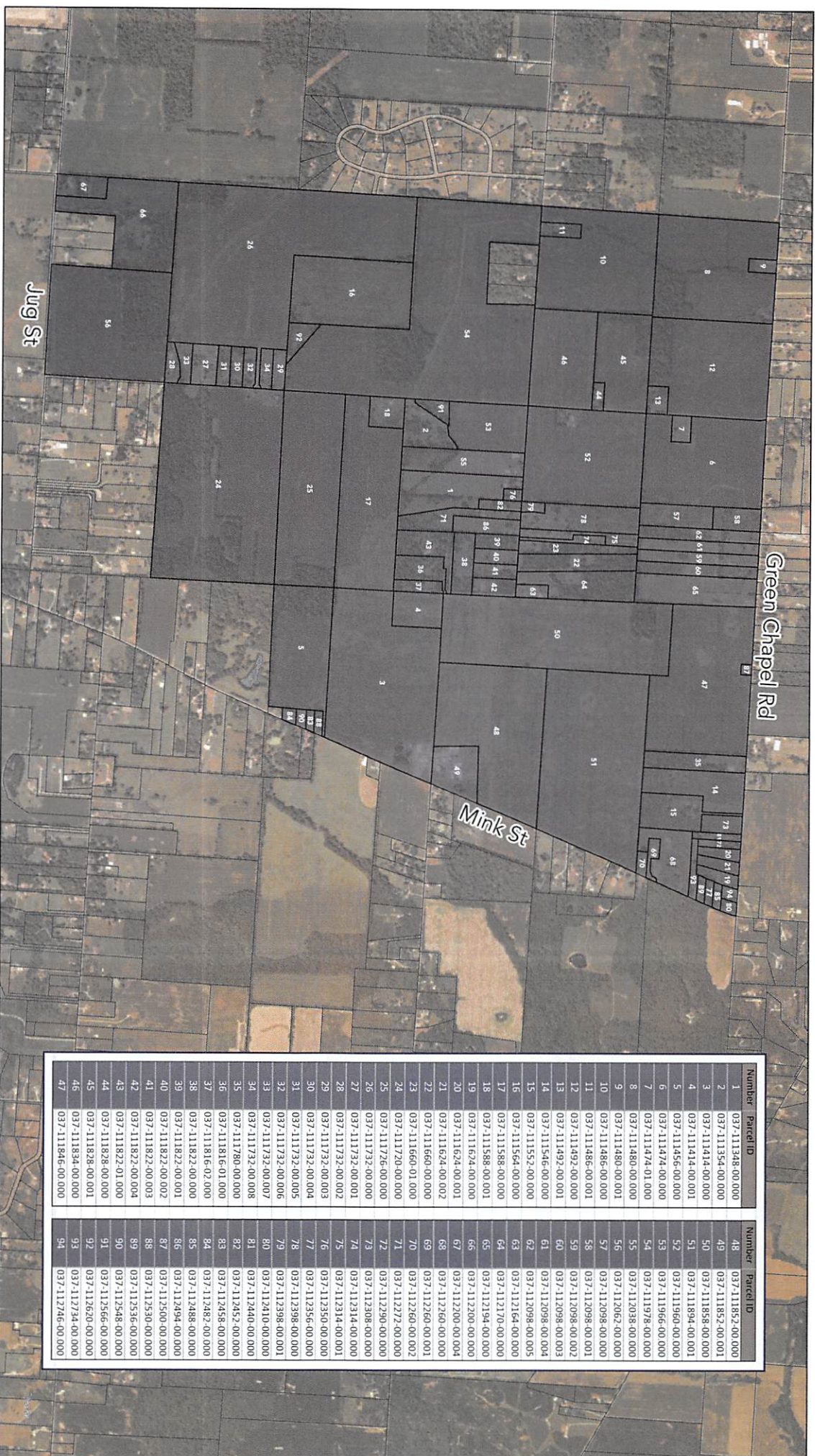
### **PARCEL MAP**

The colored areas on the attached map specifically identify and depict the Parcels and constitutes part of this Exhibit A.

Exhibit A - O-19-2022  
Oak Grove II TIF • Mink St and Green Chapel Rd District

0 0.25 0.5 Miles

TIF Expansion  
Parcel



Number	Parcel ID	Number	Parcel ID
1	037-11348-00-000	48	037-11182-00-000
2	037-11154-00-000	49	037-11154-00-000
3	037-11414-00-000	50	037-11182-00-000
4	037-11414-00-001	51	037-11184-00-001
5	037-11456-00-000	52	037-11456-00-000
6	037-11474-00-000	53	037-11966-00-000
7	037-11474-01-000	54	037-111978-00-000
8	037-11480-00-000	55	037-112038-00-000
9	037-11480-00-001	56	037-112067-00-000
10	037-11486-00-000	57	037-112098-00-000
11	037-11486-00-001	58	037-112098-00-001
12	037-11492-00-000	59	037-112098-00-002
13	037-11492-00-001	60	037-112098-00-003
14	037-11546-00-000	61	037-112098-00-004
15	037-11552-00-000	62	037-112098-00-005
16	037-11564-00-000	63	037-112164-00-000
17	037-11588-00-000	64	037-112170-00-000
18	037-11588-00-001	65	037-112194-00-000
19	037-11624-00-000	66	037-112200-00-000
20	037-11624-00-001	67	037-112200-00-004
21	037-11624-00-002	68	037-112260-00-000
22	037-11660-00-000	69	037-112260-00-001
23	037-11660-01-000	70	037-112260-00-002
24	037-11720-00-000	71	037-112272-00-000
25	037-11726-00-000	72	037-112290-00-000
26	037-11732-00-000	73	037-112308-00-000
27	037-11732-00-001	74	037-112314-00-000
28	037-11732-00-002	75	037-112314-00-001
29	037-11732-00-003	76	037-112350-00-000
30	037-11732-00-004	77	037-112356-00-000
31	037-11732-00-005	78	037-112398-00-000
32	037-11732-00-006	79	037-112398-00-001
33	037-11732-00-007	80	037-112410-00-000
34	037-11732-00-008	81	037-112460-00-000
35	037-11780-00-000	82	037-112462-00-000
36	037-11816-01-000	83	037-112458-00-000
37	037-11816-02-000	84	037-112482-00-000
38	037-11822-00-000	85	037-112488-00-000
39	037-11822-00-001	86	037-112494-00-000
40	037-11822-00-002	87	037-112500-00-000
41	037-11822-00-003	88	037-112530-00-000
42	037-11822-00-004	89	037-112536-00-000
43	037-11822-01-000	90	037-112548-00-000
44	037-11828-00-000	91	037-112566-00-000
45	037-11828-00-001	92	037-112620-00-000
46	037-11834-00-000	93	037-112734-00-000
47	037-11846-00-000	94	037-112746-00-000

## **EXHIBIT B**

### **PUBLIC INFRASTRUCTURE IMPROVEMENTS**

The Public Infrastructure Improvements include the construction of the following improvements that will directly benefit the Parcels and all related costs of permanent improvements (including, but not limited to, those costs listed in Section 133.15(B) of the Ohio Revised Code), along with any other improvements subsequently designated by Village Council:

- public roads and highways (including street realignments);
- water and sewer lines;
- leisure trails and connections;
- parks and public facilities;
- environmental remediation projects;
- stormwater and flood remediation projects, including such projects on private property when determined to be necessary for public health, safety and welfare;
- gas, electric and communications services facilities, including fiber optics;
- land acquisition, including acquisition in aid of industry, commerce, distribution, or research;
- demolition, including demolition on private property when determined to be necessary for economic development purposes;
- landscaping and signage, including brick retaining walls at roadway intersections; including in each case, design and other related costs (including traffic studies); any rights-of-way or real estate acquisition; curbs and gutters, medians, sidewalks, bikeways, and landscaping (including scenic fencing and irrigation); traffic signs and signalization (including overhead street signage); street lighting and signs; burial of utility lines (including fiber optics); erosion and sediment control measures; grading, drainage and other related work; survey work, soil engineering, inspection fees and construction staking; and all other costs and improvements necessary and appurtenant thereto.



**ORDINANCE O-20-2022**

**AN ORDINANCE TO ADOPT A TAX BUDGET FOR THE CITY OF NEW ALBANY, OHIO FOR FISCAL YEAR ENDING DECEMBER 31, 2023**

**WHEREAS**, the City of New Albany is required under Ohio Revised Code (ORC) 5705.30 to prepare and submit a tax budget for fiscal year 2023 to the County Budget Commission on or before July 15, 2022; and

**WHEREAS**, a tentative budget for the City of New Albany for the fiscal year 2023 has been presented to council at a hearing held thereon as required by law.

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

**Section 1.** The tax budget for the City of New Albany, Ohio for the Year 2023 is hereby adopted, a copy of which is attached as Schedule A and is incorporated into this ordinance as if fully rewritten herein.


**Section 2.** It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation 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 Section 121 of the Ohio Revised Code.

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

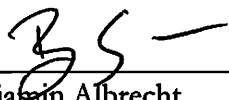
**CERTIFIED AS ADOPTED** this 5 day of June, 2022.

**Attest:**

  
Sloan T. Spalding  
Mayor

  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

  
\_\_\_\_\_  
Benjamin Albrecht  
Law Director

**Legislation dates:**

Prepared: 06/07/2022

Introduced: 06/14/2022

Revised:

Adopted: 07/05/2022

Effective: 08/04/2022

CITY OF NEW ALBANY  
FRANKLIN COUNTY, OHIO  
99 W. MAIN STREET, PO BOX 188  
NEW ALBANY, OHIO 43054

Schedule A - O-20-2022

FAILURE TO COMPLY WITH SEC. 5705.28 R.C. SHALL RESULT  
IN LOSS OF LOCAL GOVERNMENT FUND ALLOCATION.

To the Franklin County Auditor:

The following Budget year beginning January 1, 2023 has been adopted by Council and  
is herewith submitted for consideration of the County Budget Commission.

Bethany Staats, CPA, Director of Finance  
July 5, 2022

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

For Municipal Use		For Budget Commission Use		For County Auditor Use	
FUND CATEGORY/TYPE (which are requesting general property tax revenue)	BUDGET YEAR AMOUNT REQUESTED OF BUDGET COMMISSION INSIDE/OUTSIDE	BUDGET YEAR AMOUNT APPROVED BY BUDGET COMMISSION INSIDE 10 MILL LIMINATION	BUDGET YEAR TO BE DERIVED FROM LEVIES OUTSIDE 10 MILL LIMITATION	COUNTY AUDITOR'S ESTIMATE OF TAX RATE TO BE LEVIED	
				INSIDE 10 MILL LIMIT BUDGET YEAR	OUTSIDE 10 MILL LIMIT BUDGET YEAR
	Column 1	Column 2	Column 3	Column 4	Column 5
<b><u>GOVERNMENTAL FUNDS</u></b>					
General Fund	\$ 1,388,686				
<b><u>SPECIAL REVENUE FUNDS</u></b>					
No Special Revenue Funds	\$0				
<b><u>PROPRIETARY FUNDS</u></b>					
No Proprietary Funds	\$0				
<b><u>FIDUCIARY FUNDS</u></b>					
No Fiduciary Funds	\$0				
<b>TOTAL ALL FUNDS</b>	<b>\$1,388,686</b>				

SCHEDULE A

FUND NAME: GENERAL FUND (101)FUND TYPE/CLASSIFICATION: GOVERNMENTAL - GENERAL

This Exhibit is to be used for General Fund Only.

DESCRIPTION (1)	2020 ACTUAL (2)	2021 ACTUAL (3)	CURRENT YEAR ESTIMATED 2022 (4)	NEXT YEAR ESTIMATED 2023 (5)
<b>REVENUES</b>				
<b>Local Taxes</b>				
General Property Tax - Real Estate	\$ 1,251,973	\$ 1,338,387	\$ 1,388,686	\$ 1,388,686
Tangible Personal Property Tax	-	-	-	-
Municipal Income Tax	21,965,716	27,390,466	24,579,294	23,841,915
Other Local Taxes	236,594	279,607	313,094	316,225
<b>Total Local Taxes</b>	<b>\$ 23,454,283</b>	<b>\$ 29,008,460</b>	<b>\$ 26,281,074</b>	<b>\$ 25,546,826</b>
<b>Intergovernmental Revenues</b>				
<i>State Shared Taxes and Permits</i>				
Local Government	\$ 73,637	\$ 135,544	\$ 111,633	\$ 109,400
Kilowatt Hour Tax	-	-	-	-
Estate Tax	-	-	-	-
Cigarette Tax	92	142	200	202
Liquor and Beer Permits	14,393	11,525	15,000	15,150
Property Tax Allocation	126,563	138,902	140,684	140,684
Other State Shared Taxes and Permits	-	-	-	-
<i>Total State Shared Taxes and Permits</i>	<b>\$ 214,685</b>	<b>\$ 286,114</b>	<b>\$ 267,517</b>	<b>\$ 265,436</b>
<i>Grants or Other Aid:</i>				
Federal Grants or Aid	\$ -	\$ -	\$ -	\$ -
State Grants or Aid	3,272	-	-	-
Other Grants or Aid	44,201	53,955	50,107	50,608
<i>Total Grants or Other Aid</i>	<b>47,474</b>	<b>53,955</b>	<b>50,107</b>	<b>50,608</b>
<b>Total Intergovernmental Revenues</b>	<b>\$ 262,159</b>	<b>\$ 340,068</b>	<b>\$ 317,623</b>	<b>\$ 316,044</b>
<b>Service Charges, Permits &amp; Misc Revenues</b>				
Investment Earnings	\$ 522,457	\$ 253,024	\$ 166,136	\$ 167,797
Charges for Services	148,189	295,299	383,719	387,556
Fines, Licenses, and Permits	780,398	1,132,329	918,842	928,031
Miscellaneous	1,721,216	883,636	567,405	573,080
<b>Total Svc Charges, Permits &amp; Misc Revenues</b>	<b>\$ 3,172,260</b>	<b>\$ 2,564,288</b>	<b>\$ 2,036,102</b>	<b>\$ 2,056,463</b>
<b>Other Financing Sources:</b>				
Proceeds from Sale of Assets	\$ 13,807	\$ 25,752	\$ 25,000	\$ 25,250
Transfers	-	-	-	-
Advances	275,000	85,597	227,000	-
Other Sources	-	-	-	-
<b>Total Other Financing Sources</b>	<b>\$ 288,807</b>	<b>\$ 111,349</b>	<b>\$ 252,000</b>	<b>\$ 25,250</b>
<b>TOTAL REVENUE</b>	<b>\$ 27,177,508</b>	<b>\$ 32,024,165</b>	<b>\$ 28,886,800</b>	<b>\$ 27,944,583</b>

## CITY OF NEW ALBANY, OHIO

## EXHIBIT I

FUND NAME: GENERAL FUND (101)

This Exhibit is to be used for General Fund Only.

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - GENERAL

DESCRIPTION (1)	2020 ACTUAL (2)	2021 ACTUAL (3)	CURRENT YEAR ESTIMATED 2022 (4)	NEXT YEAR ESTIMATED 2023 (5)
<b>EXPENDITURES</b>				
<b><u>Police (1000)</u></b>				
Salary & Related	\$ 4,756,694	\$ 5,221,494	\$ 6,476,621	\$ 6,703,303
Operating & Contractual Services	204,853	293,335	645,585	668,180
Capital Outlay	-	-	-	-
<b>Total Police</b>	<b>\$ 4,961,547</b>	<b>\$ 5,514,829</b>	<b>\$ 7,122,206</b>	<b>\$ 7,371,483</b>
<b><u>Land &amp; Building Maintenance (6000)</u></b>				
Salary & Related	\$ 67,458	\$ 68,907	\$ 116,160	\$ 120,226
Operating & Contractual Services	1,275,932	1,224,499	1,753,550	1,814,924
Capital Outlay	23,456	-	-	-
<b>Total Parks &amp; Lands</b>	<b>\$ 1,366,845</b>	<b>\$ 1,293,406</b>	<b>\$ 1,869,710</b>	<b>\$ 1,935,150</b>
<b><u>Community Development (4000)</u></b>				
Salary & Related	\$ 1,742,933	\$ 1,665,069	\$ 2,450,150	\$ 2,535,905
Operating & Contractual Services	1,308,561	1,059,658	1,834,950	1,899,173
Capital Outlay	-	-	-	-
<b>Total Community Development</b>	<b>\$ 3,051,494</b>	<b>\$ 2,724,727</b>	<b>\$ 4,285,100</b>	<b>\$ 4,435,079</b>
<b><u>Public Service (5000)</u></b>				
Salary & Related	\$ 2,916,469	\$ 3,437,854	\$ 4,704,390	\$ 4,869,044
Operating & Contractual Services	717,348	873,638	1,170,500	1,211,468
Capital Outlay	-	-	-	-
<b>Total Public Service</b>	<b>\$ 3,633,817</b>	<b>\$ 4,311,491</b>	<b>\$ 5,874,890</b>	<b>\$ 6,080,511</b>
<b><u>General Government (7000)</u></b>				
Salary & Related	\$ 2,318,382	\$ 2,483,409	\$ 3,266,003	\$ 3,380,313
Operating & Contractual Services	2,756,427	2,894,211	4,233,235	4,381,398
Capital Outlay	45,516	-	-	-
<b>Total General Government</b>	<b>\$ 5,120,324</b>	<b>\$ 5,377,620</b>	<b>\$ 7,499,238</b>	<b>\$ 7,761,711</b>
<b><u>Debt Service from General Fund (8000)</u></b>				
Redemption of Principal	\$ -	\$ -	\$ -	\$ -
Interest	-	-	-	-
Other Debt Service	-	-	-	-
<b>Total Debt Service</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b><u>Other Uses of Funds (9000)</u></b>				
Transfers (to all funds; including Capital)	\$ 2,868,185	\$ 14,071,677	\$ 5,646,807	\$ 2,090,147
Advances	-	-	-	-
Contingencies	-	-	-	-
Other Uses of Funds	-	-	-	-
<b>Total Other Uses of Funds</b>	<b>\$ 2,868,185</b>	<b>\$ 14,071,677</b>	<b>\$ 5,646,807</b>	<b>\$ 2,090,147</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 21,002,212</b>	<b>\$ 33,293,750</b>	<b>\$ 32,297,951</b>	<b>\$ 29,674,081</b>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ 6,175,297</b>	<b>\$ (1,269,585)</b>	<b>\$ (3,411,151)</b>	<b>\$ (1,729,498)</b>
<b>Beginning Fund Balance</b>	<b>\$ 21,351,331</b>	<b>\$ 27,526,628</b>	<b>\$ 26,257,043</b>	<b>\$ 22,845,891</b>
<b>Ending Cash Fund Balance</b>	<b>\$ 27,526,628</b>	<b>\$ 26,257,043</b>	<b>\$ 22,845,891</b>	<b>\$ 21,116,393</b>
<b>Est/Actual Encumbrances (at end of year)</b>	<b>\$ 1,434,850</b>	<b>\$ 1,588,894</b>	<b>\$ 1,620,672</b>	<b>\$ 1,653,085</b>
<b>Est/Actual Unencumbered (at end of year)</b>	<b>\$ 26,091,778</b>	<b>\$ 24,668,149</b>	<b>\$ 21,225,220</b>	<b>\$ 19,463,308</b>

## CITY OF NEW ALBANY, OHIO

**EXHIBIT II**

FUND NAME:

FUND TYPE/CLASSIFICATION: GOVERNMENTAL - SPECIAL REVENUE

This Exhibit to be used for any fund  
receiving property tax revenue except  
for General Fund.

DESCRIPTION (1)	2020 ACTUAL (2)	2021 ACTUAL (3)	CURRENT YEAR ESTIMATED 2022 (4)	NEXT YEAR ESTIMATED 2023 (5)
<b>REVENUES</b>				
<u>Local Taxes</u>				
General Property Tax - TIF/PILOT	\$ -	\$ -	\$ -	\$ -
Property Tax Allocation	-	-	-	-
<b>Total Local Taxes</b>	\$ -	\$ -	\$ -	\$ -
<u>Intergovernmental Revenues</u>				
State Shared Taxes and Permits	\$ -	\$ -	\$ -	\$ -
<b>Total Intergovernmental Revenues</b>	\$ -	\$ -	\$ -	\$ -
<u>Miscellaneous</u>				
Investment Earnings	\$ -	\$ -	\$ -	\$ -
<u>Other Financing Sources:</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Advances	-	-	-	-
Other Sources	-	-	-	-
<b>TOTAL REVENUE</b>	\$ -	\$ -	\$ -	\$ -
<b>EXPENDITURES</b>				
<u>General Government</u>				
Auditor and Treasurer Fees	\$ -	\$ -	\$ -	\$ -
Operating & Contractual Services	-	-	-	-
<b>Total General Government</b>	\$ -	\$ -	\$ -	\$ -
<u>Public Service</u>				
Operating & Contractual Services	\$ -	\$ -	\$ -	\$ -
Capital Outlay	-	-	-	-
<b>Total Public Service</b>	\$ -	\$ -	\$ -	\$ -
<u>Other Uses of Funds</u>				
Transfers	\$ -	\$ -	\$ -	\$ -
Other Uses	-	-	-	-
<b>TOTAL EXPENDITURES</b>	\$ -	\$ -	\$ -	\$ -
<b>Revenues Over (Under) Expenditures</b>	\$ -	\$ -	\$ -	\$ -
<b>Beginning Fund Balance</b>	\$ -	\$ -	\$ -	\$ -
<b>Ending Fund Balance</b>	\$ -	\$ -	\$ -	\$ -
<b>Est/Actual Encumbrances (at end of year)</b>	\$ -	\$ -	\$ -	\$ -
<b>Est/Actual Unencumbered (at end of year)</b>	\$ -	\$ -	\$ -	\$ -

CITY OF NEW ALBANY, OHIO  
FISCAL YEAR 2023 TAX BUDGET  
PROJECTED FUND BALANCES

EXHIBIT III

FUND CATEGORY/TYPE	ESTIMATED UNENCUMBERED BAL 1/1/23	ESTIMATED 2023 REVENUE	TOTAL AVAIL FOR EXPENDITURE	EST 2023 EXPENSES /ENC	ESTIMATED UNENC BAL 12/31/2023
<b>GOVERNMENTAL:</b>					
<b>GENERAL</b>					
101 - General	22,845,891	27,944,583	50,790,475	31,327,166	19,463,308
906 - Unclaimed Funds	2,940	-	2,940	-	2,940
<b>TOTAL GENERAL FUNDS</b>	<b>\$ 22,848,831</b>	<b>\$ 27,944,583</b>	<b>\$ 50,793,414</b>	<b>\$ 31,327,166</b>	<b>\$ 19,466,248</b>
<b>SPECIAL REVENUE:</b>					
201 - Street Construction, Maint & Repair	601,595	674,650	1,276,245	459,650	816,595
202 - State Highway	153,404	48,410	201,814	40,000	161,814
203 - Permissive Tax	204,128	73,130	277,258	66,950	210,308
210 - Alcohol Education	16,766	1,030	17,796	1,030	16,766
211 - Drug Use Prevention	73,463	20,600	94,063	20,600	73,463
213 - Law Enforcement & Ed	7,155	1,000	8,155	1,000	7,155
216 - K9 Fund	4,967	20,190	25,157	19,190	5,967
217 - Safety Town	124,319	56,650	180,969	44,728	136,241
218 - DUI Grant	14,701	10,300	25,001	10,300	14,701
219 - Law Enforcement Assistance	7,820	-	7,820	-	7,820
221 - Economic Development NAECA	-	2,199,945	2,199,945	2,199,945	-
222 - Economic Development NACA	1,317,219	3,500,000	4,817,219	3,500,000	1,317,219
223 - Oak Grove EOZ	0	3,685,773	3,685,773	3,685,773	0
224 - Central College EOZ	0	1,922,650	1,922,650	1,922,650	0
225 - Oak Grove II EOZ	(0)	1,481,106	1,481,106	1,481,106	(0)
226 - Blacklick EOZ	(0)	4,105,823	4,105,823	4,105,823	(0)
228 - Subdivision Development	644,032	500,000	1,144,032	700,000	444,032
229 - Builders Escrow	827,405	500,000	1,327,405	600,000	727,405
230 - Wentworth Crossing TIF	753,602	353,500	1,107,102	283,600	823,502
231 - Hawksmoor TIF	366,541	174,730	541,271	166,991	374,280
232 - Enclave TIF	50,979	63,630	114,609	82,145	32,464
233 - Saunton TIF	238,796	143,420	382,216	170,985	211,231
234 - Richmond Square TIF	182,555	188,870	371,425	170,687	200,738
235 - Tidewater I TIF	314,845	354,510	669,355	426,175	243,180
236 - Ealy Crossing TIF	172,037	353,500	525,537	427,720	97,817
237 - Upper Clarenton TIF	1,186,309	540,350	1,726,659	425,775	1,300,884
238 - Balfour Green TIF	91,683	27,270	118,953	28,975	89,978
239 - Straits Farm TIF	1,336	309,060	310,396	309,060	1,336
240 - Oxford TIF	78	113,300	113,378	113,300	78
241 - Schleppi Residential TIF	1,476	226,600	228,076	226,600	1,476
250 - Blacklick TIF	1,900,678	1,919,000	3,819,678	1,322,005	2,497,673
251 - Blacklick II TIF	241,544	43,430	284,974	515	284,459
252 - Village Center TIF	79,459	1,005,960	1,085,419	1,053,450	31,969
253 - Research Tech District TIF	1,742,217	297,950	2,040,167	5,150	2,035,017
254 - Oak Grove II TIF	3,436,112	1,717,000	5,153,112	27,775	5,125,337
255 - Schleppi Commercial TIF	15,001	-	15,001	-	15,001
258 - Windsor TIF	5,709,475	3,030,000	8,739,475	1,534,555	7,204,920
259 - Village Center II TIF	-	449,450	449,450	449,450	-
271 - Local Coronavirus Relief	(0)	-	(0)	-	(0)
272 - Local Fiscal Recovery	454,599	-	454,599	-	454,599
280 - Hotel Excise Tax	-	92,700	92,700	92,700	-
281 - Healthy New Albany Facilities	497,564	959,500	1,457,064	1,025,395	431,669
282 - Hinson Amphitheater	64,672	32,500	97,172	62,500	34,672
290 - Alcohol Indigent	12,016	1,000	13,016	-	13,016
291 - Mayors Court Computer	9,941	4,120	14,061	1,000	13,061
292 - Court Special Projects	728	1,000	1,728	1,000	728
293 - Clerk's Court Computer	460	1,000	1,460	1,000	460
299 - Severance Liability Fund	1,069,518	200,000	1,269,518	200,000	1,069,518
<b>TOTAL SPECIAL REVENUE FUNDS</b>	<b>\$ 22,591,195</b>	<b>\$ 31,404,607</b>	<b>\$ 53,995,802</b>	<b>\$ 27,467,253</b>	<b>\$ 26,528,549</b>
<b>DEBT SERVICE FUNDS:</b>					
301 - Debt Service	674,384	6,624,515	7,298,899	6,624,514	674,385
<b>TOTAL DEBT SERVICE</b>	<b>\$ 674,384</b>	<b>\$ 6,624,515</b>	<b>\$ 7,298,899</b>	<b>\$ 6,624,514</b>	<b>\$ 674,385</b>
<b>CAPITAL PROJECT FUNDS:</b>					
401 - Capital Improvements	1,278,106	3,632,345	4,910,451	4,910,451	-
403 - Bond Improvements	305,732	-	305,732	305,732	-
404 - Park Improvements	303,975	1,331,799	1,635,774	1,635,774	-
405 - Water & Sanitary Improvements	4,444,956	489,250	4,934,206	4,934,206	-
410 - Infrastructure Replacement	10,771,452	31,930	10,803,382	10,803,382	-
411 - Leisure Trail Improvements	89,045	25,750	114,795	114,795	-
415 - Capital Equip Replacement	4,264,652	1,237,650	5,502,302	5,502,302	-
422 - Oak Grove II Infrastructure	1,849,287	1,751,531	3,600,818	3,600,818	-
422 - Economic Development Capital Improvement	1,435,475	500,000	1,935,475	1,935,475	-
<b>TOTAL CAPITAL PROJECT FUNDS</b>	<b>\$ 24,742,680</b>	<b>\$ 9,000,255</b>	<b>\$ 33,742,935</b>	<b>\$ 33,742,935</b>	<b>\$ -</b>
<b>TOTAL (MEMORANDUM ONLY)</b>	<b>\$ 70,857,090</b>	<b>\$ 74,973,960</b>	<b>\$ 145,831,051</b>	<b>\$ 99,161,869</b>	<b>\$ 46,669,182</b>

**EXHIBIT IV**

**CITY OF NEW ALBANY, OHIO**

**FISCAL YEAR 2023 TAX BUDGET**

**STATEMENT OF AMOUNTS REQUIRED FOR PAYMENT OF FINAL JUDGEMENTS**

Description of Judgement	Amount of Judgement	Fund Paying Judgement
NONE	NONE	NONE
TOTAL	\$0	

List the amounts required for the payment of each judgement expected to be paid during the year being budgeted.

CITY OF NEW ALBANY, OHIO  
FISCAL YEAR 2023 TAX BUDGET  
SCHEDULE OF OUTSTANDING DEBT

**EXHIBIT V**

PURPOSE OF BONDS AND NOTES	Authority for Levy Outside 10 mill Limit *	Date of Issue	Due Date	Ordinance or Resolution	Serial or Term	Rate of Interest	Amounts of Bonds and Notes Outstanding beginning of year 01/01/23	BUDGET YEAR		FY 2023
								Amount Required for Principal and Interest 1/1/23 to 12/31/23	Amt Receivable from Outside Sources to Meet Debt Payments	Amount Required for Principal and Interest 1/1/23 to 12/31/23
<b>Payable from Debt Service:</b>										
<b><u>INSIDE 10 MILL LIMIT:</u></b>										
2022 Refunding - 2012 Various Purpose Refunding Ltd Tax GO Bonds	NA	5/25/2022	12/1/2029	O-14-2022	Serial	2.68%	\$3,650,000	\$577,820	\$0	\$577,820
Capital Facilities Bonds, Series 2018	NA	7/11/2018	12/1/2037	O-08-2018	Serial	1.52% - 3.24%	\$13,950,000	\$1,301,125	\$0	\$1,301,125
Cap Impr Bonds - Public Facs, Taxable Refunding, Series 2016	NA	11/23/2016	12/1/2027	O-35-2016	Serial	2.39% - 2.50%	\$3,265,000	\$690,034	\$0	\$690,034
Capital Facilities Ltd. Tax GO Bonds, Series 2014	NA	12/1/2014	12/1/2030		Serial	0.85% - 4.00%	\$3,425,000	\$556,100	\$0	\$556,100
<b>TOTAL</b>							<b>\$24,290,000</b>	<b>\$3,125,079</b>	<b>\$0</b>	<b>\$3,125,079</b>
<b><u>OUTSIDE 10 MILL LIMIT:</u></b>										
None	-	-	-	-	-	-	\$0	\$0	\$0	\$0
<b>TOTAL</b>							<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\* If the Levy is outside the 10 mill limit by vote enter the words "by vote" and the date of the election. If outside the 10 mill limit without a vote, enter the reference to the statute under which the levy is exempt from the 10 mill limit.

## CITY OF NEW ALBANY, OHIO

## OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

The Budget Commission of Franklin County, Ohio, hereby makes the following Official Certificate of Estimated Resources for the City of New Albany for the BUDGET YEAR beginning January 1<sup>st</sup>, 2023.

FUND	Estimated Unenc Bal as of 1/1/2023	Real Estate Property Tax	Personal Property Tax	Local Government Funds	Rollback, Homestead and Personal Prop Tax Exemption	Other Sources	Total
<b><u>GOVERNMENTAL FUNDS</u></b>	<b>\$ 70,857,090</b>	<b>\$ 1,388,686</b>	<b>\$ -</b>	<b>\$ 109,400</b>	<b>\$ 140,684</b>	<b>\$ 73,335,191</b>	<b>\$ 145,831,051</b>
General Fund	22,845,891	1,388,686	-	109,400	140,684	26,305,813	50,790,475
Unclaimed Funds	2,940	-	-	-	-	-	2,940
Special Revenue Funds	22,591,195	-	-	-	-	31,404,607	53,995,802
Debt Service Funds	674,384	-	-	-	-	6,624,515	7,298,899
Capital Project Funds	24,742,680	-	-	-	-	9,000,255	33,742,935
<b><u>PROPRIETARY FUNDS</u></b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Enterprise Funds	-	-	-	-	-	-	-
Internal Service Funds	-	-	-	-	-	-	-
<b><u>FIDUCIARY FUNDS</u></b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
Trust and Agency Funds	-	-	-	-	-	-	-
<b>TOTAL ALL FUNDS</b>	<b>\$ 70,857,090</b>	<b>\$ 1,388,686</b>	<b>\$ -</b>	<b>\$ 109,400</b>	<b>\$ 140,684</b>	<b>\$ 73,335,191</b>	<b>\$ 145,831,051</b>

The Budget Commission further certifies that its action on the foregoing budget and the County Auditor's Estimate of the rate of each tax necessary to be levied within and outside the 10 mill limitation is set forth in the proper columns of the preceding pages and the total amount approved for each fund must govern the amount of appropriation from such fund.

DATE \_\_\_\_\_, 2022

Budget  
Commission



**ORDINANCE O-21-2022**

**APPROPRIATION AMENDMENT ORDINANCE**

**AN ORDINANCE TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022**

**WHEREAS**, in December 2021, the 2022 Annual Budget Program and the related permanent appropriations were adopted by council; and

**WHEREAS**, it is necessary to make adjustments to the 2022 appropriations to ensure compliance with budgetary requirements and reflect proposed and actual spending; and

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

**Section 1.** City Council hereby authorizes an appropriation of the unappropriated balance of the following funds:

Fund	Department	Category	Increase/ (Decrease)
101 - General	Police	Operating and Contractual Services	\$ 47,000
101 - General	Community Development	Operating and Contractual Services	83,500
101 - General	Administrative Services	Operating and Contractual Services	88,100
101 - General	Public Service	Operating and Contractual Services	50,000
101 - General	Land & Building Maintenance	Operating and Contractual Services	77,500
101 - General	General Administration	Operating and Contractual Services	100,000
101 - General	Finance	Operating and Contractual Services	150,000
404 - Park Improvement	Finance	Operating and Contractual Services	150,000
415 - Capital Equipment Replacement	N/A	Capital	150,000
422 - Economic Development Capital	N/A	Capital	650,000
		<b>Total Appropriation Amendments</b>	<b>\$ 1,546,100</b>

**Section 2.** City Council hereby authorizes Budget Transfers as follows:

Fund	Department	Category	Increase/ (Decrease)
101 - General	Land & Building Maintenance	Operating and Contractual Services	\$ 53,000
101 - General	General Administration	Operating and Contractual Services	(53,000)
222 - Economic Development - NACA	Community Development	Operating and Contractual Services	600,000
422 - Economic Development Capital	N/A	Capital	(600,000)
		<b>Net Change related to Transfers</b>	<b>-</b>


**Section 3.** It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation 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 121.22 of the Ohio Revised Code.

**Section 4.** Pursuant to Article VI, Section 6.07(B) 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 5 day of June, 2022.

**Attest:**

  
Sloan T. Spalding  
Mayor

  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

  
Benjamin Albrecht  
Law Director

**Legislation dates:**

Prepared:	06/13/2022
Introduced:	06/21/2022
Revised:	
Adopted:	07/05/2022
Effective:	07/05/2022



## **RESOLUTION R-26-2022**

### **A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT WITH PHARMAVITE LLC AND MAKING RELATED AUTHORIZATIONS**

**WHEREAS**, the Council for the City of New Albany, Ohio (the "City") by its Resolution No. R-17-09 adopted March 3, 2009 (the "Original CRA Legislation"), created the Oak Grove II Community Reinvestment Area (the "Original Area"), and by its Resolutions No. R-41-10 adopted July 6, 2010, No. R-72-10 adopted November 16, 2010, No. R-53-2012 adopted October 2, 2012, No. R-26-2013 adopted August 6, 2013, No. R-72-2014 adopted September 16, 2014, and R-49-2015 adopted November 17, 2015, No. R-45-2016 adopted November 1, 2016, No. R-02-17 adopted February 7, 2017, No. R-17-18 adopted July 17, 2018, No. R-41-18 adopted November 6, 2018, No. R-05-2019 adopted February 19, 2019, No. R-37-2019 adopted August 6, 2019, No. R-15-2021 adopted April 6, 2021, No. R-46-21 adopted September 21, 2021, No. R-09-2022 adopted February 1, 2022, and No. R-18-2022 adopted May 3, 2022 (together the "CRA Expansion Legislation" and collectively with the Original CRA Legislation the "CRA Legislation"), amended the designation of the Original Area to include the area known as the "Johnstown Monroe Area", "Johnstown Monroe Annex", "Licking Heights Annex", "Cobbs Road Annex", "Harrison Road Area", "Innovation Campus Area" "Innovation Campus Way Extension" "Beech Road South", "Babbitt Road", "Central College Road Area", "Jug Street North", "Jug Street South", "Innovation District East", "Innovation District East Expansion", and "Mink Street and Green Chapel Road Expansion", respectively, and certain other parcels within the City (collectively, with the Original Area, the "Area"), and designated that entire Area the Oak Grove II Community Reinvestment Area; and

**WHEREAS**, the Director of Development of the State of Ohio has determined that the Area contains the characteristics set forth in R.C. Section 3735.66 and confirmed the Area as a "Community Reinvestment Area"; and

**WHEREAS**, Pharmavite LLC (the "Company") has submitted to the City the application attached to the Community Reinvestment Area Agreement (the "CRA Agreement") referred to in Section 1 of this Resolution (the "Agreement Application") and has remitted with the Agreement Application the required State application fee to be forwarded to the Ohio Department of Development with a copy of the final, executed CRA Agreement; and

**WHEREAS**, the Housing Officer of the City designated under Ohio Revised Code Section 3735.65 has reviewed the Application and has recommended the same to this Council on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities in the CRA and to improve the economic climate of the City; and

**WHEREAS**, the City, having appropriate authority, desires to provide certain property tax incentives to encourage the development of the Project (as defined in the CRA Agreement); and

**WHEREAS**, the Board of Education of the Career and Technology Education Centers of Licking County (C-TEC) has been notified in accordance with the applicable law;

**WHEREAS**, the Board of Education of the Johnstown-Monroe Local School District has waived their right to receive notice under Section 5709.83 of the Revised Code in accordance with its respective compensation agreements entered into with the city of New Albany;

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

**Section 1. Community Reinvestment Area Agreement.** The CRA Agreement for the Project, by and between the City and the Company, in the form presently on file with the Community Development Department which provides for a 100% CRA exemption for up to 15-years for the proposed Project, is hereby approved and authorized with any changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to this City which shall be approved by the city manager. The city manager, for and in the name of this City, is hereby authorized to execute that CRA Agreement and approve the character of any changes or amendments thereto as not inconsistent with this Resolution and not substantially adverse to this City that are approved by the city manager, which approval shall be conclusively evidenced by the city manager's execution of that CRA Agreement.

**Section 2. Expansion of the Oak Grove II Economic Opportunity Zone.** This Council hereby authorizes the city manager, the director of law, the director of finance, the community development director, the clerk of council, or any such other appropriate officers of the City to take all action necessary, including but not limited to the preparation, execution and approval of all agreements and instruments, any other actions as may be appropriate to expand the Oak Grove II Economic Opportunity Zone in a manner consistent with the expansion of the Oak Grove II Community Reinvestment Area, all as contemplated by this Council in its Resolution No. R-37-2019 adopted August 6, 2019.


**Section 3. Further Authorizations.** This Council hereby further authorizes and directs the city manager, the director of law, the director of finance, the community development director, the clerk of council, or any such other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions (including but not limited to making application and preliminary arrangements for financing that is then subject to formal approval by this Council) as may be appropriate to implement this Resolution and the transactions referenced or contemplated in this Resolution and the Community Reinvestment Area Agreement authorized and approved in this Resolution.

**Section 4. Compliance with the Law.** This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 5. Effective Date.** Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

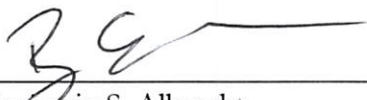
CERTIFIED AS ADOPTED this 5 day of June, 2022.

Attest:

  
\_\_\_\_\_  
Sloan T. Spalding  
Mayor

  
\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

Approved as to form:

  
\_\_\_\_\_  
Benjamin S. Albrecht  
Law Director

**Legislation dates:**

Prepared: 06/22/2022

Introduced: 07/05/2022

Revised:

Adopted: 07/05/2022

Effective: 07/05/2022



## **RESOLUTION R-27-2022**

### **A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT WITH AL. NEYER RE, LLC AND MAKING RELATED AUTHORIZATIONS**

**WHEREAS**, the Council for the City of New Albany, Ohio (the "City") by its Resolution No. R-29-98, adopted July 7, 1998 (the "Original CRA Legislation"), created the Oak Grove Community Reinvestment Area (the "Original Area"), and by its Resolutions No. R-28-99 adopted on May 18, 1999, Ordinances Nos. O-23-2005 adopted September 20, 2005, O-24-2006 adopted June 20, 2006, O-39-2006 adopted on October 3, 2006, and Resolution No. R-46-2016 (together the "CRA Expansion Legislation" and collectively with the Original CRA Legislation the "CRA Legislation"), amended the designation of the Original Area to include the area known as the "Blacklick Area", the "Hedrick Parcel" and "Infill Areas", respectively, and certain other parcels within the City (collectively, with the Original Area, the "Area"), and designated that entire Area the Oak Grove Community Reinvestment Area; and

**WHEREAS**, the Director of Development of the State of Ohio has determined that the Area contains the characteristics set forth in R.C. Section 3735.66 and confirmed the Area as a "Community Reinvestment Area"; and

**WHEREAS**, Al. Neyer RE, LLC (the "Company") has submitted to the City the application attached to the Community Reinvestment Area Agreement (the "CRA Agreement") referred to in Section 1 of this Resolution (the "Agreement Application") and has remitted with the Agreement Application the required State application fee to be forwarded to the Ohio Department of Development with a copy of the final, executed CRA Agreement; and

**WHEREAS**, the Housing Officer of the City designated under Ohio Revised Code Section 3735.65 has reviewed the Application and has recommended the same to this Council on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities in the CRA and to improve the economic climate of the City; and

**WHEREAS**, the City, having appropriate authority, desires to provide certain property tax incentives to encourage the development of the Project (as defined in the CRA Agreement); and

**WHEREAS**, the Board of Education of the Eastland-Fairfield Career & Technical Schools has been notified in accordance with the applicable law;

**WHEREAS**, the Board of Education of the New Albany-Plain Local School District has waived their right to receive notice under Section 5709.83 of the Revised Code in accordance with its respective compensation agreements entered into with the city of New Albany;

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


**Section 1. Community Reinvestment Area Agreement.** The CRA Agreement for the Project, by and between the City and the Company, in the form presently on file with the Community Development Department which provides for a 100% CRA exemption for up to 15-years for the proposed Project, is hereby approved and authorized with any changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to this City which shall be approved by the city manager. The city manager, for and in the name of this City, is hereby authorized to execute that CRA Agreement and approve the character of any changes or amendments thereto as not inconsistent with this Resolution and not substantially adverse to this City that are approved by the city manager, which approval shall be conclusively evidenced by the city manager's execution of that CRA Agreement.


**Section 2. Further Authorizations.** This Council hereby further authorizes and directs the city manager, the director of law, the director of finance, the community development director, the clerk of council, or any such other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions (including by not limited to making application and preliminary arrangements for financing that is then subject to formal approval by this Council) as may be appropriate to implement this Resolution and the transactions referenced or contemplated in this Resolution and the Community Reinvestment Area Agreement authorized and approved in this Resolution.

**Section 3. Compliance with the Law.** This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.


**Section 4. Effective Date.** Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this 5 day of June, 2022.

  
Sloan T. Spalding  
Mayor

Attest:  
  
Jennifer H. Mason  
Clerk of Council

Approved as to form:

  
Benjamin S. Albrecht  
Law Director

**Legislation dates:**

Prepared: 06/22/2022

Introduced: 07/05/2022

Revised:

Adopted: 07/05/2022

Effective: 07/05/2022



## **RESOLUTION R-28-2022**

### **A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A DEVELOPMENT AND SUPPLY AGREEMENT WITH SIDECAT LLC AND MAKING RELATED AUTHORIZATIONS**

**WHEREAS**, pursuant to Resolution No. R-32-2017 adopted by New Albany City Council on July 31, 2017, the City entered into a Development and Supply Agreement with Sidecat LLC (the "Company") on August 14, 2017 which sets forth the City's and the Company's assurances and agreements in connection with the development of the Project (as defined in the Development and Supply Agreement); and

**WHEREAS**, pursuant to Resolution No. R-27-2019 adopted by New Albany City Council on May 21, 2019, the City and the Company amended the Development and Supply Agreement on May 22, 2019 (the "First Amendment to Development and Supply Agreement" collectively, the "Development and Supply Agreement") to include an additional 279.6+/- acres to the east of the original project site and 133.6+/- acres to the south of the original project site; and

**WHEREAS**, in support of the Project, the Company and the City desire to further amend the Development and Supply Agreement in recognition that the Project (i) requires potable water sufficient to meet a total demand of 1,400,000 gallons per day and 4,000 gallons per minute for 2 hours (the "Company's Water Need" as defined in the Development and Supply Agreement), (ii) the ability to discharge, treat, and transport wastewater with a total demand of 800,000 gallons per day and 2,000 gallons per minute for 2 hours (the "Company's Sewer Need" as defined in the Development and Supply Agreement), and (iii) that the Water System (as defined in the Development and Supply Agreement) has, and that at all times during the term of the Development and Supply Agreement the Water System will have, the capacity to deliver a minimum of 2,250 gallons of water per minute to the property for the duration of less than 4 hours to supply water to load the Project's fire sprinkler system and to supply water to the property in the event of a fire; and

**WHEREAS**, to support the City's long-term ability to operate the public water distribution system and to aid in accommodating the supply demands of the Company along with other users in the area, the Company has agreed to accommodate the City's needs to obtain real-time water consumption data; and

**WHEREAS**, to support the development of other sites in the area, the Company has agreed to work in good faith with the City to provide any necessary temporary and/or permanent easements along Harrison Road and Morse Road (respectively, the "Harrison Road Easement Area" and the "Morse Road Easement Area" both as defined in the Second Amendment to Development and

Supply Agreement) on commercially reasonable terms and in specific locations acceptable to the Company.

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

**Section 1. Second Amendment to Development and Supply Agreement.** The Second Amendment to Development and Supply Agreement, by and between the City and the Company, in the form presently on file with the Community Development Department, is hereby approved and authorized with any changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to this City which shall be approved by the city manager. The city manager, for and in the name of this City, is hereby authorized to execute that Second Amendment to Development and Supply Agreement and approve the character of any changes or amendments thereto as not inconsistent with this Resolution and not substantially adverse to this City that are approved by the city manager, which approval shall be conclusively evidenced by the city manager's execution of that CRA Agreement.

**Section 2. Further Authorizations.** This Council hereby further authorizes and directs the city manager, the director of law, the director of finance, the community development director, the clerk of council, or any such other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions (including by not limited to making application and preliminary arrangements for financing that is then subject to formal approval by this Council) as may be appropriate to implement this Resolution and the transactions referenced or contemplated in this Resolution and the Second Amendment to Development and Supply Agreement authorized and approved in this Resolution.

**Section 3. Compliance with the Law.** This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 4. Effective Date.** Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

**CERTIFIED AS ADOPTED** this 5 day of June, 2022.

  
\_\_\_\_\_  
Sloan T. Spalding  
Mayor

**Attest:**  
  
\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

  
Benjamin S. Albrecht  
Law Director

**Legislation dates:**

Prepared: 06/22/2022

Introduced: 07/05/2022

Revised:

Adopted: 07/05/2022

Effective: 07/05/2022



## RESOLUTION R-29-2022

**A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT WITH JERSEY TOWNSHIP IN ORDER TO FACILITATE THE ANNEXATION OF PARCEL NUMBERS 037-112542-00.000, 037-112044-00.001, 037-112044-01.000, 037-112044-00.003, 037-112044-02.000, 037-112044-03.000, 037-112044-00.002, 037-112044-00.004, 037-112044-00.005, 037-112044-00.009, 037-112044-00.000, 037-112044-00.008, 037-112044-00.007, 037-112044-00.006, AND 037-112-050-00.001 WHICH COMPRISE APPROXIMATELY 60 +/- ACRES**

**WHEREAS**, the City of New Albany and the Township of Jersey share certain boundaries and therefore have a shared interest in the general area found immediately west of Harrison Road and south of Jug Street, illustrated and described in the exhibits of the attached Annexation Agreement; and

**WHEREAS**, it is anticipated the real property comprised of real estate Parcel Numbers 037-112542-00.000, 037-112044-00.001, 037-112044-01.000, 037-112044-00.003, 037-112044-02.000, 037-112044-03.000, 037-112044-00.002, 037-112044-00.004, 037-112044-00.005, 037-112044-00.009, 037-112044-00.000, 037-112044-00.008, 037-112044-00.007, 037-112044-00.006, AND 037-112-050-00.001, totaling approximately 60 +/- acres, may be the subject of future annexation petitions to be filed with the Licking County Commissioners after the effective date; and

**WHEREAS**, the city and the township desire to maintain a cooperative relationship that will foster economic development on the property and to provide for public infrastructure improvements that will serve the residents and property owners of the city and township; and

**WHEREAS**, the Ohio Revised Code Sections 709.021 and 709.022 establish provisions for the annexation of property that includes an annexation agreement between the city and the township; and

**WHEREAS**, in furtherance of this relationship, the city and the township desire to enter this agreement to memorialize the terms of their mutual agreement on the procedure under which the annexation(s) of the property to the city will occur in order to ensure that such annexation(s) are completed in accordance with the procedure that has been historically utilized by the city.

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

**Section 1.** Council hereby authorizes the city manager to enter into an annexation agreement with Jersey Township, as set forth on Exhibit A or substantially similar thereto.

**Section 2.** This agreement shall encompass and be applicable only to the property which is identified in exhibits A and B to the Annexation Agreement, attached herein. The area/boundaries of the property to which this agreement applies shall not be reduced, enlarged, modified, or altered in any way except by written mutual agreement of the parties approved authorizing legislation from both the legislative authority of the township and the city. Any changes to the boundaries of the property shall require a written amendment to this agreement.

**Section 3.** On or after the effective date, all or part of the property shall, upon proper petition(s) to and with the approval of the Licking County Board of Commissioners and acceptance of the annexation by the city, be annexed to and accepted by the city under the conditions set forth in the annexation agreement.


**Section 4.** It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation 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 Section 121.22 of the Ohio Revised Code.

**Section 5.** Pursuant to Article 6.07(A) of the New Albany Charter, this resolution shall take effect upon adoption.

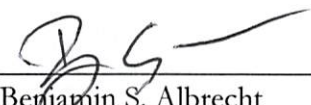
CERTIFIED AS ADOPTED this 5 day of June, 2022.

Attest:

  
Sloan T. Spalding  
Mayor

  
Jennifer H. Mason  
Clerk of Council

Approved as to form:

  
Benjamin S. Albrecht  
Law Director

**Legislation dates:**

Prepared: 06/03/2022

Introduced: 07/02/2022

Revised:

Adopted: 07/05/2022

Effective: 07/05/2022

**ANNEXATION AGREEMENT**

THIS ANNEXATION AGREEMENT (this "Agreement"), is entered into as of the last date of signature below (the "Effective Date") by and between the City of New Albany, Ohio (the "City"), an Ohio Charter municipal corporation having its address at 99 W. Main Street, New Albany, Ohio 43054, and the Township of Jersey, Licking County, Ohio (the "Township"), a township duly organized and validly existing under the laws of the State of Ohio having its address at 1481 Mink Street, Pataskala, Ohio 43062.

**W I T N E S S E T H:**

WHEREAS, the City and the Township share certain boundaries and therefore have a mutual interest in the general area found immediately west of Harrison Road and south of Jug Street, comprised of fifteen (15) parcels and consisting of 60 +/- acres, as illustrated in Exhibit A and described in Exhibit B; and

WHEREAS, the City and the Township desire to maintain a cooperative relationship that will foster economic development within the property and to provide for public infrastructure improvements that will serve the residents and property owners of the City and the Township; and

WHEREAS, in furtherance of this relationship, the City and the Township desire to enter this Agreement to memorialize the terms of their mutual agreement on the procedure under which the future annexation of the Property to the City will occur in order to ensure that such annexation is completed in accordance with the procedure that has been historically utilized by the City; and

WHEREAS, the City desires to work in good faith with the Township in order to identify certain public infrastructure improvements that the City will construct and fund in the general vicinity of the Property that will serve residents and property owners in the Township and the City.

**NOW, THEREFORE**, in consideration of the foregoing and of the mutual covenants and agreements hereinafter set forth, the parties hereby agree as follows:

1. Territory Defined: This Agreement shall cover and be applicable only to the Property, which is presently located within the boundaries of the Township. The boundaries of the Property shall not be reduced, enlarged, modified, or altered in any way except by written consent approved and given by the legislative authorities of both the City and the Township by means of appropriate action authorizing such reduction, enlargement, modification, or alteration. Any changes to the boundaries of the Property shall require a written amendment to this Agreement.
2. Annexation of the Property: On or after the Effective Date, all or part of the Property shall, upon proper petition(s) to and with the final approval of the Licking County Board of Commissioners (the "Commissioners"), be annexed to and accepted by the City under the conditions hereinafter set forth in this Section 2 and subject to all other conditions and limitations in this Agreement. It is anticipated that the real property identified in Exhibits

A and B attached hereto and incorporated by reference will be the subject of an annexation petition to be filed with the Commissioners soon after the Effective Date.

- A. Procedure: Annexations of all or part of the Property to the City shall be filed pursuant to and comply with the provisions of Sections 709.021 and 709.022 of the Ohio Revised Code, as such provisions exist on the Effective Date. It is the intention of the parties to require any petition seeking to annex all or a portion of the Property to the City to be filed pursuant to and in compliance with the provisions of Sections 709.021 and 709.022 of the Ohio Revised Code as set forth in this Section 2.A, and to prohibit the City from assisting or accepting an annexation petition concerning the Property which fails to comply with this requirement.
  - B. Effect of Annexation: Immediately following both (i) the approval of a particular annexation petition affecting all or part of the Property by the Commissioners and (ii) the City's acceptance into municipal boundaries of the real property affected by the petition(s), then the annexed property shall be treated and viewed with the same legal effect as if it had been approved as an annexation completed under Section 709.02 of the Ohio Revised Code. Should, at any time, any Property annexed into the City, pursuant to this Agreement, be excluded from the Township, the City shall compensate the Township as in accordance with Section 709.19 of the Ohio Revised Code.
  - C. In the event that the annexed Properties' redevelopment and associated change in use from agricultural and/or residential uses to commercial use results in a reduction in the total aggregate property tax revenue received by the Township from the Property in tax years 2023 through 2026, when compared with property tax revenue received by the Township for tax year 2021 (January 1, 2022 tax lien date) (Baseline Year), the City agrees to compensate the Township annually in an amount equal to any such aggregate reduction in said property tax revenue. In the event any of the parcels which make up the Property are combined with other parcels not subject to this Agreement, then in that case, the total property tax revenue received by the Township for such combined parcel(s) shall be utilized in the comparison calculation to the Baseline Year.
  - D. Cooperative Efforts: Upon the filing of any annexation petition concerning all or part of the Property in accordance with Section 2.A of this Agreement, the Township and the City shall cooperate in good faith to facilitate the approval and success of such petition. In such an instance, each party shall refrain from taking any action that would directly or indirectly delay the annexation process or endanger the possible approval of the annexation petition by the Commissioners.
3. Tax Increment Financing (TIF) in Jersey Township: If the City redirects real property tax revenue through Tax Increment Financing (TIF), then, by May 1 and November 1 of the year following the year in which the (TIF) becomes effective, and continuing each year thereafter, for the duration of the TIF the City shall pay to the Township an amount equal to the real property tax revenue the Township would have received during the previous

calendar year, exclusively from all property tax levies for fire and emergency medical services (EMS), had the TIF not been granted by the City (the "Fire & EMS Payment").

4. **Public Infrastructure:** In addition to their agreement regarding annexation of the Property as provided in Section 2 above, the City and the Township desire to work cooperatively to identify new public infrastructure improvements that may be necessary to serve areas in the vicinity of the Property. To this end, the City and the Township acknowledge that certain improvements may need to be made by the City to Harrison Road including its intersection with Jug Street.

The City and the Township shall make reasonable and good faith efforts to identify such public infrastructure improvements in the future as the need arises and to negotiate the specifications and parameters for such improvements. Any commitments regarding the construction and/or financing of improvements as contemplated in this Section 3 shall require the prior approval of the New Albany City Council.

5. **Miscellaneous:**

- A. The term of this Agreement shall commence on the Effective Date and shall terminate at 11:59 p.m. on the fiftieth (50<sup>th</sup>) anniversary of the Effective Date (the "**Initial Term**"). Unless the legislative authority of the City or the Township, at least ninety (90) days before the expiration of the Initial Term or any subsequent term as provided herein, acts to terminate the Agreement at the expiration of said term, this Agreement shall automatically renew for consecutive terms of twenty (20) years each, with no limit on the number of renewal terms.
- B. **Notices.** Any notice required to be given hereunder shall be given in writing by ordinary United States mail, postage prepaid, by nationally recognized overnight courier or by hand delivery addressed to the parties at their respective addresses as set forth below.

**If to City:**

The City of New Albany  
Attn: City Manager  
99 W. Main Street  
New Albany, Ohio 43054  
Fax: (614) 855-8583

**If to Township:**

Jersey Township Board of Trustees  
Attn: \_\_\_\_\_  
1481 Mink Street  
Pataskala, Ohio 43062  
Fax: \_\_\_\_\_

Notices shall be deemed received at the earlier of (i) actual hand delivery to the address of the receiving party, (ii) when received or when receipt is refused or (iii) two business days following proper deposit in the United States mail or delivery by facsimile.

- C. Entire Contract. This Agreement embodies the entire understanding among the parties with respect to the subject matter herein contemplated. Any amendments hereto shall be in writing and shall be executed by both the City and the Township.
- D. Counterparts. This Agreement may be executed in counterparts, each of which, when executed and delivered, shall be deemed an original, and all counterparts shall constitute one and the same instrument.

***[Remainder of this page intentionally blank – Signatures on following page.]***

**City of New Albany**

By: \_\_\_\_\_  
Joseph Stefanov, City Manager

Date: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Ben Albrecht,  
Law Director

**Jersey Township**

By: \_\_\_\_\_  
Dan Wetzel, Trustee

By: \_\_\_\_\_  
Jeff Fry, Trustee

By: \_\_\_\_\_  
Ben Pieper, Trustee

Date: \_\_\_\_\_

Approved as to Form:

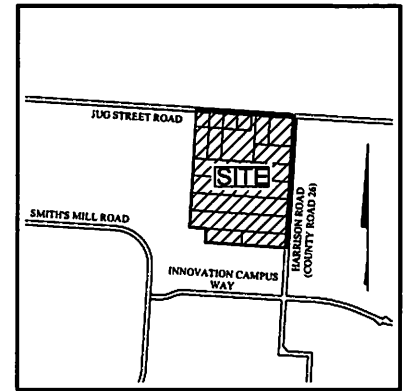
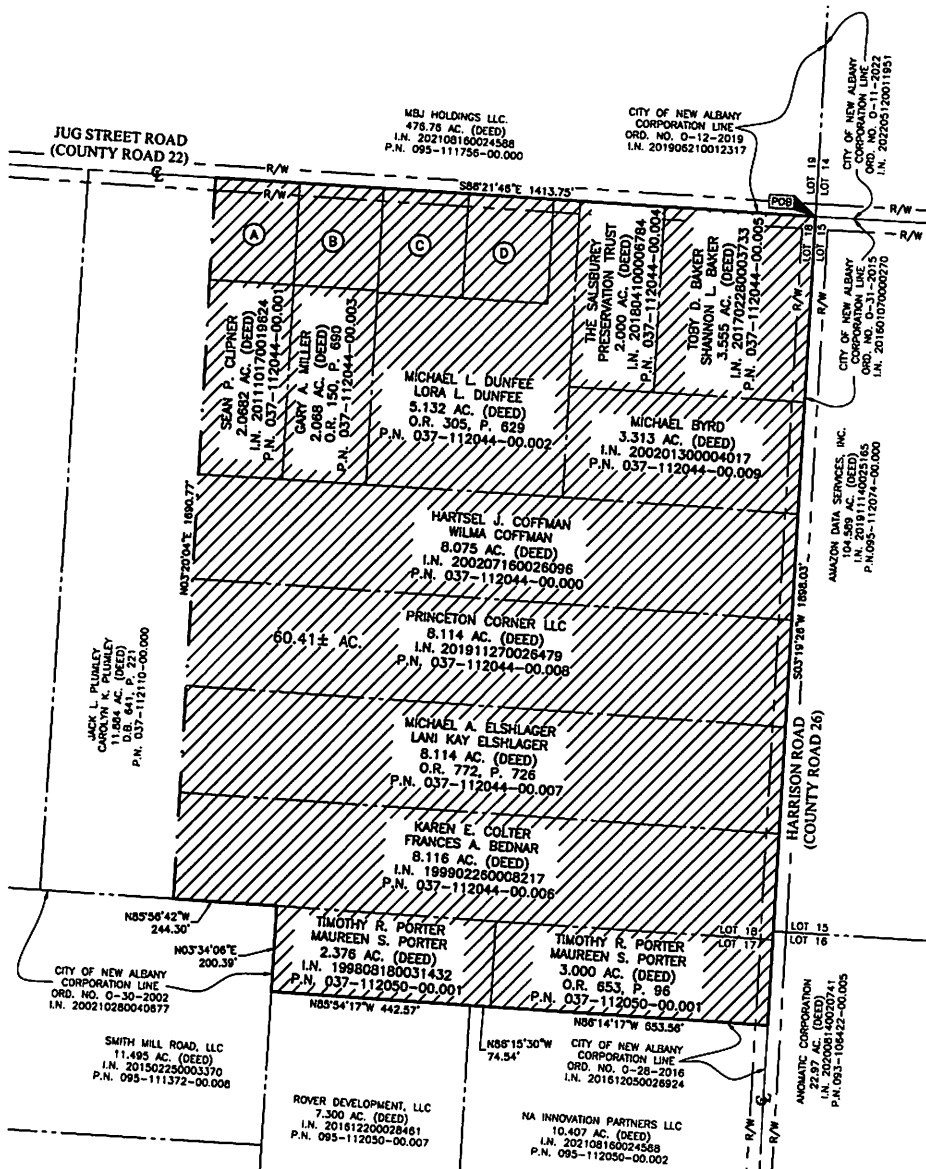
\_\_\_\_\_  
[INSERT NAME AND TITLE]

**EXHIBIT A**

**Depiction of the "Property"**

# PROPOSED ANNEXATION OF 60.41± ACRES TO THE CITY OF NEW ALBANY FROM TOWNSHIP OF JERSEY

LOTS 17 & 18, QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 15  
UNITED STATES MILITARY DISTRICT  
TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO



LOCATION MAP AND BACKGROUND DRAWING  
NOT TO SCALE

Proposed Annexation  
of 60.41± 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

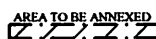
The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do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



PROPOSED CITY OF NEW ALBANY CORPORATION LINE  
EXISTING CITY OF NEW ALBANY CORPORATION LINE

Contiguity Note:  
Total perimeter of annexation area is 6617.91 feet, of which 4927.14 feet is contiguous with the City of New Albany by Ordinance Numbers O-11-2022, O-12-2019, O-28-2016, O-31-2015, and O-30-2002, giving 74.5% perimeter contiguity.

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

- A SEAN P. CLIPNER  
1.09 AC. (DEED)  
I.N. 201110170018624  
P.N. 037-112542-00.000
- B GARY A. MILLER  
1.09 AC. (DEED)  
D.B. 714, P. 879  
P.N. 037-112044-01.000
- C MICHAEL L. DUNFEE  
LORA L. DUNFEE  
1.01 AC. (DEED)  
O.R. 305, P. 629  
P.N. 037-112044-03.000
- D KARIN G. BAILEY  
1.01 AC. (DEED)  
I.N. 201103310008089  
P.N. 037-112044-02.000

**DRAFT**

By \_\_\_\_\_ Date \_\_\_\_\_  
Heather L. King  
Professional Surveyor No. 8307  
hking@emht.com

<b>EMHT</b> Evans, Meacham, Hornborton & Tison, Inc. Engineers • Surveyors • Planners • Scientists 5500 New Albany Road, Columbus, OH 43254 Phone: 614.778.6332 • Toll Free: 888.778.3648 emht.com		Date: June 16, 2022
Scale: 1" = 200'		Job No: 2022-0548
Sheet: 1 of 1		
REVISIONS		
MARK	DATE	DESCRIPTION

**EXHIBIT B**

**Description of the “Property”**

**PROPOSED ANNEXATION OF  
60.41± ACRES**

**FROM: TOWNSHIP OF JERSEY**

**TO: CITY OF NEW ALBANY**

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in Lots 17 and 18, Quarter Township 2, Township 2, Range 15, United States Military District, and being all of that 1.090 acre tract and that that 2.082 acre tract conveyed to Sean P. Clipner by deed of record in Instrument Number 201110170019624, that 1.090 acre tract conveyed to Gary A. Miller by deed of record in Deed Book 714, Page 879, that 2.086 acre tract conveyed to Gary A. Miller by deed of record in Official Record 150, Page 690, that 1.010 acre tract and that 5.132 acre tract conveyed to Michael L. Dunfee and Lora L. Dunfee by deed of record in Official Record 305, Page 629, that 1.010 acre tract conveyed to Karin G. Baily by deed of record in Instrument Number 201103310006089, that 2.000 acre tract conveyed to The Salsbury Preservation Trust by deed of record in Instrument Number 201804100006784, that 3.555 acre tract conveyed to Toby D. Baker and Shannon L. Baker by deed of record in Instrument Number 201702280003733, that 3.313 acre tract conveyed to Michael Byrd by deed of record in Instrument Number 200201300004017, that 8.075 acre tract conveyed to Hartsel J. Coffman and Wilma Coffman by deed of record in Instrument Number 200207160026096, that 8.114 acre tract conveyed to Princeton Corner LLC by deed of record in Instrument Number 201911270026479, that 8.114 acre tract conveyed to Michael A. Elshlager and Lani Kay Elshlager by deed of record in Official Record 772, Page 726, that 8.116 acre tract conveyed to Karen E. Colter and Frances A. Bednar by deed of record in Instrument Number 199902260008217, that 2.376 acre tract conveyed to Timothy R. Porter and Maureen S. Porter by deed of record in Instrument Number 199808180031432, and that 3.000 acre tract conveyed to Timothy R. Porter and Maureen S. Porter by deed of record in Official Record 653, Page 96 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

BEGINNING at the centerline intersection of Jug Street Road with Harrison Road, being in the existing City of New Albany corporation line as established by Ordinance Number O-12-2019, of record in Instrument Number 201906210012317, Ordinance Number O-11-2022, of record in Instrument Number 202205120011951, and Ordinance Number O-31-2015, of record in Instrument Number 201601070000270;

Thence South 03° 19' 26" West, with the centerline of said Harrison Road and said existing City of New Albany corporation line (O-31-2015), a distance of 1898.03 feet to the southeasterly corner of said 3.000 acre tract, being an angle point in that existing City of New Albany corporation line, as established by Ordinance Number O-28-2016, of record in Instrument Number 201612050026924;

Thence North 86° 14' 17" West, with the southerly line of said 3.000 acre tract and said existing corporation line (O-28-2016), a distance of 653.56 feet to a point;

Thence North 86° 15' 30" West, with the southerly line of said 2.376 acre tract and continuing with said corporation line (O-28-2016), a distance of 74.54 feet to a point;

Thence North 85° 54' 17" West, with said southerly line and said corporation line (O-28-2016), a distance of 442.57 feet to a point at the southwesterly corner of said 2.376 acre tract, being an angle point in the existing City of New Albany corporation line, as established by Ordinance Number O-30-2002, of record in Instrument Number 200210280040677;

Thence North 03° 34' 06" East, with the westerly line of said 2.376 acre tract and with said existing corporation line (O-30-2002), a distance of 200.39 feet to a point in the southerly line of said 8.116 acre tract;

Thence North 85° 56' 42" West, with said southerly line and said existing corporation line (O-30-2002), a distance of 244.30 feet to a point;

**PROPOSED ANNEXATION OF  
60.41± ACRES**

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Thence North 03° 20' 04" East, with the westerly lines of said 8.116, 8.114 (Elshlager), 8.114 (Princeton Corner), 8.075, 2.0682, and 1.09 acre tracts, a distance of 1690.77 feet to a point in the centerline of said Jug Street Road and in said existing City of New Albany corporation line (O-12-2019);

Thence South 86° 21' 46" East, with said centerline and said existing corporation line (O-12-2019), a distance of 1413.75 feet to the POINT OF BEGINNING, containing 60.41 acres, more or less.

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

Total perimeter of annexation area is 6617.91 feet, of which 4927.14 feet is contiguous with the City of New Albany by Ordinance Numbers O-11-2022, O-12-2019, O-28-2016, O-31-2015, and O-30-2002, giving 74.5% perimeter contiguity.

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

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King  
Professional Surveyor No. 8307

Date