



ORDINANCE O-64-2023

AN ORDINANCE TO APPROPRIATE PROPERTY AND EASEMENTS FROM THE OWNER, ANDREA J. FORD, OF THE PROPERTY LOCATED AT 11850 GREEN CHAPEL ROAD IN LICKING COUNTY, OHIO FOR THE PUBLIC PURPOSE OF CONSTRUCTING, MAKING AND REPAIRING ROADS, IN THE GREEN CHAPEL ROAD PROJECT, WHICH SHALL BE OPEN TO THE PUBLIC, WITHOUT CHARGE, AND DECLARING AN EMERGENCY

WHEREAS, the City of New Albany is preparing to construct the Green Chapel Road Project (the "Project"), a public roadway construction and improvement project in Licking County, Ohio in the area where Intel Corporation is in the process of constructing a \$20 billion+ semiconductor and chip manufacturing project in the City, which Project is necessary and essential for a public purpose to improve public roads and accommodate the increase in of traffic in the area; and

WHEREAS, the Project includes the making, repairing, widening, improving, and construction of Green Chapel Road and its intersecting roadways which roadways are, will be and will remain open to the public without charge; and

WHEREAS, the roadways and the Project will require the City of New Albany to obtain the premises described herein and on the attached Exhibits, which is located in Licking County, Ohio; and

WHEREAS, a Resolution of intent was previously adopted by Council in Resolution No. R-10-2023 and said Resolution was served according to law and return of service has been made; and

WHEREAS, the requirements of Ohio Revised Code Section 163.04 have been met and the City and the owner have been unable to agree on a conveyance or the terms of a conveyance; and

WHEREAS, it is in the interest of the City of New Albany, and the general interest of the community, traveling public and region to facilitate the Project and opportunities the development will bring to the City, townships, Licking County, region and entire State of Ohio, to immediately provide more effective streets and roads in the area for the development and traveling public; and

WHEREAS, this ordinance constitutes an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the city, and for the further reason that this ordinance is required to be effective immediately upon adoption to meet the required public road and infrastructure improvement deadlines for the support, receipt of funding for and development of the Project and the construction and timely commencement of the construction of the Project and the domestic semiconductor manufacturing operations, including federal, state, and city funding requirements, contracts and support obligations.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, Counties of Franklin and Licking, State of Ohio, with the affirmative vote of at least two-thirds of all members elected thereto, that:

Section 1. The City determines the appropriation is necessary and directs that the appropriation proceed and the City appropriate the following property and easements from its owner, Andrea J. Ford, for the property located at 11850 Green Chapel Road, for the public purpose of making, repairing, improving and constructing Green Chapel Road and its necessary appurtenances pursuant to the Charter of the City of New Albany, Ohio Revised Code Chapters 163, 715, 717, and 719; and the Constitution of the State of Ohio and other applicable laws, which property and interests are described as depicted as follows:

- A. Fee simple interest, without limitation of existing access rights to and from adjoining public roadway(s), in and to the premises described in the legal description and survey attached hereto as Exhibit 1 (Project Parcel G50-WD).
- B. Temporary easement with continuing access to and from adjoining public roadway(s) in and to the premises described in the legal description and survey and on the terms and conditions attached hereto as Exhibit 2 (Project Parcel G50-T).
- C. Permanent easement as described in the legal description and survey and on the terms and conditions attached hereto as Exhibit 3 (Project Parcel G50-S).

Section 2. That Council hereby fixes the value of all the interests appropriated at Two Thousand One Hundred Eighty-four Dollars (\$2,184.00), including damages to residual lands, if any, which sum shall be deposited with the Licking County Common Pleas Court for the use and benefit of the owner of the property appropriated. Upon such deposit, the City of New Albany shall take possession of and enter upon the property pursuant to law.

Section 3. That Council finds that the appropriation is a public exigency necessary for the stated public purposes, that the City has been unable to agree with the owner of the property on the terms of a conveyance and the other requirements of Ohio Revised Code Section 163.04 have been met, and that the City intends to obtain immediate possession of the property.

Section 4. That the City Law Director or his designee is directed to proceed with the appropriation and is hereby authorized to file a petition for appropriation in the Licking County Common Pleas Court, to have a jury impaneled to assess the compensation to be paid for the real estate herein described above.

Section 5. That Council further hereby authorizes and directs the City Manager, the Director of Law, the Director of Finance, the Clerk of Council or other appropriate officers and designees of the City to take any other actions as may be appropriate to implement this Ordinance, including the authority to reach a reasonable administrative resolution with the property owner to acquire the property interest in an amount greater than the appraised value and accept and record instruments of conveyance and all other documents necessary to carry out the terms and intent of this Ordinance. Should the City reach a reasonable administrative resolution at an amount greater than the appraised value, no further legislation is required.

Section 6: For the reasons stated in the preamble and herein, council hereby declares an emergency and waives the otherwise applicable referendum period.

Section 7. 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 Ohio Revised Code Section 121.22.

Section 8. Pursuant to Article 6.07(A) of the New Albany Charter, this ordinance shall become effective immediately upon its adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2023.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:	
Prepared:	03/24/2023
Introduced:	04/04/2023
Revised:	
Adopted:	
Effective:	

EXHIBIT A

**PARCEL G50-WD
0.041 ACRE**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
FOR PUBLIC HIGHWAY, STREET AND ROADWAY PURPOSES
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for his/its heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of premises follows]

Situated in the State of Ohio, County of Licking, Township of Monroe, lying in Section 23, Township 3, Range 15, United States Military District, being out of that 5.63 acre tract conveyed to Andrea J. Ford by deed of record in Instrument Number 200505230015205 (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 a magnetic nail set in the centerline of Green Chapel Road NW (Township Road 63) at the southerly common corner of said Section 23 and Lot 7 (First Range of Lots), of Quarter Township 4, Township 3, in the northerly line of Lot 8, Quarter Township 2, Township 2, said Range 15, the southeasterly corner of that 5.654 acre tract conveyed to Lauren McCuen and Joshua Westfall by deed of record in Instrument Number 201908090016315, the southwesterly corner of that 6.232 acre tract conveyed to Timothy K. Burke and Alita Ann Mercer Burke by deed of record in Instrument Number 202208190020456, in the northerly line of that 27.733 acre tract conveyed to The City of New Albany, Ohio by deed of record in Instrument Number 202206210015339;

Thence North 87° 01' 59" West, with said Green Chapel Road NW centerline, the line common to said Townships 3 and 2, the southerly line of said 5.654 acre tract, the northerly line of said 27.733 acre tract, a distance of 180.12 feet to a magnetic nail set at the southeasterly corner of said Ford tract, the southwesterly corner of said 5.654 acre tract, the TRUE POINT OF BEGINNING;

Thence North 87° 01' 59" West, with said centerline, said common Township line, the line common to said Ford and 27.733 acre tracts, a distance of 180.00 feet to a magnetic nail set at the southwesterly corner of said Ford tract, the southeasterly corner of that 5.63 acre tract conveyed to Adam Franz and Beth A. Franz by deed of record in Instrument Number 201002250003655;

Thence North 02° 58' 52" East, across said Green Chapel Road NW and with the line common to said Ford and Franz tracts, a distance of 10.00 feet to an iron pin set;

Thence South 87° 01' 59" East, across said Ford tract, a distance of 180.00 feet to an iron pin set in the line common to said Ford and 5.654 acre tracts;

Thence South 02° 58' 52" West, with said common line and across said Green Chapel Road NW, a distance of 10.00 feet to the TRUE POINT OF BEGINNING, containing 0.041 acre, more or less, all of which is within Auditor's Parcel Number 052-173646-00.006 and all of which is within the present road occupied.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

EXHIBIT A

**PARCEL G50-WD
0.041 ACRE**

-2-

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected Franklin County Engineering Department monuments Frank 80 and Frank 180. The portion of the centerline of Green Chapel Road NW, having a bearing of North 87° 01' 59" West, is designated the "basis of bearings" for this survey.

This description is based on an actual field survey performed by or under the direct supervision of Joshua M. Meyer, Professional Surveyor Number 8485 in November and December, 2021, and April, 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

1-3-2023

Joshua M. Meyer
Professional Surveyor No. 8485

Date

JMM:djf
G50-WD_0_041 ac 20220307-VS-BNDY.docx

PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY:	
DATE: 1/9/2023	

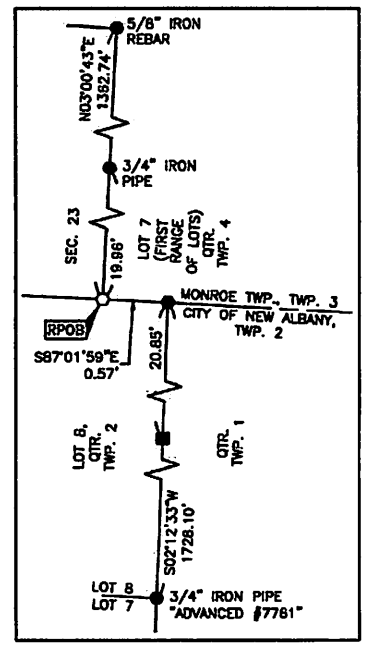
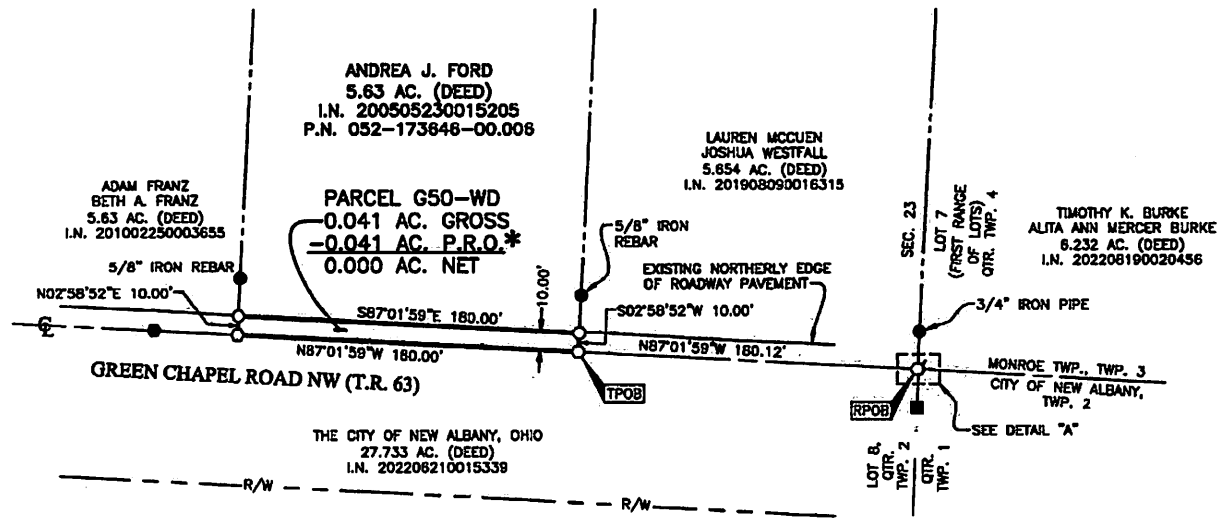


EMHT
 Evans, Mechwart, Hombach & Tolan, Inc.
 Engineers • Surveyors • Planners • Architects
 8800 New Albany Road, Columbus, OH 43264
 Phone: 614.778.4300 Fax: 614.778.3648
 emht.com

SURVEY OF ACREAGE PARCEL

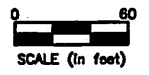
SECTION 23, TOWNSHIP 3, RANGE 15
 UNITED STATES MILITARY DISTRICT
 TOWNSHIP OF MONROE, COUNTY OF LICKING, STATE OF OHIO

Date:	January 3, 2023
Scale:	1" = 60'
Job No:	2022-0307
Sheet No:	1 of 1



Ordinance O-64-2023 EXHIBIT 1

- Iron Pin Set
 - Iron Pin Found
 - Stone Found
 - P.K. Nail Found
 - Fence Post Found
 - Magnetic Nail Set
 - Magnetic Nail Found
 - ▲ Railroad Spike Found
- I.P. Set are 13/16" I.D. iron pipes
 30" long with cap inscribed EMHT INC.



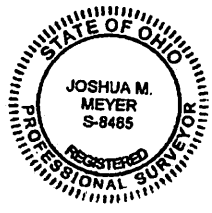
*** ROAD RIGHT OF WAY NOTES:**
 The existing right-of-way width for Green Chapel Road has not been specified since neither a Road Record nor a Commissioner Road Folder could be found in the Licking County Engineer's office. The existing edge of roadway pavement was used to calculate the Present Road Occupied (P.R.O.) for this Road.

BASIS OF BEARINGS:
 The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1986 Adjustment). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected Franklin County Engineering Department monuments Frank 80 and Frank 180. The portion of the centerline of Green Chapel Road NW, having a bearing of North 87° 01' 59" West, is designated the "basis of bearings" for this survey.

SURVEY NOTE:
 This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in November and December, 2021 and April, 2022.

By Joshua M. Meyer
 Joshua M. Meyer
 Professional Surveyor No. 8485
 jmeyer@emht.com

1-3-2023
 Date



**TEMPORARY RIGHT-OF-WAY EASEMENT
FOR A PUBLIC IMPROVEMENT
WITHOUT OF LIMITATION OF ACCESS**

PARCEL G50-T

Temporary easements granted to the City of New Albany (“City”), its employees, contractors, permittees, designees, agents, successors and assigns to exclusively occupy and use for the establishment, construction, reconstruction, widening, repair or maintenance of a public road and appurtenances thereto (the “Project”) the following described real estate (“Easement Area”):

SEE EXHIBIT A ATTACHED

Licking County, Ohio Current Tax Parcel No. 052-173646-00.006

Prior Instrument Reference: Instrument No. 200505230015205, Licking County Recorder’s Office.

The temporary easement is for the purposes of: (a) constructing, installing, reconstructing, widening, replacing, removing, repairing, maintaining, and performing all work necessary to complete the Project and improvements of certain portions of Green Chapel Road, with access to the Owner’s adjacent property to be maintained during the term of this temporary easement, in accordance with the plans and specifications on file at the Licking County Engineer’s office (the “Improvements”); (b) ingress and egress to and from Owner’s adjoining parcels; (c) to enter upon the above described land with necessary equipment and use said land during the period of the temporary easement; (d) grading, seeding, drainage, relocation and/or maintenance work necessary for the Project and Improvements; and (e) restoration of the Easement Area as provided below.

The duration of this temporary easement is twenty-four (24) months. The period of the temporary easement shall begin immediately following the date on which the work on the Project and Improvements described above is first commenced by or on behalf of the City or its duly authorized employees, contractors, permittees, designees, agents, successors and assigns and possession is taken of the Easement Area for Project related work for the construction of the Improvements. The easement shall terminate upon completion of the required work in accordance with the plans and specifications for the Project prepared for the City (the “Period”) or twenty-four (24) months from commencement, whichever first occurs. The Project shall be deemed completed upon inspection and acceptance of the Improvements by the City of New Albany or its authorized agent.

On termination, and without regard to enhancements or appurtenance installed by Owner, the Easement Area will be returned as nearly as practicable to its original condition, taking into consideration the nature of the work performed and the compensation provided to the Owner for existing improvements that are not restored. During the existence of this easement, the Owner, its heirs, successors and assigns shall not take or permit any action that interferes with the City’s temporary use inconsistent with the rights retained herein.

EXHIBIT A

**PARCEL G50-T
0.036 ACRE**

**TEMPORARY EASEMENT
WITHOUT LIMITATION OF ACCESS**

An exclusive temporary easement for the establishment, construction, reconstruction, widening, repair or maintenance of a public road and appurtenances thereto, including, but not limited to any grading, seeding, drainage, relocation and/or maintenance work deemed necessary by the City of New Albany and/or Licking County, Ohio, their successors and assigns, with access to Grantor's Property to be maintained during the term of this temporary easement.

[Surveyor's description of premises follows]

Situated in the State of Ohio, County of Licking, Township of Monroe, lying in Section 23, Township 3, Range 15, United States Military District, being on, over, and across that 5.63 acre tract conveyed to Andrea J. Ford by deed of record in Instrument Number 200505230015205 (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 Green Chapel Road NW (Township Road 63), the line common to Township 3 and Township 2 of said Range 15, the common corner of said 5.63 acre tract and that 5.654 acre tract conveyed to Lauren McCuen and Joshua Westfall by deed of record in Instrument Number 201908090016315, in the northerly line of that 27.733 acre tract conveyed to The City of New Albany, Ohio by deed of record in Instrument Number 2022060210015339;

Thence North 02° 58' 52" East, with the line common to said 5.63 and 5.654 acre tracts, a distance of 10.00 feet to the TRUE POINT OF BEGINNING;

Thence across said 5.63 acre tract, the following courses and distances:

North 87° 01' 59" West, a distance of 157.29 feet to a point;

North 02° 58' 01" East, a distance of 10.00 feet to a point;

South 87° 01' 59" East, a distance of 117.40 feet to a point; and

South 86° 49' 42" East, a distance of 39.90 feet to a point in the line common to said 5.63 and 5.654 acre tracts;

Thence South 02° 58' 52" West, with said common line, a distance of 9.86 feet to the TRUE POINT OF BEGINNING, containing 0.036 acre, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A Kirk

13 JAN 23

Matthew A. Kirk
Professional Surveyor No. 7865

Date

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Evans, Mechwart, Hamblaton & Tilton, Inc.
 Engineers • Surveyors • Planners • Scientists
 5500 New Albany Road, Columbus, OH 43054
 Phone: 614.775.4500 Toll Free: 888.775.3448
 emht.com

TEMPORARY EASEMENT

SECTION 23, TOWNSHIP 3, RANGE 15

UNITED STATES MILITARY DISTRICT

TOWNSHIP OF MONROE, COUNTY OF LICKING, STATE OF OHIO

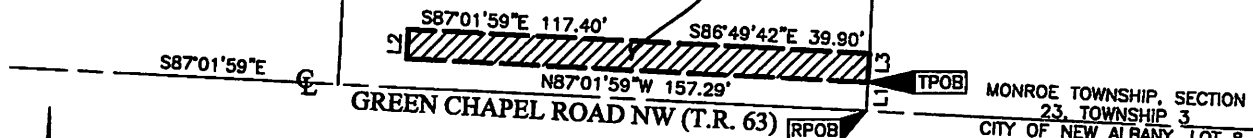
Date: January 13, 2023
 Scale: 1" = 50'
 Job No: 2022-0307
 Sheet No: 1 of 1

ADAM FRANZ
 BETH A. FRANZ
 5.63 AC. (DEED)
 I.N. 201002250003655

ANDREA J. FORD
 5.63 AC. (DEED)
 I.N. 200505230015205
 P.N. 052-173646-00.006

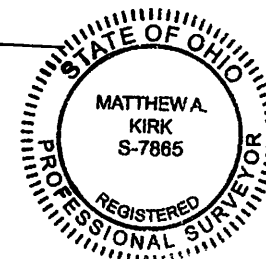
LAUREN MCCUEN
 JOSHUA WESTFALL
 5.654 AC. (DEED)
 I.N. 201908090016315

PARCEL G50-T
 0.036 AC.



MONROE TOWNSHIP, SECTION 23, TOWNSHIP 3
 CITY OF NEW ALBANY, LOT B,
 QUARTER TOWNSHIP 2,
 TOWNSHIP 2

THE CITY OF NEW ALBANY, OHIO
 27.733 AC. (DEED)
 I.N. 202206210015339



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N02°58'52"E	10.00'
L2	N02°58'01"E	10.00'
L3	S02°58'52"W	9.86'

By Matthew A. Kirk Date 13 JAN 23
 Matthew A. Kirk
 Professional Surveyor No. 7865
 mkirk@emht.com



Ordinance O-64-2023 EXHIBIT 2

EASEMENT

PARCEL G50-S

A perpetual non-exclusive easement granted to the City of New Albany (“City”), its employees, contractors, permittees, designees, agents, successors and assigns to occupy for drainage, stormwater management, utilities and appurtenances necessary for the establishment, construction, reconstruction, widening, repair or maintenance and use of a public road (the “Project”) the following described real estate (“Easement Area”) and for other purposes described herein:

SEE EXHIBIT A ATTACHED

Licking County Current Tax Parcel No. 052-173646-00.006

Prior Instrument Reference: Instrument Number 200505230015205, Licking County, Ohio Recorder’s Office

The purpose of the easement is for drainage, stormwater management and utilities appurtenant to a public road, together with the right to construct, reconstruct, operate, maintain, repair, replace, and/or remove said drainage, stormwater and utility facilities that may be necessary or convenient for the providing of such drainage, stormwater and utility services, in, upon, across, over, under, and through the Easement Area, together with ingress and egress thereto. The City may assign this Easement to parties who may be responsible for the proper use, operation, and maintenance of the drainage, stormwater, utility and public roadway that required this Easement.

Upon completion of any construction of any drainage, stormwater and utilities in the Easement Area, the Easement Area will be graded, seeded or erosion control measures shall be installed and the Easement Area shall be returned as reasonably practicable to its original condition, taking into consideration the nature of the work performed and the compensation provided to the Owner for existing improvements that are not restored. The City shall restore the initial construction in the Easement Area in accordance with the roadway improvement plans and specifications on file at the Licking County Engineer’s Office.

The Owner shall not unreasonably interfere with the drainage, stormwater or utility easement or its purposes and shall not convey any other easement within the Easement Area; place any additional structures of a temporary or permanent type on, above, or under the Easement Area; add or remove any dirt, stone, fill, trees or other vegetation or materials within the Easement Area; or disturb or alter any slopes, drainage courses or water flows within the Easement Area. However, the Owner may continue to enjoy the use of said property for any purposes which do not interfere with or prevent the use of this Easement by the City including ingress and egress over said Easement not inconsistent with its intended use.

EXHIBIT A

**PARCEL G50-S
0.005 ACRE**

EASEMENT

Situated in the State of Ohio, County of Licking, Township of Monroe, lying in Section 23, Township 3, Range 15, United States Military District, being on, over, and across that 5.63 acre tract conveyed to Andrea J. Ford by deed of record in Instrument Number 200505230015205 (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 Green Chapel Road NW (Township Road 63), the line common to said Township 3 and Township 2 of said Range 15, the common corner of said 5.63 acre tract and that 5.63 acre tract conveyed to Adam Franz and Beth A. Franz by deed of record in Instrument Number 201002250003655, in the northerly line of that 27.733 acre tract conveyed to The City of New Albany, Ohio by deed of record in Instrument Number 2022060210015339;

Thence North 02° 58' 52" East, with the line common to said Ford tract and said Franz tract, a distance of 10.00 feet to the TRUE POINT OF BEGINNING;

Thence North 02° 58' 52" East, continuing with said common line, a distance of 10.00 feet to a point;

Thence across said Ford tract, the following courses and distances:

South 87° 01' 59" East, a distance of 22.70 feet to a point;

South 02° 58' 01" West, a distance of 10.00 feet to a point; and

North 87° 01' 59" West, a distance of 22.71 feet to the TRUE POINT OF BEGINNING, containing 0.005 acre, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

13 Jul 22

Matthew A. Kirk
Professional Surveyor No. 7865

Date

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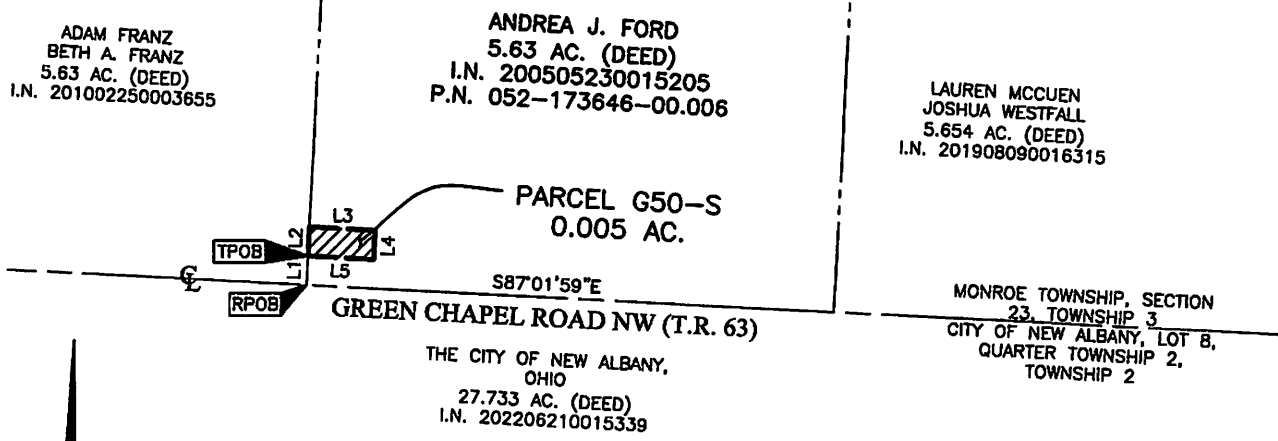


Evans, Mochwart, Hambleton & Titan, Inc.
 Engineers • Surveyors • Planners • Scientists
 5500 New Albany Road, Columbus, OH 43054
 Phone: 614.775.4500 Tol Free: 888.775.3448
 emht.com

EASEMENT

SECTION 23, TOWNSHIP 3, RANGE 15 UNITED STATES MILITARY DISTRICT TOWNSHIP OF MONROE, COUNTY OF LICKING, STATE OF OHIO

Date: January 13, 2023
 Scale: 1" = 50'
 Job No: 2022-0307
 Sheet No: 1 of 1



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N02°58'52"E	10.00'
L2	N02°58'52"E	10.00'
L3	S87°01'59"E	22.70'
L4	S02°58'01"W	10.00'
L5	N87°01'59"W	22.71'



By Matthew A. Kirk 13 JAN 23
 Matthew A. Kirk Date
 Professional Surveyor No. 7865
 mkirk@emht.com

Ordinance O-64-2023 EXHIBIT 3

J:\2022\0307\DWG\04SHEETS\EASEMENTS\G50-S_2022\0307-VS-ESMT-DRAWING plotted by KIRK, MATTHEW on 1/19/2023 10:56:35 AM last saved by TDR/OMA on 1/19/2023 6:31:22 AM



ORDINANCE O-75-2023

AN ORDINANCE TO APPROVE THE FINAL PLAT FOR 9 SINGLE FAMILY LOTS ON 8.83+/- ACRES AND ACCEPT RESERVES "A", "B", "C" FOR THE ALDEN WOODS SUBDIVISION LOCATED AT 6700, 6770, 6800 CENTRAL COLLEGE ROAD AS REQUESTED BY ANDREW MALETZ

WHEREAS, an application to approve the Alden Woods final plat has been submitted; and

WHEREAS, Codified Ordinance Chapter 1187 requires approval of the final plat by council; and

WHEREAS, the New Albany Planning Commission, after review during a public meeting on March 6, 2023, recommended approval of this final plat; and

WHEREAS, the Alden Woods final plat includes approximately 8.83+/- acres of land to be subdivided into 9 residential lots in addition to the public streets; and

WHEREAS, the 8.83+/- acre Alden Woods final plat includes approximately 2.39+/- acres of parkland and open space; and

WHEREAS, the Alden Woods final plat includes the commitment to dedicate reserves A, B, and C for parkland and open space; and

WHEREAS, New Albany City Council has agreed to the terms and conditions by which these reserves will be donated; and

WHEREAS, the city engineer certifies that the Alden Woods final plat meets all the requirements of Chapter 1187 of the Codified Ordinances, stormwater management, design requirements and will meet all other requirements of the city.

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 said Alden Woods final plat is attached to this resolution as Exhibit A and made a part herein is approved.

Section 2. Council hereby accepts the lands shown on the map attached hereto as Exhibit A, under the terms and conditions outlined and the covenants and restrictions stipulated in the deed and final plat.

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 of the Ohio Revised Code.

Section 4. 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 _____ day of _____, 2023.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht, Law Director

Legislation dates:

Prepared: 04/07/2023

Introduced: 05/02/2023

Revised:

Adopted:

Effective:

Exhibit A - O-75-2023

ALDEN WOODS SUBDIVISION CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO

Situate in the County of Franklin, State of Ohio, and being in Quarter Township One (1), Township, Two (2), Range sixteen (16), United States Military Lands, in the City of New Albany, Franklin County, Ohio Containing 8.535 acres and being the same tract as conveyed to Central College Development LLC and described in deed recorded in Official Record 202108190148285 and in 202108100140522 Recorder's Office, Franklin County Ohio.

The undersigned, Central College Development LLC, by Andrew Maletz, Member and Roland Tokarski, Member, Owners of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its Alden Wood Subdivision, a new subdivision containing Lots numbered 1 thru 9, both inclusive, and areas designated as Reserve "A", Reserve "B" and Reserve "C", does hereby accept this plat of same and dedicates to public use, as such, all or part of Central College Road, and Woodview Drive shown hereon, and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or Drainage Easement", for the construction, operation and maintenance of all public and quasi public utilities above and beneath the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the Village of New Albany Engineer.

In Witness Whereof, Andrew Maletz, Member and Roland Tokarski, Member of Central College Development LLC has hereunto set their hand this ___ day of _____, 20__.

Signed and acknowledged
in the presence of:

Central College Development LLC.

Andrew Maletz, member

Roland Tokarski, member

STATE OF OHIO, COUNTY OF FRANKLIN

Before me a Notary Public in and for said County personally came Andrew Maletz and Roland Tokarski both members of Central College Development LLC, who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for uses and purposes therein expressed.

In witness whereof I have hereunto set my hand and affixed my official seal this ___ day of _____, 20__.

My Commission Expires _____
Notary Public State of Ohio

Approved this ___ day of _____, 20__.

Mayor, New Albany, Ohio

Approved this ___ day of _____, 20__.

Municipal Engineer, New Albany, Ohio

Approved this ___ day of _____, 20__.

Council Representative to Planning Commission, New Albany, Ohio

Approved this ___ day of _____, 20__.

Chairperson, New Albany, Ohio

Approved this ___ day of _____, 20__.

Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. _____, passed _____, 20__, wherein all of Central College Road and Woodview Drive, shown hereon are accepted, as such, by the Council for the Village of New Albany, Ohio. Approval of this plat shall become null and void unless recorded prior to _____, 20__.

Transferred this ___ day of _____, 20__.

Auditor, Franklin County, Ohio

Recorder, Franklin County, Ohio

Deputy Auditor, Franklin County, Ohio

Filed for record this ___ day of _____, 20__ at ___ M.
Fee \$ _____

File No. _____

Recorded this ___ day of _____, 20__.

Plat Book _____, Pages _____

Deputy Recorder, Franklin County, Ohio

SURVEYOR'S CERTIFICATION:

We do hereby certify that we have surveyed the premises and prepared the attached plat and that said plat is correct. Dimensions on curves are chord measurements.

Anthony A. Garcia Date
Professional Surveyor No. 8112



NOTE "A" - RESERVES "A", "B" & "C"

Reserve "A", as designated and delineated hereon, shall be owned by the City of New Albany and maintained, in perpetuity, by an association comprised of the owners of the fee simple titles to the lots in the Alden Woods Subdivision for the purpose of park land and Stormwater Management.

Reserve "B", as designated and delineated hereon, shall be owned by the City of New Albany and maintained, in perpetuity, by an association comprised of the owners of the fee simple titles to the lots in the Alden Woods Subdivision for the purpose of park land.

Reserve "C", as designated and delineated hereon, shall be owned by the City of New Albany and maintained, in perpetuity, by an association comprised of the owners of the fee simple titles to the lots in the Alden Woods Subdivision for the purpose of park land.

NOTE "B":

All of the Alden Woods Subdivision, is within Zone X as delineated on the FEMA Flood Insurance Rate Map for Franklin County, Ohio and Incorporated Areas, map number 39049C0206 K, effective date June 17, 2008.

NOTE "C":

No determination has been made by the City of New Albany as to whether the area proposed to be platted contains area(s) that could be classified as Wetlands by the Army Corps of Engineers. It is the developer's responsibility to determine whether Wetlands exist on the site. The City of New Albany's approval of the final plat of Alden Woods Subdivision does not imply any approval for the development of the site as it may pertain to Wetlands.

NOTE "D":

The minimum front, side and rear yard setback distance, required by the zoning district regulations in effect at the time of platting for each lot in the Alden Woods Subdivision are given in the following table:

Front: 30 Feet (from the street right-of-way line)
Side: 10 feet minimum each side
Rear: 30 feet minimum

4/18/2023
235500615

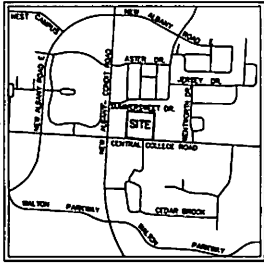
Garcia Surveyors, Inc.

P.O. Box 2628
Whitehouse, OH 43071
Phone: (419) 877-0400
Fax: (419) 877-1140



ALDEN WOODS SUBDIVISION

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO



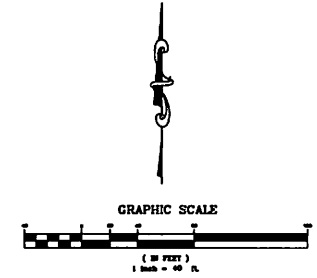
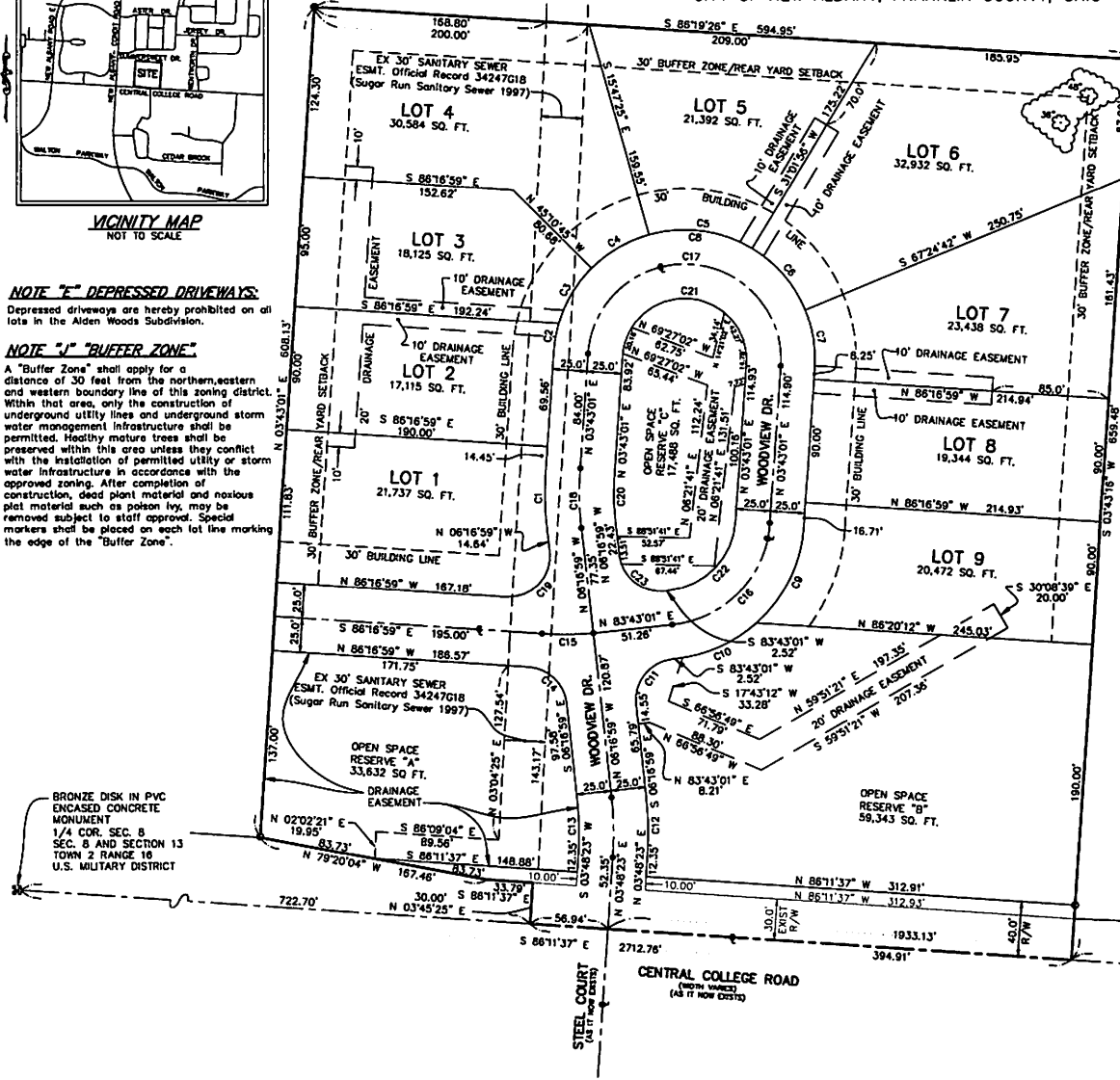
VICINITY MAP
NOT TO SCALE

NOTE "E" DEPRESSED DRIVEWAYS:

Depressed driveways are hereby prohibited on all lots in the Alden Woods Subdivision.

NOTE "J" "BUFFER ZONE":

A "Buffer Zone" shall apply for a distance of 30 feet from the northern, eastern and western boundary line of this zoning district. Within that area, only the construction of underground utility lines and underground storm water management infrastructure shall be permitted. Healthy mature trees shall be preserved within this area unless they conflict with the installation of permitted utility or storm water infrastructure in accordance with the approved zoning. After completion of construction, dead plant material and noxious plant material such as poison ivy, may be removed subject to staff approval. Special markers shall be placed on each lot line marking the edge of the "Buffer Zone".



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	275.00	28.00	27.94	S 01°16'59" E	10°00'00"
C2	85.00	20.77	20.69	S 09°28'58" W	28°38'37"
C3	85.00	47.49	44.00	S 30°29'58" W	28°38'37"
C4	85.00	48.73	48.20	S 59°50'55" W	28°23'21"
C5	85.00	77.63	75.49	N 82°24'43" W	48°49'20"
C6	85.00	50.32	49.31	N 40°40'41" W	35°23'45"
C7	85.00	43.55	43.17	N 02°27'22" W	28°15'53"
C8	85.00	208.43	190.00	S 86°18'59" E	180°00'00"
C9	105.00	80.55	79.24	N 23°55'01" E	44°30'00"
C10	105.00	55.08	54.04	N 63°50'02" E	35°29'26"
C11	30.00	47.12	42.43	N 38°43'01" E	80°00'00"
C12	275.00	48.43	48.36	N 01°14'18" W	10°05'23"
C13	225.00	39.82	39.57	S 01°14'18" E	10°05'23"
C14	30.00	41.89	38.57	S 48°18'59" E	80°00'00"
C15	250.00	37.47	37.13	N 89°28'05" E	83°52'
C16	80.00	119.70	102.55	N 44°16'01" E	80°00'00"
C17	70.00	119.91	102.55	S 86°18'59" E	180°00'00"
C18	250.00	43.83	43.58	N 01°18'59" E	10°05'23"
C19	30.00	52.56	45.98	S 43°43'01" E	100°00'00"
C20	225.00	44.27	44.07	S 01°18'59" E	10°05'23"
C21	45.00	141.37	30.00	S 86°18'59" E	180°00'00"
C22	55.00	76.79	70.71	S 43°43'01" E	80°00'00"
C23	30.00	47.12	42.43	N 51°18'59" W	90°00'00"

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on an assumed meridian and are for the express purpose of calculating angular measurement.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio

IRON PINS: Iron Pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug place in the top and bearing the name PS 8112.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated and are to be set with the top end flush with the surface of ground and then capped with an aluminum cap stamped GARCIA SURVEYORS. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of construction/installation of the street pavement and utilities and prior to the Village of New Albany, Ohio's acceptance of these subdivision improvements. The New Albany, Ohio Municipal Engineer shall be notified when the markers are in place.

FOUND RAILROAD SPIKE
SE. COR., SEC 8
SW COR., SEC 9
NW COR., SEC. 12
NE COR., SEC. 13
TOWN 2 RANGE 16
U.S. MILITARY DISTRICT

Garcia Surveyors, Inc.

P.O. Box 2828
Whitehouse, OH 43071
Phone: (419) 877-0400
Fax: (419) 877-1140



4/18/2023
235500615



ORDINANCE O-76-2023

AN ORDINANCE TO ACCEPT WATER LINE, SANITARY SEWER, STREET AND STORM SEWER IMPROVEMENTS AND APPURTENANCES THERETO FOR WOODHAVEN, AS REQUESTED BY BOB WEBB HOMES

WHEREAS, in accordance with New Albany Ordinance 77-91, and pursuant to written certification by the city engineer that the improvements and appurtenances thereto for Woodhaven have been completed to the standards set by Codified Ordinance 1187; and

WHEREAS, a 2-year performance bond in the amount of \$208,373, 2-year maintenance bond in the amount of \$296,593, and engineering inspection fee deposit in the amount of \$5,191, and a 5-year settlement bond of \$111,000 will be provided by the applicant prior to the second reading.

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 improvements and appurtenances thereto for are hereby accepted.

Section 2. It is hereby found and determined that all formal actions of council concerning and relating to the adoption of this legislation were adopted in an open meeting of 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 3: Pursuant to Article VI, Section 6.07(B) of the City of New Albany Charter, this ordinance shall take effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this _____ day of _____, 2023.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:	
Prepared:	05/05/2023
Introduced:	05/16/2023
Revised:	
Adopted:	
Effective:	

PROPOSED



RESOLUTION R-25-2023

A RESOLUTION DECLARING INTENT TO APPROPRIATE PROPERTY AND EASEMENTS FOR THE PUBLIC PURPOSE OF MAKING, REPAIRING, IMPROVING, OR CONSTRUCTING CLOVER VALLEY ROAD NW AS EXTENDED TO JOIN WITH AND EXTEND TO INTERSECTING ROADS WHICH ARE AND SHALL BE OPEN TO THE PUBLIC WITHOUT CHARGE

WHEREAS, the City of New Albany has the authority and power under the constitution, statutes, and laws of the State of Ohio, and the additional authority of the City under its charter to construct and repair roads and make road and street improvements, acquire necessary real property and interests therein, including temporary and permanent right-of-way and appurtenances thereto, and enter into agreements with other political subdivisions for the exercise of any and all powers, performance of any function or rendering of any service necessary to improve, construct, repair, and maintain street and road improvements and their appurtenances; and

WHEREAS, Intel Corporation is in the process of constructing a \$20 billion+ chip manufacturing project in New Albany on property between Clover Valley Road NW on the west, Mink Street NW on the east, and abutting and south of Green Chapel Road NW; and

WHEREAS, the city has determined that constructing, improving, making and repairing portions of Clover Valley Road NW as extended at the intersections and certain access points to join with improved and existing intersecting roads and as lengthened to intersect with Mink Street, all of which are and shall be open to the public, without charge, (the "Clover Valley Road Project") is necessary and essential and will contribute to the promotion of the health, safety, public convenience and welfare of the people and City of New Albany and the traveling public.

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

Section 1. Council considers it necessary and declares its intention to appropriate, for the public purpose of constructing, improving, making, and repairing roads, which shall be open to the public, without charge, the fee simple interests and permanent and temporary easements in and to the real property and interests therein identified and described in the attached Exhibit A for the construction, repair and improvement of Clover Valley Road NW as extended at the intersections and certain access points to join with and extend to improved and existing roadways.

Section 2. The city manager is authorized and directed to cause written notice of the passage of this Resolutions to be given to the owner(s) of, person(s) in possession of, or person having an interest

of record in the property sought to be appropriated, or to the authorized agent of the owner or such other persons. The notice shall be served and returned according to law.

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(A) of the charter of the City of New Albany, and Ohio Revised Code Section 719.05, this resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2023.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared:	05/03/2023
Revised:	05/12/2023 – exhibit A
Introduced:	05/16/2023
Adopted:	
Effective:	

RESOLUTION R-25-2023

EXHIBIT A

This resolution of intent to appropriate includes the acquisition of real property and property interests from the following property owner, the owner's real property intended to be appropriated, the owner's interest therein intended to be appropriated and a legal description and depiction of that real property.

Property Owner	Property Interests and Reference to Descriptions	Licking County Auditor Parcel ID Number
Nine Properties, Limited	Parcel C33-U Easement for utilities and appurtenances necessary for the construction and improvement of Clover Valley Road and Jug Street Road without limitation of existing access rights 0.910 Acres	037-112056-00.001

EXHIBIT A

**PARCEL C33-U
0.910 ACRE**

EASEMENT

Situated in the State of Ohio, County of Licking, City of New Albany, lying in Lot 2 and Lot 15, Quarter Township 2, Township 2, Range 15, United States Military District, being on, over and across that tract 22.453 acre tract conveyed to Nine Properties, Limited by deed of record in Instrument Number 200505250015574 and that 0.535 acre tract conveyed to Nine Properties, Limited by deed of record in Instrument Number 202212060028640 (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 Jug Street Road NW, the corner common to said 22.453 acre tract and that 1.803 acre tract conveyed to The City of New Albany, Ohio by deed of record in Instrument Number 201910180022801;

Thence South 03° 31' 03" West, across said Jug Street Road NW, with the line common to said 22.453 and 1.803 acre tracts and that 10.247 acre tract conveyed to AEP Ohio Transmission Company, Inc. by deed of record in Instrument Number 202209160022655, a distance of 46.50 feet to the TRUE POINT OF BEGINNING;

Thence with the southerly right-of-way line of Jug Street Road and with the westerly right-of-way line of Clover Valley Road of record in Instrument Number _____, the following courses and distances;

South 86° 36' 02" East, a distance of 194.91 feet to a point;

South 53° 46' 18" East, a distance of 34.84 feet to a point;

South 20° 12' 26" East, a distance of 84.85 feet to a point;

With the arc of a curve to the left, having a central angle of 09° 31' 03", a radius of 940.00 feet, an arc length of 156.14 feet, a chord bearing of South 25° 06' 44" East and chord distance of 155.96 feet to a point of tangency; and

South 29° 52' 15" East, a distance of 676.19 feet to a point in the westerly line of the remainder of that 21.63 acre tract conveyed to MJB Holdings, LLC by deed of record in Instrument Number 202109080027199;

Thence South 50° 55' 15" West, with the line common to said 0.535 and 21.63 acre tracts, a distance of 35.46 feet to a point;

Thence across said 0.535 and 22.453 acre tracts, the following courses and distances:

North 29° 52' 15" West, a distance of 681.86 feet to a point of curvature;

With the arc of a curve to the right, having a central angle of 09° 31' 12", a radius of 975.00 feet, an arc length of 162.00 feet, a chord bearing of North 25° 06' 39" West and chord distance of 161.82 feet to a point;

North 20° 12' 26" West, a distance of 74.34 feet to a point;

North 53° 46' 18" West, a distance of 13.97 feet to a point; and

North 86° 36' 02" West, a distance of 185.21 feet to a point in the easterly line of said 10.247 acre tract;

PARCEL C33-U
0.910 ACRE
-2-

Thence North 04° 24' 16" East, with the line common to said 10.427 and 22.453 acre tracts, a distance of 35.01 feet to the TRUE POINT OF BEGINNING, containing 0.910 acre, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

7 Dec 22

Matthew A. Kirk
Professional Surveyor No. 7865

Date

MAK:smh
C33-U_0_910 ac 20220234-VS-ESMT-UTIL.docx



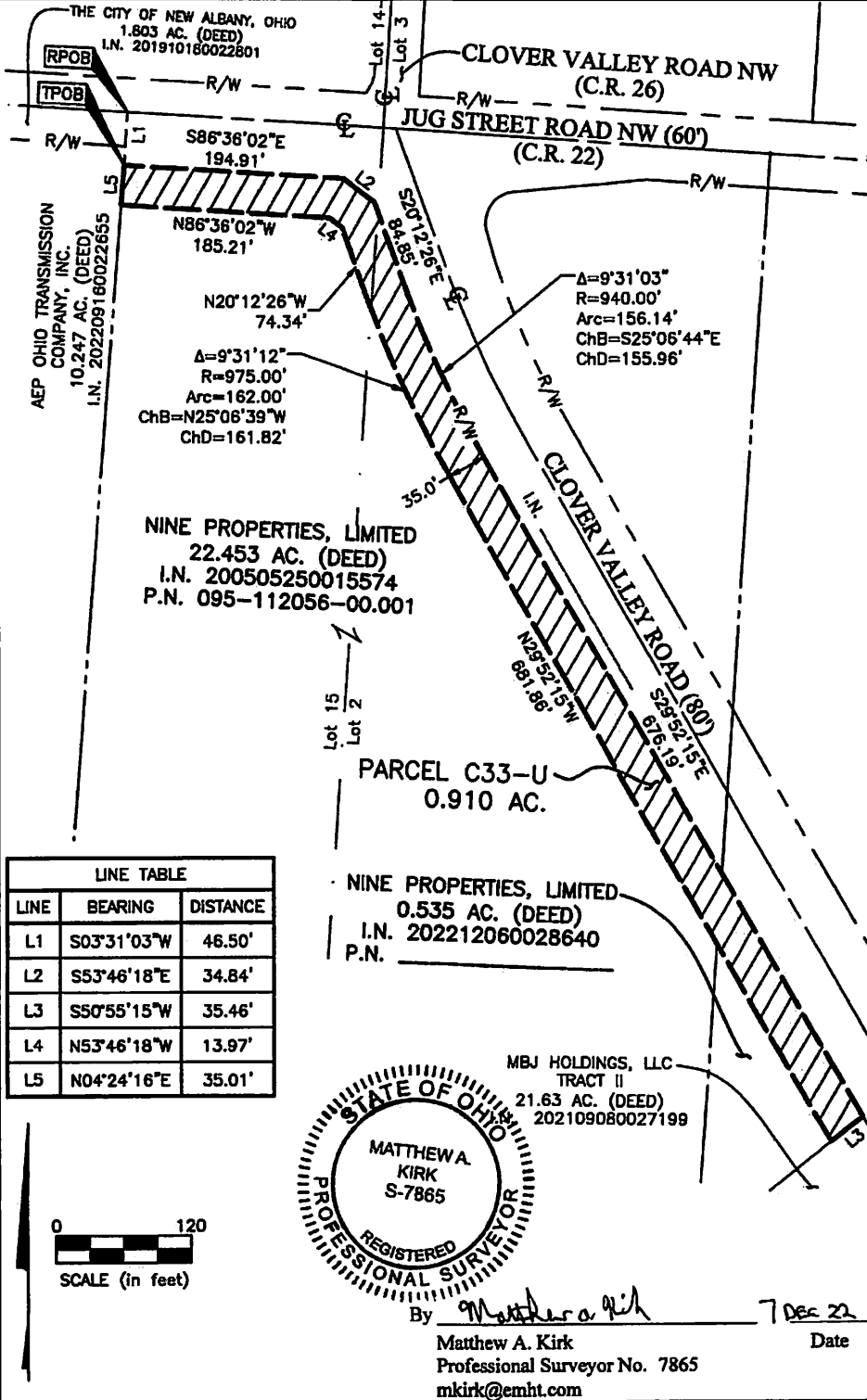


EMHT
 Evans, Mechwart, Hartzelstein & Tizon, Inc.
 Engineers • Surveyors • Planners • Scientists
 5800 New Albany Road, Columbus, OH 43234
 Phone: 614.773.4300 Fax: 614.773.3448
 emht.com

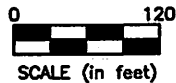
EASEMENT

LOTS 2 & 15, QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 15
 UNITED STATES MILITARY DISTRICT
 CITY OF NEW ALBANY, COUNTY OF LICKING, STATE OF OHIO

Date: December 7, 2022 Scale: 1" = 120' Job No: 2022-0234 Sheet No: 1 of 1



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S03°31'03"W	46.50'
L2	S53°46'18"E	34.84'
L3	S50°55'15"W	35.46'
L4	N53°46'18"W	13.97'
L5	N04°24'16"E	35.01'



By Matthew A. Kirk Date 7 Dec 22
 Matthew A. Kirk
 Professional Surveyor No. 7865
 mkirk@emht.com

20220234.DWG DATESETUP/PLOTTING/C33-U_20220234-15-15UT-UTL.DWG plotted by HARRIS, STEVEN on 12/7/2022 8:25:54 AM
 20220234.DWG DATESETUP/PLOTTING/C33-U_20220234-15-15UT-UTL.DWG plotted by HARRIS, STEVEN on 12/7/2022 8:25:22 AM last saved by SHARDES on 12/7/2022 8:25:54 AM



RESOLUTION R-26-2023

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED COMMUNITY REINVESTMENT AREA AGREEMENT WITH COI NEW ALBANY TECH PARK LAND, LLC

WHEREAS, COI New Albany Tech Park Land, LLC, an Ohio limited liability company (the "Company") previously acquired land in the City of New Albany (the "Project Site") for development of facilities for suppliers to chip manufacturers (the "Project"), and in support of the development of the Project the City and the Company entered into a Community Reinvestment Area Agreement dated December 30, 2022 (the "Original CRA Agreement"), pursuant to City Resolution No. R-40-2022 adopted December 6, 2022; and

WHEREAS, the Company has acquired additional land (the "Additional Land") for the Project that is not subject to the Original CRA Agreement and the City and the Company desire to amend the Original CRA Agreement to incorporate this Additional Land; and

WHEREAS, Council previously created the current Oak Grove II Community Reinvestment Area by its Resolution No. R-17-09 adopted March 3, 2009, as supplemented by its Resolutions No. R-41-10 adopted July 6, 2010, No. R-72-10 adopted November 16, 2010, No. R-53-12 adopted October 12, 2012, No. R-26-13 adopted July 16, 2013, No. R-72-14 adopted September 9, 2014, No. R-49-2015 adopted November 17, 2015, No. R-45-16 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-46-2021 adopted September 21, 2021, No. R-09-2022 adopted February 1, 2022, No. R-18-2022 adopted May 3, 2022, No. R-38-2022 adopted November 15, 2022, and No. R-21-2023 adopted April 18, 2023; and

WHEREAS, Council adopted Res. No. R-21-2023 on April 18, 2023 to further amend and supplement the designation of the Oak Grove II Community Investment Area Original Area to include portions of the Additional Land not previously included in the Oak Grove II CRA, and the Ohio Department of Development has determined and certified that the aforementioned Area, as amended to include the Additional Land, contains the characteristics set forth in Ohio Revised Code Section 3735.66 and confirmed that Area, including the Additional Land, as a "Community Reinvestment Area" pursuant to that Section 3735.66; and

WHEREAS, the Company has submitted to the City an application for the Amended and Restated 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 of to be forwarded to

the Ohio Department of Development with a copy of the final Amended and Restated CRA Agreement; and

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

WHEREAS, the City, having the appropriate legal authority, desires to provide certain property tax incentives to encourage the development the Project on the Additional Land; and

WHEREAS, the Additional Land is located in the Licking County Joint Vocational School District (C-TEC) and the Johnstown-Monroe Local School District, and the Boards of Education of both those School Districts have waived their rights to both receive notice under Section 5709.83 of the Revised Code and approve the Amended and Restated CRA Agreement.

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

Section 1. Amended and Restated Community Reinvestment Area Agreement. The Amended and Restated Community Reinvestment Area Agreement by and between the City and the Company, in the form presently on file with the Clerk of the Council, is hereby approved and authorized with any changes therein and amendments thereto not inconsistent with this Resolution and not substantially adverse to this City and which shall be approved by the City Manager. The City Manager, for and in the name of this City, with the advice of the Director of Law, is hereby authorized to execute that Amended and Restated Community Reinvestment Area Agreement and approve the character of any changes and any amendments thereto as consistent with this Resolution and not substantially adverse to the City, as evidenced conclusively by his execution of that Community Reinvestment Area Agreement.

Section 2. Further Authorizations. Council further hereby authorizes and directs the City Manager, the Director of Law, the Director of Finance, the Community Development Director, the Clerk of Council, 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 Resolution and the transactions referenced or contemplated in this Resolution and the Amended and Restated Community Reinvestment Area Agreement and approved in this Resolution

Section 3. Compliance with the Law. Council finds and determines that all formal actions of Council and any of its committees concerning and relating to the adoption of this resolution were taken in an open meeting of Council and any of its committees, and that all deliberations of this Council an 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 4. Effective Date. Pursuant to Article 6.07 of the New Albany Charter, this Resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this _____ day of _____, 2023.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Benjamin S. Albrecht
Law Director

Legislation dates:	
Prepared:	05/05/2023
Introduced:	05/16/2023
Revised:	
Adopted:	
Effective:	

PROPOS