



ORDINANCE O-05-2021

AN ORDINANCE TO ACCEPT WATER LINE, SANITARY SEWER, STREET AND STORM SEWER IMPROVEMENTS AND APPURTENANCES THERETO FOR THE COURTYARDS AT NEW ALBANY, PHASE 2A, AS REQUESTED BY EPCON COMMUNITIES

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 The Courtyards at New Albany, Phase 2A, have been completed to the standards set by Codified Ordinance 1187; and

WHEREAS, a two-year maintenance bond in the amount of \$58,696, an engineering inspection fee deposit in the amount of \$1,394, and a five-year settlement bond of \$14,050 will be provided by the applicant prior to the second reading. Any infrastructure items that cannot be completed due to weather conditions will be identified and a performance bond or escrow amount will be submitted in an amount deemed acceptable to the city as required by codified ordinance.

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. Any weather-related items, street trees, and landscaping covered under performance bonds must be installed as outlined in such performance bonds by July 30, 2021.

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 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 404 effective November 22, 2020.

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 _____, 2021.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Legislation dates:

Prepared: 02/05/2021

Introduced: 02/16/2021

Revised:

Adopted:

Effective:



ORDINANCE O-06-2021

AN ORDINANCE TO APPROVE THE FINAL PLAT AND ACCEPT RIGHT-OF-WAY DEDICATION FOR THE BEECH ROAD AND GANTON PARKWAY WEST PHASE 1 PROJECT, AS REQUESTED BY THE CITY OF NEW ALBANY

WHEREAS, an application to approve the Final Plat for Beech Road and Ganton Parkway West Phase 1 has been submitted by the City of New Albany; and

WHEREAS, the city will be the recipient (grantee) of the right of way dedication of approximately 5.6 acres; and

WHEREAS, the New Albany Planning Commission, after review in a public meeting on February 17, 2021, recommended approval of the Final Plat; and

WHEREAS, the city engineer certifies that the extension of Beech Road and Ganton Parkway West Phase 1 meets all the requirements of Chapter 1187 of the Codified Ordinances, storm water management, design requirements and will meet all other requirements of 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: The final plat to create the Beech Road and Ganton Parkway West Phase 1 extension is attached to this ordinance as Exhibit A and made a part herein is approved.

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 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 404 effective November 22, 2020.

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 _____, 2021.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Legislation dates:

Prepared: 02/19/2021

Introduced: 03/02/2021

Revised:

Adopted:

Effective:

BETCH ROAD AND CANYON PARKWAY DEDICATION PHASE 1 20200965

BEECH ROAD AND GANTON PARKWAY DEDICATION PHASE 1

MBJ HOLDINGS, LLC
68.591 AC. (DEED)
I.N. 200212230049294
P.N. 09410819200000

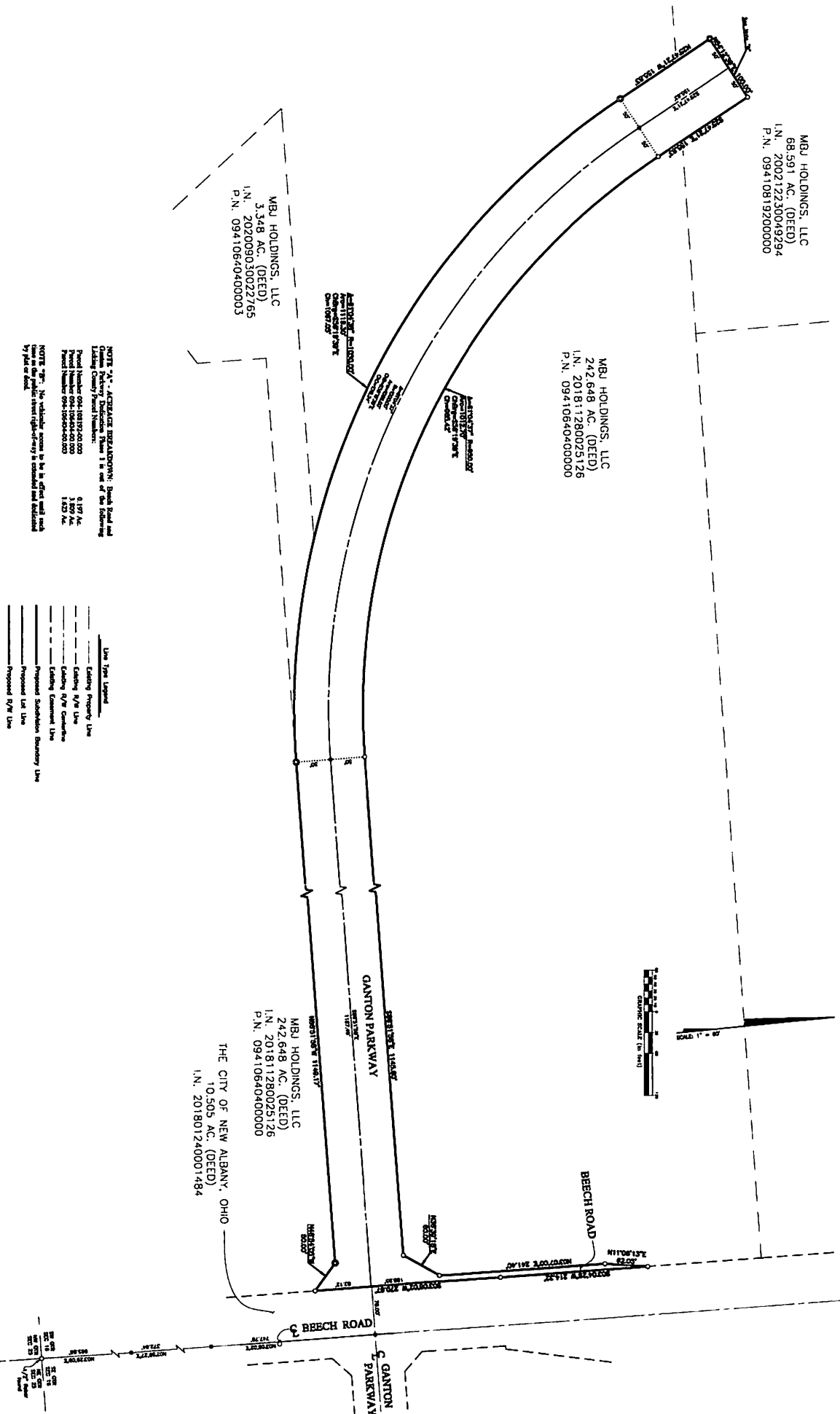
MBJ HOLDINGS, LLC
242.648 AC. (DEED)
I.N. 201811280025126
P.N. 09410640400000

MBJ HOLDINGS, LLC
3.348 AC. (DEED)
I.N. 202009030022765
P.N. 09410640400003

THE CITY OF NEW ALBANY, OHIO
10.505 AC. (DEED)
I.N. 201801240001484

NOTE: "X" - ADDRESS INDICATING: Beach Road and Ganton Parkway. Parcel 1 is one of the following:
Parcel Number 094-108192-000 9.197 A.
Parcel Number 094-108494-000 3.897 A.
Parcel Number 094-108494-000 1.427 A.
NOTE: "X" - No vehicles access to be affected and no other vehicles access to be affected and dedicated by deed.

- Line Type Legend
- Existing Property Line
 - Existing R/W Line
 - Existing R/W Centerline
 - Existing Easement Line
 - Proposed Subdivision Boundary Line
 - Proposed R/W Line
 - Proposed R/W Centerline
 - Proposed Easement Line





ORDINANCE O-07-2021

AN ORDINANCE TO ACCEPT A RIGHT OF WAY DEDICATION OF 0.193 ACRES AT 6895 BEVELHYMER ROAD AS REQUESTED BY THE CHRISTIAN MEETING ROOM, INC.

WHEREAS, the land parcel currently extends to the centerline of Bevelhymer Road and has historically been served by a highway easement. The property owner requests to dedicate the highway easement area to the city as public right-of-way; and

WHEREAS, the city will be the recipient (grantee) of the right of way dedication of 0.193 acres; and

WHEREAS, the city engineer has reviewed the right of way dedication and has commented this dedication is appropriate; and

WHEREAS, the city will benefit from this dedication of right of way.

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

Section 1. The city manager is hereby authorized to accept a right of way dedication of 0.193 acres as depicted on Exhibit A.

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 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 404 effective November 22, 2020.

Section 3. 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 _____, 2021.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Legislation dates:

Prepared: 02/19/2021

Introduced: 03/02/2021

Revised:

Adopted:

Effective:

PROPOSED

Portion above reserved for State of Ohio Auditor, Engineer and Recorder's Offices use

PERMANENT RIGHT-OF-WAY EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS THAT **CHRISTIAN MEETING ROOM, INC.** ("GRANTOR"), an Ohio non-profit corporation, whose tax mailing address is 326 James Road, Gahanna, Ohio 43230, for good and valuable consideration, which receipt and sufficiency are acknowledged, given by the **CITY OF NEW ALBANY, OHIO** ("GRANTEE"), an Ohio municipal corporation, whose tax mailing address is 99 West Main Street, New Albany, Ohio 43054, does forever grant a permanent right-of-way easement, to Grantee, and Grantee's successors and assigns, the following described real property:

0.193 Acre Right-of-Way Easement

(SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A", DEPICTION
ATTACHED AS EXHIBIT "B", AND MADE A PART OF THIS INSTRUMENT)

FRANKLIN COUNTY PARCEL No.: 222-004750.00

INSTRUMENT REFERENCES: 201506100076671; RECORDER'S OFFICE;
FRANKLIN COUNTY, OHIO

**THE REAL PROPERTY LEGALLY DESCRIBED ON EXHIBIT "A" AND
"EXHIBIT B" IS INTENDED BY GRANTEE TO BE HELD FOR USE AS
PUBLIC RIGHT-OF-WAY.**

IN WITNESS WHEREOF, Grantor, Christian Meeting Room, LLC. voluntarily caused this
instrument's execution on December 14, 2020.

GRANTOR



Christian Meeting Room, LLC., by

President

Its

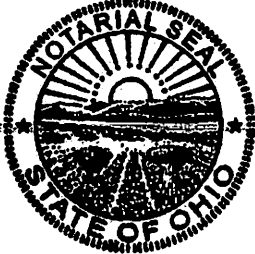
{SIGNATURE AND ACKNOWLEDGEMENT ON THE FOLLOWING PAGE}

STATE OF OHIO
COUNTY OF FRANKLIN

)
) SS:

BE IT REMEMBER that on this 14th day of December, 2020, before me, the subscriber, a Notary Public in and for said County, personally came the above named James Reid, in his/her capacity as President on behalf of the Christian Meeting Room, LLC. in the foregoing Permanent Right-of-Way Easement, and acknowledged the signing of the same to be his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day and year last aforesaid.

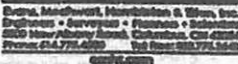


(seal)

Debra R Keen-Cooper
Notary Public, State of Ohio
My Commission Expires 09-04-24

Debra R. Keen-Cooper
Notary Public

This Instrument Prepared By:
Mitchell H. Banchefsky
New Albany City Law Director
99 West Main Street
New Albany, OH 43054



Date: April 10, 2017

Job No: 2015-1646

Scale: 1" = 60'



The Bearings shown hereon are based on the Ohio State Plane Coordinate System as per NAD83 South Zone (1986 Adjustment). Control for bearings was from coordinates of monuments FRANK 78 and FRANK 178, having a bearing of North 57° 24' 57" East, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey performed March, 2015.

- = MON. FND.
 ● = I.P. FND.
 ○ = I.P. SET
 ● = MAG. NAIL FND.
 ○ = MAG. NAIL SET

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.



0.193 AC. GROSS
- 0.072 AC. P.R.O.

0.121 AC. NET

THOMAS A. SHOCKEY AND SUSAN S. SHOCKEY, TRUSTEES
6.036 AC.
I.N. 201606230079913

By

Heather L. King
Professional Surveyor No. 8307

Date: _____

\\20151646\BIO\04SHELTERS\BOUNDARY\20151646-15-BNDY-REAR-01.DWG plotted by KNO3, HEATHER on 4/19/2017 11:32:24 AM last saved by KNO3 on 4/19/2017 11:31:50 AM
 20151646-15-BNDY-REAR-01.DWG & 2000045752.DWG

0.193 ACRE

Situated in the State of Ohio, County of Franklin, City of New Albany, lying in Section 12, Quarter Township 1, Township 2, Range 16, United States Military Lands and being part of that 5.663 acre tract conveyed to Christian Meeting Room, Inc. by deed of record in Instrument Numbers 201506100076671, (all references are to the records of the Recorder's Office, Franklin County, Ohio), being more particularly described as follows:

Beginning, for reference, at Franklin County Geodetic Survey Monument Number 2206 found at the centerline intersection of Central College Road (variable width) and Bevelhymmer Road (60 feet wide), being South $86^{\circ} 00' 34''$ East, a distance of 2719.95 feet from Franklin County Geodetic Survey Monument Number 5213 found in the centerline of said Central College Road;

Thence South $03^{\circ} 24' 36''$ West, with said centerline of said Bevelhymmer Road, partially with the easterly line of that 1.420 acre tract conveyed to Aaron M. Yorde and Sarah M. Yorde by deed of record in Instrument Number 201508130112392, a distance of 260.01 feet to a magnetic nail set in said centerline at the easterly common corner of said 5.663 and 1.420 acre tracts, the TRUE POINT OF BEGINNING;

Thence South $03^{\circ} 24' 36''$ West, continuing with said centerline and the easterly line of said 5.663 acre tract, a distance of 209.73 feet to a magnetic nail set in said centerline, being a northeast corner of that 6.036 acre tract conveyed to Thomas A. Shockey and Susan S. Shockey, Trustees by deed of record in Instrument Number 201606230079913, a southeasterly corner of said 5.663 acre tract;

Thence North $86^{\circ} 07' 53''$ West, with the line common to said 5.663 and 6.036 acre tract, a distance of 40.00 feet to an iron pin set;

Thence North $03^{\circ} 24' 36''$ East, across said 5.663 acre tract, a distance of 209.81 feet to an iron pin set in the line common to said 5.663 and 1.420 acre tracts;

Thence South $86^{\circ} 00' 34''$ East, with said common line and passing a 5/8 inch rebar at 10.46 feet, a total distance of 40.00 feet to the TRUE POINT OF BEGINNING, containing 0.193 acre, more or less. Of said 0.193 acre tract, 0.072 acre is within the current right-of-way of said Bevelhymmer Road.

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

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 herein are based on the Ohio State Plane Coordinate System as per NAD83 South Zone (1986 Adjustment). Control for bearings was from coordinates of monuments FRANK 78 and FRANK 178, having a bearing of North $57^{\circ} 24' 57''$ East, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

This description is based on a field survey performed by or under the direct supervision of Heather L. King, Professional Surveyor No. 8307 in March, 2015.



HLK:jm
0.193 ac 20151646

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King
Heather L. King
Professional Surveyor No. 8307

4/19/17
Date



RESOLUTION R-08-2021

A RESOLUTION TO APPROVE AND ADOPT THE CITY OF NEW ALBANY ENGAGE NEW ALBANY STRATEGIC PLAN, AS REQUESTED BY THE CITY OF NEW ALBANY

WHEREAS, Council of the City of New Albany has established a strategic plan to guide land use, infrastructure development and economic impact and to provide guidelines to establish goals, objectives and recommendations related to the development of the city and originally adopted by Resolution R-11-1998 on March 3, 1998; and

WHEREAS, New Albany has updated its strategic plan approximately every five years to respond to changing conditions and priorities that resulted from the city's continued growth; the strategic plan is based on community input and sound planning principles designed to improve quality of life, address community needs, and protect investment for the long term; and

WHEREAS, the Rocky Fork Blacklick Accord panel reviewed and recommended approval of the Engage New Albany strategic plan at their meeting on January 21, 2021; and

WHEREAS, the Parks and Trails Advisory Board reviewed and recommended approval of the Engage New Albany strategic plan at their meeting on February 1, 2021; and

WHEREAS, the Architectural Review Board reviewed and recommended approval of the Engage New Albany strategic plan at their meeting on February 24, 2021; and

WHEREAS, the Planning Commission reviewed and recommended approval of the Engage New Albany strategic plan at their meeting on March 1, 2021.

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 adopts the Engage New Albany strategic plan as presented to the council and which shall be attached hereto as Exhibit A upon adoption.

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 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, and further pursuant to Ohio General Assembly 133 – House Bill 404 effective November 22, 2020.

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

CERTIFIED AS ADOPTED this _____ day of _____, 2021.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchevsky
Law Director

Legislation dates:

Prepared: 02/22/2021

Introduced: 03/02/2021

Revised:

Adopted:

Effective:



RESOLUTION R-09-2021

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A DONATION AGREEMENT AND AWARD AND EXECUTE ALL CONTRACTS RELATED TO PLAYGROUND IMPROVEMENTS AT SUMPTION PARK IN THE NEW ALBANY LINKS SUBDIVISION AND TO WAIVE COMPETITIVE BIDDING

WHEREAS, the city undertook a Parks Framework Plan, a comprehensive evaluation of its park system and a strategy for the future park and recreational improvements and in accordance with the plan's recommendations, the Council of the City of New Albany desires to upgrade playgrounds within the city's neighborhoods; and

WHEREAS, Sumption Park is neighborhood playground that was developed with the New Albany Links Home Owners Association, Inc. (HOA), and the city owns the real property where the existing park is located; and

WHEREAS, in 2020, the HOA began planning to upgrade certain aspects of the park by choosing equipment and obtaining proposals for play equipment, a new surface treatment, a new shade structure, furniture, and other improvements; and

WHEREAS, the city and the HOA desire to work together to make the improvements, with the homeowners association making a donation to the city for a portion of the cost of the upgrades, and the city contributing any additional funding and contracting for and managing the construction of the improvements; and

WHEREAS, the terms of this collaboration are outlined in a Donation Agreement attached hereto as Exhibit A; and

WHEREAS, the funding for playground improvements in various city playgrounds was provided for in the Annual Appropriations Ordinance (O-26-2020); and

WHEREAS, the city desires to waive competitive bidding in order to take full advantage of the HOA's efforts to design and price the playground improvements and to have the playground upgraded as soon as possible.

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. The city manager is hereby authorized and directed to enter into a Donation Agreement, the same or substantially similar to Exhibit A, and award and execute all contracts related to the playground improvements at Sumption Park in the New Albany Links subdivision.

Section 2. Council hereby waives competitive bidding pursuant to Section 9.04 of the City Charter, for the reasons set forth in the 'Whereas' clauses set forth above.

Section 3. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this ordinance were adopted in an open meeting 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, and further pursuant to Ohio General Assembly 133 – House Bill 404 effective November 22, 2020.

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

CERTIFIED AS ADOPTED this _____ day of _____, 2021.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Legislation dates:

Prepared: 02/19/2021
Introduced: 03/02/2021
Revised:
Adopted:
Effective:

DONATION AGREEMENT FOR PLAYGROUND IMPROVEMENT

The following sets forth the donation agreement (“Donation” or “Agreement”) dated _____, 2021, between the New Albany Links Homeowners Association, Inc., its successors and assigns, collectively referred to herein as (“Donor”) and the City of New Albany, an Ohio charter municipality (“City”).

I. Description/Timing of Donation

The Donor intends to donate the sum of \$_____ (the “Donation”) to the City pursuant to this agreement on the terms and conditions set forth herein. It is anticipated that the Donation will be made on or before _____ of 2021.

II. Purpose

The Donation described in Section I. herein, shall be restricted, and shall only be utilized by the City to pay for the design, acquisition and installation of playground equipment on City owned property located in the New Albany Links subdivision, which property and location thereon are more fully described in Exhibit A, attached hereto and made a part hereof.

III. Other Terms and Conditions

- A. The playground shall be designed and installed generally as depicted in Exhibit B; and shall include such Americans with Disability Act compliant playground equipment and other related compliance items as is listed or described in Exhibit C, both exhibits attached hereto and made a part hereof.
- B. In consideration of the Donation, the City agrees to commence or cause the commencement of playground construction within 120 days of the city’s receipt of the donation.
- C. The City shall assume responsibility for the maintenance, repair and replacement of the playground and playground equipment at its sole cost and discretion.

IN WITNESS WHEREOF, the Donor and City have caused this instrument to be executed by their duly authorized representatives as of the date set forth below.

(The remainder of this page has been intentionally left blank)

For The City of New Albany:

By: _____
Joseph F. Stefanov,
New Albany City Manager

Print or type name

Date

Approved as to Form

Mitchell Banchefsky, Law Director

For the New Albany Links Home Owners Association, Inc:

By: _____

Print or type name and title

Date



RESOLUTION R-10-2021

A RESOLUTION APPROVING AN APPLICATION TO PLACE 47.12 +/- ACRES OF FARMLAND LOCATED IN THE CITY OF NEW ALBANY, JERSEY TOWNSHIP, AND LICKING COUNTY IN AN AGRICULTURAL DISTRICT FOR REAL ESTATE TAXATION PURPOSES PURSUANT TO OHIO REVISED CODE 929

WHEREAS, the city has received an application from 416 Beech LLC to place 47.12 acres of farmland property in located in the City of New Albany, Licking County, Jersey Township, Ohio, into an Agricultural District; and

WHEREAS, this property consists of one real estate parcel, 094-107388-00.000, comprising 47.12 acres, which land is presently being taxed at its agricultural use valuation pursuant to Ohio Revised Code 5713.31; and

WHEREAS, due to the fact that these parcels are located in the city, legislation is required to approve, modify, or reject such an application.

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 hereby finds that, since the subject property is currently devoted exclusively to agriculture use or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government, that the application attached as Exhibit A is well taken and hereby approved.

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 all legal requirements, including Section 121 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 404 effective November 22, 2020.

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

CERTIFIED AS ADOPTED this _____ day of _____, 2021.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Legislation dates:

Prepared: 02/19/2021

Introduced: 03/02/2021

Revised:

Adopted:

Effective:

APPLICATION FOR PLACEMENT OF FARMLAND
IN AN AGRICULTURAL DISTRICT

R.C. Section 929.02

(SEE REVERSE SIDE FOR INSTRUCTIONS BEFORE COMPLETING APPLICATION)

New Application _____
Renewal Application ☒

A. Owner's Name: 416 BEECH LLC

Owner's Address: 8000 WALTON PKWY STE 120 NEW ALBANY OH 43054

Description of land as shown on property tax statement: _____

Location of Property _____

Street or Road

Licking
County

TAX DISTRICT(S)
JERSEY T-N AL C-LHTS LSD WLJFD

PARCEL NUMBER(S)
094-107388-00.000

OF ACRES
47.1200

TOTAL # OF ACRES: 47.1200

B. Does any of the land lie within a municipal corporation limit? Yes ☒ No _____
If YES, REMEMBER a copy of this application must be submitted to the Clerk of the municipal legislative body.

C. Is the land presently being taxed at its current agricultural use valuation under Section 5713.31 of the Ohio Revised Code?
Yes ☒ No _____ If "NO" show the following evidence of land use:

	Last Year # of Acres	2 Years Ago # of Acres	3 Years Ago # of Acres
Cropland	47.12	47.12	47.12
Permanent Pasture used for animal husbandry			
Woodland devoted to commercial timber & nursery stock			
Land Retirement Program pursuant to an agreement with a federal agency			
Conservation Program pursuant to an agreement with a federal agency			
Building Areas devoted to agricultural production			
Roads, building areas, and all other non agricultural areas			
Total Acres	47.12	47.12	47.12

D. Does the land for which the application is being made total 10 acres or more devoted exclusively to agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government: Yes ☒ No _____

If "NO", complete the following:

1. Attach evidence of the gross income for each of the past three (3) years, or
2. If the owner anticipates that the land will produce an annual gross income of twenty-five hundred Dollars or more, evidence must be attached showing the anticipated gross income.

By signing this application I authorize the county auditor or his duly appointed agent to inspect the property described above to verify the accuracy of this application. I declare this application (including accompanying exhibits) has been examined by me and to the best of my knowledge and belief is a true, accurate and correct report.

Signature of Owner: Brent G. Brudley

Date: 2/4/2021

BELOW THIS LINE FOR OFFICIAL USE ONLY

Date filed with County Auditor: _____

County Auditor's Signature: _____

Date Filed (if required) with Clerk of Municipal Corporation: _____

Clerk's Signature: _____

Action of legislative body of Municipal Corporation

Application Approved _____, Approved with Modifications _____, * Rejected _____ *

Date of Legislative Action _____, Clerk's Signature _____

*if modified or rejected, attach reason for modification or rejection

INSTRUCTIONS AND INFORMATION FOR COMPLETING APPLICATION FORM

A. WHO MAY FILE?

Any owner of land used for agricultural production may file an application to have the land placed in an agricultural district.

B. WHAT IS LAND USED FOR AGRICULTURAL PRODUCTION?

Land is devoted to agricultural production when it is used for commercial, apiculture, animal husbandry, poultry husbandry; the production for commercial purposes of field crops, tobacco, fruits, vegetables, timber, nursery stock, ornamental shrubs and trees; flowers or sod; or any combination of such husbandry or production including, but not limited to, the processing, drying, storage and marketing of agricultural products.

C. WHAT DOES "TRACTS, LOTS, OR PARCELS OF LAND" MEAN?

Tracts, lots, or parcels mean distinct portions of pieces of land (not necessarily contiguous) where the title is held by one owner, as list Listed on the tax list and duplicate of the county, is in agricultural production and conforms with the requirements of either D1, D2, or D3.

D. ARE THERE ANY OTHER REQUIREMENTS?

1. The land for which the application is made must have been used exclusively for agricultural production or devoted to and qualified for payment or other compensation under a land retirement or conservation program under an agreement with a federal agency for the three consecutive calendar years prior to the year in which application is made. Evidence must be shown on the application. If the land contains timber, which is not being grown for commercial purposes the land on which the timber is growing must be contiguous to or part of a parcel under common ownership that is otherwise devoted exclusively to agricultural use.
2. If the total amount of land for which application is made is less than 10 acres, there is an additional requirement that the applicant submit evidence with his application that the activities conducted on the land have produced an average yearly gross income of at least twenty-five hundred dollars over the three years immediately preceding the year in which application is made or that the land will produce an anticipated annual gross income of that amount.
3. Evidence of annual gross income may be satisfied by attaching to the application form a short statement stating the number of animals by species and anticipated market value, number of acres of crops to be grown, their expected yield and price per bushel or similar specific information.

E. INSTRUCTIONS FOR COMPLETING APPLICATION.

Print or type all entries.

List description of land as shown on the most recent tax statement or statements. Show total number of acres.

Describe location of property by roads, etc., and taxing district where located.

State whether any portion of land lies within a municipal corporation.

For land to be taxed at current agricultural use valuation, an initial application must be submitted to and approved by the county Auditor and a renewal application must be submitted each year thereafter for land to be continued in the CAUV program.

If the acreage totals 10 acres or more, do not complete Part D.

If the acreage totals less than 10 acres, complete either D (1) or (2).

Do not use space at the bottom of form below double line.

F. WHERE TO FILE

The completed application must be filed with the auditor of the county where the land is located. The applicant will be notified of action taken by the county auditor within 30 days of the filing of the application if the land is not within a municipal corporation or an annexation petition has not been filed. If the land for which an application has been made lies within a municipal corporation limit or if an annexation petition that includes the land has been filed with the Board of County Commissioners under Section 709.03 of the Revised Code the application must also be filed with the Clerk of legislative body of the municipal corporation. The legislative body is required to conduct a public hearing on the application within 30 days after the application has been filed with the Clerk. Within 30 days of the hearing, the legislative body may approve the application, modify and approve the application as modified, or reject the application.

G. WHEN TO FILE

The original application must be filed at any time for placement of land in an agricultural district for a five-year period. If at the end of five years, the owner decides to keep some or all of his land in a district, he shall re-apply and must meet the same land requirements and use the same application process as the original application. The renewal application may be filed at any time after the first Monday in January and prior to the first Monday in March of the year during which an agricultural district terminates, for a period of time ending on the first Monday in April of the fifth year following the renewal application.

H. APPEAL OF APPLICATION

The applicant may appeal the denial of the application to the Court of Common Pleas of the county in which the application was filed within thirty days of the receipt of the notice denying the application. When the land lies within a municipality the applicant may also appeal a decision to modify or reject an application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice of modification or rejection. In addition, the applicant may withdraw an application modification or rejection. In addition, the applicant may withdraw an application modified by a legislative body if he disapproves of the Modifications.



RESOLUTION R-11-2021

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO REQUEST AND ACCEPT THE SUM OF TWO MILLION FOUR HUNDRED AND SEVENTY THOUSAND DOLLARS (\$2,470,000.00) FROM THE NEW ALBANY COMMUNITY AUTHORITY ECONOMIC DEVELOPMENT FUND FOR ECONOMIC DEVELOPMENT PROJECTS AND INCENTIVES

WHEREAS, the Council of the City of New Albany ("the City") was empowered by virtue of the laws of the State, including Article VIII, Section 13 of the Ohio Constitution, and Chapters 165 and 349 of the Ohio Revised Code to establish an Economic Development Fund by Resolution 52-2004; and

WHEREAS, the Economic Development Fund was established to promote the continued construction, improvement, furnishing and equipping of economic development activities; and

WHEREAS, the New Albany Community Authority is permitted to disburse funds from the Economic Development Fund solely for the purpose of paying expenditures directly related to economic development initiatives that are approved by both the City and the Authority; and

WHEREAS, the Council of the City of New Albany has determined that economic incentives have been earned by various companies located in the New Albany International Business Park; and

WHEREAS, the Council of the City of New Albany has determined that various economic development initiatives are necessary in support of, and within, the New Albany International Business Park; and

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: The city manager is authorized and hereby directed to request that the New Albany Community Authority ("the Authority") disburse the sum of two million four hundred and seventy thousand dollars (\$2,470,000.00) from the Authority's Economic Development Fund to the City for payment of expenditures listed in the recitals above and as listed in Exhibit A.

Section 2: The appropriated funds shall be disbursed by the Authority in accordance with a schedule established by the City and the Authority.

Section 3: The City Manager and Director of Finance are further authorized to enter into any agreements as may be necessary and appropriate for facilitating the request and acceptance.

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 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, and further pursuant to Ohio General Assembly 133 – House Bill 404 effective November 22, 2020.

Section 5: This resolution is passed and shall take effect and be in force at the earliest period allowed by law.

CERTIFIED AS ADOPTED this _____ day of _____, 2021.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Exhibit A – R-11-2021

List of Projects/Services to be funded through Community Authority Resolution and authority to allocate remaining resources to other approved projects.

1. To pay costs of incentives for previously approved projects in an amount not to exceed \$2,000,000, in support of economic development;
2. To pay CIC operating costs in an amount not to exceed \$110,000, in support of economic development;
3. To pay for Rev1 Ventures support incentives in an amount not to exceed \$25,000, in support of economic development;
4. To pay costs of professional services including, but not limited to, engineering, plan design and legal counsel, for economic development projects, in an amount not to exceed \$335,000.