



ORDINANCE O-01-2025

AN ORDINANCE TO AMEND CHAPTER 1169.16 OF THE PLANNING AND ZONING CODE OF THE CITY OF NEW ALBANY CODIFIED ORDINANCES AS REQUESTED BY THE CITY OF NEW ALBANY

WHEREAS, it has been found that the codified ordinances of the city of New Albany, chapter 1169.16(d) needs to be amended to permit commercial/warehousing wall sign size to be increased to 200 square feet, to allow for one (1) sign per business entrance, and to correct a scrivener's error for sign size calculation; and

WHEREAS, the city recognizes the need to adapt regulations for large-scale commercial buildings in order to promote orderly growth and development of lands; and

WHEREAS, the Planning Commission has held a public hearing and recommended approval of the proposed amendments to the codified ordinance at its meeting on December 16, 2024.

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 amends portions of codified ordinance chapter 1169 as set forth in Exhibit A, which depicts these amendments in colored ink.

Section 2. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of 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 6.07(B) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption.

CERTIFIED AS ADOPTED this 21 day of JAN, 2025.

Attest:

[Signature of Sloan T. Spalding]

Sloan T. Spalding
Mayor

[Signature of Jennifer H. Mason]

Jennifer H. Mason
Clerk of Council

Approved as to form:



Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared: 12/18/2024

Introduced: 01/07/2025

Revised:

Adopted: 01/21/2025

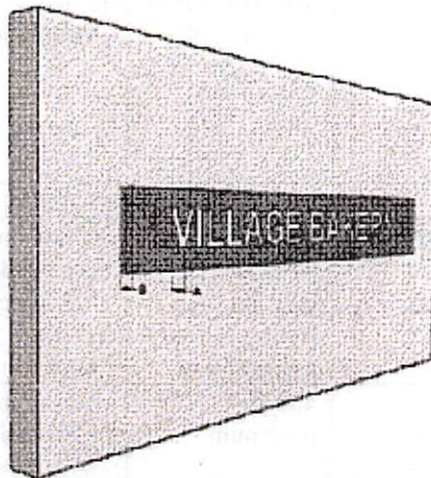
Effective: 02/20/2025

Exhibit A – O-01-2025

1169.16 PERMANENT SIGNS: BUILDING SIGN TYPES.

The following shall constitute the framework standards and details for the construction of permanent building-mounted signs within and outside the Village Center District. Sign specifications may vary with each Village Center sub-district or use category. Not all sign types are permitted in each sub-district or associated with each use category and are noted as such with each sign type.

(d) Wall. Wall signs shall be designed according to the following diagram and standards:



- (1) Single plane sign boxes must be installed so that the sign face is flush with the building facade.
- (2) The following specifications shall apply. These specifications are in addition to the requirements established elsewhere in this Chapter. In addition, board or commission approval may be required:

SUB-DISTRICT/CATEGORY	NUMBER OF SIGNS	PERMITTED AREA	MEASUREMENTS	ILLUMINATION
Historic Core	One per business entrance	1 s.f. per linear <u>s.f.ft.</u> of building frontage, not to exceed 30 s.f.	- Maximum 18" projection from building (A) - Minimum 1" sign relief (B) - Maximum lettering height 24" (C)	External Internal Neon
Village Core	One per business entrance	1 s.f. per linear <u>s.f.ft.</u> of building frontage, not to exceed 40 s.f.	- Maximum 18" projection from building (A) - Minimum 1" sign relief (B) - Maximum lettering height 24" (C)	External Internal Neon
Core Residential	One per business entrance	15 s.f. maximum	- Maximum 18" projection from building (A) - Maximum lettering height 18" (B) - Minimum 1" sign relief (C)	External
Village Residential	Not Permitted			
Campus	One per building frontage	35 s.f. maximum	- Maximum 18" projection from building (A) - Maximum lettering height 24" (B) - Minimum 1" sign relief (C)	External Halo

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Parks & Preservation	One per building frontage	25 s.f. maximum	- Maximum 18" projection from building (A) - Maximum lettering height 24" (B) - Minimum 1" sign relief (C)	External Halo
Commercial/Warehousing	One per building frontage One per building entrance	1 s.f. per linear s.f.-ft. of building frontage, not to exceed 20075 s.f.	- Maximum 18" projection from building (A) - Maximum lettering height 36" (B) - Minimum 1" sign relief (C)	External Internal Neon Halo
Residential Subdivision	Not Permitted			
Retail	One per business frontage	1 s.f. per linear s.f.-ft. of building frontage, not to exceed 50 s.f.	- Maximum 18" projection from building (A) - Maximum lettering height 24" (B) - Minimum 1" sign relief (C)	External Internal Halo
Institutional	One per building frontage	45 s.f. maximum	- Maximum 18" projection from building (A) - Minimum 1" sign relief (B)	External Halo



ORDINANCE O-02-2025

AN ORDINANCE TO DETERMINE THE ANNUAL COMPENSATION AND BENEFITS OF THE MAYOR, COUNCIL MEMBERS, AND ADDITIONAL SALARY FOR THE MAYOR, PRESIDENT PRO TEM, OR DESIGNATED COUNCIL MEMBER PRESIDING OVER MAYOR'S COURT

WHEREAS, Section 4.04 of the New Albany Charter authorizes council, by ordinance, to annually determine its compensation and benefits; and

WHEREAS, salary amounts for the mayor, members of council, and president pro mem who presides over Mayor's Court were last set via ordinance O-03-2024; and

WHEREAS, as the city grows, so does the work for council, and a cost of living increase of 3.5% for city staff was approved as part of the 2025 budget; and

WHEREAS, Codified Ordinance 155, Section 19(a) – Insurance Benefits, states, “The City shall make available group medical, prescription drug, dental, and vision benefits to all full-time non-union employees and their dependents as well as to all currently serving, elected members of City Council and Mayor. The benefits shall be based on the benefits of the carrier or carriers.”

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. Annual salaries shall be adjusted as set forth below.

A. SALARY OF THE MAYOR.

The annual salary of the Mayor shall be Twenty-Nine Thousand Two Hundred Fifteen dollars and Forty-Eight cents (\$29,215.48) paid bi-weekly.

B. SALARY FOR MEMBERS OF COUNCIL.

The annual salary of each Council Member shall be Thirteen Thousand Three Hundred Eighty-Eight dollars and Fifty-One cents (\$13,388.51) paid bi-weekly. The annual salary of the President Pro Tem shall be the same as Council Members, unless said President Pro Tem is serving on Mayor's Court, in which case they shall receive additional salary as set forth below.

C. ADDITIONAL SALARY FOR PRESIDING OVER MAYOR'S COURT

The additional annual salary of the Mayor and/or the President Pro Tem and/or the designated Council Member who is regularly scheduled to preside in Mayor's Court, averaging two court

sessions per month, shall be Six Thousand Seven Hundred dollars and Eighty cents (\$6,700.80) paid bi-weekly.

Section 2. The salary changes shall be effective as of January 1, 2025.

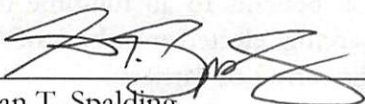
Section 3. Actively serving council members may elect to enroll in city-sponsored health insurance at the time of open enrollment or upon a qualifying life event. The available benefits and cost of insurance provided to council members shall be the same as is offered to city full-time non-bargaining employees.

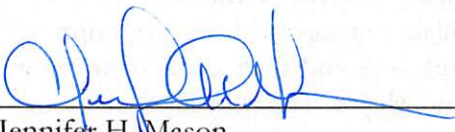
Section 4. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

Section 5. Pursuant to Article VI, Section 6.07(B) of the Charter of the City of New Albany, this ordinance shall be in effect thirty (30) days after adoption.


CERTIFIED AS ADOPTED this 21 day of Jan, 2025

Attest:


Sloan T. Spalding
Mayor


Jennifer H. Mason
Clerk of Council

Approved as to form:


Benjamin S. Albrecht
Law Director

Legislation dates:

Prepared:	12/23/2024
Introduced:	01/07/2025
Revised:	
Adopted:	01/21/2025
Effective:	02/20/2025



RESOLUTION R-03-2025

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT WITH JERSEY TOWNSHIP TO FACILITATE THE ANNEXATION OF PARCEL NUMBERS 035-107136-00.000, 035-108378-00.000, 035-106770-01.000, 035-106566-00.000, 035-106566-00.004 and 035-106566-01.004 WHICH COMPRISE APPROXIMATELY 29 +/- ACRES

WHEREAS, the city and the township share certain boundaries and therefore have a shared interest in the general area found immediately east of Beech Road, south of SR 161, west of Harrison Road, and north of Worthington Road, as illustrated and described in the exhibits of the attached Annexation Agreement; and

WHEREAS, it is anticipated that real property comprised of real estate parcel numbers 035-107136-00.000, 035-108378-00.000, 035-106770-01.000, 035-106566-00.000, 035-106566-00.004 and 035-106566-01.004 totaling approximately 29 +/- acres may be the subject of future annexation petitions to be filed with the Licking County Commissioners after the effective date; and

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

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

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

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

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

Section 2. This Annexation Agreement shall cover and be applicable only to the property which is identified in Exhibit A attached herein. The area/boundaries of the property to which this agreement applies shall not be reduced, enlarged, modified, or altered in any way except by written mutual agreement of the parties approved authorizing legislation of both the legislative authority of

the township and the city. Any changes to the boundaries of the property shall require a written amendment to this Annexation Agreement.

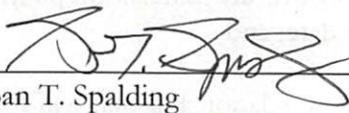
Section 3. On or after the effective date, all or part of the property shall, upon proper petition(s) to and with the approval of the Licking County Board of Commissioners and acceptance of the annexation by the city, be annexed to and accepted by the city under the conditions set forth in the Annexation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

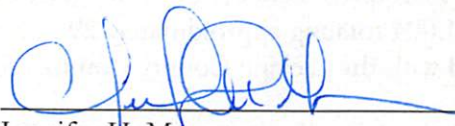
Section 4. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this resolution were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

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

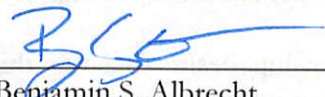
CERTIFIED AS ADOPTED this 21 day of JAN, 2025.

Attest:


Sloan T. Spalding
Mayor


Jennifer H. Mason
Clerk of Council

Approved as to form:


Benjamin S. Albrecht
Law Director

Legislation dates:	
Prepared:	01/03/2025
Introduced:	01/21/2025
Revised:	
Adopted:	01/21/2025
Effective:	01/21/2025

EXHIBIT A – R-03-2025

ANNEXATION AGREEMENT

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

W I T N E S S E T H:

WHEREAS, the City and the Township share certain boundaries and therefore have a mutual interest in the general area found immediately west of Harrison Road, north of Worthington Road, south of SR161 and east of Beech Road, comprised of six (6) parcels and consisting of approximately 29 +/- acres, as described in Exhibit A and illustrated in Exhibit B; and

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

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

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

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

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

EXHIBIT A – R-03-2025

- A. **Procedure:** Annexations of all or part of the Property to the City shall be filed pursuant to and comply with the provisions of Sections 709.021 and 709.022 of the Ohio Revised Code, as such provisions exist on the Effective Date. It is the intention of the parties to require any petition seeking to annex all or a portion of the Property to the City to be filed pursuant to and in compliance with the provisions of Sections 709.021 and 709.022 of the Ohio Revised Code as set forth in this Section 2.A, and to prohibit the City from assisting or accepting an annexation petition concerning the Property which fails to comply with this requirement.
- B. **Effect of Annexation:** Immediately following both (i) the approval of a particular annexation petition affecting all or part of the Property by the Commissioners and (ii) the City's acceptance into municipal boundaries of the real property affected by the petition(s), then the annexed property shall be treated and viewed with the same legal effect as if it had been approved as an annexation completed under Section 709.02 of the Ohio Revised Code. Should, at any time, any Property annexed into the City, pursuant to this Agreement, be excluded from the Township, the City shall compensate the Township as in accordance with Section 709.19 of the Ohio Revised Code.
- C. In the event that the annexed Properties' redevelopment and associated change in use from agricultural and/or residential uses to commercial use results in a reduction in the total aggregate property tax revenue received by the Township from the Property in tax years 2025 through 2028, when compared with property tax revenue received by the Township for tax year 2024 (January 1, 2024 tax lien date) (Baseline Year), the City agrees to compensate the Township annually in an amount equal to any such aggregate reduction in said property tax revenue. In the event any of the parcels which make up the Property are combined with other parcels not subject to this Agreement, then in that case, the total tax property revenue received by the Township for such combined parcel(s) shall be utilized in the comparison calculation to the Baseline Year.
- D. **Cooperative Efforts:** Upon the filing of any annexation petition concerning all or part of the Property in accordance with Section 2.A of this Agreement, the Township and the City shall cooperate in good faith to facilitate the approval and success of such petition. In such an instance, each party shall refrain from taking any action that would directly or indirectly delay the annexation process or endanger the possible approval of the annexation petition by the Commissioners.
3. **Tax Increment Financing (TIF) in Jersey Township:** If the City redirects real property tax revenue through Tax Increment Financing (TIF), then, by May 1 and November 1 of the year following the year in which the (TIF) becomes effective, and continuing each year thereafter, for the duration of the TIF the City shall pay to the Township an amount equal to the real property tax revenue the Township would have received during the previous calendar year, exclusively from all property tax levies for fire and emergency medical services (EMS), had the TIF not been granted by the City (the "Fire & EMS Payment").

EXHIBIT A – R-03-2025

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

The City and the Township shall make reasonable and good faith efforts to identify such public infrastructure improvements in the future as the need arises and to negotiate the specifications and parameters for such improvements. Any commitments regarding the construction and/or financing of improvements as contemplated in this Section 4 shall require the prior approval of the New Albany City Council.

5. **Miscellaneous:**

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

If to City:

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

If to Township:

Jersey Township Board of Trustees
Attn: Township Administrator
1481 Mink Street
Pataskala, Ohio 43062
Fax: _____

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

- C. **Entire Contract.** This Agreement embodies the entire understanding among the parties with respect to the subject matter herein contemplated. Any amendments hereto shall be in writing and shall be executed by both the City and the Township.

EXHIBIT A – R-03-2025

- D. Counterparts. This Agreement may be executed in counterparts, each of which, when executed and delivered, shall be deemed an original, and all counterparts shall constitute one and the same instrument.

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

EXHIBIT A – R-03-2025

City of New Albany

Jersey Township

By: _____
Joseph Stefanov, City Manager

By: _____
Dan Wetzel, Trustee

By: _____
Jeff Fry, Trustee

By: _____
Ben Pieper, Trustee

Date: _____

Date: _____

Approved as to Form:

Approved as to Form:

Ben Albrecht,
Law Director

[INSERT NAME AND TITLE]

EXHIBIT A – R-03-2025

EXHIBIT A

Description of the "Property"

EXHIBIT "A"
PROPOSED ANNEXATION OF
9.6± ACRES

FROM: JERSEY TOWNSHIP

TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Licking, Township of Jersey, in Sections 14 & 15, Quarter Township 3, Township 2, Range 15, United States Military Lands, being comprised of all of those tracts of land conveyed to MBJ Holdings, LLC by deed of record in Instrument Numbers 201910030021443 and 202306130010379, and part of those tracts conveyed to MBJ Holdings, LLC by deed of record in Instrument Numbers 201310100025382, 200507260022515, 199911160046886, and 200310170050569 (all references refer to the records of the Recorder's Office, Licking County, Ohio), and more particularly bounded and described as follows:

BEGINNING at the common corner of Sections 14, 15, 16 and 17, in the centerline of Lucille Lynd Road;

Thence South 03° 06' 27" West, crossing said Lucille Lynd Road, with the line common to said Sections 16 and 17, a distance of 45.00 feet to a point in the southerly right of way line of said Lucille Lynd Road, the northwesterly corner of the remainder of that 1.205 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200005030014048, in the existing City of New Albany corporation line, as established by Ordinance Number O-30-2002, of record in Instrument Number 200210280040677, Ordinance Number O-40-2016, of record in Instrument Number 201702160003066, Ordinance Number O-43-2009, of record in Instrument Number 201007270014304, and Ordinance Number O-42-2009, of record in Instrument Number 201007270014303;

Thence with said southerly right of way line and said corporation line the following courses and distances:

North 86° 39' 34" West, a distance of 299.94 feet to a point;

North 75° 20' 57" West, a distance of 50.99 feet to a point;

North 86° 39' 33" West, a distance of 255.00 feet to a point; and

South 79° 34' 09" West, a distance of 42.03 feet to a point in the easterly line of that 4.273 acre tract conveyed to Premier Storage of New Albany, LLC by deed of record in Instrument Number 202205170012301;

Thence North 03° 06' 27" East, with said easterly line, a distance of 45.00 feet to a point in the centerline of said Lucille Lynd Road;

Thence North 86° 39' 33" West, with said centerline, a distance of 170.75 feet to the southeasterly corner of that original 80.176 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 199912010048766;

Thence North 03° 03' 05" East, partly with the easterly line of said 80.176 acre tract and partly with the existing City of New Albany corporation line, as established by Ordinance Number O-30-2002, of record in Instrument Number 200210280040677, a distance of 351.24 feet to a point in the southerly right-of-way line of State Route 161;

Thence North 83° 30' 01" East, with said southerly right of way line, a distance of 827.94 feet to the northwesterly corner of that original 47 acre tract conveyed as Parcel Two to Phyllis C. Foor and James D. Foor, Trustees by deed of record in Instrument Numbers 200103150007969 and 200103150007970;

**PROPOSED ANNEXATION OF
9.6± ACRES**

-2-

Thence South 03° 02' 52" West, with the westerly line of said Parcel Two, a distance of 147.74 feet to a southwesterly corner thereof;

Thence South 86° 45' 34" East, with a southerly line of said 47 acre tract, a distance of 142.00 feet to the northwesterly corner of that original 47 acre tract conveyed as Parcel One to Phyllis C. Foor and James D. Foor, Trustees by deed of record in Instrument Numbers 200103150007969 and 200103150007970;

Thence South 03° 02' 52" West, with the westerly line of said Parcel One, a distance of 345.00 feet to a point in the centerline of said Lucille Lynd Road;

Thence North 86° 45' 34" West, with said centerline, a distance of 142.00 feet to the POINT OF BEGINNING, containing 9.6 acres of land, more or less.

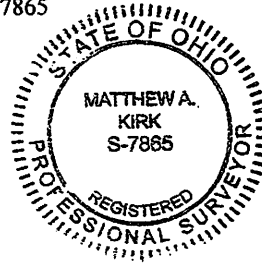
EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

22 OCT 24

Matthew A. Kirk
Registered Surveyor No. 7865

MAK:jo
9_6 ac 20240006-VS-ANNX-07



PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY: <i>MAK</i>	
DATE: <i>10/25/2024</i>	

EXHIBIT "A"
PROPOSED ANNEXATION OF
19.4± ACRES

FROM: JERSEY TOWNSHIP

TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Licking, Township of Jersey, in Section 14, Quarter Township 3, Township 2, Range 15, United States Military Lands, being comprised of all of those tracts of land conveyed to MBJ Holdings, LLC by deed of record in Instrument Numbers 201405020007861, 202308160014791, 201405020007857 and 202105270015923 (all references refer to the records of the Recorder's Office, Licking County, Ohio), and more particularly bounded and described as follows:

Beginning, for reference, at the original centerline intersection of Harrison Road and Worthington Road;

Thence North 86° 44' 57" West, with the original centerline of said Worthington Road, a distance of 326.53 feet to the southwesterly corner of that tract conveyed as First Parcel to George Smith, J.W. Walls and Fred Hendren, as Trustees of Jersey Township, Licking County, Ohio by deed of record in Deed Book 304, Page 249, TRUE POINT OF BEGINNING for this description;

Thence North 86° 44' 57" West, with the original centerline of said Worthington Road and partly with the existing City of New Albany corporation line, as established by Ordinance Number 0-02-2019, of record in Instrument Number 201903220005278, a distance of 1027.68 feet to a point;

Thence North 86° 45' 34" West, with the original centerline of said Worthington Road and said City of New Albany corporation line, a distance of 150.00 feet to the southeasterly corner of that original 47 acre tract conveyed as Parcel Two to Phyllis C. Foor and James D. Foor, Trustees by deed of record in Instrument Numbers 200103150007969 and 200103150007970;

Thence with the boundary of said Parcel Two the following courses and distances:

North 03° 03' 41" East, a distance of 290.00 feet to a point;

South 86° 45' 34" East, a distance of 150.00 feet to a point; and

North 03° 03' 41" East, a distance of 338.79 feet to a point in the southerly right-of-way line of State Route 161;

Thence with said southerly right of way line the following courses and distances:

South 89° 33' 19" East, a distance of 590.09 feet to a point;

South 87° 58' 42" East, a distance of 500.02 feet to a point; and

South 88° 33' 04" East, a distance of 266.19 feet to a point in the centerline of said Harrison Road;

Thence South 03° 10' 18" West, with said centerline, a distance of 375.40 feet to the northeasterly corner of that tract conveyed as Second Parcel to George Smith, J.W. Walls and Fred Hendren, as Trustees of Jersey Township, Licking County, Ohio by deed of record in Deed Book 304, Page 249;

Thence South 81° 55' 34" West, with the northerly line of said Second Parcel, a distance of 334.75 feet to the northwesterly corner thereof;

**PROPOSED ANNEXATION OF
19.4± ACRES**

Thence South 02°44'09" West, partly with the westerly line of said Second Parcel and partly with the westerly line of said First Parcel, a distance of 235.65 feet to the TRUE POINT OF BEGINNING, containing 19.4 acres of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk

14 OCT 24

Matthew A. Kirk

Registered Surveyor No. 7865

MAK:jo
19_392 ac 20240006-VS-ANNX-08



PRE-APPROVAL	
LICKING COUNTY ENGINEER	
APPROVED <input checked="" type="checkbox"/>	CONDITIONAL <input type="checkbox"/>
APPROVED BY: <i>[Signature]</i>	
DATE: <i>10/17/2024</i>	

EXHIBIT A – R-03-2025

EXHIBIT B

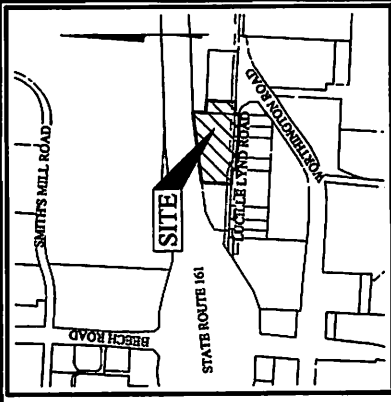
Depiction of the “Property”

EXHIBIT "B"

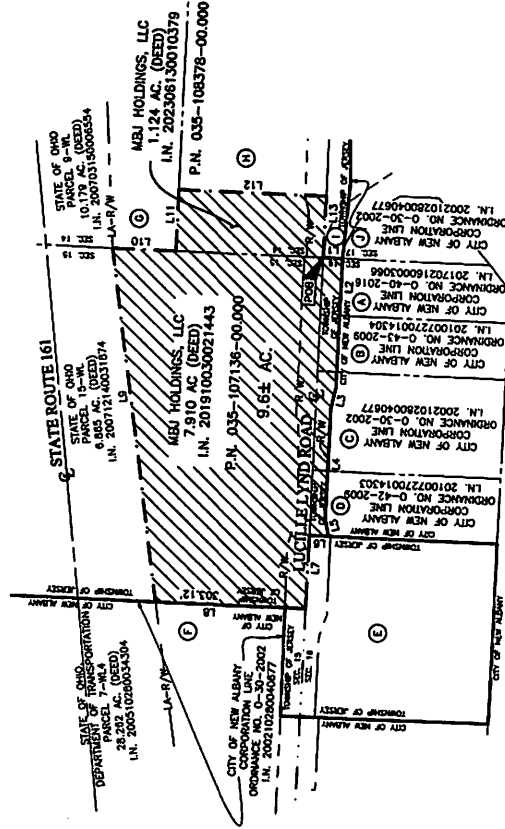
ANNEXATION OF 9.6± ACRES

TO THE CITY OF NEW ALBANY FROM THE TOWNSHIP OF JERSEY SECTIONS 14 & 15, QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 15 UNITED STATES MILITARY DISTRICT

TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO



- ① MSJ HOLDINGS, LLC
1.333 AC. (DEED)
I.N. 20131020028382
- ② MSJ HOLDINGS, LLC
1.333 AC. (DEED)
I.N. 200507280022015
- ③ MSJ HOLDINGS, LLC
2.333 AC. (DEED)
I.N. 189111180048898
- ④ MSJ HOLDINGS, LLC
1.233 AC. (DEED)
I.N. 202003170066668
- ⑤ PHILLIS C. FLOOR AND JAMES D. FLOOR, TRUSTEES
ORIG. 47 AC. (DEED)
I.N. 202003170012201
- ⑥ MSJ HOLDINGS, LLC
ORIG. 90.176 AC. (DEED)
I.N. 202003170012201
- ⑦ PHILLIS C. FLOOR AND JAMES D. FLOOR, TRUSTEES
ORIG. 4.7 AC. (DEED)
I.N. 200103150007968 (1/2 INTEREST)
- ⑧ PHILLIS C. FLOOR AND JAMES D. FLOOR, TRUSTEES
ORIG. 47 AC. (DEED)
I.N. 200103150007970 (1/2 INTEREST)
- ⑨ BOARD OF COMMISSIONERS
OF LICKING COUNTY, OHIO
PARCEL NO. 7-W03
I.N. 200510280034302
- ⑩ MSJ HOLDINGS, LLC
1.205 AC. (DEED)
I.N. 200005030011645



LINE	BEARING	DISTANCE
L1	S037°06'27"W	43.00'
L2	N85°59'54"W	299.94'
L3	N75°20'57"W	50.89'
L4	N65°58'33"W	255.00'
L5	S79°54'09"W	42.03'
L6	N037°06'27"E	49.00'
L7	N65°59'53"W	170.75'
L8	N037°03'05"E	351.24'
L9	N83°30'01"E	627.84'
L10	S037°02'52"W	147.74'
L11	S84°45'34"E	142.00'
L12	S037°02'52"W	345.00'
L13	N84°45'34"W	142.00'

Contiguity Note
Total perimeter of annexation area is 2864.63 feet, of which 951.08 feet is contiguous with the City of New Albany giving 33% perimeter contiguity.

Proposed Annexation
of 9.6 ± acres to the City of New Albany
Agent for Petitioners

The within map marked exhibit "B" and made a copy of the position of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____, 20____, under Chapter 109 of the Ohio Revised Code, is returned as an accurate map of _____, under Chapter 109 of the Ohio Revised Code, in compliance with the requirements of said Chapter 109 of the Ohio Revised Code.

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

Board of Licking County Commissioners
Petition Received _____, 20____
Commissioner _____
Petition Approved _____, 20____
Commissioner _____
Commissioner _____
Commissioner _____

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

Containing _____ acres.
Transfer Fee _____
Licking County Auditor

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

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

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

Attest: _____
Clerk, City of New Albany



By Matthew A. Kirk Date: 20 Oct. 24
Professional Surveyor No. 7865
matk@geni.com

AREA TO BE ANNEXED

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



EMHIT Survey, Mapping, Hydrology & Tides, Inc. 8200 New Albany Road, Columbus, OH 43254 Phone: 614.775.4300 Fax: 614.775.4300 emhit.com		
Date:	October 22, 2024	
Scale:	1" = 200'	
Job No.:	2024-0006	
Sheet:	1 of 1	
REVISIONS		
NO.	DATE	DESCRIPTION

EXHIBIT "B"

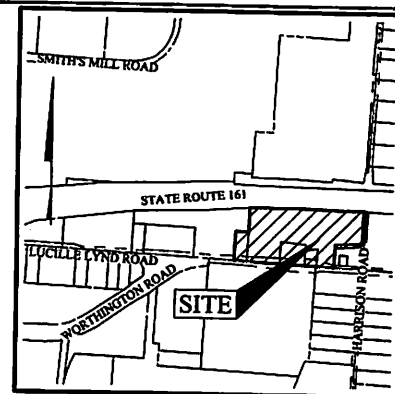
ANNEXATION OF 19.4± ACRES

TO THE CITY OF NEW ALBANY FROM THE TOWNSHIP OF JERSEY

SECTION 14, QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 15

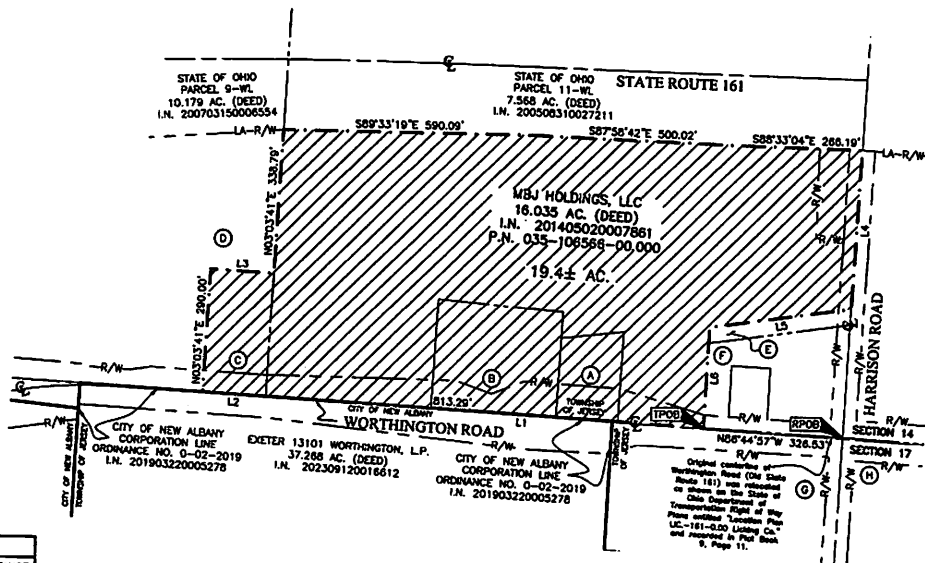
UNITED STATES MILITARY DISTRICT

TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

- A MBJ HOLDINGS, LLC
0.004 AC. (DEED)
I.N. 202308160014791
P.N. 035-106566-01.004
- B MBJ HOLDINGS, LLC
1.004 AC. (DEED)
I.N. 201405020007057
P.N. 035-106566-00.004
- C MBJ HOLDINGS, LLC
0.999 AC. (DEED)
I.N. 202105270015923
P.N. 035-106770-01.000
- D PHYLLIS C. FOOR AND JAMES D. FOOR, TRUSTEES
ORIGINAL 47 AC PARCEL TWO (DEED)
I.N. 200103150007959 (1/2 INTEREST)
I.N. 200103150007970 (1/2 INTEREST)
- E GEORGE SMITH, J.W. WALLS AND FRED HENDREN, AS TRUSTEES OF JERSEY TOWNSHIP, LICKING COUNTY, OHIO
SECOND PARCEL
D.B. 304, P. 249
- F GEORGE SMITH, J.W. WALLS AND FRED HENDREN, AS TRUSTEES OF JERSEY TOWNSHIP, LICKING COUNTY, OHIO
FIRST PARCEL
D.B. 304, P. 249
- G CECELIA'S CORNER LTD.
3.828 AC. (DEED)
I.N. 200708280016483
- H RHW INVESTMENTS LLC
2.993 AC. (DEED)
I.N. 201810050021034



LINE	BEARING	DISTANCE
L1	N86°44'37"W	1027.00'
L2	N86°45'34"W	150.00'
L3	S86°45'34"E	150.00'
L4	S03°10'18"W	375.40'
L5	S81°55'34"W	334.75'
L6	S02°44'09"W	235.65'

AREA TO BE ANNEXED
 PROPOSED CITY OF NEW ALBANY CORPORATION LINE
 EXISTING CITY OF NEW ALBANY CORPORATION LINE



Contiguity Note:
Total perimeter of annexation area is 4258.56 feet, of which 963.29 feet is contiguous with the City of New Albany giving 23% perimeter contiguity.

Proposed Annexation
of 19.4 ± acres to the City of New Albany

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

Agent for Petitioners

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

Board of Licking County Commissioners

Petition Received _____, 20____

Commissioner

Petition Approved _____, 20____

Commissioner

Commissioner

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

Containing _____ acres.
Transfer Fee _____

Licking County Auditor

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

Plat Fee _____
Ordinance, etc. Fee _____

Licking County Recorder

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

Attest _____
Clerk, City of New Albany



By Matthew A. Kirk 1 OCT 24
Matthew A. Kirk
Professional Surveyor No. 7865
mkirk@emht.com Date

	Date: October 14, 2024
	Scale: 1" = 200'
Evans, Mechwart, Hartzelstein & Tiron, Inc. Engineers • Surveyors • Planners • Scientists 3500 New Albany Road, Columbus, OH 43204 Phone: 614.775.4500 Fax: 614.775.3448 emht.com	Job No: 2024-0006 Sheet: 1 of 1
REVISIONS	
MARK	DATE
DESCRIPTION	



RESOLUTION R-04-2025

A RESOLUTION OF THE CITY OF NEW ALBANY SUPPORTING THE OHIO MUNICIPAL LEAGUE'S CHALLENGE OF AT&T'S TARIFF APPLICATION AT THE PUBLIC UTILITIES COMMISSION OF OHIO

WHEREAS, on December 18, 2024, the Ohio Bell Telephone Company dba AT&T Ohio ("AT&T") filed a Telecommunications Form related to a change in its tariff for "Construction Charges, Relocation of Facilities" with the Public Utilities Commission of Ohio (the "PUCO") in PUCO Case Nos. 24-1123-TP-ATA and 90-5032-TP-TRF (collectively referred to as "AT&T's Tariff Application"); and

WHEREAS, AT&T's Tariff Application proposes tariff changes which will require any municipalities in which AT&T is located in the municipality's public right-of-way to pay the full cost of any relocation or undergrounding of AT&T's facilities, regardless of the reason for the relocation. This is in direct contradiction of current Ohio law; and

WHEREAS, AT&T's Tariff Application is subject to a 30-day auto approval process, meaning that if the PUCO does not rule on the application, then the application is automatically approved, and the tariff change becomes effective on the 31st day after the filing of the application; and

WHEREAS, if AT&T's Tariff Application goes unchallenged and becomes automatically effective, municipalities throughout Ohio, and, subsequently, constituents who may or may not be AT&T customers, would be required to pay for any relocation of AT&T facilities in the public rights-of-way, even if the relocation or undergrounding is required for health, safety, or public welfare purposes; and

WHEREAS, the Ohio Municipal League has engaged counsel to challenge AT&T's Tariff Application.

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. Council finds that AT&T's Tariff Application directly changes and significantly impacts, to the detriment of New Albany, how this city manages and administers its public rights-of-way.

Section 2. Council hereby authorizes and agrees to participate in and to intervene in the proceeding at the PUCO in order to challenge AT&T's Tariff Application and any subsequent and/or necessary legal, administrative, legislative efforts.


Section 3. Council has been advised by the Ohio Municipal League that future financial and/or other support from the city may be necessary. Council may take under consideration the specific amount or form of such financial and/or other support from the city at a subsequent meeting of this council.

Section 4. 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 5. Pursuant to the Article VI of the Charter of the City of New Albany, this resolution shall take effect upon passage.

CERTIFIED AS ADOPTED this 21 day of JAN, 2025.

Attest:

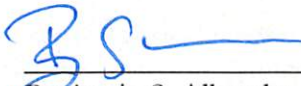


Sloan T. Spalding,
Mayor



Jennifer H. Mason,
Clerk of Council

Approved as to form:



Benjamin S. Albrecht,
Law Director

Legislation dates:	
Prepared:	01/13/2025
Introduced:	01/21/2025
Revised:	
Adopted:	01/21/2025
Effective:	01/21/2025