

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2015-25

Passed December 9, 2015

AN ORDINANCE ACCEPTING THE ANNEXATION OF ±83.688 ACRES OF LAND FROM WALNUT TOWNSHIP TO THE VILLAGE OF THURSTON AND DECLARING AN EMERGENCY

WHEREAS, a petition for an Expedited II method of annexation of ±83.688 acres from Walnut Township was filed with the Board of County Commissioners of Fairfield, Ohio on August 11, 2015 by Thomas L. Hart, attorney and agent for Petitioners Walnut C&DD, LLC, Jerry L. Mock, Barbara S. Mock, and Capital Welding, Inc.; and

WHEREAS, the Board of Commissioners of Fairfield County, Ohio approved the annexation with Resolution 2015-09.15.c; and

WHEREAS, more than sixty days but less than one hundred twenty days having passed since the transcript of such approval was filed with the Village of Thurston Clerk, Council for the Village of Thurston now wants to finally accept the annexation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF THURSTON, OHIO THAT:

SECTION 1. The propose annexation, as applied for in the petition filed on August 11, 2015 by Thomas L. Hart, attorney and agent for Petitioners Walnut C&DD, LLC, Jerry L. Mock, Barbara S. Mock, and Capital Welding, Inc., prayed for the annexation to the Village of Thurston of certain territory adjacent thereto and hereinafter described, which was approved by the Board of County Commissioners of Fairfield County on September 15, 2015, be and is hereby accepted. The territory annexed is described in the legal description attached hereto as Exhibit A and incorporated herein as if fully rewritten herein. The certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for annexation and other papers relating to the proceedings of the County Commissioners, have been on file with the Clerk-Treasurer of the Village of Thurston for more than 60 days.

SECTION 2: Council for the Village of Thurston authorizes and directs the Clerk-Treasurer to make three copies of this Ordinance, to each of which shall be attached a copy of the transcript of proceedings before the Board of County Commissioners of Fairfield County relating thereto and a certificate as to the correctness thereof. The Clerk-Treasurer then shall forthwith deliver one copy to the Fairfield County Auditor, one copy to the Fairfield County Recorder, and one copy to the Secretary of State, and shall file notice of this annexation with the Board of Elections within thirty days after it becomes effective.

SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Thurston which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

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SECTION 4: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

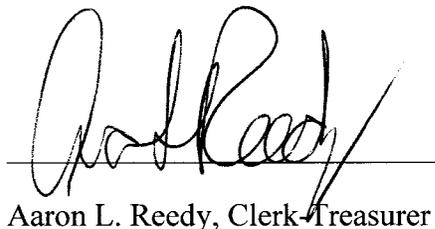
SECTION 5: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that this annexation must be accepted by January 13, 2016. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Resolution shall take effect and be in force immediately upon passage by Council and approval by the Mayor.

Passed in Council this 9th day of December, 2015.



Mary Boring, Mayor

ATTEST:



Aaron L. Reedy, Clerk-Treasurer

APPROVED:

Approved as to form this 3rd day of November 2015:



Brian M. Zets

Village Solicitor