

# RECORD OF ORDINANCES

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_

## ORDINANCE 31-23

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH THE DEVELOPER DESCRIBING THE INTENTIONS OF THE PARTIES TO ANNEX CERTAIN REAL PROPERTY LOCATED BETWEEN CANYON ROAD SOUTHEAST AND NORTH HIGH STREET, OWNED BY JAMES B. MCDONALD**

WHEREAS, The Developer has contracted with James B. McDonald with the intent to purchase certain real property (hereinafter referred to as "Property") being approximately 200 acres, located between Canyon Road Southeast and North High Street, subject to an annexation and subject to the terms of a Pre-Annexation Agreement more fully described and incorporated herein by reference in the attached "Exhibit 1"; and

WHEREAS, the Property is located outside of the corporate limits of any municipality, but is adjacent and contiguous to the corporate limits of the Village of Hebron; and

WHEREAS, the Property Developer desires to obtain sanitary sewer and water services from the Village and the Village desires to provide such services; and

WHEREAS, the Village desires to annex the Property in order to influence and manage the development of the Property and to serve and to assist in the economic development of the Property for the benefit of its citizens and residents; and

WHEREAS, the Village and the Developer have negotiated a Pre-Annexation Agreement, a copy of which is attached hereto; and

WHEREAS, the Village, after due and careful consideration, has concluded that the annexation, zoning, development, and use of the Property as contemplated by the Pre-Annexation Agreement will likely be consistent with the Village's plans and goals for the future development of the Village and accordingly may be in the best interests of the citizens and residents of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF HEBRON, LICKING COUNTY, STATE OF OHIO, WITH A MAJORITY OF THE MEMBERS THERETO CONCURRING THAT:

Section I: The Village Mayor on behalf of the Village is hereby authorized and directed to execute the Pre-Annexation Agreement, which is attached hereto, and which states the intent of the parties to accept the annexation of certain lands owned by James B. McDonald subject to the terms Pre-Annexation Agreement, subject to satisfaction of a future Development Agreement, and provided all other necessary conditions are satisfied.

Section II: If the Property is annexed and becomes subject to Village of Hebron zoning ordinances, and if the Village of Hebron zoning ordinances permit

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uses on the Property that are determined by the Village of Hebron to be clearly incompatible with the uses permitted under the current Union Township zoning regulations applicable to adjacent land remaining within Union Township, the Village of Hebron will require, in any zoning ordinance permitting the incompatible uses the owner of the annexed Property to provide a buffer zone pursuant to O.R.C. 709.023 separating the use of the annexed Property and the adjacent land remaining within Union Township.

Section III: If the Property is annexed the Village of Hebron will provide sanitary and water services upon payment of all applicable capacity fees in accordance with the Village of Hebron Codified Ordinances and existing administrative regulations and policies.

Section IV: This Codified Ordinance section shall take effect and be in full force upon the earliest period allowed by law.

Passed this 22 day of Nov., 2023

  
DEBORAH MORGAN, FISCAL OFFICER

  
JAMES LAYTON, MAYOR

APPROVED AS TO FORM: Wesley K. Untied, Village Solicitor