

RECORD OF ORDINANCES

427



Ordinance No.

Passed 19.....

AN ORDINANCE NO. 876 _____

To accept the Petition for annexation of Terry C. Howell, et. al., of certain territory containing 358.099 acres, more or less, in Johnson Township and Jackson Township, Champaign County, Ohio.

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WHEREAS, a petition for the annexation of 358.099 acres, more or less, in Johnson Township and Jackson Township, Champaign County, Ohio was duly filed by James F. Peifer, agent for petitioners, Terry C. Howell, Jacquelyn R. Howell, Andrew C. Howell, Bill R. Cavender, Howell Land Development, Inc., Mark L. Runkle, Melvin D. Davis, Grace E. Davis, Dale Roger Sloan, Lowell Glenn Sloan, Vernon Ross Sloan, Jr., Wilma Arlene Lewis, Peggy Lynn Dowty, David E. Weaver, Karen J. Weaver, Wick Building Systems, Inc. and Village of St. Paris; and

WHEREAS, on March 28, 2006, the Board of County Commissioners of Champaign County, Ohio approved the annexation of the territory to the Village of St. Paris, Ohio; and

WHEREAS, the Decision of the Board of County Commissioners of Champaign County, Ohio was appealed to the Common Pleas Court of Champaign County, Ohio; and

WHEREAS, on May 30, 2007, the Common Pleas Court of Champaign County, Ohio entered its Finding that the Decision of the Board of Commissioners of Champaign County, Ohio was not unconstitutional, illegal, arbitrary, capricious, or unreasonable, and, specifically finding that the preponderance of substantial, reliable and probative evidence supported the Board's findings that the "not unreasonably large" and "general good" requirements of Section 709.033(A) of the Ohio Revised Code had been met; and

WHEREAS, the Decision of the Common Pleas Court of Champaign County, Ohio was appealed to the Court of Appeals of Ohio, Second Appellate Division, Champaign County; and

WHEREAS, on August 8, 2008, the Court of Appeals of Ohio, Second Appellate Division, Champaign County affirmed the Decision of the Champaign County Common Pleas Court; and

WHEREAS, the Clerk of the Board of County Commissioners of Champaign County, Ohio, certified the transcript of the proceedings in connection with the annexation with map and petition required in connection therewith to the Village Clerk of the Village of St. Paris who received the same on October 1, 2008; and

WHEREAS, pursuant to Section 709.07(C) of the Ohio Revised Code, the Village Council of the Village of St. Paris has determined to accept the Petition for annexation;

NOW, THEREFORE, be it ordained by the Village Council of the Village of St. Paris, Ohio:

Section 1. That the proposed annexation of 358.099 acres in Jackson Township and Johnson Township, Champaign County, Ohio to the Village of St. Paris as applied for in the Petition of James F. Peifer, Agent for Petitioners, Terry C. Howell, Jacquelyn R. Howell, Andrew C. Howell, Bill R. Cavender, Howell Land Development, Inc., Mark L. Runkle, Melvin D. Davis, Grace E. Davis, Dale Roger Sloan, Lowell Glenn Sloan, Vernon Ross Sloan, Jr., Wilma Arlene Lewis, Peggy Lynn Dowty, David E. Weaver, Karen J. Weaver, Wick Building Systems, Inc. and Village of St. Paris which Petition

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was approved for annexation to the Village of St. Paris, Ohio by the Board of County Commissioners on March 26, 2006 is hereby accepted. The territory is described on the attached Exhibit A.

Section 2. The certified transcript of the proceedings for said annexation of 358.099 acres in Jackson Township and Johnson Township, Champaign County, Ohio to the Village of St. Paris, Ohio with an accurate map of the territory together with the Petition for its annexation, and other papers relating to the proceedings together with a certified copy of the Journal Entry of the Final Determination of the Court of Appeals of Ohio, Second Appellate Division, Champaign County, Ohio as referenced in the preamble hereto are on file with the Village Clerk.

Section 2. That the Village Clerk is hereby authorized and directed to make three (3) copies of this Ordinance to each of which shall be attached a copy of the map relating to the annexation proceedings, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto and a certificate as to the correctness thereof. The Village Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder and one copy to the Secretary of State and shall file notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective, and the Clerk shall do all the things required by law.

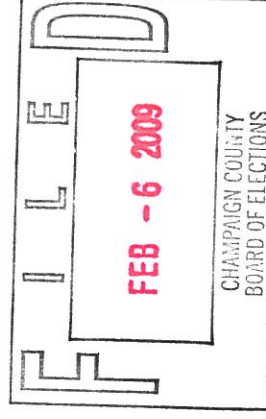
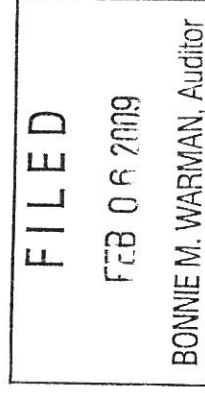
Section 3. In accordance with Ohio law the zoning regulations in effect within the above-described annexation area on the date the annexation becomes effective shall be administered and enforced by the Village until an amendment to the Village Zoning Ordinance is adopted establishing a zoning classification(s) under said zoning Ordinance.

Section 4. That this Ordinance shall take effect and be in force from and after thirty (30) days from the date of its passage.

Passed this 5th day of January, 2009.


Mayor of the Village of St. Paris, Ohio


Clerk of the Village of St. Paris, Ohio



200900000475
Filed for Record in
CHAMPAIGN COUNTY, OHIO
ROBIN K. EDWARDS
02-06-2009 At 12:39 PM.
ANNEXATION 340.00
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