

ORDINANCE NO. 2019-

3949

AN ORDINANCE PETITIONING THE BOARD OF SANDUSKY COUNTY COMMISSIONERS TO ADJUST THE BOUNDARY LINES OF BALLVILLE TOWNSHIP SO AS TO EXCLUDE THE TERRITORY THAT, AS A RESULT OF ANNEXATION, NOW LIES WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF FREMONT (SUBMITTED BY LIBERTY CENTER OF SANDUSKY COUNTY ANNEXATION OF 0.301 +/- ACRES - ORDINANCE NO. 2018-3930).

WHEREAS, on July 19th, 2018, the Board of County Commissioners of Sandusky County, Ohio approved the petition for annexation of approximately 0.301 acres in Ballville Township, filed as a regular annexation by Roy E. Yeager, agent for petitioner and,

WHEREAS, Revised Code Section 503.07 authorizes Council to petition the Board of County Commissioners of Sandusky County to change the township boundaries within the municipal corporation; and

WHEREAS, the procedure set forth above has been upheld by the Ohio Supreme Court, in the case of the *State, ex rel. City of Dublin v. Delaware County Board of Commissioners*, 62 Ohio St.3d 55, 577 N.E.2d 1088 (1991);

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FREMONT, STATE OF OHIO:

SECTION 1. The City, an Ohio Municipal Corporation, hereby petitions the Board of County Commissioners of Sandusky County, Ohio for a change of township lines of Ballville Township to remove that area included within the corporate limits of the City, as shown on the attached Exhibit A, from Ballville Township and place it in the City pursuant to the terms and provisions of Revised Code Section 503.07 and related sections, and pursuant to the Ohio Supreme Court decision in *State, ex rel. City of Dublin v. Delaware County Board of Commissioners*, which held, "a Board of County commissions must comply with a municipal petition for a change of township boundaries in order to make those boundaries conform to the limits of the municipality." 62 Ohio St.3d. 55, 557 N.E.2d 1088, (citing from case headnote).

SECTION 2. 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 this Council, and that all deliberations of this Council and 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 121.22 of the Revised Code of Ohio.

SECTION 3. This ordinance shall take effect and be in force from and after its passage and publication according to law.

Jamie Hafford
Jamie Hafford
President of Council

PASSED: 3-21-19

Effective date: 3-21-19

YEAS: 6 NAYS: 0

Stephanie L. Martin
Stephanie L. Martin, City Council Clerk

[Signature]
Daniel R. Sanchez, Mayor

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Approved as to form:

[Signature]
James F. Melle, Director of Law
City of Fremont, Ohio