

RESOLUTION NO. 005-14

A RESOLUTION ACCEPTING THE ANNEXATION TO THE CITY OF NAPOLEON CERTAIN TERRITORY THAT THE NAPOLEON AREA SCHOOL DISTRICT FILED WITH THE HENRY COUNTY BOARD OF COMMISSIONERS; AND DECLARING AN EMERGENCY

WHEREAS, on the 9th day of October, 2013 a Petition for Expedited Type II Annexation of approximately 55.062 acres of land which is currently in the Township of Napoleon, Henry County, Ohio was filed with the Henry County Board of Commissioners by the Napoleon Area City School District; and,

WHEREAS, the City of Napoleon has previously consented to said annexation it now chooses to accept said annexation; and,

WHEREAS it is the intent of the City of Napoleon to respond accordingly; **Now therefore**,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, the Council of the City of Napoleon, Ohio does hereby accept the annexation of the territory proposed.

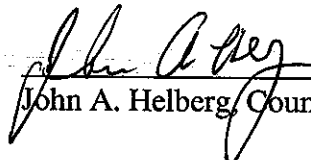
Section 2. That, the Clerk of Council is hereby directed to forward a copy of this Resolution to the Henry County Board of Commissioners, the Henry County Auditor, the Henry County Recorder, and the Secretary of State for Ohio.

Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.


Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for the City to comply with ORC requirements regarding Type II Annexation; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: January 20, 2014


John A. Helberg, Council President

Approved: January 20, 2014



Ronald A. Behm, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:



Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 005-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director