

RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1988-04

Passed June 7, 1988

AN ORDINANCE TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY LOCATED IN SECTION 2 AND 3, TOWN 5, RANGE 4 EAST IN PERRY TOWNSHIP AND CERTAIN TERRITORY LOCATED IN SECTION 35, TOWN 6, RANGE 4 EAST OF CLAY TOWNSHIP FOR A TOTAL OF 31.72 ACRES TO THE MUNICIPALITY OF BROOKVILLE, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, Petition for the annexation of certain territory in Clay Township and Perry Township has been duly filed by Lawrence Bowser: and

WHEREAS, the Petition was duly considered by the Board of County Commissioners of Montgomery County; Ohio on March 22, 1988; and

WHEREAS, the Board of County Commissioners has approved the annexation of the territory to the Municipality of Brookville, Ohio, as hereinafter described; and

WHEREAS, the Board of County Commissioners certified the transcript of the proceedings in connection with the annexation with the map and petition required in connection therewith to the Municipal Clerk of Council who received the same on the 16th day of December, 1987; and

WHEREAS, sixty (60) days from the date of the filing have now elapsed in accordance with the provisions of Revised Code 709.04.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE MUNICIPALITY OF BROOKVILLE, OHIO, THAT:

SECTION I:

The proposed annexation as applied for in the Petition of Lawrence Bowser for certain territory in Perry Township and Clay Township containing a total of 31.72 acres and the majority of owners of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Montgomery County, Ohio, on the 16th day of December, 1987, in which the Petition prayed for annexation to the Municipality of Brookville, Ohio certain territory adjacent thereto as hereinafter described and which the Petition was approved for annexation to the Municipality of Brookville, Ohio by the Board of County Commissioners on the 22nd day of March, 1988 be and the same is hereby accepted. A description of the territory is attached hereto and marked Exhibit "A".

A certified transcript of the proceedings for annexation with an accurate map of the territory, together with the Petition for its annexation and other papers relating to the proceedings thereto of the County Commissioners are all on file with the Clerk of Council of this Municipality and have been for more than sixty (60) days.

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SECTION II.

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


SECTION III.

This Ordinance is hereby declared to be an emergency ordinance for the immediate preservation of public peace, health, safety and welfare of the citizens of the Municipality of Brookville, Ohio and this Ordinance shall take effect and be in force from and after its passage.

PASSED this 7th day of June, 1988.

ATTEST:


E. EUGENE ROESER, Clerk


GEORGE E. BROWN, Mayor

CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1988- 04 passed by the Council of said Municipality on the 7th day of June, 1988.


E. EUGENE ROESER, Clerk

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CERTIFICATION OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1988-04 was posted at the Municipal Building, U. S. Post Office and the Brookville National Bank, Brookville, Ohio on the 16th day of June, 1988 to the 15th day of July, 1988, both days inclusive.


E. Eugene Roeser, Clerk