

**CITY OF SOUTH LEBANON, OHIO  
ORDINANCE NO. 2024-04**

**AN ORDINANCE ACCEPTING THE ANNEXATION OF 0.8459 ACRES IN  
HAMILTON TOWNSHIP, WARREN COUNTY, OHIO TO THE CITY OF SOUTH  
LEBANON, OHIO AND DECLARING AN EMERGENCY**

**WHEREAS**, a petition for annexation of approximately 0.8459± acres in Hamilton Township, Warren County to the City of South Lebanon described in attached Exhibit A and shown on the map or plat attached as Exhibit B was filed with the Warren County Commissioners on November 21, 2023. The petition followed the expedited type 2 annexation process provided for in Ohio Revised Code Section 709.023; and,

**WHEREAS**, the petition was signed by all owners of real estate in the unincorporated territory of the township proposed for annexation; and,

**WHEREAS**, by resolution adopted on December 5, 2023, the Board of County Commissioners of Warren County, Ohio approved the annexation of 0.8459± acres in Hamilton Township to the City of South Lebanon, Ohio; and,

**WHEREAS**, the clerk of the Warren County Board of County Commissioners had a certified copy of the record of the annexation proceedings, including all resolutions of the Board held in connection with the 0.8459± acre annexation, delivered to the Director of Finance on December 12, 2023; and

**WHEREAS**, more than sixty (60) days from the date of delivery of the record of the annexation proceedings to the City has elapsed in accordance with provisions of Section 709.04 of the Ohio Revised Code and the Director of Finance has now laid the resolution of the Warren County Commissioners granting the annexation and the annexation papers before Council at this next regular scheduled meeting to accept or reject the petition for annexation; and

**WHEREAS**, it is the desire of the owners, and in the interest of the City, that all municipal ordinances and powers be immediately effective in the annexed territory, that City services be immediately available to the territory and that territory immediately be within the City so that the City can begin providing services and for the preservation of the peace, health, safety and welfare of the annexation territory, the City and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of South Lebanon, at least two-thirds of all members elected thereto concurring:

**Section 1.** The annexation of 0.8459± acres described in Exhibit A and shown on the map or plat labeled Exhibit B previously approved by the Warren County Board of County Commissioners by Resolution on December 5, 2023, be and is hereby accepted by the City.

**Ordinance No. 2024-04**

**Page 2**

**Section 2.** The Director of Finance is hereby directed to make three copies containing the petition, the map or plat accompanying the petition, a transcript of the proceedings of the Board of County Commissioners, and resolutions and ordinances in relation to the annexation, including this Ordinance. The Director of Finance shall then deliver one certified copy to the Warren County Recorder for recording it in the Recorder's official records. The other two copies shall be certified by the Director of Finance and forwarded to the Ohio Secretary of State and the Warren County Auditor. The Director of Finance shall pay any associated fees and costs and to take any other action required by statute.

**Section 3.** The Director of Finance is further directed to notify the Warren County Board of Elections of the changes in the boundaries of the City in writing which shall include a certified copy of this Ordinance with its attached exhibits, including the legal description and annexation plat, within thirty (30) days of the adoption of this Ordinance.

**Section 4.** That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

**Section 5.** This measure is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 that is necessary for the immediate preservation of the public peace, health, safety or welfare of the City and its residents for the reason the annexation territory has an immediate need for City services, the owners of the annexation territory desire to have the property immediately subject to the City's authority and for City services immediately available to the property. In addition, it is in the interest of the City and its residents and inhabitants to have its municipal ordinances, powers and services immediately applied throughout the municipality without delay, including in newly annexed territories; and this Ordinance shall be in full force and effect immediately upon its passage.

**Section 6.** That it is found and determined that all formal actions of the Council concerning and relating to passing this Ordinance were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 15<sup>th</sup> day of February, 2024.



Linda S. Burke, Mayor

Attest: 

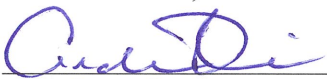
Petrina D. Williams, Director of Finance/Clerk

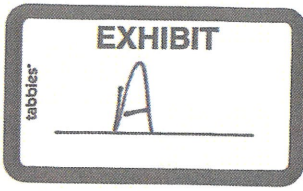
**Ordinance No. 2024-04**  
**Page 3**

Rules Suspended:	<u>2/15/24</u>	(if applicable)
First Reading:	<u>-</u>	
Second Reading:	<u>-</u>	
Vote:	<u>6</u> Yeas	
	<u>    </u> Nays	
Effective Date:	<u>2/15/24</u>	

Prepared by and approved as to form:

Andrew P. Meier  
Law Director  
City of South Lebanon, Ohio

By:   
Date: 2/15/2024



**DESCRIPTION FOR:**

**CITY of SOUTH LEBANON  
ANNEXATION**

**LOCATION:**

**"STRIKER ROAD AREA"  
0.8459 Acres**

Situate in Military Survey Number 1548, Hamilton Township, Warren County, Ohio and including all of Lots 1 and 2 of the Striker Road Plat recorded in Plat Book 91, Pages 43-44 (all records of the Warren County, Ohio Recorder's Office) as conveyed to Beaver Creek Site Management, LLC by deed recorded in Document Number 2023-016021 and also including 0.0316 ac. of right-of-way dedicated to the Warren County Commissioners on said plat and being more particularly described as follows:

Beginning at the northeast corner of said Lot 2 in the existing corporation line of the City of South Lebanon and west line of the original 77 acre (64.25 acre net) tract as conveyed to Terry L. Irwin, Trustee and Lea F. Irwin, Trustee of the Irwin Family Living Trust dated July 18, 2016 by deed recorded in Document Number 2018-029037;

Thence with said corporation line, along the west line of said Irwin tract, South 01°04'16" East, 536.80 feet to the north line of Lot 30 Open Space of Willow Grove recorded in Plat Book 51, Pages 94-95 as conveyed to Heartland, Ltd., LLC by deed recorded in Official Record 1976, Page 830;

Thence, along the north line of said Lot 30 Open Space, South 88°53'59" West, 116.31 feet to an east line of Striker Road (R/W Varies) as shown on the aforesaid Striker Road Plat;

Thence in part along east lines of said Striker Road, with the west line of aforesaid Lot 1 and extension thereof, crossing said right-of-way of Striker Road and with the west line of aforesaid Lot 2, North 08°59'56" East, 545.43 feet to the northwest corner of said Lot 2;

Thence continuing along said right-of-way of Striker Road, with the north line of said Lot 2, North 88°55'44' East, 20.97 feet to the point of beginning.

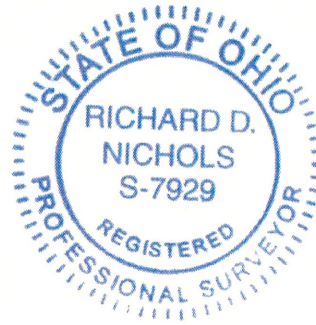
Containing 0.8459 acres of land, more or less.

Subject to all legal highways, easements and restrictions of record.

The above description is the result of a Plat of Annexation by McGill Smith Punshon, Inc. under the direction of Richard D. Nichols, P.S. No. 7929, dated the 14th of July 2023. The bearings in the above description are based on the subject property record plat recorded in Plat Book 91, Pages 43-44, records of the Warren County, Ohio Recorder's Office.

Prepared by: McGill Smith Punshon, Inc.  
Date: 31 AUG 2023  
MSP No.: 16448.02

16448023-LEG-ANX-00



*Robert Dill*  
10/30/23