

CITY OF OBETZ
RECORD OF ORDINANCES



ORDINANCE: 22 – 22

PASSED: _____

AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY ADMINISTRATOR TO EXECUTE AND SIGN A PETITION ON BEHALF OF THE CITY OF OBETZ TO BE PRESENTED TO THE CITY TO CREATE A NEW COMMUNITY AUTHORITY AND NEW COMMUNITY DISTRICT UNDER CHAPTER 349 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

WHEREAS, Flats At Greystone LLC (“Greystone”), an Ohio limited liability company; Pulte Homes of Ohio LLC (“Pulte”), a Michigan limited liability company; Real Estate Prophets LLC (“REP”), an Ohio limited liability company; Greenlawn Realty Company (“Greenlawn”), a for profit corporation; Shenandoah Partnership (“Shenandoah”), a general partnership; Hidden Brandon LLC (“HB”), an Ohio limited liability company; and the City of Obetz (the “City” and, together with Greystone, Pulte, REP, Greenlawn, Shenandoah, and HB, the “Developers” and each a “Developer”) will submit a petition (the “Petition”) to the City requesting the establishment of a new community authority to be named “Buckstone Community Authority” comprising approximately 388.35 acres, all within the boundaries of the City (the “District Property”) for the purposes of developing the District Property as one functionally interrelated community; and

WHEREAS, the Developer has requested that the City, as the “proximate city” as defined in Section 349.01(M) of the Ohio Revised Code, authorize the City Administrator to sign the Petition as approval of such Petition by the City, as a “proximate city” to allow for the Petition to be then presented to the City, as the “Organizational Board of Commissioners” to consider creation of the Buckstone Community Authority as a new community authority and new community district under the provisions of Chapter 349 of the Ohio Revised Code; and

WHEREAS, an emergency exists in the usual daily operation of the City in that this Ordinance is required to be immediately effective to provide for the timely consideration of the Petition by the City, to allow for the Developer and the new community authority to commence financing and construction of public infrastructure improvements, thus securing for economic benefits of the future residents of the Buckstone Community Authority which are needed to provide for the health, welfare and safety of the residents of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OBETZ THAT:

Section 1. Execution of the Petition. The City Administrator is hereby authorized to execute and sign the Petition on behalf of the City and this Council, which Petition shall then be presented to the City, as the “organizational board of commissioners” as defined Section 349.01(F) of the Ohio Revised Code, pursuant to Chapter 349 of the Ohio Revised Code to create the Buckstone New Community Authority as a new community authority and as a new community district for the benefit of the residents of the City and the County, and the residents of the proposed new

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community authority and the new community district. The City Administrator's signature on that Petition shall indicate the approval of that Petition by the City as the "proximate city" within the meaning of Section 349.01(M) of the Ohio Revised Code.

Section 2. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Ohio Revised Code.

Section 3. Effective Date. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, and safety of the City and its inhabitants for the reason that this Ordinance must be immediately effective to ensure that the Authority may be created in a timely manner; WHEREFORE, this Ordinance shall take effect and be in force from and immediately after its adoption.

Passed this _____ day of _____, 2022.

ATTESTS:

Stacey Boumis, Clerk of Council

Angela M. Kirk, Mayor

Michael Flaherty, Council Pres. Pro-Tem

APPROVED AS TO FORM

Eugene Hollins, Esq., Law Director

CERTIFICATION OF PUBLICATION

Pursuant to the City Charter, I, Stacey E. Boumis, Clerk of Council of the City of Obetz, Ohio, do hereby certify that Ordinance _____ was duly posted at _____ (time) on the _____ day of _____, 2022, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.

Stacey Boumis, Clerk

Date