

**A RESOLUTION REPEALING RESOLUTION NO. 29-2021 AND
CONSENTING TO THE ANNEXATION OF 118.7873 ACRES OF LAND
AS SET FORTH IN THE AMENDED ANNEXATION APPLICATION
AND PETITION SUBMITTED ON APRIL 8, 2021, AND DECLARING AN
EMERGENCY**

WHEREAS, the Clerk of Council received an Annexation Application from Richfield Furnace Run Associates, LLC (the "Applicant") dated March 12, 2021, regarding the annexation of certain territory consisting of 118.7873 acres of land in Richfield Township, Summit County, Ohio ("Property") together with a copy of an Annexation Petition filed with the Summit County Council; and

WHEREAS, Council passed Ordinance No. 26-2021 on March 16, 2021 referring to Annexation Application to the Village's Planning and Zoning Commission in accordance with the requirements of Section 1115.05 of the Planning and Zoning Code for and evaluation and recommendation of the annexation request and the requested Zoning District classification for the Property; and

WHEREAS, the Applicant withdrew the Annexation Petition filed with the Summit County Council on March 25, 2021 due to a procedural filing error. Subsequently, the Applicant filed an Amended Annexation Application with the Village on March 25, 2021 together with a copy of the Amended Annexation Petition filed with the Summit County Council; and

WHEREAS, the Amended Annexation Application and Amended Annexation Petition are identical to the original application and petition that was previously filed with the Village on March 12, 2021; and

WHEREAS, Planning and Zoning Commission meet on March 30, 2021 to evaluate the annexation request and unanimously voted to recommend that Council consent to the annexation; and

WHEREAS, Council passed Resolution 29-2021 on March 31, 2021 that consent to the annexation; and

WHEREAS, subsequent to Council's passage of Resolution 29-2021, the Applicant withdrew the March 25, 2021 Amended Annexation Petition filed with the Summit County Council due to another procedural filing error and subsequently filed another Amended Annexation Petition dated April 8, 2021, a copy of which is attached hereto as Exhibit "A" and expressly incorporated herein; and

WHEREAS, Council passed Resolution 35-2021 on April 14, 2021 referring to April 8, 2021 Amended Annexation Application to the Village's Planning and Zoning Commission in accordance with the requirements of Section 1115.05 of the Planning and Zoning Code for an

evaluation and recommendation of the annexation request and the requested Zoning District classification for the Property; and

WHEREAS, Planning and Zoning Commission meet on April 27, 2021 to evaluate the amended annexation request and unanimously voted to recommend that Council consent to the annexation; and

WHEREAS, Section 709.023(D) of the Ohio Revised Code authorizes the legislative authority of a municipal corporation to which annexation is proposed to adopt and file with the Summit County Council a resolution consenting or objecting to the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, County of Summit, State of Ohio that:

SECTION 1. Resolution 29-2021 is hereby repealed.

SECTION 2. The Council consents to the proposed annexation of 118.78973 acres of land as set in Amended Annexation Application and Amended Annexation Petition dated April 8, 2021.

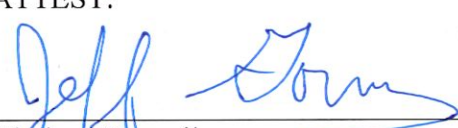
SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Resolution is hereby declared to be an emergency measure for the immediate preservation of the public health, safety, and welfare and for the further reason that it is necessary to adopt this Resolution in order to meet the statutory deadlines set forth in the Ohio Revised Code; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

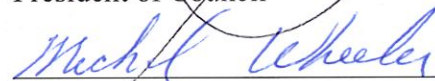
PASSED: 5-1-2021



President of Council

ATTEST:


Clerk of Council



Mayor

Dated: 5-1-2021