

Resolution No.

Passed, YEAR

RESOLUTION 2007-27
"NEIDERHOUSE PARCEL"

WHEREAS, the Perrysburg Township Board of Trustees would be inclined to approve the application for the re-zoning of the Neiderhouse Parcel from A-1 to A-1 and R-3, provided certain conditions could be included to run with the land.

NOW, THEREFORE, BE IT RESOLVED THAT THE APPLICATION IS APPROVED BY THE PERRYSBURG TOWNSHIP BOARD OF TRUSTEES SUBJECT TO THE FOLLOWING CONDITIONS:

Section 1. The "Neiderhouse Parcel," shall be developed substantially in accordance with the preliminary plan presented to the Trustees at the hearing on November 12, 2007, as modified to incorporate the changes requested by the Trustees on December 17, 2007, see preliminary plan attached as Exhibit "A;" retaining the option for the Developer to create a stub street in the northwest corner of the Neiderhouse Parcel that would allow for a street to be constructed connecting the Neiderhouse Parcel to Emerald Lakes Subdivision; and

Section 2. Future lot owners in the subdivision developed on the Neiderhouse Parcel shall not be required to sign annexation petitions and there shall not be any annexation provisions, powers of appointment or powers of attorney regarding annexation in future purchase contracts or any annexation covenants in future deeds that arise as a matter of contract; and

Section 3. McCarthy Builders, Inc., an Ohio corporation, its successors and assigns, shall file an affidavit pursuant to R.C. 5301.252, or similar instrument, releasing the right to annex lots in the Emerald Lakes Subdivision, or to exercise any powers of appointment or powers of attorney regarding annexation following the effective date of this resolution, as finally determined, demonstrating that there exist no contracts or agreements of any kind with owners of the Neiderhouse Parcel, or any real estate that is contiguous to the Neiderhouse Parcel, that confer upon any third party the right to compel the annexation of the Neiderhouse Parcel to any municipality.

Section 4. This resolution shall be effective at the earliest time permitted by law.

The resolution was moved by Trustee Gary Britten and seconded by Trustee Robert Mack.

On Roll Call the following vote was cast:

Craig LaHote yes Gary Britten yes Robert Mack yes

CERTIFICATION

I, the undersigned Fiscal Officer of Perrysburg Township, Wood County, Ohio do hereby certify that the foregoing Resolution is a true copy of the Resolution adopted by the Board of Trustees of Perrysburg Township, Wood County, Ohio on the 17th day of December, 2007.

Shirley A. Harr
Shirley Harr, Fiscal Officer
Jan 2, 2008