

WHEREAS, Attorney Keyse-Walker gave his closing remarks;

There is not dispute in the petition and meets the conditions of annexation.

There are 7 requirements that the Commissioners need to examine.

- a) petition meets all requirements set forth in 709.02, with no dispute
- b) signatures of all owners of real estate, condition met
- c) number of valid signatures constitute a majority, condition meet, no dispute
- d) municipality adopted an ordinance providing services and when services are to be provide, condition meet and no dispute
- e) territory not unreasonably large, it is less than 10 acres in a 24 sq mile township. Some illusions have been discussed on islands, peninsulas and with respect the area of the township the area continues on and the territory proposed to be annexed is an arm of the same territory.
- f) On balance, the general good of the territory proposed to be annexed will be serviced, no dispute the service and testimony on the city services available a full time police vs. a stretched sheriff's office – with all respect no one will dispute this point. Fire service is provided by the City to the Township, no dispute. Sewers, which is always an issue but this is in the service area as designated by NOACA and by the township's own omission there is no service now or in the future. This is very crucial to the county to bring jobs to this fine institute of Kendal At Oberlin. The territory will be enhanced
- g) Determinants, no testimony to the area or surrounding area. There has been some to the enchantment of the surrounding area, but take out, there seems to be no determent, only benefit.
- h) No street tor highway will be provided.

It is unfortunate the township has to undergo annexation, there are things the township can do and was acknowledge through there testimony to discuss. It if very crucial to the petitioner that this annexation goes forth to get this facility and jobs into the county. The evidence and understanding of this and the Township and City should talk in the future but this has to be passed now and all conditions have been meet and urge the Commisioners act today and approve; and

WHEREAS, Attorney Severs, City of Oberlin said the sewers can be provided by the City within 30 days, but the sewer is already there, they would just build an extension of a lateral. The City would discussion with New Russia Township an agreement of annexation petitions, but do not penalize Kendal At Oberlin because there is no agreement today; and

WHEREAS, Attorney Stephen Bond, New Russia Township Trustees representative said Kendal At Oberlin is an innocent party, with no objection to them and do not object to the procedural items. Under the statute there has to be a balance between the property before and after and he reflected on the court issue that he discussed earlier. Kendal At Oberlin came forward and had this project in line for some time, acquired property since first of year but was fixated that they had to be a part of the City, there was no comparison as to what could be provided by the Township. The fire, police and sewers in this area, Kendal has agreed no specific issues to these services to this area. Township was never given the chance to see what was available with no opportunity and a conclusion can not be made because on balance the property would be better if it was not part of the township, because the facts are not in front of the Commissioners; and