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ANNEXATION - OHIO

State ex rel. Tangeman v. Miami County Board of County Commissioners

Court of Appeals of Ohio, Second District, Miami County - October 21, 2022 - N.E.3d - 2022 WL 15948703 - 2022-Ohio-3851

After board of county commissioners denied petition for expedited type-2 annexation of township property to city on ground that city did not resolve to provide water and sewer services to territory proposed to be annexed, agent for group of township landowners who sought annexation petitioned for writ of mandamus compelling board of county commissioners to approve annexation petition.

The Court of Appeals held that annexation petition satisfied statutory requirements.

Petition for expedited type-2 annexation of township property to city complied with statutory provision requiring that municipal corporation to which annexation was proposed agree to provide services specified in its statutorily-required services resolution to territory proposed for annexation, even though city did not resolve to provide water and sewer services to proposed territory; statute plainly permitted municipality to pick and choose services it would offer annexed territory, and board of county commissioners could not exercise veto power over substance of municipal corporation's services resolution.

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