



Deerfield Township • 4900 Parkway Dr., Suite 150 • Mason, Ohio 45040  
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Board of Trustees: Daniel J. Corey • Christopher Romano • Pete Patterson  
Fiscal Officer: John Wahle  
Administrator: David D. Duckworth

February 28, 2011

Honorable Terry Blair  
Chairman, House Local Government Committee  
Ohio House of Representatives  
77 S. High Street, 13th Floor  
Columbus, OH 43215-6111

Dear Mr. Blair:

This letter is written to convey the support of Deerfield Township, Warren County, Ohio for House Bill No. 50, which amends Section 709.02 of the Ohio Revised Code to require that political subdivision owner be included in determining the number of owners needed to sign a petition for an expedited Type II annexation.

Deerfield Township is an urban, home rule township located in Southwestern Warren County. In recent years, both the City of Mason and the Village of South Lebanon have been successful in annexing portions of Deerfield Township. The Type II annexation by South Lebanon included 30+ acres of government owned land. The annexation was approved despite the fact that no property owner in Deerfield Township signed the petition.

The Trustees of Deerfield Township support H.B. No. 50. However, they would prefer a more comprehensive approach to the problems townships face with the current statutory schemes on annexations, such as Senate Bill No. 297, introduced by Senator Seitz in the last session. The Seitz Bill addressed two other issues which are important to Deerfield Township: standing to appeal action by a board of county commissions and abatement of taxes by municipalities after approval of an annexation pursuant to a Type II unanimous petition.

Deerfield Township feels it is very important to clarify the issue of municipal abatement of taxes on the territory annexed pursuant to a Type II petition. As you know, O.R.C. §709.023, which provides for expedited Type II annexations, specifically provides in Section (H):

(H) Notwithstanding anything to the contrary in section 503.07 of the Revised Code, unless otherwise provided in an annexation agreement entered into pursuant to section 709.192 of the Revised Code or in a cooperative economic development agreement entered into pursuant to section 701.07 of the Revised Code, territory annexed into a municipal corporation pursuant to this section shall not at any time be excluded from the township under section 503.07 of the Revised Code and, thus, remains subject to the township's real property taxes.

Despite this language, the City of Mason has abated taxes on a significant project on land annexed from Deerfield Township pursuant to a Type II petition. This abatement will cost the Township over \$1.2 million in lost tax revenue for the term of the abatement. The Trustees of Deerfield Township have taken legal action to resolve this issue, but we do not believe this type of outcome comports with the intent of the 124<sup>th</sup> General Assembly when it enacted Senate Bill 5.

Thank you for considering this statement of support. The Trustees of Deerfield Township are hopeful that House Bill 50 will pass and that additional, more comprehensive legislation correcting other problems with the current annexation law will also be addressed in this session of the legislature.

Very truly yours,

A handwritten signature in blue ink, appearing to read "David Duckworth", with a large, stylized flourish extending to the right.

David Duckworth  
Township Administrator, on behalf of the  
Trustees of Deerfield Township

cc: Pete Patterson, President, Deerfield Township Trustees  
Daniel J. Corey, Vice President, Deerfield Township Trustees  
Chris Romano, Trustee, Deerfield Township Trustees