

SAMPLE MERGER AGREEMENT

This Merger Agreement (hereinafter “the Agreement”) was entered into between and among XXX TOWNSHIP, OHIO COUNTY and XXX TOWNSHIP, OHIO COUNTY effective this 15th day of December, 2011. XXX TOWNSHIP, OHIO COUNTY and XXX TOWNSHIP, OHIO COUNTY are referred to collectively as “the Parties or the Townships.”

ARTICLE I – LEGAL AUTHORITY

Pursuant to Ohio Rev. Code §§ 523.01 - 523.07, the territory of one or more townships may be merged with that of a contiguous township to create a new township. The Parties, in this pursuit, submitted the issue of merger to the electors of each respective Township. The electors of both Townships approved the merger on [Date]. Accordingly, the Parties desire to enter into this Agreement pursuant to Ohio Rev. Code § 523.04.

ARTICLE II – NAME OF NEW TOWNSHIP

The new township approved by the electors of both the Townships shall henceforth be known as “XXX Township.”

ARTICLE III – TOWNSHIP OFFICES

Principal township offices for XXX Township will be _____ [or, alternatively, this provision may provide for the manner in which the location will be selected].

ARTICLE IV – TOWNSHIP OPERATIONS AND ORGANIZATION

[This provision should provide for:

- Government operations and organization of new township;
- A plan for electing officers at the next general election that is held not later than 90 days after the merger agreement is finalized.]

ARTICLE V – TOWNSHIP SERVICES, FUNCTIONS AND RESPONSIBILITIES

[This provision should provide for the efficient and timely transfer of specific services, functions, and responsibilities from each township and its respective offices to the new township.]

ARTICLE VI – ASSETS

[This provision should identify and state the disposition of any township assets and property for each township.]

ARTICLE VII – DEBT

[This provision shall provide for liquidation of any existing indebtedness for each township.]

ARTICLE VIII – ENFORCEMENT OF TOWNSHIP RESOLUTIONS

[This provision shall provide for a plan for the common administration and enforcement of resolutions of the township merged, to be enforced uniformly within the new township.]

ARTICLE IX – ZONING

[This provision shall specify whether there will be any zoning changes as a result of the merger.]

ARTICLE X – SPECIAL PURPOSE DISTRICTS

[This provision shall provide a plan to conform the boundaries of an existing special purpose district within the new township, to dissolve the special purpose district, or to absorb the special purpose district into the new township.]

ARTICLE XI – EFFECTIVE DATE

This Agreement shall become effective on the date of execution and filing with the fiscal officer of the new township.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date of the signature of each member of the XXX TOWNSHIP and XXX TOWNSHIP trustees.

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