

Review of Petition to Annex 4.26 +/- acres from Franklin Township to the city of Columbus by ETI Corporation

CASE #ANX-EXP2-19-08      **(ECONOMIC DEVELOPMENT & PLANNING)**

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Sean Mentel, Esq. filed on behalf of ETI Corporation on June 10, 2008 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited 2 petition, and having considered all the facts with reference thereto, being fully advised, and

WHEREAS, the Commissioners make the following findings based upon the exhibits and testimony presented at the review of this matter:

1. The petition does meet all the requirements set forth in, and was filed in the manner provided in, section 709.021 of the Revised Code.
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation and constitute all of the owners of real estate in that territory.
3. The territory proposed for annexation does not exceed five hundred acres.
4. The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.
5. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
6. The municipal corporation to which annexation is proposed has agreed to provide to the territory proposed for annexation the services specified in the relevant service ordinance #1039-2008, passed on June 23, 2008 by the city of Columbus.

Review of Petition to Annex 4.26 +/- acres from Franklin Township to the city of Columbus by ETI Corporation

**(ECONOMIC DEVELOPMENT & PLANNING)**

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

That, in accordance with the findings made in the preamble, which are incorporated herein, the prayer of the Petition be *approved*, and the territory sought to be annexed by the petition filed herein *shall* be annexed to the city of Columbus, Ohio, in accordance with the law; that the orders and proceedings of this board relating to the Petition, and map and description attached thereto, and all papers on file relating to this matter be delivered forthwith to the Clerk of Council, city of Columbus, Ohio.

Prepared by: R. Lee Brown

C: Economic Development & Planning Department

## SIGNATURE SHEET

Resolution No. 0620-08

July 22, 2008

### REVIEW OF PETITION TO ANNEX 4.26 +/- ACRES FROM FRANKLIN TOWNSHIP TO THE CITY OF COLUMBUS BY ETI CORPORATION - ANX- EXP2-19-08

(Economic Development and  
Planning)

Upon the motion of Commissioner Paula Brooks, seconded by Commissioner Mary Jo Kilroy:

#### Voting:

Marilyn Brown, President

Aye

Mary Jo Kilroy

Aye

Paula Brooks

Aye

Board of County Commissioners  
Franklin County, Ohio

#### CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by the Board of County Commissioners, Franklin County, Ohio on the date noted above.



Debra A Willaman, Clerk  
Board of County Commissioners  
Franklin County, Ohio



**Commissioners**  
Marilyn Brown, President  
Mary Jo Kilroy  
Paula Brooks

**Economic Development & Planning Department**  
James Schimmer, Director

Application for  
**Annexation  
Petition**

Expedited Type 2  
Pursuant to ORC §709.023

RECEIVED

JUN 10 2008



Property Information	
Site Address	2860 FISHER ROAD
Parcel ID(s)	010-153716 140-003949, 003948, 003947
From Township	FRANKLIN
Total Acreage	4.26
To Municipality	COLUMBUS

Property Owner Information	
Name	ETF CORP
Address	2860 FISHER ROAD COIS. OH 43204
Phone #	614-276-8123
Fax #	614-276-6377
Email	

Attorney/Agent Information	
Name	SEAN MENDEL
Address	175 S. THIRD ST SUITE 800 COIS. OH 43215
Phone #	614-227-6040
Fax #	614-227-6041
Email	SEAN@THELOSAM.COM

Staff Use Only	
Case #	ANX-EXPTI 19-08
Hearing date:	7-12-08
Date filed:	6-10-08
Fee paid	250.00
Receipt #	7665
Notifications deadline: 5 days	6-15-08
Svc statement deadline: 20 days	6-29-08

Document Submission
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:
<input checked="" type="checkbox"/> Legal description of property
<input checked="" type="checkbox"/> Map/plot of property
<input checked="" type="checkbox"/> List of adjacent properties

**Waiver of Right to Appeal**

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

Property Owner	Date	Property Owner	Date
Property Owner	Date	Property Owner	Date

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)  
TO THE CITY OF COLUMBUS  
OF 4.26 ACRES MORE OR LESS  
IN THE TOWNSHIP(S) OF FRANKLIN

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JUN 10 2008

TO THE BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, OHIO:

Per CSK

The undersigned, petitioners in the premises, and being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described, consisting of  $\pm 4.26$  acres and which area is contiguous along at least 5% and adjacent to the City of Columbus, do hereby pray that said territory be annexed to the City of Columbus according to the statutes of the State of Ohio and that no island of unincorporated area will be created by this annexation.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto and made part hereof.

In support of said Petition, your petitioners state that there is/are within the territory so prayed to be annexed One (2) OWNER(S) OF REAL ESTATE.

Sean A. Mentel, whose address is 175 South Third Street, Suite 800, Columbus, Ohio 43215, is hereby appointed Agent for the undersigned Petitioner(s), as required by Section 709.02 of the Revised Code of Ohio. Said agent is hereby authorized to make any amendment and/or deletion which in his absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Franklin County Engineer in his examination of the Petition and Plat. Said amendment shall be made by the presentation of an amended plat and description to the Board of County Commissioners on, before, or after the date set for hearing on this Petition.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THE SPECIAL ANNEXATION PROCEDURE SET FORTH IN SECTION 709.023, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR SAID SPECIAL ANNEXATION PROCEDURE.

NAME

ADDRESS

E.T.I. Corp.

By: [Signature]

Date: 4/30/08

Title VP

2860 FISHER ROAD

COLUMBUS, OHIO 43204

FLIP Enterprises of Ohio, LLP

By: [Signature]

Date: 4/30/08

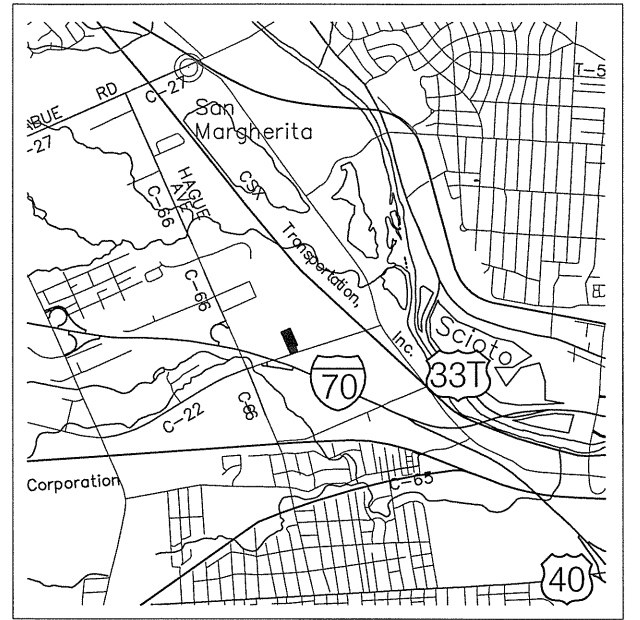
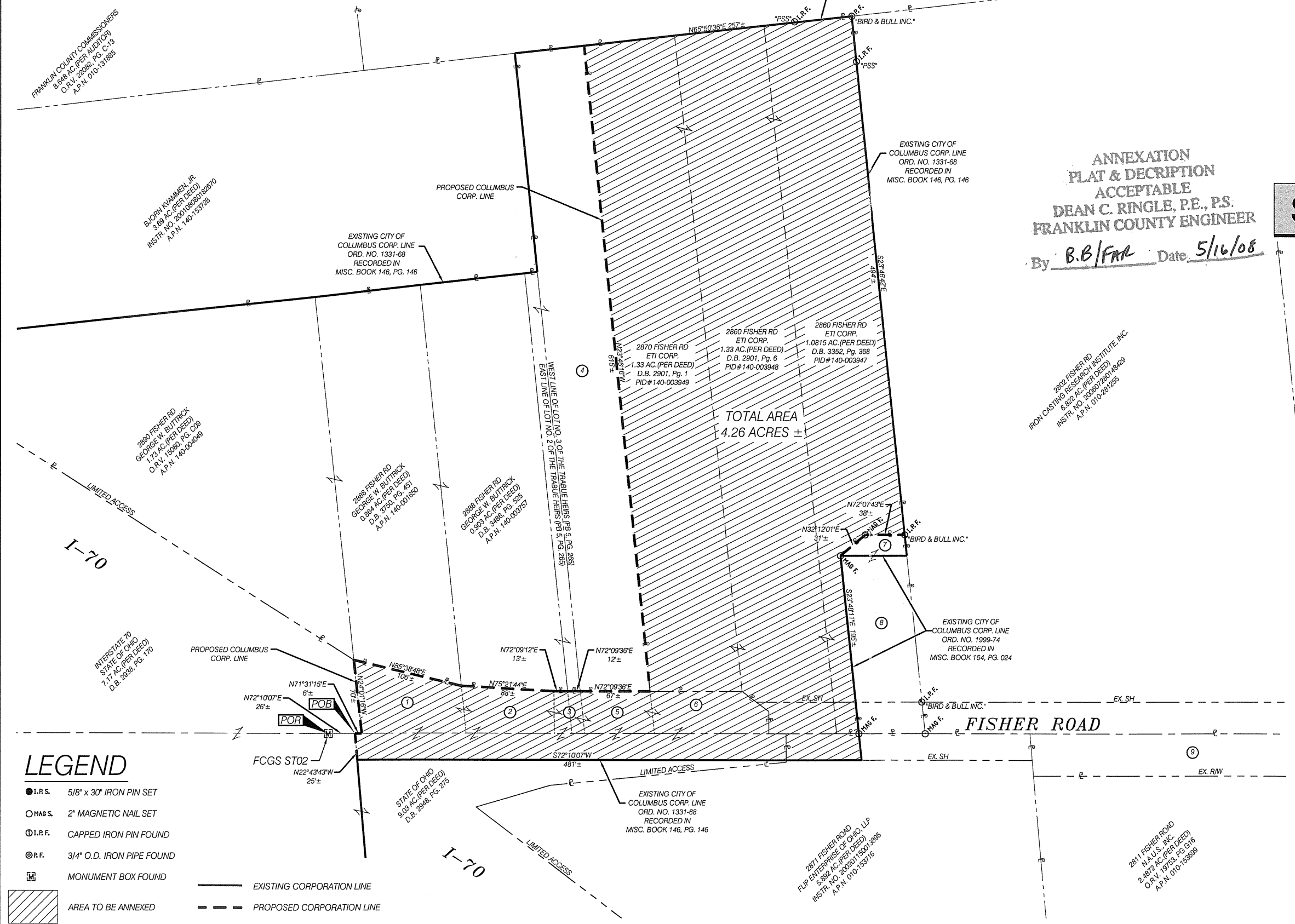
Title

2871 FISHER ROAD

COLUMBUS, OHIO 43204

*PROPOSED ANNEXATION  
FROM: FRANKLIN TWP. TO: CITY OF COLUMBUS*

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF FRANKLIN; BEING A PART OF  
SURVEY NO. 530 OF THE VIRGINIA MILITARY DISTRICT;  
BEING A PART OF LOT NO. 3 OF THE SUBDIVISION AMONG THE JOHN P. TRABUE HEIRS  
AS PER P.B. 5, PG. 265 AND PER P.B. 17, PG. 314



# SITE VICINITY MAP

SCALE: 1" = 1 MILE

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JUN 10 2008

Per CSR .....

DRAWING PREPARED BY:

  
KEVIN P. CARPENTER, P.E., P.S.

FEBRUARY 28, 2008  
WD PARTNERS, INC.  
7007 DISCOVERY BLVD.  
DUBLIN, OH 43017

ADJOINING PROPERTY OWNERS

- ① STATE OF OHIO  
0.136 AC. (PER DEED)  
D.B. 3029, PG. 358
- ② STATE OF OHIO  
0.083 AC. (PER DEED)  
D.B. 3003, PG. 1
- ③ STATE OF OHIO  
0.014 AC. (PER DEED)  
D.B. 3003, PG. 3
- ④ 2880 FISHER RD  
GEORGE W. BUTTRICK  
0.939 AC. (PER AUDITOR)  
O.R.V. 8417, PG. C15  
A.P.N. 140-003950
- ⑤ STATE OF OHIO  
0.061 AC. (PER DEED)  
D.B. 3001, PG. 69
- ⑥ STATE OF OHIO  
0.096 AC. (PER DEED)  
D.B. 3102, PG. 698
- ⑦ JERRY & GAIL HOSKINS  
0.023 AC. (PER DEED)  
INSTR. NO. 20071207021136  
A.P.N. 140-000323
- ⑧ 2830 FISHER RD  
JERRY & GAIL HOSKINS  
0.247 AC. (PER DEED)  
INSTR. NO. 20071207021136  
A.P.N. 010-153700
- ⑨ CITY OF COLUMBUS  
0.2938 AC. (PER DEED)  
O.R.V. 19806, PG. J03

A circular professional seal for Kevin P. Carpenter, a Registered Professional Surveyor in the State of Ohio. The seal features the text "STATE OF OHIO" at the top, "REGISTERED PROFESSIONAL SURVEYOR" around the bottom, and the name "KEVIN P. CARPENTER" with the number "8124" in the center.

02/28/2008

***Annexation Description of 4.26 Acres***

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Per  .....

FROM: FRANKLIN TOWNSHIP  
TO: THE CITY OF COLUMBUS

Situated in the State of Ohio, County of Franklin, Township of Franklin; being a part of Survey Number 530 of the Virginia Military District; being a part of Lots Number 2 and 3 of the Subdivision Among the John P. Trabue Heirs as recorded in Plat Book 5, Page 265; being all of a 0.136 acre tract of land conveyed to The State of Ohio by the deed recorded in the Recorder's Deed Book 3029, Page 358, all of a 0.083 acre tract of land conveyed to The State of Ohio by the deed recorded in the Recorder's Deed Book 3003, Page 1, all of a 0.014 acre tract of land conveyed to The State of Ohio by the deed recorded in the Recorder's Deed Book 3003, Page 3, all of a 0.061 acre tract of land conveyed to The State of Ohio by the deed recorded in the Recorder's Deed Book 3001, Page 69, all of a 0.096 acre tract of land conveyed to The State of Ohio by Deed Book 3102, Page 698, part of a 9.03 acre tract of land conveyed to The State of Ohio by the deed recorded in the Recorder's Deed Book 2948, Page 275, part of a 5.892 acre tract of land conveyed to Flip Enterprise of Ohio, LLP, by the deed recorded in the Recorder's Instrument Number 200201150013895, all of a 1.33 acre tract of land conveyed to ETI Corporation by the deed recorded in the Recorder's Deed Book 2901, Page 1, all of a 1.33 acre tract of land conveyed to ETI Corporation by the deed recorded in the Recorder's Deed Book 2901, Page 6, and all of a 1.0815 acre tract of land conveyed to ETI Corporation by the deed recorded in the Recorder's Deed Book 3352, Page 368, all references being to the Franklin County Recorder's Office, Franklin County, Ohio; and being further described as follows:

Beginning, for reference, at Franklin County Geodetic Monument ST02 in the centerline of Fisher Road;

Thence along said centerline of Fisher Road in an easterly direction a distance of approximately 26 feet to the TRUE POINT OF BEGINNING of the parcel herein described;

JUN 10 2008

Per *CSK*

Thence along said centerline in an easterly direction, a distance of approximately 6 feet to the southwesterly corner of said 0.136 acre tract, also being the southeasterly corner of a 7.17 acre tract conveyed to The State of Ohio by Deed Book 2938, Page 170;

Thence along the westerly line of said 0.136 acre tract, also being the easterly line of said 7.17 acre tract, in a northerly direction a distance of approximately 70 feet to the northwesterly corner of said 0.136 acre tract, also being the southwesterly corner of a 0.864 acre tract conveyed to George W. Buttrick by Deed Book 3750, Page 451;

Thence along the northerly limited access line of said Fisher Road, also being the northerly line of said 0.136 acre tract, also being the southerly line of said 0.864 acre tract, in an easterly direction a distance of approximately 106 feet to the northeasterly corner of said 0.136 acre tract, also being the southeasterly corner of said 0.864 acre tract, also being the southwesterly corner of a 0.903 acre tract conveyed to George W. Buttrick by Deed Book 3486, Page 525, also being the northwesterly corner of said 0.083 acre tract;

Thence along the northerly limited access line of said Fisher Road, also being the northerly line of said 0.083 acre tract, also being the southerly line of said 0.903 acre tract, in an easterly direction a distance of approximately 88 feet to the northeasterly corner of said 0.083 tract, also being the northwesterly corner of said 0.014 acre tract;

Thence along the northerly right of way line of said Fisher Road, also being the northerly line of said 0.014 acre tract, also being the southerly line of said 0.903 acre tract, in an easterly direction a distance of approximately 13 feet to the northeasterly corner of said 0.014 acre tract;

Thence along the northerly right of way line of said Fisher Road in a easterly direction a distance of approximately 12 feet to the southeasterly corner of a 0.939 acre tract conveyed to George W. Buttrick by Official Record 8417, Page C15, also being the northwesterly corner of said 0.061 acre tract;

Thence along the northerly right of way line of said Fisher Road, also being the northerly line of said 0.061 acre tract, also being the southerly line of said 0.939 acre tract, in an

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Per .....

easterly direction a distance of approximately 67 feet to the southeasterly corner of said 0.939 tract, also being the northeasterly corner of said 0.061 acre tract, also being in the westerly line of said 1.33 acre tract;

Thence along the westerly line of said 1.33 acre tract, also being the easterly line of said 0.939 acre tract, in a northerly direction a distance of approximately 615 feet to the northwesterly corner of said 1.33 acre tract, also being the northeasterly corner of said 0.939 acre tract, also being in the southerly line of a 41.225 acre tract conveyed to The City of Columbus by Instrument Number 199909230241053, also being the existing City of Columbus Corporation Line per Ordinance Number 1331-68 as recorded in Miscellaneous Book 146, Page 146;

Thence along said Corporation Line, also being the southerly line of said 41.225 acre tract, also being the northerly line of said 1.33 acre tract, also continuing along the northerly line of said 1.33 acre tract, also continuing along the northerly line of said 1.0815 acre tract, in an easterly direction a distance of approximately 257 feet to the northeasterly corner of said 1.0815 acre tract, also being the northwesterly corner of a 6.822 acre tract conveyed to Iron Casting Research Institute, Inc., by Instrument Number 200607280148429;

Thence continuing along said Corporation Line, also being one of the easterly lines of said 1.0815 acre tract, also being the westerly line of said 6.822 acre tract, in a southerly direction a distance of approximately 494 feet to one of the southeasterly corners of said 1.0815 acre tract, also being the northeasterly corner of a 0.023 acre tract conveyed to Jerry & Gail Hoskins by Instrument Number 200712070211136;

Thence along a southerly line of said 1.0815 acre tract, also being the northerly line of said 0.023 acre tract, in a westerly direction a distance of approximately 38 feet to a southeasterly corner of said 1.0815 acre tract, also being a northwesterly corner of said 0.023 acre tract;

Thence along a southerly line of said 1.0815 acre tract, also being a northwesterly line of said 0.023 acre tract, in a southwesterly direction a distance of approximately 31 feet to the southwesterly corner of said 0.023 acre tract, also being one of the southeasterly

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Per .....

corners of said 1.0815 acre tract, also being the northwesterly corner of a 0.247 acre tract conveyed to Jerry & Gail Hoskins by Instrument Number 200712070211136, also being the existing City of Columbus Corporation Line per Ordinance Number 1999-74 as recorded in Miscellaneous Book 164, Page 024;

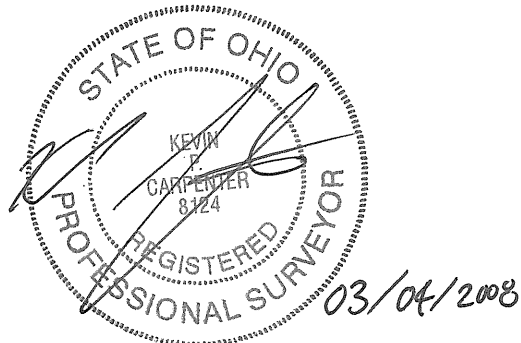
Thence along said Corporation Line, also being an easterly line of said 1.0815 acre tract, also being the westerly line of said 0.247 acre tract, in a southerly direction a distance of approximately 195 (passing the centerline of said Fisher Road at an approximate distance of 170 feet) to the existing southerly line of said Fisher Road, also being the existing City of Columbus Corporation Line per Ordinance Number 1331-68 as recorded in Miscellaneous Book 146, Page 146;

Thence along said Corporation Line, along said southerly line of said Fisher Road and continuing across said 9.03 acre tract, in a westerly direction a distance of approximately 481 feet to the westerly line of said 9.03 acre tract;

Thence along the westerly line of said 9.03 acre tract in a northerly direction a distance of approximately 25 feet to the POINT OF BEGINNING of this description, and containing approximately 4.26 acres of land, more or less.

The above description was prepared by WD Partners (7007 Discovery Boulevard, Dublin, Ohio) under the direct supervision of Kevin P. Carpenter, Professional Surveyor Number 8124 in February of 2008, from the best available records of Franklin County. This information was derived from an actual field survey. The above description is not valid for the transfer of real property, and is not to be utilized in place of a Boundary Survey as defined by the State of Ohio Administrative Code in Chapter 4733-37.

ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
DEAN C. RINGLE P.E., P.S.  
FRANKLIN COUNTY ENGINEER  
By B.B./FMR Date 5/16/08





# City of Columbus Legislation Report

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

ORIGINAL

File Number: 1039-2008

## Emergency

File Number: 1039-2008

File Type: Ordinance

Status: Second Reading

Version: 1

Controlling Body: Development Committee

File Name: AN08-001 Annexation Service, 4.26 acres, Franklin Township,  
ETI Corporation

Introduced: 6/12/2008

Requester: Dev Drafter

Cost:

Final Action:

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Kevin Wheeler 645-6057

Floor Action (Clerk's Office Only)

JUN 23 2008 passed 7-0

I hereby certify that the above or attached is  
a true and correct copy of Ordinance No. **1039-08**  
passed by The Council of The City of Columbus,  
Ohio **6-23 20 08** as shown by the records  
now on file in this office.

Seal

*Andrea Bleirns*  
City Clerk

Mayor's Action

*W. H. H.*

Mayor

JUN 24 2008

Date

Council Action

JUN 23 2008

Date Passed/ Adopted

*Andrea Bleirns*

President of Council

*Andrea Bleirns*

City Clerk

Veto

Date

## Title:

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN08-011) of 4.26± Acres in Franklin Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

## Sponsors:

## Indexes:

Attachments: ORD1039-2008 AN08-011 Legal Description.doc, ORD1039-2008 AN08-011 Map.doc

## History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Dev Drafter	6/12/08	Sent for Approval	DEVELOPMENT DIRECTOR			
	<b>Action Note:</b> Planning Division						
1	DEVELOPMENT DIRECTOR	6/12/08	Reviewed and Approved	Dev Drafter			
	<b>Action Note:</b> nmb						
1	Dev Drafter	6/12/08	Sent to Clerk's Office for Council	City Clerk Inbox			

**EBOCO:** Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

**City Attorney:** Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

## Explanation

## AN08-011

**BACKGROUND:** This ordinance is being submitted to set forth the municipal services and zoning conditions the city of Columbus will provide upon annexation of a territory located in Franklin Township. This ordinance is required by the Ohio Revised Code as enacted by the General Assembly of the State of Ohio. Notice of the annexation request was received from Franklin County. The ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information to determine the municipal services that would be available was compiled following the receipt of the notice. This process takes a minimum of two weeks to complete. Preparation of the ordinance and submission to the City Clerk in order to have a timely hearing before City Council requires a minimum additional time of two weeks. All of the above creates the necessity for emergency legislation in order to meet the hearing deadline.

**FISCAL IMPACT:** The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. However, provision of the stated services does represent cost to the city. The annexation of land also has the potential to create revenue to the city.

## Title

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN08-011) of 4.26± Acres in Franklin Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

## Body

**WHEREAS,** a petition for the annexation of certain territory in Franklin Township was duly filed by ETI Corporation on June 10, 2008; and

**WHEREAS,** a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on July 22, 2008; and

**WHEREAS**, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

**WHEREAS**, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

**WHEREAS**, properties proposed for annexation are included within the Columbus Comprehensive Plan study area; and

**WHEREAS**, upon annexation, properties will have uniform access to City services as they become available; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; **now, therefore,**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the city of Columbus will provide the following municipal services for 4.26± acres in Franklin Township upon the annexation of said area to the city of Columbus:

**Public Safety:** The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

**Sanitation:** Residential refuse collection services will be available upon annexation of the property.

**Transportation:** Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

**Water:** The proposed annexation site can be served by the Division of Power and Water through an existing 36" water main located in Fisher Road.

**Sewer:**

**Sanitary Sewer:**

This site can be served by an existing 8-inch sanitary sewer situated in an easement along the north property line. Mainline sanitary sewer extension is required and will be at the expense of the private developer.

**Storm Sewer:**

All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development.

All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own cost and expense with no cost to the city.

**Section 2.** If this 4.26 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Franklin Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Franklin Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

**Section 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

**LEGAL DESCRIPTION**  
**ANNEXATION AN08-011**  
**4.26 Acres in Franklin Township**  
**ETI Corporation**

Situated in the State of Ohio, County of Franklin, Township of Franklin; being a part of Survey Number 530 of the Virginia Military District; being a part of Lots Number 2 and 3 of the Subdivision Among the John P. Trabue Heirs as recorded in Plat Book 5, Page 265; being all of a 0.136 acre tract of land conveyed to The State of Ohio by the deed recorded in the Recorder's Deed Book 3029, Page 358, all of a 0.083 acre tract of land conveyed to The State of Ohio by the deed recorded in the Recorder's Deed Book 3003, Page 1, all of a 0.014 acre tract of land conveyed to The State of Ohio by the deed recorded in the Recorder's Deed Book 3003, Page 3, all of a 0.061 acre tract of land conveyed to The State of Ohio by the deed recorded in the Recorder's Deed Book 3001, Page 69, all of a 0.096 acre tract of land conveyed to The State of Ohio by Deed Book 3102, Page 698, part of a 9.03 acre tract of land conveyed to The State of Ohio by the deed recorded in the Recorder's Deed Book 2948, Page 275, part of a 5.892 acre tract of land conveyed to Flip Enterprise of Ohio, LLP, by the deed recorded in the Recorder's Instrument Number 200201150013895, all of a 1.33 acre tract of land conveyed to ETI Corporation by the deed recorded in the Recorder's Deed Book 2901, Page 1, all of a 1.33 acre tract of land conveyed to ETI Corporation by the deed recorded in the Recorder's Deed Book 2901, Page 6, and all of a 1.0815 acre tract of land conveyed to ETI Corporation by the deed recorded in the Recorder's Deed Book 3352, Page 368, all references being to the Franklin County Recorder's Office, Franklin County, Ohio; and being further described as follows:

Beginning, for reference, at Franklin County Geodetic Monument ST02 in the centerline of Fisher Road;

Thence along said centerline of Fisher Road in an easterly direction a distance of approximately 26 feet to the TRUE POINT OF BEGINNING of the parcel herein described;

Thence along said centerline in an easterly direction, a distance of approximately 6 feet to the southwesterly corner of said 0.136 acre tract, also being the southeasterly corner of a 7.17 acre tract conveyed to The State of Ohio by Deed Book 2938, Page 170;

Thence along the westerly line of said 0.136 acre tract, also being the easterly line of said 7.17 acre tract, in a northerly direction a distance of approximately 70 feet to the northwesterly corner of said 0.136 acre tract, also being the southwesterly corner of a 0.864 acre tract conveyed to George W. Buttrick by Deed Book 3750, Page 451;

Thence along the northerly limited access line of said Fisher Road, also being the northerly line of said 0.136 acre tract, also being the southerly line of said 0.864 acre tract, in an easterly direction a distance of approximately 106 feet to the northeasterly corner of said 0.136 acre tract, also being the southeasterly corner of said 0.864 acre tract, also being the southwesterly corner of a 0.903 acre tract conveyed to George W. Buttrick by Deed Book 3486, Page 525, also being the northwesterly corner of said 0.083 acre tract;

Thence along the northerly limited access line of said Fisher Road, also being the northerly line of said 0.083 acre tract, also being the southerly line of said 0.903 acre tract, in an easterly direction a distance of approximately 88 feet to the northeasterly corner of said 0.083 tract, also being the northwesterly corner of said 0.014 acre tract;

Thence along the northerly right of way line of said Fisher Road, also being the northerly line of said 0.014 acre tract, also being the southerly line of said 0.903 acre tract, in an easterly direction a distance of approximately 13 feet to the northeasterly corner of said 0.014 acre tract;

Thence along the northerly right of way line of said Fisher Road in a easterly direction a distance of approximately 12 feet to the southeasterly corner of a 0.939 acre tract conveyed to George W. Buttrick by Official Record 8417, Page C15, also being the northwesterly corner of said 0.061 acre tract;

Thence along the northerly right of way line of said Fisher Road, also being the northerly line of said 0.061 acre tract, also being the southerly line of said 0.939 acre tract, in an easterly direction a distance of approximately 67 feet to the southeasterly corner of said 0.939 tract, also being the northeasterly corner of said 0.061 acre tract, also being in the westerly line of said 1.33 acre tract;

Thence along the westerly line of said 1.33 acre tract, also being the easterly line of said 0.939 acre tract, in a northerly direction a distance of approximately 615 feet to the northwesterly corner of said 1.33 acre tract, also being the northeasterly corner of said 0.939 acre tract, also being in the southerly line of a 41.225 acre tract conveyed to The City of Columbus by Instrument Number 199909230241053, also being the existing City of Columbus Corporation Line per Ordinance Number 1331-68 as recorded in Miscellaneous Book 146, Page 146;

Thence along said Corporation Line, also being the southerly line of said 41.225 acre tract, also being the northerly line of said 1.33 acre tract, also continuing along the northerly line of said 1.33 acre tract, also continuing along the northerly line of said 1.0815 acre tract, in an easterly direction a distance of approximately 257 feet to the northeasterly corner of said 1.0815 acre tract, also being the northwesterly corner of a 6.822 acre tract conveyed to Iron Casting Research Institute, Inc., by Instrument Number 200607280148429;

Thence continuing along said Corporation Line, also being one of the easterly lines of said 1.0815 acre tract, also being the westerly line of said 6.822 acre tract, in a southerly direction a distance of approximately 494 feet to one of the southeasterly corners of said 1.0815 acre tract, also being the northeasterly corner of a 0.023 acre tract conveyed to Jerry & Gail Hoskins by Instrument Number 200712070211136;

Thence along a southerly line of said 1.0815 acre tract, also being the northerly line of said 0.023 acre tract, in a westerly direction a distance of approximately 38 feet to a southeasterly corner of said 1.0815 acre tract, also being a northwesterly corner of said 0.023 acre tract;

Thence along a southerly line of said 1.0815 acre tract, also being a northwesterly line of said 0.023 acre tract, in a southwesterly direction a distance of approximately 31 feet to the southwesterly corner of said 0.023 acre tract, also being one of the southeasterly corners of said 1.0815 acre tract, also being the northwesterly corner of a 0.247 acre tract conveyed to Jerry & Gail Hoskins by Instrument Number 200712070211136, also being the existing City of Columbus Corporation Line per Ordinance Number 1999-74 as recorded in Miscellaneous Book 164, Page 024;

Thence along said Corporation Line, also being an easterly line of said 1.0815 acre tract, also being the westerly line of said 0.247 acre tract, in a southerly direction a distance of approximately 195 (passing the centerline of said Fisher Road at an approximate distance of 170 feet) to the existing southerly line of said Fisher Road, also being the existing City of Columbus Corporation Line per Ordinance Number 1331-68 as recorded in Miscellaneous Book 146, Page 146;

Thence along said Corporation Line, along said southerly line of said Fisher Road and continuing across said 9.03 acre tract, in a westerly direction a distance of approximately 481 feet to the westerly line of said 9.03 acre tract;

Thence along the westerly line of said 9.03 acre tract in a northerly direction a distance of approximately 25 feet to the POINT OF BEGINNING of this description, and containing approximately 4.26 acres of land, more or less.

## ETI Corporation

