Review of petition to annex 10.3 +/- acres from Jefferson Township to the City of Gahanna by the City of Gahanna

CASE #ANX-MUNI-12-08 (ECONOMIC DEVELOPMENT & PLANNING)

**WHEREAS**, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that the City of Gahanna filed on May 2, 2008 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Municipal Annexation 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 that the petition meets all the requirements set forth in, and was filed in the manner provided in, section 709.16 of the Revised Code for a Municipal Annexation.

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 Gahanna, 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 Gahanna, Ohio.

Prepared by: R. Lee Brown

Cc: Economic Development & Planning Department

#### SIGNATURE SHEET

Resolution No. 0415-08

May 13, 2008

REVIEW OF PETITION TO ANNEX 10.3 +/- ACRES FROM JEFFERSON TOWNSHIP TO THE CITY OF GAHANNA BY THE CITY OF GAHANNA - ANNEXATION CASE #ANX-MUNI-12-08

(Economic Development and Planning)

Upon the motion of Commissioner Mary Jo Kilroy, seconded by Commissioner Marilyn Brown:

### Voting:

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

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

### Application for

### **Annexation Petition**

Municipal Pursuant to ORC §709.15



Property Information		Staff Use Only
Site Address		Case #
610 and 6025 Taylor Road Gahanna, OH		ANY-M- 12-08
Parcel ID(s)	Total Acreage	2-08
170-001239, 170-001097 plus road r/w	10.3	Hearing date:
From Township	To Municipality	Date filed: - /0 / (5)
Jefferson	Gahanna	5/2/08
		Fee paid
Municipal Authority Authorizing Ordinance No.		Receipt #
0175-2007		
Land Ownership (check one)		Date Journalized
Municipality A Franklin County	State of Ohio	
Applicant/Agent Information		Document Submission
Name Thomas L. Weber (City Attorney)		The following documents must
Address 200 South Hamilton Road		accompany this application on letter-sized 8 1/2" x 11" paper:
Gahanna, Ohio 43230		
Ganama, Ono 43230		Legal description of property
Phone #	Fax#	
342-4090	342-4190	Map/plat of property
Email		Certified copy of ordinance
isobel.sherwood@gahanna.gov		authorizing this application
Signatures		
The undersigned, petitioners in the premises, and being authorized to act on behalf of the municipality listed above, do hereby pray that the territory listed above be annexed to said municipality.		
The undersigned further acknowledge that the Franklin County Board of Commissioners may take the following actions:  For land owned by the municipality, the Board must grant the petition  For land owned by a County, the Board may grant or deny the petition  For land owned by the State of Ohio, if the Director of Administrative Services has filed written consent, the Board must grant the petition.		
Agent or Authorized Representative	City Attorney	5/2/08
Agone of Authorizon Reproduction		y <sup>a</sup> .
	Till	Doto
Agent or Authorized Representative	Title	Date

## DESCRIPTION

Student in the State of this County of Creakil, Township of Lettrean located in part of the County of Creakil, Township of Lettrean located in the 1to occur and creating the Creakil of Creakility Delaticit, being oil of the 1to occur in the Loop occur, and the Creakility of County of Creakility C

Beginning of the northeasteriv corner of those lands annexed to the City of Gohama by Ordinance No. 27–34, recorded in Official Record 28036–405, baing no auculherly Corporation Line 2446–199, in City of Gahama, as established by Ordinance No. 23–33, recorded in Official Record 2446–199.

thance existry olong sold Corporation Line (Ordinance No. 25-93), being the original merky right of experience of the consistence of the consistency execution of corporation Line, being in the existry line of sold (10 and er frost; the consistency of the consi

thence northerly plong sold Corporation Line (Ordinance No. 25-93), being sold westerly line the Lore front, 513 test, more or less, for on orige point in sold Corporation Line, being the Thressely corner of sold (10 are front).

thence sosterly diong sold Corporation Line (Ordinance No. 25-93), being the northerly line of sold 1.0 acre tract, 81 feet, more or less, to the northeosterly corner of sold 1.0 acre tract;

thence southerly along the easterly line of said 1.0 acre tract, leaving said Corporation Line, 486 feet, more or less, to the northerly right-of-way line of said Taylor Road;

therice acasterly along sold northerly right-of-way line of Toylor Road, being a line 50 feet Sondherly of the centerline of sold Road, 228 feet, more or less, to the southwesterly corner of sold 2565 orde irros!

thence northerly along the westerly line of sold 5.515 acre tract, 741 feet, more or less, to the northwesterly corner of sold 5.515 acre tract; thence easterly along the northerly line of sold 5,615 acre tract, 330 feet, more or less, to the northeadsety correct of sold 5,616 acre fraget, being in exelety line of those tands annexed to the City of Galdman by Droflance No. 282-25, recorded in Official Record 2513-6-403.

hence southerly dong soid Corporation Line (Ordinance No. 282–33), 786 fest, more or less, to assume service of soid indees conseed to the City of domono by Ordinance No. 282–33, being in the original root herly fight-ofthence essistly along sold Corporation Line (Ordinance No., 282–93), being along sold ordinary ciphi-drawy line of toylor Road, and being a line 739 feet, more of Mess. 10 the southeastery corner of sold bands entexed to the City of Cohours by Caffanous No. 282–93.

thence southerly, leaving sold Corporation Line, being along a line 20 feet westerly of the centerine of Taylor Station Road, 25 leaf to the northerly line of lines tands ansied to the City of Solomone by Ordinance No. 0186-04, recorded in instrument No. 200407280194319.

CITY OF GAHANYA PID: 025-012986 UX 20050405006340

Hence westerly along the northerty line of those lands amexed to the City of Gahama by add Ordinance tho, Ots-C-34, and along the acutharty right-of-way line of said Toylor Road, being a oil. 80 feet, norte or less, to an angle point in a oil line;

thence continuing westerly along the southerly right-of-way line of sold Taylor Road, 85 feet, more or less, to an angle point in sold line; thence continuing westerly along sold southerly right-of-way line of Taylor Road, being a line at the authoring the manner of the superior of the superiorists of the

thence northerly, westerly and southerly, along the easterly, northerly and westerly lines of soid Brubaker tract, the following three (3) courses and distances: 3) northerty, 40 feet to the centerline of sold Toylor Road; 2) westerly with sold centerline, Road; et., more of tees; And, 3) southerty, 40 feet to the southerty right-of-way line of sold Toylor Road;

thence, westerly along add aucthority right-of-way line of Toylor Road being a line 40 feet southerly of the carderine of a said Toylor Tood, 100 feet, more an issue, to an easterly Corporation Line of the Cly of colorame, are as abdished by said Ordinares No. 27-84.

hware northerly diong said estatety Corporation the (Ordinates No. 27–94). 85 tests more the state of the said of

• End of Description

LOCATION MAP

PROPOSED CORPORATION LINE EXISTING CORPORATION INDICATES AREA TO BE ANNEXED

ED BAPTIST CHARCH OF PID: 170-000265 D.R. 3257, P. 535

CITY OF GAHANNA PID: 025-010317

MJ. R D.J. CIAK PID: 025-012985

MEETING ROOMS P

KYZON,2

5-83, O.R.23449-D19.

EXISTING CORP. LINE PID: 025-012968

P.O.B.

DAVID C. MILLER PID: 025-010318

FAYE MARTIN B TONY BOOKER PID: 025-009474

-BICE

<del>...⊐</del>∨ ∧

EXISTING CORP. LINE, ORD. 282-93, O.R. 25138-A03.

TAYLOR

BJR. BLACK, TR. | MARK SHEATLAND PID: 170-000777 | PID: 170-001074 9CHARD A. MINNESTAFFER PID: 170-000078

R. 8 A.J. SIDERS PID: 170-000799

THOMAS J. DONLEY PID: 170-002758

7XUM PROPERTIES LLC P10: 170-001437 JA 200X3270061450

R.D. & V.S. BRUBAKER, PID: 170-000608

C INZO0407280174371

ST

ROAD

PASSED:

Surveying Services LLC 

614,471.0663 (Fax-0877)

238 Academy Woods Drive Gahanna, Ohio 43230-2184

8 mesareo excusave.7 Fon: Olty of Gahanna, Engineering Department

TO THE CITY OF GAHANNA, FRANKLIN COUNTY, OHIO

PROPOSED ANNEXATION OF 10.3+, FROM JEFFERSON TOWNSHIP

ANNEXATION NO. ORDINANCE NO. FILED:

'- ACRES

O 2007 TERRA SURVEYING SERVICES LLO 120 po so so 40 20 C PELD SUPPEY DATE:
N/A
URANHAD DATE:
17 July 2007

CLEST PROJECT NO.: N/A TERRA TIE HO.: 251. IT 107.05

# DESCRIPTION

Situated in the State of Ohio, County of Franklin, Township of Jefferson, located in part of Quarter Township 3, Township 1, Range 16, United States Military District, being all of that 1,0 acre furct of land (PID: 170–001239) described in the deed to the City of Gahana, recorded in Instrument No. 200108220141678, and all of that 5.615 acre fract of land (PID: 170–001097) described in the deed to the City of Gahana, recorded in Instrument No. 200608210164808, together with portions of the adjoining tuylor Road right-of-way previously conveyed to the City of Gahana and the Franklin County Commissioners (record references recited herein are to those of the Recorders Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning at the northeasterly corner of those lands annexed to the City of Gahanna by Ordinance No. 27–94, recorded in Official Record 26058–H05, being in a southerly Corporation Line of the City of Gahanna, as established by Ordinance No. 25–93, recorded in Official Record 23449–D19;

thence easterly along sald Corporation Line (Ordinance No. 25—93), being the original northerly right-of-way line of Taylor Road, 752 feet, more or less, to an angle point in said Corporation Line, being in the westerly line of said 1.0 acre tract;

thence northerly along said Corporation Line (Ordinance No. 25–93), being said westerly line of the 1.0 acre tract, 513 feet, more or less, to an angle point in said Corporation Line, being the northwesterly corner of said 1.0 acre tract;

thence easterly along said Corporation Line (Ordinance No. 25–93), being the northerly line of said 1.0 acre tract, 81 feet, more or less, to the northeasterly corner of said 1.0 acre tract;

thence southerly along the easterly line of said 1.0 acre tract, leaving said Corporation Line, 488 feet, more or less, to the northerly right—of—way line of said Taylor Road;

thence easterly along said northerly right-of-way line of Taylor Road, being a line 50 feet northerly of the centerline of said Road, 228 feet, more or less, to the southwesterly corner of said 5.615 acre tract;

thence northerly along the westerly line of said 5.615 acre tract, 741 feet, more or less, to the northwesterly corner of said 5.615 acre tract;

thence easterly along the northerly line of said 5.515 acre tract, 330 feet, more or less, to the northeasterly corner of said 5.615 acre tract, being in a westerly line of those lands annexed to the City of Gahanna by Ordinance No. 282–93, recorded in Official Record 25136–A03;

thence southerly along said Corporation Line (Ordinance No. 282–93), 766 feet, more or less, to a southwesterly corner of said lands annexed to the City of Gahama by Ordinance No. 282–93, being in the original northerly right-of-way line of said Taylor Road;

thence easterly along said Corporation Line (Ordinance No. 282—93), being along said original northerly right—of—way line of Taylor Road, and being a line 739 feet, more or less, to the southeasterly corner of said lands annexed to the City of Gahanna by Ordinance No. 282—93;

thence southerly, leaving said Corporation Line, being along a line 20 feet westerly of the centerline of Taylor Station Road, 75 feet to the northerly line of those lands annexed to the City of Gahanna by Ordinance No. 0146-04, recorded in Instrument No. 200407280174371;

# Description continued;

thence westerly along the northerly line of those lands annexed to the City of Gahanna by said Ordinance No. 0146-04, and along the southerly right-of-way line of said Taylor Road, being a line 50 feet southerly of the centerline of said Road, 1519 feet, more or less, to an angle point in said line;

thance continuing westerly along the southerly right—of—way line of said Taylor Road, 85 fest, more or less, to an angle point in said line;

thence continuing westerly along said southerly right—of—way line of Taylor Road, being a lile 40 feet southerly of the centerline of said Taylor Road, 175 feet, more or less, to the easterly line the R.D. & V.S. Brubaker, Trs. tract (PID: 170—000608);

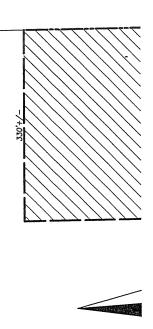
thence northerly, westerly and southerly, along the easterly, northerly and westerly lines of said Brubaker tract, the following three (3) courses and distances:

1) northerly, 40 feet to the centerline of said Taylor Road; 2) westerly with said centerline, 178 feet, more or less; And, 3) southerly, 40 feet to the southerly right-of-way line of said Taylor Road;

thence westerly along said southerly right-of-way line of Taylor Road, being a line 40 feet southerly of the centerline of said Taylor Road, 100 feet, more or less, to an easterly Corporation Line of the City of Gahanna, as established by said Ordinance No. 27–94;

thence northerly along said easterly Corporation Line (Ordinance No. 27—94), 65 feet, more or less, to the 'Place of Beginning, confaining 10.3 acres of land, more or less, as described for annexation purposes only, in July of 2007, by Carl E. Turner Jr., Registered Professional Surveyor No. S—6702.

\* End of Description





### City of Gahanna

200 South Hamilton Road Gahanna, Ohio 43230

### Certified Copy ORDINANCE

File Number: ORD-0175-2007 Date Passed: 9/4/2007

TO AUTHORIZE THE CITY ATTORNEY TO FILE AN ANNEXATION PETITION FOR THE ANNEXATION OF 10.3+/- ACRES OF CITY OWNED PROPERTY FROM JEFFERSON TOWNSHIP AND INCLUDING A PORTION OF ROADWAY RIGHT OF WAY; AND TO DECLARE AN EMERGENCY.

WHEREAS, there are two properties on Taylor Road which have been purchased by the City but remain unannexed and

WHEREAS, the City wishes to annex the property at 6010 Taylor Road along with the recently purchased Black property at 6025 Taylor Road; and

WHEREAS, a legal description has been developed and it is necessary to proceed at the earliest possible date to annex this parcel for the orderly development of this growth area of the City, and

WHEREAS, Section 709 of the Ohio Revised Code requires that a representative be appointed by the City to prosecute proceedings; and

WHEREAS, it is imperative to move forward so that this property can be part of the City of Gahanna as soon as possible, all for the preservation of the public peace, health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, STATE OF OHIO:

Section 1. That it is necessary and in the best interest of the City of Gahanna to annex said 10.3+/- acres located on Taylor Road along with a portion of road right of way, said acreage more particularly described in EXHIBIT A, attached to this ordinance and made a part herein.

Section 2. That the City Attorney is authorized and directed to effect all documentation necessary for the completion of this annexation before the Board of County Commissioners of Franklin County Ohio.

Section 3. That, for the reasons set forth in the preamble herein above, this ordinance is declared emergency legislation and shall be in full force and effect immediately upon passage by this Council and on date of signature approval by the Mayor.

I, Isobel L. Sherwood, MMC, the duly appointed Clerk of Council of the City of Gahanna Ohio, a municipal corporation, do hereby certify that the foregoing is a true and correct copy of Ordinance Number ORD0175-2007, which was duly and regularly adopted by the City Council of the City of Gahanna Ohio on September 4, 2007.

Isobel L. Sherwood, MMC
Clerk of Council

April 30, 2008

**Date Certified** 



## City of Gahanna Certified Copy ORDINANCE

200 South Hamilton Road Gahanna, Ohio 43230

File Number: ORD-0110-2008

Date Passed: 5/5/2008

AN ORDINANCE ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF GAHANNA, OHIO, WILL PROVIDE TO THE 10.3+/- ACRE TERRITORY IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, PROPOSED TO BE ANNEXED TO THE CITY OF GAHANNA UPON ANNEXATION; REQUESTED BY THE CITY OF GAHANNA, OWNER; AND CITY BUFFER REQUIREMENTS AS PROVIDED IN OHIO REVISED CODE SECTION 709.023 AND DECLARING AN EMERGENCY.

WHEREAS, a Petition has been filed with the Board of County Commissioners of Franklin County Ohio for the annexation of approximately 10.3+/- acres in Jefferson Township to the City of Gahanna that was signed by 100% of the property owners seeking to annex the property by the Municipal process provided for in Ohio Revised Code Section 709.15; and

WHEREAS, Ohio Revised Code Section 709.023(C) requires that a municipal corporation shall, by ordinance or resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory upon annexation, which legislation must be adopted and filed with the county commissioners within twenty(20) days after the petition is filed; and

WHEREAS, fire service is now being provided to the annexation territory by Jefferson Township and the territory will remain in Jefferson Township and continue to receive Jefferson Township fire services as a matter of law following the annexation, if approved; and

WHEREAS, Ohio Revised Code Section 709.023(C) also requires that a municipal corporation shall, by ordinance or resolution, require buffers separating any new uses that clearly are incompatible with the uses permitted under current township zoning regulations in the adjacent land remaining in the unincorporated township and

WHEREAS, it is necessary to effect this legislation immediately to adopt it within the time required by law and for the orderly progression of the annexation procedure, and for the preservation of the public peace, health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, STATE OF OHIO:

Section 1. That immediately upon the effective date of the annexation of the 10.3+/- acres to the City of Gahanna as shown on the map and description attached hereto as EXHIBIT A, the City of Gahanna will provide to the entire annexed territory the following services police, street maintenance, sanitation, economic development and planning, and parks and recreation. If the owner(s) desire public sanitary sewer or water service, the City of Gahanna has sanitary sewer and water available that can be extended to and serve the annexation territory at the request and cost of the owner(s). Services will be provided by the City of Gahanna to the annexation territory on the same terms and conditions as they are provided to properties currently located within the City of Gahanna and as established by city ordinances, including the codified ordinances of the City of Gahanna

Section 2. The 10.3+/- acre annexation territory is subject to Jefferson Township zoning regulations. If the territory is annexed and becomes subject to Gahanna zoning and the city zoning permits uses in the annexed territory that the city determines are clearly incompatible with the uses permitted under applicable township zoning regulations in effect at the time of the filing of the petition on the land adjacent to the annexation territory remaining within Jefferson Township, then Gahanna City Council will require the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Jefferson Township. The landscape "buffer" may include open space, landscaping, fences, walls, and other structured elements, streets and street rights-of-way, or bicycle and pedestrian paths and sidewalks.

Section 3. If any street or highway is divided or segmented by the boundary line between the township and the City of Gahanna as to create a maintenance problem, Gahanna agrees to assume the maintenance of the portion of the street or highway for which there is a maintenance problem or to otherwise correct the problem

Section 4. Pursuant to Section 121.05(b) of the Codified Ordinances of the City of Gahanna the Clerk of Council shall obtain from the City Engineer the right-of-way required by the approved Master Thoroughfare Plan for the City. The City Engineer has stated that in accordance with the adopted Thoroughfare Plan of the City East Johnstown Road is designated as a minor arterial which requires a right-of-way width of eighty (80) feet. The current right-of-way at the property is eighty (80) feet. Therefore no additional right-of-way will be required.

Section 5. That second reading of this ordinance is hereby waived

Section 6. That the Clerk of Council is hereby authorized and directed to deliver a copy of this legislation to the office of the Board of Commissioners of Franklin County within twenty(20) days of the date of the filing of the petition.

Section 7. That, for the reasons set forth in the preamble hereinabove, this ordinance is declared emergency legislation, and shall be in full force and effect immediately upon passage by this Council and on date of signature approval by the Mayor.

I, Isobel L. Sherwood, MMC, the duly appointed Clerk of Council of the City of Gahanna Ohio, a municipal corporation, do hereby certify that the foregoing is a true and correct copy of Ordinance Number ORB0110-2008, which was duly and regularly adopted by the City Council of the City of Gahanna Ohio on May 5, 2008.

Tsobel L. Sherwood, MMC Clerk of Council May 06, 2008

Date Certified