Resolution to adjust the boundaries of Jerome Township, thereby making them identical to the boundaries of the City of Dublin

CASE #BC-23-08 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the council of the city of Dublin, Ohio, by Ordinance No. 14-08, passed May 19, 2008 by a majority of its members, has petitioned the Franklin County Board of Commissioners to change the boundaries of Jerome Township, to make them identical with the boundaries of the city of Dublin, and for such other action as may be proper. The portion of the city of Dublin, Ohio, not now included within the limits of Washington Township include that portion of Jerome Township, located in Union County, annexed by the city of Dublin on authority of Ordinance No. 16-08 passed on January 7, 2008;

WHEREAS, the city of Dublin filed the petition with the Franklin County Board of Commissioners on July 3, 2008 and has asked for the boundary change according to the provisions of Section 503.07 and related sections of the Ohio Revised Code and that the Board of County Commissioners can cause a proper adjustment of rights and liabilities to be made between the city of Dublin and Jerome Township; and,

WHEREAS, pursuant to Section 503.04 of the Ohio Revised Code, at least 30 days notice of the time of the hearing was provided by advertisement at three places within the territory subject to the proposed township boundary changes; and,

WHEREAS, a certified copy of said Ordinance Number 14-08; with the proceedings of the council of the city of Dublin, Ohio was presented to and filed with the Franklin County Economic Development and Planning Department on July 3, 2008.

Resolution to adjust the boundaries of Jerome Township, thereby making them identical to the boundaries of the City of Dublin

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

Section 1 That it is the opinion and judgment of the Board that the extension of the partial conformity of boundaries of the city of Dublin and Washington Township as petitioned for in the said petition by City Council, is expedient, and will be for the convenience and welfare of the inhabitants of Jerome Township.

Section 2 That the petition of the city of Dublin is proper and therefore the petition be granted and the boundary lines of Washington Township shall be extended to conform with the bounds of the territory set forth in that petition.

Section 3 That there are no adjustments of funds, unpaid taxes, claims, indebtedness or other fiscal matters needed to be settled by the Board, as none were requested in the respective resolutions.

Prepared by: R. Lee Brown

Cc: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0714-08

August 19, 2008

RESOLUTION TO ADJUST THE BOUNDARIES OF JEROME TOWNSHIP, THEREBY MAKING THEM IDENTICAL TO THE BOUNDARIES OF CITY OF **DUBLIN - CASE #BC-23-08**

(Economic Development and Planning)

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

Voting:

Marilyn Brown, President Mary Jo Kilroy

Ave 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.

Manael Debra A Willaman, Clerk

Board of County Commissioners Franklin County, Ohio

BC-23-08 8/19/08

PETITION FOR CHANGE OF TOWNSHIP BOUNDARY TO MAKE IT IDENTICAL WITH THOSE OF CITY OF DUBLIN .

TO THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO

County of Franklin, State of Ohio, ss:

The City of Dublin, Ohio, by Stephen J. Smith, its Law Director, petitions the Board of County Commissioners of Franklin County, Ohio pursuant to RC 503.07, for an order changing the boundaries of Jerome Township to place territory within Jerome Township that has recently been annexed to the City of Dublin, and to thereby make the boundaries of Jerome Township identical with the limits of City of Dublin, and for such other action as may be proper. The portions of the City of Dublin, Ohio, not now included within the limits of Jerome Township include those portions of Jerome Township annexed by the City of Dublin, by Ordinance No. 14-08.

A true copy of this ordinance and a plat of the area annexed to the City of Dublin is attached:

Ordinance No.

Township

Exhibit No.

14-08

Jerome

Incorporated into Exhibit "A"

This petition is filed under the authority of Ordinance No. 30-08, passed May 19, 2008, a true copy of which is attached, marked Exhibit "B".

Petitioner's Name

Address

City of Dublin, Ohio

5200 Emerald Parkway Dublin, Ohio 43017

RECEIVED

JUL 03 2008

Per Del

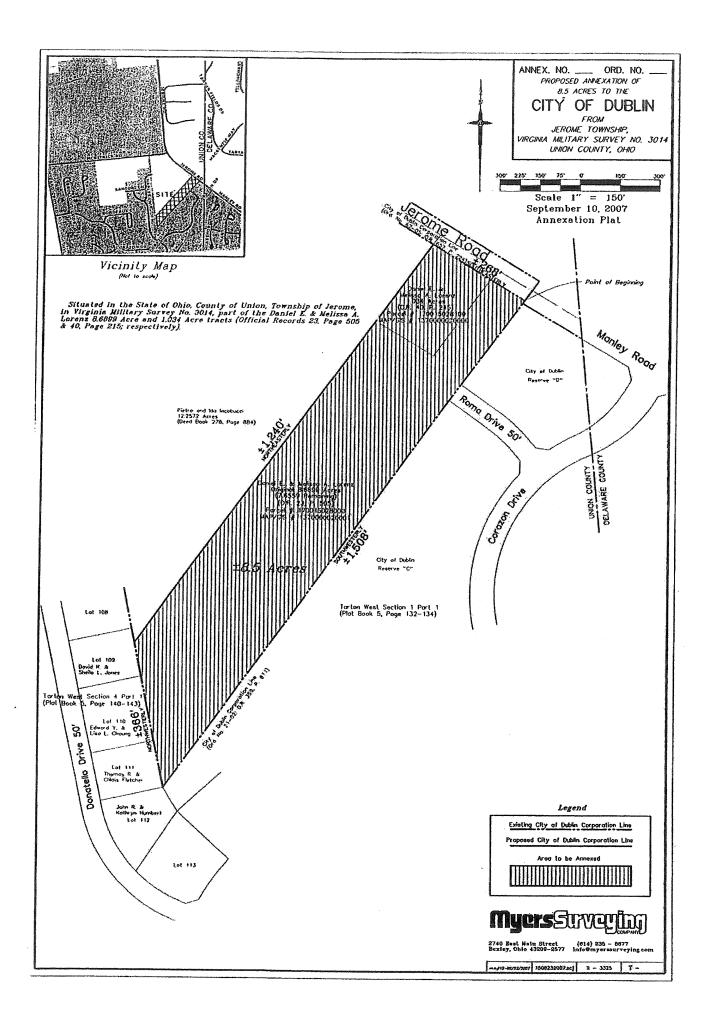
Stephen J. Smith, City of Dublin Law Director Schottenstein, Zox & Dunn Co., LPA

250 West Street

Columbus, Ohio 43215 Telephone: 614-462-2249 Email: ssmith@szd.com

EXHIBIT "A"

Certified copy of Ordinance 14-08





2740 East Main Street Bexley, Ohio 43209-2577 (614) 235-8677 Telefax 235-4559

September 10, 2007

Description of Approximately 8.5 Acres Located in Jerome Township, Union County, Ohio To Be Annexed to the City of Dublin, Ohio.

Situated in the State of Ohio, County of Union, Township of Jerome, in Virginia Military Survey No. 3014, part of the Daniel E. & Melissa A. Lorenz Original 8.6899 Acre (7.6559 Acre tract remaining) and 1.034 Acre tracts as conveyed in Official Record 23, Page 505 and Official Record 40, Page 215, respectively, Recorder's Office, Union County, Ohio (all references made are of said Recorder's Office, unless otherwise noted) and being more particularly described as follows:

Beginning at the intersection of the southerly line of said Original 8.6899 Acre tract with the southerly right-of-way of Jerome Road, also being a southeasterly corner of the existing City of Dublin Corporation Line (Ordinance Number 67-05; Official Record 657, Page 224);

Thence, southwesterly, along the southerly line of said Original 8.6899 Acre tract, along a northerly line of Reserve "D" (City of Dublin), Roma Drive (50 feet wide) and Reserve "C" (City of Dublin) of Tartan West Section 1 Part 1 (Plat Book 5, Page 132-134) and along an existing City of Dublin Corporation Line (Ordinance Number 21-02; Official Record 359, Page 811), approximately 1,508 feet to the southwest corner of said Original 8.6899 Acre tract, a southwesterly corner of said Reserve "C", the northeast corner of Lot 112 (John R. & Kathryn Hunbert) and the southeast corner of Lot 111 (Thomas R. & Chlois Fletcher) of Tartan West Section 4 Part 1 (Plat Book 5, Page 140-143);

Thence, northwesterly, along the westerly line of said Original 8.6899 Acre tract, the east line of said Lot 111, Lot 110 (Edward Y. & Lisa L. Choung) part of the east line of Lot 109 (David K. & Sheila L. Jones) of said Tartan West Section 4 Part 1 and continuing along said City of Dublin Corporation Line (Ordinance Number 21-02), approximately 366 feet to the northwest corner of said Original 8.6899 Acre tract and the southwest corner of the Pietro and Ida Iacobucci 12.2572 Acre tract;

Thence, northeasterly, along the northerly line of said Original 8.6899 Acre tract, the northerly line of said 1.034 Acre tract and a southerly line of said 12.2572 Acre tract, approximately 1,240 feet to the southerly right-of-way of said Jerome Road and in said City of Dublin Corporation Line (Ordinance Number 67-05);

Thence, southeasterly, along the southerly right-of—way of said Jerome Road and said City of Dublin Corporation Line (Ordinance Number 67-05), approximately 268 feet to the place of beginning CONTAINING APPROXIMATELY 8.5 ACRES, consisting of part of said 8.6899 Acre tract known as parcel number 170015028000 & map/gis number 1370000020001 and part of said 1.034 Acre tract known as parcel number 170015028100 & map/gis number 1370000020000.

THE FOREGOING DESCRIPTION WAS PREPARED FROM RECORDS ONLY, AND IS TO BE USED FOR ANNEXATION PURPOSES ONLY.

RECORD OF ORDINANCES



Dayton Legal Blank,	Inc.		Form No. 30043
Ordinance I	Jo30-08	Passed	., 20

AN ORDINANCE PETITIONING THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO FOR A CHANGE OF TOWNSHIP LINES OF JEROME TOWNSHIP FOR THAT PORTION WHICH NOW LIES WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF DUBLIN, AND DECLARING AN EMERGENCY.

WHEREAS, Dublin City Council, pursuant to previous recommendations of the Public Services Committee, has adopted a policy whereby the boundaries of the City of Dublin shall be brought into a single township for the purpose of creating a uniform level of fire protection and emergency service within Dublin; and

WHEREAS, on January 7, 2008 the Union County Commissioners approved the annexation petition of 8.5 acres, more or less, in Jerome Township, filed as a Regular Annexation Petition by Michael L. Close, agent for petitioners Daniel. and Melissa Lorenz, 9341 Jerome Road, Dublin, Ohio 43017; and

WHEREAS, the Ohio Revised Code Section 503.07 authorizes the Dublin City Council to petition the Board of County Commissioners of Franklin County to change the township boundaries within the municipal corporation; and

WHEREAS, the procedure set forth above has been upheld by the Ohio Supreme Court in the case of the State, ex rel. City of Dublin v. Delaware County Board of Commissioners, 62 Ohio St.3d 55, 577 N.E.2d 1088; and

WHEREAS, Washington Township has the largest area of township jurisdiction within the City of Dublin; and

WHEREAS, Washington Township has fully equipped and staffed fire stations and can respond in the shortest period of time to fire and medical emergencies in the Jerome Township portion of the City of Dublin, thereby improving service and reducing risk to life and property.

NOW, THEREFORE, BE IT ORDAINED by this Council of the City of Dublin, State of Ohio, _________of the elected members concurring:

Section 1. That the City of Dublin, Ohio, an Ohio Municipal Corporation, hereby petition the Board of County Commissioners of Franklin County, Ohio, for a change of township lines of Jerome Township to remove the area included within the corporate limits of the City of Dublin, as shown on the attached Exhibit A, from Jerome Township and place it in Washington Township pursuant to the terms and provisions of the Ohio Revised Code Section 503.07 and related sections, and pursuant to the Ohio Supreme Court decision in the case of State, ex rel. City of Dublin v. Delaware County Board of Commissioners, which held that, "a Board of County commissions must comply with a municipal petition for a change of township boundaries in order to make those boundaries conform to the limits of the municipality." 62 Ohio St.3d. 55, 557 N.E.2d 1088, (citing from case headnote).

Section 2. That the Clerk of Council is hereby authorized and directed to certify a copy of this Ordinance, together with a certified copy of the minutes of the meeting at which this Ordinance was adopted, showing its adoption by a vote of the majority of the members of the Dublin City Council, being the "legislative authority of such Municipal Corporation" as set forth in Ohio Revised Code Section 503.07, to the Board of County Commissioners of Franklin County, Ohio.

duly adopted by the Council of the City of Dublin, Ohio, on the bregeing is a true copy of Ordinance/Resolution No. 000 Clerk of Council, hereby certify

Clerk of Council, Dublin.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.	Form No. 3004
Ordinance No30-08	Passed Page 2
present a certified copy of this ing to the Board of County Co such changes to the boundary Section 4. That this Ordinance	aw Director be, and hereby is, authorized and directed to sordinance and a certified copy of the minutes of this meet-tommissioners of Franklin County, as a petition praying for y lines of Jerome Township as set forth herein. The ce is declared to be an emergency measure necessary for the epublic peace, health, safety or welfare, and shall therefore
Passed this 19th day of	May, 2008.
Attest:	
Acting Clerk of Council	real
·	
	· •



MEMORANDUM

TO:

Dublin City Council

Jane S. Brautigam, City Manager

FROM:

Stephen J. Smith, Law Director

DATE:

May 15, 2008

RE:

Ordinance Nos. 29-08 and 30-08 Boundary Adjustment Petitions

(The Lorenz Property)

INTRODUCTION:

Daniel E. and Melissa A. Lorenz ("the Petitioners") are the owners of 8.5± acres of land located on the southwest side of Jerome Road (9341 Jerome Road) in Jerome Township, ("the Property"). The Lorenz's, through their attorney Michael Close, approached the City with their desire to annex the property to the City in order to obtain municipal services. On October 16, 2007, attorney Michael Close filed a Majority Owner annexation petition with the Union County Commissioners on behalf of the Petitioners, which was ultimately approved by the Commissioners. Prior to acceptance of the annexation, the City staff, including the Law Department, negotiated a Pre-Annexation Agreement. The Pre-Annexation Agreement was approved by City Council on April 7, 2008 (Resolution 11-08) and City Council accepted the annexation on April 7, 2008 (Ordinance 14-08). The Law Department now requests the authority to petition the Union County Commissioners and the Franklin County Commissioners for a township boundary adjustment in order to remove the Lorenz Property from Jerome Township and place it into Washington Township.

BOUNDARY ADJUSTMENT PETITION:

The City has a policy of ensuring that all City territory is part of Washington Township. This policy is based on the fact that the City and Washington Township have a long-standing relationship for provision of public services, including police, fire and EMS protection. Therefore, after annexation of a parcel in Jerome or Concord Township, the City, through the Law Department, files a petition with the applicable Board of County Commissioners ("Board") to adjust the township boundaries in order to place the annexed parcel in Washington Township. Ohio Revised Code ("R.C.") Section 503.07 provides the authority for the City to file the petition and the County Commissioners to approve the petition. A boundary adjustment petition must be submitted to each Board of County Commissioners whose counties will be affected when the boundary adjustment crosses county lines.

In order to file such a boundary adjustment petition, a vote of the majority of the members of Council to petition the Board for a change of township lines is necessary. The Board, upon

Memo re Boundary Adjustments – Lorenz Property May 15, 2008 Page 2 of 2

presentation of such petition, with the proceedings of the City Council authenticated, at a regular or adjourned session, shall change the boundaries of the township.

The Lorenz property annexation was effective on May 7, 2008. The City can proceed to petition the Franklin County Commissioners and the Union County Commissioners for a change in township boundary lines pursuant to R.C. §503.07. The Law Department will file the petition after passage of Ordinances 29-08 and 30-08.

CONCLUSION AND RECOMMENDATION:

The Law Department recommends a motion to dispense with the public hearing and approve by emergency action Ordinance Nos. 29-08 and 30-08 at the May 19 Council meeting.

2740 East Main Street Bexley, Ohio 43209-2577 (614) 235-8677 Telefax 235-4559

September 10, 2007

Description of Approximately 8.5 Acres
Located in Jerome Township, Union County, Ohio
To Be Annexed to the City of Dublin, Ohio.

Situated in the State of Ohio, County of Union, Township of Jerome, in Virginia Military Survey No. 3014, part of the Daniel E. & Melissa A. Lorenz Original 8.6899 Acre (7.6559 Acre tract remaining) and 1.034 Acre tracts as conveyed in Official Record 23, Page 505 and Official Record 40, Page 215, respectively, Recorder's Office, Union County, Ohio (all references made are of said Recorder's Office, unless otherwise noted) and being more particularly described as follows:

Beginning at the intersection of the southerly line of said Original 8.6899 Acre tract with the southerly right-of-way of Jerome Road, also being a southeasterly corner of the existing City of Dublin Corporation Line (Ordinance Number 67-05; Official Record 657, Page 224);

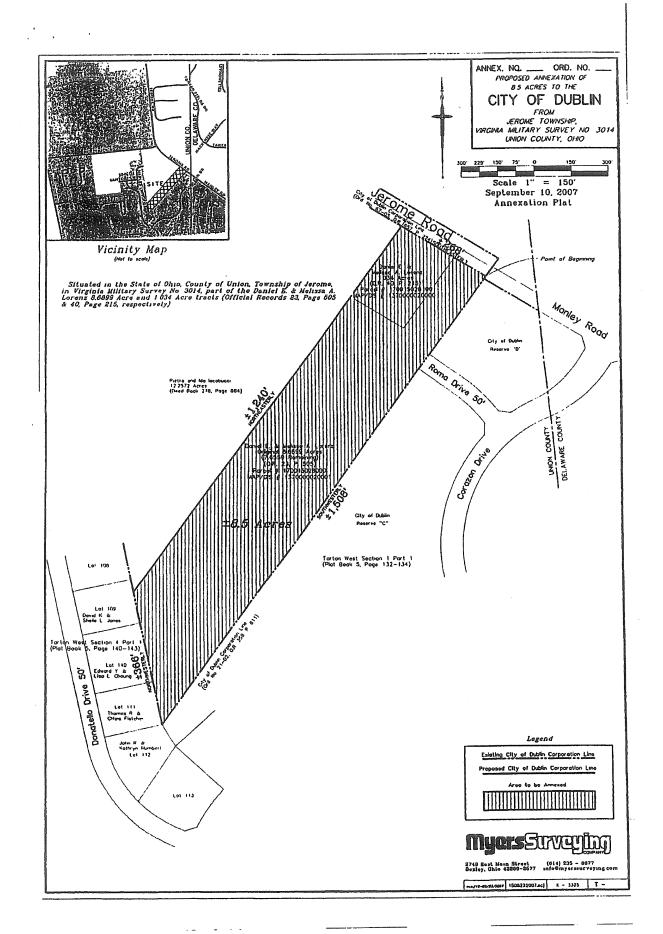
Thence, southwesterly, along the southerly line of said Original 8.6899 Acre tract, along a northerly line of Reserve "D" (City of Dublin), Roma Drive (50 feet wide) and Reserve "C" (City of Dublin) of Tartan West Section 1 Part 1 (Plat Book 5, Page 132-134) and along an existing City of Dublin Corporation Line (Ordinance Number 21-02; Official Record 359, Page 811), approximately 1,508 feet to the southwest corner of said Original 8.6899 Acre tract, a southwesterly corner of said Reserve "C", the northeast corner of Lot 112 (John R. & Kathryn Hunbert) and the southeast corner of Lot 111 (Thomas R. & Chlois Fletcher) of Tartan West Section 4 Part 1 (Plat Book 5, Page 140-143);

Thence, northwesterly, along the westerly line of said Original 8.6899 Acre tract, the east line of said Lot 111, Lot 110 (Edward Y. & Lisa L. Choung) part of the east line of Lot 109 (David K. & Sheila L. Jones) of said Tartan West Section 4 Part 1 and continuing along said City of Dublin Corporation Line (Ordinance Number 21-02), approximately 366 feet to the northwest corner of said Original 8.6899 Acre tract and the southwest corner of the Pietro and Ida Iacobucci 12.2572 Acre tract;

Thence, northeasterly, along the northerly line of said Original 8.6899 Acre tract, the northerly line of said 1.034 Acre tract and a southerly line of said 12.2572 Acre tract, approximately 1,240 feet to the southerly right-of-way of said Jerome Road and in said City of Dublin Corporation Line (Ordinance Number 67-05);

Thence, southeasterly, along the southerly right-of—way of said Jerome Road and said City of Dublin Corporation Line (Ordinance Number 67-05), approximately 268 feet to the place of beginning CONTAINING APPROXIMATELY 8.5 ACRES, consisting of part of said 8.6899 Acre tract known as parcel number 170015028000 & map/gis number 1370000020001 and part of said 1.034 Acre tract known as parcel number 170015028100 & map/gis number 1370000020000.

THE FOREGOING DESCRIPTION WAS PREPARED FROM RECORDS ONLY, AND IS TO BE USED FOR ANNEXATION PURPOSES ONLY.



RECORD OF RESOLUTIONS

20 Resolution No Passea

> A RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR A PROPOSED ANNEXATION OF 8.5 ACRES, MORE OR LESS, FROM JEROME TOWNSHIP, UNION COUNTY, TO THE CITY OF DUBLIN.

WHEREAS, a Regular Annexation petition for 8.5 acres, more or less, from Jerome Township, Union County, to the City of Dublin was filed in the offices of the Union County Commissioners on October 16, 2007 by Michael L. Close, Attorney/Agent for Petitioners, Daniel F and Melissa A. Lorenz; and

WHEREAS, Section 709.03 (D) of the Ohio Revised Code requires that, prior to the hearing of the annexation petition, the Municipal Authority shall adopt a statement indicating what services the Municipal Corporation will provide to the territory proposed for annexation and an approximate date by which it will provide services to the territory proposed for annexation upon annexation; and

WHEREAS, the area proposed for annexation lies within Dublin's exclusive water and sewer service extension area, as provided under the agreements with the City of Columbus; and

WHEREAS, the proposed annexation is in conformance with the annexation strategy contained in the Dublin Community Plan, adopted by Council on November 17, 1997.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City of Dublin will provide the following municipal services for the 8.5 acres, more or less in Jerome Township, Union County upon the annexation of the area to the City of Dublin, Ohio:

Police. The City of Dublin has five police districts and deploys a minimum of five cruisers. The subject annexation is located approximately 4.7 driving miles from the Justice Center, the Division of Police headquarters. The annexation area will be fully served with police and communications services at the same or similar level now being provided to other areas of the City with similar land use and population.

Fire and EMS. The City of Dublin will provide, cause to provide, or contract with Washington Township to provide fire protection and EMS services to this area of Dublin at the same or similar level now being provided to other areas of the City with similar land use and population. The closest Washington Township station is approximately 2.3 driving miles away on Brand Road.

Solid Waste Collection. Residential refuse collection services are contracted by the City and are currently provided at no additional charge.

Street Maintenance. The City's Streets and Utilities Division provides excellent service in the area of street and road maintenance. The City currently maintains Jerome Road and Corozan Drive in the area of this annexation and will continue to do so at the same levels upon annexation of this property.

Section 2. The City has Water and Sanitary Sewer Service Agreements with the City of Columbus, and the subject property is within the exclusive service area of both agreements. Conditioned upon the ability of the City of Columbus to provide water supply and to provide sufficient sanitary sewerage disposal capacity, sufficient public water distribution and sanitary sewer collection systems exist in this area to serve this property. The water distribution and sanitary sewer and wastewater collection will be available to this site within approximately five years. The remainder of the services will be available immediately upon annexation.

duly adopted by the Council of the City of Dublin, day of NIDY embar, 2007 oregoing is a true copy of Bromance/Resolution No ۔ چ ڏ

(Ipole of Carried

on the

AUTH HOW

Clerk of Council,

RECORD OF RESOLUTIONS

	Resolution No	Passed Page -	20
-	Resolution No	ective immediately upon passage, as parter. hhe ev, 2007.	

RECORD OF ORDINANCES

			tabbi
D	bayton Legal Blank, Inc.		Forn
	Ordinance No14-08	Passed	, 20
	ACRES, MORE UNION COUN	E TO ACCEPT AN ANNEXATION C OR LESS, IN JEROME TOW ITY, TO THE CITY OF I : DANIEL AND MELISSA A. LOI	VNSHIP, DUBLIN
	Resolution 16-08, a Regula Jerome Township, Union C	7, 2008 the Union County Comrar annexation petition for 8.5 acres, ounty, to the City of Dublin, as filed Agent for Petitioners Daniel E. Lon Dublin, OH 43017; and	more or less, from on October 16, 2007
		osed for annexation lies within Dubl a area, as provided under the agreeme	
	NOW, THEREFORE, BE State of Ohio, of t	IT ORDAINED by the Council of the elected members concurring:	the City of Dublin,
		on for the annexation of 8.5 acres, Exhibit "A") to the City of Dubl	
	Section 2. That this Ordin earliest date allowed by law.	nance shall take effect and be in force	e from and after the
	Passed this 7th day of _	april , 2008.	
oregoing is a true copy of Ordin kely adopted by the Council of the control of th	Mayor - Presiding Officer	- Zonke	
true cop	Attest:		
true copy of Ordin by the Council of t	Clerk of Council	Clarke	

Clerk of Council, hereby certify that the dinance/Resolution No. 14-08 of the City of Dublin, Ohio, on the 7+4

Anne (Can Clark of Council, Dublin, Ohio