

**Review of Petition to Annex 3.106 +/- acres from Plain Township  
to the city of Columbus by Donald W. Jordan  
Case #ANX-EXP2-04-09  
(ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Donald Jordan filed on behalf of Donald and Miriam Jordan on February 10, 2009 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 #0253-2009, passed on February 23, 2009 by the city of Columbus.

**Review of Petition to Annex 3.106 +/- acres from Plain Township  
to the city of Columbus by Donald W. Jordan  
Case #ANX-EXP2-04-09  
(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. 0205-09

March 17, 2009

**REVIEW OF PETITION TO ANNEX 3.106 +/- ACRES FROM PLAIN  
TOWNSHIP TO THE CITY OF COLUMBUS BY DONALD W. JORDAN  
CASE NO. ANX-EXP2-04-09**

**(Economic Development and  
Planning)**

Upon the motion of Commissioner John O'Grady, seconded by Commissioner Marilyn Brown:

**Voting:**

**Paula Brooks, President  
Marilyn Brown  
John O'Grady**

**Aye  
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  
Paula Brooks, President  
Marilyn Brown  
John O'Grady

Economic Development & Planning Department  
James Schimmer, Director

Application for  
**Annexation  
Petition**

Expedited Type 2  
Pursuant to ORC §709.023

RECEIVED

FEB 10 2009

Per *DMH*.....

2

Property Information	
Site Address <i>5050 Warner Road, Westerville, Ohio 43081</i>	
Parcel ID(s) <i>220-001035</i>	Total Acreage <i>3.106</i>
From Township <i>Plain</i>	To Municipality <i>Columbus</i>

Property Owner Information	
Name <i>Donald W. + Miriam J. Jordan</i>	
Address <i>5050 Warner Road</i> <i>Westerville, Ohio 43081</i>	
Phone # <i>(614) 855-7657</i>	Fax #
Email <i>Jordans 5050@juno.com</i>	

Attorney/Agent Information	
Name <i>Donald W. Jordan</i>	
Address <i>Porter, Wright, Morris + Arthur LLP</i> <i>41 South High Street</i> <i>Columbus, Ohio 43215</i>	
Phone # <i>(614) 227-2185</i>	Fax # <i>(614) 227-2100</i>
Email <i>DJordan@porterwright.com</i>	

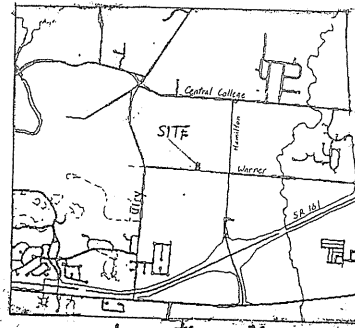
Staff Use Only
Case # <i>AK Exp II</i> <i>04-09</i>
Hearing date: <i>3-17-09</i>
Date filed: <i>2-10-09</i>
Fee paid <i>250.00</i>
Receipt #
Notifications deadline: 5 days <i>2-14-09</i>
Svc statement deadline: 20 days <i>3-1-09</i>

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/plat 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.			
<i>[Signature]</i> Property Owner	<i>1/27/09</i> Date	<i>Donald W. Jordan</i> Property Owner	<i>1/27/09</i> Date

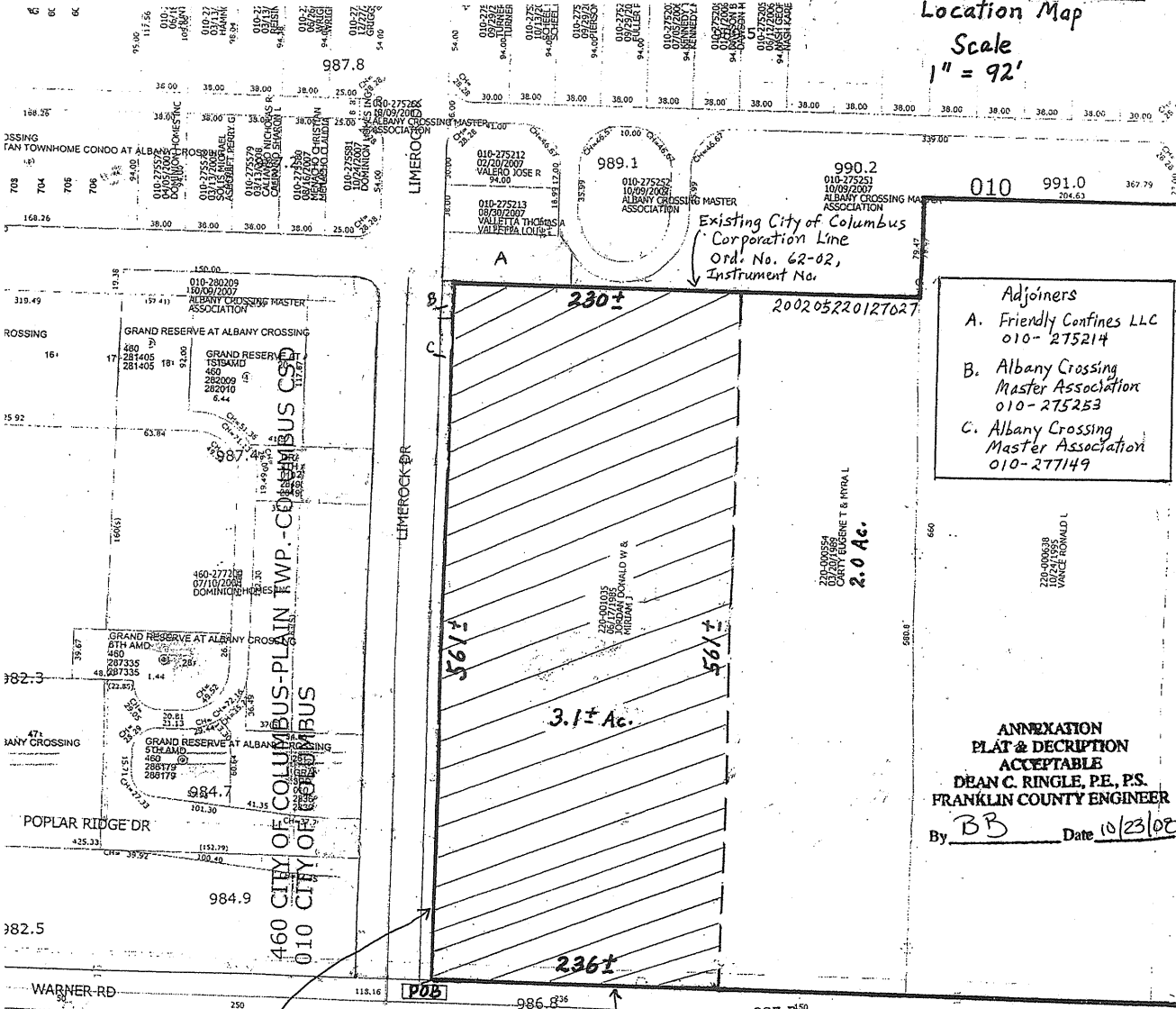
**PLAT OF ANNEXATION**  
**SECTION 3, TOWNSHIP 2, RANGE 16**  
**UNITED STATES MILITARY LANDS**  
**PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO**

**Proposed Annexation of 3.1 Acres**  
**From Plain Township To**  
**City of Columbus**



**Location Map**

Scale  
1" = 92'



- Adjoiners**
- A. Friendly Confines LLC  
010-275214
  - B. Albany Crossing  
Master Association  
010-275253
  - C. Albany Crossing  
Master Association  
010-277149

**ANNEXATION**  
**PLAT & DESCRIPTION**  
**ACCEPTABLE**  
**DEAN C. RINGLE, P.E., P.S.**  
**FRANKLIN COUNTY ENGINEER**  
 By BB Date 10/23/08

Existing City of Columbus Corporation Line  
 Ord. No. 62-02, Instrument No. 2010205220127027

Existing City of Columbus Corporation Line  
 Ord. No. 432-04, Instrument No. 200407190166446

EXISTING CITY OF COLUMBUS CORP. LINE  
 PROPOSED CITY OF COLUMBUS-CORP. LINE  
 AREA TO BE ANNEXED

Martha O'Neal  
 220-000657  
 2.869 Ac.

Paul D. & Delia A.  
 Cochran  
 2.869 Ac.

**RECEIVED**  
 OCT 21 2008  
 Franklin County Engineer  
 Dean C. Ringle, P.E., P.S.

**Drawing Prepared By:**

Ronald W. Jordan  
Miriam D. Jordan  
 Date: **October 1, 2008**  
 5050 Warner Road

**ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
DEAN C. RINGLE, P.E., P.S.  
FRANKLIN COUNTY ENGINEER**

By BB Date 10/23/08

**ANNEXATION  
3.1 ACRES**

**RECEIVED**

**OCT 21 2008**

**Franklin County Engineer  
Dean C. Ringle, P.E., P.S.**

FROM: Plain Township, County of Franklin and State of Ohio

TO: City of Columbus

Situated in the State of Ohio, County of Franklin, Township of Plain and lying in Section 3, Township 2, Range 16, United States Military Lands, and being all of that tract as conveyed to Donald W. Jordan and Miriam J. Jordan by Deed of record in Official Record 05832J02 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and described as follows:

Beginning at a point marking the intersection of the northerly right-of-way line of Warner Road with the easterly right-of-way line of Limerock Drive, being the southwest property corner of the property described herein, and being in the existing City of Columbus Corporation Line by Ordinance Number 432-04 and of record in Instrument Number 200407190166446;

Thence northerly, a distance of approximately 561 feet to the northwest property corner of the property described herein, along the existing City of Columbus Corporation Line by Ordinance Number 62-02 and of record in Instrument Number 200205220127027; also being the southwest property corner of Lot 43, Village at Albany Crossing, Section 1, Part 1, of record in Plat Book 106, Page 61, conveyed to Friendly Confines LLC by Deed of record as Instrument Number 200611280237108;

Thence easterly, along the south line of the aforesaid tract conveyed to Friendly Confines LLC and the south line of Reserve D, Village at Albany Crossing, Section 1, Part 1, as conveyed to Albany Crossing Master Association by Deed of record as Instrument Number 200710090175964, a distance of approximately 230 feet to the northeast property corner of the property described herein, and along the existing City of Columbus Corporation Line by Ordinance Number 62-02 and of record in Instrument Number 200205220127027;

Thence southerly, along the west line of that approximately 2-acre tract as conveyed to Eugene T. Carty and Myra L. Carty by Deed of record in Official Record 13138111, a distance of approximately 561 feet to the southeast property corner of the property described herein, a point in the northerly right-of-way of Warner Road and in the existing City of Columbus Corporation Line by Ordinance Number 432-04 and of record in Instrument Number 200407190166446;

Thence westerly, a distance of approximately 236 feet along the northerly right-of-way line of Warner Road and in the existing City of Columbus Corporation Line by Ordinance Number 432-04 and of record in Instrument Number 200407190166446, to the point of beginning;

Being all of Parcel Number 220-001035-00, containing 3.1 acres, more or less.

This description was produced from the best available courthouse records, and a field survey will not be required for annexation purposes.

Produced By:

A handwritten signature in cursive script, reading "Donald W. Jordan", is written over a horizontal line.

Donald W. Jordan

Date: October 1, 2008

(614) 855-7657

5050 Warner Road

Westerville, Ohio 43081



# City of Columbus

## Legislation Report

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

File Number: 0253-2009

### Emergency

File Number: 0253-2009

File Type: Ordinance

Status: Passed

Version: 1

Controlling Body: Development Committee

File Name: Annexation Service AN08-018: 3.1 acres, Plain Township,  
Donald and Miriam Jordan

Introduced: 2/11/2009

Requester: Dev Drafter

Cost:

Final Action: 2/25/2009

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)

I hereby certify that the above or attached is a true and correct copy of Ordinance No. passed by The Council of The City of Columbus Ohio 2/23, 2009, as shown by the now on file in this office.

Seal

*Andrea Blevins*  
City Clerk

### Mayor's Action

### Council Action

Mayor

Date

Date Passed/ Adopted

President of Council

Veto

Date

City Clerk

### Title:

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN08-018) of 3.1± acres in Plain Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

### Sponsors:

### Indexes:

Attachments: ORD0253-2009 AN08-018 Legal Description.doc, ORD0253-2009 AN08-018 Map.doc



## History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Dev Drafter	2/11/09	Sent for Approval	DEVELOPMENT DIRECTOR			
	<b>Action Note:</b>	Planning Division					
1	DEVELOPMENT DIRECTOR	2/11/09	Reviewed and Approved	Dev Drafter			
	<b>Action Note:</b>	nmb					
1	Dev Drafter	2/11/09	Sent to Clerk's Office for Council	City Clerk Inbox			
1	Columbus City Council	2/23/09	Approved				Pass
1	COUNCIL PRESIDENT	2/23/09	Signed				
1	MAYOR	2/24/09	Signed				
1	CITY CLERK	2/25/09	Attest				

**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

## AN08-018

**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 Plain Township. This ordinance is required by the Ohio Revised Code (ORC) as enacted by the General Assembly of the State of Ohio. An annexation petition has been filed with Franklin County for this property. A service ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information regarding municipal services that would be available, should the subject site be annexed, has been compiled and is reflected in this ordinance. Should the petition be approved by the County Commissioners, a second City ordinance accepting the annexation will be required to complete the process. The time frames specified in the ORC require that this legislation be filed as emergency.

**FISCAL IMPACT:** The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. While provision of the stated services does represent cost to the city, 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 (AN08-018) of 3.1± acres in Plain 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 Plain Township was duly filed by Donald and Miriam Jordan on February 10, 2009; and

**WHEREAS**, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on March 17, 2009; 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 within the Rocky Fork-Blacklick Accord planning 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 3.1± acres in Plain 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 an existing 12" Columbus water main located within Warner Road.

**Sewer:**

Sanitary Sewer:

The proposed site can be served by an existing 8-inch sanitary sewer situated at the southwest property corner of the proposed annexation site. A mainline extension would be required through the site in order to provide sewer access to upstream un-sewered tributary areas along north side of Warner Road. Mainline extension and all related engineering plans, permits, etc. is to be performed at the cost of the property owner.

**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 3.1 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 Plain 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 Plain 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.