

Review of Petition to Annex 0.172+/- acres from Prairie Township to the city of Columbus by Robert G. Watts.

Case #ANX-EXP2-06-09

(ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Robert G. Watts filed on behalf of Sari K. Silwani, Trustee on March 30, 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 #0517-2009, passed on April 6, 2009 by the city of Columbus.

**Review of Petition to Annex 0.172+/- acres from Prairie Township
to the city of Columbus by Robert G. Watts.**

Case #ANX-EXP2-06-09

(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. 0345-09

May 05, 2009

**REVIEW OF PETITION TO ANNEX 0.172+/- ACRES FROM PRAIRIE
TOWNSHIP TO THE CITY OF COLUMBUS BY ROBERT G. WATTS.
CASE #ANX-EXP2-06-09**

**(Economic Development and
Planning)**

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

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.



**Sandra K Menedis, 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



Site Address 440 Alton Darby Creek Rd.	
Parcel ID(s) 240-001847	Total Acreage 0.207 ac
From Township 0.172 ac	To Municipality 0.172 ac

Name Sari K. Silwani, Trustee	
Address P.O. Box 20486 Columbus OH 43220	
Phone # 614 488-7226	Fax #
Email silwaniproperties@yahoo.com	

Name Robert G. Watts RPLS. Thomas Engr. & Surveying Co.	
Address P.O. Box 28098 Columbus OH 43228	
Phone # 614 276-2619	Fax # 614 276-2610
Email rwatts12@Columbus.rr.com	

Case # ANK-EUP2 06-09	
Hearing date: 4/28/09	
Date filed: 3/26/09	
Fee paid \$250.00	
Receipt # 7941	
Notifications deadline: 5 days	3/30/09
Svc statement deadline: 20 days	4/14/09

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

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.

[Signature] 3/20/09
Property Owner Date Property Owner Date

Economic Development · Community Development
150 South Front Street, FSL Suite 10, Columbus, Ohio 43215
Tel: 614-462-5631
Fax: 614-462-4876
www.FranklinCountyOhio.gov

Planning · Zoning · Building
Planning & Zoning Tel: 614-462-3094
Building Permits Tel: 614-462-3166
Fax: 614-462-7155

May 5, 2009

CYPRESS WESLEYAN
CHURCH 25.000 ACRES
DEED BOOK 3474
PAGE 409

ALTON DARBY CREEK ROAD 60'

FCGS
1119

POB

JUAN P. RAMIREZ
1.000 ACRE
INST 200402180034542

VMS 6636

VMS 5240

240-001847
SARI K. SILWANI, TR.
0.207 ACRE
200301210020433

WESTERLY 150'±

JOSHUA W. & AMY S. PHILLIPS
1.188 ACRE RESIDUAL
INST 200005150094393

EXISTING CITY OF
COLUMBUS
CORPORATION LINE
ORD. NO. 1511-04
200503020037386

0 50 100
SCALE 1" = 30'

ANNEXATION OF 0.172 ACRE
FROM PRAIRIE TOWNSHIP, FRANKLIN CO., OHIO
TO THE CITY OF COLUMBUS, OHIO
VMS 5240

PREPARED BY
THE THOMAS ENGINEERING & SURVEYING CO.
P.O. BOX 28098
COLUMBUS, OHIO 43228 614 276-2619
FEBRUARY 2009 406-09

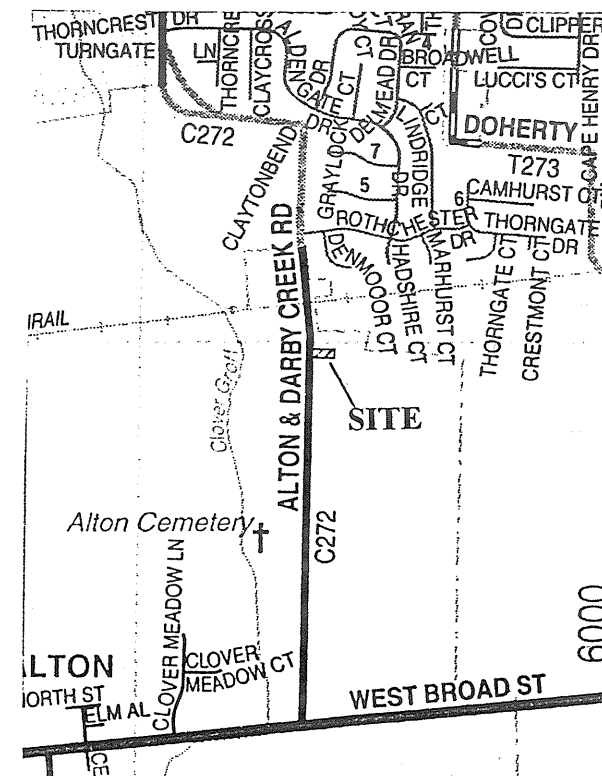
Robert G. Watts
ROBERT G. WATTS RPLS #4138



RECEIVED

FEB 09 2009

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



VICINITY MAP
NO SCALE

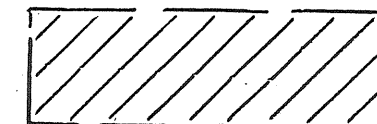
ANNEXATION
FLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By BB Date 2/11/09

LEGEND

EXISTING CITY OF COLUMBUS
CORPORATION LINE

PROPOSED CITY OF COLUMBUS
CORPORATION LINE

AREA TO BE ANNEXED



SITUATE IN THE STATE OF OHIO
COUNTY OF FRANKLIN, TOWNSHIP
OF PRAIRIE, AND IN VMS 5240

PREPARED FROM THE BEST AVAILABLE
FRANKLIN COUNTY RECORDS, THIS
INFORMATION WAS NOT DERIVED
FROM AN ACTUAL FIELD SURVEY,
AND 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 OHIO
ADMINISTRATIVE CODE IN CHAPTER 4793-37

RECEIVED

FEB 09 2009

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

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

ANNEXATION DESCRIPTION

By BIB Date 2/11/09

From Prairie Township to the City of Columbus

Situate in the State of Ohio, County of Franklin, Township of Prairie, Virginia Military Survey 5240 and being 0.172 acre out of the 0.207 acre tract conveyed to Sari K. Silwani, Trustee (Auditors Tax Parcel 240-001847) by deed of record in Instrument No. 200301210020433, Records Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at the intersection of the north line of said 0.0207 acre tract and the south line of a Juan P. Ramirez 1.000 acre tract conveyed by deed of record in Instrument No. 200402180034542 and on the east right of way line of Alton Darby Creek Road (County Road 272) being 30.00 feet east of the centerline of said road and on the existing corporation line of the City of Columbus as established by Ordinance 1511-04 of record in Instrument No. 200503020037386; thence

Easterly, a distance of approximately 150 feet with the north line of said Sirwani, Trustee tract and the south line of said Ramirez tract to the northeast corner of said Silwani, Trustee tract and a northwest corner of a 1.188 acre remainder of a Joshua W. & Amy S. Phillips tract conveyed by deed of record in Instrument No. 200005150094393; thence

Southerly, a distance of approximately 50 feet with the east line of said Silwani, Trustee tract and a west line of said Phillips tract to the southeast corner of said Silwani, Trustee tract and an inside corner of said Phillips tract; thence

Westerly, a distance of approximately 150 feet with the south line of said Silwani, Trustee tract and a north line of said Phillips tract to said east right of way line of Alton Darby Creek Road and said existing corporation line of the City of Columbus, Ohio; thence

Northerly, a distance of approximately 50 feet with said east right of way line and said existing corporation line of the City of Columbus, Ohio to the Point of Beginning, containing approximately 0.172 acre, more or less.

The above description was prepared by The Thomas Engineering & Surveying Co., Robert G. Watts, Reg. Prof. Land Surveyor #4138 from the best available Franklin County Records and not from an actual field survey and 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 Ohio Administrative Code in Chapter 4793-37



City of Columbus Legislation Report

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

File Number: 0517-2009

Emergency

File Number: 0517-2009

File Type: Ordinance

Status: Passed

Version: 1

Controlling Body: Development Committee

File Name: Annexation Service AN09-002: .172 acres, Prairie Township,
Sari K. Silwani

Introduced: 3/26/2009

Requester: Dev Drafter

Cost:

Final Action: 4/7/2009

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. **0517-09** passed by The Council of The City of Columbus, Ohio **4-6-09**, as shown by the record now on file in this office.

Seal

Andrea Blewett
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 (AN09-002) of 0.172± acres in Prairie Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0517-2009 AN09-002 Legal Description.doc, ORD0517-2009 AN09-002 Map.doc

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Dev Drafter	3/26/09	Sent for Approval	DEVELOPMENT DIRECTOR			
	Action Note: Planning Division						
1	DEVELOPMENT DIRECTOR	3/26/09	Reviewed and Approved	Dev Drafter			
	Action Note: nmb						
1	Dev Drafter	3/26/09	Sent to Clerk's Office for Council	City Clerk Inbox			
1	Columbus City Council	4/6/09	Approved				
1	COUNCIL PRESIDENT	4/6/09	Signed				
1	MAYOR	4/7/09	Signed				
1	CITY CLERK	4/7/09	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

AN09-002

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 Prairie 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 (AN09-002) of 0.172± acres in Prairie 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 Prairie Township was duly filed on behalf of Sari K. Silwani on March 26, 2009; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on April 28, 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 Big Darby Accord and West Columbus planning areas; 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 0.172 ± acres in Priarie 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: This site can be served by a proposed 12" City water main that is currently anticipated to be in place in 2010.

Sewer:

Sanitary Sewer:

There is an existing 8-inch sanitary sewer situated approximately 210 feet east of the northeast property line that was designed to provide service to this property. The sewer is within an easement and mainline extension is required to be constructed at the property owner's expense.

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 0.172 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 Prairie 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 Prairie 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 AN09-002
0.172 Acres in Prairie Township
Sari K. Silwani

Situated in the State of Ohio, County of Franklin, Township of Prairie, Virginia Military Survey 5240 and being 0.172 acre out of the 0.207 acre tract conveyed to Sari K. Silwani, Trustee (Auditors Tax Parcel 240 - 001847) by deed of record in Instrument No. 200301210020433, Records Office, Franklin County, Ohio and being more particularly described as follows:

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Easterly, a distance of approximately 150 feet with the north line of said Silwani, Trustee tract and the south line of said Ramirez tract to the northeast corner of said Silwani, Trustee tract and a northwest corner of a 1.188 acre remainder of a Joshua W. & Amy S. Phillips tract conveyed by deed of record in Instrument No. 200005150094393; thence

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Northerly, a distance of approximately 50 feet with said right of way line and said existing corporation line of the City of Columbus, Ohio to the Point of Beginning, containing approximately 0.172 acre, more or less.

MAP
ANNEXATION AN09-002
0.172 acres in Prairie Township
Sari K. Silwani, Trustee

