

Review of Petition to Annex 0.920 +/- acres from Prairie Township to the city of Columbus by Michael Jordan. Case #ANX-EXP2-01-10 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Michael Jordan filed on behalf of Juan P. Ramirez on January 19, 2010 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited Type 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 resolution #0164-2010, passed on February 1, 2010 by the city of Columbus.

Review of Petition to Annex 0.920 +/- acres from Prairie Township to the city of Columbus by Michael Jordan. Case #ANX-EXP2-01-10 (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. 0156-10

February 23, 2010

**REVIEW OF PETITION TO ANNEX 0.920 +/- ACRES FROM PRAIRIE
TOWNSHIP TO THE CITY OF COLUMBUS BY MICHAEL JORDAN. CASE
#ANX-EXP2-01-10**

**(Economic Development and
Planning)**

Upon the motion of Commissioner Marilyn Brown, seconded by Commissioner Paula Brooks:

Voting:

John O'Grady, President

Aye

Paula Brooks

Aye

Marilyn Brown

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

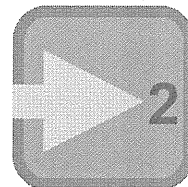
RECEIVED

JAN 19 2010

Application for BY: RJB

Annexation Petition

Expedited Type 2
Pursuant to ORC §709.023




| Property Information | |
|----------------------|--------------------------|
| Site Address | 458 ALTON DARBY CREEK RD |
| Parcel ID(s) | 240-000171-00 |
| Total Acreage | .920 |
| From Township | PRairie (240) |
| To Municipality | COLUMBUS. |

| Property Owner Information | |
|----------------------------|--|
| Name | JUAN P RAMIREZ |
| Address | 458 ALTON DARBY CREEK RD GALLONIA, OH 43119 |
| Phone # | 614 332 2777 |
| Fax # | |
| Email | |

| Attorney/Agent Information | |
|----------------------------|--|
| Name | R MICHAEL JORDAN ARS/RESCUE DOCTOR |
| Address | 3050 SWITZER AVE COLUMBUS, OHIO 43219 |
| Phone # | 614 332 9879 |
| Fax # | 614 475 0541 |
| Email | |

| Staff Use Only |
|--|
| Case # ANV-EXP2 2110 01-10 |
| Hearing date: 2/23/10 |
| Date filed: 1/19/10 |
| Fee paid \$750.00 |
| Receipt # 7022 |
| Notifications deadline: 5 days 1/24 |
| Svc statement deadline: 20 days 2/8 |

| 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 |

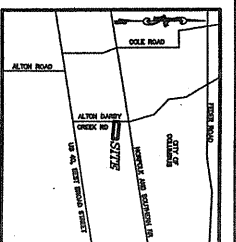
| Waiver of Right to Appeal | |
|---|------------------------|
| WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE. | |
|  Property Owner | <u>1-18-10</u> Date |
| Property Owner | Date |

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN,
 PRAIRIE TOWNSHIP, LOT NUMBER ONE (1),
 VIRGINIA MILITARY SURVEY NO. 6636

RECEIVED

SEP 14 2009

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



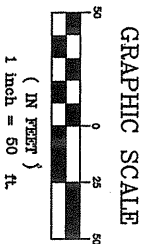
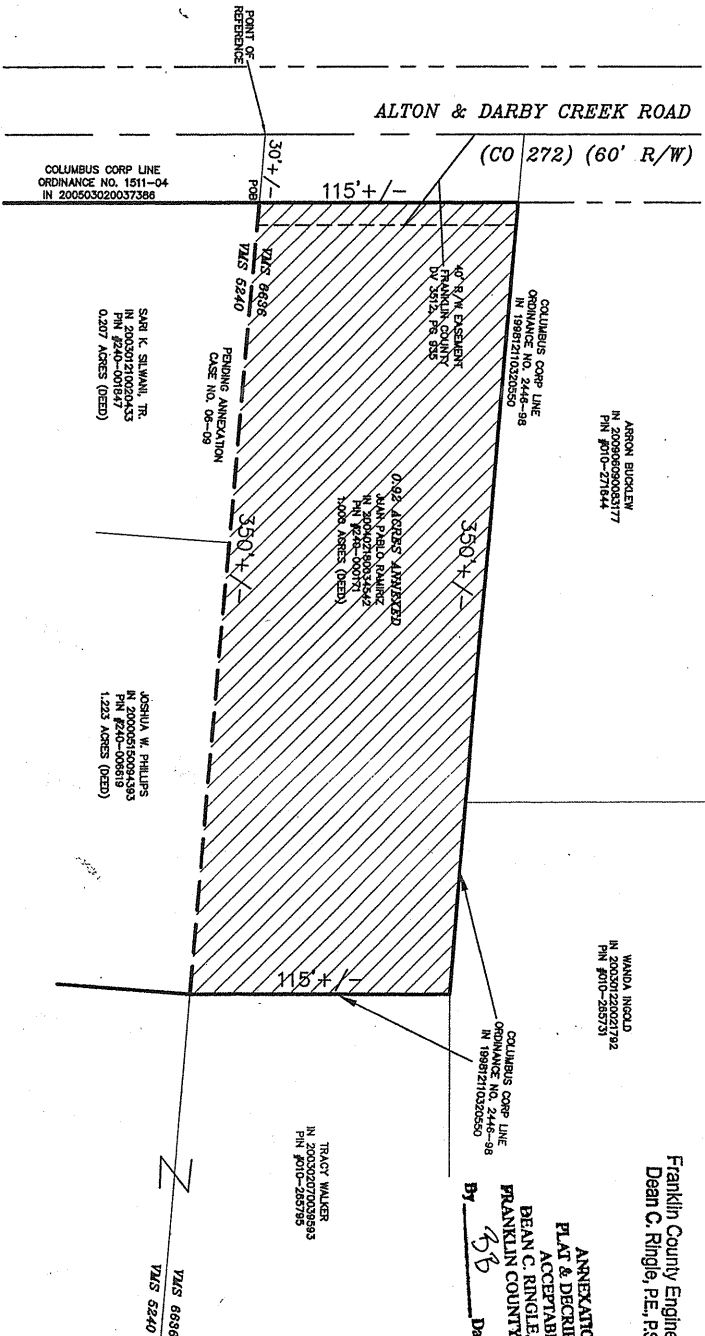
ARSON BUCKLEY
 N 20060690003177
 PIN #010-271844

WANDA WOOD
 N 20030722021792
 PIN #010-285731

ANNEXATION
 FLAT & DESCRIPTION
 ACCEPTABLE
 BEAN C. RINGLE, P.E., P.S.
 FRANKLIN COUNTY ENGINEER
 By GR Date 9/17/09

ALTON & DARBY CREEK ROAD

(CO 272) (60' R/W)



PROPOSED ANNEXATION 0.92 ACRES
 FROM PRAIRIE TOWNSHIP TO CITY OF COLUMBUS

AREA TO BE
 ANNEXED

EXISTING CORP. LINE

PROPOSED CORP. LINE



HOCKADEN AND ASSOCIATES, INC.
 CONSULTING ENGINEERS AND SURVEYORS

Frank C. Long
 FRANK C. LONG P.S. 6615

0.92 ACRES FROM PRAIRIE TOWNSHIP, FRANKLIN COUNTY, OHIO
TO THE CITY OF COLUMBUS

0.92 ACRE TRACT

Situated in the State of Ohio, County of Franklin, Prairie Township, Lot Number One (1), Virginia Military Survey No. 6636 and being 0.92 acres of the land conveyed to Juan Pablo Ramiriz in Instrument Number 200402180034542 (all references refer to records in the Franklin County Recorder's Office, Ohio) and more fully described as follows:

Beginning for reference at a point on the north line of Virginia Military Survey 5240 and south line of Virginia Military Survey No. 6636 as it intersects the centerline of Alton & Darby Creek Road (60' R/W);

Thence Easterly a distance of 30.0+/- feet, along the southerly line of said Virginia Military Survey No. 6636, to a point in the easterly right of way of said Alton & Darby Creek Road (60' R/W) and an existing easterly City of Columbus Corporation Line (Ordinance No. 1511-04) (IN 200503020037386), being the Point of Beginning;

Thence Northerly a distance of 115.0+/- feet, along the easterly right of way of said Alton & Darby Creek Road (60' R/W) and an existing easterly City of Columbus Corporation Line (Ordinance No. 1511-04) (IN 200503020037386), to a point in a southerly property line of Arron Bucklew (PIN 010-271644) and an existing southerly City of Columbus Corporation Line (Ordinance No. 2446-98) (IN 199812110320550);

Thence Easterly a distance of 350.0+/- feet, along a southerly property line of said Bucklew and Wanda Ingold (PIN 010-265731) and an existing southerly City of Columbus Corporation Line (Ordinance No. 2446-98) (IN 199812110320550), to a point at a northwesterly property corner of Tracy Walker (PIN 010-265795);

Thence Southerly a distance of 115.0+/- feet, along a westerly property line of said Walker and an existing westerly City of Columbus Corporation Line (Ordinance No. 2446-98) (IN 199812110320550), to a point in the northerly line of said Virginia Military Survey No. 6636;

Thence Westerly a distance of 350+/- feet, along a southerly line of said Virginia Military Survey No. 6636 and northerly property line of Joshua W. Phillips (PIN 240-006619) 1.223 acre tract and Sari K. Silwani, Trustee (PIN 240-001847) 0.207 acre tract, to the Point of Beginning containing 0.92 acres more or less.

This annexation description was prepared from record information from the Franklin County Auditor's and Franklin County Recorder's Office, and not an actual field survey. This description is for annexation purposes only and not intended for transfer of real property.

HOCKADEN AND ASSOCIATES, INC.
Consulting Engineers and Surveyors

Frank C. Long
Professional Surveyor No. 6615

42727/10.1-082709-L1



City of Columbus Legislation Report

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

RECEIVED

FEB - 8 2010

File Number: 0164-2010

BY: DAM

Emergency

File Number: 0164-2010

File Type: Ordinance

Status: Passed

Version: 1

Controlling Body: Development Committee

File Name: Annexation Service AN09-007: 0.92 acres, Prairie Township,
Juan P. Ramirez

Introduced: 1/20/2010

Requester: Dev Drafter

Cost:

Final Action: 2/4/2010

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.: Lori Baudro 645-6986

Floor Action (Clerk's Office Only)

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 (AN09-007) of .92± Acres in Prairie Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0164-2010 AN09-007 Legal Description.doc

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 0164-2010 passed by The Council of The City of Columbus Ohio 21, 2010, as shown by the record.
now on file in this office.

Seal

Andrea Davis
City Clerk

History of Legislative File

| Version: | Acting Body: | Date: | Action: | Sent To: | Due Date: | Return Date: | Result: |
|----------|-------------------------|-------------------|---------------------------------------|-------------------------|-----------|--------------|---------|
| 1 | Dev Drafter | 1/20/10 | Sent for Approval | DEVELOPMENT DIRECTOR | | | |
| | Action Note: | Planning Division | | | | | |
| 1 | DEVELOPMENT DIRECTOR | 1/20/10 | Reviewed and Approved | Dev Drafter | | | |
| | Action Note: | nmb | | | | | |
| 1 | Dev Drafter | 1/20/10 | Sent to Clerk's Office for Council | City Clerk Inbox | | | |
| 1 | Columbus City Council | 2/1/10 | Approved | | | | Pass |
| 1 | COUNCIL PRESIDENT | 2/1/10 | Signed | | | | |
| 1 | MAYOR | 2/2/10 | Signed | | | | |
| 1 | CITY CLERK | 2/4/10 | 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

AN09-007

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 (AN09-007) of .92± 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 by Juan P. Ramirez on January 19, 2010; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on February 23, 2010; 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, property proposed for annexation is included within the West Columbus Interim Development Concept planning area and the Big Darby Accord; 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 .92 ± acres in Prairie 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 site will be served by the existing 12" water main in Alton Darby Creek Rd.

Sewer: Sanitary Sewer: This property can be served by an existing 8-inch sanitary sewer with a "wye" and service extension stubbed to its northern property line. Permission to tap letter required.

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 .92 + 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 AN09-007
.92 Acres in Prairie Township
Juan P. Ramirez

0.92 ACRES FROM PRAIRIE TOWNSHIP, FRANKLIN COUNTY, OHIO TO THE CITY OF
COLUMBUS

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