

Review of Petition to Annex 1.893 +/- acres from Clinton Township to the city of Columbus by Randal M. Reves, Esq. Case #ANX-EXP2-04-10 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Randal M. Reves, Esq. filed on behalf of Marie S. Pfeiffer on February 16, 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 ordinance #0328-2010, passed on March 1, 2010 by the city of Columbus.

Review of Petition to Annex 1.893 +/- acres from Clinton Township to the city of Columbus by Randal M. Reves, Esq. Case #ANX-EXP2-04-10 (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. 0246-10

March 23, 2010

**REVIEW OF PETITION TO ANNEX 1.893 +/- ACRES FROM CLINTON
TOWNSHIP TO THE CITY OF COLUMBUS BY RANDAL M. REVES, ESQ. CASE
#ANX-EXP2-04-10**

**(Economic Development and
Planning)**

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

Voting:

**Paula Brooks
Marilyn Brown**

**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 acted upon 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

RECEIVED

FEB 16 2010



Commissioners
Paula Brooks, President
Marilyn Brown
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

Application for

Annexation Petition

BY: DAH

Property Information	
Site Address 1050 E. Cooke Rd. Columbus, OH 43224	
Parcel ID(s) 130-001530-00	Total Acreage 1.893 ac
From Township 1.893 ac	To Municipality 1.893 ac - Columbus

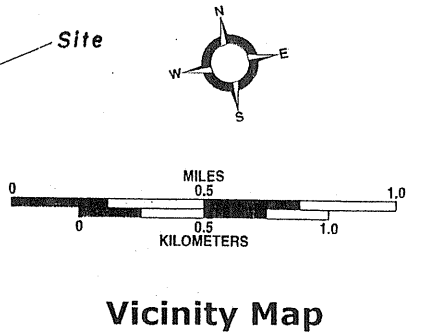
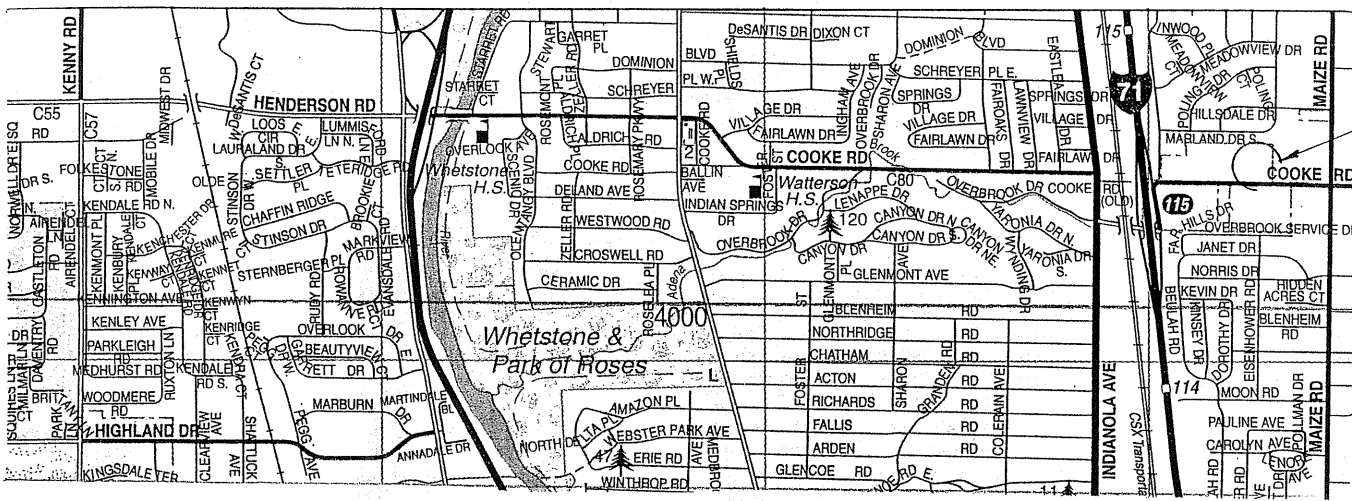
Property Owner Information	
Name Marie S. Pfeiffer	
Address 1050 E. Cooke Rd. Columbus, OH 43224	
Phone # 614-268-2331	Fax #
Email	

Attorney/Agent Information	
Name Randal M. Reves	
Address 3207 N. High St. Columbus, OH 43202	
Phone # 614-268-0534	Fax # 614-267-0441
Email revwestlaw@aol.com	

Staff Use Only	
Case # ANX EXP II 04-10	
Hearing date: 3-23-10	
Date filed: 2-16-10	
Fee paid 250.00	
Receipt # 7063	
Notifications deadline: 5 days 2-20-10	
Svc statement deadline: 20 days 3-5-10	

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	
<p>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.</p>	
Property Owner <u>Marie S. Pfeiffer</u> Marie S. Pfeiffer	Date <u>1-27-10</u> Date



Myers Surveying Company, Inc.

2740 East Main Street, Columbus 43209 (Bexley), Ohio
614-235-8677 FAX: 614-235-4559

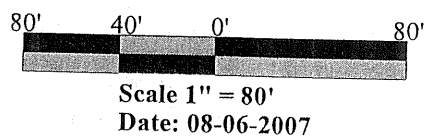
A Boundary Survey prepared for and certified to:
Marie Pfeiffer

Legal Description: Situated in The State of Ohio, County of Franklin, Township of Clinton Being 1.893 acres, part of Lot 9 of the Scioto Company's Subdivision of Quarter Township 1, Township 1, Range 18, United States Military Lands, Clinton Township (PIN 130-001530), to be Annexed to the City of Columbus

Applicant:
Posted Address: 1050 E. Cooke Road

MOORES AND DALES No. 3
(P.B. 28, PG. 53)

Lot 23 Lot 22 Lot 21 Lot 20
Ex. City of Columbus Corporation Line
(Ord. No. 1340-55; Misc. Rec. 90, Pg. 559)



RECEIVED
SEP 05 2007
Franklin County Engineer
Dean C. Ringle, P.E., P.S.

MICHAEL JOSEPH COUZINS
2 AC.
INSTR. NO. 20001102022762
130-001532

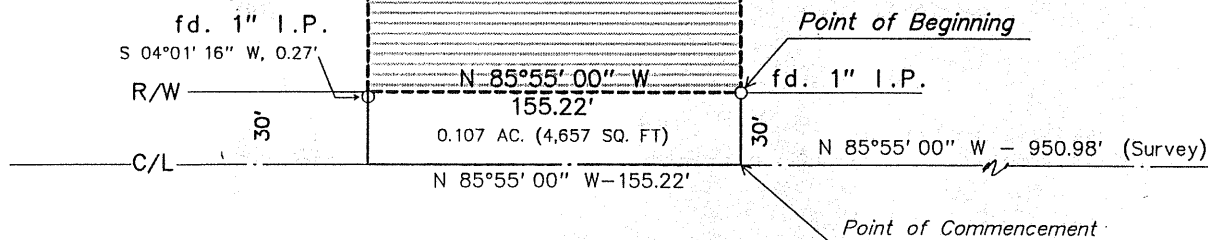
THOMAS L. &
CAROLYN L. WHITE
2 AC.
D.B. 3551, PG. 769
130-001520

**ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE**
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By BB Date 9/2/07

RECEIVED
SEP 29 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
By BB Date 9/29/09

RECEIVED
FEB 16 2010
BY: DAH



E. COOKE ROAD

We hereby certify that the foregoing Boundary Survey was prepared from actual field measurements in accordance with Chapter 4733-37 Ohio Administrative Code. Iron pipes set are 30"x1" O.D. with an orange plastic plug inscribed "P.S. 6579", unless otherwise noted. Bearings are based on the centerline of E. Cooke Road as North 85 degrees 55 minutes 00 seconds West. THIS PLAT PREPARED FOR ANNEXATION PURPOSES ONLY

Myers Order No. - 6-05-11-2007

200705116

Rec. Field DWG

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FEB 16 2010

BY: DAH

August 6, 2007

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

By BB Date 9/6/07

RECEIVED

SEP 05 2007

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

**1.893 ACRES IN CLINTON TOWNSHIP TO BE
ANNEXED TO THE CITY OF COLUMBUS**

Situated in the State of Ohio, County of Franklin, Township of Clinton, part of Lot 9 of the Scioto Company's Subdivision of Quarter Township 1, Township 1, Range 18, United States Military Lands, being part of the 2 Acre tract conveyed to Marie S. Pfeiffer, as shown of record in Official Record 18038 I-18, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing at a point in the centerline of East Cooke Road (60 feet wide) at the southeast corner of said Pfeiffer tract, southwest corner of the Thomas L. and Carolyn L. White 2 Acre tract (Deed Book 3551, Page 769, said Recorder's Office), and bearing North 85 degrees 55 minutes 00 seconds West, 950.98 feet from the centerline intersection of said East Cooke Road and Maize Road;

Thence, along the easterly line of said Pfeiffer tract and the westerly line of said White tract, North 04 degrees 01 minutes 16 seconds East, 30.00 feet to a found 1" iron pipe at the intersection of said line with the northerly right-of-way of said East Cook Road and the **TRUE POINT OF BEGINNING**:

Thence, across said Pfeiffer tract and along said northerly right-of-way, North 85 degrees 55 minutes 00 seconds West, 155.22 feet to the intersection of said right-of-way with the westerly line of said Pfeiffer tract and the easterly line of the Michael Joseph Couzins 2 Acre tract (Instrument Number 200011020222762, said Recorder's Office) referenced by a found 1" iron pipe bearing S 04 degrees 01 minutes 16 seconds West, 0.27 feet;

Thence, along the west line of said Pfeiffer tract and east line of said Couzins tract, North 04 degrees 01 minutes 16 seconds East, 531.30 feet to a found 1" iron pipe at the northwest corner of said Pfeiffer tract, northeast corner of said Couzins tract, in the south line of "Moore and Dales No. 3", as same is delineated upon the recorded plat thereof, of record in Plat Book 28, page 53, said Recorder's Office, and in an existing City of Columbus Corporation Line, as established by Ordinance Number 1340-55, of record in Miscellaneous Record 90, page 559, said Recorder's Office;

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Continued...

SEP 29 2009

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

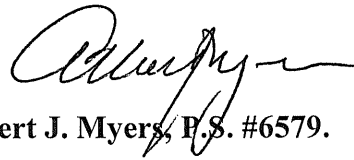
ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER

By BB Date 9/29/09

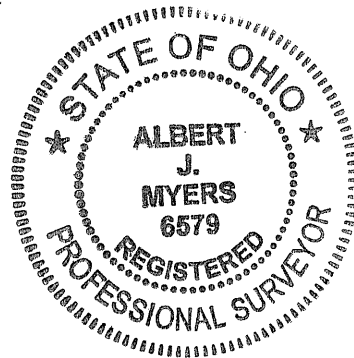
Thence, along the northerly line of said Pfeiffer tract, south line of said "Moore and Dales No. 3, and said existing corporation line, South 85 degrees 55 minutes 00 East, 155.22 feet to a found 1" iron pipe at the northeast corner of said Pfeiffer tract and the northwest corner of said White tract;

Thence, along the easterly line of said Pfeiffer tract and the westerly line of said White tract, South 04 degrees 01 minutes 16 seconds West, 531.30 feet to the place of beginning containing **1.893 ACRES** (82,468 Square Feet), and being part of Auditor's Parcel No. 130-001530. Bearings are based on the centerline of East Cooke Road as North 85 degrees 55 minutes 00 seconds West.

Myers Surveying Company, Inc.



Albert J. Myers, P.S. #6579.





City of Columbus Legislation Report

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

File Number: 0328-2010

ORIGINAL

Emergency

File Number: 0328-2010

File Type: Ordinance

Status: Second Reading

Version: 1

Controlling Body: Development Committee

File Name: AN09-010 Annexation Service: 1.89 acres, Clinton Township,
Marie S. Pfeiffer

Introduced: 2/17/2010

Requester: Dev Drafter

Cost:

Final Action:

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

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 0328-2010 passed by The Council of The City of Columbus, Ohio 3/1, 20 10, as shown by the records now on file in this office.

Floor Action (Clerk's Office Only) TYSON ABSENT

MAR 01 2010 P-6-0

Seal Andrea Blewins
City Clerk

Mayor's Action

Mayor

Date

Council Action

MAR 01 2010

Date Passed/ Adopted

President of Council

Andrea Blewins

City Clerk

Veto

Date

Title:

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN09-010) of 1.893± Acres in Clinton Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0328-2010 AN09-010 Legal Description.doc, ORD0328-2010 AN09-010 Map.doc

RECEIVED

MAR 4 2010

BY: EDP/CSR

10 MAR 4 AM 10:58

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Dev Drafter	2/17/10	Sent for Approval	DEVELOPMENT DIRECTOR			
	Action Note: Planning Division						
1	DEVELOPMENT DIRECTOR	2/17/10	Reviewed and Approved	Dev Drafter			
	Action Note: nmb						
1	Dev Drafter	2/17/10	Sent to Clerk's Office for Council	City Clerk Inbox			

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 Attorneys Office as to its form and legality only.

Explanation

AN09-010

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 Clinton 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 (AN09-010) of 1.893± Acres in Clinton 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 Clinton Township was duly filed by Attorney Randal M. Reves on behalf of Marie S. Pfeiffer on February 16, 2010; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on March 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 Northland Plan Volume I 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 1.893 ± acres in Clinton 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 20" water main in E. Cooke Road.

Sewer:

Sanitary Sewer: This property can obtain sanitary sewer service from an existing 8-inch mainline located in an easement parallel to the north lot line.

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 1.893 ± 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 Clinton 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 Clinton 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 AN09-010
1.893 Acres in Clinton Township
Marie S. Pfeiffer

1.893 ACRES IN CLINTON TOWNSHIP TO BE ANNEXED TO THE CITY OF COLUMBUS

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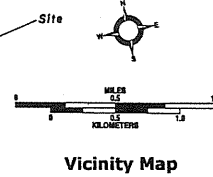
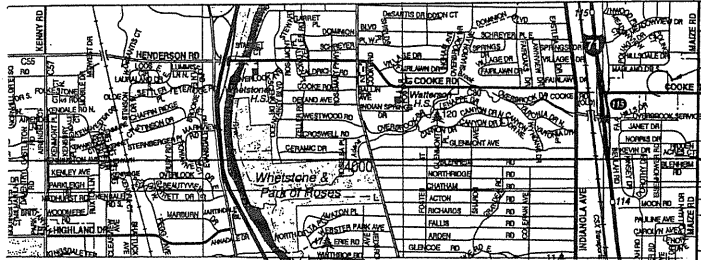
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MAP
ANNEXATION AN09-010
1.893 ± acres in Clinton Township
Marie S. Pfeiffer



Myers Surveying Company, Inc.
2740 East Main Street, Columbus 43209 (Bexley), Ohio
614-235-8677 FAX: 614-235-4559

A Boundary Survey prepared for and certified to:

Marie Pfeiffer

Legal Description: Situated in The State of Ohio, County of Franklin, Township of Clinton Being 1.893 acres, part of Lot 9 of the Scioto Company's Subdivision of Quarter Township 1, Township 1, Range 18, United States Military Lands, Clinton Township (PIN 130-001530), to be Annexed to the City of Columbus

Applicant:

Posted Address: 1050 E. Cooke Road

MOORES AND DALES No. 3
(P.B. 28, PG. 53)

Ex. City of Columbus Corporation Line
(Ord. No. 1340-55; Misc. Rec. 90, Pg. 559)

MICHAEL JOSEPH COUZINS
2 AC.
INSTR. NO. 200011020222762
130-001532

THOMAS L. &
CAROLYN L. WHITE
2 AC.
D.B. 3551, PG. 769
130-001520

Scale 1" = 80'
Date: 08-06-2007

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SEP 05 2007

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

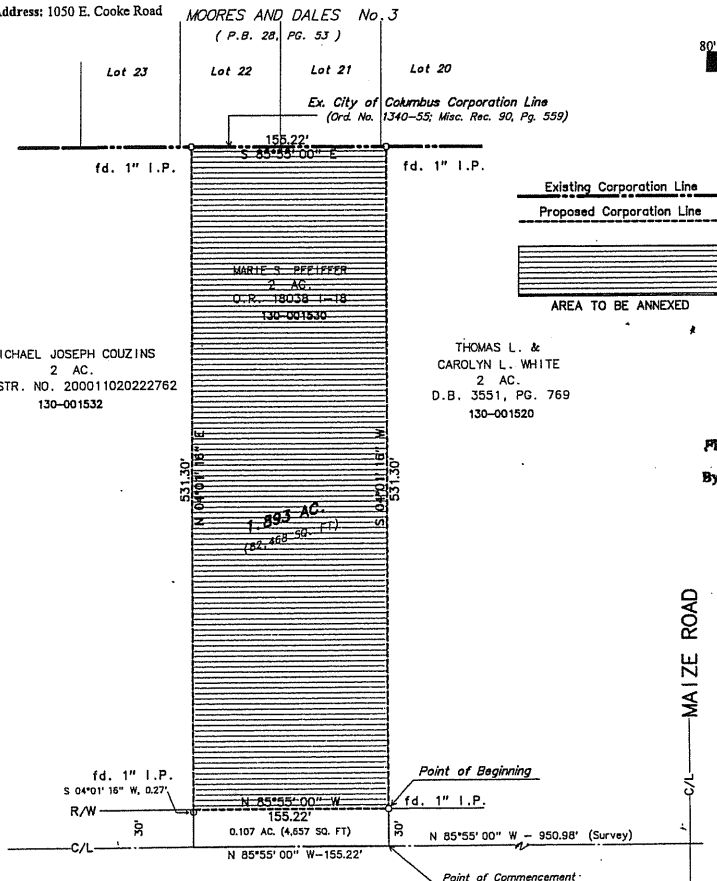
**ANNEXATION
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ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER**

By BB Date 9/2/07



Myers Surveying Co., Inc.

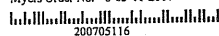
By Albert J. Myers
Professional Surveyor



E. COOKE ROAD

We hereby certify that the foregoing Boundary Survey was prepared from actual field measurements in accordance with Chapter 4733-37 Ohio Administrative Code. Iron pipes set are 30"x1" O.D. with an orange plastic plug inscribed "P.S. 6579", unless otherwise noted. Bearings are based on the centerline of E. Cooke Road as North 85 degrees 55 minutes 00 seconds West. THIS PLAT PREPARED FOR ANNEXATION PURPOSES ONLY

Myers Order No. - 6-05-11-2007



200705116

Rec.

Field

DWG