Review of Petition to Annex 7.0 +/- acres from Jefferson Township to the city of Columbus by Connie Klema, Esq. Case #ANX-EXP2-07-10 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Connie Klema, Esq. filed on behalf of Robert & Lynn Althoff, Frank & Judy Carlo and Dorris Althoff, Trustee on March 23, 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 #0533-2010, passed on March 5, 2010 by the city of Columbus.

Review of Petition to Annex 7.0 +/- acres from Jefferson Township to the city of Columbus by Connie Klema, Esq. Case #ANX-EXP2-07-10 (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. 0350-10

April 27, 2010

REVIEW OF PETITION TO ANNEX 7.0 +/- ACRES FROM JEFFERSON TOWNSHIP TO THE CITY OF COLUMBUS BY CONNIE KLEMA, ESQ. CASE #ANX-EXP2-07-10

(Economic Development and Planning)

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

Voting:

John O'Grady, President 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.

Mary Jane Harper, Clerk Board of County Commissioners

Franklin County, Ohio



Commissioners
Paula Brooks, President
Marilyn Brown
John O'Grady

Economic Development & Planning DepartmentJames Schimmer, Director

Application for

Annexation Petition

Expedited Type 2
Pursuant to ORC \$708 023



Property Information		Staff Use Only
Site Address 7298 7300 7304 E- Parcel ID(s) 170-000552	BR09D ST.	Case #
Parcel ID(s) 120-000552	Total Acreage	ANY-EXP2
1110-1100-1100-10-11-11-11-11-11-11-11-1	TO COTIVIDE VENIAL RO	-07-10
From Township TEFFERSON TOWNSHIP	To Municipality Columbus Ohio	-01
JEFFERON JOHNSHI	Columbus Collo	
Property Owner Information		Hearing date:
is a karang karang salagan paga dag ang manang saya saya ng manang manang manang na kabanang na man		4/27/19
Name CARLO FRAYK D & JUL	0 y /C .	Date filed: 3/23/10
Address 7304 E. BROAD ST. BLACKLICK, Ohio 430		Fee paid
BLACKLICK, Ohio 430	104	150. =
	(A) SEE ADD'L OWNERS	Receipt # 7098
Phone # 614-866-7596	Fax# INFO ATTACHED	Notifications deadline:
	A CONTRACTOR OF THE CONTRACTOR	5 days 3/28/10
Email A A A A A		Svc statement deadline:
Email FCARLO@ LYMALAB-INC.	COM	20 days 4/12/10
Attorney/Agent Information		Document Submission
Name CONNIE J. KIEMA, ATTORN	EY	The following documents must accompany this application
Address P. D. Box 991		on letter-sized 8 ½" x 11" paper:
PATASKALA, OH 43062		
,		Legal description of property
Phone # (740) 927-1482	Fax#(140) 921 - 0149	Map/plat of property
Email CKLEMA D ProHID. COM		List of adjacent properties
CRLEMA & PTONIO. COM	A STATE OF THE STA	
Waiver of Right to Appeal		
WHOEVER SIGNS THIS PETITION EXPRESSLY V		
BOARD OF COUNTY COMMISSIONERS' ENTRY PROCEDURE, ALTHOUGH A WRIT OF MANDAM	US MAY BE SOUGHT TO COMPEL THE BO	DARD TO PERFORM
ITS DUTIES REQUIRED BY LAW FOR THIS SPEC		
9		
	7-09 F. Illin	10- 11/17/119
Property Johnson 1-17	Property Owner	Date
	FLANK D. CAR	

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 BSER ATTACHER SIGNATURES

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

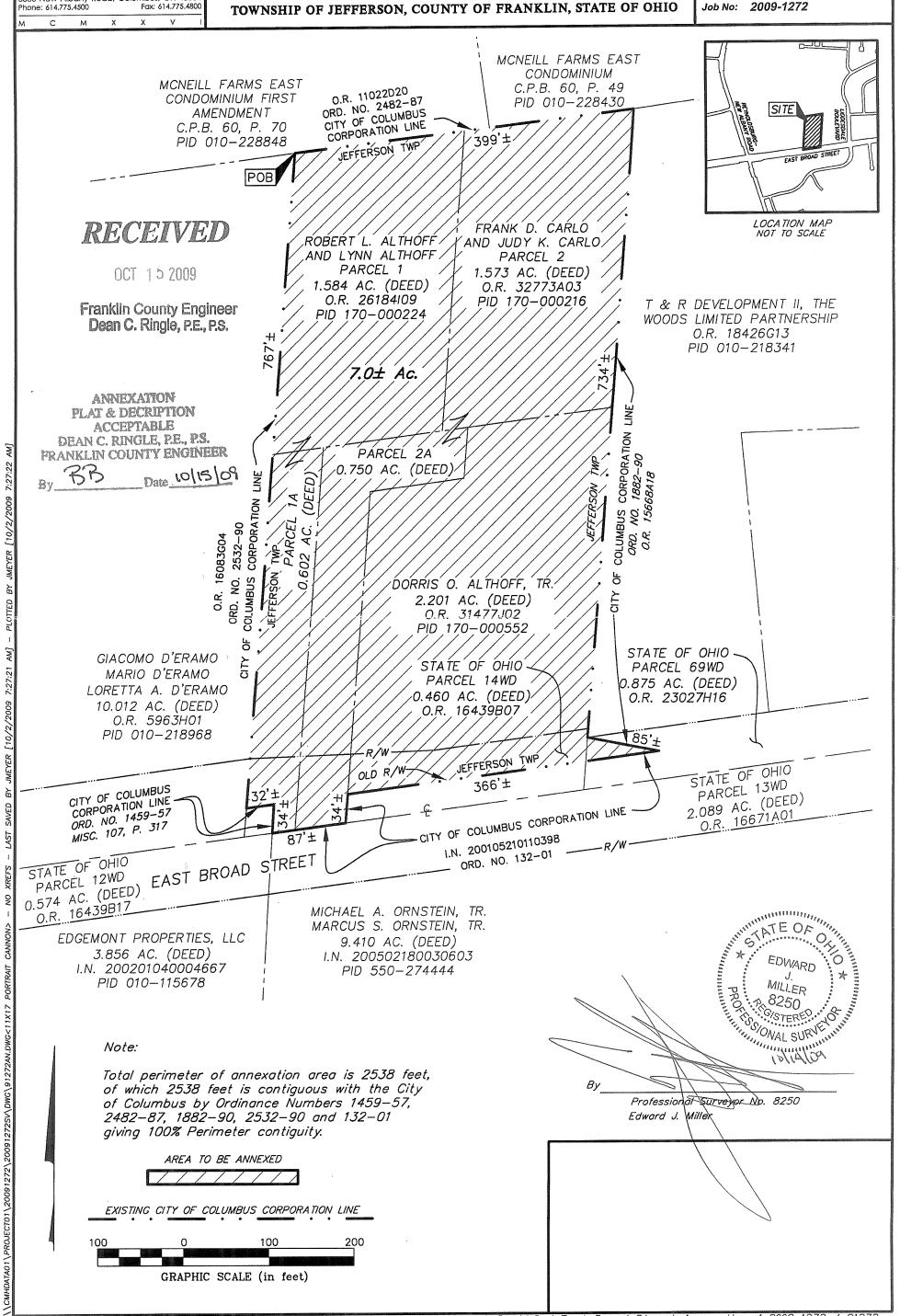
Evans, Mechwart, Hambleton & Tilton, Inc Engineers • Surveyors • Planners • Scientists 5500 New Albany Road, Columbus, OH 43054 Phone: 614.775.4500 Fax: 614.775.4800

PROPOSED ANNEXATION OF 7.0± AC. TO THE CITY OF COLUMBUS FROM JEFFERSON TOWNSHIP SECTION 4, TOWNSHIP 1, RANGE 16 UNITED STATES MILITARY LANDS

Date: October 2, 2009

Scale: 1" = 100'

Job No: 2009-1272



OCT 15 2009

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

PROPOSED ANNEXATION 7.0 ACRES

ANNEXATION PLAT & DECRIPTION ACCEPTABLE DEAN C. RINGLE, P.E., P.S. FRANKLIN COUNTY ENGINEER 10/15/09 Date

FROM: JEFFERSON TOWNSHIP

CITY OF COLUMBUS TO:

Situated in the State of Ohio, County of Franklin, Township of Jefferson, lying in Section 4, Township 1, Range 16 United States Military Lands, being all of that 2.201 acre tract conveyed to Dorris O. Althoff, Trustee, by deed of record in Official Record 31477J02, part of that 0.875 acre tract conveyed as Parcel 69WD to the State of Ohio by deed of record in Official Record 23027H16, part of that 0.460 acre tract conveyed as Parcel 14WD to the State of Ohio by deed of record in Official Record 16439B07, all of that 0.750 acre tract conveyed as Parcel 2A and all of that 1.573 acre tract conveyed as Parcel 2 to Frank D. Carlo and Judy K. Carlo by deed of record in Official Record 32773A03 and part of that 0.602 acre tract conveyed as Parcel 1A and all of that 1.584 acre tract conveyed as Parcel 1 to Robert L. Althoff and Lynn Althoff by deed of record in Official Record 26184I09 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the northwesterly corner of said 1.584 acre tract, being an angle point in the existing City of Columbus Corporation Line, as established by Ordinance Number 2532-90, of record in Official Record 16083G04;

Thence easterly, a distance of approximately 399 feet, with the northerly line of said 1.584 and 1.573 acre tracts and with the existing City of Columbus Corporation Line, as established by Ordinance Number 2482-87, of record in Official Record 11022D20, to the northeasterly corner of said 1.573 acre tract, being an angle point in the existing City of Columbus Corporation Line, as established by Ordinance Number 1882-90, of record in Official Record 15668A18;

Thence southerly, a distance of approximately 734 feet, with the easterly line of said 1.573 acre tract, with the easterly line of said 2.201 acre tract and with the easterly line of said Parcel 14WD, and with said existing City of Columbus Corporation Line (1882-90) to the northwesterly corner of said Parcel 69WD being an angle point in said existing City of Columbus Corporation Line (1882-90);

Thence southeasterly, a distance of approximately 85 feet, across said Parcel 69WD, with said existing City of Columbus Corporation Line (1882-90) to an angle point in said existing City of Columbus Corporation Line (1882-90):

Thence westerly, a distance of approximately 366 feet, across said Parcel 69WD and Parcel 14WD, with the existing City of Columbus Corporation Line, as established by Ordinance Number 132-01, of record in Instrument Number 200105210110398, to a point in the westerly line of said Parcel 14WD, the easterly line of said 0.750 acre tract, being an angle point in said existing City of Columbus Corporation Line (132-01);

Thence southerly, a distance of approximately 34 feet, with the westerly line of said Parcel 14WD, the easterly line of said 0.750 acre tract and with said existing City of Columbus Corporation Line (132-01), to the centerline of East Broad Street, being the southwesterly corner of said Parcel 14WD, the southeasterly corner of said 0.750 acre tract, being an angle point in said existing City of Columbus Corporation Line (132-01);

Thence westerly, a distance of approximately 87 feet, with the centerline of said East Broad Street, the southerly line of said 0.750 acre tract, the southerly line of said 0.602 acre tract and with said existing City of Columbus Corporation Line (132-01), to an angle point in said existing City of Columbus Corporation Line (132-01);

Thence across said 0.602 acre tract, with the existing City of Columbus Corporation Line, as established by Ordinance Number 1459-57, of record in Miscellaneous Record 107, Page 317, the following courses and distances:

Northerly, a distance of approximately 34 feet, to a point;

Westerly, a distance of approximately 32 feet, to a point on the westerly line of said 0.602 acre tract, being an angle point in said existing City of Columbus Corporation Line (2532-90);

Thence northerly, a distance of approximately 767 feet, with the westerly line of said 0.602 acre tract, the westerly line of said 1.584 acre tract and with said existing City of Columbus Corporation Line (2532-90), to the POINT OF BEGINNING, and containing approximately 7.0 acres, more or less.

This description is for annexation purposes only, and is not to be used for deed transfer.

EVANS, MECHWART, HAMBLETON, & TILTO

MILLER

8250

Edward J. Miller

Registered Surveyor No. 8250

EJM: jmm / October 2, 2000 NAL SURVEYOR NAL SURVEYOR NO. 8250 497115772

EVANS, MECHWART, HAMBLETON, & TILTON, INC.



City of Columbus Legislation Report

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

File Number: 0533-2010 File Type: Ordinance Status: Planning Department Version: 1 Controlling Body: Development Committee File Name: Annexation Service AN09-009: 7.0 acres, Jefferson Township, Robert L. & Lynn Althoff et al. Requester: Dev Drafter Cost: Final Action: 4/6/2010 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 I hereon (Clerk's Office Only) Passed by The Council of The City of Columbus, Ohio 415 20 10 as shown by the records now on file in this office. Mayor Date Date Passed/ Adopted President of Council			File Numl	ber: 0533-2010	APR 0 9 20111
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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. 0533 - 2010 passed by The Council of The City of Columbus, Chio 415 - 2010 as shown by the records now on the in this office. 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 (AN09-009) of 7.0 ± Acres in Jefferson Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency. Sponsors: Indexes:	Requester:	Dev Drafter	Cost:		Final Action: 4/6/2010
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Attachments: ORD0533-2010 AN09-009 Legal Description.doc, ORD0533-2010 AN09-009 Annexation Map.doc	Sponsors:	in a proposed anne	xation (AN09-009) o	f 7.0 ± Acres in Jefferson	n Township to the city of Columbus as
	Attachments:	ORD0533-2010 A	N09-009 Legal Desci	ription.doc, ORD0533-2	010 AN09-009 Annexation Map.doc

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date: Result:
1	Dev Drafter	3/23/10	Sent for Approval	DEVELOPMENT DIRECTOR		
	Action Note: Planning Division					
1	DEVELOPMENT DIRECTOR	3/23/10	Reviewed and Approved	Dev Drafter		
	Action Note:	nmb				
1	Dev Drafter	3/24/10	Sent to Clerk's Office for Council	City Clerk Inbox		
1	Columbus City Council	4/5/10	Approved			Pass
1	COUNCIL PRESIDENT	4/5/10	Signed			
1	MAYOR	4/6/10	Signed			
1	CITY CLERK	4/6/10	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

AN09-009

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 Jefferson 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 (AN09-009) of $7.0 \pm A$ cres in Jefferson 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 Jefferson Township was duly filed by Robert L. & Lynn Althoff, Frank D. & Judy K. Carlo and Doris Althoff, Trustee on March 23, 2010; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on April 27, 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, properties proposed for annexation are included within the Columbus Comprehensive Plan study 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 $7.0 \pm$ acres in Jefferson 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 an existing 16" water main located in East Broad Street.

Sewer:

Sanitary Sewer:

The properties involved in subject annexation can be served by an existing 8-inch sanitary sewer located in an easement at

the north property line of parcel I.D. # 170-000224.

In the current form of multiple properties, a mainline extension would be required (to be completed at owner's expense), however, the public mainline to which the site is tributary was constructed as a capital improvement and would require a front footage fee assessment if tapped with a private service lateral (this is the more likely scenario if lots are to be combined and developed).

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 7.0 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 Jefferson 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 Jefferson 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 AN09-009

7.0 ± Acres in Jefferson Township Robert L. & Lynn Althoff, Frank D. & Judy K. Carlo and Doris Althoff, Trustee

Situated in the State of Ohio, County of Franklin, Township of Jefferson, lying in Section 4, Township 1, Range 16 United States Military Lands, being all of that 2.201 acre tract conveyed to Dorris O. Althoff, Trustee, by deed of record in Official Record 31477J02, part of that 0.875 acre tract conveyed as Parcel 69WD to the State of Ohio by deed of record in Official Record 23027H16, part of that 0.460 acre tract conveyed as Parcel 14WD to the State of Ohio by deed of record in Official Record 16439B07, all of that 0.750 acre tract conveyed as Parcel 2A and all of that 1.573 acre tract conveyed as Parcel 2 to Frank D. Carlo and Judy K. Carlo by deed of record in Official Record 32773A03 and part of that 0.602 acre tract conveyed as Parcel 1A and all of that 1.584 acre tract conveyed as Parcel 1 to Robert L. Althoff and Lynn Althoff by deed of record in Official Record 26184I09 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the northwesterly corner of said 1.584 acre tract, being an angle point in the existing City of Columbus Corporation Line, as established by Ordinance Number 2532-90, of record in Official Record 16083G04;

Thence easterly, a distance of approximately 399 feet, with the northerly line of said 1.584 and 1.573 acre tracts and with the existing City of Columbus Corporation Line, as established by Ordinance Number 2482-87, of record in Official Record 11022D20, to the northeasterly corner of said 1.573 acre tract, being an angle point in the existing City of Columbus Corporation Line, as established by Ordinance Number 1882-90, of record in Official Record 15668A18:

Thence southerly, a distance of approximately 734 feet, with the easterly line of said 1.573 acre tract, with the easterly line of said 2.201 acre tract and with the easterly line of said Parcel 14WD, and with said existing City of Columbus Corporation Line (1882-90) to the northwesterly corner of said Parcel 69WD being an angle point in said existing City of Columbus Corporation Line (1882-90);

Thence southeasterly, a distance of approximately 85 feet, across said Parcel 69WD, with said existing City of Columbus Corporation Line (1882-90) to an angle point in said existing City of Columbus Corporation Line (1882-90);

Thence westerly, a distance of approximately 366 feet, across said Parcel 69WD and Parcel 14WD, with the existing City of Columbus Corporation Line, as established by Ordinance Number 132-01, of record in Instrument Number 200105210110398, to a point in the westerly line of said Parcel 14WD, the easterly line of said 0.750 acre tract, being an angle point in said existing City of Columbus Corporation Line (132-01);

Thence southerly, a distance of approximately 34 feet, with the westerly line of said Parcel 14WD, the easterly line of said 0.750 acre tract and with said existing City of Columbus Corporation Line (132-01), to the centerline of East Broad Street, being the southwesterly corner of said Parcel 14WD, the southeasterly corner of said 0.750 acre tract, being an angle point in said existing City of Columbus Corporation Line (132-01);

Thence westerly, a distance of approximately 87 feet, with the centerline of said East Broad Street, the southerly line of said 0.750 acre tract, the southerly line of said 0.602 acre tract and with said existing City of Columbus Corporation Line (132-01), to an angle point in said existing City of Columbus Corporation Line (132-01);

Thence across said 0.602 acre tract, with the existing City of Columbus Corporation Line, as established by Ordinance Number 1459-57, of record in Miscellaneous Record 107, Page 317, the following courses and distances:

Northerly, a distance of approximately 34 feet, to a point;

Westerly, a distance of approximately 32 feet, to a point on the westerly line of said 0.602 acre tract, being an angle point in said existing City of Columbus Corporation Line (2532-90);

Thence northerly, a distance of approximately 767 feet, with the westerly line of said 0.602 acre tract, the westerly line of said 1.584 acre tract and with said existing City of Columbus Corporation Line (2532-90), to the POINT OF BEGINNING, and containing approximately 7.0 acres, more or less.

MAP ANNEXATION AN09-009

7.0 acres in Jefferson Township

Robert & Lynn Althoff, Frank D. & Judy K. Carlo and Doris Althoff, trustee

