

**Review of Petition to Annex 2.390 +/- acres from Clinton Township to the city of Columbus by Donald Plank, Esq. Case #ANX-EXP2-04-11 (ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Donald Plank, Esq. filed on behalf of the Julia E. Pfeifer on January 11, 2011 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 #0087-2011, passed on January 24, 2011 by the city of Columbus

**Review of Petition to Annex 2.390 +/- acres from Clinton Township to the city of Columbus by Donald Plank, Esq. Case #ANX-EXP2-04-11 (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. 0127-11

February 22, 2011

**REVIEW OF PETITION TO ANNEX 2.390 +/- ACRES FROM CLINTON TOWNSHIP TO THE CITY OF COLUMBUS BY DONALD PLANK, ESQ. CASE #ANX-EXP2-04-11**

**(Economic Development and Planning)**

Upon the motion of Commissioner John O'Grady, seconded by Commissioner Paula Brooks:

**Voting:**

**Marilyn Brown, President**

**Aye**

**Paula Brooks**

**Aye**

**John O'Grady**

**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



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

**Economic Development & Planning Department**  
James Schimmer, Director

# Application for Annexation Petition

**Expedited Type 2**  
Pursuant to ORC §709.023

RECEIVED

JAN 11 2011

Franklin County Planning Department  
Franklin County, OH

Property Information	
Site Address	811 Kinnear Road, Columbus, OH 43212
Parcel ID(s)	130-011852
Total Acreage	2.390 Ac
From Township	Clinton
To Municipality	Columbus

Property Owner Information	
Name	Julia E. Pfeifer
Address	3234 Kiess Road
	Bucyrus, OH 44820
Phone #	-----
Fax #	-----
Email	-----

Attorney/Agent Information	
Name	Donald Plank
Address	Plank Law Firm
	145 East Rich Street, 3rd Flr.
	Columbus, OH 43215
Phone #	(614) 947-8600
Fax #	(614) 228-1790
Email	dplank@planklaw.com

Staff Use Only	
Case #	AUX-EXPTZ 04-11
Hearing date:	2/15/11
Date filed:	1-11-11
Fee paid	250.00
Receipt #	228200
Notifications deadline:	5 days
	1-16-11
Svc statement deadline:	20 days
	1-31-11

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			
<b>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.</b>			
<u>Julia E. Pfeifer</u>	<u>12/6/2010</u>	-----	-----
Property Owner	Date	Property Owner	Date
-----	-----	-----	-----
Property Owner	Date	Property Owner	Date

**EMH&T**

Evans, Mechwart, Hambleton & Tilton, Inc.  
 Engineers • Surveyors • Planners • Scientists  
 5500 New Albany Road, Columbus, OH 43054  
 Phone: 614.775.4500 Toll Free: 888.775.3648  
 emht.com

# 2.3 AC PLAT OF ANNEXATION

TO: CITY OF COLUMBUS FROM: TOWNSHIP OF CLINTON  
 QUARTER TOWNSHIP 3, TOWNSHIP 1, RANGE 18

UNITED STATES MILITARY LANDS  
 TOWNSHIP OF CLINTON, COUNTY OF FRANKLIN, STATE OHIO

Date: November 5, 2010

Job No. 2010-1424

Scale: 1" = 60'

EXISTING CITY OF COLUMBUS CORP. LINE  
 EXISTING CLINTON TOWNSHIP CORP. LINE

PROPOSED CITY OF COLUMBUS CORP. LINE

AREA TO BE ANNEXED



This annexation does not create any  
 unincorporated islands.

The total perimeter of the annexation area is  
 1,406 feet, of which 325 feet is contiguous  
 with the City of Columbus, giving 23%  
 perimeter contiguity.



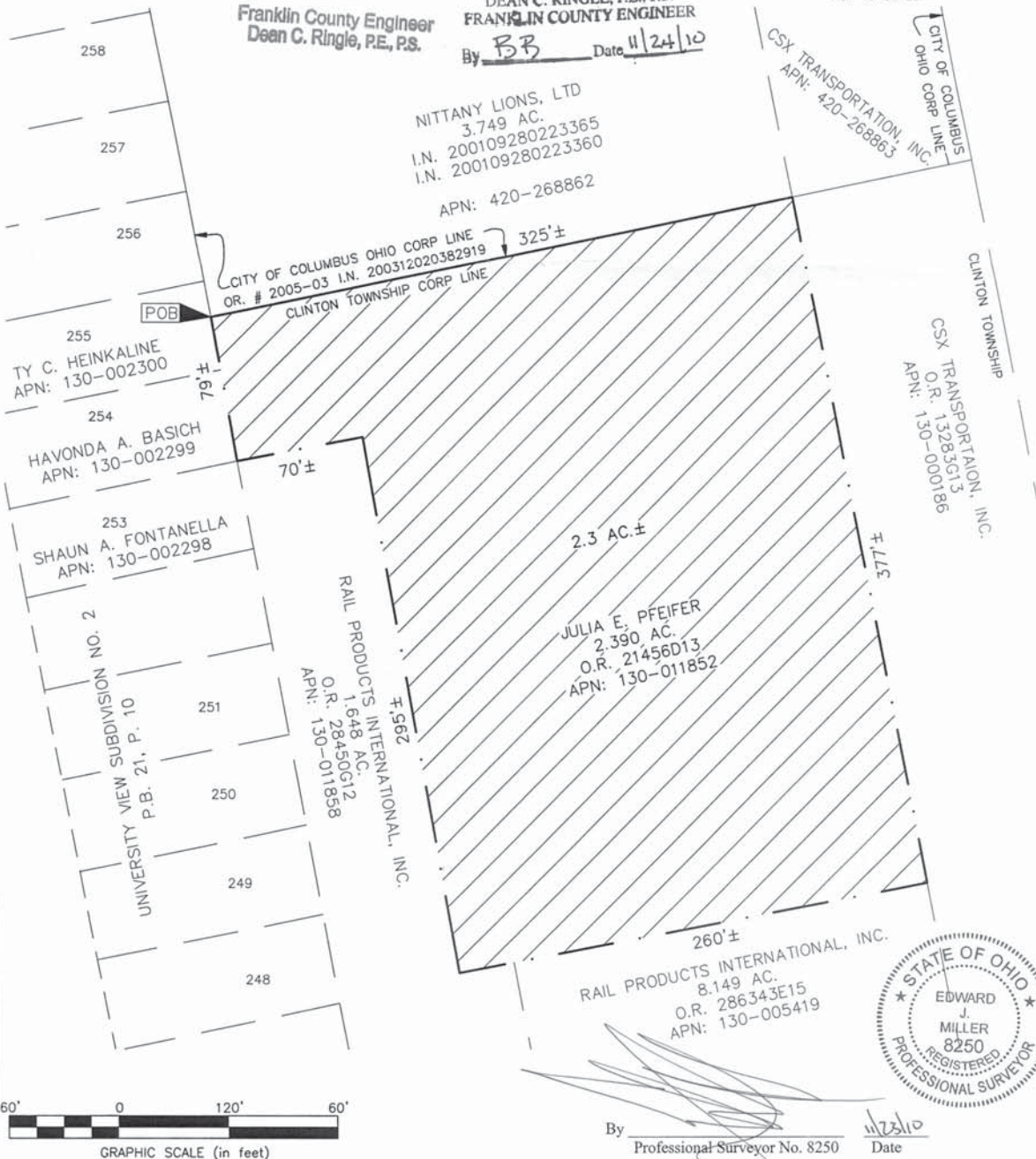
LOCATION MAP AND BACKGROUND DRAWING  
 NOT TO SCALE

**RECEIVED**

NOV 24 2010

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 11/24/10



By [Signature]  
 Professional Surveyor No. 8250

Date 11/23/10

Z:\2010\1424\20101424SV\DWG\20101424ANNEX.DWG plotted by TBAXTER on 11/8/2010 1:57:56 PM



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NOV 24 2010

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

**PROPOSED ANNEXATION  
2.3 ACRE**

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

By BB Date 11/24/10

**FROM: CLINTON TOWNSHIP**

**TO: CITY OF COLUMBUS**

Situated in the State of Ohio, County of Franklin, Township of Clinton, Quarter Township 3, Township 1, Range 18, United States Military Lands, being all of that 2.390 acre tract as conveyed to Julia E. Pfeifer by deed of record in Official Record 21456D13 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

BEGINNING at a northwesterly corner of said 2.390 acre tract, a southwesterly corner of that 3.749 acre tract as conveyed to Nittany Lions, Ltd by deeds of record in Instrument Number 200109280223360 and Instrument Number 200109280223365, the easterly line of Lot 255 of that subdivision entitled "University View Subdivision No. 2" of record in Plat Book 21, Page 10, being a point in the existing City of Columbus Corporation Line as established by Ordinance Number 2005-03, of record in Instrument Number 200312020382919;

thence northeasterly, a distance of approximately 325 feet, with the southerly line of said 3.749 acre tract and said existing City of Columbus Corporation Line;

thence southeasterly, a distance of approximately 377 feet, with the westerly line of that tract conveyed to CSX Transportation, Inc by deed of record in Official Record 13283G13 to a point in the northeasterly corner of that 8.149 acre tract conveyed to Rail Products International, Inc., by deed of record in Official Record 286343E15;

thence southwesterly, a distance of approximately 260 feet, with the northerly line of said 8.149 acre tract, and the northerly line of that 1.648 acre tract conveyed to Rail Products International, Inc., by deed of record in Official Record 28450G12;

thence northwesterly, a distance of approximately 295 feet, with the easterly line of said 1.648 acre tract to a point;

thence southwesterly, a distance of approximately 70 feet, with the northerly line of said 1.648 acre tract to a point in the southeasterly corner of Lot 254 of said "University View Subdivision No. 2"

thence northwesterly, a distance of approximately 79 feet, with the easterly line of said Lot 254 and partly with the easterly line of said Lot 255, to the POINT OF BEGINNING and being all of said 2.390 acre tract.

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

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

Edward J. Miller  
Registered Surveyor No. 8250

EJM: tb / November 8, 2010  
2\_3 ac 20101424ANNEX.doc





# City of Columbus Legislation Report

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

## ORIGINAL

File Number: 0087-2011

### Emergency

File Number: 0087-2011

File Type: Ordinance

Status: Second Reading

Version: 1

Controlling Body: Development Committee

File Name: Annexation Service AN10-006: 2.39 acres, Clinton Township,  
Julia Pfeifer et al

Introduced: 1/12/2011

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

Floor Action (Clerk's Office Only)

JAN 24 2011 270

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 0087-2011 passed by The Council of The City of Columbus, Ohio 1/24, 2011, as shown by the records now on file in this office.

Seal

*Andrea Bleirns*

City Clerk

Mayor's Action

*[Signature]*

JAN 25 2011

Mayor

Date

Council Action

JAN 24 2011

Date Passed/ Adopted

*[Signature]*

President of Council

*Andrea Bleirns*

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 (AN10-006) of 2.39 ± acres in Clinton Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

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JAN 31 2011

Sponsors:

Indexes:

Attachments: ORD0087-2011 AN10-006 Legal Description.doc, ORD0087-2011 AN10-006 Map.doc

Franklin County Planning Department  
Franklin County, OH

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History of Legislative File

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Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Dev Drafter	1/12/11	Sent for Approval	DEVELOPMENT DIRECTOR			
	Action Note: Planning Division						
1	DEVELOPMENT DIRECTOR	1/12/11	Reviewed and Approved	Dev Drafter			
	Action Note: nmb						
1	Dev Drafter	1/12/11	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 Attorney's Office as to its form and legality only.

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**Explanation****AN010-006**

**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 (AN10-006) of 2.39 ± 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 on behalf of Julia E Pfeifer, et al. on January 11, 2011; and

**WHEREAS,** a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on February 15, 2011; 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 adopt an ordinance stating zoning buffering conditions; and

**WHEREAS**, the subject property proposed for annexation is not located within the boundaries of an adopted area plan 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 2.39 ± 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 for residential uses upon annexation of the property However, commercial/business uses are required to provide their own refuse collection

**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 20" water main in Kinnear Road.

**Sewer:**

**Sanitary Sewer:** The Property currently does not have access to a mainline sewer. Records indicate there are two potential mainline sanitary sewers which could provide service to this property. There is an existing 10-inch sewer situated approximately 270 feet to the south on private property. This sewer is very shallow and would not likely be able to provide enough depth for gravity service. Field survey verification would be required at the time of mainline plan preparation. Easements would also be required.

The second option appears to be deep enough to provide gravity service. This is an 8-inch mainline and is situated along Rhoda Avenue approximately 145 feet to the west of the western property line. Again, this option would require a mainline extension to the subject property. All mainline extension requirements would be constructed privately by 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 this 2.39 ± 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 AN10-006**  
**2.39 ± Acres in Clinton Township**  
**Julia E. Pfeifer**

Legal Description of 2.39 ± Acres of land more or less for Purposes of Annexation.

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BEGINNING at a northwesterly corner of said 2.390 acre tract, a southwesterly corner of that 3.749 acre tract as conveyed to Nittany Lions, Ltd by deeds of record in Instrument Number 200109280223360 and Instrument Number 200109280223365, the easterly line of Lot 255 of that subdivision entitled "University View Subdivision No. 2" of record in Plat Book 21, Page 10, being a point in the existing City of Columbus Corporation Line as established by Ordinance Number 2005-03, of record in Instrument Number 200312020382919;

thence northeasterly, a distance of approximately 325 feet, with the southerly line of said 3.749 acre tract and said existing City of Columbus Corporation Line;

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EVANS, MECHWART, HAMBLETON, & TILTON, INC.

Edward J. Miller  
Registered Surveyor No. 8250

**ANNEXATION AN10-006**  
**± 2.39 Acres in Clinton Township**  
**Julia E. Pfeifer**



Evans, Mechwart, Hambleton & Tilton, Inc.  
Engineers • Surveyors • Planners • Scientists  
5500 New Albany Road, Columbus, OH 43054  
Phone: 614.773.4500 Toll Free: 888.773.3448  
emht.com

**2.3 AC PLAT OF ANNEXATION**

TO: CITY OF COLUMBUS FROM: TOWNSHIP OF CLINTON  
QUARTER TOWNSHIP 3, TOWNSHIP 1, RANGE 18  
UNITED STATES MILITARY LANDS  
TOWNSHIP OF CLINTON, COUNTY OF FRANKLIN, STATE OHIO

Date: November 5, 2010

Job No. 2010-1424

Scale: 1" = 60'

EXISTING CITY OF COLUMBUS CORP. LINE  
EXISTING CLINTON TOWNSHIP CORP. LINE

PROPOSED CITY OF COLUMBUS CORP. LINE

AREA TO BE ANNEXED

This annexation does not create any unincorporated islands.

The total perimeter of the annexation area is 1,406 feet, of which 325 feet is contiguous with the City of Columbus, giving 23% perimeter contiguity.



LOCATION MAP AND BACKGROUND DRAWING

NOT TO SCALE

**RECEIVED**

NOV 24 2010

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 11/24/10

MITTANY LIONS, LTD  
3.749 AC.  
I.N. 200109280223365  
I.N. 200109280223360

APN: 420-268862

CITY OF COLUMBUS OHIO CORP LINE  
OR. # 2005-03 I.N. 200312020382919  
CLINTON TOWNSHIP CORP LINE

TY C. HEINKALINE  
APN: 130-002300

HAVONDA A. BASICH  
APN: 130-002299

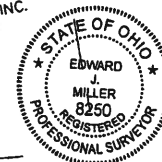
SHAUN A. FONTANELLA  
APN: 130-002298

UNIVERSITY VIEW SUBDIVISION NO. 2  
P.B. 21, P. 10

RAIL PRODUCTS INTERNATIONAL, INC.  
1.648 AC.  
O.R. 28450612  
APN: 130-011858

JULIA E. PFEIFER  
2.390 AC.  
O.R. 21456013  
APN: 130-011852

RAIL PRODUCTS INTERNATIONAL, INC.  
8.149 AC.  
O.R. 286343E15  
APN: 130-005419



By [Signature] Date 11/24/10  
Professional Surveyor No. 8250



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