

**Review of Petition to Annex 0.717 +/- acres from Prairie Township to the city of Columbus by David and Diana Clarey. Case #ANX-EXP2-08-11 (ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that David and Diana Clarey filed on March 23, 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 #523-2011, passed on April 4, 2011 by the city of Columbus

**Review of Petition to Annex 0.717 +/- acres from Prairie Township to the city of Columbus by David and Diana Clarey. Case #ANX-EXP2-08-11 (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. 0271-11

April 26, 2011

**REVIEW OF PETITION TO ANNEX 0.717 +/- ACRES FROM PRAIRIE  
TOWNSHIP TO THE CITY OF COLUMBUS BY DAVID AND DIANA CLAREY.  
CASE #ANX-EXP2-08-11**

**(Economic Development and  
Planning)**

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

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

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

Application for  
**Annexation  
Petition**

RECEIVED

MAR 23 2011

2

Franklin County Planning Department  
Franklin County, OH

Property Information	
Site Address	6186 Feder Rd. Cols. OH 43228
Parcel ID(s)	241-000886
Total Acreage	0.717 Acres
From Township	Prairie
To Municipality	City of Columbus

Property Owner Information	
Name	David R. & Diana L. Clarey
Address	6186 Feder Rd Cols., OH 43228
Phone #	614 878 4201
Fax #	
Email	drcclarey@columbus.rr.com

Attorney/Agent Information	
Name	None
Address	
Phone #	
Fax #	
Email	

Staff Use Only	
Case #	ANX EXP 2 08-11
Hearing date:	4-26-11
Date filed:	3-23-11
Fee paid	250.00
Receipt #	228250
Notifications deadline: 5 days	3-29-11
Svc statement deadline: 20 days	4-11-11

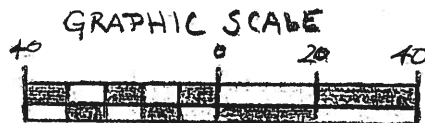
Document Submission	
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:	
<input checked="" type="checkbox"/>	Legal description of property
<input checked="" type="checkbox"/>	Map/plot of property
<input checked="" type="checkbox"/>	List of adjacent properties

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>			
	3.23.11		3.23.11
Property Owner	Date	Property Owner	Date
Property Owner	Date	Property Owner	Date

# DR. & D.L. CLAREY ANNEXATION PLAT OF 0.717 ACRES

TO: THE CITY OF COLUMBUS FROM: TOWNSHIP OF PRAIRIE

Situate in the State of Ohio, County of Franklin, Township of Prairie,  
Virginia Military Survey 6636



1 inch = 40 ft.

EXISTING CITY OF  
COLUMBUS CORP LINE  
ORDINANCE 116-92

RECORDED IN

O.R. 19898 C02

179  
Wexford Green  
Sec 2, Part 1  
PB 79, PG 25

Parcel # "360-226646"

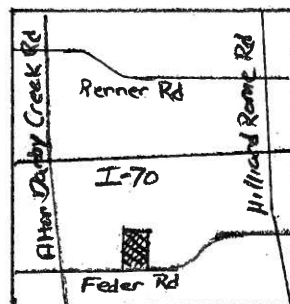
191  
Wexford Green  
Sec 3, Part 2  
PB 80, PG 10

Parcel # "560-228037"

192

EXISTING CITY  
OF COLUMBUS  
CORP LINE  
ORDINANCE 2463-96  
RECORDED IN  
O.R. 33782 E17

Eva Jane Douglass  
0.717 Acres  
Parcel # "560-228087"



SITE MAP NOT TO SCALE

LEGEND: AREA TO BE ANNEXED

PROPOSED CORP LINE

EXISTING CORP LINE

P.O.B.

R/W

EXISTING CITY OF COLUMBUS  
CORP LINE ORDINANCE 0148-2007  
RECORDED IN INSTRUMENT  
# 200703140044622

Feder Road (80')

Feder Road  
Section "A", County Rd 22,  
Right of Way Plan Sheet 3 of 5

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MAR 23 2011

Franklin County Planning Department  
Franklin County, Ohio

ANX EXP 2

08-11

ANNEXATION  
PLAT & DESCRIPTION

ACCEPTABLE

DEAN C. RINGLE, P.E., P.S.  
FRANKLIN COUNTY ENGINEER

Date

2/7/11

By

Douglas A. Balin  
0.717 Acres  
Parcel # "241-000855"

DR. & D.L. CLAREY  
0.717 Acres  
Parcel # "241-000886"

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

FEB 04 2011

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By David R. Clarey

Property Owner  
David R. Clarey

REVISED

ANNEXATION

PLAT & DESCRIPTION

ACCEPTABLE

DEAN C. RINGLE, P.E., P.S.

FRANKLIN COUNTY ENGINEER

By DB

Date 2/7/11

FEB 04 2011

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

Proposed annexation of property located at 6186 Feder Road, Columbus, Ohio 43228; owned by David R. and Diana L. Clarey.

FROM: PRAIRIE TOWNSHIP  
TO: THE CITY OF COLUMBUS

Situated in the State of Ohio, County of Franklin, Township of Prairie and being a 0.717 acre tract of land in Virginia Military Survey 6636 (Auditors tax parcel 241-000886) conveyed to David R. and Diana L. Clarey as recorded in the Records Official Record 12345 A 01;

Beginning at the intersection of the northerly Right of Way line of Feder Road with the Southeast corner of said Clarey Tract and the Southwest corner of the property parcel #560-237837 owned by Eva Jane Douglass 6174 Feder Road as established by Ordinance #2463-96 recorded in Official Record 33782 E-17 and being an existing City of Columbus Corporation Line as established by ORD 0148-2007 and recorded in Instrument #200703140044622 and by Ordinance 2463-96 and recorded in Official Record 33782 E17;

Thence in a Westerly direction along the North Right of Way of Feder Road (AKA County Road 22) being an 80 foot Right of Way; along the Southerly line of said Clarey Tract and along said existing City of Columbus Corporation Line (ORD 0148-2007) North 86° 48' 31" West a distance of approximately 125.00 feet to the southwest corner of said Clarey tract, being the southeasterly corner of a 0.717 acre tract as conveyed to Douglas A. Bolin (Tax parcel #241-000885, 6620 Feder Rd.); (see plans for Franklin County Project: Feder Road, Section "A", County Road 22, Right of Way plan sheet 3 of 5);

Thence in a Northerly direction along a line North 4° 10' 16" East a distance of approximately 250.00 feet along the common line between said Bolin and Clarey Tracts, to the Northwest corner of said Clarey Tract, being the Northwest corner of said Bolin Tract, and being in the Southerly line of Lot 179 of Wexford Green Subdivision Sec 2 Part 1 as recorded in PB 79, Page 25;

Thence in an Easterly direction along a line South 86° 48' 31" East a distance of approximately 125 feet along the Northerly line of said Clarey Tract, along the Southerly line of Lot 179 and Lot 179 of Wexford Green Subdivision Sec 3 Part 2 as recorded in PB 80, Page 10, also along an existing City of Columbus Corporation Line as established by Ordinance 116-92 and Recorded in Official Record 19898 C02;

Then in a Southerly direction along a line South 4° 10' 16" West a distance of approximately 250 feet along the Easterly line of said Clarey Tract, along the Westerly line of said Douglass Tract, and also along said existing City of Columbus Corporation Line (Ordinance 2463-96), to the true place of beginning, containing approximately 0.717 acres, more or less.

The above description was prepared by David R. Clarey in November of 2010 from the best available county records. This information was not derived from an actual field survey. The above description is not valid for the transfer of real property, and is not to be utilized in place of a boundary survey as described by the Ohio Administrative Code in Chapter 4733-37.

Produced by:

David R. Clarey  
6186 Feder Road  
Columbus, Ohio 43228  
614-878-4201  
November 2, 2010

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MAR 23 2011

Franklin County Planning Department  
Franklin County, Ohio

*ANX EXP 2*

*08-11*



RECEIVED

APR - 7 2011  
3:30 PM

# City of Columbus Legislation Report

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

ORIGINAL

File Number: 0523-2011

## Emergency

File Number: 0523-2011

File Type: Ordinance

Status: Second Reading

Version: 1

Controlling Body: Development Committee

File Name: Annexation Service AN11-003: .717 acres, Prairie Township,  
Clarey

Introduced: 3/23/2011

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)

APR 04 2011 P70

I hereby certify that the above or attached is  
~~a true and correct copy of Ordinance No. 523-2 of 1~~  
passed by The Council of The City of Columbus,  
Ohio 4/4, 20 11, as shown by the records  
now on file in this office.

Seal Andrea Bleirns  
City Clerk

Mayor's Action

APR 06 2011

Council Action

APR 04 2011

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 (AN11-003) of .717 ± acres in Prairie Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0523-2011 AN11-003 Legal Description.doc, ORD0523-2011 AN11-003 Map.doc



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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	3/23/11	Sent for Approval	DEVELOPMENT DIRECTOR			
	Action Note: Planning Division						
1	DEVELOPMENT DIRECTOR	3/23/11	Reviewed and Approved	Dev Drafter			
	Action Note: nmb						
1	Dev Drafter	3/23/11	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 Attorneys Office as to its form and legality only.

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**Explanation****AN011-003**

**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 (AN11-003) of .717 ± 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 David R & Diana L. Clarey on March 23, 2011; and

**WHEREAS,** a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on April 26, 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 parcel is located within the boundaries of the 2006 Big Darby Accord Watershed Master Plan and the April 2009 Big Darby Accord Revenue Program; and

**WHEREAS**, upon review by the City's Sustainability and Regional Development Coordinator, it was determined that because this is an existing single-family for which annexation is being requested due to septic failure, the provisions of the Revenue Program will not be applied at this time; the switch from a failing septic system to centralized utilities will benefit the environment and is in the spirit of 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 .717 ± 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 for residential uses upon annexation of the property. 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 twelve-inch (12") water main located in Feder Road.

**Sanitary Sewer:** Department of Utility records indicate this property can be served by an existing eight-inch (8") sanitary sewer situated along the north property line. The sewer is situated within an easement and can be tapped under a sewer permit for installation/inspection.

**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 .717 ± 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 AN11-003  
.717 ± Acres in Prairie Township  
David R. and Diana L. Clarey**

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TO: THE CITY OF COLUMBUS

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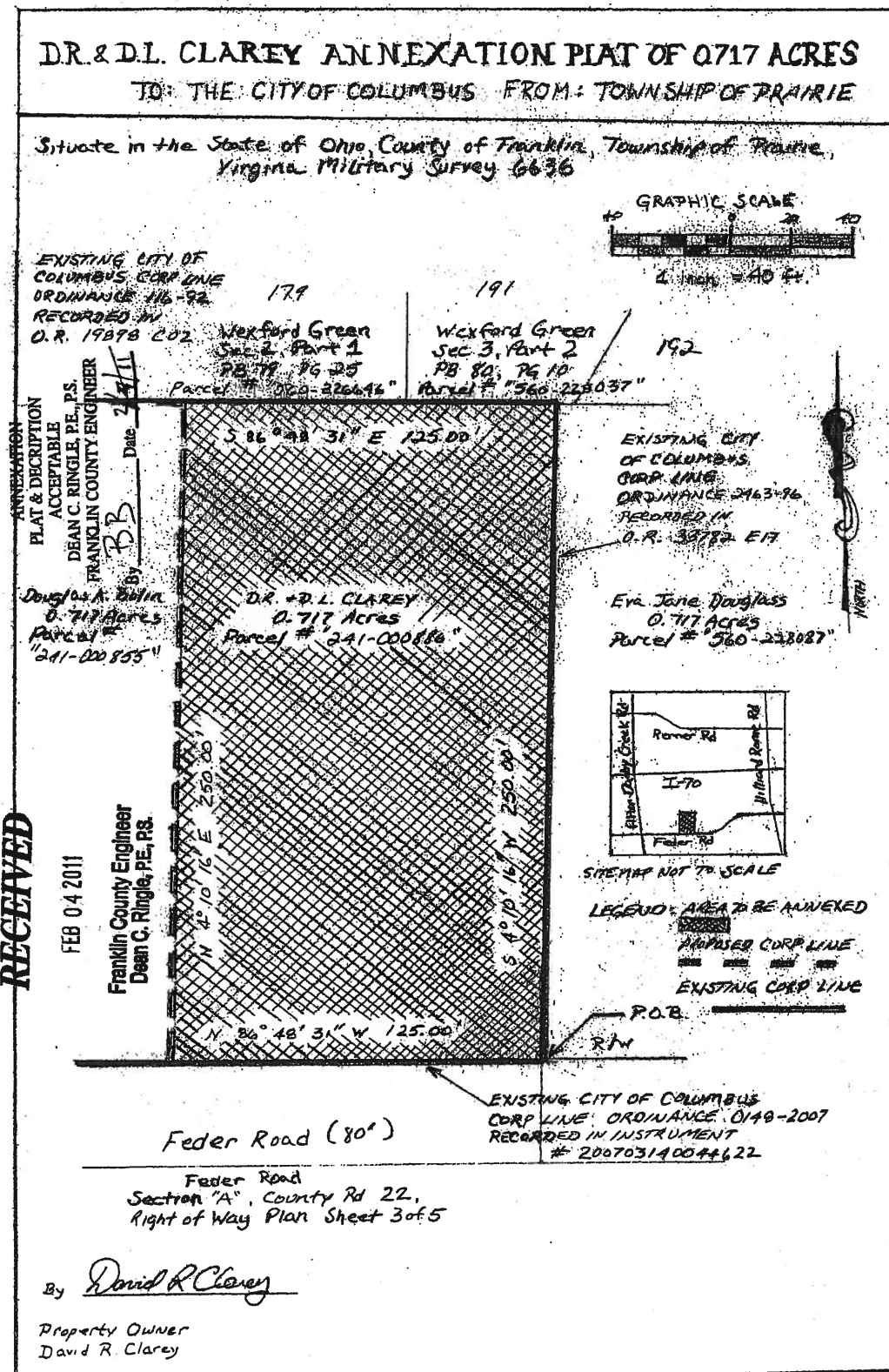
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Produced by:

David R. Clarey  
6186 Feder Road  
Columbus, Ohio 43228  
614-878-4201  
November 2, 2010

**ANNEXATION AN11-003**  
**± .717 Acres in Prairie Township**  
**David R. & Diana L. Clarey**



This letter is to certify that I, David R. Clarey, contacted my adjoining neighbors on March 23, 2011, to inform them of my petition to have my property at, 6186 Feder Rd., annexed into the City of Columbus. I provided them with a copy of the plat map of my property, a copy of the petition for annexation (including the date of the hearing), and copy of the description of the property. The neighbors to whom I provided this information are listed below.

Eva Jane Douglass  
6174 Feder Rd.  
Columbus, Ohio 43228

Douglas Bolin  
6200 Feder Rd.  
Columbus, Ohio 43228

Ronald and Michelle Culpepper  
1110 Carmell Ct.  
Columbus, Ohio 43228

Chris Skalski  
1119 Irvine Ct.  
Columbus, Ohio 43228

A handwritten signature in black ink that reads "David R. Clarey". The signature is written in a cursive style with a large, looped 'D' and a trailing flourish.

David R. Clarey