Review of Petition to Annex 0.60 +/- acres from Clinton Township to the city of Columbus by Wanda Carter, Esq. Case #ANX-EXP2-13-11 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Wanda Carter, Esq. filed on behalf of Todd Meister and Matthew Meister on June 28, 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 #1088-2011, passed on July 11, 2011 by the city of Columbus

Review of Petition to Annex 0.60 +/- acres from Clinton Township to the city of Columbus by Wanda Carter, Esq. Case #ANX-EXP2-13-11 (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. 0522-11

August 02, 2011

REVIEW OF PETITION TO ANNEX 0.60 +/- ACRES FROM CLINTON TOWNSHIP TO THE CITY OF COLUMBUS BY WANDA CARTER, ESQ. CASE #ANX-EXP2-13-11

(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



 $\textbf{Commissioner} \ \ \textbf{Marilyn Brown} \cdot \textbf{Commissioner} \ \ \textbf{Paula Brooks} \cdot \textbf{Commissioner} \ \ \textbf{John O'Grady President}$

Economic Development & Planning DepartmentJames Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX 0.60 +/- ACRES FROM CLINTON TOWNSHIP TO THE CITY OF COLUMBUS BY WANDA CARTER, ESQ.

Description:

Attached is a resolution to consider the annexation of 0.60-acres, more or less, from Clinton Township to the city of Columbus. The petition case number is ANX-EXP2-13-11.

Applicants:

Todd Meister and Matthew Meister

Agent:

Wanda Carter, Esq.

Site:

1168 Chambers Road

Additional Information:

The site is contiguous to the city of Columbus on three sides. The proposed annexation does include the right-of-way of Chambers Road.

Analysis:

The applicant <u>has</u> all statutory requirements outlined in Section 709.21 of the Ohio Revised Code. The applicant <u>has</u> provided proof of notification, and timeline and <u>has</u> provided a service ordinance from the city of Columbus stating the services that will be provided once the annexation has been approved. The city of Columbus has agreed to provide the territory proposed for annexation the services specified in the relevant service ordinance #1088-2011 passed July 11, 2011.

Recommendation:

Pending any questions, staff would request your <u>approval</u> of this annexation.



002689)

 $\textbf{Commissioner} \ \ \textbf{Marilyn Brown} \cdot \textbf{Commissioner} \ \ \textbf{Paula Brooks} \cdot \textbf{Commissioner} \ \ \textbf{John O'Grady President}$

Economic Development & Planning DepartmentJames Schimmer, Director

MEMO JOURNALIZATION

TO: Debbie Willaman, County Clerk

Franklin County Commissioners Office

FROM: R. Lee Brown, Planning Administrator

Franklin County Economic Development & Planning Department

CC: James Schimmer, Director

Franklin County Economic Development & Planning Department

RE: Description of Expedited Type 2 annexation case to be

journalized on the July 5, 2011 General Session Agenda for a

hearing on August 2, 2011.

Case #ANX-EXP2-13-11 - A Expedited Type 2 annexation ANX-EXP2-13-11 was filed in our office on June 28, 2011. The petition is requesting to annex 0.60+/- acres from Clinton Township to the city of Columbus. The applicant is Wanda Carter, Esq. Site: 1168 Chambers Road (Parcel Number 130-



Commissioners Marilyn Brown, President Paula Brooks John O'Grady

Economic Development & Planning Department James Schimmer, Director

ORRECTE D
Application for

Annexation Petition

Expedited Type 2
Pursuant to ORC §709.023



| Piroperty Information Site Address 1168 Chambers Road Percel ID(s) 130-002689 From Township Clinton Twp. | Total Acreage O. 6 ± To Municipality City of Columbus | Staff Use Only Case # AUX-24/2- 13-11 |
|--|---|---|
| Property Owner Information Nama See attached Address | | Hearing date: Date filed: Fee paid Receipt # 20 4 3 8 7 |
| Phone # Email Attorney/Agent information | | Notifications deadline: 5 days Svc statement deadline: 20 days Document Submission |
| | | The following documents must accompany this application on letter-sized 8 %" x 11" paper: |
| Email Wearter @nplmlaw.com | Fax# 614, 255. 5446 | Map/plat of property List of adjacent properties |
| Waiver of Right to Appeal WHOEVER SIGNS THIS PETITION EXPRESSLY I BOARD OF COUNTY COMMISSIONERS' ENTRY PROCEDURE, ALTHOUGH A WRIT OF MANDAM ITS DUTIES REQUIRED BY LAW FOR THIS SPEC | OF ANY RESOLUTION PERTAINING TO THUS MAY BE SOUGHT TO COMPEL THE BO | HIS SPECIAL ANNEXATION |
| See attached Property Owner Date Property Owner Date | Property Owner Property Owner | Date |

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

RECEIVED

JUN U 1 2011

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

PROPOSED ANNEXATION OF 0.6± ACRES FROM CLINTON TOWNSHIP TO THE CITY OF COLUMBUS

Situate in the State of Ohio, County of Franklin, Township of Clinton, lying in Quarter Township 3, Township 1, Range 18, United States Military Lands, and being all of Parcels No. 1 and No. 2 owned by Todd and Matthew Meister (Parcel Number 130-002689) and part of the 5.108 acre tract owned by Colony Club Apartments (Parcel Number 010-017404), and being bounded and more particularly described as follows:

Beginning at the intersection of an easterly line of the existing City of Columbus Corporation Line as established by Ordinance Number 487-69 and recorded in Miscellaneous Record 147, Page 283 and the southerly line of the existing City of Columbus Corporation Line as established by Ordinance Number 1189-76 and recorded in Miscellaneous Record 166, Page 48 and at the common corner of said Parcel No. 2 and SOMERSET SQUARE CONDOMINIUM (Parcel Number 010-187920), and in the easterly line of said 5.108 acre tract;

Thence Easterly, a distance of 85 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 1189-76, M.R. 166, Pg. 48) and the line common to said Parcel No. 2 and SOMERSET SQUARE CONDOMINIUM, to a point in the westerly line of the existing City of Columbus Corporation Line as established by Ordinance Number 0016-00 and recorded in Instrument Number 200003170052261 and the northerly common corner of said Parcel No. 2 and the tract owned by Nancy Ann Howley (Parcel Number 010-252454);

Thence Southerly, a distance of 214 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 0016-00, I.N. 200003170052261) and the existing City of Columbus Corporation Line as established by Ordinance Number 1472-2010 and recorded in Instrument Number 201101210011336 and the line common to said Parcel No. 2 and Howley tract, to an angle point in said existing City of Columbus Corporation Line (Ord. No. 1472-2010) and in the centerline of Chambers Road (60 feet wide) and at the southerly common corner of said Parcel No. 2 and Howley tract:

Thence Easterly, a distance of 8 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 1472-2010, I.N. 201101210011336) and said centerline and the southerly line of said Howley tract, to the northwesterly corner of the 0.345 acre tract owned by City of Columbus;

Thence Southerly, a distance of 30 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 1472-2010, I.N. 201101210011336) and the westerly line of said 0.345 acre tract, to the common corner of said 0.345 acre tract, the remainder tract owned by Goldenroot, LLC (Parcel Number 420-289815) and the tract owned by 1165 Chambers Rd., Ltd (Parcel Number 130-000332) and in the southerly right-of-way line of said Chambers Road;

Thence Westerly, a distance of 180 feet, more or less, along the southerly right-of-way line of said Chambers Road and the northerly lines of said 1165 Chambers RD., Ltd. tract and the tract owned by Shie-Ming Hwang and Kai-Lun Hsu Hwang (Parcel Number 130-005497), to a point in an easterly line of said existing City of Columbus Corporation Line (Ord. No.487-69, M.R. 147, Pg. 283) at the northwesterly corner of said Hwang tract and in the easterly line of the tract owned by G. Paul Company LLC (PID 010-087469);

Thence Northerly, a distance of 60 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 487-69, M.R. 147, Pg. 283) and the easterly line of said G. Paul Company LLC tract and then across said 5.108 acre tract, to an angle point in said existing City of Columbus Corporation Line (Ord. No. 487-69, M.R. 147, Pg. 283) and in the northerly right-of-way line of said Chambers Road;

Thence Easterly, a distance of 87 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 487-69, M.R. 147, Pg. 283) and northerly right-of-way line of said Chambers Road and across said 5.108 acre tract, to an angle point in said existing City of Columbus Corporation Line (Ord. No. 487-69) and in the line common to said 5.108 acre tract and Parcel No. 1;

Thence Northerly, a distance of 184 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 487-69, M.R. 147, Pg. 283) and the line common to said 5.108 acre tract and Parcel No. 1, to the Point of Beginning, containing 0.6± acres, more or less, and being subject to all easements, restrictions and rightsof-way of record.

The above description was prepared from record information, and is for annexation purposes only.

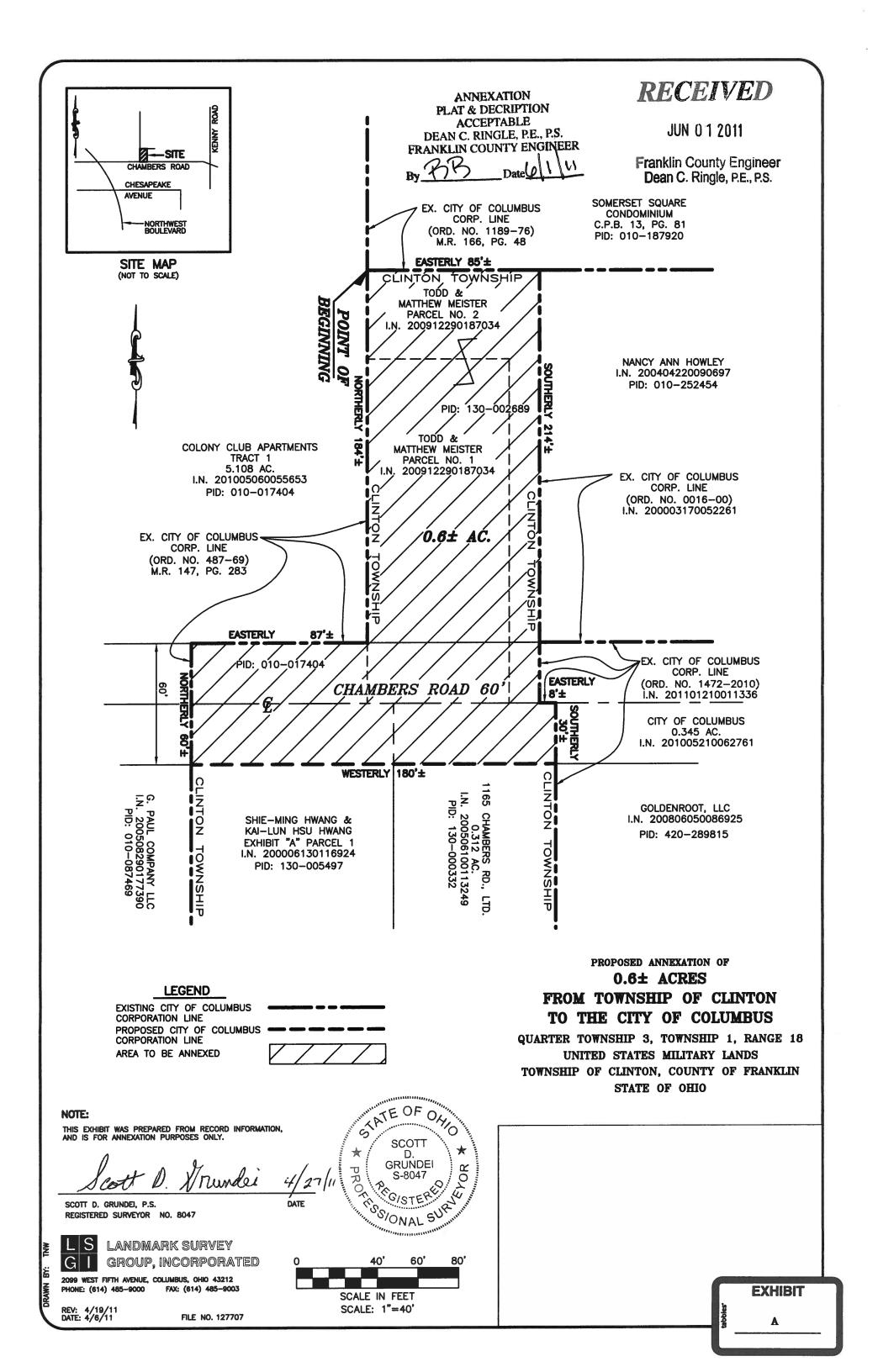
LANDMARK SURVEY GROUP, INC. OH10

Scott D. Grundei, P.S.

Registered Surveyor No. 8047

127707

EXHIBIT





City of Columbus Legislation Report

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

File Number: 1088-2011

| E | m | е | rg | е | n | C۱ | |
|---|---|---|-----|---|---|----|---|
| _ | | _ | . 3 | _ | | ~, | Į |

| | Mumbar | 1088-2011 |
|------|----------|-----------|
| FILE | MUHHUEL. | 1000-2011 |

File Type: Ordinance

Status: Second Reading

Version: 1

Sentrolling Body: Development Committee

File Name: Annexation Service AN11-007: .6 acres, Clinton Township,

Introduced: 6/28/2011

Meister's Bar

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)

FJUL 11 2011

Passed 7-0

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 1088-2011 passed by The Council of The City of Columbus, Ohio 711, 20 11, as shown by the records now on file in this office.

Council Action JUL 1 1 2011 Date Date Passed/ Adopted Mayor 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 (AN11-007) of .6 \pm acres in Clinton Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD1088-2011 AN11-007 Legal Description.doc, ORD1088-2011 AN11-007 Map (1168 Chambers

Rd).doc

History of Legislative File

| Version: | Acting Body: | Date: | Action: | Sent To: | Due Date: | Return Date: Result: |
|----------|-------------------------|-------------------|------------------------------------|-------------------------|-----------|----------------------|
| 1 | Dev Drafter | 6/28/11 | Sent for Approval | DEVELOPMENT DIRECTOR | | |
| | Action Note: | Planning Division | | 2 | | |
| 1 | DEVELOPMENT DIRECTOR | 6/28/11 | Reviewed and Approved | Dev Drafter | | |
| | Action Note: | nmb | | | | |
| 1 | Dev Drafter | 6/29/11 | 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.

Explanation

AN11-007

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 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. If the petition is 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 (AN11-007) of $.6 \pm$ 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 168 Chambers Road and associated Right-of-Way on June 28, 2011; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on August 2, 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 adopted 5th by Northwest 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 $6 \pm$ acres and associated Right-of-Way 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 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 located in Chambers Road

Sanitary Sewer: Department of Utility's records indicate that there is an existing 8-inch sanitary sewer approximately 165 feet north of the northwest property line that can supply sewer service to subject annexation Mainline extension is required and to be laid out such that it provides access to remaining adjacent properties within the tributary boundary The mainline is to be designed and constructed at the private property owners expense.

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 $.6 \pm$ acre site and associated Right-of-Way 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 AN11-007

.6 ± Acres in Clinton Township Todd Meister and Matthew Meister, et al.

Proposed annexation of property and associated Right-of-Way located at 1168 Chambers Road, Columbus, Ohio 43212 owned by Todd & Matthew Meister, et al.

FROM: CLINTON TOWNSHIP TO: THE CITY OF COLUMBUS

Situate in the State of Ohio, County of Franklin, Township of Clinton, lying in Quarter Township 3, Township 1, Range 18, United States Military Lands, and being all of Parcels No. 1 and No. 2 owned by Todd and Matthew Meister (Parcel Number 130-002689) and part of the 5.108 acre tract owned by Colony Club Apartments (Parcel Number 010-017404), and being bounded and more particularly described as follows:

Beginning at the intersection of an easterly line of the existing City of Columbus Corporation Line as established by Ordinance Number 487-69 and recorded in Miscellaneous Record 147, Page 283 and the southerly line of the existing City of Columbus Corporation Line as established by Ordinance Number 1189-76 and recorded in Miscellaneous Record 166, Page 48 and at the common corner of said Parcel No. 2 and SOMERSET SQUARE CONDOMINIUM (Parcel Number 010-187920), and in the easterly line of said 5.108 acre tract;

Thence Easterly, a distance of 85 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 1189-76, M.R. 166, Pg. 48) and the line common to said Parcel No. 2 and SOMERSET SQUARE CONDOMINIUM, to a point in the westerly line of the existing City of Columbus Corporation Line as established by Ordinance Number 0016-00 and recorded in Instrument Number 200003170052261 and the northerly common corner of said Parcel No. 2 and the tract owned by Nancy Ann Howley (Parcel Number 010-252454);

Thence Southerly, a distance of 214 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 0016-00, I.N. 200003170052261) and the existing City of Columbus Corporation Line as established by Ordinance Number 1472-2010 and recorded in Instrument Number 201101210011336 and the line common to said Parcel No. 2 and Howley tract, to an angle point in said existing City of Columbus Corporation Line (Ord. No. 1472-2010) and in the centerline of Chambers Road (60 feet wide) and at the southerly common corner of said Parcel No. 2 and Howley tract;

Thence Easterly, a distance of 8 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 1472-2010, I.N. 201101210011336) and said centerline and the southerly line of said Howley tract, to the northwesterly corner of the 0.345 acre tract owned by City of Columbus;

Thence Southerly, a distance of 30 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 1472-2010, I.N. 201101210011336) and the westerly line of said 0.345 acre tract, to the common corner of said 0.345 acre tract, the remainder tract owned by Goldenroot, LLC (Parcel Number 420-289815) and the tract owned by 1165 Chambers Rd., Ltd (Parcel Number 130-000332) and in the southerly right-of-way line of said Chambers Road;

Thence Westerly, a distance of 180 feet, more or less, along the southerly right-of-way line of said Chambers Road and the northerly lines of said 1165 Chambers RD., Ltd. tract and the tract owned by Shie-Ming Hwang and Kai-Lun Hsu Hwang (Parcel Number 130-005497), to a point in an easterly line of said existing City of Columbus Corporation Line (Ord. No.487-69, M.R. 147, Pg. 283) at the northwesterly corner of said Hwang tract and in the easterly line of the tract owned by G. Paul Company LLC (PID 010-087469);

Thence Northerly, a distance of 60 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 487-69, M.R. 147, Pg. 283) and the easterly line of said G. Paul Company LLC tract and then across said 5.108 acre tract, to an angle point in said existing City of Columbus Corporation Line (Ord. No. 487-69, M.R. 147, Pg. 283) and in the northerly right-of-way line of said Chambers Road;

Thence Easterly, a distance of 87 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 487-69, M.R. 147, Pg. 283) and northerly right-of-way line of said Chambers Road and across said 5.108 acre tract, to an angle point in said existing City of Columbus Corporation Line (Ord. No. 487-69) and in the line common to said 5.108 acre tract and Parcel No. 1;

Thence Northerly, a distance of 184 feet, more or less, along said existing City of Columbus Corporation Line (Ord. No. 487-69, M.R. 147, Pg. 283) and the line common to said 5.108 acre tract and Parcel No. 1, to the **Point of Beginning**, containing 0.6± acres, more or less, and being subject to all easements, restrictions and rights-of-way of record.

The above description was prepared from record information, and is for annexation purposes only.

LANDMARK SURVEY GROUP, INC.

ANNEXATION AN11-007 ± .6 Acres in Clinton Township Todd Meister and Matthew Meister, et al.

