

Review of Petition to Annex 4.907 +/- acres from Perry Township to the city of Columbus by Jackson B. Reynolds, III, Esq. Case #ANX-EXP2-12-12 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Jackson B. Reynolds, III, Esq. filed on behalf of Billingsley Properties LLC on May 21, 2012 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 #1164-2012, passed on June 4, 2012 by the city of Columbus.

Review of Petition to Annex 4.907 +/- acres from Perry Township to the city of Columbus by Jackson B. Reynolds, III, Esq. Case #ANX-EXP2-12-12 (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. 0473-12

June 26, 2012

**REVIEW OF PETITION TO ANNEX 4.907 +/- ACRES FROM PERRY
TOWNSHIP TO THE CITY OF COLUMBUS BY JACKSON B. REYNOLDS, III,
ESQ. CASE #ANX-EXP2-12-12**

**(Economic Development and
Planning)**

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

Voting:

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

**Aye
Aye
Aye**

Board of County Commissioners
Franklin County, Ohio

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Franklin County, Ohio on the date noted above.



Debra A Willaman, Clerk
Board of County Commissioners
Franklin County, Ohio



Commissioner Paula Brooks · Commissioner Marilyn Brown · Commissioner John O'Grady
President

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
4.907 +/- ACRES FROM
PERRY TOWNSHIP
TO THE CITY OF COLUMBUS
BY JACKSON B. REYNOLDS, III, ESQ.

Description:

Attached is a resolution to consider the annexation of 4.907-acres, more or less, from Perry Township to the city of Columbus. The petition case number is ANX-EXP2-12-12.

Applicant:

Billingsley Properties LLC

Site:

3585 Billingsley Road (Parcel #212-000087, 212-001166 and 212-000113)

Additional Information:

The site is contiguous to the city of Columbus on three sides.

Analysis:

The applicant has met all statutory requirements outlined in Section 709.21 of the Ohio Revised Code. The applicant has provided proof of notification, and timeline and has 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 #1164-2012 passed June 4, 2012.

Recommendation:

Pending any questions, staff would request your approval of this annexation.



Commissioner Paula Brooks · Commissioner Marilyn Brown · Commissioner John O'Grady
President

Economic Development & Planning Department
James 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 **May 29, 2012** General Session Agenda for a
hearing on **June 26, 2012**.

Case #ANX-EXP2-12-12- An Expedited Type 2 annexation ANX-EXP2-12-12 was filed in our office on May 23, 2012. The petition is requesting to annex 4.907 +/- acres from Perry Township to the city of Columbus. The applicant is Jackson B. Reynolds, III, Esq. **Site: 2585 Billingsley Road (212-000087, 212-001166 and 212-000113)**



Commissioners
Marilyn Brown, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

Application for
**Annexation
Petition**

Expected Fee \$2,000.00
Subject: 2585 Billingsley Road, Columbus, OH 43235

RECEIVED

MAY 23 2012

RLB
2

Property Information	
Site Address 2585 Billingsley Road, Columbus, OH 43235	
Parcel ID(s) 212-000087 / 001166 / 000113	Total Acreage 4.907
From Township Perry	To Municipality City of Columbus

Property Owner Information	
Name Billingsley Properties LLC	
Address 4586 Gateway Drive Columbus, OH 43220	
Phone # (614) 932-1112	Fax #
Email	

Attorney/Agent Information	
Name Jackson B. Reynolds, III c/o Smith & Hale LLC	
Address 37 West Broad Street, Site 725 Columbus, OH 43215	
Phone # (614) 221-4255	Fax # (614) 221-4409
Email jreynolds@smithandhale.com	

Staff Use Only	
Case # 212-EXP-12-12	
Hearing date: 6/26/12	
Date filed: 5/23/12	
Fee paid \$50.00	
Receipt # 240897	
Notifications deadline: 5 days 5/28/12	
Svc statement deadline: 20 days 6/12/12	

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/plat of property
<input checked="" type="checkbox"/>	List of adjacent properties

Waiver of Right to Appeal			
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.			
Property Owner	Date	Property Owner	Date
Property Owner	Date	Property Owner	Date

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF COLUMBUS
OF 4.907 ACRES MORE OR LESS
IN THE TOWNSHIP OF PERRY

TO THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO:

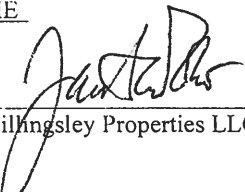
The undersigned, petitioners in the premises, and being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described, consisting of 4.907 acres with a total perimeter boundary of 2,358, more or less, in the Township of Perry which area is contiguous along 2,134 or 90.5% and adjacent to the City of Columbus, do hereby pray that said territory be annexed to the City of Columbus according to the statutes of the State of Ohio and that no island of unincorporated area will be created by this annexation.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto and made part hereof.

In support of said Petition, your petitioners state that there is/are within the territory so prayed to be annexed ONE (1) OWNER OF REAL ESTATE.

Jackson B. Reynolds, III, whose address is 37 West Broad Street, Suite 725, Columbus, Ohio 43215, is hereby appointed Agent for the undersigned Petitioner(s), as required by Section 709.02 of the Revised Code of Ohio. Said agent is hereby authorized to make any amendment and/or deletion which in his absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Franklin County Engineer in his examination of the Petition and Plat. Said amendment shall be made by the presentation of an amended plat and description to the Board of County Commissioners on, before, or after the date set for hearing on this Petition.

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 THE SPECIAL ANNEXATION PROCEDURE SET FORTH IN SECTION 709.023, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR SAID SPECIAL ANNEXATION PROCEDURE.

<u>NAME</u>	<u>DATE</u>	<u>ADDRESS</u>
By:  Billingsley Properties LLC	4-21-12	4586 GATEWAY DR COLUMBUS, OHIO 43220
_____	_____	_____
_____	_____	_____
_____	_____	_____

RECEIVED

MAY 23 2012 

CORPORATE RESOLUTION

A RESOLUTION OF THE BILLINGSLEY PROPERTIES LLC
AUTHORIZING THE PRESIDENT, AND HER OR HIS
DESIGNEE, TO FILE PETITIONS FOR THE ANNEXATION OF
2585 BILLINGSLEY RD PROPERTY INTO THE CITY OF
COLUMBUS AND TAKE ALL OTHER ACTIONS NECESSARY IN
FURTHERANCE OF PURSUING AND COMPLETING SAID
ANNEXATION.

RESOLVED, To authorize the PRESIDENT and her or his designee, to file a petition
for the annexation of 2585 BILLINGSLEY RD property into the City of
Columbus and to take all other actions necessary in furtherance of pursuing and completing said
annexations.

Background: From time to time 2585 BILLINGSLEY RD property will need to be annexed into the
City of Columbus for various reasons including, but not limited to, construction, rezoning, etc. or
to carry out the terms of agreements that contemplate annexation. The immediate need for this
resolution is to authorize the filing of an annexation petition for the annexation of

PROPERTY AT 2585 BILLINGSLEY RD

This resolution also grants authority to the PRESIDENT, and her or his
designee, in the future to file petitions for annexation and take all other necessary actions in
furtherance of pursuing and completing any future annexations.

ADOPTED BY THE BOARD OF DIRECTORS DANIELLE TOBIN
ON THE 23 DAY OF MARCH, 2012 PRES

BILLINGSLEY PROPERTIES, LLC

4586 GATEWAY DRIVE
UPPER ARLINGTON, OH 43220

NAME OF ENTITY

By: DANIELLE TOBIN

Its: PRESIDENT

Attest: A. Smith, Jr.

RECEIVED

MAY 23 2012

RECEIVED

APR 19 2012

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

RECEIVED

MAY 23 2012

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By RR Date 4/19/12

Franklin County Planning Department
Franklin County, OH

April 10, 2012

**DESCRIPTION OF A 4.907 ACRE TRACT
AT 2585 BILLINGSLEY ROAD,
PERRY TOWNSHIP, FRANKLIN CO., OHIO
(TO BE ANNEXED TO CITY OF COLUMBUS)**

Situated in the State of Ohio, County of Franklin, Township of Perry, part of Lot 9 of Tuller's Survey, in Quarter Township 1, Township 2 North, Range 19 West, United States Military Lands, and being a portion of a 5.010 acre tract of land conveyed to Billingsley Properties LLC, by deed of record in Instrument 201112280169814, all references being to the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning, for reference, at a point in the northerly Limited Access Right-of-Way Line of Interstate 270 at 150.00 feet left of centerline station 715+50.65, as shown upon sheet 15 of 23, of the Ohio Department of Transportation Centerline Survey Plat for FRA-270-10.33 N, and at a corner of an original 2.100 acre tract of land conveyed, as Parcel II, to Storage Equities/PS Partners III – Mid-Ohio, by deed of record in Official Record 5763, Page J 06;

thence N 85° 33' 08" E along a portion of a northerly Limited Access Right-of-Way line of Interstate 270 and along a portion of a southerly line of said original 2.100 acre tract a distance of 172.95 feet to a point at the southwest corner of a 10.132 acre tract of land conveyed to 2539 Billingsley Road LLC, by deed of record in Instrument 200303040063578;

thence N 02° 46' 26" E crossing said original 2.100 acre tract and along a portion of the west line of said 10.132 acre tract a distance of 68.34 feet to a point at the southeast corner of said 5.010 acre tract, at a southwest corner of the Corporation line of the City of Columbus, established by Ordinance No. 1427-74 and recorded in Miscellaneous Record 163, Page 600 and at the true place of beginning of the tract herein intended to be described;

thence N 87° 15' 27" W along a portion of the northerly line of said original 2.100 acre tract and along the south line of said 5.010 acre tract a distance of 223.76 feet to a point at the southwest corner of said 5.010 acre tract, at the southeast corner of a 5.0 acre tract of land conveyed to The Ohio Bell Telephone Company by deed of record in Deed Book 3556, Page 408 and at a northeast corner of the Corporation line of the City of Columbus, established by Ordinance No. 0008-2005 and recorded in Instrument 200503100043764;

thence N 02° 46' 26" E along a west line of said Corporation line of the City of Columbus, established by Ordinance No. 0008-2005, along a portion of a west line of said 5.010 acre tract and along a portion of the east line of said 5.0 acre tract a distance of 955.45 feet to a point at a corner of said Corporation line of the City of Columbus, established by Ordinance No. 0008-2005;

thence S 87° 10' 06" E along a south line of said Corporation line of the City of Columbus, established by Ordinance No. 0008-2005 and crossing said 5.010 acre tract a distance of 223.76 feet to a point in the east line of said 5.010 acre tract, at the northwest corner of said 10.132 acre tract, at a southeast corner of said Corporation line of the City of Columbus, established by Ordinance No. 0008-2005 and in the west line of said Corporation line of the City of Columbus, established by Ordinance No. 1427-74;

thence S 02° 46' 26" W along a portion of the west line of said Corporation line of the City of Columbus, established by Ordinance No. 1427-74, along a portion of the east line of said 5.010 acre tract and along a portion of the west line of said 10.132 acre tract a distance of 955.10 feet to the true place of beginning;

containing 4.907 acres of land more or less. Of said 4.907 acres, 0.483 acre is within tax parcel 212-000113, 0.484 acre is within tax parcel 212-001166 and 3.940 acres is within tax parcel 212-000087.

April 10, 2012

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio from an actual field survey, performed under his supervision, in August, 2011. Basis of Bearings is a northerly Limited Access Right-of-Way line of Interstate 270 being N 85° 33' 08" E as shown upon sheet 15 of 23, Ohio Department of Transportation Centerline Survey Plat for FRA-270-10.33N.

Kevin L. Baxter

Kevin L. Baxter
Ohio Surveyor #7697

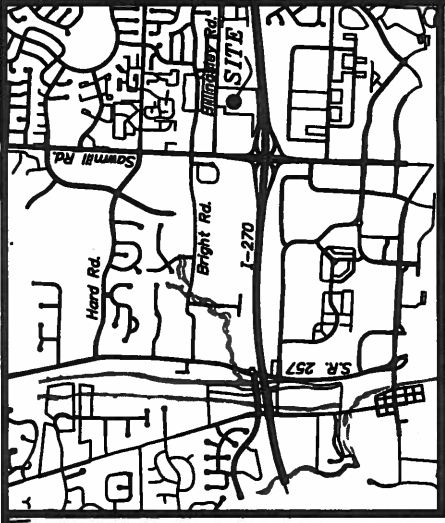


H:\Jobs\2011\087\ACAD\dwg\Survey\Exhibits\2585Billingsley-ANNEX.dwg 4/10/2012 11:43:58 AM EDT

BILLINGSLEY ROAD (VARIABLE WIDTH)

- = Proposed City of Columbus Corporation Line
- - - = Existing City of Columbus Corporation Line
- ▨ = Indicates area to be annexed

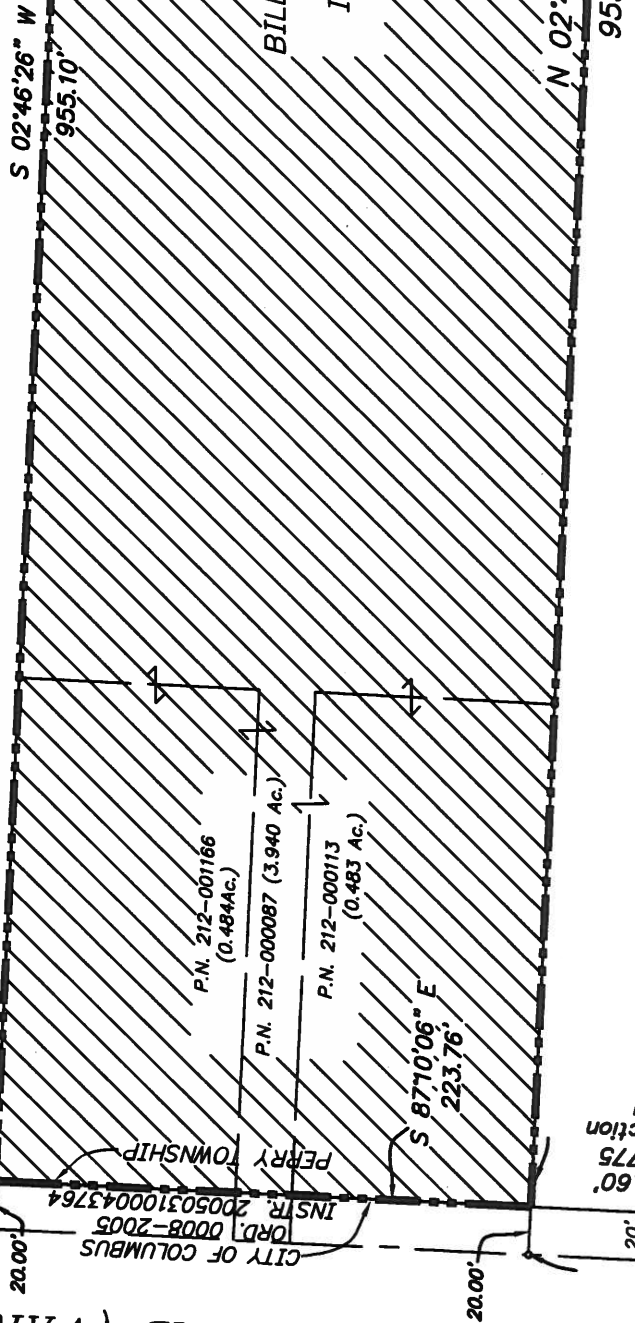
This plat was prepared from best available Court House records in February, 2012 and not from an actual field survey.



LOCATION MAP
NO SCALE

INTERSTATE 270
FRA-270-10.33N
(SHEET 15 OF 23)

Found at the intersection
from FCGS Mon. #7775
with Sawmill Road



2539 BILLINGSLEY ROAD LLC
10.132 AC.
INSTR. 2003030400063578
P.N. 590-104514

CITY OF COLUMBUS
ORD. 1427-74
Misc. 163, Pg. 600

BILLINGSLEY PROPERTIES LLC
5.010 AC.
INSTR. 20112280169814
P.N. 212-000087

CITY OF COLUMBUS
ORD. 0008-2005
INSTR. 200503100043764

THE OHIO BELL TELEPHONE COMPANY
5 AC.
D.B. 3556, PG. 408
P.N. 455-274829

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By RB Date 4/19/12

RECEIVED

APR 19 2012

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

RECEIVED

MAY 23 2012

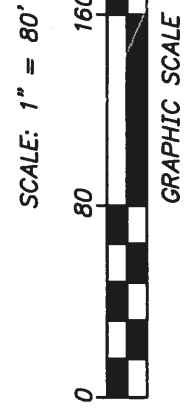
Franklin County Planning Department
Franklin County, OH

PROPOSED ANNEXATION OF 4.907 ACRES
TO THE
CITY OF COLUMBUS, OHIO
FROM
PERRY TOWNSHIP, FRANKLIN COUNTY, OHIO

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN,
TOWNSHIP OF PERRY
IN QTR. TWP. 1, T. 1 N., R. 19 W., U.S.M.L.



C.F. BIRD & R.J. BULL, INC.
Engineers and Surveyors
2875 W. Dublin-Granville Road
Columbus, Ohio 43235
Ph: (614) 761-1661
Fax: (614) 761-1328
WWW.BIRDBULL.COM



NOTE: This annexation does not create an unincorporated area of the township completely surrounded by the territory proposed for annexation.

NOTE: Total perimeter of annexation is 2,358 feet of which 2,134 feet is contiguous with City of Columbus resulting in 90.5% of perimeter contiguity.



City of Columbus

Legislation Report

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

ORIGINAL

File Number: 1164-2012

Emergency

File ID: 1164-2012

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN12-006: 4.97 Acres, Perry
Township, Billingsley Properties LLC

File Created: 05/23/2012

Cost: \$0.00

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

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Floor Action (Clerk's Office Only)

JUN 04 2012 Passed 7-0

JUN -7 2012

Franklin County Planning Department
Franklin County, OH

ANK-EXP2 12-12

Mayor's Action

Mayor

JUN 06 2012

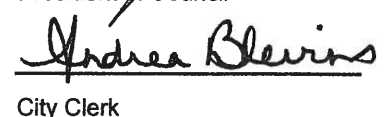
Date

Council Action

JUN 04 2012

Date Passed/ Adopted


President of Council


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 (AN12-006) of 4.907 + acres in Perry Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

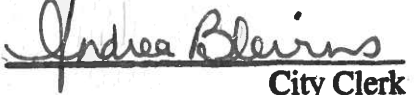
Sponsors:

Indexes:

Attachments: ORD1164-2012 AN12-006 Legal Description,
ORD1164-2012 AN12-006 Map (2585 Billingsley
Road)

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 1164-2012 passed by The Council of The City of Columbus. Ohio 6/4, 2012, as shown by the records now on file in this office.

Seal


City Clerk

Approval History

Version	Date	Approver	Action
1	05/23/2012	Nichole Brandon	Approved
1	05/23/2012	ATTORNEY APPROVER	Approved
Notes	jsg		

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JUN - 7 2012

Franklin County Planning Department
Franklin County, OH

ANX-EXP 2 12-12

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
	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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JUN - 7 2012

Explanation

Franklin County Planning Department
Franklin County, OH

AN012-006

ANX-EXP2 12-12

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 Perry 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 necessary 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 (AN12-006) of 4.907 ± acres in Perry 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 Perry Township was duly filed on behalf of the Billingsley Properties LLC, et al. on May 23, 2012; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on June 26, 2012; 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 Northwest Area Plan, which has no specific land use recommendations for this site;

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,

RECEIVED

JUN - 7 2012

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

ANX-EXP2 12-12

Franklin County Planning Department
Franklin County, OH

Section 1. That the City of Columbus will provide the following municipal services for 4.907 ± acres in Perry 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: Single family homes would qualify for city provided 90-gallon front curb refuse collection service. Any other development would require compliance with Title 13 requirements; 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 12" water main in located in Billingsley Road.

Sanitary Sewer: Records indicate this property can be served by an existing 12-inch sanitary sewer situated within an easement along the south side of Billingsley Road through the property proposed to be annexed. Any mainline extension is to be designed and constructed at the property owner's 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 and developers at their own cost and expense with no cost to the City.

Section 2. If this 4.907 ± 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 Perry 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 Perry 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.

RECEIVED

JUN - 7 2012

Franklin County Planning Department
Franklin County, OH

ANX-EXPL 12-12

RECEIVED

JUN - 7 2012

**LEGAL DESCRIPTION
ANNEXATION AN12-006
4.907 ± Acres in Perry Township
Billingsley Properties, LLC**

Franklin County Planning Department
Franklin County, OH

ANN-EXP 2 12-12

Situated in the State of Ohio, County of Franklin, Township of Perry, part of Lot 9 of Tuller's Survey, in Quarter Township 1, Township 2 North, Range 19 West, United States Military Lands, and being a portion of a 5.010 acre tract of land conveyed to Billingsley Properties LLC, by deed of record in Instrument 201112280169814, all references being to the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

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thence N 85° 33' 08" E along a portion of a northerly Limited Access Right-of-Way line of Interstate 270 and along a portion of a southerly line of said original 2.100 acre tract a distance of 172.95 feet to a point at the southwest corner of a 10.132 acre tract of land conveyed to 2539 Billingsley Road LLC, by deed of record in Instrument 200303040063578;

thence N 02° 46' 26 E crossing said original 2.100 acre tract and along a portion of the west line of said 10.132 acre tract a distance of 68.34 feet to a point at the southeast corner of said 5.010 acre tract, at a southwest corner of the Corporation line of the City of Columbus, established by Ordinance No. 1427-74 and recorded in Miscellaneous Record 163, Page 600 and at the true place of beginning of the tract herein intended to be described;

thence N 87° 15' 27" W along a portion of the northerly line of said original 2.100 acre tract and along the south line of said 5.010 acre tract a distance of 223.76 feet to a point at the southwest corner of said 5.010 acre tract, at the southeast corner of a 5.0 acre tract of land conveyed to The Ohio Bell Telephone Company by deed of record in Deed Book 3556, Page 408 and at a northeast corner of the Corporation line of the City of Columbus, established by Ordinance No. 0008-2005 and recorded in Instrument 200503100043764;

thence N 02° 46' 26" E along a west line of said Corporation line of the City of Columbus, established by Ordinance No. 0008-2005, along a portion of a west line of said 5.010 acre tract and along a portion of the east line of said 5.0 acre tract a distance of 955.45 feet to a point at a corner of said Corporation line of the City of Columbus, established by Ordinance No. 0008-2005;

thence S 87° 10' 06" E along a south line of said Corporation line of the City of Columbus, established by Ordinance No. 0008-2005 and crossing said 5.010 acre tract a distance of 223.76 feet to a point in the east line of said 5.010 acre tract, at the northwest corner of said 10.132 acre tract, at a southeast corner of said Corporation line of the City of Columbus, established by Ordinance No. 0008-2005 and in the west line of said Corporation line of the City of Columbus, established by Ordinance No. 1427-74;

thence S 02° 46' 26" W along a portion of the west line of said Corporation line of the City of Columbus, established by Ordinance No. 1427-74, along a portion of the east line of said 5.010 acre tract and along a portion of the west line of said 10.132 acre tract a distance of 955.10 feet to the true place of beginning;

containing 4.907 acres of land more or less. Of said 4.907 acres, 0.483 acre is within tax parcel 212-000113, 0.484 acre is within tax parcel 212-001166 and 3.940 acres is within tax parcel 212-000087.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio from an actual field survey, performed under his supervision, in August, 2011. Basis of Bearings is a northerly Limited Access Right-of-Way line of Interstate 270 being N 85° 33' 08" E as shown upon sheet 15 of 23, Ohio Department of Transportation Centerline Survey Plat for FRA-270-10.33N.

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ANNEXATION AN12-006 ± 4.907 Acres in Perry Township Billingsley Properties LLC

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