

Review of Petition to Annex 8.5 +/- acres from Franklin Township to the city of Columbus by Bill Acton. Case #ANX-EXP2-18-12 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Bill Acton filed on behalf of Jim Lincoln on July 17, 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 #1715-2012, passed on July 30, 2012 by the city of Columbus.

Review of Petition to Annex 8.5 +/- acres from Franklin Township to the city of Columbus by Bill Acton. Case #ANX-EXP2-18-12 (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. 0601-12

August 21, 2012

**REVIEW OF PETITION TO ANNEX 8.5 +/- ACRES FROM FRANKLIN
TOWNSHIP TO THE CITY OF COLUMBUS BY BILL ACTON. CASE #ANX-
EXP2-18-12**

**(Economic Development and
Planning)**

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

Voting:

Paula Brooks, President	Aye
Marilyn Brown	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



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
8.5 +/- ACRES FROM
FRANKLIN TOWNSHIP
TO THE CITY OF COLUMBUS
BY BILL ACTON

Description:

Attached is a resolution to consider the annexation of 8.5-acres, more or less, from Franklin Township to the city of Columbus. The petition case number is ANX-EXP2-18-12.

Agent:

Bill Acton

Applicant:

Jim Lincoln

Site:

3879 Fisher Road (Parcel #140-007399 and 140-007400; and part of 140-000096 and 140-001582)

Additional Information:

The site is contiguous to the city of Columbus on two 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 #1715-2012 passed July 30, 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 **July 24, 2012** General Session Agenda for a
hearing on **August 21, 2012**.

Case #ANX-EXP2-18-12- An Expedited Type 2 annexation ANX-EXP2-18-12 was filed in our office on July 17, 2012. The petition is requesting to annex 8.5+/- acres from Franklin Township to the city of Columbus. The agent is Bill Acton. **Site: 3879 Fisher Road (140-007399 and 140-007400; and part of 140-000096 and 140-001582)**



Commissioners
Marilyn Brown, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

Application for Annexation Petition

Expedited Type 2
Pursuant to ORC §709.023



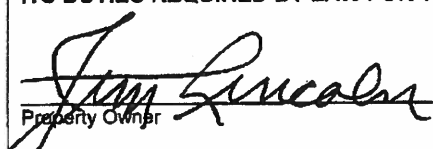

Property Information	
Site Address 3879 Fisher Road Columbus Ohio, 43228-1057	
Parcel ID(s) 140-007399 & 140-007400 Part of 140-00096 & 140-001582	Total Acreage 8.5 Acres
From Township Franklin	To Municipality City of Columbus

Property Owner Information	
Name Jim Lincoln	
Address 8755 US Highway 87E San Antonio Texas 78263-2244	
Phone # (210) 648-7770	Fax # (210) 648-7770
Email jiml@reynoldsnw.com	

Attorney/Agent Information	
Name Bill Acton	
Address 8740 Orion Place, Suite 100 Columbus Ohio, 43240	
Phone # (614) 310-1041	Fax # (614) 540-6638
Email bacton@cecinc.com	

Staff Use Only	
Case # ANX GXP 2 18-12	
Hearing date:	8/21/12
Date filed:	7/17/12
Fee paid	250.00
Receipt #	240981
Notifications deadline: 5 days	7/22/12
Svc statement deadline: 20 days	8/6/12

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/plot 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	7/12/12 Date	_____ Property Owner	_____ Date
 Property Owner	_____ Date	_____ Property Owner	_____ Date

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JUN 21 2012

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

ANNEXATION DESCRIPTION
Franklin Township to City of Columbus
3879 Fisher Road, Columbus, Ohio and
Adjacent Railroad Property

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By BB Date 6/21/12

Situated in the State of Ohio, County of Franklin, Franklin Township, Virginia Military Survey 1482, and being an annexation of 8.50 acres of land, more or less, comprised of lands conveyed to DR Properties, Ltd. and adjacent railroad property (all record references being filed in the Recorder's Office, Franklin County, Ohio unless otherwise noted). Said DR Properties, Ltd. parcels containing about 6.93 acres of land conveyed in Instrument Number 201012010163229 as follows: 0.74 acres more or less, all of the remainder of that 0.8229 acre tract described as Parcel No. 1 in said conveyance (Parcel No. 1 being Franklin County Auditor Parcel Number 140-007400), 5.88 acres more or less, all the remainder of that tract described as Parcel 2 in said conveyance, and 0.31 acres more or less, all of that tract described as Parcel 3 in said conveyance (Parcels No. 2 and 3 together being Franklin County Auditor Parcel Number 140-007399). All recording references are to records on file in the Recorder's Office, Franklin County, Ohio unless otherwise noted. Also included in the annexation area is the following adjacent railroad property: 1.00 acre more or less of Pennsylvania Lines LLC mainline right of way (part of Franklin County Auditor Parcel Number 140-000096), and 0.57 acres more or less, part of that 20 foot wide railroad spur conveyed to Pennsylvania Lines LLC in Deed Book 2425, Page 503 (part of Franklin County Auditor Parcel Number 140-001582). All together being five tracts of land containing 8.50 acres of land more or less, being more approximately described as follows:

Beginning for reference at the intersection of the centerline survey of Fisher Road and Kaderly Drive as shown on the right of way plan for Fisher Road, approved by the Franklin County Commissioners on September 12, 1995 and on file with the Franklin County Engineer's Office; Thence southeasterly, along the centerline of Fisher Road, about 420 feet more or less to a point; Thence southwesterly, leaving the centerline in a perpendicular direction, 55 feet to the southwest corner of a 20 foot wide right of way parcel conveyed to the Franklin County Commissioners in Instrument Number 199910010247437, said point being on the existing corporation line of the City of Columbus described in Columbus City Council Ordinance #1247-00 on file in the City Clerk's Office and recorded in Instrument Number 200004130072283, said point being the northwesterly corner of the 0.74 acre DR Properties, Ltd. tract and the true point of beginning of the annexation area;

Thence southeasterly along the existing corporation line (Ord #1247-00, I.N 2000041300722830) and the south line of the 20 foot wide right of way parcel conveyed to the Franklin County Commissioners in Instrument Number 199910010247437, the north line of the 0.74 acre DR Properties, Ltd. tract, about 188 feet more or less to a northwest corner of the 5.88 acre DR Properties, Ltd. tract;

Thence southeasterly continuing along the existing corporation line (Ord #1247-00, I.N 2000041300722830) and south line of the aforementioned 20 foot wide right of way parcel conveyed to the Franklin County Commissioners in Instrument Number 199910010247437, being the north line of the 5.88 acre DR Properties, Ltd. tract, about 40 feet more or less to a point in the west line of a 20 foot wide tract conveyed to Pennsylvania Lines LLC (Auditor Parcel Number 140-001582);

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Franklin County, OH

*ANX 6XP2
18-12*

Thence southwesterly, continuing along the east line of the 20 foot wide Pennsylvania Lines LLC tract, the west line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, about 288 feet more or less;

Thence southwesterly, continuing along the east line of the 20 foot wide Pennsylvania Lines LLC tract, the west line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, having a radius of about 469 feet, an arc length of about 420 feet, and being subtended by a chord in a southwesterly direction, a chord distance of about 406 feet more or less to the southeasterly corner of the 20 foot wide Pennsylvania Lines LLC property, the southwest corner of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, and being in the north right of way line of the Pennsylvania Lines LLC mainline railroad corridor (Franklin County Auditor Parcel Number 140-000096);

Thence easterly, along the south line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, the north right of way line of the Pennsylvania Lines LLC mainline, about 26 feet more or less to the southeast corner of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, being the southwest corner of the aforementioned 0.31 acre DR Properties, Ltd. tract;

Thence northeasterly, with the arc of a non tangent curve to the left, along the west line of the 0.31 acre DR Properties, Ltd. tract, being an east line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, having a radius of about 480 feet, an arc length of about 404 feet, and being subtended by a chord in a northeasterly direction, a chord distance of about 392 feet more or less to a point at the northeasterly corner of the 0.31 acre DR Properties Ltd tract, in the west line of a 7.5 acre tract in the name of Marathon Ashland Petroleum LLC (Franklin County Auditor Parcel Number 140-007444),

Thence southwesterly, with the east line of the 0.31 acre DR Properties, Ltd. tract, a west line of the 7.5 acre Marathon Ashland Petroleum LLC tract, 306 feet more or less to the southeasterly corner of the 0.31 acre DR Properties, Ltd. tract, being in the north right of way line of the Pennsylvania Lines LLC mainline;

Thence southwesterly, with a projection of the east line of the DR Properties Ltd property, crossing the Pennsylvania Lines LLC mainline right of way corridor, about 139 feet more or less to a point on an existing corporation line of the City of Columbus described in Columbus City Council Ordinance #657-88 on file in the City Clerk's Office and recorded in Official Record 11475, Page C-19, said point being in the north line of a 32.2 acre tract of land conveyed to Big Lots Stores Inc. in Official Record 7054, Page B18 and Official Record 7142, Page C09;

Thence westerly, along said existing corporation line (Ord #657-88, O.R 11475 C-19), being the southerly right of way line of the Pennsylvania Lines LLC mainline corridor, and the north line of the Big Lots Stores Inc. property, about 331 feet more or less;

Thence northeasterly, leaving the existing corporation line (Ord #657-88, O.R 11475 C-19) and with a projection of the west line of the 5.88 acre DR Properties, Ltd. tract, crossing the right of way of the Pennsylvania Lines LLC mainline corridor, about 139 feet more or less to the southwest corner of the 5.88 acre DR Properties, Ltd. tract, being the southeast corner of a 16.4 acre tract conveyed to Miken

Terminals Inc. in Instrument Number 200111290276289 (Franklin County Auditor Parcel Number 140-000561;

Thence northeasterly, along the west line of the 5.88 acre DR Properties, Ltd. tract, being an east line of the 16.4 acre Miken Terminals tract, 1008 feet more or less to the southwest corner of the 0.74 acre DR Properties, Ltd. tract, a northwest corner of the 5.88 acre DR Properties, Ltd. tract;


Thence northeasterly, along the west line of the 0.74 acre DR Properties, Ltd. tract, being an east line of the 16.4 acre Miken Terminals tract, 170 feet more or less to the point of beginning.

Containing about 8.50 acres more or less, about 6.93 acres being that property conveyed to DR Properties, Ltd. in Instrument Number 201012010163229, and 1.57 acres being adjacent railroad property.

This annexation description is a general of the location of property to be annexed and is not based on an actual survey of the property herein and does not meet the "Minimum Standards for Boundary Surveys" contained in O.R.C Chapter 4733.

Civil & Environmental Consultants, Inc.



 6/21/12
Mark D. Power
Professional Surveyor No. 7935

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Franklin County, OH

ANX EXP 2
18-12

List of Adjacent Properties for 3879 Fisher Road			
<u>Parcel ID</u>	<u>Address</u>	<u>Owner</u>	<u>Relation to Site</u>
140-007445	3855 RD FISHER RD	MARATHON ASHLAND PETROLEUM LLC	West
140-000561	3973 FISHER RD	MIKEN TERMINALS INC	West
140-007381	4005 FISHER RD	MIKEN TERMINALS INC	West
010-013915	3990 FISHER RD	AUROLA CASKET CO INC	Northwest
010-103168	750 KADERLY DR	KADERLY MINI WAREHOUSE LLC	Northwest
010-086815	3854 FISHER RD	LTI INC	Northwest
010-089193	3866 FISHER RD	SUNOCO PARTNERS MARKETING& TERMINALS LP	North
010-013032	3840 FISHER RD	FISHER ROAD INVESTMENTS LTD	Northeast
570-190840	3737 FISHER RD	SEMMATERIALS ENERGY PARTNERS LLC	East
570-187885	3843 FISHER RD	NEXEO SOLUTIONS LLC	East
140-007444	3855 FISHER RD	MARATHON ASHLAND PETROLEUM LLC	East
140-007445	3855 RD FISHER	MARATHON ASHLAND PETROLEUM LLC	East

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Franklin County Planning Department
Franklin County, OH

ANX 6X102
15-12

ANNEXATION PLAT

OF 8.50 ACRES OF LAND SITUATED IN THE STATE OF OHIO, FRANKLIN COUNTY, FRANKLIN TOWNSHIP, VIRGINIA MILITARY SURVEY 1482, AND BEING COMPRISED OF THREE TRACTS OF LAND CONVEYED TO DR PROPERTIES, LTD. OF RECORD IN INSTRUMENT NUMBER 201012010163229 KNOWN AS FRANKLIN COUNTY AUDITORS PARCELS NO. 140-007399 & 140-007400, AND ADJACENT RAILROAD PROPERTY

DIMENSION TABLE

1	55'
2	188'
3	40'
4	R=449', L=30', CHD=30'
5	20'
6	R=469', L=30', CHD=30'
7	R=469', L=19', CHD=19'
8	127'
9	R=449', L=110', CHD=109'
10	120'
11	R=469', L=115', CHD=114'
12	288'
13	R=469', L=420', CHD=406'
14	26'
15	R=480', L=404', CHD=392'
16	306'
17	139'
18	331'
19	139'
20	1008'
21	170'

LEGEND

	PROPOSED CORPORATION LINE
	EXISTING CORPORATION LINE
	EX. ROAD RIGHT OF WAY
	EXISTING PARCEL LINE
	PROPERTY OWNER TAG
	DIMENSION TAG
	AREA INCLUDED IN ANNEXATION

A	P.L.D. 140-007400 DR PROPERTIES, LTD 0.74 ACRES I.N. 201012010163229 PARCEL NO. 1
B	PART OF P.L.D. 140-007399 DR PROPERTIES, LTD 5.89 ACRES I.N. 201012010163229 PARCEL NO. 2
C	PENNSYLVANIA LINES LLC 1.00 ACRES TO BE ANNEXED PART OF P.L.D. 140-00096 DR PROPERTIES, LTD 0.31 ACRES I.N. 201012010163229 PARCEL NO. 3
D	P.L.D. 140-001582 PENNSYLVANIA LINES LLC 20' WIDE STRIP 0.57 ACRES TO BE ANNEXED D.B. 2425 PG. 503
E	P.L.D. 140-001582 PENNSYLVANIA LINES LLC 20' WIDE STRIP 0.57 ACRES TO BE ANNEXED D.B. 2425 PG. 503
F	P.L.D. 140-006800 SUNOCO PARTNERS MARKETING & TERMINALS LP 10' WIDE STRIP - 0.3 AC. I.N. 200412010273614
G	P.L.D. 140-007445 P.L.D. 140-007444 KATHY L. LUCAS PETROLEUM LLC 0.1 & 7.5 ACRES I.N. 200111290276289
H	P.L.D. 140-000561 MCKEN TERMINALS, INC. IN 200111290276289 16.4 ACRES
I	P.L.D. 570-211798 BIG LOTS STORES INC. O.R. 7054 PG. 818 O.R. 7142 C09 32.2 ACRES
J	20' RIGHT OF WAY STRIP FRA CO. COMMISSIONERS INST. 199910010247437
K	10' RIGHT OF WAY STRIP CITY OF COLUMBUS DB 2668, PG. 255

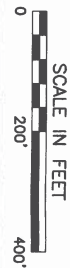
PROPERTY ADJACENT TO ANNEXATION

CONTIGUITY CALCULATION
639 LINEAL FEET OF ANNEXED PERIMETER IS CONTIGUOUS WITH THE EX. CORPORATION LINE OF THE CITY OF COLUMBUS.

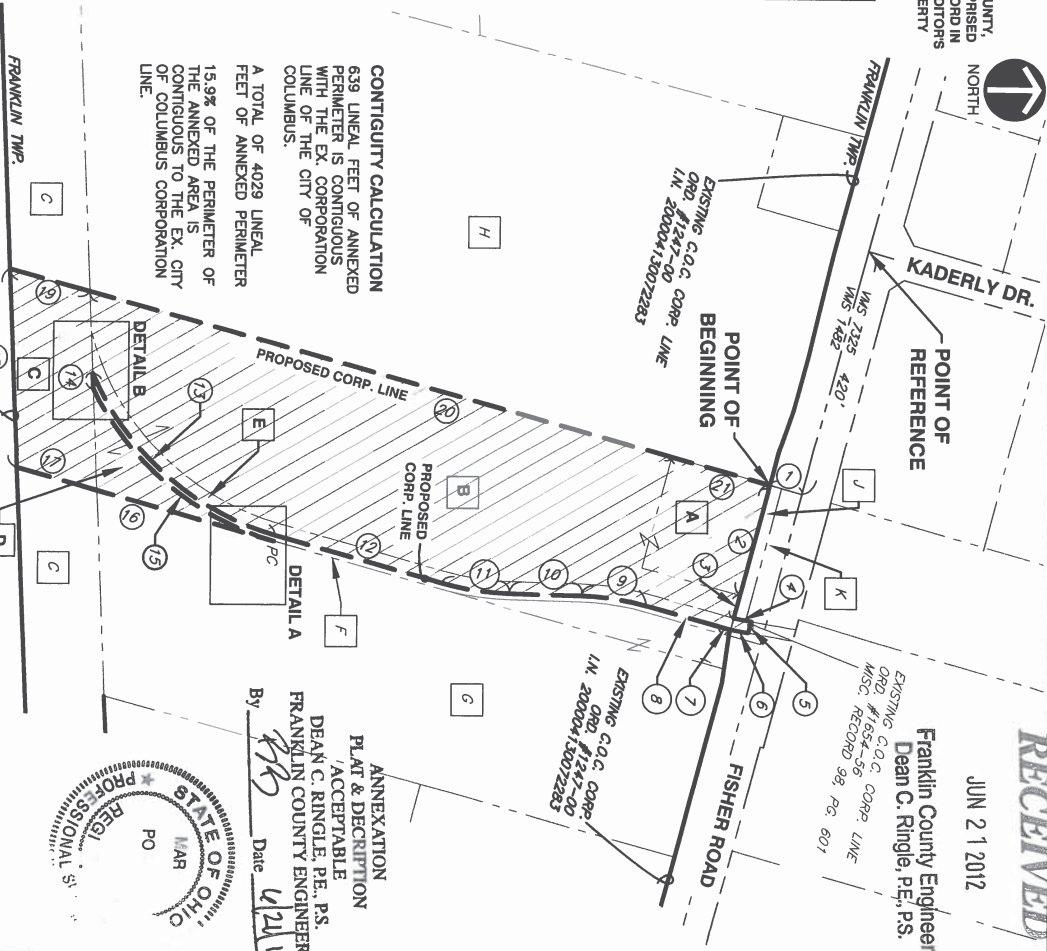
A TOTAL OF 4029 LINEAL FEET OF ANNEXED PERIMETER
15.9% OF THE PERIMETER OF THE ANNEXED AREA IS CONTIGUOUS TO THE EX. CITY OF COLUMBUS CORPORATION LINE.

Civil & Environmental Consultants, Inc.
8740 Olden Place, Suite 100, Columbus, OH 43240
www.cedcinc.com
www.cedcinc.com
NP CHECKED BY: JG APPROVED BY: NP
DATE: APRIL 2011 DWG SCALE: 1"=200' PROJECT NO: 102-005 1 OF 1

South Side of Fisher Road
ALL OF P.L.D. 140-007399 & 140-007400
PART OF 140-00096 & 140-001582
ANNEXATION PLAT
3879 FISHER ROAD, COLUMBUS, OHIO



THIS ANNEXATION PLAT IS A GENERAL DESCRIPTION OF THE LOCATION OF PROPERTY TO BE ANNEXED AND IS NOT A BOUNDARY SURVEY AS DEFINED IN THE O.R.C. CHAPTER 4753.
Mark D. Power
CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
PROFESSIONAL SURVEYOR NO. 7935



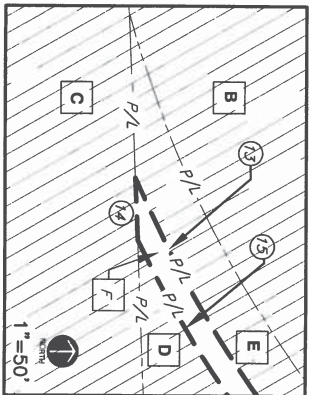
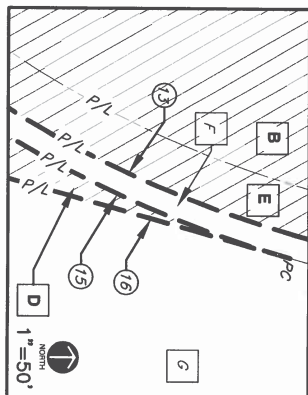
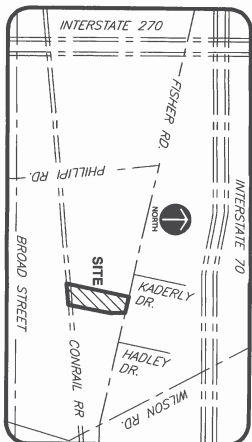
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JUN 21 2012

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

ANNEXATION PLAT & DESCRIPTION

DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By: *[Signature]* Date: 6/24/12



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JUL 17 2012
Franklin County Planning Department
Franklin County, OH
HWX GTP 2
18-12



City of Columbus

Legislation Report

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

ORIGINAL

File Number: 1715-2012

Emergency

File ID: 1715-2012

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN12-014: 8.5 Acres, Franklin Township, Jim Lincoln/Unique Leasing, Inc.

File Created: 07/18/2012

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)

JUL 30 2012 Passed 7-0

AUG 9 - 2012

Franklin County Planning Department
Franklin County, OH

ANX EXP 2 18-12

Mayor's Action

Council Action

JUL 31 2012

Mayor

Date

JUL 30 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 (AN12-014) of 8.5 + acres in Franklin Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD1715-2012 AN12-014 Legal Description,
ORD1715-2012 AN12-014 Map (3879 Fisher Road)

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 1715-2012 passed by The Council of The City of Columbus, Ohio 7/30, 2012, as shown by the records now on file in this office.

Seal

City Clerk

Approval History

Version	Date	Approver	Action
1	07/18/2012	Nichole Brandon	Approved
1	07/18/2012	ATTORNEY APPROVER	Approved
Notes	jsg		

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AUG 9 - 2012

Franklin County Planning Department
Franklin County, OH

ANK EXP 2 18-12

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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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 Office as to its form and legality only.

RECEIVED

AUG 9 - 2012

ANX EXP 2 18-12

Franklin County Planning Department
Franklin County, OH

Explanation

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 Franklin 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 (AN12-014) of 8.5 ± acres in Franklin 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 Franklin Township was duly filed on behalf of Jim Lincoln/Unique Leasing, Inc. on July 17, 2012; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on August 21, 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 Greater Hilltop Plan Amendment, which

recommends light industrial uses;

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:

AUG 9 - 2012
ANX 6XP2 18-12
Franklin County Planning Department
Franklin County, OH

Section 1. That the City of Columbus will provide the following municipal services for 8.5 ± acres in Franklin 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 is served by an existing 36" water main in Fisher Road.

Sanitary Sewer: Records indicate this property is tributary to the Upper Scioto Area Northwest Sanitary Sub-trunk Sewer system. There is a 27-inch sub-trunk sewer situated in an easement on the north side of Fisher Road approximately 470 feet west of the northwest property line being annexed. Mainline extension would be required. There is also a potential 8-inch sewer situated within the southerly Fisher Road right of way that is approximately 650 feet east of the northeastern property line being annexed. Mainline extension would be required from this sewer along with investigation of capacity and the tributary area by the engineer involved in designing the system to ensure adequate sewer service. Mainline extension requires formal plan submittal and approval through One Stop Shop and is to be done at the expense of the private developer/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 and developers at their own cost and expense with no cost to the City.

Section 2. If this 8.5 ± 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 Franklin 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 Franklin 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.

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**LEGAL DESCRIPTION
ANNEXATION AN12-014
8.5 ± Acres in Franklin Township
Jim Lincoln/Unique Leasing, Inc.**

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*AMX EXP 2
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Situated in the State of Ohio, County of Franklin, Franklin Township, Virginia Military Survey 1482, and being an annexation of 8.50 acres of land, more or less, comprised of lands conveyed to DR Properties, Ltd. and adjacent railroad property (all record references being filed in the Recorder's Office, Franklin County, Ohio unless otherwise noted). Said DR Properties, Ltd. parcels containing about 6.93 acres of land conveyed in Instrument Number 201012010163229 as follows: 0.74 acres more or less, all of the remainder of that 0.8229 acre tract described as Parcel No. 1 in said conveyance (Parcel No. 1 being Franklin County Auditor Parcel Number 140-007400), 5.88 acres more or less, all the remainder of that tract described as Parcel 2 in said conveyance, and 0.31 acres more or less, all of that tract described as Parcel 3 in said conveyance (Parcels No. 2 and 3 together being Franklin County Auditor Parcel Number 140-007399). All recording references are to records on file in the Recorder's Office, Franklin County, Ohio unless otherwise noted. Also included in the annexation area is the following adjacent railroad property: 1.00 acre more or less of Pennsylvania Lines LLC mainline right of way (part of Franklin County Auditor Parcel Number 140-000096), and 0.57 acres more or less, part of that 20 foot wide railroad spur conveyed to Pennsylvania Lines LLC in Deed Book 2425, Page 503 (part of Franklin County Auditor Parcel Number 140-001582). All together being five tracts of land containing 8.50 acres of land more or less, being more approximately described as follows:

Beginning for reference at the intersection of the centerline survey of Fisher Road and Kaderly Drive as shown on the right of way plan for Fisher Road, approved by the Franklin County Commissioners on September 12, 1995 and on file with the Franklin County Engineer's Office; Thence southeasterly, along the centerline of Fisher Road, about 420 feet more or less to a point; Thence southwesterly, leaving the centerline in a perpendicular direction, 55 feet to the southwest corner of a 20 foot wide right of way parcel conveyed to the Franklin County Commissioners in Instrument Number 199910010247437, said point being on the existing corporation line of the City of Columbus described in Columbus City Council Ordinance #1247-00 on file in the City Clerk's Office and recorded in Instrument Number 200004130072283, said point being the northwesterly corner of the 0.74 acre DR Properties, Ltd. tract and the true point of beginning of the annexation area;

Thence southeasterly along the existing corporation line (Ord #1247-00, I.N 2000041300722830) and the south line of the 20 foot wide right of way parcel conveyed to the Franklin County Commissioners in Instrument Number 199910010247437, the north line of the 0.74 acre DR Properties, Ltd. tract, about 188 feet more or less to a northwest corner of the 5.88 acre DR Properties, Ltd. tract;

Thence southeasterly continuing along the existing corporation line (Ord #1247-00, I.N 2000041300722830) and south line of the aforementioned 20 foot wide right of way parcel conveyed to the Franklin County Commissioners in Instrument Number 199910010247437, being the north line of the 5.88 acre DR Properties, Ltd. tract, about 40 feet more or less to a point in the west line of a 20 foot wide tract conveyed to Pennsylvania Lines LLC (Auditor Parcel Number 140-001582);

Thence northeast, leaving the existing right of way of Fisher Road and with the existing corporation line (Ord #1247-00, I.N 2000041300722830), and with the arc of a curve to the left, along the east line of said 20 foot wide right of way parcel conveyed to the Franklin County Commissioners in Instrument Number 199910010247437, the same being the west line of the 20 foot wide Pennsylvania Lines LLC tract (Auditor Parcel Number 140-001582), having a radius of about 449 feet, an arc length of about 30 feet, and being subtended by a chord in a northeasterly direction, a chord distance of about 30 feet more or less to a point in the existing corporation line of the City of Columbus described in Columbus City Council Ordinance #1654-56 on file in the City Clerk's Office and recorded in Miscellaneous Record 98, Page 60;

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Thence southeasterly along the existing corporation line (Ord #1654, Misc. Rec. 98, Pg. 601), crossing the 20 foot wide Pennsylvania Lines LLC tract, 20 feet more or less to a point in the west line of the 10 foot wide spur line conveyed to Sunoco Partners Marketing & Terminals LP in Instrument Number 200412010273814 (Franklin County Auditor Parcel Number 140-006600) being in the existing corporation line of the City of Columbus described in Columbus City Council Ordinance #1247-00 on file in the City Clerk's Office and recorded in Instrument Number 200004130072283;

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Thence southwesterly along the existing corporation line (Ord #1247-00, I.N. 200004130072283) and with the arc of a curve to the right, being the east line of the 20 foot wide Pennsylvania Lines LLC tract, the west line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, having a radius of about 469 feet, an arc length of about 30 feet, and being subtended by a chord in a southwesterly direction, a chord distance of about 30 feet more or less to a point in the existing right of way of Fisher Road and an angle point in the existing corporation line;

Thence southwesterly, leaving the existing right of way of Fisher Road and the existing corporation line (Ord #1247-00, I.N. 200004130072283), with a the arc of a curve to the right, along the east line of the 20 foot wide Pennsylvania Lines LLC tract, the west line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, having a radius of about 469 feet, an arc length of about 19 feet, and being subtended by a chord in a southwesterly direction, a chord distance of about 19 feet more or less to a point;

Thence southwesterly, continuing along the east line of the 20 foot wide Pennsylvania Lines LLC tract, the east line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, about 127 feet more of less to a point of curvature;

Thence southwesterly, with the arc of a curve to the left, along the east line of 20 foot wide Pennsylvania Lines LLC tract, the west line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, having a radius of about 449 feet, an arc length of about 110 feet, and being subtended by a chord in a southwesterly direction, a chord distance of about 109 feet more or less;

Thence southwesterly, continuing along the east line of the 20 foot wide Pennsylvania Lines LLC tract, the west line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, about 120 feet more of less to a point of curvature;

Thence southwesterly, with the arc of a curve to the right, along the east line of the 20 foot wide Pennsylvania Lines LLC tract, the west line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, having a radius of about 469 feet, an arc length of about 115 feet, and being subtended by a chord in a southwesterly direction, a chord distance of about 114 feet more or less;

Thence southwesterly, continuing along the east line of the 20 foot wide Pennsylvania Lines LLC tract, the west line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, about 288 feet more of less;

Thence southwesterly, continuing along the east line of the 20 foot wide Pennsylvania Lines LLC tract, the west line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, having a radius of about 469 feet, an arc length of about 420 feet, and being subtended by a chord in a southwesterly direction, a chord distance of about 406 feet more or less to the southeasterly corner of the 20 foot wide Pennsylvania Lines LLC property, the southwest corner of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, and being in the north right of way line of the Pennsylvania Lines LLC mainline railroad corridor (Franklin County Auditor Parcel Number 140-000096);

Thence easterly, along the south line of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, the north right of way line of the Pennsylvania Lines LLC mainline, about 26 feet more or less to the southeast corner of the 10 foot wide Sunoco Partners Marketing & Terminals LP tract, being the southwest corner of the aforementioned 0.31 acre DR Properties, Ltd. tract;

Thence northeasterly, with the arc of a non tangent curve to the left, along the west line of the 0.31 acre DR Properties, Ltd. tract, being an east line of the 10 foot wide Sunoco Partners Marketing & Terminals LP

tract, having a radius of about 480 feet, an arc length of about 404 feet, and being subtended by a chord in a northeasterly direction, a chord distance of about 392 feet more or less to a point at the northeasterly corner of the 0.31 acre DR Properties Ltd tract, in the west line of a 7.5 acre tract in the name of Marathon Ashland Petroleum LLC (Franklin County Auditor Parcel Number 140-007444),

Thence southwesterly, with the east line of the 0.31 acre DR Properties, Ltd. tract, a west line of the 7.5 acre Marathon Ashland Petroleum LLC tract, 306 feet more or less to the southeasterly corner of the 0.31 acre DR Properties, Ltd. tract, being in the north right of way line of the Pennsylvania Lines LLC mainline;

Thence southwesterly, with a projection of the east line of the DR Properties Ltd property, crossing the Pennsylvania Lines LLC mainline right of way corridor, about 139 feet more or less to a point on an existing corporation line of the City of Columbus described in Columbus City Council Ordinance #657-88 on file in the City Clerk's Office and recorded in Official Record 11475, Page C-19, said point being in the north line of a 32.2 acre tract of land conveyed to Big Lots Stores Inc. in Official Record 7054, Page B18 and Official Record 7142, Page C09;

Thence westerly, along said existing corporation line (Ord #657-88, O.R 11475 C-19), being the southerly right of way line of the Pennsylvania Lines LLC mainline corridor, and the north line of the Big Lots Stores Inc. property, about 331 feet more or less;

Thence northeasterly, leaving the existing corporation line (Ord #657-88, O.R 11475 C-19) and with a projection of the west line of the 5.88 acre DR Properties, Ltd. tract, crossing the right of way of the Pennsylvania Lines LLC mainline corridor, about 139 feet more or less to the southwest corner of the 5.88 acre DR Properties, Ltd. tract, being the southeast corner of a 16.4 acre tract conveyed to Miken Terminals Inc. in Instrument Number 200111290276289 (Franklin County Auditor Parcel Number 140-000561);

Thence northeasterly, along the west line of the 5.88 acre DR Properties, Ltd. tract, being an east line of the 16.4 acre Miken Terminals tract, 1008 feet more or less to the southwest corner of the 0.74 acre DR Properties, Ltd. tract, a northwest corner of the 5.88 acre DR Properties, Ltd. tract;

Thence northeasterly, along the west line of the 0.74 acre DR Properties, Ltd. tract, being an east line of the 16.4 acre Miken Terminals tract, 170 feet more or less to the point of beginning.

Containing about 8.50 acres more or less, about 6.93 acres being that property conveyed to DR Properties, Ltd. in Instrument Number 201012010163229, and 1.57 acres being adjacent railroad property.

This annexation description is a general of the location of property to be annexed and is not based on an actual survey of the property herein and does not meet the "Minimum Standards for Boundary Surveys" contained in O.R.C Chapter 4733.

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