

Review of Petition to Annex 24.1 +/- acres from Jackson Township to the city of Grove City by Christopher N. Slagle, Esq. and Gregory J. Lestini, Esq. Case #ANX-EXP2-05-13 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Christopher N. Slagle, Esq. and Gregory L. Lestini, Esq. filed on behalf of the Solid Waste Authority of Central Ohio (SWACO) on February 4, 2013 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 #CR-13-13, passed on February 19, 2013 by the city of Grove City.

Review of Petition to Annex 24.1 +/- acres from Jackson Township to the city of Grove City by Christopher N. Slagle, Esq. and Gregory J. Lestini, Esq. Case #ANX-EXP2-05-13 (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 Grove City, 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 Grove City, Ohio.

Prepared by: R. Lee Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0183-13

March 12, 2013

REVIEW OF PETITION TO ANNEX 24.1 +/- ACRES FROM JACKSON TOWNSHIP TO THE CITY OF GROVE CITY BY CHRISTOPHER N. SLAGLE, ESQ. AND GREGORY J. LESTINI, ESQ. CASE #ANX-EXP2-05-13

(Economic Development and Planning)

Upon the motion of Commissioner Marilyn Brown, seconded by Commissioner Paula Brooks:

Voting:

John O'Grady, President

Aye

Paula Brooks

Aye

Marilyn Brown

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.



Shannon Z Cross, Clerk
Board of County Commissioners
Franklin County, Ohio



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

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
24.1 +/- ACRES FROM
JACKSON TOWNSHIP
TO THE CITY OF GROVE CITY
BY CHRISTOPHER N. SLAGLE, ESQ. AND GREGORY J. LESTINI, ESQ.

Description:

Attached is a resolution to consider the annexation of 24.1-acres, more or less, from Jackson Township to the city of Grove City. The petition case number is ANX-EXP2-05-13.

Applicant/Agent:

Christopher N. Slagle, Esq. and Gregory J. Lestini, Esq.

Owner:

Solid Waste Authority of Central Ohio (SWACO)

Site:

3385 & 3395 London-Groveport Road (160-001791 & 160-001580)

Additional Information:

The site is contiguous to the city of Grove City on three (3) 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 Grove City stating the services that will be provided once the annexation has been approved. The city of Grove City has agreed to provide the territory proposed for annexation the services specified in the relevant service ordinance #CR-13-13 passed February 19, 2013.

Recommendation:

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



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

Economic Development & Planning Department
James Schimmer, Director

MEMO JOURNALIZATION

TO: Sandy Menedis, 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 **February 5, 2013** General Session Agenda
for a hearing on **March 12, 2013**.

Case #ANX-EXP2-05-13- An Expedited Type 2 annexation ANX-EXP2-05-13 was filed in our office on February 4, 2013. The petition is requesting to annex 24.1 +/- acres from Jackson Township to the city of Grove City. The agents are Christopher N. Slagle, Esq. and Gregory J. Lestini, Esq. **Site: 3385 & 3395 London-Groveport Road (160-001791 and 160-001580)**

**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

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FEB - 4 2013

REF
2

Franklin County Planning Department
Franklin County, OH

Property Information

Site Address
3385 & 3395 London-Groveport Road, Grove City, Ohio 43123

Parcel ID(s)
160-001791, 160-001580

Total Acreage
24.1

From Township
Jackson Twp

To Municipality
Grove City

Property Owner Information

Name Solid Waste Authority of Central Ohio City of Grove City

Address 4239 London-Groveport Rd 4035 Broadway
Grove City, OH 43123 Grove City, OH 43123

Phone #
614-871-5100; 614-277-3000

Fax #

Email michael.mentel@swaco.org; cboso@grovecityohio.gov

Attorney/Agent Information

Name Gregory J. Lestini

Address Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215

Phone #
614-227-4893

Fax #
614-227-2390

Email glestini@bricker.com

Staff Use Only

Case #

AUX-EXP2
05-13

Hearing date:

3/5/13

Date filed:

2/4/13

Fee paid

350.00

Receipt # 1001

Notifications deadline:
5 days

2/9/13

Svc statement deadline:
20 days

2/25/13

Document Submission

The following documents must
accompany this application
on letter-sized 8 1/2" x 11" paper:

- ☒ Legal description of property
- ☒ Map/plat of property
- ☒ 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 2/1/13


Property Owner Date 02/01/13

Property Owner Date

Property Owner Date

RECEIVED

FEB 01 2013

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

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By BB Date 2/1/13

**ANNEXATION DESCRIPTION
FROM JACKSON TOWNSHIP TO CITY OF GROVE CITY
SOLID WASTE AUTHORITY OF CENTRAL OHIO
24.1 +/- ACRES**

Situated in the State of Ohio, County of Franklin, Township of Jackson, Virginia Military Survey Nos. 1365 and 1434, and being all of the remainder of a 23.541 acre tract conveyed to Solid Waste Authority of Central Ohio as described in Instrument Number 200908310127034, all of a 0.123 acre tract conveyed to City of Grove City as described in Instrument Number 201209280145376, all of a 0.929 acre tract conveyed to City of Grove City as described in Instrument Number 201209280145376, part of a 1.057 acre tract conveyed to City of Grove City as described in Instrument Number 200010030200746, Parcel 2, part of a 0.265 acre tract conveyed to City of Grove City as described in Instrument Number 201209280145376, all of a 0.262 acre tract conveyed to City of Grove City as described in Instrument Number 201203260041078, all of a 0.643 acre tract conveyed to City of Grove City as described in Instrument Number 201202230025615, and all of a 0.640 acre tract conveyed to City of Grove City as described in Instrument Number 201202230025615, all references being to records of the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at the northwest corner of the remainder of said 23.541 acre tract, the northeast corner of the remainder of a 104.721 acre tract conveyed to Solid Waste Authority of Central Ohio as described in Instrument Number 1998111802997406, the southeast corner of a 0.478 acre tract conveyed to City of Grove City as described in Instrument Number 201209280145376, and the southwest corner of said 0.929 acre tract, being in the southerly limited access right-of-way line of London-Groveport Road (S.R. 665) (Width Varies);

thence northerly, leaving said southerly limited access right-of-way line with the west line of said 0.929 acre tract and the east line of said 0.478 acre tract, 75.1 feet to northwest corner of said 0.929 acre tract, the northeast corner of said 0.478 acre tract, being in the south line of said 1.057 acre tract and the centerline of London-Groveport Road;

thence northerly, leaving the centerline of London-Groveport Road and crossing said 1.057 acre tract, 30.0 feet to the corporation line of the City of Grove City and Jackson Township as described in Instrument Number 199909200237661, Ord. No. C-61-99;

thence easterly, with said corporation line and crossing said 1.057 acre tract and said 0.265 acre tract, 503.5 feet to the east line of said 0.265 acre tract and the west line of said 0.262 acre tract, being an angle point in said corporation;

thence northerly, with said corporation line, the east line of said 0.265 acre tract, and the west line of said 0.262 acre tract, 30.0 feet to the northeast corner of said 0.265 acre tract, the northwest corner of said 0.262 acre tract, the southwest corner of the remainder of a 0.876 acre tract conveyed to J. Steven Evans as described in Official

24.1 Ac. Tract
Page 1 of 3

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Franklin County Planning Department
Franklin County, OH

Record Volume 12375 A01, and an angle point in the south line of the remainder of a 17.742 acre tract conveyed to SWACO (Solid Waste Authority of Central Ohio) as described in Instrument Number 200710180181773;

thence easterly, leaving said corporation line with the north line of said 0.262 acre tract and the south line of the remainder of said 0.876 acre tract, 204.7 feet to the northeast corner of said 0.262 acre tract, the southeast corner of the remainder of said 0.876 acre tract, the southwest corner of a 0.866 acre tract conveyed to City of Grove City as described in Instrument Number 201010260142470, and the northwest corner of a 0.235 acre tract conveyed to City of Grove City as described in Instrument Number 201010260142470, being in the westerly right-of-way line of Haughn Road, and in the corporation line of the City of Grove City and Jackson Township as described in Case No. 01-11, Ord. No. C-74-10;

thence southwesterly, with said corporation line, the westerly right-of-way line of Haughn Road, the east line of said 0.262 acre tract, and the west line of said 0.235 acre tract, 66.8 feet to the southeast corner of said 0.262 acre tract, the southwest corner of said 0.235 acre tract, the northwest corner of a 16.563 acre tract conveyed to City of Grove City as described in Instrument Number 201010220140871, and the northeast corner of said 0.643 acre tract, being an angle point in said corporation line, and being in the centerline of London-Groveport Road;

thence southeasterly, with said corporation line, the westerly limited access right-of-way line of Interstate 71 (FRA 62-2-2.12), the east line of said 0.643 acre tract, and the west line of said 16.563 acre tract, 103.0 feet to an angle point in said corporation line, east line, west line, and westerly limited access right-of-way line;

thence easterly, continuing with said corporation line, the westerly limited access right-of-way line of Interstate 71, the east line of said 0.643 acre tract, and the west line of said 16.563 acre tract, 151.3 feet to an angle point in said corporation line, east line, west line, and limited access right-of-way line;

thence southerly, with said corporation line, the westerly limited access right-of-way line of Interstate 71, the east line of said 0.643 acre tract, the west line of said 16.563 acre tract, the east line of said 0.640 acre tract, the east line of the remainder of said 23.541 acre tract, and the east line of said 0.123 acre tract, 758.9 feet to an angle point in said corporation line, the east line of said 0.123 acre tract and the west line of said 16.563 acre tract;

thence southwesterly, with said corporation line, the east line of said 0.123 acre tract, the east line of the remainder of said 23.541 acre tract, the west line of said 16.563 acre tract, and the westerly limited access right-of-way line of Interstate 71, 583.2 feet to an angle point in said corporation line, east line, west line, and westerly limited access right-of-way line;

thence southwesterly, continuing with said corporation line, the westerly limited access right-of-way line of Interstate 71, the east line of the remainder of said 23.541 acre tract, and the west line of said 16.563 acre tract, with a curve to the right have a radius of 5579.58 feet and an arc length of 494.7 feet to the southwest corner of the remainder of said 23.541 acre tract, the southeast corner of the remainder of said 104.721 acre tract, and an angle point in the west line of said 16.563 acre tract;

thence northerly, with the west line of the remainder of said 23.541 acre tract and the east line of the remainder of said 104.721 acre tract, 1612.7 feet to the **POINT OF BEGINNING**, containing approximately 24.1 acres and encompasses parcel numbers: 160-001580, 160-001791, and within dedicated right-of-way.

Subject to all legal rights-of-way and/or easements, if any, of previous record.

The above description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, E.P. Ferris & Associates, Inc. in February 2013, from the best available County Records. The information displayed was not derived from an actual field survey. This description is not valid for the transfer of real property, and is not to be utilized in place of a Boundary Survey as defined by the Ohio Administrative Code in Chapter 4733-37.



A handwritten signature in black ink, appearing to read "Matthew E. Ferris", written over a horizontal line.

Matthew E. Ferris, P.E., P.S.
Registered Surveyor No. 8230

02-01-13

Date

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FEB 01 2013

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

Legend



Annexation Area

PL Property Line

R/W Right-of-Way

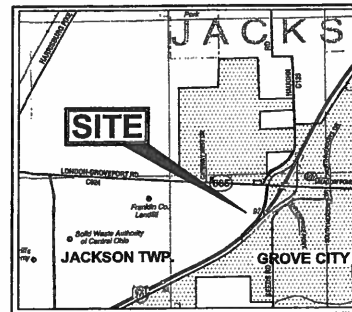
Existing City of Grove City Corporation Line

Proposed City of Grove City Corporation Line

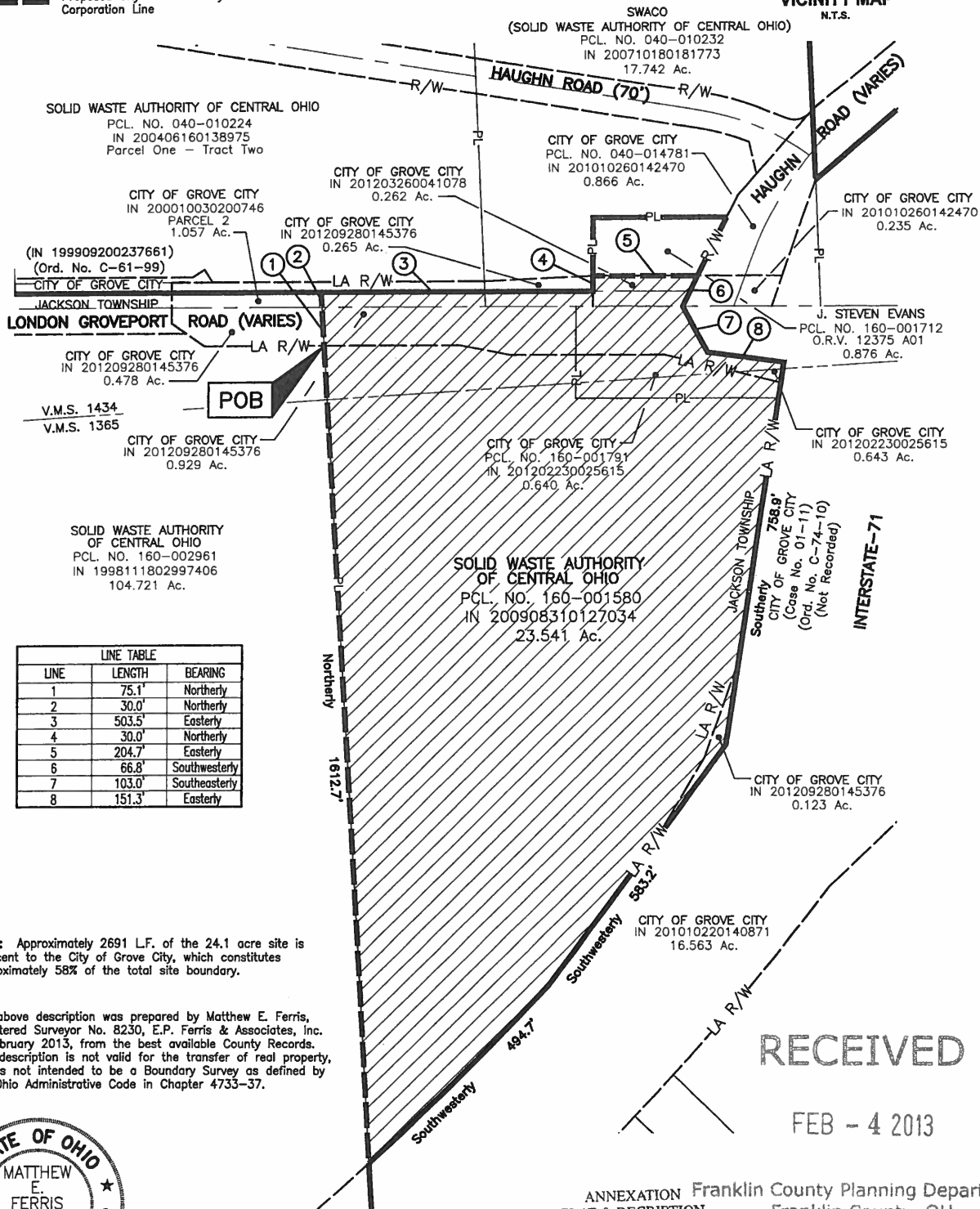
POB Point of Beginning

0 100 200 400

Scale: 1" = 200'



VICINITY MAP
N.T.S.



By: *Matthew E. Ferris* 02-01-13

Matthew E. Ferris, P.E., P.S.
Registered Surveyor No. 8230

DRWN BY CDM CHK BY MEF DATE 02-01-13

ANNEXATION Franklin County Planning Department
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By: *DRB* Date 2/1/13

RECEIVED

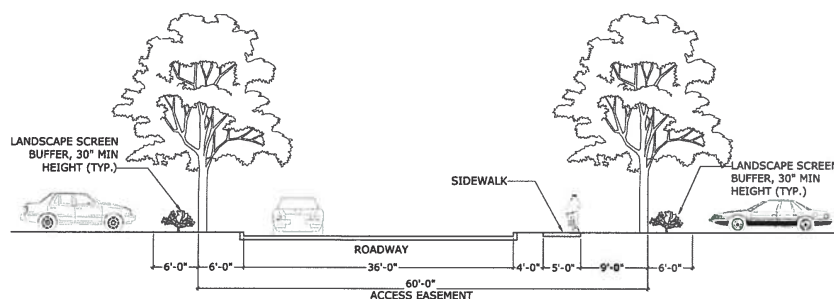
FEB - 4 2013

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JAN 28 2013

RSB

Franklin County Planning Department
Franklin County, OH



TYPICAL INTERIOR ROADWAY SECTION
Not To Scale

LAND USE LEGEND

- WELCOME CENTER
- BUSINESS AND EDUCATION CENTER
- HYDROPONIC AND AQUAPONIC GREENHOUSES
- BIO-MASS AND BIO-GAS PLANT
- MIXED WASTE TO ENERGY PLANT
- ELECTRIC SUBSTATION
- SORTING FACILITY
- CENTRAL ENERGY PLANT
- COMMERCIAL/ RETAIL
- LIGHT AND HEAVY INDUSTRIAL
- PROFESSIONAL OFFICE/ RESEARCH DEVELOPMENT PARCELS
- OVERHEAD POWER LINES
- CONSERVATION AREAS
- EXISTING ROADS
- PROPOSED ROADS/ PARKING/ SERVICE AREAS
- STORMWATER PONDS

NOTE: LAND USE TYPES AND LOCATIONS SHOWN ARE SUBJECT TO CHANGE.

GRAPHIC LEGEND

- PROPERTY LINE
- PARCEL BOUNDARY
- EXISTING EASEMENT



GEMINI SYNERGY CENTER

Preliminary Master Plan v.2 01.18.13

THE NEXT GENERATION OF DESIGN

CELOS Barrios
Ohio License ARC01215612
Expiration Date 12/31/2013



RESOLUTION NO. CR-13-13

A RESOLUTION TO SET FORTH, AS REQUIRED BY SECTION 709.031 OF THE OHIO REVISED CODE THE MUNICIPAL SERVICES THAT CAN BE FURNISHED TO 24.1 ACRES LOCATED AT 3385 & 3395 LONDON-GROVEPORT ROAD IN JACKSON TOWNSHIP UPON ITS ANNEXATION TO THE CITY OF GROVE CITY

WHEREAS, a petition to annex 24.1[±] acres located at 3385 & 3395 London-Groveport Road, in Jackson Township to the City of Grove City and signed by Solid Waste Authority of Central Ohio, was filed with the Board of County Commissioners of Franklin County, Ohio; and

WHEREAS, a hearing on this petition is scheduled before the Board of County Commissioners of Franklin County; and

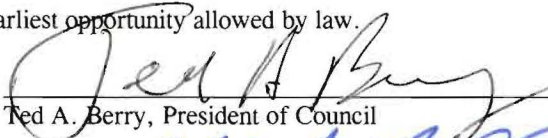
WHEREAS, Section 709.031 of the Ohio Revised Code requires that the legislative authority of the municipality to which the annexation is proposed adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon its annexation.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. Upon its annexation to the City of Grove City, the 24.1[±] acres located at 3385 & 3395 London-Groveport Road, proposed for annexation by the Solid Waste Authority of Central Ohio, will receive the following municipal services from the City of Grove City:

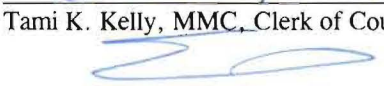
Fire:	Jackson Township will continue to provide Fire protection.
Police:	The City of Grove City, Police department, will provide police protection.
Water:	The City of Grove City has a water service area contract with the City of Columbus, and the subject property is within the service area. Conditional on the ability of the City of Columbus to provide water, the City of Grove City will have the ability to service this area. It is understood that all water line extensions are the responsibility of the property owner, and upon the receipt of all necessary permits and payments of all costs for connections thereto, such service shall become immediately available.
Sanitary Sewer:	The City has a written service area contract with the City of Columbus and the subject property is within the service area. Conditioned on the ability of the City of Columbus to provide sufficient sewage disposal capacity, the City of Grove City will have the ability to service the area. It is understood that all extensions of the sanitary sewer service is the responsibility of the property owner, and upon the receipt of all necessary permits and payments of all costs for connections thereto, such service shall become immediately available.
Solid Waste Collection:	Subject property is now serviced by and will continue to be serviced by a publicly bid contract for solid waste and recycling services.
Zoning:	In accordance with Section 1139.05(a) the Codified Ordinances of Grove City, Ohio, all annexed territory zoned under County or Township zoning shall be classified at the most comparable district of the Grove City Zoning Code, unless otherwise requested by the petitioner and approved by the City Council at which time a buffer will be required if the requested zoning classification is clearly incompatible with uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory is to be annexed.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.


Ted A. Berry, President of Council


Richard L. Stage, Mayor


Tami K. Kelly, MMC, Clerk of Council


Stephen J. Smith, Director of Law

Passed: 02-19-13
Effective: 02-19-13

Attest:

I Certify that this resolution is correct as to form.

CP-13-13

24.1± Acre Tract

FEB 01 2013

Legend

R/W Right-of-Way

POB Point of Beginning

Scale: 1" = 200'



VICINITY MAP
N.T.S.

 Annexation Area

Existing City of Grove City Corporation Line

Proposed City of Grove City Corporation Line

SOLID WASTE AUTHORITY OF CENTRAL OHIO
PCL. NO. 040-010224
IN 200406160138975
Porcel One - Tract Two

CITY OF GROVE CITY
IN 200010030200746
PARCEL 2
1.057 Ac.

(IN 199909200237661)
(Ord. No. C-61-99)

CITY OF GROVE CITY
JACKSON TOWNSHIP
LONDON GROVEPORT ROAD (VARIES)

CITY OF GROVE CITY
IN 201209280145376
0.478 Ac. —

$$\begin{array}{r} \text{V.M.S. } 1434 \\ \hline \text{V.M.S. } 1365 \end{array}$$

CITY OF GROVE CITY-
IN 201209280145376
0.929 Ac.

SOLID WASTE AUTHORITY
OF CENTRAL OHIO
PCL. NO. 160-002961
IN 1998111802997406
104.721 Ac.

SWACO
(SOLID WASTE AUTHORITY OF CENTRAL OHIO)
PCL. NO. 040-010232
IN 200710180181773
17.742 Ac.

CITY OF GROVE CITY
PCL. NO. 040-014781
IN 201010260142470
0.866 Ac.

CITY OF GROVE CITY
IN 201203260041078
0.262 Ac. —

CITY OF GROVE CITY
IN 201209280145376
0.265 Ac.

CITY OF GROVE CITY
- IN 201010260142470
0.235 Ac.

J. STEVEN EVANS
PCL. NO. 160-001712
O.R.V. 12375 A01
0.876 Ac.

CITY OF GROVE CITY
IN 201202230025615
0.643 Ac.

SOLID WASTE AUTHORITY
OF CENTRAL OHIO
PCL. NO. 160-001580
IN 200908310127034
23.541 Ac.

JACKSON TOWNSHIP
southerly 758.9'
CITY OF GROVE CITY
(Case No. 01-11)
(Ord. No. C-74-10)
(Not Recorded)

INTERSTATE-71

—CITY OF GROVE CITY
IN 201209280145376
0.123 Ac.

CITY OF GROVE CITY
IN 201010220140871
16.563 Ac.

LINE TABLE		
LINE	LENGTH	BEARING
1	75.1'	Northerly
2	30.0'	Northerly
3	503.5'	Easterly
4	30.0'	Northerly
5	204.7'	Easterly
6	66.8'	Southwesterly
7	103.0'	Southwesterly
8	151.3'	Easterly

NOTE: Approximately 2691 L.F. of the 24.1 acre site is adjacent to the City of Grove City, which constitutes approximately 58% of the total site boundary.

The above description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, E.P. Ferris & Associates, Inc. in February 2013, from the best available County Records. This description is not valid for the transfer of real property, and is not intended to be a Boundary Survey as defined by the Ohio Administrative Code in Chapter 4733-37.



BY: Matthew E. Ferris 02.01.13
Matthew E. Ferris, P.E., P.S.
Registered Surveyor No. 8230

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

By RB Date 2/1/13