

Review of Petition to Annex 12.0 +/- acres from Plain Township to the City of New Albany Case #ANX-EXP1-06-15 (Economic Development & Planning)

WHEREAS, an Expedited Type 1 annexation petition was filed by Jackson B. Reynolds, III, with the Franklin County Economic Development and Planning Department on February 26, 2015 and

WHEREAS, the petitioner requests that the Commissioners of Franklin County, State of Ohio, proceed in accordance with Section 709.022 of the Revised Code in granting the petition, and having considered all the facts and references 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 has met all the requirements set forth in, and was filed in the manner provided in, section 709.022 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 has an accurate legal description and map of the area to be annexed.
4. The township and the municipal corporation to which annexation is proposed entered into an Annexation Agreement that was executed on February 19, 2015 and February 3, 2015 respectively.

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 New Albany, 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 New Albany, Ohio.

Prepared by: D. Anthony Hray

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0233-15

March 10, 2015

REVIEW OF PETITION TO ANNEX 12.0 +/- ACRES FROM PLAIN TOWNSHIP TO THE CITY OF NEW ALBANY CASE #ANX-EXP1-06-15

(Economic Development and Planning)

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

Voting:

Marilyn Brown, President
Paula Brooks
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.



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

CERTIFIED TRUE COPY
By  Date 3/25/15
Franklin County Economic Development
& Planning Department



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

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
12.0 +/- ACRES FROM
PLAIN TOWNSHIP
TO THE CITY OF NEW ALBANY

Description:

Attached is a resolution to consider the annexation of 12.0-acres, more or less, from Plain Township to the city of New Albany. The petition case number is ANX-EXP1-06-15.

Owner:

CEA Revocable Living Trust dated December 19, 2014
Brenda L. Atwood – Trustee

Agent:

Jackson B. Reynolds, III
Smith and Hale LLC

Site:

10937 Johnstown Road (Parcel #220-001285 and 220-001613)

Additional Information:

The site is contiguous to the city of New Albany for a distance of 302 feet, representing 7.5 percent of its perimeter.

Analysis:

The applicant has met all statutory requirements outlined in Section 709.022 of the Ohio Revised Code. The applicant has provided a copy of the Annexation Agreement between Plain Township and the city of New Albany.

Recommendation:

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



Commissioners
Paula Brooks, President
Marilyn Brown
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

Application for
**Annexation
Petition**

Expi d Type 1
Consent of all parties

RECEIVED

FEB 26 2015

Franklin County Planning Department
Franklin County, Ohio

Property Information	
Site Address 10937 Johnstown Road	
Parcel ID(s) 220-001285 / 220-001613	Total Acreage 12.0 ±
From Township Plain	To Municipality City of New Albany

Property Owner Information	
Name CEA Revocable Living Trust dated December 19, 2014	
Address Brenda L Atwood - Trustee	
7345 Forest Lane	
Nashport, OH 43830	
Phone # (740) 607-8347	Fax #
Email	

Attorney/Agent Information	
Name Jackson B. Reynolds, III	
Address c/o Smith & Hale LLC	
37 West Broad Street, Suite 460	
Columbus, OH 43215	
Phone # 221-4255	Fax # 221-4409
Email jreynolds@smithandhale.com	

Staff Use Only	
Case # ANX-EXPL 06-15	
Journal date (next regular session): Hearing 3/10/15	
Date filed: 2.26.15	
Fee paid 350.00	
Receipt # 1501	
<ul style="list-style-type: none">Notifications not requiredService Ord. not requiredPublic hearing not required	

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
<input checked="" type="checkbox"/> Certified copy of CEDA or annexation agreement

Waiver of Right to Appeal

The undersigned hereby request/s the Board of County Commissioners follow O.R.C. §709.022 in consideration of this petition.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS.
THERE IS ALSO NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

Property Owner _____ Date _____ Property Owner _____ Date _____

JEFFREY L. BROWN
GLEN A. DUGGER
JACKSON B. REYNOLDS, III
DAVID L. HODGE

SMITH & HALE LLC
ATTORNEYS AND COUNSELORS AT LAW
37 WEST BROAD STREET
COLUMBUS, OHIO 43215-4199
www.smithandhale.com

HARRISON W. SMITH, JR.
1926-2009
OF COUNSEL
BEN W. HALE, JR.

614/221-4255

February 26, 2015

The Board of County Commissioners of Franklin County
c/o Franklin County Development Department
150 S. Front Street
Columbus, Ohio 43215

RECEIVED

FEB 26 2015

Franklin County Planning Department
Franklin County, Ohio

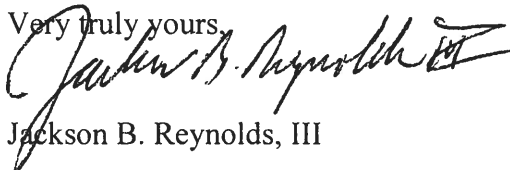
RE: 12.0± acres Annexation Petition from Plain Township to the City of New Albany

Dear Commissioners:

I am filing a petition for annexation of 12.0± acres from Plain Township to the City of New Albany on behalf of CEA Revocable Living Trust dated December 19, 2014 on February 26, 2015. On behalf of the petitioners, I am requesting consideration of the annexation petition under Section 709.022 of the Ohio Revised Code, or as more commonly known, Expedited Type 1. There is 100% signature rate of property owners and all the requirements under the applicable sections of the Ohio Revised Code have been or will be satisfied by the dates required under the new law.

I will forward to the Clerk the necessary documentation prior to your review and should there be any questions prior to our scheduled meeting please give me a call.

Very truly yours,

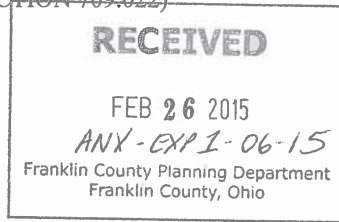


Jackson B. Reynolds, III

JBR/nct

EXPEDITED TYPE I PETITION FOR ANNEXATION (SECTION 709.022)
TO THE CITY OF NEW ALBANY
OF 12.0 ± ACRES MORE OR LESS
IN THE TOWNSHIP OF PLAIN

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 12.0 ± acres, more or less, in the Township of Plain which area is contiguous and adjacent to the City of New Albany, do hereby pray that said territory be annexed to the City of New Albany according to the statutes of the State of Ohio.

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 OWNER OF REAL ESTATE.

Jackson B. Reynolds, III, whose address is 37 West Broad Street, Suite 460, 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 ANY ACTION ON THE PETITION TAKEN BY THE BOARD OF COUNTY COMMISSIONERS. THERE ALSO IS NO APPEAL FROM THE BOARD'S DECISION IN THIS MATTER IN LAW OR IN EQUITY.

NAME	DATE	ADDRESS
<u>Brenda L. Atwood - Trustee</u>	<u>2-5-15</u>	<u>7345 Forest Lane - NASHPORT, Ohio 43830</u>
CEA Revocable Living Trust dated December 19, 2014 Brenda L. Atwood – Trustee		



12.0 +/- Acre Annexation from Plain Township to City of New Albany

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 9, Township 2, Range 16, in the United States Military Lands, and also being all of the remainder of a 6.175 acre as described in deed to Brenda L. Atwood, Trustee of the CEA Revocable Living Trust, of record in instrument 201412230170389 and a 6.043 acre tract as described in deed to Brenda L. Atwood, Trustee of the CEA Revocable Living Trust of record in instrument 201412230170389, all records are to the Franklin County Recorder's Office, Franklin County Ohio:

Beginning at the southwesterly corner of a Wilber Frank Addition, Section 1 and the northwest corner of said 6.175 acres and the **True Place of Beginning** for the tract of land herein being described;

Thence easterly with the southerly line of Wilbur Frank Addition with the northern line of said 6.175 acres 1772 feet more or less, to the west right of way of Johnstown Road;

Thence southerly with the west right of way line of Johnston Road a distance of 342 feet more or less, to a common line of said 6.043 acres and a 5.784 acre tract in the name of Tamara Langston Trust in the existing City of New Albany corporation line;

Thence westerly with south line of said 6.043 acres and the northerly line of said 5.784 acre tract a distance of 1628 feet more or less, to a common corner of said 6.043 acres and said 5.784 acres;

Thence northerly with east line of a 45.411 acre tract in the name of New Albany Links Golf Course Co LTD also being with the westerly line of said 6.043 acre and said 6.175 acres and the existing City of New Albany Corporation Line a distance of 302 feet more or less, to the **True Place of Beginning** containing approximately 12.0 acres more or less.

This annexation plat is a general description of the location of the property to be annexed and is not a boundary survey as defined in the O.A.C. Chapter 4733.37.

302 lineal feet of the perimeter is contiguous with the existing corporation line of the City of New Albany. A total of 4,045 lineal feet of annexed perimeter. 7.5% of the perimeter of the annexed areas is contiguous to the existing City of New Albany corporation line (Ordinance No 31-96, O. R. 34456G14).

Mark Alan Smith, P.S.
Professional Surveyor No. 8232

1/20/2015



RECEIVED

JAN 28 2015

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

RECEIVED

FEB 26 2015
ANX-EXP1 06-15
Franklin County Planning Department
Franklin County, Ohio

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE

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

By DR Date 1/20/15



JAN 28 2015

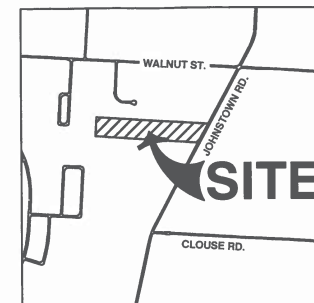
Franklin County Engineer
Dean C. Ringle, P.E., P.S.

PROPOSED ANNEXATION OF 12.0 +/- ACRES TO THE CITY OF NEW ALBANY FROM PLAIN TOWNSHIP, FRANKLIN COUNTY, OHIO

STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF PLAIN,
SEC. 9, TWP. 2, RANGE 16, UNITED STATES MILITARY LANDS

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

By RB Date 1/28/15



VICINITY MAP

APPROX 1 1/2-2,000'

RECEIVED

FEB 26 2015

ANX-EXP1 06-15

Franklin County Planning Department
Franklin County, Ohio

- 1 222-001253 1.270 AC.
JOSEPH STEPHEN P TR,
JOSEPH JUDITH L TR
IN. 190001010007449
- 2 222-001252 0.779 AC.
MOORE WESLEY D,
IN. 190001010007449
- 3 220-002141 1.745 AC.
WARD PEARL H,
IN. 1900010100010371

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.A.C. CHAPTER 4733.37.

MARK ALAN SMITH, P.S.
PROFESSIONAL SURVEYOR 8232

CONTIGUITY CALCULATION

302 LINEAL FEET OF PERIMETER IS
CONTIGUOUS WITH THE EX. CORPORATION
LINE OF THE CITY OF NEW ALBANY.

A TOTAL OF 4,045 LINEAL FEET OF ANNEXED PERIMETER.

7.5% OF THE PERIMETER OF THE ANNEXED AREA IS CONTIGUOUS TO THE EX. CITY OF NEW ALBANY CORPORATION LINE.

PROPERTIES TO BE ANNEXED

P.I.D.: 220-001613
6.2 +/- ACRES
CONDREN JERRY C
CONDREN JERRY C TR
IN. 201106270079591

P.I.D.: 220-001285
6.0 +/- ACRES
CONDREN JERRY C
CONDREN JERRY C TR
IN. 201106270079591



LEGEND

EXISTING CORPORATION LINE

PROPOSED CORPORATION LINE

AREA TO BE ANNEXED FROM PRAIRIE
TOWNSHIP TO THE CITY OF NEW ALBANY

SCALE IN FEET



Civil & Environmental Consultants, Inc.

250 Old West Wilson Bridge Road, Ste 250 • Worthington, Ohio 43085
614-540-6633 • 888-598-6808

www.cecinc.com

PROPOSED ANNEXATION OF 12.2 +/- ACRES
JOHNSTOWN ROAD
PLAIN TOWNSHIP, OHIO

ANNEXATION PLAT

DRAWN BY:	CJA	CHECKED BY:	JJR	APPROVED BY:	JAM	DRAWING NO.:
DATE:	JANUARY 2015	DWG SCALE:	1"=200'	PROJECT NO:	143-775	1 OF 1



Prepared: 1/29/2015
Introduced: 2/3/2015
Adopted: 2/3/15

RECEIVED

FEB 26 2015

ANX-EXP1 06-15

Franklin County Planning Department
Franklin County, Ohio

RESOLUTION R-3-2015

A RESOLUTION TO APPROVE AND AUTHORIZE THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT WITH PLAIN TOWNSHIP

WHEREAS, the City and the Township share certain boundaries and therefore have a shared interest in the general area found adjacent to Johnstown Road, south of Wilbur Road and east of Skarlocken Green, as illustrated in the exhibit of the attached Annexation Agreement; and

WHEREAS, it is anticipated that real property comprised of a real estate parcel totaling approximately 12.2+/- acres (Annexation Parcel), will be the subject of an annexation petition to be filed with the Commissioners soon after the Effective Date; and

WHEREAS, the City and the Township desire to maintain a cooperative relationship that will foster economic development on the Annexation Parcel and to provide for public infrastructure improvements that will serve the residents and property owners of the City and Township; and

WHEREAS, the Ohio Revised Code Sections 709.021 and 709.022 establish provisions for the annexation of property that includes an annexation agreement between the City and the Township; and

WHEREAS, in furtherance of this relationship, the City and the Township desire to enter this Agreement to memorialize the terms of their mutual agreement on the procedure under which the annexation(s) of the Annexation Parcel to the City will occur in order to ensure that such annexation(s) are completed in accordance with the procedure that has been historically utilized by the City; and

WHEREAS, the owners of the Annexation Parcel have restricted their development potential to a maximum of one residential dwelling by virtue of a Limited Warranty Deed. These development rights for a maximum of 11 single family homes have been transferred from the Annexation Parcel to the Millbrook Farms at Sugar Run subdivision.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. Council hereby approves and authorizes the City Manager to enter into an annexation agreement with Plain Township.

Section 2. This Agreement shall cover and be applicable only to the Annexation Parcel which is identified in Exhibit A, attached herein. The area/boundaries of the Annexation Parcel to which this agreement applies shall not be reduced, enlarged, modified, or altered in any way except by written mutual agreement of the parties approved authorizing legislation from both the legislative authority of the Township and the City. Any changes to the boundaries of the Annexation Parcel shall require a written amendment to this Agreement.

Section 3. On or after the Effective Date, all or part of the Annexation Parcel shall, upon proper petition(s) to and with the approval of the Franklin County Board of Commissioners and acceptance of the annexation by the City, be annexed to and accepted by the City under the conditions set forth in the annexation agreement.

Section 4. Pursuant to Article 6.07 of the New Albany Charter, this Resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this 3rd day of February, 2015

ATTEST:

Nancy I. Ferguson
Nancy I. Ferguson
Mayor

Betty J. Bosko
Betty J. Bosko, CMC
Clerk of Council

CERTIFICATE OF COPY

I, Betty J. Bosko, Clerk of Council of the City of New Albany, Ohio, hereby certify that this document is a true and correct copy of Resolution No. 9-03-2015 passed by the Council on 2/3/15, 2015, signed by Mayor Nancy I. Ferguson and will become effective on 2/3, 2015.

Betty J. Bosko
Betty J. Bosko, Clerk of Council

2/9/15
Date
CITY OF
CLERK OF COUNCIL
BETTY J. BOSKO
NEW ALBANY

RECEIVED

FEB 26 2015

ANX-EXP1 06-15

Franklin County Planning Department
Franklin County, Ohio

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT (this "Agreement"), is entered ~~into on or as of~~ February 19, 2015 (the "Effective Date") by and between the City of New Albany, Ohio (the "City"), an Ohio Charter municipal corporation having its address at 99 W. Main Street, New Albany, Ohio 43054, and the Township of Plain, Franklin County, Ohio (the "Township"), a township duly organized and validly existing under the laws of the State of Ohio having its address at 45 Second Street, New Albany, Ohio 43054.

WITNESSETH:

WHEREAS, the City and the Township share certain boundaries and therefore have a shared interest in the two parcels found adjacent to Johnstown Road, south of Wilbur Road and east of Skarloeken Green as illustrated in Exhibit A attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the City and the Township desire to maintain a cooperative relationship that will foster economic development on the Property and to provide for public infrastructure improvements that will serve the residents and property owners of the City and the Township; and

WHEREAS, in furtherance of this relationship, the City and the Township desire to enter this Agreement to memorialize the terms of their mutual agreement on the manner and procedure under which the annexation of the Property to the City will occur in order to ensure that such annexation is completed in a manner mutually satisfactory to both parties.

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants and agreements hereinafter set forth, the parties hereby agree as follows:

1. Territory Defined: This Agreement shall cover and be applicable only to the Property. The boundaries of the Property shall not be reduced, enlarged, modified, or altered in any way except by written consent approved and given by the legislative authorities of both the City and the Township by means of appropriate action authorizing such reduction, enlargement, modification, or alteration. Any changes to the boundaries of the Property shall require a written amendment to this Agreement.
2. Annexation of the Property: On or after the Effective Date, all or part of the Property may, upon proper petition(s) to and with the final approval of the Franklin County Board of Commissioners (the "Commissioners"), be annexed to and accepted by the City under the conditions hereinafter set forth in this Section 2 and subject to all other conditions and limitations in this Agreement.
 - A. Procedure: Annexations of all or part of the Property to the City shall be filed pursuant to and comply with the provisions of Sections 709.021 and 709.022 of the Ohio Revised Code, as such provisions exist on the Effective Date. Annexations of such Property shall also comply with the terms of this Agreement. It is the intention of the parties to require any petition seeking to annex all or a portion of the

Property to the City to be filed pursuant to and in compliance with the provisions of Sections 709.021 and 709.022 of the Ohio Revised Code as set forth in this Section 2.A and in compliance with the terms of this Agreement, and to prohibit the City from assisting or accepting an annexation petition concerning the Property which fails to comply with this requirement.

- B. Effect of Annexation: Immediately following both (i) the approval of a particular annexation petition affecting all or part of the Property by the Commissioners and (ii) the City's acceptance into municipal boundaries of the real property affected by the petition(s), then the annexed property shall be treated and viewed with the same legal effect as if it had been approved as an annexation completed under Section 709.02 of the Ohio Revised Code. Should, at any time, any Property annexed into the City, pursuant to this Agreement, be excluded from the Township, the City shall compensate the Township as in accordance with Section 709.19 of the Ohio Revised Code in its current form as of the effective date of this agreement and in the event Section 709.19 is amended, the City shall not be released from its obligation to make payments described in the current language of Section 709.19.

- C. Cooperative Efforts: Upon the filing of any annexation petition concerning all or part of the Property in accordance with Section 2.A of this Agreement, the Township and the City shall cooperate in good faith to facilitate the approval and success of such petition. In such an instance, each party shall refrain from taking any action that would directly or indirectly delay the annexation process or endanger the possible approval of the annexation petition by the Commissioners. If an annexation petition concerning all or part of the Property is filed which does not comply with the terms of this Agreement, the City shall refrain from any act which would, directly or indirectly, contribute to the success of the petition, unless required by law. This obligation shall include not approving or otherwise consenting to a petition seeking to annex any such property.

3. **Payment to the Township Fire Department:**

In the event that the City creates a TIF district on the Property, the City agrees to pay to the Township from available annual TIF revenues generated from the Property, in consideration for the Township's continuing to provide Fire/EMS services to the Property, the annual amount that the Township would have received with respect to taxes the Township has levied to fund its fire department if not for the exemption granted by the TIF Ordinance (the "Fire Department Payment").

4. **Miscellaneous:**

- A. The term of this Agreement shall commence on the Effective Date and shall terminate at 11:59 p.m. on the fiftieth (50th) anniversary of the Effective Date (the "Initial Term"). Unless the legislative authority of the City or the Township, at least ninety (90) days before the expiration of the Initial Term or any subsequent term as

provided herein, acts to terminate the Agreement at the expiration of said term, this Agreement shall automatically renew for consecutive terms of twenty (20) years each, with no limit on the number of renewal terms.

- B. Notices. Any notice required to be given hereunder shall be given in writing and shall be deemed sufficiently given if actually received or if hand delivered or sent by recognized, overnight delivery service or by certified mail, postage prepaid and return receipt requested, addressed to the other party at the address set forth in this Agreement or to such other address as the recipient shall have previously notified the sender of in writing. For purposes of this Agreement, notices shall be addressed to:

If to City:

The City of New Albany
Attn: Joseph Stefanov
City Manager
99 W. Main Street
New Albany, Ohio 43054
Fax: 614.855.8583

If to Township:

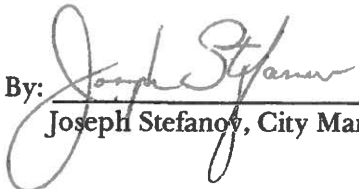
Plain Township Board of Trustees
Attn: Ben Collins
Township Administrator
45 Second Street
New Albany, Ohio 43054
Fax: 614.855.2087

Notices shall be deemed received upon actual receipt, unless sent certified mail, in which event such notice shall be deemed to have been received when the return receipt is signed or refused.

- C. Entire Agreement. This Agreement embodies the entire understanding among the parties with respect to the subject matter herein contemplated. Any amendments hereto shall be in writing and shall be executed by both the City and the Township.
- D. Counterparts. This Agreement may be executed in one or more counterparts, each of which, when executed and delivered, shall be deemed an original, and all counterparts shall constitute one and the same instrument.

IN TESTIMONY WHEREOF, the parties have caused duplicate counterparts hereof to be executed by their duly authorized officers as of the date first set forth above.

City of New Albany

By: 
Joseph Stefanov, City Manager

Plain Township

By: 
Ben Collins, Township Administrator

Approved as to Form:



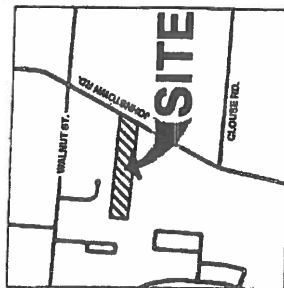
Mitchell Banchelsky,
Law Director

EXHIBIT A

Description of the Annexation Area

STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF PLAIN,
SEC. 9, TWP. 2, RANGE 16, UNITED STATES MILITARY LANDS

NORTH



VICINITY MAP

220-002098 5.070 AC.
KIM OK C
IN 19980819021115

225-002268 45,417 AC.
NEW ALBANY LINKS GOLF
COURSE CO LTD
IN 199812040312880

220-001500 15,509 AC.
LONGREE GWYN R TR
LONGREE MARK H TR
IN 201205020072387

220-001372 5,794 AC.
LANGSTON TAMARA TR
IN 20110708083410

220-001285 6,043 AC.
CONDREN JERRY C
CONDREN JERRY C TR
IN 201106270078591

220-001613 6,175 AC. EASTERLY 1772
CONDREN JERRY C TR
CONDREN JERRY C TR
IN 201106270078591

220-002098 5,010 AC.
KIM OK C
IN 199808190211115

WILBUR FRANK ADD
SECTION 1

WILBUR FRANK ADD
SECTION 2

WILBUR FRANK ADD
SECTION 3

CITY OF NEW ALBANY

NORTHERLY 302

EASTERLY 1772

WESTERLY 1628

SOUTHERLY 743

JOHNSTON RD

PLAIN TOWNSHIP

FOB

CITY OF NEW ALBANY
CORPORATION LINE
ORDINANCE NO. 31-86
O.R. 34456814

222-002268 45.411 AC.
NEW ALBANY LINKS GOLF
COURSE CO LTD
RN199812040312880

- ① 222-001253 1.270 AC
JOSEPH STEPHEN P JR
JOSEPH NORTH L TR
IN. 190001010007449
- ② 222-001252 0.778 AC
MOORE WESLEY D
IN. 190001010007449
- ③ 222-002141 1.745 AC
WARD PEARL H
IN. 1900010100103171

7.5% OF THE PERIMETER OF THE ANNEXED AREA IS CONTIGUOUS TO EX. CITY OF NEW ALBANY CORPOR. LINE.

P.I.D.: 220-001613
6.2 +/- ACRES
CONDREN JERRY C
CONDREN JERRY C
#4 201106270078591

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.A.C. CHAPTER 4733.37.

LEGEND



AREA TO BE ANNEXED FROM PRAIRIE
TOWNSHIP TO THE CITY OF NEW ALBANY



Civil & Environmental Consultants, Inc.
250 Old West Wilson Bridge Road, Ste 250 • Worthington, Ohio 43085
614-540-6633 • 888-538-6908

**PROPOSED ANNEXATION OF 12.2 +/- ACRES
JOHNSTOWN ROAD
PLAIN TOWNSHIP, OHIO**

ANNEXATION PLAT

DRAWN BY:	CJA	CHECKED BY:	JJR	APPROVED BY:	JAM	DRAWING NO.:
DATE:	APR 04 2004					

JAM DRAWING NO.: 141-528 1 OF 1

12.0 +/- Acre Annexation from Plain Township to City of New Albany

Situated in the State of Ohio, County of Franklin, Township of Plain, being located in Section 9, Township 2, Range 16, in the United States Military Lands, and also being all of the remainder of a 6.175 acre as described in deed to Jerry C Condren of record in Instrument 201106270079591 and a 6.043 acre tract as described in deed to Jerry C Condren of record in Instrument 201106270079591, all records are to the Franklin County Recorder's Office, Franklin County Ohio, and being more particularly described as follows:

Beginning at the southwesterly corner of a Wilber Frank Addition, Section 1 and the northwest corner of said 6.175 acres, and in the existing City of New Albany Corporation Line (Ordinance 31-96- O.R. 34456G14) at the **True Place of Beginning** for the tract of land herein being described;

Thence easterly with the southerly line of Wilbur Frank Addition and with the northerly line of said 6.175 acres 1772 feet more or less, to the west right of way of Johnstown Road;

Thence southerly, with the west right of way line of Johnston Road a distance of 342 feet more or less, to a common line of said 6.043 acres and a 5.784 acre tract described in deed to Tamara Langston Trust;

Thence westerly, with south line of said 6.043 acres and the northerly line of said 5.784 acre tract, a distance of 1628 feet more or less, to a common corner of said 6.043 acres and said 5.784 acres;

Thence northerly, with east line of a 45.411 acre tract described in deed to New Albany Links Golf Course Co LTD also being with the westerly line of said 6.043 acre and said 6.175 acres and the existing City of New Albany Corporation Line, a distance of 302 feet more or less, to the **True Place of Beginning** containing approximately 12.0 acres, more or less.

This annexation description is a general description of the location of the property to be annexed and is not a boundary survey as defined in the O.A.C. Chapter 4733.37. The above description is for annexation purposes only and not intended to be used for the transfer of real property.

The above annexation contains a perimeter is 302 lineal feet that is contiguous with the existing corporation line of the City of New Albany and a total perimeter of 4,045 lineal feet to be annexed and 7.5% of the perimeter length is contiguous to the existing City of New Albany corporation line (Ordinance No 31-96, O. R. 34456G14).