

Review of Petition to Annex 16.3 +/- acres from Franklin and Norwich Townships to the City of Columbus Case #ANX-EXP2-09-15 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition, filed by Jill Tangeman on behalf of the Estate of Irene Jasys and D&S Investments of Powell, LLC, on March 10, 2015, 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 passed ordinance no. 0771-2015 agreeing to provide to the territory proposed for annexation certain services and adopting a statement regarding possible incompatible land uses and zoning buffer. The respective ordinance was passed by the City of Columbus on March 23, 2015.

Review of Petition to Annex 16.3 +/- acres from Franklin and Norwich Townships to the City of Columbus Case #ANX-EXP2-09-15 (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, 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: D. Anthony Hray

C: Economic Development & Planning Department

CERTIFIED TRUE COPY
By: [Signature] Date: 4/21/15
Franklin County Economic Development
& Planning Department

SIGNATURE SHEET

Resolution No. 0321-15

April 14, 2015

REVIEW OF PETITION TO ANNEX 16.3 +/- ACRES FROM FRANKLIN AND NORWICH TOWNSHIPS TO THE CITY OF COLUMBUS CASE #ANX-EXP2-09-15

(Economic Development and Planning)

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

Voting:

Marilyn Brown, President
Paula Brooks
John O'Grady

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

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
16.3 +/- ACRES FROM
FRANKLIN AND NORWICH TOWNSHIPS
TO THE CITY OF COLUMBUS

Description:

Attached is a resolution to consider the annexation of 16.3-acres, more or less, from Franklin and Norwich Townships to the city of Columbus. The petition case number is ANX-EXP2-09-15.

Applicant/Agent:

Jill Tangeman, Esq.

Owners:

Estate of Irene Jasys
D&S Investments of Powell, LLC

Site:

Trabue Road (140-004031, 140-004066, 140-004069 and 140-004316) and adjacent right-of-way

Additional Information:

The total perimeter of the site is 7093 feet; 5627 feet or 79 percent of which being contiguous to the city of Columbus.

Analysis:

The applicant has met all statutory requirements outlined in Section 709.021 of the Ohio Revised Code. The applicant has provided proof of notification, and timeline and has provided an ordinance from the city of Columbus identifying the services that will be provided once the annexation has been approved and a statement regarding possible incompatible land uses and zoning buffer. The respective ordinance, no. 0771-2015, was passed by the city of Columbus on March 23, 2015.

Recommendation:

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



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

Economic Development & Planning Department
James Schimmer, Director

MEMO JOURNALIZATION

TO: Shannon Zee Cross, County Clerk
Franklin County Commissioners Office

FROM: D. Anthony Hray, Planner
Franklin County Economic Development & Planning Department

CC: James Schimmer, Director
Jenny Snapp, Assistant Director, Building, Planning and Zoning
Matthew Brown, Planning Administrator
Franklin County Economic Development & Planning Department

RE: Description of Expedited Type 2 annexation case to be
journalized on the **March 17, 2015** General Session Agenda for
a hearing on **April 14, 2015**.

Case #ANX-EXP2-09-15 - An Expedited Type 2 annexation petition ANX-EXP2-09-15 was filed in our office on March 10, 2015. The petition is requesting to annex 16.3 +/- acres from Franklin and Norwich Townships to the City of Columbus.

Site: 3775 and 3747 Trabue Road (140-004316 and 140-004031); including contiguous section of public right-of-way.



Commissioners
Marilyn Brown, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schlummer, Director

Application for
**Annexation
Petition**

Expedited Type 2
Pursuant to ORC §709.023

RECEIVED

MAR 10 2015

2

Franklin County Planning Department
Franklin County, Ohio

Property Information	
Site Address Trabue Road	
Parcel ID(s) 140-004316; 140-004031	Total Acreage 16.3
From Township Franklin and Norwich	To Municipality Columbus

Property Owner Information	
Name Estate of Irene Jasys D&S Investments of Powell, LLC	
Address 3775 Trabue Road 3747 Trabue Road Columbus, OH 43228 Columbus, OH 43228	
Phone # c/o Jill Tangeman, Esq. 614-464-5608	Fax # 614-719-4638
Email jstangeman@vorys.com	

Attorney Agent Information	
Name Jill Tangeman, Esq.	
Address 52 East Gay Street, Columbus, OH 43215	
Phone # 614-464-5608	Fax # 614-719-4638
Email jstangeman@vorys.com	

Staff Use Only	
Case # ANX-EXP2 09-15	
Hearing date: 4/14/15	
Date filed: 3/10/15	
Fee paid 350.00	
Receipt # 1504	
Notifications deadline: 5 days 3/15/15	
Svc statement deadline: 20 days 3/30/15	

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.			
ESTATE OF IRENE JASYS			
BY: <u>Jill A. Clouston</u>	<u>3/5/15</u>	Property Owner	Date
EXECUTOR			
Property Owner	Date	Property Owner	Date



Commissioners
Marilyn Brown, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

Application for

Annexation Petition

Expedited Type 1
Processed at \$100 per acre

RECEIVED

MAR 10 2015

ANX-EXP2-09-15

Franklin County Planning Department
Franklin County, Ohio

Property Information	
Site Address	Trabue Road
Parcel ID(s)	140-004316; 140-004031
Total Acreage	16.3
From Township	Franklin and Norwich
To Municipality	Columbus

Property Owner Information	
Name	Estate of Irene Jasys D&S Investments of Powell, LLC
Address	3775 Trabue Road 3747 Trabue Road Columbus, OH 43228 Columbus, OH 43228
Phone #	c/o Jill Tangeman, Esq. 614-464-5608 Fax # 614-719-4638
Email	jstangeman@vorys.com

Attorney/Agent Information	
Name	Jill Tangeman, Esq.
Address	52 East Gay Street, Columbus, OH 43215
Phone #	614-464-5608 Fax # 614-719-4638
Email	jstangeman@vorys.com

Staff Use Only
Case #
Hearing date:
Date filed
Fee paid
Receipt #
Notifications deadline 5 days
Svc statement deadline 20 days

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<p>D&S INVESTMENTS OF POWELL, LLC. <u>William R. Shepherd Peterson</u> 3/4/2015 Property Owner Date</p>		<p>Property Owner Date</p>	
<p>Property Owner Date</p>		<p>Property Owner Date</p>	

**PETITION FOR ANNEXATION
TO THE CITY OF COLUMBUS, OHIO
OF 16.3+/- ACRES, MORE OR LESS, IN
FRANKLIN TOWNSHIP AND NORWICH TOWNSHIP,
FRANKLIN COUNTY, OHIO**

Now comes the undersigned, petitioner in the premises and being the sole owner of a certain area as hereinafter described, consisting of 16.3+/- acres, more or less, in Franklin Township and Norwich Township, Franklin County, Ohio, which is contiguous and adjacent to the City of Columbus, Ohio, according to the statutes of the State of Ohio. Said area is situated in the Townships of Franklin and Norwich, County of Franklin, and State of Ohio; and an accurate legal description of the perimeter is attached hereto and made a part hereof as Exhibit "A" and an accurate map of the territory proposed for annexation is attached hereto and made a part hereof as Exhibit "B".

Jill Stemen Tangeman, Esq., of 52 East Gay Street, Columbus, Ohio 43215, is the person to act as agent for the undersigned petitioner as required by Section 709.02 of the Ohio Revised Code.

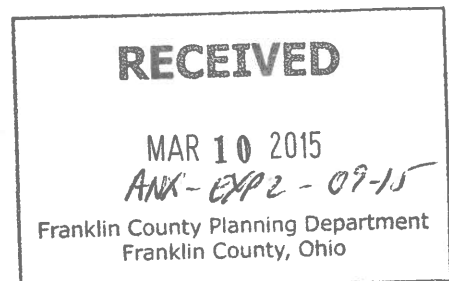
This petition is for an Expedited II annexation, under Sections 709.021 and 709.023 of the Ohio Revised Code.

The total number of owners in the territory sought to be annexed is two, and both owners signed this annexation petition. The person(s) who signed this petition are the only owners of the real estate located within the territory proposed for annexation and constitutes all of the owners of the real estate in that territory. This petition may be signed in parts.

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.

<u>Name</u>	<u>Address</u>	<u>Lot No. or Acreage</u>	<u>Date Signed</u>
D&S Investments of Powell, LLC	3747 Trabue Road	8.23 +/- acres	3/4/2015
By: <u>Kellan R. Shepherd</u>			
Its: <u>Partner</u>			

Part 1 of 2



**PETITION FOR ANNEXATION
TO THE CITY OF COLUMBUS, OHIO
OF 16.3+/- ACRES, MORE OR LESS, IN
FRANKLIN TOWNSHIP AND NORWICH TOWNSHIP,
FRANKLIN COUNTY, OHIO**

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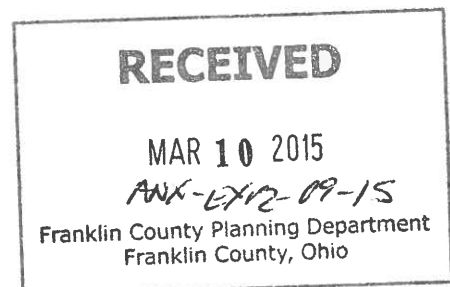
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APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY
COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS
SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS
MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES
REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.**

Name	Address	Lot No. or Acreage	Date Signed
<i>ESTATE OF IRENE JASYS</i>			
BY: <i>Jon A. Christensen</i> EXR	3775 Trabue Road	8.07 +/- acres	<i>3/5/15</i>
Jon A. Christensen Executor of the Estate of Irene Jasys			

Part 2 of 2



RECEIVED

FEB 09 2015

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By BB Date 2/9/15

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

**DESCRIPTION OF 16.3 ACRES LOCATED IN
FRANKLIN AND NORWICH TOWNSHIPS
TO BE ANNEXED TO THE CITY OF COLUMBUS
EXPEDITED TYPE II ANNEXATION UNDER ORC §709.021 AND §709.023**

-1-

Situated in the State of Ohio, County of Franklin, Townships of Franklin and Norwich, Survey Nos. 544 and 875 of the Virginia Military Survey, and being all of that 8.115 acre tract of land as conveyed to Irene Jasys of record in Official Record 10405E16 (A.P.N. 140-004316), all of a 5.595 acre tract conveyed to D & S Investments of Powell, LLC of record in Instrument Number 201405220063596 (A.P.N. 140-004031, A.P.N. 140-004066 and A.P.N. 140-004069), all of a 0.0395 acre tract of land (2WD) as conveyed to the Franklin County Commissioners of record in Official Record 982J03, a portion of a 0.1665 acre tract of land (1WD) as conveyed to the Franklin County Commissioners of record in Official Record 1078I19, a portion of a 1.563 acre tract of land as conveyed to the City of Columbus, Ohio of record in Official Record 12785I20, a portion of a 1.306 acre tract of land (38WD) as conveyed to the Franklin County Commissioners of record in Instrument Number 199807080170990 and a portion of an Original 219.748 acre tract of land as conveyed to City of Columbus (Raymond Memorial Golf Course) (A.P.N. 560-154646) of record in Deed Book 1507, Page 396, some of which is a portion of Trabue Road and described as follows:

Beginning at the northeast corner of an existing City of Columbus Corporation Line (Case No. 38-00, Ord. No. 2112-00, I.N. 200011150231301, Parcel No. 2), said corner being in the north right-of-way line of said Trabue Road;

Thence **Northeasterly**, along said City of Corporation Line, being said north right-of-way line, about **2241 feet** to the northeast corner of said D & S Investment tract;

Thence **Southeasterly, Southwesterly and Northeasterly**, along the east line of said D & S Investment tract, the following courses;

about **569 feet** to corner thereof;

about **48 feet** to corner thereof;

about **149 feet** to corner thereof;

about **32 feet** to corner thereof;

about **668 feet** to the southeast corner of said D & S Investment tract, being the northwest line of a Subdivision "Scioto Woods Section 4" of record in Plat Book 73, Page 72 and being an existing City of Columbus Corporation Line (Case No. 14-69, Ord. No. 1155-69, M.R. 148, Pg. 229);

Thence **Southwesterly**, along the southeasterly line of said D & S Investment tract, being the northwesterly line of said "Scioto Woods Section 4" and being the northwesterly line of said City of Columbus Corporation Line (Case No. 14-69, Ord. No. 1155-69, M.R. 148, Pg. 229), about **180 feet** to the southeast corner of a Subdivision "Scioto Woods Section 2" of record in Plat Book 73, Page 12 and being the southeast corner of a City of Columbus Corporation Line (Case No. 34-71, Ord. No. 1843-71, M.R. 155, Pg. 52);

Thence **Northwesterly, Southwesterly and Westerly**, along the westerly lines of said Jasys tract, being the easterly lines of said existing City of Columbus Corporation Line (Case No. 34-71, Ord. No. 1843-71, M.R. 155, Pg. 52), being easterly lines and northerly lines of a said "Scioto Woods Section 2" and a northeast line of a Subdivision "Scioto Woods Section 1" of record in Plat Book 71, Page 70, the following courses;

about **145 feet** to an angle point;

about **181 feet** to an angle point;

about **121 feet** to an angle point;

**DESCRIPTION OF 16.3 ACRES LOCATED IN
FRANKLIN AND NORWICH TOWNSHIPS
TO BE ANNEXED TO THE CITY OF COLUMBUS
EXPEDITED TYPE I ANNEXATION UNDER ORC §709.021 AND §709.023**

-2-

about **238 feet** to an angle point;

about **221 feet** to an angle point;

about **150 feet** to an angle point;

about **180 feet** to an angle point;

about **130 feet** to an angle point;

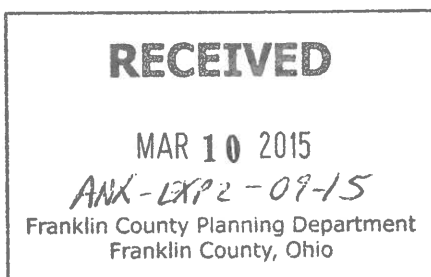
about **235 feet** to an angle point;

Thence **Southwesterly**, continuing along the north line of said existing City of Columbus Corporation Line (Case No. 34-71, Ord. No. 1843-71, M.R. 155, Pg. 52), being the north line of said "Scioto Woods Section 1", about **1215 feet** to a southeast corner of said existing City of Columbus Corporation Line (Case No. 38-00, Ord. No. 2112-00, I.N. 200011150231301, Parcel No. 2);

Thence **Northwesterly**, along an east line of said existing City of Columbus Corporation Line (Case No. 38-00, Ord. No. 2112-00, I.N. 200011150231301, Parcel No. 2), about **60 feet** to the **Point of Beginning**. Containing approximately **16.3 acres** of land, more or less, (14.8 acres being in Franklin Township and 1.5 acres being in Norwich Township). The above description was prepared by Advanced Civil Design, Inc. on December 3, 2014. A drawing of the above description has been prepared and is a part hereof.

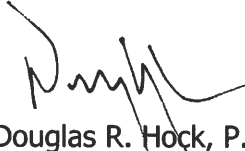
The total length of the annexation perimeter is about 7093 feet, of which about 5627 feet are contiguous with existing City of Columbus Corporation Lines, being 79% contiguous. This annexation does not create any islands of township property.

This description was written for annexation purposes only and was not intended to be used in the transfer of lands.

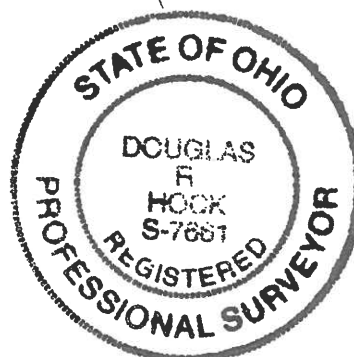


Z:\14-0086-128\survey\16.3Ac_annex_desc1.doc

ADVANCED CIVIL DESIGN, INC.


Douglas R. Hock, P.S. 7661

2/9/15
Date:



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FEB 09 2015

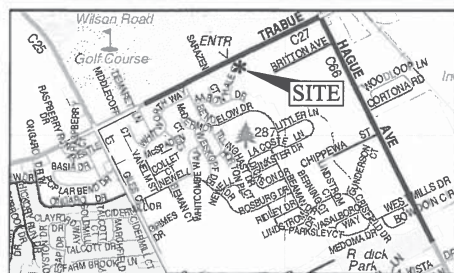
Franklin County Engineer
Dean C. Ringle, P.E., P.S.

16.3 ACRE ANNEXATION TO THE CITY OF COLUMBUS EXPEDITED TYPE II ANNEXATION UNDER ORC §709.021 AND §709.023

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF FRANKLIN AND NORWICH
LOCATED IN SURVEY NO. 544 AND 875 OF THE VIRGINIA MILITARY SURVEY

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

By BB Date 2/9/15

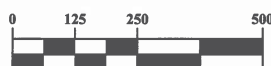


Location Map - NTS

Length of Contiguity: ±5627 feet
Total Length of Perimeter: ±7093 feet
Percentage of Contiguity: ±79%

No islands of township property are created by this annexation.

GRAPHIC SCALE



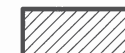
1 inch = 250 feet

Advanced Civil Design, Inc
422 Beecher Road
Gahanna, OH 43230
Phone 614-428-7750

Job No.: 14-0086-128
Date: 12/02/2014

City of Columbus
Commissioners
Case No. 12-69
Ord. No. 1259-69
M.R. 148, Pg. 277

LEGEND



AREA TO BE ANNEXED

EXISTING CORP LINE

PROPOSED CORP LINE

A John W S &
Anna M. Yocum
A.P.N. 570-215980

B Daniel A. Sileargy
A.P.N. 570-215995

C Adam D. Long
A.P.N. 570-215996

D Ryan M. & Elizabeth A.
McSkimin
A.P.N. 570-215997

E Haithm Ismail
A.P.N. 570-215998

F Andrew P. & Barbara
A. Haladej
A.P.N. 570-215999

G Evelyn L. Lambert
A.P.N. 570-216000

H Mary Beth Basil
A.P.N. 570-216001

I Scott A. & Kelli S.
Weber
A.P.N. 570-216002

J Herbert M. & Edwina H.
Ripple
A.P.N. 570-216003

K Binga Wong & Yuen Lee
A.P.N. 570-216004

L Douglas & Juliana E.
McCorison
A.P.N. 570-215910

M Albert Brown
A.P.N. 570-215920

N Brandon A. Borgmann
A.P.N. 570-215921

O Michael T. & Patricia J.
Purcell
A.P.N. 215922

P Kevin M. & Elizabeth A.
Orouke
A.P.N. 570-215923

Q Herbert N. & Kathy
Dillow
A.P.N. 570-218391

R Charles D. & Emily T.
Mann
A.P.N. 570-218392

S Jennifer L. Dowler
A.P.N. 570-218393

T David R. & Jeannette J.
Bird
A.P.N. 570-218394

U Freddy W. & Terry L.
Dutton
A.P.N. 570-218395

V Josephine S. Bertino
A.P.N. 570-218398

W Robert P. Grinch &
Anita A. Ruiz
A.P.N. 570-218399

X Bruce A. & Kimberly S.
Murray
A.P.N. 570-218400

Y Donald W. Search
A.P.N. 570-218401

Z Terry Walczak
A.P.N. 570-218403

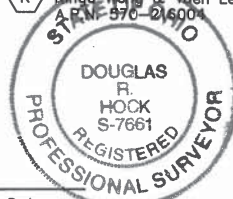
AA Jillian & Joseph Hall
A.P.N. 570-218404

BB Daniel L. Davis &
Vickie J. Murphy
A.P.N. 570-218405

CC Douglas K. & Stephanie
B. Eagle
A.P.N. 570-218406

DD Judith S. Miller
A.P.N. 570-218407

EE Kristin Grosso
A.P.N. 570-218408



Douglas R. Hock, P.S. 7661

Date:

RECEIVED

MAR 10 2015

ANK-EXP-09-15

Franklin County Planning Department
Franklin County, Ohio



City of Columbus

Legislation Report

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

ORIGINAL

File Number: 0771-2015

Emergency

File ID: 0771-2015

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN15-003: 16.3 Acres, Norwich
Township, Irene Jasys, et al.

File Created: 03/11/2015

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.: Jackie Yeoman 645-0663

RECEIVED

Floor Action (Clerk's Office Only)

MAR 23 2015 *Passed 7-0*

MAR 27 2015

Franklin County Planning Department
Franklin County, OH

ANX-EXP2-05-15

Mayor's Action

Mayor

MAR 24 2015

Date

Council Action

MAR 23 2015

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 (AN15-003) of 16.3 + acres in Franklin and Norwich Townships to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Attachments: ORD0771-2015 AN15-003 Legal Description,
ORD0771-2015 AN15-003 Map

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 0771-2015, passed by The Council of The City of Columbus, Ohio 3/23, 2015, as shown by the records now on file in this office.

Seal

City Clerk

Approval History

Version	Date	Approver	Action
1	03/11/2015	Steven Schoeny	Approved
1	03/11/2015	ATTORNEY APPROVER	Approved
Notes	wsb		

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
<hr/>							
EBOCO: Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.							
City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.							

Explanation**AN15-003**

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 and Norwich Townships. 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 (AN15-003) of 16.3 ± acres in Franklin and Norwich Townships 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 and Norwich Townships was duly filed on behalf of the Irene Jasys, et al. on March 10, 2015; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on April 14, 2015; 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 property is located within the boundaries of the adopted Trabue-Roberts Area Plan; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

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

SECTION 1. That the city of Columbus will provide the following municipal services for 16.3 ± acres in Franklin and Norwich Townships 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 or 300-gallon alley refuse service, the method of which to be determined by Division of Refuse Collection management. 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: This site will be served by an existing 12-inch water main located in Trabue Road, the connection to which will be made at the owner's expense.

Sewers: 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.

Sanitary: This site can be served by a proposed 8-inch Franklin County sanitary sewer (Fra. Co. CC-13833) situated along Trabue Road approximately 90 feet from the northeast property corner. A mainline sanitary sewer extension would be required to serve the property and would be designed, approved, and constructed at the developer/owner's expense.

Storm: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and applicable codes in effect at the time of development.

SECTION 2. If this 16.3 ± 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 and Norwich Townships, 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 and Norwich Townships. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

LEGAL DESCRIPTION
ANNEXATION AN15-003
16.3 ± Acres in Franklin and Norwich Townships

Situated in the State of Ohio, County of Franklin, Townships of Franklin and Norwich, Survey Nos. 544 and 875 of the Virginia Military Survey, and being all of that 8.115 acre tract of land as conveyed to Irene Jasys of record in Official Record 10405E16 (A.P.N. 140-004316), all of a 5.595 acre tract conveyed to D & S Investments of Powell, LLC of record in Instrument Number 201405220063596 (A.P.N. 140-004031, A.P.N. 140-004066 and A.P.N. 140-004069), all of a 0.0395 acre tract of land (2WD) as conveyed to the Franklin County Commissioners of record in Official Record 982J03, a portion of a 0.1665 acre tract of land (1WD) as conveyed to the Franklin County Commissioners of record in Official Record 1078I19, a portion of a 1.563 acre tract of land as conveyed to the City of Columbus, Ohio of record in Official Record 12785I20, a portion of a 1.306 acre tract of land (38WD) as conveyed to the Franklin County Commissioners of record in Instrument Number 199807080170990 and a portion of an Original 219.748 acre tract of land as conveyed to City of Columbus (Raymond Memorial Golf Course) (A.P.N. 560-154646) of record in Deed Book 1507, Page 396, some of which is a portion of Trabue Road and described as follows:

Beginning at the northeast corner of an existing City of Columbus Corporation Line (Case No. 38-00, Ord. No. 2112-00, I.N. 200011150231301, Parcel No. 2), said corner being in the north right-of-way line of said Trabue Road;

Thence **Northeasterly**, along said City of Corporation Line, being said north right-of-way line, about **2241 feet** to the northeast corner of said D & S Investment tract;

Thence **Southeasterly, Southwesterly and Northeasterly**, along the east line of said D & S Investment tract, the following courses;

about **569 feet** to corner thereof;

about **48 feet** to corner thereof;

about **149 feet** to corner thereof;

about **32 feet** to corner thereof;

about **668 feet** to the southeast corner of said D & S Investment tract, being the northwest line of a Subdivision "Scioto Woods Section 4" of record in Plat Book 73, Page 72 and being an existing City of Columbus Corporation Line (Case No. 14-69, Ord. No. 1155-69, M.R. 148, Pg. 229);

Thence **Southwesterly**, along the southeasterly line of said D & S Investment tract, being the northwesterly line of said "Scioto Woods Section 4" and being the northwesterly line of said City of Columbus Corporation Line (Case No. 14-69, Ord. No. 1155-69, M.R. 148, Pg. 229), about **180 feet** to the southeast corner of a Subdivision "Scioto Woods Section 2" of record in Plat Book 73, Page 12 and being the southeast corner of a City of Columbus Corporation Line (Case No. 34-71, Ord. No. 1843-71, M.R. 155, Pg. 52);

Thence **Northwesterly, Southwesterly and Westerly**, along the westerly lines of said Jasys tract, being the easterly lines of said existing City of Columbus Corporation Line (Case No. 34-71, Ord. No. 1843-71, M.R. 155, Pg. 52), being easterly lines and northerly lines of a said "Scioto Woods Section 2" and a northeast line of a Subdivision "Scioto Woods Section 1" of record in Plat Book 71, Page 70, the following courses;

about **145 feet** to an angle point;

about **181 feet** to an angle point;

about **121 feet** to an angle point;

about **238 feet** to an angle point;

about **221 feet** to an angle point;

about **150 feet** to an angle point;

about **180 feet** to an angle point;

about **130 feet** to an angle point;

about **235 feet** to an angle point;

Thence **Southwesterly**, continuing along the north line of said existing City of Columbus Corporation Line (Case No. 34-71, Ord. No. 1843-71, M.R. 155, Pg. 52), being the north line of said "Scioto Woods Section 1", about **1215 feet** to a southeast corner of said existing City of Columbus Corporation Line (Case No. 38-00, Ord. No. 2112-00, I.N. 200011150231301, Parcel No. 2);

Thence **Northwesterly**, along an east line of said existing City of Columbus Corporation Line (Case No. 38-00, Ord. No. 2112-00, I.N. 200011150231301, Parcel No. 2), about **60 feet** to the **Point of Beginning**. Containing approximately **16.3 acres** of land, more or less, (14.8 acres being in Franklin Township and 1.5 acres being in Norwich Township). The above description was prepared by Advanced Civil Design, Inc. on December 3, 2014. A drawing of the above description has been prepared and is a part hereof.

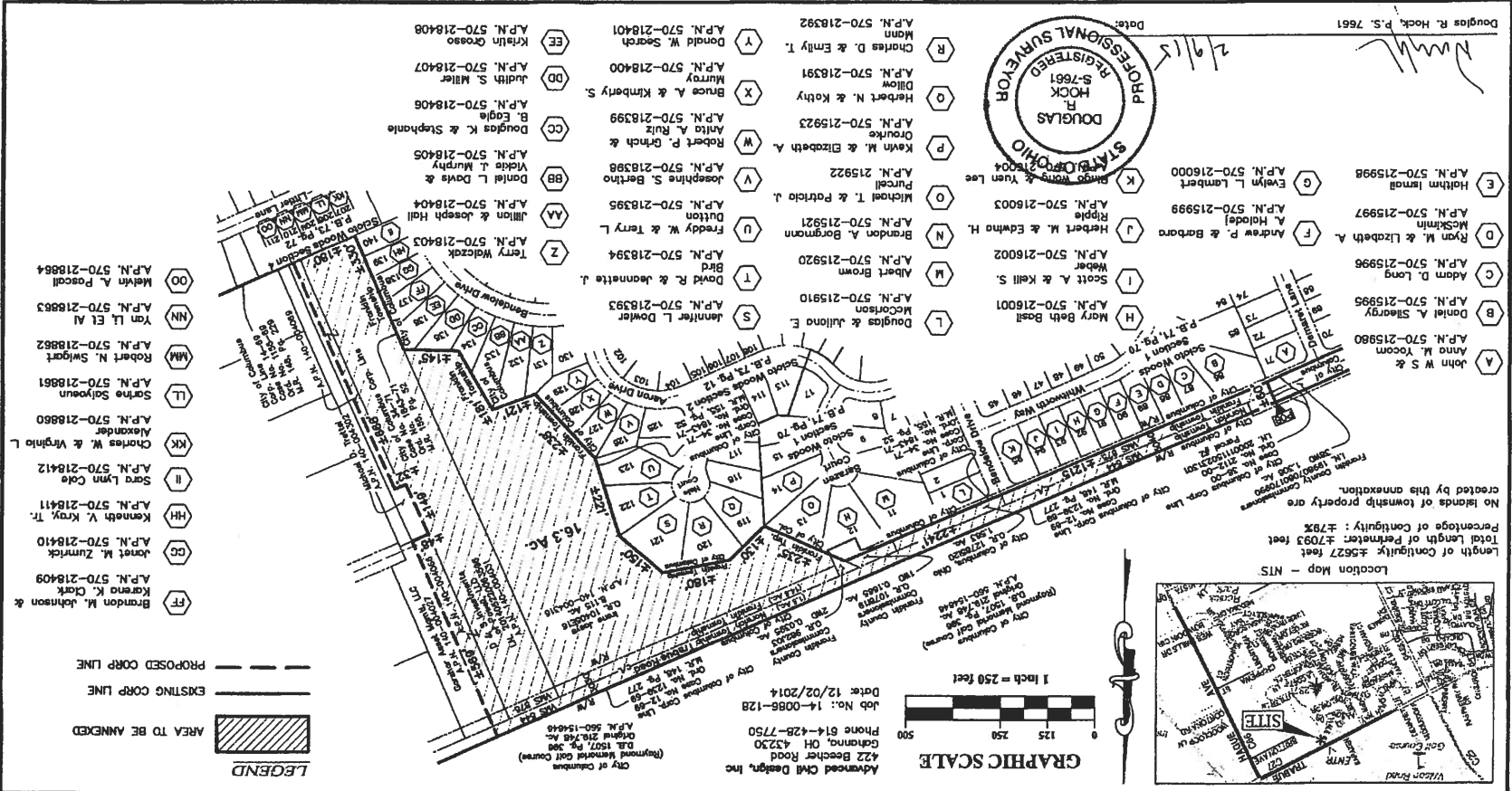
The total length of the annexation perimeter is about 7093 feet, of which about 5627 feet are contiguous with existing City of Columbus Corporation Lines, being 79% contiguous. This annexation does not create any islands of township property.

This description was written for annexation purposes only and was not intended to be used in the transfer of lands.

ANNEXATION AN15-003
+ 16.3 Acres / Franklin and Norwich Townships
Irene Jasys, et al.
(3775 Trabue Road)

ANNEXATION
 PLAT & DESCRIPTION
 ACCEPTABLE
 DEAN C RINGGIE, P.E., P.S.
 FRANKLIN COUNTY ENGINEER
 By *DR* Date *2/9/15*

16.3 ACRE ANNEXATION TO THE CITY OF COLUMBUS
EXPEDITED TYPE I ANNEXATION UNDER ORC §709.021 AND §709.023
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF FRANKLIN AND NORWICH
LOCATED IN SURVEY NO. 544 AND 875 OF THE VIRGINIA MILITARY SURVEY



FEB 09 2015



Date: *2/9/15*
 Douglas R. Hock, P.E., S-7661