Review of Petition to Annex 16.45 +/- acres from Jackson Township to the City of Grove City Case #ANX-EXP2-15-15 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition, filed by Jackson B. Reynolds, III, on behalf of Joseph D. and Marcia L. Brown on May 26, 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 resolution no. CR-32-15 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 resolution was passed by the City of Grove City on June 1, 2015.

Review of Petition to Annex 16.45 +/- acres from Jackson Township to the City of Grove City Case #ANX-EXP2-15-15 (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 Grove City, 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: D. Anthony Hray

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0494-15

June 30, 2015

REVIEW OF PETITION TO ANNEX 16.45 +/- ACRES FROM JACKSON TOWNSHIP TO THE CITY OF GROVE CITY CASE #ANX-EXP2-15-15

(Economic Development and Planning)

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

Voting:

Marilyn Brown, President Aye Paula Brooks 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.

Victoria Caldwell, Clerk

Board of County Commissioners Franklin County, Ohio



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

Economic Development & Planning DepartmentJames Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX 16.45 +/- ACRES FROM JACKSON TOWNSHIP TO THE CITY OF GROVE CITY

Description:

Attached is a resolution to consider the annexation of 16.45-acres, more or less, from Perry Township to the city of Grove City. The petition case number is ANX-EXP2-15-15.

Owner:

Joseph D. and Marcia L. Brown

Agent:

Jackson B. Reynolds, III Smith and Hale, LLC

Site:

3655 Order Road (160-003084) and adjacent right-of-way of Orders and Haughn Roads

Additional Information:

The total perimeter of the site is 3,536.82 feet; 259.96 feet or 7.4 percent of which is contiguous to the city of Grove City.

Analysis:

The applicant <u>has</u> met all statutory requirements outlined in Section 709.021 of the Ohio Revised Code. The applicant <u>has</u> provided proof of notification, and timeline and <u>has</u> provided a resolution from the city of Grove City 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 resolution, no. CR-32-15, was passed by the city of Grove City on June 1, 2015.

Recommendation:

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



 $\textbf{Commissioner} \ \ \textbf{Marilyn Brown} \cdot \textbf{Commissioner} \ \ \textbf{Paula Brooks} \cdot \textbf{Commissioner} \ \ \textbf{John O'Grady President}$

Economic Development & Planning DepartmentJames Schimmer, Director

MEMO JOURNALIZATION

TO: Victoria Caldwell, Acting 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

Rollin Seward, Assistant Director

Matthew Brown, Planning Administrator

Franklin County Economic Development & Planning Department

RE: Description of Expedited Type 2 annexation case to be

journalized on the June 2, 2015 General Session Agenda for a

hearing on June 30, 2015.

<u>Case #ANX-EXP2-15-15</u> - An Expedited Type 2 annexation petition ANX-EXP2-15-15 was filed in our office on May 26, 2015. The petition is requesting to annex 16.45 +/- acres from Jackson Township to the City of Grove City.

Site: 3655 Orders Road(160-003084) and adjacent right-of-way of Orders and Haughn Roads



CommissionersMarilyn Brown, President
Paula Brooks
John O'Grady

Property Information

Site Address

Economic Development & Planning Department James Schimmer, Director

3655 Orders Road

Application for

Annexation Petition

Faperited Type 2

RECEIVED

MAY **26** 2015

Franklin County Planning Department Franklin County, Ohio

Staff Use Only

Parcel ID(s)		Total Acreage	ANX-EXPZ
160-003084		16.45± acres	15-15
From Township Jackson		To Municipality City of Grove City	
Property Owner Information)		Hearing date:
Name Joseph D & Ma	arcia L Brown		6/30/15 Date filed: =/36/15
Address 2208 Pineview Muncie, India			Fee paid 350. 00 Receipt # 1.055
Phone #			Receipt # 685517
N/A		Fax# N/A	Notifications deadline: / 5 days 5/31/15
Email			Svc statement deadline: 20 days 6/15/15
Attorney/Agent Information			Document Column
Name Jackson B. Reyn	olds, III		Document Submissio
Address Smith & Hale LL 37 West Broad S Columbus, OH 43	treet, Suite	460	The following documents must accompany this application on letter-sized 8 ½" x 11" paper
Phone #	F	ax#	Legal description of prope
221–4255	1	221–4409	Map/plat of property
mail jreynolds@sm	ithandhale.com	n	List of adjacent properties
laiver of Right to Appeal			
JARD OF COUNTY COMMISSION	IERS' ENTRY OF A OF MANDAMUS M	ES THEIR RIGHT TO APPEAL IN LAW NY RESOLUTION PERTAINING TO TH AY BE SOUGHT TO COMPEL THE BO ANNEXATION PROCEDURE.	IIS SPECIAL ANNEYATION
perty Owner	Date	Property Owner	Date
perty 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

May 26, 2015

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

RE: 16.45± acres Annexation Petition from Jackson Township to the City of Grove City

Dear Commissioners:

I am filing a petition for annexation of 16.45± acres from Jackson Township to the City of Grove City on behalf of Joseph & Marcia Brown on May 26, 2015. On behalf of the petitioners, I am requesting consideration of the annexation petition under Section 709.023 of the Ohio Revised Code, or as more commonly known, Expedited Type 2. 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.

Jockson B. Reynolds, III

JBR/nct

Franklin County Planning Department

Franklin County, Ohio

triplem-bcc.ltr 5/26/15 S:Docs/s&hannex/2015

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023) TO THE CITY OF GROVE CITY OF 16.45± ACRES MORE OR LESS IN THE TOWNSHIP OF JACKSON

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 $16.45\pm$ acres with a total perimeter houndary of 3,536, more or less, in the Township of Jackson which area is contiguous along 2 59 or 7% and adjacent to the City of Grove City, do hereby pray that said territory be annexed to the City of Grove City according to the statutes of the State of Ohio and that no island of unincorporated area will be created by this annexation.

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

In support of said Petition, your petitioners state that there is/are within the territory so prayed to be annexed two (2) OWNER(S) 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 IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THE SPECIAL ANNEXATION PROCEDURE SET FORTH IN SECTION 709.023, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR SAID SPECIAL ANNEXATION PROCEDURE.

NAME S	ou 5/19/15 2208 W. PINOVIEW DA MUNCIE, IN 41303
Joseph D. Brown Marcia J. R. Marcia L. Brown	000 5/19/15 Muncie, FN 47303

Page 1 of 1

triplem-orders-exp1.pet (nct) 5/15/15 S:Docs/s&hannex/2015

RECEIVED

MAY 26 2015

Franklin County Planning Department Franklin County, Ohio RECEIVED

MAY 262015

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

MAY 26 2015

Franklin County Planning Department

Franklin County, Ohio

LEGAL DESCRIPTION

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

By BB Date 5/26/15

FOR ANNEXATION TO THE CITY OF GROVE CITY 16.451 ACRES

Situated in the State of Ohio, County of Franklin, Township of Jackson, lying in Survey Numbers 1383 and 1434 of the Virginia Military District and being more fully described as follows:

COMMENCING, FOR REFERENCE, at Franklin County Geodetic Survey monument number 2018 found at the intersection of the centerline of Orders Road (right of way width varies) and the centerline of Haughn Road (right of way width varies) being also the northeasterly corner of the 0.896 acre tract conveyed to the Franklin County Commissioners by deed of record in Instrument Number 200408170192072 and the northwesterly corner of the 0.727 acre tract conveyed to Dorothy A. Miller by deed of record in Instrument Number 201303220048045;

thence, South 02° 36' 56" West, 750.00 feet, along the centerline of Haughn Road, the easterly line of the 0.896 acre tract, the westerly line of the 0.727 acre tract, the westerly line of the 0.460 acre tract conveyed to Betty D. Gardner by deed of record in Official Record 5102 E09 and the westerly line of the 4.422 acre tract conveyed to Rebecca L. Absten and Michael J. Absten by deed of record in Instrument Number 200406090133243, to the southeasterly corner of the 0.896 acre tract and a northeasterly corner of the 15.974 acre tract conveyed to Joseph D. Brown and Marcia L. Brown by deed of record in Instrument Number 201504220051137 and being the **PRINCIPAL PLACE OF BEGINNING**;

thence, continuing South 02° 36' 56" West, 254.58 feet, along the centerline of Haughn Road and the easterly line of the Brown 15.974 acre tract, to the southeasterly corner of the latter;

thence, North 82° 23' 04" West, 810.50 feet, along the southerly line of the Brown 15.974 acre tract, to the southwesterly corner of same;

thence, North 02° 36' 56" East, 889.58 feet, along the westerly line of the Brown15.974 acre tract, to the northwesterly corner of same and being also in the southerly line of the 2.250 acre tract (South right of way line of Orders Road) conveyed to the City of Grove City, Ohio by deed of record in Instrument Number 201410310144844;

thence, South 86° 59' 05" East, 172.94 feet, along the southerly line of the 2.250 acre tract (South right of way line of Orders Road) and the northerly line of the Brown 15.974 acre tract, to the intersection of same with the southerly projected west line of the 0.580 acre tract conveyed to Sean P. Adams by deed of record in Instrument Number 201209200140810;

thence, North 03° 00' 55" East, 80.00 feet, along the southerly projected west line of the 0.580 acre tract, to the intersection of same with the northerly right of way line of Orders Road

and the Corporation Line of the City of Grove City by Ordinance C-29-02 recorded in Instrument Number 200204260105091;

thence, South 86° 59' 05" East, 259.96 feet, along the northerly right of way line of Orders Road and the Corporation Line of the City of Grove City, to the intersection of same with the easterly line of the 1.4635 acre tract conveyed to Kyle S. Dupler and Mary J. Dupler by deed of record in Instrument Number 199111001015232, crossing at 109.96 feet, the east line of the Adams 0.580 acre tract and the west line of the Dupler 1.4635 acre tract;

thence, South 02° 56' 45" West, 80.00 feet, along the southerly projected east line of the Dupler 1.4635 acre tract, to the intersection of same with the southerly line of City 2.250 acre tract (South right of way line of Orders Road), and the northerly line of the Brown 15.974 acre tract;

thence, South 86° 59' 05" East, 218.50 feet, along the southerly line of the 2.250 acre tract (South right of way line of Orders Road) and the northerly line of the Brown 15.974 acre tract, to a point;

thence, South 26° 06' 28" East, 114.30 feet, along a southwesterly line of the 2.250 acre tract (Westerly right of way line of Haughn Road) and a northeasterly line of the Brown 15.974 acre tract, to a point;

thence, South 09° 55' 41" East, 234.82 feet, along a southwesterly line of the 2.250 acre tract (Westerly right of way line of Haughn Road) and a northeasterly line of the Brown tract, to the intersection of same with the westerly line of the Franklin County Commissioners 0.896 acre tract;

thence, South 02° 36' 56" West, 371.64 feet, along the westerly line of the 0.896 acre tract (Westerly right of way line of Haughn Road) and an easterly line of the Brown tract, to the southwesterly corner of the 0.896 acre tract;

thence, South 87° 23' 04" East, 50.00 feet, along the southerly line of the 0.896 acre tract and a northerly line of the Brown tract, to the Principal Place of Beginning.

Containing 16.451 acres more or less being annexed to the City of Grove City, Ohio.

The bearings shown on this survey are based on NAD 83, GEOID 2003, Ohio South Zone, ODOT VRS CORS Network and verified by field traverse utilizing and referencing the Franklin County Engineering Department monuments FCGS 5623, FCGS 2018, FCGS 2017 and L21. The bearing of South 02° 36' 56" East between monuments FCGS 2018 and FCGS 2017 was utilized as the "basis of bearings" for this survey.

This annexation plat and description was prepared using documents of record, prior plats of survey and observed evidence located by an actual field survey during the month of February 2015 performed under the direct supervision of Steven E. Bowersox, Ohio Professional Surveyor number 7059.

CHOICE ONE ENGINEERING

Steven E. Bowersox

Professional Surveyor No. 7059

STEVEN E.
BOWERSOX
7059

RESOLUTION NO. CR-32-15

A RESOLUTION TO SET FORTH, AS REQUIRED BY SECTION 709.031 OF THE OHIO REVISED CODE THE MUNICIPAL SERVICES THAT CAN BE FURNISHED TO 16.45+ ACRES LOCATED AT THE SOUTHWEST CORNER OF ORDERS AND HAUGHN ROADS IN JACKSON TOWNSHIP UPON ITS ANNEXATION TO THE CITY OF GROVE CITY

WHEREAS, a petition to annex $16.45 \pm 16.45 \pm$

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 16.45± acres located at the Southwest corner of Orders and Haughn Roads, proposed for annexation by Joseph D. & Marcia L. Brown, 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

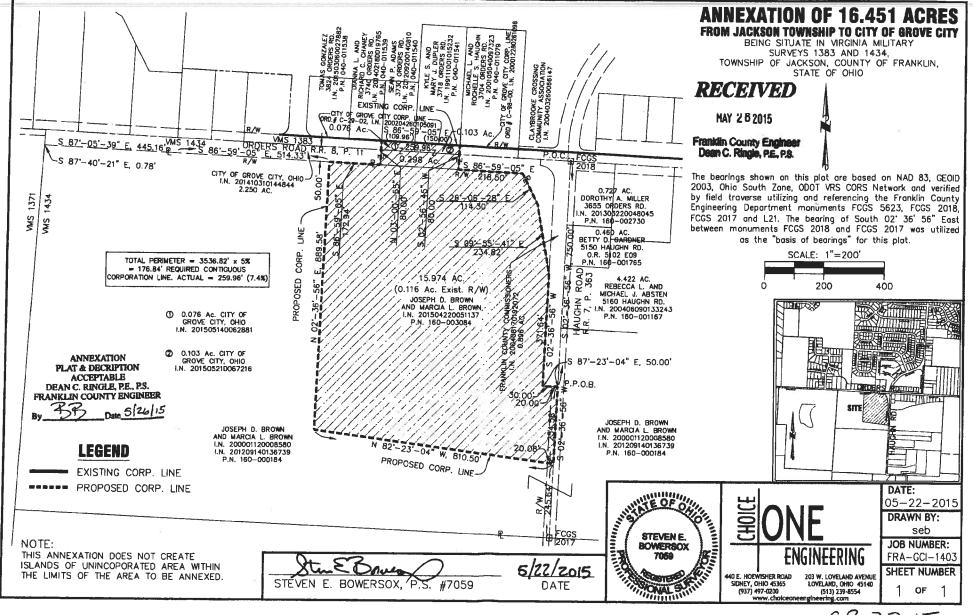
Ssed: 06-01-15 Effective: 06-01-6

Attest:

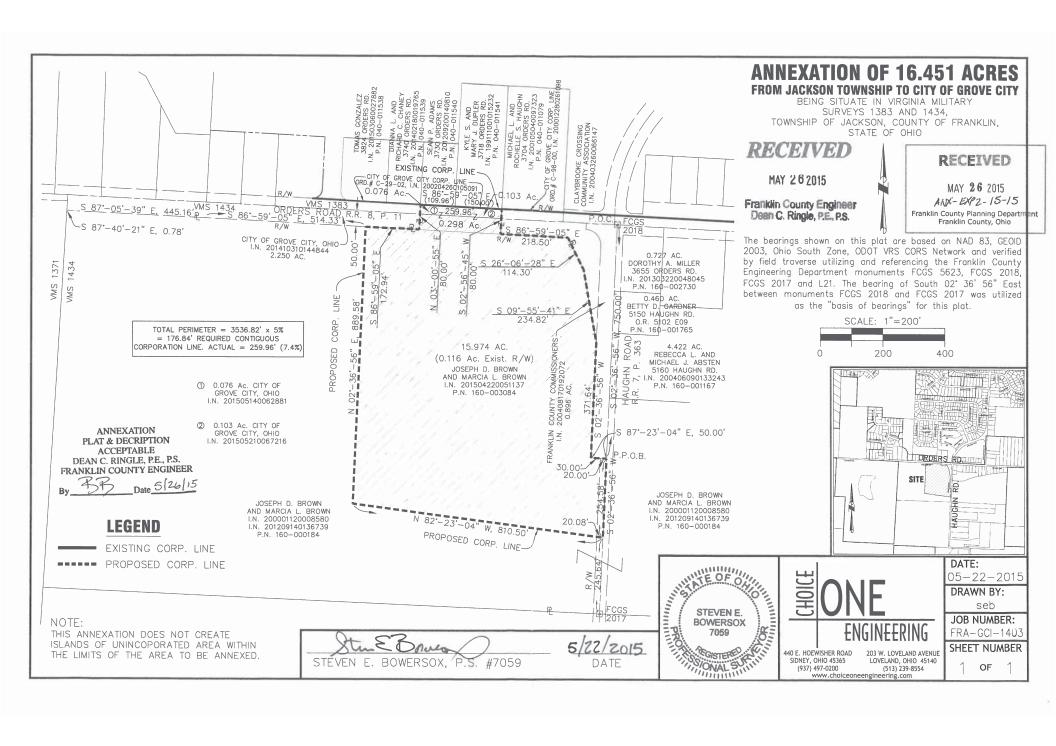
I Certify that this resolution is correct as to form.

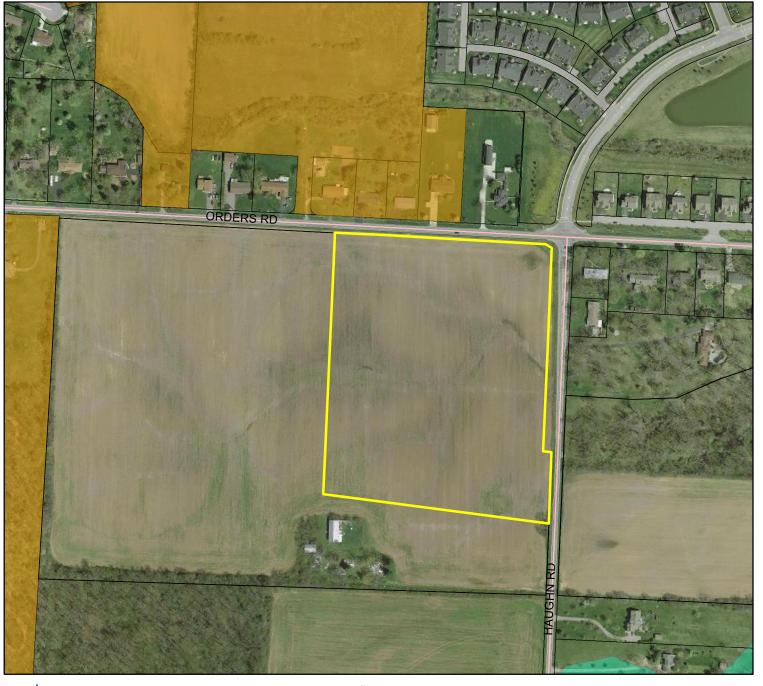
Tami K Kelly MMC, Clerk of Council

Stephen J. Smith, Director of Law



CR-32-15





ANX-EXP2-15-15

Petition requesting to annex 16.45 +/- acres from Jackson Township to the City of Grove City.

16.45+/- acres Jackson Township

3655 Orders Road

Parcels

Streets

Franklin County Floodplain

Floodway Fringe

Floodway

Corporate Boundaries

Grove City

Note: Boundary shown is approximate area to be annexed. See petition plat for exact area.

