

Review of Petition to Annex 1.858 +/- acres from Mifflin Township to the City of Columbus Case #ANX-EXP1-15-16. (Economic Development & Planning)

WHEREAS, an Expedited Type 1 annexation petition was filed by Jackson B. Reynolds III, on behalf of Ramseyer Presbyterian Church, with the Franklin County Economic Development and Planning Department on June 1, 2016 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 on March 31, 2016.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

That, in accordance with the findings made in the preamble, which are incorporated herein, the prayer of the Petition be *approved*, and the territory sought to be annexed by the petition filed herein *shall* be annexed to the City of Columbus, Ohio, in accordance with the law; that the orders and proceedings of this board relating to the Petition, and map and description attached thereto, and all papers on file relating to this matter be delivered forthwith to the Clerk of Council, City of Columbus, Ohio.

Prepared by: Matt Brown

C: Economic Development & Planning Department

SIGNATURE PAGE FOLLOWS

SIGNATURE SHEET

Resolution No. 0451-16

June 14, 2016

REVIEW OF PETITION TO ANNEX 1.858 +/- ACRES FROM MIFFLIN TOWNSHIP TO THE CITY OF COLUMBUS CASE #ANX-EXP1-15-16.

(Economic Development and Planning)

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

Voting:

Paula Brooks
Marilyn Brown

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.



Antwan Booker, 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 1.858 +/- acres from Mifflin Township to the City of Columbus Case #ANX-EXP1-15-16

Description:

Attached is a resolution to consider the annexation of 1.858-acres, more or less, from Mifflin Township to the City of Columbus. The petition case number is ANX-EXP1-15-16.

Owner:

Ramseyer Presbyterian Church

Agent:

Jackson B. Reynolds III – Smith & Hale LLC

Site:

3228 Westerville Road (PID #190-004893)

Additional Information:

The site shares a 21.4 percent contiguous boundary with the City of Columbus.

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 Mifflin Township and the City of Columbus.

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

Expedited Type 1
Consent of all parties

RECEIVED

JUN 01 2016

Franklin County Planning Department
Franklin County, Ohio

Property Information	
Site Address 3228 Westerville Road, Columbus, OH 43224	
Parcel ID(s) 190-004893	Total Acreage 1.858 acres
From Township Mifflin	To Municipality Columbus

Property Owner Information	
Name Ramseyer Presbyterian Church	
Address 3035 Hollybank Road	
Reynoldsburg, OH 43068	
Phone # 216-0311	Fax #
Email	

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

Staff Use Only
Case # ANX-EXP-15-16
Journal date (next regular session): General Session 6/14/16
Date filed: 6/1/16
Fee paid \$250.00
Receipt # 685372
<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

EXPEDITED TYPE I PETITION FOR ANNEXATION (SECTION 709.022)
TO THE CITY OF COLUMBUS
OF 1.858 ACRES MORE OR LESS
IN THE TOWNSHIP(S) OF MIFFLIN

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 1.858 acres, more or less, in the Township(s) of Mifflin which area is contiguous and adjacent to the City of Columbus, do hereby pray that said territory be annexed to the City of Columbus 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(S) OF REAL ESTATE.

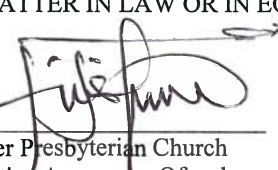
Jackson B. Reynolds, III, whose address is 37 West Broad Street, Suite 460, Columbus, Ohio 43215, is hereby appointed Agent for the undersigned Petitioner(s), as required by Section 709.02 of the Revised Code of Ohio. Said agent is hereby authorized to make any amendment and/or deletion which in his 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 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

By: 
Ramseyer Presbyterian Church
Rev. Justice Agyemang Ofosehene

5/22/16

6035 Trowbridge Way
Columbus, OH 43229

Page _____ of _____

Ramseyer.annexation2.pet
F:\Docs\s&hannex/forms 5/5/16 lms

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JUN 01 2016

Franklin County Planning Department
Franklin County, Ohio

ANX-EXP-15-16

RAMSEYER PRESBYTERIAN CHURCH

CORPORATE RESOLUTION

A RESOLUTION OF RAMSEYER PRESBYTERIAN CHURCH AUTHORIZING Rev. Ofosuhene, CHURCH REPRESENTATIVE, TO FILE PETITION(S) FOR THE ANNEXATION OF 1.858 ± ACRES INTO THE CITY OF COLUMBUS AND TAKE ALL OTHER ACTIONS NECESSARY IN FURTHERANCE OF PURSING AND COMPLETING SAID ANNEXATION

Resolved, to authorize Rev. Ofosuhene, Church Representative, to file a petition for the annexation of 1.858 ± acres into the City of Columbus and to take all action and to execute all documents on behalf of Ramseyer Presbyterian Church related to annexation of land owned by the Corporation, as depicted on Exhibit A, attached hereto and incorporated by reference.

Background: Certain real property owned by Ramseyer Presbyterian Church requires annexation into the City of Columbus, and many from time to time for various reasons including but not limited to, construction, rezoning, utility connections, etc. The immediate need for this resolution is to authorize the filing of an annexation petition for the annexation of 1.858 ± acres along Westerville Road so that all of the real property owned by Ramseyer Presbyterian Church is within the same jurisdiction.

This resolution also grants authority to Rev. Ofosuhene, Church Representative, to file the petition for annexation and take all other necessary actions in furtherance of pursuing and completing this annexation.

ADOPTED BY THE RAMSEYER PRESBYTERIAN CHURCH ON THE 4th DAY OF April, 2016.

RAMSEYER PRESBYTERIAN CHURCH

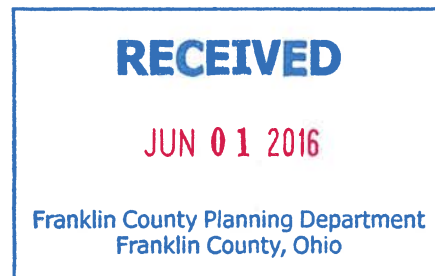
By: [Signature]

Its: PASTOR

Date: 4/16/2016

Exhibit A attached.

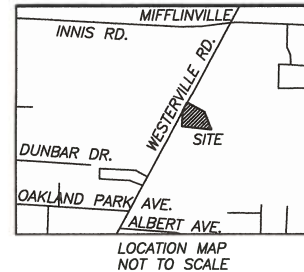
ramseyer-corp-res.doc
4/5/16 s:docs



ANX-Exp1-15-16

PROPOSED ANNEXATION OF 1.858 ACRES FROM MIFFLIN TOWNSHIP TO THE CITY OF COLUMBUS

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF MIFFLIN, AND BEING A PART OF SECTION 2, TOWNSHIP 1, RANGE 17 OF THE U.S. MILITARY LANDS, AND BEING 1.858 ACRES OUT OF A 14.360 ACRE TRACT CONVEYED TO RAMSEYER PRESBYTERIAN CHURCH IN INSTR. NO. 200810030148669, FRANKLIN COUNTY RECORDER'S OFFICE;



CITY OF COLUMBUS CORPORATION LINE
ORD. NO. 501-66
M.R. 140, PG. 203

RAMSEYER PRESBYTERIAN CHURCH
14.360 ACRES
INSTR. NO. 200810030148669
12.028 ACRES IN CITY OF COLUMBUS
PID 010-165498

RECEIVED

APR 14 2016

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 *DR* Date *4/14/16*

RECEIVED

JUN 01 2016

Franklin County Planning Department
Franklin County, Ohio

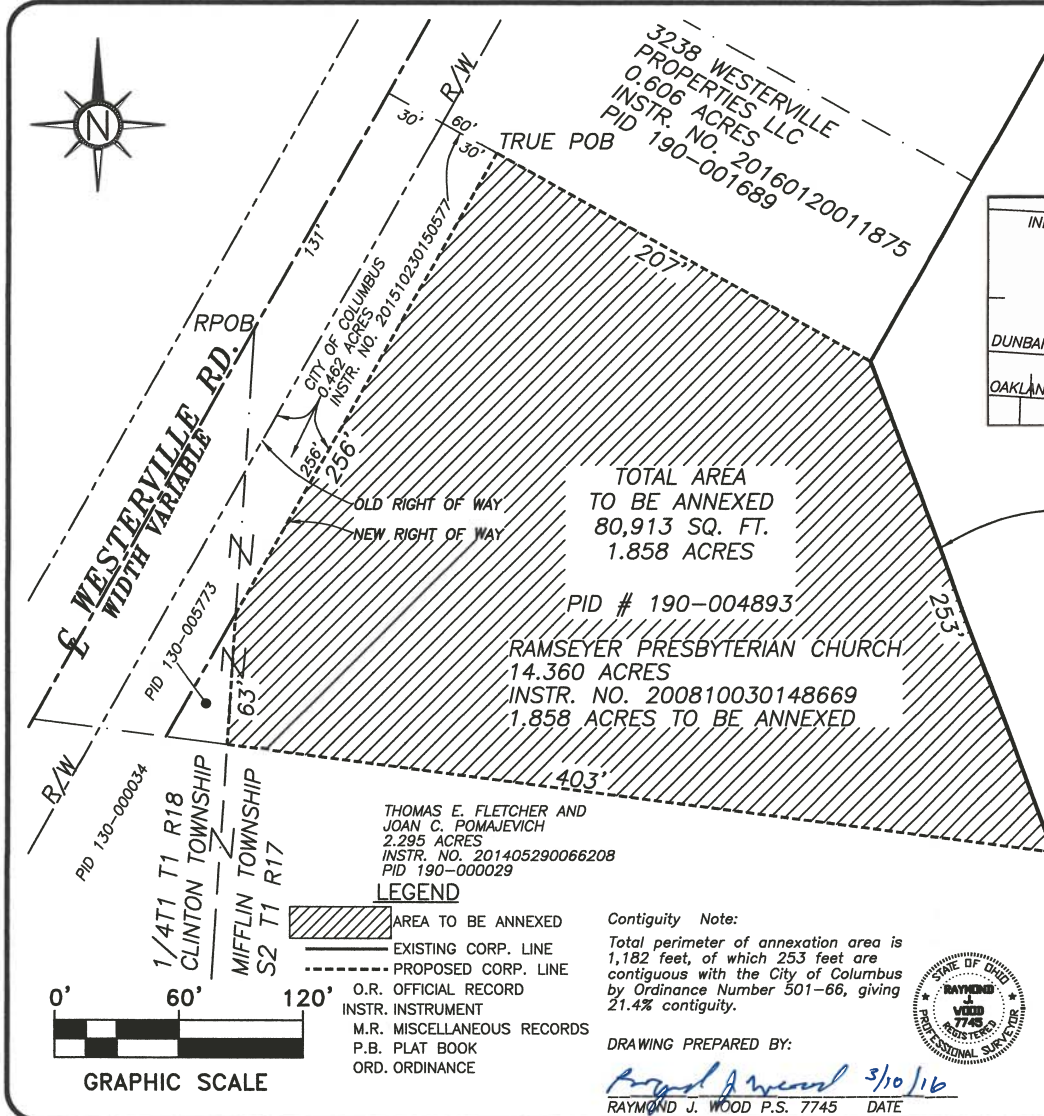
ANX-EXP-15-16

DATE	BY	REVISIONS	SCALE	DATE	DATE	DATE	DATE
10/26/15	RJW	COLUMBUS R/W	1" = 60'	4/23/15	RJW	RJW	RJW
2/24/16	RJW	REMOVED CLINTON TWP.			RJW	RJW	RJW
3/10/16	RJW	ADDED PID #			RJW	RJW	RJW

J & J SURVEYING SERVICES, INC.
7509 E. MAIN ST., SUITE 104
REYNOLDSBURG, OHIO 43068
PH# (614) 866-9158
JJSURVEYINGOHIO.COM

© 2015 J. & J. SURVEYING SERVICES, INC.

JOB NUMBER
15-35



Contiguity Note:
Total perimeter of annexation area is 1,182 feet, of which 253 feet are contiguous with the City of Columbus by Ordinance Number 501-66, giving 21.4% contiguity.

DRAWING PREPARED BY:

Raymond J. Wood 3/10/16
RAYMOND J. WOOD P.S. 7745 DATE



RHEMA CHRISTIAN CENTER
23.000 ACRES
INSTR. NO. 200002240037367
PID 010-146495

J & J Surveying Services, Inc.

7509 E. Main St.
Suite 104
Reynoldsburg, Oh. 43068

Phone 614-866-9158

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

By DR Date 4/14/16

RECEIVED

APR 14 2016

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

March 10, 2016

Proposed Annexation of 1.858 acres
FROM: Mifflin Township
TO: City of Columbus

RECEIVED

JUN 01 2016

AUX-EXPI-15-16
Franklin County Planning Department
Franklin County, Ohio

SITUATED in the State of Ohio, County of Franklin, Township of Mifflin, and being a part of Section 2, Township 1, Range 17 of the U.S. Military Lands, and being 1.858 acres out of a 14.360 acre tract conveyed to Ramseyer Presbyterian Church in Instrument (Instr.) No. 200810030148669, Franklin County Recorder's Office;

Beginning at the intersection of the centerline of Westerville Rd. (width variable) and the east line of Clinton Township and Quarter Township 1, Township 1 Range 18 of the said U.S. Military Lands, and the west line of the said Mifflin Township and the said Section 2, being a point on a west line of the said 14.360 acre tract;

Thence in a northerly direction a distance of approximately 131 feet, along a west line of the said 14.360 acre tract and the centerline of the said Westerville Rd., to a point, being a northwest corner of the said 14.360 acre tract and the southwest corner of a 0.606 acre tract conveyed to 3238 Westerville Properties LLC in Instr. No. 20160120011875;

Thence in a easterly direction a distance of approximately 60 feet, along a north line of the said 14.360 acre tract, the north line of a 0.462 acre tract conveyed to the City of Columbus in Instr. No. 201510230150577, and the south line of the said 0.606 acre tract, to a point, being the northeast corner of the said 0.462 acre tract, and being the True Point of Beginning;

Thence in a easterly direction a distance of approximately 207 feet, along a north line of the said 14.360 acre tract and the south line of the said 0.606 acre tract, to a point, being a corner of the said 14.360 acre tract, the southeast corner of the said 0.606 acre tract, and a corner of the corporation line of the City of Columbus, established in Ordinance No. 501-66, Miscellaneous Record 140, pg. 203;

Thence in a southerly direction a distance of approximately 253 feet, along the said corporation line and crossing the said 14.360 acre tract, to a point in a south line of the said 14.360 acre tract, being a corner of the said corporation line, a northwest corner of a 23.000 acre tract conveyed to Rhema Christian Center in Instr. No. 200002240037367, and the northeast corner of a 2.295 acre tract conveyed to Thomas E. Fletcher and Joan C. Pomajevich in Instr. No. 201405290066208;

Thence in a westerly direction a distance of approximately 403 feet, along a south line of the said 14.360 acre tract and the north line of the said 2.295 acre tract, to a point in the west line of the said Mifflin Township and the east line of the said Clinton Township;

Thence in a northerly direction a distance of approximately 63 feet, crossing the said 14.360 acre tract, along the west line of the said Mifflin Township and the said Section 2, and the east line of the said Clinton Township and the said Quarter Township 1, to a point in the west line of the said 0.462 acre tract;

Thence in a northerly direction a distance of approximately 256 feet, along the east line of the said 0.462 acre tract and crossing the said 14.360 acre tract, to the True Point of Beginning, containing 80,913 square feet or 1.858 acres to be annexed, all out of the said 14.360 acre tract;

The area to be annexed out of Mifflin Township (Section 1) is 1.858 acres;

This description is based on records in the Franklin County Recorder's Office and was prepared by Raymond J. Wood of J & J Surveying in February of 2016. It 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.

Raymond J. Wood 3/10/16
Raymond J. Wood Date
P.S. 7745



Columbus/Mifflin Annexation Agreement for Ramseyer Church Property

January 4, 2016 Draft

RECEIVED

JUN 01 2016

**AWK-EXP-15-16
Franklin County Planning Department
Franklin County, Ohio**

This is an Annexation Agreement (the "Agreement") entered into by and between the City of Columbus, Franklin County, Ohio, an Ohio Municipal Corporation (hereinafter "Columbus") and the Board of Trustees of Mifflin Township, Franklin County, Ohio, an Ohio Township (herein after "Mifflin"), pursuant to the provisions of Ohio Revised Code Section 709.192.

WHEREAS, Columbus and Mifflin are political subdivisions located entirely within the State of Ohio, with Columbus and Mifflin being contiguous and, in some cases, having overlapping boundaries within areas located within Franklin County, Ohio; and

WHEREAS, annexation to Columbus is proposed by Ramseyer Presbyterian Church ("Owner") for a parcel of 1.858 acres within Mifflin located east of Westerville Road and being described on Exhibit A attached hereto and incorporated herein ("the Annexation Property"), and further depicted on the annexation plat attached hereto and incorporated herein as Exhibit B; and

WHEREAS, a larger parcel, also held by the Owner, adjoining the Annexation Property and for which improvements are anticipated, is located within in Columbus outside of Mifflin; and

WHEREAS, Columbus and Mifflin recognize the benefits of the Owner's entire site being within one jurisdiction and are supportive of having Columbus conform the boundary of the Annexation Property upon annexation; and

WHEREAS, Columbus and Mifflin have determined that it is in the best interest of their respective residents, citizens and taxpayers to enter into this Agreement upon the terms hereinafter set forth; and

WHEREAS, this Agreement is authorized under Section 709.192 of the Ohio Revised Code and other applicable laws and has been approved by the Board of Trustees of Mifflin Township by Resolution Number 24-16 adopted on 1/19/2016, 2016 and by the City Council of the City of Columbus by Ordinance Number 0290-2016 adopted on 2/22, 2016.

NOW, THEREFORE, in consideration of the mutual promises contained herein, Columbus and Mifflin agree as follows:

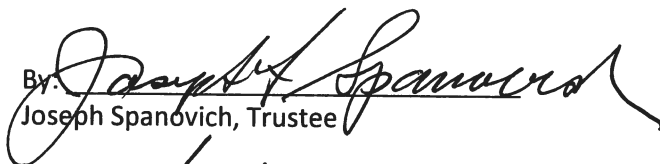
1. This Agreement is entered into pursuant to the provisions of Ohio Revised Code Section 709.192 to permit the annexation of the Annexation Property to Columbus pursuant to the provisions of Ohio Revised Code Sections 709.021 and 709.022. Mifflin hereby specifically consents to, agrees with, and does not oppose the annexation of the Annexation Property, provided such annexation complies with the terms of this Agreement.
2. Columbus shall, in cooperation with the Agent for the Owner, process the annexation of the Annexation Property under one (1) annexation petition which includes all of the Annexation Property. The annexation petition shall be filed pursuant to and comply with the provisions of "Expedited Procedure Type 1" as

contained in the Ohio Revised Code Sections 709.01 and 709.21, as such provisions exist on the effective date of this Agreement.

3. Upon the annexation to and acceptance by Columbus of the Annexation Property, Columbus shall submit a petition to the Board of Franklin County Commissioners seeking conformance of the boundaries of the Annexation Property to Montgomery Township in order to exclude Mifflin from such area pursuant to Section 503.07 of the Ohio Revised Code. Upon the exclusion of Mifflin Township from the Annexation Property, Columbus shall not be required to make any compensation payments to Mifflin as set forth in Section 709.19 of the Ohio Revised Code, as said Section exists on the Effective Date of this Agreement.
4. This Annexation Agreement may only be amended, revised or altered pursuant to an amendment in writing, executed by the Parties, and properly promulgated and approved in accordance with their respective legislative authorities.
5. This Annexation Agreement shall not apply to any annexation other than to the Annexation Property described in Exhibit A and as shown on Exhibit B.

IN TESTIMONY WHEREOF, the Parties have caused multiple counterparts hereof to be duly executed on or as of the Effective Date of this Agreement.

MIFFLIN

By: 
Joseph Spanovich, Trustee

Date: 1/19/16

By: _____
Lynn Stewart, Trustee

Date: _____

By: 
Richard Angelou, Trustee

Date: 1-19-16

COLUMBUS

By: _____
Steven R. Schoeny, Director of Development

Date: _____

Approved as to form:

By: _____
City Attorney, City of Columbus

3. Upon the annexation to and acceptance by Columbus of the Annexation Property, Columbus shall submit a petition to the Board of Franklin County Commissioners seeking conformance of the boundaries of the Annexation Property to Montgomery Township in order to exclude Mifflin from such area pursuant to Section 503.07 of the Ohio Revised Code. Upon the exclusion of Mifflin Township from the Annexation Property, Columbus shall not be required to make any compensation payments to Mifflin as set forth in Section 709.19 of the Ohio Revised Code, as said Section exists on the Effective Date of this Agreement.
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MIFFLIN

By: _____
Joseph Spanovich, Trustee

Date: _____

By: _____
Lynn Stewart, Trustee

Date: _____

By: _____
Richard Angelou, Trustee

Date: _____

COLUMBUS

By:  _____
Steven R. Schoeny, Director of Development

Date: 3-31-14

Approved as to form:

By: _____
City Attorney, City of Columbus

J & J Surveying Services, Inc.

7509 E. Main St.
Suite 104
Reynoldsburg, Oh. 43068

Phone 614-866-9158

February 25, 2016

Proposed Annexation of 1.858 acres

FROM: Mifflin Township

TO: City of Columbus

SITUATED in the State of Ohio, County of Franklin, Township of Mifflin, and being a part of Section 2, Township 1, Range 17 of the U.S. Military Lands, and being 1.858 acres out of a 14.360 acre tract conveyed to Ramseyer Presbyterian Church in Instrument (Instr.) No. 200810030148669, Franklin County Recorder's Office;

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Thence in a northerly direction a distance of approximately 131 feet, along a west line of the said 14.360 acre tract and the centerline of the said Westerville Rd., to a point, being a northwest corner of the said 14.360 acre tract and the southwest corner of a 0.606 acre tract conveyed to Willwin, Inc. in Official Record 16158 B-07;

Thence in a easterly direction a distance of approximately 60 feet, along a north line of the said 14.360 acre tract, the north line of a 0.462 acre tract conveyed to the City of Columbus in Instr. No. 201510230150577, and the south line of the said 0.606 acre tract, to a point, being the northeast corner of the said 0.462 acre tract, and being the True Point of Beginning;

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Raymond J. Wood
P.S. 7745

Date





City of Columbus Legislation Report

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

ORIGINAL

File Number: 0290-2016

30-Day

File ID: 0290-2016

Type: Ordinance

Status: First Reading

Version: 1

*Committee: Economic Development Committee

File Name: Mifflin Township Boundary Conformance
Annexation Agreement

File Created: 01/26/2016

Cost: \$0.00

Final Action:

Auditor Cert #:

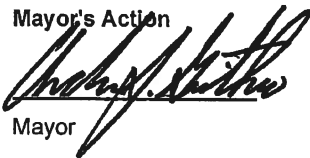
Auditor: When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Alexandria Voignier 645-8791

Floor Action (Clerk's Office Only)

FEB 22 2016 Passed 7-0


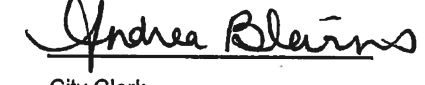
Mayor's Action


Mayor

FEB 25 2016
Date

Council Action

FEB 22 2016
Date Passed/ Adopted


President of Council

City Clerk

Veto

Date

Title: To authorize the director of the Development Department to enter into an Annexation Agreement with the Trustees of Mifflin Township that allows and requires the conforming of boundaries for a specific site to be annexed to the City.

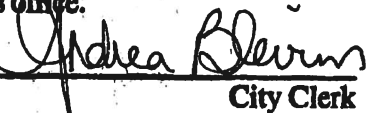
Sponsors:

Indexes:

Attachments: ORD0290-2016 Columbus-Mifflin Agreement (Ramseyer), ORD0290-2016 Columbus-Mifflin Agreement Map

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 0290-16 passed by The Council of The City of Columbus, Ohio 2/22, 20 16, as shown by the records now on file in this office.

Seal


City Clerk

Approval History

Version	Date	Approver	Action
1	01/27/2016	DEVELOPMENT DIRECTOR	Approved
1	01/27/2016	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

BACKGROUND: Due to the use of the Expedited Type Two annexation process outlined in the Ohio Revised Code (ORC), most annexations to Columbus result in overlapping jurisdictional boundaries. Sites annexed to Columbus prior to the institution of this process were typically removed from the underlying township through boundary conformance, resulting in a "Columbus-only" status. With the new process, annexed sites retain a relationship to the underlying township. This dual status is reflected in the tax district assigned to such sites. An annexation agreement as outlined in ORC section 709.192 between the municipality and township may allow for removal of the site's connection to the underlying township (boundary conformance).

Ramseyer Presbyterian Church, located at 3228 Westerville Road, occupies two primary parcels -one in Mifflin Township and one in the City of Columbus. The church wishes to annex the Mifflin Township parcel to Columbus to facilitate a building expansion. In order to avoid the challenges associated with having a development site that spans two tax districts, the church requested that Columbus and Mifflin Township consider entering into an annexation agreement allowing the subject parcel to be removed from Mifflin Township upon acceptance by the City.

Such an agreement has been drafted. This legislation authorizes the director of the Department of Development to enter into an annexation agreement with the Trustees of Mifflin Township. The agreement calls for the use of a Type One annexation application as stipulated by the ORC in such instances. Upon acceptance of the annexation, the City will submit a petition to the Franklin County Board of Commissioners seeking to conform the boundaries of the subject site in accordance with Section 503.07 of the ORC.

FISCAL IMPACT: No funding is required for this legislation.

Title

To authorize the director of the Development Department to enter into an Annexation Agreement with the Trustees of Mifflin Township that allows and requires the conforming of boundaries for a specific site to be annexed to the City.

Body

WHEREAS, most annexations to Columbus are filed using the Expedited Type Two process outlined in the

Ohio Revised Code; and

WHEREAS, this process does not generally allow municipalities to conform the boundaries of newly annexed territory, resulting in annexed territory having a "dual" status of being within both the city and township; and

WHEREAS, Ramseyer Presbyterian Church, located at 3228 Westerville Road, occupies two primary sites - one in Mifflin Township and one in the City of Columbus, and

WHEREAS, the church wishes to annex the Mifflin Township parcel to Columbus and subsequently combine both parcels to facilitate building expansion; and

WHEREAS, an exception to the conformance prohibition is permitted under ORC 709.023(H) if an annexation agreement between the municipality and township addresses the matter; and

WHEREAS, both the City of Columbus and the Trustees of Mifflin Township have determined that it is in the best interest of their respective residents, citizens and taxpayers to enter into an Annexation Agreement requiring the removal of such annexed land from Mifflin Township, now, therefore

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

SECTION 1. That the Director of the Department of Development is hereby authorized to enter into an Annexation Agreement with the Trustees of Mifflin Township that allows and requires the conforming of boundaries for the subject site.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Columbus/Mifflin Annexation Agreement for Ramseyer Church Property

January 4, 2016 Draft

This is an Annexation Agreement (the "Agreement") entered into by and between the City of Columbus, Franklin County, Ohio, an Ohio Municipal Corporation (hereinafter "Columbus") and the Board of Trustees of Mifflin Township, Franklin County, Ohio, an Ohio Township (herein after "Mifflin"), pursuant to the provisions of Ohio Revised Code Section 709.192.

WHEREAS, Columbus and Mifflin are political subdivisions located entirely within the State of Ohio, with Columbus and Mifflin being contiguous and, in some cases, having overlapping boundaries within areas located within Franklin County, Ohio; and

WHEREAS, annexation to Columbus is proposed by Ramseyer Presbyterian Church ("Owner") for a parcel of 1.858 acres within Mifflin located east of Westerville Road and being described on Exhibit A attached hereto and incorporated herein ("the Annexation Property"); and further depicted on the annexation plat attached hereto and incorporated herein as Exhibit B; and

WHEREAS, a larger parcel, also held by the Owner, adjoining the Annexation Property and for which improvements are anticipated, is located within in Columbus outside of Mifflin; and

WHEREAS, Columbus and Mifflin recognize the benefits of the Owner's entire site being within one jurisdiction and are supportive of having Columbus conform the boundary of the Annexation Property upon annexation; and

WHEREAS, Columbus and Mifflin have determined that it is in the best interest of their respective residents, citizens and taxpayers to enter into this Agreement upon the terms hereinafter set forth; and

WHEREAS, this Agreement is authorized under Section 709.192 of the Ohio Revised Code and other applicable laws and has been approved by the Board of Trustees of Mifflin Township by Resolution Number _____ adopted on _____, 2016 and by the City Council of the City of Columbus by Ordinance Number _____ adopted on _____, 2016.

NOW, THEREFORE, in consideration of the mutual promises contained herein, Columbus and Mifflin agree as follows:

1. This Agreement is entered into pursuant to the provisions of Ohio Revised Code Section 709.192 to permit the annexation of the Annexation Property to Columbus pursuant to the provisions of Ohio Revised Code Sections 709.021 and 709.022. Mifflin hereby specifically consents to, agrees with, and does not oppose the annexation of the Annexation Property, provided such annexation complies with the terms of this Agreement.
2. Columbus shall, in cooperation with the Agent for the Owner, process the annexation of the Annexation Property under one (1) annexation petition which includes all of the Annexation Property. The annexation petition shall be filed pursuant to and comply with the provisions of "Expedited Procedure Type 1" as

contained in the Ohio Revised Code Sections 709.01 and 709.21, as such provisions exist on the effective date of this Agreement.

3. Upon the annexation to and acceptance by Columbus of the Annexation Property, Columbus shall submit a petition to the Board of Franklin County Commissioners seeking conformance of the boundaries of the Annexation Property to Montgomery Township in order to exclude Mifflin from such area pursuant to Section 503.07 of the Ohio Revised Code. Upon the exclusion of Mifflin Township from the Annexation Property, Columbus shall not be required to make any compensation payments to Mifflin as set forth in Section 709.19 of the Ohio Revised Code, as said Section exists on the Effective Date of this Agreement.
4. This Annexation Agreement may only be amended, revised or altered pursuant to an amendment in writing, executed by the Parties, and properly promulgated and approved in accordance with their respective legislative authorities.
5. This Annexation Agreement shall not apply to any annexation other than to the Annexation Property described in Exhibit A and as shown on Exhibit B.

IN TESTIMONY WHEREOF, the Parties have caused multiple counterparts hereof to be duly executed on or as of the Effective Date of this Agreement.

MIFFLIN

By: _____
Joseph Spanovich, Trustee

Date: _____

By: _____
Lynn Stewart, Trustee

Date: _____

By: _____
Richard Angelou, Trustee

Date: _____

COLUMBUS

By: _____
Steven R. Schoeny, Director of Development

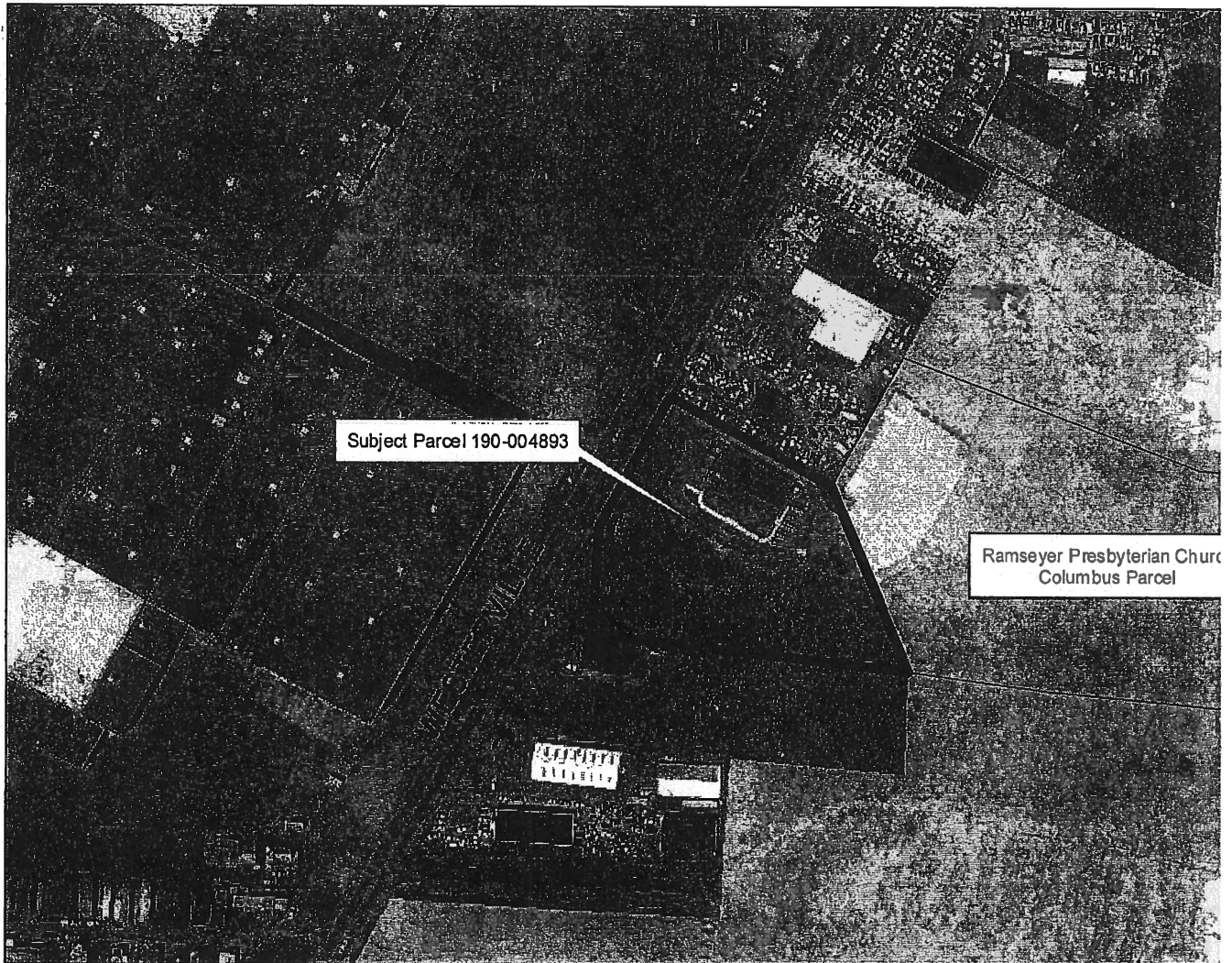
Date: 3-31-14

Approved as to form:

By: _____
City Attorney, City of Columbus

Columbus-Mifflin Township Annexation Agreement

Subject
Ramsey
3228 W.



January 2016
Planning Division



ANX-EXP1-15-16

Petition to annex 1.858+/- acres from Mifflin Township to the City of Columbus.

1.858+/- acres
Mifflin Township

- Annexation Area
- Parcels
- Streets
- Corporate Boundaries**
- City of Columbus

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

