

Review of Petition to Annex 387 +/- acres from Brown Township to the City of Hilliard Case #ANX-EXP2-11-16. (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition, filed by Thomas L. Hart, on May 10, 2016, 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 16-R-45 agreeing to provide to the territory proposed for annexation certain services and adopting a statement regarding possible incompatible land uses and zoning buffer. The resolution was passed by the City of Hilliard on May 9, 2016.

Review of Petition to Annex 387 +/- acres from Brown Township to the City of Hilliard Case #ANX-EXP2-11-16. (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 Hilliard, 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 Hilliard, Ohio.

Prepared by: Matt Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0429-16

June 07, 2016

REVIEW OF PETITION TO ANNEX 387 +/- ACRES FROM BROWN TOWNSHIP TO THE CITY OF HILLIARD CASE #ANX-EXP2-11-16.

(Economic Development and Planning)

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

Voting:

John O'Grady, President	Aye
Paula Brooks	Aye
Marilyn Brown	Aye

Board of County Commissioners
Franklin County, Ohio

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Franklin County, Ohio on the date noted above.



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 387 +/- acres from Brown Township to the City of Hilliard Case #ANX-EXP2-11-16

Description:

Attached is a resolution to consider the annexation of 387-acres, more or less, from Brown Township to the City of Hilliard. The petition case number is ANX-EXP2-11-16.

Agent:

Thomas L. Hart, Attorney

Owners:

Hill Distributing Company – Richard Ihlendorf, Vice President
Karen R. Bright Trust – Karen R. Bright, Trustee
Robert W. Bright Trust – Mary Jane Bright, Trustee and Holly Bright Mayfield, Trustee

Site:

7380 Scioto Darby Creek Road (PID# 120-000335) and 4427 Elliot Road (PID# 120-000199)

Additional Information:

The total perimeter of the site is approximately 18,118 feet; approximately 8,417 feet, or 46.4 percent, of which is contiguous to the City of Hilliard.

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 a resolution from the City of Hilliard identifying the services that will be provided once the annexation has been approved and a statement regarding possible incompatible land uses and zoning buffer. Resolution 16-R-45 was passed by the City of Hilliard on May 9, 2016.

Recommendation:

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



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

Economic Development & Planning Department
James Schimmer, Director

MEMO JOURNALIZATION

TO: Antwan Booker, County Clerk
Franklin County Commissioners Office

FROM: Matthew Brown, Planning Administrator
Franklin County Economic Development & Planning Department

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

RE: Description of Expedited Type 2 annexation case to be
journalized on the **May 10, 2016** General Session Agenda for
consideration on **June 7, 2016**.

Case #ANX-EXP2-11-16 - An Expedited Type 2 annexation petition ANX-EXP2-11-16 was filed with the Franklin County Economic Development and Planning Department on May 5, 2016. The petition is requesting to annex 387 +/- acres from Brown Township to the City of Hilliard. The petition will be considered by the Board of Commissioners on June 7, 2016.

Site: 7380 Scioto Darby Creek Road (PID# 120-000335) and 4427 Elliott Road (PID# 120-000199)



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schlimmer, Director

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 MAY 05 2016
 Franklin County Planning Department
 Franklin County, Ohio

Application for
**Annexation
 Petition**

Expedited Type 2
 Pursuant to ORC §709.023



Property Information	
Site Address 7380 Scioto Darby Creek/4427 Elliott Road	
Parcel ID(s) 120-335, 120-199	Total Acreage 387
From Township Brown	To Municipality Hilliard

Property Owner Information	
Name See attached	
Address	
Phone #	Fax #
Email	

Attorney/Agent Information	
Name Thomas L. Hart, Attorney, Isaac Wiles	
Address Two Miranova Pl., Ste. 700	
Columbus OH 43215	
Phone # 614-340-7415	Fax # 614-365-9516
Email thart@isaacwiles.com	

Staff Use Only
Case # ANX-EXP2-11-16
Hearing date: 6/7/16
Date filed: 5/5/16
Fee paid See ANX-EXP2-08-16
Receipt #
Notifications deadline: 5 days 5/10/16
Svc statement deadline: 20 days 5/25/16

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			
<p>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.</p>			
<input checked="" type="checkbox"/> Hill Distributing See attached for signature Property Owner _____ Date _____ Richard Ihlendorf, Vice-Pres	<input checked="" type="checkbox"/> Karen R. Bright Trust See attached for signature Property Owner _____ Date _____ Karen R. Bright, Trustee	<input checked="" type="checkbox"/> Robert Bright Trust See attached for signature Property Owner _____ Date _____ Robert Bright Trust	<input checked="" type="checkbox"/> Mary Jane Bright, Trustee See attached for signature Property Owner _____ Date _____ Mary Jane Bright, Trustee
<input checked="" type="checkbox"/> Holly Bright Mayfield, Trustee See attached for signature Property Owner _____ Date _____ Holly Bright Mayfield, Trustee			

ATTACHMENT TO TYPE 2 ANNEXATION PETITION
Franklin County, OH

Property Owner Information:

1. Parcel No. 120-335
Hill Distributing Company
Richard Ihendorf, Vice President
5080 Tuttle Crossing Blvd., Ste. 325
Dublin, OH 43016



2. Parcel No. 120-199
Karen R. Bright Trust
Karen R. Bright, Trustee
5576 Villa Gates Drive
Hilliard, OH 43026



3. Parcel No. 120-199
Robert W. Bright Trust
Mary Jane Bright, Trustee
Holly Bright Mayfield, Trustee
2514 Edington Road
Columbus, OH 43221

**EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF HILLIARD OF 387+/- ACRES, MORE OR LESS,
FROM BROWN TOWNSHIP**

*TO THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO*

The undersigned, petitioners in the premises, and being THE SOLE OWNERS OF REAL ESTATE in the territory described, consisting of 387+/- acres, more or less, with a total length of the annexation perimeter of 18,118 feet, more or less, in the Township of Brown, which area is contiguous along 8,417 feet, or 46.4% is contiguous to the City of Hilliard, do hereby pray that said territory be annexed to the City of Hilliard, 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 as Exhibit "A" and "B" and made part hereof.

In support of said Petition, the petitioners state that there are within the territory so prayed to be annexed THREE (3) OWNERS OF REAL ESTATE.

Thomas L. Hart, whose address is Isaac Wiles Burkholder & Teetor LLC, Two Miranova Place, Ste. 700, Columbus, Ohio 43215, is hereby appointed agent for the undersigned Petitioner, 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 an amended plat and description to the Board of 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 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."



ANX-EXP2-11-16

NAME

ADDRESS

DATE

Hill Distributing Company
By: *Richard Ihendorf*
Richard Ihendorf, Vice-Pres.

5080 Tuttle Crossing Blvd., Ste. 325
Dublin, OH 43016

3/3/16

Robert W. Bright Trust
~~Mary Jane Bright~~
Mary Jane Bright, Trustee

2514 Edington Road
Columbus, OH 43221

4/4/2016

Holly Bright Mayfield
Holly Bright Mayfield, Trustee

516 Bier Street
Kenilworth, IL 60043

04/04/2016

Karen R. Bright Trust
Karen R. Bright
Karen R. Bright, Trustee

5567 Villa Gates Drive
Hilliard, OH 43026

04/04/2016

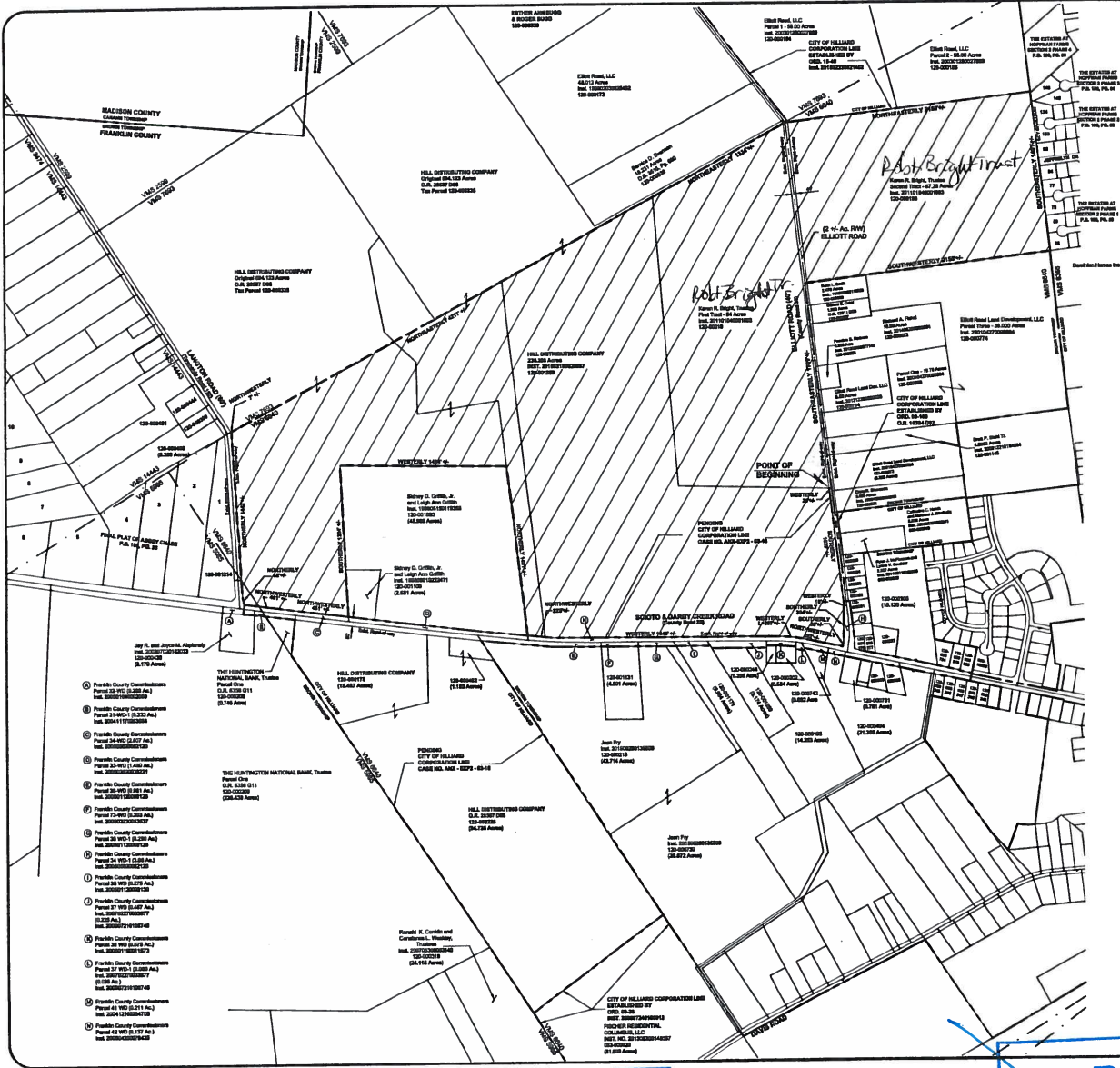
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Franklin County, Ohio

ANX-EXP2-11-16

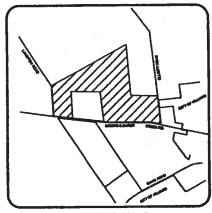
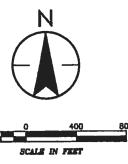
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APR 07 2016
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Franklin County, Ohio

~~*ANX-EXP2-08-16*~~



Parcel Number Owner

130-00000-00 BANCLAY, ROBERT & ANGEA
 130-00000-01 BANCLAY, ROBERT & ANGEA
 130-00000-02 BANCLAY, ROBERT & ANGEA
 130-00000-03 BANCLAY, ROBERT & ANGEA
 130-00000-04 BANCLAY, ROBERT & ANGEA
 130-00000-05 BANCLAY, ROBERT & ANGEA
 130-00000-06 BANCLAY, ROBERT & ANGEA
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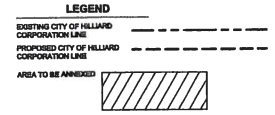


GENERAL NOTES:

- This sketch is intended to be used as an expedient type B annexation with a total perimeter of 18,118 feet, a length of continuity of 847.7 feet and a 6.8% percent continuity with the existing City of Hilliard corporation line.
- The proposed annexation does not create any islands that would be surrounded on all sides by an existing corporation line within the location of said tract except results to said township.

ANNEXATION CONTIGUITY:

TOTAL PERIMETER 18,118 feet
 LENGTH OF CONTIGUITY 847.7 feet
 PERCENT CONTIGUITY 4.6%



- 1) Franklin County Commissioners Parcel 23 915 (3.22 Acres) Parcel No. 130-00000-001
- 2) Franklin County Commissioners Parcel 24 915 (3.22 Acres) Parcel No. 130-00000-002
- 3) Franklin County Commissioners Parcel 25 915 (3.22 Acres) Parcel No. 130-00000-003
- 4) Franklin County Commissioners Parcel 26 915 (3.22 Acres) Parcel No. 130-00000-004
- 5) Franklin County Commissioners Parcel 27 915 (3.22 Acres) Parcel No. 130-00000-005
- 6) Franklin County Commissioners Parcel 28 915 (3.22 Acres) Parcel No. 130-00000-006
- 7) Franklin County Commissioners Parcel 29 915 (3.22 Acres) Parcel No. 130-00000-007
- 8) Franklin County Commissioners Parcel 30 915 (3.22 Acres) Parcel No. 130-00000-008
- 9) Franklin County Commissioners Parcel 31 915 (3.22 Acres) Parcel No. 130-00000-009
- 10) Franklin County Commissioners Parcel 32 915 (3.22 Acres) Parcel No. 130-00000-010
- 11) Franklin County Commissioners Parcel 33 915 (3.22 Acres) Parcel No. 130-00000-011
- 12) Franklin County Commissioners Parcel 34 915 (3.22 Acres) Parcel No. 130-00000-012
- 13) Franklin County Commissioners Parcel 35 915 (3.22 Acres) Parcel No. 130-00000-013
- 14) Franklin County Commissioners Parcel 36 915 (3.22 Acres) Parcel No. 130-00000-014
- 15) Franklin County Commissioners Parcel 37 915 (3.22 Acres) Parcel No. 130-00000-015
- 16) Franklin County Commissioners Parcel 38 915 (3.22 Acres) Parcel No. 130-00000-016
- 17) Franklin County Commissioners Parcel 39 915 (3.22 Acres) Parcel No. 130-00000-017
- 18) Franklin County Commissioners Parcel 40 915 (3.22 Acres) Parcel No. 130-00000-018
- 19) Franklin County Commissioners Parcel 41 915 (3.22 Acres) Parcel No. 130-00000-019
- 20) Franklin County Commissioners Parcel 42 915 (3.22 Acres) Parcel No. 130-00000-020

RECEIVED

MAR 28 2016

Franklin County Engineer
 Dawn C. Clark, P.E., P.S.

ANNEXATION
 ACCEPTABLE
 DAWN C. CLARK, P.E., P.S.
 FRANKLIN COUNTY ENGINEER
 By: [Signature]

**ANNEXATION OF
 387 +/- ACRES**
 From Brown Township, Ohio
 Lying In
 Survey No. 5985 and 6640
 Virginia Military District
 to City of Hilliard, Ohio

Scale: 1 inch = 400 Feet
 Date: February, 2016
 PREPARED BY:

1000 LAKE SIDNEY DRIVE
 SUITE 100
 COLLENGE, OHIO 43004
 (614) 480-0200 1-800-848-8700
 FAX (614) 480-0207



SHEET 1 OF 1

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 Franklin County, Ohio

Anx-Exp2-11-16

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Franklin County Planning Department
 Franklin County, Ohio

Anx-Exp2-08-16

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MAR 28 2016

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

RECEIVED

MAY 05 2016

ANX-EXP2-11-16

Franklin County Planning Department
Franklin County, Ohio

**ANNEXATION OF 387 +/- ACRES
FROM BROWN TOWNSHIP
TO CITY OF HILLIARD**

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

By FAR/BB Date 3/20/16

Situate in the State of Ohio, County of Franklin, Township of Brown, lying in Surveys 5985 and 6640 of the Virginia Military District, being part of an original 326.286 acre tract as conveyed to Hill Distributing Company by deed of record in Instrument Number 201603100028887 all of the 84 acre (First Tract) and 67.25 acre (Second Tract) as conveyed to Karen R. Bright, Trustee of record in Instrument Number 201101040001993, (all records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an angle point in the Pending City of Hilliard corporation line Case Number ANI-EXP2 -03-16 on the existing westerly right-of-way line of Elliott Road, County Road 38, (40 feet in width);

Thence Southerly, a distance of approximately 1039 feet, more or less along the Pending City of Hilliard corporation line and the westerly right-of-way line of said Elliott Road to a point at corner of a 3.06 acre (Parcel 34 WD-1) tract conveyed to Franklin County Commissioners by deed of record in Instrument Number 200505020082120;

Thence the following courses and distances along the Pending City of Hilliard corporation line and the westerly right-of-way line of Elliott Road and the northerly right-of-way line Scioto & Darby Creek Road (County Road 29), being common to the lines of said 3.06 acre (Parcel 34WD-1) tract;

1. Westerly, a distance of approximately 10 feet, more or less to a point;
2. Southerly, a distance of approximately 304 feet, more or less to a point;
3. Southerly, a distance of approximately 50 feet, more or less to an angle point on the northerly right-of-way line of Scioto & Darby Creek Road;
4. Northwesterly, a distance of approximately 292 feet, more or less to a point;
5. Northwesterly along an arc of a curve to the left having a length of approximately 307 feet, more or less to a point;
6. Westerly, a distance of approximately 1948 feet, more or less to an angle point;
7. Northwesterly, a distance of approximately 225 feet, more or less to a point at the northwesterly corner of said 3.06 acre (Parcel 34WD-1) tract a common corner to a 1.450 acre (Parcel 33-WD) tract and a 45.969 acre tract owned by Sidney D. Griffith, Jr. and Leigh Ann Griffith of record in Instrument Number 199808150119355;

Thence Northerly, a distance of approximately 1491 feet, more or less along the easterly line of said 45.969 acre tract to the northeasterly corner;

Thence Westerly a distance of 1454 feet, more or less along the northerly line of said 45.969 acre tract to the northwesterly corner;

Thence Southerly, a distance of approximately 1324 feet, more or less along the westerly line of said 45.969 acre tract and a 2.581 acre tract owned by Sidney D. Griffith, Jr. and Leigh Ann Griffith of record in Instrument Number 198090222471 to a point on the Pending City of Hilliard corporation line and northerly right-of-way line of Scioto & Darby Creek Road at a common corner of said 2.507 acre (Parcel 34-WD) and 1.450 acre (Parcel 33-WD);

Thence the following courses and distances along the Pending City of Hilliard corporation line and northerly line of said Scioto & Darby Creek Road and the 1.450 acre (Parcel 33-WD) tract:

1. Northwesterly, a distance of approximately 451 feet, more or less, to a point;

2. Northwesterly, a distance of approximately 461 feet, more or less, to a point at the intersection with the easterly right-of-way line of Langton Road, being an angle point in the Pending City of Hilliard corporation line;

Thence the following courses and distances along the easterly right-of-way lines of Langton Road, (varies in width):

1. Northerly, a distance of approximately 68 feet, more or less to a point;
2. Northerly, a distance of approximately 1442 feet, more or less to a point;
3. Northwesterly, a distance of approximately 7 feet, more or less to a point on the northerly line of a 236.286 acre tract, being the line between V.M.S. 6640 and V.M.S. 7693;

Thence Northeasterly, a distance of approximately 4211 feet, more or less along the northerly line of the 236.286 acre tract to a point at the northwesterly corner of a 84 acre tract owned by Karen R. Bright, Trustee of record in Instrument Number 201101040001993;

Thence Northeasterly, a distance of approximately 1344 feet, more or less along the northerly line of the 84 acre tract to the northeasterly corner of said 84 acre tract the northwesterly corner of the 67.25 acre tract;

Thence Northeasterly, a distance of 2158 feet, more or less, along the northerly line of the 67.25 acre tract and the existing City of Hilliard corporation line as established by Ordinance Number 15-48 of record in instrument Number 201602230021452 to an angle point, being the northeast corner of the 67.25 acre tract;

Thence Southeasterly, a distance of 1401 feet, more or less, along the existing City of Hilliard corporation line and the easterly line of the 67.25 acre tract to the southeast corner;

Thence Southwesterly, a distance of 2150 feet, more or less, along the southerly line of the 67.25 acre to a point on the center line of Elliott Road (40 feet in width);

Thence Southeasterly, a distance of 1799 feet, more or less, along the center line of Elliott Road to the southeast corner of the 84 acre tract at an angle point in the pending City of Hilliard corporation line;

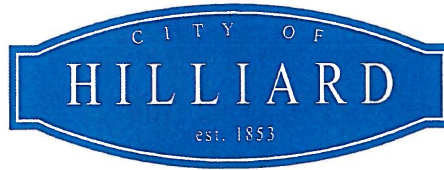
Thence westerly a distance of 20 feet, more or less, along the said Pending City of Hilliard corporation line to the **Point of Beginning**, containing approximately 387 acres, more or less.

This description is for annexation purposes only, and not for transfer of real property.

RECEIVED

MAY 17 2016

AUX-EXPZ-4-16
Franklin County Planning Department
Franklin County, Ohio



Adopted: May 9, 2016

Resolution: 16-R-45

Page: 1 of 2

A RESOLUTION INDICATING WHAT SERVICES THE CITY OF HILLIARD WILL PROVIDE TO THE 387 ±ACRES LOCATED NORTH OF SCIOTO DARBY CREEK ROAD, EAST OF LANGTON ROAD, AND EAST AND WEST OF WEST OF ELLIOT ROAD IN BROWN TOWNSHIP, FRANKLIN COUNTY, OHIO, UPON ANNEXATION TO THE CITY OF HILLIARD, OHIO AND TO PROVIDE FOR BUFFER REQUIREMENTS.

WHEREAS, on May 5, 2016, pursuant to Ohio Revised Code Section 709.023, the property owner, Hill Distributing Co. and the Robert Bright Trust, seeking the annexation of 387 ±acres of real property (the "Property" and the "Territory") located north of Scioto Darby Creek Road, east of Langton Road, and east and west of Elliott Road (part of the Robert Bright Trust) in Brown Township, Franklin County, Ohio, contiguous to the City of Hilliard, filed a Petition for Annexation of their Property to the City of Hilliard with the Board of County Commissioners of Franklin County, Ohio, a copy of which is **attached** hereto as Exhibit "A", notice of which was duly served upon the City of Hilliard as prescribed by law; and

WHEREAS, Ohio Revised Code Section 709.023(C) provides that within twenty (20) days after the date that the petition is filed, the municipal corporation to which annexation is sought shall adopt a Resolution stating what services the municipal corporation will provide to the territory seeking annexation and an approximate date by which it will provide those services; and

WHEREAS, Ohio Revised Code Section 709.023(C) also provides that within that same twenty (20) day period, a municipal corporation shall adopt an ordinance or resolution stating that, if the territory is annexed and becomes subject to zoning by the municipal corporation and that if the municipality corporation's zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining in the township from which the territory was annexed, the municipal corporation shall 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 the township.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio that:

SECTION 1. In the event that the proposed 387 ±acres is annexed to the City of Hilliard, Ohio, the City will provide to the Property the full range of municipal services available to the residents of, and to the property within, the City of Hilliard, including but not limited to police protection, mayor's court, street maintenance, residential refuse collection, planning, building, zoning and engineering services, and parks and recreation, all of which can be provided immediately upon the effective date of the annexation as provided by law. Should it be

determined that as a result of the annexation, the boundary line between the township and the City divides or segments a street or highway so as to create a road maintenance problem the City, as a condition of the annexation, shall assume the maintenance of that street or highway or otherwise correct the problem.


SECTION 2. The County Commissioners have previously requested information on the status of water and sewer services to and within suburbs of the City of Columbus. The proposed annexation area is included within the boundaries of the area of the City of Hilliard's Water Service Contract and Sewerage Contract with the City of Columbus and those services are provided in accordance with the terms and conditions of those contracts. The City's ability and timeframe to provide those services is contingent upon the City of Columbus' determination that sufficient capacity exists in the systems by which to issue taps to serve development in and of the Property. The City of Hilliard shall be under no obligation to extend water or sewer lines to any of the Property at the cost of the City or in contravention of those contracts in any manner.

SECTION 3. If the Property is annexed and becomes subject to the City of Hilliard zoning and the City zoning permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under applicable county or township zoning regulations in effect at the time of the filing of the petition on the land adjacent to the annexed territory remaining in the unincorporated area of Brown Township, then the City of Hilliard will require the owner or owners of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Brown Township.

SECTION 4. The Clerk of Council is hereby directed to forward and file certified copies of this Resolution with the Franklin County Board of County Commissioners and to send a copy to the Agent for the Petitioner for annexation, **within twenty (20) days following the date that the petition was filed.**

SECTION 5. This Resolution is effective upon its adoption.


ATTEST:


 Lynne M. Fasone
 Clerk of Council

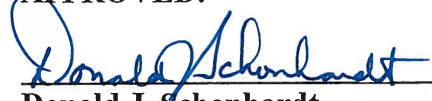
SIGNED:


 Nathan D. Painter
 President of Council

APPROVED AS TO FORM:

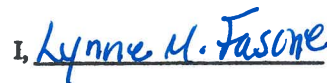

 Tracy L. Bradford
 Director of Law


APPROVED:


 Donald J. Schonhardt
 Mayor

Resolution 16-R-45

VOTE:	Yea	Nay	Abstain
Baker	✓		
Carrier	✓		
Erb	✓		
Iosue	✓		
McGivern	✓	Excused	
Painter	✓		
Uttley	✓		
TALLY:	6	0	0

I,  Clerk of Council
 hereby certify that the foregoing is a true copy
 of Resolution 16-R-45 duly adopted
 by the Council of the City of Hilliard
 the 9th day of May, 2016.


 Clerk of Council
 City of Hilliard



Commissioners
Marilyn Brown, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schlimmer, Director

RECEIVED

MAY 05 2016

Franklin County Planning Department
Franklin County, Ohio

Application for
**Annexation
Petition**

Expedited Type 2
Pursuant to ORC §709.023



Property Information	
Site Address 7380 Scioto Darby Creek/4427 Elliott Road	
Parcel ID(s) 120-335, 120-199	Total Acreage 387
From Township Brown	To Municipality Hilliard

Property Owner Information	
Name See attached	
Address	
Phone #	Fax #
Email	

Attorney/Agent Information	
Name Thomas L. Hart, Attorney, Isaac Wiles	
Address Two Miranova Pl., Ste. 700 Columbus OH 43215	
Phone # 614-340-7415	Fax # 614-365-9516
Email thart@isaacwiles.com	

Staff Use Only
Case # ANX-EXP2-11-16
Hearing date: 6/7/16
Date filed: 5/5/16
Fee paid See ANX-EXP2-08-16
Receipt #
Notifications deadline: 5 days 5/10/16
Svc statement deadline: 20 days 5/25/16

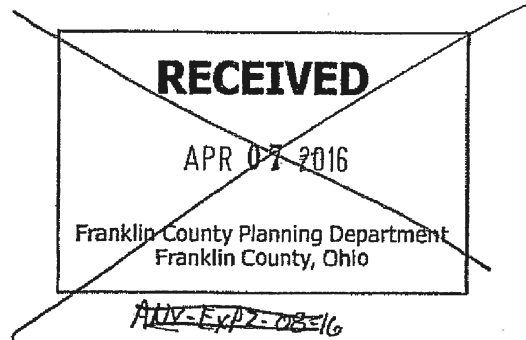
Document Submission
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:
<input checked="" type="checkbox"/> Legal description of property
<input checked="" type="checkbox"/> Map/plot of property
<input checked="" type="checkbox"/> List of adjacent properties

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.	
Hill Distributing <input checked="" type="checkbox"/> See attached for signature Property Owner _____ Date _____ Richard Ihlendorf, Vice-Pres	Karen R. Bright Trust <input checked="" type="checkbox"/> See attached for signature Property Owner _____ Date _____ Karen R. Bright, Trustee
Robert Bright Trust <input checked="" type="checkbox"/> See attached for signature Property Owner _____ Date _____ Mary Jane Bright, Trustee	Robert Bright Trust <input checked="" type="checkbox"/> See attached for signature Property Owner _____ Date _____ Holly Bright Mayfield, Trustee

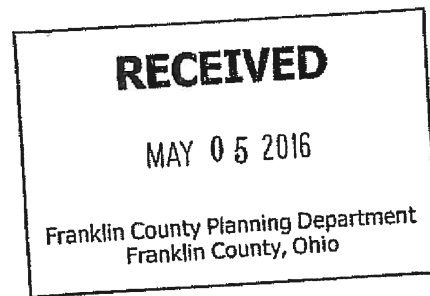
ATTACHMENT TO TYPE 2 ANNEXATION PETITION
Franklin County, OH

Property Owner Information:

1. Parcel No. 120-335
Hill Distributing Company
Richard Ihlendorf, Vice President
5080 Tuttle Crossing Blvd., Ste. 325
Dublin, OH 43016



2. Parcel No. 120-199
Karen R. Bright Trust
Karen R. Bright, Trustee
5576 Villa Gates Drive
Hilliard, OH 43026



3. Parcel No. 120-199
Robert W. Bright Trust
Mary Jane Bright, Trustee
Holly Bright Mayfield, Trustee
2514 Edington Road
Columbus, OH 43221

**EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF HILLIARD OF 387+/- ACRES, MORE OR LESS,
FROM BROWN TOWNSHIP**

*TO THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO*

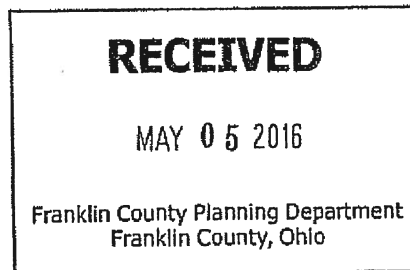
The undersigned, petitioners in the premises, and being THE SOLE OWNERS OF REAL ESTATE in the territory described, consisting of 387+/- acres, more or less, with a total length of the annexation perimeter of 18,118 feet, more or less, in the Township of Brown, which area is contiguous along 8,417 feet, or 46.4% is contiguous to the City of Hilliard, do hereby pray that said territory be annexed to the City of Hilliard, 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 as Exhibit "A" and "B" and made part hereof.

In support of said Petition, the petitioners state that there are within the territory so prayed to be annexed THREE (3) OWNERS OF REAL ESTATE.

Thomas L. Hart, whose address is Isaac Wiles Burkholder & Teetor LLC, Two Miranova Place, Ste. 700, Columbus, Ohio 43215, is hereby appointed agent for the undersigned Petitioner, 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 an amended plat and description to the Board of 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 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."



ANK-EXPZ-11-16

NAME

ADDRESS

DATE

Hill Distributing Company
By: *Richard Ihlendorf*
Richard Ihlendorf, Vice-Pres.

5080 Tuttle Crossing Blvd., Ste. 325
Dublin, OH 43016

3/3/16

Robert W. Bright Trust

2514 Edington Road
Columbus, OH 43221

4/4/2016

Mary Jane Bright
Mary Jane Bright, Trustee

Holly Bright Mayfield
Holly Bright Mayfield, Trustee

516 Bier Street
Kenilworth, IL 60043

04/04/2016

Karen R. Bright Trust

5567 Villa Gates Drive
Hilliard, OH 43026

04/04/2016

Karen R. Bright
Karen R. Bright, Trustee

3371565.1 : 09326 00001

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MAY 05 2016
Franklin County Planning Department
Franklin County, Ohio

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Franklin County Planning Department
Franklin County, Ohio

ANX-Exp2-11-16

ANX-Exp2-08-16

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MAR 28 2016

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

RECEIVED

MAY 05 2016

AUX-EXP2-11-16
Franklin County Planning Department
Franklin County, Ohio

ANNEXATION OF 387.77 ACRES
FROM BROWN TOWNSHIP
TO CITY OF HILLIARD

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

By FAR/BR Date 3/28/16

Situate in the State of Ohio, County of Franklin, Township of Brown, lying in Surveys 5985 and 6640 of the Virginia Military District, being part of an original 326.286 acre tract as conveyed to Hill Distributing Company by deed of record in Instrument Number 201603100028887 all of the 84 acre (First Tract) and 67.25 acre (Second Tract) as conveyed to Karen R. Bright, Trustee of record in Instrument Number 201101040001993, (all records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an angle point in the Pending City of Hilliard corporation line Case Number ANI-EXP2 -03-16 on the existing westerly right-of-way line of Elliott Road, County Road 38, (40 feet in width);

Thence Southerly, a distance of approximately 1039 feet, more or less along the Pending City of Hilliard corporation line and the westerly right-of-way line of said Elliott Road to a point at corner of a 3.06 acre (Parcel 34 WD-1) tract conveyed to Franklin County Commissioners by deed of record in Instrument Number 200505020082120;

Thence the following courses and distances along the Pending City of Hilliard corporation line and the westerly right-of-way line of Elliott Road and the northerly right-of-way line Scioto & Darby Creek Road (County Road 29), being common to the lines of said 3.06 acre (Parcel 34WD-1) tract;

1. Westerly, a distance of approximately 10 feet, more or less to a point;
2. Southerly, a distance of approximately 304 feet, more or less to a point;
3. Southerly, a distance of approximately 50 feet, more or less to an angle point on the northerly right-of-way line of Scioto & Darby Creek Road;
4. Northwesterly, a distance of approximately 292 feet, more or less to a point;
5. Northwesterly along an arc of a curve to the left having a length of approximately 307 feet, more or less to a point;
6. Westerly, a distance of approximately 1948 feet, more or less to an angle point;
7. Northwesterly, a distance of approximately 225 feet, more or less to a point at the northwesterly corner of said 3.06 acre (Parcel 34WD-1) tract a common corner to a 1.450 acre (Parcel 33-WD) tract and a 45.969 acre tract owned by Sidney D. Griffith, Jr. and Leigh Ann Griffith of record in Instrument Number 199808150119355;

Thence Northerly, a distance of approximately 1491 feet, more or less along the easterly line of said 45.969 acre tract to the northeasterly corner;

Thence Westerly a distance of 1454 feet, more or less along the northerly line of said 45.969 acre tract to the northwesterly corner;

Thence Southerly, a distance of approximately 1324 feet, more or less along the westerly line of said 45.969 acre tract and a 2.581 acre tract owned by Sidney D. Griffith, Jr. and Leigh Ann Griffith of record in Instrument Number 198090222471 to a point on the Pending City of Hilliard corporation line and northerly right-of-way line of Scioto & Darby Creek Road at a common corner of said 2.507 acre (Parcel 34-WD) and 1.450 acre (Parcel 33-WD);

Thence the following courses and distances along the Pending City of Hilliard corporation line and northerly line of said Scioto & Darby Creek Road and the 1.450 acre (Parcel 33-WD) tract:

1. Northwesterly, a distance of approximately 451 feet, more or less, to a point;

2. Northwesterly, a distance of approximately 461 feet, more or less, to a point at the intersection with the easterly right-of-way line of Langton Road, being an angle point in the Pending City of Hilliard corporation line;

Thence the following courses and distances along the easterly right-of-way lines of Langton Road, (varies in width):

1. Northerly, a distance of approximately 68 feet, more or less to a point;
2. Northerly, a distance of approximately 1442 feet, more or less to a point;
3. Northwesterly, a distance of approximately 7 feet, more or less to a point on the northerly line of a 236.286 acre tract, being the line between V.M.S. 6640 and V.M.S. 7693;

Thence Northeasterly, a distance of approximately 4211 feet, more or less along the northerly line of the 236.286 acre tract to a point at the northwesterly corner of a 84 acre tract owned by Karen R. Bright, Trustee of record in Instrument Number 201101040001993;

Thence Northeasterly, a distance of approximately 1344 feet, more or less along the northerly line of the 84 acre tract to the northeasterly corner of said 84 acre tract the northwesterly corner of the 67.25 acre tract;

Thence Northeasterly, a distance of 2158 feet, more or less, along the northerly line of the 67.25 acre tract and the existing City of Hilliard corporation line as established by Ordinance Number 15-48 of record in instrument Number 201602230021452 to an angle point, being the northeast corner of the 67.25 acre tract;

Thence Southeasterly, a distance of 1401 feet, more or less, along the existing City of Hilliard corporation line and the easterly line of the 67.25 acre tract to the southeast corner;

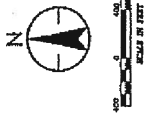
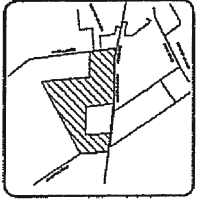
Thence Southwesterly, a distance of 2150 feet, more or less, along the southerly line of the 67.25 acre to a point on the center line of Elliott Road (40 feet in width);

Thence Southeasterly, a distance of 1799 feet, more or less, along the center line of Elliott Road to the southeast corner of the 84 acre tract at an angle point in the pending City of Hilliard corporation line;

Thence westerly a distance of 20 feet, more or less, along the said Pending City of Hilliard corporation line to the Point of Beginning, containing approximately 387 acres, more or less.

This description is for annexation purposes only, and not for transfer of real property.

B



GENERAL NOTES:
1. The work shown on this map is based on the information provided by the City of Hilliard and the Franklin County Planning Department.
2. The proposed work is subject to the approval of the Franklin County Planning Commission and the City of Hilliard.
3. The proposed work is subject to the approval of the Franklin County Board of Commissioners and the City of Hilliard.

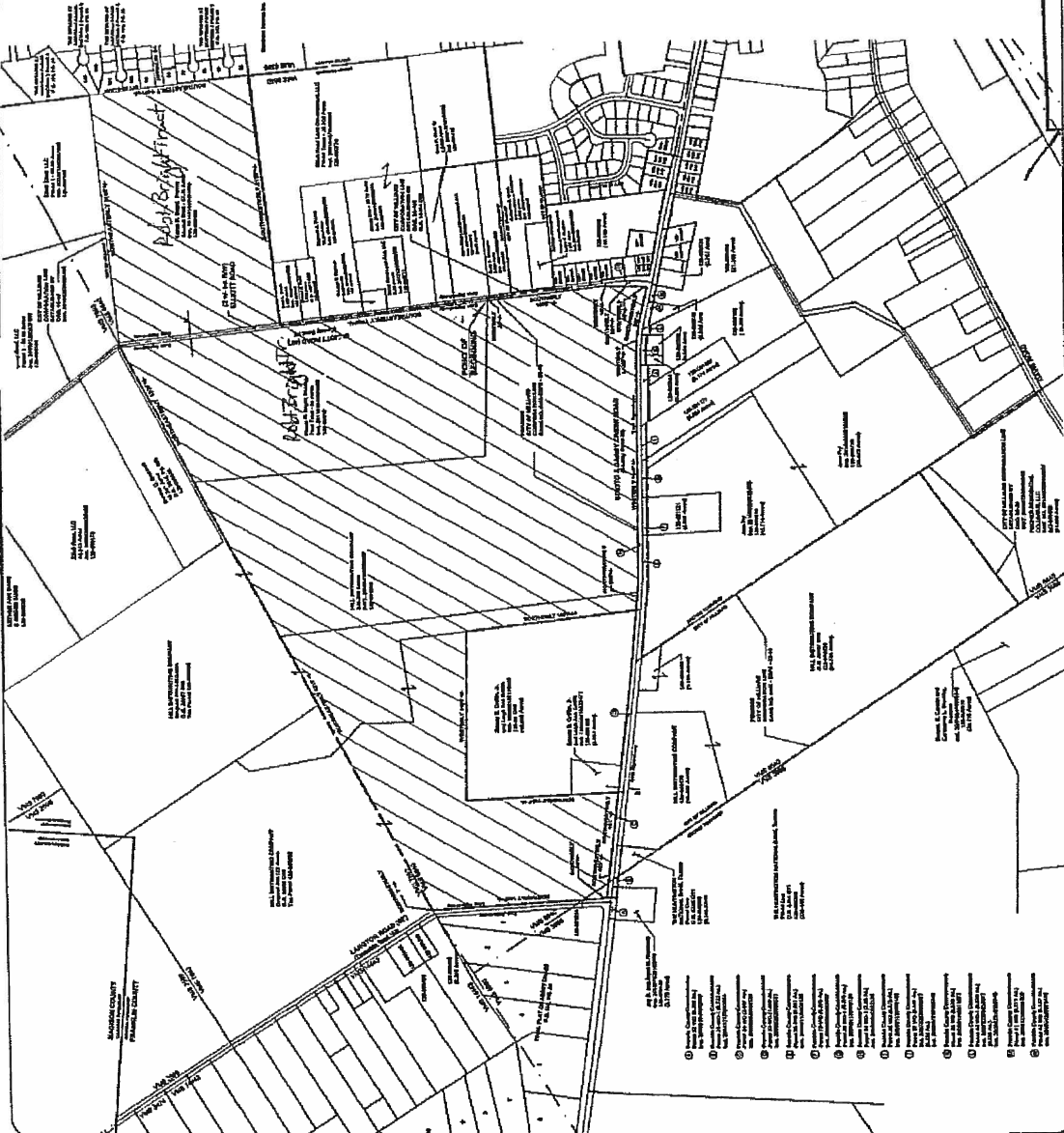
ANNEXATION CONTINGUITY:
FRANKLIN COUNTY PLANNING DEPARTMENT
FRANKLIN COUNTY, OHIO

LEGEND:
UNIVERSITY MAP SHEET NO. 2021
ANNEXATION OF 387 +/- ACRES
FROM BROWN TOWNSHIP, OHIO
TO CITY OF HILLIARD, OHIO

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NO 11 2016
FRANKLIN COUNTY PLANNING DEPARTMENT
FRANKLIN COUNTY, OHIO

**ANNEXATION OF
387 +/- ACRES**
Lying In
**From Brown Township, Ohio
Survey No. 5985 and 6640
Virginia Military District
to City of Hilliard, Ohio**

Stantec
1400 WEST BEAVER CREEK
SHERBOURNE, OHIO 43089
PH: (614) 252-2200
FAX: (614) 252-2207
SHEET 1 OF 1



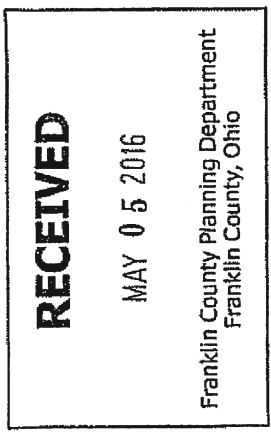
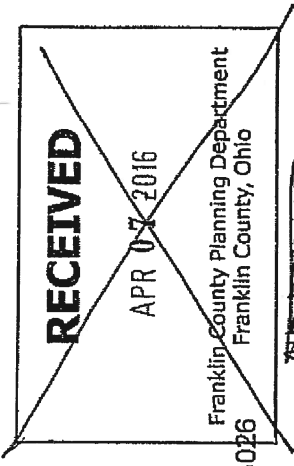
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Franklin County, Ohio
ANX-Exp2-08-16

RECEIVED
MAY 05 2016
Franklin County Planning Department
Franklin County, Ohio
ANX-Exp2-11-16

ADJACENT PARCEL OWNER LIST
Annexation of 387 ac from Brown Township to City of Hilliard

#3352089v1

Parcel #	Name	Street Address
120-001214	James & Abigail Sheard	7440 Scioto Darby Creek, Hilliard, OH 43026
120-000283	Robert & Angela Barclay	4230 Elliott Road, Hilliard, OH 43026
120-000285	Luke Bates	4250 Elliott Road, Hilliard, OH 43026
120-000245	Michael & Laura Leyshton	4706 Parrau Drive, Columbus, OH 43228
120-000246	Lester Lindsay	6673 Scioto Darby Creek Rd, Hilliard, OH 43026
120-000247	Catherine Jones	6677 Scioto Darby Creek Rd, Hilliard, OH 43026
120-000248	Steven & Terry Whitehead	6661 Scioto Darby Creek Rd, Hilliard, OH 43026
120-000608	Jon & Melissa Brinkerhoff	4587 Langton Road, Hilliard, OH 43026
120-000198	Thomas/Nicholas Coughlin	5640 Glade Run Rd, London, OH 43140 for Langton Road, Hilliard, OH 43026
120-001131	Davidson Phillips Inc	7107 Scioto Darby Creek, Hilliard, OH 43026
120-000505	Ernest Davis	4413 Langton Road, Hilliard, OH 43026
120-000594	Ernest Davis	4413 Langton Road, Hilliard, OH 43026
120-000444	Patricia Dawson	4381 Langton Road, Hilliard, OH 43026
120-001250	Barbara Demaline	Scioto Darby Creek, Hilliard, OH 43026
120-000521	Robert & Danielle Dixon	4619 Langton Road, Hilliard, OH 43026
120-000704	William & Diane Daniels	6680 Scioto Darby Creek Rd, Hilliard, OH 43026
120-000579	Rhonda Wolfe	6676 Scioto Darby Creek Rd, Hilliard, OH 43026
120-000586	Kevin O'Toole	6666 Scioto Darby Creek Rd, Hilliard, OH 43026
120-000338	Bernice Everman	4561 Elliott Road, Hilliard, OH 43026
120-000742	Claudia Friesen	6901 Scioto Darby Creek, Hilliard, OH 43026
050-010556	Rockford Homes	999 Polaris Parkway, Columbus, OH 43240 for 4155 Ivy Crest Ct., Hilliard, OH 43026
120-000284	Catherine Goshorn	4240 Elliott Road, Hilliard, OH 43026
120-001253	Beatrice Green	4453 Langton Road, Hilliard, OH 43026
120-000227	Beatrice Green	Langton Road, Hilliard, OH 43026
120-001100	Sidney & Leigh Griffith	7400 Scioto Darby Creek, Hilliard, OH 43026
120-001093	Sidney & Leigh Griffith	Scioto Darby Creek, Hilliard, Oh 43026
120-001171	Edward Grimm	Scioto Darby Creek, Hilliard, OH 43026
120-000443	Betty Hetrick	4407 Langton Road, Hilliard, OH 43026



ANX-EXPZ-11-16





120-000511	Paula Julien	4555 Langton Road, Hilliard, OH 43026
120-000287	Brad & Melissa Kochis	6833 Scioto Darby Creek, Hilliard, OH 43026
120-001215	Christin Lavelle	7800 Scioto Carby Creek, Hilliard, OH 43026
120-000279	Michael Lewis	4180 Elliott Road, Hilliard, OH 43026
120-000507	Stanley Lewis	4419 Langton Road, Hilliard, OH 43026
120-000308	Thomas & Regina McAirtor	6800 Scioto Darby Creek, Hilliard, OH 43026
120-000306	John McConnell	6817 Scioto Darby Creek, Hilliard, OH 43026
120-000280	Clyde & Linda Miller	4190 Elliott Road, Hilliard, OH 43026
120-000202	Heidi Miller & Eric Detelder	6935 Scioto Darby Creek, Hilliard, OH 43026
120-000244	Lori Miller & Amy Miller	6943 Scioto Darby Creek, Hilliard, OH 43026
120-000399	Anita Norris	4367 Langton Road, Hilliard, OH 43026
120-000451	Philip Paul	4399 Langton Road, Hilliard, OH 43026
120-000596	Philip Paul	Langton Road, Hilliard, OH 43026
120-000404	Mark Reid & Michael Reid	Scioto Darby Creek, Hilliard, OH 43026
120-000278	Gary & Judith Rohrer	6846 Scioto Darby Creek, Hilliard, OH 43026
120-000277	Gary & Judith Rohrer	6846 Scioto Darby Creek, Hilliard, OH 43026
120-000281	Nancy Russell	4200 Elliott Road, Hilliard, OH 43026
120-000731	Jered Seely	6901 Scioto Darby Creek, Hilliard, OH 43026
120-001145	Bret & Nancy Stahl	Elliott Road, Hilliard, OH 43026
120-000597	Charles Starr	4425 Langton Road, Hilliard, OH 43026
120-000282	Joan Stultz-Stout	4220 Elliott Road, Hilliard, OH 43026
120-000400	Nancy Sutton	4355 Langton Road, Hilliard, OH 43026
120-000514	Robert & Gwendolyn Sweeney	4519 Langton Road, Hilliard, OH 43026
120-000222	Angela Williams Toki	6816 Scioto Darby Creek, Hilliard, OH 43026
120-000353	Kevin & Elyse Wampler	6825 Scioto Darby Creek, Hilliard, OH 43026
120-000193	Willoway Wholesale Distribution Ctr	6981 Scioto Darby Creek, Hilliard, OH 43026

ANX-EXP2-11-16

Petition to annex 387+/- acres from Brown Township to the City of Hilliard.

387+/- acres
Brown Township



-  Annexation Area
-  Parcels
-  Streets
- Corporate Boundaries**
-  Hilliard

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

