



Legislation Details (With Text)

File #: 0077-2022 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 12/27/2021 **In control:** Economic Development Committee
On agenda: 1/31/2022 **Final action:** 2/3/2022
Title: To accept the application (AN21-016) of NIAM Stelzer Rd LLC for the annexation of certain territory containing 3.8± acres in Mifflin Township.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 0077-2022 AN21-016 Briefing Sheet, 2. 0077-2022 AN21-016 Legal, 3. 0077-2022 AN21-016 Plat, 4. 0077-2022 AN21-016 Service Statement

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 2/3/2022 | 1 | CITY CLERK | Attest | |
| 2/2/2022 | 1 | MAYOR | Signed | |
| 1/31/2022 | 1 | COUNCIL PRESIDENT | Signed | |
| 1/31/2022 | 1 | Columbus City Council | Approved | Pass |
| 1/10/2022 | 1 | Columbus City Council | Read for the First Time | |

AN21-016

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN21-016) by the city of Columbus. The Ohio Revised Code stipulates that to be effective, City acceptance must take place a minimum of 60 days from the receipt by the City Clerk of the approval notice from the county. If City Council does not accept the ordinance within 120 days of its first consideration, the annexation will be considered rejected. This petition was filed with Franklin County on September 30, 2021. City Council approved a service ordinance addressing the site on October 11, 2021. Franklin County approved the annexation on November 2, 2021 and the City Clerk received notice on November 10, 2021.

FISCAL IMPACT:

Provision of municipal services does represent cost to the City; however, the annexation of land also has the potential to create revenue to the City.

To accept the application (AN21-016) of NIAM Stelzer Rd LLC for the annexation of certain territory containing 3.8± acres in Mifflin Township.

WHEREAS, a petition for the annexation of certain territory in Mifflin Township was filed on behalf of NIAM Stelzer Rd LLC on September 30, 2021; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on November 2, 2021; and

WHEREAS, on November 10, 2021, the City Clerk received from Franklin County a certified copy of the resolution addressing the petition; and

WHEREAS, sixty days have now elapsed since receipt of the resolution in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory addressed by the petition; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the annexation proposed by NIAM Stelzer Rd LLC in a petition filed with the Franklin County Board of Commissioners on September 30, 2021 and subsequently approved by the Board on November 2, 2021 is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situate in the State of Ohio, County of Franklin, Township of Mifflin, and being in Quarter Township 3, Township 1, Range 17, United States Military District, and being all of the remainder of a 4.07 acre tract as conveyed to Niam Stelzer Road LLC in Instrument Number 201704190052755, of record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

BEGINNING at the northeasterly corner of the remainder of said 4.07 acre tract, also being the northwesterly corner of a 0.082 acre tract designated Parcel 53WD as conveyed to Franklin County Commissioners in Instrument Number 200411180264457, also being the southwesterly corner of a 0.168 acre tract designated Parcel 54WD as conveyed to Franklin County Commissioners in Instrument Number 200412060277 414, also being the southeasterly corner of the remainder of a 1.267 acre tract as conveyed to Stelzer Road Baptist Church in Deed Book 2645, Page 245, now known as United Faith International Baptist Church by Statement of Facts by Affidavit recorded in Instrument Number 200403120054876, also being on the westerly right-of-way line of Stelzer Road (C.R. 177) (R/W Varies), also being on the westerly corporation line of the City of Columbus as established by Ordinance Number 0043-2007, as recorded in Instrument Number 200705150084538 and Instrument Number 200705150084542;

Thence along the easterly line of the remainder of said 4.07 acre tract and along the westerly line of said Stelzer Road right-of-way, the westerly line of said Parcel 53WD, and along the westerly line of said City of Columbus corporation line, South 02°14'1 O" West, 112.2 feet to a point;

Thence continuing along the easterly line of the remainder of said 4.07 acre tract and along the westerly line of said Stelzer Road right-of-way, the westerly line of said Parcel 53WD, and along the westerly line of said City of Columbus corporation line, South 03°33'01" West, 77.7 feet to the southeasterly corner of the remainder of said 4.07 acre tract, also being the southwesterly corner of said Parcel 53WD, also being the northwesterly corner of a 0.133 acre tract designated Parcel 52WD as conveyed to Franklin County Commissioners in Instrument Number 200408120188054, also being the northeasterly corner of the remainder of a 2. 707 acre tract as conveyed to Tucker Bear Capital, LLC in Instrument Number 202011060176332, also being on the northerly pending annexation corporation line of the City of Columbus as established by Ordinance Number _____ as recorded in Instrument Number

_____ (Case Number 10-21).

Thence along the southerly line of the remainder of said 4.07 acre tract, along the northerly line of the remainder of said 2. 707 acre tract, and along the northerly line of said City of Columbus corporation line, North 85°54'00" West, 884.5 feet to the southwesterly corner of the remainder of said 4.07 acre tract, also being the southeasterly corner of the remainder of a 5 acre tract as conveyed to Trustees Agler Road Parcel #3 LLC in Instrument Number 201008190106494, being on the easterly corporation line of the City of Columbus as established by Ordinance Number 1066-64, as recorded in M.R. 137-331;

Thence along the westerly line of the remainder of said 4.07 acre tract and the easterly line of the remainder of said 5 acre tract, along the easterly line of said City of Columbus corporation line, North 04 °03'00" East, 188.0 feet to the northwesterly corner of the remainder of said 4.07 acre tract, also being the southwesterly line of the remainder of a 4

acre tract as conveyed to Lewis Ted Oatts, Trustee of the Lewis Ted Oatts Revocable Living Trust Dtd 03/31/2011, of record in Instrument Number 201611140156860;

Thence along the northerly line of the remainder of said 4.07 acre tract, along the southerly lines of the remainder of said 4 acre tract and the remainder of said 1.267 acre tract, South 85°54'00" East, 880.4 feet to the POINT OF TRUE BEGINNING, containing 3.8 Acres, more or less.

SECTION 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.