

1832

Resolution No. 0767-23

October 10, 2023

Review of petition to annex 9.504 +/- acres from Madison Township to the City of Columbus Case #ANX-34-23. (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, an Expedited Type 2 annexation was filed on behalf of the petitioners by Eric Zartman, Esq. with the Franklin County Economic Development and Planning Department on September 5, 2023; and

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition on September 18, 2023, and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited Type 2 petition, and having considered all the facts with reference thereto, being fully advised; and

WHEREAS, the Commissioners make the following findings based upon the exhibits and testimony presented at the review of this matter:

1. The petition does meet all the requirements set forth in, and was filed in the manner provided in, section 709.021 of the Revised Code.
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation and constitute all of the owners of real estate in that territory.
3. The territory proposed for annexation does not exceed five hundred acres.
4. The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.
5. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
6. The municipal corporation to which annexation is proposed has passed Ordinance No. 2435-2023 agreeing to provide to the territory proposed for annexation certain services and adopting a statement regarding possible incompatible land uses and zoning buffer. The ordinance was passed by the City of Columbus on September 11, 2023.

RECEIVED
OCT 10 2023

Resolution No. 0767-23

October 10, 2023

Review of petition to annex 9.504 +/- acres from Madison Township to the City of Columbus Case #ANX-34-23. (ECONOMIC DEVELOPMENT & PLANNING)

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

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

Prepared by: Matt Brown

SIGNATURE SHEET FOLLOWS

SIGNATURE SHEET

Resolution No. 767-23

October 10, 2023

**REVIEW OF PETITION TO ANNEX 9.504 +/- ACRES FROM
MADISON TOWNSHIP TO THE CITY OF COLUMBUS CASE
#ANX-34-23.**

(EDP - Economic Development and Planning)

Upon the motion of Commissioner Kevin L. Boyce, seconded by
Commissioner Erica C. Crawley:

Voting:

John O'Grady, President
Kevin L. Boyce
Erica C. Crawley

Absent
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.



Brittany Razek, Clerk
Board of County Commissioners
Franklin County, Ohio



RESOLUTION SUMMARY

Review of petition to annex 9.504 +/- acres from Madison Township to the City of Columbus Case #ANX-34-23

Description:

Attached is a resolution to consider an Expedited Type 2 annexation of 9.504-acres, more or less, from Madison Township to the City of Columbus. The petition case number is ANX-34-23.

Owner:

William and Angela Lutz
Robert and Judith Johnson

Site:

5091 Ebright Road (PID #180-005101)
5071 Ebright Road (PID #180-000002)

Agent:

Eric Zartman – Underhill & Hodge LLC

Additional Information:

The total perimeter of the site is approximately 3,268.97 feet; approximately 1,605.23 feet, or 49 percent, of which is contiguous to the City of Columbus.

Analysis:

The applicant has met all statutory requirements outlined in Section 709.021 of the Ohio Revised Code. The applicant has provided proof of notification, and timeline and has provided an ordinance from the City of Columbus identifying the services that will be provided once the annexation has been approved and a statement regarding possible incompatible land uses and zoning buffer. Ordinance No. 2435-2023 was passed by the City of Columbus on September 11, 2023.

Recommendation:

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



**MEMO
JOURNALIZATION**

TO: Brittany Razek, County Clerk
Franklin County Commissioners Office

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

CC: James Schimmer, Director
Carolyn Thurman, Assistant Director
Franklin County Economic Development & Planning Department

RE: Description of Expedited Type 2 annexation case to be journalized on the **September 18, 2023** General Session Agenda for consideration on **October 10, 2023**.

Case #ANX-34-23 - An Expedited Type 2 annexation petition, ANX-34-23, was filed with the Franklin County Economic Development and Planning Department on September 5, 2023. The petition is requesting to annex 9.504-acres from Madison Township to the City of Columbus. The petition will be considered by the Board of Commissioners on October 10, 2023.

**Site: 5071 Ebright Road (PID #180-000002)
5091 Ebright Road (PID #180-005101)**



Franklin County
Board of Commissioners

**ECONOMIC DEVELOPMENT
& PLANNING**

Economic Development & Planning Department
James Schimmer, Director

Application for
**Annexation
Petition**
Expedited Type 2
Pursuant to ORC §709.023

RECEIVED
SEP 05 2023
Franklin County Planning Department
Franklin County, OH

Property Information

Site Address: 5071-5091 Ebright Road, Canal Winchester 43110

Parcel ID(s): 180-000002 and 180-005101	Total Acreage: 9.504
From Township: Madison	To Municipality: Columbus

Property Owner Information *In the event of multiple owners, please attach separate sheet

Name: William and Angela Lutz	Robert and Judith Johnson
Address: 5091 Ebright Road Canal Winchester, OH 43110 PN: 180-005101	5071 Ebright Road Canal Winchester, OH 43110 PN: 180-000002

Phone #	Fax #
Email:	

Attorney/Authorized Agent Information

Name: David Hodge and Eric Zartman, Underhill & Hodge LLC
Address: 8000 Walton Parkway, Suite 260, New Albany, OH 43054

Phone # 614.335.9320	Fax #
Email: david@uhlawfirm.com / eric@uhlawfirm.com	

Petitioners Signature

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.

See attached signature page

Property Owner 	Date 8-28-23	Property Owner	Date
Attorney or Authorized Agent Eric Zartman	Date	Attorney or Authorized Agent	Date

Staff Use Only

Case # ANX- 34-23

Hearing Date: 10/16/23

Date Filed: 9/5/23

Fee Paid: \$250.00

Receipt #: 23-03434

Received By: Matt Brown

Notification Deadline (5 days):

9/11/23

Svc Statement Deadline (20 days):

9/25/23

Document Submission

The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:

- Legal description of the property
- Fee Payment (checks only)
- Map/plat of property
- List of adjacent properties

**EXPEDITED TYPE II PETITION FOR ANNEXATION
(PURSUANT TO R.C. SECTION 709.023)
TO THE CITY OF COLUMBUS
OF ±9.504 ACRES
IN THE TOWNSHIP OF MADISON**

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

The undersigned, being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described in Exhibit "A", consisting of ±9.504 acres, more or less, located in the Township of Madison, Franklin County, Ohio, which area is contiguous along 1605.23 feet or 49% and adjacent to the City of Columbus, do hereby respectfully petition the Board of Franklin County Commissioners that said territory be annexed to the City of Columbus according to the statutes of the State of Ohio, and specifically the expedited procedure specified in Ohio Revised Code Section 709.023.

The number of owners within the area is Two (2)

1. Attached to this petition and made part hereof is a full legal description of the area to be annexed, marked as Exhibit "A".
2. Attached to this petition and made part hereof is an accurate map of the area to be annexed, marked as Exhibit "B".
3. Attached to this petition and made part hereof is a list of parcels in the area to be annexed and adjacent territory that includes the name of the owner, mailing address of owner and permanent parcel number, marked as Exhibit "C".

The undersigned petitioners do hereby designate Aaron Underhill, Esq., David Hodge, Esq., and Eric Zartman, Esq., attorneys, as their agents ("Agents") as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to each said Agent individually to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this petition. Agents' contact information is as follows: Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054; Phone: (614) 335-9320, Fax: (614) 335-9329; and e-mail: aaron@uhlfirm.com, david@uhlfirm.com, and eric@uhlfirm.com.

[Petition signatures on following counterpart pages]

WHOMEVER 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 SAID SPECIAL ANNEXATION PROCEDURE.

PETITIONERS:

Judith A. Johnson

Print Name: Judith A. Johnson

Signature: Judith A. Johnson

Date: 7-14-23

Robert C. Johnson

Print Name: Robert C Johnson

Signature: [Signature]

Date: 7-14-23

William R. Lutz

Print Name: William R Lutz

Signature: [Signature]

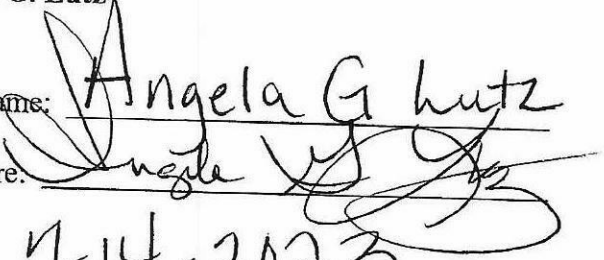
Date: 7-14-2023

Angela G. Lutz

Print Name:

Angela G Lutz

Signature:



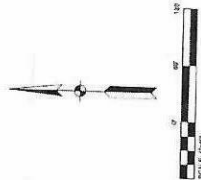
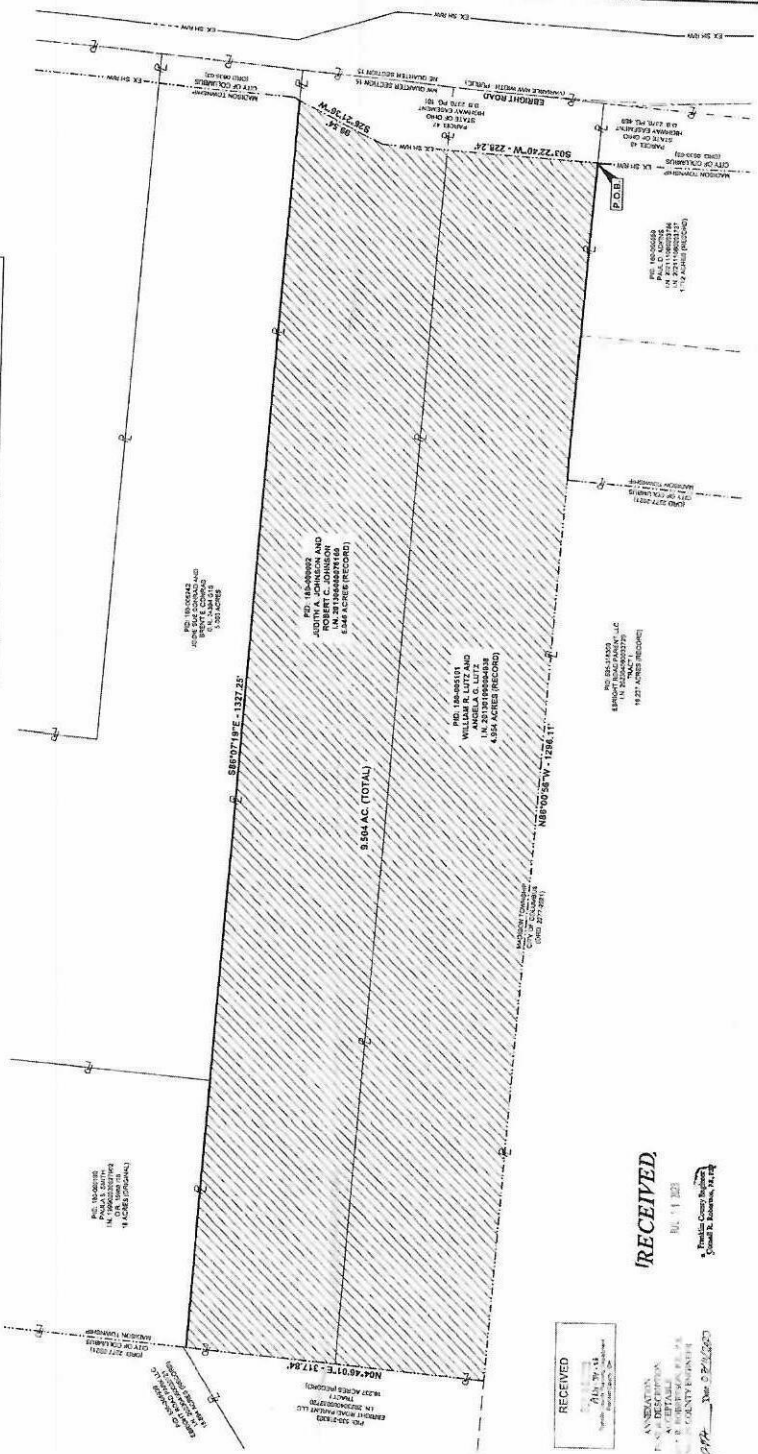
Date:

7-14-2023

ANNEXATION PLAT OF 9.504 ACRES FROM MADISON TOWNSHIP TO THE CITY OF COLUMBUS STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF MADISON, NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 11, RANGE 21, CONGRESS LANDS EAST OF THE SCIOTO RIVER

ACREAGE TABLE

OWNER NAME	PARCEL ID	ANNEXED ACREAGE
JUDITH & ROBERT JOHNSON	160-090002	4.787 ACRES
WILLIAM & ANGELA LUTZ	160-095101	4.717 ACRES



CONTIGUITY DETAILS

- Total Perimeter of Annexation: 3688.97'
- Length of Contiguous Existing Corporation Line: 1805.23' (49% of Total Perimeter)

LEGEND

- Existing Corporation Line
- Proposed Corporation Line
- Proposed Annexation Area

RECEIVED
July 29, 2022
Professional Land Surveyor

RECEIVED
JUL 11 2022
Public Safety Bureau, Inc.



This annexation plat was prepared based on an actual field survey of the premises performed by American Structurepoint, Inc. in July 2022, and is true and correct to the best of my knowledge and belief.

Michael J. Ward
Professional Land Surveyor 8808
Date 7/10/23

BASIS OF BEARINGS

Bearings described hereon are based on North 49 degrees 26 minutes 29 seconds West from the centerline of right-of-way for U.S. Route 33, as measured from Grid North, referenced to the Ohio State Plan Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and a NGS OPUS solution.

AMERICAN STRUCTUREPOINT, INC.
JBM DEVELOPMENT, LLC

ANNEXATION PLAT FOR JBM - EBRIGHT ROAD CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

REVISIONS	DATE	SHEET NO.	DESCRIPTION	APPROVED DATE

DATE: 7/10/2023
DRAWN BY: JAW
CHECKED BY: JAW
JOB NUMBER: 2022-09-04

RECEIVED
SEP 05 2023
APR-34-23
Franklin County Planning Department
Franklin County, OH

RECEIVED

JUL 11 2023

Franklin County Engineer
Cornell R. Robertson, P.E., P.S.

By ARH Date 07/11/2023

DESCRIPTION OF 9.504 ACRES

Situated in the State of Ohio, County of Franklin, Township of Madison, being located in the Northwest Quarter on Section 15, Township 11, Range 21, Congress Lands East of the Scioto River, being part of that 4.954 acre tract described in a deed to **William R. Lutz and Angela G. Lutz**, of record in **Instrument Number 201301090004938**, and being part of that 5.046 acre tract described in a deed to **Judith A. Johnson and Robert C. Johnson**, of record in **Instrument Number 201305080076169**, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows;

BEGINNING at a point on the existing west right-of-way line for Ebright Road, said point being the southwest corner of that Highway Easement described as Parcel 47 in a deed to State of Ohio, of record in Deed Book 2370, Page 101, being the northwest corner of that Highway Easement described as Parcel 48 in a deed to State of Ohio, of record in Deed Book 2370, Page 469, being on the existing corporation line for City of Columbus, being on the south line of said 4.954 acre tract, and being on the north line of that 1.712 acre tract described in deeds to Paul D. Adkins, of record in Instrument Number 202111080203796 and Instrument Number 202111080203737;

Thence **North 86 degrees 00 minutes 56 seconds West**, with the south line of said 4.954 acre tract, with the north line of said 1.712 acre tract, with the north line of that 16.237 acre tract described in a deed to Ebright Road Parent LLC, of record in Instrument Number 202304060032720, and with the existing corporation line for City of Columbus, a distance of **1,296.11 feet** to the southwest corner of said 4.954 acre tract, being a northeast corner of said 16.237 acre tract, and being on the existing corporation line for City of Columbus;

Thence **North 04 degrees 46 minutes 01 seconds East**, with the existing corporation line for City of Columbus, with the west line of said 4.954 acre tract, with the west line of said 5.406 acre tract and with an east line of said 16.237 acre tract, a distance of **317.84 feet** to the northwest corner of said 5.046 acre tract, being the southwest corner of that 18 acre tract described in a deed to Paula S. Smith, of record in Official Record 15988, Page 118;

Thence **South 86 degrees 07 minutes 19 seconds East**, with the north line of said 5.046 acre tract, with the south line of said 18 acre tract, and with the south line of that 5.003 acre tract described in a deed to Jodie Sue Conrad and Brent E. Conrad, of record in Official Record 34394, Page G15, a distance of **1,327.25 feet** to a point on the existing west right-of-way line for Ebright Road, said point being the northwest corner of said Parcel 47 and being on the existing corporation line for City of Columbus;

Thence **South 26 degrees 21 minutes 36 seconds West**, with the existing corporation line for City of Columbus, with the existing west right-of-way line for Ebright Road, with the west line of said Parcel 47 and through said 5.046 acre tract, a distance of **99.54 feet** to a point;

Thence **South 03 degrees 22 minutes 40 seconds West**, continuing with the existing corporation line for City of Columbus, continuing with the existing west right-of-way line for Ebright Road, continuing with the west line of said Parcel 47, continuing through said 5.046 acre tract, and through said 4.954 acre tract, a distance of **228.24 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total of **9.504 acres** of which:

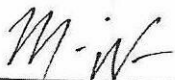
4.787 acres is located within Franklin County Auditor's Parcel Number 180-000002,

4.717 acres is located within Franklin County Auditor's Parcel Number 180-005101.

Bearings described hereon are based on North 49 degrees 26 minutes 29 seconds West for the centerline of right of way for U.S. Route 33, as measured from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

The above description was prepared by Michael J. Ward, Registered Professional Surveyor Number 8808, and is based on an actual field survey of the premises performed by American Structurepoint, Inc., and is true and correct to the best of knowledge and belief.

American Structurepoint, Inc.



Michael J. Ward

Registered Professional Surveyor No. 8808



7/10/23

Date



City of Columbus Legislation Report

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

ORIGINAL

File Number: 2435-2023

EMERGENCY

File ID: 2435-2023

Type: Ordinance

Status: Consent

Version: 1

*Committee: Economic Development Committee

File Name: AN23-020 (5071 & 5091 Ebright Rd) Service Ordinance

File Created: 08/23/2023

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.: HUNTER RAYFIELD 5-2565

Floor Action (Clerk's Office Only)

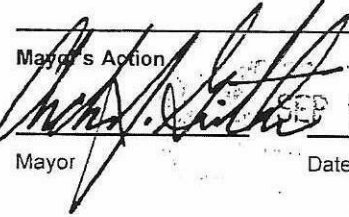
SEP 11 2023

P 6-0

HARDIN ABSENT

Mayor's Action

Council Action


Date: SEP 12 2023

SEP 11 2023

Date Passed/ Adopted

PRO TEM President of Council

Andrea Blewins
City Clerk

Veto Date


Title:

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN23-020) of 9.5± Acres in Madison Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

Sponsors:

Attachments: 2435-2023 AN23-020 Briefing Sheet, 2435-2023 AN23-020 Legal, 2435-2023 AN23-020 Plat

I hereby certify that the above or attached is a true and correct copy of Ordinance No 2435-2023 passed by The Council of The City of Columbus Ohio Sep 11, 20 23, as shown by the record now on file in this office.

Seal  Andrea Blewins
City Clerk

RECEIVED
ANx-34-23
SEP 18 2023
Franklin County Planning Department
Franklin County, OH

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	8/23/2023	DEVELOPMENT DIRECTOR	Approved	8/25/2023
1	2	8/23/2023	ATTORNEY APPROVER	Approved	8/25/2023

Notes: LLB

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Columbus City Council	09/11/2023					

ODI: Following the review and approval, when required, the Office of Diversity and Inclusion 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: This ordinance is being submitted to set forth the municipal services and zoning conditions the city of Columbus will provide upon annexation of a territory located in Madison Township. This ordinance is required by the Ohio Revised Code (ORC) as enacted by the General Assembly of the State of Ohio. An annexation petition has been filed with Franklin County for this property. A service ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information regarding municipal services that would be available, should the subject site be annexed, has been compiled and is reflected in this ordinance. Should the petition be approved by the County Commissioners, a second City ordinance accepting the annexation will be required to complete the process. The time frames specified in the ORC require that this legislation be filed as emergency.

FISCAL IMPACT: The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. While provision of the stated services does represent cost to the City, annexation of land also has the potential to create revenue to the city.

Title

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN23-020) of 9.5± Acres in Madison Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

Body

WHEREAS, a petition for the annexation of certain territory in Madison Township was duly filed on behalf of Robert & Judy Johnson; William & Angela Lutz on August 30, 2023; and

WHEREAS, a hearing on said petition is tentatively scheduled before the Board of County Commissioners of Franklin County on September 26, 2023; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will

provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are within the South East Land Use Plan (C2P2) (2018); and

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

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

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

Section 1. That the city of Columbus will provide the following municipal services for 9.5± acres in Hamilton Township upon the annexation of said area to the city of Columbus:

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

Sanitation: Residential refuse collection services will be available upon annexation of the property.

Transportation: Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

Water: The site will be served by an existing 16" water main located along the frontage of Ebright Road, the connection to which will be made the owner's expense.

Sewers: All sanitary and storm sewers required shall be constructed privately by the owners and developers at their own cost and expense with no cost to the City.

Sanitary: The parcel is tributary to a proposed 8" sanitary sewer CC-19805, which has not been constructed yet. The parcel to be annexed may have to extend sanitary sewer from CC-19805, the connection to which will be made the owner's expense.

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

All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own expense with no cost to the city.

Section 2. If this 9.5± acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Madison Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Madison Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

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

AN23-020

(9.5 acres in Madison Township)

Status: Service Ordinance pending 9/11/2023 as emergency

Committee: Economic Development

Legislation

XXXX-2023 Service Ordinance

Principal Parties

Petitioners/Property Owners: Robert & Judy Johnson; William & Angela Lutz

Attorney/Agent: David Hodge

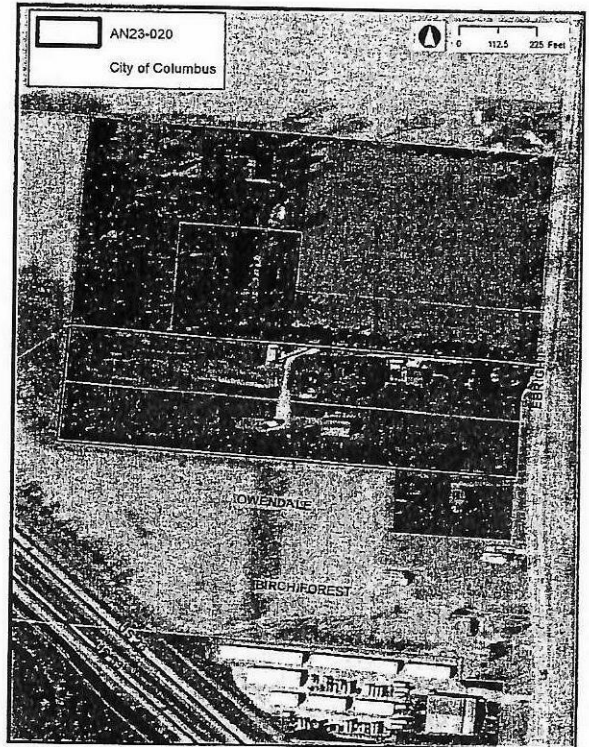
Developer: JBM Development

Staff: Hunter Rayfield (process)

Key Dates

County application date: 8/30/2023

Tentative County hearing: 9/26/2023



Site Information

- The 9.5 acre site is an infill annexation.
- The current use is single-family residential rural. The anticipated use is multi-family residential.
- The site is located within the boundaries of the South East Land Use Plan (C2P2) (2018), which recommends Low-Medium Density Residential (6-10 du/ac). The planning area has Complete Adoption of Columbus Citywide Planning Policies.
- The site is within the boundaries of the Greater South East Area Commission.
- The site does not require a boundary conformance

Key Issues

- Annexation is sought for redevelopment as part of multi-family residential.
- Planning staff have conducted a preliminary review and are supportive of the proposed annexation. It is generally consistent with the plan recommendation.
- Annexation does not guarantee a zoning application will be approved. Zoning requests require a separate application process through the Department of Building and Zoning Services.

Legislative Information

- The applicant must provide a statement of municipal services to the county for their consideration within 20 days.
- The annexation is tentatively scheduled for consideration at a Franklin County Commissioner hearing.
- The Ohio Revised Code stipulates that once an annexation has been approved by the county, it must be accepted by the receiving municipality in order for the annexation process to be completed. The acceptance process involves a second city ordinance that may be acted upon a minimum of 60 days from the date the City Clerk receives record of the commissioner's action and a maximum of 120 days of City Council's first consideration of the second city ordinance.

JUL 11 2023

By CRH Date 07/11/2023

DESCRIPTION OF 9.504 ACRES

Franklin County Engineer
Cornell R. Robertson, P.E., P.S.

Situated in the State of Ohio, County of Franklin, Township of Madison, being located in the Northwest Quarter on Section 15, Township 11, Range 21, Congress Lands East of the Scioto River, being part of that 4.954 acre tract described in a deed to **William R. Lutz and Angela G. Lutz**, of record in **Instrument Number 201301090004938**, and being part of that 5.046 acre tract described in a deed to **Judith A. Johnson and Robert C. Johnson**, of record in **Instrument Number 201305080076169**, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows;

BEGINNING at a point on the existing west right-of-way line for Ebright Road, said point being the southwest corner of that Highway Easement described as Parcel 47 in a deed to State of Ohio, of record in Deed Book 2370, Page 101, being the northwest corner of that Highway Easement described as Parcel 48 in a deed to State of Ohio, of record in Deed Book 2370, Page 469, being on the existing corporation line for City of Columbus, being on the south line of said 4.954 acre tract, and being on the north line of that 1.712 acre tract described in deeds to Paul D. Adkins, of record in Instrument Number 202111080203796 and Instrument Number 202111080203737;

Thence **North 86 degrees 00 minutes 56 seconds West**, with the south line of said 4.954 acre tract, with the north line of said 1.712 acre tract, with the north line of that 16.237 acre tract described in a deed to Ebright Road Parent LLC, of record in Instrument Number 202304060032720, and with the existing corporation line for City of Columbus, a distance of **1,296.11 feet** to the southwest corner of said 4.954 acre tract, being a northeast corner of said 16.237 acre tract, and being on the existing corporation line for City of Columbus;

Thence **North 04 degrees 46 minutes 01 seconds East**, with the existing corporation line for City of Columbus, with the west line of said 4.954 acre tract, with the west line of said 5.406 acre tract and with an east line of said 16.237 acre tract, a distance of **317.84 feet** to the northwest corner of said 5.046 acre tract, being the southwest corner of that 18 acre tract described in a deed to Paula S. Smith, of record in Official Record 15988, Page 118;

Thence **South 86 degrees 07 minutes 19 seconds East**, with the north line of said 5.046 acre tract, with the south line of said 18 acre tract, and with the south line of that 5.003 acre tract described in a deed to Jodie Sue Conrad and Brent E. Conrad, of record in Official Record 34394, Page G15, a distance of **1,327.25 feet** to a point on the existing west right-of-way line for Ebright Road, said point being the northwest corner of said Parcel 47 and being on the existing corporation line for City of Columbus;

Thence **South 26 degrees 21 minutes 36 seconds West**, with the existing corporation line for City of Columbus, with the existing west right-of-way line for Ebright Road, with the west line of said Parcel 47 and through said 5.046 acre tract, a distance of **99.54 feet** to a point;

Thence **South 03 degrees 22 minutes 40 seconds West**, continuing with the existing corporation line for City of Columbus, continuing with the existing west right-of-way line for Ebright Road, continuing with the west line of said Parcel 47, continuing through said 5.046 acre tract, and through said 4.954 acre tract, a distance of **228.24 feet** to the **POINT OF BEGINNING** for this description.

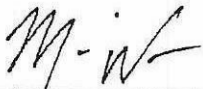
The above description contains a total of **9.504 acres** of which:

4.787 acres is located within Franklin County Auditor's Parcel Number 180-000002,

4.717 acres is located within Franklin County Auditor's Parcel Number 180-005101

The above description was prepared by Michael J. Ward, Registered Professional Surveyor Number 8808, and is based on an actual field survey of the premises performed by American Structurepoint, Inc., and is true and correct to the best of knowledge and belief.

American Structurepoint, Inc.



Michael J. Ward

Registered Professional Surveyor No. 8808



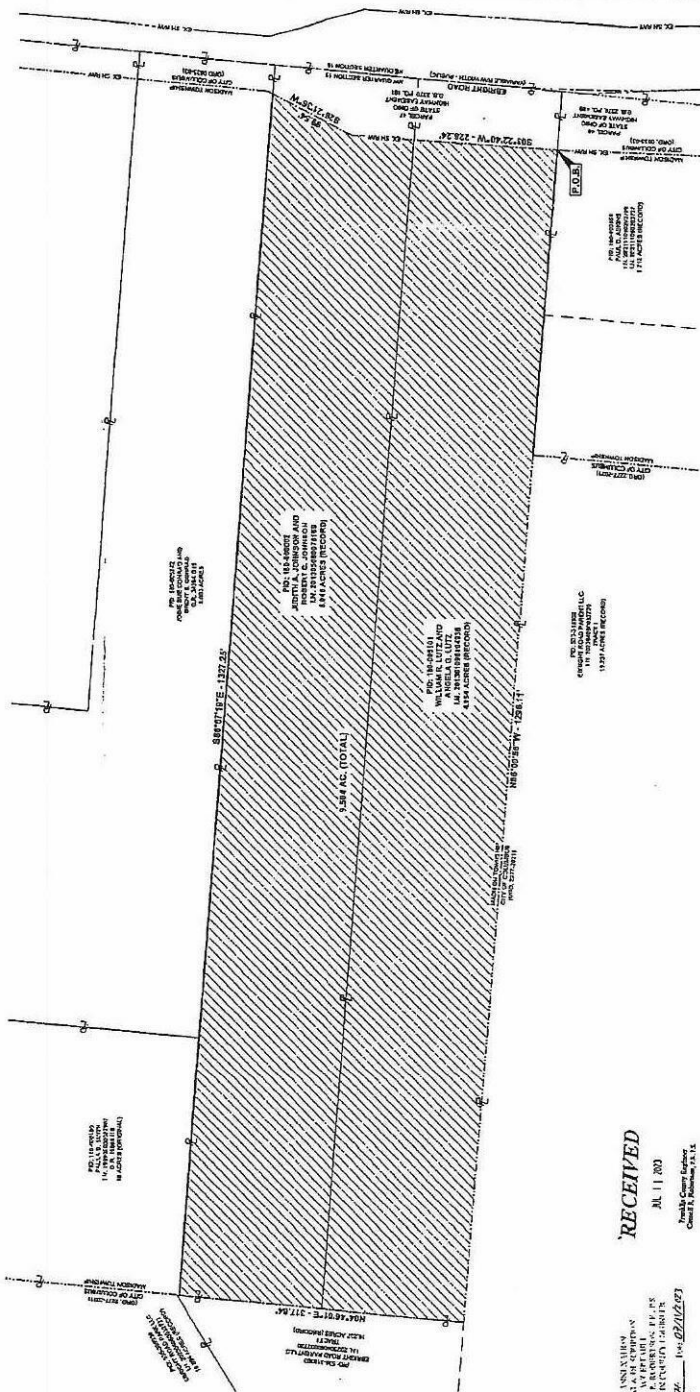
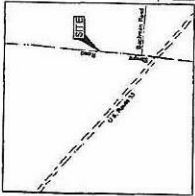
7/10/23

Date

ANNEXATION PLAT OF 9.504 ACRES FROM MADISON TOWNSHIP TO THE CITY OF COLUMBUS STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF MADISON, NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 11, RANGE 21, CONGRESS LANDS EAST OF THE SCIOTO RIVER

ACREAGE TABLE

OWNER NAME	PARCEL ID	ANNEXED ACREAGE
JUDITH & ROBERT JOHNSON	10-480992	4.377 ACRES
WILLIAM & ANGELA LUTZ	10-405151	4.717 ACRES



BASIS OF BEARINGS

Bearings described hereon are based on North 49 degrees 26 minutes 29 seconds West for the centerline of right-of-way for U.S. Route 33, as measured from Grid North, referenced to the Ohio State Plan Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and a NGS OpUS solution.

CONTIGUITY DETAILS

- Total Perimeter of Annexation: 3268.97'
- Length of Contiguous Existing Corporation Line: 1605.23' (49% of Total Perimeter)

LEGEND

- Existing Corporation Line
- Proposed Corporation Line
- Proposed Annexation Area

RECEIVED

JUL 11 2022
Franklin County Auditor
COLUMBUS, OHIO, U.S.A.

This annexation plat was prepared based on an actual field survey of the premises performed by American Structurepoint, Inc. in July 2022, and is true and correct to the best of my knowledge and belief.

Michael J. Ward
Professional Land Surveyor 8608
Date: 7/10/23



AMERICAN STRUCTUREPOINT
10000 W. STATE ST. SUITE 100
COLUMBUS, OHIO 43240
TEL: 614.881.1234 FAX: 614.881.1235
WWW.AMERICANSTRUCTUREPOINT.COM

ANNEXATION PLAT
JSM - EBRIGHT ROAD
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

REVISION	DATE	SHEET NO.	DESCRIPTION	APPROVED	DATE

DATE: 7/10/23
DRAWN BY: JAW
CHECKED BY: JAW
FOR PLAT: 2022.06.14

RECEIVED

SEP 08 2023

Franklin County Planning Department
COLUMBUS, OH

AFFIDAVIT OF NOTICE TO TOWNSHIP, MUNICIPALITY, AND SURROUNDING
PROPERTY OWNERS OF ANNEXATION PETITION FILING **AUX-34-23**

STATE OF OHIO }
COUNTY OF FRANKLIN } SS:

David Hodge, being first duly sworn, deposes and says that he is an attorney at the law firm of Underhill & Hodge LLC, being the agent for the petitioners in that certain Annexation Petition wherein it is prayed that 9.504± acres, more or less, currently located in Madison Township, be annexed to the City of Columbus, Ohio. Said Annexation Petition was filed in accordance with the provisions of Section 709.023 (an "Expedited Type II" annexation) of the Ohio Revised Code with Franklin County Board of County Commissioners on **September 5, 2023**.

A copy of the Annexation Petition, petition attachments, map and legal description was served personally on the **Council Clerk of the City of Columbus** on **September 7, 2023**. Said personal service on the City of Columbus Council Clerk occurred within five (5) days from the date the annexation petition was filed, in accordance with Section 709.023(B) of the Ohio Revised Code. Attached hereto as **Exhibit A** is the City's acknowledgement of receipt of said annexation materials.

A copy of the Annexation Petition, petition attachments, map and legal description was served personally on the **Township Clerk/Fiscal Officer of Madison Township** on **September 6, 2023**. Said personal service on the Madison Township Clerk occurred within five (5) days from the date the annexation petition was filed, in accordance with Section 709.023(B) of the Ohio Revised Code. Attached hereto as **Exhibit B** is the Township's acknowledgement of receipt of said annexation materials.

On **September 6, 2023**, a copy of the Annexation Petition, petition attachments, map and legal description were sent by U.S. Mail to all property owners adjacent to and directly across the street from the territory proposed to be annexed. Said mailing occurred within five (5) days from the date the Annexation Petition was filed, in accordance with Section 709.023(B) of the Ohio Revised Code. Attached hereto as **Exhibit C** is a true and accurate list of the property owners adjacent to and directly across the street from the territory proposed to be annexed who were mailed, via U.S. Mail, the letter and materials attached hereto as **Exhibit D**.

Further Affiant Sayeth Naught.

By: David Hodge
Name: David Hodge

Sworn to before me and signed in my presence; a Notary Public in and for said State and County on this 7th day of September, 2023.

Kimberly R. Grayson
Notary Public

KIMBERLY R. GRAYSON
Notary Public, State of Ohio
My Commission Expires
01-11-2026



EXHIBIT A

NOTICE OF FILING EXPEDITED TYPE II ANNEXATION PETITION

TO: CLERK OF CITY OF COLUMBUS, OHIO

In accordance with the provisions of Section 709.023 of the Ohio Revised Code, you are hereby notified that, on September 5, 2023, the undersigned, Agent for the Petitioners, filed an Annexation Petition in the Office of the Board of County Commissioners of Franklin County, Ohio.

Said Petition prays for annexation to the City of Columbus, Ohio, of ±9.504 acres currently located in Madison Township.

A copy of said Petition, with description and plat, is attached hereto and made a part hereof.

Dated: 9-6-2023

David Hodge
David Hodge, Esq.

RECEIPT OF THE AFOREMENTIONED DOCUMENT(S) IS HEREBY ACKNOWLEDGED THIS 7th day of September, 2023.

Andrea Blumino / MGR
CLERK

NOTICE OF FILING EXPEDITED TYPE II ANNEXATION PETITION

TO: FISCAL OFFICER OR CLERK OF MADISON TOWNSHIP, OHIO

In accordance with the provisions of Section 709.023 of the Ohio Revised Code, you are hereby notified that, on September 5, 2023 the undersigned, Agent for the Petitioners, filed an Annexation Petition in the Office of the Board of County Commissioners of Franklin County, Ohio.

Said Petition prays for annexation to the City of Columbus, Ohio, of ±9.504 acres currently located in Madison Township.

A copy of said Petition, with description and plat, is attached hereto and made a part hereof.

Dated:

9-6-2023

David Hodge

David Hodge, Esq.

RECEIPT OF THE AFOREMENTIONED DOCUMENT(S) IS HEREBY ACKNOWLEDGED THIS 6th day of September, 2023.

Paula Pansin

FISCAL OFFICER/CLERK
Office Manager

EXHIBIT C
Property Owners/Property
Included within
Annexation of 9.504+/- Acres

William and Angela Lutz
5091 Ebright Road
Canal Winchester, OH 43110
PN: 180-005101

Robert and Judith Johnson
5071 Ebright Road
Canal Winchester, OH 43110
PN: 180-000002

Adjacent Property Owners
Annexation of 9.504+/- Acres

Paul D. Adkins
6690 Lehman Road
Canal Winchester, OH 43110
PN: 180-000859

Ebright Road Parent
1533 Lake Shore Drive
Columbus, OH 43204
PN: 535-318303

PROVMV LLC
8853 Sweetshade Drive
Lewis Center, OH 43035
PN: 010-272279

Paula Smith
5011 Ebright Road
Canal Winchester, OH 43110
PN: 180-000190

Brent and Jodie Conrad
5041 Ebright Road
Canal Winchester, OH 43110
PN: 180-005242

Ebright Road Park LLC
1533 Lake Shore Drive
Columbus, OH 43204
PN: 535-305939

Exhibit D

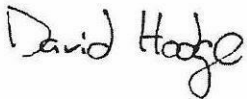
NOTICE OF FILING OF ANNEXATION PETITION

TO: Adjacent Property Owner

In accordance with the provision of Section 709.03 of the Ohio Revised Code, you are hereby notified that, on the 5th day of September, 2023, the undersigned, as Agent for the Petitioner, filed an Annexation Petition in the Office of the Board of County Commissioners of Franklin County, Ohio.

Said Petition prays for annexation to the City of Columbus, Ohio, of +/- 9.504 acres in Madison Township.

This Notice is being provided to you as an adjacent property owner as required by Franklin County and State law. A copy of said Petition, with description and plat, is attached hereto and made a part hereof.



David Hodge, Esq., Agent for Petitioner
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054
614.335.9320

Dated: September 6, 2023



Franklin County
Board of Commissioners

**ECONOMIC DEVELOPMENT
& PLANNING**

Economic Development & Planning Department
James Schimmer, Director

Application for
**Annexation
Petition**
Expedited Type 2
Pursuant to ORC §709.023

RECEIVED
SEP 05 2023
Franklin County Planning Department
Franklin County, OH

Property Information

Site Address: 5071-5091 Ebright Road, Canal Winchester 43110

Parcel ID(s): 180-000002 and
180-005101

Total Acreage: 9.504

From Township: Madison

To Municipality: Columbus

Property Owner Information *In the event of multiple owners, please attach separate sheet

Name: William and Angela Lutz

Robert and Judith Johnson

Address: 5091 Ebright Road
Canal Winchester, OH 43110
PN: 180-005101

5071 Ebright Road
Canal Winchester, OH 43110
PN: 180-000002

Phone #

Fax #

Email:

Staff Use Only

Case # ANX- 34-23

Hearing Date: 10/10/23

Date Filed: 9/5/23

Fee Paid: \$250.00

Receipt #: 23-03454

Received By: Matt Brown

Notification Deadline (5 days):

9/11/23

Svc Statement Deadline (20 days):

9/25/23

Attorney/Authorized Agent Information

Name: David Hodge and Eric Zartman, Underhill & Hodge LLC

Address: 8000 Walton Parkway, Suite 260, New Albany, OH 43054

Phone # 614.335.9320

Fax #

Email: david@uhlfirm.com / eric@uhlfirm.com

Document Submission

The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:

- Legal description of the property
- Fee Payment (checks only)
- Map/plot of property
- List of adjacent properties

Petitioners Signature

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.

See attached signature page

Property Owner

Date

Property Owner

Date

[Signature]

8-28-23

Attorney or Authorized Agent

Date

Attorney or Authorized Agent

Date

Eric Zartman

**EXPEDITED TYPE II PETITION FOR ANNEXATION
(PURSUANT TO R.C. SECTION 709.023)
TO THE CITY OF COLUMBUS
OF ±9.504 ACRES
IN THE TOWNSHIP OF MADISON**

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

The undersigned, being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described in Exhibit "A", consisting of ±9.504 acres, more or less, located in the Township of Madison, Franklin County, Ohio, which area is contiguous along 1605.23 feet or 49% and adjacent to the City of Columbus, do hereby respectfully petition the Board of Franklin County Commissioners that said territory be annexed to the City of Columbus according to the statutes of the State of Ohio, and specifically the expedited procedure specified in Ohio Revised Code Section 709.023.

The number of owners within the area is Two (2)

1. Attached to this petition and made part hereof is a full legal description of the area to be annexed, marked as Exhibit "A".
2. Attached to this petition and made part hereof is an accurate map of the area to be annexed, marked as Exhibit "B".
3. Attached to this petition and made part hereof is a list of parcels in the area to be annexed and adjacent territory that includes the name of the owner, mailing address of owner and permanent parcel number, marked as Exhibit "C".

The undersigned petitioners do hereby designate Aaron Underhill, Esq., David Hodge, Esq., and Eric Zartman, Esq., attorneys, as their agents ("Agents") as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to each said Agent individually to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this petition. Agents' contact information is as follows: Underhill & Hodge LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054; Phone: (614) 335-9320, Fax: (614) 335-9329; and e-mail: aaron@uhlawfirm.com, david@uhlawfirm.com, and eric@uhlawfirm.com.

[Petition signatures on following counterpart pages]

WHOMEVER 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 SAID SPECIAL ANNEXATION PROCEDURE.

PETITIONERS:

Judith A. Johnson

Print Name: Judith A. Johnson

Signature: Judith A. Johnson

Date: 7-14-23

Robert C. Johnson

Print Name: Robert C Johnson

Signature: [Signature]

Date: 7-14-23

William R. Lutz

Print Name: William R Lutz

Signature: [Signature]

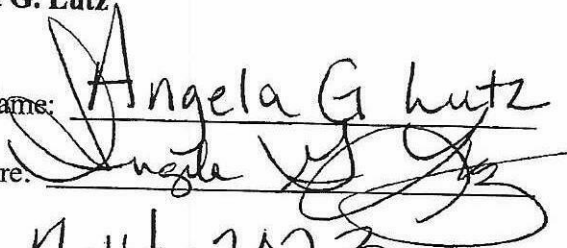
Date: 7-14-2023

Angela G. Lutz

Print Name:

Angela G Lutz

Signature:

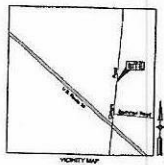
A handwritten signature in black ink, appearing to read 'Angela G Lutz', written over a horizontal line. The signature is stylized and cursive.

Date:

7-14-2023

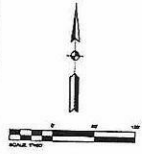
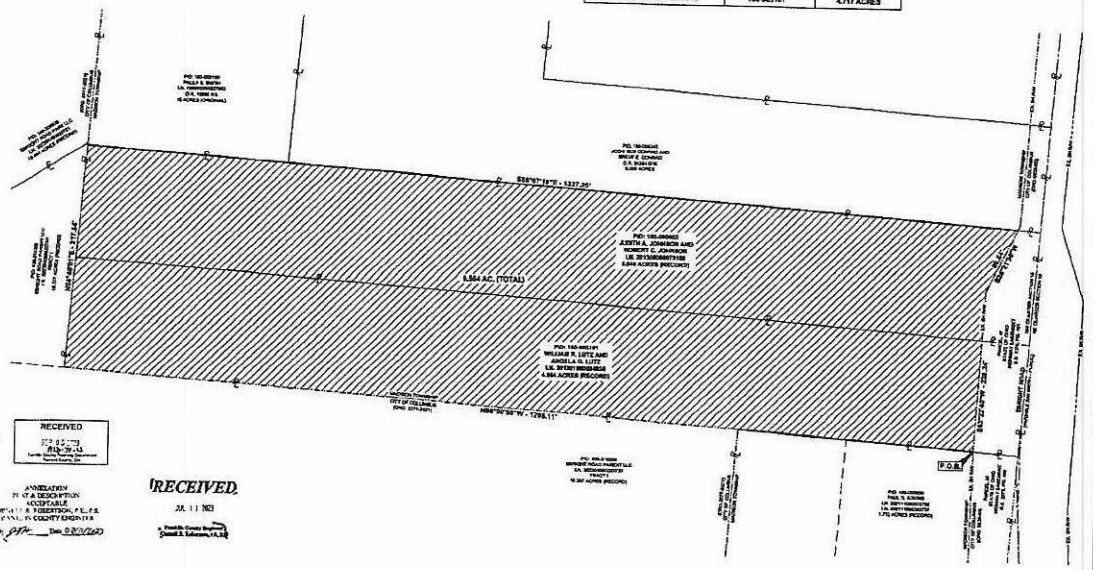
ANNEXATION PLAT OF 9.504 ACRES FROM MADISON TOWNSHIP TO THE CITY OF COLUMBUS

STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF MADISON,
NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 11, RANGE 21,
CONGRESS LANDS EAST OF THE SCIOTO RIVER



ACREAGE TABLE

OWNER NAME	PARCEL ID	ANNEXED ACREAGE
JUDITH & ROBERT JOHNSON	190-08093	4.747 ACRES
WILLIAM & ANGELA LUTZ	190-063101	4.717 ACRES



- CONTIGUITY DETAILS**
- Total Perimeter of Annexation: 3288.97'
 - Length of Contiguous Existing Corporation Line: 1805.23' (49% of Total Perimeter)

RECEIVED
7/19/23
AMERICAN STRUCTURAPoint, Inc.
10000 W. STATE ST., SUITE 100
COLUMBUS, OHIO 43240

RECEIVED
JUL 11 2023
Franklin County Recorder
David B. Lutzman, C.S.

- LEGEND**
- Existing Corporation Line
 - Proposed Corporation Line
 - ////// Proposed Annexation Area

AMERICAN STRUCTURAPoint, Inc.
10000 W. STATE ST., SUITE 100
COLUMBUS, OHIO 43240
7/19/23

This annexation plat was prepared based on an actual field survey of the premises performed by American Structurapoint, Inc. in July 2022, and is true and correct to the best of my knowledge and belief.

Michael J. Ward
Professional Land Surveyor 8808
Date: 7/19/23



BASIS OF BEARINGS

Bearings described herein are based on North 49 degrees 26 minutes 29 seconds West from the centerline of right-of-way for U.S. Route 33, as measured from Grid North, referenced to the Ohio State Plan Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and a NGS OPUS solution.

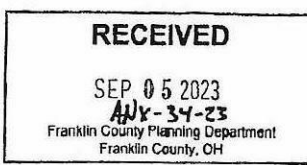
REVISION DATE	REVISION	APPROVED DATE

ANNEXATION PLAT
JBM - EBRIGHT ROAD
CITY OF COLUMBUS, MADISON COUNTY, OHIO

AMERICAN STRUCTURAPoint, Inc.
10000 W. STATE ST., SUITE 100
COLUMBUS, OHIO 43240
716.291.1000
www.americanstructurapoint.com

ENGINEER
JBM
DEVELOPMENT,
LLC

DATE: 7/19/2023
DRAWN BY: JBM
CHECKED BY: JBM
CONTRACT NO.: 1902023-001



RECEIVED

JUL 11 2023

Franklin County Engineer
Cornell R. Robertson, P.E., P.S.

By CR Date 07/11/2023

DESCRIPTION OF 9.504 ACRES

Situated in the State of Ohio, County of Franklin, Township of Madison, being located in the Northwest Quarter on Section 15, Township 11, Range 21, Congress Lands East of the Scioto River, being part of that 4.954 acre tract described in a deed to **William R. Lutz and Angela G. Lutz**, of record in **Instrument Number 201301090004938**, and being part of that 5.046 acre tract described in a deed to **Judith A. Johnson and Robert C. Johnson**, of record in **Instrument Number 201305080076169**, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows;

BEGINNING at a point on the existing west right-of-way line for Ebright Road, said point being the southwest corner of that Highway Easement described as Parcel 47 in a deed to State of Ohio, of record in Deed Book 2370, Page 101, being the northwest corner of that Highway Easement described as Parcel 48 in a deed to State of Ohio, of record in Deed Book 2370, Page 469, being on the existing corporation line for City of Columbus, being on the south line of said 4.954 acre tract, and being on the north line of that 1.712 acre tract described in deeds to Paul D. Adkins, of record in Instrument Number 202111080203796 and Instrument Number 202111080203737;

Thence **North 86 degrees 00 minutes 56 seconds West**, with the south line of said 4.954 acre tract, with the north line of said 1.712 acre tract, with the north line of that 16.237 acre tract described in a deed to Ebright Road Parent LLC, of record in Instrument Number 202304060032720, and with the existing corporation line for City of Columbus, a distance of **1,296.11 feet** to the southwest corner of said 4.954 acre tract, being a northeast corner of said 16.237 acre tract, and being on the existing corporation line for City of Columbus;

Thence **North 04 degrees 46 minutes 01 seconds East**, with the existing corporation line for City of Columbus, with the west line of said 4.954 acre tract, with the west line of said 5.406 acre tract and with an east line of said 16.237 acre tract, a distance of **317.84 feet** to the northwest corner of said 5.046 acre tract, being the southwest corner of that 18 acre tract described in a deed to Paula S. Smith, of record in Official Record 15988, Page 118;

Thence **South 86 degrees 07 minutes 19 seconds East**, with the north line of said 5.046 acre tract, with the south line of said 18 acre tract, and with the south line of that 5.003 acre tract described in a deed to Jodie Sue Conrad and Brent E. Conrad, of record in Official Record 34394, Page G15, a distance of **1,327.25 feet** to a point on the existing west right-of-way line for Ebright Road, said point being the northwest corner of said Parcel 47 and being on the existing corporation line for City of Columbus;

Thence **South 26 degrees 21 minutes 36 seconds West**, with the existing corporation line for City of Columbus, with the existing west right-of-way line for Ebright Road, with the west line of said Parcel 47 and through said 5.046 acre tract, a distance of **99.54 feet** to a point;

Thence **South 03 degrees 22 minutes 40 seconds West**, continuing with the existing corporation line for City of Columbus, continuing with the existing west right-of-way line for Ebright Road, continuing with the west line of said Parcel 47, continuing through said 5.046 acre tract, and through said 4.954 acre tract, a distance of **228.24 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total of **9.504 acres** of which:

4.787 acres is located within Franklin County Auditor's Parcel Number 180-000002,

4.717 acres is located within Franklin County Auditor's Parcel Number 180-005101.

Bearings described hereon are based on North 49 degrees 26 minutes 29 seconds West for the centerline of right of way for U.S. Route 33, as measured from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

The above description was prepared by Michael J. Ward, Registered Professional Surveyor Number 8808, and is based on an actual field survey of the premises performed by American Structurepoint, Inc., and is true and correct to the best of knowledge and belief.

American Structurepoint, Inc.

M. J. Ward

Michael J. Ward
Registered Professional Surveyor No. 8808



7/10/23
Date

EXHIBIT C
Property Owners/Property
Included within
Annexation of 9.504+/- Acres

William and Angela Lutz
5091 Ebright Road
Canal Winchester, OH 43110
PN: 180-005101

Robert and Judith Johnson
5071 Ebright Road
Canal Winchester, OH 43110
PN: 180-000002

Adjacent Property Owners
Annexation of 9.504+/- Acres

Paul D. Adkins
6690 Lehman Road
Canal Winchester, OH 43110
PN: 180-000859

Ebright Road Parent
1533 Lake Shore Drive
Columbus, OH 43204
PN: 535-318303

PROVMV LLC
8853 Sweetshade Drive
Lewis Center, OH 43035
PN: 010-272279

Paula Smith
5011 Ebright Road
Canal Winchester, OH 43110
PN: 180-000190

Brent and Jodie Conrad
5041 Ebright Road
Canal Winchester, OH 43110
PN: 180-005242

Ebright Road Park LLC
1533 Lake Shore Drive
Columbus, OH 43204
PN: 535-305939

RECEIVED
SEP 05 2023
Franklin County Planning Department
Franklin County, OH
AUX-34-23