



Legislation Details (With Text)

File #: 1824-2023 **Version:** 2
Type: Ordinance **Status:** Passed
File created: 6/12/2023 **In control:** Economic Development Committee
On agenda: 7/17/2023 **Final action:** 7/21/2023
Title: To accept the application (AN23-009) of Bible Truth Tabernacle for the annexation of certain territory containing 6.4± acres in Jackson Township; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1824-2023 AN23-009 Briefing Sheet, 2. 1824-2023 AN23-009 Legal, 3. 1824-2023 AN23-009 Plat, 4. 1824-2023 AN23-009 Service Statement

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|-------------------------|--------|
| 7/21/2023 | 2 | CITY CLERK | Attest | |
| 7/20/2023 | 2 | ACTING MAYOR | Signed | |
| 7/17/2023 | 2 | COUNCIL PRESIDENT | Signed | |
| 7/17/2023 | 1 | Columbus City Council | Amended to Emergency | Pass |
| 7/17/2023 | 1 | Columbus City Council | Approved as Amended | Pass |
| 7/10/2023 | 1 | Columbus City Council | Read for the First Time | |

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN23-009) 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 April 4, 2023. City Council approved a service ordinance addressing the site on April 17, 2023. Franklin County approved the annexation on May 9, 2023 and the City Clerk received notice on May 16, 2023.

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 (AN23-009) of Bible Truth Tabernacle for the annexation of certain territory containing 6.4± acres in Jackson Township; **and to declare an emergency.**

WHEREAS, a petition for the annexation of certain territory in Jackson Township was filed on behalf of Bible Truth Tabernacle on April 4, 2023; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on May 9, 2023; and

WHEREAS, on May 16, 2023, 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, and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance due to the need to finalize this annexation under the city's new program which also enables related rezoning legislation for multifamily development to be considered prior to Council's summer recess; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the annexation proposed by Bible Truth Tabernacle in a petition filed with the Franklin County Board of Commissioners on April 4, 2023 and subsequently approved by the Board on May 9, 2023 is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Jackson, being part of Survey No. 1389 of the Virginia Military Survey and containing 6.4± acres, said 6.4± acres being out of an original 6.691 acre tract conveyed to Bible Truth Tabernacle of record in Instrument Number 202202220029640, and being more particularly described as follows:

Beginning for Reference, at a found Franklin County Monument "FCGS 6013" being in the centerline of Alkire Road (R/W-Varies) as established by Road Record 7, Page 266, said "FCGS 6013" being N

65°29'10" E, 298.1± from the centerline of Demorest Road and being "FCGS 5544 Reset" and said "FCGS 6013" being N 65° 29'10" E, 1798.3± from a found Franklin County Monument "FCGS 5061 ";

Thence along the centerline of said Alkire Road (R/W-Varies), the following three (3) courses;

S 65°29'10" W, 298.1± feet to the centerline intersection of said Alkire Road (R/W-Varies) and Demorest Road and being at a Franklin County Monument "FCGS 5544 Reset" (per plan);

S 65°29'10" W, 103.5± feet to a Franklin County Monument "FCGS 6011" (per plan);

S 65°29'10" W, 308.7± feet to a point at a easterly comer of that 0.367 acre tract of land being conveyed to the Franklin County Commissioners of record in Instrument Number 202302280019063, being a southwesterly comer of a 8.61 acre tract of land described as being in the southwesterly limited access right-of-way line of Interstate 270 as shown as Parcel 22-WL and conveyed to the State of Ohio of record in Deed Book 2951, Page 148 and shown on the O.D.O.T. plans FRA-270-2.43S;

Thence N 39°23'50" W, across the right-of-way of said Alkire Road (R/W-Varies), along the easterly line of said 0.367 acre tract, along a portion of the southwesterly line of said 8.61 acre tract and along a portion of said southwesterly limited access right-of-way, 41.4± feet to a point at the northeasterly comer of said 0.367 acre tract, the current easterly comer of said Original 6.691 acre tract and being in the northerly right-of-way line of said Alkire Road (R/W-Varies), the True Point of Beginning;

Thence S 65°29'10" W, along the southerly line of said Original 6.691 acre tract, along the northerly line of said 0.367 acre tract and being forty-feet parallel to the centerline of said Alkire Road (R/W-Varies), along said northerly right-of-way line and along the northwesterly line of 0.092 acre tract of land conveyed to Edward and Clarice L. Wanek of record in Deed Book 1603, Page 622 and Deed Book 2086, Page 324, 484.5± feet to a point at a southwesterly comer of said Original 6.691 acre tract and being northwesterly comer of said 0.092 acre tract and being in the easterly line of a 0.561 acre tract of land conveyed to Jose M. Gonzalez Solano and Carmelina Hernandez Martinez of record in Instrument Number 202110120183685;

Thence N 01°33'07" E, along the westerly line of said Original 6.691 acre tract and along the easterly line of said Solano/Martinez tract, 200.0± feet to a common comer thereof;

Thence S 65°28'47" W, along a southerly line of said Original 6.691 acre tract, along the northerly line of said Solano/Martinez tract and along the northerly line of a second 0.561 acre tract of land conveyed to Kenneth P. and Florence A Prater of record in

Instrument Number 200210040249780, 200.0± feet to a southwesterly comer of said Original 6.691 acre tract, to a northwesterly comer of said Prater tract, being in the easterly line of a 10.020 acre tract of land described as Parcel 2 and conveyed to Alkire Investments Holdings, LLC of record in Instrument Number 202209210134357 and being in a City of Columbus Corporation Line (Case No. 55-99, Ord. No. 316-00, I.N. 200006010107179);

Thence N 00°38'58" E, along the westerly line of said Original 6.691 acre tract, along the easterly line of said Parcel 2 and along said City of Columbus Corporation Line, 816.9± feet to a point being a common comer thereof and returning to said 8.61 acre tract and said southwesterly limited access right-of-way line;

Thence along the northeasterly line of said Original 6.691 acre tract, along said southwesterly limited access right-of-way and leaving said City of Columbus Corporation Line, the following two courses (2);

S 39°48'23" E, 687.3± feet to an angle point;

S 39°23'50" E, 264.9± feet to the True Point of Beginning, containing 6.4± acres more or less.

The above description was prepared by Advanced Civil Design Inc. on February 3, 2023 and is based on existing Franklin County Auditor records, Franklin County Recorder records and an actual field survey conducted in January 2023.

The total length of annexation perimeter is 2,653.6± feet, of which 816.9± feet are contiguous with existing City of Columbus Corporation Lines, being 30.8±% contiguous.

The basis of bearings used for this exhibit are based on the NAD83 Ohio State Plane Coordinate System, South Zone (NSRS 2011) which determines the bearing for a portion of the centerline of Alkire Road between "FCGS 5061" and "FCGS 5544 Reset" to be S65°29' 1 O"W.

All references used in this description can be found at the Recorder's Office Franklin County Ohio. This is not to be used for the transfer of land and is for annexation purposes only.

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.~~

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 10 days after its passage if the Mayor neither approves nor vetoes the same.