



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 9/16/2015 **In control:** Development Committee

On agenda: 10/5/2015 **Final action:** 10/9/2015

Title: To accept the application (AN15-011) of The Vesner Family Trust, et al. for the annexation of certain territory containing 79.0 ± acres in Plain Township and to authorize the submission of a petition to the Board of Commissioners of Franklin County, Ohio, requesting a change in the boundary lines of Montgomery Township so as to make them identical with the corporate boundaries of the city of Columbus for this annexation.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2362-2015 AN15-011 Service Statement, 2. ORD2362-2015 AN15-011 Map

Date	Ver.	Action By	Action	Result
10/9/2015	1	CITY CLERK	Attest	
10/7/2015	1	MAYOR	Signed	
10/5/2015	1	COUNCIL PRESIDENT	Signed	
10/5/2015	1	Columbus City Council	Approved	Pass
9/28/2015	1	Columbus City Council	Read for the First Time	

AN15-011

BACKGROUND: This ordinance approves the acceptance of certain territory (AN15-011) by the City of Columbus and authorizes its transfer from Plain Township to Montgomery Township per an annexation agreement between the City and Plain Township. The Ohio Revised Code (ORC) stipulates that to be effective, City acceptance must take place a minimum of 60 days (but not more than 180) from the receipt by the City Clerk of the approval notice from the county. Should City Council not take such action within this timeframe, the annexation will not take place. This petition was filed with Franklin County on June 11, 2015. The Board of Commissioners approved the annexation on June 30, 2015 and the City Clerk received notice on July 17, 2015. No service ordinance was required because this annexation was filed as a Type 1 application as defined by the ORC. Although not required, a service statement reflecting the City's ability to provide services for this site upon annexation is attached.

The use of a Type 1 annexation application is stipulated in the annexation agreement between the City and Plain Township. The annexation agreement also requires that territory annexed to the City from Plain Township be transferred to Montgomery Township. This ordinance authorizes the submission of a petition to the Franklin County Board of Commissioners, requesting that the boundary lines of Montgomery Township be changed to make them identical with the corporate limits of the city of Columbus for this annexation. The petition will be filed in accordance with Section 503.07 of the ORC. The subject site is also located within the City's Northeast Pay-As-We-Grow (PAWG) area and, if developed, will be subject to PAWG funding mechanisms applicable to the area.

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 (AN15-011) of The Vesner Family Trust, et al. for the annexation of certain territory containing 79.0 ± acres in Plain Township and to authorize the submission of a petition to the Board of Commissioners of Franklin County, Ohio, requesting a change in the boundary lines of Montgomery Township so as to make them identical with the corporate boundaries of the city of Columbus for this annexation.

WHEREAS, a petition for the annexation of certain territory in Plain Township was filed on behalf of The Vesner Family Trust, et al. on June 11, 2015; and

WHEREAS, while a service ordinance is not required for this type of annexation, the City did conduct a review of the proposed annexation to determine what services would be available to the site upon annexation, the results of which are reflected in the attached service statement; and

WHEREAS, the proposed annexation site is located within the City's Northeast Pay-As-We-Grow (PAWG) area and is subject to the provisions of this program; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on June 30, 2015; and

WHEREAS, on July 17, 2015, 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; and

WHEREAS, the annexation agreement between Plain Township and the City of Columbus requires the City to transfer territory annexed from Plain Township to the city of Columbus and to conform the boundaries of Montgomery Township to make them identical with the corporate limits of the city; now, therefore,

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

SECTION 1. That the annexation proposed by The Vesner Family Trust, et al. in a petition filed with the Franklin County Board of Commissioners on June 11, 2015 and subsequently approved by the Board on June 30, 2015 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 Plain, being in Section 7, Township 2, Range 16, United States Military Lands, and being all of that 78 acres described in deed to Vesner Family Trust (PID: 200-000266), of record in Instrument Number 201412110164445, and part of that 75.8 acres described in deed to Harlem Road Real Estate (PID: 010-267723-00), all being of record in the Recorder's Office, Franklin County, Ohio, and being more particular described as follows:

BEGINNING, at the an angle point in the City of Columbus Corporation Line (Ord. No. 1655-05 - Instrument Number 200512150263904), same being at the common corner of said 78 acres and the Villas at West Albany Condominium Fourth Amendment, of record in Condominium Plat Book 185, Page 80;

Thence WESTERLY, a distance of 661 feet, more or less, with said Existing City of Columbus Corporation Line and the north line of said Villas at West Albany Condominium, to the northwest corner of said Villas at West Albany Condominium;

Thence WESTERLY, a distance of 330 feet, more or less, with the proposed City of Columbus Corporation Line and the north line of that 5.052 acres described in deed to Ahab Properties LTD, of record in Instrument Number 201503260037470, to the northwest corner of said 5.052 acres;

Thence WESTERLY, a distance of 362 feet, more or less, in part with the north line of the 5.0 acres described in deed to Grace Fellowship Church, of record in Instrument Number 201209180138837 and an existing City of Columbus Corporation Line (Ord No. 1717-2006- Instrument Number 200611220233309) at a distance of 330 feet, more or less), to the southwest corner of said 78 acres;

Thence NORTHERLY, a distance of 655 feet, more or less, with a west line of said 78 acres, in part with the east line of 2.36 acres described in deed to Ruth P. Whittington, of record in Instrument Number 199904260102788, in part with the east line of that 1.308 acres described in deed to William R. Reeb, Jr., of record in Official Record 12236 I18, to a common corner of said 78 acres and said 1.308 acre;

Thence WESTERLY, a distance of 481 feet, more or less, with a common line of said 78 acres and said 1.308 acres, to a corner of the Existing City of Columbus Corporation Line (Ord. No. 1631-03 - Instrument Number 200309190299625);

Thence NORTHWESTERLY, a distance of 1365 feet, more or less, with said existing City of Columbus Corporation Line, to point;

Thence EASTERLY, a distance of 1965 feet, more or less, with the Existing City of Columbus Corporation Line for approximately 804 feet, more or less, (Ordinance 1631-03 - Instrument Number 200309190299625) and the common line of said 78 acres, that 35.238 acres described in deed to Harlem Road Real Estate, of record in Instrument Number 201310030167730 and that 65 acres described in deed to Valerie A. Karikomi, of record in Instrument Number 200906120085548, to the common corner of said 78 acres and said 65 acres, same being in an Existing City of Columbus Corporation Line (Ord. No. 2540-95 - O.R. 30955E11);

Thence SOUTHERLY, a distance of 2027 feet, more or less, with the Existing City of Columbus Corporation Line, the east line of said 78 acres, and with the west line of that 7.349 acres described in deed to City of Columbus, Ohio (Parcel No. 010-276170-00) and the westerly line of New Albany Park Condominium Eleventh Amendment, of record in Condominium Plat Book 137, Page 24, to the POINT OF BEGINNING, containing approximately 79 acres, more or less.

This annexation description is a general description of the location of the property to be annexed and is not a boundary survey as defined in the O.A.C. Chapter 4733.37. The above description is for annexation purposes only and not intended to be used for the transfer of real property.

The above annexation contains a perimeter is 5187 lineal feet that is contiguous with the existing corporation line of the City of Columbus and a total perimeter of 7846 lineal feet to be annexed and 66.1% of the perimeter length is contiguous to the existing City of Columbus corporation line (Ordinance No 2540-95, O. R. 30955E11, Ordinance 1631-03 - Instrument Number 200309190299625, Ord. No. 1655-05 - Instrument Number 200512150263904 and Ord. 1717-2006 - Instrument No. 200611220233309).

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 pursuant to the provisions of Section 503.07 of the Ohio Revised Code the Director of the

Department of Development be and is hereby authorized and directed on behalf of the City of Columbus to present to the Board of Commissioners of Franklin County, Ohio, a petition requesting such changes in and extensions of the boundary lines of Montgomery Township as may be necessary so that said township may include therein that portion of Plain Township, which by the order of the Board of County Commissioners of Franklin County, Ohio, on June 30, 2015 was approved for annexation to the city of Columbus, so as to make the boundaries of Montgomery Township co-extensive with the corporate limits of the said city of Columbus in accordance with the maps attached to said petition.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.