



Legislation Details (With Text)

File #: 1427-2012 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/20/2012 **In control:** Development Committee

On agenda: 7/16/2012 **Final action:** 7/18/2012

Title: To accept the application (AN12-001) of Cypress Wesleyan Church for the annexation of certain territory containing 58.1 ± acres in Prairie Township.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1427-2012 AN12-001 Service Statement, 2. ORD1427-2012 AN12-001 Annexation Map

Date	Ver.	Action By	Action	Result
7/18/2012	1	CITY CLERK	Attest	
7/17/2012	1	MAYOR	Signed	
7/16/2012	1	COUNCIL PRESIDENT	Signed	
7/16/2012	1	Columbus City Council	Approved	Pass
7/9/2012	1	Columbus City Council	Read for the First Time	

AN12-001

BACKGROUND: This ordinance approves the acceptance of certain territory (AN12-001) by the City. The Ohio Revised Code 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 March 16, 2012. City Council approved a service ordinance addressing the site on March 19, 2012. Franklin County approved the annexation on April 17, 2012 and the City Clerk received notice on April 25, 2012. Because this site lies within the area covered by the Big Darby Accord Watershed Master Plan and the companion Big Darby Accord Revenue Program, the City has requested that the applicant enter into an annexation agreement. This agreement, the authorization of which is requested in a separate ordinance, is intended to ensure compliance with the provisions of the plan and revenue program.

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 (AN12-001) of Cypress Wesleyan Church for the annexation of certain territory containing 58.1 ± acres in Prairie Township.

WHEREAS, a petition for the annexation of certain territory in Prairie Township was filed on behalf of Cypress Wesleyan Church on March 16, 2012; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on April 17, 2012; and

WHEREAS, on April 25, 2012, 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, because this site lies within the area covered by the Big Darby Accord Watershed Master Plan and the companion Big Darby Accord Revenue Program, the City has requested that the applicant enter into an annexation agreement as authorized by a separate ordinance; 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 Cypress Wesleyan Church in a petition filed with the Franklin County Board of Commissioners on March 16, 2012 and subsequently approved by the Board on April 17, 2012 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 Prairie, located in Virginia Military Survey Number 5240, being part of that 57.845 acre tract conveyed to Cypress Wesleyan Church et al by deed of record in Instrument Number 200104050070706, and part of that tract conveyed to Trustees of Prairie Township by deed of record in Deed Book 2225, Page 460, and that tract conveyed to Residential Home Inspection Service Inc. by deed of record in Instrument Number 200407290176476, being part of the right-of-way of Alton & Darby Creek Road (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING in the westerly right-of-way line of said Alton & Darby Creek Road at the southerly angle point of the existing City of Columbus Corporation line as established by Ordinance Number 1511-04, of record in Instrument Number 200503020037386;

thence Northerly, with the easterly line of said existing City of Columbus Corporation line (1511-04), said easterly right-of-way line, a distance of approximately 1239 feet to a point at the southerly line of that tract conveyed to Tina M. Thomas by deed of record in Instrument Number 201106020069555;

thence Easterly, with the northerly line of said 57.845 acre tract, southerly line of said Thomas tract, a distance of approximately 367 feet to a point in existing City of Columbus Corporation Line as established by Ordinance Number 706-01, of record in Instrument Number 200106270145528, being the westerly line of "The Village at Galloway Ridge 19th Amendment", of record in Condominium Plat Book 111, Page 6;

thence continuing Easterly, with said existing City of Columbus Corporation line (706-01), with the northerly line of said 57.845 acre tract, the southerly line of said "The Village at Galloway Ridge 19th Amendment", "The Village at Galloway Ridge 21st Amendment", of record in Condominium Plat Book 113, Page 12, and "The Village at Galloway Ridge 13th Amendment", of record in Condominium Plat Book 104, Page 83, a distance of approximately 956 feet to a point in the existing City of Columbus Corporation Lines as established in Ordinance Number 2442-78, of record in Deed Book 171, Page 309, being the westerly line of "Galloway Ridge Section 7 Part 4", of record in Plat Book 100, Page 20;

thence Southerly, with said existing City of Columbus Corporation line (2442-78) and the existing City of Columbus Corporation line as established by Ordinance Number 1058-80, of record in Deed Book 174, Page 538, being the easterly line of said 57.845 acre tract, the westerly line of said "Galloway Ridge Section 7 Part 4", "Galloway Ridge Section 7 Part 2", of record in Plat Book 100, Page 17, ",Galloway Ridge Section 4 Part 2", of record in Plat Book 95, Page 47,

"Galloway Ridge Section 4 Part 1", of record in Plat Book 95, Page 4, and that tract conveyed to George Kotsanos, Inc. by deed of record in Deed Book 2602, Page 477, a distance of approximately 1847 feet to a point in the existing City of Columbus Corporation Line as established in Ordinance Number 0007-03, of record in Instrument Number 200304110105493, being the northeasterly corner of said Residential Home Inspection Service, Inc. tract;

thence Westerly, with said existing City of Columbus Corporation line (0007-03), being the southerly line of said 57.845 acre tract, the northerly line of said Residential Home Inspection Service, Inc. tract, a distance of approximately 1335 feet to a point in said easterly right-of-way line;

thence Southerly, with said existing City of Columbus Corporation line (0007-03), said easterly right-of-way line, across said Residential Home Inspection Service Inc. tract, a distance of approximately 542 feet to a point in the northerly line of that tract conveyed to Maxine Haas, Trustee by deed of record in Official Record 24093G11 and Instrument Number 200001250016353;

thence Westerly, across the right-of-way of said Alton & Darby Creek Road, a distance of approximately 28 feet to the centerline thereof;

thence Northerly, with the centerline of said Alton & Darby Creek Road, a distance of approximately 93 feet to a point in the southerly line of said Trustees of Prairie Township tract;

thence Westerly, with said southerly line, a distance of approximately 30 feet to a point in the westerly right-of-way line of said Alton & Darby Creek Road;

thence Northerly, with the westerly right-of-way line of said Alton & Darby Creek, across said Trustees of Prairie Township tract, a distance of approximately 1075 feet to a point in said existing City of Columbus Corporation Line (1511-04), being the southerly line of that tract conveyed to Cypress Wesleyan Church by deed of record in Official Record 15556E04;

thence easterly, with said existing City of Columbus Corporation Line, across the right-of-way of said Alton & Darby Creek and partially with the southerly line of said Cypress Wesleyan Church tract, a distance of approximately 60 feet to the POINT OF BEGINNING, containing 58.1 acres, more or less.

This description is for annexation purposes only and is not to be used for deed transfer.

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.