



Legislation Details (With Text)

File #: 1142-2024 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 4/12/2024 **In control:** Housing, Homelessness, & Building Committee

On agenda: 5/13/2024 **Final action:** 5/15/2024

Title: To accept the application (AN23-023) of Jackie Lee McNabb for the annexation of certain territory containing 9.45± acres in Jackson Township and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1142-2024 AN23-023 Legal, 2. 1142-2024 AN23-023 Plat, 3. 1142-2024 AN23-023 Service Statement

Date	Ver.	Action By	Action	Result
5/15/2024	2	ACTING CITY CLERK	Attest	
5/14/2024	2	MAYOR	Signed	
5/13/2024	2	COUNCIL PRESIDENT PRO-TEM	Signed	
5/13/2024	1	Columbus City Council	Amended to Emergency	Pass
5/13/2024	1	Columbus City Council	Approved as Amended	Pass
5/6/2024	1	Columbus City Council	Read for the First Time	

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN23-023) 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 January 4th, 2024. City Council approved a service ordinance addressing the site on January 8th, 2024. Franklin County approved the annexation on February 6th, 2024 and the City Clerk received notice on February 22nd, 2024.

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 (AN23-023) of Jackie Lee McNabb for the annexation of certain territory containing 9.45± 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 Jackie Lee McNabb on January 4th, 2024; and

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

February 6th, 2024; and

WHEREAS, on February 22nd, 2024, 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 so that the developer may proceed with the zoning request to City Council for the proposed multi-family development for the immediate preservation of the public peace, property, health and safety; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the annexation proposed by Jackie Lee McNabb in a petition filed with the Franklin County Board of Commissioners on January 4th, 2024 and subsequently approved by the Board on February 6th, 2024 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 9.45± acres, said 9.45± acres being all of that 0.87 acre tract of land described as Parcel 1 and conveyed to Jackie Lee McNabb and Louellen M. McNabb of record in Instrument No. 202208310125437 (Transfer on Death Affidavit) and originally conveyed by Deed Book 2833, P. 258, all of that 6.487 acre tract of land described as Parcel 2 and conveyed to Jackie Lee McNabb and Louellen M. McNabb of record in Instrument No. 202208310125437 (Transfer on Death Affidavit) and originally conveyed by Deed Book 3263, P. 526, part of that 1.0677 acre tract of land described as Parcel 3 and conveyed to Jackie Lee McNabb and Louellen M. McNabb of record in Instrument No. 202208310125437 (Transfer on Death Affidavit) and originally conveyed by Instrument No. 201110110129182, all of that 0.8726 acre tract of land described as Parcel 4 and conveyed to Jackie Lee McNabb and Louellen M. McNabb of record in Instrument No. 202208310125437 (Transfer on Death Affidavit) and originally conveyed by Deed Book 3266, P. 331 and all of that 0.277 acre tract of land as conveyed to the City of Columbus of record in Official Record 26839, Page J17, and being more particularly described as follows;

Beginning, at Franklin County Monument "FCGS 0069" being in the centerline of Demorest Road and being S 02°02'16" W, 477.8±' from a found Franklin County Monument "FCGS 6012" in the centerline of said Demorest Road, said beginning point also being the southeasterly comer of said Parcel 3, the northeasterly comer of said Parcel 4, the northwesterly comer of said 0.277 acre tract and the southwesterly comer of that 0.11 acre tract of land described as Parcel III and conveyed to Faith Community Church of God of record in Instrument No. 200509010181173;

Thence S 88° 10'05" E, with a northerly line of said 0.277 acre tract, southerly line of said 0.11 acre tract and across the right-of-way of said Demorest Road, 30.0± feet to the northeasterly comer of said 0.277 acre tract and a northwesterly comer of an existing City of Columbus Corporation Line (Case No. 35-74, Ord. No. 10-75, D.B. 164, P. 312);

Thence S 01 °09'27" W, with an easterly line of said 0.277 acre tract, across the right-of-way of said Demorest Road and with said existing City of Columbus Corporation Line , 402.6± feet to an angle point in said Corporation Line;

Thence N 88° 43'57" W, across the right-of-way of said Demorest Road, with a southerly line of said Parcel 2, with a northerly line of Lots 1 through 17, inclusive, of Demorest Highlands of record in Plat Book 74, Page 69, 1374.4± feet to a southwesterly comer of said Parcel 2, a northwesterly comer of said Lot 17, in the easterly line of Lot 144 as numbered and delineated upon the record plat of Alkire Village, Section 2 Part 2, of record in Plat Book 96, Page 59 and in the easterly line of an existing City of Columbus Corporation Line (Case No. 5-73, Ord. No. 939-73, Vol. 160, P. 94);

Thence N 01 ° 32'10" E, with a westerly line of said Parcel 2, an easterly line of said Lot 144 and with said existing Corporation Line, 17.5± feet to a northwesterly comer of said Parcel 2 and a southwesterly comer of Lot 1 as numbered

and delineated upon the record plat of Salem Heights of record in Plat Book 26, Page 29;

Thence N 65°29'08" E, continuing with a northerly line of said Parcel 2, a northerly line of said Parcel 3, a southerly line of Lots 1 through 11, inclusive, of said Salem Heights, partially with the southerly line of that 0.57 acre tract of land described as Parcel 24A-WL as conveyed to the State of Ohio of record in Deed Book 2822, Page 681 and partially along the limited access right-of-way of I-270, 1301.8± feet to a northerly corner of said Parcel 3 and a westerly corner of that 0.15 acre tract of land described as Parcel 24-WL as conveyed to the State of Ohio of record in Deed Book 2818, Page 215;

Thence S 43°33'51" E, with a northeasterly line of said Parcel 3, southwesterly line of said Parcel 24-WL and along said limited access right-of-way line, 84.2± feet to a point on the westerly right-of-way line of said Demorest Road;

Thence S 01°09'27" W, across said Parcel 3 and along said westerly right-of-way line, 122.71± feet to a point on the southerly line of said Parcel 3 and northerly line of said Parcel 4;

Thence N 89°16'26" E, with said common line and across the right-of-way of said Demorest Road, 30.00± feet to the True Point of Beginning, containing 9.45± acres more or less.

The above description was prepared by Advanced Civil Design Inc. on October 24, 2023 and is based on existing Franklin County Auditor records, Franklin County Recorder records.

The total length of annexation perimeter is 3,445± feet, of which 1,794.5± feet are contiguous with existing City of Columbus Corporation Lines, being 52.1±% contiguous.

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.