



Legislation Details (With Text)

File #: 1652-2021 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/16/2021 **In control:** Economic Development Committee

On agenda: 6/28/2021 **Final action:** 7/1/2021

Title: To accept the application (AN21-004) of Agoston & Anne Varsanyi et al for the annexation of certain territory containing 4.75± acres in Blendon Township; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1652-2021 AN21-004 Service Statement, 2. ORD1652-2021 AN21-004 Plat, 3. ORD1652-2021 AN21-004 Legal, 4. ORD1652-2021 AN21-004 Briefing Sheet

Date	Ver.	Action By	Action	Result
7/1/2021	1	CITY CLERK	Attest	
6/30/2021	1	MAYOR	Signed	
6/28/2021	1	COUNCIL PRESIDENT	Signed	
6/28/2021	1	Columbus City Council	Approved	Pass

AN21-004

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN21-004) 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 March 17, 2021. City Council approved a service ordinance addressing the site on March 29, 2021. Franklin County approved the annexation on April 20, 2021 and the City Clerk received notice on April 23, 2021.

Emergency action is requested in order to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code without delay.

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 (AN21-004) of Agoston & Anne Varsanyi et al for the annexation of certain territory containing 4.75± acres in Blendon Township; and to declare an emergency.

WHEREAS, a petition for the annexation of certain territory in Blendon Township was filed on behalf of Agoston & Anne Varsanyi et al on March 17, 2021; and

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

April 20, 2021; and

WHEREAS, on April 23, 2021, 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 Blendon Township and the City of Columbus requires the City to transfer territory annexed from Blendon 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; and

WHEREAS, 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 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 annexation proposed by Agoston & Anne Varsanyi et al in a petition filed with the Franklin County Board of Commissioners on March 17, 2021 and subsequently approved by the Board on April 20, 2021 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, City of Columbus and being in Quarter Township 4, Township 2, Range 17 in the United States Military District, and being all of Lots 1, 2, 38 and 39 in Block "C" of the Chilcote's Ingleside Addition as recorded in Plat Book 19, Page 28 as conveyed to Floyd G. Blackburn and Jacqueline J. Blakeburn, married, for their joint lives, remainder to the survivor of them in Instrument Number 201305030073674 along with a portion of the north half of vacated Maplewood Drive as vacated by Road Record 26, Page 326 (Resolution No. 1149-96), all of Lots 3 through 17 and Lots 23 through 37 in Block "C" of said Chilcote's Ingleside Addition as conveyed to Jacqueline J. Oder in Official Record 24074, Page BOS along with a portion of the north half of said vacated Maplewood Drive, Lots 18, 19, 21 & 22 in Block "C" of said Chilcote's Ingleside Addition as conveyed to Agoston A. Varsanyi and Anne M. Varsanyi, for their joint lives, remainder to the survivor of them in Official Record 2633, Page 118 along with a portion of the north half of said vacated Maplewood Drive, Beechwood Drive (40' R/W) right of way as dedicated in Plat Book 19, Page 28, all of a 0.643 acre tract as conveyed to Agoston A. Varsanyi and Anne M. Varsanyi in Instrument Number 200802280030467 along with a portion of the north half of said vacated Maplewood Drive, all of a tract as conveyed to Agoston A. Varsanyi and Anne M. Varsanyi, husband and wife, for their joint lives remainder to the survivor of them in Instrument Number 200806020084227, Tract 1 and Tract 2 along with a portion of the south half of said vacated Maplewood Drive, a portion of Ingleside Drive South (50' R/W) as dedicated in Plat Book 19, Page 28, and a portion of Cherry Bottom Road (RW Varies) as dedicated in Plat Book 19, Page 28 as further described as follows;

Beginning at the southwest corner of a 11.429 acre tract as conveyed to Magnolia Trace LLC in Instrument Number 201911070149048, the intersection of the northerly right of way line of Beechwood Drive and the easterly right of way line of Walnut View Boulevard (50' R/W) as dedicated Plat Book 19, Page 28 and being an angle point in the south line of an existing City of Columbus Corporation Line (Case #20-17, Ord. #0218-

2018, I.N. 201804090045777), and also being the TRUE POINT OF BEGINNING for the land herein described as follows;

Thence with the south line of said 11.429 acre tract, the northerly right of way line of Beechwood Drive, the south line of a 0.353 acre tract as conveyed to the City of Columbus, Ohio in Instrument Number 201906140071184 and a south line of said existing City of Columbus Corporation line (Case #20-17, Ord. #0218-2018, I.N.

201804090045777), N 85° 14' 48" E, 775.20± feet to the southeast corner of said 0.353 acre tract and being an angle

point in the south line of said existing City of Columbus Corporation Line (Case #20-17, Ord. #0218-2018, I.N. 201804090045777);

Thence across said Beechwood Drive and with the westerly right of way line of Cherry Bottom Road, the east line of said Lot 19 in Block "C" of the Chilcote's Ingleside and the south line of said existing City of Columbus Corporation line (Case #20-17, Ord. #0218-

2018, I.N. 201804090045777), S 04° 45' 12" E, 80.00± feet to the southeast corner of said Lot 19, the northeast corner of Lot 20 in said Block "C", an angle point in the south line of said existing City of Columbus Corporation Line (Case #20-17, Ord.

#0218-2018, I.N. 201804090045777) and being in the north line of an existing City of Columbus Corporation Line (Case #15-83, Ord. #1584-84, Official Record 3851, Page H10);

Thence with the south line of said Lot 19, the north line of said Lot 20 and the north line of said existing City of Columbus Corporation Line (Case #15-83, Ord. #1584-84,

Official Record 3851, Page H10), S 85° 14' 48" W, 80.00± feet to the southwest corner of said Lot 19, the northwest corner of said Lot 20 and being in the east line of said Lot 18, and also being the northwest corner of said existing City of Columbus Corporation Line (Case #15-83, Ord. #1584-84, Official Record 3851, Page H10);

Thence with the west line of said Lot 20, the east line of said Lot 18 and said Lot 22 in said Block "C" and the west line of said existing City of Columbus Corporation Line

(Case #15-83, Ord. #1584-84, Official Record 3851, page H10), S 04° 45' 12" E, 40.00::1:: feet to the southwest corner of said Lot 20 in said Block "C", the northwest corner of said Lot 21 in said Block "C" and the southwest corner of said existing City of Columbus Corporation Line (Case #15-83, Ord. #1584-84, Official Record 3851, Page H10);

Thence with the south line of said Lot 20, the north line of said Lot 21, and across Cherry Bottom Road and also with the south line of said existing City of Columbus Corporation Line (Case #15-83, Ord. #1584-84, Official Record 3851, Page H10), N

85° 14' 48" E, 140.00::1:: feet to the easterly right of way line of Cherry Bottom Road, the west line of a 69.226 acre tract as conveyed to the Board of Park Commissioners of The Columbus and Franklin County Metropolitan Park District in Deed Volume 3333, Page 598, the southeast corner of said existing City of Columbus Corporation Line (Case #15-83, Ord. #1584-84, Official Record 3851, Page H10) and the west line of an existing City of Columbus Corporation Line (Case #19-69, Ord. #1312-69, Misc. Record 149, Page 35)

Thence with the easterly right of way line of Cherry Bottom Road, the west line of said 69.226 acre tract and the west line of said existing City of Columbus Corporation Line

(Case #19-69, Ord. #1312-69, Misc. Record 149, Page 35), S 04° 45' 12" E, 250.00::1:: feet to the intersection of the easterly right of line of Cherry Bottom Road and the projection of the southerly right of way line of Ingleside Drive South (50' R/W), and being the northeast corner of an existing City of Columbus Corporation Line (Case #11-98, Ord. #6-99, Instrument Number 199906140150471);

Thence crossing Cherry Bottom Road and with the southerly right of way line of Ingleside Drive South, the north line of a tract (known as Lots 12 thru 33 in Block "A" of said Chilcote's Ingleside Addition) as conveyed to Mark Christopher Mauri in Official Record 34896, Page J16, the north line of said Lots 21, 20, 19 and 18 in Block "A" of said Chilcote's Ingleside Addition, the north line of said existing City of Columbus Corporation Line (Case #11-98, Ord. #6-99, Instrument Number 199906140150471), S 85° 14' 48" W, 260.00::1:: feet to the northwest corner of said Lot 18 in Block "A" of said Chilcote's Ingleside Addition and the northeast corner of said Lot 17 in Block "A", being in the north line of said Mauri property;

Thence leaving the north line of said existing City of Columbus Corporation Line (Case #11-98, Ord. #6-99, Instrument Number 199906140150471) across Ingleside Drive South and with the west line of said 0.643 acre tract along with a

portion of the south half of said vacated Maplewood Drive, the east line of said 0.771 acre tract along with a portion of the south half of said vacated Maplewood Drive, the west line of Lots 26 and 18 in Block "B" in said Chilcote's Ingleside Addition and the east line of Lots 27 and 17 in Block "B" in said Chilcote's Ingleside Addition, N 04° 45' 12" W, 190.00:1:: feet to the northwest corner of said 0.643 acre tract along with a portion of the south half of said vacated Maplewood Drive, the northeast corner of said 0.771 acre tract along with a portion of the south half of said vacated Maplewood Drive, being in the south line of said Oder tract along with a portion of the north half of said vacated Maplewood Drive, and being in the centerline of said vacated Maplewood Drive;

Thence with the north line of said 0.771 acre tract along with a portion of the south half of said vacated Maplewood Drive, the north line of a tract conveyed to Linda Lee Boling and Candace Lou Geshwilm in Instrument Numbers 200901080002394 and 201303210047889 along with a portion of the south half of said vacated Maplewood Drive, the north line of a tract conveyed to Jack E. Wooten in Deed Volume 3407, Page 670, Tract 3 and Tract 4 along with a portion of the south half of said vacated Maplewood Drive, the south line of said Oder property and the south line of a portion of said Blackburn property, S 85° 14' 48" W, 600.00:1:: feet to the northwest corner of said Wooten Property along with a portion of the south half of said vacated Maplewood Drive, the northeast corner of a tract as conveyed to Agoston A. Varsanyi and Anne M. Varsanyi, husband and wife, for their joint lives remainder to the survivor of them in Instrument Number 200806020084227, Tract 1 and Tract 2 along with a portion of the south half of said vacated Maplewood Drive;

Thence with the east line of said Agoston A. Varsanyi and Anne M. Varsanyi, husband and wife, for their joint lives remainder to the survivor of them in Instrument Number 200806020084227, Tract 1 and Tract 2 along with a portion of the south half of said vacated Maplewood Drive property and the west line of said Wooten property along with a portion of the south half of said vacated Maplewood Drive, the east line of Lots 2 and 42 in Block "B" in said Chilcote's Ingleside Addition and the west line of Lots 3 and 41 in said Block "B" in said Chilcote's Ingleside Addition, S 04° 45' 12" E, 140.00:1:: feet to the southeast corner of said Agoston A. Varsanyi and Anne M. Varsanyi, husband and wife, for their joint lives remainder to the survivor of them in Instrument Number 200806020084227, Tract 1 and Tract 2 property along with a portion of the south half of said vacated Maplewood Drive, the southwest corner of said Wooten property along with a portion of the south half of said vacated Maplewood Drive, the southeast corner of said Lot 42, the southwest corner of said Lot 41 and being in the northerly right of way line of Ingleside Drive South;

Thence with the south line of said Agoston A. Varsanyi and Anne M. Varsanyi, husband and wife, for their joint lives remainder to the survivor of them in Instrument Number 200806020084227, Tract 1 and Tract 2 property, the south line of Lots 42, 43 and 44 in Block "B" in said Chilcote's Ingleside Addition and the northerly right of way line of Ingleside Drive South, S 85° 14' 48" W, 131.1:1:: feet to the southwest corner of said Agoston A. Varsanyi and Anne M. Varsanyi, husband and wife, for their joint lives remainder to the survivor of them in Instrument Number 200806020084227, Tract 1 and Tract 2 property, the southwest corner of said Lot 44 and being the intersection of the northerly right of way line of Ingleside Drive South and the easterly right of way line of Walnut View Boulevard;

Thence with the west line of said Agoston A. Varsanyi and Anne M. Varsanyi, husband and wife, for their joint lives remainder to the survivor of them in Instrument Number 200806020084227, Tract 1 and Tract 2 along with a portion of the south half of said vacated Maplewood Drive property, the west line of Lots 44 and 1 in Block "B" in said Chilcote's Ingleside Addition, the easterly right of way line of Walnut View Boulevard and along the west line of a portion of said vacated Maplewood Drive, N 28° 08' 48" E, 153.67:1:: feet;

Thence with the easterly right of way of Walnut View Boulevard, the west line of said vacated Maplewood Drive, the west line of said Agoston A. Varsanyi and Anne M. Varsanyi, husband and wife, for their joint lives remainder to the survivor of them in Instrument Number 200806020084227, Tract 1 and Tract 2 along with a portion of the south half of said vacated Maplewood Drive property, the west line of said Blackburn property along with a portion of the north half of said vacated Maplewood Drive, the west line of Lots 39 and 1 in Block "A" in said Chilcote's Ingleside Addition, N 17° 25' 18" E, 175.49:1:: feet to a projected intersection of the easterly right of way line of Walnut View Boulevard;

Thence with the projected easterly right of way line of Walnut View Boulevard, N 07° 30' 48" E, 29.13:1:: feet to the True Point of Beginning. Containing 4.75:1:: acres, more or less. The above description was written by Advanced Civil Design. A drawing of the above description is attached hereto and made a part thereof.

The total length of the annexation perimeter is about 3,044.6 feet, of which about 1,625.2 feet are contiguous with existing City of Columbus Corporation Lines, being about 50.3% contiguous. This annexation does not create any islands of township property.

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 ORC Section 503.07 the Director of Development is hereby authorized and directed on behalf of the city of Columbus to present to the Board of Franklin County Commissioners, a petition requesting such changes to the boundary lines of Montgomery Township so that said township may include that portion of Blendon Township which has, by order of the Board of Franklin County Commissioners, been annexed to the city of Columbus using the Expedited Type Two annexation process, so as to make the boundary lines 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 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.