



## Legislation Details (With Text)

**File #:** 1822-2023      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 6/12/2023      **In control:** Economic Development Committee

**On agenda:** 7/24/2023      **Final action:** 7/26/2023

**Title:** To accept the application (AN23-007) of Jamie Helber & Michelle Copley for the annexation of certain territory containing 3.8± acres in Plain Township.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1822-2023 AN23-007 Briefing Sheet, 2. 1822-2023 AN23-007 Legal, 3. 1822-2023 AN23-007 Plat, 4. 1822-2023 AN23-007 Service Statement

Date	Ver.	Action By	Action	Result
7/26/2023	1	CITY CLERK	Attest	
7/25/2023	1	ACTING MAYOR	Signed	
7/24/2023	1	COUNCIL PRESIDENT	Signed	
7/24/2023	1	Columbus City Council	Approved	Pass
7/17/2023	1	Columbus City Council	Postponed to Date Certain	Pass
7/10/2023	1	Columbus City Council	Read for the First Time	

### BACKGROUND:

This ordinance approves the acceptance of certain territory (AN23-007) by the city of Columbus and authorizes its transfer from Plain Township to Montgomery Township per an annexation agreement between the City and the Township. 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 7, 2023. Franklin County approved the annexation on March 21, 2023 and the City Clerk received notice on March 30, 2023. 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 of Columbus from Plain Township be transferred to Montgomery Township. This ordinance authorizes the submission of a petition to the Board of County Commissioners of Franklin County, Ohio, 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 Ohio Revised Code. 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 site.

### 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 (AN23-007) of Jamie Helber & Michelle Copley for the annexation of certain territory containing 3.8± acres in Plain Township.

**WHEREAS**, a petition for the annexation of certain territory in Plain Township was filed on behalf of Jamie Helber & Michelle Copley on March 7, 2023; and

**WHEREAS**, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on March 21, 2023; and

**WHEREAS**, on March 30, 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,**

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

**SECTION 1.** That the annexation proposed by Jamie Helber & Michelle Copley in a petition filed with the Franklin County Board of Commissioners on March 7, 2023 and subsequently approved by the Board on March 21, 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 Plain, being part of Quarter Township 3, Township 2, Range 16, United States Military Lands and containing 3.8± acres of land, more or less, said 3.8± acres being part of an original 1.722 acre tract of land as conveyed to Michelle Copley and Michelle Shirzadian in Instrument No. 201201310013514, part of an original 2.238 acre tract of land as conveyed to Jamie Helber in Instrument No. 200301240024792, part of a 0.144 acre tract of land as conveyed to the City of Columbus in Instrument No. 201302040019082 as Parcel 16-WD, and part of a 0.103 acre tract of land as conveyed to the City of Columbus in Instrument No. 201202170022888 as Parcel 17-WD, said 3.8 ± acres more particularly described as follows:

Beginning, at a point on the west line of said Parcel 17-WD, the east line of a 0.164 acre tract as conveyed to the City of Columbus in Instrument No. 201205040062830 as Parcel 18-WD, said point being 20 feet south of the centerline of Warner Road (R/W Varies), and being in a southerly City of Columbus Corporation Line (Case No. 60-03, Ord. No. 0432-2004, Instrument No. 200407190166446);

Thence S 86°24'01" E, across said Parcel 17-WD, the right of way of said Warner Road (R/W Varies) and with said southerly City of Columbus Corporation line, 149.18± feet to the east line of said Parcel 17- WD, the west line of said Parcel 16-WD, and being in said southerly City of Columbus Corporation line; Thence S 86°26'38" E, across said Parcel 16-WD, the right of way of said Warner Road (R/W Varies) and with said southerly City of Columbus Corporation Line, 221.54± feet to the east line of said Parcel 16- WD, the west line of a 0.129 acre tract of land as conveyed to the City of Columbus in Instrument No. 201204100048994 as Parcel 15-WD, being in said southerly City of Columbus Corporation Line, and being on a westerly City of Columbus Corporation Line (Case No. 2-97, Ord. No. 1387-97, Instrument No. 199710070113535);

Thence S 01°21'23" E, with the east line of said Parcel 16-WD, the west line of said Parcel 15- WD, across the right of way of said Warner Road (R/W Varies), the east line of said original 2.238 acre tract, the west line of a 2.070 acre tract of land as dedicated to The Reserve at Preston Woods Condominiums, Fifteenth Amendment, Phase XVI in Condominium Plat 232, Pg. 10, and said westerly City of Columbus Corporation Line. 393.57 feet to the southeast corner of said original 2.238 acre tract, a southwest corner of said 2.070 acre tract, being on the north line of a 0.648 acre tract of land as dedicated to The Reserve at Preston Woods Condominiums, Eleventh Amendment, Phase XII in Condominium Plat 211, Pg. 35, and being on said westerly City of Columbus Corporation Line;

Thence N 86°26'38" W, with the south line of said original 2.238 acre tract, the north line of said 0.648 acre tract, the north line of a 0.428 acre tract of land as dedicated to The Reserve at Preston Woods Condominiums, Twelfth Amendment, Phase XIII in Condominium Plat 221, Pg. 16, and said northerly City of Columbus Corporation Line, 254.49± feet to the southwest corner of

said original 2.23 8 acre tract, the northwest corner of said 0.428 acre tract, being on the east line of said original 1.722 acre tract, and being on said City of Columbus Corporation Line;

Thence S 03°33'59" W, with the east line of said original 1.722 acre tract, the west line of said 0.428 acre tract, and said westerly City of Columbus Corporation Line, 87.88± feet to the southeast corner of said original 1.722 acre tract, an angle point of said 0.428 acre tract, the northwesterly corner a 0.275 acre tract of land as dedicated to The Reserve at Preston Woods Condominiums, Eighth Amendment, Phase IX in Condominium Plat 198, Pg. 11, the northeast

corner of a 0.499 acre tract of land as dedicated to The Reserve at Preston Woods Condominiums, Seventh Amendment Phase XIII in Condominium Plat 191, Pg. 1, being on said westerly City of Columbus Corporation Line and a northerly City of Columbus Corporation Line (Case No. 22-86, Ord. No. 2982-86, Official Record 8860 E-19);

Thence N 86°24'01" W, with the south line of said original 1.722 acre tract, the north line of said 0.499 acre tract, and said City of Columbus Corporation Line, 150.00± feet to the southwest corner of said original 1.722 acre tract, being on the north line of said 0.499 acre tract, the southeast corner of an original 2.869 acre tract of land as conveyed to Hudson Square, LLC in Instrument No.

201204200054620 and 9% interest to Hudson Square II, LLC in Instrument No. 201312200207854 as Parcel III, being on said northerly City of Columbus Corporation Line, and an easterly City of Columbus Corporation Line (Case No. 10-11, Ord. No. 1226-2011, Instrument No. 201112010156269);

Thence N 03°33'59" E, with the west line of said original 1.722 acre tract, the east line of said Parcel III, and said City of Columbus Corporation Line, 480.00± feet to the Point of Beginning, containing 3.8± acres

The above description was prepared by Advanced Civil Design Inc. on February 16, 2023 and is based on existing Franklin County Auditor records and Franklin County Recorder's records.

The total length of the annexation perimeter is 1,737± feet, of which 1,737± feet are contiguous with existing City of Columbus Corporation lines, being 100±% contiguous.

**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 March 21, 2023 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.