



Legislation Details (With Text)

File #: 0097-2014 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 1/6/2014 **In control:** Development Committee
On agenda: 2/3/2014 **Final action:** 2/6/2014
Title: To agree to an adjustment to the City's boundaries by consenting to transfer two portions of right-of-way totaling 0.74 +/- acres, from the City of Columbus to the City of New Albany.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0097-2014 BA13-002 Map 1 of 2 (Columbus and New Albany Boundary Adjustment), 2. ORD0097-2014 BA13-002 Map 2 of 2 (Columbus and New Albany Boundary Adjustment)

Date	Ver.	Action By	Action	Result
2/6/2014	1	CITY CLERK	Attest	
2/6/2014	1	MAYOR	Signed	
2/3/2014	1	COUNCIL PRESIDENT	Signed	
2/3/2014	1	Columbus City Council	Approved	Pass
1/27/2014	1	Columbus City Council	Read for the First Time	

Background: The City of New Albany has proposed a boundary adjustment with Columbus in the vicinity of Thompson Road and Rocky Fork Creek. The adjustment involves two portions of right-of-way currently in Columbus. Transferring these areas to New Albany will consolidate all of the Thompson Road right-of-way in this location (including a bridge over Rocky Fork Creek) within one jurisdiction, facilitating ongoing service and maintenance. This legislation is being filed in response to the provisions of the Ohio Revised Code - section 709.37 regarding municipal boundary adjustments. The process requires that both communities pass legislation approving the transfer, which will then be submitted for finalization by the Franklin County Commissioners.

Fiscal Impact: No direct impact.

To agree to an adjustment to the City's boundaries by consenting to transfer two portions of right-of-way totaling 0.74 +/- acres, from the City of Columbus to the City of New Albany.

WHEREAS, Thompson Road and associated right-of-way in the vicinity of Rocky Fork Creek lies partially within Columbus and partially within New Albany; and

WHEREAS, it is in the best interest of all parties if the Thompson Road right-of-way in this vicinity is located within a single jurisdiction as it will facilitate ongoing service and maintenance; and

WHEREAS, it is the desire of the City of Columbus to transfer the subject area, comprised of two portions of right-of-way, to the City of New Albany which desires to accept said transfer; and

WHEREAS, the proposed transfer does not involve the transfer of territory inhabited by more than five voters; **now, therefore,**

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

Section 1. That in accordance with Section 709.37 of the Ohio Revised Code, the City of Columbus hereby agrees to transfer to the City of New Albany the land described as follows:

Area 1 (0.7 +/- acres):

Situated in the State of Ohio, County of Franklin, City of Columbus in Section 3, Township 2, Range 16, United States Military District, and being part of a 0.686 acre tract as conveyed to County of Franklin in Deed Volume 3680, Page 480 and a 0.293 acre tract as conveyed to the County of Franklin in Deed Volume 3680, Page 476, (all references being to records of the Recorder's Office, Franklin County, Ohio), and bounded and described as follows:

Beginning at the northeast corner of said 0.293 acre tract, the southeast corner of a 47.074 acre tract as conveyed to New Albany Plain Local Joint Park District in Instrument Number 200310100327429, the southwest corner of a 15.706 acre tract as conveyed to The New Albany Company LLC in Instrument Number 2001009020114200 in the northerly right-of-way line of Thompson Road, and being an angle point in the north line of said 0.686 acre tract on the corporation line between the City of Columbus (Ordinance Number 0247-02) and the City of New Albany (Ordinance Number 59-2001);

Thence southerly with the east line of said 0.293 acre tract, a west line of said 0.686 acre tract and also crossing said 0.686 acre tract with said corporation line between the City of Columbus and the City of New Albany across Thompson Road, South 09° 27' 51" West, 98.0 feet to the southerly right-of-way line of Thompson Road, the south line of said 0.686 acre tract, the north line of a 10.450 acre tract as conveyed to New Albany Care Center Limited Liability Company in Instrument Number 200108020177383, the southerly right-of-way line of Thompson Road, and being an angle point in said corporation line;

Thence westerly with the north line of said 10.450 acre tract, the southerly right-of-way line of Thompson Road, the north line of a 63.042 acre tract as conveyed to Albany Glen, LCC in Instrument Number 201212270199165, and the south line of said 0.686 acre tract, North 69° 18' 49" West, 132.1 feet to an angle point in the south line of said 0.686 acre tract and the north line of said 63.042 acre tract;

Thence continuing westerly with the south line of said 0.686 acre tract, the north line of said 63.042 acre tract, and the southerly right-of-way line of Thompson Road, North 78° 40' 28" West, 72.0 feet to an angle point in said southerly and northerly line;

Thence continuing westerly with the south line of said 0.686 acre tract, the north line of said 63.042 acre tract, and the southerly right-of-way line of Thompson Road, North 74° 02' 09" West, 176.5 feet to an angle point in said north line and being the southwest corner of said 0.686 acre tract;

Thence northerly with the west line of said 0.686 acre tract, the west line of said 0.293 acre tract, an east line of said 63.042 acre tract, and an east line of said 47.074 acre tract across Thompson Road, North 09° 28' 05" East, 40.0 feet to the northwest corner of said 0.293 acre tract and an angle point in the south line of said 47.074 acre tract in the northerly right-of-way line of Thompson Road;

Thence easterly with the north line of said 0.293 acre tract, the south line of said 47.074 acre tract, and the northerly right-of-way line of Thompson Road, South 87° 02' 06" East, 176.5 feet to an angle point in the north line of said 0.293 acre tract, the south line of said 47.074 acre tract, and the northerly right-of-way line of Thompson Road;

Thence continuing with the north line of said 0.293 acre tract, the south line of said 47.074 acre tract, and the northerly

right-of-way line of Thompson Road, South 79° 38' 29" East, 129.0 feet to an angle point in the north line of said 0.293 acre tract, the south line of said 47.074 acre tract, and the northerly right-of-way line of Thompson Road;

Thence continuing with the north line of said 0.293 acre tract, the south line of said 47.074 acre tract, and the northerly right-of-way line of Thompson Road, South 74° 12' 46" East, 73.0 feet to the TRUE POINT OF BEGINNING, containing approximately 0.7 acres more or less.

Subject to all legal rights-of-way and/or easements, if any, of previous record.

This description was prepared by Edward P. Ferris, Registered Surveyor No. 6027, E.P. Ferris & Associates, Inc. on September 24, 2013, from the best available County Records. The information displayed was not derived from an actual field survey. This description is not valid for the transfer of real property, and is not to be utilized in place of a Boundary Survey as defined by the Ohio Administrative Code in Chapter 4733-37.

Area 2 (0.04 +/- acres):

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 3, Township 2, Range 16, United States Military Lands, being part of a 0.084 acre tract conveyed to The City of Columbus in Official Record Volume 24824 A01 and part of a 0.686 acre tract conveyed to The County of Franklin in Deed Book 3680, Page 480, all records being of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at the southwest corner of said 0.084 acre tract and in the south line of said 0.686 acre tract, also being in the north line of a 10.450 acre tract conveyed to New Albany Care Center LLC in Instrument Number 200108020177383, and also being on the southerly right-of-way line of Thompson Road;

Thence, northerly, across said 0.686 acre tract, approximately 10 feet to the existing City of New Albany Corporation Line as established by Ordinance Number 19-89, recorded in Official Record Volume 13965 D03;

Thence, easterly, across part of said 0.686 acre tract and across said 0.084 acre tract, along said Corporation Line, approximately 179 feet to the east line of said 0.084 acre tract and the west line of a 0.918 acre tract conveyed to Sandra Cannon in Instrument Number 200201180016955;

Thence, southerly, along part of the east line of said 0.084 acre tract and part of the west line of said 0.918 acre tract, approximately 11 feet to the southeast corner of said 0.084 acre tract and the northeast corner of said 10.450 acre tract;

Thence, westerly, along the south line of said 0.084 acre tract and along part of the north line of said 10.450 acre tract, approximately 182 feet to the point of beginning, containing 0.04 acres, more or less.

This description was prepared by Paul T. Dinan, Professional Surveyor No. 7312, E.P. Ferris & Associates, Inc. in July 2013, from the best available Franklin County records. This description is not intended to be a boundary survey as defined by the Ohio Administrative Code in Chapter 4733-37.

Section 2. That the City Clerk certify this ordinance to the County Commissioners of Franklin County, Ohio, for further proceedings in accordance with the law.

Section 3. That the City of Columbus agrees to the transfer of the territory described in Section 1 to the City of New Albany upon approval of the petition by the Board of Franklin County Commissioners and take any necessary steps to record such acceptance.

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