



Legislation Details (With Text)

File #: 1474-2010 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/5/2010 **In control:** Development Committee

On agenda: 10/25/2010 **Final action:** 10/27/2010

Title: To accept the application (AN10-002) of Fayez F. Bekheit & Sonia G. Bishara, property owners for the annexation of certain territory containing 3.3 ± acres in Washington Township.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1474-2010 AN10-002 Service Statement.pdf, 2. ORD1474-2010 AN10-002 Hayden Run Map.pdf

Date	Ver.	Action By	Action	Result
10/27/2010	1	CITY CLERK	Attest	
10/26/2010	1	ACTING MAYOR	Signed	
10/25/2010	1	Columbus City Council	Approved	Pass
10/25/2010	1	COUNCIL PRESIDENT	Signed	
10/18/2010	1	Columbus City Council	Read for the First Time	
10/5/2010	1	Dev Drafter	Sent for Approval	
10/5/2010	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
10/5/2010	1	Dev Drafter	Sent for Approval	
10/5/2010	1	CITY ATTORNEY	Reviewed and Approved	
10/5/2010	1	Dev Drafter	Sent to Clerk's Office for Council	

AN10-002

BACKGROUND: This ordinance approves the acceptance of certain territory (AN10-002) by the City. The Ohio Revised Code stipulates that the once an annexation has been approved, it must be accepted by the receiving municipality within 180 days, but not sooner than 60 days, of receipt by the City Clerk of the approval notice from the county. Should City Council not take such action, the annexation will not take place. This petition was filed with Franklin County on June 28, 2010. City Council approved a service ordinance addressing the site on July 12, 2010. Franklin County approved the annexation on August 3, 2010 and the City Clerk received notice on August 13, 2010.

FISCAL IMPACT: Provision of municipal services does represent cost to the City; however the annexation of land has the potential to create revenue to the city.

To accept the application (AN10-002) of Fayez F. Bekheit & Sonia G. Bishara, property owners for the annexation of certain territory containing 3.3 ± acres in Washington Township.

WHEREAS, a petition for the annexation of certain territory in Washington Township was duly filed on behalf of Fayez F. Bekheit & Sonia G. Bishara, property owner on June 28, 2010; and

WHEREAS, said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated August 3, 2010; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on August 13, 2010; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, the site is located in the Northwest Pay-As-We-Grow (PAWG) area and the funding mechanisms that were developed for that area will apply to this site, as applicable, should it be developed; and

WHEREAS, parties are aware that an application to rezone the site for residential development will require the owner at the time of filing, to enter into a Memorandum of Understanding with the City obligating the property owner, or their successor, to participate in the PAWG funding arraignment with specific details to be developed at the time of development; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; **now, therefore,**

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

Section 1. That the proposed annexation as applied for in the petition of Fayez F. Bekheit and Sonia G. Bishara, being the owners of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio on June 28, 2010 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated August 3, 2010 be and the same 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 Washington, in Virginia Military Survey Number 6366 and being part of the Fayez F. Bekheit and Sonia G. Bishara 3.407 Acre tract as conveyed in Official Record Volume 26841, Page H-08, Recorder's Office, Franklin County, Ohio (all references made are of said Recorder's Office, unless otherwise noted) and being more particularly described as follows:

Beginning at a southwesterly corner of said 3.407 Acre tract, in the centerline of Hayden Run Road (width varies) and an angle point in the City of Columbus Corporation Line as established by Ordinance Number 1424-2008 of record in Instrument 200901260009394;

Thence, northeasterly, along a northerly line of said 3.407 Acre tract, along said Corporation Line (Ordinance Number 1424-2008) and along the City of Columbus Corporation Line as established by Ordinance Number 1525-03 of record in Instrument 200309190299645, approximately 479 feet, to a northwesterly corner of said 3.407 Acre tract and in the City of Columbus Corporation Line as established by Ordinance Number 1533-02 of record in Instrument 200212260331528;

Thence, easterly, along a northerly line of said 3.407 Acre tract and along said Corporation Line (Ordinance Number 1533-02), approximately 269 feet, to a northeasterly corner of said 3.407 Acre tract and in the City of Columbus Corporation Line as established by Ordinance Number 628-03 of record in Instrument 200306120176147;

Thence, southerly, along an easterly line of said 3.407 Acre tract and said Corporation Line (Ordinance Number 628-03), approximately 87 feet, to a southeasterly corner of said 3.407 Acre tract;

Thence, southwesterly, along a southerly line of said 3.407 Acre tract, approximately 574 feet, to the northerly Right of Way of said Hayden Run Road (as established by Official Record Volume 11162, Page H-11) and in the City of Columbus Corporation Line as established by Ordinance Number 0429-05 of record in Instrument 200506220121139;

Thence, northwesterly, across said 3.407 Acre tract, along said northerly Right of Way and along said Corporation Line (Ordinance Number 0429-05), approximately 91 feet, to an angle point in said Corporation Line;

Thence, southwesterly, across said 3.407 Acre tract and along said Corporation Line (Ordinance Number 0429-05), approximately 42 feet, to the centerline of said Hayden Run Road, the westerly line of said 3.407 Acre tract and an angle point in said Corporation Line (Ordinance Number 1424-2008);

Thence, northwesterly, along said centerline, along the westerly line of said 3.407 Acre tract and along said Corporation Line (Ordinance Number 1424-2008), approximately 171 feet, to the place of beginning.

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.