



Legislation Details (With Text)

File #: 2445-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 8/31/2018 **In control:** Economic Development & Small and Minority Business Committee

On agenda: 9/24/2018 **Final action:** 9/27/2018

Title: To accept the application (AN18-004) of Donald J. and Mary P. Durivage and David G. Burns for the annexation of certain territory containing 19.24± acres in Perry Township.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2445-2018 AN18-004 Plat, 2. ORD2445-2018 AN18-004 Legal, 3. ORD2445-2018 AN18-004 Service Statement

Date	Ver.	Action By	Action	Result
9/27/2018	1	CITY CLERK	Attest	
9/26/2018	1	MAYOR	Signed	
9/24/2018	1	COUNCIL PRESIDENT	Signed	
9/24/2018	1	Columbus City Council	Approved	Pass
9/17/2018	1	Columbus City Council	Read for the First Time	

AN18-004

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN18-004) 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 May 22, 2018. City Council approved a service ordinance addressing the site on June 04, 2018. Franklin County approved the annexation on June 26, 2018 and the City Clerk received notice on July 18, 2018.

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 (AN18-004) of Donald J. and Mary P. Durivage and David G. Burns for the annexation of certain territory containing 19.24± acres in Perry Township.

WHEREAS, a petition for the annexation of certain territory in Perry Township was filed on behalf of Donald J. and Mary P. Durivage and David G. Burns on May 22, 2018; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on June 26, 2018; and

WHEREAS, on July 18, 2018, 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 Donald J. and Mary P. Durivage and David G. Burns in a petition filed with the Franklin County Board of Commissioners on May 22, 2018 and subsequently approved by the Board on June 26, 2018 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 Perry, being in Quarter Township 3, Township 2, Range 19, United States Military Lands and being 19.24+/- acres of land, said 19.24+/- acres of land being part of that 4.789 acre parcel of land as conveyed to David G. Burns (P.I.D. 212-000181), of record in Official Record 4644, Page E20, all of that 1.10 acre parcel of land as conveyed to David G. Burns (P.I.D. 212-001249) of record in Official Record 685, Page D03, part of those parcels of land as conveyed to Donald J. Durivage (P.I.D. 212-001128, P.I.D. 212-000121, P.I.D. 212-001098, P.I.D. 212-001127 and P.I.D. 212-000054) of record in Official Record 28824, Page A17, and all of that parcel of land as conveyed to Donald Jay DuRivage Jr. and Mary Peden DuRivage of record in Instrument No. 201711020154286, and more particularly described as follows:

Beginning at a point in the southerly line of said Burns parcel (P.I.D. 212-000181), the same also being in the northerly line of that tract of land as conveyed to Bruce A. Daniels, Trustee of record in Instrument No. 201208140117600 (P.I.D. 212-001264) and being in the easterly right-of-way line of Riverside Drive;

Thence N 10°42'36" W+/-, across said Burns parcel (P.I.D. 212-000181), across said DuRivage parcels (P.I.D. 212-000121, P.I.D. 212-001098 & P.I.D. 212-001128) and along said right-of-way line, about 490.33 feet +/- to a point in the northerly line of said DuRivage parcel (P.I.D. 212-001128), the southerly line of that tract of land as conveyed to Harmeet Chawla First Family LP of record in Instrument No. 199810060255399 (P.I.D. 212-000097) and in said easterly right-of-way line;

Thence S 85°55'56" E+/-, with the northerly lines of said DuRivage parcels (P.I.D. 212-001128, 212-00127 &) and the southerly line of said Harmeet Chawla First Family LP parcel (212-000097), about 632.24 feet+/- to the southeasterly corner of said Harmeet Chawla First Family LP parcel (212-000097) and the southwesterly corner of said Donald Jay DuRivage Jr. and Mary Peden DuRivage parcel;

Thence N 03°02'58" E+/-, with the westerly line of said Donald Jay DuRivage Jr. and Mary Peden DuRivage parcel and the easterly line of said Harmeet Chawla First Family LP parcel (212-000097), about 143.98 feet+/- to the northeasterly corner of said Donald Jay DuRivage Jr. and Mary Peden DuRivage parcel, the northwesterly corner of said Harmeet Chawla First Family LP parcel (212-000097) and to the southerly line of that parcel of land as conveyed to Epcon Riverside LLC (P.I.D. 212-000423) of record in Instrument No. 201707050090534;

Thence S 86°08'46" E+/-, with the northerly line of said Donald Jay DuRivage Jr. and Mary Peden DuRivage parcel and the southerly line of said Epcon parcel (P.I.D. 212-000423), about 824.73 feet+/- to the northeasterly corner of said Donald Jay DuRivage Jr. and Mary Peden DuRivage parcel, the southeasterly corner said Epcon parcel (P.I.D. 212-000423), in the westerly line of Lot 739 as numbered and delineated upon the record plat for Riverside Green Section 20 of record in Plat Book 63, Page 43, (said Lot 739 being in the name of Harry Golden - P.I.D. 590-201713) and also being in the westerly line of City of Columbus Corporation Line (Case No. COC 472, Miscellaneous Record 163-656);

Thence with the easterly lines of said Donald Jay DuRivage Jr. and Mary Peden DuRivage parcel, the easterly line of the following Durivage parcels (P.I.D. 212-000054, 212-001098 & 212-000121) and said Burns parcels (P.I.D. 212-000181 &

212-001249), partially with the westerly line of said Riverside Green Section 20, along the westerly line of Riverside Green Section 17 of record in Plat Book 62, Page 23, partially with the westerly line of Riverside Green Section 14 of record in Plat Book 61, Page 33 and along the westerly line of said City of Columbus Corporation Line, the following two (2) courses and distances;

S 02°58'14" W+/-, about 147.06 feet+/- to an angle point;

S 03°03'03" W+/-, about 724.97 feet+/- to the southeasterly corner of said Burns parcel (P.I.D. 212-001249), also being the northeasterly corner of that parcel of land as conveyed to Rosa Ailabouni (P.I.D. 212-000134)

Thence N 85°33'08" W+/-, with the southerly line of said Burns parcel (P.I.D. 212-001249), partially with the southerly line of said Daniels parcel (P.I.D. 212-001264) and with the northerly line of said Ailabouni parcel (P.I.D. 212-000134), 200.00 feet+/- to a point;

Thence N 03°03'06" E+/-, across said Daniels parcel (P.I.D. 212-001264), 241.07 feet+/- to the northerly line of said Daniels parcel (P.I.D. 212-001264), also being the southerly line of said Burns parcel (P.I.D. 212-000181);

Thence N 85°30'39" W+/-, with said common line, 1140.78 feet+/- to the Point of Beginning. Containing approximately 19.24 acres of land, more or less. The above description was written by Advanced Civil Design on April 12, 2018. A drawing of the above description has been prepared and is a part hereof.

The total length of the annexation perimeter is about 4545.2 feet, of which about 872.0 feet are contiguous with existing City of Columbus Corporation Lines, being about 19.2% contiguous. This annexation does not create any islands of township property.

This description was written for annexation purposes only and was not intended to be used in the transfer of lands.

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.