



## Legislation Details (With Text)

**File #:** 1818-2023      **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 (AN23-006) of Edward Hock & Michael and Linda Lee for the annexation of certain territory containing 5.5± acres in Plain Township.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1818-2023 AN23-006 Briefing Sheet, 2. 1818-2023 AN23-006 Legal, 3. 1818-2023 AN23-006 Plat, 4. 1818-2023 AN23-006 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 (AN23-006) 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 (AN23-006) of Edward Hock & Michael and Linda Lee for the annexation of certain territory containing 5.5± acres in Plain Township.

**WHEREAS**, a petition for the annexation of certain territory in Plain Township was filed on behalf of Edward Hock & Michael and Linda Lee 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 Edward Hock & Michael and Linda Lee 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 in Quarter Section 3, Township 2, Range 16, United States Military Lands and containing 5.511+/- acres, said 5.511+/-acres being the full remainder of an original 2.869 acres conveyed to Michael D. Lee & Linda M. Lee of record in Official Record I 7 I 75E 15, the full remainder of an original 2.869 acres conveyed to Edward D. Hock of record in Official Record 30625E0 I, part of 0.164 acre tract of land known as Parcel 23-WD conveyed to the City of Columbus of record in Instrument Number 20120817012056 I, and part of 0.164 acre tract of land known as Parcel 22-WD conveyed to the City of Columbus of record in Instrument Number 20 I 205300075632, said 5.511 +/- acres more particularly described as follows;

Beginning, at the southwesterly corner of said Hock tract, said corner also being a northerly corner of 13.238 acre tract of land conveyed to Perry Lane II LLC of record in Instrument Number 202110040178015, and a northerly corner of an existing City of Columbus Corporation Line (Case No. 60-03, Ord. #432-04, I.N. 200407190166466);

Thence N 03° 29' 52" E, with the westerly line of said Hock tract, easterly line of full remainder of original 0.728 acre tract of land conveyed to Phyllis M. Wahl of record in Instrument Number 201806290086600 and Lindra S. Frame & Julia J. Tangeman of record in Instrument Number 20 I 607250095553, easterly line of said existing City of Columbus Corporation Line (Case No. 60-03, Ord. #432-04, I.N. 200407190166466), easterly line of 0.094 acre tract of land known as Parcel 24-WD conveyed to the City of Columbus of record in Instrument Number 20 I 206190087128, westerly line of said 0.164 acre tract known as parcel 23-WD, and easterly line of said 13.238 acre tract of land, 480.18+/- feet to a point in the right-of-way of Warner Road (R/W Varies), said point being in the easterly line of said 0.094 acre tract known as Parcel 24-WD, westerly line of said 0.164 acre tract known as Parcel 23 - WD, and being in the southerly line of existing City of Columbus Corporation Line (Case No. 60-03, Ord. #432-04, I.N. 200407190166466);

Thence S 86° 28' 00" E, with the southerly line of said existing City of Columbus Corporation Line (Case No. 60-03, Ord. #432-04, I.N. 200407190166466), 499.80+/- feet to a point in the easterly line of 0.164 acre tract of land known as Parcel 22-WD conveyed to the City of Columbus of record in Instrument Number 201205300075632 and westerly line of 0.034 acre tract of land conveyed to the City of Columbus of record in Instrument Number 200912040175326;

Thence S 03° 27' 39" W, with the easterly line of said 0.164 acre tract of land known as Parcel 22-WD, westerly line of said 0.034 acre tract, westerly line of 0.01 acre tract of land conveyed to the City of Columbus of record in Instrument Number 20 I 003120029574, easterly line of said Lee tract, westerly line of said 13.238 acre tract, and westerly line of said existing City of Columbus Corporation Line (Case No. 08-04, Ord. #0979-04, I.N. 200408250198944), 480.08+/- feet to the southeasterly corner of said Lee Tract, northerly corner of said 13.238 acre tract, northeasterly corner of said existing City of Columbus Corporation

Line (Case No. 60-03, Ord. #432-04, I.N. 200407190166466), and being in the westerly line of said existing City of Columbus Corporation Line (Case No. 08-04, Ord. #0979-04, I.N. 200408250198944);

Thence N 86° 28' 38" W, with the southerly line of said Lee tract, southerly line of said Hock Tract, northerly line of said 13.238 acre tract, and northerly line of said existing City of Columbus Corporation Line (Case No. 60-03, Ord. #432-04, I.N. 200407190166466), 500.11 +/- feet to the True Point of Beginning containing 5.511 +/- acres, more or less. The above description was written by Advanced Civil Design on January 20, 2023. A drawing of the above description is attached hereto and made a part thereof.

The total length of the annexation perimeter is about 1960.2 feet, of which about 1752.7 feet are contiguous with existing City of Columbus Corporation Lines, being about 89.4% 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 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.