



Legislation Details (With Text)

File #: 1537-2008 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/24/2008 **In control:** Development Committee

On agenda: 10/20/2008 **Final action:** 10/22/2008

Title: To accept the application (AN08-007) of Michael Bellisari et al for the annexation of certain territory containing 10.99± acres in Norwich and Franklin Townships.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1537-2008 AN08-007 Service Statement.pdf, 2. ORD1537-2008 AN08-007 Annex Map.pdf

Date	Ver.	Action By	Action	Result
10/22/2008	1	CITY CLERK	Attest	
10/21/2008	1	MAYOR	Signed	
10/20/2008	1	Columbus City Council	Approved	Pass
10/20/2008	1	COUNCIL PRESIDENT	Signed	
10/6/2008	1	Columbus City Council	Read for the First Time	
9/24/2008	1	Dev Drafter	Sent for Approval	
9/24/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
9/24/2008	1	Dev Drafter	Sent for Approval	
9/24/2008	1	CITY ATTORNEY	Reviewed and Approved	
9/24/2008	1	Dev Drafter	Sent to Clerk's Office for Council	

AN08-007

BACKGROUND: This ordinance approves the acceptance of certain territory (AN08-007) 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 120 days (but not sooner than 60 days) of receipt by the City Clerk of the approval notice from the county. This petition was filed with Franklin County on June 25, 2008. City Council approved a service ordinance addressing the site on July 7, 2008. Franklin County approved the annexation on July 29, 2008 and the City Clerk received notice on August 7, 2008.

These are submitted in accordance with the Ohio Revised Code.

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 (AN08-007) of Michael Bellisari et al for the annexation of certain territory containing 10.99± acres in Norwich and Franklin Townships.

WHEREAS, a petition for the annexation of certain territory in Norwich and Franklin Townships was duly filed on behalf of Michael Bellisari et al on June 25, 2008; 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 July 29, 2008 ; 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 7, 2008; 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, 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 Michael Bellisari et al being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio on June 25, 2008 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 July 29, 2008 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 Norwich, Virginia Military Survey Number 544 and Township of Franklin, Virginia Military Survey Number 530 and bounded and described as follows:

Beginning at a point at the southeasterly corner of Lot Number One (1) as said lot is shown upon the plat of Builders Place of record in Plat Book 70, Pages 97 and 98, at the northeasterly corner of a 0.5865 acre tract of land conveyed to Lilda M. Delewese, Trustee, by deed of record in Instrument No. 200508170167087, in the westerly right-of-way line of CSX Transportation Railroad and at a corner of the existing corporation line for the City of Columbus, Ohio as established by Ordinance 1239-69 and recorded in Miscellaneous Record 148, Page 277;

Thence southeasterly along said existing corporation line for the City of Columbus, Ohio, along the westerly right-of-way line of CSX Transportation Railroad, along an easterly line of said 0.5865 acre tract, along the easterly line of a 2.845 acre tract of land conveyed to Lilda M. Delewese, Trustee, by deed of record in Instrument No. 200505160092613 and Instrument No. 200508170167085, along the easterly line of a 0.2845 acre tract of land conveyed as Parcel 29-WD to Franklin County Commissioners for right-of-way purposes by deed of record in Instrument No. 200204150094538, along a portion of an existing corporation line for the City of Columbus, Ohio as established by Ordinance 1331-68 and recorded in Miscellaneous Record 146, Page 148 and along the easterly right-of-way of McKinley Avenue a distance of approximately **1050 feet** to a northeasterly corner of an existing corporation line for the City of Columbus, Ohio as established by Ordinance 0139-02 and recorded in Instrument No. 200205220127025 (passing a point in the south line of Norwich Township, the north line of Franklin Township and in the centerline of Trabue Road at approximately 885 feet);

Thence southwesterly along said existing corporation line for the City of Columbus, Ohio, crossing McKinley Avenue a distance of approximately **65 feet** to the southeasterly corner of a 0.3779 acre tract of land conveyed as Parcel 20-WD to Franklin County Commissioners for right-of-way purposes by deed of record in Instrument No. 200207240181458, at a northeasterly corner of a 0.2103 acre tract of land conveyed as Parcel 30-WD to Franklin County Commissioners for right-of-way purposes by deed of record in Instrument No. 200207100169721 and at a point in said existing corporation line for the City of Columbus, Ohio;

Thence southwesterly along said existing corporation line for the City of Columbus, Ohio, along the southerly line of said 0.3779 acre tract and along the northerly line of said 0.2103 acre tract a distance of approximately **54 feet** to a point in a northerly line of an original 0.408 acre tract of land conveyed as Parcel One to Angelo J. Dallas, Trustee, at a point in a southerly line of an original 0.342 acre tract of land conveyed as Parcel 2 to Spyros C. & Phyllis Sevis, Co-Trustees by deed of record in Official Record 23323, Page D 02, at the northwesterly corner of said 0.2103 acre tract, at the southwesterly corner of said 0.3779 acre tract and at point in said existing corporation line for the City of Columbus, Ohio;

Thence northwesterly along the westerly line of said 0.3779 acre tract, along an easterly line of said original 0.342 acre tract, along an easterly line of an original one (1) acre tract of land conveyed as Parcel 1 to Spyros C. & Phyllis Sevis, Co-Trustees, by deed of record in Official Record 23323, Page D 02 a distance of approximately **192 feet** to a point at the northerly corner of said original one (1) acre tract, at a point in the easterly line of an original 1.477 acre tract of land conveyed to Joseph S. Dallas and Angelo J. Dallas, III, Co-Trustees, at a corner of said 0.3779 acre tract, at the southeasterly corner of a 0.1108 acre tract of land conveyed as Parcel 19-WD to Franklin County Commissioners for right-of-way purposes by deed of record in Instrument No. 200204030083714 and in the existing corporation line for the City of Columbus, Ohio;

Thence northwesterly along a portion of said existing corporation line for the City of Columbus, Ohio, along a portion of the westerly line of said 0.3779 acre tract, along a portion of the easterly line of said 0.1108 acre tract a distance of approximately **34 feet** to a corner of said existing corporation line for the City of Columbus, Ohio;

Thence southwestwardly along said existing corporation line for the City of Columbus, Ohio, crossing said 0.1108 acre tract a distance of approximately **88 feet** to a point in the westerly line of said 0.1108 acre tract, at a point in the easterly line of a 0.1010 acre tract of land conveyed as Parcel 18-WD to Franklin County Commissioners for right-of-way purposes by deed of record in Instrument No. 200204030083709 and at a corner of said existing corporation line for the City of Columbus, Ohio;

Thence southeasterly along a portion of said existing corporation line for the City of Columbus, Ohio, along a portion of the easterly line of said 0.1010 acre tract and along a portion of the westerly line of said 0.1108 acre tract a distance of approximately **24 feet** to a point in said existing corporation line for the City of Columbus, Ohio, at the southeasterly corner of said 0.1010 acre tract, at a point in the westerly line of said original 1.477 acre tract and at a point in the easterly line of an original 1.5 acre tract of land conveyed to Anthony J. & Margherita D. Filichia by deed of record in Official Record 20545, Page B 15;

Thence southwestwardly along the southerly line of said 0.1010 acre tract and crossing said 1.5 acre tract a distance of approximately **93 feet** to a point in the westerly line of said 1.5 acre tract, at the northeasterly corner of a 2.8187 acre tract of land conveyed as Parcels 1 and 2 to Richard A. Capuano, Trustee, by deed of record in Instrument No. 200503210051268, at the southwestwardly corner of said 0.1010 acre tract and at the southeasterly corner of a 0.1813 acre tract of land conveyed as Parcel 17-WD to Franklin County Commissioners for right-of-way purposes by deed of record in Instrument No. 200204030083711;

Thence southwestwardly along a southerly line of said 0.1813 acre tract and along a northerly line of said 2.8187 acre tract a distance of approximately **120 feet** to a point in the west line of Parcel 2 and the east line of Parcel 1;

Thence southwestwardly along a southerly line of said 0.1813 acre tract and along a northerly line of said 2.8187 acre tract a distance of approximately **70 feet** to a point at the northwesterly corner of said 2.8187 acre tract, at the southwestwardly corner of said 0.1813 acre tract and in the east line of a one (1) acre tract of land conveyed to Joseph S. & Kerma L. Dallas by deed of record in Official Record 10907, Page B 19;

Thence northwesterly along the westerly line of said 0.1813 acre tract and along a portion of the easterly line of said one (1) acre tract a distance of approximately **40 feet** to a point at the northwesterly corner of said 0.1813 acre tract, at the northeasterly corner of said one (1) acre tract, in the northerly line of Franklin Township, in the southerly line of Norwich Township, in the northerly line of Virginia Military Survey 530, in the southerly line of Virginia Military Survey 544 and in the centerline of Trabue Road (variable width);

Thence southwestwardly along the southerly line of Norwich Township, along the northerly line of Franklin Township, along the southerly line of V.M.S. 544, along the northerly line of V.M.S. 530, along a portion of a 1.888 acre tract of land conveyed to Michael Carnevale by deed of record in Official Record 4649, Page J 05, along the southerly line of a 0.6013 acre tract of land conveyed to Hugo R. Quint, Jr. by deed of record in Instrument No. 199907090175257, along the southerly line of a 1.3987 acre tract of land conveyed as Parcel "B" to Michael J. Bellisari by deed of record in Instrument No. 200701240014495 and along the centerline of Trabue Road a distance of approximately **167 feet** to a point at the southwestwardly corner of said 1.3987 acre tract and at the southeasterly corner of a 0.494 acre tract of land conveyed to Michael A. & Ellise A. Lemon by deed of record in Instrument No. 200505190095890;

Thence northwesterly along the westerly line of said 1.3987 acre tract and along the easterly line of said 0.494 acre tract a distance of approximately **805 feet** to a point at the northwesterly corner of said 1.3987 acre tract, at the northeasterly corner of said 0.494 acre tract in the southerly line of said Lot No. 1 of Builders Place and in the existing corporation line for the City of Columbus, Ohio;

Thence northeasterly along the existing corporation line for the City of Columbus, Ohio, along a portion of the southerly line of said Lot No. 1, along the northerly lines of said 1.3987 acre tract, said 0.6013 acre tract, said 1.888 acre tract, along the northerly line of a 2.252 acre tract of land conveyed as Parcel I and Parcel II to Joseph J. & Irene M. Baljak, Co-Trustees, by deed of record in

Instrument No. 200512280272032 and along the northerly line of said 0.5865 acre tract a distance of approximately **527 feet** to the place of beginning;

Containing 10.99 acres of land more or less, of which, 10.02 acres more or less lies within Norwich Township and 0.97 acres more or less lies within Franklin Township.

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.