



## Legislation Details (With Text)

**File #:** 3290-2018      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/16/2018      **In control:** Economic Development & Small and Minority Business Committee

**On agenda:** 12/10/2018      **Final action:** 12/13/2018

**Title:** To accept the application (AN18-007) of HRM-Columbus, LLC for the annexation of certain territory containing 6± acres in Mifflin Township.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD3290-2018 AN18-007 Plat, 2. ORD3290-2018 AN18-007 Legal, 3. ORD3290-2018 AN18-007 Service Statement

| Date       | Ver. | Action By             | Action                  | Result |
|------------|------|-----------------------|-------------------------|--------|
| 12/13/2018 | 1    | ACTING CITY CLERK     | Attest                  |        |
| 12/12/2018 | 1    | MAYOR                 | Signed                  |        |
| 12/10/2018 | 1    | COUNCIL PRESIDENT     | Signed                  |        |
| 12/10/2018 | 1    | Columbus City Council | Approved                | Pass   |
| 12/3/2018  | 1    | Columbus City Council | Read for the First Time |        |

AN18-007

### BACKGROUND:

This ordinance approves the acceptance of certain territory (AN18-007) 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 July 17, 2018. City Council approved a service ordinance addressing the site on July 30, 2018. Franklin County approved the annexation on August 28, 2018 and the City Clerk received notice on September 20, 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 (AN18-007) of HRM-Columbus, LLC for the annexation of certain territory containing 6± acres in Mifflin Township.

**WHEREAS**, a petition for the annexation of certain territory in Mifflin Township was filed on behalf of HRM-Columbus, LLC on July 17, 2018; and

**WHEREAS**, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on August 28, 2018; and

**WHEREAS**, on September 20, 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 HRM-Columbus, LLC in a petition filed with the Franklin County Board of Commissioners on July 17, 2018 and subsequently approved by the Board on August 28, 2018 is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situate in the State of Ohio, County of Franklin, Township of Mifflin, and being all of Lot 2 (Parcel 191-003315) of Landmark Subdivision, as shown and delineated in Plat Book 111, Page 82, being conveyed to HRM-Columbus, LLC, by deed of record in Instrument Number 201801170006864, all of Lot 2 (Parcel 191-003316) and Lot 3 (Parcel 191-003314) of said Landmark Subdivision, being conveyed to HRM-Columbus, LLC, by deed of record in Instrument Number 2018011700068863, and being all of the dedicated right-of-way of Landmark Way, as shown and delineated in Plat Book 111, Page 82, being bounded and more particularly described as follows:

**Beginning** at the northwesterly corner of the City of Columbus corporation line, as established by Ordinance Number 0838-2011 and recorded in Instrument Number 201108290107664 and on the southerly City of Columbus corporation line, as established by Ordinance Number 1507-00, and recorded in Instrument Number 200009130184747, and being the northeasterly corner of said Lot 2, the northwesterly corner of a tract of land (Parcel 445-290474) conveyed to GEP Properties Too, LLC, by deed of record in Instrument Number 201211190175587 and on the southerly line of a tract of land (Parcel 010-255288) conveyed to The New Salem Missionary Baptist Church, by deed of record in Instrument Number 200507110135048;

Thence Southerly, a distance of approximately 1033 feet, along the said existing City of Columbus corporation line (Ord. No. 0838-2011) and the line common to said Lot 2, said GEP Properties Too, LLC tract and the easterly right-of-way of said Landmark Way, to a point, at the northeasterly corner of a 0.205 acre tract conveyed to the State of Ohio, by deed of record in Deed Book 3104, Page 562 and on the northerly right-of-way of Agler Road (right-of-way varies);

Thence Westerly, a distance of approximately 80 feet, across said Landmark Way, the southerly line of said Lot 1, the northerly line of said 0.205 acre tract and the northerly line of said Agler Road, to a point;

Thence Southwesterly, a distance of approximately 41 feet, along the southerly line of said Lot 1, the northerly line of said 0.205 acre tract and the northerly line of said Agler Road, to a point, at the northeasterly corner of a 0.096 acre tract conveyed to the Franklin County Commissioners, by deed of record in Instrument Number 200503140046144;

Thence Westerly, a distance of approximately 119 feet, along the southerly line of said Lots 1 and 3, the northerly line of said 0.096 acre tract and the northerly line of said Agler Road, to a point, at the southwest corner of said Lot 3 and on the easterly line of a tract of land (Parcel 191-002722) conveyed to Lynn T. and Doris J. Kitzmiller, Co-Trustees, by deed of record in Instrument Number 200102070025651;

Thence Northerly, a distance of approximately 1043 feet, along the line common to said Lots 2 and 3 and said Kitzmiller tract, to a point, in the said existing City of Columbus corporation line (Ord. No. 1507-00), at the northwesterly corner of said Lot 2, the northeasterly corner of said Kitzmiller tract and on the southerly line of said The New Salem Missionary Baptist Church tract;

Thence Easterly, a distance of approximately 239 feet, along the said existing City of Columbus corporation line (Ord. No. 1507-00) and the line common to said Lot 2 and said The New Salem Missionary Baptist Church tract, to the **Point of Beginning**, containing approximately 6 acres, more or less.

**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.