



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #:** 1118-2011, **Version:** 1

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### AN011-003

**BACKGROUND:** This ordinance approves the acceptance of certain territory (AN11-003) 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. Should City Council not take such action, the annexation will not take place. This petition was filed with Franklin County on March 22, 2011. City Council approved a service ordinance addressing the site on April 4, 2011. Franklin County approved the annexation on April 26, 2011 and the City Clerk received notice on May 4, 2011. The subject parcel is located within the boundaries of the 2006 Big Darby Accord Watershed Master Plan. However, because this is an existing single-family for which annexation is being requested due to septic failure, the provisions of the 2009 Darby Accord Revenue Program will not be applied at this time; the switch from a failing septic system to centralized utilities will benefit the environment and is in the spirit of the Big Darby Accord.

**FISCAL IMPACT:** The provision of municipal services does represent cost to the City; although the annexation of land has the potential to create revenue to the City.

To accept the application (AN11-003) of David R. & Diana L. Clarey for the annexation of certain territory containing .717 ± acres in Prairie Township.

**WHEREAS**, a petition for the annexation of certain territory in Prairie Township was duly filed by David R. & Diana L. Clarey on March 22, 2011; 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 April 26, 2011; 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 May 4, 2011; 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 David R. & Diana L. Clarey 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 March 22, 2011 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 April 26, 2011 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 Prairie and being a 0.717 acre tract of land in Virginia Military Survey 6636 (Auditors tax parcel 241-000886) conveyed to David R. and Diana L. Clarey as recorded in the Recorders Official Record 12345 A 01;

Beginning at the intersection of the northerly Right of Way line of Feder Road with the Southeast corner of said Clarey Tract and the Southwest corner of the property parcel #560-237837 owned by Eva Jane Douglass 6174 Feder Road as established by Ordinance #2463-96 recorded in Official Record 33782 E-17 and being an existing City of Columbus Corporation Line as established by ORD 0148-2007 and recorded in Instrument #200703140044622 and by Ordinance 2463-96 and recorded in Official Record 33782 E17;

Thence in a Westerly direction along the North Right of Way of Feder Road (AKA County Road 22) being an 80 foot Right of Way; along the Southerly line of said Clarey Tract and along said existing City of Columbus Corporation Line (ORD 0148-2007) North 86° 48' 31" West a distance of approximately 125.00 feet to the southwest corner of said Clarey tract, being the southeasterly corner of a 0.717 acre tract as conveyed to Douglas A. Bolin (Tax parcel #241-000885, 6620 Feder Rd.); (see plans for Franklin County Project: Feder Road, Section "A", County Road 22, Right of Way plan sheet 3 of 5);

Thence in a Northerly direction along a line North 4° 10' 16" East a distance of approximately 250.00 feet along the common line between said Bolin and Clarey Tracts, to the Northwest corner of said Clarey Tract, being the Northwest corner of said Bolin Tract, and being in the Southerly line of Lot 179 of Wexford Green Subdivision Sec 2 Part 1 as recorded in PB 79, Page 25;

Thence in an Easterly direction along a line South 86° 48' 31" East a distance of approximately 125 feet along the Northerly line of said Clarey Tract, along the Southerly line of Lot 179 and Lot 179 of Wexford Green Subdivision Sec 3 Part 2 as recorded in PB 80, Page 10, also along an existing City of Columbus Corporation Line as established by Ordinance 116-92 and Recorded in Official Record 19898 C02;

Then in a Southerly direction along a line South 4° 10' 16" West a distance of approximately 250 feet along the Easterly line of said Clarey Tract, along the Westerly line of said Douglass Tract, and also along said existing City of Columbus Corporation Line (Ordinance 2463-96), to the true place of beginning, containing approximately 0.717 acres, more or less.

The above description was prepared by David R. Clarey in November of 2010 from the best available county records. This information was not derived from an actual field survey. The above description is not valid for the transfer of real property, and is not to be utilized in place of a boundary survey as described by the Ohio Administrative Code in Chapter 4733-37.

**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.