



City of Columbus

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

Legislation Text

File #: 2861-2014, **Version:** 1

AN14-009

BACKGROUND: This ordinance approves the acceptance of certain territory (AN14-009) by the City of Columbus. The Ohio Revised Code stipulates that to be effective, City acceptance must take place a minimum of 60 days (but not more than 180) from the receipt by the City Clerk of the approval notice from the county. Should City Council not take such action within this timeframe, the annexation will not take place. This petition was filed with Franklin County on August 26, 2014. City Council approved a service ordinance addressing the site on September 8, 2014. Franklin County approved the annexation on September 30, 2014 and the City Clerk received notice on October 9, 2014.

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 (AN14-009) of Progressive Investments for the annexation of certain territory containing 10.534 ± acres in Truro and Madison Townships.

WHEREAS, a petition for the annexation of certain territory in Truro and Madison Townships was filed on behalf of Progressive Investments on August 26, 2014; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on September 30, 2014; and

WHEREAS, on October 9, 2014, 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 Progressive Investments in a petition filed with the Franklin County Board of Commissioners on August 26, 2014 and subsequently approved by the Board on September 30, 2014 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, Townships of Truro and Madison, being a part of Section 27, Township 12, Range 21, Refugee Lands, and a part of Section 3, Township 11, Range 21, Congress Lands, and being part

of Reserves A and B of Qualstan East, Plat Book 38, pg. 1, being 0.756 acres out of a 0.779 acre tract (Tract II) conveyed to Progressive Investments in Official Record (O.R.) 31702 J-10, all of a 0.023 acre tract conveyed to the Franklin County Commissioners in Instrument (Instr.) No. 201401160006223, 0.071 acres out of a 0.144 acre tract (5-WD) conveyed to the Franklin County Commissioners in Instr. No. 201401160006226, 0.063 acres out of a 0.113 acre tract (6-WD) conveyed to the Franklin County Commissioners in Instr. No. 201401270010498, all of a 0.006 acre tract (25-WD) conveyed to the Franklin County Commissioners in Instr. No. 201211010166120, 0.007 acres out of a 0.146 acre tract (24-WD) conveyed to the Franklin County Commissioners in Instr. No. 201301030001285, 0.202 acres out of a 0.392 acre tract (23-WD) conveyed to the Franklin County Commissioners in Instr. No. 201301100005169, all of a 0.753 acre tract (Exhibit C) conveyed to the Franklin County Commissioners in Instr. No. 201305170081770, all of a 1.841 acre tract (11-WD) conveyed to the Franklin County Commissioners in Deed Book (D.B.) 3056, pg. 377, 0.383 acres out of a 41.877 acre tract conveyed to M.H. Murphy Development Co. in Instr. No. 200201180017903, all of a 1.841 acre tract (11-WD) conveyed to the Franklin County Commissioners in D.B. 3056, pg. 383, 3.469 acres out of a 4.91 acre tract (10-WD) conveyed to the Franklin County Commissioners in D.B. 3056, pg. 377, and all of a 0.158 acre tract conveyed to Franklin County Commissioners in Instr. No. 20130107000919, Franklin County Recorders' Office;

BEGINNING at the southernmost corner of Lot 550 and the westernmost corner of Lot 549 of Qualstan East, being a corner of the said Reserve B, and being a corner of the said 0.779 acre tract;

THENCE in a easterly direction, a distance of approximately 114 feet along a south line of the said Lot 549 and of Lot 548 of the said Qualstan East, and a north line of the said 0.779 acre tract and of the said Reserve B, to a point, being a northeast corner of the said 0.779 acre tract and the northwest corner of a 3.325 acre tract conveyed to NSCO International Investment, LLC;

THENCE in a southerly direction, a distance of approximately 90 feet, along an east line of the said 0.779 acre tract and the west line of the said 3.325 acre tract, crossing the said Reserve B, to a point, being a southeast corner of the said 0.779 acre tract and the northeast corner of a 0.376 acre tract conveyed to Mustafa Shalash;

THENCE in a westerly direction, a distance of approximately 81 feet, along a south line of the said 0.779 acre tract and the north line of the said 0.376 acre tract, crossing the said Reserve B, to a point, being a corner of the said 0.779 acre tract and the northwest corner of the said 0.376 acre tract;

THENCE in a southerly direction, a distance of approximately 27 feet, along an east line of the said 0.779 acre tract and the west line of the said 0.376 acre tract, crossing the said Reserve B, to a point, being a southeast corner of the said 0.779 acre tract and the northeast corner of a 0.695 acre tract conveyed to William M. and Deborah R. Angeletti;

THENCE in a westerly direction, a distance of approximately 165 feet, along a south line of the said 0.779 acre tract and the north line of the said 0.695 acre tract, crossing the said Reserve B, to a point, being the southeast corner of the said 0.023 acre tract, and a northeast corner of a 0.114 acre tract (5-WD) conveyed to the Franklin County Commissioners, and a point in the new east right of way line of Noe-Bixby Rd. (width varies);

THENCE in a southerly direction, a distance of approximately 132 feet, along an east line of the said 0.114 acre tract and the said Noe-Bixby Rd., and crossing the said 0.695 acre tract and the said Reserve B, to a point, being a corner of the said 0.114 acre tract;

THENCE in a easterly direction, a distance of approximately 45 feet along a curve to the left, along a north line of the said 0.114 acre tract, an east line of the said Noe-Bixby Rd., and crossing the said 0.695 acre tract and the said Reserve B, to a point, being a corner of the said 0.114 acre tract and the intersection of the east line of the said Noe-Bixby Rd. and the north line of Chatterton Rd. (width variable);

THENCE in a southerly direction, a distance of approximately 121 feet, crossing the said 0.114 acre tract and the said Chatterton Rd., the said 0.695 acre tract, the said Reserves A and B, the said 0.113 acre tract, the said Reserve A, and a 0.820 acre tract conveyed to Emro Marketing Co., to a point, being a point in a south line of the said 0.113 acre tract and

of the said Chatterton Rd.;

THENCE in a westerly direction, a distance of approximately 31 feet, crossing the said 0.820 acre tract and the said Reserve A, along a south line of the said 0.113 acre tract and the said Chatterton Rd., to a point, being a corner of the said 0.113 acre tract and the intersection of the south line of Chatterton Rd. and the east line of the said Noe-Bixby Rd.;

THENCE in a southerly direction, a distance of approximately 36 feet, crossing the said 0.820 acre tract and the said Reserve A, along an east line of the said 0.113 acre tract and of the said Noe-Bixby Rd., to a point, being a corner of the said 0.113 acre tract;

THENCE in a southerly direction, a distance of approximately 122 feet, crossing the said 0.820 acre tract and the said Reserve A, along an east line of the said 0.113 acre tract and of the said Noe-Bixby Rd., to a point, being the southeast corner of the said 0.113 acre tract, the northeast corner of the said 0.006 acre tract, and a point in the south line of the said 0.820 acre tract and in the north line of a 0.517 acre tract conveyed to Mark A. and Annette K. Heatwole;

THENCE in a southerly direction, a distance of approximately 52 feet, crossing the said 0.517 acre tract and the said Reserve A, along the east line of the said 0.006 acre tract and of the said Noe-Bixby Rd., to a point, being the southernmost corner of the said 0.006 acre tract, and a point in the west line of the said Reserve A and the said 0.517 acre tract;

THENCE in a southerly direction, a distance of approximately 4 feet, along the west line of the said 0.517 acre tract and the said Reserve A, and the east line of the said Noe-Bixby Rd., to a point, being a corner of the said 0.517 acre tract and the said Reserve A;

THENCE in a southerly direction, a distance of approximately 62 feet along a curve to the right, along the west line of the said 0.517 acre tract and the said Reserve A, along an east line of the said 0.146 acre tract and of the said Noe-Bixby Rd., crossing a 2.00 acre tract conveyed to Madison Township, to a point;

THENCE in a westerly direction, a distance of approximately 896 feet, crossing the said 2.00 acre tract, the said Noe-Bixby Rd., and the said 0.146 acre tract, along the north line of the said 0.392 acre tract, crossing the said 41.877 acre tract, along the south right of way line of Refugee Rd. (width variable), and the corporation line of the City of Columbus, Ordinance (Ord.) No. 2116-00, Instr. No. 200103150052490, P.B. 96, pg. 77, to a point, being a corner of the said 41.877 acre tract and a southeast corner of the said 1.841 acre tract;

THENCE in a westerly direction, a distance of approximately 219 feet, along a south line of the said 1.841 acre tract and of the said Refugee Rd., and a north line of the said 41.877 acre tract and of the said corporation line in P.B. 96, pg. 77, to a point, being a corner of the said 1.841 acre tract and of the said 41.877 acre tract;

THENCE in a westerly direction, a distance of approximately 255 feet, along a south line of the said 1.841 acre tract and of the said Refugee Rd., and a north line of the said 41.877 acre tract and of the said corporation line in P.B. 96, pg. 77, to a point, being a corner of the said 1.841 acre tract and of the said 41.877 acre tract;

THENCE in a westerly direction, a distance of approximately 776 feet, along a south line of the said 1.841 acre tract and of the said Refugee Rd., and the north line of the said 41.877 acre tract and of the said corporation line in P.B. 96, pg. 77, and along a north line of a 6.081 acre tract conveyed to the City of Columbus, to a point, being the southeast corner of the said 1.841 acre tract, a northwest corner of the said 6.081 acre tract, a point in the centerline of Walnut Creek and on an east line of a 9.084 acre tract (Parcel I) conveyed to Brookside Manor, LLC, and a point in a corporation line of the City of Columbus, Ord. No. 230-70, Miscellaneous Record (M.R.) 149, pg. 583;

THENCE in a northerly direction, a distance of approximately 71 feet, along the west line of the said 1.841 acre tract and the said corporation line, and the corporation line of the City of Columbus, Ord. No. 1166-57, M.R. 105, pg. 220, crossing the said Refugee Rd., to a point, being the northwest corner of the said 1.841 acre tract and the southwest corner of the said 4.91 acre tract, being a point in the township line between Madison and Truro;

THENCE in a northerly direction, a distance of approximately 72 feet, crossing the said 4.91 acre tract and the said Refugee Rd., and along the said corporation line and the centerline of the said Walnut Creek, and the corporation line of the City of Columbus, Ord. No. 1166-57, M.R. 105, pg. 220, to a point, being a point in a north line of the said 1.841 acre tract and the said Refugee Rd., and in a south line of a 138.629 acre tract conveyed to the City of Columbus and of a corporation line of the City of Columbus, Ord. No. 2159-93, O.R. 24650 F-08;

THENCE in a easterly direction, a distance of approximately 1044 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., and a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract and of the said 138.629 acre tract;

THENCE in a easterly direction, a distance of approximately 180 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract and of the said 138.629 acre tract;

THENCE in a easterly direction, a distance of approximately 220 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract and of the said 138.629 acre tract;

THENCE in a easterly direction, a distance of approximately 246 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract and of the said 138.629 acre tract;

THENCE in a easterly direction, a distance of approximately 102 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract, a southeast corner of the said 138.629 acre tract, the southwest corner of a 0.848 acre tract (Parcel 1, deed calc.) conveyed to Tarik Hamed, the northwest corner of a 0.055 acre tract (Parcel 2, deed calc.) conveyed to Tarik Hamed, and a northwest corner of the said 0.158 acre tract and the southwest corner of the said 0.055 acre tract;

THENCE in a easterly direction, a distance of approximately 58 feet, along a north line of the said 0.158 acre tract and the said Refugee Rd., and a south line of the said 0.055 acre tract, to a point, being a corner of the said 0.158 acre tract and of the said 0.055 acre tract;

THENCE in a easterly direction, a distance of approximately 89 feet, along a north line of the said 0.158 acre tract and the said Refugee Rd., and a south line of the said 0.055 acre tract, to a point, being a corner of the said 0.158 acre tract and the southeast corner of the said 0.055 acre tract;

THENCE in a northerly direction, a distance of approximately 63 feet along a curve to the left, along a line of the said 0.158 acre tract and the said Refugee Rd., and along the east line of the said 0.055 acre tract and an east line of the said 0.848 acre tract, to a point, being a corner of the said 0.158 acre tract, a southeast corner of the said 0.848 acre tract, and the intersection of the north line of the said Refugee Rd. and the west line of the said Noe-Bixby Rd.;

THENCE in a northerly direction, a distance of approximately 177 feet, along a west line of the said 0.158 acre tract and of the said Noe-Bixby Rd., and an east line of the said 0.848 acre tract, to a point, being the northwest corner of the said 0.158 acre tract, the northeast corner of the said 0.848 acre tract, in a south line of the said 138.629 acre tract, and in the said corporation line in O.R. 24650 F-08;

THENCE in a easterly direction, a distance of approximately 95 feet, along a north line of the said 0.158 acre tract, a south line of the said 138.629 acre tract, and the said corporation line in O.R. 24650 F-08, crossing the said Noe-Bixby Rd., to a point in the west line of the said 0.023 acre tract, the said Reserve B, and the said 0.779 acre tract, and in the old east line of the said Noe-Bixby Rd.;

THENCE in a northerly direction, a distance of approximately 40 feet, along a west line of the said 0.779 acre tract, of the said 0.023 acre tract, and of the said Reserve B, along the said old east right of way line and an east line of the said existing corporation line in O.R. 24650 F-08, to a point, being a northwest corner of the said 0.779 acre tract, the northwest corner of the said 0.023 acre tract, and the southwest corner of a 0.030 acre tract (27-WD) conveyed to the Franklin County Commissioners;

THENCE in a easterly direction, a distance of approximately 125 feet, along a north line of the said 0.779 acre tract, the north line of the said 0.023 acre tract, the south line of the said 0.030 acre tract, the south line of a 0.373 acre tract conveyed to 612 S. Sandusky St. LLC and Amer Alahmed,, crossing the said Reserve B, to a point, being a corner of the said 0.779 acre tract and the southeast corner of the said 0.373 acre tract;

THENCE in a northerly direction, a distance of approximately 130 feet, along a west line of the said 0.779 acre tract and the east line of the said 0.373 acre tract, crossing the said Reserve B, to a point, being a northwest corner of the said 0.779 acre tract, the northeast corner of the said 0.373 acre tract, a point in the south line of a 0.376 acre tract (Tract I) conveyed to Progressive Investments, and a point on a south line of the said corporation line in O.R. 24650 F-08;

THENCE in a easterly direction, a distance of approximately 45 feet, along a north line of the said 0.779 acre tract, the south line of the said 0.376 acre tract, and a south line of the said corporation line in O.R. 24650 F-08, to a point, being a northeast corner of the said 0.779 acre tract, the southeast corner of the said 0.376 acre tract, a southeast corner of the said corporation line in O.R. 24650 F-08, and a point in an east line of the said Reserve B and in the west line of the said Lot 550;

THENCE in a southerly direction, a distance of approximately 38 feet, along a east line of the said 0.779 acre tract and of the said Reserve B, and the west line of the said Lot 550, to the Point of Beginning, containing an area of 458,863 square feet or 10.534 acres to be annexed, of which 0.756 acres is out of the said 0.779 acre tract, all of the said 0.023 acre tract, 0.071 acres is out of the said 0.144 acre tract, 0.063 acres is out of the said 0.113 acre tract, all of the said 0.006 acre tract, 0.007 acres is out of the said 0.146 acre tract, 0.202 acres is out of the said 0.392 acre tract, all of the said 0.753 acre tract, all of a 1.841 acre tract, 0.383 acres out of the said 41.877 acre tract, all of the said 1.841 acre tract, 3.469 acres is out of the said 4.91 acre tract and all of a 0.158 acre tract;

The area to be annexed out of Madison Township (Section 3) is 2.474 acres and out of Truro Township (Section 27) is 8.060 acres.

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.