



## Legislation Details (With Text)

**File #:** 1189-2008      **Version:** 1

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

**File created:** 6/30/2008      **In control:** Development Committee

**On agenda:** 7/21/2008      **Final action:** 7/23/2008

**Title:** To accept the application (AN08-005) of David E. White for the annexation of certain territory containing 11.3 ± Acres in Mifflin Township.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1189-2008 AN08-005 Service Statement.pdf, 2. ORD1189-2008 AN08-005 Map.pdf

Date	Ver.	Action By	Action	Result
7/23/2008	1	CITY CLERK	Attest	
7/22/2008	1	MAYOR	Signed	
7/21/2008	1	Columbus City Council	Approved	
7/21/2008	1	COUNCIL PRESIDENT	Signed	
7/14/2008	1	Columbus City Council	Read for the First Time	
6/30/2008	1	Dev Drafter	Sent for Approval	
6/30/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
6/30/2008	1	Dev Drafter	Sent for Approval	
6/30/2008	1	CITY ATTORNEY	Reviewed and Approved	
6/30/2008	1	Dev Drafter	Sent to Clerk's Office for Council	

### AN08-005

**BACKGROUND:** An annexation petition for 11.3 acres in Mifflin Township (AN08-005) was filed with Franklin County on March 19, 2008. City Council approved a service ordinance for this site on March 31, 2008. The Franklin County Commissioners approved the annexation on April 22, 2008. More than 60 days have elapsed since May 11, 2008, when the transcript of proceedings approving the annexation was received by the City Clerk. This timeframe is required by the Ohio Revised Code. City Council's acceptance of the annexation is the final legislative step in the annexation process.

These are submitted in accordance with the Ohio Revised Code.

**FISCAL IMPACT:** Provision of the municipal services does represent a cost to the City, however the annexation of land also has the potential to create revenue to the City.

To accept the application (AN08-005) of David E. White for the annexation of certain territory containing 11.3 ± Acres in Mifflin Township.

**WHEREAS**, a petition for the annexation of certain territory in Mifflin Township was duly filed by on behalf of David E. White on March 19, 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 April 22, 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 May 11, 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 David E. White 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 March 19, 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 April 22, 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 Mifflin, located in Quarter Townships 3 and 4, Township 1, Range 17, United States Military Lands, being all of the 0.133 acre tract conveyed as Parcel 27WD to Franklin County Commissioners by deed of record in Instrument Number 200407090159978, all of the 0.133 acre tract conveyed as Parcel 26WD to Franklin County Commissioners by deed of record in Instrument Number 200407210169344, all of the 0.133 acre tract conveyed as Parcel 25WD to Franklin County Commissioners by deed of record in Instrument Number 200406300152468, all of the 0.145 acre tract conveyed as Parcel 24WD by deed of record in Instrument Number 200406300152467, part of the 0.454 acre tract conveyed as Parcel 23WD to Franklin County Commissioners by deed of record in Instrument Number 200406300152466, part of the 0.399 acre tract conveyed as Parcel 21WD to Franklin County Commissioners by deed of record in Instrument Number 200406300152465, part of the 0.133 acre tract conveyed as Parcel 20WD to Franklin County Commissioners by deed of record in Instrument Number 200410260247435, part of the 0.399 acre tract conveyed as Parcel 18WD to Franklin County Commissioners by deed of record in Instrument Number 200410260247434, part of the 0.133 acre tract conveyed as Parcel 17WD to Franklin County Commissioners by deed of record in Instrument Number 200407210169330, part of the 0.133 acre tract conveyed as Parcel 16WD to Franklin County Commissioners by deed of record in Instrument Number 200407230171156, part of the 0.266 acre tract conveyed as Parcel 15WD to Franklin County Commissioners by deed of record in Instrument Number 200503230053539, all of the 0.266 acre tract conveyed as Parcel 14WD to Franklin County Commissioners by deed of record in Instrument Number 200407230171159, part of the 0.133 acre tract conveyed as Parcel 13WD to Franklin County Commissioners by deed of record in Instrument Number 200407090159942, all of the 2.113 and 2.112 acre tracts conveyed as Parcels 1 and 2 to David E. White by deed of record in Official Record 21002 E02, part of the 2.119 acre tract conveyed to I-670/Stelzer Road Limited Partnership by deed of record in Official Record 16546 A12, part of U.S. Route 62 as shown on plans FRA 62-19.06, all of the 0.165 acre tract conveyed as Parcel 1WD to Franklin County Commissioners by deed of record in Instrument Number 200406300152460, all of the 0.093 acre tract conveyed as Parcel 2WD to Franklin County Commissioners by deed of record in Instrument Number 200407210169345, all of the 0.093 acre tract conveyed as Parcel 3WD to Franklin County Commissioners by deed of record in Instrument Number 200504250076436, all of the 0.186 acre tract conveyed as Parcel 4WD to Franklin County Commissioners by deed of record in Instrument Number 200408120188058, all of the 0.186 acre tract conveyed as Parcel 5WD to Franklin County Commissioners by deed of record in Instrument Number 200406300152461, all of the 0.093 acre tract conveyed as Parcel 6WD to Franklin County Commissioners by deed of record in Instrument Number 200406300152462, all of the 0.093 acre tract conveyed as Parcel 7WD to Franklin County Commissioners by deed of record in Instrument Number 200406300152463, all of the 0.186 acre tract conveyed as Parcel 8WD to Franklin County Commissioners by deed of record in Instrument Number 200408120188056, all of the 0.186 acre tract conveyed as Parcel 9WD to Franklin County Commissioners by deed of record in Instrument Number 200501190011680, all of the 0.372 acre tract conveyed as Parcel 10WD to Franklin County Commissioners by deed of record in Instrument Number 200406300152464, part of Stelzer Road as dedicated in Plat Book 18, Page 18, All of the 0.026 acre tract conveyed as Parcel 29WD to Franklin County Commissioners by deed of record in

Instrument Number 200406300152475, all of the 0.023 acre tract conveyed as Parcel 30WD to Franklin County Commissioners by deed of record in Instrument Number 200411170263682, all of the 0.034 acre tract conveyed as Parcel 31WD to Franklin County Commissioners by deed of record in Instrument Number 200407090159974, all of the 0.034 acre tract conveyed as Parcel 32WD to Franklin County Commissioners by deed of record in Instrument Number 200406300152477 and all of the 0.023 acre tract conveyed as Parcel 33WD to Franklin County Commissioners by deed of record in Instrument Number 200409280226294 (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly bounded and described as follows:

BEGINNING at the northwesterly corner of said 2.113 acre tract, at the intersection of the existing City of Columbus Corporation Line, as established by Ordinance Number 2092-88, of record in Official Record 12531 H06 and the existing City of Columbus Corporation Line, as established by Ordinance Number 1761-89, of record in Official Record 14095 F01;

Thence easterly, a distance of approximately 890 feet, with the northerly line of said 2.113 acre tract, with said existing City of Columbus Corporation Line (1761-89), to an angle point in said existing City of Columbus Corporation Line (1761-89);

Thence northerly, a distance of approximately 100 feet across said Parcel 13WD, with said existing City of Columbus Corporation Line (1761-89), to the northerly line of said Parcel 13WD, being an angle point in said existing City of Columbus Corporation Line (1761-89);

Thence westerly, a distance of approximately 18 feet, with the northerly line of said Parcel 13WD, with said existing City of Columbus Corporation Line (1761-89), to the northwesterly corner of said Parcel 13WD, being in the westerly right-of-way line of Stelzer Road;

Thence northerly, a distance of approximately 199 feet, with the westerly line of said Parcel 14WD, being the westerly right-of-way line of Stelzer Road, to the northwesterly corner of said Parcel 14WD, being in said existing City of Columbus Corporation Line (2092-88);

Thence easterly, a distance of approximately 18 feet, with the northerly line of said Parcel 14WD being said existing City of Columbus Corporation Line (2092-88) to an angle point in said existing City of Columbus Corporation Line (2092-88);

Thence northerly, a distance of approximately 1099 feet, across said Parcels 15WD, 16WD, 17WD, 18WD, 20WD and 21WD, with said existing City of Columbus Corporation Line (2092-88) and with the existing City of Columbus Corporation Lines, as established by Ordinance Numbers 988-90, 2003-84, 701-79, of record in Official Record 15206 D02, Official Record 5074 D12, and Miscellaneous Record 172, Page 135, to a point in the northerly line of said Parcel 21WD, being an angle point in said existing City of Columbus Corporation Line (701-79);

Thence westerly, a distance of approximately 5 feet, with the northerly line of said Parcel 21WD, with said existing City of Columbus Corporation Line (701-79), to an angle point in the existing City of Columbus Corporation Line, as established by Ordinance Number 309-97, of record in Instrument Number 199710310131755;

Thence northerly, a distance of approximately 400 feet, partially with the westerly line of said Parcel 23WD and partially across said Parcel 23WD, with said existing City of Columbus Corporation Line (309-97) and with said Existing City of Columbus Corporation Line, as established by Ordinance Number 430-99, of record in Instrument Number 199909130232254, to a point in the northerly line of said Parcel 23WD, being an angle point in said existing City of Columbus Corporation Line (430-99);

Thence westerly, a distance of approximately 18 feet, with the northerly line of said Parcel 23WD and with said existing City of Columbus Corporation Line (430-99) to a point at the northwesterly corner of said Parcel 23WD, being in the westerly right-of-way line of said Stelzer Road;

Thence northerly, a distance of approximately 100 feet, with the westerly line of said Parcel 24WD, being the westerly right-of-way line of Stelzer Road, to the northwesterly corner of said Parcel 24WD;

Thence easterly, a distance of approximately 5 feet, with the northerly line of said Parcel 24WD, to a point in the westerly right-of-way line of Stelzer Road;

Thence northerly, a distance of approximately 300 feet, with the westerly lines of said Parcels 25WD, 26WD and 27WD, being the westerly right-of-way line of Stelzer Road, to the northwesterly corner of said Parcel 27WD, being in the existing City of Columbus Corporation Line, as established by Ordinance Number 0043-2007, of record in Instrument Numbers 200705150084538 and 200705150084542;

Thence easterly, a distance of approximately 58 feet with the northerly line of said Parcel 27WD and with said existing City of Columbus Corporation Line (0043-2007), to the northeasterly corner of said Parcel 27WD;

Thence easterly, a distance of approximately 30 feet, across the right-of-way of said Stelzer Road, with said existing City of Columbus Corporation Line (0043-2007), to the northwesterly corner of said Parcel 33WD;

Thence easterly, a distance of approximately 10 feet, with the northerly line of said Parcel 33WD and with said existing City of Columbus Corporation Line (0043-2007), to the northeasterly corner of said Parcel 33WD;

Thence southerly, a distance of approximately 713 feet, with the easterly lines of said Parcels 33WD, 32WD, 31WD, 30WD and 29WD, being the easterly right-of-way line of said Stelzer Road, to the southeasterly corner of said Parcel 29WD;

Thence easterly, a distance of approximately 5 feet, with the northerly line of said Parcel 10WD, to the northeasterly corner of said Parcel 10WD;

Thence southerly, a distance of approximately 1441 feet, with the easterly lines of said Parcels 10WD, 9WD, 8WD, 7WD, 6WD, 5WD, 4WD, 3WD and 2WD, being the easterly right-of-way line of Stelzer Road, to the southeasterly corner of said Parcel 2WD;

Thence westerly, a distance of approximately 5 feet, with the southerly line of said Parcel 2WD, to the northeasterly corner of said Parcel 1WD, being in the easterly right-of-way line of Stelzer Road;

Thence southerly, a distance of approximately 453 feet, with the easterly line of said Parcel 1WD, being the easterly right-of-way line of Stelzer Road and across said U.S. Route 62, to a point;

Thence westerly, a distance of approximately 163 feet, with the extension of the southerly line of said 2.119 acre tract, continuing across said U.S. Route 62, to a point being 221.67 feet left of the centerline of said U.S. Route 62;

Thence southwesterly, a distance of approximately 717 feet, with a line that is 221.67 feet left of and parallel to the centerline of said U.S. Route 62, continuing across said U.S. Route 62, to a point in the northwesterly limited access right-of-way line of said U.S. Route 62, at the common corner of the 7.868 acre tract conveyed to Midwest Car Corporation by deed of record in Instrument Number 200609260192436 and the tract forfeited to the State of Ohio of record in Official Record 26648 H17 (Case Number 93CVE08-5752)(Serial Number 1065), being 221.67 feet left of the centerline of said U.S. Route 62, in said existing City of Columbus Corporation Line (2092-88);

Thence with the northwesterly limited access right-of-way line of said U.S. Route 62, being said existing City of Columbus Corporation Line (2092-88), the following courses and distances:

Northeasterly, a distance of approximately 254 feet, to a point;

Northwesterly, a distance of approximately 32 feet, to a point;

Northerly, a distance of approximately 91 feet, to a point;

Easterly, a distance of approximately 164 feet, to a point;

Thence northeasterly, a distance of approximately 454 feet, with the northwesterly limited access right-of-way line of said U.S. Route 62, being said existing City of Columbus Corporation Lines (2092-88) (992-90), to a point;

Thence easterly, a distance of approximately 20 feet, with a southerly line of said 2.119 acre tract, and with said existing City of Columbus Corporation Line (992-90), to an angle point in said existing City of Columbus Corporation Line (992-90);

Thence northerly, a distance of approximately 47 feet, across said 2.119 acre tract and with said existing City of Columbus Corporation Line (992-90), to a point in the northerly line of said 2.119 acre tract, being an angle point in said existing City of Columbus Corporation Line (992-90);

Thence westerly, a distance of approximately 890 feet, with the southerly line of said 2.112 acre tract, with said existing City of Columbus Corporation Lines (992-90) and (2092-88), to the southwesterly corner of said 2.112 acre tract, being an angle point in said existing City of Columbus Corporation Line (2092-88);

Thence northerly, a distance of approximately 199 feet, with the westerly line of said 2.112 and 2.113 acre tracts, with said existing City of Columbus Corporation Line (2092-88), to the POINT OF BEGINNING, containing approximately 11.3 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.