



Legislation Details (With Text)

File #: 1567-2015 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/8/2015 **In control:** Development Committee

On agenda: 7/13/2015 **Final action:** 7/16/2015

Title: To accept the application (AN15-005) of Warren and Carolyn Roberts for the annexation of certain territory containing 13.87 ± acres in Plain Township; and to authorize the submission of a petition to the Board of Commissioners of Franklin County, Ohio, requesting a change in the boundary lines of Montgomery Township so as to make them identical with the corporate boundaries of the City of Columbus for this annexation.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1567-2015 AN15-005 Service Statement, 2. ORD1567-2015 AN15-005 Map

Date	Ver.	Action By	Action	Result
7/16/2015	1	CITY CLERK	Attest	
7/15/2015	1	MAYOR	Signed	
7/13/2015	1	COUNCIL PRESIDENT	Signed	
7/13/2015	1	Columbus City Council	Approved	Pass
6/22/2015	1	Columbus City Council	Read for the First Time	

AN15-005

BACKGROUND: This ordinance approves the acceptance of certain territory (AN15-005) by the city of Columbus and authorizes its transfer from Plain Township to Montgomery Township per an annexation agreement between the City and Plain Township. The Ohio Revised Code (ORC) 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 April 2, 2015. The Board of Commissioners approved the annexation on April 14, 2015 and the City Clerk received notice on April 22, 2015. No service ordinance was required because this annexation was filed as a Type 1 application as defined by the ORC. Although not required, a service statement reflecting the City's ability to provide services for this site upon annexation is attached.

The use of a Type 1 annexation application is stipulated in the annexation agreement between the City and Plain Township. The annexation agreement also requires that territory annexed to the City from Plain Township be transferred to Montgomery Township. This ordinance authorizes the submission of a petition to the Franklin County Board of Commissioners, requesting that the boundary lines of Montgomery Township be changed to make them identical with the corporate limits of the city of Columbus for this annexation. The petition will be filed in accordance with Section 503.07 of the ORC. The subject site is also located within the City's Northeast Pay-As-We-Grow (PAWG) area and if developed will be subject to PAWG funding mechanisms applicable to the area.

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 (AN15-005) of Warren and Carolyn Roberts for the annexation of certain territory containing 13.87 ± acres in Plain Township; and to authorize the submission of a petition to the Board of Commissioners of Franklin County, Ohio, requesting a change in the boundary lines of Montgomery Township so as to make them identical with the corporate boundaries of the City of Columbus for this annexation.

WHEREAS, a petition for the annexation of certain territory in Plain Township was filed on behalf of Warren and Carolyn Roberts on April 2, 2015; and

WHEREAS, while a service ordinance is not required for this type of annexation, the City did conduct a review of the proposed annexation to determine what services would be available to the site upon annexation, the results of which are reflected in the attached service statement; and

WHEREAS, the proposed annexation site is located within the City's Northeast Pay-As-We-Grow (PAWG) area and is subject to the provisions of this program; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on April 14, 2015; and

WHEREAS, on April 22, 2015, 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; and

WHEREAS, the annexation agreement between Plain Township and the City of Columbus requires the City to transfer territory annexed from Plain Township to the city of Columbus and to conform the boundaries of Montgomery Township to make them identical with the corporate limits of the city; **now, therefore**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the annexation proposed by Warren and Carolyn Roberts in a petition filed with the Franklin County Board of Commissioners on April 2, 2015 and subsequently approved by the Board on April 14, 2015 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 Plain, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of that 14.105 acre tract conveyed to Warren W. Roberts and Carolyn M. Roberts by deed of record in Official Records 7620D04 and 11254A18, and that 0.304 acre tract conveyed to City of Columbus, Ohio by deed of record in Instrument Number 201502040014476, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

BEGINNING at an angle point in the northerly right-of-way line of said Morse Road, being in the line common to said 0.304 acre tract and that 26.445 acre tract conveyed to Villages at Preserve Crossing, Ltd. by deed of record in Instrument Number 201312100202907, being an angle point in the existing City of Columbus Corporation Line as

established by Ordinance Number 639-89, of record in Official Record 13294D07 and in the existing City of Columbus Corporation Line as established by Ordinance Number 1988-04, of record in Instrument Number 200503020037387;

Thence Northerly, with the westerly line of said 0.304 and 14.105 acre tracts, the easterly line of said 26.445 acre tract, partially with said northerly right-of-way line, and with said existing Corporation Line (639-89), a distance of approximately 1777 feet to a point;

Thence Easterly, continuing with said common line and said Corporation Line (639-89), a distance of approximately 340 feet to a point at a northwesterly corner of that 27.572 acre tract conveyed to Albany Glen, LLC by deed of record in Instrument Number 201304190065175;

Thence Southerly, with the easterly line of said 14.105 and 0.304 acre tracts, the westerly line of said 27.572 acre tract and that 0.945 acre tract conveyed to City of Columbus, Ohio by deed of record in Instrument Number 201304050056010, partially with said northerly right-of-way line, and with said Corporation Line (639-89), a distance of approximately 1778 feet to an angle point in said existing Corporation Line (639-89), being in said existing Corporation Line (1988-04);

Thence Westerly, across said 0.304 acre tract, with said existing Corporation Line (1988-04), a distance of approximately 340 feet to the POINT OF BEGINNING, containing 13.87 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 pursuant to the provisions of Section 503.07 of the Ohio Revised Code the Director of the Department of Development be and is hereby authorized and directed on behalf of the City of Columbus to present to the Board of Commissioners of Franklin County, Ohio, a petition requesting such changes in and extensions of the boundary lines of Montgomery Township as may be necessary so that said township may include therein that portion of Plain Township, which by the order of the Board of County Commissioners of Franklin County, Ohio, on April 14, 2015 was approved for annexation to the city of Columbus, so as to make the boundaries of Montgomery Township co-extensive with the corporate limits of the said city of Columbus in accordance with the maps attached to said petition.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.