



## Legislation Details (With Text)

**File #:** 2312-2017      **Version:** 1

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

**File created:** 8/28/2017      **In control:** Economic Development Committee

**On agenda:** 9/18/2017      **Final action:** 9/20/2017

**Title:** To accept the application (AN17-004) of Thomas & Patricia Hawkins for the annexation of certain territory containing 0.47± acres in Prairie 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. ORD2312-2017 AN17-004 Service Statement, 2. ORD2312-2017 AN17-004 Plat Map, 3. ORD2312-2017 AN17-004 Legal Description

Date	Ver.	Action By	Action	Result
9/20/2017	1	CITY CLERK	Attest	
9/19/2017	1	MAYOR	Signed	
9/18/2017	1	COUNCIL PRESIDENT	Signed	
9/18/2017	1	Columbus City Council	Approved	Pass
9/11/2017	1	Columbus City Council	Read for the First Time	

### BACKGROUND:

This ordinance approves the acceptance of certain territory (AN17-004) by the city of Columbus and authorizes its transfer from Prairie Township to Montgomery Township per an annexation agreement between the City and the property owners. 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 March 15, 2017. City Council approved a service ordinance addressing the site on March 27, 2017. Franklin County approved the annexation on May 23, 2017 and the City Clerk received notice on June 26, 2017.

The use of a Regular annexation application is stipulated in the annexation agreement between the City and the property owners. The agreement was authorized by City Council via ordinance 0601-2017, approved March 13, 2017. The annexation agreement also requires that territory (as described in the agreement) annexed to the City from Prairie 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.

### 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. Ordinance 0601-2017 authorized a pre-annexation agreement between the City and property owner. This agreement addresses City payment to the Township as required by the ORC upon boundary conformance and subsequent reimbursement by the property owners.

To accept the application (AN17-004) of Thomas & Patricia Hawkins for the annexation of certain territory containing 0.47± acres in Prairie 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 Prairie Township was filed by Thomas & Patricia Hawkins on March 15, 2017; and

**WHEREAS**, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on May 23, 2017; and

**WHEREAS**, on June 26, 2017, 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 Thomas & Patricia Hawkins in a petition filed with the Franklin County Board of Commissioners on March 15, 2017 and subsequently approved by the Board on May 23, 2017 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, in the County of Franklin, the Township of Prairie, and bounded and described as follows:

Situated in the Virginia Military Survey No. 6636, Prairie Township, Franklin County, Ohio. Being part of a 0.506 acre tract as conveyed to Thomas E. Hawkins and Patricia A. Hawkins by deed as shown of record in O.R. 13638 I10, Franklin County Ohio records, and more particularly described as follows:

Beginning at the intersection of the existing Westerly right of way line at Doherty Rd. (being established as a 15 foot right of way easement west of the centerline of said Doherty Rd,) and also being the a westerly line of an existing City of Columbus Corporation line by Ordinance No. 0017-2004; Instrument No.200403110053679, and the Southerly line of the aforementioned 0.506 acre Hawkins tract;

Thence, in a Westerly direction, a distance of approximately 195 feet along the Southern line of the previously mentioned 0.506 acre Hawkins tract, and the North line of the Rebecca M. Doss tract (P.N. 245-287496 Instrument No.199903240072739), being also along a northerly line of an existing City of Columbus Corporation line, as established by Ordinance 1357-2008 and recorded in Instrument No.200810060148922, to the southwest comer of said 0.506 acre tract;

Thence, in a Northerly direction, a distance of approximately 105 feet along the Western line of the said 0.506 Hawkins tract, and the Easterly line of the lots numbered: Lot# 39, as conveyed to Jeffrey A. Perlic on March 2, 1995, P.N. 560-226526; Lot# 40, as conveyed to Jonna S. Cowgill on May 3, 2006, P.N. 560-226527; of the Thornapple Grove Subdivision Plat, as recorded in Plat Book 79, Page 23, Section 1, Part 2; and also being along an existing City of Columbus Corporation line as established by Ordinance 830-79 and recorded in Misc. Records Book 174 pg 439, to the northwest comer of said 0.506 acre tract;

Thence, in an Easterly direction, a distance of approximately 195 feet along the common line of the previously mentioned 0.506 acre Hawkins tract and the Southern line of the 0.506 acre tract conveyed to Delbert C Holley and Barbara S. Holley, Parcel No. 241-000074, Instrument No.200209060221355, to the existing westerly right of way line of said

Doherty Road, and also the said existing City of Columbus Corporation line;

Thence in a Southerly direction, a distance of approximately 105 feet along the Westerly right of way line of Doherty Rd. (Doherty Rd. being approximately 45 feet wide containing a 15 foot easement) and also being along the said existing City of Columbus Corporation line, to the TRUE PLACE OF BEGINNING, containing 0.470 acres, more or less, to be annexed from Prairie Township, to the City of Columbus.

The above description was prepared by Thomas E. Hawkins, on March 14, 2017, by using 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 defined 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 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 Prairie Township, which by the order of the Board of County Commissioners of Franklin County, Ohio, on May 23, 2017 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.