



Legislation Details (With Text)

File #: 1737-2018 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/13/2018 **In control:** Economic Development & Small and Minority Business Committee

On agenda: 7/9/2018 **Final action:** 7/12/2018

Title: To accept the application (AN18-003) of Agler Properties LLC for the annexation of certain territory containing 3.814± acres in Mifflin Township.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1737-2018 AN18-003 Plat, 2. ORD1737-2018 AN18-003 Legal, 3. ORD1737-2018 AN18-003 Service Statement

Date	Ver.	Action By	Action	Result
7/12/2018	1	CITY CLERK	Attest	
7/11/2018	1	MAYOR	Signed	
7/9/2018	1	COUNCIL PRESIDENT	Signed	
7/9/2018	1	Columbus City Council	Approved	Pass
6/25/2018	1	Columbus City Council	Read for the First Time	

AN18-003

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN18-003) by the city of Columbus. 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 February 20, 2018. City Council approved a service ordinance addressing the site on March 05, 2018. Franklin County approved the annexation on March 27, 2018 and the City Clerk received notice on April 25, 2018.

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 (AN18-003) of Agler Properties LLC for the annexation of certain territory containing 3.814± acres in Mifflin Township.

WHEREAS, a petition for the annexation of certain territory in Mifflin Township was filed on behalf of Agler Properties LLC on February 20, 2018; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on March 27, 2018; and

WHEREAS, on April 25, 2018, 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 Agler Properties LLC in a petition filed with the Franklin County Board of Commissioners on February 20, 2018 and subsequently approved by the Board on March 27, 2018 is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situated in Quarter Township 1, Township 1 North, Range 17 West, United State Military Lands, located in the Mifflin Township, County of Franklin and State of Ohio.

Being the tract of land described to Agler Properties, LLC, an Ohio Limited Liability Company in Instrument Number 201407010083489 of the Franklin County Recorders' Office, Franklin County, Ohio.

Commencing at Franklin County Geodetic Survey Monument 4458, located in the centerline of Agler Road, 0.28 miles east of Steltzer Road;

Thence North 86 degrees 17 minutes 49 seconds West (N 86°17'49" W), along the centerline of Agler Road, a distance of 993.30 feet (993.30') to a point at the southwesterly corner of a 0.146-acre tract of land described as Parcel 87WD to the Franklin County Commissioners in Official Record 07596 F-03;

Thence leaving the centerline of said Agler Road, North 03 degrees 31 minutes 15 seconds East (N 03°31'15" E), along the westerly line of said 0.146 acre tract and a 0.037 acre tract of land described as Parcel 91WD to the Franklin County Commissioners in Instrument Number 200409280226315, and the easterly line of a 0.184 acre tract of land described as Parcel 83WD, Take Two to the Franklin County Commissioners in Official Record 07628 A-08, and the easterly line of a 0.046 acre tract of land described as parcel 65WD2 to the Franklin County Commissioners in Instrument Number 200407090159970, a distance of 50.00 feet (50.00') to a 5/8 inch diameter steel rebar w/ cap inscribed "Franklin County Engineer", found and held, on the northerly right of way line of said Agler Road at the southeasterly corner of a 2.000 acre tract of land described to Paul S. Lawrence Memorial Post 9857, Veterans of Foreign Wars of the U.S., an Ohio Non-Profit Corporation, being the **Point of Beginning** of the tract herein described;

Thence leaving the said northerly right of way line, North 03 degrees 31 minutes 15 seconds East (N 03°31'15" E), along the easterly line of the said 2.000 acre tract, the easterly line of a 0.873 acre tract described to Sena C. Lyons and James M. Eisinger in Instrument Number 200505120090392, a 0.873 acre tract of land described to Lisa Alley as Parcel One in Official Record 33967 E-05, a 0.873 acre tract of land described as Parcel Two to Lisa Alley in Official Record 33967 E-05, a 1.749 acre tract of land described to Clinton Roese and Charlene F. Roese in Instrument Number 199709050086841 and Instrument Number 200108150189286, a 0.873 acre tract of land described to JLH Group, Ltd. in Instrument Number 199712300177407, a 0.873 acre tract of land described to Michael J. Ciak and Debra J. Ciak in Volume 3648, Page 870, and a 0.926 acre tract of land described to Robert L. Mathews and Mark Ellen Mathews in Volume 3122, Page 308, Volume 3358, Page 645, and Official Record 05405 E-04, a distance of 1,034.02 feet (1,034.02') to a 3/4 inch diameter steel pipe, found & held, on the southerly line of a 15.679 acre tract of land described to The New Salem Missionary Baptist Church in Instrument Number 200507110135048, also being the City of Columbus Corporation line as described in Ordinance Number 1507-00, and of record in Instrument Number 200009130184747;

Thence leaving the northeasterly corner of the said 0.926 acre tract, South 87 degrees 13 minutes 45 seconds East (S 87°13'45" E), along the southerly line of said 15.679 acre tract and said City of Columbus Corporation line, a distance of 160.49 feet (160.49') to a pin set at the northwesterly corner of a 2.000 acre tract of land described to 3790 Agler Road,

LLC, an Ohio Limited Liability Company in Instrument Number 201412110164778;

Thence leaving the southerly line of said 15.679 acre tract, South 03 degrees 31 minutes 15 seconds West (S 03° 31'15" W), along the westerly line of the said 2.000 acre tract, a distance of 1,036.65 feet (1,036.65') to a pin set on the northerly right of way line of said Agler Road, at the northeasterly corner of said 0.037 acre tract of land described to the Franklin County Commissioner;

Thence leaving the westerly line of said 2.00-acre tract, North 86 degrees 17 minutes 26 seconds West, along the northerly right of way of said Agler Road and the northerly line of said 0.37-acre tract, a distance of 160.48 feet (160.48') to the **Point of Beginning**, consisting of 3.814 acres of land (166,147 square feet), more or less.

This description is for annexation purposes only and is not to be used for transfer.

All pins set are 5/8-inch diameter steel rebar, 30 inches in length, with an orange cap inscribed "GHG LLC".

Bearings in this description are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011), with Agler Road having a bearing of North 86 degrees 16 minutes 46 seconds West (N 86°16'46" W), as established in the area of the subject tract by a Global Positioning Survey (GPS) performed by Gandee Heydinger Group, LLC during March 2017.

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.