



## Legislation Details (With Text)

**File #:** 2446-2018      **Version:** 1

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

**File created:** 8/31/2018      **In control:** Economic Development & Small and Minority Business Committee

**On agenda:** 9/24/2018      **Final action:** 9/27/2018

**Title:** To accept the application (AN18-005) of Mildred F. Byas, et al. for the annexation of certain territory containing 3.80± acres in Mifflin Township.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD2446-2018 AN18-005 Legal, 2. ORD2446-2018 AN18-005 Plat, 3. ORD2446-2018 AN18-005 Service Statement

Date	Ver.	Action By	Action	Result
9/27/2018	1	CITY CLERK	Attest	
9/26/2018	1	MAYOR	Signed	
9/24/2018	1	COUNCIL PRESIDENT	Signed	
9/24/2018	1	Columbus City Council	Approved	Pass
9/17/2018	1	Columbus City Council	Read for the First Time	

AN18-005

### BACKGROUND:

This ordinance approves the acceptance of certain territory (AN18-005) 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 May 21, 2018. City Council approved a service ordinance addressing the site on June 04, 2018. Franklin County approved the annexation on June 26, 2018 and the City Clerk received notice on July 18, 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 (AN18-005) of Mildred F. Byas, et al. for the annexation of certain territory containing 3.80± acres in Mifflin Township.

**WHEREAS**, a petition for the annexation of certain territory in Mifflin Township was filed on behalf of Mildred F. Byas, et al. on May 21, 2018; and

**WHEREAS**, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on June 26, 2018; and

**WHEREAS**, on July 18, 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 Mildred F. Byas, et al. in a petition filed with the Franklin County Board of Commissioners on May 21, 2018 and subsequently approved by the Board on June 26, 2018 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 Mifflin, in Quarter Township 2, Township 1 North, Range 17 West, United States Military Lands, and being all of a 3.943 acre tract of land conveyed to Timothy P. & Tammy L. Leach and Mildred F. Byas by deed of record in Instrument 200505160092812, all records reference to Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at the southwest corner of said 3.943 acre tract, at the northwest corner of an original 8.000 acre tract of land conveyed to Dorothy Holleman by deed of record in Instrument 201101260013258, in an east line of a 40.25 acre tract conveyed as Tract II: Parcel No. 2 to City of Columbus, Ohio by deed of record in Deed Book 3689, Pg. 782, in the east City of Columbus Corporation Line (Ordinance No. 279-80 and recorded in Deed Book 173, Page 817) and in the centerline of Alum Creek;

thence northerly along a west line of said 3.943 acre tract, along a portion of an east line of said 40.25 acre tract, along a portion of the City of Columbus Corporation Line and along the centerline of Alum Creek a distance of 7.1 feet;

thence northerly along a west line of said 3.943 acre tract, along a portion of an east line of said 40.25 acre tract, along a portion of the City of Columbus Corporation Line and along the centerline of Alum Creek a distance of 124.3 feet to the northwest corner of said 3.943 acre tract and at the southwest corner of a 2.504 acre tract conveyed as Parcel II to Henry A. Zehendner by deed of record in Instrument 200607270147413;

thence easterly along the north line of said 3.943 acre tract and along a south line of said 2.504 acre tract a distance of 957.0 feet to a point in the westerly right-of-way line of Sunbury Road and in the westerly City of Columbus Corporation Line (Ordinance No. 246-66 and recorded in Misc. Record 140, Page 370);

thence southerly along the westerly right-of-way line of Sunbury Road and along a portion of the westerly City of Columbus Corporation Line a distance of 218.8 feet to a point in the north line of a 1.068 acre tract conveyed as Exhibit B to Leo Rice by deed of record in Instrument 201510190148030;

thence westerly along the south line of said 3.943 acre tract, along the north line of said 1.068 acre tract and along a north line of said original 8.000 acre tract a distance of 946.0 feet to the point of beginning;

containing approximately 3.8 acres of land more or less. The total length of the annexation perimeter is about 2,253± feet, of which about 350± feet is contiguous with existing City of Columbus Corporation Lines, being 15.5±% contiguous.

The above description was prepared by Jay R. Miller, Ohio Surveyor No. 8061, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available court house information in April, 2018. This description was written for annexation purposes only and is not intended to be used to transfer lands.

**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.