



## Legislation Details (With Text)

**File #:** 1431-2020 **Version:** 1  
**Type:** Ordinance **Status:** Passed  
**File created:** 6/12/2020 **In control:** Economic Development Committee  
**On agenda:** 7/6/2020 **Final action:** 7/9/2020  
**Title:** To accept the application (AN20-001) of BMU4 LLC for the annexation of certain territory containing 4.00± acres in Mifflin Township.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. ORD1431-2020 AN20-001 Plat, 2. ORD1431-2020 AN20-001 Legal, 3. ORD1431-2020 AN20-001 Service Statement

Date	Ver.	Action By	Action	Result
7/9/2020	1	CITY CLERK	Attest	
7/7/2020	1	ACTING MAYOR	Signed	
7/6/2020	1	COUNCIL PRESIDENT	Signed	
7/6/2020	1	Columbus City Council	Approved	Pass
6/29/2020	1	Columbus City Council	Read for the First Time	

AN20-001

### BACKGROUND:

This ordinance approves the acceptance of certain territory (AN20-001) 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 12, 2020. City Council approved a service ordinance addressing the site on February 24, 2020. Franklin County approved the annexation on March 17, 2020 and the City Clerk received notice on April 24, 2020.

### 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 (AN20-001) of BMU4 LLC for the annexation of certain territory containing 4.00± acres in Mifflin Township.

**WHEREAS**, a petition for the annexation of certain territory in Mifflin Township was filed on behalf of BMU4 LLC on February 12, 2020; and

**WHEREAS**, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on March 17, 2020; and

**WHEREAS**, on April 24, 2020, 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 BMU4 LLC in a petition filed with the Franklin County Board of Commissioners on February 12, 2020 and subsequently approved by the Board on March 17, 2020 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, being part of the Third Quarter of Township 1, Range 17 of the Unites States Military Lands, being 4.0 acres of land, more or less, and being all of Parcels 1 and 2 as described in a deed to BMU4, LLC (Auditor's Tax Parcel Numbers 190-003162 and 190- 003489) of record in Instrument Number 201911060148401 ( all references are to the records in the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING, at the southwesterly comer of said Parcel 2, 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, on the easterly line of that 7.403 acre original tract described in a deed to Rimrock Corp. of record in Official Record 8776 G20, and the northwesterly comer of that 2.114 acre original tract described in a deed to Sandra B. & James E. Holland, Sr. of record in Official Record 12089 F06;

Thence in a northerly direction, a distance of approximately 200 feet, along said existing City of Columbus Corporation Line (2092-88) being the westerly line of said Parcels 1 and 2, an easterly line of said 7.403 acre tract and an easterly line of that 3.345 acre original tract described in a deed to DDD1923 LLC of record in Instrument 201903190031233, to the southwesterly comer of that 3.991 acre tract described in a deed to Namaha Capital LLC of record in Instrument 201707210099887, and an existing comer of City of Columbus Corporation Line (2092-88);

Thence in a easterly direction, a distance of approximately 87 4 feet, along the existing City of Columbus Corporation Line (2092-88), the northerly line of said Parcel 1, the southerly line of said 3.991 acre tract to an existing corner of the City of Columbus Corporation Line as established by Ordinance Number 1189-2008, of record in Instrument 20080828013 0859, and the westerly right of way line of Stelzer Road;

Thence in a southerly direction, a distance of approximately 200 feet, along the existing City of Columbus Corporation Line (1189-2008), the westerly right-of-way line of Stelzer Road, the westerly line of that 0.266 acre Parcel 14WD described in a deed to Franklin County Commissioners of record in Instrument 200407230171159 and easterly lines of said Parcels 1 and 2, to an existing corner in the City of Columbus Corporation Line (1189-2008), and the southeasterly comer of said Parcel 2;

Thence in a westerly direction, a distance of approximately 873 feet, along the existing City of Columbus Corporation Line (1761-89), the southerly line of said Parcel 2, and the northerly line of said 2.114 acre tract to the Point of Beginning, containing 4.0 acres of land, more or less.

The total perimeter of the annexation area is 2,147 feet, of which 2,147 feet is contiguous with the City of Columbus, giving 100% contiguity.

The above description was prepared in the office of Site Engineering, Inc. 7453 East Main Street Reynoldsburg, Ohio 43068, by Mark A. Hazel, P.S. #7039 in September 2019, from 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.