



## Legislation Details (With Text)

**File #:** 1602-2022      **Version:** 1

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

**File created:** 5/27/2022      **In control:** Economic Development Committee

**On agenda:** 6/27/2022      **Final action:** 6/30/2022

**Title:** To accept the application (AN22-003) of Thomas J. and Jacqueline S. Hemmert for the annexation of certain territory containing 0.805± acres in Blendon Township.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1602-2022 AN22-003 Legal, 2. 1602-2022 AN22-003 Plat, 3. 1602-2022 AN22-003 Service Statement

Date	Ver.	Action By	Action	Result
6/30/2022	1	CITY CLERK	Attest	
6/29/2022	1	MAYOR	Signed	
6/27/2022	1	COUNCIL PRESIDENT	Signed	
6/27/2022	1	Columbus City Council	Approved	Pass
6/13/2022	1	Columbus City Council	Read for the First Time	

**BACKGROUND:**

This ordinance approves the acceptance of certain territory (AN22-003) by the city of Columbus and authorizes its transfer from Blendon Township to Montgomery Township per an annexation agreement between the City and the Township. 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 22, 2022. Franklin County approved the annexation on April 5, 2022 and the City Clerk received notice on April 12, 2022. 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 Blendon Township. The annexation agreement also requires that territory annexed to the City of Columbus from Blendon Township be transferred to Montgomery Township. This ordinance authorizes the submission of a petition to the Board of County Commissioners of Franklin County, Ohio, 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 Ohio Revised Code. The subject site is not located within the City’s Northeast Pay-As-We-Grow (PAWG) area and if developed will not be subject to PAWG funding mechanisms applicable to the site.

**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 (AN22-003) of Thomas J. and Jacqueline S. Hemmert for the annexation of certain territory

containing 0.805± acres in Blendon Township.

WHEREAS, a petition for the annexation of certain territory in Blendon Township was filed on behalf of Thomas J. and Jacqueline S. Hemmert on March 22<sup>nd</sup>, 2022; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on April 5<sup>th</sup>, 2022; and

WHEREAS, on April 12<sup>th</sup>, 2022, 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 Blendon Township and the City of Columbus requires the City to transfer territory annexed from Blendon 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 Thomas J. and Jacqueline S. Hemmert in a petition filed with the Franklin County Board of Commissioners on March 22<sup>nd</sup>, 2022 and subsequently approved by the Board on April 5<sup>th</sup>, 2022 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 Blendon, Quarter 1, Township 2, Range 17, United States Military Lands, and being part of that 0.97 acre tract as described in a deed to Thomas J. Hemmert and Jacqueline S. Hemmert, of record in Official Record 15417, Page C14 (all records referenced herein being to those located in the Recorder's Office, Franklin County, Ohio), and being 0.805 acre more particularly described as follows:

Beginning at a point in the southerly line of said 0.97 acre tract, at the intersection of the westerly right-of-way line of Lee Road (County Road 189) projected, with the centerline of Old Central College Road (60 foot width), 30 feet westerly from the centerline of said Lee Road;

Thence in a northwesterly direction, along the centerline of said Old Central College Road and the southerly line of said 0.97 acre tract, an approximate distance of 63 feet, to a point at the southwest corner of said 0.97 acre tract, a northwest corner of that 27.869 acre tract as described in a deed to Sprucecommonsplus LLC, of record in Instrument Number 202111050202346, in the easterly terminus of Vacated Old Central College Road (vacation of record in Road Record 27, Page 162), (passing a northeast corner of said 27.869 acre tract at a distance of approximately 11 feet and along the existing corporation line of the City of Columbus, as established by Ordinance Number 0900-2021, of record in Instrument Number 202107210128723 for an approximate distance of 52 feet);

Thence in a northerly direction, along the common line between said 0.97 and 27.869 acre tracts, along said existing corporation line (Ordinance Number 0900-2021, of record in Instrument Number 202107210128723), a distance of approximately 251 feet to a point at the northwest corner of said 0.97 acre tract;

Thence in a southeasterly direction, along the northerly line of said 0.97 acre tract, an approximate distance of 217 feet to a point in the westerly right-of-way line of said Lee Road, 30 feet west of centerline, (along a southerly line of said 27.869 acre tract and said existing corporation line (Ordinance Number 0900-2021, of record in Instrument Number 202107210128723) an approximate distance of 82 feet, and along the southerly line of Lot 1 of Lee Acres, a subdivision of record in Plat Book 53, Page 51, last described in a deed to Jason Wise and Shawna T. Wise, of record in Instrument Number 20130709011443, and through the right-of-way of said Lee Road an approximate distance of 135 feet);

Thence in a southwesterly direction, through said 0.97 acre tract, along the westerly right-of-way line of said Lee Road, an approximate distance of 274 feet to the place of beginning, containing 0.805 acre of land.

**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 Blendon Township, which by the order of the Board of County Commissioners of Franklin County, Ohio, on April 5, 2022 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.