



Legislation Details (With Text)

File #: 0803-2023 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/7/2023 **In control:** Economic Development Committee

On agenda: 4/3/2023 **Final action:** 4/5/2023

Title: To accept the application (AN22-018) of Steven Dunbar and Cindy Ward for the annexation of certain territory containing 2.9± acres in Plain Township.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 0803-2023 AN22-018 Briefing Sheet, 2. 0803-2023 AN22-018 Legal, 3. 0803-2023 AN22-018 Plat, 4. 0803-2023 AN22-018 Service Statement

Date	Ver.	Action By	Action	Result
4/5/2023	1	CITY CLERK	Attest	
4/4/2023	1	MAYOR	Signed	
4/4/2023	1	MAYOR	Signed	
4/4/2023	1	MAYOR	Signed	
4/3/2023	1	COUNCIL PRESIDENT	Signed	
4/3/2023	1	COUNCIL PRESIDENT	Signed	
4/3/2023	1	COUNCIL PRESIDENT	Signed	
4/3/2023	1	Columbus City Council	Approved	Pass
3/20/2023	1	Columbus City Council	Read for the First Time	

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN22-018) by the city of Columbus and authorizes its transfer from Plain 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 November 15, 2022. Franklin County approved the annexation on December 6, 2022 and the City Clerk received notice on January 17, 2023. 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 Plain Township. The annexation agreement also requires that territory annexed to the City of Columbus from Plain 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 also located within the City's Northeast Pay-As-We-Grow (PAWG) area and if developed will 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 (AN22-018) of Steven Dunbar and Cindy Ward for the annexation of certain territory containing 2.9± acres in Plain Township.

WHEREAS, a petition for the annexation of certain territory in Plain Township was filed on behalf of Steven Dunbar and Cindy Ward on November 15, 2022; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on December 6, 2022; and

WHEREAS, on January 17, 2023, 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 Steven Dunbar and Cindy Ward in a petition filed with the Franklin County Board of Commissioners on November 15, 2022 and subsequently approved by the Board on December 6, 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 Plain, being part of Section 6,

Township 2, Range 16, United States Military Lands and being part of that 3.00 acre tract of land as conveyed to Steven L. Dunbar and Cindy L. Ward in Official Record 16550E06 & Official Record 16751C09, said 2.9± acres more particularly described as follows:

Beginning, at a point on the east line of said 3.00 acre tract, the west line of that 0.574 acre tract of land as conveyed to Lisa Wu Fate in Instrument Number 202108270153572, on the northerly right-of-way line of Central College Road as referenced in Road Record 8, Pg. 194, being in the northerly City of Columbus Corporation Line (Case No. 48-03, Ord. No. 0006-2004, Instrument Number 200403110053675);

Thence N 85°37'11" W, across said 3.00 acre tract, with the northerly right of way of said Central College Road, with said northerly City of Columbus Corporation Line, 200.00± to a point on the west line of said 3.00 acre tract, the east line of that 0.172 acre tract of land conveyed to the City of Columbus in Instrument Number 200712180215640, and being on a southwesterly corner of the City of Columbus Corporation Line (Case No. 23-02, Ord. No. 1880-02, Instrument Number 200303200030585);

Thence N 03°27'42" E, with the west line of said 3.00 acre tract, the east line of said 0.172 acre tract, the east line of that 1.984 acre tract of land conveyed to Christoff Land & Development in Instrument Number 201810250145804, the east line of Reserve "I" as dedicated in Plat Book 105, Pg. 86 of the Upper Albany West Section 1 subdivision, and an easterly City of Columbus Corporation Line (Case No. 23-02, Ord. No. 1880-02, Instrument Number 200303200030585), 623.0 feet± to the northwest corner of said 3.00 acre tract, an angle point of that 21.705 acre tract of land as conveyed to Andrew Reserve, LLC in Instrument Number 202011200185588, on the east line of said Reserve "I", being an angle point of said City of Columbus Corporation Line (Case No. 28-96, Ord. No. 2647-96, Official Record 34003015);

Thence S 85°19'11" E, with the north line of said 3.00 acre tract, a south line of said 21.705 acre tract, with said southerly City of

Columbus Corporation Line, 200.00 feet± to the northeast corner of said 3 .00 acre tract, an angle point of said 21. 705 acre tract, and an angle point of said City of Columbus Corporation Line;

Thence S 03°27'49" W, with the east line of said 3.00 acre tract, a west line of said 21.705 acre tract, the west line of said 0.574 acre tract, with said westerly City of Columbus Corporation Line, 622.0 feet± to the Point of Beginning. Containing 2.9± acres.

The above description was prepared_ by Advanced Civil Design Inc. on October 18, 2022 and is based on existing Franklin County Auditor records and Franklin County Recorder's records.

The total length of the annexation perimeter is 1,645± feet, of which 1,425.5± feet are contiguous with existing City of Columbus Corporation lines, being 87±% contiguous.

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 Plain Township, which by the order of the Board of County Commissioners of Franklin County, Ohio, on December 6, 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.