



## Legislation Details (With Text)

**File #:** 1485-2023      **Version:** 1

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

**File created:** 5/11/2023      **In control:** Economic Development Committee

**On agenda:** 6/5/2023      **Final action:** 6/9/2023

**Title:** To accept the application (AN22-022) of Jon-David Charlton and Jodi M. Charlton et.al. for the annexation of certain territory containing 32.99± acres in Blendon Township.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1485-2023 AN22-022 Briefing Sheet, 2. 1485-2023 AN22-022 Legal, 3. 1485-2023 AN22-022 Plat, 4. 1485-2023 AN22-022 Service Statement

Date	Ver.	Action By	Action	Result
6/9/2023	1	CITY CLERK	Attest	
6/8/2023	1	MAYOR	Signed	
6/5/2023	1	COUNCIL PRESIDENT	Signed	
6/5/2023	1	Columbus City Council	Approved	Pass
5/22/2023	1	Columbus City Council	Read for the First Time	

### BACKGROUND:

This ordinance approves the acceptance of certain territory (AN22-022) 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 February 21, 2023. Franklin County approved the annexation on March 7, 2023 and the City Clerk received notice on March 28, 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 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.

### 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 (AN22-022) of Jon-David Charlton and Jodi M. Charlton et.al. for the annexation of certain territory containing 32.99± acres in Blendon Township.

**WHEREAS**, a petition for the annexation of certain territory in Blendon Township was filed on behalf of Jon-David Charlton and Jodi M. Charlton et.al. on February 21, 2023; and

**WHEREAS**, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on March 7, 2023; and

**WHEREAS**, on March 28, 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; 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 Jon-David Charlton and Jodi M. Charlton et.al. in a petition filed with the Franklin County Board of Commissioners on February 21, 2023 and subsequently approved by the Board on March 7, 2023 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, Range 17, Township 2, Quarter township 1, United States Military Lands and being all of that 5.17 acre tract of land as conveyed to Jon- David Charlton and Jodi M. Charlton, of record in Instrument Number 201411040146346, and being Franklin County Ohio Auditor's PIO: 110-001001, part of that 16.602 acre tract as conveyed to Eugene L. Hollins and Katherine H. Beach, of record in Instrument Number 201710250149384, and being Franklin County Ohio Auditor's PIO: 110-005.398, part of that 36. 5 acre original tract of land as conveyed to Earl T. Yeager and Stephanie Yeager, of record in Official Records 02553J05, and being Franklin County Ohio Auditor's PIO: 110-000147, part of that 5.01 acre tract of land as conveyed to Barbara V. Prindle and Gail Elizabeth Vawter, Co-Trustees, of record in Instrument Number 202110270195953, and being Franklin County Ohio Auditor's PIO: 110-005899, all deed references are on record at the Recorder's Office Franklin County, Ohio and being more particularly described as follows:

Beginning, at the southwesterly corner of Reserve "H" of a plat entitled Hoover Farms Section 4 Part 2, of record in Plat Book 129, Page 59, being a northwesterly corner of an original 25.461 acre tract of land as conveyed to Keith R. Thatcher and Brenda Thatcher, of record in Instrument Number 201604270051857 and in the Existing City of Columbus Corporation Line of record in Ordinance Number 0900-2021, Case Number 28-20, Recorded in Instrument Number 202107210128723 and in the existing City of Columbus Corporation line of record in Ordinance Number 2442-2018, Case Number 15-18, recorded in Instrument Number 201810310148349;

Thence Southerly, with said westerly line of said original 25.461 acre tract and said Corporation Line, a distance of approximately 960 feet to a point in the northerly line of a 27.869 acre tract of land as conveyed to SPRUCECOMMONPLUS LLC, of record in Instrument Number 202111050202346;

Thence Westerly, continuing with said existing City of Columbus Corporation line and with the northerly line of said 27.869 acre tract, a distance of approximately 58 feet to a corner thereof;

Thence Southerly, continuing with said existing City of Columbus Corporation line and with the westerly line of said 27.869 acre tract a distance of approximately of 388 feet to the northeasterly corner of a 5.08S acre tract of land as conveyed to Takao Okamoto and Miyako Okamoto, of record in Instrument Number 201508140112542;

Thence Westerly, with the northerly line of said 5.089 acre tract, a distance of approximately 589 feet to the southeasterly corner of a 1.21 acre tract of land as conveyed to Daniel L. Weaver, of record in Instrument Number 200001040002309;

Thence Northerly, with the easterly line of said 1.21 acre tract, with the easterly line of a 1.20 acre tract of land as conveyed to Josh

Bartholomew and Anna Bartholomew, of record in Instrument Number 201509210132585, and with the easterly line of a 0.55 acre tract of land as conveyed to William E. Hamilton and Bonnie L. Hamilton, of record in Deed Book 3294, Page 209, a distance of approximately 382 feet to the northeasterly corner of said 0.55 acre tract;

Thence Westerly, with the northerly line of said 0.55 tract and the northerly line of a 0.89 acre tract of land as conveyed to William E. Hamilton and Bonnie L. Hamilton, of record in Deed Book 1970, Page 462, a distance of approximately 255 feet to the southeasterly corner of a 3.491 acre original tract of land as conveyed to William E. Hamilton and Bonnie L. Hamilton, of record in Deed Book 3150, Page 241;

Thence Northerly, with the easterly line of said 3.491 acre original tract, with the easterly line of a 0.918 acre tract of land as conveyed to Darla Marlene Dillmore and Phillip Michael Dillmore, of record in Instrument Number 199903310080015, and with the easterly line of a 0.918 acre tract of land as conveyed to Deanla Lynn Lowder and Daniel Richard Lowder, of record in Instrument Number 199903310080016, a distance of approximately 467 feet to the northeasterly corner of said 0.918 acre tract;

Thence Westerly, with the northerly line of said 0.918 acre tract, a distance of approximately 66 feet to the southeasterly corner of a 1.180 acre tract of land as conveyed to Terry A. Snyder, of record in Instrument Number 20010418008163 and Official Record 748D04;

Thence Northerly, with the easterly line of said 1.180 tract and with the easterly line of a 1.172 acre tract of land as conveyed to Amy B. Tincer, of record in Instrument 202009250145263, a distance of approximately 296 feet to the northeasterly corner of said 1.172 acre tract;

Thence Westerly, with the northerly line of said 1.172 acre tract, a distance of approximately 294 feet to a point in the easterly right of way line of Cubbage Road (Variable R/W);

Thence Northerly, with said right of way line, a distance of approximately 120 feet to a point in the southerly line of a 1.004 acre tract of land as conveyed to Sara M. Allison and Benjamin A. Campbell, of record in Instrument Number 202108160144520;

Thence with the perimeter of said 1.004 acre tract the following courses:

Easterly, a distance of approximately 302 feet to a corner thereof; Northerly, a distance of approximately 125 feet to a corner thereof;

Westerly, a distance of approximately 301 feet to a point in said easterly right of way line;

Thence Northerly, with said easterly right of way line, a distance of approximately 71 feet to a point on a southerly line of a 1.004 acre tract as conveyed to David and Rachel Penny, of record in Instrument Number 202105060081441;

Thence with the perimeter of said 1.004 acre tract the following courses:

Easterly, a distance of approximately 302 feet to a corner thereof;

Northerly, a distance of approximately 126 feet to a point on the southerly line of a 3.00 acre tract as conveyed to Dale E. Fife and Erin K. Fife, of record in Instrument 200810270158323;

Thence Easterly, with the southerly line of said 3.00 acre tract and with the southerly line of a 9.094 acre tract of land as conveyed to Harold M. Evans, of record in Instrument Number 202204210062075, a distance of approximately 968 feet to a northwesterly corner of said Reserve "H" and being a point on said existing City of Columbus Corporation line Ordinance Number 2442-2018, Case Number 15-18, Recorded in Instrument Number 202107210128723;

Thence Southerly, with the westerly line of said Reserve "H" and with existing City of Columbus Corporation Line, a distance of approximately 258 feet The Point of Beginning and containing 32.99± acres of land more or less, being all out of Blendon Township;

The annexation description of the location of the property to be annexed and is not a boundary survey as defined in O.A.C. Chapter 4733.37. The above annexation contains a perimeter distance of 258 feet contiguous with the existing City of Columbus Corporation Line by Ordinance Number 2442-2018, 1406 feet contiguous with the existing City of Columbus Corporation Line by Ordinance Number 0900-2021, with an overall total perimeter of 6328 feet to be annexed, and 26% of the perimeter length is contiguous to the City of Columbus Corporation line.

**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 August 23, 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.