



Legislation Details (With Text)

File #: 1675-2023 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/30/2023 **In control:** Economic Development Committee

On agenda: 6/26/2023 **Final action:** 6/28/2023

Title: To accept the application (AN23-010) of Matthew Howard & Maureen Wooton for the annexation of certain territory containing 0.847± acres in Perry Township.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1675-2023 AN23-010 Briefing Sheet, 2. 1675-2023 AN23-010 Legal, 3. 1675-2023 AN23-010 Plat, 4. 1675-2023 AN23-010 Service Statement

Date	Ver.	Action By	Action	Result
6/28/2023	1	CITY CLERK	Attest	
6/27/2023	1	MAYOR	Signed	
6/26/2023	1	COUNCIL PRESIDENT	Signed	
6/26/2023	1	Columbus City Council	Approved	Pass
6/12/2023	1	Columbus City Council	Read for the First Time	

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN23-010) by the city of Columbus and authorizes its transfer from Perry 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 24, 2023. Franklin County approved the annexation on April 11, 2023 and the City Clerk received notice on April 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 Perry Township. The annexation agreement also requires that territory annexed to the City of Columbus from Perry 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 (AN23-010) of Matthew Howard & Maureen Wooton for the annexation of certain territory containing 0.847± acres in Perry Township.

WHEREAS, a petition for the annexation of certain territory in Perry Township was filed on behalf of Matthew Howard & Maureen Wooton on March 24, 2023; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on April 11, 2023; and

WHEREAS, on April 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; and **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the annexation proposed by Matthew Howard & Maureen Wooton in a petition filed with the Franklin County Board of Commissioners on March 24, 2023 and subsequently approved by the Board on April 11, 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 Perry, being a part of Quarter Township 4 Township 2 Range 19 U.S. Military Lands, and being all of Lot 35 and part of the right of way of Northport Dr. (50' wide), shown on Portage Grove Addition, Extension No. 1, Plat Book (P.B.) 29, pg. 5, said Lot 35 conveyed to Matthew T. Howard and Maureen Alisa Wooton in Instrument (Instr.) No. 201004230049310, Franklin County Recorders' Office;

BEGINNING at a comer of an annexation to the City of Columbus, City Ordinance (Ord.) No. 2004-2000, Instr. No. 200011090227755, being the southeast comer of Lot 47 of the said Portage Grove Addition, the southwest comer of Lot 2 of Wishing Well Acres No. 1, P.B. 46, pg. 86, a point in the west line of an annexation to the City of Columbus in Ord. No. 1269-1972, Miscellaneous Record (M.R.) 157, pg. 107, and a point in the north right of way line of the said Northport Dr.;

THENCE in a southerly direction, a distance of approximately 300 feet, crossing the said Northport Dr., along the east line of the said Lot 35, the west line Lots 3 through 6 inclusive of the said Wishing Well Acres No. 1, and the west line of the said annexation in Ord. No. 1269-1972, to a point, being the southeast comer of the said Lot 35, the northeast comer of Lot 34 of the said Portage Grove Addition, the northeast comer of an annexation to the City of Columbus in Ord. No. 2304-1980, Official Record (O.R.) 364 A-09, and being a point in the west line of the said Lot 6;

THENCE in a westerly direction, a distance of approximately 152 feet, along the south line of the said Lot 35, the north line of the said Lot 34, and the north line of the said annexation in Ord. No. 2304-1980, to a point, being the southwest comer of the said Lot 35, the northwest comer of the said Lot 34 and of the said annexation in Ord. No. 2304-1980, and being a point in the east right of way line of Northport Cir. (50' wide), and in an east line of an annexation to the City of Columbus in Ord. No. 1029-1972, M.R. 156, pg. 555;

THENCE with a curve turning to the left, in a northerly direction, an arc length of approximately 50 feet, along a west line of the said Lot 34, the east right of way line of the said Northport Cir., and an east line of the said annexation in Ord. No. 1029-1972, to a point, being a comer of the said Lot 35 and of the said annexation in Ord. No. 1029-1972;

THENCE in a northerly direction, a distance of approximately 135 feet, along a west line of the said Lot 35, the east right of way line of the said Northport Cir., and an east line of the said annexation in Ord. No. 1029-1972, to a point, being a

northwest corner of the said Lot 35 and a corner of the said annexation in Ord. No. 1029-1972;

THENCE with a curve turning to the right, in a northeasterly direction, an arc length of approximately 39 feet, along a west line of the said Lot 35, the east right of way line of the said Northport Cir., and an east line of the said annexation in Ord. No. 1029-1972, to a point, being a northwest corner of the said Lot 35 and the northeast corner of the said annexation in Ord. No. 1029-1972, and being the intersection of the east right of way line of the said Northport Cir. and the south right of way line of the said Northport Dr.;

THENCE in a westerly direction, a distance of approximately 4 feet, along a north line of the said annexation in Ord. No. 1029-1972 and the north right of way line of the said Northport Cir. extended, to a point;

THENCE in a northerly direction, a distance of approximately 50 feet, crossing the said Northport Dr., to a point, being the southwest corner of the said Lot 47 and the southeast corner of Lot 46 of the said Portage Grove Addition, and being a point in the north right of way line of the said Northport Dr.;

THENCE in an easterly direction, a distance of approximately 116 feet, along the south lines of the said Lot 47, the north right of way line of the said Northport Dr., and the south line of the said annexation in Ord. No. 2004-2000, to the point of beginning, having an area of 36,902 square feet or 0.847 acres to be annexed, of which 0.714 acres is out of the said Lot 35 (PID 216- 151199), and the P.R.O. is 0.133 acres;

The total perimeter of the annexation area is 847 feet, of which 797 feet are contiguous with the City of Columbus by Ord. Number 1269-1972, Ord. No. 2304-1980, Ord. No. 1029-1972, and Ord. No. 2004-2000, giving 94.0% contiguity.

This description is based on records in the Franklin County Recorder's Office and was prepared by Raymond J. Wood of J & J Surveying in January of 2023. It 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 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 Perry Township, which by the order of the Board of County Commissioners of Franklin County, Ohio, on April 11, 2023, 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.