



## Legislation Text

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**File #:** 2097-2013, **Version:** 1

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### **AN13-002**

**BACKGROUND:** This ordinance approves the acceptance of certain territory (AN13-002) by the City. The Ohio Revised Code stipulates that to be effective, City acceptance must take place a minimum of 60 days (but not more than 180) from the receipt by the City Clerk of the approval notice from the county. Should City Council not take such action within this timeframe, the annexation will not take place. This petition was filed with Franklin County on May 6, 2013. City Council approved a service ordinance addressing the site on May 20, 2013. Franklin County approved the annexation on June 11, 2013 and the City Clerk received notice on June 21, 2013.

**FISCAL IMPACT:** No funding is required for this legislation. 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 (AN13-002) of Weber Holdings-South, LLC for the annexation of certain territory containing 2.56 ± acres in Madison Township.

**WHEREAS,** a petition for the annexation of certain territory in Madison Township was filed on behalf of Weber Holdings-South, LLC on May 6, 2013; and

**WHEREAS,** the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on June 11, 2013; and

**WHEREAS,** on June 21, 2013, 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 Weber Holdings-South, LLC in a petition filed with the Franklin County Board of Commissioners on May 6, 2013 and subsequently approved by the Board on June 11, 2013 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 Madison, in Section 9, Township 11, Range 21, Mathew's Survey being all of Parcels 1, 2 and 3 containing 2.557 acres of land described in a deed to Weber Holdings - South, LLC of record in Instrument 201204060048327 (all references in this description are to the records in the Recorder's Office,

Franklin County, Ohio) and being more particularly described as follows:

Beginning at the northeasterly corner of the 0.556 acre, Parcel 3 described in said Instrument 201204060048327, and the northwesterly corner of that 1.350 acre tract described in a deed to Winham Investments, LLC of record in Instrument 20102100168497;

Thence South along the easterly line of said 0.556 acre tract, westerly lines of said 1.350 acre tract and a portion of that 0.687 acre tract described in said Instrument 201012100168497 and the existing City of Columbus Corporation Line, Ordinance 2183-01, Instrument 200205030111360, a distance of 242.45 feet, to the northeasterly corner of that 0.009 acre tract described in a deed to Columbia Gas of Ohio of record in Deed Book 2779, Page 577;

Thence West along the northerly line of said 0.009 acres and that 0.532 acre tract described in a deed to Robert J. Dorsey of record in Instrument 201209210141601, a distance of 100.00 feet;

Thence South along the westerly line of said 0.532 acre tract and the easterly line of that 1.023 acre Parcel 2 in Instrument 201204060048327, a distance of 215.66 feet, to the old centerline of U.S. Route 33, and the northerly right of way line of Winchester Pike;

Thence westerly along a southerly line of said 1.023 acre tract, the old centerline of U.S. Route 33, and the northerly right-of-way line of Winchester Pike, being the arc of a curve to the left, having a radius of 622.46 feet, a distance of 46.18 feet;

Thence West continuing along said right-of-way line and southerly lines of said 1.023 acre Parcel 2 and 0.978 acre Parcel 1 in said Instrument 201204060048327, a distance of 157.64 feet;

Thence North along the westerly line of said 0.978 acre tract and an easterly line of that 2.364 acre tract described in a deed to Mark C. and Kathleen L. Walsh of record in Official Record 19557 F18, a distance of 415.94 feet, to the northwesterly corner of said 0.978 acre tract, the northeasterly corner of said 2.364 acre tract and the southeasterly corner of that 6.391 acre tract described in a deed to Mary M. and Lewis J. Slone of record in Official Record 15531 E11;

Thence East along the northerly lines of said 0.978, 1.023 and 0.556 acre tracts, and a southerly line of that 2.268 acre tract described in a deed to Christopher P. Weyand and April M. Walsh of record in Instrument 201104220053132, a distance of 300.00 feet, to the Point of Beginning, containing 2.557 acres of land, more or less.

**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.