



## Legislation Text

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**File #:** 0354-2015, **Version:** 1

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### **AN14-011**

**BACKGROUND:** This ordinance approves the acceptance of certain territory (AN14-011) by the city of Columbus. 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 October 28, 2014. City Council approved a service ordinance addressing the site on November 10, 2014. Franklin County approved the annexation on December 2, 2014 and the City Clerk received notice on December 9, 2014.

**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 (AN14-011) of Richard L. McFarland, Trustee for the annexation of certain territory containing 5.774 ± acres in Franklin Township.

**WHEREAS,** a petition for the annexation of certain territory in Franklin Township was filed on behalf of Richard L. McFarland, Trustee on October 28, 2014; and

**WHEREAS,** the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on December 2, 2014; and

**WHEREAS,** on December 9, 2014, 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 Richard L. McFarland, Trustee in a petition filed with the Franklin County Board of Commissioners on October 28, 2014 and subsequently approved by the Board on December 2, 2014 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, Franklin Township, City of Columbus, and being a part of Virginia Military Survey Number (VMS) 875, and being 5.721 acres out of a tract of land as conveyed to Richard L. McFarland, Trustee, or successor Trustee of the Mildred Mae McFarland Rice Trust Dated May 17, 2010 as recorded in Instrument (Instr.) No. 201005210063113, and being 0.053 acres out of a 1.178 acre tract conveyed to the Franklin County

Commissioners in Instr. No. 201209130136271, and being further described as follows:

BEGINNING at the southeast corner of the said 5.721 acre tract, being the northeast corner of a 4.82 acre tract conveyed to the Mary C. Clark Revocable Trust as recorded in Instr. No.

201101260013418 and the northeast corner of the existing corporation line of the City of Columbus as established by Ordinance (Ord.) No. 938-91, recorded in Official Record 16933

A-01, and being a point in the west line of Lot 188 of Scioto Woods Section 3, Plat Book 73, pg. 104 and the west line of the existing corporation line of the City of Columbus as established by Ord. No. 1843-71, recorded in Miscellaneous Record 155, pg. 52;

THENCE in a westerly direction, a distance of approximately 84 feet along a south line of the said 5.721 acre tract, and a north line of the said 4.82 acre tract and the said Ord. No. 938-91, to a point, being a corner of the said 5.721 acre tract, the said 4.82 acre tract, and the said Ord. No. 938-91;

THENCE in a westerly direction, a distance of approximately 100 feet along a south line of the said 5.721 acre tract, and a north line of the said 4.82 acre tract and the said Ord. No. 938-91, to a point, being a corner of the said 5.721 acre tract, the said 4.82 acre tract, and the said Ord. No. 938-91;

THENCE in a westerly direction, a distance of approximately 185 feet along a south line of the said 5.721 acre tract, and a north line of the said 4.82 acre tract and the said Ord. No. 938-91, to a point, being the southwest corner of the said 5.721 acre tract, a point on a north line of the said 4.82 acre tract, and the said Ord. No. 938-91, a southeast corner of the said 1.178 acre tract and a corner of the existing corporation line of the City of Columbus as established by Ord. No. 2112-00, recorded in Instr. No. 200011150231301, and the east line of Wilson Rd. (width varies);

THENCE in a northerly direction, a distance of approximately 692 feet, along the west line of the said 5.721 acre tract, and a east line of the said 1.178 acre tract, the said Ord. No. 2112-00, and the said Wilson Rd., and crossing the said 1.178 acre tract, to a point, being a corner of the said Ord. No. 2112-00;

THENCE in a easterly direction, a distance of approximately 352 feet, crossing the said 1.178 acre tract and along a south line of the said Ord. No. 2112-00, to a point, being a corner of the said Ord. No. 2112-00, a point in a east line of the said 1.178 acre tract, and a point in the west line of Lot 197 of the said Scioto Woods Sec. 3 and in the said Ord. No. 1843-71;

THENCE in a southerly direction, a distance of approximately 767 feet, along a east line of the said 1.178 acre tract, the east line of the said 5.721 acre tract, the west line of Lots 197, 196, 195, 194, and 193, Reserve "B", and Lot 188 of the said Scioto Woods Sec. 3, and the west line of the said Ord. No. 1843-71, to the Point of Beginning, containing 5.774 acres, more or less;

This description is based on records in the Franklin County Recorder's Office and from an actual field survey, and was prepared by Raymond J. Wood of J & J Surveying in August of 2013. 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.