



Legislation Text

File #: 1651-2016, **Version:** 1

AN15-017

BACKGROUND: This ordinance approves the acceptance of certain territory (AN15-017) by the city of Columbus. 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. Should City Council not take such action within this timeframe, the annexation will not take place. This petition was filed with Franklin County on February 9, 2016. City Council approved a service ordinance addressing the site on February 22, 2016. Franklin County approved the annexation on March 15, 2016 and the City Clerk received notice on April 25, 2016.

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 (AN15-017) on behalf of David Woods and Victoria Woods, et al. for the annexation of certain territory containing 4.2 ± acres in Hamilton Township.

WHEREAS, a petition for the annexation of certain territory in Hamilton Township was filed on behalf of David Woods and Victoria Woods, et al. on February 9, 2016; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on March 15, 2016; and

WHEREAS, on April 25, 2016, 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 David Woods and Victoria Woods, et al. in a petition filed with the Franklin County Board of Commissioners on February 9, 2016 and subsequently approved by the Board on March 15, 2016 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 Hamilton, in the Northwest Quarter of Section 36, Township 4, Range 22, Congress Lands East of the Scioto River, being all of a 2.50 acre tract as conveyed to David S.

Woods and Victoria L. Woods, of record in Official Record Volume 34334 F15, all of an 0.087 acre tract as conveyed to the City of Columbus, or record in Instrument No. 200902030013372, all of a 0.273 acre tract as conveyed to the Franklin County Commissioners, of record in Instrument No. 201510090143630, a portion of a 6.255 acre and 16.084 Acre tracts as conveyed to Lululemon USA, Inc's, of record in Instrument No. 201312030198946, and a portion of a 16.438 Acre tract as conveyed to Icon DP WH Columbus Owner Pool 3 Midwest, LLC, of record in Instrument No. 2015032560036962, all references to records are on file in the Recorder's Office, Franklin County, Ohio, said area being annexed is more particularly described as follows:

Beginning at Franklin County Survey Control Monument No. 9927 found in the centerline of Shook Road, being an angle point in the centerline of Shook Road and also being the center $\frac{1}{4}$ corner of section 36, Township 4 North, Range 22 West, Congress Lands East of the Scioto River, and also being in the northerly existing City of Columbus Corporation Line, as established by Ordinance 317-96, of record in Official Record 31731 A01;

Thence **WESTERLY**, along the half section line of said Section 36, being also along the southerly line of said 16.438 acre tract, **a distance of approximately 30 feet** to the westerly right of way line of Shook Road, being also a southeasterly corner in the existing City of Columbus Corporation line, as established by Ordinance 0234-2008, and recorded in Instrument No. 200810060148924:

Thence **NORTHERLY**, along the existing right of way line of said Shook Road, along said existing City of Columbus Corporation Line, and crossing said 16.438 acre tract, **a distance of approximately 1,037 feet**, to the southeasterly corner of said 2.50 acre tract, being the southwesterly corner of said 0.273 Acre tract, being the northwesterly corner of said 0.087 acre tract, being in the northerly right of way line of Beggrow St., as dedicated by Plat Book 112, page 57 by the plat titled as "Beggrow Street Dedication Phase I", and also being a northeasterly corner of said City of Columbus Corporation Line;

thence **WESTERLY**, along the southerly line of said 2.50 acre tract, along the northerly line of a 15.000 Acre tract as conveyed to Pizzuti Land, LLC, of record in Instrument No. 200812090177545, and also along said existing City of Columbus Corporation Line, **a distance of approximately 392 feet** to the southwesterly corner of said 2.50 acre tract, being the northwesterly corner of said 15.000 acre tract, being in the easterly line of a 24.068 acre tract as conveyed to Joyce S. Dill, TR, of record in Instrument No. 201106010069340 and Sunshine & Smooch, LLC, of record in Instrument No. 201311120188474, being a northwesterly corner of said existing City of Columbus Corporation Line, being in the easterly line of an existing Village of Obetz Corporation line, as established by Ordinance 46-01, of record in Instrument No. 200106070127920, and also being in the northerly line of the Historic Ohio & Erie Canal (Abandoned);

thence **NORTHEASTERLY**, along the westerly line of said 2.50 acre tract, along the easterly line of said 24.068 Acre tract, along an easterly line of a 1.864 acre tract as conveyed to Mark D. and Janet M. Wall, of record in Instrument No. 200106040122833, along said existing Village of Obetz Corporation Line, and also along the westerly line of said Historic Ohio & Erie Canal (Abandoned), **a distance of approximately 398 feet** to a northerly corner of said 2.50 acre tract, being a southeasterly corner of said 1.864 acre tract, being a southwesterly corner of a 17.093 acre tract as conveyed to the Board of County Commissioners of Franklin County, Ohio, of record in Official Record 950 H01, and also being in the northerly line of the Historic Ohio & Erie Canal (Abandoned);

thence **SOUTHERLY**, along an easterly line of said 2.50 acre tract, along an easterly line of said 1.864 acre tract, and also along a westerly line of said 17.093 acre tract, **a distance of approximately 159 feet** to a northerly corner of said 2.50 acre tract, being a southeasterly corner of said 17.093 acre tract, being in the easterly line of said Historic Ohio & Erie Canal (Abandoned);

thence **NORTHEASTERLY**, along a northerly line of said 2.50 acre tract, along the northerly line of said 0.273 acre tract, along the southerly line of said 17.093 Acre tract, and also along the said northerly line of said Historic Ohio & Erie Canal (Abandoned), **a distance of approximately 86 feet** to a northerly corner of said 0.273 acre tract, being a southwesterly corner of said 17.093 acre tract, and also being in the westerly line of the Historic Ohio & Erie Canal (Abandoned);

thence **SOUTHERLY**, along an easterly line of said 0.273 acre tract, partially along the existing centerline of said Shook Road, and also along a westerly line of a 26.583 acre tract as conveyed to Pizzuti/Creekside XX, LLC, of record in Instrument No. 201507270102226, **a distance of approximately 172 feet** to a southwesterly corner of said 26.583 acre tract, being a northwesterly corner of said 6.255 acre tract, being in the easterly line of said 0.273 acre tract;

thence **EASTERLY**, along the southerly line of said 26.583 acre tract, along an northerly line of said 6.255 acre tract, **a distance of approximately 30 feet** to the easterly existing right of way line of said Shook Road, being in the southerly line of said 26.583 acre tract, being in the northerly line of said 6.255 acre tract, and also being a northwesterly corner of an existing City of Columbus Corporation Line, as established by Ordinance 972-95, of record in Official Record 29162 A08;

thence **SOUTHERLY**, along an easterly right of way line of said Shook Road, crossing said 6.255 acre and 16.084 acre tracts, and also along said existing City of Columbus Corporation Line, **a distance of approximately 1,258 feet** to the said half section line of said Section 36;

Thence **WESTERLY**, along the half section line of said Section 36 and also along said existing City of Columbus Corporation Line (Ordinance 317-96), **a distance of approximately 30 feet** to the **True Place of Beginning**, and containing an area of approximately 4.2 acres.

This description was prepared from the available records on file within the Franklin County Offices, and does not constitute information from an actual field survey by David L. Pearson, Registered Professional Surveyor Number 7298 in August 2015.

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.