



Legislation Text

File #: 2219-2016, **Version:** 1

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN16-003) by the City of Columbus and authorizes its transfer from Mifflin Township to Montgomery Township per an annexation agreement between the City and Mifflin Township. The Ohio Revised Code (ORC) 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 June 1, 2016. The Board of Commissioners approved the annexation on June 14, 2016 and the City Clerk received notice on July 11, 2016. 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 Mifflin Township. The agreement was authorized by City Council via ordinance 0290-2016, approved February 22, 2016. The annexation agreement also requires that territory (as described in the agreement) annexed to the City from Mifflin Township be transferred to Montgomery Township. This ordinance authorizes the submission of a petition to the Franklin County Board of Commissioners, 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 ORC.

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 (AN16-003) of Ramseyer Presbyterian Church for the annexation of certain territory containing 1.858 ± acres in Mifflin Township and to authorize the submission of a petition to the Board of Commissioners of Franklin County, Ohio, requesting a change in the boundary lines of Montgomery Township so as to make them identical with the corporate boundaries of the city of Columbus for this annexation.

WHEREAS, a petition for the annexation of certain territory in Mifflin Township was filed on behalf of Ramseyer Presbyterian Church on June 1, 2016; and

WHEREAS, while a service ordinance is not required for this type of annexation, the City did conduct a review of the proposed annexation to determine what services would be available to the site upon annexation, the results of which are reflected in the attached service statement; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on June 14, 2016; and

WHEREAS, on July 11, 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; and

WHEREAS, an annexation agreement between Mifflin Township and the City of Columbus requires the City to transfer territory (as described in the annexation agreement) annexed from Mifflin 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 Ramseyer Presbyterian Church in a petition filed with the Franklin County Board of Commissioners on June 1, 2016 and subsequently approved by the Board on June 14, 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 Mifflin, and being a part of Section 2, Township 1, Range 17 of the U.S. Military Lands, and being 1.858 acres out of a 14.360 acre tract conveyed to Ramseyer Presbyterian Church in Instrument (Instr.) No. 200810030148669, Franklin County Recorder's Office;

Beginning at the intersection of the centerline of Westerville Rd. (width variable) and the east line of Clinton Township and Quarter Township 1, Township 1 Range 18 of the said U.S. Military Lands, and the west line of the said Mifflin Township and the said Section 2, being a point on a west line of the said 14.360 acre tract;

Thence in a northerly direction a distance of approximately 131 feet, along a west line of the said 14.360 acre tract and the centerline of the said Westerville Rd., to a point, being a northwest corner of the said 14.360 acre tract and the southwest corner of a 0.606 acre tract conveyed to 3238 Westerville Properties LLC in Instr. No. 20160120011875;

Thence in a easterly direction a distance of approximately 60 feet, along a north line of the said 14.360 acre tract, the north line of a 0.462 acre tract conveyed to the City of Columbus in Instr. No. 201510230150577, and the south line of the said 0.606 acre tract, to a point, being the northeast corner of the said 0.462 acre tract, and being the True Point of Beginning;

Thence in a easterly direction a distance of approximately 207 feet, along a north line of the said 14.360 acre tract and the south line of the said 0.606 acre tract, to a point, being a corner of the said 14.360 acre tract, the southeast corner of the said 0.606 acre tract, and a corner of the corporation line of the City of Columbus, established in Ordinance No. 501-66, Miscellaneous Record 140, pg. 203;

Thence in a southerly direction a distance of approximately 253 feet, along the said corporation line and crossing the said 14.360 acre tract, to a point in a south line of the said 14.360 acre tract, being a corner of the said corporation line, a northwest corner of a 23.000 acre tract conveyed to Rhema Christian Center in Instr. No. 200002240037367, and the northeast corner of a 2.295 acre tract conveyed to Thomas E. Fletcher and Joan C. Pomajevich in Instr. No. 201405290066208;

Thence in a westerly direction a distance of approximately 403 feet, along a south line of the said 14.360 acre tract and the north line of the said 2.295 acre tract, to a point in the west line of the said Mifflin Township and the east line of the said Clinton Township;

Thence in a northerly direction a distance of approximately 63 feet, crossing the said 14.360 acre tract, along the west line of the said Mifflin Township and the said Section 2, and the east line of the said Clinton Township and the said Quarter Township 1, to a point in the west line of the said 0.462 acre tract;

Thence in a northerly direction a distance of approximately 256 feet, along the east line of the said 0.462 acre tract and crossing the said 14.360 acre tract, to the True Point of Beginning, containing 80,913 square feet or 1.858 acres to be annexed, all out of the said 14.360 acre tract;

The area to be annexed out of Mifflin Township (Section 1) is 1.858 acres;

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 February of 2016. 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 Mifflin Township, which by the order of the Board of County Commissioners of Franklin County, Ohio, on June 14, 2016 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.