



Legislation Text

File #: 2268-2019, **Version:** 1

AN19-005

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN19-005) by the city of Columbus and authorizes its transfer from Washington 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 May 7, 2019. Franklin County approved the annexation on May 21, 2019 and the City Clerk received notice on June 24, 2019. 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 Washington Township. The annexation agreement also requires that territory annexed to the City of Columbus from Washington 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 County 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. The subject site is also located within the City's Northwest Pay-As-We-Grow (PAWG) area and if developed will be subject to PAWG funding mechanisms applicable to the site.

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 (AN19-005) of Ronald and Jodi Wallace for the annexation of certain territory containing 2.63± acres in Washington 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 Washington Township was filed on behalf of Ronald and Jodi Wallace on May 7, 2019; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on May 21, 2019; and

WHEREAS, on June 24, 2019, 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, the annexation agreement between Washington Township and the City of Columbus requires the City to transfer territory annexed from Washington 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 Ronald and Jodi Wallace in a petition filed with the Franklin County Board of Commissioners on May 7, 2019 and subsequently approved by the Board on May 21, 2019 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 Washington, and being a part of Virginia Military Survey 6336, and being a part of a 2.862 acre tract conveyed to Ronald L. and Jodi L. Wallace in Instrument (Instr.) No. 200912020174178, Franklin County Recorder's Office;

BEGINNING at the southwest corner of The Falls at Hayden Run Condominium Fifteenth Amendment, Condominium Plat Book (C.P.B.) 216, pg. 1, being the northwest corner of The Falls at Hayden Run Condominium Eighteenth Amendment, C.P.B. 228, pg. 78, and being a point in the east line of the said 2.862 acre tract and in the Corporation line of the City of Columbus, Ordinance (Ord.) No. 628-03, Instr. No. 200306120176147;

THENCE in a southerly direction, a distance of approximately 142 feet, along the west line of the said Eighteenth Amendment and the east line of the said 2.862 acre tract, and along the said Corporation line, to a point, being the southeast corner of the said 2.862 acre tract and the northeast corner of a 1.837 acre tract conveyed to Bryce Alan and Julie Lynne Oliver in Official Record 11082 D-02;

THENCE in a westerly direction, a distance of approximately 343 feet, along the south line of the said 2.862 acre tract and the north line of the said 1.837 acre tract, to a point in the east right of way line of Hayden Run Rd. (width variable), and in a Corporation line of the City of Columbus, Ord. No. 429-2005, Instr. No. 200506220121139;

THENCE in a northerly direction, a distance of approximately 250 feet, along the said east right of way line, crossing the said 2.862 acre tract, and along the Corporation line in Ord. No. 429-2005, to a point in the north line of the said 2.862 acre tract and in the south line of a 3.407 acre tract conveyed to Ronald Wallace in Instr. No. 201410220139740, and being a corner of the Corporation line of the City of Columbus, Ord. No. 1474-2010, Instr. No. 201101210011337;

THENCE in a easterly direction, a distance of approximately 574 feet, along the north line of the said 2.862 acre tract, the south line of the said 3.407 acre tract, and the said Corporation line in Ord. No. 1474-2010, to a point, being the northeast corner of the said 2.862 acre tract, the southeast corner of the said 3.407 acre tract, being a point in the west line of the said Fifteenth Amendment, and in the said Corporation line in Ord. No. 628-03;

THENCE in a southerly direction, a distance of approximately 199 feet, along the east line of the said 2.862 acre tract and the west line of the said Fifteenth Amendment, and along the said Corporation line in Ord. No. 628-03, to the Point of Beginning, having an area of 114,672 square feet or 2.633 acres to be annexed, all out of the said 2.862 acre tract and nothing within any right of way;

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 March of 2019. 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 Washington Township, which by the order of the Board of County Commissioners of Franklin County, Ohio, on May 21, 2019 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.