



Legislation Text

File #: 1338-2020, **Version:** 1

AN20-002

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN20-002) by the city of Columbus and authorizes its transfer from Plain 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 February 4, 2020. Franklin County approved the annexation on February 25, 2020 and the City Clerk received notice on April 3, 2020. 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 Plain Township. The annexation agreement also requires that territory annexed to the City of Columbus from Plain 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 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 Ohio Revised Code. The subject site is also located within the City's Northeast 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 (AN20-002) of Charles and Janice Graham for the annexation of certain territory containing 3.84± acres in Plain 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 Plain Township was filed on behalf of Charles and Janice Graham on February 4, 2020; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on February 25, 2020; and

WHEREAS, on April 3, 2020, 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 Plain Township and the City of Columbus requires the City to transfer territory annexed from Plain 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 Charles and Janice Graham in a petition filed with the Franklin County Board of Commissioners on February 4, 2020 and subsequently approved by the Board on February 25, 2020 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 Plain, Quarter Township 3, Township 2, Range 16, United States Military Lands and containing 3.84 acres, said 3.84 acres being part of that tract of land as conveyed to 5364 Thompson Road LLC of record in Instrument No. 202001030000878 and more particularly described as follows;

Beginning, at the northeasterly corner of said 5364 Thompson Road LLC tract, said corner also being a southwesterly corner of that 12.439 acre tract of land as conveyed to Palmer House Borrower LLC of record in Instrument No. 201510080143032 and being at the intersection of the westerly line of an existing City of Columbus Corporation Line (Case #92-88, Ord. #639-89, O.R. 13294, P. D07, P.B. 70, P. 2 I) and a southerly line of an existing City of Columbus Corporation Line (Case #69-95, Ord. #985-96, O.R. 32248, P. 020);

Thence S 03° 17' 16" W, with the easterly line of said 5364 Thompson Road LLC tract, the westerly line of said 12.439 acre tract and along said existing City of Columbus Corporation line (Case #92- 88, Ord. #639-89, O.R. 13294, P. D07, P.B. 70, P. 21), 438.52+/- feet to the northerly right-of-way line of Thompson Road (R.R. 14, P. 486), also being the northerly line of an existing City of Columbus Corporation Line (Case #25-04, Ord. #1296-04, J.N. 200411240269738);

Thence N 86° 48' 56" W, across said 5364 Thompson Road LLC tract, along said northerly right-of-way line and along the northerly line of said existing City of Columbus Corporation Line (Case #25-04, Ord. #1296-04, I.N. 200411240269738), 381.77+/- feet to a westerly line of said 5364 Thompson Road LLC tract, and an easterly line of an existing City of Columbus Corporation Line (Case #37-98, Ord. #3030-98, I.N. 199906140150568) and the southeasterly corner of Mayfair Place Final Plat of record in Plat Book 119, Page 60;

Thence N 03° 11' 03" E, with a westerly line of said 5364 Thompson Road LLC tract, an easterly line of said Mayfair Place Final Plat, an easterly line of said existing City of Columbus Corporation Line (Case #37-98, Ord. #3030-98, I.N. 199906140150568) and partially with an easterly line of an existing City of Columbus Corporation Line (Case #17-92, Ord. #2131-92, O.R. 21014, P. H12), 437.09+/- feet to the northwesterly corner of said 5364 Thompson Road LLC tract, also being a southwesterly corner of said 12.439 acre tract and at the intersection of the easterly line of said existing City of Columbus Corporation Line (Case # 17-92, Ord. #2131-92, O.R. 21014, P. H 12) and the southerly line of said existing City of Columbus Corporation Line (Case #69-95, Ord. #985-96, O.R. 32248, P. 020);

Thence S 87° 01' 47" E, with the northerly line of said 5364 Thompson Road LLC tract, the southerly line of said 12.439 acre tract and along said existing City of Columbus Corporation line (Case #69-95, Ord. #985-96, O.R. 32248, P. 020), 382.57+/- feet to the True Point of Beginning. Containing 3.84 acres, more or less. The above description was written by Advanced Civil Design on January 14, 2020. A drawing of the above description is attached hereto and made a part thereof.

The total length of the annexation perimeter is about 640 feet, of which about 1640 feet are contiguous with existing City of Columbus Corporation Lines, being about 100.00% contiguous. This annexation does not create any islands of township property.

Bearings are based on the bearing of N 03° 10' 56" E for the centerline of Preservation Avenue as recorded in Plat Book

107, Page 84.

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 Plain Township, which by the order of the Board of County Commissioners of Franklin County, Ohio, on February 25, 2020 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.