



Legislation Text

File #: 2013-2020, **Version:** 2

AN20-005

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN20-005) 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. This petition was filed with Franklin County on May 5, 2020. City Council approved a service ordinance addressing the site on May 18, 2020. Franklin County approved the annexation on June 9, 2020 and the City Clerk received notice on July 6, 2020.

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.

Emergency Justification: Emergency amendment will allow the ordinance for rezoning to be heard earlier than 30 days from tonight, which will assist with timing of the project. The development project is for a Bank of America branch bank supported by all.

To accept the application (AN20-005) of Robert B Cook and Thomas B Fritz Tr for the annexation of certain territory containing 2.04± acres in Franklin Township, **and to declare an emergency.**

WHEREAS, a petition for the annexation of certain territory in Franklin Township was filed on behalf of Robert B Cook and Thomas B Fritz Tr on May 5, 2020; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on June 9, 2020; and

WHEREAS, on July 6, 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, **an emergency exists in the usual daily operations** ~~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 Robert B Cook and Thomas B Fritz Tr in a petition filed with the Franklin County Board of Commissioners on May 5, 2020 and subsequently approved by the Board on June 9, 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 Franklin, Virginia Military Survey Number 717, and being 2.044 acres being out of the existing right-of-way of Harrisburg Pike, as conveyed to Board of Commissioners of

Franklin County, Ohio, by the instrument filed as Instrument Number 2007081300142310, The City of Columbus, by the instruments filed as Instrument Number 200607070133343, Official Record 13004 page 816, Instrument Number 200606230123150, Official Record 12513 page 817, Instrument Number 200112200297160, and Official Record 35085 page D06, all of Franklin County Auditor's parcel number 140-003269 conveyed to Robert R. Cook by the instrument filed as Instrument Number 200809240143757, and all of Franklin County Auditor's parcel number 140-003271 conveyed to Thomas B. Fritz, Trustee of the Margaret D. Fritz Revocable Trust Agreement u/a/d 10/28/1997, as amended, by the instrument filed as Instrument Number 201906210074949 and transferred in Instrument Number 202003030032084 (hereafter collectively referred to as "Owner", all document references are to the records of Franklin County unless otherwise stated), the said 2.044 acre parcel also being more particularly described as follows:

BEGINNING at the southeasterly corner of the said parcel 140-003271, also being the southeasterly corner of lot 46 7 of Gibson Addition filed as Plat Book volume 19, page 33, and being on the existing City of Columbus Corporation line as annexed by Ordinance 1273-72 and case number 26-72 of record in Miscellaneous Record 157-142, the said point being the TRUE POINT OF BEGINNING of the parcel herein described.

Thence along the said corporation line, in a northwesterly direction for a distance of approximately 162 feet to a point;

Thence continuing along the said corporation line, in a southwesterly direction for a distance of approximately 110 feet to an angle point in the said corporation line;

Thence continuing along the said corporation line, in a southwesterly direction for a distance of approximately 120 feet to a point on the existing City of Columbus Corporation line as annexed by Ordinance 1487-88 and case number 6-88 of record in Official Record 11898 Page H02;

Thence continuing along the last said corporation line, in a southwesterly direction for a distance of approximately 140 feet to a point on the existing City of Columbus Corporation line as annexed by Ordinance 1273-72 and case number 26-72 of record in Miscellaneous Record 157-142;

Thence continuing along the last said corporation line, in a southwesterly direction for a distance of approximately 130 feet to a point on the existing City of Columbus Corporation line as annexed by Ordinance 2094-88 and case number 41-88 of record in Official Record 12530 Page G02;

Thence continuing along the last said corporation line, in a southwesterly direction for a distance of approximately 224 feet to a point;

Thence crossing through the said Franklin Township, in a northwesterly direction for a distance of approximately 60 feet to a point on the existing City of Columbus Corporation line as annexed by Ordinance 1537-72 and case number 36-72 of record in Miscellaneous Record 157-682;

Thence along the last said corporation line, in a northeasterly direction for a distance of approximately 730 feet to an angle point in the said corporation line;

Thence continuing along the last said corporation line, in a northeasterly direction for a distance of approximately 419 feet to point on the existing City of Columbus Corporation line as annexed by Ordinance 1518-04 and case number 31-04 of record in Instrument Number 200411240269752;

Thence continuing along the last said corporation line, in a southeasterly direction for a distance of approximately 60 feet to an angle point in the said corporation line;

Thence crossing through the said Franklin Township, in a southwesterly direction for a distance of approximately 92 feet to a point on the northerly line of the said parcel 140-003269;

Thence along the northerly line of the said parcel 140-003269 and with a curve to the right in an easterly direction for a distance of approximately 66 feet to a point;

Thence continuing along the northerly line of the said parcel 140-003269 and with a curve to the left in a southeasterly direction for a distance of approximately 122 feet to a point at the northeasterly corner of the said parcel 140-003269;

Thence along the southeasterly line of the said parcel 140-003269 in a southwesterly direction for a distance of approximately 160 feet to the TRUE POINT OF BEGINNING, containing 2.044 acres, more or less, being all out of Franklin Township.

This annexation description of the location of the property to be annexed and is not a boundary survey as defined in O.A.C. Chapter 4733.37. The above description is for annexation purposes only and is not intended for deed transfer purposes.

The above annexation contains a perimeter distance of approximately 2215 feet contiguous with the existing City of Columbus Corporation Line and a total perimeter of approximately 2715 feet to be annexed, and 81 % of the perimeter length is contiguous to the City of Columbus Corporation line.

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.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part thereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.**