



Legislation Text

File #: 2264-2021, **Version:** 1

AN21-010

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN21-010) 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 12, 2021. Franklin County approved the annexation on June 1, 2021 and the City Clerk received notice on June 29, 2021. 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 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 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 (AN21-010) of A&M Solutions Provider LLC & Waheed Gul for the annexation of certain territory containing 0.9± 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 A&M Solutions Provider LLC & Waheed Gul on May 12, 2021; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on June 1, 2021; and

WHEREAS, on June 29, 2021, 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 on behalf of A&M Solutions Provider LLC & Waheed Gul in a petition filed with the Franklin County Board of Commissioners on May 12, 2021 and subsequently approved by the Board on June 1, 2021 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 No. 3453, and being part of a 1.000 acre tract conveyed to A&M Solution Provider LLC and Waheed Gui in Instrument (Instr.) No. 202103100043815, Franklin County Recorder's Office;

BEGINNING for reference at the northwest corner of an annexation to the City of Columbus, City Ordinance (Ord.) No. 0925-2005, Instr. No. 200508180168050, being a point in a south line of a annexation to the City of Columbus, City Ord. No. 1533-2002, Instr. No. 200212260331528, and being a point 30.00 feet west of the centerline of Avery Rd. (width variable);

THENCE in a southerly direction, a distance of approximately 450 feet, parallel to and 30.00 feet west of the centerline of the said Avery Rd., and along a west line of the said annexation in City Ord. No. 0925-2005, to a point in the north line of the said 1.000 acre tract and a point in the south line of a 0.138 acre tract (Parcel No. 15WD) conveyed to the City of Columbus in Instr. No. 201610260146959, and being the True Point of Beginning;

THENCE in a southerly direction, a distance of approximately 150 feet, crossing the said 1.000 acre tract, along a west line of the said annexation in City Ord. No. 0925-2005, parallel to and 30.00 feet west of the centerline of the said Avery Rd., to a point in the south line of the said 1.000 acre tract, being the northeast corner of a 4.459 acre tract conveyed to Dublin MHP LLC in Instr. No. 201808300117990 and the northwest corner of a 0.545 acre tract (Parcel No. 25- WD) conveyed to the Franklin County Commissioners in Instr. No. 200504070065050;

THENCE in a westerly direction, a distance of approximately 260 feet, along the south line of the said 1.000 acre tract and a north line of the said 4.459 acre tract, to a point, being the southwest corner of the said 1.000 acre tract and a southeast corner of a 5.141 acre tract conveyed to Steven L. Stalnaker in Instr. No. 200107060153944;

THENCE in a northerly direction, a distance of approximately 150 feet, along the west line of the said 1.000 acre tract and an east line of the said 5.141 acre tract, to a point, being the northwest corner of the said 1.000 acre tract and a corner of the said 5.141 acre tract;

THENCE in a easterly direction, a distance of approximately 260 feet, along the north line of the said 1.000 acre tract, a south line of the said 5.141 acre tract, and a south line of the said 0.138 acre tract, to the True Point of Beginning, having an area of 39,060 square feet or 0.897 acres to be annexed, all out of the said 1.000 acre tract, and of which the P.R.O. is 3,000 square feet or 0.069 acres;

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 June 1, 2021 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.