



## Legislation Text

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**File #:** 0076-2022, **Version:** 1

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AN21-015

### **BACKGROUND:**

This ordinance approves the acceptance of certain territory (AN21-015) 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 September 1, 2021. City Council approved a service ordinance addressing the site on September 13, 2021. Franklin County approved the annexation on October 5, 2021 and the City Clerk received notice on October 25, 2021.

### **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 (AN21-015) of James R Cloyes CPA, LLC for the annexation of certain territory containing 34.9± acres in Madison Township.

WHEREAS, a petition for the annexation of certain territory in Madison Township was filed on behalf of James R Cloyes CPA, LLC on September 1, 2021; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on October 5, 2021; and

WHEREAS, on October 25, 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; now, therefore,

### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

**SECTION 1.** That the annexation proposed by James R Cloyes CPA, LLC in a petition filed with the Franklin County Board of Commissioners on September 1, 2021 and subsequently approved by the Board on October 5, 2021 is hereby accepted and said territory is hereby annexed to the city of Columbus. Said territory is described as follows:

Situate in the State of Ohio, County of Franklin, Township of Madison, and being in Section 15, Township 11, Range 21, Congress Lands, and being part of a 35.075 acre tract as conveyed to James R. Cloyes, C.P.A., LLC in Instrument Number 20121115017 4323, of record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

COMMENCING at the intersection of the westerly right-of-way of Ebright road (varies), also being the westerly line of a

state highway easement dedicated in Deed Book 2370, Page 547, the southerly property line of said 35.075 acre tract, the northerly line of a 1.05 acre tract as conveyed to Thomas M. Dixon in Official Record Volume 10613 Page G02, being on the westerly corporation line of the City of Columbus as established by Ordinance Number 635-03, as recorded in Instrument Number 200306120176149, said point being the POINT OF TRUE BEGINNING;

Thence along the southerly line of said 35.075 acre tract and along the northerly corporation line of the City of Columbus as established in Ordinance Number 2511-2019 as recorded in Instrument Number 201911210155713, along the northerly line of said 1.05 acre tract, North 86°07'34" West, 167.6 feet to a point;

Thence along an easterly line of said 35.075 acre tract and the westerly line of said City of Columbus corporation line and said 1.05 acre tract, South 04°36'26" West, 115.3 feet to a point on the northerly line of a 9.84 acre tract as conveyed to Ameri-Store Canal Winchester, LLC. in Instrument Number 201504170049672;

Thence along a southerly line of said 35.075 acre tract and along the northerly line of said 9.84 acre tract, North 85° 42'38" West, 844.6 feet to a point on the northeasterly line of the remainder of a 32.36 acre tract and the remainder of a 28 acre tract as conveyed to Ronald T. Hill and Margaret J. Spurlock in Official Record Volume 12628 Page G18, also being on the limited access right-of-way of U.S. Route 33 (width varies), also being on the northeasterly line of a highway easement, to the State of Ohio, of record in Deed Book 2370, Page 549, designated Parcel #44LA (FRA-33-(26.21-30.13));

Thence along the southwesterly line of said 35.075 acre tract, along the northeasterly line of said remainders of the 28 and 32.36 acre tracts, continuing along said U.S. Route 33 limited access right-of-way, North 54 °57'02" West, 7 4.5 feet to a point;

Thence continuing along the southwesterly line of said 35.075 acre tract, continuing along the northeasterly line of said remainders of the 28 and 32.36 acre tracts, continuing along said U.S. Route 33 limited access right-of-way, North 49° 25'50" West, 1400.0 feet to a point;

Thence continuing along the southwesterly line of said 35.075 acre tract, continuing along the northeasterly line of said remainders of the 28 and 32.36 acre tracts, continuing along said U.S. Route 33 limited access right-of-way, North 38° 40'21" West, 101.8 feet to a point;

Thence continuing along the southwesterly line of said 35.075 acre tract, continuing along the northeasterly line of said remainders of the 28 and 32.36 acre tracts continuing along said U.S. Route 33 limited access right-of-way, North 49° 25'50" West, 507.5 feet to a point, being on the westerly corporation line of Madison Township and the easterly corporation line of the City of Groveport as established in Ordinance Number 532 and Miscellaneous Record 137-404, also being on the easterly line of a 154.5265 acre (per Franklin County Auditor) tract of land as conveyed to the State of Ohio Director of Administrative Services (no deed record found);

Thence along the westerly line of said 35.075 acre tract, along the easterly corporation line of said City of Groveport and the westerly corporation line of Madison Township, and along the easterly line of said 154.53 acre tract, North 04 °39'10" East, 181.5 feet to a point, being on the southerly corporation line of the City of Columbus as established by Ordinance Number 1351-02, as recorded in Instrument Number 200212260331534, and being on the southwest corner of a 0.346 acre tract as conveyed to the Columbus and Franklin County Metro Parks in Instrument Number 200803060034647;

Thence along the northerly line of said 35.075 acre tract and the southerly City of Columbus corporation line, along the southerly line of said 0.346 acre tract, and along the southerly lines of a 19 acre tract and a 28 acre tract as conveyed to Cveta Nastev in Instrument Number 200601130009208, South 86°01 '03" East, 1360.3 feet to a point on the northwesterly corner of a 13.00 acre tract as conveyed to Paula S. Smith in Instrument Number 199902030027902;

Thence along an easterly line of said 35.075 acre tract, along the westerly line of said 13.00 acre tract, along the westerly line of the remainder of a 9.954 acre tract as conveyed to Robert C. and Judith A. Johnson in Instrument Number 201305080076169, and along the westerly line of a 4.954 acre tract as conveyed to William R. and Angela G. Lutz in

Instrument Number 201301090004938, South 04 °39'06" West, 911.0 feet to a point on the southwesterly corner of said 4.954 acre tract;

Thence along a northerly line of said 35.075 acre tract, along the southerly line of said 4.954 acre tract, South 85°59'44" East, 959.2 feet to a point on the northwesterly corner of a 0.66 acre tract as conveyed to Shirley A. Adkins in Official Record Volume 17292 Page C03;

Thence along an easterly line of said 35.075 acre tract, and along the westerly line of said 0.66 acre tract, South 04°23'05" West, 185.8 feet to a point on the southwesterly corner of said 0.66 acre tract;

Thence along a northerly line of said 35.075 acre tract, along the southerly line of said 0.66 acre tract, and along the southerly line of a 1.05 acre tract as conveyed to Shirley A. Adkins in Official Record Volume 10613 Page G02, South 85° 44'49" East, 345.4 feet to a point on the easterly right-of-way line of said Ebright Road and said state highway easement;

Thence across said 35.075 acre tract and continuing along said state highway easement and said Ebright road right-of-way, South 01 °51 '48" East, 223.1 feet to the POINT OF TRUE BEGINNING, containing 34.9 Acres, more or less.

Total perimeter of annexation is 7377.8 feet, of which 1866.3 feet is contiguous with the City of Columbus by Ordinance Number 1351-02, Ordinance Number 2511-2019, and Ordinance Number 635-03, giving 25% perimeter contiguity.

The bearings shown on this plat are based on a survey of record in Instrument Number 20121115017 4323. The northerly property line of the proposed annexation area, having a bearing of South 86°01'03" East as described in said survey, serves as the designated "basis of bearing" for this plat.

**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.