



Legislation Text

File #: 1830-2022, **Version:** 1

This ordinance approves the acceptance of certain territory (AN22-002) 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 March 23, 2022. City Council approved a service ordinance addressing the site on April 4, 2022. Franklin County approved the annexation on April 26, 2022 and the City Clerk received notice on May 9, 2022.

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 (AN22-002) of Livingston Limited, Inc. for the annexation of certain territory containing 7.67± acres in Clinton Township.

WHEREAS, a petition for the annexation of certain territory in Clinton Township was filed on behalf of Livingston Limited, Inc. on March 23, 2022; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on April 26, 2022; and

WHEREAS, on May 9, 2022, 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 Livingston Limited, Inc. in a petition filed with the Franklin County Board of Commissioners on March 23, 2022 and subsequently approved by the Board on April 26, 2022 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 Clinton, lying in Quarter Township 3, Township 1 North, Range 18 West, United States Military District, being over Lots 3 and 4 of that subdivision titled "J.O. Lisle Subdivision" of record in Plat Book 5, Page 431, and being comprised of part of that 1.547 acre tract conveyed to Livingston Limited, Inc. by deed of record in Official Record 3376020, part of that tract conveyed to Livingston Limited, Inc. by deed of record in Deed Book 312, Page 162, and Official Record 02525F03, part of that 4.837 acre tract conveyed to Storage

Equities/PS Partners III-Mid-Ohio by deed of record in Official Record 9989H03, and that part of that 0.366 acre tract conveyed to City of Columbus by deed of record in Instrument Number 200408230196801 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, in the centerline of Kinnear Road (width varies) at the southwesterly corner of said 1.547 acre tract, and the southeasterly corner of that 3.295 acre tract conveyed to State of Ohio for the use and benefit of The Ohio State University by deed of record in Official Record 23293H02;

Thence, northerly, crossing said Kinnear Road, with the line common to said 1.547 and 3.295 acre tracts, a distance of approximately 30 feet to an angle point in the existing corporation line of City of Columbus as established in Ordinance Number 239-86 of record in Official Record 7042C15, in the northerly right-of-way line of said Kinnear Road, the TRUE POINT OF BEGINNING;

Thence, northerly, with said existing corporation line, a westerly line of said Livingston Limited, Inc. tracts, the easterly line of said 3.295 acre tract, and the easterly line of that 0.320 acre tract conveyed to The State of Ohio for the use of The Ohio State University by deed of record in Instrument Number 199904260102543, a distance of approximately 520 feet to an angle point in said existing corporation line, the common corner of said Livingston Limited, Inc. tract and said 0.320 acre tract, in the southerly line of that 5.23 acre tract conveyed to Board of Trustees of The Ohio State University by deed of record in Deed Book 2714, Page 273;

Thence easterly, with said corporation line, a line common to said Livingston Limited, Inc. tract and said 5.23 acre tract, a distance of approximately 114 feet to an angle point in said corporation line, the common corner of said Livingston Limited, Inc. tract, and said 5.23 acre tract;

Thence northerly, with said corporation line, a line common to said Livingston Limited, Inc. tract and said 5.23 acre tract, a distance of approximately 12 feet to a common corner of said Livingston Limited, Inc. tract, and that 4.837 acre tract conveyed to Storage Equities / PS Partners III-Mid-Ohio by deed of record in Official Record 9989H03;

Thence with the line common to said Livingston Limited, Inc. tract, and said 4.837 acre tract, the following courses and distances:

Easterly, a distance of approximately 153 feet to a point;

Easterly, a distance of approximately 172 feet to a point;

Southeasterly, a distance of approximately 70 feet to a point;

Southeasterly, a distance of approximately 94 feet to a point;

Southerly, a distance of approximately 266 feet to a point;

Southerly, a distance of approximately 73 feet to a point; and

Southerly, a distance of approximately 84 feet to a point in said northerly right-of-way line;

Thence easterly, with said northerly right-of-way line and across said 4.837 acre tract, a distance of approximately 52 feet to a point in the existing corporation line of City of Columbus as established in Ordinance Number 2005-03 of record in Instrument Number 200312020382919 in the easterly line of said 4.837 acre tract;

Thence southerly, with said corporation line and with the easterly line of said 4.837 and 0.366 acre tracts, a distance of approximately 73 feet to an angle point in said corporation line;

Thence westerly, with said corporation line, a distance of approximately 342 feet to an angle point in said corporation line at a common corner of that 1.189 acre tract conveyed to Simon Kenton Council, Boy Scouts of America by deed of record in Instrument Number 201203010028697 and said 0.366 acre tract, at the northeasterly corner of Lot 265 of that subdivision titled "University View Subd'n No. 2" of record in Plat Book 21, Page 10;

Thence northerly, crossing said Kinnear Road with a westerly line of said 0.366 acre tract, a distance of approximately 31 feet to a point in said Kinnear Road centerline at a northwesterly corner of said 0.366 acre tract;

Thence northerly, continuing across said Kinnear Road and across said Livingston Limited, Inc. tract, a distance of approximately 40 feet to a point in said northerly right-of-way line;

Thence westerly, with said northerly right-of-way line and across said Livingston Limited, Inc. tracts, the following courses and distances:

Westerly, a distance of approximately 16 feet to a point;

Southerly, a distance of approximately 10 feet to a point;

Westerly, a distance of approximately 144 feet to a point;

Northerly, a distance of approximately 10 feet to a point;

Westerly, a distance of approximately 200 feet to a point;

Southerly, a distance of approximately 10 feet to a point; and

Westerly, a distance of approximately 30 feet to the TRUE POINT OF BEGINNING, containing 7.67 acres, more or less.

This description was prepared from record information only, should be used for annexation purposes only, and shall not to be used for transfer.

Total perimeter of annexation area is 2516± feet, of which 1061± feet is contiguous with the City of Columbus by Ordinance Numbers 239-86 and 2005-03 giving 42±% perimeter contiguity.

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.