



Legislation Text

File #: 2934-2022, **Version:** 1

BACKGROUND:

This ordinance approves the acceptance of certain territory (AN22-007) by the city of Columbus and authorizes its transfer from Blendon 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 August 11, 2022. Franklin County approved the annexation on August 23, 2022 and the City Clerk received notice on September 7, 2022. 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 Blendon Township. The annexation agreement also requires that territory annexed to the City of Columbus from Blendon 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 not located within the City's Northeast Pay-As-We-Grow (PAWG) area and if developed will not 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 (AN22-007) of Capital City Baptist Church for the annexation of certain territory containing 23.3± acres in Blendon Township.

WHEREAS, a petition for the annexation of certain territory in Blendon Township was filed on behalf of Capital City Baptist Church on August 11, 2022; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on August 23, 2022; and

WHEREAS, on September 7, 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,

WHEREAS, the annexation agreement between Blendon Township and the City of Columbus requires the City to transfer territory annexed from Blendon 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. Situated in the State of Ohio, County of Franklin, Township of Blendon, Township 2, Quarter Township 4, Range 17 of the United States Military Survey and containing 23.3+/- acres of land, more or less, said 23.3+/- acres being part of a tract of land conveyed to Capitol City Baptist Church in Deed Book 3641, Pg. 64, being part of a 0.820 acre tract of land conveyed to the State of Ohio of record in Official Record 29244, Page G 15 and described as Parcel 22 WV, being all of a 0.515 acre tract of land conveyed to the State of Ohio of record in Official Record 29244 and described as Parcel 23 WV, Page 015, being part of a 5.970 acre tract of land conveyed to the State of Ohio of record in Deed Book 2919, Page 89 and described as Parcel 114 WL, being all of a 0.896 acre tract of land conveyed to the State of Ohio of record in Deed Book 2993, Page 204 and described as Parcel 115 WL, being all of a 0.892 acre tract of land conveyed to the State of Ohio of record in Deed Book 2993, Page 204 and described as Parcel 115 WD, being part of a 2.556 acre tract of land conveyed to the State of Ohio of record in Deed Book 2926, Page 346 and described as Parcel 116 WL and a part of a 0.415 acre tract of land conveyed to the State of Ohio of record in Deed Book 2993, Page 196 and described as Parcel 117 WL and being part of a 0.670 acre tract of land conveyed to the State of Ohio of record in Deed Book 2993, Page 196 and described as Parcel 117 WD, said 23.3+/- acres more particularly described as follows:

Beginning, at the northeasterly corner of a 0.513 acre tract conveyed to the State of Ohio of record in Official Record 29244, Pg. IO 1 as Parcel 23-WV, in the southerly line of Lot 88 of Wood stream Section 2 as dedicated in Plat Book 72, Pg. 67, being in the easterly right-of-way line of Sunbury Road (R/W Varies), being in the easterly line of said 0.820 acre tract and being at an angle point of the City of Columbus Corporation Line (Case No. COC 460, Recorded in 63-73, Miscellaneous No. 162-627) and (Case No. 26- 90, Recorded in O.R. 16084 C07, Ordinance No. 2533-90);

Thence S 86°33'23 E, with the southerly line of said Woodstream Section 2 and along a southerly line of said City of Columbus Corporation Line (Case No. COC 460, Recorded in 63-73, Miscellaneous Number 162-62 7, Ord. 659-74), 915.65 feet +/- to an angle point thereof and being a westerly corner of a "Public Open Space" as dedicated on said plat; Thence, with the common lines of the City of Columbus Corporation Line (Case No. COC 460, Recorded in 63-73, Miscellaneous No. 162-627) and the "Public Open Space" as dedicated on said plat, the following two (2) courses:

1. S 87°01 '07" E, 324.94 feet+/- to an angle point;
2. S 04°07'12" W, 331.26 feet+/- to an angle point thereof and being in or near Big Walnut Creek and to a northerly line of a City of Columbus Corporation Line (Case No. 31-69, Recorded in 149-454, Ordinance No. 188-70);

Thence S 86°45'46" W, across said Capitol City Baptist Church tract and continuing along said City of Columbus Corporation Line, 330.51 feet+/- to a angle point in the southwesterly line of said Capitol City Baptist Church tract ; Thence, continuing in or along the Big Walnut Creek and along said City of Columbus Corporation Line (Case No. 31-69, Recorded in 149-454, Ordinance No. 188-70) the following three (3) courses:

1. With a curve to the right having a central angle of 05°44' 16", a radius of 2129.22 feet+/-, an arc length of 213.23 feet+/-, and a chord bearing and distance of S 54°15'33" W, 213.14 +/- feet to an angle point;

- 2- S 07°45'55" W, 2.22 feet+/- to a point;

3. S 51°44'58" W, 2.78 feet +/- to the northeasterly corner of the remainder of an originally recorded 5.00 acre tract of land conveyed to Patrick I. Caudy in Instrument No. 200912170182346 as Parcel 1 and the northeasterly corner of the City of Columbus Corporation Line (Case No. 7-77, Recording in 168-771, Ordinance No. 1594-77);

Thence N 86°22'22" W, with the northerly line of said remainder of Parcel 1 and the northerly line of said City of Columbus Corporation Line (Case No. 7-77, Recording in 168-771, Ordinance No. 1594-77), 1366.46 +/- feet to an angle point in said City of Columbus Corporation Line and being in the old southeasterly right-of-way line of said Sunbury Road (30' perpendicular and parallel to the centerline);

Thence S 47°24'52" W, across said 2.556 acre tract, along said City of Columbus, Corporation Line and along the old southeasterly right-of-way line of said Sunbury Road (30' perpendicular and parallel to the centerline), 94.30 +/- feet to a westerly line of said 2.556 acre tract and being an angle point in a new City of Columbus Corporation Line (Case No. 33-88, Ord. No. 1775-88, Rec. in O.R. 12117H07);

Thence N 15° 14'44" W, along the westerly line of said 2.556 acre tract, along the westerly line of said 0.415 acre tract, across the right-of-way of said Sunbury Road, along the easterly line of said 0.670 acre tract, said 0.670 acre tract being the right-of-way for Watt Road (R/W-Varies) and along said City of Columbus Corporation Line, 67.54 +/- feet to an angle point in said City of Columbus Corporation Line and being in the old northwesterly right-of-way line of said

Sunbury Road (30' perpendicular and parallel to the centerline);

Thence S 47°24'52" W, across said 0.670 acre tract (across said Watt Road), continuing along said City of Columbus Corporation Line and along the old northwesterly right-of-way line of said Sunbury Road (30' perpendicular and parallel to the centerline), 128.07 +/- feet to the southwesterly line of said 0.670 acre tract and the southwesterly right-of-way line of said Watt Road (R/W-Varies);

Thence N 23°07'07" W, along the southwesterly line of said 0.670 acre tract and the right-of-way line of said Watt Road (R/W-Varies), 25.02 +/- feet to an angle point in said City of Columbus Corporation Line (Case No. 27-71, Ord. No. 1572 -71, Rec. in Misc. Book 154-372) and being the current northwesterly right of-way line of said Sunbury Road (50' perpendicular and parallel to the centerline);

Thence across said 0.670 acre tract, across the right-of-way of said Watt Road (R/W-Varies) across said 0.415 acre tract, across said 5.970 acre tract and along said right-of-way, with a curve to the left, having a central angle of 01 °34'09", a radius of 19,688.51 feet+/-, an arc length of 539.22 feet +/-, and a chord bearing and distance of N 47°55'56" E, 539.22 +/- feet to a point in the easterly line of said 5.970 acre tract and being the southwesterly corner of said 0.820 acre tract and being at an angle point in said City of Columbus Corporation Line (Case No. 26-90, Ord. No. 2533-90, Rec. in Official Record 16084, Page C07);

Thence N 46°53'27" E, along the northwesterly line of said 0.820 acre tract and along said northwesterly right-of-way line, 470.60 +/- feet to an angle point in said City of Columbus Corporation Line;

Thence S 86°33'23" E, along said City of Columbus Corporation Line and across said 0.820 acre tract and right-of-way of said Sunbury Road, 139.38 feet+/- to the Point of Beginning. Containing 23.3+/- acres.

The above description was prepared by Advanced Civil Design Inc. on March 31, 2022 and is based on existing Franklin County Auditor records and Franklin County Recorder's records.

The total length of the annexation perimeter is 4,964± feet, of which 4,425± feet are contiguous with existing City of Columbus Corporation lines, being 89±% contiguous.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

This is not to be used for the transfer of land and is for annexation purposes only.

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 Blendon Township, which by the order of the Board of County Commissioners of Franklin County, Ohio, on August 23, 2022 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.