

**Review of Petition to Annex 10.534 +/- acres from Truro and Madison Townships to the City of Columbus Case #ANX-EXP2-20-14 (ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition filed by Don Plank and Amy Kuhn on August 26, 2014 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited Type 2 petition, and having considered all the facts with reference thereto, being fully advised, and

**WHEREAS**, the Commissioners make the following findings based upon the exhibits and testimony presented at the review of this matter:

1. The petition does meet all the requirements set forth in, and was filed in the manner provided in, section 709.021 of the Revised Code.
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation and constitute all of the owners of real estate in that territory.
3. The territory proposed for annexation does not exceed five hundred acres.
4. The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.
5. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
6. The municipal corporation to which annexation is proposed has passed resolution no. 2006-2014 agreeing to provide to the territory proposed for annexation certain services and adopting a statement regarding possible incompatible land uses and zoning buffer. The respective resolution was passed by the City of Columbus on September 8, 2014.

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:**

**Review of Petition to Annex 10.534 +/- acres from Truro and Madison Townships to the City of Columbus Case #ANX-EXP2-20-14 (ECONOMIC DEVELOPMENT & PLANNING)**

That, in accordance with the findings made in the preamble, which are incorporated herein, the prayer of the Petition be *approved*, and the territory sought to be annexed by the petition filed herein *shall* be annexed to the City of Columbus, in accordance with the law; that the orders and proceedings of this board relating to the Petition, and map and description attached thereto, and all papers on file relating to this matter be delivered forthwith to the Clerk of Council, City of Columbus, Ohio.

Prepared by: D. Anthony Hray

C: Economic Development & Planning Department

**SIGNATURE SHEET**

Resolution No. 0679-14

September 30, 2014

**REVIEW OF PETITION TO ANNEX 10.534 +/- ACRES FROM TRURO AND  
MADISON TOWNSHIPS TO THE CITY OF COLUMBUS CASE #ANX-EXP2-20-  
14**

**(Economic Development and  
Planning)**

Upon the motion of Commissioner Paula Brooks, seconded by Commissioner Marilyn  
Brown:

**Voting:**

**Marilyn Brown, President  
Paula Brooks**

**Aye  
Aye**

**Board of County Commissioners  
Franklin County, Ohio**

**CERTIFICATE OF CLERK**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript  
of a resolution acted upon by the Board of County Commissioners, Franklin  
County, Ohio on the date noted above.



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**Shannon Z Cross, Clerk  
Board of County Commissioners  
Franklin County, Ohio**

**CERTIFIED TRUE COPY**

By:  Date: 10/6/14  
**Franklin County Economic Development  
& Planning Department**



Commissioner Marilyn Brown · Commissioner Paula Brooks · Commissioner John O'Grady  
President

Economic Development & Planning Department  
James Schimmer, Director

## MEMO JOURNALIZATION

**TO:** Shannon Zee Cross, County Clerk  
Franklin County Commissioners Office

**FROM:** D. Anthony Hray, Planner  
Franklin County Economic Development & Planning Department

**CC:** James Schimmer, Director  
Jenny Snapp, Assistant Director, Building, Planning and Zoning  
Matthew Brown, Planning Administrator  
Franklin County Economic Development & Planning Department

**RE:** Description of Expedited Type 2 annexation case to be  
journalized on the **September 2, 2014** General Session Agenda  
for a hearing on **September 30, 2014.**

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**Case #ANX-EXP2-20-14-** An Expedited Type 2 annexation petition ANX-EXP2-20-14 was filed in our office on August 26, 2014. The petition is requesting to annex 10.534 +/- acres from Truro and Madison Townships to the City of Columbus.

**Site: 2962 Noe-Bixby Road and adjoining portions of Noe-Bixby, Chatterton and Refuged Roads (260-000501)**



Commissioner Marilyn Brown · Commissioner Paula Brooks · Commissioner John O'Grady  
President

Economic Development & Planning Department  
James Schimmer, Director

## RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX  
10.534 +/- ACRES FROM  
TRURO AND MADISON TOWNSHIPS  
TO THE CITY OF COLUMBUS

### **Description:**

Attached is a resolution to consider the annexation of 10.534-acres, more or less, from Truro and Madison Townships to the city of Columbus. The petition case number is ANX-EXP2-20-14.

### **Agent/s:**

Don Plank and Amy Kuhn – Plank Law Firm LPA

### **Owner:**

Progressive Investments

### **Site:**

2962 Noe-Bixby Road and adjoining portions of Noe-Bixby, Chatterton and Refugee Roads (260-000501)

### **Additional Information:**

Approximately 4,551 feet of the site is contiguous with the city of Columbus, which constitutes 75.5 percent of the total site perimeter.

### **Analysis:**

The applicant has met all statutory requirements outlined in Section 709.021 of the Ohio Revised Code. The applicant has provided proof of notification, and timeline and has provided a resolution from the city of Columbus identifying the services that will be provided once the annexation has been approved and a statement regarding possible incompatible land uses and zoning buffer. The respective resolution, no. 2006-2014, was passed by the city of Columbus on September 8, 2014.

### **Recommendation:**

Pending any questions, staff would request your **approval** of this annexation.



**Commissioners**  
 Marilyn Brown, President  
 Paula Brooks  
 John O'Grady

**Economic Development & Planning Department**  
 James Schlimmer, Director

Application for **RECEIVED**  
**Annexation**  
**Petition** AUG 26 2014

**Expedited Type 2**  
 Pursuant to ORC § 709.023  
 Franklin County Planning Department  
 Franklin County, OH



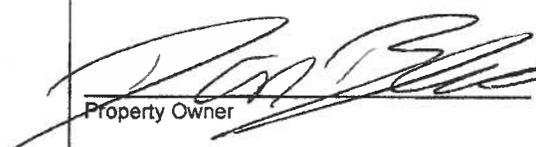
Property Information	
Site Address 2962 Noe Bixby Road and adjacent roadways	
Parcel ID(s) 260-000501 plus roadway	Total Acreage 10.534
From Township Madison and Truro	To Municipality Columbus

Property Owner Information	
Name Progressive Investments	
Address 8242 Innisbrook Lane Springboro, OH 45066	
Phone # 937 609 1300	Fax #
Email donbloom@yahoo.com	

Attorney/Agent Information	
Name Don Plank and Amy Kuhn Plank Law Firm LPA	
Address 145 East Rich Street Third Floor Columbus, OH 43215	
Phone # 614 947 8600	Fax #
Email akuhn@planklaw.com	

Staff Use Only	
Case # ANX-EXP2 20-14	
Hearing date:	9/30/14
Date filed:	8/26/14
Fee paid	250.00
Receipt #	1475
Notifications deadline: 5 days	9/31/14
Svc statement deadline: 20 days	9/15/14

Document Submission	
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:	
<input checked="" type="checkbox"/>	Legal description of property
<input checked="" type="checkbox"/>	Map/plot of property
<input checked="" type="checkbox"/>	List of adjacent properties

Waiver of Right to Appeal			
<p>WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.</p>			
	8/25/14	_____	_____
Property Owner	Date	Property Owner	Date
_____	_____	_____	_____
Property Owner	Date	Property Owner	Date

**PETITION FOR ANNEXATION  
OF 2.474 ACRES, MORE OR LESS,  
FROM MADISON TOWNSHIP AND 8.060 ACRES IN TRURO TOWNSHIP  
IN FRANKLIN COUNTY TO THE CITY OF COLUMBUS, OHIO  
FOR A TOTAL ANNEXATION AREA OF 10.534 ACRES  
UTILIZING THE SPECIAL PROCEDURE OF R.C. SECTION 709.023 ET SEQ.**

**TO: THE BOARD OF COUNTY COMMISSIONERS OF  
FRANKLIN COUNTY, OHIO**

Now come the undersigned petitioners, being one hundred percent (100%) of the owners of certain property as hereinafter described and requests that their property be annexed to the city of Columbus, Ohio. The territory proposed for annexation contains approximately 2.474 acres, more or less, in Madison Township, Franklin County and 8.060 acres, more or less in Truro Township, for a total annexation area of 10.534 acres, and is contiguous to the boundary of the Columbus, Ohio, for five percent (5%) or more of the perimeter of the territory proposed for annexation. The undersigned understands the property will not be excluded from the township.

An accurate description of the perimeter of the territory sought to be annexed is attached hereto and made a part hereof as Exhibit "A". A map or plat of the above-described territory sought to be annexed is attached hereto and made a part hereof as Exhibit "B".

The annexation will not create an unincorporated area of township that is completely surrounded by the territory proposed for annexation.

There is no annexation agreement between the municipality and the townships pursuant to R.C. §709.192 applicable to this annexation or an applicable Cooperative Economic Development Agreement (C.E.D.A.) pursuant to R.C. §701.07.

The number of owners in the territory sought to be annexed is two and the number of owners who signed the petition is two.

The owners who sign this petition by their signatures expressly waive their right to appeal in law or equity from the board of county commissioners' entry of any resolution passed under R.C. §709.023 and waives any rights they may have to sue on any issue relating to a municipal corporation requiring a

buffer as provided in R.C. §709.023 and further waives any rights to seek a variance that would relieve or exempt them from that buffer requirement.

Donald T. Plank, 145 E. Rich Street, Third Floor, Columbus, Ohio 43215, (614) 947-8600, is hereby appointed agent for the undersigned petitioner, as required by R.C. §709.02; and said petitioner's agent is hereby authorized to make any amendments and/or deletions which in his absolute and complete discretion are proper under the circumstances then existing. In addition, the petitioner's agent is authorized to make such amendments and/or deletions in this petition, map, plat or description in order to correct any discrepancy or mistake noted by the county engineer or others in their examination of the petition, map, plat or description. Amendments to correct the map, plat or description may be made by the presentation of an amended map or plat and description to the Franklin County Board of County Commissioners on, before or after the date set for hearing of this petition unless otherwise specified by law.

**“WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS’ ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.”**

NAME

ADDRESS

DATE



8242 Innisbrook Lane  
Springboro, OH 45606

\_\_\_\_\_

\_\_\_\_\_



ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE  
DEAN C. RINGLE, P.E., P.S.  
FRANKLIN COUNTY ENGINEER

By BR Date 8/15/14

**J & J Surveying Services, Inc.**

**RECEIVED**

AUG 05 2014

Franklin County Engineer  
Dean C. Ringle, P.E., P.S.

6515 East Livingston Ave.  
Suite 12  
Reynoldsburg, Oh. 43068

**RECEIVED**

AUG 26 2014

Franklin County Planning Department  
Franklin County, OH

ANX-EXP 2  
20-14

Phone 614-866-9158  
Fax 614-866-9132

July 22, 2014

Proposed Annexation of 10.534 acres  
FROM: Truro and Madison Townships  
TO: City of Columbus

SITUATED in the State of Ohio, County of Franklin, Townships of Truro and Madison, being a part of Section 27, Township 12, Range 21, Refugee Lands, and a part of Section 3, Township 11, Range 21, Congress Lands, and being part of Reserves A and B of Qualstan East, Plat Book 38, pg. 1, being 0.756 acres out of a 0.779 acre tract (Tract II) conveyed to Progressive Investments in Official Record (O.R.) 31702 J-10, all of a 0.023 acre tract conveyed to the Franklin County Commissioners in Instrument (Instr.) No. 201401160006223, 0.071 acres out of a 0.144 acre tract (5-WD) conveyed to the Franklin County Commissioners in Instr. No. 201401160006226, 0.063 acres out of a 0.113 acre tract (6-WD) conveyed to the Franklin County Commissioners in Instr. No. 201401270010498, all of a 0.006 acre tract (25-WD) conveyed to the Franklin County Commissioners in Instr. No. 201211010166120, 0.007 acres out of a 0.146 acre tract (24-WD) conveyed to the Franklin County Commissioners in Instr. No. 201301030001285, 0.202 acres out of a 0.392 acre tract (23-WD) conveyed to the Franklin County Commissioners in Instr. No. 201301100005169, all of a 0.753 acre tract (Exhibit C) conveyed to the Franklin County Commissioners in Instr. No. 201305170081770, all of a 1.841 acre tract (11-WD) conveyed to the Franklin County Commissioners in Deed Book (D.B.) 3056, pg. 377, 0.383 acres out of a 41.877 acre tract conveyed to M.H. Murphy Development Co. in Instr. No. 200201180017903, all of a 1.841 acre tract (11-WD) conveyed to the Franklin County Commissioners in D.B. 3056, pg. 383, 3.469 acres out of a 4.91 acre tract (10-WD) conveyed to the Franklin County Commissioners in D.B. 3056, pg. 377, and all of a 0.158 acre tract conveyed to Franklin County Commissioners in Instr. No. 20130107000919, Franklin County Recorders' Office;

BEGINNING at the southernmost corner of Lot 550 and the westernmost corner of Lot 549 of Qualstan East, being a corner of the said Reserve B, and being a corner of the said 0.779 acre tract;

THENCE in a easterly direction, a distance of approximately 114 feet along a south line of the said Lot 549 and of Lot 548 of the said Qualstan East, and a north line of the said 0.779 acre tract and of the said Reserve B, to a point, being a northeast corner of the said 0.779 acre tract and the northwest corner of a 3.325 acre tract conveyed to NSCO International Investment, LLC;

THENCE in a southerly direction, a distance of approximately 90 feet, along an east line of the said 0.779 acre tract and the west line of the said 3.325 acre tract, crossing the said Reserve B, to a point, being a southeast corner of the said 0.779 acre tract and the northeast corner of a 0.376 acre tract conveyed to Mustafa Shalash;

THENCE in a westerly direction, a distance of approximately 81 feet, along a south line of the said 0.779 acre tract and the north line of the said 0.376 acre tract, crossing the said Reserve B, to a point, being a corner of the said 0.779 acre tract and the northwest corner of the said 0.376 acre tract;

THENCE in a southerly direction, a distance of approximately 27 feet, along an east line of the said 0.779 acre tract and the west line of the said 0.376 acre tract, crossing the said Reserve B, to a point, being a southeast corner of the said 0.779 acre tract and the northeast corner of a 0.695 acre tract conveyed to William M. and Deborah R. Angeletti;

THENCE in a westerly direction, a distance of approximately 165 feet, along a south line of the said 0.779 acre tract and the north line of the said 0.695 acre tract, crossing the said Reserve B, to a point, being the southeast corner of the said 0.023 acre tract, and a northeast corner of a 0.114 acre tract (5-

WD) conveyed to the Franklin County Commissioners, and a point in the new east right of way line of Noe-Bixby Rd. (width varies);

THENCE in a southerly direction, a distance of approximately 132 feet, along an east line of the said 0.114 acre tract and the said Noe-Bixby Rd., and crossing the said 0.695 acre tract and the said Reserve B, to a point, being a corner of the said 0.114 acre tract;

THENCE in a easterly direction, a distance of approximately 45 feet along a curve to the left, along a north line of the said 0.114 acre tract, an east line of the said Noe-Bixby Rd., and crossing the said 0.695 acre tract and the said Reserve B, to a point, being a corner of the said 0.114 acre tract and the intersection of the east line of the said Noe-Bixby Rd. and the north line of Chatterton Rd. (width variable);

THENCE in a southerly direction, a distance of approximately 121 feet, crossing the said 0.114 acre tract and the said Chatterton Rd., the said 0.695 acre tract, the said Reserves A and B, the said 0.113 acre tract, the said Reserve A, and a 0.820 acre tract conveyed to Emro Marketing Co., to a point, being a point in a south line of the said 0.113 acre tract and of the said Chatterton Rd.;

THENCE in a westerly direction, a distance of approximately 31 feet, crossing the said 0.820 acre tract and the said Reserve A, along a south line of the said 0.113 acre tract and the said Chatterton Rd., to a point, being a corner of the said 0.113 acre tract and the intersection of the south line of Chatterton Rd. and the east line of the said Noe-Bixby Rd.;

THENCE in a southerly direction, a distance of approximately 36 feet, crossing the said 0.820 acre tract and the said Reserve A, along an east line of the said 0.113 acre tract and of the said Noe-Bixby Rd., to a point, being a corner of the said 0.113 acre tract;

THENCE in a southerly direction, a distance of approximately 122 feet, crossing the said 0.820 acre tract and the said Reserve A, along an east line of the said 0.113 acre tract and of the said Noe-Bixby Rd., to a point, being the southeast corner of the said 0.113 acre tract, the northeast corner of the said 0.006 acre tract, and a point in the south line of the said 0.820 acre tract and in the north line of a 0.517 acre tract conveyed to Mark A. and Annette K. Heatwole;

THENCE in a southerly direction, a distance of approximately 52 feet, crossing the said 0.517 acre tract and the said Reserve A, along the east line of the said 0.006 acre tract and of the said Noe-Bixby Rd., to a point, being the southern-most corner of the said 0.006 acre tract, and a point in the west line of the said Reserve A and the said 0.517 acre tract;

THENCE in a southerly direction, a distance of approximately 4 feet, along the west line of the said 0.517 acre tract and the said Reserve A, and the east line of the said Noe-Bixby Rd., to a point, being a corner of the said 0.517 acre tract and the said Reserve A;

THENCE in a southerly direction, a distance of approximately 62 feet along a curve to the right, along the west line of the said 0.517 acre tract and the said Reserve A, along an east line of the said 0.146 acre tract and of the said Noe-Bixby Rd., crossing a 2.00 acre tract conveyed to Madison Township, to a point;

THENCE in a westerly direction, a distance of approximately 896 feet, crossing the said 2.00 acre tract, the said Noe-Bixby Rd., and the said 0.146 acre tract, along the north line of the said 0.392 acre tract, crossing the said 41.877 acre tract, along the south right of way line of Refugee Rd. (width variable), and the corporation line of the City of Columbus, Ordinance (Ord.) No. 2116-00, Instr. No. 200103150052490, P.B. 96, pg. 77, to a point, being a corner of the said 41.877 acre tract and a southeast corner of the said 1.841 acre tract;

THENCE in a westerly direction, a distance of approximately 219 feet, along a south line of the said 1.841 acre tract and of the said Refugee Rd., and a north line of the said 41.877 acre tract and of the said corporation line in P.B. 96, pg. 77, to a point, being a corner of the said 1.841 acre tract and of the said 41.877 acre tract;

THENCE in a westerly direction, a distance of approximately 255 feet, along a south line of the said 1.841 acre tract and of the said Refugee Rd., and a north line of the said 41.877 acre tract and of the

said corporation line in P.B. 96, pg. 77, to a point, being a corner of the said 1.841 acre tract and of the said 41.877 acre tract;

THENCE in a westerly direction, a distance of approximately 776 feet, along a south line of the said 1.841 acre tract and of the said Refugee Rd., and the north line of the said 41.877 acre tract and of the said corporation line in P.B. 96, pg. 77, and along a north line of a 6.081 acre tract conveyed to the City of Columbus, to a point, being the southeast corner of the said 1.841 acre tract, a northwest corner of the said 6.081 acre tract, a point in the centerline of Walnut Creek and on an east line of a 9.084 acre tract (Parcel I) conveyed to Brookside Manor, LLC, and a point in a corporation line of the City of Columbus, Ord. No. 230-70, Miscellaneous Record (M.R.) 149, pg. 583;

THENCE in a northerly direction, a distance of approximately 71 feet, along the west line of the said 1.841 acre tract and the said corporation line, and the corporation line of the City of Columbus, Ord. No. 1166-57, M.R. 105, pg. 220, crossing the said Refugee Rd., to a point, being the northwest corner of the said 1.841 acre tract and the southwest corner of the said 4.91 acre tract, being a point in the township line between Madison and Truro;

THENCE in a northerly direction, a distance of approximately 72 feet, crossing the said 4.91 acre tract and the said Refugee Rd., and along the said corporation line and the centerline of the said Walnut Creek, and the corporation line of the City of Columbus, Ord. No. 1166-57, M.R. 105, pg. 220, to a point, being a point in a north line of the said 1.841 acre tract and the said Refugee Rd., and in a south line of a 138.629 acre tract conveyed to the City of Columbus and of a corporation line of the City of Columbus, Ord. No. 2159-93, O.R. 24650 F-08;

THENCE in a easterly direction, a distance of approximately 1044 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., and a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract and of the said 138.629 acre tract;

THENCE in a easterly direction, a distance of approximately 180 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract and of the said 138.629 acre tract;

THENCE in a easterly direction, a distance of approximately 220 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract and of the said 138.629 acre tract;

THENCE in a easterly direction, a distance of approximately 246 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract and of the said 138.629 acre tract;

THENCE in a easterly direction, a distance of approximately 102 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract, a southeast corner of the said 138.629 acre tract, the southwest corner of a 0.848 acre tract (Parcel 1, deed calc.) conveyed to Tarik Hamed, the northwest corner of a 0.055 acre tract (Parcel 2, deed calc.) conveyed to Tarik Hamed, and a northwest corner of the said 0.158 acre tract and the southwest corner of the said 0.055 acre tract;

THENCE in a easterly direction, a distance of approximately 58 feet, along a north line of the said 0.158 acre tract and the said Refugee Rd., and a south line of the said 0.055 acre tract, to a point, being a corner of the said 0.158 acre tract and of the said 0.055 acre tract;

THENCE in a easterly direction, a distance of approximately 89 feet, along a north line of the said 0.158 acre tract and the said Refugee Rd., and a south line of the said 0.055 acre tract, to a point, being a corner of the said 0.158 acre tract and the southeast corner of the said 0.055 acre tract;

THENCE in a northerly direction, a distance of approximately 63 feet along a curve to the left, along a line of the said 0.158 acre tract and the said Refugee Rd., and along the east line of the said 0.055 acre tract and an east line of the said 0.848 acre tract, to a point, being a corner of the said 0.158 acre tract, a southeast corner of the said 0.848 acre tract, and the intersection of the north line of the said Refugee Rd. and the west line of the said Noe-Bixby Rd.;

THENCE in a northerly direction, a distance of approximately 177 feet, along a west line of the said 0.158 acre tract and of the said Noe-Bixby Rd., and an east line of the said 0.848 acre tract, to a point, being the northwest corner of the said 0.158 acre tract, the northeast corner of the said 0.848 acre tract, in a south line of the said 138.629 acre tract, and in the said corporation line in O.R. 24650 F-08;

THENCE in a easterly direction, a distance of approximately 95 feet, along a north line of the said 0.158 acre tract, a south line of the said 138.629 acre tract, and the said corporation line in O.R. 24650 F-08, crossing the said Noe-Bixby Rd., to a point in the west line of the said 0.023 acre tract, the said Reserve B, and the said 0.779 acre tract, and in the old east line of the said Noe-Bixby Rd.;

THENCE in a northerly direction, a distance of approximately 40 feet, along a west line of the said 0.779 acre tract, of the said 0.023 acre tract, and of the said Reserve B, along the said old east right of way line and an east line of the said existing corporation line in O.R. 24650 F-08, to a point, being a northwest corner of the said 0.779 acre tract, the northwest corner of the said 0.023 acre tract, and the southwest corner of a 0.030 acre tract (27-WD) conveyed to the Franklin County Commissioners;

THENCE in a easterly direction, a distance of approximately 125 feet, along a north line of the said 0.779 acre tract, the north line of the said 0.023 acre tract, the south line of the said 0.030 acre tract, the south line of a 0.373 acre tract conveyed to 612 S. Sandusky St. LLC and Amer Alahmed., crossing the said Reserve B, to a point, being a corner of the said 0.779 acre tract and the southeast corner of the said 0.373 acre tract;

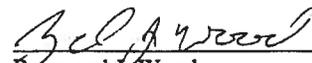
THENCE in a northerly direction, a distance of approximately 130 feet, along a west line of the said 0.779 acre tract and the east line of the said 0.373 acre tract, crossing the said Reserve B, to a point, being a northwest corner of the said 0.779 acre tract, the northeast corner of the said 0.373 acre tract, a point in the south line of a 0.376 acre tract (Tract I) conveyed to Progressive Investments, and a point on a south line of the said corporation line in O.R. 24650 F-08;

THENCE in a easterly direction, a distance of approximately 45 feet, along a north line of the said 0.779 acre tract, the south line of the said 0.376 acre tract, and a south line of the said corporation line in O.R. 24650 F-08, to a point, being a northeast corner of the said 0.779 acre tract, the southeast corner of the said 0.376 acre tract, a southeast corner of the said corporation line in O.R. 24650 F-08, and a point in an east line of the said Reserve B and in the west line of the said Lot 550;

THENCE in a southerly direction, a distance of approximately 38 feet, along an east line of the said 0.779 acre tract and of the said Reserve B, and the west line of the said Lot 550, to the Point of Beginning, containing an area of 458,863 square feet or 10.534 acres to be annexed, of which 0.756 acres is out of the said 0.779 acre tract, all of the said 0.023 acre tract, 0.071 acres is out of the said 0.144 acre tract, 0.063 acres is out of the said 0.113 acre tract, all of the said 0.006 acre tract, 0.007 acres is out of the said 0.146 acre tract, 0.202 acres is out of the said 0.392 acre tract, all of the said 0.753 acre tract, all of a 1.841 acre tract, 0.383 acres out of the said 41.877 acre tract, all of the said 1.841 acre tract, 3.469 acres is out of the said 4.91 acre tract and all of a 0.158 acre tract;

The area to be annexed out of Madison Township (Section 3) is 2.474 acres and out of Truro Township (Section 27) is 8.060 acres.

This description is based on records in the Franklin County Recorder's Office and was prepared by Raymond J. Wood of J & J Surveying in May of 2014. It is not valid for the transfer of real property, and is not to be utilized in place of a Boundary Survey as defined by the Ohio Administrative Code in Chapter 4733-37.

  
Raymond J. Wood  
P.S. 7745

7/31/14  
Date





City of Columbus  
Legislation Report

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

ORIGINAL

File Number: 2006-2014

Emergency

File ID: 2006-2014

Type: Ordinance

Status: Consent

Version: 1

\*Committee: Development Committee

File Name: Annexation Service AN14-009: 10.534 Acres, Truro & Madison Townships, Progressive Investments

File Created: 08/27/2014

Cost: \$0.00

Final Action:

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Jackie Yeoman 645--0663

Floor Action (Clerk's Office Only)

SEP 08 2014 P 6 0

CALLER ABSENT

RECEIVED

SEP 11 2014

Franklin County Planning Department  
Franklin County, Ohio

Mayor's Action

*[Signature]*  
SEP 10 2014

Mayor

Date

Council Action

SEP 08 2014

Date Passed/ Adopted

*[Signature]*

President of Council

*[Signature]*

City Clerk

Veto

Date

**Title:** To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN14-009) of 10.534 + acres in Truro and Madison Townships to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD2006-2014 AN14-009 Legal Description,  
ORD2006-2014 AN14-009 Map

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 2006-2014 passed by The Council of The City of Columbus, Ohio 9/8, 20 14, as shown by the records now on file in this office.

Seal

*[Signature]*

City Clerk

**Approval History**

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Version	Date	Approver	Action
1	08/27/2014	Steven Schoeny	Approved
1	08/27/2014	ATTORNEY APPROVER	Approved
Notes	wsb		

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**History of Legislative File**


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Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
	<p><b>EBOCO:</b> Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.</p> <p><b>City Attorney:</b> Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.</p>						

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**Explanation****AN14-009**

**BACKGROUND:** This ordinance is being submitted to set forth the municipal services and zoning conditions the City of Columbus will provide upon annexation of a territory located in Truro and Madison Townships. This ordinance is required by the Ohio Revised Code (ORC) as enacted by the General Assembly of the State of Ohio. An annexation petition has been filed with Franklin County for this property. A service ordinance must be passed before the annexation meeting takes place before the Board of County Commissioners of Franklin County. Information regarding municipal services that would be available, should the subject site be annexed, has been compiled and is reflected in this ordinance. If the petition is approved by the County Commissioners, a second City ordinance accepting the annexation will be necessary to complete the process. The time frames specified in the ORC require that this legislation be filed as emergency.

**FISCAL IMPACT:** The statement of municipal services and zoning conditions for a proposed annexation area has no fiscal impact. While provision of the stated services does represent cost to the City, annexation of land also has the potential to create revenue to the City.

**Title**

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN14-009) of 10.534 ± acres in Truro and Madison Townships to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

**Body**

**WHEREAS,** a petition for the annexation of certain territory in Truro and Madison Townships was duly filed on behalf of Progressive Investments on August 26, 2014; and

**WHEREAS,** a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on September 30, 2014 and

**WHEREAS,** the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

**WHEREAS**, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority adopt an ordinance stating zoning buffering conditions; and

**WHEREAS**, the property is not located within the boundaries of an adopted plan area; and

**WHEREAS**, upon annexation, properties will have uniform access to City services as they become available; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; **now, therefore**,

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

**SECTION 1.** That the City of Columbus will provide the following municipal services for 10.534 ± acres in Truro and Madison Townships upon the annexation of said area to the City of Columbus:

**Public Safety:** The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area. Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety. Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated. Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City.

**Sanitation:** Single family homes would qualify for city provided 90-gallon front curb or 300-gallon alley refuse service, the method of which to be determined by Division of Refuse Collection management. Any other development would require compliance with Title 13 requirements; Commercial/business uses are required to provide their own refuse collection.

**Transportation:** Maintenance will be available for any additional right-of-way that may be included in this annexation request. If this annexation contains existing signalized intersections, those intersections and signals are subject to Transportation Division Policy, which appeared in the December 6, 2003 Columbus City Bulletin, and any subsequent updates thereto.

**Water:** This site will be served by an existing 24-inch water main in Noe Bixby Road, the connection to which will be made at the owner's expense.

**Sewers:** All sanitary and storm sewers required shall be constructed privately by the owners and developers at their own cost and expense with no cost to the City.

**Sanitary:** This site can be served by an existing 8-inch sanitary sewer (cc-2199) situated along the northeast

property line of parcel 260-000501. The sewer may have been installed as a Franklin County sanitary sewer. Permission to tap this sewer may be required, which could result in additional fees if the sewer is still privately owned.

**Storm:** All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and applicable codes in effect at the time of development.

**SECTION 2.** If this 10.534 + acre site is annexed, and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Truro and Madison Townships, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Truro and Madison Townships. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

**SECTION 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, 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.

**LEGAL DESCRIPTION**  
**ANNEXATION AN14-009**  
**10.534 ± Acres in Truro and Madison Townships**

SITUATED in the State of Ohio, County of Franklin, Townships of Truro and Madison, being a part of Section 27, Township 12, Range 21, Refugee Lands, and a part of Section 3, Township 11, Range 21, Congress Lands, and being part of Reserves A and B of Qualstan East, Plat Book 38, pg. 1, being 0.756 acres out of a 0.779 acre tract (Tract II) conveyed to Progressive Investments in Official Record (O.R.) 31702 J-10, all of a 0.023 acre tract conveyed to the Franklin County Commissioners in Instrument (Instr.) No. 201401160006223, 0.071 acres out of a 0.144 acre tract (5-WD) conveyed to the Franklin County Commissioners in Instr. No. 201401160006226, 0.063 acres out of a 0.113 acre tract (6-WD) conveyed to the Franklin County Commissioners in Instr. No. 201401270010498, all of a 0.006 acre tract (25-WD) conveyed to the Franklin County Commissioners in Instr. No. 201211010166120, 0.007 acres out of a 0.146 acre tract (24-WD) conveyed to the Franklin County Commissioners in Instr. No. 201301030001285, 0.202 acres out of a 0.392 acre tract (23-WD) conveyed to the Franklin County Commissioners in Instr. No. 201301100005169, all of a 0.753 acre tract (Exhibit C) conveyed to the Franklin County Commissioners in Instr. No. 201305170081770, all of a 1.841 acre tract (11-WD) conveyed to the Franklin County Commissioners in Deed Book (D.B.) 3056, pg. 377, 0.383 acres out of a 41.877 acre tract conveyed to M.H. Murphy Development Co. in Instr. No. 200201180017903, all of a 1.841 acre tract (11-WD) conveyed to the Franklin County Commissioners in D.B. 3056, pg. 383, 3.469 acres out of a 4.91 acre tract (10-WD) conveyed to the Franklin County Commissioners in D.B. 3056, pg. 377, and all of a 0.158 acre tract conveyed to Franklin County Commissioners in Instr. No. 20130107000919, Franklin County Recorders' Office;

BEGINNING at the southernmost corner of Lot 550 and the westernmost corner of Lot 549 of Qualstan East, being a corner of the said Reserve B, and being a corner of the said 0.779 acre tract;

THENCE in a easterly direction, a distance of approximately 114 feet along a south line of the said Lot 549 and of Lot 548 of the said Qualstan East, and a north line of the said 0.779 acre tract and of the said Reserve B, to a point, being a northeast corner of the said 0.779 acre tract and the northwest corner of a 3.325 acre tract conveyed to NSCO International Investment, LLC;

THENCE in a southerly direction, a distance of approximately 90 feet, along an east line of the said 0.779 acre tract and the west line of the said 3.325 acre tract, crossing the said Reserve B, to a point, being a southeast corner of the said 0.779 acre tract and the northeast corner of a 0.376 acre tract conveyed to Mustafa Shalash;

THENCE in a westerly direction, a distance of approximately 81 feet, along a south line of the said 0.779 acre tract and the north line of the said 0.376 acre tract, crossing the said Reserve B, to a point, being a corner of the said 0.779 acre tract and the northwest corner of the said 0.376 acre tract;

THENCE in a southerly direction, a distance of approximately 27 feet, along an east line of the said 0.779 acre tract and the west line of the said 0.376 acre tract, crossing the said Reserve B, to a point, being a southeast corner of the said 0.779 acre tract and the northeast corner of a 0.695 acre tract conveyed to William M. and Deborah R. Angeletti;

THENCE in a westerly direction, a distance of approximately 165 feet, along a south line of the said 0.779 acre tract and the north line of the said 0.695 acre tract, crossing the said Reserve B, to a point, being the southeast corner of the said 0.023 acre tract, and a northeast corner of a 0.114 acre tract (5-WD) conveyed to the Franklin County Commissioners, and a point in the new east right of way line of Noe-Bixby Rd. (width varies);

THENCE in a southerly direction, a distance of approximately 132 feet, along an east line of the said 0.114 acre tract and the said Noe-Bixby Rd., and crossing the said 0.695 acre tract and the said Reserve B, to a point, being a corner of the said 0.114 acre tract;

THENCE in a easterly direction, a distance of approximately 45 feet along a curve to the left, along a north line of the said 0.114 acre tract, an east line of the said Noe-Bixby Rd., and crossing the said 0.695 acre tract and the said Reserve B, to a point, being a corner of the said 0.114 acre tract and the intersection of the east line of the said Noe-Bixby Rd. and the north line of Chatterton Rd. (width variable);

THENCE in a southerly direction, a distance of approximately 121 feet, crossing the said 0.114 acre tract and the said Chatterton Rd., the said 0.695 acre tract, the said Reserves A and B, the said 0.113 acre tract, the said Reserve A, and a 0.820 acre tract conveyed to Emro Marketing Co., to a point, being a point in a south line of the said 0.113 acre tract and of the said Chatterton Rd.;

THENCE in a westerly direction, a distance of approximately 31 feet, crossing the said 0.820 acre tract and the said Reserve A, along a south line of the said 0.113 acre tract and the said Chatterton Rd., to a point, being a corner of the said 0.113 acre tract and the intersection of the south line of Chatterton Rd. and the east line of the said Noe-Bixby Rd.;

THENCE in a southerly direction, a distance of approximately 36 feet, crossing the said 0.820 acre tract and the said Reserve A, along an east line of the said 0.113 acre tract and of the said Noe-Bixby Rd., to a point, being a corner of the said 0.113 acre tract;

THENCE in a southerly direction, a distance of approximately 122 feet, crossing the said 0.820 acre tract and the said Reserve A, along an east line of the said 0.113 acre tract and of the said Noe-Bixby Rd., to a point, being the southeast corner of the said 0.113 acre tract, the northeast corner of the said 0.006 acre tract, and a point in the south line of the said 0.820 acre tract and in the north line of a 0.517 acre tract conveyed to Mark A. and Annette K. Heatwole;

THENCE in a southerly direction, a distance of approximately 52 feet, crossing the said 0.517 acre tract and the said Reserve A, along the east line of the said 0.006 acre tract and of the said Noe-Bixby Rd., to a point, being the southern-most corner of the said 0.006 acre tract, and a point in the west line of the said Reserve A and the said 0.517 acre tract;

THENCE in a southerly direction, a distance of approximately 4 feet, along the west line of the said 0.517 acre tract and the said Reserve A, and the east line of the said Noe-Bixby Rd., to a point, being a corner of the said 0.517 acre tract and the said Reserve A;

THENCE in a southerly direction, a distance of approximately 62 feet along a curve to the right, along the west line of the said 0.517 acre tract and the said Reserve A, along an east line of the said 0.146 acre tract and of the said Noe-Bixby Rd., crossing a 2.00 acre tract conveyed to Madison Township, to a point;

THENCE in a westerly direction, a distance of approximately 896 feet, crossing the said 2.00 acre tract, the said Noe-Bixby Rd., and the said 0.146 acre tract, along the north line of the said 0.392 acre tract, crossing the said 41.877 acre tract, along the south right of way line of Refugee Rd. (width variable), and the corporation line of the City of Columbus, Ordinance (Ord.) No. 2116-00, Instr. No. 200103150052490, P.B. 96, pg. 77, to a point, being a corner of the said 41.877 acre tract and a southeast corner of the said 1.841 acre tract;

THENCE in a westerly direction, a distance of approximately 219 feet, along a south line of the said 1.841 acre tract and of the said Refugee Rd., and a north line of the said 41.877 acre tract and of the said

corporation line in P.B. 96, pg. 77, to a point, being a corner of the said 1.841 acre tract and of the said 41.877 acre tract;

THENCE in a westerly direction, a distance of approximately 255 feet, along a south line of the said 1.841 acre tract and of the said Refugee Rd., and a north line of the said 41.877 acre tract and of the said corporation line in P.B. 96, pg. 77, to a point, being a corner of the said 1.841 acre tract and of the said 41.877 acre tract;

THENCE in a westerly direction, a distance of approximately 776 feet, along a south line of the said 1.841 acre tract and of the said Refugee Rd., and the north line of the said 41.877 acre tract and of the said corporation line in P.B. 96, pg. 77, and along a north line of a 6.081 acre tract conveyed to the City of Columbus, to a point, being the southeast corner of the said 1.841 acre tract, a northwest corner of the said 6.081 acre tract, a point in the centerline of Walnut Creek and on an east line of a 9.084 acre tract (Parcel I) conveyed to Brookside Manor, LLC, and a point in a corporation line of the City of Columbus, Ord. No. 230-70, Miscellaneous Record (M.R.) 149, pg. 583;

THENCE in a northerly direction, a distance of approximately 71 feet, along the west line of the said 1.841 acre tract and the said corporation line, and the corporation line of the City of Columbus, Ord. No. 1166-57, M.R. 105, pg. 220, crossing the said Refugee Rd., to a point, being the northwest corner of the said 1.841 acre tract and the southwest corner of the said 4.91 acre tract, being a point in the township line between Madison and Truro;

THENCE in a northerly direction, a distance of approximately 72 feet, crossing the said 4.91 acre tract and the said Refugee Rd., and along the said corporation line and the centerline of the said Walnut Creek, and the corporation line of the City of Columbus, Ord. No. 1166-57, M.R. 105, pg. 220, to a point, being a point in a north line of the said 1.841 acre tract and the said Refugee Rd., and in a south line of a 138.629 acre tract conveyed to the City of Columbus and of a corporation line of the City of Columbus, Ord. No. 2159-93, O.R. 24650 F-08;

THENCE in a easterly direction, a distance of approximately 1044 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., and a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract and of the said 138.629 acre tract;

THENCE in a easterly direction, a distance of approximately 180 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract and of the said 138.629 acre tract;

THENCE in a easterly direction, a distance of approximately 220 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract and of the said 138.629 acre tract;

THENCE in a easterly direction, a distance of approximately 246 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract and of the said 138.629 acre tract;

THENCE in a easterly direction, a distance of approximately 102 feet, along a north line of the said 4.91 acre tract and the said Refugee Rd., a south line of the said 138.629 acre tract and the said corporation line in O.R. 24650 F-08, to a point, being a corner of the said 4.91 acre tract, a southeast corner of the said 138.629 acre tract, the southwest corner of a 0.848 acre tract (Parcel 1, deed calc.) conveyed to Tarik Hamed, the northwest corner of a 0.055 acre tract (Parcel 2, deed calc.) conveyed to Tarik Hamed, and a northwest corner of the said 0.158 acre tract and the southwest corner of the said 0.055 acre tract;

THENCE in a easterly direction, a distance of approximately 58 feet, along a north line of the said 0.158 acre tract and the said Refugee Rd., and a south line of the said 0.055 acre tract, to a point, being a corner of the said 0.158 acre tract and of the said 0.055 acre tract;

THENCE in a easterly direction, a distance of approximately 89 feet, along a north line of the said 0.158 acre tract and the said Refugee Rd., and a south line of the said 0.055 acre tract, to a point, being a corner of the said 0.158 acre tract and the southeast corner of the said 0.055 acre tract;

THENCE in a northerly direction, a distance of approximately 63 feet along a curve to the left, along a line of the said 0.158 acre tract and the said Refugee Rd., and along the east line of the said 0.055 acre tract and an east line of the said 0.848 acre tract, to a point, being a corner of the said 0.158 acre tract, a southeast corner of the said 0.848 acre tract, and the intersection of the north line of the said Refugee Rd. and the west line of the said Noe-Bixby Rd.;

THENCE in a northerly direction, a distance of approximately 177 feet, along a west line of the said 0.158 acre tract and of the said Noe-Bixby Rd., and an east line of the said 0.848 acre tract, to a point, being the northwest corner of the said 0.158 acre tract, the northeast corner of the said 0.848 acre tract, in a south line of the said 138.629 acre tract, and in the said corporation line in O.R. 24650 F-08;

THENCE in a easterly direction, a distance of approximately 95 feet, along a north line of the said 0.158 acre tract, a south line of the said 138.629 acre tract, and the said corporation line in O.R. 24650 F-08, crossing the said Noe-Bixby Rd., to a point in the west line of the said 0.023 acre tract, the said Reserve B, and the said 0.779 acre tract, and in the old east line of the said Noe-Bixby Rd.;

THENCE in a northerly direction, a distance of approximately 40 feet, along a west line of the said 0.779 acre tract, of the said 0.023 acre tract, and of the said Reserve B, along the said old east right of way line and an east line of the said existing corporation line in O.R. 24650 F-08, to a point, being a northwest corner of the said 0.779 acre tract, the northwest corner of the said 0.023 acre tract, and the southwest corner of a 0.030 acre tract (27-WD) conveyed to the Franklin County Commissioners;

THENCE in a easterly direction, a distance of approximately 125 feet, along a north line of the said 0.779 acre tract, the north line of the said 0.023 acre tract, the south line of the said 0.030 acre tract, the south line of a 0.373 acre tract conveyed to 612 S. Sandusky St. LLC and Amer Alahmed,, crossing the said Reserve B, to a point, being a corner of the said 0.779 acre tract and the southeast corner of the said 0.373 acre tract;

THENCE in a northerly direction, a distance of approximately 130 feet, along a west line of the said 0.779 acre tract and the east line of the said 0.373 acre tract, crossing the said Reserve B, to a point, being a northwest corner of the said 0.779 acre tract, the northeast corner of the said 0.373 acre tract, a point in the south line of a 0.376 acre tract (Tract I) conveyed to Progressive Investments, and a point on a south line of the said corporation line in O.R. 24650 F-08;

THENCE in a easterly direction, a distance of approximately 45 feet, along a north line of the said 0.779 acre tract, the south line of the said 0.376 acre tract, and a south line of the said corporation line in O.R. 24650 F-08, to a point, being a northeast corner of the said 0.779 acre tract, the southeast corner of the said 0.376 acre tract, a southeast corner of the said corporation line in O.R. 24650 F-08, and a point in an east line of the said Reserve B and in the west line of the said Lot 550;

THENCE in a southerly direction, a distance of approximately 38 feet, along a east line of the said 0.779 acre tract and of the said Reserve B, and the west line of the said Lot 550, to the Point of Beginning, containing an area of 458,863 square feet or 10.534 acres to be annexed, of which 0.756 acres is out of the

said 0.779 acre tract, all of the said 0.023 acre tract, 0.071 acres is out of the said 0.144 acre tract, 0.063 acres is out of the said 0.113 acre tract, all of the said 0.006 acre tract, 0.007 acres is out of the said 0.146 acre tract, 0.202 acres is out of the said 0.392 acre tract, all of the said 0.753 acre tract, all of a 1.841 acre tract, 0.383 acres out of the said 41.877 acre tract, all of the said 1.841 acre tract, 3.469 acres is out of the said 4.91 acre tract and all of a 0.158 acre tract;

The area to be annexed out of Madison Township (Section 3) is 2.474 acres and out of Truro Township (Section 27) is 8.060 acres.

This description is based on records in the Franklin County Recorder's Office and was prepared by Raymond J. Wood of J & J Surveying in May of 2014. It is not valid for the transfer of real property, and is not to be utilized in place of a Boundary Survey as defined by the Ohio Administrative Code in Chapter 4733-37.

