

Review of Petition to Annex 15.782 +/- acres from Franklin Township to the City of Columbus Case #ANX-EXP2-21-14 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition filed by Donald T. Plank 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. 2007-2014 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 15.782 +/- acres from Franklin Township to the City of Columbus Case #ANX-EXP2-21-14 (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. 0680-14

September 30, 2014

REVIEW OF PETITION TO ANNEX 15.782 +/- ACRES FROM FRANKLIN TOWNSHIP TO THE CITY OF COLUMBUS CASE #ANX-EXP2-21-14

(Economic Development and Planning)

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

Voting:

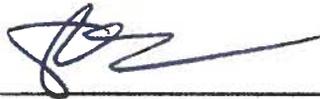
**Marilyn Brown, President
Paula Brooks**

**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.



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

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
15.782 +/- ACRES FROM
FRANKLIN TOWNSHIP
TO THE CITY OF COLUMBUS

Description:

Attached is a resolution to consider the annexation of 15.782-acres, more or less, from Franklin Township to the city of Columbus. The petition case number is ANX-EXP2-21-14.

Agent/s:

Donald T. Plank – Plank Law Firm LPA

Owner/s:

Greenlawn Realty Company

Scarlet Manor Mobile Home Park LLC

1049 Harmon Avenue LLC

Site:

Southwest Corner of Greenlawn Avenue and Harmon Avenue (140-000103, 140-000473, 140-003624 and adjoining portions of right-of-way)

Additional Information:

Approximately 3,542 feet of the site is contiguous with the city of Columbus, which constitutes 73.3 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. 2007-2014, was passed by the city of Columbus on September 8, 2014.

Recommendation:

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



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.**

Case #ANX-EXP2-21-14- An Expedited Type 2 annexation petition ANX-EXP2-21-14 was filed in our office on August 26, 2014. The petition is requesting to annex 15.782 +/- acres from Franklin Township to the City of Columbus.

Site: Southwest Corner of Greenlawn Avenue and Harmon Avenue (140-000103, 140-000473, 140-003624, and adjoining portions of right-of-way)



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schimmer, Director

Application for
**Annexation
 Petition**

Expedited Type 2
 Pursuant to ORC §709.023

RECEIVED

AUG 26 2014

Franklin County Planning Department
 Franklin County



Property Information	
Site Address SW corner of Greenlawn Avenue & Harmon Avenue (see attached)	
Parcel ID(s) 140-000103; 140-000473; 140-003624 plus right-of-way	Total Acreage 15.782+/-
From Township Franklin	To Municipality Columbus

Property Owner Information	
Name see attached	
Address	
Phone #	Fax #
Email	

Attorney/Agent Information	
Name Donald T. Plank	
Address Plank Law Firm, LPA 145 E. Rich Street, FL 3 Columbus, OH 43215-5240	
Phone # (614) 947-8600	Fax # (614) 228-1790
Email dplank@planklaw.com & akuhn@planklaw.com	

Staff Use Only
Case # ANX-EXP2 21-14
Hearing date: 9/30/14
Date filed: 8/26/14
Fee paid 350.00
Receipt # 1476
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

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.

Donald T. Plank 5-2-14
 Property Owner for _____ Date
 Greenlawn Realty Company

Mary Irene Plank 5-2-14
 Property Owner for _____ Date
 Scarlet Manor Mobile Home
 Park LLC

Mary Irene Plank
 Property Owner for _____ Date
 1049 Harmon Avenue, LLC

Property Owner _____ Date _____



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schimmer, Director

Application for Annexation Petition

Expedited Type 2
 Pursuant to ORC §709.023



Property Information	
Site Address SW corner of Greenlawn Avenue & Harmon Avenue (see attached)	
Parcel ID(s) 140-000103; 140-000473; 140-003624 plus right-of-way	Total Acreage 15.782+/-
From Township Franklin	To Municipality Columbus

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Name see attached	
Address	
Phone #	Fax #
Email	

Attorney/Agent Information	
Name Donald T. Plank	
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Phone # (614) 947-8600	Fax # (614) 228-1790
Email dplank@planklaw.com & akuhn@planklaw.com	

Staff Use Only
Case #
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Property Owner for Greenlawn Realty Company	Date 5/13/13	Property Owner for Scarlet Manor Mobile Home Park LLC	Date
Property Owner for 1049 Harmon Avenue, LLC	Date	Property Owner	Date

PRINCIPAL PARTIES
15.782 ACRES FROM FRANKLIN TOWNSHIP TO CITY OF COLUMBUS
FRANKLIN COUNTY OHIO

RECEIVED

PROPERTY OWNERS:

Greenlawn Realty Company
555 Greenlawn Avenue
Columbus, Ohio 43223
614 443-7421

140-000103

140-003624

AUG 26 2014

Franklin County Planning Department
Franklin County, OH

Scarlet Manor Mobile Home Park LLC
555 Greenlawn Avenue
Columbus, Ohio 43223
614 443-7421

140-000473

1049 Harmon Avenue LLC
c/o Sarah Crain
Transtar Commercial Real Estate Services
2101 E. Coast Highway, Suite 110
Corona del Mar, CA 92625
949-760-4012
888-717-2563 (fax)
Managing Member is Richard Miller

570-104582 ROW only

ATTORNEY

Donald T. Plank
Amy K. Kuhn
Plank Law Firm, LPA
145 East Rich Street, Third Floor
Columbus, Ohio 43215
614 947-8600

dplank@planklaw.com

akuhn@planklaw.com

RECEIVED

AUG 26 2014

Franklin County Planning Department
Franklin County, OH

PETITION FOR ANNEXATION
OF 15.782+-ACRES, MORE OR LESS,
FROM FRANKLIN TOWNSHIP IN FRANKLIN COUNTY, OHIO
TO THE CITY OF COLUMBUS, OHIO
UTILIZING THE SPECIAL PROCEDURE OF R.C. SECTION 709.023 ET SEQ.

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

Now comes 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 Columbus, Ohio. The territory proposed for annexation contains 15.782± acres, more or less, in Franklin Township, Franklin County, and is contiguous to the boundary of Columbus, Ohio, for five percent (5%) or more of the perimeter of the territory proposed for annexation. The undersigned understand 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".

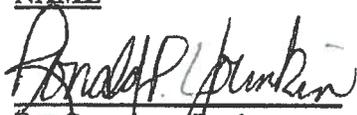
The annexation will not create an unincorporated area of township that is completely surrounded by the territory proposed for annexation.

There is no annexation agreement between the municipality and the township 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 three (3) and the number of owners who signed the petition is three (3). 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 waive 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 waive 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 petitioners, as required by R.C. §709.02; and said petitioners' 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 petitioners' 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.”

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
 For Greenlawn Realty Company	555 Greenlawn Avenue Columbus, OH 43223	<u>5-2-14</u>
 For Scarlet Manor Mobile Home Park LLC	555 Greenlawn Avenue Columbus, OH 43223	<u>5-2-14</u>
For 1049 Harmon Avenue, LLC	c/o Sarah Crain Transtar Commercial Real Estate Services 2101 E. Coast Highway, Suite 110 Corona del Mar, CA 92625	_____

PETITION FOR ANNEXATION
OF 15.782+-ACRES, MORE OR LESS,
FROM FRANKLIN TOWNSHIP IN FRANKLIN COUNTY, OHIO
TO THE CITY OF COLUMBUS, OHIO
UTILIZING THE SPECIAL PROCEDURE OF R.C. SECTION 709.023 ET SEQ.

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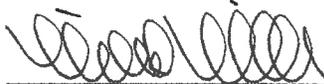
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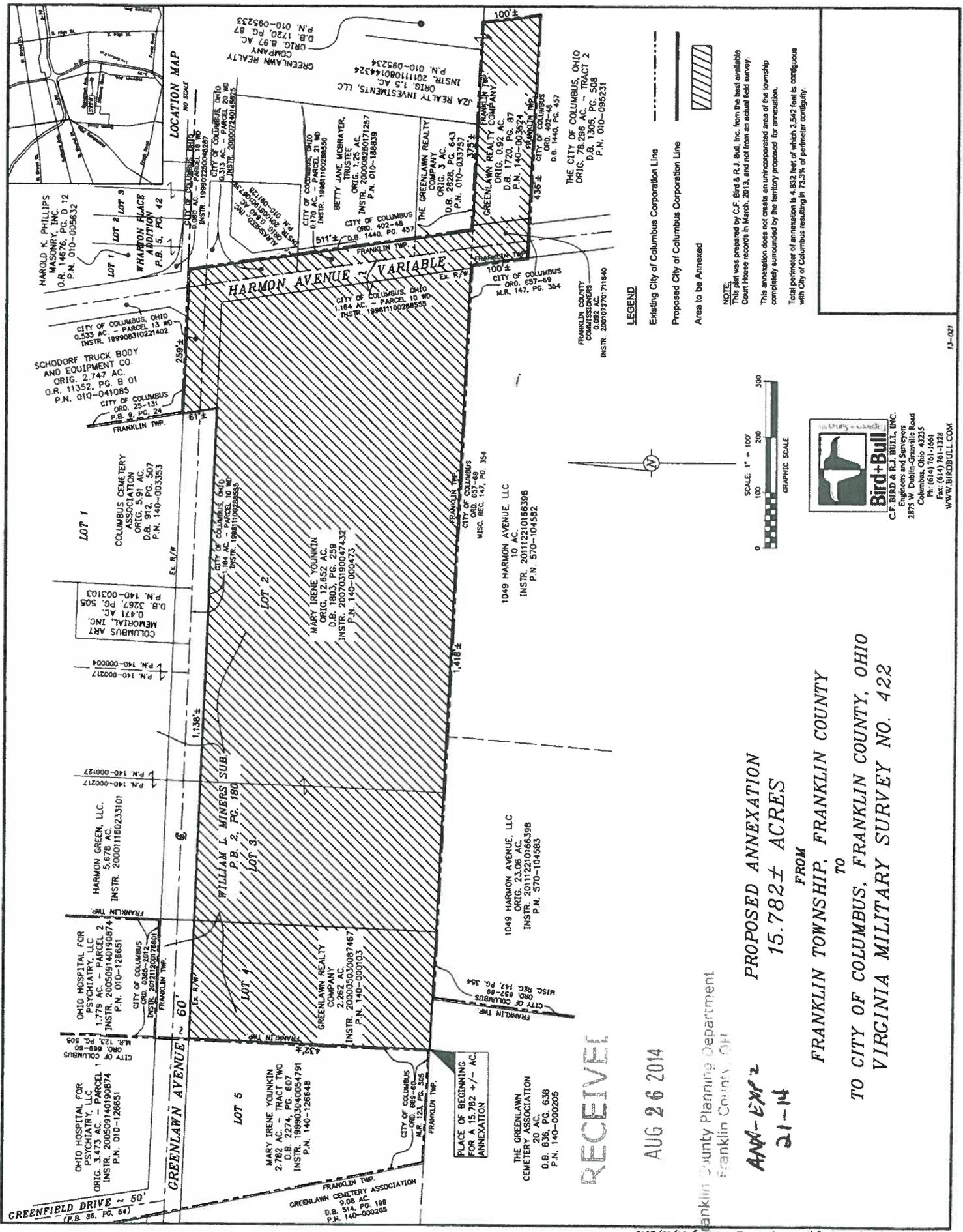
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<u>NAME</u>	<u>ADDRESS</u>	<u>DATE</u>
_____ For Greenlawn Realty Company	555 Greenlawn Avenue Columbus, OH 43223	_____
_____ For Scarlet Manor Mobile Home Park LLC	555 Greenlawn Avenue Columbus, OH 43223	_____
 _____ For 1049 Harmon Avenue, LLC	c/o Sarah Crain Transtar Commercial Real Estate Services 2101 E. Coast Highway, Suite 110 Corona del Mar, CA 92625	<u>5/13/13</u>



PROPOSED ANNEXATION
15.782± ACRES

FROM
FRANKLIN TOWNSHIP, FRANKLIN COUNTY

TO

TO CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO
VIRGINIA MILITARY SURVEY NO. 422

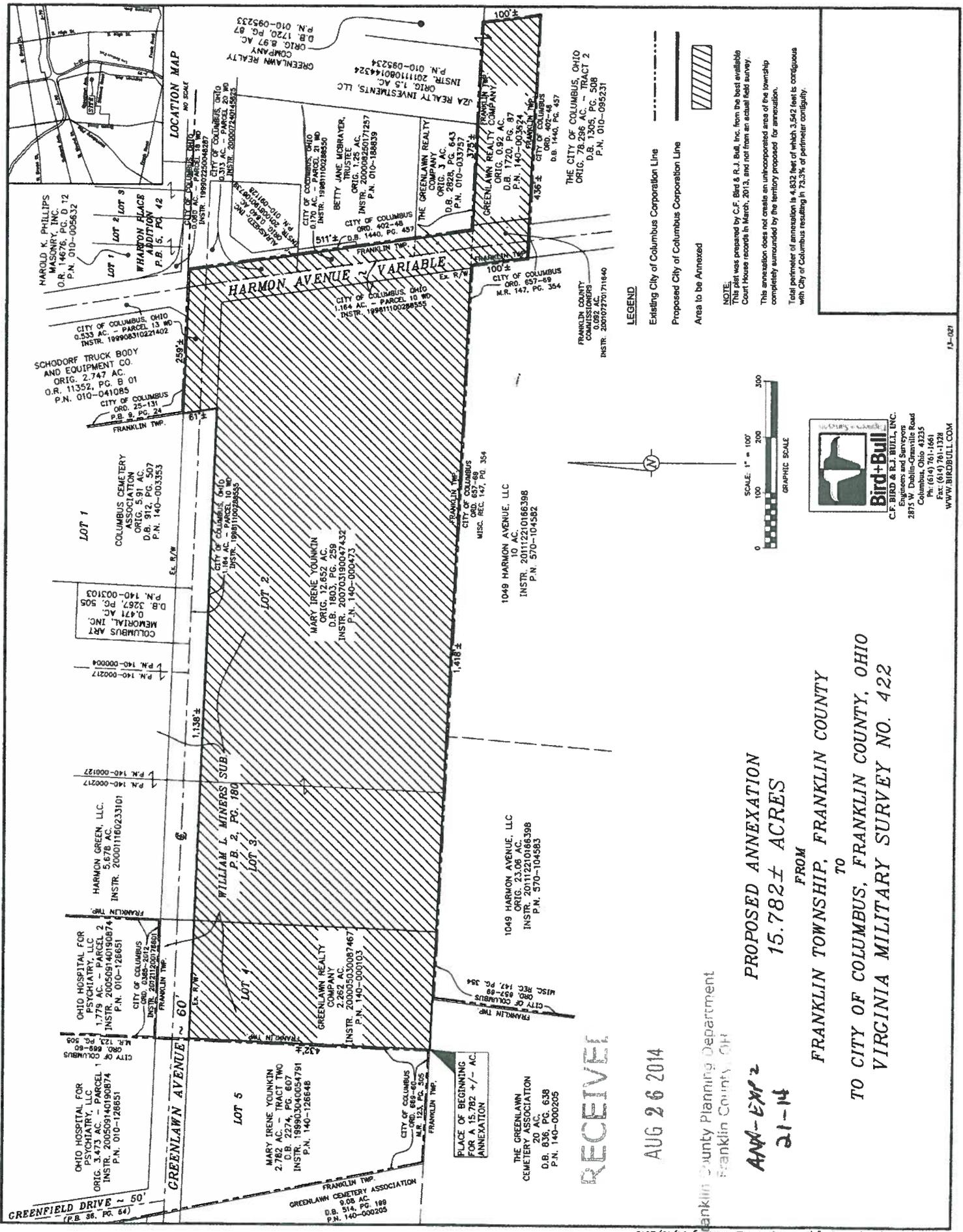
RECEIVED

AUG 26 2014

Franklin County Planning Department
 Franklin County, OH

ANN-EXP 2
21-14

NOTE:
 This plat was prepared by C.F. Bird & R.J. Bull, Inc. from the best available Court House records in March, 2013, and not from an actual field survey.
 This annexation does not create an unincorporated area of the township completely surrounded by the territory proposed for annexation.
 Total perimeter of annexation is 4,832 feet of which 1,542 feet is contiguous with City of Columbus resulting in 73.3% of perimeter contiguous.



PROPOSED ANNEXATION
15.782± ACRES

FROM
FRANKLIN TOWNSHIP, FRANKLIN COUNTY

TO

TO CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO
VIRGINIA MILITARY SURVEY NO. 422

RECEIVED

AUG 26 2014

Franklin County Planning Department
 Franklin County, OH

ANN-EX 2
21-14

Bird+Bull
 C.F. BIRD & R.J. BULL, INC.
 Engineers and Surveyors
 2815 W. Dublin-Giramite Road
 Columbus, Ohio 43235
 Ph: (614) 761-1661
 Fax: (614) 761-1128
 WWW.BIRDBULL.COM

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LEGEND
 Existing City of Columbus Corporation Line
 Proposed City of Columbus Corporation Line
 Area to be Annexed



RECEIVED

MAY 01 2013

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

RECEIVED

AUG 26 2014

Franklin County Planning Department
Franklin County, OH

*ANX-EXP 2
21-14*

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By DR Date 5/1/13

April 25, 2013

**DESCRIPTION OF A 15.782± ACRE ANNEXATION
FROM FRANKLIN TOWNSHIP, FRANKLIN COUNTY, OHIO,
TO CITY OF COLUMBUS, FRANKLIN CO., OHIO**

Situated in the State of Ohio, County of Franklin, Township of Franklin, in Virginia Military Survey No. 422, being portions of Lots Numbers Two (2), Three (3) and Four (4), as shown upon William L. Miners Subdivision, of record in Plat Book 2, Page 180 and being all or portions of the following tracts of land:

1. a portion of a 2.262 acre tract of land conveyed to Greenlawn Realty Company, by deed of record in Instrument 200005030087467,
2. a portion of an original 12.652 acre tract of land conveyed to Scarlett Manor Mobile Home Park, LLC, by deed of record in Instrument 200703190047432,
3. a portion of a 1.164 acre tract of land conveyed, as Parcel 10 WD, out of said original 12.652 acre tract for Greenlawn Avenue and Harmon Avenue roadway purposes, to the City of Columbus, Ohio, by deed of record in Instrument 1998811100288555,
4. a portion of an original 0.92 acre tract of land conveyed to Greenlawn Realty Company, by deed of record in Deed Book 1720, Page 87,
5. all of a 0.092 acre tract of land conveyed, out of said original 0.92 acre tract for Harmon Avenue roadway purposes, to the Franklin County Commissioners, by deed of record in Instrument 2001072701711640,
6. a portion of a 10 acre tract of land conveyed to 1049 Harmon Avenue, LLC, by deed of record in Instrument 201112210166398,
7. a portion of an original 3 acre tract of land conveyed to The Greenlawn Realty Company, by deed of record in Deed Book 2828, Page 643,
8. a portion of a 0.170 acre tract of land conveyed, as Parcel 21 WD, out of an original 1.25 acre tract of land conveyed to Betty Jane McBrayer, Trustee, by deed of record in Instrument 200008250171257 for Harmon Avenue roadway purposes, to the City of Columbus, Ohio by deed of record in Instrument 199811100288550,
9. a portion of a 0.313 acre tract of land conveyed, as Parcel 20 WD for Harmon Avenue and Greenlawn Avenue roadway purposes, out of an original 0.640 acre tract of land conveyed to Al-rasheed, Inc., by deed of record in Instrument 201008190106739, to the City of Columbus, Ohio, by deed of record in Instrument 200007240145825, and
10. a portion of a 0.533 acre tract of land conveyed, as Parcel 13 WD for Greenlawn Avenue and Harmon Avenue roadway purposes, out of an original 2.747 acre tract of land conveyed to Scho-dorf Truck Body and Equipment Co., by deed of record in Official Record 11352, Page B 01, to the City of Columbus, Ohio, by deed of record in Instrument 199908310221402,

said annexation tract bounded and described as follows:

Beginning at a point at the southwesterly corner of said Lot No. 4, at the southeasterly corner of Lot Number Five (5), of said William L. Miners Subdivision, at the southwesterly corner of said 2.262 acre tract, at the southeasterly corner of a 2.782 acre tract of land conveyed, as Tract Two, to Mary Irene Younkin, by deed of record in Instrument 199903040054791, in the north line of a 20 acre tract of land conveyed to The Greenlawn Cemetery Association, by deed of record in Deed Book 836, Page 638 and at a southeasterly corner of the City of Columbus corporation line established by Ordinance No. 669-60 and recorded in Miscellaneous Record 123, Page 505;

thence northerly along a portion of the westerly line of said Lot No. 4, along a portion of the easterly line of said Lot No. 5, along a portion of the westerly line of said 2.262 acre tract, along a portion of the easterly line of said 2.782 acre tract and along a portion of the easterly line of said corporation line established by Ordinance No. 669-60 a distance of approximately 432 feet to a point in the southerly right-of-way line of Greenlawn Avenue (60 feet in width) at the southwesterly corner of said 1.164 acre tract;

April 25, 2013

thence easterly crossing said Lots Nos. 4, 3 and 2, crossing said 2.262 acre tract, crossing a portion of said original 12.652 acre tract, along a portion of a southerly line of said 1.164 acre tract and along the southerly right-of-way line of Greenlawn Avenue a distance of approximately 1,138 feet to a point;

thence northerly crossing a portion of said Lot No. 2, crossing said 1.164 acre tract, crossing a portion of Lot Number One (1), as shown upon said William L. Miners Subdivision, and along a westerly line of said 0.533 acre tract a distance of approximately 61 feet to a point at a northwesterly corner of said 0.533 acre tract, in the northerly right-of-way line of Greenlawn Avenue and at a southwesterly corner of the City of Columbus corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457;

thence easterly along the northerly right-of-way line of Greenlawn Avenue, along a northerly line of said 0.533 acre tract and said lines extended easterly and along the southerly line of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457 a distance of approximately 259 feet to a point at a corner of said corporation line;

thence southerly along a westerly line of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457, crossing said 0.313 acre tract, crossing said 0.170 acre tract and along an easterly line of said 0.170 acre tract, along the easterly right-of-way line of Harmon Avenue (variable width) and crossing said original 3 acre tract a distance of approximately 511 feet to a point in the southerly line of said original 3 acre tract, in the northerly line of said 0.092 acre tract and at a corner of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457;

thence easterly along a portion of the southerly line of said original 3 acre tract, along a portion of the northerly line of said 0.092 acre tract, along a portion of the northerly line of said original 0.92 acre tract, along the southerly line of an original 1.5 acre tract of land conveyed to JZA Realty Investments, LLC, by deed of record in Instrument 201111080144324, along a portion of the southerly line of an original 8.97 acre tract of land conveyed to Greenlawn Realty Company, by deed of record in Deed Book 1720, Page 87 and along a northerly line of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457 a distance of approximately 375 feet to a point at the northeasterly corner of said original 0.92 acre tract, at a northwesterly corner of an original 78.296 acre tract of land conveyed to The City of Columbus, Ohio, by deed of record in Deed Book 1305, Page 508 and at a corner of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457;

thence southerly along the easterly line of said original 0.92 acre tract, along a westerly line of said original 78.296 acre tract and along an easterly line of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457 a distance of approximately 100 feet to a point at the southeasterly corner of said original 0.92 acre tract, at a corner of said original 78.296 acre tract and at a southeasterly corner of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457;

thence westerly along the southerly line of said original 0.92 acre tract, along a northerly line of said original 78.296 acre tract, along the southerly line of said 0.092 acre tract, crossing a portion of said 10 acre tract, along a southerly line of said corporation line established and recorded in Deed Book 1440, Page 457, crossing Harmon Avenue and along a southerly line of the City of Columbus corporation line established by Ordinance No. 657-69 and recorded in Miscellaneous Record 147, Page 354 a distance of approximately 436 feet to a point in the westerly right-of-way line of Harmon Avenue and at a corner of said corporation line established by Ordinance No. 657-69 and recorded in Miscellaneous Record 147, Page 354;

thence northerly crossing a portion of said 10 acre tract, along the westerly right-of-way line of Harmon Avenue and along a westerly line of said corporation line established by Ordinance No. 657-69 and recorded in Miscellaneous Record 147, Page 354 a distance of approximately 100 feet to a point in the northerly line of said 10 acre tract, in a southerly line of said 1.164 acre tract, in the southerly line of said Lot No. 2 and at a corner of said corporation line established by Ordinance No. 657-69 and recorded in Miscellaneous Record 147, Page 354;

thence westerly along a portion of the southerly line of said Lot No. 2, along a portion of the northerly line of said 10 acre tract, along a portion of a southerly line of said 1.164 acre tract, along a portion of the southerly line of said original 12.652 acre tract, along the southerly line of said Lot No. 3, along the southerly line of said Lot No. 4, along the southerly line of said 2.262 acre tract, along a northerly line of said corporation line established by Ordinance No. 657-69 and recorded in Miscellaneous Record 147, Page 354, along the northerly line of an original 23.06 acre tract of land conveyed to 1049 Harmon Avenue, LLC, by deed of record in Instrument 201112210166398 and along a portion of the northerly line of said 20 acre tract a distance of approximately 1,418 feet to the place of beginning;

containing approximately 15.782 acres of land more or less.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House records in March, 2013, and not from an actual field survey.

Kevin L. Baxter 4/25/13

Kevin L. Baxter
Ohio Surveyor #7697



City of Columbus
Legislation Report

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

ORIGINAL

File Number: 2007-2014

Emergency

File ID: 2007-2014

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN13-006: 15.782 Acres,
Franklin Township, Greenlawn Realty Company, et
al

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 645-0336

Floor Action (Clerk's Office Only)

SEP 08 2014 P 6 0

ABSENT

RECEIVED

SEP 11 2014

ANX-EXP2-21-14

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 (AN13-006) of 15.782 + acres in Franklin
Township to the City of Columbus as required by the Ohio Revised Code; and to
declare an emergency.

Sponsors:

Indexes:

Attachments: ORD2007-2014 AN13-006 Legal Description,
ORD2007-2014 AN13-006 Map
(Greenlawn-Harmon)

I hereby certify that the above or attached is
a true and correct copy of Ordinance No. 2007-2014
passed by The Council of The City of Columbus,
Ohio 918, 20 14, as shown by the records
now on file in this office.

Seal

[Signature]

City Clerk

Approval History

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

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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EBOCO: Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

Explanation**AN13-006**

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 Franklin Township. 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 (AN13-006) of 15.782 ± acres in Franklin Township 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 Franklin Township was duly filed on behalf of Greenlawn Realty Company, et al. 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 located within the boundaries of the adopted Southwest Area Plan.; 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 15.782 ± acres in Franklin Township 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: The manufactured home park located on the site would qualify for either dumpster box or compactor box refuse service. 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 be served by an existing 20-inch water main in Harmon Avenue., which will require an extension by the property owner to serve the site. The connection will be made at the owner's expense. The site cannot be served by water service in Greenlawn Avenue, and there are no current plans to extend water service at the site in Greenlawn Avenue.

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 is currently served by an existing private sewer mainline sewer system, which connects to the City's public sewer system via an existing 36-inch sanitary sewer located at the southeastern portion of the site. The existing 36-inch sewer runs south along Harmon Avenue within the public right-of-way. 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 15.782+ 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 Franklin Township, 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 Franklin Township. 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 AN13-006
15.782 ± Acres in Franklin Township

Situated in the State of Ohio, County of Franklin, Township of Franklin, in Virginia Military Survey No. 422, being portions of Lots Numbers Two (2), Three (3) and Four (4), as shown upon William L. Miners Subdivision, of record in Plat Book 2, Page 180 and being all or portions of the following tracts of land:

1. a portion of a 2.262 acre tract of land conveyed to Greenlawn Realty Company, by deed of record in Instrument 200005030087467,
2. a portion of an original 12.652 acre tract of land conveyed to Scarlett Manor Mobile Home Park, LLC, by deed of record in Instrument 200703190047432,
3. a portion of a 1.164 acre tract of land conveyed, as Parcel 10 WD, out of said original 12.652 acre tract for Greenlawn Avenue and Harmon Avenue roadway purposes, to the City of Columbus, Ohio, by deed of record in Instrument 1998811100288555,
4. a portion of an original 0.92 acre tract of land conveyed to Greenlawn Realty Company, by deed of record in Deed Book 1720, Page 87,
5. all of a 0.092 acre tract of land conveyed, out of said original 0.92 acre tract for Harmon Avenue roadway purposes, to the Franklin County Commissioners, by deed of record in Instrument 2001072701711640,
6. a portion of a 10 acre tract of land conveyed to 1049 Harmon Avenue, LLC, by deed of record in Instrument 201112210166398,
7. a portion of an original 3 acre tract of land conveyed to The Greenlawn Realty Company, by deed of record in Deed Book 2828, Page 643,
8. a portion of a 0.170 acre tract of land conveyed, as Parcel 21 WD, out of an original 1.25 acre tract of land conveyed to Betty Jane McBrayer, Trustee, by deed of record in Instrument 200008250171257 for Harmon Avenue roadway purposes, to the City of Columbus, Ohio by deed of record in Instrument 199811100288550,
9. a portion of a 0.313 acre tract of land conveyed, as Parcel 20 WD for Harmon Avenue and Greenlawn Avenue roadway purposes, out of an original 0.640 acre tract of land conveyed to Alrasheed, Inc., by deed of record in Instrument 201008190106739, to the City of Columbus, Ohio, by deed of record in Instrument 200007240145825, and
10. a portion of a 0.533 acre tract of land conveyed, as Parcel 13 WD for Greenlawn Avenue and Harmon Avenue roadway purposes, out of an original 2.747 acre tract of land conveyed to Schodorf Truck Body and Equipment Co., by deed of record in Official Record 11352, Page B 01, to the City of Columbus, Ohio, by deed of record in Instrument 199908310221402,

Said annexation tract bounded and described as follows:

Beginning at a point at the southwesterly corner of said Lot No. 4, at the southeasterly corner of Lot Number Five (5), of said William L. Miners Subdivision, at the southwesterly corner of said 2.262 acre tract, at the southeasterly corner of a 2.782 acre tract of land conveyed, as Tract Two, to Mary Irene Younkin, by deed of record in Instrument 199903040054791, in the north line of a 20 acre tract of land conveyed to The Greenlawn Cemetery Association, by deed of record in Deed Book 836, Page 638 and at a southeasterly corner of the City of Columbus corporation line established by Ordinance No. 669-60 and recorded in Miscellaneous Record 123, Page 505;

thence northerly along a portion of the westerly line of said Lot No. 4, along a portion of the easterly line of said Lot No. 5, along a portion of the westerly line of said 2.262 acre tract, along a portion of the easterly line of said 2.782 acre tract and along a portion of the easterly line of said corporation line

established by Ordinance No. 669-60 a distance of approximately 432 feet to a point in the southerly right-of-way line of Greenlawn Avenue (60 feet in width) at the southwesterly corner of said 1.164 acre tract;

thence easterly crossing said Lots Nos. 4, 3 and 2, crossing said 2.262 acre tract, crossing a portion of said original 12.652 acre tract, along a portion of a southerly line of said 1.164 acre tract and along the southerly right-of-way line of Greenlawn Avenue a distance of approximately 1,138 feet to a point;

thence northerly crossing a portion of said Lot No. 2, crossing said 1.164 acre tract, crossing a portion of Lot Number One (1), as shown upon said William L. Miners Subdivision, and along a westerly line of said 0.533 acre tract a distance of approximately 61 feet to a point at a northwesterly corner of said 0.533 acre tract, in the northerly right-of-way line of Greenlawn Avenue and at a southwesterly corner of the City of Columbus corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457;

thence easterly along the northerly right-of-way line of Greenlawn Avenue, along a northerly line of said 0.533 acre tract and said lines extended easterly and along the southerly line of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457 a distance of approximately 259 feet to a point at a corner of said corporation line;

thence southerly along a westerly line of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457, crossing said 0.313 acre tract, crossing said 0.170 acre tract and along an easterly line of said 0.170 acre tract, along the easterly right-of-way line of Harmon Avenue (variable width) and crossing said original 3 acre tract a distance of approximately 511 feet to a point in the southerly line of said original 3 acre tract, in the northerly line of said 0.092 acre tract and at a corner of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457;

thence easterly along a portion of the southerly line of said original 3 acre tract, along a portion of the northerly line of said original 0.92 acre tract, along the southerly line of an original 1.5 acre tract of land conveyed to JZA Realty Investments, LLC, by deed of record in Instrument 201111080144324, along a portion of the southerly line of an original 8.97 acre tract of land conveyed to Greenlawn Realty Company, by deed of record in Deed Book 1720, Page 87 and along a northerly line of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457 a distance of approximately 375 feet to a point at the northeasterly corner of said original 0.92 acre tract, at a northwesterly corner of an original 78.296 acre tract of land conveyed to The City of Columbus, Ohio, by deed of record in Deed Book 1305, Page 508 and at a corner of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457;

thence southerly along the easterly line of said original 0.92 acre tract, along a westerly line of said original 78.296 acre tract and along an easterly line of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457 a distance of approximately 100 feet to a point at the southeasterly corner of said original 0.92 acre tract, at a corner of said original 78.296 acre tract and at a southeasterly corner of said corporation line established by Ordinance No. 402-48 and recorded in Deed Book 1440, Page 457;

thence westerly along the southerly line of said original 0.92 acre tract, along a northerly line of said original 78.296 acre tract, along the southerly line of said 0.092 acre tract, crossing a portion of said 10 acre tract, along a southerly line of said corporation line established and recorded in Deed Book 1440, Page 457, crossing Harmon Avenue and along a southerly line of the City of Columbus corporation line established by Ordinance No. 657-69 and recorded in Miscellaneous Record 147, Page 354 a distance of approximately 436 feet to a point in the westerly right-of-way line of Harmon Avenue and at a corner of said corporation line established by Ordinance No. 657-69 and recorded in Miscellaneous Record 147, Page 354;

thence northerly crossing a portion of said 10 acre tract, along the westerly right-of-way line of Harmon Avenue and along a westerly line of said corporation line established by Ordinance No. 657-69 and recorded in Miscellaneous Record 147, Page 354 a distance of approximately 100 feet to a point in the

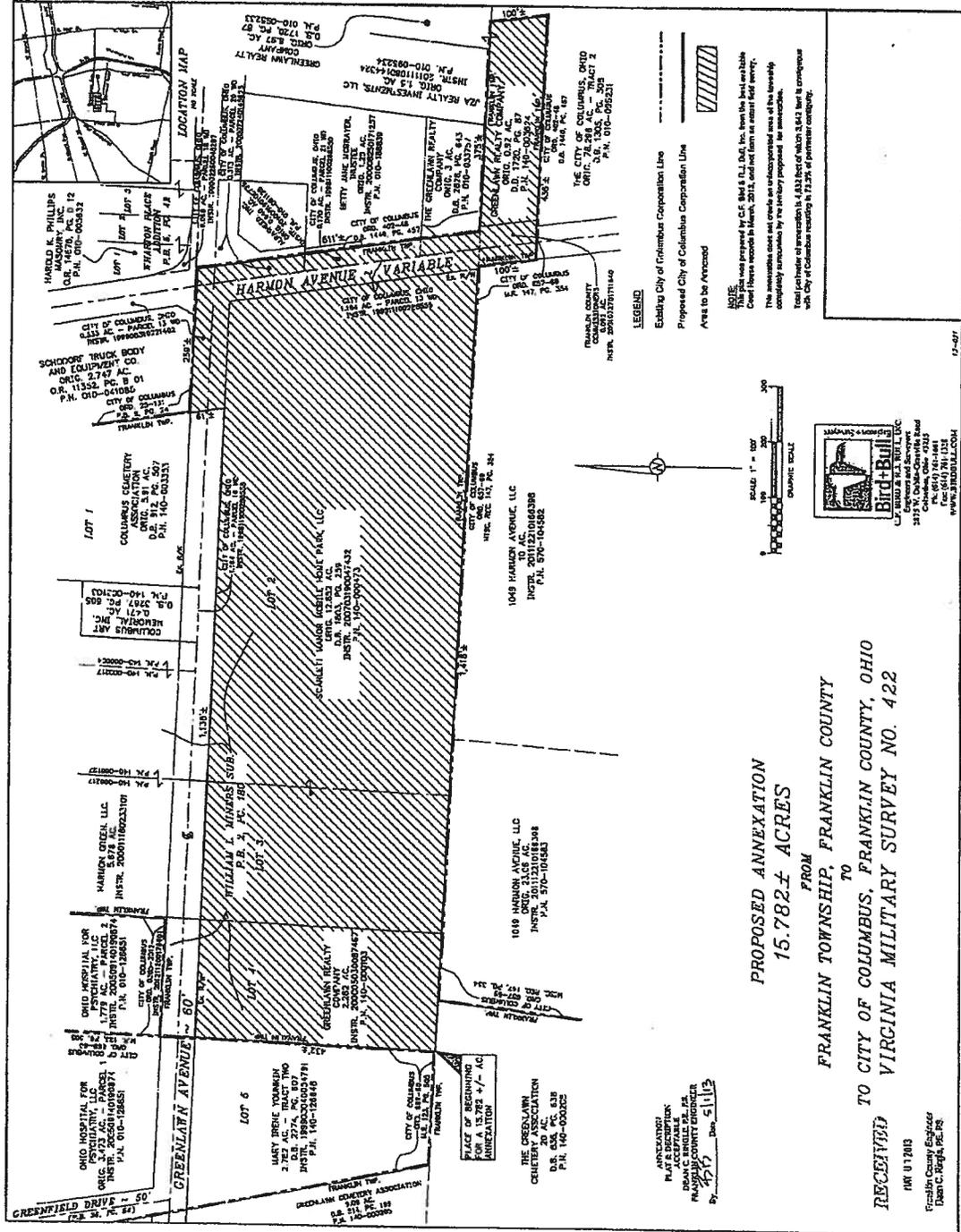
northerly line of said 10 acre tract, in a southerly line of said 1.164 acre tract, in the southerly line of said Lot No. 2 and at a corner of said corporation line established by Ordinance No. 657-69 and recorded in Miscellaneous Record 147, Page 354;

thence westerly along a portion of the southerly line of said Lot No. 2, along a portion of the northerly line of said 10 acre tract, along a portion of a southerly line of said 1.164 acre tract, along a portion of the southerly line of said original 12.652 acre tract, along the southerly line of said Lot No. 3, along the southerly line of said Lot No. 4, along the southerly line of said 2.262 acre tract, along a northerly line of said corporation line established by Ordinance No. 657-69 and recorded in Miscellaneous Record 147, Page 354, along the northerly line of an original 23.06 acre tract of land conveyed to 1049 Harmon Avenue, LLC, by deed of record in Instrument 201112210166398 and along a portion of the northerly line of said 20 acre tract a distance of approximately 1,418 feet to the place of beginning;

containing approximately 15.782 acres of land more or less.

ANNEXATION AN13-006

+ 15.8 Acres in Franklin Township Greenlawn Realty Company, et al.



PROPOSED ANNEXATION
15.782± ACRES

FROM
FRANKLIN TOWNSHIP, FRANKLIN COUNTY
TO
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO
VIRGINIA MILITARY SURVEY NO. 422

RECEIVED
MAY 01 2013
Franklin County Engineer
Dean C. Briggall, P.E., PE

ANNEXATION
PLAT & DESCRIPTION
DEAN C. BRIGGALL, P.E., P.A.
FRANKLIN COUNTY ENGINEER
By: *[Signature]* Date: 5/1/13



NOTE:
This Plat was prepared by C.F. Bird & Bull, Inc. from the best available Court Records in March, 2013, and from an aerial field survey.
This annexation does not create an unincorporated area of the township completely surrounded by the territory proposed for annexation.
Total percentage of annexation is 4.833% of which 3.842% is contiguous with City of Columbus existing in 72.2% of perimeter category.

LEGEND
Existing City of Columbus Corporation Line
Proposed City of Columbus Corporation Line
Area to be Annexed