



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
3.811 +/- ACRES FROM
MIFFLIN TOWNSHIP
TO THE CITY OF COLUMBUS
BY RANDOLPH F. BORDEN

Description:

Attached is a resolution to consider the annexation of 3.811-acres, more or less, from Mifflin Township to the city of Columbus. The petition case number is ANX-EXP2-05-11.

Applicant:

1 Buck LLC

Agent:

Randolph F. Borden

Site:

3882 Agler Road

Additional Information:

The site is contiguous to the city of Columbus on one side. The proposed annexation does not include the right-of-way of Agler Road.

Analysis:

The applicant has all statutory requirements outlined in Section 709.21 of the Ohio Revised Code. The applicant has provided proof of notification, and timeline and has provided a service ordinance from the city of Columbus stating the services that will be provided once the annexation has been approved. The city of Columbus has agreed to provide the territory proposed for annexation the services specified in the relevant service ordinance #0347-2011 passed March 7, 2011.

Recommendation:

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

SIGNATURE SHEET

Resolution No. 0200-11

March 29, 2011

REVIEW OF PETITION TO ANNEX 3.811 +/- ACRES FROM MIFFLIN TOWNSHIP TO THE CITY OF COLUMBUS BY RANDOLPH F. BORDEN. CASE #ANX-EXP2-05-11

(Economic Development and Planning)

Upon the motion of Commissioner Paula Brooks, seconded by Commissioner John O'Grady:

Voting:

Marilyn Brown, President	Aye
Paula Brooks	Aye
John O'Grady	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.



Debra A Willaman, Clerk
Board of County Commissioners
Franklin County, Ohio



Commissioners
 John O'Grady, President
 Paula Brooks
 Marilyn Brown

Economic Development & Planning Department
 James Schimmer, Director

Application for
**Annexation
 Petition**

Expedited Type 2
 Pursuant to ORC §709.023

RECEIVED

FEB 22 2011

Franklin County Planning Department
 Franklin County, OH



Property Information	
Site Address 3882 Agler Road Columbus OHIO 43219	
Parcel ID(s) 191-002756 191-002757	Total Acreage 3.811
From Township Mifflin	To Municipality Columbus

Staff Use Only
Case # ANX - EXP2 05-11
Hearing date: 3/29/11
Date filed: 2/22/11
Fee paid 280.00
Receipt # 228241
Notifications deadline: 5 days 2/26/11
Svc statement deadline: 20 days 3/13/11

Property Owner Information	
Name 1 Buck LLC	
Address 3882 Agler Road Columbus OHIO 43219	
Phone # 614-337-2825	Fax # 614-418-7965
Email	

Attorney/Agent Information	
Name Randolph F. Borden	
Address 3882 Agler Road Columbus OHIO 43219	
Phone # 614-337-2825	Fax # 614-418-7965
Email randy@rothproduce.com	

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>			
	2/3/2011	_____	_____
Property Owner	Date	Property Owner	Date
_____	_____	_____	_____
Property Owner	Date	Property Owner	Date

RECEIVED

NOV 16 2010

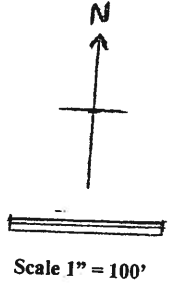
Franklin County Engineer
Dean C. Ringle, P.E., P.S.

Existing City of Columbus
Corporation Line
Ord. No. 1507-00
O.R. 200009130184747

New Salem Missionary Baptist Church
Parcel 010-255288

New Salem Missionary Baptist Church
Parcel 010-055292

New Salem Missionary Baptist Church
Parcel 010-255294



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

By RB Date 11/16/10

191-003315
04/15/2008
LANDMARK PROPERTY
HOLDINGS

Landmark Subdivision
PB III PG 82

3.811 Acres

191-002757
02/03/1999
1 BUCK LLC

191-002756
02/03/1999
1 BUCK LLC

191-002723
09/30/1996
PATTON JEFFREY L

191-003316
04/15/2008
LANDMARK PROPERTY
HOLDINGS


191-003314
02/04/2008
KENIMER MARCIA G

LANDMARK WAY

AGLER RD

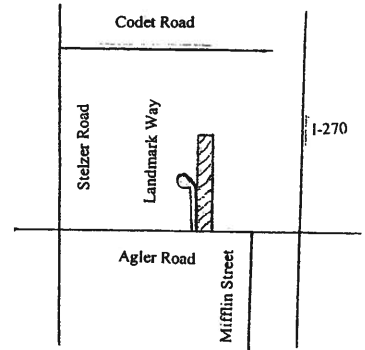
Proposed Annexation of 3.811 Acres.
From: Mifflin Twp. To: Columbus
Situate in the State of Ohio, County of
Franklin, Twp. of Mifflin, Lot#15&16
In Qtr. Twp. 1, R-17, U.S. Military
lands.

Existing City of Columbus Corp. line
(———)
Proposed City of Columbus Corp. line
(- - - -)

Area to be Annexed: 
Property adjoining Annexation:
Kenimer Marcia G. Lot # 1
Landmark Property Lot # 2
Patton Jeffrey L Lot # 14
New Salem Missionary Baptist Ch.
Parcel 010-255288
Parcel 010-055292
Parcel 010-255294

Prepared by: *Randy Borden*

3882 Agler Rd. Col. Oh. 43219
614-337-2825
Oct. 22, 2010



Location Map not to Scale

RECEIVED

FEB 22 2011

Franklin County Planning Department
Franklin County, OH

ANX-EXP 2 05-11

RECEIVED

Annexation Description For:
1 Buck LLC / Roth Produce

NOV 16 2010

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By RB Date 11/16/10

From: Mifflin Township

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

To: City of Columbus

Situated in the State of Ohio, County of Franklin, Township of Mifflin, Lot 15 and 16 in Qtr. Twp.1, R -17, U S Military lands. Being a part of the land conveyed to Mildred Roth, Trustee, by deed, dated June 23, 1951 and recorded in Deed. Volume 1625 Page 616 Franklin County Ohio records and being further described as follows.

Beginning at the easterly line of lot number 15 and the northerly line of Agler road

thence in a south westerly direction, a distance of approximately 159 feet along the north right of way of Agler Road and thru lot 15 and 16 to a point at the intersection of Agler road and the southeast line of Landmark Way Drive as dedicated by Landmark Subdivision as recorded in the Plat book 111 page 82 also being the southwest corner of lot 16

thence in a northerly direction, a distance of approximately 1052 feet along the east line of Landmark Way Drive and the west common line of lot 16. Continuing north along a common line of lot number 2 of said Landmark Subdivision (being the east line of property conveyed to Landmark Property Holdings) and the west common line of lot 16 ending at the Northeast corner of Lot 2 and the Northwest corner of Lot 16 and also being a point of the existing City of Columbus Corporation line as established by City Ordinance Number 1507-00, as recorded in the recorder's official record Number 200009130184747

thence in a easterly direction, a distance of approximately 159 feet along a common line of lot number 16 and lot 15 (being the south common line of the property conveyed to New Salem Missionary Baptist Church) and the existing City of Columbus Corporation Line to a point being on the southeastern common line New Salem Missionary Baptist Church and the northeast corner of lot number 15

thence in a southern direction approximately 1043 feet along the east common line of lot 15 and the west common line of lot 14 (being the west line of property conveyed to Jeffery L Patton) ending at the point of beginning being the easterly line of lot number 15 and the northerly line of Agler road and containing approximately 3.811 acres of land, more or less

The above description was prepared at the address of 1 Buck LLC / Roth Produce 3882 Agler Road Columbus Ohio 43219 by Randy Borden on Oct. 2010 from the best available county records. The information displayed was not derived from an actual field survey. This description is not valid for the transfer of real property, and is not to be utilized in the place of a boundary survey as defined by the Ohio administrative Code in Chapter 4733-37.

RECEIVED

FEB 22 2011

Franklin County Planning Department
Franklin County, OH

ANX-EXP2 05-11



City of Columbus Legislation Report

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

File Number: 0347-2011

Emergency

File Number: 0347-2011

File Type: Ordinance

Status: Passed

Version: 1

Controlling Body: Development Committee

File Name: Annexation Service AN11-001: 3.811 Acres, Mifflin Township,
1 Buck LLC

Introduced: 2/23/2011

Requester: Dev Drafter

Cost:

Final Action: 3/8/2011

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.: Lori Baudro 645-6986

I hereby certify that the above or attached is a true and correct copy of Ordinance No. ~~0347~~ 2011 passed by The Council of The City of Columbus, Ohio 317, 20 11, as shown by the records now on file in this office.

Floor Action (Clerk's Office Only)

Seal *Andrea Cervinski*
City Clerk

Mayor's Action

Council Action

Mayor

Date

Date Passed/ Adopted

President of Council

Veto

Date

City Clerk

Title:

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN11-001) of 3.811 ± acres in Mifflin Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD0347-2011 AN11-001 Legal Description.doc, ORD0347-2011 AN11-001 Map (3882 Agler Rd).doc

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Dev Drafter	2/23/11	Sent for Approval	DEVELOPMENT DIRECTOR			
	Action Note:	Planning Division					
1	DEVELOPMENT DIRECTOR	2/23/11	Reviewed and Approved	Dev Drafter			
	Action Note:	nmb					
1	Dev Drafter	2/23/11	Sent to Clerk's Office for Council	City Clerk Inbox			
1	City Clerk's Office	2/23/11	Sent back for Clarification/Correction	Dev Drafter			
	Action Note:	Correction needed, 2/23/11					
1	Dev Drafter	2/23/11	Sent to Clerk's Office for Council	City Clerk Inbox			
	Action Note:	Text resubmitted. PJH					
1	Columbus City Council	3/7/11	Approved				Pass
1	COUNCIL PRESIDENT	3/7/11	Signed				
1	MAYOR	3/8/11	Signed				
1	CITY CLERK	3/8/11	Attest				

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
AN11-001

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 Mifflin 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. Should the petition be approved by the County Commissioners, a second City ordinance accepting the annexation will be required 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 (AN11-001) of 3.811 ± acres in Mifflin 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 Mifflin Township was duly filed on behalf of 1 Buck LLC on February 22, 2011; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on March 29, 2011; 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 subject property proposed for annexation is located within the boundaries of the adopted Northeast 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 3.811 ± acres in Mifflin 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: Residential refuse collection services will be available for residential uses upon annexation of the property. However, 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: City water is already being provided to the subject site. Based on an administrative review by the Director of the

Department of Public Utilities, an emergency waiver was granted. Ongoing water service is contingent upon the property being annexed into the City of Columbus.

Sewer:

Sanitary Sewer: Department of Utility records indicate that this property can be served by an existing 30-inch subtrunk sewer situated approximately 1000 feet to the northwest on the south side of Codet Road. Mainline extension will be required and completed at the applicant's expense.

Storm Sewer: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development. All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own cost and expense with no cost to the city.

Section 2. If this 3.811 ± 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 Mifflin 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 Mifflin 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 AN11-001
30811 ± Acres in Mifflin Township
1 Buck LLC

Situated in the State of Ohio, County of Franklin, Township of Mifflin, Lot 15 and 16 in Qtr. Twp.1, R -17, U S Military lands. Being a part of the land conveyed to Mildred Roth, Trustee, by deed, dated June 23, 1951 and recorded in Deed. Volume 1625 Page 616 Franklin County Ohio records and being further described as follows.

Beginning at the easterly line of lot number 15 and the northerly line of Agler road

thence in a south westerly direction, a distance of approximately 159 feet along the north right of way of Agler Road and thru lot 15 and 16 to a point at the intersection of Agler road and the southeast line of Landmark Way Drive as dedicated by Landmark Subdivision as recorded in the Plat book 111 page 82 also being the southwest corner of lot 16

thence in a northerly direction, a distance of approximately 1052 feet along the east line of Landmark Way Drive and the west common line of lot 16. Continuing north along a common line of lot number 2 of said Landmark Subdivision (being the east line of property conveyed to Landmark Property Holdings) and the west common line of lot 16 ending at the Northeast corner of Lot 2 and the Northwest corner of Lot 16 and also being a point of the existing City of Columbus Corporation line as established by City Ordinance Number 1507-00, as recorded in the recorder's official record Number 200009130184747

thence in a easterly direction, a distance of approximately 159 feet along a common line of lot number 16 and lot 15 (being the south common line of the property conveyed to New Salem Missionary Baptist Church) and the existing City of Columbus Corporation Line to a point being on the southeastern common line New Salem Missionary Baptist Church and the northeast corner of lot number 15

thence in a southern direction approximately 1043 feet along the east common line of lot 15 and the west common line of lot 14 (being the west line of property conveyed to Jeffery L Patton) ending at the point of beginning being the easterly line of lot number 15 and the northerly line of Agler road and containing approximately 3.811 acres of land, more or less

The above description was prepared at the address of 1 Buck LLC / Roth Produce 3882 Agler Road Columbus Ohio 43219 by Randy Borden on Oct. 2010 from the best available county records. The information displayed was not derived from an actual field survey. This description is not valid for the transfer of real property, and is not to be utilized in the place of a boundary survey as defined by the Ohio administrative Code in Chapter 4733-37.

ANNEXATION AN11-001

3.811 ± Acres in Mifflin Township

1 Buck, LLC (Roth Produce)

RECEIVED

NOV 16 2010

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

Existing City of Columbus
Corporation Line
Ord. No. 1507-00
O.R. 200009130184747

New Salem Missionary Baptist Church
Parcel 010-255288

New Salem Missionary Baptist Church
Parcel 010-055292

New Salem Missionary Baptist Church
Parcel 010-255294



Scale 1" = 100'

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

By *BB* Date 11/16/10

191-003315
04/15/2008
LANDMARK PROPERTY
HOLDINGS

Landmark Subdivision
PB 111 PG 82

191-002757
02/03/1999
1 BUCK LLC

191-002756
02/03/1999
1 BUCK LLC

191-002723
09/30/1996
PATTON JEFFREY L

3.811 Acres

191-003316
04/15/2008
LANDMARK PROPERTY
HOLDINGS

191-003314
02/04/2008
KENTIMER MARCIA G

LANDMARK WAY

AGLER RD

Proposed Annexation of 3.811 Acres.
From: Mifflin Twp. To: Columbus
Situate in the State of Ohio, County of
Franklin, Twp. of Mifflin, Lot#15&16
In Qtr. Twp. 1, R-17, U.S. Military
lands.

Existing City of Columbus Corp. line

Proposed City of Columbus Corp. line

Area to be Annexed:

Property adjoining Annexation:

Kentimer Marcia G. Lot # 1

Landmark Property Lot # 2

Patton Jeffrey L. Lot # 14

New Salem Missionary Baptist Ch.

Parcel 010-255288

Parcel 010-055292

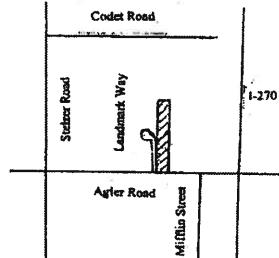
Parcel 010-255294

Prepared by: *Randy Borden*

3882 Agler Rd. Col. Oh. 43219

614-337-2825

Oct. 22, 2010



Location Map not to Scale

State of Ohio/ 0.189 Acres/ DB 3318/ PG 543