

Review of Petition to Annex 208.316 +/- acres from Hamilton Township to the city of Columbus by Sean Mentel, Esq. Case #ANX-EXP2-24-11 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Sean Mentel, Esq. filed on behalf of the Scioto Downs, Inc. on November 4, 2011 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 agreed to provide to the territory proposed for annexation the services specified in the relevant service ordinance #2019-2011, passed on November 21, 2011 by the city of Columbus.

Review of Petition to Annex 208.316 +/- acres from Hamilton Township to the city of Columbus by Sean Mentel, Esq. Case #ANX-EXP2-24-11 (ECONOMIC DEVELOPMENT & PLANNING)

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

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, Ohio, 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: R. Lee Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0850-11

December 06, 2011

REVIEW OF PETITION TO ANNEX 208.316 +/- ACRES FROM HAMILTON TOWNSHIP TO THE CITY OF COLUMBUS BY SEAN MENDEL, ESQ. CASE #ANX-EXP2-24-11

(Economic Development and Planning)

Upon the motion of Commissioner John O'Grady, seconded by Commissioner Marilyn Brown:

Voting:

**Marilyn Brown, President
John O'Grady**

**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.



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



Commissioners
Marilyn, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

Review of petition to annex 208.316+/- acres from Hamilton Township to the City of Columbus by Sean Mentel, Esq.

Description:

Attached is a resolution to consider the annexation of 208.316-acres, more or less, from Hamilton Township to the city of Columbus. The petition case number is ANX-EXP2-24-11.

Applicant:

Scioto Downs, Inc.

Agent:

Sean Mentel, Esq.

Site:

6000 South High Street

Additional Information:

The site is contiguous to the city of Columbus on four sides. The proposed annexation does not include the right-of-way for South High Street, but it does include the right-of-way for Parsons Avenue and London-Groveport 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 #2019-2011 passed November 21, 2011.

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: Debbie Willaman, County Clerk
Franklin County Commissioners Office

FROM: R. Lee Brown, Planning Administrator
Franklin County Economic Development & Planning Department

CC: James Schimmer, Director
Franklin County Economic Development & Planning Department

RE: Description of Expedited Type 2 annexation case to be
journalized on the **November 8, 2011** General Session Agenda
for a hearing on **December 6, 2011**.

Case #ANX-EXP2-24-11- An Expedited Type 2 annexation ANX-EXP2-24-11 was filed in our office on November 4, 2011. The petition is requesting to annex 208.32+/- acres from Hamilton Township to the city of Columbus. The applicant is Sean Mentel, Esq. **Site: 6000 South High Street**

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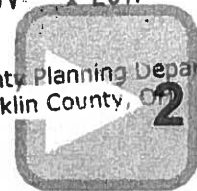
Commissioners
Marilyn Brown, President
Paula Brooks
John O'Grady

Economic Development & Planning Department
James Schimmer, Director

Application for Annexation Petition

Expedited Type 2
Pursuant to ORC §709.023

Franklin County Planning Department
Franklin County, OH



Property Information	
Site Address	6000 SOUTH HIGH STREET
Parcel ID(s)	150-001321, 000672, 001247 495-232653
From Township	HAMILTON
Total Acreage	± 208.316
To Municipality	COLUMBUS

Property Owner Information	
Name	SCIOTO DOWNS, INC
Address	6000 SOUTH HIGH STREET COLUMBUS, OHIO 43207
Phone #	614.491.2515
Fax #	
Email	JBILLHIMEL@MIRGAMMA.COM

Attorney/Agent Information	
Name	SEAN MENTEL
Address	88 EAST BROAD STREET SUITE 2000
Phone #	614.227.6040
Fax #	
Email	SEAN@MENTELLELEGALGROUP.COM

Staff Use Only	
Case #	ANX-EXP2 24-11
Hearing date:	12.6.11
Date filed:	11.4.11
Fee paid	2,240.00
Receipt #	456342
Notifications deadline: 5 days	11.9.11
Svc statement deadline: 20 days	11.24.11

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.			
<u>J. J. Campbell</u>	<u>11/3/11</u>	<u>Harry Cahill</u>	<u>11/4/11</u>
Property Owner	Date	Property Owner	Date
_____	_____	_____	_____
Property Owner	Date	Property Owner	Date

ANNEXATION PLAT

HAMILTON TOWNSHIP TO CITY OF COLUMBUS

208.316 ACRES OF LAND SITUATED IN THE STATE OF OHIO, FRANKLIN COUNTY, HAMILTON TOWNSHIP, BEING A PART OF SECTION 33, TOWNSHIP 4, RANGE 22, CONGRESS LANDS, AND BEING IN THE NAME OF SCIOTO DOWNS, INC. OF RECORD IN INSTRUMENT NUMBER 200308080251644 (TRACT I) AND 200704020055939 (TRACT II), AND BEING IN THE NAME OF STATE OF OHIO, DEPARTMENT OF TRANSPORTATION OF RECORD IN INSTRUMENT NUMBER 200704020055939 AND 201012160171173, AND BEING IN THE NAME OF EDWARD J. HERRMANN, BISHOP OF RECORD IN DEED VOLUME 3689, PAGE 713, ON FILE IN THE RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO

PROPERTY ADJACENT TO ANNEXATION

PROPERTY TO BE ANNEXED

F	P.I.D 510-180711 P.F.K. COMPANY II, LLC TAMARACK ENTERPRISES II 495.945 ACRES
G	P.I.D 510-180715 CITY OF COLUMBUS 181 ACRES
H	P.I.D 495-232643 COLUMBUS LIMESTONE INC. 355.942 ACRES
I	P.I.D 495-232627 FRANKLIN COUNTY COMMISSIONERS 2.925 ACRES
J	P.I.D 495-232653 HERRMANN EDWARD J BISHOP 145.181 ACRES
K	P.I.D 495-232653 HERRMANN EDWARD J BISHOP 19.479 ACRES
L	P.I.D 150-000009 ELSEA INC. 3.0 ACRES
M	P.I.D 510-181563 P.F.K. COMPANY I, LLC TAMARACK ENTERPRISES I LP 1018.556 ACRES

A	P.I.D 150-001321 SCIOTO DOWNS, INC. 172.806 ACRES 168.734 ACRES ANNEXED I.N. 200308080251644
B	P.I.D 150-001247 SCIOTO DOWNS, INC. 35.798 ACRES 34.200 ACRES ANNEXED I.N. 200704020055939
C	PARSONS AVENUE R/W 1.837 ACRES ANNEXED
D	P.I.D 495-232653 EDWARD J HERRMANN, BISHOP 19.479 ACRES 1.051 ACRES ANNEXED DEED VOLUME 3689, PAGE 713
E	STATE OF OHIO, DEPARTMENT OF TRANSPORTATION 2.494 ACRES ANNEXED I.N. 200704020055939 AND I.N. 201012160171173
TOTAL ANNEXATION = 208.316 ACRES	



POINT OF BEGINNING

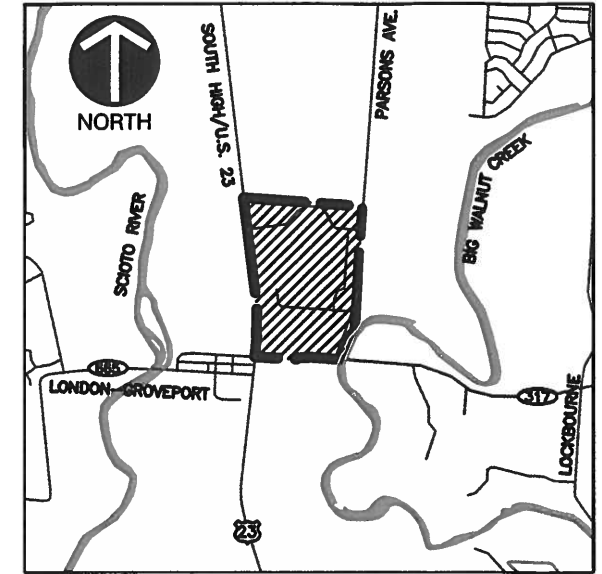
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OCT 24 2011

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

DIMENSION TABLE

1	2,761.4'
2	1,050'
3	75'
4	868'
5	304'
6	494'
7	464'
8	690'
9	1,889'
10	75'
11	73'
12	248'
13	3,406'



LOCATION MAP
NOT TO SCALE

LEGEND

- PROPOSED CORPORATION LINE
- EXISTING CORPORATION LINE
- EX. ROAD RIGHT OF WAY
- EXISTING PARCEL LINE
- COC=CITY OF COLUMBUS
- PROPERTY OWNER TAG
- DIMENSION TAG
- AREA INCLUDED IN ANNEXATION

THIS ANNEXATION PLAT IS A GENERAL DESCRIPTION OF THE LOCATION OF PROPERTY TO BE ANNEXED AND IS NOT A BOUNDARY SURVEY AS DEFINED IN THE O.R.C. CHAPTER 4733.

EVAN D. BAKER, JR.
9-8119

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
EVAN D. BAKER JR.
PROFESSIONAL SURVEYOR NO. 8119

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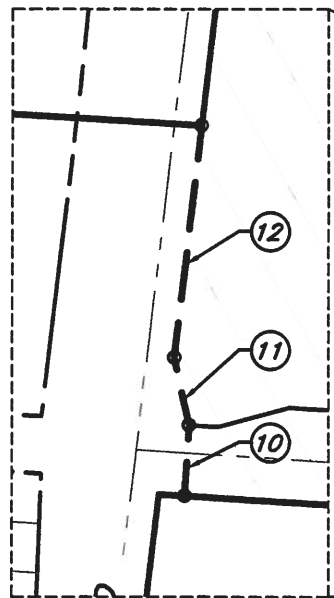
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Franklin County Planning Department
Franklin County, OH

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24-11

U:\2011\110-577\SURVEY\ANNEXATION\110577 - ANNEXATION.DWG(ANNEXATION) LS:(BWORKMAN - 10/17/2011 3:17:24 PM) - LP: 10/17/2011 4:15:20 PM

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By *[Signature]* Date 10/24/11



COC CORP LINE
ORD 1740-78,
M.R. 170, PG 789
HAMILTON TOWNSHIP

HAMILTON TOWNSHIP
COC CORP LINE
ORD 972-95,
O.R. 29162 A08

LONDON-GROVEPORT ROAD - S.R. 317
R/W VARIES

SCALE IN FEET



CEC
Civil & Environmental Consultants, Inc.
8740 Orion Place, Suite 100 - Columbus, OH 43240
614-540-6633 - 888-598-6808
www.cecinc.com

208.316 ACRES OF LAND
EAST SIDE OF SOUTH HIGH STREET
HAMILTON TOWNSHIP
FRANKLIN COUNTY, OHIO
ANNEXATION PLAT
SOUTH HIGH STREET

DRAWN BY: JSG CHECKED BY: EDB APPROVED BY: EDB FIGURE NO.:
DATE: OCTOBER 2011 DWG SCALE: 1"=500' PROJECT NO: 110-577 1 OF 1

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OCT 24 2011

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

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NOV - 4 2011

Franklin County Planning Department
Franklin County, OH

ANX-EXP 2
24-11

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By RR Date 10/24/11

ANNEXATION DESCRIPTION
Hamilton Township, Franklin County, Ohio
To
City of Columbus, Ohio
208.316 Acres of land annexed

Situated in the State of Ohio, County of Franklin, Township of Hamilton, being a part of Section 33, Township 4, Range 22, Congress Lands, also being in the name of Scioto Downs, Inc. of record in Instrument Number 200308080251644 and 200704020055939, also being in the name of State of Ohio, Department of Transportation of record in Instrument Number 200704020055939 and 201012160171173, also being in the name of Edward J. Herrmann, Bishop of record in Deed Volume 3689, Page 713 on file in the Recorder's Office, Franklin County, Ohio. All together being 208.316 acres of land conveyed to Scioto Downs, Inc., State of Ohio, Department of Transportation, Edward J. Herrmann, Bishop, and adjacent public road right-of-way, being more approximately described as follows:

Beginning at a ¾" iron pipe found on the northerly property line of a 210.917 acre tract, being in the name of Scioto Downs, Inc. (Instrument Number 200308080251644), also being on the existing corporation line (Ord #1740-78, M.R. 170, PG 789) and being on the south line of a 495.945 tract conveyed to Tamarack Enterprises II (Instrument Number 200108080182912), also being located 54.96' more less from a 1" diameter iron pipe found with a yellow plastic cap inscribed "Bird & Bull, Inc." at the northwest corner of said 210.917 acre tract, the centerline of South High Street (U.S. Route 23) at station no. 463+92.64 of the centerline survey PIC-23-17.66 and FRA-23-(0.00-5.37) and the southwest corner of said 495.945 tract conveyed to Tamarack Enterprises II (Instrument Number 200108080182912);

Thence easterly, along the north line of said 210.917 acre tract, also being the south line of said 495.945 acre tract, also following the existing corporation line (Ord #1740-78, M.R. 170, PG 789), a distance of 2,761.4 feet, more or less, to a point in the westerly line of Parsons Avenue;

Thence southerly, along the westerly line of Parsons Avenue a distance of 1,050 feet, more or less, also following the existing corporation line (Ord #1740-78, M.R. 170, PG 789) to a point in the westerly line of Parsons Avenue;

Thence easterly, a distance of 75 feet, more or less, to a point along the south line of a 181 acre tract conveyed to City of Columbus, also being the intersection of the existing corporation line described within Ord #1740-78 and Ord #972-95;

Thence southerly, along the easterly right-of-way line of Parsons Avenue, a distance of 868 feet, more or less, to a point along the easterly right-of-way of Parsons Avenue, also following the existing corporation line (Ord #972-95, O.R. 29162 A08);

Thence southwesterly, along the easterly right-of-way line of Parsons Avenue, a distance of 304 feet, more or less, to a point along the easterly right-of-way of Parsons Avenue, also following the existing corporation line (Ord #972-95, O.R. 29162 A08);

Thence southerly, along the easterly right-of-way line of Parsons Avenue, a distance of 494 feet, more or less, to a point along the easterly right-of-way of Parsons Avenue, also following the existing corporation line (Ord #972-95, O.R. 29162 A08);

Thence southwesterly, along the easterly right-of-way line of Parsons Avenue, a distance of 464 feet, more or less, to a point along the easterly right-of-way of Parsons Avenue, also following the existing corporation line (Ord #972-95, O.R. 29162 A08);

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Franklin County Planning Department
Franklin County, OH

ANK-EXP 2

24-11

Thence southwesterly, along the easterly right-of-way line of Parsons Avenue, a distance of 690 feet, more or less, also following the existing corporation line (Ord #972-95, O.R. 29162 A08); to a point along the southerly right-of-way of London Groveport Road, and being on southeasterly corner of the 6.031 acre tract conveyed to State of Ohio, Department of Transportation (Instrument Number 201012160171173);

Thence westerly, along the southerly right-of-way line of London Groveport Road, a distance of 1,889 feet, more or less, also following the existing corporation line (Ord #972-95, O.R. 29162 A08) to a point on the southerly right-of-way of London Groveport Road, also being 27 feet, more or less, east of the easterly right-of-way of South High Street (U.S. 23) and being a point within the 19.479 acre tract conveyed to Edward J. Herrmann, Bishop (Deed Volume 3689, Page 713);

Thence northerly, over and across said tracts 19.479 acre tract and 210.917 acre tract , a distance of 75 feet, more or less, to a point along the easterly right-of-way of South High Street, also being a point along the northerly right-of-way of London Groveport Road;

Thence northwesterly, along the easterly right-of-way of South High Street, a distance of 73 feet, more or less, to a point along the easterly right-of-way of South High Street.

Thence northerly, along the easterly right-of-way of South High Street, a distance of 248 feet, more or less, to a point along the easterly right-of-way of South High Street and a point on the existing corporation line described within Ord #1740-78, M.R. 170, PG 789;

Thence northerly along the easterly right-of-way line of South High Street, a distance of 3,406 feet, more or less, over and across said 210.917 acre tract, also following the existing corporation line (Ord #1740-78, M.R. 170, PG 789), to the point of beginning.

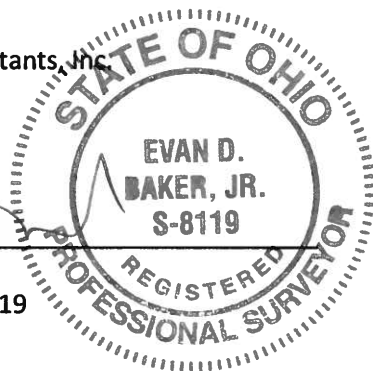
Containing about 208.316 acres, more or less, being in the name of Scioto Downs, Inc., State of Ohio, Department of Transportation, Edward J. Herrmann, Bishop, and adjacent public road right-of-way.

This annexation description is a general of the location of property to be annexed and is not based on an actual survey of the property herein and does not meet the "Minimum Standards for Boundary Surveys" contained in O.R.C Chapter 4733.

Civil & Environmental Consultants, Inc.



Evan D. Baker Jr.
Professional Surveyor No. 8119





City of Columbus Legislation Report

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

ORIGINAL

File Number: 2019-2011

Emergency

File ID: 2019-2011

Type: Ordinance

Status: Second Reading

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN11-012: 208.316 Acres,
Hamilton Township, Scioto Downs, Inc.

File Created: 11/08/2011

Cost:

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.: Kevin Wheeler 645-6057

Floor Action (Clerk's Office Only)

NOV 21 2011 P6-0

KLEIN ABSENT

Mayor's Action

NOV 22 2011

Mayor

Date

Council Action

NOV 21 2011

Date Passed/ Adopted

President of Council

ACTING 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 (AN11-012) of 208.316± Acres in Hamilton Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Attachments: ORD2019-2011 AN11-012 Legal Description,
ORD2019-2011 AN11-012 Annexation Map

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 2019-2011 passed by The Council of The City of Columbus. Ohio 11/21, 20 11, as shown by the records now on file in this office.

Seal

City Clerk

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
AN11-012

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 Hamilton 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, current and anticipated uses of this property would result in significant revenue for Columbus.

Title

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN11-012) of 208.316± Acres in Hamilton 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 Hamilton Township was duly filed on behalf of Scioto Downs Inc. et al on November 4, 2011; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on December, 6, 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 to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area and within the South Central Accord planning 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 208.316 ± acres in Hamilton 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 upon annexation of the property.

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: The proposed annexation site will receive additional water service from the Columbus Division of Power and Water via an existing 12" water main located within the right-of-way of US 23.

Sewer:

Sanitary Sewer: The site is currently served by an existing on-site 8-inch private sewer which connects to the Columbus system at a point approximately 225' east of the property's southeast corner.

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 208.316 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 Hamilton 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 Hamilton 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 AN11-012
208.316 Acres in Hamilton Township
Scioto Downs Inc et al**

Situated in the State of Ohio, County of Franklin, Township of Hamilton, being a part of Section 33, Township 4, Range 22, Congress Lands, also being in the name of Scioto Downs, Inc. of record in Instrument Number 200308080251644 and 200704020055939, also being in the name of State of Ohio, Department of Transportation of record in Instrument Number 200704020055939 and 201012160171173, also being in the name of Edward J. Herrmann, Bishop of record in Deed Volume 3689, Page 713 on file in the Recorder's Office, Franklin County, Ohio. All together being 208.316 acres of land conveyed to Scioto Downs, Inc., State of Ohio, Department of Transportation, Edward J. Herrmann, Bishop, and adjacent public road right-of-way, being more approximately described as follows:

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Thence easterly, along the north line of said 210.917 acre tract, also being the south line of said 495.945 acre tract, also following the existing corporation line (Ord #1740-78, M.R. 170, PG 789), a distance of 2,761.4 feet, more or less, to a point in the westerly line of Parsons Avenue;

Thence southerly, along the westerly line of Parsons Avenue a distance of 1,050 feet, more or less, also following the existing corporation line (Ord #1740-78, M.R. 170, PG 789) to a point in the westerly line of Parsons Avenue;

Thence easterly, a distance of 75 feet, more or less, to a point along the south line of a 181 acre tract conveyed to City of Columbus, also being the intersection of the existing corporation line described within Ord #1740-78 and Ord #972-95;

Thence southerly, along the easterly right-of-way line of Parsons Avenue, a distance of 868 feet, more or less, to a point along the easterly right-of-way of Parsons Avenue, also following the existing corporation line (Ord #972-95, O.R. 29162 A08);

Thence southwesterly, along the easterly right-of-way line of Parsons Avenue, a distance of 304 feet, more or less, to a point along the easterly right-of-way of Parsons Avenue, also following the existing corporation line (Ord #972-95, O.R. 29162 A08);

Thence southerly, along the easterly right-of-way line of Parsons Avenue, a distance of 494 feet, more or less, to a point along the easterly right-of-way of Parsons Avenue, also following the existing corporation line (Ord #972-95, O.R. 29162 A08);

Thence southwesterly, along the easterly right-of-way line of Parsons Avenue, a distance of 464 feet, more or less, to a point along the easterly right-of-way of Parsons Avenue, also following the existing corporation line (Ord #972-95, O.R. 29162 A08);

Thence southwesterly, along the easterly right-of-way line of Parsons Avenue, a distance of 690 feet, more or less, also following the existing corporation line (Ord #972-95, O.R. 29162 A08); to a point along the southerly right-of-way of London Groveport Road, and being on southeasterly corner of the 6.031 acre tract conveyed to State of Ohio, Department of Transportation (Instrument Number 201012160171173);

Thence westerly, along the southerly right-of-way line of London Groveport Road, a distance of 1,889 feet, more or less, also following the existing corporation line (Ord #972-95, O.R. 29162 A08) to a point on the southerly right-of-way of London Groveport Road, also being 27 feet, more or less, east of the easterly right-of-way of South High Street (U.S. 23) and being a point within the 19.479 acre tract conveyed to Edward J. Herrmann, Bishop (Deed Volume 3689, Page 713);

Thence northerly, over and across said tracts 19.479 acre tract and 210.917 acre tract , a distance of 75 feet, more or less, to a point along the easterly right-of-way of South High Street, also being a point along the northerly right-of-way of London Groveport Road;

Thence northwesterly, along the easterly right-of-way of South High Street, a distance of 73 feet, more or less, to a point along the easterly right-of-way of South High Street.

Thence northerly, along the easterly right-of-way of South High Street, a distance of 248 feet, more or less, to a point along the easterly right-of-way of South High Street and a point on the existing corporation line described within Ord #1740-78, M.R. 170, PG 789;

Thence northerly along the easterly right-of-way line of South High Street, a distance of 3,406 feet, more or less, over and across said 210.917 acre tract, also following the existing corporation line (Ord #1740-78, M.R. 170, PG 789), to the point of beginning.

Containing about 208.316 acres, more or less, being in the name of Scioto Downs, Inc., State of Ohio, Department of Transportation, Edward J. Herrmann, Bishop, and adjacent public road right-of-way.

This annexation description is a general of the location of property to be annexed and is not based on an actual survey of the property herein and does not meet the "Minimum Standards for Boundary Surveys" contained in O.R.C Chapter 4733.

