

**Review of petition to annex 0.29 +/- acres from Jefferson Township to the City of Gahanna by Thomas L. Weber, Esq. CASE #ANX-MUNI-21-11 (ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that the City of Gahanna filed on September 30, 2011 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Municipal Annexation 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 that the petition meets all the requirements set forth in, and was filed in the manner provided in, section 709.16 of the Revised Code for a Municipal Annexation.

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 Gahanna, 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 Gahanna, Ohio.

Prepared by: R. Lee Brown

Cc: Economic Development & Planning Department

**SIGNATURE SHEET**

Resolution No. 0738-11

October 18, 2011

**REVIEW OF PETITION TO ANNEX 0.29 +/- ACRES FROM JEFFERSON  
TOWNSHIP TO THE CITY OF GAHANNA BY THOMAS L. WEBER, ESQ. CASE  
#ANX-MUNI-21-11**

**(Economic Development and  
Planning)**

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

**Voting:**

<b>Marilyn Brown, President</b>	<b>Aye</b>
<b>Paula Brooks</b>	<b>Aye</b>
<b>John O'Grady</b>	<b>Aye</b>

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 0.29+/- acres from Jefferson Township to the City of Gahanna by Thomas L. Weber, Esq.

**Description:**

Attached is a resolution to consider the annexation of 0.29-acres, more or less, from Jefferson Township to the city of Gahanna. The petition case number is ANX-MUNI-21-11.

**Applicant:**

City of Gahanna

**Agent:**

Thomas L. Weber, Esq.

**Site:**

4427 East Johnstown Road (170-001100)

**Analysis:**

The applicant has met all statutory requirements outlined in Section 709.16 of the Ohio Revised Code.

**Recommendation:**

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



Commissioner John O'Grady · Commissioner Paula Brooks · Commissioner Marilyn Brown  
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 Municipal annexation case to be journalized on the  
**October 4, 2011** General Session Agenda for a hearing on  
**October 18, 2011.**

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**Case #ANX-MUNI-21-11**- A municipal annexation ANX-MUNI-21-11 was filed in our office on September 30, 2011. The petition is requesting to annex 0.29+/- acres from Jefferson Township to the city of Gahanna. The applicant is Thomas L. Weber. **Site: 4427 East Johnstown Road (Parcel Number: 170-001100)**



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

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

# Application for Annexation Petition

Municipal  
 Pursuant to ORC §709.15



Property Information	
Site Address 4427 East Johnstown Road, Gahanna, Ohio 43230	
Parcel ID(s) 170-001100	Total Acreage 0.29 +-
From Township Jefferson	To Municipality Gahanna

Municipal Authority	
Authorizing Ordinance No. ORD-0170-2011	
Land Ownership (check one) <input checked="" type="checkbox"/> Municipality <input type="checkbox"/> Franklin County <input type="checkbox"/> State of Ohio	

Applicant/Agent Information	
Name Thomas L. Weber, City Attorney	
Address 200 S. Hamilton Road Gahanna, Ohio 43230	
Phone # 342-4090	Fax # 342-4190
Email tom.weber@gahanna.gov    isobel.sherwood@gahanna.gov	

Staff Use Only
Case # MUNI-21-11
Hearing date:
Date filed: Sept. 30, 2011
Fee paid
Receipt #
Date Journalized

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"/> Certified copy of ordinance authorizing this application

Signatures		
<p>The undersigned, petitioners in the premises, and being authorized to act on behalf of the municipality listed above, do hereby pray that the territory listed above be annexed to said municipality.</p> <p>The undersigned further acknowledge that the Franklin County Board of Commissioners may take the following actions:</p> <ul style="list-style-type: none"> <li>For land owned by the municipality, the Board must grant the petition</li> <li>For land owned by a County, the Board may grant or deny the petition</li> <li>For land owned by the State of Ohio, if the Director of Administrative Services has filed written consent, the Board must grant the petition.</li> </ul>		
<u>Thomas L. Weber</u> Agent or Authorized Representative	<u>City Attorney</u> Title	<u>9/29/11</u> Date
_____ Agent or Authorized Representative	_____ Title	_____ Date

**RECEIVED**

SEP 30 2011

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

By DR Date 9/26/11

**RECEIVED**

SEP 26 2011

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

PROPOSED ANNEXATION OF 0.29+/- OF AN ACRE  
FROM JEFFERSON TOWNSHIP TO  
THE CITY OF GAHANNA, FRANKLIN COUNTY, OHIO

Situated in the State of Ohio, County of Franklin, Township of Jefferson, located in part of Quarter Township 2, Township 1, Range 16, United States Military District, being all of that 0.254 acre tract of land described in the deed to the City of Gahanna, recorded in Instrument No. 201108030096695, and part of that 0.147 acre tract of land described in the deed to said City of Gahanna, recorded in Instrument Nos. 201008120103293 and 201008180106160 (record references recited herein are to those of the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning at the northwesterly corner of said 0.254 of an acre tract, being at the intersection of the southerly line of those lands annexed to the City of Gahanna by Ordinance No. 2000-51, recorded in Instrument No. 200005110093070, with the easterly line of those lands annexed to the City of Gahanna by Ordinance No. 116-94, recorded in Official Record Volume 27249-B06;

thence easterly along the northerly line of said 0.254 acre tract, being the existing Gahanna Corporation Line as established by said Ordinance No. 2000-51, a distance of 153.4 feet, more or less, to the northeasterly corner of said 0.254 acre tract;

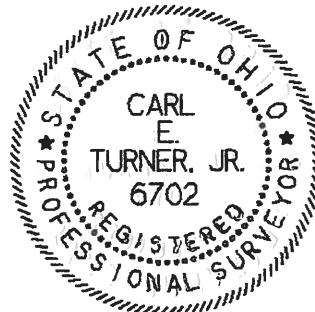
thence southerly along the easterly line of said 0.254 and 0.147 acre tracts, continuing along aforesaid Corporation Line, passing the easterly common corner of said 0.254 and 0.147 acre tracts at 17.6 feet, more or less, a total distance of 28.6 feet, more or less, to the intersection of said line with the existing northwesterly Gahanna Corporation Line, as established by Ordinance No. 230-01, recorded in Instrument No. 200202060034636;

thence southwesterly along said Corporation Line established by said Ordinance No. 230-01, being 30 feet northwesterly of, as measured perpendicular to and parallel with, the centerline of Johnstown Road (U.S. Route 62), 159.9 feet, more or less, to the westerly line of said 0.147 acre tract, and being an angle point in the existing Gahanna Corporation Line;

thence northerly along the westerly lines of said 0.147 and 0.254 acre tracts, being along aforesaid Gahanna Corporation Line established by Ordinance No. 116.94, passing the westerly corner common to said 0.254 and 0.147 acre tracts at 11 feet, more or less, a total distance of 146.2 feet, more or less, returning to the 'Place of Beginning,' containing 0.29 of an acre of land, more or less, as described for annexation purposes only, in August of 2011, by Carl E. Turner Jr., Professional Surveyor No. S-6702.



Carl E. Turner Jr.,  
Professional Surveyor No. 6702  
24 August 2011



\* End of Description \*

ANNEXATION  
 PLAT & DESCRIPTION  
 ACCEPTABLE  
 DEAN C. RINGLE, P.E., P.S.  
 FRANKLIN COUNTY ENGINEER  
 By BB Date 9/24/11

SEP 26 2011

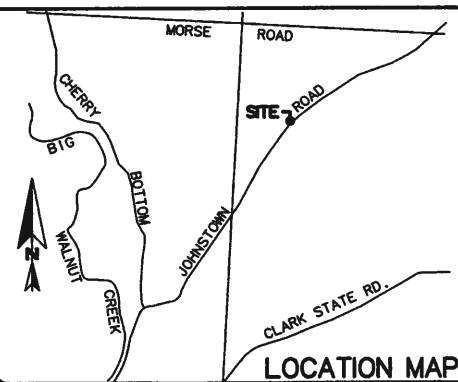
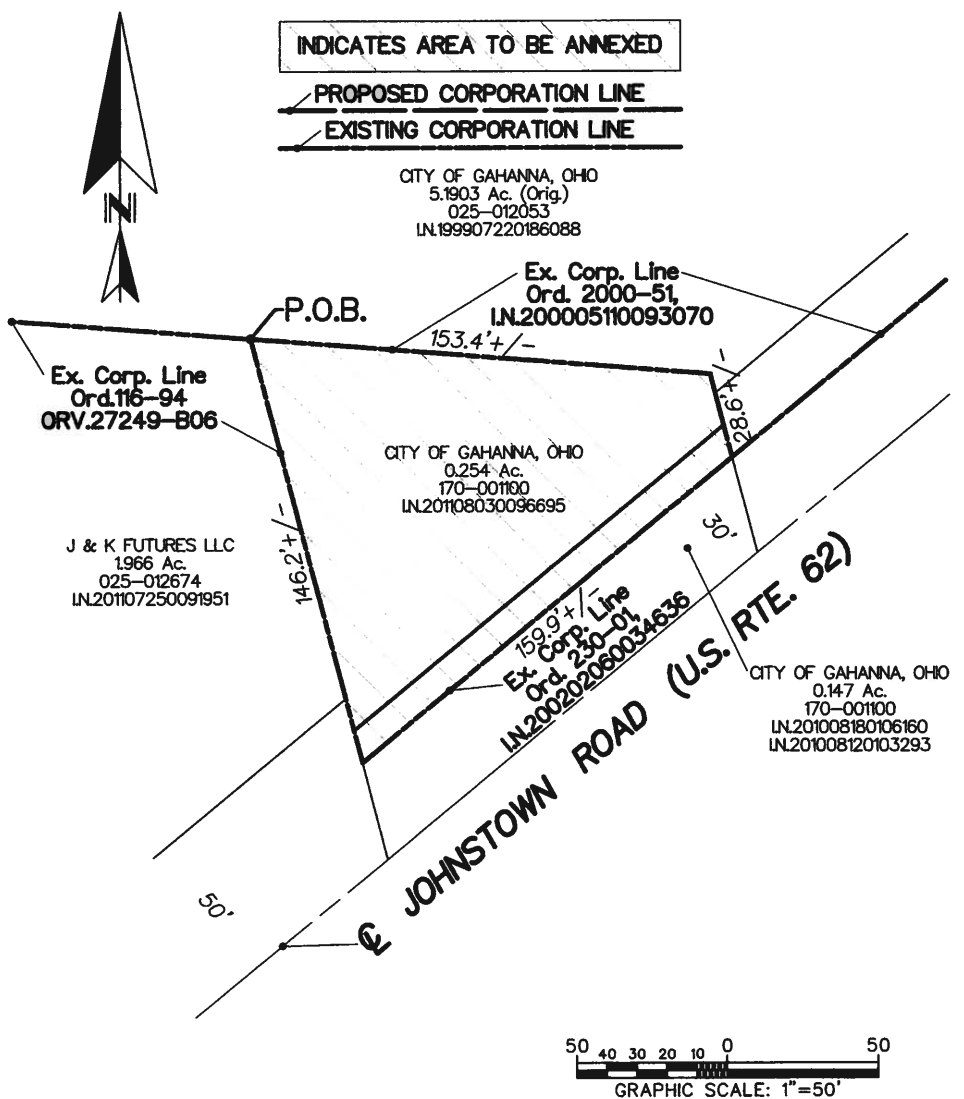
Franklin County Engineer  
 Dean C. Ringle, P.E., P.S.



238 Academy Woods Drive  
 Gahanna, Ohio 43230-2184  
 614.471.0663  
 www.terrasurveyingservices.com

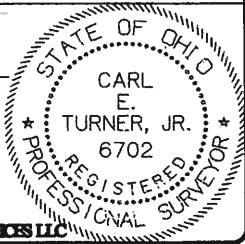
**TITLE: PROPOSED ANNEXATION OF 0.29+/- ACRE  
 FROM JEFFERSON TWP., TO THE CITY OF GAHANNA, FRANKLIN COUNTY, OHIO**

PREPARED EXCLUSIVELY FOR: THE CITY OF GAHANNA 24 AUGUST 2011 INSTRUMENT NO. 201108030096695  
 FRANKLIN CO. TAX MAP NO. 0-37A



ANNEXATION NO. \_\_\_\_\_  
 FILED: \_\_\_\_\_ PASSED: \_\_\_\_\_  
 ORDINANCE NO. \_\_\_\_\_  
 INSTRUMENT NO. \_\_\_\_\_

By: Carl E. Turner Jr.  
 CARL E. TURNER JR.  
 P.S.6702  
 NOT AN AUTHORIZED DOCUMENT UNLESS SURVEYOR'S SEAL APPEARS IN BLUE INK.  
 File No. 25.10.JT.120.11  
 ©2011 TERRA SURVEYING SERVICES LLC





**City of Gahanna**

200 South Hamilton Road  
Gahanna, Ohio 43230

**Signature**

**Ordinance**

**RECEIVED**

**File Number:** ORD-0194-2011

**OCT 11 2011**

**Date Passed:** 10/3/2011

Franklin County Planning Department  
Franklin County, Ohio

AN ORDINANCE ADOPTING A STATEMENT INDICATING THE SERVICES THE CITY OF GAHANNA, OHIO, WILL PROVIDE TO THE 0.29+/- ACRE TERRITORY IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, PROPOSED TO BE ANNEXED TO THE CITY OF GAHANNA UPON ANNEXATION; SAID PROPERTY LOCATED AT 4427 EAST JOHNSTOWN ROAD; AND CITY BUFFER REQUIREMENTS AS PROVIDED IN OHIO REVISED CODE SECTION 709.023; BY THE CITY OF GAHANNA; AND TO DECLARE AN EMERGENCY.

WHEREAS, a Petition has been filed with the Board of County Commissioners of Franklin County, Ohio for the annexation of approximately 0.29+/- acres in Jefferson Township to the City of Gahanna; and

WHEREAS, Ohio Revised Code Section 709.023(C) requires that a municipal corporation shall, by ordinance or resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory upon annexation, which legislation must be adopted and filed with the county commissioners within twenty (20) days after the petition is filed; and

WHEREAS, fire service is now being provided to the annexation territory by Jefferson Township and the territory will remain in Jefferson Township and continue to receive Jefferson Township fire services as a matter of law following the annexation, if approved; and

WHEREAS, Ohio Revised Code Section 709.023(C) also requires that a municipal corporation shall, by ordinance or resolution, require buffers separating any new uses that clearly are incompatible with the uses permitted under current township zoning regulations in the adjacent land remaining in the unincorporated township; and

WHEREAS, it is necessary to effect this legislation immediately to adopt it within the time required by law and for the orderly progression of the annexation procedure, and for the preservation of the public peace, property, health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, STATE OF OHIO:

Section 1. That immediately upon the effective date of the annexation of the 0.29+/- acres to the City of Gahanna, as shown on the map and description attached hereto as EXHIBIT A and EXHIBIT



B, the City of Gahanna will provide to the entire annexed territory the following services: police, street maintenance, sanitation, economic development and planning, and parks and recreation. The property is currently in the Jefferson Water and Sewer District service area and may be served by that entity for both water and sewer. If the Jefferson Water and Sewer District cannot provide service, chooses not to do so, or permits the City of Gahanna to do so, the City of Gahanna has sanitary sewer and water available that can be extended to and serve the annexation territory at the request and cost of the owner(s).

Section 2. The 0.29+/- acre annexation territory is subject to Jefferson Township zoning regulations. If the territory is annexed and becomes subject to Gahanna zoning and the city zoning permits uses in the annexed territory that the city determines are clearly incompatible with the uses permitted under applicable township zoning regulations in effect at the time of the filing of the petition on the land adjacent to the annexation territory remaining within Jefferson Township, then Gahanna City Council will require the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Jefferson Township. The landscape "buffer" may include open space, landscaping, fences, walls, and other structured elements, streets and street rights-of-way, or bicycle and pedestrian paths and sidewalks.

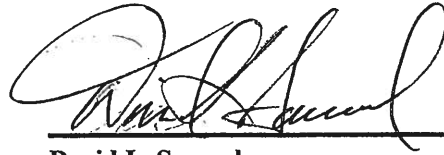
Section 3. If any street or highway is divided or segmented by the boundary line between the township and the City of Gahanna as to create a maintenance problem, Gahanna agrees to assume the maintenance of the portion of the street or highway for which there is a maintenance problem or to otherwise correct the problem.

Section 4. Pursuant to Section 121.05(b) of the Codified Ordinances of the City of Gahanna the Clerk of Council shall obtain from the City Engineer the right-of-way required by the approved Master Thoroughfare Plan for the City. The City Engineer has stated that in accordance with the adopted Thoroughfare Plan of the City, East Johnstown Road requires 80 feet of right of way and the current right of way is 80 feet; therefore no additional right of way will be required.

Section 5. That the Clerk of Council is hereby authorized and directed to deliver a copy of this legislation to the office of the Board of Commissioners of Franklin County within twenty (20) days of the date of the filing of the petition.


Section 6. That, for the reasons set forth in the preamble hereinabove, this ordinance is declared emergency legislation, and shall be in full force and effect immediately upon passage by this Council and on date of signature approval by the Mayor.

This Ordinance was Adopted as an Emergency, this 3rd day of October, 2011.



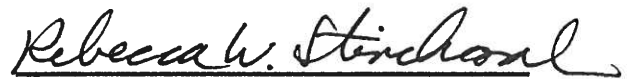
**David L. Samuel**  
President of Council

*ATTESTED to and PRESENTED to the Mayor;*  
*this 3rd day of October, 2011.*



**Isobel L. Sherwood, MMC**  
Clerk of Council

*APPROVED by the Mayor, this*  
*5th day of Oct. 2011.*



**Rebecca W. Stinchcomb**  
Mayor

Approved as to form:



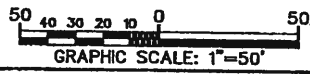
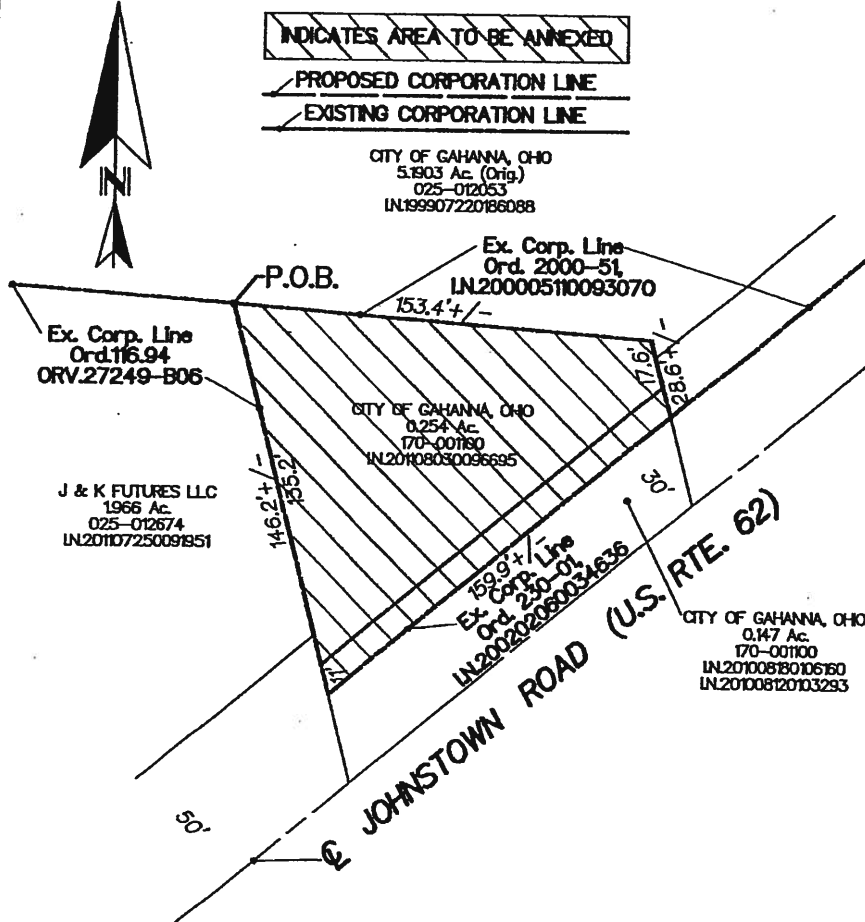
**Thomas L. Weber**  
City Attorney

**T TERRA**  
 Surveying Services LLC

238 Academy Woods Drive  
 Gahanna, Ohio 43230-2184  
 614.471.0663  
 www.terrasurveyingservices.com

TITLE: **PROPOSED ANNEXATION OF 0.29+/- ACRE**  
**FROM JEFFERSON TWP., TO THE CITY OF GAHANNA, FRANKLIN COUNTY, OHIO**

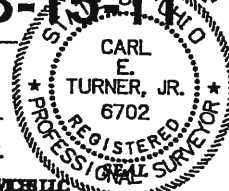
PREPARED EXCLUSIVELY FOR: THE CITY OF GAHANNA 15 AUGUST 2011 INSTRUMENT NO. 201108030096695  
 FRANKLIN CO. TAX MAP NO. 0-37A



ANNEXATION NO. \_\_\_\_\_  
 FILED: \_\_\_\_\_ PASSED: \_\_\_\_\_  
 ORDINANCE NO. \_\_\_\_\_  
 INSTRUMENT NO. \_\_\_\_\_

**Review & Comment \* 8-15-11 \***

By: Carl E. Turner Jr.  
 CARL E. TURNER JR.  
 P.S.6702



NOT AN AUTHORIZED DOCUMENT UNLESS SURVEYOR'S SEAL APPEARS IN BLUE INK.

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**EXHIBIT A**

PROPOSED ANNEXATION OF 0.29+/- OF AN ACRE  
FROM JEFFERSON TOWNSHIP TO  
THE CITY OF GAHANNA, FRANKLIN COUNTY, OHIO

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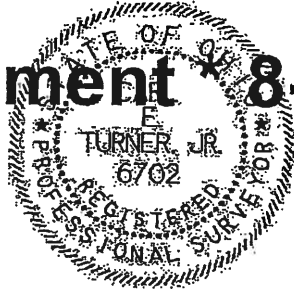
thence southwesterly along said Corporation Line established by said Ordinance No. 230-01, being 30 feet northwesterly of, as measured perpendicular to and parallel with, the centerline of Johnstown Road (U.S. Route 62), 159.9 feet, more or less, to the westerly line of said 0.147 acre tract, and being an angle point in the existing Gahanna Corporation Line;

thence northerly along the westerly lines of said 0.147 and 0.254 acre tracts, being along aforesaid Gahanna Corporation Line established by Ordinance No. 116.94, passing the westerly corner common to said 0.254 and 0.147 acre tracts at 11 feet, more or less, a total distance of 146.2 feet, more or less, returning to the 'Place of Beginning,' containing 0.29 of an acre of land, more or less, as described for annexation purposes only, in August of 2011, by Carl E. Turner Jr., Professional Surveyor No. S-6702.

**\* Review & Comment 8-15-11 \***

Carl E. Turner Jr.,  
Professional Surveyor No. 6702  
15 August 2011

\* End of Description \*



**EXHIBIT B**