

Review of Petition to Annex 1.061 +/- acres from Perry Township to the city of Columbus by Laura MacGregor Comek, Esq. Case #ANX-EXP2-16-12 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Laura MacGregor Comek, Esq. filed on behalf of William Alsauer and Karen Asumus-Alsnauer on July 9, 2012 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 #1629-2012, passed on July 23, 2012 by the city of Columbus.

Review of Petition to Annex 1.061 +/- acres from Perry Township to the city of Columbus by Laura MacGregor Comek, Esq. Case #ANX-EXP2-16-12 (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. 0581-12

August 14, 2012

REVIEW OF PETITION TO ANNEX 1.061 +/- ACRES FROM PERRY TOWNSHIP TO THE CITY OF COLUMBUS BY LAURA MACGREGOR COMEK, ESQ. CASE #ANX-EXP2-16-12

(Economic Development and Planning)

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

Voting:

**Paula Brooks, President
Marilyn Brown**

**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



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

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
1.061 +/- ACRES FROM
PERRY TOWNSHIP
TO THE CITY OF COLUMBUS
BY LUARA MACGREGOR COMEK, ESQ.

Description:

Attached is a resolution to consider the annexation of 1.061-acres, more or less, from Perry Township to the city of Columbus. The petition case number is ANX-EXP2-16-12.

Agent:

Laura MacGregor Comek, Esq.

Applicant:

William Alsauer and Karen Asumus-Alsnauer

Site:

2500 West Dublin-Granville Road (Parcel #213-000485)

Additional Information:

The site is contiguous to the city of Columbus on one side.

The proposal does include a small portion of right-of-way of West Dublin-Granville Road.

Analysis:

The applicant *has* met 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 #1629-2012 passed July 23, 2012.

Recommendation:

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



Commissioner Paula Brooks · Commissioner Marilyn Brown · 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 **July 10, 2012** General Session Agenda for a
hearing on **August 14, 2012**.

Case #ANX-EXP2-16-12- An Expedited Type 2 annexation ANX-EXP2-16-12 was filed in our office on July 9, 2012. The petition is requesting to annex 1.061 +/- acres from Perry Township to the city of Columbus. The agent is Laura MacGregor Comek, Esq. **Site: 2500 West Dublin-Granville Road (213-000485)**



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

JUL - 9, 2012

REB

Franklin County Planning Department
 Franklin County, Ohio

2

Property Information	
Site Address	2500 W. Dublin - Granville Rd
Parcel ID(s)	213-000485
Total Acreage	1.061
From Township	Perry
To Municipality	City of Columbus

Property Owner Information	
Name	William R Alsnauer & Karen E Asmus-Alsnauer,
Address	Same Trustees
Phone #	614 229 4557
Fax #	614 229 4559
Email	laura@cbjlawyers.com

Attorney/Agent Information	
Name	Laura MacGregor Comele, Esq
Address	500 S. Front Street, 12th Fl. Columbus, OH 43215
Phone #	614 229 4557
Fax #	614 229 4559
Email	laura@cbjlawyers.com

Staff Use Only	
Case #	ANN-EXP2-16-1C
Hearing date:	8/14/12
Date filed:	7/9/12
Fee paid	250.00
Receipt #	
Notifications deadline: 5 days	7/14/12
Svc statement deadline: 20 days	7/29/12

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/plat 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>			
<i>Sub Attached</i>	_____	_____	_____
Property Owner	Date	Property Owner	Date
_____	_____	_____	_____
Property Owner	Date	Property Owner	Date

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JUL - 9 2012

Franklin County Planning Department
Franklin County, Ohio

**PETITION FOR ANNEXATION OF 1.061 ACRES
FROM PERRY TOWNSHIP TO THE CITY OF COLUMBUS, OHIO**

To the Board of Commissioners of Franklin County, State of Ohio:

Now comes the undersigned Petitioners, being the sole owners of certain real property situated in the County of Franklin, Township of Perry, which property is contiguous and adjacent to the City of Columbus, to wit, see the legal description attached hereto as Exhibit "A."

The undersigned Petitioners request that said real property be annexed to the City of Columbus, in accordance with the statutes of the State of Ohio, specifically §709.023, as a "Type Two" expedited proceeding. There are two (2) owners of real estate in the territory sought to be annexed.

The territory sought to be annexed with this Petition has a total perimeter boundary of 1099 feet, a minimum of which 95 feet (8.6%) is contiguous to the City of Columbus.

No island of unincorporated area is being created by this annexation.

Crabbe, Brown & James, LLP, 500 S. Front St., 12th Fl., Columbus, Ohio, 43215, is hereby authorized to act as Agent for the Petitioners in securing such annexation. Said Petitioners' Agent is hereby authorized to make any or all amendments and/or deletions to the Petition, map, plat or description which, in their 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 to the Petition, map, plat or description in order to correct any discrepancy or mistake noted by the County Engineer, or other, 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, plat or description to the Board of County Commissioners on, before or after the date set for hearing of this Petition.

An accurate map approved by the Franklin County Engineer is attached hereto and made a part of this Petition as Exhibit "B."

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OR 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.

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William R. Alsnauer

By: William R. Alsnauer, Trustee Owner/Petitioner
Parcel No.: 213-000485

Date: 7.5.2012

Karen Asmus-Alsnauer

By: Karen Asmus-Alsnauer, Trustee Owner/Petitioner
Parcel No.: 213-000485

Date: 7.5.2012

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Franklin County Planning Department
Franklin County, Ohio

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MAY 18 2012

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

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

By BB Date 5/18/12

May 16, 2012

**PROPOSED ANNEXATION OF 1.061 ACRE
2500 W. DUBLIN GRANVILLE RD.**

FROM: PERRY TOWNSHIP

TO: THE CITY OF COLUMBUS, OHIO

Situated in the State of Ohio, County of Franklin, Township of Perry, Quarter 4, Township 2, Range 19, United States Military Lands, and being all of Lot 5 of Brookside Estates Plat No. 3 Amended, a subdivision of record in Plat Book 23, Page 31, last described in a deed to William R. Alsnauer and Karen E. Asmus-Alsnauer, Trustees, of record in Instrument Number 200211040278729, part of the public road right-of-way of West Dublin Granville Road (State Route 161), variable width, and part of that 61.542 acre (tax) tract as conveyed to the State of Ohio, all records referenced herein being to those located in the Recorder's Office, Franklin County, Ohio, and being 1.061 acre more particularly described as follows:

Beginning at the intersection of the southerly right-of-way line of said West Dublin Granville Road (30 feet south of centerline) with an easterly line of said 61.542 acre tract and the westerly line of that 0.686 acre tract as conveyed to Donn W. and Gayle P. Griffith, in the existing corporation line of the City of Columbus as established by Ordinance Number 1842-71, of record in Miscellaneous Record 155, Page 481;

Thence in a westerly direction, a distance of approximately 95 feet, along said southerly right-of-way line and said corporation line, through said 61.542 acre tract;

Thence in a northerly direction, a distance of approximately 80 feet, through said 61.542 acre tract and the right-of-way of said West Dublin Granville Road to a point of curvature in the northerly right-of-way line of same, in the southerly line of Lot 4 of said Brookside Estates;

Thence in an easterly direction, a distance of approximately 120 feet, along said northerly right of way line and southerly line of said Lot 4, conveyed to James V. Pearson, Jr., to the southeast corner of same, being the southwest corner of said Lot 5;

Thence in a northerly direction, a distance of approximately 200 feet along the westerly line of said Lot 5 and the easterly line of said Lot 4, to the northwest corner of said Lot 5, in the southerly line of Lot 6 of said Brookside Estates;

(continued)

Thence in an easterly direction, a distance of approximately 149 feet along the northerly line of said Lot 5 and the southerly line of said Lot 6, conveyed to Lord of Life Lutheran Church, to the northeast corner of said Lot 5, in the easterly line of that 3.855 acre tract conveyed to Lord of Life Lutheran Church;

Thence in a southerly direction, a distance of approximately 250 feet along the easterly line of said Lot 5 (then said line projected into the right-of-way of said West Dublin Granville Road) and the westerly line of said 3.855 acre tract and the westerly line of that 0.895 acre tract conveyed to Shyam M. and Savita S. Mayadev to the centerline of said West Dublin Granville Road, at the northeast corner of that 0.5 acre tract conveyed to JDMB Properties, LLC;

Thence in a westerly direction, a distance of approximately 175 feet along the centerline of said West Dublin Granville Road and the northerly line of that said 0.5 acre tract and the northerly line of said 0.686 acre tract to the northwest corner of said 0.686 acre tract;

Thence in a southerly direction, a distance of approximately 30 feet along the westerly line of said 0.686 acre tract and an easterly line of said 61.542 acre tract to the place of beginning, containing 1.061 acre of land, with 0.686 acre being in tax parcel number 213-000485, 0.065 acre being in tax parcel 610-159043 and the remainder in dedicated public road right-of-way of West Dublin Granville Road.

This description was prepared by Westerville Land Surveying, LLC, based on the best available public records (not based on an actual field survey) in May, 2012.

by Michael P. Lomano
Michael P. Lomano
Registered Surveyor No. 7711



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Franklin County Planning Department
Franklin County, Ohio

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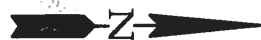
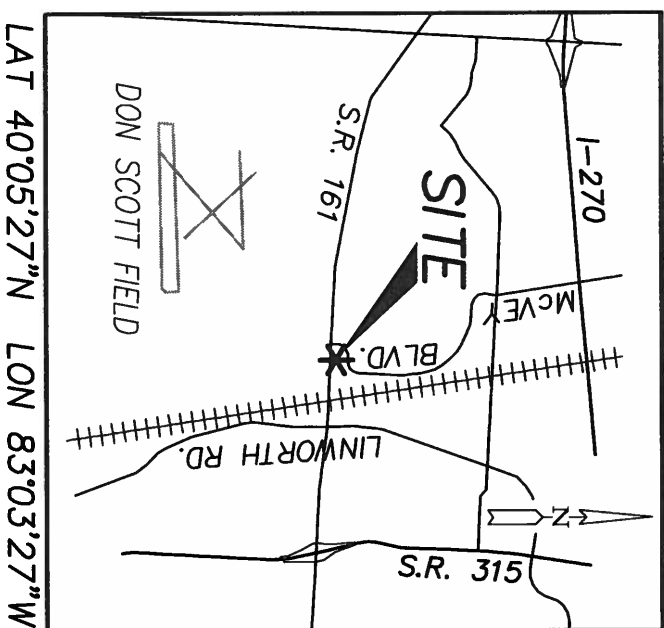
MAY 18 2012

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

ANNEXATION PLAT

FROM PERRY TWP. TO THE CITY OF COLUMBUS
QTR. 4, TWP. 2, RNG. 19, U.S.M.L.
PERRY TOWNSHIP, FRANKLIN COUNTY, OHIO

LOCATION MAP (NOT TO SCALE)

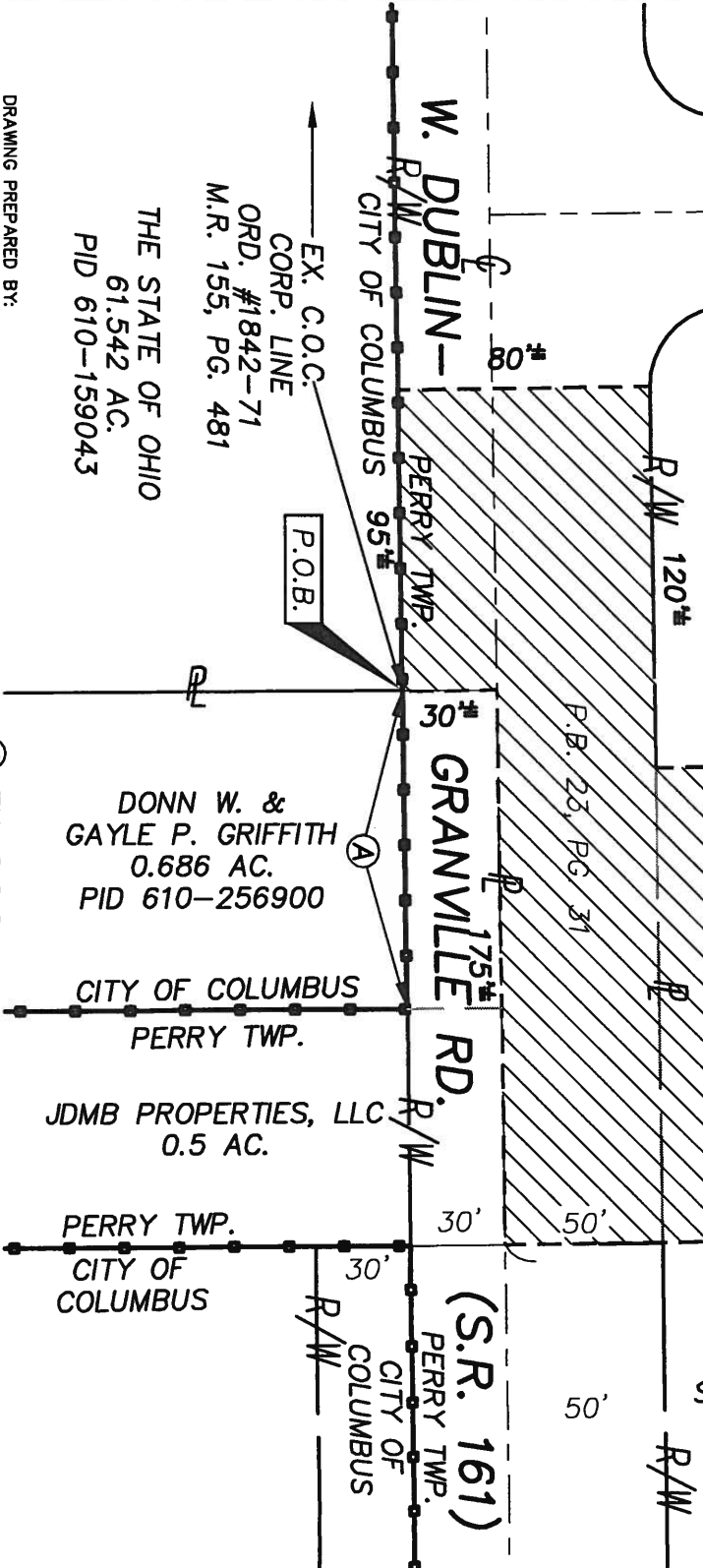


ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By DR Date 5/18/12

LEGEND

- EX. CORP. LINE
- PROPOSED CITY OF COLUMBUS CORP. LINE

DATE: 5/16/12
JOB No.: 12-120
CLIENT: MR. WILLIAM ALSNAUER



ADDRESS OF SUBJECT PROPERTY IS 2500 W. DUBLIN GRANVILLE RD., WORTHINGTON, OH 43235.
LOT NUMBERS REFERENCED TO THE PLAT "BROOKSIDE ESTATES PLAT NO. 3 AMENDED", OF RECORD IN P.B. 23, PG. 31.
THIS ANNEXATION DOES NOT CREATE AN UNINCORPORATED AREA OF THE TOWNSHIP COMPLETELY SURROUNDED BY THE TERRITORY PROPOSED FOR ANNEXATION.
TOTAL PERIMETER OF ANNEXATION IS 1099 FT., OF WHICH 95 FT. IS CONTIGUOUS WITH THE CITY OF COLUMBUS RESULTING IN 8.6% OF PERIMETER CONTIGUITY.

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Franklin County Planning Department
Franklin County, Ohio

DRAWING PREPARED BY:
WESTERVILLE LAND SURVEYING
90 E. COLLEGE AVE.
WESTERVILLE, OH 43081
(614) 899-2209

EX. C.O.C. CORP. LINE
ORD. #2114-00
INS. 200103150053492

DRAWING NAME: 12120AN.DWG

BY Michael P. Lomano
OHIO PROFESSIONAL SURVEYOR No. 7711





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JUL 30 2012

City of Columbus Legislation Report

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

Franklin County Planning Department
Franklin County, OH

File Number: 1629-2012

ORIGINAL

Emergency

ANX EXP 2

File ID: 1629-2012 *16-12*

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN12-005: 1.061 Acres, Perry Township, William R. Alsnauer, Trustee and Karen E. Asmus-Alsnauer, Trustee

File Created: 07/10/2012

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.: Lori Baudro 645-6986

Floor Action (Clerk's Office Only)

JUL 23 2012 *Passed 6-0*

GINTHER ABSENT

Mayor's Action

JUL 24 2012

Mayor

Date

Council Action

JUL 23 2012

Date Passed/ Adopted

PRO-TEM

President of Council

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 (AN12-005) of 1.061 + acres in Perry Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD1629-2012 AN12-005 Legal Description,
ORD1629-2012 AN12-005 Map (2500 W. Dublin-Granville Rd.)

I hereby certify that the above or attached is a true and correct copy of Ordinance No. *1629-2012* passed by The Council of The City of Columbus Ohio 7/23, 20 12, as shown by the records now on file in this office.

Seal

City Clerk

Approval History

Version	Date	Approver	Action
1	07/10/2012	Nichole Brandon	Approved
1	07/10/2012	ATTORNEY APPROVER	Approved
Notes	jsg		

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Franklin County Planning Department
Franklin County, OH

ANX EXP 2

16-12

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.

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Explanation

Franklin County Planning Department
Franklin County, OH

ANX EXPL 16-12

AN12-005

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 Perry 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 (AN12-005) of 1.061 + acres in Perry 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 and right-of-way in Perry Township was duly filed on behalf of William R. Alsnauer, Trustee and Karen E. Asmus-Alsnauer, Trustee on July 9, 2012; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on August 14, 2012; 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

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ANN EXP 2 16-12
JUL 30 2012

Franklin County Planning Department
Franklin County, OH

WHEREAS, the parcel is located within the boundaries of the adopted Northwest Plan, which has no specific recommendations for this site;

WHEREAS, upon annexation, the property 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 1.061 ? acres an associated right-of-way in Perry 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: Single family homes would qualify for city provided 90-gallon front curb refuse collection service. 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: The site is served by an existing 24" water main located in W. Dublin-Granville Road.

Sanitary Sewer: The septic system at this property has failed and the applicant has filed a request with the Director of the Department of Utilities to request an Administrator Waiver that will allow the applicant to receive sewer service prior to completing the annexation process. Records indicate this property can be served by an existing 30-inch sanitary sub-trunk sewer situated in an easement along the south side of Dublin Granville Road, approximately 100 feet south of the south property line being annexed. In addition to inspection and capacity charges, it appears the property will incur front footage fees due to the sanitary sewer being constructed by the City Of Columbus DOSD. Mainline extension requires formal plan submittal and approval through One Stop Shop and is to be done at the expense of the private developer/owner.

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 and developers at their own cost and expense with no cost to the City.

Section 2. If this 1.061+ 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 Perry 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 Perry 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.

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JUL 30 2012

Franklin County Planning Department
Franklin County, OH

ANX EXP 2

16-12

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JUL 30 2012

ANX EXP 2 16-12

Franklin County Planning Department
Franklin County, OH

**LEGAL DESCRIPTION
ANNEXATION AN12-005**

1.061 ± Acres in Perry Township

William R. Alsnauer, Trustee & Karen E. Asmus-Alsnauer, Trustee

Situated in the State of Ohio, County of Franklin, Township of Perry, Quarter 4, Township 2, Range 19, United States Military Lands, and being all of Lot 5 of Brookside Estates Plat No. 3 Amended, a subdivision of record in Plat Book 23, Page 31, last described in a deed to William R. Alsnauer and Karen E. Asmus-Alsnauer, Trustees, of record in Instrument Number 200211040278729, part of the public road right-of-way of West Dublin Granville Road (State Route 161), variable width, and part of that 61.542 acre (tax) tract as conveyed to the State of Ohio, all records referenced herein being to those located in the Recorder's Office, Franklin County, Ohio, and being 1.061 acre more particularly described as follows:

Beginning at the intersection of the southerly right-of-way line of said West Dublin Granville Road (30 feet south of centerline) with an easterly line of said 61.542 acre tract and the westerly line of that 0.686 acre tract as conveyed to Donn W. and Gayle P. Griffith, in the existing corporation line of the City of Columbus as established by Ordinance Number 1842-71, of record in Miscellaneous Record 155, Page 481;

Thence in a westerly direction, a distance of approximately 95 feet, along said southerly right-of-way line and said corporation line, through said 61.542 acre tract;

Thence in a northerly direction, a distance of approximately 80 feet, through said 61.542 acre tract and the right-of-way of said West Dublin Granville Road to a point of curvature in the northerly right-of-way line of same, in the southerly line of Lot 4 of said Brookside Estates;

Thence in an easterly direction, a distance of approximately 120 feet, along said northerly right of way line and southerly line of said Lot 4, conveyed to James V. Pearson, Jr., to the southeast corner of same, being the southwest corner of said Lot 5;

Thence in a northerly direction, a distance of approximately 200 feet along the westerly line of said Lot 5 and the easterly line of said Lot 4, to the northwest corner of said Lot 5, in the southerly line of Lot 6 of said Brookside Estates;

Thence in an easterly direction, a distance of approximately 149 feet along the northerly line of said Lot 5 and the southerly line of said Lot 6, conveyed to Lord of Life Lutheran Church, to the northeast corner of said Lot 5, in the easterly line of that 3.855 acre tract conveyed to Lord of Life Lutheran Church;

Thence in a southerly direction, a distance of approximately 250 feet along the easterly line of said Lot 5 (then said line projected into the right-of-way of said West Dublin Granville Road) and the westerly line of said 3.855 acre tract and the westerly line of that 0.895 acre tract conveyed to Shyam M. and Savita S. Mayadev to the centerline of said West Dublin Granville Road, at the northeast corner of that 0.5 acre tract conveyed to JDMB Properties, LLC;

Thence in a westerly direction, a distance of approximately 175 feet along the centerline of said West Dublin Granville Road and the northerly line of that said 0.5 acre tract and the northerly line of said 0.686 acre tract to the northwest corner of said 0.686 acre tract;

Thence in a southerly direction, a distance of approximately 30 feet along the westerly line of said 0.686 acre tract and an easterly line of said 61.542 acre tract to the place of beginning, containing 1.061 acre of land, with 0.686 acre being in tax parcel number 213-000485, 0.065 acre being in tax parcel 610-159043 and the remainder in dedicated public road right-of-way of West Dublin Granville Road.

This description was prepared by Westerville Land Surveying, LLC, based on the best available public records (not based on an actual field survey) in May, 2012.

