

Review of Petition to Annex 0.6 +/- acres from Clinton Township to the city of Columbus by Jackson B. Reynolds, III, Esq. Case #ANX-EXP2-17-12 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Jackson B. Reynolds, III, Esq. filed on behalf of Guy Williams, Jr. on July 10, 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 #1631-2012, passed on July 23, 2012 by the city of Columbus.

Review of Petition to Annex 0.6 +/- acres from Clinton Township to the city of Columbus by Jackson B. Reynolds, III, Esq. Case #ANX-EXP2-17-12 (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. 0582-12

August 14, 2012

REVIEW OF PETITION TO ANNEX 0.6 +/- ACRES FROM CLINTON TOWNSHIP TO THE CITY OF COLUMBUS BY JACKSON B. REYNOLDS, III, ESQ. CASE #ANX-EXP2-17-12

(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
0.6 +/- ACRES FROM
CLINTON TOWNSHIP
TO THE CITY OF COLUMBUS
BY JACKSON B. REYNOLDS, III, ESQ.

Description:

Attached is a resolution to consider the annexation of 0.6-acres, more or less, from Clinton Township to the city of Columbus. The petition case number is ANX-EXP2-17-12.

Agent:

Jackson B. Reynolds, III, Esq.

Applicant:

Guy Williams, Jr.

Site:

1493 Chesapeake Avenue (Parcel #130-005037)

Additional Information:

The site is contiguous to the city of Columbus on two sides.

The proposal does include the right-of-way of Chesapeake Avenue.

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 #1631-2012 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 24, 2012** General Session Agenda for a
hearing on **August 14, 2012**.

Case #ANX-EXP2-17-12- An Expedited Type 2 annexation ANX-EXP2-17-12 was filed in our office on July 10, 2012. The petition is requesting to annex 0.6+/- acres from Clinton Township to the city of Columbus. The agent is Jackson B. Reynolds, III, Esq. **Site: 1493 Chesapeake Avenue (130-005037)**



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schimmer, Director

Application for
**Annexation
 Petition**

Expected Date 2
 7/10/12

RECEIVED

JUL 10 2012

Franklin County Planning Department
 Franklin County, OH

2

Property Information	
Site Address 1493 Chesapeake Avenue	
Parcel ID(s) 130-005037	Total Acreage 0.6± acres
From Township Clinton	To Municipality Columbus

Property Owner Information	
Name Guy P. Williams Jr.	
Address 1387 Chambers Road Columbus, OH 43212	
Phone # 486-1232	Fax #
Email	

Attorney/Agent Information	
Name Jackson B. Reynolds, III	
Address c/o Smith & Hale LLC 37 West Broad Street, Suite 725 Columbus, OH 43215	
Phone # 221-4255	Fax # 221-4409
Email jreynolds@smithandhale.com	

Staff Use Only	
Case # ANK-EXP2 16-12 D.A.H. 17-12	
Hearing date: 8/14/12	
Date filed: 7/10/12	
Fee paid 250.00	
Receipt # 240972	
Notifications deadline: 5 days 7/15/12	
Svc statement deadline: 20 days 7/30/12	

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>			
Property Owner _____	Date _____	Property Owner _____	Date _____
Property Owner _____	Date _____	Property Owner _____	Date _____

MAY 31 2012

By BB Date 5/31/12

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

**DESCRIPTION OF 0.6 ACRE LOCATED IN CLINTON TOWNSHIP
TO BE ANNEXED TO THE CITY OF COLUMBUS
EXPEDITED TYPE II ANNEXATION UNDER ORC §709.021 AND §709.023**

Situated in the State of Ohio, County of Franklin, Township of Clinton, Quarter Township 3, Township 1, Range 18, United States Military District, and being all of Lot 68 (A.P.N. 130-005037), as conveyed to Guy P. Williams, Jr., part of Chesapeake Avenue (50' right-of-way) and part of an alley south of Lots 66 through 80, all of Lincoln Heights Subdivision of record in Plat Book 7, Page 250, and described as follows:

Beginning in the north right-of-way line for said Chesapeake Avenue and in the east right-of-way line of a 20' Alley, the same being the southwest corner of Lot 38 of said Lincoln Heights Subdivision;

Thence **Easterly**, along the north right-of-way line for said Chesapeake Avenue, about **359 feet** to the southeast corner of Lot 46 of said Lincoln Heights Subdivision, in a west line of an existing City of Columbus of Corporation Line (Ord. No. 0065-2012, I.N. 201203290042780);

Thence **Southerly**, across the right-of-way of Chesapeake Avenue and along said City of Columbus Corporation Line, about **50 feet** to the northeast corner of Lot 70 of said Lincoln Heights Subdivision, in the south right-of-way line for said Chesapeake Avenue;

Thence **Westerly**, along the south right-of-way line for said Chesapeake Avenue, about **81 feet** to the northeast corner of said Lot 68;

Thence **Southerly**, along the east line of said Lot 68, about **161 feet** to the southeast corner thereof, in the north right-of-way line of a 10' Alley;

Thence **Easterly**, along the north right-of-way line of said 10' Alley, about **482 feet** to the southeast corner of Lot 80 of said Lincoln Heights Subdivision;

Thence **Westerly**, though said 10' Alley and along an existing City of Columbus Corporation Line (Ord. No. 32774, COC No. 37), about **600 feet** to an easterly line of a vacated portion of said 10' Alley;

Thence **Northerly**, along the east line of the vacated portion of the said 10' Alley, about **7 feet** to the southwest corner of Lot 66 of said Lincoln Heights Subdivision, in the north right-of-way line for said 10' Alley;

Thence **Easterly**, along the north right-of-way line of said 10' Alley, about 78 feet to the southwest corner of said Lot 68;

Thence **Northerly**, along the west line of said Lot 68, about **161 feet** to northwest corner of said Lot 68, in the south right-of-way line for said Chesapeake Avenue;

Thence **Westerly**, along the south right-of-way line for said Chesapeake Avenue, about **238 feet** to the northwest corner of Lot 62 of said Lincoln Heights Subdivision, in the east right-of-way line for said 20' Alley;

Thence **Northerly**, across the right-of-way of said Chesapeake Avenue, about **50 feet** to the **Point of Beginning**. Containing approximately **0.6 acre** of land, more or less. The above description was written by Advanced Civil Design on May 15, 2012. A drawing of the above description has been prepared and is a part hereof.

The total length of the annexation perimeter is about 2267 feet, of which about 700 feet are contiguous with existing City of Columbus Corporation Lines, being 31% contiguous. This annexation does not create any islands of township property.

This description was written for annexation purposes only and was not intended to be used in the transfer of lands.

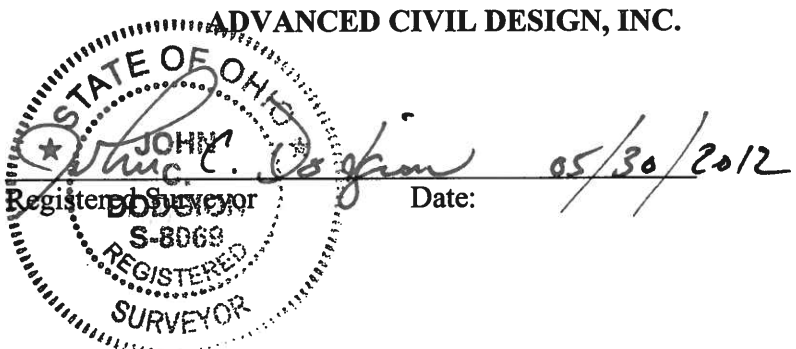
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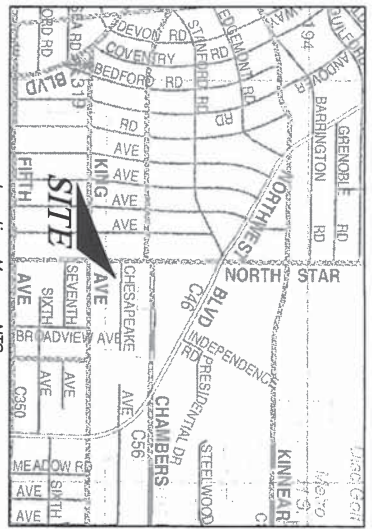
JUL 10 2012

Franklin County Planning Department
Franklin County, OH

ANX EXP 2-16-12 17-12

Z:\12-0016-07\survey\0.6ac annex desc2.doc





Location Map - NTS

- Lincoln Heights Sub'd:**
- Lot 9: Management Plus LLC
 - Lot 10: Douglas W. Jackson
 - Lot 38: Malibu Rental Co. LLC
 - Lot 39: Malibu Rental Co. LLC
 - Lot 40: Malibu Rental Co. LLC
 - Lot 41: Guy P. Williams Jr.
 - Lot 42: Guy Williams Jr.
 - Lot 43: Zoey M. & Alexander W. Boyles
 - Lot 44: Guy P. & Laura L. Williams
 - Lot 45: Guy P. & Laura L. Williams
 - Lot 46: Christopher A. Conaetel
 - Lot 47: VW Partners LLC
- Lincoln Heights Sub'd:**
- Lot 6: Linda K. Alvarez
 - Lot 62 & Part of Vacated Alleys: Carl E. Eriksson Tr.
 - Lot 63 & Part of Vacated Alley: Carl E. Eriksson Tr.
 - Lot 64: Linaue Inc.
 - Lot 65: Guy P. Williams Jr.
 - Lot 66: Star King Real Estate LLC
 - Lot 67: Star King Real Estate LLC
 - Lot 68: Guy P. Williams Jr.
 - Lot 69: Rochael V. Ransom
 - Lot 70: Rochael V. Ransom
 - Lot 71: Hartgrove-Holley et al

Length of Contiguity: ±700 feet
 Total Length of Perimeter: ±2267 feet
 Percentage of Contiguity: ±31%
 No islands of township property are created by this annexation.

Advanced Civil Design, Inc
 422 Beecher Road
 Gahanna, OH 43230
 Phone 614-428-7750



John C. Dodgion, P.E., P.S.
 05/30/2012

Job No.: 12-0016-07
 Date: 05/15/2012

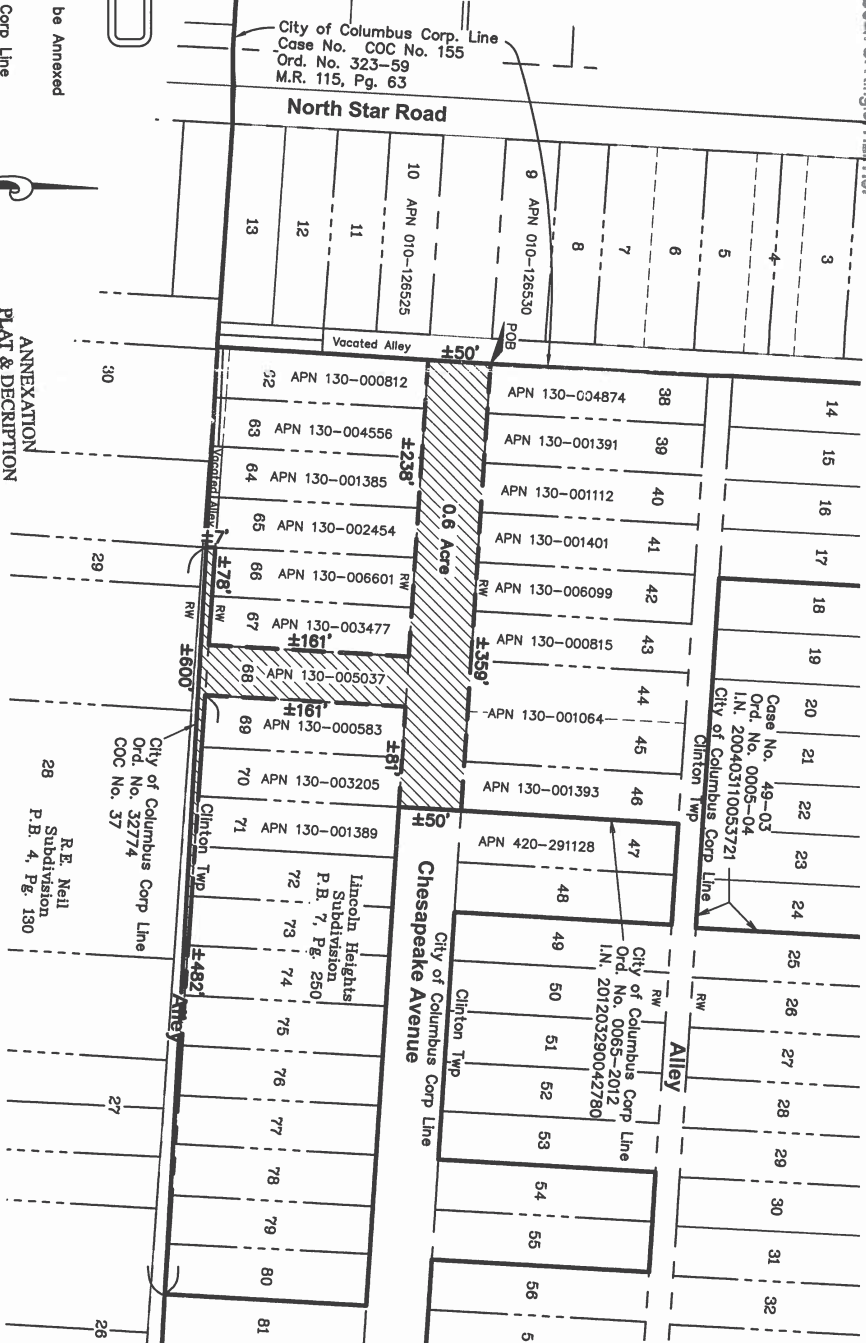
Franklin County Planning Department
 Franklin County, OH

MAY 31 2012

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

0.6 ACRE ANNEXATION TO THE CITY OF COLUMBUS FROM CLINTON TOWNSHIP EXPEDITED TYPE II ANNEXATION UNDER ORC §709.021 AND §709.023

Township of Clinton, Franklin County, Ohio
 Quarter Township 3, Township 1, Range 18, U.S.M.D.



LEGEND

- Area to be Annexed
- Existing Corp Line
- Proposed Corp Line

RECEIVED



JUL 10 2012
 DEAN C. RINGLER, P.E., P.S.
 FRANKLIN COUNTY ENGINEER
 By RB Date 5/31/12



City of Columbus Legislation Report

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

ORIGINAL

File Number: 1631-2012

Emergency

File ID: 1631-2012

Type: Ordinance

Status: Consent

Version: 1

*Committee: Development Committee

File Name: Annexation Service AN12-013: 0.6 Acres, Clinton Township, Matt Vekasy c/o Metropolitan Holding Inc.

File Created: 07/10/2012

Cost: \$0.00

Final Action:

ANX
EXP 217-12

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

RECEIVED

Floor Action (Clerk's Office Only)

JUL 23 2012 Passed 6-0

GINTHER ABSENT

JUL 26 2012

Franklin County Planning Department
Franklin County, Ohio

Mayor's Action

Council Action

JUL 24 2012

JUL 23 2012

PRO-TEM

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 (AN12-013) of 0.6 + acres in Clinton Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD1631-2012 AN12-013 Legal Description,
ORD1631-2012 AN12-013 Map (1493 Chesapeake Avenue ROW)

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 1631-2012 passed by The Council of The City of Columbus Ohio 7/23, 20 12, as shown by the record: 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		

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
AN12-013

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 Clinton 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 (AN12-013) of 0.6± acres in Clinton 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 Clinton Township was duly filed on behalf of Matt Vekasy c/o Metropolitan Holding Inc. on July 10, 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

WHEREAS, the parcel is located within the boundaries of the adopted Fifth by Northwest Area Plan, which recommends mixed-use (office and multi-family) development;

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 0.6 ± acres in Clinton 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 6" water main in Chesapeake Avenue. The proposed annexation site currently receives water service from the Division of Power and Water. The site's current ¾" water service is limited in size availability and needs to be significantly increased for the development being proposed.

Sanitary Sewer: Records indicate this property can be served by an existing 10-inch sanitary sewer situated along the south property line in an easement. 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 0.6 ± 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 Clinton 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 Clinton 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 AN12-013
0.6 ± Acres in Clinton Township
Guy P. Williams, Jr.

Situated in the State of Ohio, County of Franklin, Township of Clinton, Quarter Township 3, Township 1, Range 18, United States Military District, and being all of Lot 68 (A.P.N. 130-005037), as conveyed to Guy P. Williams, Jr., part of Chesapeake Avenue (50' right-of-way) and part of an alley south of Lots 66 through 80, all of Lincoln Heights Subdivision of record in Plat Book 7, Page 250, and described as follows:

Beginning in the north right-of-way line for said Chesapeake Avenue and in the east right-of-way line of a 20' Alley, the same being the southwest corner of Lot 38 of said Lincoln Heights Subdivision;

Thence **Easterly**, along the north right-of-way line for said Chesapeake Avenue, about **359 feet** to the southeast corner of Lot 46 of said Lincoln Heights Subdivision, in a west line of an existing City of Columbus of Corporation Line (Ord. No. 0065-2012, I.N. 201203290042780);

Thence **Southerly**, across the right-of-way of Chesapeake Avenue and along said City of Columbus Corporation Line, about **50 feet** to the northeast corner of Lot 70 of said Lincoln Heights Subdivision, in the south right-of-way line for said Chesapeake Avenue;

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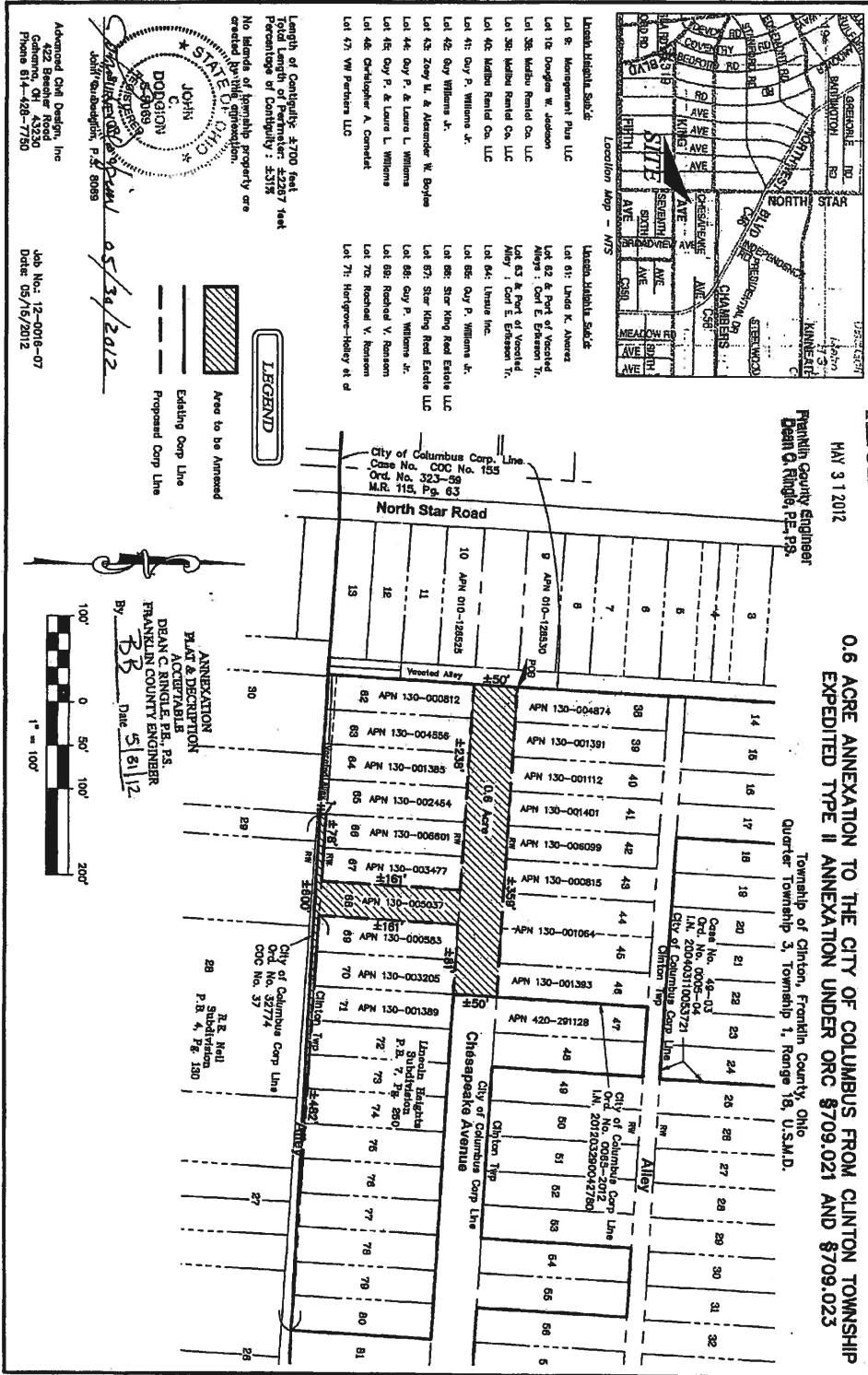
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ANNEXATION AN12-013 ± 0.6 Acres in Clinton Township Guy P. Williams, Jr.

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RECEIVED
 MAY 31 2012
 Franklin County Engineer
 Dean C. Ringe, P.E., P.S.
 0.6 ACRE ANNEXATION TO THE CITY OF COLUMBUS FROM CLINTON TOWNSHIP
 EXPEDITED TYPE II ANNEXATION UNDER ORC §709.021 AND §709.025
 Township of Clinton, Franklin County, Ohio
 Quarter Township 3, Township 1, Range 18, U.S.M.D.