

Review of Petition to Annex 1.864 +/- acres from Jackson Township to the city of Grove City by Thomas Clark, Esq. Case #ANX-EXP2-19-12 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Thomas Clark, Esq. filed on behalf of Ruoff, Ruoff and Morbitzer, LLC. on August 14, 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 #CR-29-12, passed on August 20, 2012 by the city of Grove City.

Review of Petition to Annex 1.864 +/- acres from Jackson Township to the city of Grove City by Thomas Clark, Esq. Case #ANX-EXP2-19-12 (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 City of Grove City, 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 City of Grove City, Ohio.

Prepared by: R. Lee Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0661-12

September 18, 2012

REVIEW OF PETITION TO ANNEX 1.864 +/- ACRES FROM JACKSON TOWNSHIP TO THE CITY OF GROVE CITY BY THOMAS CLARK, ESQ. CASE #ANX-EXP2-19-12

(Economic Development and Planning)

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

Voting:

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

Board of County Commissioners
Franklin County, Ohio

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Franklin County, Ohio on the date noted above.



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



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
1.864 +/- ACRES FROM
JACKSON TOWNSHIP
TO THE CITY OF CITY GROVE CITY
BY THOMAS CLARK, ESQ.

Description:

Attached is a resolution to consider the annexation of 1.864-acres, more or less, from Jackson Township to the city of Grove City. The petition case number is ANX-EXP2-19-12.

Agent:

Thomas Clark, Esq.

Applicant:

Ruoff, Ruoff and Morbitzer, LLC.

Site:

5260 Hoover Road (Parcel #160-000252)

Additional Information:

The site is contiguous to the city of Grove City on three sides.

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 Grove City stating the services that will be provided once the annexation has been approved. The city of Grove City has agreed to provide the territory proposed for annexation the services specified in the relevant service ordinance #CR-29-12 passed August 20, 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 **August 21, 2012** General Session Agenda for
a hearing on **September 18, 2012**.

Case #ANX-EXP2-19-12- An Expedited Type 2 annexation ANX-EXP2-19-12 was filed in our office on August 14, 2012. The petition is requesting to annex 1.865+/- acres from Jackson Township to the city of Grove City. The agent is Thomas Clark, Esq. **Site: 5260 Hoover Road (160-000252)**

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
AUG 14 2012
2
Matt Brown
Franklin County Planning Department
Franklin County, OH

Property Information	
Site Address 5260 Hoover Road	
Parcel ID(s) 160-000252	Total Acreage 1.856 acres
From Township Jackson	To Municipality Grove City

Property Owner Information	
Name Ruoff, Ruoff and Morbitzer Properties, L.L.C.	
Address 2678 Geyerwood Court Grove City, OH 43123	
Phone # 614-623-8028	Fax #
Email	

Attorney/Agent Information	
Name Thomas R. Clark, Attorney	
Address 3083 Columbus Street Grove City, OH 43123	
Phone # 614-875-4895	Fax # 614-875-2155
Email	

Staff Use Only	
Case # AUX EXP2	
19-12	
Hearing date 9/18/12	
Date filed: Aug. 14, 2012	
Fee paid \$250.00	
Receipt # 241026	
Notifications deadline: 5 days 8/19/12	
Svc statement deadline: 20 days 9/3/12	

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>			
<p>RUOFF, RUOFF AND MORBITZER, L.L.C.</p>			
By: <u>Ralph C. Ruoff, Jr.</u>	<u>8/11/12</u>	Property Owner	Date
Property Owner	Ralph C. Ruoff, Jr., Manager	Property Owner	Date
Property Owner	Date	Property Owner	Date

Legal description of 1.856 Acres of Land more or less for Purposes of Annexation.

Situated in the State of Ohio, County of Franklin, Township of Jackson, and being 1.856 acres of land partly out of a 3.011 acre tract with a 1.147 acre tract (exception) leaving a 1.864 acre tract (Parcel 2) belonging to Ruoff, Ruoff and Morbitzer Properties, L.L.C., of record in Instrument No. 201006290080988 at the Franklin County Recorder's Office, Franklin County, Ohio and said 1.856 acre tract of land also being partly out of the right-of-way of Holton Road (width varies);

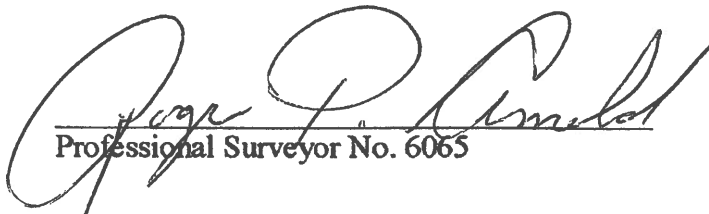
Beginning at a point, said point being located at the most northwesterly corner of the herein described 1.856 acre Annexation tract of land, said point also being located in the northerly property line of said 1.864 acre tract, said point also being located at the easterly right-of-way line of Hoover Road (width varies), said point also being located at an easterly City of Grove City Corporation Limits as established by Ordinance No. C-33-85 O.R. 5805 B02;

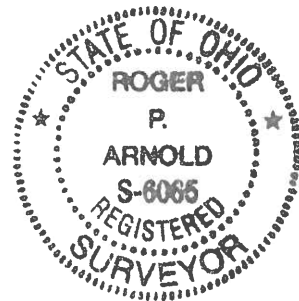
Thence along the northerly property line of said 1.864 acre tract of land, and also along the said City of Grove City Corporation Limits; C- 33-85 O.R. 5805 B02, S 86° – 27' – 00" E, a distance of 305.6 feet to a point, said point being located at the most northeasterly property corner of said 1.864 acre tract, said point also being located at the most northwesterly property corner of a 1.147 acre tract of land belonging to Bruce M. and Amy M. Bowman of record in Instrument No. 200711130196157 at said Recorder's Office;

Thence along a Proposed Grove City Corporation Limit, and also along the most easterly property line of said 1.864 acre tract, and also along the most westerly property line of said 1.147 acre tract, and also across the right-of-way of Holton Road (width varies), S 03° – 34' – 00" W, a distance of 264.6 feet to a point, said point also being located at the northerly City of Grove City Corporation Limits as established by Ordinance No. C-70-75, M.R 165-584;

Thence along the said northerly City of Grove City Corporation Limits, N 86° - 27' - 00" W, a distance of 305.6 feet to a point, said point being located at the intersection of the said northerly City of Grove City Corporation Limits, and the said easterly City of Grove City Corporation Limits,*

Thence along the said easterly right-of-way line, also along the said easterly City of Grove City Corporation Limits, C -33-85 O.R. 5805 B 02, N 03° - 34' - 00" E, a distance of 264.6 feet to the point of beginning and containing 1.856 acres of land more or less.


Professional Surveyor No. 6065



Note: The attached Legal Description was prepared from Franklin County Court House documents, and not from an actual Survey of the premises.

Basis of bearing being the centerline of Hoover Road, N 03° - 34' - 00" E, as shown within instrument No. 201006290080988 at the Franklin County Recorder's Office, Franklin County, Ohio.

RECEIVED

AUG 01 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/FA Date 8/1/2012

Arnold Survey Company

3911 BROADWAY STREET SUITE C GROVE CITY, OHIO 43123 TEL. (614)875-7684

ANNEXATION PLAT OF 1.856 Acres TO CITY OF GROVE CITY

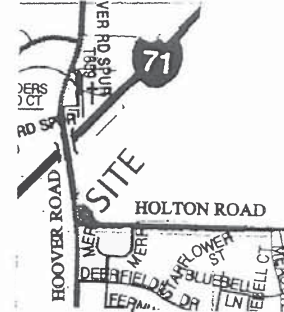
VIRGINIA MILITARY SURVEY NUMBERS 14081 AND 6840
TOWNSHIP OF JACKSON, COUNTY OF FRANKLIN, STATE OF OHIO

100 0 100 200



SCALE IN FEET

SCALE: 1 INCH = 100 FEET



RIGHT-OF-WAY ACQUISITION
INST. NO. 20040809016084666
POINT OF BEGINNING

RIGHT-OF-WAY

City of Grove City CORP. LIMITS

C-33-85 O.R. 5805 B02

City of Grove City CORP. LIMITS

RUOFF RUOFF & MORBITZER,
PROPERTIES L L C

I.N. 201006290080988
PARCEL 1

C-33-85 O.R. 5805 B02 City of Grove City CORP. LIMITS

S 86 27' E 305.6'

RUOFF, RUOFF
AND MORBITZER
PROPERTIES, L.L.C.
PARCEL 2

1.864 AC. (DEED)
I.N. 201006290080988
P.N. 160-000252

160-001777
11/13/2007
BOWMAN BRUCE M.
BOWMAN AMY M.
1.147 AC. (DEED)
I.N. 200711130196157

PROPOSED CORPORATION LINE.

S 03° - 34' W 264.6'

N 03° - 34' E 264.6'

N 86 27' W 305.6'

C-70-75 M.R. 165-584

HOLTAN ROAD (WIDTH VARIES)

City of Grove City CORP. LIMITS

HOOVER ROAD
(WIDTH VARIES)

RIGHT-OF-WAY

350

Kristina L. Sullivan
200710050175165

David L. Egger
Mary K. Egger

349

2690 IF 15

348

040-008485
05/21/1996
DELONG LARRY M &
ELIZABETH M
32034C15

MERRYBELL CT.

RIGHT-OF-WAY

Meadow Grove Section 10
PLAT BOOK 78 PAGE 92

ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE

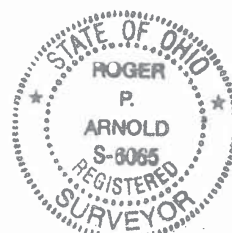
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER

By *CC/RAM* Date 8/11/2012

LEGEND

Proposed Corporation Line

Existing Corporation Line



THE ATTACHED PLAT WAS PREPARED FROM RECORDS OBTAINED FROM THE FRANKLIN COUNTY RECORDER'S OFFICE, AND NOT FROM AN ACTUAL SURVEY OF THE PREMISES. THE COURSES SHOWN UPON THE ATTACHED PLAT ARE CONTIGUOUS AT ALL INTERSECTIONS.

Roger P. Arnold
PROFESSIONAL SURVEYOR NO. 6065
ROGER P. ARNOLD

RECEIVED

AUG 01 2012

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

RESOLUTION NO. CR-29-12

A RESOLUTION TO SET FORTH, AS REQUIRED BY SECTION 709.031 OF THE OHIO REVISED CODE THE MUNICIPAL SERVICES THAT CAN BE FURNISHED TO 1.864 ACRES LOCATED AT 5260 HOOVER ROAD IN JACKSON TOWNSHIP UPON ITS ANNEXATION TO THE CITY OF GROVE CITY

WHEREAS, a petition to annex 1.864+ acres located at 5260 Hoover Road, in Jackson Township to the City of Grove City and signed by Ralph C. Ruoff, Jr, Manager, was filed with the Board of County Commissioners of Franklin County, Ohio; and

WHEREAS, a hearing on this petition is scheduled before the Board of County Commissioners of Franklin County; and

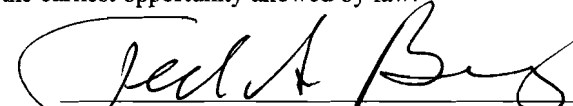
WHEREAS, Section 709.031 of the Ohio Revised Code requires that the legislative authority of the municipality to which the annexation is proposed adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon its annexation.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

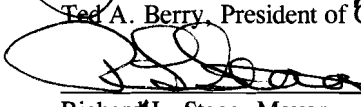
SECTION 1. Upon its annexation to the City of Grove City, the 1.864+ acres located at 5260 Hoover Road, proposed for annexation by Ralph C. Ruoff, Jr., will receive the following municipal services from the City of Grove City:

- Fire: Jackson Township will continue to provide Fire protection.
- Police: The City of Grove City, Police department, will provide police protection.
- Water: The City of Grove City has a water service area contract with the City of Columbus, and the subject property is within the service area. Conditional on the ability of the City of Columbus to provide water, the City of Grove City will have the ability to service this area. It is understood that all water line extensions are the responsibility of the property owner, and upon the receipt of all necessary permits and payments of all costs for connections thereto, such service shall become immediately available.
- Sanitary Sewer: The City has a written service area contract with the City of Columbus and the subject property is within the service area. Conditioned on the ability of the City of Columbus to provide sufficient sewage disposal capacity, the City of Grove City will have the ability to service the area. It is understood that all extensions of the sanitary sewer service is the responsibility of the property owner, and upon the receipt of all necessary permits and payments of all costs for connections thereto, such service shall become immediately available.
- Solid Waste Collection: Subject property is now serviced by and will continue to be serviced by a publicly bid contract for solid waste and recycling services.
- Zoning: In accordance with Section 1139.05(a) the Codified Ordinances of Grove City, Ohio, all annexed territory zoned under County or Township zoning shall be classified at the most comparable district of the Grove City Zoning Code, unless otherwise requested by the petitioner and approved by the City Council at which time a buffer will be required if the requested zoning classification is clearly incompatible with uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory is to be annexed.

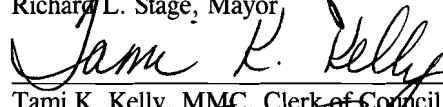
SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.



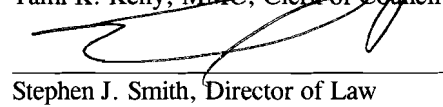
Ted A. Berry, President of Council



Richard L. Stage, Mayor



Tami K. Kelly, MMC, Clerk of Council



Stephen J. Smith, Director of Law

Passed: 08-20-12
Effective: 08-20-12

Attest:

I Certify that this resolution is correct as to form.

