

Review of Petition to Annex 101.3 +/- acres from Jackson Township to the city of Grove City by Christopher N. Slagle, Esq. and Gregory J. Lestini, Esq. Case #ANX-EXP2-03-13 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Christopher N. Slagle, Esq. and Gregory L. Lestini, Esq. filed on behalf of the Solid Waste Authority of Central Ohio (SWACO) on January 28, 2013 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-10-13, passed on February 4, 2013 by the city of Grove City.

Review of Petition to Annex 101.3 +/- acres from Jackson Township to the city of Grove City by Christopher N. Slagle, Esq. and Gregory J. Lestini, Esq. Case #ANX-EXP2-03-13 (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 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 Grove City, Ohio.

Prepared by: R. Lee Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0181-13

March 12, 2013

REVIEW OF PETITION TO ANNEX 101.3 +/- ACRES FROM JACKSON TOWNSHIP TO THE CITY OF GROVE CITY BY CHRISTOPHER N. SLAGLE, ESQ. AND GREGORY J. LESTINI, ESQ. CASE #ANX-EXP2-03-13

(Economic Development and Planning)

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

Voting:

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



Shannon Z Cross, Clerk
Board of County Commissioners
Franklin County, Ohio



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

Economic Development & Planning Department
James Schimmer, Director

RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX
101.3 +/- ACRES FROM
JACKSON TOWNSHIP
TO THE CITY OF GROVE CITY
BY CHRISTOPHER N. SLAGLE, ESQ. AND GREGORY J. LESTINI, ESQ.

Description:

Attached is a resolution to consider the annexation of 101.3-acres, more or less, from Jackson Township to the city of Grove City. The petition case number is ANX-EXP2-03-13.

Applicant/Agent:

Christopher N. Slagle, Esq. and Gregory J. Lestini, Esq.

Owner:

Solid Waste Authority of Central Ohio (SWACO)

Site:

3650 London-Groveport Road (160-000018, 160-002580 and 160-001744)

Additional Information:

The site is contiguous to the city of Grove City on one (1) side.

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-10-13 passed February 4, 2013.

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: Sandy Menedis, 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 **February 5, 2013** General Session Agenda
for a hearing on **March 12, 2013**.

Case #ANX-EXP2-03-13- An Expedited Type 2 annexation ANX-EXP2-03-13 was filed in our office on January 28, 2013. The petition is requesting to annex 101.3+/- acres from Jackson Township to the city of Grove City. The agents are Christopher N. Slagle, Esq. and Gregory J. Lestini, Esq. **Site: 3650 London-Groveport Road (160-000018, 160-002580 and 160-001744)**



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schimmer, Director

Application for
**Annexation
 Petition**

Expedited Type 2
 Application Form 10/10/13

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JAN 28 2013 *RB*

Franklin County Planning Department
 Franklin County, OH **2**

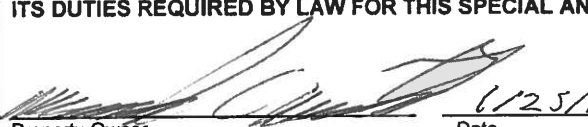
Property Information		
Site Address 3650 London-Groveport Road, Grove City, Ohio 43123		
Parcel ID(s) 160-000018 160-001744	160-002580	Total Acreage 101.3±
From Township Jackson Township	To Municipality City of Grove City, Ohio	

Property Owner Information	
Name Solid Waste Authority of Central Ohio (SWACO)	
Address 4239 London-Groveport Road, Grove City, OH 43123	
Phone # 614-871-5100	Fax # 614-871-5103
Michael C. Mentel, General Counsel	
Email michael.mentel@swaco.org	

Attorney/Agent Information	
Name Gregory J. Lestini & Christopher N. Slagle	
Address Bricker & Eckler LLP 100 South Third Street, Columbus, OH 43215	
Phone # 614-227-2300	Fax # 614-227-2390
Email glestini@bricker.com / cslagle@bricker.com	

Staff Use Only	
Case # <i>ANN-EXPR2 -03-13</i>	
Hearing date:	<i>3/5/13</i>
Date filed:	<i>1/29/13</i>
Fee paid	<i>710.00</i>
Receipt #	<i>14018 (ANN-EXPR2-04-13)</i>
Notifications deadline: 5 days	<i>2/2/13</i>
Svc statement deadline: 20 days	<i>2/17/13</i>

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>6/25/13</i>	Property Owner	Date
Property Owner	Date	Property Owner	Date
Property Owner	Date	Property Owner	Date

RECEIVED

JAN 24 2013

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 RB Date 1/27/13

**ANNEXATION DESCRIPTION
FROM JACKSON TOWNSHIP TO CITY OF GROVE CITY
SOLID WASTE AUTHORITY OF CENTRAL OHIO
101.3 +/- ACRES**

Situated in the State of Ohio, County of Franklin, Township of Jackson, Virginia Military Survey 1371, and being all of a 94.99 acre tract conveyed to Solid Waste Authority of Central Ohio as described in Instrument Number 201201060002474, a 5.01 acre tract conveyed to Solid Waste Authority of Central Ohio as described in Instrument Number 200002020023618, and a 0.578 acre tract conveyed to Solid Waste Authority of Central Ohio as described in Instrument Number 200406160138975, Parcel Three, all references being to records of the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at the southeast corner of said 0.578 acre tract, the southwest corner of a 0.576 acre tract conveyed to John K. Price as described in Instrument Number 200102230036332, being in the centerline of London Groveport Road (S.R. 665) (Width Varies);

thence northerly, leaving said centerline with the east line of said 0.578 acre tract, the west line of said 0.576 acre tract, 30.0 feet to the northerly right-of-way line of London Groveport Road;

thence westerly, with said northerly right-of-way line, crossing said 0.578 acre tract, said 94.99 acre tract, and said 5.01 acre tract, 1496.0 feet to the west line of said 94.99 acre tract and in the east line of a 75 acre tract conveyed to Virgil H. Sidner, Trustee of the Virgil H. Sidner Trust Dated the 23rd Day of October, 2001 as described in Instrument Number 200111140263752, Tract III, and the Elizabeth Ann Sidner, Trustee of the Elizabeth Ann Sidner Trust Dated the 23rd Day of October, 2001 as described in Instrument Number 200111140263753, Tract III;

thence northerly, with the west line of said 94.99 acre tract, the east line of said 75 acre tract, and the east line of a 76.24 acre tract conveyed to Virgil H. Sidner, Trustee of the Virgil H. Sidner Trust Dated the 23rd Day of October, 2001 as described in Instrument Number 200111140263752, Tract I, and the Elizabeth Ann Sidner, Trustee of the Elizabeth Ann Sidner Trust Dated the 23rd Day of October, 2001 as described in Instrument Number 200111140263753, Tract I, 3055.4 feet to the northwest corner of said 94.99 acre tract, the northeast corner of said 76.24 acre tract, being in the south line of the remainder of an 89.25 acre tract conveyed to Ronald R. Kientz, Tr., Et. Al. as described in Instrument Number 200512060257197;

thence easterly, with the north line of said 94.99 acre tract, the south line of the remainder of said 89.25 acre tract and the south line of a 70 acre tract conveyed to Rebecca J. Priwer as described in Instrument Number 200807310116550, 1393.3 feet to the northeast corner of said 94.99 acre tract and the northwest corner of the remainder

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JAN 28 2013 *RB*

of a 96.322 acre tract conveyed to Solid Waste Authority of Central Ohio as described in Instrument Number 200406160138975, Parcel One-Tract One, and being an angle point in the corporation line of the City of Grove City and Jackson Township as described in Instrument Number 199909200237661, Ord. No. C-61-99;

thence southerly, with said corporation line, the east line of said 94.99 acre tract, and the west line of the remainder of said 96.322 acre tract, 2977.3 feet to the northwest corner of said 0.578 acre tract, an angle point in the west line of the remainder of said 96.322 acre tract, and an angle point in said corporation line;

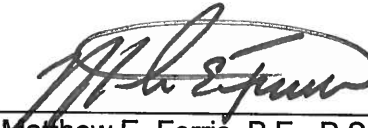
thence easterly, with said corporation line, the north line of said 0.578 acre tract, and the west line of the remainder of said 96.322 acre tract, 100.7 feet to the northeast corner of said 0.578 acre tract and the northwest corner of said 0.576 acre tract;

thence southerly, leaving said corporation line, with the east line of said 0.578 acre tract and the west line of said 0.576 acre tract, 221.1 feet to the **POINT OF BEGINNING**, containing approximately 101.3 acres and encompasses parcel numbers: 160-000018, 160-002580, 160-001744

Subject to all legal rights-of-way and/or easements, if any, of previous record.

The above description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, E.P. Ferris & Associates, Inc. in December 2012, from the best available County Records. The information displayed was not derived from an actual field survey. This description is not valid for the transfer of real property, and is not to be utilized in place of a Boundary Survey as defined by the Ohio Administrative Code in Chapter 4733-37.



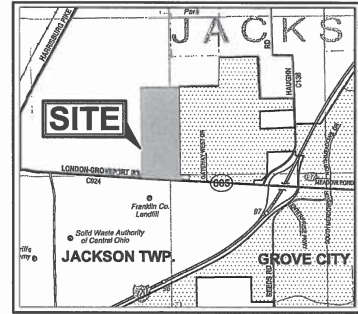

Matthew E. Ferris, P.E., P.S.
Registered Surveyor No. 8230

12.24.12
Date

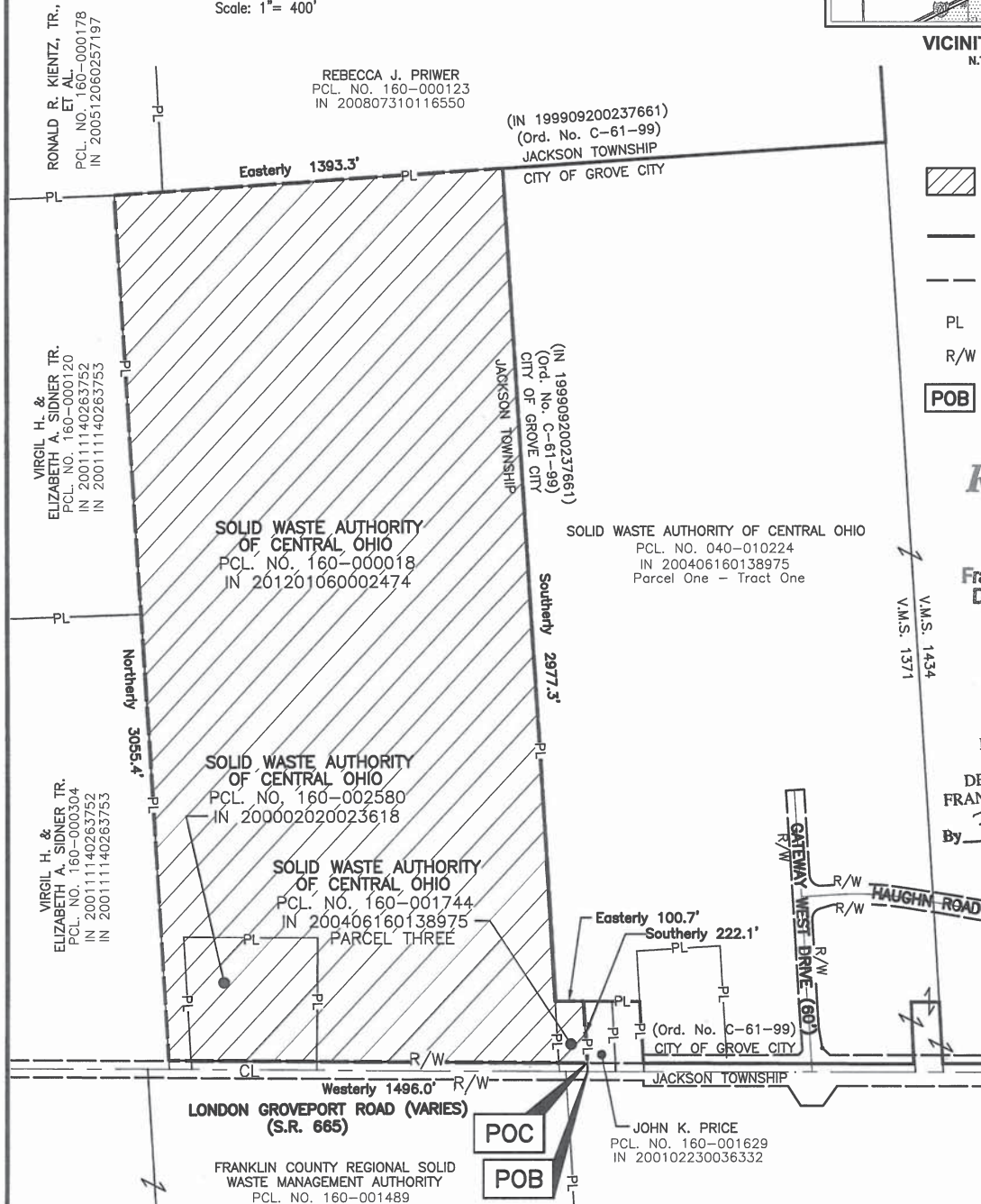
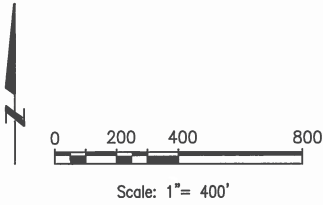
**ANNEXATION PLAT
FROM JACKSON TOWNSHIP TO CITY OF GROVE CITY**

101.3± Acre Tract

Located in State of Ohio, County of Franklin, Township of Jackson,
Virginia Military Survey 1371



VICINITY MAP
N.T.S.



- Annexation Area
- Ex. City of Grove City Corporation Line
- Prop. City of Grove City Corporation Line
- Property Line
- Right-of-Way
- Point of Beginning

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JAN 24 2013

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 *1/24/13*



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NOTE: Approximately 3078 L.F. of the 101.3 acre site is adjacent to the City of Grove City, which constitutes approximately 33% of the total site boundary.

BY: *M.E. Ferris* 12.21.12
Matthew E. Ferris, P.E., P.S.
Registered Surveyor No. 8230

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JAN 28 2013 *BB*

Franklin County Planning Department
Franklin County, OH

RESOLUTION NO. CR-10-13

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A RESOLUTION TO SET FORTH, AS REQUIRED BY SECTION 709.031 OF THE OHIO REVISED CODE, THE MUNICIPAL SERVICES THAT CAN BE FURNISHED TO 101.3 ACRES LOCATED AT 3650 LONDON-GROVEPORT ROAD IN JACKSON TOWNSHIP UPON ITS ANNEXATION TO THE CITY OF GROVE CITY

Franklin County Planning Department
Franklin County, Ohio

WHEREAS, a petition to annex 101.3+ acres located at 3650 London-Groveport Road, in Jackson Township to the City of Grove City and signed by Charles and Solid Waste Authority of Central Ohio, 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

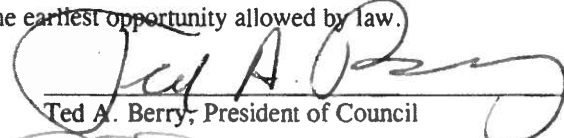
WHEREAS, Section 709.031 of the Ohio Revised Code requires that the legislative authority of the municipality to which the annexation is proposed adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon its annexation.

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 101.3+ acres located at 3650 London-Groveport Road, proposed for annexation by Solid Waste Authority of Central Ohio, 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: 02-04-13
Effective: 02-04-13

Attest:

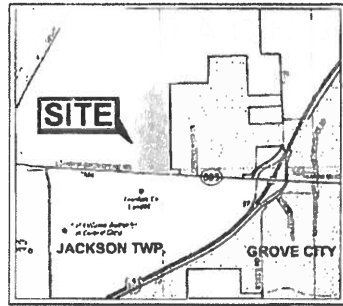
I Certify that this resolution is correct as to form.

**ANNEXATION PLAT
FROM JACKSON TOWNSHIP TO CITY OF GROVE CITY**

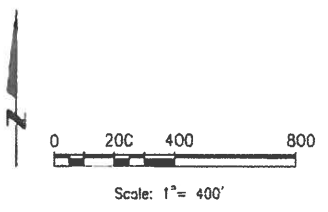
CP-10-13

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VICINITY MAP
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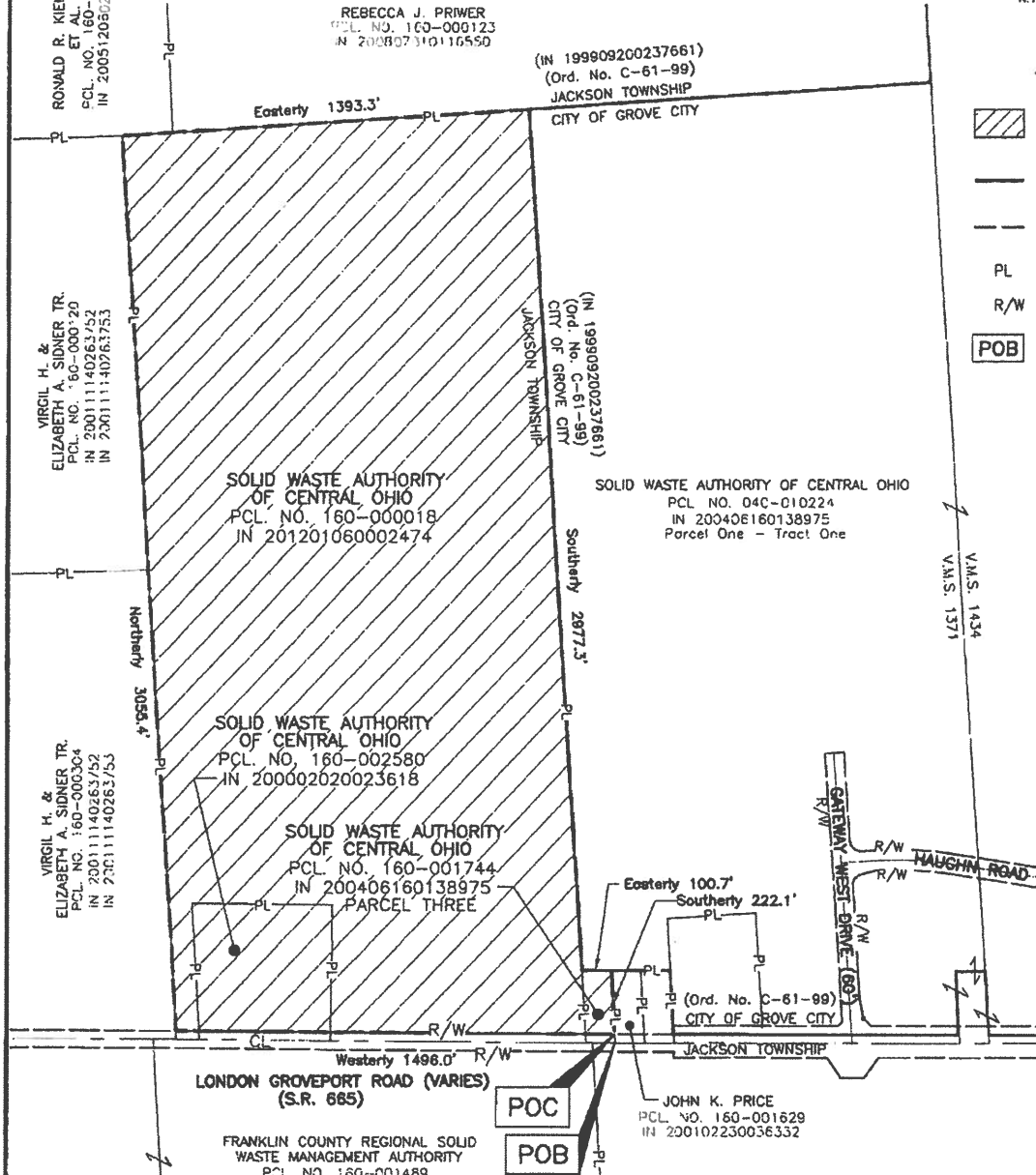
RONALD R. KIENZ, TR.,
ET AL.
PCL. NO. 160-000178
IN 200512050257197

REBECCA J. PRIWER
PCL. NO. 160-000123
IN 200807310116550

(IN 199909200237661)
(Ord. No. C-61-99)
JACKSON TOWNSHIP

Legend

- Annexation Area
- Ex. City of Grove City Corporation Line
- Prop. City of Grove City Corporation Line
- Property Line
- Right-of-Way
- Point of Beginning



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NOTE: Approximately 3078 L.F. of the 101.3 acre site is adjacent to the City of Grove City, which constitutes approximately 33% of the total site boundary.

BY: *Matthew E. Ferris* 12.24.12
Matthew E. Ferris, P.E., P.S.
Registered Surveyor No. 8230

CP-10-13

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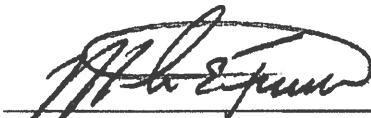
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Matthew E. Ferris, P.E., P.S.
Registered Surveyor No. 8230

12.24.12
Date