

Review of petition to annex 3.779 +/- acres from Washington Township to the City of Dublin by Jennifer D. Reader. CASE #ANX-MUNI-12-13 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that the City of Dublin filed on March 15, 2013 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Municipal Annexation petition, and having considered all the facts with reference thereto, being fully advised, and

WHEREAS, the Commissioners make the following findings based upon the exhibits and testimony presented at the review of this matter that the petition meets all the requirements set forth in, and was filed in the manner provided in, section 709.16 of the Revised Code for a Municipal Annexation.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

That, in accordance with the findings made in the preamble, which are incorporated herein, the prayer of the Petition be approved, and the territory sought to be annexed by the petition filed herein shall be annexed to the City of Dublin, 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 Dublin, Ohio.

Prepared by: R. Lee Brown

Cc: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0295-13

April 16, 2013

REVIEW OF PETITION TO ANNEX 3.779 +/- ACRES FROM WASHINGTON TOWNSHIP TO THE CITY OF DUBLIN BY JENNIFER D. READLER. CASE #ANX-MUNI-12-13

(Economic Development and Planning)

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

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
3.779 +/- ACRES FROM
WASHINGTON TOWNSHIP
TO THE CITY OF DUBLIN
BY JENNIFER D. READLER

Description:

Attached is a resolution to consider the annexation of 3.779-acres, more or less, from Washington Township to the city of Dublin. The petition case number is ANX-MUNI-12-13.

Agent:

Jennifer D. Readler

Site:

Cosgray Road (Cosgray/Shier-Rings Roundabout) Right-of-Way

Analysis:

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

Recommendation:

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



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

Economic Development & Planning Department
James Schimmer, Director

MEMO JOURNALIZATION

TO: Shannon Zee Cross, County Clerk
Franklin County Commissioners Office

FROM: R. Lee Brown, Planning Administrator
Franklin County Economic Development & Planning Department

CC: James Schimmer, Director
Franklin County Economic Development & Planning Department

RE: Description of Municipal annexation case to be journalized on the
April 9, 2013 General Session Agenda for a hearing on **April
16, 2013**.

Case #ANX-MUNI-12-13 - A municipal annexation ANX-MUNI-12-13 was filed in our office on March 15, 2013. The petition is requesting to annex 3.779+/- acres from Washington Township to the city of Dublin. The applicant is Jennifer D. Readler, Esq. **Site: Cosgray Road (Cosgray/Shier-Rings Roundabout)**



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schimmer, Director

Application for Annexation Petition

Municipal
 Pursuant to ORC §709.15

RECEIVED

MAR 15 2013

RFB
M

Franklin County Planning Department
 Franklin County, OH

Property Information	
Site Address Shier-Rings Road & Cosgray Road (Cosgray/Shier-Rings Roundabout)	
Parcel ID(s)	Total Acreage +/- 3.779 Acres
From Township Washington	To Municipality Dublin

Staff Use Only
Case # <i>ANX-MUNI-12-13</i>
Hearing date: <i>4/2/13</i>
Date filed: <i>3/15/13</i>
Fee paid <i>N/A</i>
Receipt #
Date Journalized <i>3/19/13</i>

Municipal Authority
Authorizing Ordinance No. 12-13
Land Ownership (check one) <input checked="" type="checkbox"/> Municipality <input checked="" type="checkbox"/> Franklin County <input type="checkbox"/> State of Ohio

Applicant/Agent Information	
Name <i>Jennifer D. Readler</i>	
Address <i>Attorney/Agent for City of Dublin</i> <i>Ice Miller LLP - 250 West Street, Suite 700</i> <i>Columbus, Ohio 43215</i>	
Phone # <i>(614) 462-5027</i>	Fax # <i>(614) 222-3480</i>
Email <i>jennifer.readler@icemiller.com</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/plot of property
<input checked="" type="checkbox"/> Certified copy of ordinance authorizing this application

Signatures		
The undersigned, petitioners in the premises, and being authorized to act on behalf of the municipality listed above, do hereby pray that the territory listed above be annexed to said municipality.		
The undersigned further acknowledge that the Franklin County Board of Commissioners may take the following actions:		
<ul style="list-style-type: none"> For land owned by the municipality, the Board must grant the petition For land owned by a County, the Board may grant or deny the petition For land owned by the State of Ohio, if the Director of Administrative Services has filed written consent, the Board must grant the petition. 		
<i>Jennifer D. Readler</i> Agent or Authorized Representative	Attorney/Agent Title	<i>3.15.13</i> Date
_____ Agent or Authorized Representative	_____ Title	_____ Date

RECEIVED

JAN 03 2013

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

3.779 ACRE ANNEXATION DESCRIPTION

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

By DR Date 1/3/13

Thence South 04 degrees 15 minutes 44 seconds East, along the east line of said 0.302 acre right-of-way parcel, along the west line of said 1.1769 acre City of Dublin right-of-way parcel, also across said 3.307 acre City of Dublin right-of-way parcel, also across the dedicated right-of-way for Shier-Rings Road as shown on the Ballantrae Section 5 subdivision plat, of record in Plat Book 103, page 99, and along the previously described corporation line, a distance of 50.00 feet to the original south right-of-way line for said Shier-Rings Road, being the southwest corner of the previously described corporation line, and being on an existing north corporation line for the City of Dublin as established by Ordinance Number 27-00, of record in Instrument Number 200004270082022;

Thence South 85 degrees 44 minutes 16 seconds West, along the original south right-of-way line for said Shier-Rings Road, across said 3.307 acre right-of-way parcel, across said dedicated right-of-way for Shier-Rings Road, and along the previously described corporation line, a distance of 526.54 feet to the west line of said 3.307 acre tract, being the west line of said Balantrae Section 5 subdivision, being the east line of said Franklin County dedicated right-of-way, being the east line of the Oak-Shier Estates, of record in Plat Book 45, page 120, and being a northwest corner of the previously described corporation line;

Thence South 04 degrees 07 minutes 45 seconds East, along the west line of said 3.307 acre right-of-way parcel, along the west line of said Balantrae Section 5, along the east line of said Franklin County dedicated right-of-way, along the east line of said Oak-Shier Estates, and along a west corporation line for the City of Dublin previously described as being established by Ordinance Number 27-00, a distance of 5.00 feet to the southeast corner of said Franklin County dedicated right-of-way, being the northeast corner of Lot 1 of said Oak-Shier Estates, and being on the existing south right-of-way line for said Shier-Rings Road as dedicated 30 feet wide by said Oak-Shier Estates plat;

Thence South 84 degrees 26 minutes 31 seconds West, along the existing south right-of-way line for said Shier-Rings Road and the existing south right-of-way line for Shier-Rings Road projected across Shier Lane and Holliday Lane, both as dedicated in said Oak-Shier Estates, along the south line of said Franklin County dedicated right-of-way, along the north line of said Lot 1, and also along the north lines of Lot 7, Lot 8, Lot 9, Lot 10 and Lot 18 of said Oak-Shier Estates, a distance of 1,159.27 feet to the southwest corner of said Franklin County dedicated right-of-way, being the northwest corner of said Lot 18, and being on the east line of a 3 acre tract conveyed to Beatrice L. Brogan;

Thence North 04 degrees 45 minutes 25 seconds West, along the west line of said Franklin County dedicated right-of-way, along the west line of said Oak-Shier Estates, and along the east line of said Brogan tract, a distance of 5.00 feet to the original and existing and south right-of-way line for said Shier-Rings Road, being the southeast corner of said 0.120 acre City of Dublin right-of-way parcel, and being the northeast corner of said Brogan tract;

3.779 ACRE ANNEXATION DESCRIPTION

The above described area to be annexed to the City of Dublin contains a total area of 3.779 acres, located entirely within the existing right-of-way for Shier-Rings Road and Cosgray Road, adjacent to the following Franklin County Auditor's parcel numbers: 274-000660, 272-000134, 272-000130, 272-000357, 272-000363, 272-000364, 272-000365, 272-000366, 272-000374, 272-000291, 272-000292, 272-000233, 272-000166 and 274-001297.

Bearings shown herein are based on the bearing for the centerline of Shier-Rings Road (N 84°26'31" E), which is referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (1986 Adjustment), as established utilizing a GPS survey and a traditional field traverse originating on Franklin County monument "FCGS 5536".

This description was prepared by Brian P. Bingham, PS based on an actual field survey performed by American Structurepoint, Inc. and from record documents on file with the Franklin County Engineer and Recorder. The above description is intended for annexation purposes only and is not intended for conveyance of property.

American Structurepoint, Inc.
2550 Corporate Exchange Drive, Suite 300
Columbus, Ohio 43231



Brian P. Bingham
Registered Professional Surveyor No. 8438



1/2/2013
Date

3.779 ACRE ANNEXATION DESCRIPTION

Thence South 84 degrees 26 minutes 31 seconds West, along the original and existing south right-of-way line for said Shier-Rings Road, along the south line of said 0.120 acre right-of-way parcel, along the north line of said Brogan tract, and also along the south line of said 0.108 acre City of Dublin right-of-way parcel and the north line of a 4.033 acre tract conveyed to Ima Moore, and also along the south line of said 0.093 acre City of Dublin right-of-way parcel and the north line of a 0.967 acre tract conveyed to Jason R. Huffman, and also along the south line of said 1.192 acre City of Dublin right-of-way parcel and the north line of an 8 acre tract conveyed to Stephen M. Kelly, Trustee, a distance of 833.32 feet to an angle point in the existing south right-of-way line for Shier-Rings Road established by Instrument Number 201207160101496;

Thence South 82 degrees 26 minutes 15 seconds West, along the existing south right-of-way line for said Shier-Rings Road, along the south line of said 1.192 acre right-of-way parcel and the north line of said Kelly tract, a distance of 127.71 feet to an angle point in the existing south right-of-way line for said Shier-Rings Road;

Thence South 44 degrees 26 minutes 23 seconds West, along the southeast right-of-way line for said Shier-Rings Road, along a southeast line of said 1.192 acre right-of-way parcel, along a northwest line of said Kelly tract, a distance of 134.53 feet to the existing east right-of-way line for Cosgray Road as established by Instrument Number 201207160101496;

Thence South 05 degrees 01 minute 43 seconds East, along the existing east right-of-way line for said Cosgray Road, along the east line of said 1.192 acre right-of-way parcel, along the west line of said Kelly tract, a distance of 505.47 feet to the southeast corner of said 1.192 acre right-of-way tract, being the southwest corner of said Kelly tract, being on the north line of Lot 606 of Ballantrae Section 8, Part 1, of record in Plat Book 109, page 46, and being on the an existing north corporation line for the City of Dublin, as established by said Ordinance Number 27-00, of record in Instrument Number 200004270082022;

Thence South 84 degrees 45 minutes 15 seconds West, along the south line of said 1.192 acre right-of-way parcel, along the north line of said Lot 606 and the north line of said Ballantrae Section 8, Part 1, and along the previously described corporation line, a distance of 25.00 feet to the original east right-of-way line for said Cosgray Road as established by said Road Record 7, page 243, being a northwest corner of the previously described corporation line, and being on an existing east corporation line for the City of Dublin as established by said Ordinance Number 05-06, of record in Instrument Number 200603240055084;

Thence North 05 degrees 01 minutes 43 seconds West, along the original east right-of-way line for said Cosgray Road, across said 1.192 acre right-of-way parcel, along the previously described corporation line, and also across said 1.503 acre City of Dublin right-of-way parcel, a distance of 624.00 feet to an angle point;

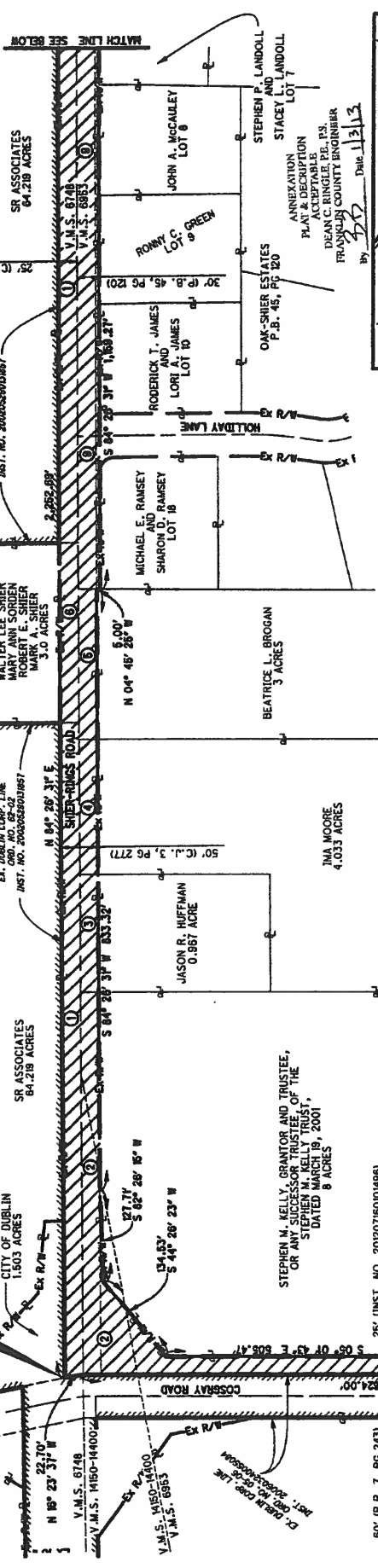
Thence North 16 degrees 23 minutes 37 seconds West, across said 1.503 acre right-of-way parcel, continuing along the previously described corporation line, a distance of 22.70 feet to the POINT OF BEGINNING for this description.

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PROPOSED 3.779 ACRE ANNEXATION TO CITY OF DUBLIN FROM WASHINGTON TOWNSHIP

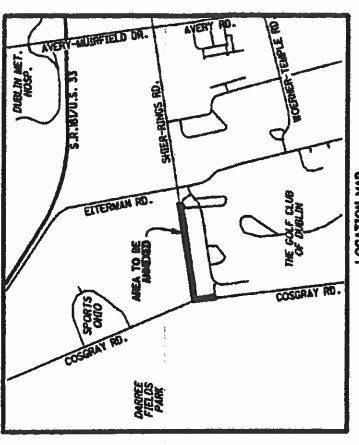
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF WASHINGTON, AND BEING LOCATED IN VIRGINIA MILITARY SURVEY NUMBERS 6146, 1450-1460, 6663 AND 3463.

JAN 03 2013
Franklin County Engineer
Darin G. Ring, P.E., P.S.



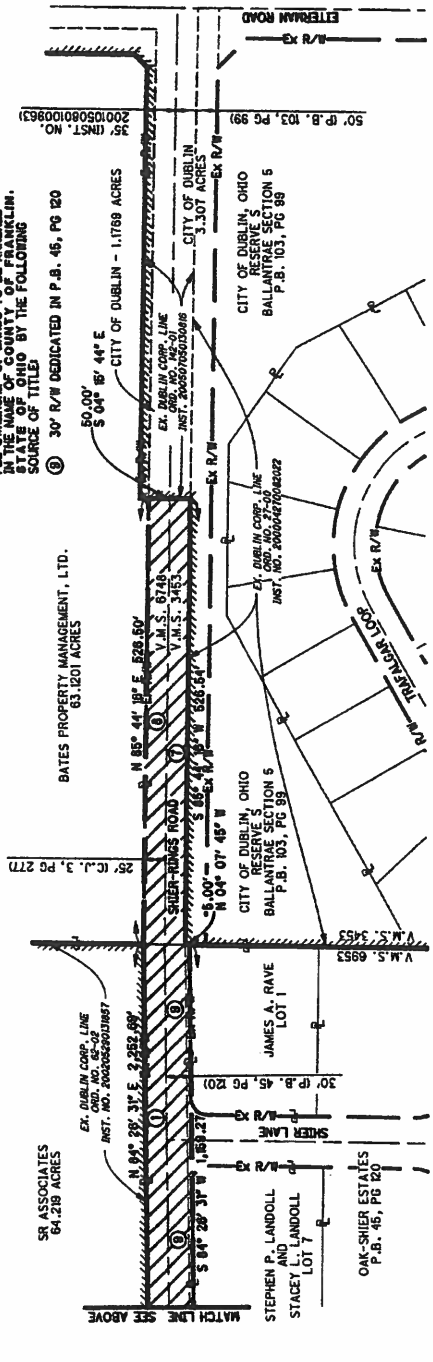
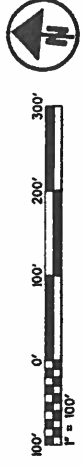
TOTAL AREA OF PROPOSED ANNEXATION 3.778 ACRES
LOCATED ENTIRELY WITHIN EXISTING RIGHT-OF-WAY FOR SHER-RINGS ROAD AND COSGRAY ROAD

- SEE OWNERSHIP OF LANDS TO BE ANNEXED TO THE CITY OF DUBLIN, OHIO BY THE FOLLOWING SOURCES OF TITLE:
- 1 INST. NO. 201206220089839 (1.503 ACRE & 0.489 ACRE PARCELS)
 - 2 INST. NO. 20120180101496 (1.182 ACRE PARCEL)
 - 3 INST. NO. 2012081002412 (0.093 ACRE PARCEL)
 - 4 INST. NO. 20120610062409 (0.108 ACRE PARCEL)
 - 5 INST. NO. 201206220089837 (0.320 ACRE PARCEL)
 - 6 INST. NO. 201207060087093, .084, .086, & .088 (0.141 ACRE PARCEL)
 - 7 INST. NO. 201206300048422 (0.302 ACRE PARCEL)
- SEE OWNERSHIP OF LANDS TO BE ANNEXED IN THE NAME OF COUNTY OF FRANKLIN, STATE OF OHIO BY THE FOLLOWING SOURCE OF TITLE:
- 8 30' R/W DEDICATED IN P.B. 46, PG 120



POINT OF BEGINNING NOTE:
INTERSECTION, ORIGINAL NORTH 25-FOOT R/W LINE WITH LINE FOR COSGRAY ROAD.

BASIS OF BEARINGS:
BEARINGS SHOWN HEREIN ARE BASED ON THE BEARING FOR THE CENTERLINE OF SHER-RINGS ROAD ON 64°28'31" E WHICH IS REFERENCED TO THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE AND THE NORTH AMERICAN DATUM OF 1983 (NAD83). TRADITIONAL FIELD TRAVERSE ORIGINATING ON FRANKLIN COUNTY MONUMENT FCOS 6539.



THIS ANNEXATION PLAT WAS PREPARED BY BRIAN P. BINGHAM, P.S. AND IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED BY AMERICAN STRUCTUREPOINT, INC AND FROM RECORD DOCUMENTS ON FILE WITH THE FRANKLIN COUNTY ENGINEER AND AUDITOR.

Brian P. Bingham
BRIAN P. BINGHAM
REGISTERED PROFESSIONAL SURVEYOR NO. 6438
DATE: 1/2/2013

LEGEND:

- EXISTING CITY OF DUBLIN CORP. LINE
- PROPOSED CITY OF DUBLIN CORP. LINE
- AREA TO BE ANNEXED INTO THE CITY OF DUBLIN

WASHINGTON TOWNSHIP (TWP.)
CITY OF DUBLIN (TWP.)

ANNEX. NO. _____ ORD. NO. _____

AMERICAN STRUCTUREPOINT, INC.
DRAWING PREPARED BY:
2650 CORPORATE EXCHANGE DR.
SUITE 300
COLUMBUS, OH 43221
TEL. 614.801.1100
www.structurepoint.com

SCALE: 1" = 100' DATE: 9/18/2012 DRAWN BY: BFB JOB NO. 2009.00614

RECORD OF ORDINANCES

Ordinance No. 12-13 Passed _____, 20____

AN ORDINANCE TO PETITION THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO FOR ANNEXATION OF APPROXIMATELY 3.779 ACRES OF LAND, LOCATED ON COSGRAY AND SHIER-RINGS ROADS, TO THE CITY OF DUBLIN

WHEREAS, the City of Dublin has an interest in annexing land that is owned by the City; and

WHEREAS, the City currently owns property on Cosgray and Shier-Rings Roads that is located in Washington Township and which the City desires to annex; and

WHEREAS, the land that is proposed to be annexed is adjacent and contiguous to the City of Dublin and further described in the attached Exhibit "A" and depicted in the attached Exhibit "B"; and

WHEREAS, the land is located entirely in presently existing right-of-way owned by Dublin and Franklin County; and

WHEREAS, the Franklin County Engineer's Office supports the annexation of the county-owned land; and

WHEREAS, the municipal annexation procedure must be initiated by petition to the Franklin County Board of Commissioners pursuant to Ohio Revised Code Sections 709.14 through 709.16.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, 6 of the elected members concurring, that:

Section 1. Council considers it necessary to annex the subject property to the City of Dublin.

Section 2. The Law Director's Office of the City of Dublin is hereby directed to petition the Franklin County Commissioners for annexation of 3.779 acres of land located in Washington Township, Franklin County, Ohio, in accordance with Ohio Revised Code Sections 709.14 through 709.16, and to serve as the City of Dublin's agent in this annexation proceeding.

Section 3. The City Manager is hereby authorized to take any action necessary to effect the annexation petition.

Section 4. This Ordinance shall be in full force and effect on the earliest date permitted by law.

Passed this 25th day of February, 2013.

Timothy A. Seckliden
Mayor - Presiding Officer

ATTEST:

Anne C. Clarke
Clerk of Council

Anne C. Clarke
Clerk of Council, Dublin, Ohio
I, Anne C. Clarke, Clerk of Council, hereby certify that the foregoing is a true copy of Ordinance/Resolution No. 12-13, duly adopted by the Council of the City of Dublin, Ohio, on the 25th Day of February, 2013.