

Review of Petition to Annex 4.2 +/- acres from Hamilton Township to the City of Columbus Case #ANX-EXP2-04-16 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition, filed by Jackson B. Reynolds, III, on February 16, 2016, 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 passed Ordinance Number 0448-2016 agreeing to provide to the territory proposed for annexation certain services and adopting a statement regarding possible incompatible land uses and zoning buffer. The resolution was passed by the City of Columbus on February 22, 2016.

Review of Petition to Annex 4.2 +/- acres from Hamilton Township to the City of Columbus Case #ANX-EXP2-04-16 (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, 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: Matt Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0180-16

March 15, 2016

REVIEW OF PETITION TO ANNEX 4.2 +/- ACRES FROM HAMILTON TOWNSHIP TO THE CITY OF COLUMBUS CASE #ANX-EXP2-04-16

(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.



Antwan Booker, 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 4.2 +/- acres from Hamilton Township to the City of Columbus Case #ANX-EXP2-04-16

Description:

Attached is a resolution to consider the annexation of 4.2-acres, more or less, from Hamilton Township to the City of Columbus. The petition case number is ANX-EXP2-04-16.

Agent:

Jackson B. Reynolds, III, Smith & Hale LLC

Owners:

David Woods
Victoria Woods
Icon DP Wit Columbus Owner Pool 3 Midwest LLC
LuLuLemon USA Inc.

Site:

6173 Shook Road (PID# 150-002640, 495-233211, 495-287287 and 495-239967)

Additional Information:

The total perimeter of the site is approximately 3,803 feet; approximately 2,747 feet, or 72 percent, of which is contiguous to the City of Columbus.

Analysis:

The applicant has met all statutory requirements outlined in Section 709.021 of the Ohio Revised Code. The applicant has provided proof of notification, and timeline and has provided a resolution from the City of Columbus identifying the services that will be provided once the annexation has been approved and a statement regarding possible incompatible land uses and zoning buffer. The resolution, Ordinance No. 0448-2016, was passed by the City of Columbus on February 22, 2016.

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: Antwana Booker, County Clerk
Franklin County Commissioners Office

FROM: Matthew Brown, Planning Administrator
Franklin County Economic Development & Planning Department

CC: James Schimmer, Director
Jenny Snapp, Assistant Director, Building, Planning and Zoning
Franklin County Economic Development & Planning Department

RE: Description of Expedited Type 2 annexation case to be
journalized on the **February 16, 2016** General Session Agenda
for consideration on **March 15, 2016**.

Case #ANX-EXP2-04-16 - An Expedited Type 2 annexation petition ANX-EXP2-04-16 was filed with the Franklin County Economic Development and Planning Department on February 9, 2016. The petition is requesting to annex 4.2 +/- acres from Hamilton Township to the City of Columbus. The petition will be considered by the Board of Commissioners on March 15, 2016.

Site: 6173 Shook Road (PID# 150-002640, 495-233211, 495-287287 and 495-239967)

Application for
**Annexation
Petition**

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FEB 09 2016

Franklin County Planning Department
Franklin County, Ohio

2

Property Information	
Site Address	6173 Shook Road, Lockbourne, OH 43137
Parcel ID(s)	150-002640/495-233211/495-287287 495-239967
Total Acreage	4.2± acres
From Township	Hamilton
To Municipality	Columbus

Property Owner Information	
Name	See attached sheet
Address	
Phone #	Fax #
Email	

Attorney/Agent Information	
Name	Jackson B. Reynolds, III c/o Smith & Hale LLC
Address	
37 West Broad Street, Suite 460 Columbus, OH 43215	
Phone #	221-4255
Fax #	221-4409
Email	
jreynolds@smithandhale.com	

Staff Use Only	
Case #	ANX-EXP2-04-16
Hearing date:	3/15/16
Date filed:	2/9/16
Fee paid	\$250.00
Receipt #	685359
Notifications deadline:	5 days 2/15/16
Svc statement deadline:	20 days 2/29/16

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"/>	List of adjacent properties

Waiver of Right to Appeal			
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.			
Property Owner	Date	Property Owner	Date
Property Owner	Date	Property Owner	Date

Owners

David Woods
350 Cherokee Drive
Circleville, OH 43113
(740) 412-5824

Victoria Woods
301 Effington Lane
Columbus, OH 43207
(616) 227-9431

Icon DP Wit Columbus Owner Pool 3 Midwest LLC
Two North Riverside, Suite 2350
Chicago, IL 60606

LuLuLemon USA Inc.
400-1818 Cornwall Avenue
Vancouver, BC V6J1C7

woods-shookrd.lst (nct)
10/16/15 S:Docs



ANY-EXP2-04-16

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF COLUMBUS
OF 4.2 ACRES MORE OR LESS
IN THE TOWNSHIP OF HAMILTON

TO THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO:

The undersigned, petitioners in the premises, and being ALL OF THE OWNERS OF REAL ESTATE in the territory hereinafter described, consisting of 4.2± acres with a total perimeter boundary of 3,803, more or less, in the Township of Hamilton which area is contiguous along 2,747 or 72% and adjacent to the City of Columbus, do hereby pray that said territory be annexed to the City of Columbus according to the statutes of the State of Ohio and that no island of unincorporated area will be created by this annexation.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto and made part hereof.

In support of said Petition, your petitioners state that there is/are within the territory so prayed to be annexed four (4) OWNER(S) OF REAL ESTATE.

Jackson B. Reynolds, III, whose address is 37 West Broad Street, Suite 460, Columbus, Ohio 43215, is hereby appointed Agent for the undersigned Petitioner(s), as required by Section 709.02 of the Revised Code of Ohio. Said agent is hereby authorized to make any amendment and/or deletion which in his absolute and complete discretion is necessary or proper, with permission of the petitioner(s), under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Franklin County Engineer in his examination of the Petition and Plat. Said amendment shall be made by the presentation of an amended plat and description to the Board of County Commissioners on, before, or after the date set for hearing on this Petition.

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 THE SPECIAL ANNEXATION PROCEDURE SET FORTH IN SECTION 709.023, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR SAID SPECIAL ANNEXATION PROCEDURE.

<u>NAME</u>	<u>DATE</u>	<u>ADDRESS</u>
<u>David S. Woods</u> David S. Woods	<u>1/12/16</u>	<u>350 Cherokee Drive, Circleville, OH</u> 43113
<u>Victoria L. Woods</u> Victoria L. Woods	<u>1/12/16</u>	<u>301 Effington L Columbus Ohio</u> 43209

By: _____
LuLuLemon USA Inc.

ICON DP WH COLUMBUS OWNER POOL 3 MIDWEST, LLC, a Delaware limited liability company

By: GLP US Management LLC,
a Delaware limited liability company,
as agent for Landlord

By: _____ Date: _____ Address: _____
Name: _____
Its: _____



ANX-EXP2-04-16

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF COLUMBUS
OF 4.2 ACRES MORE OR LESS
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<u>NAME</u>	<u>DATE</u>	<u>ADDRESS</u>
David S. Woods		
Victoria L. Woods		
By: _____ LuLuLemon USA Inc.		

ICON DP WH COLUMBUS OWNER POOL 3 MIDWEST, LLC, a Delaware limited liability company

By: GLP US Management LLC,
a Delaware limited liability company,
as agent for Landlord

By: Neil A. Klein
Name: Neil A. Klein
Its: Executive Vice President &
General Counsel

12/11/15
Date

2 North Riverside Plaza, Suite 2350, Chicago, IL 60606
Address

Page 1 of 1

wouds-shook-exp pet (net) 12/11/15 S Docs/s&hannex/2015

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FEB 09 2016

Franklin County Planning Department
Franklin County, Ohio

ANX-EXP2-04-16



CERTIFICATE OF INCUMBENCY

I, Michelle LaPelle, do hereby certify that I am a duly appointed, qualified and acting Assistant Secretary of GLP US Management LLC, a Delaware limited liability company ("GLP"), and that, as such, I am authorized to execute this Certificate on behalf of GLP, and I further certify, on behalf of GLP, the following:

- 1) That GLP is the agent for Icon DP WH Columbus Owner Pool 3 Midwest, LLC, a Delaware limited liability company (the "Company"), and, as such, is authorized, on behalf of the Company, to execute certain documents, instruments and certificates which may be necessary, appropriate or desirable in order to consummate the business of the Company.
- 2) That Neil Klein is a duly appointed, qualified and acting General Counsel, Executive Vice President and Secretary of GLP and, as such, he is authorized, in the name and on behalf of GLP, to execute all documents, instruments and certificates which may be necessary, appropriate or desirable in order to consummate the business of GLP.

IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of December, 2015.

GLP US MANAGEMENT LLC,
a Delaware limited liability company

A handwritten signature in blue ink, appearing to read "Michelle LaPelle", written over a horizontal line.

Michelle LaPelle, Assistant Secretary



AUX-EXP2-04-16

EXPEDITED TYPE II PETITION FOR ANNEXATION (SECTION 709.023)
TO THE CITY OF COLUMBUS
OF 4.2 ACRES MORE OR LESS
IN THE TOWNSHIP OF HAMILTON

TO THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO:

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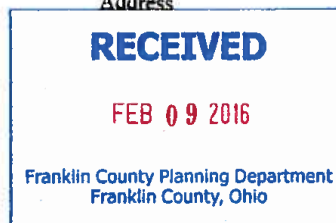
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THE SPECIAL ANNEXATION PROCEDURE SET FORTH IN SECTION 709.023, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR SAID SPECIAL ANNEXATION PROCEDURE.

NAME	DATE	ADDRESS
David S. Woods		
Victoria L. Woods		
By: <u>W. Manc</u> LuLuLemon USA Inc.	<u>01/06/16</u>	<u>1818 Cornwall Avenue, Columbus, BC</u> <u>V6J 1C7</u>

ICON DP WH COLUMBUS OWNER POOL 3 MIDWEST, LLC, a Delaware limited liability company

By: GLP US Management LLC,
a Delaware limited liability company,
as agent for Landlord

By: _____
Name: _____ Date _____
Its: _____ Address _____



CORPORATE NOTIFICATION

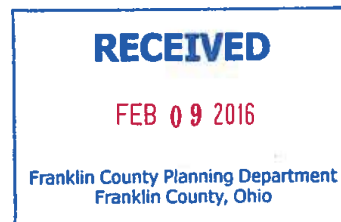
**A STATEMENT ON BEHALF OF THE LULULEMON USA INC.
COMPANY AUTHORIZING Wynn Spencer, AS ITS
DESIGNEE, TO FILE PETITIONS FOR THE ANNEXATION OF 4.2±
ACRES PROPERTY INTO THE CITY OF COLUMBUS AND TAKE ALL
OTHER ACTIONS NECESSARY IN FURTHERANCE OF PURSUING
AND COMPLETING SAID ANNEXATION.**

LuLuLemon USA Inc. has authorized Wynn Spencer as its designee, to file a petition for the annexation of 4.2 acres property into the City of Columbus and to take all other actions necessary in furtherance of pursuing and completing said annexations.

This statement grants authority to Wynn Spencer, on behalf of LuLuLemon USA Inc. as its designee, to sign the annexation petition of 4.2 acres from Hamilton Township to the City of Columbus on behalf of LuLuLemon USA Inc. and take all other necessary actions in furtherance of pursuing and completing any future annexations.

**AUTHORIZED BY THE LULULEMON USA INC. ON THE 14th DAY OF
January, 2016.**

By: Erin Nicholas
Its: Secretary
Attest: E. Nicholas



ANX-EXP2-64-16

ANNEXATION PLAT OF 4.2 ACRES +/- FROM HAMILTON TWP TO THE CITY OF COLUMBUS SITUATE IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF HAMILTON, BEING PART OF SECTION 36, TOWNSHIP 4, RANGE 22, CONGRESS LANDS EAST OF THE SCIOTO RIVER.

PIZZUTTI/CREEKSIDE XX, LLC
26.563 ACRES
INST. NO. 201501270102226
150-000186

LULULEMON USA, INC.
6.255 ACRES
INST. NO. 201312030198946 (PARCEL II)
495-239967

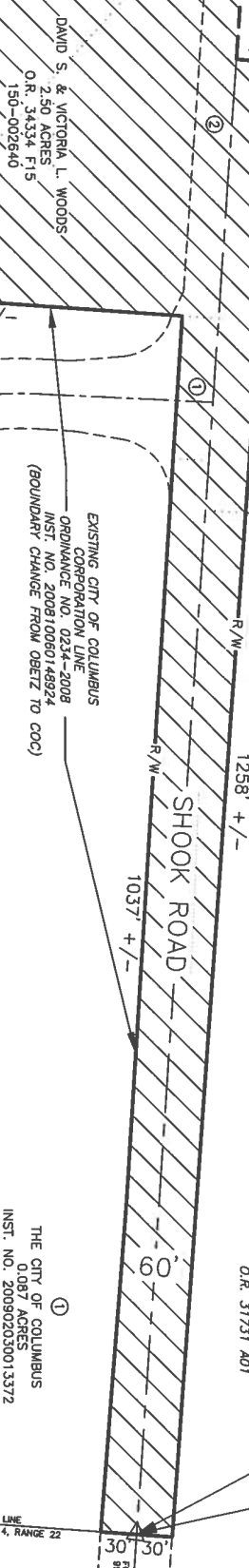
EXISTING CITY OF COLUMBUS
CORPORATION LINE
ORDINANCE NO. 972-95
O.R. 29162 A08

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Franklin County Planning Department
Franklin County, Ohio
HAY-EP-2-CY-16

LULULEMON USA, INC.
16,084 ACRES
INST. NO. 201312030198946 (PARCEL I)
495-233211

RECEIVED
OCT 15 2015
Franklin County Engineer
Dean C. Ringler, P.E., P.S.

LOCATION MAP
(NOT TO SCALE)



EXISTING CITY OF COLUMBUS
CORPORATION LINE
ORDINANCE NO. 0234-2008
INST. NO. 200910090148924

ICON DP WH COLUMBUS OWNER POOL 3 MIDWEST, LLC
16.438 ACRES
INST. NO. 201503250036962
495-287287

EXISTING CITY OF COLUMBUS
CORPORATION LINE
ORDINANCE NO. 517-96
O.R. 51731 A01

THE CITY OF COLUMBUS
0.087 ACRES
INST. NO. 200902030013372

FRANKLIN COUNTY COMMISSIONERS
0.273 ACRES
INST. NO. 201510090143630

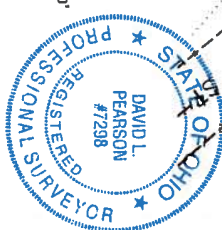
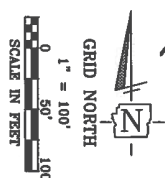
MARK D. & JANET M. WALL
1.864 ACRES
INST. NO. 200106040122833
150-001315

THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO
O.R. 950 H01

DEDICATED BY PLAT BOOK 112, PAGE 57
"BECGROW STREET DEDICATION PHASE I"
1.691 ACRES

LEGEND

- AREA TO BE ANNEXED
- EXISTING OBETZ CORPORATION LINE
- EXISTING C.O.C. CORPORATION LINE
- PROPOSED CORPORATION LINE



THIS PLAT WAS PREPARED IN THE OFFICE OF THE FRANKLIN COUNTY ENGINEER BY DAVID L. PEARSON, OHIO REGISTERED SURVEYOR NO. 7298, FROM THE AVAILABLE RECORDS ON FILE WITHIN THE FRANKLIN COUNTY RECORDS, AND DOES NOT CONSTITUTE INFORMATION OF AN ACTUAL FIELD SURVEY.

David L. Pearson, P.S.
DATE 10/15/2015
OHIO REGISTERED SURVEYOR NO. 7298

RECEIVED

OCT 15 2015

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

RECEIVED

FEB 09 2016

ANX-EXP2-04-16

Franklin County Planning Department
Franklin County, Ohio

Annexation of 4.2 Acres +/-
From Hamilton Township
To the City of Columbus

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

By FRB Date 10/15/15

Situated in the State of Ohio, County of Franklin, Township of Hamilton, in the Northwest Quarter of Section 36, Township 4, Range 22, Congress Lands East of the Scioto River, being all of a 2.50 acre tract as conveyed to David S. Woods and Victoria L. Woods, of record in Official Record Volume 34334 F15, all of an 0.087 acre tract as conveyed to the City of Columbus, or record in Instrument No. 200902030013372, all of a 0.273 acre tract as conveyed to the Franklin County Commissioners, of record in Instrument No. 201510090143630, a portion of a 6.255 acre and 16.084 Acre tracts as conveyed to Lululemon USA, Inc's, of record in Instrument No. 201312030198946, and a portion of a 16.438 Acre tract as conveyed to Icon DP WH Columbus Owner Pool 3 Midwest, LLC, of record in Instrument No. 2015032560036962, all references to records are on file in the Recorder's Office, Franklin County, Ohio, said area being annexed is more particularly described as follows:

Beginning at Franklin County Survey Control Monument No. 9927 found in the centerline of Shook Road, being an angle point in the centerline of Shook Road and also being the center $\frac{1}{4}$ corner of section 36, Township 4 North, Range 22 West, Congress Lands East of the Scioto River, and also being in the northerly existing City of Columbus Corporation Line, as established by Ordinance 317-96, of record in Official Record 31731 A01;

Thence **WESTERLY**, along the half section line of said Section 36, being also along the southerly line of said 16.438 acre tract, a distance of approximately 30 feet to the westerly right of way line of Shook Road, being also a southeasterly corner in the existing City of Columbus Corporation line, as established by Ordinance 0234-2008, and recorded in Instrument No. 200810060148924:

Thence **NORTHERLY**, along the existing right of way line of said Shook Road, along said existing City of Columbus Corporation Line, and crossing said 16.438 acre tract, a distance of approximately 1,037 feet, to the southeasterly corner of said 2.50 acre tract, being the southwesterly corner of said 0.273 Acre tract, being the northwesterly corner of said 0.087 acre tract, being in the northerly right of way line of Beggrow St., as dedicated by Plat Book 112, page 57 by the plat titled as "Beggrow Street Dedication Phase I", and also being a northeasterly corner of said City of Columbus Corporation Line;

thence **WESTERLY**, along the southerly line of said 2.50 acre tract, along the northerly line of a 15.000 Acre tract as conveyed to Pizzuti Land, LLC, of record in Instrument No. 200812090177545, and also along said existing City of Columbus Corporation Line, a distance of approximately 392 feet to the southwesterly corner of said 2.50 acre tract, being the northwesterly corner of said 15.000 acre tract, being in the easterly line of a 24.068 acre tract as conveyed to Joyce S. Dill, TR, of record in Instrument No. 201106010069340 and Sunshine & Smooch, LLC, of record in Instrument No. 20131120188474, being a northwesterly corner of said existing City of Columbus Corporation Line, being in the easterly line of an existing Village of Obetz Corporation line, as established by Ordinance 46-01, of record in Instrument No. 200106070127920, and also being in the northerly line of the Historic Ohio & Erie Canal (Abandoned);

thence **NORTHEASTERLY**, along the westerly line of said 2.50 acre tract, along the easterly line of said 24.068 Acre tract, along an easterly line of a 1.864 acre tract as conveyed to Mark D. and Janet M. Wall, of record in Instrument No. 200106040122833, along said existing Village of Obetz Corporation Line, and also along the westerly line of said Historic Ohio & Erie Canal (Abandoned), a distance of approximately 398 feet to a northerly corner of said 2.50 acre tract, being a southeasterly corner of said 1.864 acre tract, being a southwesterly corner of a 17.093 acre tract as conveyed to the Board of County Commissioners of Franklin County, Ohio, of record in Official Record 950 H01, and also being in the northerly line of the Historic Ohio & Erie Canal (Abandoned);

thence **SOUTHERLY**, along an easterly line of said 2.50 acre tract, along an easterly line of said 1.864 acre tract, and also along a westerly line of said 17.093 acre tract, a distance of approximately 159 feet to a northerly corner of said 2.50 acre tract, being a southeasterly corner of said 17.093 acre tract, being in the easterly line of said Historic Ohio & Erie Canal (Abandoned);

thence **NORTHEASTERLY**, along a northerly line of said 2.50 acre tract, along the northerly line of said 0.273 acre tract, along the southerly line of said 17.093 Acre tract, and also along the said northerly line of said Historic Ohio & Erie Canal (Abandoned), a distance of approximately 86 feet to a northerly corner of said 0.273 acre tract, being a southwesterly corner of said 17.093 acre tract, and also being in the westerly line of the Historic Ohio & Erie Canal (Abandoned);


thence **SOUTHERLY**, along an easterly line of said 0.273 acre tract, partially along the existing centerline of said Shook Road, and also along a westerly line of a 26.583 acre tract as conveyed to Pizzuti/Creekside XX, LLC, of record in Instrument No. 201507270102226, a distance of **approximately 172 feet** to a southwesterly corner of said 26.583 acre tract, being a northwesterly corner of said 6.255 acre tract, being in the easterly line of said 0.273 acre tract;

thence **EASTERLY**, along the southerly line of said 26.583 acre tract, along an northerly line of said 6.255 acre tract, a distance of **approximately 30 feet** to the easterly existing right of way line of said Shook Road, being in the southerly line of said 26.583 acre tract, being in the northerly line of said 6.255 acre tract, and also being a northwesterly corner of an existing City of Columbus Corporation Line, as established by Ordinance 972-95, of record in Official Record 29162 A08;

thence **SOUTHERLY**, along an easterly right of way line of said Shook Road, crossing said 6.255 acre and 16.084 acre tracts, and also along said existing City of Columbus Corporation Line, a distance of **approximately 1,258 feet** to the said half section line of said Section 36;

Thence **WESTERLY**, along the half section line of said Section 36 and also along said existing City of Columbus Corporation Line (Ordinance 317-96), a distance of **approximately 30 feet** to the **True Place of Beginning**, and containing an area of approximately 4.2 acres.

This description was prepared from the available records on file within the Franklin County Offices, and does not constitute information from an actual field survey by David L. Pearson, Registered Professional Surveyor Number 7298 in August 2015.


David L. Pearson
Ohio Registered Surveyor. 7298



10/15/2015
Date



ANX-EXP2-04-16



City of Columbus

Legislation Report

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

File Number: 0448-2016

Emergency

File ID: 0448-20

Type: Ordinance

Status: Passed

Version: 1

*Committee: Economic Development Committee

File Name: Annexation Service AN15-017: 4.2 Acres, Hamilton
Township, David and Victoria Woods et al

File Created: 02/11/2016

Final Action: 02/26/2016

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.: Alexandria Voignier 645-8791

Floor Action (Clerk's Office Only)

I hereby certify that the above or attached is a true and correct copy of Ordinance No. 0448-2016 passed by The Council of The City of Columbus, Ohio 2/22, 20 16, as shown by the records now on file in this office.

Seal

Andrea Blumens / HGR

Mayor's Action

Council Action

City Clerk

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 (AN15-017) of 4.2 + acres in Hamilton Township to the city of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Attachments: ORD0448-2016 AN15-017 Legal Description,
ORD0448-2016 AN15-017 Plat Map

RECEIVED

FEB 26 2016

Franklin County Planning Department
Franklin County, OH

ANX-EXP2-04-16

Approval History

Version	Date	Approver	Action
1	02/11/2016	DEVELOPMENT DIRECTOR	Approved
1	02/11/2016	ATTORNEY APPROVER	Approved
Notes	wsb		

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Columbus City Council	02/22/2016	Approved				Pass
		Affirmative: 7	Elizabeth Brown, Mitchell Brown, Shannon Hardin, Jaiza Page, Michael Stinziano, Priscilla Tyson, and Zach Klein				
1	COUNCIL PRESIDENT (approver)	02/22/2016	Signed				
1	ACTING MAYOR	02/25/2016	Signed				
1	CITY CLERK	02/26/2016	Attest				

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

AN15-017

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 Hamilton 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 (AN15-017) of 4.2 ± acres in Hamilton 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 Hamilton Township was duly filed by on behalf of David and Victoria Woods et al on February 9, 2016; and

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

County on March 15, 2016 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 property is located within the boundaries of the South Central Accord; and

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 4.2 ± acres in Hamilton 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 or 300-gallon alley refuse service, the method of which to be determined by Division of Refuse Collection management. 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: This site will be served by an existing 12" water main located on the east side of Shook Road, the

connection to which will be made at the owner's expense.

Sewers: 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.

Sanitary: This site is tributary to and may be served by an existing 18-inch sanitary sewer (RP13646) situated along the west side of Shook Road, on the north side of Beggrow Street and is approximately 23' deep. A main line extension will be required across the subject property to its northern property line to enable future service extension to a large upstream tributary area. Storm sewer outlet is also available at the same location, 12" storm sewer E2635. An engineered sanitary CC plan will be required to be reviewed and approved prior to construction. The CC plan and mainline extension will be at the owner's expense.

Storm: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance with design policy and applicable codes in effect at the time of development.

SECTION 2. If this 4.2 ± 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 Hamilton 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 Hamilton 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.

AN15-017
Annexation of 4.2 Acres +/-
From Hamilton Township
To the City of Columbus

Situated in the State of Ohio, County of Franklin, Township of Hamilton, in the Northwest Quarter of Section 36, Township 4, Range 22, Congress Lands East of the Scioto River, being all of a 2.50 acre tract as conveyed to David S. Woods and Victoria L. Woods, of record in Official Record Volume 34334 F15, all of an 0.087 acre tract as conveyed to the City of Columbus, or record in Instrument No. 200902030013372, all of a 0.273 acre tract as conveyed to the Franklin County Commissioners, of record in Instrument No. 201510090143630, a portion of a 6.255 acre and 16.084 Acre tracts as conveyed to Lululemon USA, Inc's, of record in Instrument No. 201312030198946, and a portion of a 16.438 Acre tract as conveyed to Icon DP WH Columbus Owner Pool 3 Midwest, LLC, of record in Instrument No. 2015032560036962, all references to records are on file in the Recorder's Office, Franklin County, Ohio, said area being annexed is more particularly described as follows:

Beginning at Franklin County Survey Control Monument No. 9927 found in the centerline of Shook Road, being an angle point in the centerline of Shook Road and also being the center ¼ corner of section 36, Township 4 North, Range 22 West, Congress Lands East of the Scioto River, and also being in the northerly existing City of Columbus Corporation Line, as established by Ordinance 317-96, of record in Official Record 31731 A01;

Thence **WESTERLY**, along the half section line of said Section 36, being also along the southerly line of said 16.438 acre tract, **a distance of approximately 30 feet** to the westerly right of way line of Shook Road, being also a southeasterly corner in the existing City of Columbus Corporation line, as established by Ordinance 0234-2008, and recorded in Instrument No. 200810060148924;

Thence **NORTHERLY**, along the existing right of way line of said Shook Road, along said existing City of Columbus Corporation Line, and crossing said 16.438 acre tract, **a distance of approximately 1,037 feet**, to the southeasterly corner of said 2.50 acre tract, being the southwesterly corner of said 0.273 Acre tract, being the northwesterly corner of said 0.087 acre tract, being in the northerly right of way line of Beggrow St., as dedicated by Plat Book 112, page 57 by the plat titled as "Beggrow Street Dedication Phase I", and also being a northeasterly corner of said City of Columbus Corporation Line;

thence **WESTERLY**, along the southerly line of said 2.50 acre tract, along the northerly line of a 15.000 Acre tract as conveyed to Pizzuti Land, LLC, of record in Instrument No. 200812090177545, and also along said existing City of Columbus Corporation Line, **a distance of approximately 392 feet** to the southwesterly corner of said 2.50 acre tract, being the northwesterly corner of said 15.000 acre tract, being in the easterly line of a 24.068 acre tract as conveyed to Joyce S. Dill, TR, of record in Instrument No. 201106010069340 and Sunshine & Smooch, LLC, of record in Instrument No. 201311120188474, being a northwesterly corner of said existing City of Columbus Corporation Line, being in the easterly line of an existing Village of Obetz Corporation line, as established by Ordinance 46-01, of record in Instrument No. 200106070127920, and also being in the northerly line of the Historic Ohio & Erie Canal (Abandoned);

thence **NORTHEASTERLY**, along the westerly line of said 2.50 acre tract, along the easterly line of said 24.068 Acre tract, along an easterly line of a 1.864 acre tract as conveyed to Mark D. and Janet M. Wall, of record in Instrument No. 200106040122833, along said existing Village of Obetz Corporation Line, and also along the westerly line of said Historic Ohio & Erie Canal (Abandoned), **a distance of approximately 398 feet** to a northerly corner of said 2.50 acre tract, being a southeasterly corner of said 1.864 acre tract, being a southwesterly corner of a 17.093 acre tract as conveyed to the Board of County Commissioners of Franklin County, Ohio, of record in Official Record 950 H01, and also being in the northerly line of the Historic Ohio & Erie Canal (Abandoned);

thence **SOUTHERLY**, along an easterly line of said 2.50 acre tract, along an easterly line of said 1.864 acre tract, and also along a westerly line of said 17.093 acre tract, **a distance of approximately 159 feet** to a northerly corner of said 2.50 acre tract, being a southeasterly corner of said 17.093 acre tract, being in the easterly line of said Historic Ohio & Erie Canal (Abandoned);

thence **NORTHEASTERLY**, along a northerly line of said 2.50 acre tract, along the northerly line of said 0.273 acre tract, along the southerly line of said 17.093 Acre tract, and also along the said northerly line of said Historic Ohio & Erie Canal (Abandoned), **a distance of approximately 86 feet** to a northerly corner of said 0.273 acre tract, being a southwesterly corner of said 17.093 acre tract, and also being in the westerly line of the Historic Ohio & Erie Canal (Abandoned);

thence **SOUTHERLY**, along an easterly line of said 0.273 acre tract, partially along the existing centerline of said Shook Road, and also along a westerly line of a 26.583 acre tract as conveyed to Pizzuti/Creekside XX, LLC, of record in Instrument No. 201507270102226, **a distance of approximately 172 feet** to a southwesterly corner of said 26.583 acre tract, being a northwesterly corner of said 6.255 acre tract, being in the easterly line of said 0.273 acre tract;

thence **EASTERLY**, along the southerly line of said 26.583 acre tract, along an northerly line of said 6.255 acre tract, **a distance of approximately 30 feet** to the easterly existing right of way line of said Shook Road, being in the southerly line of said 26.583 acre tract, being in the northerly line of said 6.255 acre tract, and also being a northwesterly corner of an existing City of Columbus Corporation Line, as established by Ordinance 972-95, of record in Official Record 29162 A08;

thence **SOUTHERLY**, along an easterly right of way line of said Shook Road, crossing said 6.255 acre and 16.084 acre tracts, and also along said existing City of Columbus Corporation Line, **a distance of approximately 1,258 feet** to the said half section line of said Section 36;

Thence **WESTERLY**, along the half section line of said Section 36 and also along said existing City of Columbus Corporation Line (Ordinance 317-96), **a distance of approximately 30 feet** to the **True Place of Beginning**, and containing an area of approximately 4.2 acres.

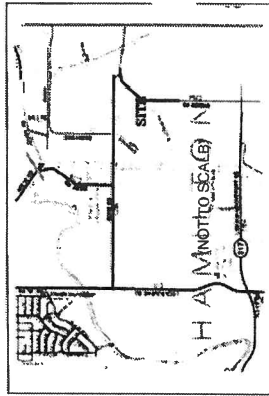
This description was prepared from the available records on file within the Franklin County Offices, and does not constitute information from an actual field survey by David L. Pearson, Registered Professional Surveyor Number 7298 in August 2015.

David L. Pearson
Ohio Registered Surveyor. 7298

Date

AN15-017 Annexation of 4.2 Acres +/- From Hamilton Township To the City of Columbus

SITUATE IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF HAMILTON,
BEING PART OF SECTION 36, TOWNSHIP 4, RANGE 22, CONGRESS LANDS EAST OF THE SCIOTO RIVER.



RECEIVED

OCT 15 2015

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

LULULEMON USA, INC.

8.255 ACRES
INST. NO. 201312030198946 (PARCEL II)
495-239967

EXISTING CITY OF COLUMBUS
CORPORATION LINE
ORDINANCE NO. 16-084-95

LULULEMON USA, INC.
16.084 ACRES
INST. NO. 201333029368946 (PARCEL I)

PIZZUTTI CREEKSIDE XX, LLC
28.5113 ACRES
INST. NO. 201507270102226
150-000186

LULULEMON USA, INC.
16.084 ACRES
INST. NO. 201333029368946 (PARCEL I)

EXISTING CITY OF COLUMBUS
CORPORATION LINE
ORDINANCE NO. 16-084-95

1258' +/-
R/W
EXISTING SHOOK ROAD
CORPORATION LINE
PROPOSED CORPORATION LINE

EXISTING CITY OF COLUMBUS
CORPORATION LINE
ORDINANCE NO. 16-084-95
INST. NO. 200810060148924
(BOUNDARY CHANGE FROM OBETZ TO COC)

DAVID S. & VICTORIA L. WOODS
2.50 ACRES
O.R. 34334 F15
150-002640

EXISTING VILLAGE OF OBETZ
CORPORATION LINE
ORDINANCE NO. 46-01
INST. NO. 200106070121920

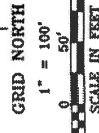
JOYCES GILL, TR
INST. NO. 201106010069340
SUNSHINE & SMOOCH, LLC
INST. NO. 20131120186474
24.068 ACRES
152-0011755

PIZZUTTI LAND LLC
15.000 ACRES
INST. NO. 200812090177545
495-287286



THIS PLAT WAS PREPARED IN THE OFFICE OF THE
FRANKLIN COUNTY ENGINEER BY DAVID L. PEARSON,
REGISTERED PROFESSIONAL SURVEYOR NO. 7298, FROM THE
AVAILABLE RECORDS ON FILE WITHIN THE FRANKLIN
COUNTY OFFICES, AND DOES NOT CONSTITUTE
INFORMATION OF AN ACTUAL FIELD SURVEY.

LEGEND
AREA TO
BE ANNEXED
EXISTING OBETZ CORPORATION LINE



CON OP WH COLUMBUS OWNER POOL 3
MIDWEST, LLC
16.438 ACRES
INST. NO. 201503250036662
495-287287

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

By L. Date 10/15/15

David L. Pearson 10/15/15
DAVID L. PEARSON, P.S.
OHIO REGISTERED SURVEYOR NO. 7298

AN15-017
Annexation of 4.2 Acres +/-
From Hamilton Township
To the City of Columbus

273 ACRES
INST. NO. 201510090143630

②
MARK O. & JANET L. WALL
1864 ACRES
INST. NO. 200106040122833
150-00315

③
THE BOARD OF COUNTY COMMISSIONERS
OF FRANKLIN COUNTY, OHIO
OR 950 H01

④
DEDICATED BY PLAT BOOK 112, PAGE 57
"BESOROW STREET DEDICATION PHASE 1 1591
ACRES

ANX-EXP2-04-16

Petition to annex 4.2+/- acres
from Hamilton Township
into the City of Columbus.

4.2+/- acres
Hamilton Township

- Annexation Area
- Streets
- Parcel
- Obetz
- Columbus

Note: Boundary shown is
approximate area to be annexed.
See petition plat for exact area.

