

**Review of Petition to Annex 0.6 +/- acres from Sharon Township to the city of Worthington by Jackson B. Reynolds, III, Esq. Case #ANX-EXP2-03-10 (ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Jackson B. Reynolds, III, Esq. filed on behalf of Emil Marginean on January 28, 2010 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 resolution #10-2010, passed on February 1, 2010 by the city of Worthington.

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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 Worthington, 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 Worthington, Ohio.

Prepared by: R. Lee Brown

C: Economic Development & Planning Department

**SIGNATURE SHEET**

Resolution No. 0175-10

March 02, 2010

**REVIEW OF PETITION TO ANNEX 0.6 +/- ACRES FROM SHARON TOWNSHIP TO THE CITY OF WORTHINGTON BY JACKSON B. REYNOLDS, III, ESQ. CASE #ANX-EXP2-03-10**

**(Economic Development and Planning)**

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

**Voting:**

<b>John O'Grady, President</b>	<b>Aye</b>
<b>Paula Brooks</b>	<b>Aye</b>
<b>Marilyn Brown</b>	<b>Aye</b>

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 adopted 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



Commissioners  
 Paula Brooks, President  
 Marilyn Brown  
 John O'Grady

Economic Development & Planning Department  
 James Schimmer, Director

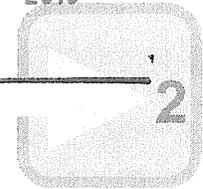
RECEIVED

JAN 28 2010

Application for

# Annexation Petition

BY: DAH



Expedited Type 2  
 Pursuant to ORC §709.023

Property Information	
Site Address 1945 Samada Avenue	
Parcel ID(s) 250-003681	Total Acreage 0.6 acres
From Township Sharon	To Municipality Worthington

Property Owner Information	
Name Emil Marginean	
Address 1945 Samada Ave. Worthington, OH 43085	
Phone # 885-7840	Fax #
Email	

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

Staff Use Only	
Case # <i>ANX EXP II</i> <i>03-10</i>	
Hearing date: <i>3-2-2010</i>	
Date filed: <i>1-28-10</i>	
Fee paid <i>250.00</i>	
Receipt # <i>7043</i>	
Notifications deadline: 5 days <i>2-3-10</i>	
Svc statement deadline: 20 days <i>2-18-10</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"/> 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 \_\_\_\_\_



Evans, Mechwart, Hambleton & Tilton, Inc.  
 Engineers • Surveyors • Planners • Scientists  
 5500 New Albany Road, Columbus, OH 43054  
 Phone: 614.775.4500 Toll Free: 888.775.3648  
 emht.com

# PROPOSED ANNEXATION OF LOT 17 OF WORTHLYNN SUBDIVISION TO THE CITY OF WORTHINGTON FROM SHARON TOWNSHIP

LOT 11, SECTION 3, TOWNSHIP 2, RANGE 18  
 UNITED STATES MILITARY LANDS

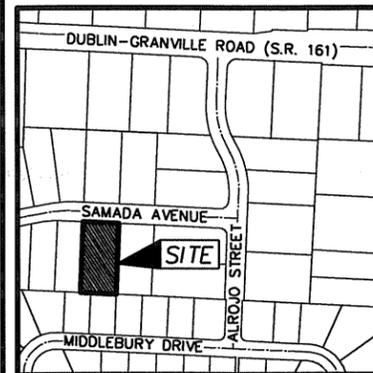
TOWNSHIP OF SHARON, COUNTY OF FRANKLIN, STATE OF OHIO

Date: December 16, 2009  
 Scale: 1" = 50'  
 Job No: 2009-1650

RECEIVED

JAN 28 2010

Franklin County Planning Department  
 Franklin County, Ohio



LOCATION MAP  
 NOT TO SCALE

RECEIVED

DEC 29 2009

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

Note:

Total perimeter of annexation area is 660 feet,  
 of which 660 feet is contiguous with the City  
 of Worthington by Ordinance Numbers 25-58,  
 26-70 and 32-2000, giving 100% perimeter  
 contiguity.

AREA TO BE ANNEXED

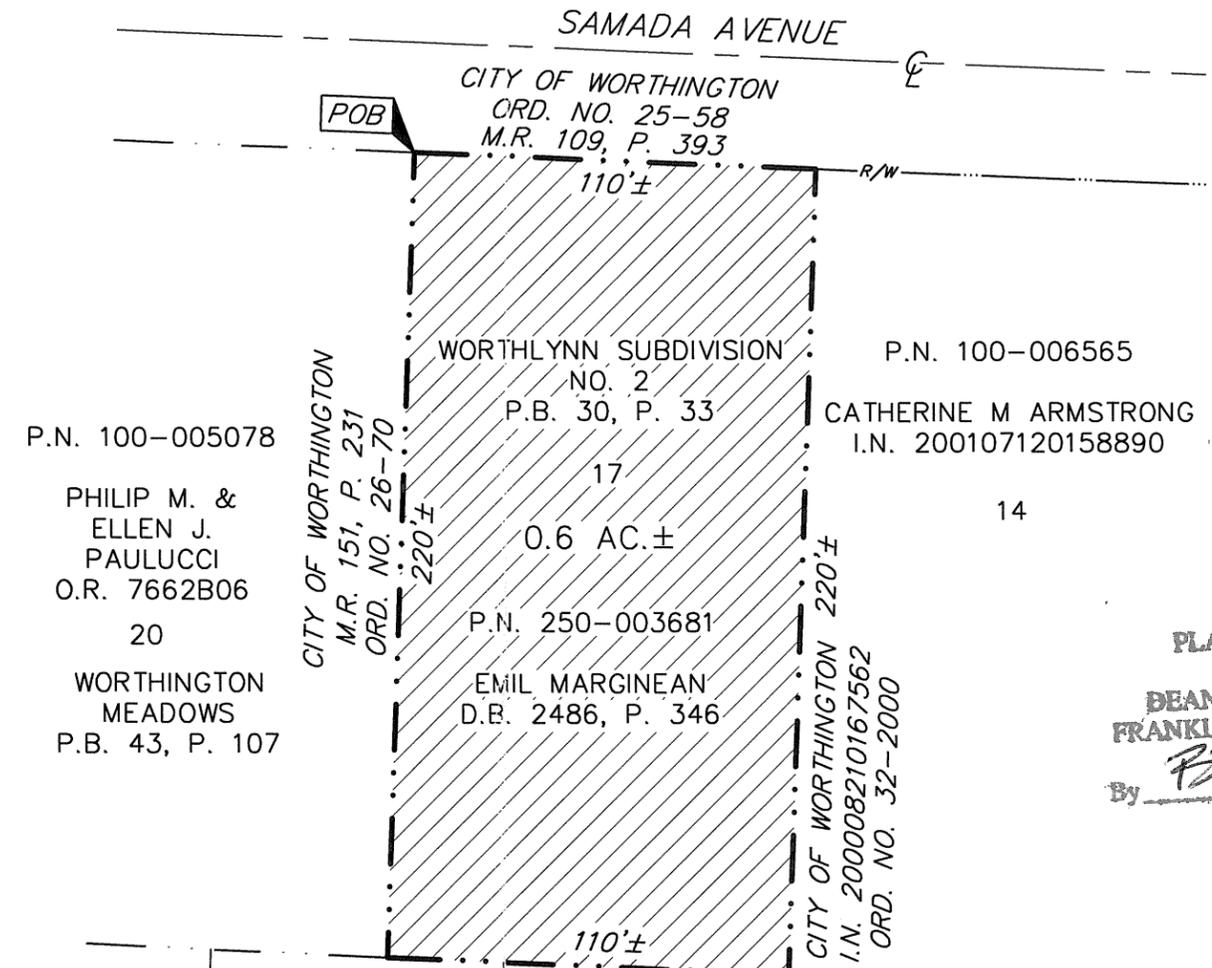


PROPOSED CITY OF COLUMBUS CORPORATION LINE

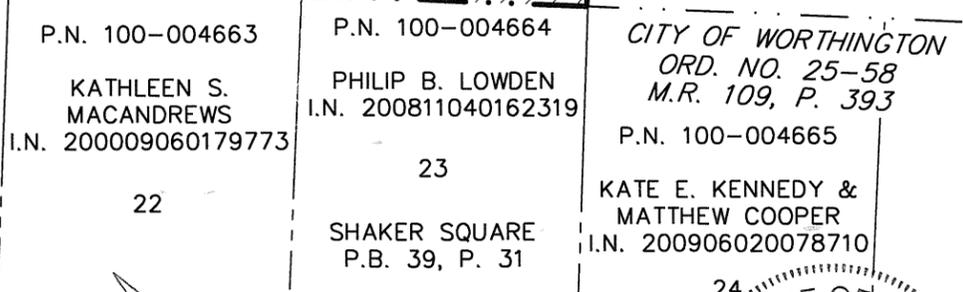
EXISTING CITY OF COLUMBUS CORPORATION LINE



GRAPHIC SCALE  
 (IN FEET)



ANNEXATION  
 PLAT & DESCRIPTION  
 ACCEPTABLE  
 DEAN C. RINGLE, P.E., P.S.  
 FRANKLIN COUNTY ENGINEER  
 By *DRB* Date 1/15/10



By: *[Signature]*  
 Professional Surveyor No. 8250



J:\20091650\20091650SV\DWG\91650AN.DWG plotted by RISSLER, MICHAEL on 12/17/2009 9:14:37 AM last saved by MRSISSLER on 12/17/2009 9:14:32 AM Xrefs:

By [Signature] Date 1/15/10 **PROPOSED ANNEXATION  
LOT 17 OF WORTHLYNN SUBDIVISION NO. 2**

**FROM: SHARON TOWNSHIP**

**TO: CITY OF WORTHINGTON**

Situated in the State of Ohio, County of Franklin, Township of Sharon, Lot 11, Section 3, Township 2, Range 18, United States Military Lands, being all of Lot 17 of that subdivision entitled "Worthlynn Subdivision No. 2" of record in Plat Book 30, Page 33 as conveyed to Emil Marginean by deed of record in Deed Book 2486, Page 346 (all references are to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

BEGINNING at the northwesterly corner said Lot 17, at the northeasterly corner of Lot 20 of that subdivision entitled "Worthington Meadows" of record in Plat Book 43, Page 107 as conveyed to Philip M. and Ellen J. Paulucci by deed of record in Official Record 7662B06, being on the southerly right-of-way line of Samada Avenue and the existing City of Worthington Corporation line as established by Ordinance Number 25-58, of record in Miscellaneous Record 109, Page 393;

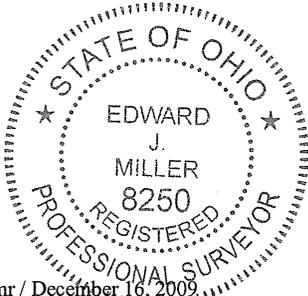
thence southeasterly, with said southerly right-of-way line and with said existing corporation line, a distance of approximately 110 feet to the common corner of said Lot 17 and Lot 14 of said "Worthlynn Subdivision No. 2" as conveyed to Catherine M. Armstrong of record in Instrument Number 200107120158890, being on the existing City of Worthington Corporation line as established by Ordinance Number 32-2000, of record in Instrument Number 200008210167562;

thence southwesterly, with the line common to said Lots 17 and 14 and with said existing corporation line, a distance of approximately 220 feet to the common corner of said Lots 17 and 14, being on the northerly line of Lot 23 of that subdivision entitled "Shaker Square" of record in Plat Book 39, Page 31 as conveyed to Philip B. Lowden by deed of record in Instrument Number 200811040162319 and said existing City of Worthington Corporation line (25-58);

thence northwesterly, with the southerly line of said Lot 17, the northerly line of said Lot 23 and Lot 22 of said "Shaker Square" as conveyed to Kathleen S. MacAndrews by deed of record in Instrument Number 200009060179773 and existing corporation line, a distance of approximately 110 feet, to the common corner of said Lots 17 and 20;

thence northeasterly, with the line common to said Lots 17 and 20 and with the existing City of Worthington Corporation line as established by Ordinance Number 26-70 of record in Miscellaneous Record 151, Page 231, a distance of approximately 220 feet, to the POINT OF BEGINNING and being all of said Lot 17.

This description is for annexation purposes only, and is not to be used for deed transfer.



EJM: mr / December 16, 2009  
LOT 17 ac annex 91650an.doc

EVANS, MECHWART, HAMBLETON, & TILTON, INC.

[Signature] 12/7/09  
Edward J. Miller  
Registered Surveyor No. 8250

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JAN 28 2010

Franklin County Planning Department  
Franklin County, Ohio

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FEB 8 2010

Franklin County Planning Department  
Franklin County, Ohio

RESOLUTION NO. 10-2010

To Establish the Nature and Extent of Services To be Provided to a 0.6 +/- Acres Tract of Land in Sharon Township, Upon Annexation of Said Tract to the City of Worthington. (1945 Samada Avenue)

WHEREAS, Emil Marginean has filed a petition for the annexation of 0.6 +/- acres in Sharon Township to the City of Worthington; and,

WHEREAS, a hearing is scheduled before the Board of County Commissioners of Franklin County on March 2, 2010; and,

WHEREAS, Section 709.031 of 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 for annexation upon annexation;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That the City of Worthington will provide the following services upon annexation:

Police

Police protection would be provided upon annexation. Normal response time is estimated at three to four minutes.

Fire

Fire protection and emergency medical services would be provided by the Worthington Division of Fire and EMS. Normal response time is estimated at approximately five minutes.

Refuse Collection

Residential refuse collection services including recycling and yard waste collection will begin one week after annexation.

Street Maintenance

The City of Worthington currently maintains the portion of Samada Avenue abutting the subject property as the right-of-way is located in the City of Worthington.

RESOLUTION NO. 10-2010

Water/Sanitary Sewer

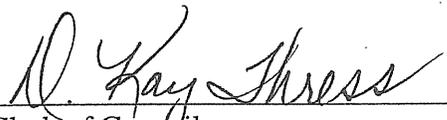
Water service would be available to the subject property from a public water line located in the Samada Avenue right-of-way. Sanitary sewer service is not currently available.

SECTION 2. That the Clerk be and hereby is instructed to record this Resolution in the appropriate Resolution Book.

Adopted February 1, 2010

  
\_\_\_\_\_  
President of Council

Attest:

  
\_\_\_\_\_  
Clerk of Council