

Review of Petition to Annex 1.326 +/- acres from Clinton Township to the city of Columbus by Rebecca L. Egelhoff, Esq. Case #ANX-EXP2-12-10 (ECONOMIC DEVELOPMENT & PLANNING)

WHEREAS, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition that Rebecca L. Egelhoff, Esq. filed on behalf of Goldenroot LLC, Nancy Howley and Evan Davis on June 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 ordinance #1045-2010, passed on July 12, 2010 by the city of Columbus.

Review of Petition to Annex 1.326 +/- acres from Clinton Township to the city of Columbus by Rebecca L. Egelhoff, Esq. Case #ANX-EXP2-12-10 (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, 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 Columbus, Ohio.

Prepared by: R. Lee Brown

C: Economic Development & Planning Department

SIGNATURE SHEET

Resolution No. 0610-10

August 03, 2010

REVIEW OF PETITION TO ANNEX 1.326 +/- ACRES FROM CLINTON TOWNSHIP TO THE CITY OF COLUMBUS BY REBECCA L. EGELHOFF, ESQ. CASE #ANX-EXP2-12-10

(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.


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



Commissioners
 John O'Grady, President
 Paula Brooks
 Marilyn Brown

Economic Development & Planning Department
 James Schimmer, Director

Application for Annexation Petition

Expedited Type 2
 Pursuant to ORC §709.023

RECEIVED

JUN 28 2010

DAM



Property Information	
Site Address 1145 CHAMBERS ROAD	
Parcel ID(s) 130-005490, 130-000066, 010-252454	Total Acreage 1.326 ACRES
From Township Clinton	To Municipality Columbus

Property Owner Information	
Name GOLDENROOT LLC	
Address 6041 Heather Bluff Dr. Dublin, OH 43016	
* Additional property owners information attached	
Phone # 614-717-5555	Fax #
Email	

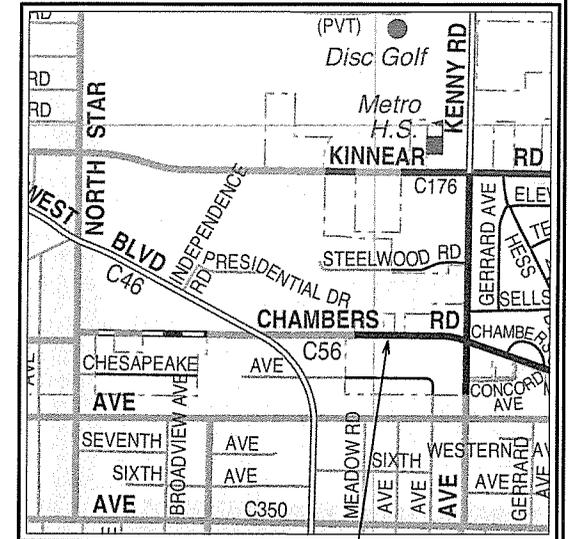
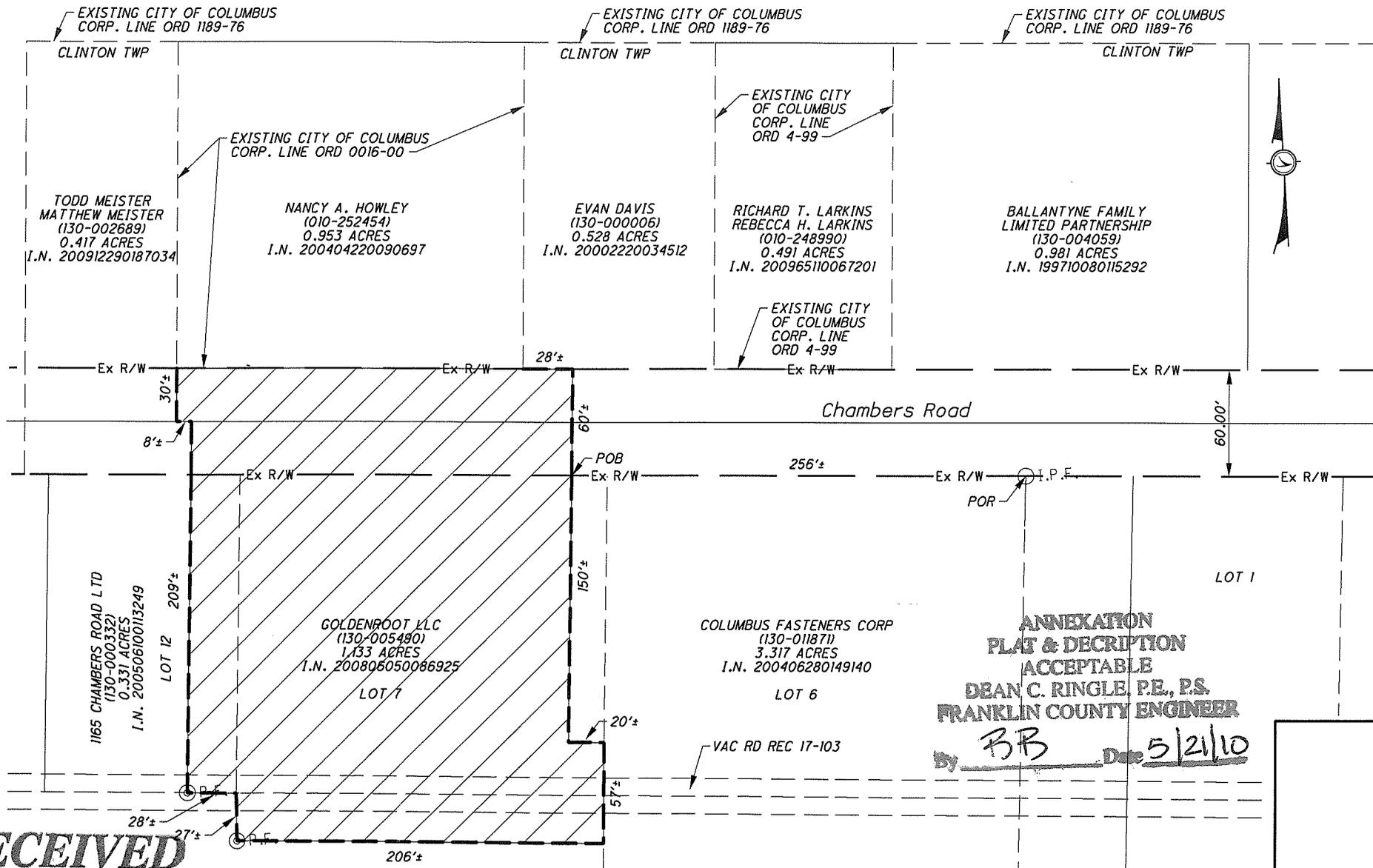
Attorney/Agent Information	
Name REBECCA L. EGELHOFF	
Address MENTEL + ASSOCIATES, LLC 88. E. BROAD ST., STE 2000 COLUMBUS OH 43215	
Phone # 614-227-6040	Fax # 614-227-6041
Email REBECCA@MENTELLEGALGROUP.COM	

Staff Use Only	
Case # ANX EXP 2	
12-10	
Hearing date: 8/3/10	
Date filed: 6/28/10	
Fee paid 250.00	
Receipt # 7200	
Notifications deadline: 5 days 7/2/10	
Svc statement deadline: 20 days 7/17/10	

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 type="checkbox"/>	Map/plat of property
<input checked="" type="checkbox"/>	List of adjacent properties

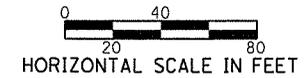
Waiver of Right to Appeal			
<p>WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.</p>			
	5/10/10		5/10/10
Property Owner GOLDENROOT, LLC 130-005490	Date	Property Owner NANCY HOWLEY 010-252454	Date
	5/10/10		5/10/10
Property Owner EVAN DAVIS 130-000066	Date	Property Owner	Date

PROPOSED ANNEXATION OF 1.326 ACRE ± FROM
CLINTON TOWNSHIP TO THE CITY OF COLUMBUS, OHIO



SITUATED IN THE STATE OF OHIO COUNTY OF FRANKLIN, TOWNSHIP OF CLINTON, AND IN JOHN M. PUGH'S SUBDIVISION OF 32 ACRES OF LAND OFF THE EAST END OF THE DOMIGAN FARM SAID PLAT RECORDED IN PLAT BOOK 4, PAGE 324

PREPARED FROM THE BEST AVAILABLE FRANKLIN COUNTY RECORDS, THIS INFORMATION WAS NOT DERIVED FROM AN ACTUAL FIELD SURVEY, AND 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 4793-37.



**ANNEXATION
PLAT & DESCRIPTION
ACCEPTABLE**
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By BB Date 5/21/10

LEGEND
--- EXISTING CITY OF COLUMBUS CORPORATION LIMIT
- - - PROPOSED CITY OF COLUMBUS CORPORATION LIMIT
[Hatched Box] AREA TO BE ANNEXED

RECEIVED

MAY 10 2010

Bruce C. Smith
BRUCE C. SMITH, PS #7670

5-06-10
DATE

PLAN PREPARED BY:
BARR & PREVOST
2800 CORPORATE EXCHANGE DR., STE 240
COLUMBUS, OH 43231
(614) 714-0270 FAX (614) 714-0323

RECEIVED

JUN 28 2010

ANX EXP 2 12-10

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

RECEIVED

MAY 10 2010

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 5/21/10

RECEIVED

JUN 28 2010

ANX EXP 2 12-10

Proposed Annexation Description
Annexation of 1.326 Acres
Goldenroot LLC, Parcel ID 130-005490-00
Parcel 010-252454, Part
Parcel 130-000006, Part

From Clinton Township to the City of Columbus

Situated in the County of Franklin, State of Ohio and Township of Clinton, and including the entirety of a parcel of land owned by Goldenroot LLC, Parcel ID 130-005490 (I.N. 200806050086925), a portion of the parcel of land owned by Nancy A. Howley, Parcel ID 010-252454 (I.N. 200404220090697), and a portion of the parcel of land owned by Evan Davis, Parcel ID 130-000006 (I.N. 20002220034512).

Being parts of lots and vacated alley in John M. Pugh's subdivision, of 32 acres of land off of the east end of the Domigan Farm in Clinton Township, Franklin County, Ohio, said lots and alley are numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, Page 324, Recorder's Office, Franklin County, Ohio, and being described as follows:

Beginning for reference at a 5/8" iron pin (found) at the northeast corner of lot number 6 of the aforementioned John M. Pugh's subdivision; thence in a westerly direction along the south right-of-way line of Chambers Road, two-hundred fifty-six feet (256') ± to a point on the east line of Goldenroot LLC, Parcel 130-005490, said point being the POINT OF BEGINNING of this description;

Thence, southwardly along the west line of Columbus Fasteners Corporation, Parcel 130-011871 (I.N. 200406280149140), one-hundred fifty feet (150') ± to a point;

Thence, continuing along the Columbus Fasteners Corporation parcel, eastwardly twenty feet (20') ± to a point;

Thence, southwardly along the west line of Columbus Fasteners Corporation, Parcel 130-011871, fifty-seven feet (57') ± to a point;

Thence, westwardly along the Columbus Fasteners Corporation parcel, two-hundred six feet (206') ± to a ¾" iron pipe (found);

Thence, northwardly along the east line of Hwang, Shie-Ming & Hwang, Kai-Lun H, Parcel 130-005496 (I.N. 200006130116924), twenty-seven feet (27') ± to a RR Spike (found);

Thence, westwardly along the north line of Hwang, Shie-Ming & Hwang, Kai-Lun H, Parcel 130-005496, twenty-eight feet (28') ± to ¾" iron pipe (found);

Thence, northwardly along the east line of 1165 Chambers Road LTD, Parcel 130-000332 (I.N. 200506100113249); two-hundred nine feet (209') ± to a point in Chambers Road;

Thence, westwardly along the centerline of Chambers Road, eight feet (8') ± to the point;

Thence, northwardly, thirty feet (30') ± to the north right-of-way line of Chambers Road;

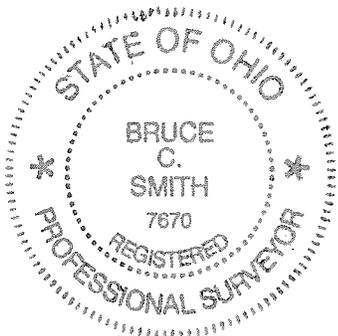
Thence, eastwardly, one-hundred and ninety-five feet (195') ± along the north right-of-way line of Chambers Road, land owned by Nancy A. Howley, Parcel 010-252454 (I.N. 200404220090697), and the City of Columbus Corporation Line (ORD. 0016-00) to a point;

Thence, continuing eastwardly, twenty eight (28') ± along the north right-of-way line of Chambers Road and land owned by Evan Davis, Parcel 130-000006 (I.N. 20002220034512), to a point;

Thence, southwardly, sixty feet (60') ± to the POINT OF BEGINNING.

The above description contains approximately 1.326 acres, more or less; and describes the entirety of Parcel 130-005490 and portions of Parcel 010-252454 and Parcel 130-000006, includes portions of lots 7, 8 and 12 of the aforementioned John M. Pugh's subdivision and a portion of the vacated alley (Vacated, Road Record 17, Page 103) within its perimeter.

The above description was prepared from available Franklin County Records and not from an actual field survey and 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 4793-37.



BARR & PREVOST ENGINEERING & SURVEYING

By Bruce C. Smith 5-6-10
Bruce C. Smith
Professional Surveyor No. 7670



RECEIVED

JUL 16 2010

City of Columbus
Legislation Report

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

ORIGINAL

Franklin County Planning Department
Franklin County, OH
File Number: 1045-2010

Emergency
DAM
ANN EXP 2 12-10

File Number: 1045-2010

File Type: Ordinance

Status: Clerk's Office for Council

Version: 1

Controlling Body: Development Committee

File Name: Annexation Service AN10-003: 1.326 Acres, Clinton Township, Goldenroot, LLC

Introduced: 6/29/2010

Requester: Dev Drafter

Cost:

Final Action:

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.: Lori Baudro 645-6986

Floor Action (Clerk's Office Only)

JUL 12 2010

Passed 7-0

I hereby certify that the above or attached is a true and correct copy of Ordinance No 1045-2010 passed by The Council of The City of Columbus Ohio 7/12, 2010, as shown by the records now on file in this office.

Seal Andrea Blewins
City Clerk

Mayor's Action

JUL 14 2010

Council Action

JUL 12 2010

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 (AN10-003) of 1.326 ± acres in Clinton Township to the City of Columbus as required by the Ohio Revised Code; and to declare an emergency.

Sponsors:

Indexes:

Attachments: ORD1045-2010 AN10-003 Legal Description.doc, ORD1045-2010 AN10-003 Map (1145 Chambers Rd).doc

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Dev Drafter	6/29/10	Sent for Approval	DEVELOPMENT DIRECTOR			
	Action Note:	Planning Division					
1	DEVELOPMENT DIRECTOR	6/29/10	Reviewed and Approved	Dev Drafter			
	Action Note:	nmb					
1	Dev Drafter	6/30/10	Sent to Clerk's Office for Council	City Clerk Inbox			

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 Attorneys Office as to its form and legality only.

Explanation

AN10-003

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 Clinton 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. Should the petition be approved by the County Commissioners, a second City ordinance accepting the annexation will be required. 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 (AN10-003) of 1.326 ± acres in Clinton 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 Clinton Township was duly filed on behalf of Goldenroot LLC, et al. on June 28, 2010; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin County on August 3, 2010; 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 subject property and associated Right-of-Way proposed for annexation are located within the boundaries of the adopted Fifth by North West Neighborhood Plan and the existing and anticipated land use is consistent with Plan recommendations; 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 1.326 ± acres in Clinton 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: Residential refuse collection services will be available for residential uses upon annexation of the property. However, commercial 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: The site will be served by the existing twenty-inch (20") water main located in Chambers Road.

Sewer:

Sanitary Sewer: There is no sewer currently available to serve the property without a mainline extension. The nearest available sewer appears to be approximately 635 feet east crossing Chambers Road just west of Virginia Avenue. An engineering assessment and plans will be required to evaluate sewer capacity. All costs related to accessing city sewer services are the responsibility of the owner/developer. Permission to tap the sewer is required.

Storm Sewer: All storm sewers necessary for development/redevelopment of the area shall be designed in accordance

with design policy and zoning codes in effect at the time of development All sanitary and storm sewers required shall be constructed privately by the owners/developers at their own cost and expense with no cost to the city.

Section 2. If this 1.326 ± 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 Clinton 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 Clinton 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

LEGAL DESCRIPTION
ANNEXATION AN10-003
1.326 ± Acres in Clinton Township
Columbus Board of Education

Situated in the County of Franklin, State of Ohio and Township of Clinton, and including the entirety of a parcel of land owned by Goldenroot LLC, Parcel ID 130-005490 (I.N. 200806050086925), a portion of the parcel of land owned by Nancy A. Howley, Parcel ID 010-252454 (I.N. 200404220090697), and a portion of the parcel of land owned by Evan Davis, Parcel ID 130-000006 (I.N. 20002220034512).

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