ICE MILLER LLP
LEGAL COUNSEL

MEMORANDUM

TO: Dublin City Council
Marsha Grigsby, City Manager

FROM: Stephen J. Smith
Jennifer Readler

DATE: February 7, 2013

RE: Ordinance 11-13 - Municipal Petition for Annexation of 2.232 Acres of Right-of-Way within the Cosgray Road/Shier-Rings Road Roundabout Project

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I. INTRODUCTION:

The City of Dublin owns several segments of right-of-way that are part of the recently completed Cosgray Road/Shier-Rings Roundabout project. The Law Department has been asked to assist the City in annexing these segments of right-of-way into the City of Dublin corporate limits.

Several additional portions of right-of-way are owned by Franklin County. The Franklin County Engineer's office has asked that Dublin include these segments in the annexation petition so as to provide for uniform maintenance and service. All of the property is currently located in Washington Township.

Because the segments are not all contiguous to each other, three separate annexations are required to be filed. The surveys and legal descriptions for the three annexations have already been approved by the Franklin County Engineer's Office.

II. BACKGROUND:

The Cosgray Road/Shier-Rings Road Roundabout Project consisted of a single lane roundabout at the existing intersection of Cosgray Road and Shier-Rings Road. The roundabout has concrete curb and gutter, pedestrian crosswalks, and street lighting. This project has provided a shared-use path connection from the Ballantrae Subdivision which is south of the roundabout to Darree Fields Park - located west of the roundabout. The project has provided approximately 2,700 feet of improved storm sewers and ditch drainage east of the roundabout along the north side of Shier-Rings Road.

III. RECOMMENDATION:

The proposed ordinance would authorize the Law Director's office to file an annexation petition with the Franklin County Commissioners and to act as the City's agent. Upon filing the municipal annexation petition, the Franklin County Commissioners has 30 days to consider the petition. Once the petition is granted, no further action is required by the City.

Please contact this office if you have any questions regarding this annexation petition.

Ordinance No. 11-13 Passed _____, 20____

AN ORDINANCE TO PETITION THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO FOR ANNEXATION OF APPROXIMATELY 2.232 ACRES OF LAND, LOCATED ON COSGRAY ROAD, 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 right-of-way on Cosgray Road 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 in order to maintain consistent service levels; 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, _____ of the elected members concurring**:**

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 2.232 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.

Passed this _____ day of _____, 2013.

_____
Mayor – Presiding Officer

ATTEST:

_____
Clerk of Council

RECEIVED

JAN 03 2013

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

ANNEXATION
PLAT & DECRIPTION
ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By BB Date 1/3/13

2.232 ACRE ANNEXATION DESCRIPTION
FROM WASHINGTON TOWNSHIP TO CITY OF DUBLIN

Situated in the State of Ohio, County of Franklin, Township of Washington, being located in Virginia Military Survey Number 6748, and being 2.232 acres within the existing right-of-way for Cosgray Road, as conveyed in fee to the **City of Dublin, Ohio** as right-of-way parcels described in the following four (4) instruments of record:

Instrument Number 201206220089839 (1.503 acre parcel),
Instrument Number 201206280092879 (0.786 acre and 0.271 acre parcels),
Instrument Number 201209040129522 (0.110 acre parcel),

and to the **Board of County Commissioners of Franklin County, Ohio** as dedicated in Plat Book 84, page 5 and by a resolution recorded in Instrument Number 201212210197590, all records reference are on file at the Office of the Recorder for Franklin County, Ohio, and said annexation area being further bounded and described as follows:

BEGINNING at the intersection of the original east right-of-way line for Cosgray Road (established by a 60 foot wide road easement and referenced in Road Record 7, page 243) and the easterly extension of the south line of a 27.612 acre tract conveyed to Denise M. Jewett and the easterly extension of the north line of a 17.331 acre tract conveyed to City of Dublin, Ohio, being within said 1.503 acre City of Dublin right-of-way parcel, being the northeast corner of an existing corporation line for the City of Dublin established by Ordinance Number 05-06, of record in Instrument Number 200603240055084, and being located on an existing west corporation line for the City of Dublin established by Ordinance Number 62-02, of record in Instrument Number 200205290131857;

Thence **South 83 degrees 58 minutes 17 seconds West**, along the easterly extension of the south line of said Jewett tract, along the north line of said 17.331 acre Dublin tract and the easterly extension thereof, across said 1.503 acre right-of-way parcel, along the south line of said 0.786 acre City of Dublin right-of-way parcel, along a north corporation line previously described as established by Ordinance Number 05-06, and along an existing north corporation line for the City of Dublin established by Ordinance Number 105-98, of record in Instrument Number 199906160153555, a distance of **141.53 feet** to the existing west right-of-way line for said Cosgray Road as established by said Instrument Number 201206280092879, being the southwest corner of said 0.786 acre right-of-way parcel, and being the southeast corner of said Jewett tract;

Thence **North 28 degrees 12 minutes 08 seconds East**, along the existing west right-of-way line for said Cosgray Road, along a northwest line of said 0.786 acre right-of-way parcel, along a southeast line of said Jewett tract, a distance of **97.94 feet** to an angle point in the existing west right-of-way line for said Cosgray Road;

Thence **North 12 degrees 05 minutes 58 seconds West**, along the existing west right-of-way line for said Cosgray Road, along a west line of said 0.786 acre right-of-way parcel, along an east line of said Jewett tract, a distance of **139.62 feet** to the original and existing west right-of-way line for said Cosgray Road;

2.232 ACRE ANNEXATION DESCRIPTION

Thence **North 16 degrees 23 minutes 37 seconds West**, along the original and existing west right-of-way line for said Cosgray Road, along the west line of said 0.786 acre right-of-way parcel, along the east line of said Jewett tract, a distance of **575.29 feet** to an angle point in the original and existing west right-of-way line for said Cosgray Road;

Thence **North 14 degrees 12 minutes 25 seconds West**, along the original and existing west right-of-way line for said Cosgray Road, along the west line of said 0.786 acre tract, along the east line of said Jewett tract, and also along the west line of said 0.110 acre City of Dublin right-of-way parcel, and also along the east line of a 1.00 acre tract conveyed to City of Dublin, Ohio, and also along the west line of said 0.271 acre City of Dublin right-of-way parcel, a distance of **747.97 feet** to the northwest corner of said 0.271 acre right-of-way parcel, being a northeast corner of said Jewett tract, being on the south line of a 19.577 acre tract conveyed to City of Dublin, Ohio, and being on an existing south corporation line for the City of Dublin established by Ordinance Number 04-98, of record in Instrument Number 199803030047299;

Thence **North 84 degrees 04 minutes 37 seconds East**, along the north line of said 0.271 acre right-of-way parcel, along the south line of said 19.577 acre Dublin tract and the easterly extension thereof, along the north line of said 0.271 acre right-of-way parcel and across the said right-of-way dedicated to Franklin County, and along the corporation line previously described, a distance of **60.63 feet** to the original east right-of-way line for said Cosgray Road, being on the west line of a strip of right-of-way dedicated to City of Dublin, Ohio by the Northwest Dublin Commercial Park Phase II plat, of record in Plat Book 84, page 5, and being on an existing west corporation line for the City of Dublin as established by Ordinance Number 65-91, of record in Official Record 18548, page D11;

Thence **South 14 degrees 12 minutes 25 seconds East**, along the original east right-of-way line for said Cosgray Road, along the west line of said strip of dedicated right-of-way, and along the corporation line previously described, a distance of **743.14 feet** to the southwest corner of said strip of dedicated right-of-way, being on the north line of said 1.503 acre City of Dublin right-of-way parcel and being a southwest corner of the corporation line previously described;

Thence **North 84 degrees 16 minutes 53 seconds East**, along the south line of said strip of dedicated right-of-way, along the north line of said 1.503 acre right-of-way parcel, and along the south corporation line previously described, a distance of **0.20 feet** to the original and existing east right-of-way line for said Cosgray Road, being the northeast corner of said 1.503 acre right-of-way parcel, being the northwest corner of a 64.219 acre tract conveyed to SR Associates, and being the northwest corner of an existing corporation line for the City of Dublin as established by said Ordinance Number 62-02, of record in Instrument Number 200205290131857;

Thence **South 16 degrees 23 minutes 37 seconds East**, along the original and existing east right-of-way line for said Cosgray Road, along the east line of and across said 1.503 acre right-of-way parcel, along the west line of said SR Associates tract, and along the west corporation line previously described, a distance of **803.51 feet** to the **POINT OF BEGINNING** for this description.

2.232 ACRE ANNEXATION DESCRIPTION

The above described area to be annexed to the City of Dublin contains a total area of **2.232 acres**, located entirely within the existing right-of-way for Cosgray Road, adjacent to the following Franklin County Auditor's parcel numbers: 274-000660, 274-001008, 272-000085, 272-000586, 274-001006, and 274-000150.

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.

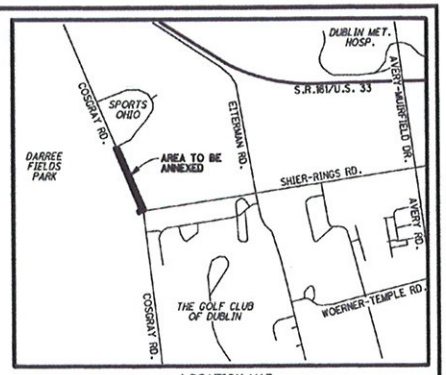
American Structurepoint, Inc.
2550 Coprorate Exchange Drive, Suite 300
Columbus, Ohio 43231

Brian P. Bingham
Registered Professional Surveyor No. 8438

1/2/2013
Date

PROPOSED 2.232 ACRE ANNEXATION
FROM WASHINGTON TOWNSHIP TO CITY OF DUBLIN

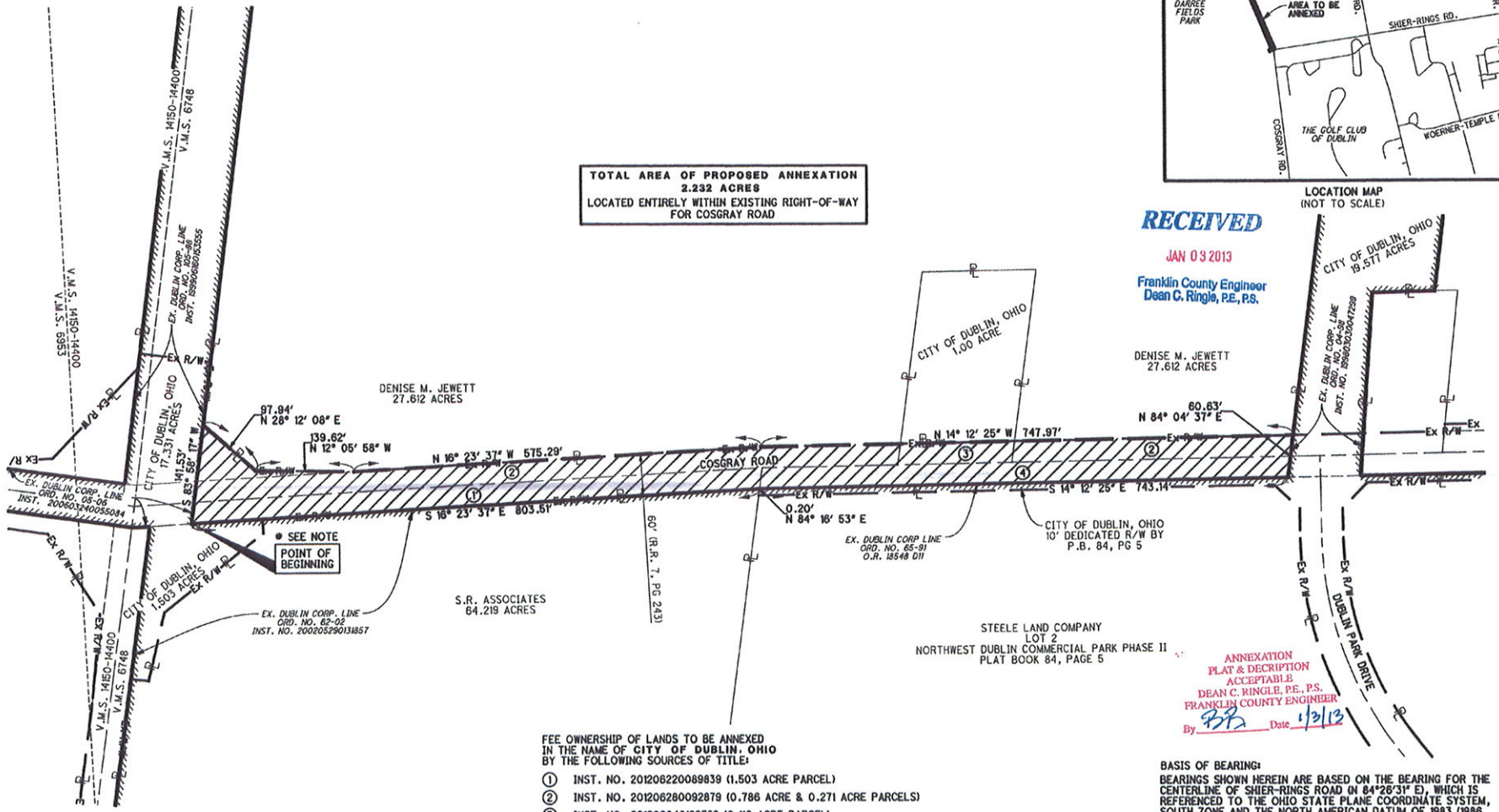
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF WASHINGTON, AND BEING LOCATED IN VIRGINIA MILITARY SURVEY NUMBER 6748.



LOCATION MAP
(NOT TO SCALE)

TOTAL AREA OF PROPOSED ANNEXATION
2.232 ACRES
LOCATED ENTIRELY WITHIN EXISTING RIGHT-OF-WAY FOR COSGRAY ROAD

RECEIVED
JAN 03 2013
Franklin County Engineer
Dean C. Ringle, P.E., P.S.



ANNEXATION PLAT & DECRIPTION ACCEPTABLE
DEAN C. RINGLE, P.E., P.S.
FRANKLIN COUNTY ENGINEER
By BPB Date 1/3/13

FEE OWNERSHIP OF LANDS TO BE ANNEXED IN THE NAME OF **CITY OF DUBLIN, OHIO** BY THE FOLLOWING SOURCES OF TITLE:

1. INST. NO. 201206220089839 (1.503 ACRE PARCEL)
2. INST. NO. 201206280092879 (0.786 ACRE & 0.271 ACRE PARCELS)
3. INST. NO. 201209040129522 (0.110 ACRE PARCEL)

FEE OWNERSHIP OF LANDS TO BE ANNEXED IN THE NAME OF **BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO** BY THE FOLLOWING SOURCE OF TITLE:

4. 30' R/W DEDICATED BY P.B. 84, PG 5 AND BY RESOLUTION RECORDED IN INST. NO. 201212210197590

BASIS OF BEARING:
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".

*POINT OF BEGINNING NOTE:
SOUTH LINE OF 27.612 ACRE TRACT & NORTH LINE OF 17.331 ACRE TRACT EXTENDED EAST TO THE ORIGINAL EAST R/W LINE FOR COSGRAY ROAD.

100' 0' 100' 200' 300'
1" = 100'

LEGEND
- EXISTING CITY OF DUBLIN CORP. LINE — WASHINGTON TOWNSHIP (TYP.) / CITY OF DUBLIN (TYP.)
- PROPOSED CITY OF DUBLIN CORP. LINE
- AREA TO BE ANNEXED INTO THE CITY OF DUBLIN

THIS ANNEXATION PLAT WAS PREPARED BY BRIAN P. BINGHAM, PS 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
REGISTERED PROFESSIONAL SURVEYOR NO. 8438
1/2/2013
DATE

STATE OF OHIO BRIAN P. BINGHAM 8438 REGISTERED PROFESSIONAL SURVEYOR

ANNEX. NO.	ORD. NO.

DRAWING PREPARED BY:
AMERICAN STRUCTUREPOINT INC.
2550 CORPORATE EXCHANGE DR. SUITE 300
COLUMBUS, OH 43231
TEL 614.901.2235 FAX 614.901.2236
www.structurepoint.com

SCALE: 1" = 100'	DATE: 9/20/2012	DRAWN BY: BPB	JOB NO. 2009.00614