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 13-13 - Municipal Petition for Annexation of 0.258 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.

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.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 13-13 *Passed* _____, 20____

AN ORDINANCE TO PETITION THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO FOR ANNEXATION OF APPROXIMATELY 0.258 ACRES OF LAND, LOCATED ON COSGRAY AND SHIER-RINGS ROADS, TO THE CITY OF DUBLIN

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

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

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

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

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, that:

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

Section 2. The Law Director's Office of the City of Dublin is hereby directed to petition the Franklin County Commissioners for annexation of 0.258 acres of land located in Washington Township, Franklin County, Ohio, in accordance with Ohio Revised Code Sections 709.14 through 709.16, and to serve as the City of Dublin's agent in this annexation proceeding.

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

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

Passed this _____ 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

0.258 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 Numbers 6953 and 14150-14400, and being 0.258 acres within the existing right-of-way for Cosgray Road, as conveyed in fee to the **City of Dublin, Ohio** as a 0.681 acre right-of-way parcel described in Instrument Number 201206280092881, 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 west 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 north line of said 0.681 acre right-of-way parcel, being the south line of a 17.331 acre tract conveyed to City of Dublin, Ohio, being on an existing south corporation line for the City of Dublin established by Ordinance Number 105-98, of record in Instrument Number 199906160153555, and being on an existing west corporation line for the City of Dublin as established by Ordinance Number 05-06, of record in Instrument Number 200603240055084;

Thence **South 05 degrees 01 minute 43 seconds East,** along the original west right-of-way line for said Cosgray Road, across said 0.681 acre right-of-way parcel, and along the previously described west corporation line, a distance of **224.97 feet** to the existing west right-of-way line for said Cosgray Road as established by said Instrument Number 201206280092881, being an easterly corner of a 33.6 acre tract conveyed to Denise M. Jewett;

Thence **North 15 degrees 44 minutes 15 seconds West,** along the existing west right-of-way line for said Cosgray Road, along a southwest line for said 0.681 acre right-of-way parcel, and along a northeast line of said Jewett tract, a distance of **121.65 feet** to an angle point in said existing right-of-way line;

Thence **North 59 degrees 26 minutes 24 seconds West,** along the existing west right-of-way line for said Cosgray Road, along a southwest line of said 0.681 acre right-of-way parcel, and along a northeast line of said Jewett tract, a distance of **176.21 feet** to the northwest corner of said 0.681 acre right-of-way parcel, being a northeast corner of said Jewett tract, being on the south line of said 17.331 acre City of Dublin tract, and being on the existing south corporation line for the City of Dublin as established by said Ordinance Number 105-98;

Thence **North 83 degrees 58 minutes 17 seconds East,** along the north line of said 0.681 acre right-of-way parcel, along the south line of said 17.331 acre Dublin tract, and along the previously described south corporation line, a distance of **165.93 feet** to the **POINT OF BEGINNING** for this description.

The above described area to be annexed to the City of Dublin contains a total area of **0.258 acres,** located entirely within City of Dublin fee-owned right-of-way for Cosgray Road, adjacent to Franklin County Auditor's parcel numbers: 274-001008 and 272-000195.

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".

0.258 ACRE ANNEXATION DESCRIPTION

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.

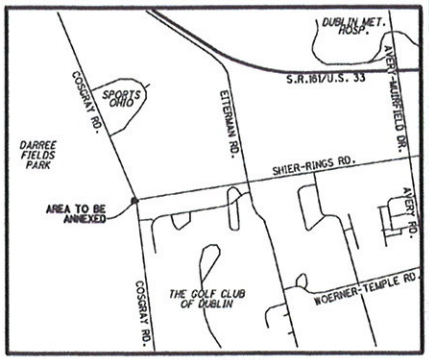
American Structurepoint, Inc.
2550 Coprorate Exchange Drive, Suite 300
Columbus, Ohio 43231

Brian P. Bingham
Registered Professional Surveyor No. 8438

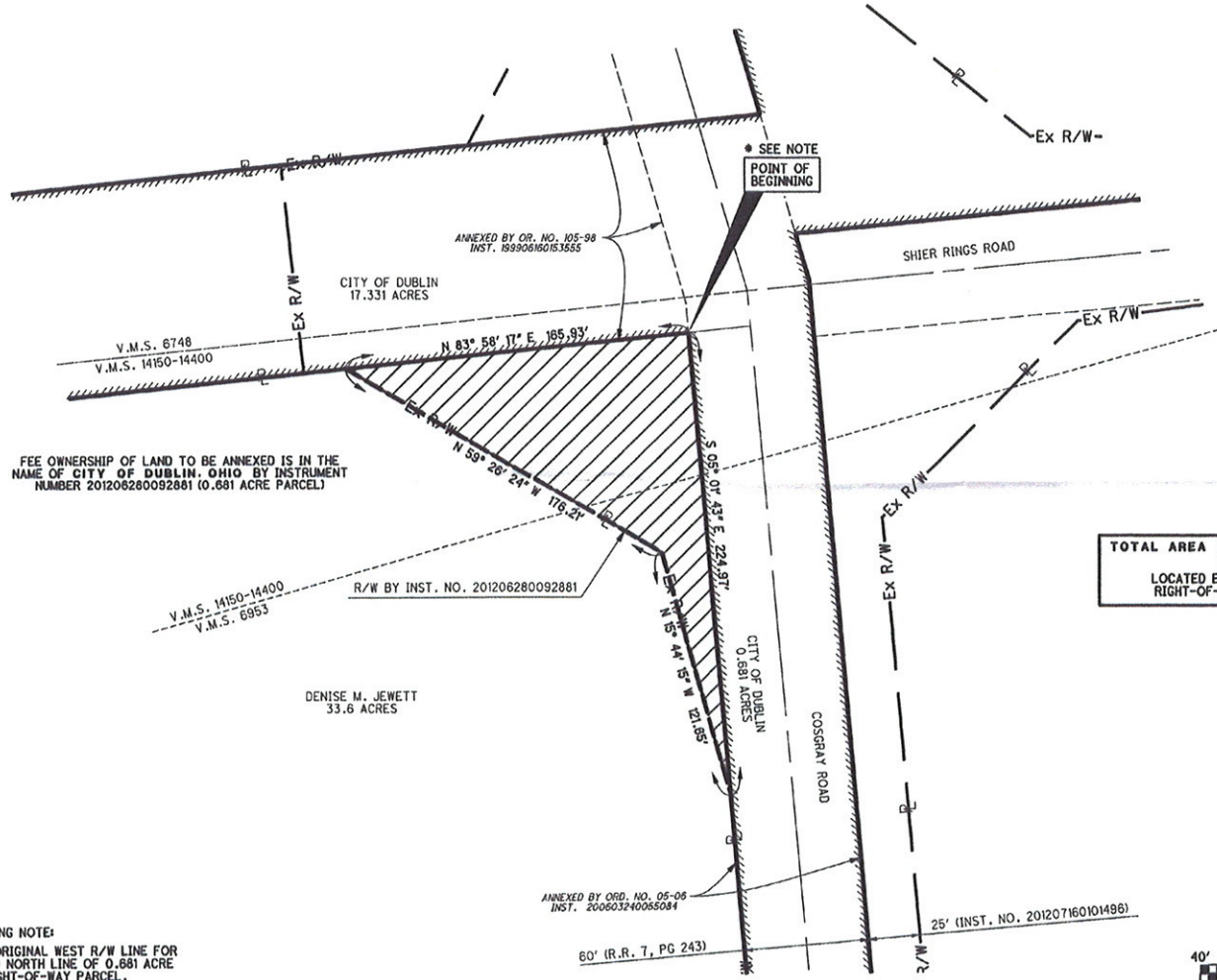
1/2/2013
Date

PROPOSED 0.258 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 NUMBERS 6953 AND 14150-14400.



LOCATION MAP
(NOT TO SCALE)



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

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

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

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".

40' 0' 40' 80' 120'
1" = 40'

N

*POINT OF BEGINNING NOTE:
INTERSECTION OF ORIGINAL WEST R/W LINE FOR COSGRAY ROAD AND NORTH LINE OF 0.681 ACRE CITY OF DUBLIN RIGHT-OF-WAY PARCEL.

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.

1/2/2013
BRIAN P. BINGHAM DATE
REGISTERED PROFESSIONAL SURVEYOR NO. 8438

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" = 40'	DATE: 9/24/2012	DRAWN BY: BPB	JOB NO. 2009.00614