

MEMORANDUM

To: Dublin City Council
Marsha I. Grigsby, City Manager
Anne Clarke, Clerk of Council

From: Stephen J. Smith, Law Director
Jennifer D. Readler, Assistant Law Director

Date: August 7, 2014

Re: Ordinance 79-14—Annexation of 3.5 Acres of Land from Washington Township

SUMMARY

The City purchased these parcels from the Estate of Patricia Grimm Schumann (Mike Murphy, Trustee) in 2003. Both of the parcels are located entirely in Washington Township. The parcel numbers for the sites are 270-00187 and 270-000188. The 3.5 acres also contains a portion of Dublin Road, which fronts both parcels and connects City boundaries. The two parcels and roadway total 3.5 acres (“the Property”).

The ordinance for your consideration 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 in order to bring the Property into the City of Dublin.

The acquisition of the Schumann parcels was partially funded through a Clean Ohio Conservation Fund grant. The opportunity to purchase the property arose during the land acquisition for the Emerald Parkway Bridge. The City acquired the land because it afforded the City the opportunity to increase the ability to protect water resources and preserve the wildlife habitat in this sensitive riparian habitat. The Property provides additional park acreage adjacent to other City-owned parcels. The Property also provides river access.

Franklin County requested the City include the portion of Dublin Road along the frontage in the annexation so that eventually Dublin Road will be in the City. The City already maintains/plows this section of roadway.

For these reasons, it is critical that the property be annexed to Dublin in order to maintain an integrated park system and Dublin Road continuity. As always, please do not hesitate to contact this office if you have any questions or wish to discuss this matter further.

RECOMMENDATION

Staff recommends that Council approve Ordinance 79-14 at the second reading/public hearing on August 25, 2014.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

79-14

Ordinance No. _____ Passed _____, 20____

AN ORDINANCE PETITIONING THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO FOR ANNEXATION OF APPROXIMATELY 3.5 ACRES OF LAND, LOCATED ON DUBLIN ROAD NEAR INTERSTATE 270, 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 Dublin Road near Interstate I-270 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 acquisition of the land was partially funded through a Clean Ohio Conservation grant to afford the City the opportunity to protect water resources, preserve the wildlife habitat for public park purposes and to provide river access; 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; and

WHEREAS, the Franklin County Application for a municipal annexation petition is attached hereto.

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 3.5 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 further the annexation petition.

Section 4. This ordinance shall be effective upon the earliest date permitted by law.

Passed this _____ day of _____, 2014

Mayor – Presiding Officer

ATTEST:

Clerk of Council

RECEIVED

MAY 10 2014

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

**PROPOSED ANNEXATION
3.5 ACRES**

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

By BB Date 5/10/14

**FROM: WASHINGTON TOWNSHIP
TO: CITY OF DUBLIN**

Situated in the State of Ohio, County of Franklin, Township of Washington, located in Virginia Military Survey Number 2542, being all of Lots 22 and 23 of that subdivision entitled "Luther Mitchell's Scioto Shores" of record in Plat Book 18, Page 37 as conveyed to City of Dublin, Ohio by deed of record in Instrument Number 200310020316534 and being part of the right-of-way of Dublin Road (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

BEGINNING on the westerly bank of the Scioto River, at a northeasterly corner of said Lot 22, the southeasterly corner of Lot 21 of said "Luther Mitchell's Scioto Shores", as conveyed to Cardinal Health Inc. by deed of record in Instrument Number 199909210237897, being on the southerly line of the existing City of Dublin Corporation Line as established by Ordinance Number 112-98 and recorded in Instrument Number 199811100288726;

thence Southerly, with the easterly line of said Lot 22 and said westerly bank of the Scioto River, an approximate distance of 103 feet to a point;

thence Southerly, with the easterly line of said Lot 23 and said westerly bank of the Scioto River, an approximate distance of 97 feet to the northeasterly corner of Lot 24 of said "Luther Mitchell's Scioto Shores" as conveyed to Jeffrey Weingarten and Virginia M. Acosta by deed of record in Instrument Number 199811300306543;

thence Westerly, with the northerly line of said Lot 24, the southerly line of said Lot 23, an approximate distance of 610 feet to a point on the easterly right-of-way line of said Dublin Road;

thence Southerly, with said easterly right-of-way line, an approximate distance of 300 feet to a point;

thence Westerly, across the right-of-way of said Dublin Road, an approximate distance of 60 feet to a point on the existing City of Dublin Corporation Line as established in Ordinance Number 13-65 and recorded in Miscellaneous Record 139, Page 282;

thence Northerly, across the right-of-way of said Dublin Road and with said existing City of Dublin Corporation Line, an approximate distance of 299 feet to a point;

thence Northerly, continuing across the right-of-way of said Dublin Road and with said existing City of Dublin Corporation Line, an approximate distance of 205 feet to a point on said City of Dublin Corporation Line;

thence Easterly, across said right-of-way line, with the northerly line of said Lot 22 and with said existing City of Dublin Corporation Line, an approximate distance of 644 feet to the POINT OF BEGINNING, and containing approximately 3.5 acres of land.

THIS DESCRIPTION IS FOR ANNEXATION PURPOSES ONLY, AND IS NOT TO BE USED FOR DEED TRANSFER.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Edward J. Miller
Registered Surveyor No. 8250



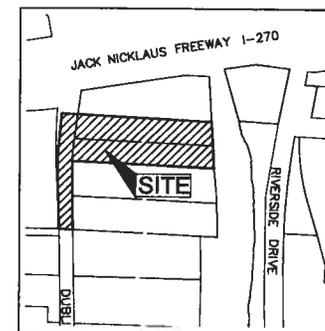
DAN:td
3_5 ac. 20140037-VS-ANNX

ANNEXATION OF 3.5± ACRES

TO THE CITY OF DUBLIN FROM WASHINGTON TOWNSHIP

VIRGINIA MILITARY SURVEY NO. 2542

TOWNSHIP OF WASHINGTON, COUNTY OF FRANKLIN, STATE OF OHIO



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

RECEIVED

MAY 12 2014

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

AREA TO BE ANNEXED

PROPOSED CITY OF DUBLIN CORPORATION LINE

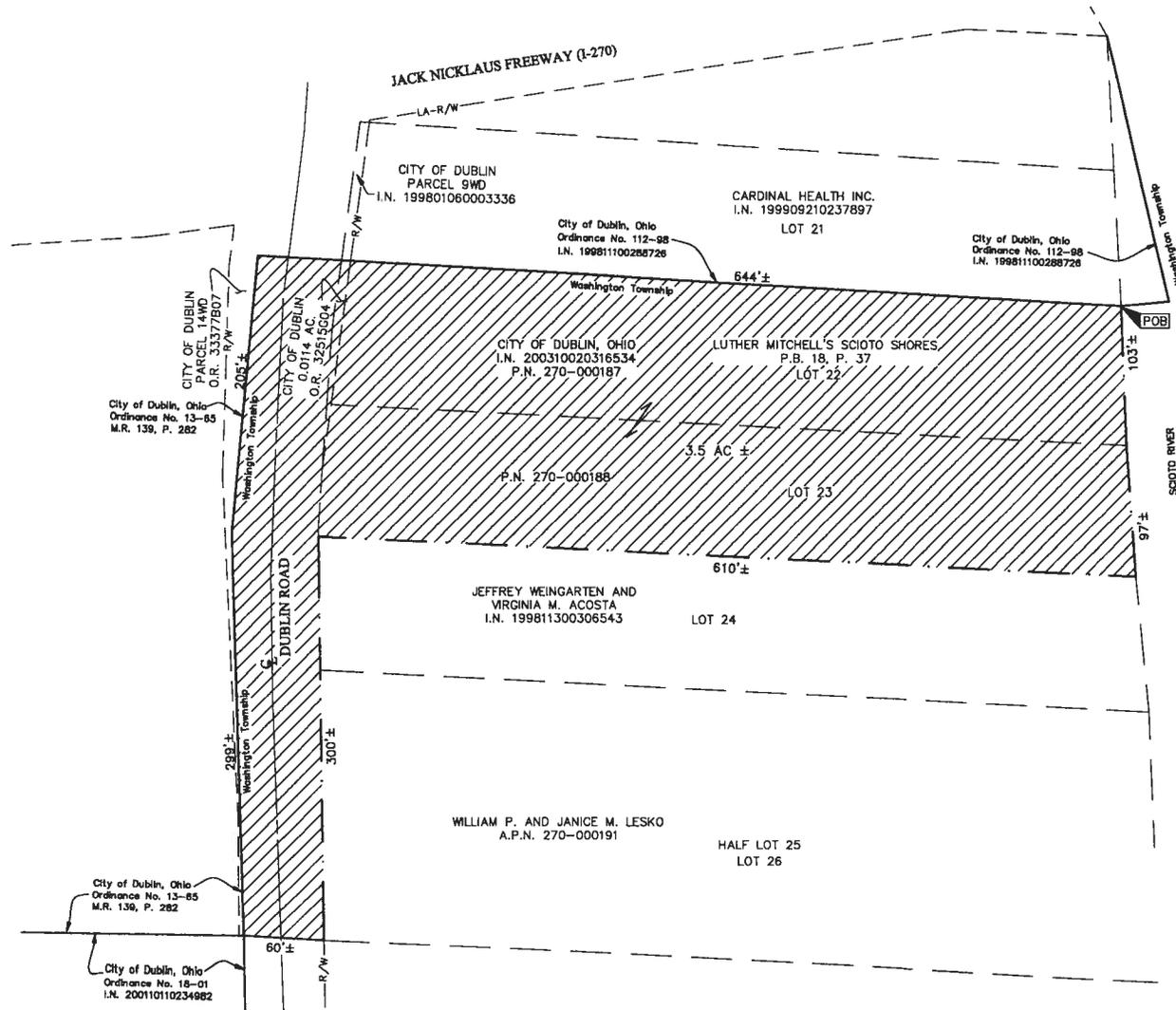
EXISTING CITY OF NEW DUBLIN CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 2318 feet, of which 1148 feet is contiguous with the City of Dublin by Ordinance Number 13-65 and Ordinance Number 112-98, giving 49% perimeter contiguity.

Note:
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

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

By EB Date 5/14/14



By
Edward J. Miller
Professional Surveyor No. 8250

EMHT <small>Evans, Mechwart, Hambleton & Tilton, Inc. Engineers - Surveyors - Planners - Scientists 3302 New Albany Road, Columbus, OH 43254 Phone: 614.775.4500 toll free: 888.775.3448 emht.com</small>	Date: April 4, 2014	
	Scale: 1" = 60'	
	Job No: 2014-0037	
	Sheet: 1 of 1	
REVISIONS		
MARK	DATE	DESCRIPTION



Commissioners
 Marilyn Brown, President
 Paula Brooks
 John O'Grady

Economic Development & Planning Department
 James Schlimmer, Director

Application for Annexation Petition

Municipal
 Pursuant to ORC §709.15



Property Information	
Site Address Dublin Road	
Parcel ID(s) 270-00187 + 270-000188	Total Acreage +/- 3.5 Acres
From Township Washington	To Municipality Dublin

Municipal Authority	
Authorizing Ordinance No. 76-14	
Land Ownership (check one)	
<input checked="" type="checkbox"/> Municipality	<input type="checkbox"/> Franklin County
<input type="checkbox"/> State of Ohio	

Applicant/Agent Information	
Name Jennifer D. Readler	
Address Frost Brown Todd 10 West Broad Street, Suite 2300 Columbus, Ohio 43215	
Phone # 614.559.7253	Fax # 614.464.1737
Email jreadler@fbtlaw.com	

Staff Use Only
Case #
Hearing date:
Date filed:
Fee paid
Receipt #
Date Journalized

Document Submission
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:
<input type="checkbox"/> Legal description of property
<input type="checkbox"/> Map/plot of property
<input type="checkbox"/> Certified copy of ordinance authorizing this application

Signatures		
The undersigned, petitioners in the premises, and being authorized to act on behalf of the municipality listed above, do hereby pray that the territory listed above be annexed to said municipality.		
The undersigned further acknowledge that the Franklin County Board of Commissioners may take the following actions:		
<ul style="list-style-type: none"> For land owned by the municipality, the Board must grant the petition For land owned by a County, the Board may grant or deny the petition For land owned by the State of Ohio, if the Director of Administrative Services has filed written consent, the Board must grant the petition. 		
	Assistant Law Director	
Agent or Authorized Representative	Title	Date
_____	_____	_____
Agent or Authorized Representative	Title	Date