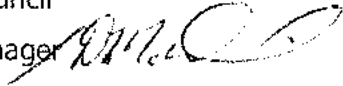




**To:** Members of Dublin City Council

**From:** Dana L. McDaniel, City Manager 

**Date:** October 15, 2018

**Initiated By:** Jennifer D. Readler, Law Director  
Paul Hammersmith, P.E., Director of Engineering/City Engineer  
Claudia Husak, AICP, Senior Planner

**Re: Ordinance 72-18 – Accepting the Annexation of 12.0 Acres, More or Less, from Washington Township, Franklin County (Petitioners: Chemcote, Inc, The DuRoc Trust, Strait Real Estate LLC 1, LTD, City of Dublin)**

## Summary

On May 1, 2018, Donald T. Plank, Attorney/Agent for Petitioners, Chemcote, Inc, The DuRoc Trust, Strait Real Estate LLC 1, LTD, City of Dublin, filed an annexation petition with the Franklin County Commissioners. The petition is for 12.0 acres, more or less.

The petition was filed as a regular/majority owner annexation petition. Under this process the City must first, at least 20 days prior to the annexation hearing, adopt an ordinance or resolution relating to municipal services. City Council passed Resolution No. 26-18, which was prepared for this purpose, on May 7, 2018.

The Franklin County Commissioners granted the annexation on July 10, 2018, finding that all the Ohio Revised Code requirements were met, including the criteria in R.C. 709.03.

## Recommendation

This Property is within the proposed annexation areas of the Community Plan and is located in the exclusive Dublin Service Area as defined in the water and sewer agreements with the City of Columbus. Staff therefore recommends approval of Ordinance No. 72-18 at the second reading/public hearing on November 5, 2018.

# RECORD OF ORDINANCES

Ordinance No. 72-18

Passed \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE ACCEPTING AN ANNEXATION OF 12.0 ACRES, MORE OR LESS, FROM WASHINGTON TOWNSHIP, FRANKLIN COUNTY TO THE CITY OF DUBLIN (PETITIONERS: CHEMCOTE, INC, THE DUROC TRUST, STRAIT REAL ESTATE LLC 1, LTD, CITY OF DUBLIN)**

**WHEREAS**, a regular/majority owner annexation petition for 12.0 acres, more or less, from Washington Township, Franklin County to the City of Dublin was filed in the offices of the Franklin County Commissioners on May 1, 2018, by Donald T. Plank, Attorney/Agent for Petitioners, Chemcote, Inc, The DuRoc Trust, Strait Real Estate LLC 1, LTD, and City of Dublin ("the Property"); and

**WHEREAS**, the Franklin County Commissioners approved the annexation petition on July 10, 2018; and

**WHEREAS**, the area proposed for annexation lies within Dublin's Exclusive Water and Sewer Service extension area, as provided under the agreements with the City of Columbus.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Dublin, State of Ohio, \_\_\_\_\_ of the elected members concurring that:

**Section 1.** The petition for the annexation of 12.0 acres, more or less to the City of Dublin is hereby accepted.

**Section 2.** Because the site is located in the Innovation District, and pursuant to Code Section 153.004(D), this Property is hereby automatically zoned to the appropriate Innovation District zone, ID-2, Research Flex District, per the adopted Economic Advancement Zone Plan.

**Section 3.** This Ordinance shall take effect and be in force from and after the earliest date allowed by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
Mayor - Presiding Officer

Attest:

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

**Hearing on a petition to annex 12.0 +/- acres from Washington Township to the City of Dublin Case #ANX-11-18 (ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition filed by Donald T. Plank on behalf of the property owners on May 8, 2018 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Regular Annexation 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 meets all the requirements set forth in, and was filed in the manner provided in, ORC 709.02.
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation.
3. The number of valid signatures constituted a majority of the owners of real estate in the territory as of the date the petition was filed.
4. The municipality has complied with ORC 709.03(D), the requirement to adopt by ordinance or resolution a statement indicating what services it will provide and an approximate date it will provide services to the territory proposed to be annexed, upon annexation.
5. The territory is not unreasonably large.
6. On balance, the general good of the territory proposed to be annexed will be served, and the benefits to the territory proposed to be annexed and the surrounding area will outweigh the detriments to the territory proposed to be annexed and the surrounding area, if the petition is granted.
7. No street or highway will be divided or segmented by the boundary line between a township and the municipality so as to create a road maintenance problem, or, if a street or highway will be so divided or segmented, the municipality has agreed, as a condition of the annexation, that it will assume the maintenance of that street or highway.



**Hearing on a petition to annex 12.0 +/- acres from Washington Township to the City of Dublin Case #ANX-11-18 (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 Dublin, 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 Dublin, Ohio, the fiscal officer of Washington Township, and the agent for the petitioners.

Prepared by: Matt Brown

C: Economic Development & Planning Department



**SIGNATURE SHEET**

Resolution No. 501-18

July 10, 2018

**HEARING ON A PETITION TO ANNEX 12.0 +/- ACRES FROM  
WASHINGTON TOWNSHIP TO THE CITY OF DUBLIN CASE  
#ANX-11-18.**

**(EDP - Economic Development and Planning)**

Upon the motion of Commissioner John O'Grady, seconded by  
Commissioner Kevin L. Boyce:

**Voting:**

**Kevin L. Boyce, President  
Marilyn Brown  
John O'Grady**

**Aye  
Absent  
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.



\_\_\_\_\_  
Antwana Booker, Clerk  
Board of County Commissioners  
Franklin County, Ohio



Commissioner Kevin L. Boyce · Commissioner Marilyn Brown · Commissioner John O'Grady  
President

Economic Development & Planning Department  
James Schimmer, Director

## RESOLUTION SUMMARY

Hearing on a petition to annex 12.0+/- acres from Washington Township to the City of Dublin Case #ANX-11-18

### **Description:**

Attached is a resolution to consider a Regular annexation of 12.0-acres, more or less, from Washington Township to the City of Dublin. The petition case number is ANX-11-18.

### **Owners:**

Chemcote, Inc. – Frank Bucci, President  
The DuRoc Trust – Larry D. Clarke, Trustee  
Strait Real Estate LLC 1, LTD – David L. Clay, Vice President  
City of Dublin – Dana L. McDaniel, City Manager  
Kelly Byers

### **Agent:**

Donald T. Plank, Plank Law Firm

### **Site:**

7599 Fishel Drive North (PID# 272-000594)  
7575 Fishel Drive South (PID# 272-000590)  
Cosgray Road (PID# 272-000632)  
Cosgray Road Right-of-way (PID# 274-000010 & 272-000243)

### **Additional Information:**

The total perimeter of the annexation area is approximately 7,575 feet; approximately 2,536 feet, or 33 percent, of which is contiguous to the City of Dublin.

### **Analysis:**

The applicant *has* met all statutory requirements outlined in Section 709.03 of the Ohio Revised Code. The applicant *has* provided proof of notification, and timeline and *has* provided a resolution from the City of Dublin identifying the services that will be provided once the annexation has been approved. Resolution No. 26-18 was passed by the City of Dublin on May 7, 2018.

### **Recommendation:**

Pending any questions, staff would request your ***approval*** of this annexation.



Commissioner Kevin L. Boyce · Commissioner Marilyn Brown · Commissioner John O'Grady  
President

Economic Development & Planning Department  
James Schimmer, Director

## MEMO JOURNALIZATION

**TO:** Antwan Booker, County Clerk  
Franklin County Commissioners Office

**FROM:** Matthew Brown, Planning Administrator  
Franklin County Economic Development & Planning Department

**CC:** James Schimmer, Director  
Jenny Snapp, Assistant Director, Building, Planning and Zoning  
Franklin County Economic Development & Planning Department

**RE:** Description of a Regular annexation case to be journalized on the  
**May 8, 2017** General Session Agenda for consideration on **July 10, 2017**.

---

**Case #ANX-11-18** – A Regular annexation petition ANX-11-18 was filed with the Franklin County Economic Development and Planning Department on May 1, 2018. The petition is requesting to annex 12.0 +/- acres from Washington Township to the City of Dublin. The petition will be considered by the Board of Commissioners on July 10, 2018.

**Site: 7599 Fishel Drive North (PID# 272-000594)**  
**7575 Fishel Drive South (PID# 272-000590)**  
**Cosgray Road (PID# 272-000632)**  
**Cosgray Road Right-of-way (PID# 274-000010 & 272-000243)**

**Commissioners**  
Marilyn Brown, President  
Paula Brooks  
John O'Grady

**Economic Development & Planning Department**  
James Schimmer, Director

Application for  
**Annexation  
Petition**

**Regular**  
By majority of property owners



Property Information	
Site Address	7599 Fishel Dr. N., 7575 Fishel Dr. S. and portions of right-of-way
Parcel ID(s)	Total Acreage
272-000594; 272-000590; 272-000632; Part of 272-000243 and 274-000010	Approximately 12.0
From Township	To Municipality
Washington	Dublin

Property Owner Information	
Name	See attached
Address	
Phone #	Fax #
Email	

Attorney/Agent Information	
Name	Donald T. Plank
Address	
Plank Law Firm, LPA	
411 E. Town St., FL 2	
Columbus, OH 43215	
Phone #	Fax #
614-947-8600	614-228-1790
Email	
dtp@planklaw.com	

Signatures	
At least 51% of property owners must sign this petition. Attach additional sheet if necessary	
Property Owner _____	Date _____
Property Owner _____	Date _____
Property Owner _____	Date _____

Staff Use Only
Case #
ANX-11-18
Hearing date (60-90 days):
July 10, 2018
Date filed:
May 1, 2018
Fee paid
\$350.00
Receipt #
18-01375

Applicant Deadlines	
Notify twp/ municipality:	5 days after filing May 7, 2018
Notify adjacent owners:	10 days after filing May 11, 2018
File twp/muni notifications with County	10 days after filing May 11, 2018
File adj. owners notifications with County	20 days after filing May 21, 2018
File municipal service ord. with County	20 days after filing May 21, 2018
Publish notice in newspaper	7 days before hearing July 3, 2018

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 with name, address, parcel ID
<input checked="" type="checkbox"/> Additional signature page if necessary



**MAJORITY-OWNER PETITION FOR ANNEXATION  
OF 12.0 ACRES, MORE OR LESS,  
FROM WASHINGTON TOWNSHIP IN FRANKLIN COUNTY  
TO THE CITY OF DUBLIN, OHIO  
(PURSUANT TO R.C. SECTION 709.02 ET. SEQ.)**

**TO: THE BOARD OF COUNTY COMMISSIONERS OF  
FRANKLIN COUNTY, OHIO**

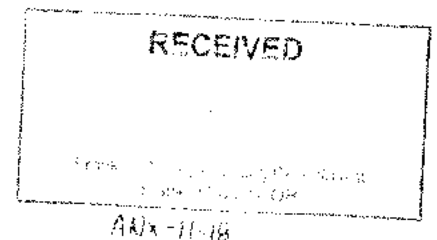
Now come the undersigned petitioners, being the majority of the owners of certain property as hereinafter described and requests that the territory proposed for annexation be annexed to the City of Dublin, Ohio. The territory proposed for annexation contains approximately 12.0 acres, more or less, in Washington Township, Franklin County and is contiguous to the boundary of the City of Dublin, Ohio.

An accurate description of the perimeter of the territory sought to be annexed is attached hereto and made a part hereof as Exhibit "A". A map or plat of the above-described territory sought to be annexed is attached hereto and made a part hereof as Exhibit "B".

The number of owners in the territory sought to be annexed is five (5) and the number of owners who signed the petition is four (4).

Donald T. Plank, Plank Law Firm, L.P.A., 411 E. Town Street, Second Floor, Columbus, Ohio 43215, (614) 947-8600, is hereby appointed agent for the undersigned petitioners, as required by R.C. §709.02; and said petitioners' agent is hereby authorized to make any amendments and/or deletions which in his absolute and complete discretion are proper under the circumstances then existing. In addition, the petitioners' agent is authorized to make such amendments and/or deletions in this petition, map, plat or description in order to correct any discrepancy or mistake noted by the county engineer or others in their examination of the petition, map, plat or description. Amendments to correct the map, plat or description may be made by the presentation of an amended map or plat and description to the Franklin County Board of County Commissioners on, before or after the date set for hearing of this petition unless otherwise specified by law.

[Signatures on the following pages]

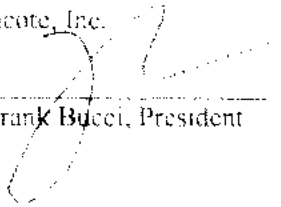


SIGNATURE

Chemcote, Inc.

By

Frank Bucci, President



ADDRESS

7599 Fishel Drive North  
Dublin, OH 43016  
Phone: 614-792-2683  
Fax: 614-792-0688  
E-mail: frankbucci@chemcote.com

DATE

4/9/2013

[Signatures continue on the following pages]



NAME

ADDRESS

DATE

The DuRoc Trust

PO Box 357  
Williamsport, OH 43164

4-20-2018

By: *Larry D. Clarke*  
Larry D. Clarke, Trustee

Phone: 614 402-4852  
Fax: \_\_\_\_\_  
E-mail: LCLARKE@Colum-red-stp.com

[Signatures continue on the following pages]



NAME

ADDRESS

DATE

Strait Real Estate LLC I, LTD

269 National Rd Sw

4/4/18

By: David L Clay VP

Hebron, Ohio 43025

Print Name: David L. Clay

Phone: 614 562 1823

Fax: 740 928 7220

Its: VP

E-mail: dclay@straitandlamp.com

[Signatures continue on the following page]



NAME

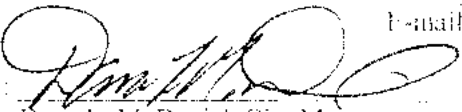
City of Dublin

ADDRESS

5200 Emerald Parkway  
Dublin, Ohio 43017  
Phone: ~~614-490-4400~~ 614-490-4400  
Fax: ~~614-490-4401~~  
E-mail: ~~dmcdaniel@cityofdublin.com~~

DATE

4/13/18

By:   
Dana L. McDaniel, City Manager

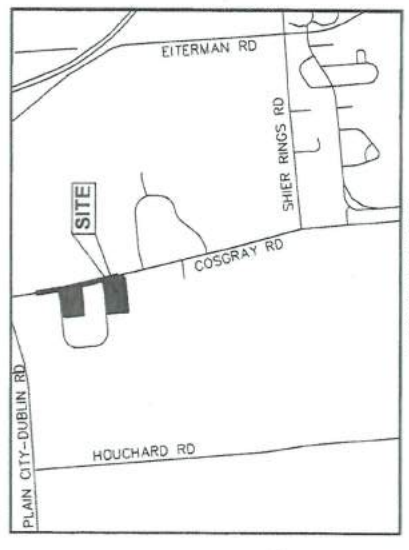
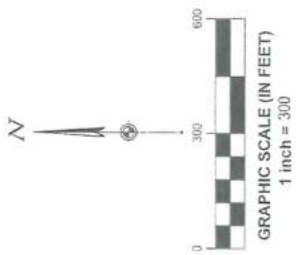
RECEIVED  
APR 13 2018  
MAY 11 2018



**ANNEXATION  
PLAT & DESCRIPTION  
ACCEPTABLE**  
**CORNELL R. ROBERTSON, P.E., P.S.**  
**FRANKLIN COUNTY ENGINEER**

By: *[Signature]* Date: *7/3/18*

**PROPOSED ANNEXATION OF 12.0 ACRES  
FROM: WASHINGTON TOWNSHIP  
TO: CITY OF DUBLIN**  
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF WASHINGTON,  
BEING LOCATED IN THE VIRGINIA MILITARY SURVEY NO. 6748

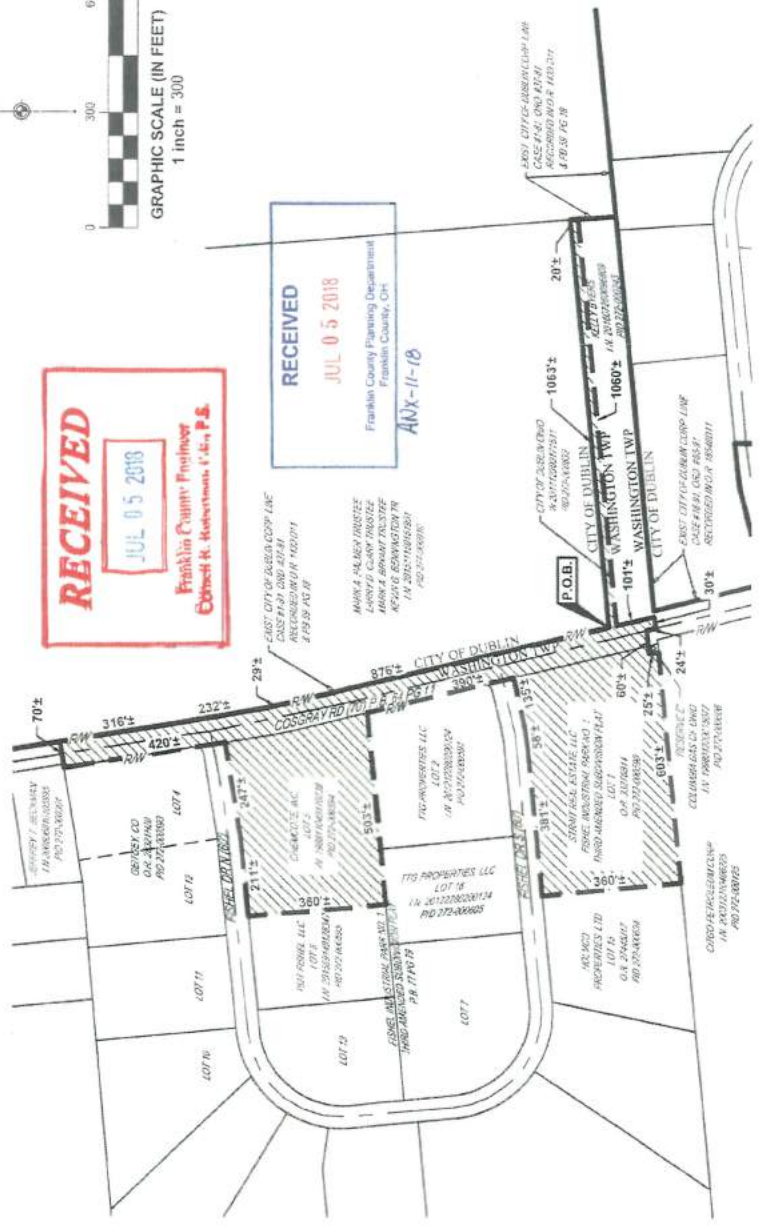


THIS EXHIBIT WAS PREPARED FROM RECORD INFORMATION FROM THE FRANKLIN COUNTY ENGINEER, RECORDER, AND AUDITOR'S OFFICE, AND IS NOT INTENDED FOR THE TRANSFER OF REAL PROPERTY

**CONTIGUITY NOTE:**  
TOTAL PERIMETER OF ANNEXATION AREA IS 7,575-FT., OF WHICH 2536 FT ARE CONTIGUOUS WITH THE CITY OF DUBLIN BY ORDINANCE NUMBER 37-81, GIVING 33% CONTIGUITY.

**SURVEYOR:**  
CESO, INC.  
2800 CORPORATE EXCHANGE DR. STE 160  
COLUMBUS, OH 43231  
PHONE: 614.764.7000  
CONTACT: JEFFREY A. MILLER, PS

<b>PROPOSED ANNEXATION</b>	
JOB NO.:	754785
REF. SHT.:	N/A
DESIGN:	JRM
DATE:	03.29.2018
SKETCH NO. EXHIBIT A	



*[Signature]*  
JEFFREY A. MILLER  
OHIO P.S. #7211

- LEGEND**
- EXIST. CITY OF DUBLIN CORP. LINE
  - EXIST. PARCEL LINE
  - EXIST. ROAD CENTER LINE
  - PROP. ANNEXATION CORP. LINE
  - PROP. AREA TO BE ANNEXED (12.0 ACRES)

DATE

By CR Date 7/5/18



## LEGAL DESCRIPTION

### Description of 12.0 ACRES +/- TO BE ANNEXED FROM WASHINGTON TOWNSHIP TO CITY OF DUBLIN

Situated in the State of Ohio, County of Franklin, Township of Washington being in Virginia, Military Survey No. 6748, and being all of Lot 1 of Fishel Industrial Park No. 1 Third amended Subdivision Plat of record in Plat Book 77, Page 79 and conveyed to Strait Real Estate PID 272-000590, of record in OR33276B14, Lot 5 of said Fishel Industrial Park No 1 Third amended Subdivision Plat as conveyed to Chemcote, Inc. PID 272-000594 of record in Instrument Number 198811040170738 and a portion of Cosgray Road as dedicated in Fishel Industrial Park of record in Plat Book 64 Page 11 a portion as dedicated in said Plat Book 77 Page 79, a portion which is currently owned by City of Dublin Ohio PID 272-00632 of record in Instrument Number 201112300171611, a portion which is currently owned by Kelly Byers PID 272000243 of record in Instrument Number 201607260096809 and a portion of which is currently owned by Kevin G Bennington Trustee, Marc A. Palmer Trustee, Larry D. Clark Trustee and Mark A. Bryant Trustee PID 274-000010 of record in Instrument Number 201511160161901 (all deed reference refer to the record of the Records Official Franklin County Ohio ) and described as follows:

**BEGINNING**, at a point in the easterly right of way line of Cosgray Road, at a corner of the existing City of Dublin Corporation Line (Ord. No. 37-81. Official Record 1430DII and P.B.59 pg. 18) in the northerly line of that tract of land as conveyed to the City of Dublin, Ohio of record in Instrument Number 201112300171611;

Thence, Easterly 1063 feet, more or less, along said corporation line and said northerly line, of the City of Dublin, Ohio tract to a corner thereof;

Thence, Southerly 20 feet, more or less, along the easterly line of said City of Dublin, Ohio tract and said corporation line to the northeasterly corner of said Byers tract;

Thence, Westerly 1060 feet, more or less, along the northerly line of said Byers tract to a point on said easterly right of way line of Cosgray Road,

Thence, Southerly a distance of 101 feet, more or less, with said easterly right of way line of Cosgray Road, to a point in the southerly line of said Byers tract;

Thence, Westerly, a distance of 30 feet more or less, with said southerly line to the southwesterly corner of said Byers tract in the centerline of said Cosgray Road;

Thence, Northerly a distance of 24 feet, more or less, with said centerline to a point in the centerline of said Cosgray Road;

Thence, Westerly a distance of 60 feet more or less partially with the northerly line of reserve E of as conveyed to Columbia Gas of Ohio , of record in Instrument Number 1998801220015077 and the southerly line of said lot 1, to the northwesterly corner of said reserve E;

Thence, Southerly a distance of 25 feet, more or less, with the westerly line of said Reserve E to the southwesterly corner thereof in the northern line of the tract of land as conveyed to Citgo Petroleum Corporation of record in Instrument Number 200312310406225;

Thence, Westerly a distance of 603 feet, more or less, with said northerly line to the southeasterly corner of lot 15 of said Fishel Industrial Park No 1 Third amended Subdivision Plat, as conveyed to Holmco Properties LTD of record in OR27445J17;

Thence, Northerly a distance of 360 feet, more or less, with the easterly line of said lot 15 to the northeasterly corner thereof in the southerly right of way line of Fishel Drive south;

Thence, with said southerly right of way line, the following courses:

Easterly a distance of 381 feet, more or less, to a point;

Easterly a distance of 58 feet, more or less, to a point;

Easterly a distance of 135 feet, more or less, to a point in the westerly right of way line of said Cosgray Road;

Thence, Northerly a distance of 390 feet, more or less, with said westerly right of way line, to the southeasterly corner of said lot 5 at the northeasterly corner of lot 2 of said Fishel Industrial Park No. 1 Third amended Subdivision as conveyed to TTG Properties LLC of record in Instrument Number 201212280200124;

Thence, Westerly a distance of 503 feet, more or less, partly with the northerly line of said lot 2 and partly with in the northerly line of lot 16 of said Fishel Industrial Park No. 1 Third amended Subdivision as conveyed to TTG Properties, LLC of record in Instrument Number 201212280200124, to the southeasterly corner of lot 6 of said Fishel Industrial Park No. 1 Third amended Subdivision conveyed to 7627 Fishel LLC of record in Instrument Number 201509140128347;

Thence, Northerly a distance of 360 feet more or less with the easterly line of said lot 6 to the northeasterly corner of said lot 6 the southerly right of way line of Fishel Drive North;

Thence, with said southerly right of way line, the following courses:

Easterly a distance of 211 feet, more or less, to a point;

Easterly a distance of 247 feet, more or less, to a point in the westerly right of way line of said Cosgray road;

Thence northerly a distance of 420 feet more or less to the northeasterly corner of said Fishel Industrial Park No. 1 Third amended Subdivision;

Thence easterly a distance of 70 feet more or less across said Cosgray road to a point in the easterly right of way line of said Cosgray road and said existing city of Dublin corporation line;

Thence, with said easterly right of way line, the following courses:

Southerly a distance of 316 feet, more or less, to a point;

Southerly a distance of 232 feet, more or less, to a point;

Southerly a distance of 876 feet, more or less, to the **POINT OF BEGINNING** and containing 12.0 acres of land more or less.

This annexation description of the location of the property to be annexed and is not a boundary survey as defined in O.A.C. Chapter 4733.37. The above description is for annexation purposes only and is not intended for deed transfer purposes. The above annexation contains a perimeter distance of 2,536 feet contiguous with the existing City of Dublin Corporation line and a total perimeter of 7,575 feet to be annexed, and 33% of the perimeter length is contiguous to the City of Dublin Corporation line.



CESO, Inc.

Jeffrey A. Miller, PS  
Registered Surveyor No. 7211

Date

*Jeffrey A. Miller* 7.3.18



# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 26-18

Passed \_\_\_\_\_, 20\_\_

## A RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR A PROPOSED ANNEXATION OF 12.0 ACRES, MORE OR LESS, FROM WASHINGTON TOWNSHIP, FRANKLIN COUNTY TO THE CITY OF DUBLIN.

**WHEREAS**, a Regular Annexation petition for 12.0 acres, more or less, from Washington Township, Franklin County to the City of Dublin was filed in the offices of the Franklin County Commissioners on May 1, 2018, by Donald T. Plank, Attorney/Agent for Petitioners, Chemcote, Inc., The DuRoc Trust, Strait Real Estate LLC 1, LTD, and the City of Dublin ("the Property"); and

**WHEREAS**, Section 709.03 (D) of the Ohio Revised Code requires that, prior to the hearing of the annexation petition, the Municipal Authority shall adopt a statement indicating what services the Municipal Corporation will provide to the territory proposed for annexation and an approximate date by which it will provide services to the territory proposed for annexation upon annexation; and

**WHEREAS**, the area proposed for annexation lies within Dublin's Exclusive Water and Sewer Service extension area, as provided under the agreements with the City of Columbus.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Dublin, State of Ohio, 6 of the elected members concurring that:

**Section 1.** The City of Dublin will provide the following municipal services for the Property (the 12.0 acres, more or less in Washington Township, Franklin County) immediately upon the annexation of the area to the City of Dublin, Ohio, which is expected to be approximately September 1, 2018.

• **Police Protection**

The City of Dublin has five police districts and deploys a minimum of five cruisers per shift. The Property is located approximately 3.4 driving miles from the Justice Center, the Division of Police headquarters. The City of Dublin provides twenty-four hour police and communications services and has mutual aid agreements with other jurisdictions. The Property will be fully served with these services at the same or similar level now being provided to other areas of the City.

• **Fire Protection and Emergency Medical Service (EMS)**

The Washington Township Fire Department provides fire protection to this area of Dublin. Station 91 at 6255 Shier Rings Road is approximately 2.5 miles from the annexation area. Dublin will ensure that the Property will be provided with fire protection and EMS services at the same or similar level now being provided to other areas of the City.

• **Solid Waste Collection**

The City of Dublin provides residential solid waste collection at no additional fee. However, it appears that the Property contains existing commercial uses; therefore, they will be required to use a hired collection service for their solid waste removal.

• **Water Distribution**

The Property is located within the exclusive annexation area of the Water Service Agreement with City of Columbus. An existing 16-inch water line exists on the east side of Cosgray Road and an 8-inch waterline exists on the north side of Fishel Drive North and Fishel Drive South.

• **Sanitary Sewer (Wastewater) Collection**

The Property is located within the exclusive annexation area within the Sanitary Service Agreement with City of Columbus. This Property is tributary to



ANX-11-18

I, Anne C. Clarke, Clerk of Council, hereby certify that the foregoing is a true copy of Ordinance/Resolution No. 26-18 duly adopted by the Council of the City of Dublin, Ohio, on the 17th day of May, 2018.

*Anne Clarke*  
Clerk of Council, Dublin, Ohio

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 26-18

Page 2 of 2

20

an existing 21-inch sanitary sewer that is located at the west side of Cosgray Road. This was installed by the City with the improvements serving the land accessed by Crosby Court.

- **Stormwater Management and Floodplain**

The Property is located in the South Fork Indian Run watershed as defined by the Stormwater Master Plan. The property at 7599 Fishel Drive generally drains to the south into the South Fork Indian Run, which runs along the south property line and provides the drainage outlet. The property at 7575 Fishel Drive South generally drains to the northeast into the South Fork Indian Run via the roadside swale of Cosgray Road. These properties do not contain FEMA designated floodplain for South Fork Indian Run.

- **Roads and Streets**

The primary roads serving the Property are Cosgray Road and Fishel Drive North/South. Cosgray Road is classified as collector road on the Thoroughfare Plan and is required to have 70 feet of right-of-way to the south of Fishel Drive South and 100 feet of right of way from Fishel Drive South to SR 161. Fishel Drive is not classified on the current Dublin Thoroughfare Plan as it is under Franklin County jurisdiction.

Any new roads or streets, within a proposed development, which would be dedicated to the City, would be maintained to the same degree and extent that these public facilities are maintained in areas with similar land use and population.

- **Zoning**

Upon annexation, properties are typically automatically zoned R, Rural District, under the Zoning Code of the City of Dublin. However, the Property is located in the Innovation District, and pursuant to Code Section 153.004(D) it will automatically be zoned to the appropriate Innovation District (ID-2, Research Flex District) per the adopted Economic Advancement Zone Plan. This would allow office uses, data centers, educational uses, and industrial uses as permitted uses. A rezoning application will need to be filed for any development outside of these parameters.

**Section 2.** The City has Water and Sanitary Sewer Service Agreements with the City of Columbus, and the Property is within the Dublin Exclusive Service area of both agreements. Conditioned upon the ability of the City of Columbus to provide water supply and to provide sufficient sanitary sewerage disposal capacity, sufficient public water distribution and sanitary sewer collection systems exist in this area to serve this property at the current time.

**Section 3.** This resolution shall be effective immediately upon passage, as provided under Section 4.04(a) of the Revised Charter.

Passed this 7<sup>th</sup> day of May, 2018.

  
\_\_\_\_\_  
Mayor - Presiding Officer

ATTEST


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





**Office of the City Manager**  
5200 Emerald Parkway • Dublin, OH 43017-1090  
Phone: 614-410-4400 • Fax: 614-410-4490

# Memo

**To:** Members of Dublin City Council  
**From:** Dana L. McDaniel, City Manager   
**Date:** May 3, 2018

**Initiated By:** Jennifer D. Readler, Law Director  
Paul Hammersmith, P.E., Director of Engineering/City Engineer  
Claudia Husak, AICP, Senior Planner

**Re:** Resolution 26-18 - Adopting a Statement of Services for a Proposed Annexation of 12.0 Acres, More or Less, from Washington Township, Franklin County (Petitioners: Chemcote, Inc., The DuRoc Trust, Strait Real Estate LLC 1, LTD, and the City of Dublin)

## Summary

On May 1, 2018, Donald T. Plank, Attorney/Agent for Petitioners, Chemcote, Inc., The DuRoc Trust, Strait Real Estate LLC 1, LTD, and the City of Dublin filed an annexation petition with the Franklin County Commissioners. The petition is for 12.0 acres, more or less and includes a strip of land owned by the City of Dublin ("the Property").

The petition was filed pursuant to O.R.C. 709.02, as a "regular/majority owner" annexation. The Franklin County Commissioners must schedule a hearing not less than 60 or more than 90 days after the filing of the petition. The Commission's hearing is currently scheduled for July 10, 2018. For a Regular annexation the City must adopt a Statement of Services, included as Resolution No. 26-18, at least 20 days prior to the Franklin County hearing.

The Commissioners must adopt a resolution either approving or denying the petition within 30 days following the hearing.

## Background

### Zoning and Community Plan

Upon annexation, properties are typically automatically zoned R, Rural District, under the Zoning Code of the City of Dublin. However, this Property is located in the Innovation District, and pursuant to Code Section 153.004(D), it will automatically be zoned to the appropriate Innovation District (ID-2, Research Flex District) per the adopted Economic Advancement Zone Plan. This would allow office uses, data centers, educational uses, and industrial uses as permitted uses. Currently, the property to be annexed consists of right-of-way and the Chemcote professional paving and roofing business and other landscaping and maintenance businesses. A rezoning application will need to be filed for any development outside of these parameters.

### Service Assessment

- **Police Protection**

The City of Dublin has five police districts and deploys a minimum of five cruisers per shift. The Property is located approximately 3.4 driving miles from the Justice Center, the

Division of Police headquarters. The City of Dublin provides 24-hour police and communications services and has mutual aid agreements with other jurisdictions. The Property will be fully served with these services at the same or similar level now being provided to other areas of the City.

- **Fire Protection and Emergency Medical Service (EMS)**

The Washington Township Fire Department provides fire protection to this area of Dublin. Station 91 at 6255 Shier Rings Road is approximately 2.5 miles from the annexation area. Dublin will ensure that the Property will be provided with fire protection and EMS services at the same or similar level now being provided to other areas of the City.

- **Solid Waste Collection**

The City of Dublin provides residential solid waste collection at no additional fee. However, it appears that the Property contains existing commercial uses; therefore, they will be required to use a hired collection service for their solid waste removal.

- **Water Distribution**

The Property is located within the exclusive annexation area of the Water Service Agreement with City of Columbus. An existing 16-inch water line exists on the east side of Cosgray Road and an 8-inch waterline exists on the north side of Fishel Drive North and Fishel Drive South.

- **Sanitary Sewer (Wastewater) Collection**

The Property is located within the exclusive annexation area within the Sanitary Service Agreement with City of Columbus. This Property is tributary to an existing 21-inch sanitary sewer that is located at the west side of Cosgray Road. This was installed by the City with the improvements serving the land accessed by Crosby Court.

- **Stormwater Management and Floodplain**

The Property is located in the South Fork Indian Run watershed as defined by the Stormwater Master Plan. The property at 7599 Fishel Drive generally drains to the south into the South Fork Indian Run, which runs along the south property line and provides the drainage outlet. The property at 7575 Fishel Drive South generally drains to the northeast into the South Fork Indian Run via the roadside swale of Cosgray Road. These properties do not contain FEMA designated floodplain for South Fork Indian Run.

- **Roads and Streets**

The primary roads serving the Property are Cosgray Road and Fishel Drive North/South. Cosgray Road is classified as a collector road on the Thoroughfare Plan and is required to have 70 feet of right-of-way to the south of Fishel Drive South and 100 feet of right of way from Fishel Drive South to SR 161. Fishel Drive is not classified on the current Dublin Thoroughfare Plan as it is under Franklin County jurisdiction.

Any new roads or streets, within a proposed development, which would be dedicated to the City, would be maintained to the same degree and extent that these public facilities are maintained in areas with similar land use and population.

**Recommendation**

This Property is within the proposed annexation areas of the Community Plan and is located in the exclusive Dublin Service Area as defined in the water and sewer agreements with the City of Columbus. Approval of Resolution 26-18 regarding the Statement of Services is recommended. Upon City Council's approval, this approved Resolution will be forwarded to the Franklin County Commissioners for their required hearing.



# Application for Annexation Petition

**RECEIVED**

**R**

Franklin County Planning Department  
Franklin County, OH

**Commissioners**  
Marilyn Brown, President  
Patricia Brooks  
John D. Grady

**Economic Development & Planning Department**  
James Schumier, Director

<b>Property Information</b>	
Site Address: 7599 Fishel Dr. N., 7575 Fishel Dr. S. and portions of right-of-way	
Parcel ID(s): 272-000594; 272-000590; 272-000632; Part of 272-000243 and 274-000010	Total Acreage: Approximately 12.0
From Township: Washington	To Municipality: Dublin

<b>Property Owner Information</b>	
Name: See attached	
Address:	
Phone #	Fax #
Email:	

<b>Attorney/Agent Information</b>	
Name: Donald T. Plank	
Address: Plank Law Firm, LPA 411 E. Town St., FL 2 Columbus, OH 43215	
Phone # 614-947-8600	Fax # 614-228-1790
Email: dtp@planklaw.com	

<b>Signatures</b>	
At least 51% of property owners must sign this petition. Attach additional sheet if necessary.	
Property Owner _____	Date _____
Property Owner _____	Date _____
Property Owner _____	Date _____

<b>Staff Use Only</b>
Case #  ANX-11-18
Hearing date (60-90 days):  July 10, 2018
Date filed:  May 1, 2018
Fee paid \$350.00
Receipt # 18-01375

Applicant Deadlines	
Notify tax jurisdiction	5 days after filing May 7, 2018
Notify adjacent owners	10 days after filing May 11, 2018
Finalize all negotiations with county	10 days after filing May 11, 2018
Finalize all negotiations with city	10 days after filing May 21, 2018
Finalize all negotiations with county	22 days after filing May 21, 2018
Finalize all negotiations	10 days after filing July 3, 2018

<b>Document Submission</b>
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 with name, address, parcel ID
<input checked="" type="checkbox"/> Additional signature page if necessary

**MAJORITY-OWNER PETITION FOR ANNEXATION  
OF 12.0 ACRES, MORE OR LESS,  
FROM WASHINGTON TOWNSHIP IN FRANKLIN COUNTY  
TO THE CITY OF DUBLIN, OHIO  
(PURSUANT TO R.C. SECTION 709.02 ET. SEQ.)**

**TO: THE BOARD OF COUNTY COMMISSIONERS OF  
FRANKLIN COUNTY, OHIO**

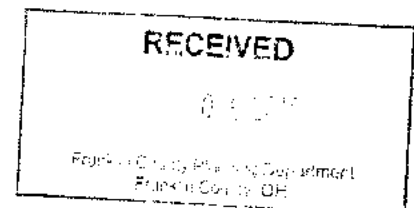
Now come the undersigned petitioners, being the majority of the owners of certain property as hereinafter described and requests that the territory proposed for annexation be annexed to the City of Dublin, Ohio. The territory proposed for annexation contains approximately 12.0 acres, more or less, in Washington Township, Franklin County and is contiguous to the boundary of the City of Dublin, Ohio.

An accurate description of the perimeter of the territory sought to be annexed is attached hereto and made a part hereof as Exhibit "A". A map or plat of the above-described territory sought to be annexed is attached hereto and made a part hereof as Exhibit "B".

The number of owners in the territory sought to be annexed is five (5) and the number of owners who signed the petition is four (4).

Donald T. Plank, Plank Law Firm, LPA, 411 E. Town Street, Second Floor, Columbus, Ohio 43215, (614) 947-8600, is hereby appointed agent for the undersigned petitioners, as required by R.C. §709.02; and said petitioners' agent is hereby authorized to make any amendments and/or deletions which in his absolute and complete discretion are proper under the circumstances then existing. In addition, the petitioners' agent is authorized to make such amendments and/or deletions in this petition, map, plat or description in order to correct any discrepancy or mistake noted by the county engineer or others in their examination of the petition, map, plat or description. Amendments to correct the map, plat or description may be made by the presentation of an amended map or plat and description to the Franklin County Board of County Commissioners on, before or after the date set for hearing of this petition unless otherwise specified by law.

[Signatures on the following pages]



AUX-11-18



SIGNATURE

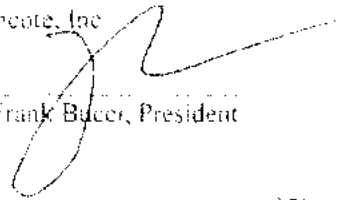
ADDRESS

DATE

Chemcote, Inc

By:

Frank Bucci, President



7599 Fishel Drive North

Dublin, OH 43016

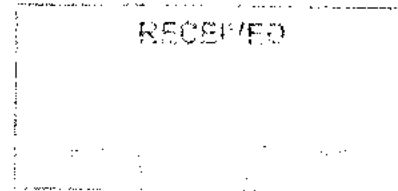
Phone: 614-792-2683

Fax: 614-792-0688

E-mail: frankbucci@chemcote.com

9/9/2018

[Signatures continue on the following pages]



9/9/18

NAME

ADDRESS

DATE

The DuRoe Trust

PO Box 357


4-26-2018

Williamsport, OH 43164

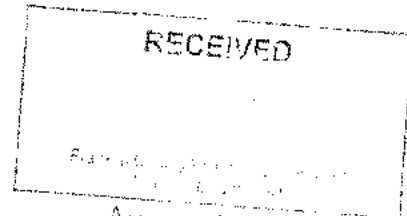
Phone: 614 402-4582

Fax:

E-mail: LCLARKE@cedun-realtors.com

By:   
Larry D. Clarke, Trustee

{Signatures continue on the following pages}



NAME

ADDRESS

DATE

Strat Real Estate LLC LTD

269 National Rd SW

4/4/18

By: *Daniel J. Clay* VP

Hebron, Ohio 43025

Print Name: *Daniel L. Clay*

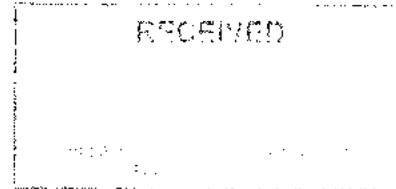
Phone: *614 562 1823*

Fax: *740 928 7220*

Its: *V.P.*

E-mail: *dclay@stratrealty.com*

[Signatures continue on the following page]



*ALC/PMC*

NAME

City of Dublin

ADDRESS

5200 Emerald Parkway  
Dublin, Ohio 43017  
Phone: 614-~~277-4401~~ 410-4402  
Fax: 614-410-4490  
E-mail: [claudia@cityofdublin.org](mailto:claudia@cityofdublin.org)

DATE

4/13/18

By:

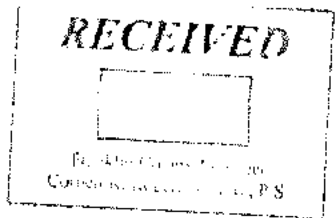
  
Dana L. McDaniel, City Manager

RECEIVED

APR 11 2018

APR 11-18

12/1/14  
4/2/14



### LEGAL DESCRIPTION

#### Description of 12.0 ACRES +/- TO BE ANNEXED FROM WASHINGTON TOWNSHIP TO CITY OF DUBLIN

Situated in the state of Ohio, County of Franklin, Township of Washington being in Virginia, Military Survey No. 6748, and being all of Lot 1 of Fishel Industrial Park No. 1 Third amended Subdivision Plat of record in Plat Book 77, Page 79 and conveyed to Strait Real Estate PID 272-000590, of record in GR33276814, Lot 5 of said Fishel Industrial Park No. 1 Third amended Subdivision Plat as conveyed to Chemcate, Inc. PID 272-000594 of record in OR13100 H-20 and a portion of Cosgray Road as dedicated in Fishel Industrial Park of record in Plat Book 64 Page 11 a portion as dedicated in said Plat Book 77 Page 79, a portion which is currently owned by City of Dublin Ohio PID 272-00632 of record in Instrument Number 201112300171511, a portion which is currently owned by Kelly Byers PID 272000243 of record in Instrument Number 201607260096809 and a portion of which is currently owned by Kevin G Benington Trustee, Marc A. Palmer Trustee, Larry D. Clark Trustee and Mark A. Bryant Trustee PID 274-000013 of record in Instrument Number 201511160161901 (all deed reference refer to the record of the Records Official Franklin County Ohio) and described as follows:

**BEGINNING**, at a point in the easterly right of way line of Cosgray Road, at a corner of the existing City of Dublin Corporation Line (Ord. No. 37-81 Official Record 143001) and P.B.59 pg. 18) in the northerly line of that tract of land as conveyed to the City of Dublin, Ohio of record in Instrument Number 201112300171511;

Thence, Easterly 1053 feet, more or less, along said corporation line and said northerly line, of the City of Dublin, Ohio tract to a corner thereof,

Thence, Southerly 20 feet, more or less, along the easterly line of said City of Dublin, Ohio tract and said corporation line to the northeasterly corner of said Byers tract.

Thence, Westerly 1360 feet, more or less, along the northerly line of said Byers tract to a point on said easterly right of way line of Cosgray Road.

Thence, Southerly a distance of 101 feet, more or less, with said easterly right of way line of Cosgray Road, to a point in the southerly line of said Byers tract;

Thence, Westerly, a distance of 30 feet more or less, with said southerly line to the southwesterly corner of said Byers tract in the centerline of said Cosgray Road,

Thence, Northerly a distance of 24 feet, more or less, with said centerline to a point in the centerline of said Cosgray Road;

Thence, Westerly a distance of 60 feet more or less partially with the northerly line of reserve E of as conveyed to Columbia Gas of Ohio, of record in Instrument Number 1998801220015077 and the southerly line of said lot 1, to the northwesterly corner of said reserve E;

Thence, Southerly a distance of 25 feet, more or less, with the westerly line of said Reserve E to the southwesterly corner thereof in the northern line of the tract of land as conveyed to Cuga Petroleum Corporation of record in Instrument Number 200312310406225,

Thence, Westerly a distance of 603 feet, more or less, with said northerly line to the southeasterly corner of lot 15 of said Fishel Industrial Park No. 1 Third amended Subdivision Plat, as conveyed to Holmco Properties LTD of record in GR27445117

Thence, Northerly a distance of 360 feet, more or less, with the easterly line of said lot 15 to the northeasterly corner thereof in the southerly right of way line of Fishel Drive south,

Thence, with said southerly right of way line, the following courses:

Easterly a distance of 381 feet, more or less, to a point,

Easterly a distance of 58 feet, more or less, to a point,

Easterly a distance of 135 feet, more or less, to a point in the westerly right of way line of said Cosgray Road;

Thence, Northerly a distance of 390 feet, more or less, with said westerly right of way line, to the southeasterly corner of said lot 6 at the northeasterly corner of lot 2 of said Fishel Industrial Park No. 1 Third amended Subdivision as conveyed to TTG Properties LLC of record in Instrument Number 201212280200124,

Thence, Westerly a distance of 503 feet, more or less, partly with the northerly line of said lot 2 and partly with in the northerly line of lot 16 of said Fishel Industrial Park No. 1 Third amended Subdivision as conveyed to TTG Properties, LLC of record in Instrument Number 201212280200124, to the southeasterly corner of lot 6 of said Fishel Industrial Park No. 1 Third amended Subdivision conveyed to 7627 Fishel LLC of record in Instrument Number 201509140128347;



Thence, Northerly a distance of 360 feet more or less with the easterly line of said lot 6 to the northeasterly corner of said lot 5 the southerly right of way line of Esibel Drive North.

Thence, with said southerly right of way line, the following courses:

Easterly a distance of 211 feet, more or less, to a point;

Easterly a distance of 247 feet, more or less, to a point in the westerly right of way line of said Cosgray road;

Thence northerly a distance of 420 feet more or less to the northeasterly corner of said Finkel Industrial Park No. 1 Third amended Subdivision;

Thence easterly a distance of 70 feet more or less across said Cosgray road to a point in the easterly right of way line of said Cosgray road and said existing city of Dublin corporation line;

Thence, with said easterly right of way line, the following courses:

Southerly a distance of 316 feet, more or less, to a point;

Southerly a distance of 232 feet, more or less, to a point;

Southerly a distance of 876 feet, more or less, to the **POINT OF BEGINNING** and containing 12.0 acres of land more or less.

This annexation description of the location of the property to be annexed and is not a boundary survey as defined in O.A.C. Chapter 4733.34. The above description is for annexation purposes only and is not intended for deed transfer purposes. The above annexation contains a perimeter distance of 2,536 feet contiguous with the existing City of Dublin Corporation line and a total perimeter of 7,575 feet to be annexed, and 33% of the perimeter length is contiguous to the City of Dublin Corporation line.

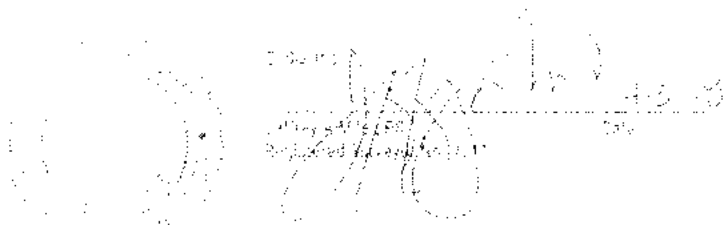
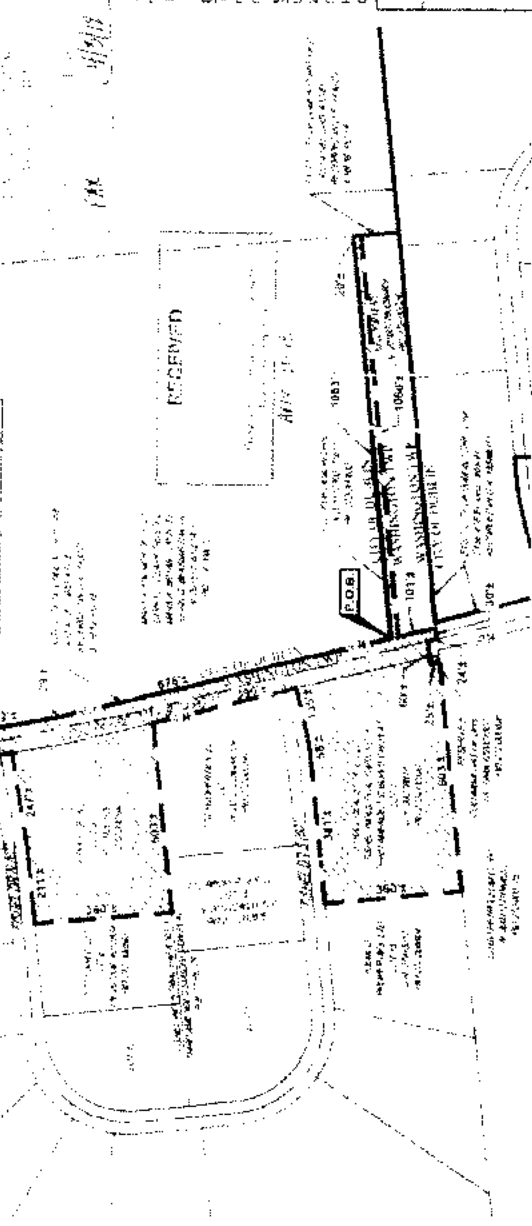
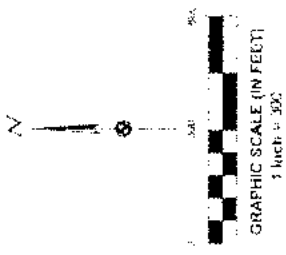


EXHIBIT  
B

**PROPOSED ANNEXATION OF 12.0 ACRES  
FROM: WASHINGTON TOWNSHIP  
TO: CITY OF DUBLIN**

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, TOWNSHIP OF WASHINGTON,  
BEING LOCATED IN THE VIRGINIA MILITARY SURVEY NO. 6755

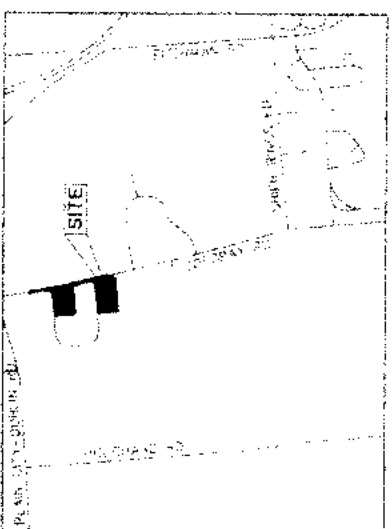
RECEIVED  
Franklin County, Ohio  
Columbus, Ohio 43260-1195



- LEGEND**
- EXIST. CITY OF DUBLIN CORP. LINE
  - EXIST. PARCEL LINE
  - EXIST. RC NO. CENTER LINE
  - PROP. ANNEXATION CORP. LINE
  - PROP. AREA TO BE ANNEXED (12.0 ACRES)



*Jeffrey A. Miller*  
CITY OF DUBLIN, OHIO  
43017  
DATE: 4/13



PLEASE BE AWARE THAT THIS PLAN IS FOR INFORMATION ONLY. IT IS NOT A GUARANTEE OF ACCURACY AND SHOULD NOT BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE SURVEYOR'S OFFICE AND ITS REPRESENTATIVES SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN OR FOR ANY CONSEQUENCES ARISING FROM THE USE OF THIS PLAN.

**CORRECTION**  
TOTAL PERIMETER ANNEXATION AREA IS 12.0 ACRES. THE CORRECTION IS MADE BY ADJUSTING THE PERIMETER TO THE CITY OF DUBLIN, OHIO. THE CORRECTION IS MADE BY ADJUSTING THE PERIMETER TO THE CITY OF DUBLIN, OHIO.

**SURVEYOR**  
J. A. MILLER  
2300 WASHINGTON BLVD., SUITE 100  
COLUMBUS, OH 43223  
PHONE: 614.244.9800  
CONTACT: JEFFREY A. MILLER, P.E.

**PROPOSED ANNEXATION**

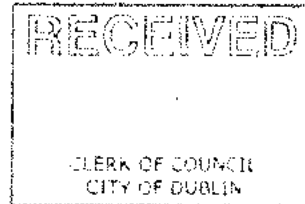
**CESO**  
WWW.CESOCORP.COM

JOB NO.	14175
REF. SHE.	N/A
DESIGN	JRM
DATE	01/29/2016
SHEET NO. <b>EXHIBIT-A</b>	

I, Michelle K. Beek, <sup>Acting</sup> Clerk of Council, do hereby certify receipt of an Annexation Petition for 12.0 Acres, More or Less, from Washington Township, Franklin County, to the City of Dublin, Ohio (Site Address: 7599 Fishel Dr. N., 7575 Fishel Dr. S. and portions of right-of-way) (Pursuant to R.C. Section 709.02 ET. Sec.).

on May 1, 2018

Michelle K. Beek  
Acting Clerk of Council





ANX-11-18

**Plank Law Firm**  
*A Legal Professional Association*

Donald T. Plank  
dtp@planklaw.com  
Dawn Watkins  
dw@planklaw.com  
Christopher R. Kasse  
crk@planklaw.com  
Rebecca J. Mott  
rjm@planklaw.com

411 E. Town St., Fl. 3  
Columbus, Ohio 43215-4748  
Business 614-947-8800  
Fax 614-228-1790

---

May 4, 2018

Matthew Brown  
Planning Administrator  
Franklin County Economic Development & Planning Department  
150 S. Front Street, ESI Suite 10  
Columbus, Ohio 43215

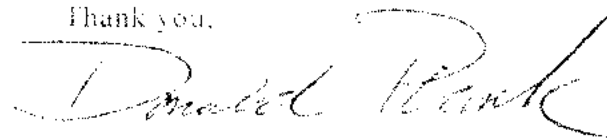
\*\*\*Via Hand Delivery\*\*\*

**RE: Proof of Service – Washington Township/City of Dublin**

Dear Mr. Brown:

Enclosed is the affidavit of the person who hand-delivered copies of the Annexation Petition (Case # ANX-11-18) to the City of Dublin Clerk of Council and the Washington Township Offices. The notices to Washington Township and to the City of Dublin that accompanied the hand-delivered petition, as well as a copy of the certified mail receipt for the second service to the City of Dublin, are also enclosed.

Thank you.



Donald T. Plank  
Plank Law Firm, LPA

DTP/hub

Enclosures: 4

AFFIDAVIT OF DANIEL PLANK

REGARDING SERVICE OF ANNEXATION PETITIONS

STATE OF OHIO,  
COUNTY OF FRANKLIN, SS

1. I, Daniel Plank, being duly sworn and deposed, state that I am an adult who is competent to testify, and I make this affidavit from my own personal knowledge.

2. On May 1, 2018, I served/delivered a copy of the Annexation Petition on/to the Clerk of the City of Dublin City Council.

3. On May 2, 2018, I served/delivered a copy of the Annexation Petition on/to the Washington Township offices.

FURTHER AFFIANT SAYETH NAUGHT.

Daniel Plank  
Name

Sworn before me this 2<sup>nd</sup> day of May, 2018.

Rebecca J. Mott  
Notary Public

My commission expires: no expiration

REBECCA MOTT, Attorney At Law  
NOTARY PUBLIC - STATE OF OHIO  
My commission has no expiration date  
Rev. 1/7/2012

**Plank Law Firm**  
*A Legal Professional Association*

Donald T. Plank  
dtp@planklaw.com  
David Watkins  
dw@planklaw.com  
Christopher R. Kessler  
crk@planklaw.com  
Rebecca J. Mott  
rjm@planklaw.com

411 E. Town St., FL 2  
Columbus, Ohio 43213-4748  
Business 614-947-3800  
Fax 614-228-1790

---

May 2, 2018

Eric Richter  
Zoning Administrator  
Washington Township  
6200 Eiterman Road  
Dublin, OH 43016

\*\*\*Via Hand Delivery\*\*\*


**RE: Annexation Petition**

Mr. Richter,

Enclosed, please find the Annexation Petition for 12 acres of land in Washington Township to the City of Dublin. The Petition was filed on May 1, 2018 at 12:05 p.m. with the Franklin County Board of Commissioners (the "Board"). The hearing before the Board will be July 10, 2018 at 9:00 a.m. in the Commissioners' Hearing Room, located on the 26<sup>th</sup> floor of the Franklin County Courthouse at 373 S. High Street, Columbus, Ohio 43215.

Please call with any questions.

Thank you,



Donald T. Plank  
Plank Law Firm, LPA

DTP/hab

Enclosure

NOT RECORDED  
MAY 10 2018  
COLUMBUS, OHIO  
*[Handwritten signature]*  
Columbus, Ohio

**Plank Law Firm**  
*A Legal Professional Association*

Donald T. Plank  
dtp@planklaw.com  
David Watkins  
dw@planklaw.com  
Christopher R. Kessler  
ckr@planklaw.com  
Rebecca J. Mott  
rjm@planklaw.com

411 E. Town St., Fl. 2  
Columbus, Ohio 43215-4748  
Business 614-947-8500  
Fax 614-228-1790

---

May 2, 2018

Anne Clarke  
Clerk of Council  
City of Dublin  
5200 Emerald Parkway  
Dublin, OH 43017

\*\*\*Via Certified Mail\*\*\*

**RE: Annexation Petition**

Ms. Clarke,

Enclosed, please find the Annexation Petition for 12 acres of land in Washington Township to the City of Dublin. The Petition was filed on May 1, 2018 at 12:05 p.m. with the Franklin County Board of Commissioners (the "Board"). The hearing before the Board will be July 10, 2018 at 9:00 a.m. in the Commissioners' Hearing Room, located on the 26<sup>th</sup> floor of the Franklin County Courthouse at 573 S. High Street, Columbus, Ohio 43215.

Please call with any questions.

Thank you,

*original signed by  
DTP*

Donald T. Plank  
Plank Law Firm, LPA

DTP:hub

Enclosure

Handwritten text at the top of the page, possibly a title or header, which is mostly illegible due to blurring.

Handwritten text in the middle section of the page, appearing to be a list or a series of notes.

Handwritten text at the bottom of the page, possibly a signature or a concluding note.

**Plank Law Firm**  
*A Legal Professional Association*

Donald T. Plank  
dtp@planklaw.com  
David Watkins  
dw@planklaw.com  
Christopher R. Kessler  
crk@planklaw.com  
Rebecca J. Mott  
rjm@planklaw.com

411 E. Town St., FL 2  
Columbus, Ohio 43215-4748  
Business: 614-947-8600  
Fax: 614-228-1790

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May 11, 2018

Matthew Brown  
Planning Administrator  
Franklin County Economic Development & Planning Department  
150 S. Front Street, FSL Suite 10  
Columbus, Ohio 43215

\*\*\*Via Hand Delivery\*\*\*

**RE: ANX-11-18**

Dear Mr. Brown:

Enclosed, please find the notarized affidavit of Heather Baumgardner, legal secretary to the Plank Law Firm, attesting that the notices required under O.R.C. § 709.03(B)(2) have been sent to the owners of property within and adjacent to the land area being annexed. This affidavit is being delivered to you pursuant to said O.R.C. § 709.03(B)(2).

Thank you,



Donald T. Plank  
Plank Law Firm, LPA

DTP/hab

Enclosure



*ANX-11-18*

AFFIDAVIT OF HEATHER BAUMGARDNER

REGARDING MAILING OF NOTICE OF HEARING OF  
THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS

STATE OF OHIO,  
COUNTY OF FRANKLIN, SS

1. I, Heather Baumgardner, being duly sworn and deposed, state that I am an adult who is competent to testify, and I make this affidavit from my own personal knowledge.

2. On May 4, 2018, I delivered to the United States Post Office located at 2323 Citygate Drive, Columbus, Ohio 43218 envelopes addressed to the addressees at the mailing addresses listed on Exhibit 1 attached hereto.

3. An unaddressed copy of the contents of the letter mailed is attached hereto as Exhibit 2.

FURTHER AFFIANT SAYETH NAUGHT.

HAB  
Name

Sworn before me this 10<sup>th</sup> day of May, 2018.

Rebecca J. Mott  
Notary Public

My commission expires:

no expiration

**REBECCA MOTT, Attorney At Law**  
**NOTARY PUBLIC - STATE OF OHIO**  
**My commission has no expiration date**  
**Exp. 1/1/20 P.L.**

**Annexation Property and Adjacent Owners' Property List**

Pursuant to R.C.S. § 709.02(D)

Parcel Number	Property Address	City, State, Zip	Owner	Contact	Mailing Address	City, State, Zip
271-000078-00	Plain City Road	Dublin, OH 43016	Perome Associates, Inc.	Joseph Skalen	PO Box 1148	Columbus, OH 43216
272-000125-00	6433 Cosgray Road	Dublin, OH 43016	CFGC Petroleum Corporation		Property Tax Room N7403 PO Box 4689	Houston, TX 77210-4689
272-000243-00	6800 Cosgray Road	Dublin, OH 43016	Kelly Byers		6800 Cosgray Road	Dublin, OH 43016-8739
272-000301-00	7423 Cosgray Road	Dublin, OH 43016	Jeffrey T. Beckman		32851 Xenon Drive NW	Princeton, MN 55371-5002
272-000326-00	7443 Cosgray Road	Dublin, OH 43016	Steven R. & Patricia L. Kietzer		7643 Cosgray Road	Dublin, OH 43016
272-000448-00	7453-7453 Cosgray Road	Dublin, OH 43016	Jeffrey Tod Weingarten		6856 Dublin Road	Dublin, OH 43017-1158
272-000590-00	7575 S. Fishel Drive	Dublin, OH 43016	Strat Road Estate LLC L.P., Ltd		7575 Swisher Creek Drive	Blacklick, OH 43004-8907
272-000591-00	7579 S. Fishel Drive	Dublin, OH 43016	TTC Properties LLC		1680 E. Front Street	Leban, OH 43138-0740
272-000605-00	S. Fishel Drive					
272-000593-00	7600 Fishel Drive	Dublin, OH 43016	The Jetley Company		7600 Fishel Drive N	Dublin, OH 43016-8736
272-000594-00	7599 Fishel Drive	Dublin, OH 43016	Chemcote Inc.		7599 Fishel Drive N	Dublin, OH 43016-8819
272-000595-00	7617 Fishel Drive	Dublin, OH 43016	7627 Fishel LLC		7627 Fishel Drive N	Dublin, OH 43016-8727
272-000596-00	7670 S. Fishel Drive	Dublin, OH 43016	Compass Construction Inc.		PO Box 2027	Mansfield, OH 44834-0027
272-000600-00	7630 Fishel Drive	Dublin, OH 43016	Country Club Garages of Ohio LLC		7630 Fishel Drive N	Dublin, OH 43016-8748
272-000604-00	7595 S. Fishel Drive	Dublin, OH 43016	Holmco Properties, Inc		7595 Fishel Drive S	Dublin, OH 43016-8823
272-000606-00	Cosgray Road	Dublin, OH 43016	Columbus Gas of Ohio Inc.		PO Box 317	Columbus, OH 43216-0117
272-000632-00	Cosgray Road	Dublin, OH 43016	City of Dublin, Ohio		5200 Emerald Parkway	Dublin, OH 43017-3098
273-013242-00	6775 Bobcat Way	Dublin, OH 43016	Ohio University		7000 Post Road	Dublin, OH 43016-8402
274-000410-00	Cosgray Road	Dublin, OH 43016	Kevin G. Beedington, Trustee Marc A. Fabian, Trustee Larry D. Clarke, Trustee Marc A. Bryant, Trustee Street and Co.	Dulco Trust	7000 Post Road PO Box 357	Williamport, OH 43164-0357
274-000132-00	Dublin Park Drive	Dublin, OH 43016			6795 Cosgray Road	Dublin, OH 43016-8737
274-000134-00	Dublin Park Drive					
274-000130-00	6760 Dublin Park Drive	Dublin, OH 43016	6500 Dublin Park Drive LLC		6765 Cosgray Road	Dublin, OH 43016-8762



Exhibit 2

**Plank Law Firm**  
*A Legal Professional Association*

Conrad J. Plank  
David Watkins  
Christopher R. Keastor  
Rebecca J. Mott

111 E. Town Street, Floor 2  
Columbus, Ohio 43215-4745  
Phone: 614-947-6800  
Fax: 614-928-1790  
info@planklaw.com

May 4, 2018

[Owner]  
[Contact]  
[Mailing Address]  
[City, State Zip]

**RE: Notice of Filing Annexation Petition**

Dear [Owner or Contact]:

This Notice of Filing Annexation Petition concerns 12 acres of land along Cosgray Road being annexed into the City of Dublin (hereinafter referred to as the "City"). A legal description and map of the land being annexed are attached as Exhibits "A" and "B" to the annexation petition enclosed with this notice. The annexation petition was filed on May 1, 2018 at 12:05 p.m. with the Franklin County Board of Commissioners (the "Board"). The hearing before the Board will be July 10, 2018 at 9:00 a.m. in the Commissioners' Hearing Room, located on the 26<sup>th</sup> floor of the Franklin County Courthouse at 373 S. High Street, Columbus, Ohio 43215. A copy of the full petition is enclosed, but can also be viewed at the Franklin County Economic Development and Planning Department, located at 150 South Front Street, ESI Suite 10, Columbus, Ohio 43215.

As the owner of the property located at or [Property Address(es)], Dublin, Ohio 43016, you are receiving this letter because:

- 1.) You have signed the annexation petition seeking to have all or a portion of your property annexed into the City;
- 2.) You own land adjacent to the land being annexed into the City; or
- 3.) A portion of your land that is in the right-of-way of Cosgray Road is being annexed into the City and the remainder of your land is adjacent to the land being annexed into the City.


If you are an owner of property who signed the annexation petition, you may remove your signature by filing with the Board of the Franklin County Commissioners a written notice of withdrawal within 21 days after the date of this letter.

I hereby certify that the date of this mailing is the date of this letter.

Office of Planning and Economic Development  
May 4, 2018  
Page 7

If you have any questions, please contact Matt Brown, Planning Administrator with the Franklin County Economic Development & Planning Department, at (614) 525-3095 or via email at [mybrown@franklincountyohio.gov](mailto:mybrown@franklincountyohio.gov).

Thank you.

  
Donald T. Plank  
Plank Law Firm, LPA

DTP:adb

Enclosure

[www.franklincountyohio.gov](http://www.franklincountyohio.gov)

**Annexation Property and Adjacent Owners' Property List**

(Pursuant to O.R.C. § 709.02(D))

<u>Parcel Number</u>	<u>Property Address</u>	<u>City, State, Zip</u>	<u>Owner</u>	<u>Tax Owner</u>	<u>Tax Mailing Address</u>	<u>City, State, Zip</u>
271-000028-00	Plain City Road	Dublin, OH 43016	Jerome I Associates Ltd.	Joseph Skilken	PO Box 1148	Columbus, OH 43216
272-000125-00	6433 Cosgray Road	Dublin, OH 43016	CHGO Petroleum Corporation		Property Tax Room N7403 PO Box 4689	Houston, TX 77210-4689
272-000243-00	6800 Cosgray Road	Dublin, OH 43016	Kolly Byers		6800 Cosgray Road	Dublin, OH 43016-8739
272-000301-00	7423 Cosgray Road	Dublin, OH 43016	Jeffrey T. Beckman		32851 Xenon Drive NW	Princeton, MN 55371-5002
272-000326-00	7443 Cosgray Road	Dublin, OH 43016	Steven K. & Patricia L. Kretzer	Loretta	1123 Park View Drive	Covina, CA 91724-3748
272-000328-00	7453-7455 Cosgray Road	Dublin, OH 43016	Jeffrey Tod Weingarten		6856 Dublin Road	Dublin, OH 43017-1158
272-000590-00	7575 S. Fishel Drive	Dublin, OH 43016	Strait Real Estate LLC 1, Ltd.		2373 Swisher Creek Drive	Blacklick, OH 43004-8507
272-000591-00	7570 S. Fishel Drive	Dublin, OH 43016	TTG Properties LLC		1689 E. Front Street	Logan, OH 43138-9290
272-000593-00	7600 Fishel Drive	Dublin, OH 43016	The Geitgey Company		7600 Fishel Drive N	Dublin, OH 43016-8746
272-000594-00	7599 Fishel Drive	Dublin, OH 43016	Chemcote Inc.		7599 Fishel Drive N	Dublin, OH 43016-8818
272-000595-00	7627 Fishel Drive	Dublin, OH 43016	7627 Fishel LLC		7627 Fishel Drive N	Dublin, OH 43016-8747
272-000596-00	7670 S. Fishel Drive	Dublin, OH 43016	Compass Construction Inc.		PO Box 3027	Mansfield, OH 44904-0027
272-000600-00	7630 Fishel Drive.	Dublin, OH 43016	Country Club Garages of Ohio LLC		7630 Fishel Drive N	Dublin, OH 43016-8746
272-000604-00	7595 S. Fishel Drive	Dublin, OH 43016	Holmco Properties Ltd.		7595 Fishel Drive S	Dublin, OH 43016-8821
272-000605-00	S. Fishel Drive	Dublin, OH 43016	TTG Properties LLC		1689 E. Front Street	Logan, OH 43138-9290
272-000606-00	Cosgray Road	Dublin, OH 43016	Columba Gas of Ohio Inc.		PO Box 117	Columbus, OH 43216-0117
272-000632-00	Cosgray Road	Dublin, OH 43016	City of Dublin, Ohio		5200 Emerald Parkway	Dublin, OH 43017-1090
273-011342-00	6775 Bobcat Way	Dublin, OH 43016	Ohio University		7000 Post Road	Dublin, OH 43016-8302
274-000010-00	Cosgray Road	Dublin, OH 43016	Kevin G. Bennington, Trustee Marc A. Palmer, Trustee Larry D. Clarke, Trustee Mark A. Bryant, Trustee	DuRoc Trust	PO Box 357	Williamsport, OH 43164-0357
274-000137-00	Dublin Park Drive	Dublin, OH 43016	Steel Land Co.		6295 Cosgray Road	Dublin, OH 43016-8737
274-000134-00	Dublin Park Drive	Dublin, OH 43016	Steel Land Co.		6295 Cosgray Road	Dublin, OH 43016-8737
274-000139-00	6500 Dublin Park Drive	Dublin, OH 43016	6500 Dublin Park Drive LLC		6295 Cosgray Road	Dublin, OH 43016-8762

**Plank Law Firm**  
*A Legal Professional Association*

Donald T. Plank  
dtp@planklaw.com  
David Watkins  
dw@planklaw.com  
Christopher R. Kessler  
crk@planklaw.com  
Rebecca J. Mott  
rjm@planklaw.com

411 E. Town St., FL 2  
Columbus, Ohio 43215-4748  
Business: 614-947-8600  
Fax: 614-228-1790

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June 8, 2018

Matthew Brown  
Planning Administrator  
Franklin County Economic Development & Planning Department  
150 S. Front Street, FSL Suite 10  
Columbus, Ohio 43215

\*\*\*Via Hand Delivery\*\*\*

**RE: Proof of Publication**

Dear Mr. Brown:

Enclosed is a copy of the notarized receipt from *The Daily Reporter*, a newspaper of general circulation, evidencing the publication of the notice of the hearing on the petition for the annexation of land into the City of Dublin, required under O.R.C. § 709.03(B)(3). Also enclosed is a copy of the notice itself, which was published on Tuesday, June 5, 2018.

Thank you,



Donald T. Plank  
Plank Law Firm, LPA



ANX-11-18

# THE DAILY REPORTER

www.thedailyreporteronline.com

660 South High Street • Suite 510  
Columbus, Ohio 43215-6644  
Tel: (614) 224-4833  
FAX: (614) 224-8649  
email: legal@thedailyreporteronline.com

Date of Publication: 06/08/2018

HEATHER BAUMGARDNER  
PLANK LAW FIRM LPA  
411 E TOWN STREET 2  
COLUMBUS OH 43215

Hearing on Petition for the Annexation  
of Land into the City of Dublin  
7/16/18

Total public notice charges: \$ 7,500.00

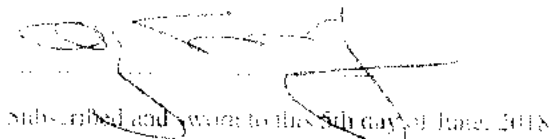
STATE OF OHIO  
Franklin County, Ohio vs

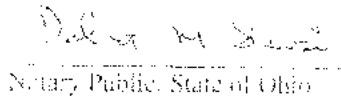
SIBERRY SCHWEINFURTH

On behalf of THE DAILY REPORTER, a newspaper  
published in Franklin County, Ohio, makes oath that  
the attached printed advertisement was published 4  
times in said newspaper on

June 8, 2018

and that said newspaper is of general circulation in said  
County.

  
subscribed and sworn to this 8th day of June, 2018.

  
Notary Public, State of Ohio



DEBRA M. SUSI  
Notary Public, State of Ohio  
My Commission Expires  
March 22, 2023

