

VILLAGE OF OBETZ
RECORD OF ORDINANCES



ORDINANCE: 54-15

PASSED: August 17, 2015

AN ORDINANCE SETTING FORTH A STATEMENT OF MUNICIPAL SERVICES TO BE PROVIDED TO THE AREA CONTAINED IN A PROPOSED ANNEXATION OF 5 +/- ACRES LOCATED ALONG TOY ROAD, EAST OF ALUM CREEK DRIVE FROM HAMILTON TOWNSHIP TO THE VILLAGE OF OBETZ, AND DECLARING AN EMERGENCY.

WHEREAS, a petition has been filed with the Franklin County Commissioners requesting the annexation of 5 +/- acres of land to the Village of Obetz from Hamilton Township. (A description of the property to be annexed is attached hereto as Exhibit A and made a part hereof); and,

WHEREAS, a hearing on said petition will be scheduled before the Franklin County Board of Commissioners; and,

WHEREAS, Section 709.023(C) of the Ohio Revised Code requires that before said hearing, Council shall adopt a statement indicating what services, if any, the Village will provide to the territory proposed for annexation upon annexation; and,

WHEREAS, upon annexation, the parcel proposed for annexation will have uniform access to Village services; and,

WHEREAS, Section 709.023(C) of the Ohio Revised Code requires that should the territory to be annexed become subject to municipal zoning, and should the proposed use of the annexed territory be clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the territory was annexed, then Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township should land adjacent to the territory be determined to be unincorporated territory; and,

WHEREAS, pursuant to Section 709.023(C) of the Ohio Revised Code, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ, OHIO, THAT:

Section 1. The Village of Obetz will provide the following Village services for the 5 +/- acres located along Toy Road, East of Alum Creek Drive (Exhibit A) in Hamilton Township upon the annexation of said area to the Village of Obetz:

Police. The Village of Obetz has a full time Police Department with ten cruisers and a staff of seventeen officers. The annexation area will be fully served at the same level now being provided to the area adjacent to the annexation area.

Fire. The Hamilton Township will continue to provide fire protection and EMS services at the same level now being provided to the area.

Water and Sewer. The Village of Obetz has Water and Sewer Service Agreements with the City of Columbus, and the subject property is within the service area of the agreements. Sufficient public water distribution and sanitary sewerage collection systems exist in this area to serve this property.

Section 2: This parcel shall be subject to municipal zoning. Should the proposed use of the annexed territory be clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the territory was annexed, then Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township should land adjacent to the territory be determined to be unincorporated territory.

Section 3: The Council Clerk is directed to file a copy of this Ordinance with the Franklin County Board of Commissioners.

Section 4: This Ordinance shall be declared an emergency and shall take effect at the earliest time permitted by law. The reason for the emergency is to provide for the public health, safety and welfare of the citizens of the Village of Obetz. Specifically, the Village must indicate its intent to provide services to the area to be annexed before the annexation hearing before the Franklin County Board of Commissioners; WHEREFORE, this Ordinance shall take effect and be in force from and after its passage.

Passed this 17 day of August, 2015.

ATTESTS:

Stacey Boumis
Stacey Boumis, Clerk of Council

D. Greg Scott
D. Greg Scott, Mayor

Angela Kirk
Angela Kirk, Council President Pro Tem

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PASSED: August 17, 2015

APPROVED AS TO FORM

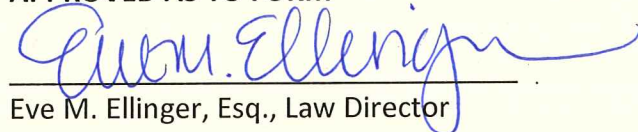

Eve M. Ellinger, Esq., Law Director

EXHIBIT A

DESCRIPTION OF APPROXIMATELY 5.00 ACRES IN HAMILTON TOWNSHIP
TO BE ANNEXED TO THE VILLAGE OF OBETZ

Situated in the State of Ohio, County of Franklin, Township of Hamilton, Northeast Quarter of Section 25, Township 4, Range 22, Congress Lands East of the Scioto River, being all of that 5.00 acre tract as described in a deed to Rodney W. Harris, of record in Official Record Volume 27238 G11, all references to records are on file in the Recorder's Office, Franklin County, Ohio, said proposed annexation area being more particularly described as follows:

Beginning at the southeasterly corner of said 5.00 acre tract, in the easterly line of said Section 25, at a corner in the northerly line that 152.2 acre tract annexed to the Village of Obetz, Case No. 19-07, Ordinance No. 35-07 of record in Instrument Number 200801250012256;

Thence Westerly, along the southerly line of said 5.00 acre tract, along a northerly line of said corporation line, approximately 290.6 feet to a point at the southwesterly corner of said 5.00 acre tract and being an angle point in said corporation line;

Thence Northerly, along the westerly line of said 5.00 acre tract, the easterly line of said corporation line, passing a corner of said corporation line at a distance of 40 feet, a total distance of approximately 749.5 feet to a point at the northwesterly corner of said 5.00 acre tract;

Thence Easterly, along the northerly line of said 5.00 acre tract, approximately 290.6 feet to a point at the northeasterly corner of said 5.00 acre tract, in a westerly line that 262 acre (tract 1) annexed to the Village of Obetz, Case No. 10-01, Ordinance No. 47-01 of record in Instrument Number 200106070127921;

Thence Southerly, along the easterly line of said 5.00 acre tract, along said corporation line, a distance of approximately 749.5 feet to the Place of Beginning and containing 5.00 acres, more or less.

The total length of the proposed annexation perimeter is approximately 2,080 feet, of which approximately 1,080 feet (approximately 52%) is contiguous with existing Village of Obetz Corporation Lines.

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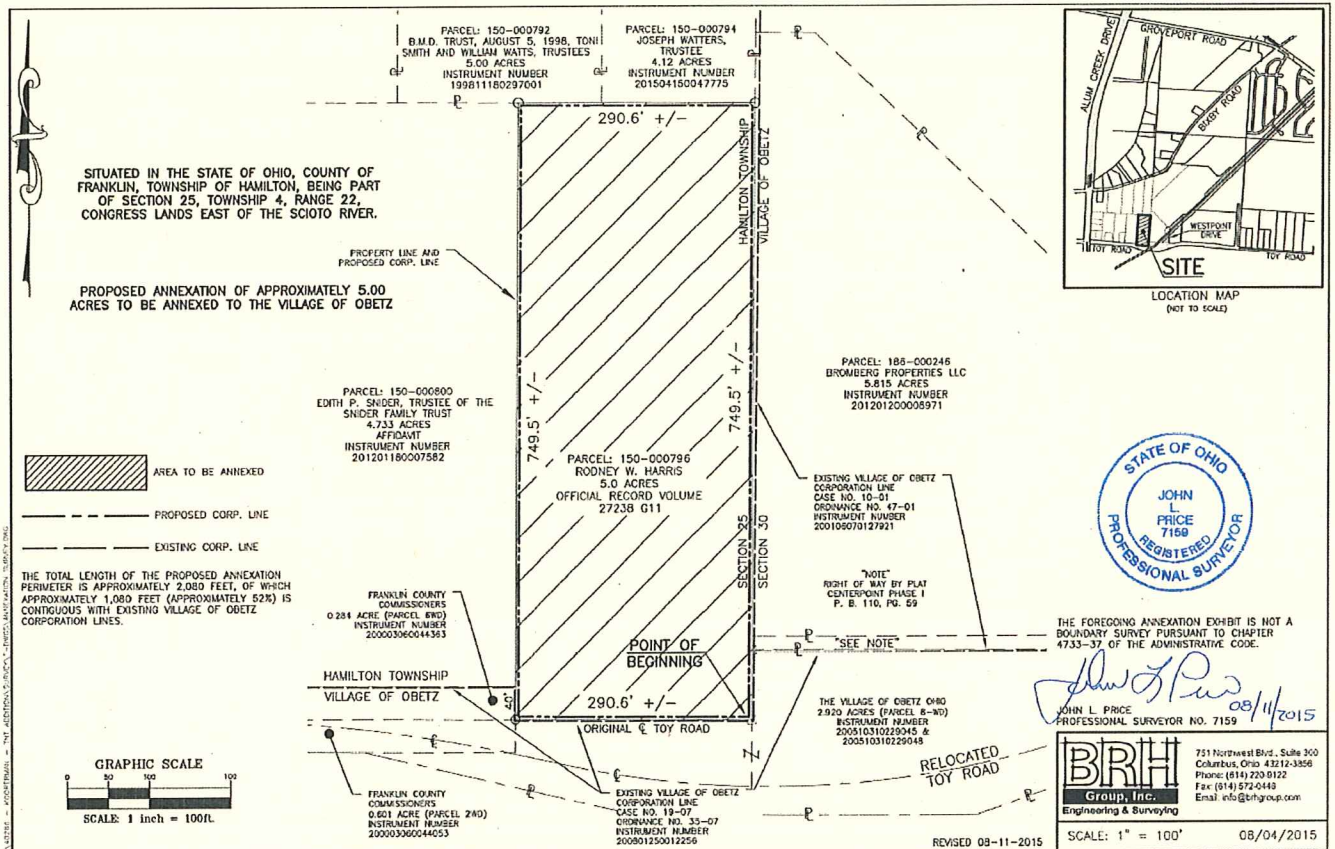
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The foregoing annexation description has been prepared from record documents only and not from an actual field survey of the premises and is not to be used for any other purpose.

BRH Group, Inc.

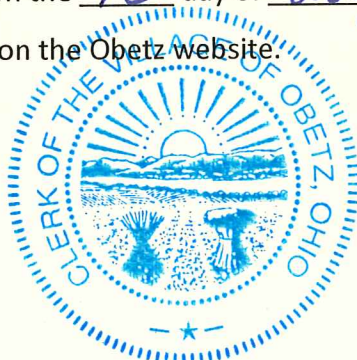
John L. Price

Professional Surveyor No. 7159



CERTIFICATION OF PUBLICATION

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance 54-15 was duly posted at 10:00 AM (time) on the 18 day of August, 2015, at the Obetz Government Center, as well as on the Obetz website.



Stacey Boumis
Stacey Boumis, Clerk

8/18/15
Date