

VILLAGE OF OBETZ
RECORD OF ORDINANCES

ORDINANCE: 37 – 19

PASSED: October 15, 2019

AN ORDINANCE SETTING FORTH A STATEMENT OF MUNICIPAL SERVICES TO BE PROVIDED TO THE AREA CONTAINED IN A PROPOSED ANNEXATION OF 13.8 +/- ACRES LOCATED FROM HAMILTON TOWNSHIP TO THE VILLAGE OF OBETZ SUCH LAND BEING LOCATED ALONG ALUM CREEK DRIVE, BIXBY ROAD, AND TOY ROAD, AND DECLARING AN EMERGENCY

WHEREAS, a petition has been filed with the Franklin County Commissioners requesting the annexation of 13.8 +/- 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 if the 13.8 +/- acre site is annexed, and if the Village of Obetz permits uses in annexed territory that the Village of Obetz determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Hamilton Township, the Village of Obetz 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 Hamilton Township; 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 13.8 +/- acres located along Alum Creek Drive, Bixby Road, and Toy Road (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. The annexation area will be fully served at the same level now being provided to the area adjacent to the annexation area.

Fire. 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. It is understood that all extensions of water or sanitary sewer service are the responsibility of the property owner, and upon receipt of all necessary permits and payments of all costs for connections thereto, such service shall become available.

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 15 day of October, 2019.

ATTESTS:

Stacey Boumis
Stacey Boumis, Clerk of Council

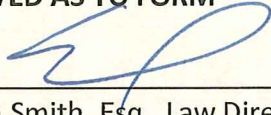
D. Greg Scott
D. Greg Scott, Mayor

Robert Kramer
Robert Kramer, Council President Pro Tem

ORDINANCE: 37-19

PASSED: October 15, 2019

APPROVED AS TO FORM



Stephen Smith, Esq., Law Director

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 37-19 was duly posted at 1:30 PM (time) on the 16 day of October, 2019, at the Obetz Government Center, Obetz Community Center, and Obetz Athletic Club as well as on the Obetz website.

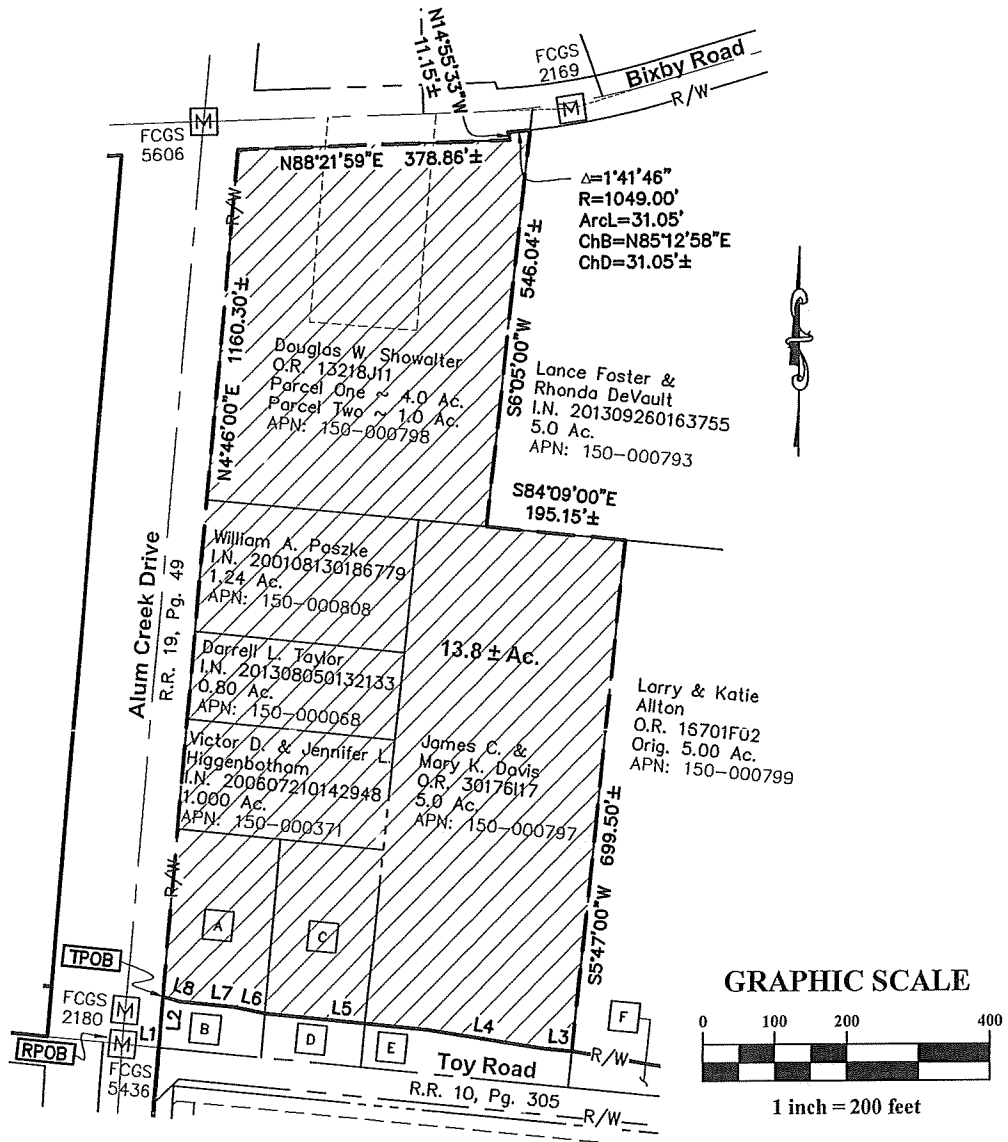
Stacey Boumis
Stacey Boumis, Clerk



10/16/19
Date

Exhibit A

13.8± ACRE ZONING EXHIBIT Section 25, Township 4, Range 22 Hamilton Township, Franklin County, Ohio



- A** Gory & Julie A. Doughty
I.N. 201112200165384
0.974 Ac.
APN: 150-000816
- B** Franklin County Commissioners
I.N. 200003160052126
Parcel No. 3-WD
0.211-Ac.
- C** William G. & Sandra L. Taylor
I.N. 201409290127995
0.787 Ac.
APN: 150-002417
- D** Franklin County Commissioners
I.N. 200003240057414
Parcel No. 4-WD
0.194 Ac.
- E** Franklin County Commissioners
I.N. 200003160052127
Parcel No. 5-WD
0.372 Ac.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S84°08'59"E	50.13'±
L2	N04°46'00"E	69.95'±
L3	N84°09'00"W	40.00'±
L4	N80°40'55"W	165.31'±

LINE TABLE		
LINE	BEARING	DISTANCE
L5	N84°09'24"W	226.82'±
L6	N77°26'04"W	42.99'±
L7	N84°09'00"W	75.00'±
L8	N72°44'09"W	24.97'±

DRAWN BY: *DRB* JOB NO.: 18-0026-414
DATE: 10/10/2019 CHECKED BY: *BCK*



**ADVANCED
CIVIL DESIGN**

ENGINEERS SURVEYORS

422 Beecher Road
Gahanna, Ohio 43230
ph 614.428.7750
fax 614.428.7755

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13.8± Acre Zoning Description
South of Bixby Road
East of Alum Creek Drive
North of Toy Road

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Situated in the State of Ohio, County of Franklin, Township of Hamilton, Section 25, Township 4, Range 22, being a 13.8± acre tract, said 13.8± acre tract being part of Parcel One and Parcel Two as conveyed to Douglas W. Showalter of record in Official Record 13218J11, all of a 1.24 acre tract of land conveyed to William A. Paszke of record in Instrument Number 200108130186779, all of the 0.80 acre tract of land conveyed to Darrell L. Taylor of record in Instrument Number 201308050132133, all of the 1.000 acre tract of land conveyed to Victor D. and Jennifer L. Higgenbotham of record in Instrument Number 200607210142948, all of the remainder of a 0.974 acre tract of land conveyed to Gary and Julie A. Doughty of record in Instrument Number 201112200165384, all of the 0.787 acre tract of land conveyed to William G. and Sandra L. Taylor of record in Instrument Number 201409290127995, all of the remainder of that Original 5.0 acre tract of land conveyed to James C. & Mary K. Davis of record in Official Record 30176I17, and more particularly described as follows:

Beginning, for Reference, at the centerline intersection of Alum Creek Drive as dedicated in Road Record 19, Page 49 and Toy Road as established in Road Record 10, Page 305, said intersection also being Franklin County Survey Control Monument "FCGS 5436";

Thence **S 84° 08' 59" E**, along the centerline of said Toy Road, **50.13± feet** to a southwesterly corner of a 0.211 acre tract of land (Parcel No. 3-WD) conveyed to Franklin County Commissioners of record in Instrument Number 200003160052126;

Thence **N 04° 46' 00" E**, along the westerly line of said 0.211 acre tract and across the right-of-way of said Toy Road, **69.95± feet** to the northwesterly corner of said 0.211 acre tract, the southwesterly corner of said 0.974 acre tract and the northeasterly right-of-way intersection of said Alum Creek Drive and said Toy Road, the **True Point of Beginning**;

Thence **N 04° 46' 00" E**, along the westerly line of said 0.974 acre tract, said Higgenbotham's 1.000 acre tract, said 0.80 acre tract, said 1.24 acre tract, said Parcel One and along the easterly right-of-way line of said Alum Creek Drive, **1160.30± feet** to a point, said point being the easterly right-of-way line of said Alum Creek Drive and the southerly right-of-way line of Bixby Road;

Thence across said Parcel One and Parcel Two and along the southerly right-of-way line of said Bixby Road, the following three (3) courses;

N 88° 21' 59" E, **378.86± feet** to an angle point;

N 14° 55' 33" W, **11.15± feet** to a point of curvature;

with a curve to the left, having a central angle of **01° 41' 46"**, a radius of **1049.00 feet**, an arc length of **31.05 feet**, a chord bearing and chord distance of **N 85° 12' 58" E**, **31.05±** to a point of tangency in the easterly line of said Parcel One;

Thence **S 06° 05' 00" W**, along the easterly line of said Parcel One tract, **546.04± feet** to the southeasterly corner thereof and being in the northerly line of said Davis 5.0 acre tract;

Thence **S 84° 09' 00" E**, along the northerly line of said Davis 5.0 acre tract, **195.15± feet** to the northeasterly corner thereof and being an angle point;

Thence **S 05° 47' 00" W**, along the easterly line of said Davis 5.0 acre tract, **699.50± feet** to the southeasterly corner of said Davis 5.0 acre tract and being in the northerly right-of-way line of said Toy Road;

**13.8± Acre Zoning Description
South of Bixby Road
East of Alum Creek Drive
North of Toy Road**

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Thence along the northerly line of said Davis 5.0 acre tract, said 0.787 acre tract, said 0.974 acre tract and along said southerly right-of-way line of Toy Road, the following six (6) courses;

N 84° 09' 00" W, 40.00± feet to an angle point thereof;

N 80° 40' 55" W, 165.31± feet to an angle point thereof;

N 84° 09' 24" W, 226.82± feet to an angle point thereof;

N 77° 26' 04" W, 42.99± feet to an angle point thereof;

N 84° 09' 00" W, 75.00± feet to an angle point thereof;

N 72° 44' 09" W, 24.97± feet to the **True Point of Beginning**, and containing 13.8± acres, more or less.

Subject, however, to all legal highways, easements, and restrictions. The above description was prepared by Advanced Civil Design, Inc. on October 10, 2019 and is based on existing records from the Franklin County Auditor's and Recorder's Office. A drawing of the above description is attached hereto and made a part thereof.

This description is to be used for zoning purposes only and not to be used in the transfer of land.

All references used in this description can be found at the Recorder's Office, Franklin County, Ohio.

ADVANCED CIVIL DESIGN, INC.