



ORDINANCE O-08-2020

**AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1
ANNEXATION OF 63.5+/- ACRES FROM PLAIN TOWNSHIP,
FRANKLIN COUNTY TO THE CITY OF NEW ALBANY**

WHEREAS, pursuant to the petition filed by Eric Zartman, Esq., agent for petitioner, with the Franklin County Development and Planning Department, on February 11, 2020, and

WHEREAS, the foregoing Resolution #0090-20 of the Franklin County Commissioners granting the petition was delivered to the City of New Albany on March 9, 2020, and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

WHEREAS, pursuant to Resolution R-29-2019 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Franklin County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation.

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.06, all future annexed properties shall be added to the applicable New Albany Community Authority as described therein and are subject to a special property assessment in compliance therewith, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, Counties of Franklin, and Licking, State of Ohio, that:

Section 1: The application of property owners set forth in Franklin County requesting the annexation of 63.5+/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: An accurate map of the territory attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Franklin County Board of Commissioners regarding the annexation proceedings have been on file with the

Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this Council as required by law, and are hereby accepted.

Section 3: Council of the City of New Albany hereby accepts the annexation of a 63.5+/-acre tract, situated in Plain Township, Franklin County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: The clerk is herewith directed to deliver certified copies of this ordinance and other proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

Section 5. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 197 effective March 27, 2020.

Section 6. Pursuant to Article VI, Section 6.07(b) of the charter of the City of New Albany, this ordinance shall be in effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this 22 day of June, 2020.

Attest:


Sloan T. Spalding
Mayor


Jennifer H. Mason
Clerk of Council

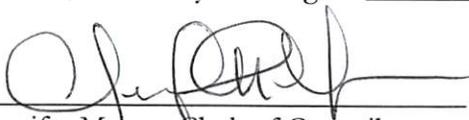
Approved as to form:


Mitchell H. Banchefsky
Law Director

Legislation dates:	
Prepared:	05/08/2020
Introduced:	05/17/2020
Revised:	
Adopted:	06/02/2020
Effective:	07/02/2020

**CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION**

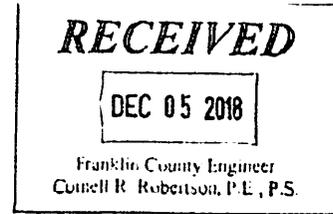
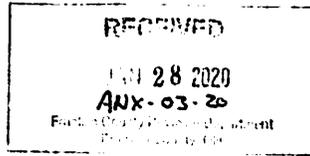
I certify that copies of Ordinance **O-08-2020** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on June 3,, 2020.


Jennifer Mason, Clerk of Council

6/2/2020
Date

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

By FR Date 12/5/18



**PROPOSED ANNEXATION OF
63.5± ACRES**

FROM: PLAIN TOWNSHIP

Exhibit A - O-08-2020

TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Franklin, Township of Plain, Section 10, Township 2, Range 16, United States Military Lands, being all of those tracts conveyed to Homewood Corporation by deed of record in Instrument Number 200606270125360, those 1.50 acre tracts as conveyed to Homewood Corporation by deed of record in Instrument Number 200606270125358, and part of Central College Road, as dedicated in Plat Book 53, Page 26, (all references refer to the records of the Recorder's Office, Franklin County or Licking County, Ohio, as noted) being more particularly described as follows:

BEGINNING in the line common to Franklin County and Licking County, at the intersection of the centerline of Jug Street Road with the easterly extension of the northerly right-of-way line of Central College Road, being in the westerly corporation line of the City of New Albany, as established by File Number 93-378, of record in Instrument Number 201807090013897 (Licking County), being in the line common to said 1.50 acre tract and that 100.00 acre tract conveyed to PNC Bank, Trustee under the Albert A. Strouss Trust by deed of record in Instrument Number 201202280004116 (Licking County);

Thence Westerly, across the right-of-way of said Jug Street Road and with the northerly right-of-way line of said Central College Road, an approximate distance of 869 feet to a point in the northerly extension of the easterly line of "Clearcreek", a subdivision of record in Plat Book 53, Page 26;

Thence Southerly, across the right-of-way of said Central College Road, partially with the westerly line of that 6.526 acre tract conveyed to Mark R. Green and Susan K. Green by deed of record in Official Record 17313F03, an approximate distance of 50 feet to a point in the northerly corporation line of the City of New Albany, as established by Ordinance O-03-98, of record in Instrument Number 199802260042718, at an angle point in the southerly right-of-way line of said Central College Road, and at the northeasterly corner of Lot 14 of said "Clearcreek";

Thence Westerly, with said southerly right-of-way line, the northerly line of Lots 14, 13, 15 and 12 of said "Clearcreek", an approximate distance of 483 feet to a point in the southerly extension of the line common to said Homewood Corporation tract (I.N. 200606270125360) and that 1.500 acre tract as conveyed to Abigail J. Miller and Joseph T. Miller by deed of record in Instrument Number 201406230078868;

Thence Northerly, across the right-of-way of said Central College Road and with the westerly line of said Homewood Corporation tract, the easterly line of said 1.500 acre tract, that 9.164 acre tract conveyed to Ronald H. Davies and Tamara L. Davies by deed of record in Instrument Number 201211020166943, and that 5.002 acre tract conveyed to Douglas W. Reader and Christine M. Reader by deed of record in Instrument Number 201005070056606, an approximate distance of 2075 feet to a common corner of said Homewood Corporation tract and that 5.263 acre tract conveyed to David R. Jones by deeds of record in Instrument Numbers 200505170093952 and 201210120153793;

Thence Easterly, with the northerly line of said Homewood Corporation tract, the southerly line of said 5.263 acre tract, that 5.263 acre tract conveyed to John E. Saveson Trustee by deed of record in Instrument Number 200012070248115, that 5.263 acre tract conveyed to Catherine J. Saveson and Richard W. Otten, Jr. by deed of record in Instrument Number 200203010055149 and that 5.263 acre tract conveyed to John E. Saveson Trustee by deed of record in Instrument Number 200012070248115, an approximate distance of 1355 feet to a point in the westerly line of Reserve "B" of "Saveson Acres", a subdivision of record in Plat Book 16, Page 137, as conveyed to Saveson Acres Homowners' Association by deed of record in Instrument Number 200501200002102 (Licking County), being in the line common to said Franklin and Licking Counties;

**PROPOSED ANNEXATION OF
63.5± ACRES**

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Thence Southerly, with the easterly line of said Homewood tract, the westerly line of said Reserve "B" and that tract conveyed to Albert J. McRoberts III and Diana J. McRoberts by deed of record in Official Record 243, Page 106 (Licking County), said County Line, an approximate distance of 693 feet to a point;

Thence Southerly, with the line common to said Homewood Corporation tracts and said McRoberts tract, said County Line, an approximate distance of 638 feet to an angle point in the centerline of said Jug Street Road, being in said Corporation Line;

Thence Southerly, with the centerline of Jug Street Road, said Corporation Line, said County Line and the line common to said Homewood Corporation tracts and said 100.00 acre tract, an approximate distance 693 feet to the POINT OF BEGINNING, containing 63.5 acres, more or less.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King 12/4/18

Heather L. King
Professional Surveyor No. 8307



ORDINANCE O-09-2020

**AN ORDINANCE TO AUTHORIZE THE CITY MANAGER OR
DESIGNEE TO ACCEPT SPECIFIED EASEMENTS**

WHEREAS, easements dedicated to the city for public use enable the city to utilize property for a public purpose either on a temporary or permanent basis, without taking ownership of such property; and

WHEREAS, the city frequently receives such easements in order to facilitate a wide variety of projects/uses including but not limited to construction, utilities, drainage, fiber, conservation, streetscapes, leisure trails, sidewalks, and other infrastructure installations and related maintenance; and

WHEREAS, the city engineer and/or staff review all such easements for appropriateness and compliance with city requirements and approvals; and

WHEREAS, the city wishes to streamline and clarify the process of accepting, purchasing, and/or modifying such easements; and

WHEREAS, council shall review this process on an annual basis to assess whether it is functioning as intended and shall continue for another 12 months.

NOW, THEREFORE, BE IT RESOLVED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. The city manager, or designee, is hereby authorized to accept permanent and/or temporary easements including, but not limited to, those for construction, utilities, drainage, fiber, streetscape, leisure trails, sidewalks, and other infrastructure installation and maintenance, provided that the purchase price for such easement has been budgeted or the easement is valued at or below \$50,000.

Section 2. This ordinance shall not apply to the acceptance of conservation easements, streets, public right-of-way, and/or plats.

Section 3. All easements accepted pursuant to this ordinance may, where appropriate, be recorded with the Franklin or Licking County Recorder.

Section 4. The city manager shall provide council with a report annually listing the easements acquired pursuant to this ordinance.

Section 5. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121 of the Ohio Revised Code, and further pursuant to Ohio General Assembly 133 – House Bill 197 effective March 27, 2020.

Section 6. Pursuant to Article 6.07(B) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption.

CERTIFIED AS ADOPTED this 02 day of June, 2020.

Attest:



Sloan T. Spalding
Mayor



Jennifer H. Mason
Clerk of Council

Approved as to form:



Mitchell H. Banchefsky
Law Director

Legislation dates:

Prepared:	05/08/2020
Introduced:	05/19/2020
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