

ORDINANCE NO. C-42-14

AN ORDINANCE TO ACCEPT THE ANNEXATION OF 0.505+ ACRES LOCATED AT 2374 WHITE ROAD IN JACKSON TOWNSHIP TO THE CITY OF GROVE CITY

WHEREAS, a petition for the annexation of 0.505+ acres, more or less, in Jackson Township was duly filed by Keith S. & Daphne J. Hawk; and

WHEREAS, said petition was considered by the Board of County Commissioners of Franklin County, Ohio on April 08, 2014; and

WHEREAS, the Board of County Commissioners certified the transcript of the proceeding in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on April 16, 2014.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

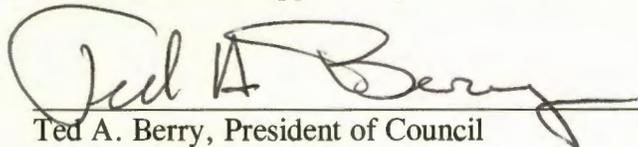
SECTION 1. The proposed annexation, as applied for in the petition of Keith S. & Daphne J. Hawk being the owner(s) of the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio on March or, 2014 and which said petition was approved for annexation to the City of Grove City by the County Commissioners on April 08, 2014, be and the same is hereby accepted.

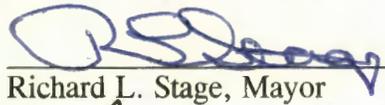
**Said territory is described as follows:** *Situated in the State of Ohio, County of Franklin, Township of Jackson and being part of Virginia Military Survey No. 8231. A copy of the legal description of the property being annexed is attached hereto as "Exhibit A" and made a part hereof as if fully written herein.*

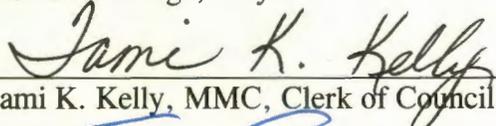
SECTION 2. The zoning on this annexation shall be SF-1, Single Family Residential, and shall be placed in Ward 2. A map is attached as "Exhibit B" and made a part hereof.

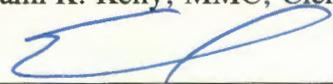
SECTION 3. The City Clerk be and she is hereby authorized and directed to make three copies of the ordinance to each of which will be attached a copy of the map showing this annexation, a copy of the original petition, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, a certificate as to the correctness thereof. The clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to the Secretary of State and such other things as may be required by law.

SECTION 4. This ordinance shall take effect at the earliest opportunity allowed by law.

  
Ted A. Berry, President of Council

  
Richard L. Stage, Mayor

Attest:   
Tami K. Kelly, MMC, Clerk of Council

  
Stephen J. Smith, Director of Law

Passed: 07-21-14  
Effective: 08-21-14

I Certify that this ordinance is correct as to form.

C-42-14

RECEIVED

FEB 13 2014

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

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

By BR Date 2/18/14

February 17, 2014

**PROPOSED ANNEXATION OF 0.505 ACRE  
2374 WHITE ROAD**

**FROM: JACKSON TOWNSHIP**

**TO: THE CITY OF GROVE CITY, OHIO**

Situated in the State of Ohio, County of Franklin, Township of Jackson, Virginia Military Survey Number 8231, and being part of that 0.574 acre tract as described in a deed to Keith S. and Daphne J. Hawk, of record in Instrument Number 199911240292792, all records referenced herein being to those located in the Recorder's Office, Franklin County, Ohio, and being 0.505 acre more particularly described as follows:

Beginning in the easterly line of said 0.574 acre tract, in the northerly right-of-way line of White Road (60 foot width) in the westerly line of that 0.574 acre tract as described in a deed to Jonathan and Jennifer Morbitzer, of record in Instrument Number 201005180061112, in the existing corporation line of the City of Grove City as established by Ordinance Number C-69-93, of record in Official Record 24125, Page H13;

Thence in a westerly direction, through said 0.574 acre (Hawk) tract, along said right-of-way line, a distance of approximately 100 feet to a point in the westerly line of said 0.574 acre (Hawk) tract, in the easterly line of that 0.574 acre tract as described in a deed to Michael A. Metzger, of record in Instrument Number 201112280169844;

Thence in a northerly direction, along the common line between said 0.574 acre (Hawk) and said 0.574 acre (Metzger) tracts, a distance of approximately 220 feet to a point at the northwest corner of said 0.574 acre (Hawk) tract, the northeast corner of said 0.574 acre (Metzger) tract, in the southerly line of Lot 65 of Keller Farm Subdivision Section 3, of record in Plat Book 65, Page 16, in the existing corporation line of the City of Grove City as established by Ordinance Number C-15-79, of record in Miscellaneous Record 171, Page 881;

Thence in an easterly direction, along the northerly line of said 0.574 acre (Hawk) tract, the southerly line of said Lot 65, the southerly line of Lot 66 of said Keller Farm Subdivision Section 3 and the southerly line of Lot 72 of Keller Farm Subdivision Section 4, of record in Plat Book 65, Page 69, and said corporation line (Ordinance Number C-15-79), a distance of approximately 100 feet to the northeast corner of said 0.574 acre (Hawk) tract, at the northwest corner of said 0.574 acre (Morbitzer) tract;

Thence in a southerly direction, along the common line between said 0.574 acre (Hawk) tract and said 0.574 acre (Morbitzer) tract, and said corporation line (Ordinance Number C-69-93), a distance of approximately 220 feet to the place of beginning, containing 0.505 acre of land, being in tax parcel number 160-001130.

This description was prepared by Westerville Land Surveying, LLC, based on the best available public records (not based on an actual field survey) in January 2014.

by Michael P. Lomano  
Michael P. Lomano 2/17/14  
Registered Surveyor No. 7711

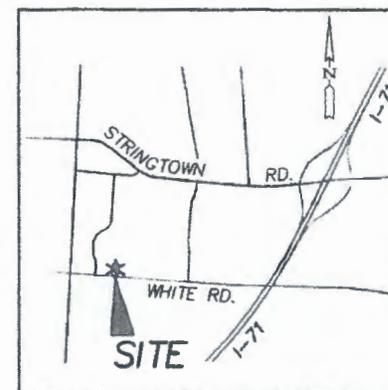
ANX-EXP2

07-14

# ANNEXATION PLAT

FROM JACKSON TWP. TO THE CITY OF GROVE CITY  
V.M.S. 8231  
JACKSON TOWNSHIP, FRANKLIN COUNTY, OHIO

## LOCATION MAP (NOT TO SCALE)



LAT 39°52'24"N LON 83°04'01"W

**RECEIVED**

FEB 13 2014

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

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

By 2/10/14 Date BB

### LEGEND

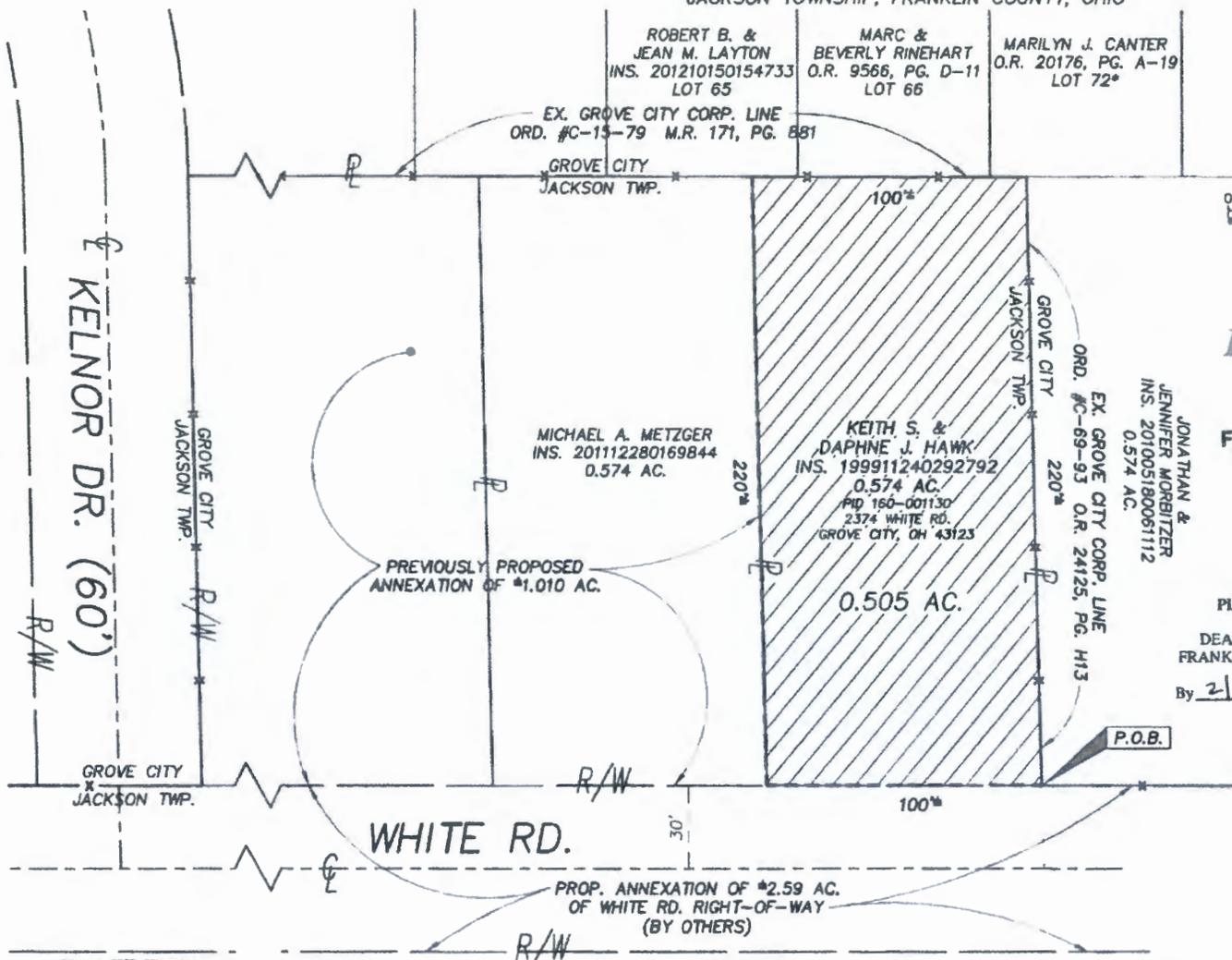
- = EX. CORP. LINE
- = PROPOSED GROVE CITY CORP. LINE

ADDRESS OF SUBJECT PROPERTY IS 2374 WHITE RD., GROVE CITY, OH 43123.

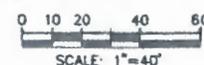
LOT NUMBERS REFERENCED TO THE PLAT "KELLER FARM SUBDIVISION SECTION 3", OF RECORD IN P.B. 65, PG. 16, EXCEPT THOSE INDICATED WITH "\*" REFERENCED TO "KELLER FARM SUBDIVISION SECTION 4", OF RECORD IN P.B. 65, PG. 69.

THIS ANNEXATION DOES NOT CREATE AN UNINCORPORATED AREA OF THE TOWNSHIP COMPLETELY SURROUNDED BY THE TERRITORY PROPOSED FOR ANNEXATION.

TOTAL PERIMETER OF ANNEXATION IS 640 FT., OF WHICH 320 FT. IS CONTIGUOUS WITH THE CITY OF GROVE CITY, RESULTING IN 50.0% OF PERIMETER CONTIGUITY.



KELNOR DR. (60')



P.O.B.

DRAWING PREPARED BY:  
WESTERVILLE LAND SURVEYING  
90 E. COLLEGE AVE.  
WESTERVILLE, OH 43081  
(614) 899-2209

DRAWING NAME: 14102AN.DWG

DATE: 2-17-14  
JOB No.: 14-102  
CLIENT: Ms. Daphne Hawk

BY Michael P. Jones  
OHIO PROFESSIONAL SURVEYOR No. 7711

ANK-EXP 2  
07-14

RESOLUTION NO. CR-16-14

A RESOLUTION TO SET FORTH, AS REQUIRED BY SECTION 709.031 OF THE OHIO REVISED CODE THE MUNICIPAL SERVICES THAT CAN BE FURNISHED TO 0.505 ACRES LOCATED AT 2374 WHITE ROAD IN JACKSON TOWNSHIP UPON ITS ANNEXATION TO THE CITY OF GROVE CITY

WHEREAS, a petition to annex 0.505± acres located at 2374 White Road, in Jackson Township to the City of Grove City and signed by Keith S. & Daphne J. Hawk, was filed with the Board of County Commissioners of Franklin County, Ohio; and

WHEREAS, a hearing on this petition is scheduled before the Board of County Commissioners of Franklin County; and

WHEREAS, Section 709.031 of the Ohio Revised Code requires that the legislative authority of the municipality to which the annexation is proposed adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon its annexation.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. Upon its annexation to the City of Grove City, the 0.505± acres located at 2374 White Road, proposed for annexation by Keith S. & Daphne J. Hawk, will receive the following municipal services from the City of Grove City:

- Fire: Jackson Township will continue to provide Fire protection.
- Police: The City of Grove City, Police department, will provide police protection.
- Water: The City of Grove City has a water service area contract with the City of Columbus, and the subject property is within the service area. Conditional on the ability of the City of Columbus to provide water, the City of Grove City will have the ability to service this area. It is understood that all water line extensions are the responsibility of the property owner, and upon the receipt of all necessary permits and payments of all costs for connections thereto, such service shall become immediately available.
- Sanitary Sewer: The City has a written service area contract with the City of Columbus and the subject property is within the service area. Conditioned on the ability of the City of Columbus to provide sufficient sewage disposal capacity, the City of Grove City will have the ability to service the area. It is understood that all extensions of the sanitary sewer service is the responsibility of the property owner, and upon the receipt of all necessary permits and payments of all costs for connections thereto, such service shall become immediately available.
- Solid Waste Collection: Subject property is now serviced by and will continue to be serviced by a publicly bid contract for solid waste and recycling services.
- Zoning: In accordance with Section 1139.05(a) the Codified Ordinances of Grove City, Ohio, all annexed territory zoned under County or Township zoning shall be classified at the most comparable district of the Grove City Zoning Code, unless otherwise requested by the petitioner and approved by the City Council at which time a buffer will be required if the requested zoning classification is clearly incompatible with uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory is to be annexed.

**RECEIVED**  
 SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.  
 MAR 19 2014  
 ANN-EXP2-07-14  
 Franklin County Planning Department  
 Franklin County, Ohio

*Ted A. Berry*  
 Ted A. Berry, President of Council

*Richard L. Stage*  
 Richard L. Stage, Mayor

*Tami K. Kelly*  
 Tami K. Kelly, MMC, Clerk of Council

*Stephen J. Smith*  
 Stephen J. Smith, Director of Law

Passed: 03-17-14  
 Effective: 03-17-14

Attest:

I Certify that this resolution is correct as to form.

C-42-14  
KSA Read.  
~~WMA~~  
2nd 7-7  
67-21  
April 08, 2014

Resolution No. 0263-14

**Review of Petition to Annex 0.505 +/- acres from Jackson Township to the City of Grove City Case #ANX-EXP2-07-14 (ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the Commissioners of Franklin County, State of Ohio, proceeded to journalize the petition filed by Kacie D. Waugh, Attorney on March 4, 2014 and solicited to and/or been heard by all persons desiring to be reviewed for or against the granting of the Expedited Type 2 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 does meet all the requirements set forth in, and was filed in the manner provided in, section 709.021 of the Revised Code.
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation and constitute all of the owners of real estate in that territory.
3. The territory proposed for annexation does not exceed five hundred acres.
4. The territory proposed for annexation shares a contiguous boundary with the municipal corporation to which annexation is proposed for a continuous length of at least five percent of the perimeter of the territory proposed for annexation.
5. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation.
6. The municipal corporation to which annexation is proposed has agreed to provide to the territory proposed for annexation the services specified in the relevant service resolution no. CR-16-14 passed on March 17, 2014 by the City of Grove City.

Received  
4-16-14

CERTIFIED TRUE COPY  
By: Anna Thomas Date: 4/9/2014  
Franklin County Economic Development  
& Planning Department

**Review of Petition to Annex 0.505 +/- acres from Jackson Township to the City of Grove City Case #ANX-EXP2-07-14 (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 Grove City, 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 Grove City, Ohio.

Prepared by: D. Anthony Hray  
C: Economic Development & Planning Department

DATE FILED TRUE COPY  
Date  
Franklin County Economic Development  
& Planning Department

SIGNATURE PAGE FOLLOWS

**SIGNATURE SHEET**

Resolution No. 0263-14

April 08, 2014

**REVIEW OF PETITION TO ANNEX 0.505 +/- ACRES FROM JACKSON TOWNSHIP TO THE CITY OF GROVE CITY CASE #ANX-EXP2-07-14**

**(Economic Development and Planning)**

Upon the motion of Commissioner Paula Brooks, seconded by Commissioner John O'Grady:

**Voting:**

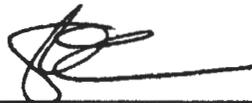
**Marilyn Brown, President  
Paula Brooks  
John O'Grady**

**Aye  
Aye  
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.



---

Shannon Z Cross, Clerk  
Board of County Commissioners  
Franklin County, Ohio



Commissioner Marilyn Brown · Commissioner Paula Brooks · Commissioner John O'Grady  
President

Economic Development & Planning Department  
James Schimmer, Director

### RESOLUTION SUMMARY

REVIEW OF PETITION TO ANNEX  
0.505 +/- ACRES FROM  
JACKSON TOWNSHIP  
TO THE CITY OF GROVE CITY

**Description:**

Attached is a resolution to consider the annexation of 0.505-acres, more or less, from Jackson Township to the city of Grove City. The petition case number is ANX-EXP2-07-14.

**Agent:**

Kacie D. Waugh, Attorney

**Owner/s:**

Keith S. and Daphne J. Hawk

**Site:**

2374 White Road (160-001130)

**Additional Information:**

The site is contiguous to the city of Grove City on two (2) sides; being +/- 50 percent of the site's total perimeter.

**Analysis:**

The applicant has met all statutory requirements outlined in Section 709.021 of the Ohio Revised Code. The applicant has provided proof of notification, and timeline and has provided a service resolution from the city of Grove City stating the services that will be provided once the annexation has been approved. The city of Grove City has agreed to provide the territory proposed for annexation the services specified in the relevant service resolution no. CR-16-14 passed March 17, 2014.

**Recommendation:**

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



Commissioner Marilyn Brown · Commissioner Paula Brooks · Commissioner John O' Grady  
President

Economic Development & Planning Department  
James Schimmer, Director

## MEMO JOURNALIZATION

**TO:** Shannon Zee Cross, County Clerk  
Franklin County Commissioners Office

**FROM:** D. Anthony Hray, Planner  
Franklin County Economic Development & Planning Department

**CC:** James Schimmer, Director  
Franklin County Economic Development & Planning Department

**RE:** Description of Expedited Type 2 annexation case to be  
journalized on the **March 11, 2014** General Session Agenda for  
a hearing on **April 8, 2014**.

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**Case #ANX-EXP2-07-14-** An Expedited Type 2 annexation ANX-EXP2-07-14 was filed in our office on March 4, 2014. The petition is requesting to annex 0.505 +/- acres from Jackson Township to the City of Grove City. The agent is Kacie D. Waugh, Attorney.  
**Site: 2374 White Road (160-001130)**



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

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

Application for  
**Annexation  
 Petition**  
 Expedited Type 2  
 Pursuant to ORC §709.023



Property Information	
Site Address 2374 White Road	
Parcel ID(s) 160-001130-00	Total Acreage 0.505
From Township Jackson Township	To Municipality City of Grove City

Property Owner Information	
Name Keith S. & Daphne J. Hawk	
Address 2374 White Road Grove City, OH 43123	
Phone # (614) 419-4295	Fax #
Email	

Attorney/Agent Information	
Name Kacie D. Waugh, Attorney	
Address 3083 Columbus Street Grove City, OH 43123	
Phone # (614) 875-4895	Fax # (614) 875-2155
Email kwaugh@clarkandwaughlaw.com	

Staff Use Only	
Case # ANY-EXP2 07-14	
Hearing date: 4/8/14	
Date filed: 3/4/14	
Fee paid 250.00	
Receipt # 1962	
Notifications deadline: 5 days 3/9/14	
Svc statement deadline: 20 days 3/24/14	

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

Waiver of Right to Appeal			
<p>WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.</p>			
 Property Owner	2/24/14 Date	_____ Property Owner	_____ Date
 Property Owner	2.24.14 Date	_____ Property Owner	_____ Date

Services Resol. 3/17  
 REC-16-14



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

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

Application for  
**Annexation  
 Petition**

**Expedited Type 2**  
 Pursuant to ORC §709.023

Franklin County Planning  
 Franklin County,

MAR 4 2014



Property Information	
Site Address 2374 White Road	
Parcel ID(s) 160-001130-00	Total Acreage 0.505
From Township Jackson Township	To Municipality City of Grove City

Property Owner Information	
Name Keith S. & Daphne J. Hawk	
Address 2374 White Road Grove City, OH 43123	
Phone # (614) 419-4295	Fax #
Email	

Attorney/Agent Information	
Name Kacie D. Waugh, Attorney	
Address 3083 Columbus Street Grove City, OH 43123	
Phone # (614) 875-4895	Fax # (614) 875-2155
Email kwaugh@clarkandwaughlaw.com	

Staff Use Only
Case #
Hearing date:
Date filed:
Fee paid
Receipt #
Notifications deadline: 5 days
Svc statement deadline: 20 days

Document Submission
The following documents must accompany this application on letter-sized 8 1/2" x 11" paper:
<input type="checkbox"/> Legal description of property
<input type="checkbox"/> Map/plat of property
<input type="checkbox"/> List of adjacent properties

Waiver of Right to Appeal			
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Property Owner		Date	2/24/14
Property Owner		Date	
Property Owner		Date	2.24.14
Property Owner		Date	

PETITION FOR ANNEXATION  
OF 0.505 ACRES MORE OR LESS  
TO THE CITY OF GROVE CITY, OHIO  
FROM THE TOWNSHIP OF JACKSON

RECEIVED

MAR 4 2014

Franklin County Planning Department  
Franklin County, OH

TO THE BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, OHIO

The undersigned Petitioner in the premises, and being ALL of the OWNERS of real estate in the territory described, consisting of 0.505 acres, more or less in the Township of Jackson, which area is contiguous and adjacent to the City of Grove City, does hereby pray that said territory be annexed to the City of Grove City, according to the statutes of the State of Ohio.

A full and accurate description and a plat of said territory so prayed to be annexed are attached hereto and made part hereof. Attached is a list of the owners of property adjacent to the territory proposed for annexation or adjacent to a road that is adjacent to that territory and located directly across the road from that territory.

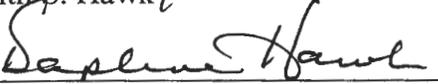
In support of said Petition, your Petitioner states that there are within the territory so prayed to be annexed, one owner of real estate.

Kacie D. Waugh, is hereby appointed Agent for the undersigned Petitioner, as required by Section 709.02 of the Revised Code of Ohio. Said Agent is hereby authorized to make any amendment and/or deletion which in her absolute and complete discretion is necessary or proper under the circumstances then existing, and in particular to make such amendment in order to correct any discrepancy or mistake noted by the Franklin County Engineer in his examination of an amended plat and description to the Board of Commissioners on, before, or after the date set for hearing on this Petition.

**WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.**

  
\_\_\_\_\_  
Keith S. Hawk

Date: February 24, 2014

  
\_\_\_\_\_  
Daphne J. Hawk

**PROPOSED ANNEXATION OF 0.505 ACRES MORE OR LESS  
TO THE CITY OF GROVE CITY, OHIO FROM THE TOWNSHIP OF  
JACKSON**

**LIST OF ALL TRACTS, LOTS OR PARCELS IN THE  
TERRITORY PROPOSED FOR ANNEXATION AND  
ADJACENT OR DIRECTLY ACROSS THE ROAD THEREFROM**

<u>PARCEL NO.</u>	<u>PROPERTY OWNER</u>	<u>MAILING ADDRESS</u>
040-008358	Morbitzer, Jonathan & Jennifer	2360 White Road Grove City, OH 43123
160-001597	Metzger, Michael A.	2388 White Road Grove City, OH 43123
160-001356	Corwin, Donna J., TR.	2389 White Rod Grove City, OH 43123
040-006427	Layton, Robert B. & Jean M.	2409 Dorothy Lane Grove City, OH 43123
040-006428	Rinehart, Marc & Beverly	2407 Dorothy Lane Grove City, OH 43123
040-006442	Canter, Marilyn J.	2405 Dorothy Lane Grove City, OH 43123
040-006426	Weygandt, Steve B. & Deborah J.	2411 Dorothy Lane Grove City, OH 43123
040-006443	White Richard B. & Carolyn E.	2403 Dorothy Lane Grove City, OH 43123
160-001357	Hodges, Jody A.	2375 White Road Grove City, OH 43123
160-001358	Barber, Richard A., TR. and Ellen E., TR.	2361 White Road Grove City, OH 43123