

ORDINANCE NO. 16 - 3533

AN ORDINANCE AUTHORIZING THE VILLAGE TO DEDICATE APPROXIMATELY 0.091 ACRES OF PROPERTY CURRENTLY COMPRISING PORTIONS OF STEWART ROAD FROM THE VILLAGE OF SILVERTON AND TO CONFIRM SUCH DEDICATION, AND DECLARING AN EMERGENCY

WHEREAS, R.C. 723.03 requires that a street dedication must be accepted and confirmed by ordinance; and

WHEREAS, the Village of Silverton owns approximately 0.091 acres of property (the "Property") currently comprising portions of Montgomery Road, more particularly described in the attached Exhibit A and being Parcel No. 602-0008-0301 of the Hamilton County Auditor's tax map; and

WHEREAS, the Village Council of the Village of Silverton wants to convey and the Village of Silverton wants (1) to accept and to dedicate the Property as public right of way so that so that the Property comes under the control of the Village of Silverton and can be properly maintained as a public road for the traveling public and (2) to confirm such dedication of the Property as public right of way; and

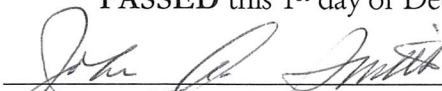
NOW THEREFORE, BE IT ORDAINED by the Village Council of Silverton, that:

SECTION I. The Village hereby accepts the dedication of the Property as more particularly described in the survey attached as Exhibit A and confirms such dedication by this Ordinance.

SECTION II. The Village Manager is hereby authorized to execute all documents necessary to effectuate the transfer and dedication of the Property.

SECTION III. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the citizens of the Village of Silverton and shall take effect and be in force from and after its passage and approval; the reason for the emergency being the immediate need for the City to accept and to dedicate the Property so that those portions of Stewart Road set forth in Exhibit A can be dedicated and confirmed as public right of way and so that the City can properly maintain the Property as a public road for the traveling public.

PASSED this 1st day of December, 2016.



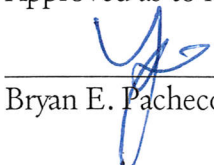
John A. Smith, Mayor

ATTEST:



Tom Carroll, Village Manager


Approved as to form:



Bryan E. Pacheco, Village Solicitor

CERTIFICATION:

I, Meredith L. George, Clerk of Council of the Village of Silverton, County of Hamilton, State of Ohio; do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing Ordinance No. 16-3533 has been duly made by posting true copies in three (3) of the most public places in said municipality, as determined by Council as follows: 1) Silverton Municipal Building; 2) Parkview Ave at the Train Depot; 3) Silverton's Official Website. Said posting was for a period of fifteen days commencing Dec 2, 2016.



Meredith L. George, Clerk of Council



CINCINNATI
COLUMBUS
DAYTON

6305 Centre Park Drive
West Chester, OH 45069
phone ► 513.779.7851
fax ► 513.779.7852
www.kleingers.com

Ordinance 16-3533

November 21, 2016

Exhibit A

**Legal Description
0.091 Acres**

Situated in Section 13, Town 4, Entire Range 1, Section 18, Town 4, Fractional Range 2, City of Silverton, Hamilton County, Ohio, being part of a tract of land conveyed to JRA MVG Silverton, LLC in O.R. _____ Pg _____ of the Hamilton County, Ohio Recorder's Office, the boundary of which being particularly described as follows:

Beginning at a magnail set at the southeast corner of Gough Subdivision as recorded in P.B. 123 Pg 1;

Thence along the centerline of Stewart Road, S05°36'12"W a distance of 77.93 feet to a magnail set at the southeast corner of the aforesaid JRA MVG Silverton, LLC tract;

Thence along the south line of said JRA MVG Silverton, LLC tract, N82°06'00"W a distance of 48.76 feet to a 5/8" iron pin set;

Thence along a new division line, N02°51'19"E a distance of 57.85 feet to a 5/8" iron pin set;

Thence continuing, N04°13'52"E a distance of 20.41 feet to a 5/8" iron pin set in the south line of said Gough Subdivision;

Thence along said south line, S81°57'48"E, passing a concrete monument found at a distance of 26.61 feet, a total distance of 52.03 feet to the point of beginning.

Containing 0.091 acres, more or less, of which 0.076 acres are in Section 13 and 0.015 acres are in Section 18, and being subject to easements, restrictions and rights of way of record.

Bearings are based on the Ohio State Plane Coordinate System as derived from Hamilton County Benchmark Nos. 8353 and 8354.

The above description is based on a field survey performed by the Kleingers Group under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.