

ORDINANCE NO. 16 - 3535

AN ORDINANCE AUTHORIZING THE VILLAGE TO DEDICATE APPROXIMATELY 0.369 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 0.369 acres of property (the "Property") currently comprising portions of Montgomery Road, more particularly described in the attached Exhibit A and being Parcel No. 602-0008-0260 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

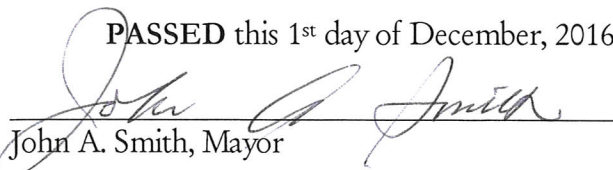
NOW THEREFORE, BE IT ORDAINED by the Village Council of Silverton, that:

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.

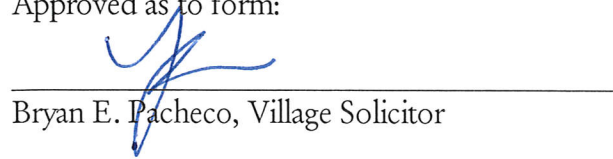
PASSED this 1st day of December, 2016.


John A. Smith, Mayor

ATTEST:

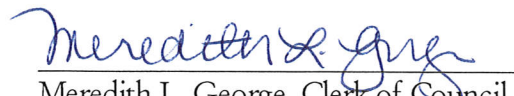

Tom Carroll, Village Manager

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. 16-3535 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
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Ordinance 16-3535

November 21, 2016

Exhibit A

Legal Description
0.369 Acres

Situated in Section 18, Town 4, Fractional Range 2, City of Silverton, Hamilton County, Ohio, being part of a 10.125 acre 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 in the centerline of Stewart Road, said point being S05°36'12"W a distance of 459.26 feet from the intersection of said centerline with the centerline of Montgomery Road;

Thence along said centerline of Stewart Road, S05°36'12"W a distance of 389.55 feet to a magnail set;

Thence N83°20'48"W a distance of 44.32 feet to a 5/8" iron pin set;

Thence along new division lines, the following five (5) courses:

1. N05°36'12"E a distance of 140.00 feet to a 5/8" iron pin set;
2. S83°20'48"E a distance of 4.82 feet to a 5/8" iron pin set;
3. N05°36'12"E a distance of 207.98 feet to a 5/8" iron pin set;
4. N02°51'19"E a distance of 40.89 feet to a 5/8" iron pin set;
5. S84°23'48"E a distance of 41.46 feet to the point of beginning.

Containing 0.369 acres, more or less, 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.