

ORDINANCE NO. 21-3664

AN ORDINANCE AUTHORIZING THE VILLAGE MANAGER TO VACATE A PERMANENT EASEMENT FOR PROPERTY AT 6003 LILLIAN AVENUE OWNED BY CORNUCOPIA FAMILY HOMES, LLC, AND DECLARING AN EMERGENCY

WHEREAS, Cornucopia Family Homes, LLC presently owns 0.165 acres of land (“property”) at 6003 Lillian Avenue at the southwest corner of Woodford Road and Lillian Avenue. The property is known by the County Auditor’s Parcel Identification Number 602-0006-0238-00; and

WHEREAS, the Village of Silverton has an existing permanent stormwater easement bisecting the property at 6003 Lillian Avenue; and

WHEREAS, the reconstruction of Lillian Avenue provided the Village of Silverton the opportunity to install a new stormwater pipe entirely in the public right of way on Lillian and Woodford that will replace the existing stormwater infrastructure at 6003 Lillian Avenue, making the pipe and easement no longer needed for municipal purposes; and

WHEREAS, the Village has completed the construction of the new stormwater pipe and thus desires to vacate its permanent easement on 6003 Lillian Avenue.

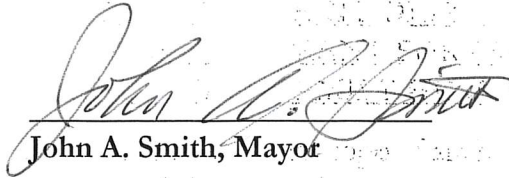
NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Silverton, that:

SECTION I. The Council of the Village of Silverton hereby vacates the permanent easement under the terms attached hereto as “Exhibit A”.

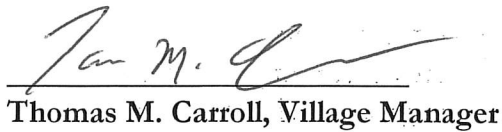
SECTION II. The Village Manager is hereby authorized to execute the permanent easement and any related documents to effectuate such easement vacation.

SECTION III. This Ordinance is declared to be an emergency measure necessary to preserve the public peace, health, safety and welfare of the citizens of the Village of Silverton; the reason for the emergency being the immediate need to vacate the easement because it is no longer needed for municipal purposes and because doing so will facilitate the construction of a new single-family home at 6003 Lillian free and clear of the easement and enable the homebuilder to remove the obsolete stormwater pipe from the property at 6003 Lillian Avenue. Accordingly, this Ordinance shall take effect and be in force from and after its passage and approval.

PASSED this 6th day of May, 2021.


John A. Smith, Mayor

ATTEST:

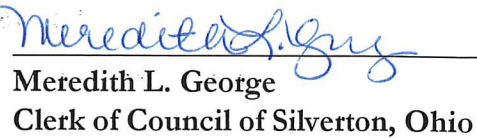

Thomas M. Carroll, Village Manager

Approved as to form:


Bryan E. Pacheco, Village Solicitor

CERTIFICATION:

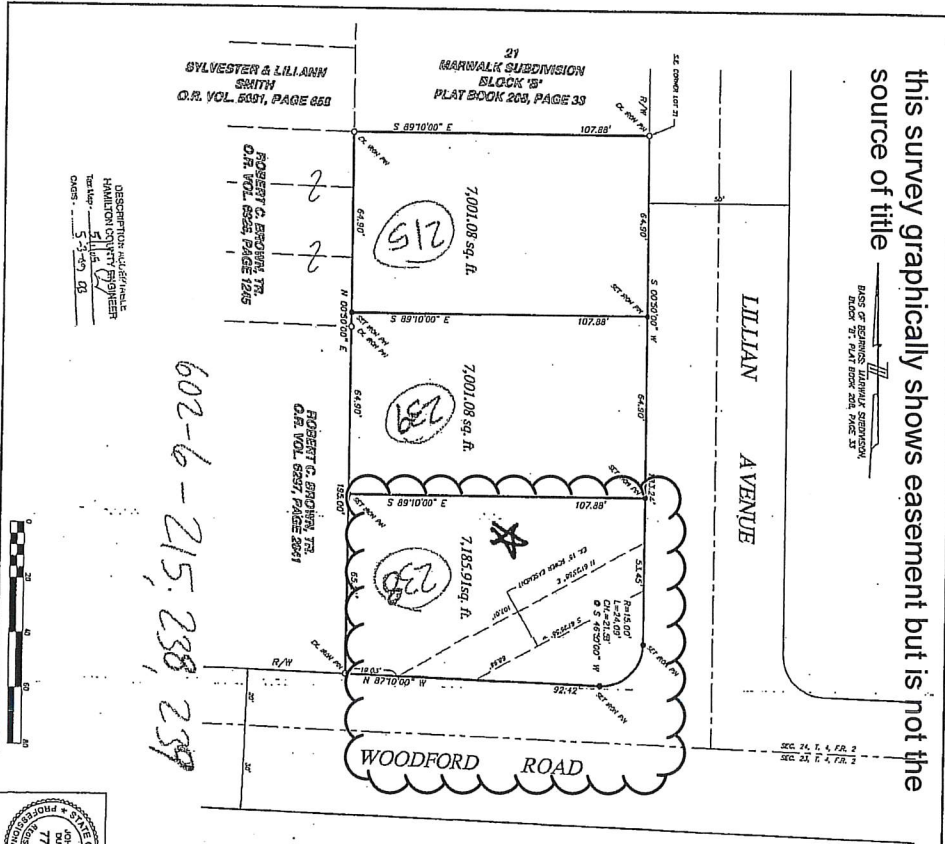
I, Meredith L. George, Clerk of Council of the Village of Silverton, County of Hamilton, State of Ohio; do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing Ordinance No. 21-3664 has been duly made by posting true copies in two (2) places that are accessible by the public in said municipality, as determined by Council as follows: 1) Silverton Town Hall lobby area and Council Chambers foyer; and 2) Silverton's official website. Said posting was for a period of fifteen days commencing May 10, 2021.


Meredith L. George
Clerk of Council of Silverton, Ohio

SURVEY FOR SUBSIDIARY PROPERTY

this survey graphically shows easement but is not the source of title

BASE OF RECORDS: TOWNHIP SURVEY, BLOCK 31, PLAT BOOK 208, PAGE 33



602-6-215, 238, 239



PLAT OF SURVEY
MARWALK SUBDIVISION
BLOCK "B"
PLAT BOOK 208, PAGE 33
SECTION 24, TOWN 4, F. RANGE 2
COLUMBIA TOWNSHIP
CITY OF SILVERTON
HAMILTON COUNTY, OHIO

JOHN I. DUFFLY & ASSOCIATES
 ENGINEERS - SURVEYORS
 400 S. MAIN ST., SUITE 100
 HAMILTON, OHIO 45013

DEED REFERENCE:
 Q.R. VOL. 6897, PAGE 850
 Q.R. VOL. 6897, PAGE 851
 Q.R. VOL. 6897, PAGE 852

NOTES:
 1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACT OF 1965.
 2. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY ENGINEER AND HAS FOUND THEM TO BE CORRECT.
 3. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY ENGINEER AND HAS FOUND THEM TO BE CORRECT.

BEARING **DISTANCE** **BEARING** **DISTANCE** **BEARING** **DISTANCE**

CLOSURE - 7,001.08 sq. ft. TRACT

CLOSURE - 7,185.91 sq. ft. TRACT

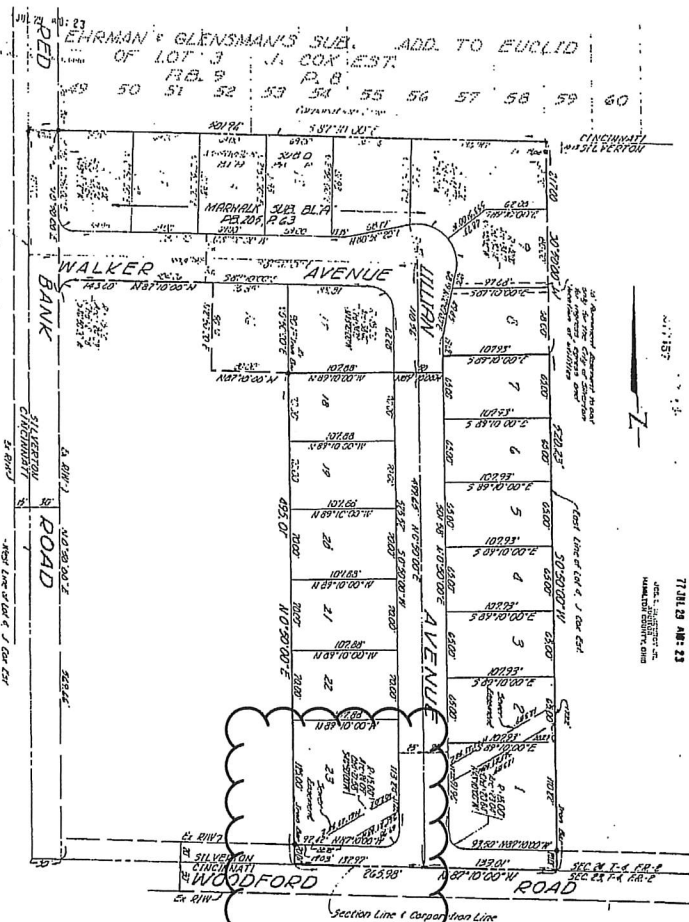
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PLAT BK: 208A.33 SUB PLAT



71 JUL 23 AM: 23
MAY 1, 1923
MAY 1, 1923
MAY 1, 1923

71 JUL 23 AM: 23
MAY 1, 1923
MAY 1, 1923
MAY 1, 1923

Service Charge, Assessments, and Fees
The owners of a property... shall be subject to a reasonable...
The amount of any... shall be...
The amount of any... shall be...

This property is...
The amount of any... shall be...
The amount of any... shall be...
The amount of any... shall be...



Block B
MARWALK SUBDIVISION
SEC 24 T-4 R-2 COLUMBIA TOWNSHIP
CITY OF SILVERTOWN HAMILTON COUNTY OHIO
SCALE: 1" = 50'

Witnesses:
Maurice Stouffer
Doris Stouffer
Witnesses:
Maurice Stouffer
Doris Stouffer

State of Ohio
County of Hamilton 53
As it is remembered that on this 14th day of June 1923
I have duly signed and sealed this plat in the presence of
my witnesses the signatures of my own self and of the
holders of the property of this plat (as the same shall hereafter
be duly assigned) I have duly assigned my name and
office my original seal this day and year aforementioned
Doris Stouffer
Maurice Stouffer
Hamilton County Ohio
Notary Public
My Comm. Expires 11-1-24 1924

this is document that recorded the
easement Plat Bk-208
Pg-33

OWNERS AND DEVELOSERS
MARWALK SUBDIVISION
SEC 24 T-4 R-2 COLUMBIA TOWNSHIP
CITY OF SILVERTOWN HAMILTON COUNTY OHIO
SCALE: 1" = 50'
OWNER AND DEVELOPER
MARWALK SUBDIVISION
SEC 24 T-4 R-2 COLUMBIA TOWNSHIP
CITY OF SILVERTOWN HAMILTON COUNTY OHIO
SCALE: 1" = 50'
RECORDED SCULL DUALLER & VERNAZEE
1012 FRISBIE BLDG. 437 W. 14th St.
CINCINNATI, OHIO 45202