

ORDINANCE NO. 21-3676

AN ORDINANCE AUTHORIZING THE VILLAGE TO DEDICATE APPROXIMATELY 0.013 ACRES OF PROPERTY FROM CERTAIN PORTIONS OF PROPERTY OTHERWISE KNOWN AS SILVERTON PARK FROM THE VILLAGE OF SILVERTON FOR STREET PURPOSES AND TO CONFIRM SUCH RIGHT OF WAY 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 0.013 acres of property (the "Property") currently comprising certain portions of Silverton Park bordering both Montgomery Road and Highland Avenue, more particularly described in the attached Exhibit A and being a portion of Parcel No. 602-0002-0055-90 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 Village to accept and to dedicate the Property so that those portions of Montgomery Road and Highland Avenue set forth in Exhibit A can be dedicated and confirmed as public right of way at the earliest possible time in order to facilitate the timely bidding of the Montgomery Road Traffic Signal Modernization Project in 2022 and ensure the optimal safety of the traveling public within the corporate limits of Silverton.

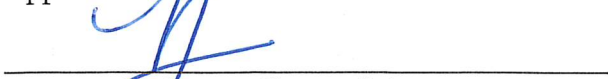
PASSED this 4th day of November, 2021.


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. 21-3676 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 Nov 8, 2021.


Meredith L. George, Clerk of Council



CINCINNATI
COLUMBUS
DAYTON
LOUISVILLE

6219 Centre Park Drive
West Chester, OH 45069
phone ▶ 513.779.7851
fax ▶ 513.779.7852
www.kleingers.com

Legal Description
0.013 Acres
Dedicated Portions of Montgomery Road and Highland Avenue

Situated in Section 18, Town 4, Fractional Range 1, City of Silverton, Hamilton County, Ohio and being part of a parcel conveyed to the City of Silverton in D.B. 4168 Pg. 1306 the boundary of which being more particularly described as follows:

Beginning at a 5/8" iron pin set at the intersection of the east right of way line of Highland Avenue with the south right of way line of Montgomery Road;

Thence along said south right of way line, N65°57'13"E a distance of 79.96 feet to a 5/8" iron pin set at the northwest corner of a 2.6754 acre (deed) parcel conveyed to Southwest Ohio Regional Transit Authority in O.R. 9308 Pg. 674;

Thence along the west line of said 2.6754 acre (deed) parcel, along a curve to the right, an arc distance of 11.50 feet to a 5/8" iron pin set, said curve having a radius of 1387.39 feet, a central angle of 00°28'30" and a chord bearing S37°57'10"W a distance of 11.50 feet;

Thence through said City of Silverton parcel the following four (4) courses:

1. S66°30'28"W a distance of 60.88 feet to a 5/8" iron pin set;
2. S32°40'54"W a distance of 8.63 feet to a 5/8" iron pin set;
3. S11°21'48"W a distance of 36.42 feet to a 5/8" iron pin set;
4. N84°33'42"W a distance of 2.43 feet to a 5/8" iron pin set in the aforesaid east right of way line of Highland Avenue;

Thence along said east right of way line, N05°26'18"E a distance of 43.69 feet to the Point of Beginning.

Containing 0.013 acres of land, 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, South Zone on NAD 83 Horizontal datum.

All iron pins set are 5/8" diameter x 30" iron rebar with ID cap stamped "Kleingers".

The above description is based on a field survey performed in August of 2019 by The Kleingers Group under the direct supervision of Matthew D. Habedank, Ohio Professional Surveyor No. 8611.

Matthew D. Habedank
Ohio Professional Surveyor No. 8611

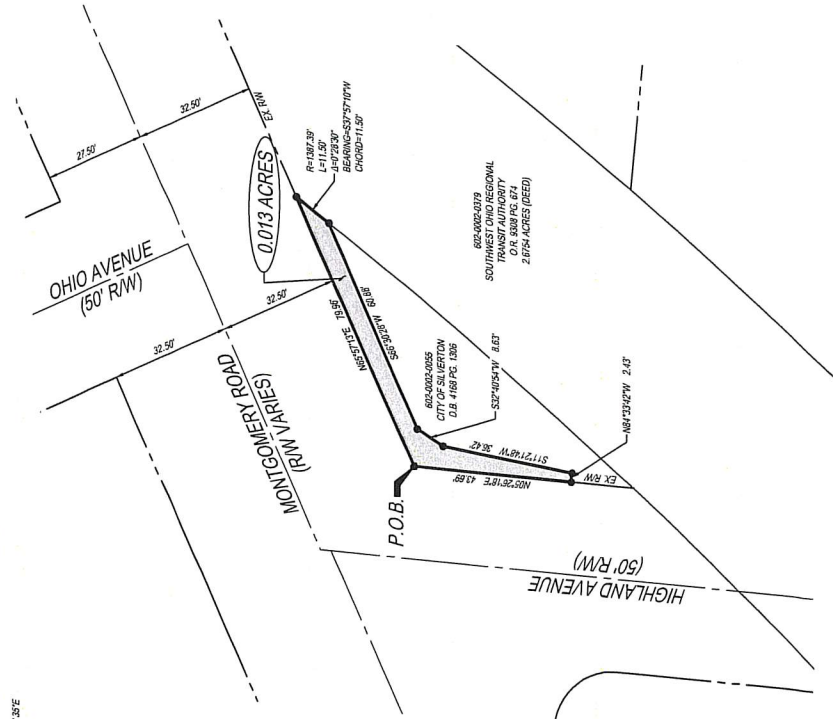
10/12/2021
Date





DEDICATION PLAT FOR A PORTION OF MONTGOMERY ROAD AND HIGHLAND AVENUE SECTION 18, TOWN 4, FRACTIONAL RANGE 1 CITY OF SILVERTON HAMILTON COUNTY, OHIO

PARCEL DEDICATION
 NORTH-440133.3702' EAST-1428400.2142'
 SEGMENT #1 : LINE LENGTH 936.8'
 COURSE NORTH-440133.3702' EAST-1428400.2142'
 SEGMENT #2 : CURVE
 LENGTH 100.29' RADIUS 397.23'
 CHORD 115.57' COURSE OUT-S37.571071'
 COURSE IN-N37.171037V' COURSE OUT-S37.48337E'
 BEARING-41034.8718' DIST: 142780.8533'
 BEARING-41034.8718' DIST: 1428400.2142'
 SEGMENT #3 : LINE LENGTH 60.88'
 COURSE S88.207287W' LENGTH 60.88'
 NORTH-440133.3702' EAST-1428400.2142'
 COURSE S32.405414V' LENGTH 60.88'
 NORTH-440133.3702' EAST-1428400.2142'
 COURSE S32.405414V' LENGTH 60.88'
 NORTH-440133.3702' EAST-1428400.2142'
 SEGMENT #4 : LINE LENGTH 2.44'
 COURSE N88.351424V' LENGTH 2.44'
 NORTH-440133.3702' EAST-1428400.2142'
 COURSE N88.351424V' LENGTH 2.44'
 NORTH-440133.3702' EAST-1428400.2142'
 COURSE N88.351424V' LENGTH 2.44'
 NORTH-440133.3702' EAST-1428400.2142'
 PERIMETER: 243.57' AREA: 0.013 ACRES
 ERROR CLOSURE: 0.0009' COURSE S10.2251E'
 ERROR NORTH: -0.0008' EAST: 0.0016'
 PRECISION: 1:270668.87



THE KLEINGERS GROUP
 CIVIL ENGINEERING
 ARCHITECTURE
 4275 Chapel Pike Dr.
 Dayton, OH 45424
 (513) 778-1551
 www.kleingers.com

OWNER:
 THE UNDERSIGNED DO HEREBY ADOPT AND CONFIRM THIS PLAT OF DEDICATION.
 CITY OF SILVERTON
 BY: TOM CARROLL

ACKNOWLEDGEMENT
 STATE OF OHIO, SS:
 THIS CERTIFICATE RELATES TO AN ACKNOWLEDGEMENT IN CONNECTION WITH WHICH NO DATA OR APPRAISAL WAS ADMINISTERED TO THE DOCUMENT SIGNER.

NOTARY PUBLIC
 MY COMMISSION EXPIRES: _____

DEED STATEMENT
 SITUATED IN SECTION 18, TOWN 4, FRACTIONAL RANGE 1, CITY OF SILVERTON, HAMILTON COUNTY, OHIO, BEING PART OF A TRACT OF LAND CONVEYED TO THE CITY OF SILVERTON IN D.B. 4188 PG. 536 OF THE HAMILTON COUNTY, OHIO RECORDS OFFICE.

MONTGOMERY ROAD ACCEPTED ON THIS _____ DAY OF _____, 2020 A.D. BY, ON BEHALF OF AND IN THE NAME OF THE CITY OF SILVERTON AND UNDER THE AUTHORITY OF ITS BOARD OF COUNTY COMMISSIONERS AND THE RESOLUTION ADOPTED AND ENTERED IN THE JOURNAL OF SAID BOARD AND ENTERED IN THE JOURNAL OF SAID BOARD.

TOTAL AREA OF DEDICATION = 0.013 ACRES
 CITY OF SILVERTON ADMINISTRATOR

SCALE

PROJECT NO: 080041VBD074
 DATE: 08/15/2020

SCALE: 1" = 20'

DEDICATION PLAT
0.013 ACRES
 SECTION 18, TOWN 4, FRAC. RANGE 1
 CITY OF SILVERTON
 HAMILTON COUNTY, OHIO

SHEET NAME:
MONTGOMERY ROAD AND HIGHLAND AVE

SHEET NO:
1 OF 1

LEGEND

- 50' ROW P.M. SET
- ▭ AREA TO BE DEDICATED

SURVEYOR'S CERTIFICATION

I CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733-37 STANDARDS FOR BOUNDARY SURVEYS. ALL MONUMENTATION IS OR WILL BE SET AS SHOWN.

Matthew Rabenold
 MATTHEW RABENOLD
 OHIO PROFESSIONAL SURVEYOR NO. 8511

DATE: 10/12/2021