



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, May 12, 2021

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MS. KEARNEY

1. [202101704](#) **MOTION**, submitted by Councilmember Kearney, **WE MOVE** for the City Administration to prepare a report on recommendations, including costs, for reducing traffic speed on North Fred Shuttlesworth Circle in North Avondale, in order to protect pedestrians and decrease traffic accidents, especially in the vicinity of 760 N. Fred Shuttlesworth Cir.

Recommendation NEIGHBORHOODS COMMITTEE

Sponsors: Kearney

MS. KEATING

2. [202101659](#) **MOTION**, submitted by Councilmember Keating, Our police officers experience countless traumas in their line of work. While the Cincinnati Police Department (CPD) is working to develop a better and more comprehensive Officer Wellness Program, they are lacking the funding. **WE MOVE** that the Administration applies for The Fiscal Year 2021 Law Enforcement Mental Health and Wellness ACT (LEMHWA) Program Grant. (STATEMENT ATTACHED)

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Keating

3. [202101677](#) **ORDINANCE (EMERGENCY)**, dated 05/07/2021, submitted by Councilmember Keating, from Andrew W. Garth, City Solicitor, **MODIFYING** Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by AMENDING the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

Recommendation
CITY PLANNING COMMISSION

Sponsors: Keating

MR. SMITHERMAN

4. [202101653](#) **MOTION**, submitted by Vice Mayor Smitherman, **WE MOVE** that the Cincinnati Recreation Centers (CRC) get \$100,000 for three of their recreation centers that offer spin classes to purchase 15 new spin bicycles. The Cincinnati Recreation Commission is committed to helping all residents maintain a healthy lifestyle. CRC is designed to provide fitness opportunities to all ages. Spin class is one such activity offered at Hirsch Recreation Center (Avondale), College Hill Recreation Center, and at the Mt. Washington Recreation Center. **WE FURTHER MOVE** that the Red Bike program be expanded by \$500,000 to include Bond Hill, Roselawn, Evanston, and Avondale for fitness, transportation, and healthy living. (STATEMENT ATTACHED).

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Smitherman

MR. SMITHERMAN

MR. GOODIN

5. [202101658](#) **MOTION**, submitted by Vice Mayor Smitherman, **WE MOVE** that city workers not be required to return to work until Monday, September 13, 2021, after Labor Day in order to give those families more time to adjust to their new schedules. **WE FURTHER MOVE** that flexible schedules for pick up and drop off of children be afforded to city workers when needed. (STATEMENT ATTACHED)

Recommendation MAJOR PROJECTS & SMART GOVERNMENT COMMITTEE

Sponsors: Smitherman

CITY MANAGER

6. [202101660](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **AUTHORIZING** the City Manager to accept a donation from the Southwest Ohio Regional Transit Authority of two decommissioned buses to the Cincinnati Police Department valued at a total of \$6000.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

7. [202101661](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **AUTHORIZING** a payment of \$19,556.14 from the Human Resources Department General Fund non-personnel operating budget account no. 050x121x1000x7289 as a moral obligation to Industrial/Organizational Solutions ("I/OS") for payment of outstanding charges for legally- and contractually-required testing services for Police and Fire promotional exams for sworn personnel provided by I/OS prior to the execution of a professional services contract.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

8. [202101664](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **ESTABLISHING** new capital improvement program project account no. 980x164x211649, "Avondale Town Center Improvements," for the purpose of providing resources to facilitate tenant improvements at Avondale Town Center, including the Avondale grocery store and the Urban League Social Justice Center; and **AUTHORIZING** the transfer and return to source of the sum of \$500,619.20 from capital improvement program project account no. 980x164x181650, "Avondale Infrastructure & Streetscape Improvements," to the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757; and **AUTHORIZING** the transfer and appropriation of the sum of \$500,000 from the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757 to newly established capital improvement program project account no. 980x164x211649, "Avondale Town Center Improvements," for tenant improvements at Avondale Town Center, including improvements for the Avondale grocery store and the Urban League Social Justice Center; and **DECLARING** expenditures from capital improvement program project account no. 980x164x211649, "Avondale Town Center Improvements," to be for a public purpose because the project will facilitate development of the Avondale Town Center and provide suitable space for the Urban League Social Justice Center and the Avondale grocery store.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

9. [202101665](#) **REPORT**, dated 5/12/2021 submitted by Paula Boggs Muething, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for MTA Convenience Store LLC, 1735 Highland Avenue, Cincinnati, OH 45202. (#6202775, C1 C2, New) [Objections: Cincinnati Police Department]

Recommendation FILE

Sponsors: City Manager

10. [202101670](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **ESTABLISHING** the salary schedule and classification title for the new employment classification of Senior Emergency 911 Operator, and enacting Section 406 of Division 1, Chapter 307 of the Cincinnati Municipal Code, in order to establish a new salary schedule and new classification title of Senior Emergency 911 Operator.

Recommendation MAJOR PROJECTS & SMART GOVERNMENT COMMITTEE

Sponsors: City Manager

11. [202101687](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **AUTHORIZING** the City Manager to execute *Limited Warranty Deeds* and a *Grant of Easement* in favor of the State of Ohio for the use and benefit of the Ohio Department of Transportation to convey fee simple interests in and to, and a perpetual subsurface easement in, under, and through, real property located adjacent to Interstate 75 in the Central Business District and West End neighborhoods of Cincinnati in connection with transportation improvement project HAM 75-00.22.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

12. [202101691](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **AUTHORIZING** the receipt of judgment bond proceeds of the sum of \$6,250,000 into Judgment Bond Fund 815; **AUTHORIZING** the expenditure of the sum of \$6,250,000 from Judgment Bond Fund 815 for the purpose of making payments for settlements and judgments against the City.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
13. [202101697](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **PROVIDING** for the issuance, sale and delivery of not to exceed \$6,250,000 of judgement bonds, or notes in anticipation thereof, of the City of Cincinnati, County of Hamilton, State of Ohio, for the purpose of paying a final judgement and costs associated therewith; **AUTHORIZING** a pledge of the City's faith and credit or a pledge of and lien on certain revenues and other city resources, as appropriate, to secure such bonds or notes; and **AUTHORIZING** necessary documents to secure such bonds or notes.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
14. [202101724](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 5/12/2021, **MODIFYING** Article XXIV, "Department of Community and Economic Development," of the Administrative Code of the City of Cincinnati by **AMENDING** Section 2, "Duties of Director of Community and Economic Development," to remove the oversight of the City's human services funding from the responsibilities of the Department of Community and Economic Development ("DCED") in order to facilitate timely and effective service delivery and allow DCED to concentrate limited staffing resources on economic and community development projects.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager

CLERK OF COUNCIL

15. [202101726](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Charles H. Gerhardt, III, President & CEO, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (CINCY NICE)
- Recommendation** FILE
- Sponsors:** Clerk of Council
16. [202101727](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Alison C. Trianfo, Operations Manager, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (CINCY NICE)
- Recommendation** FILE
- Sponsors:** Clerk of Council
17. [202101728](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Charles H. Gerhardt, III, President & CEO, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (PRODUCE PERKS)

MIDWEST)

Recommendation FILE

Sponsors: Clerk of Council

18. [202101729](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Alana M. Tucker, Senior Associate, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (CENTER FOR CHEMICAL ADDICTIONS TREATMENT)

Recommendation FILE

Sponsors: Clerk of Council

19. [202101730](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Alana M. Tucker, Senior Associate, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (BOYS AND GIRLS CLUB OF GREATER CINCINNATI)

Recommendation FILE

Sponsors: Clerk of Council

20. [202101731](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent J. Douglas Moormann, Vice President, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (BOYS AND GIRLS CLUB OF GREATER CINCINNATI)

Recommendation FILE

Sponsors: Clerk of Council

21. [202101732](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Alana M. Tucker, Senior Associate, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (PRODUCE PERKS MIDWEST)

Recommendation FILE

Sponsors: Clerk of Council

22. [202101733](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent James T. Benedict, Vice President, Government Strategies Group, 700 Walnut Street Suite 450, Cincinnati, Ohio 45202 (PRODUCE PERKS MIDWEST)

Recommendation FILE

Sponsors: Clerk of Council

23. [202101734](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for David Mann/Councilmember (ETHICS).

Recommendation FILE

Sponsors: Clerk of Council

NEIGHBORHOODS COMMITTEE

24. [202101506](#) **MOTION**, submitted by Councilmember Keating, The water reservoir to the south east of Eden Park's Mirror Lake has two large grassplots. Cincinnati residents have proposed to plant a grove of Japanese Cherry Trees in one of those grassplots to celebrate the role of Cincinnati's own Helen Taft as First Lady of the United States of America. **WE MOVE** for the City Administration to provide a REPORT on the physical feasibility and agricultural capability of

planting a grove of cherry trees around the water reservoir near Eden Park's Mirror Lake (Photo Attached). (STATEMENT ATTACHED).

Recommendation ADOPT

Sponsors: Keating

SUPPLEMENTAL ITEMS

LAW & PUBLIC SAFETY COMMITTEE

25. [202101448](#) **MOTION**, submitted by Councilmember Goodin, As we work to restore trust in our government institutions, transparency has never been more important. The inability to provide timely access to police body camera footage has undermined police-community relations in many large American cities. The Citizens Complaint Authority (CCA) complains of delays in obtaining redacted footage for its investigations. The Fraternal Order of Police Lodge No. 69, has, likewise, expressed concern about the resulting delays in CCA's investigations and their effects on officer morale. Various media outlets have also routinely complained about access to public documents. Information requests by private citizens are often the subject of litigation. The City Solicitor's office has acknowledged it needs additional staff to process these requests in a timely manner. Accordingly, **WE MOVE** that the Administration prepare a report on the steps necessary to establish a new DEPARTMENT OF PUBLIC INFORMATION AND TRANSPARENCY which would, *inter alia*, coordinate with the various City departments, including the Solicitor's office, in order to respond to public records' requests and redact body camera and dash camera footage in accordance with the requirements set forth by Ohio law and the Cincinnati Municipal Code. **WE FURTHER MOVE** the Administration advise regarding the potential cost of standing up such a new Department, and whether funds from the American Rescue Plan could be utilized for this purpose.

Recommendation ADOPT

Sponsors: Goodin

ECONOMIC GROWTH & ZONING COMMITTEE

26. [202101410](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 4/14/2021, **AMENDING** the community council representation area map on file with the Clerk of Council to modify the boundaries of the areas that the Clifton Town Meeting Community Council and the CUF Community Council are considered to represent for the purposes of Cincinnati Municipal Code Sections 111-1 and 111-5.

Recommendation PASS

Sponsors: City Manager

27. [202101479](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 4/21/2021, **AMENDING** the official zoning map of the City of Cincinnati to rezone the real property located at 4804-4810 Whetsel Avenue in the Madisonville neighborhood from the T4N.SF, "T4 Neighborhood Small Footprint," and T4N.SF-O, "T4 Neighborhood Small Footprint - Open," transect zones to the T5MS-O, "T5 Main Street - Open," transect zone to facilitate the

establishment of a new restaurant.

Recommendation PASS

Sponsors: City Manager

BUDGET AND FINANCE COMMITTEE

28. [202101590](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the City Manager to accept with gratitude an in-kind donation from FC Cincinnati Soccer Club of the construction of a mini-pitch soccer facility at the North Avondale Recreation valued at approximately \$85,000 to enhance soccer-related programming.

Recommendation PASS EMERGENCY

Sponsors: City Manager

29. [202101591](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 4/5/2021, **AUTHORIZING** payments totaling \$11,539.85 from various Recreation Department non-personnel operating budget accounts as detailed on the attached schedule, as moral obligations to Spectrum Cable for Cincinnati Recreation Commission purchase card transactions for fees owed for cable and wifi services and to the Cincinnati Bengals for the purchase of tickets for program participants, the cost of which was subsequently reimbursed by the Cincinnati Bengals.

Recommendation PASS EMERGENCY

Sponsors: City Manager

30. [202101592](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the transfer of the sum of \$8,362,331 within the Restricted Funds from and to various operating accounts and **AUTHORIZING** the transfer and appropriation of \$1,181,726 from the unappropriated surplus of the respective Restricted Funds to various operating accounts for the purpose of realigning and providing funds for the ongoing needs of City departments in accordance with the attached Schedules of Transfer.

Recommendation PASS EMERGENCY

Sponsors: City Manager

31. [202101595](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$171,325 from the United States Department of Homeland Security, Federal Emergency Management Agency for a grant from the FY 2021 FEMA Port Security Grant Program (CFDA 97.056), for the purpose of funding three separate equipment needs, including Marine Rescue/Dive Team equipment and support and maintenance of the Ohio River Port Security Camera Network for the Cincinnati Police Department, and dry decon kits, a weighted rescue dummy, and ice suits for the Cincinnati Fire Department.

Recommendation PASS EMERGENCY

Sponsors: City Manager

32. [202101599](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 5/5/2021, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a Local Food Promotion Program (CFDA #10.177) grant in the amount of \$16,080 from the Regional Food System Partnerships (“RFSP”), which RFSP grant will be provided to Green Umbrella with the City as a subrecipient of the grant for the purpose of funding the building of a regional food system that serves all residents of Greater Cincinnati; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund 350.

Recommendation PASS

Sponsors: City Manager

33. [202101673](#) **ORDINANCE (EMERGENCY)**, dated 05/05/2021, submitted by Councilmember Seelbach, from Andrew W. Garth, City Solicitor, **AUTHORIZING** the transfer and return to source of the sum of \$3,500 from Councilmember Seelbach’s General Fund personnel services operating budget account no. 050x016x7100 to General Fund 050; **AUTHORIZING** the transfer and return to source the sum of \$4,000 from Councilmember Seelbach’s General Fund contractual services operating budget account no. 050x016x7200 to General Fund 050; **AUTHORIZING** the transfer and appropriation of the sum of \$7,500 from the unappropriated surplus of the General Fund to the Department of Community and Economic Development’s General Fund fixed charges operating budget account no. 050x161x7400 for the purpose of providing resources for Lighthouse Youth Services’s Safe and Supported Program, Cincinnati Union Bethel’s Off the Streets Program, and the Queen City Bulldog Rescue each in the amount of \$2,500; **AUTHORIZING** the City Manager to enter into any necessary agreements for the distribution of these resources; and **DECLARING** the distribution of these resources to these local non-profit organizations to be for a public purpose.

Recommendation PASS EMERGENCY

Sponsors: Seelbach

ANNOUNCEMENTS

Adjournment

City of Cincinnati



801 Plum Street, Suite 346-A
Cincinnati, Ohio 45202

Phone (513) 352-5205
Email Jan-Michele.Kearney@cincinnati-oh.gov
Web www.cincinnati-oh.gov

Jan-Michele Lemon Kearney
Councilmember

May 6, 2021

MOTION

WE MOVE for the City Administration to prepare a report on recommendations, including costs, for reducing traffic speed on North Fred Shuttlesworth Circle in North Avondale, in order to protect pedestrians and decrease traffic accidents, especially in the vicinity of 760 N. Fred Shuttlesworth Cir.

A handwritten signature in cursive script that reads "Jan-Michele Lemon Kearney".

Councilmember Jan-Michele Lemon Kearney



Liz Keating
Councilmember

Motion

Our police officers experience countless traumas in their line of work. While the Cincinnati Police Department (CPD) is working to develop a better and more comprehensive Officer Wellness Program, they are lacking the funding. **WE MOVE** that the Administration applies for The Fiscal Year 2021 Law Enforcement Mental Health and Wellness ACT (LEMHWA) Program Grant.

Statement

A 2015 study showed that the average law enforcement officer experiences 188 critical incidents over the extent of their career. Our Police Department has taken many steps to develop a better Mental Health and Wellness Community within the department including expansive research about the needs of their department and research into what programs of other departments across the United States are doing. In order to be more productive and determine and develop better solutions, CPD would greatly benefit from having a dedicated Officer Wellness Program. Receiving the grant from the Law Enforcement Mental Health and Wellness ACT (LEMHWA), which could total up to \$125,000, would assist in the funding of this program to help enhance and promote overall wellness for our Law Enforcement Officers.

Councilmember Liz Keating

202101677

Date: May 7, 2021

To: Councilmember Liz Keating

From: Andrew Garth, City Solicitor

AWG

Subject: Ordinance – Removal of Density Restrictions from Zoning Code

Transmitted herewith is an emergency ordinance captioned as follows:

MODIFYING Title XIV, “Zoning Code of the City of Cincinnati,” of the Cincinnati Municipal Code by AMENDING the provisions of Section 1405-03, “Specific Purposes of Multi-Family Subdistricts,” Section 1405-07, “Development Regulations,” Section 1407-07, “Development Regulations,” Section 1409-09, “Development Regulations,” Section 1410-07, “Development Regulations,” Section 1413-07, “Development Regulations,” and Section 1415-09, “Development Regulations,” to remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

AWG/MEH/(lnk)
Attachment
336148



City of Cincinnati

MEH

AWB

An Ordinance No. _____

- 2021

MODIFYING Title XIV, “Zoning Code of the City of Cincinnati,” of the Cincinnati Municipal Code by **AMENDING** the provisions of Section 1405-03, “Specific Purposes of Multi-Family Subdistricts,” Section 1405-07, “Development Regulations,” Section 1407-07, “Development Regulations,” Section 1409-09, “Development Regulations,” Section 1410-07, “Development Regulations,” Section 1413-07, “Development Regulations,” and Section 1415-09, “Development Regulations,” to remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.

WHEREAS, in response to City Council’s desire to increase the supply and availability of housing that is affordable across a broad spectrum, the Administration has explored a number of strategies that would facilitate the production of housing in the city, which strategies are more particularly described in a March 16, 2021 report to the Council (item no. 202101105); and

WHEREAS, the Administration’s recommendations for increasing the housing supply include a recommendation to legislatively streamline housing production by, among other things, lifting density restrictions in certain targeted areas; and

WHEREAS, the Council hereby resolves to lift density restrictions in certain targeted areas to remove a barrier to the creation of housing in the city, consistent with its desire to increase the supply and availability of housing; and

WHEREAS, at its regularly scheduled meeting on _____, the City Planning Commission reviewed the proposed amendments to the zoning code and recommended their approval, finding them to be in the interest of the public’s health, safety, morals, and general welfare; and

WHEREAS, a committee of Council held a public hearing on the proposed text amendments following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the proposed text amendments; and

WHEREAS, the text amendments are consistent with Plan Cincinnati (2012), including the “Live” goal to “provide a full spectrum of housing options, and improve housing quality and affordability” (p. 164); and

WHEREAS, the Council finds the proposed text amendments to be in the best interests of the City and the public’s health, safety, morals, and general welfare; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 1405-03, “Specific Purposes of Multi-Family Subdistricts,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-03. - Specific Purposes of the Multi-Family Subdistricts.

The specific purposes of the RM Residential Multi-family subdistricts are to create, maintain and enhance neighborhood residential areas with multi-family housing that are typically located near the city's major arterials and characterized by a mix of attached housing, small and large multi-unit buildings and community facilities, where appropriate. Future development will be primarily residential in character, although some small-scale public and non-residential uses on the ground floor in a mixed use building on an arterial street may be allowed with specific limitations. Four RM District subdistricts are established:

- (a) *RMX Residential Mixed*. This subdistrict is intended to create, maintain and enhance areas of the city that have a mix of lot sizes and house types at moderate intensities (one to three dwelling units). Existing multi-family buildings of four or more units are acknowledged but new construction is not permitted.
- (b) *RM-2.0 Multi-family*. This subdistrict is intended to provide for a medium density mix of residential housing predominantly duplexes and multi-family on lots that have already been platted. The scale of buildings is generally similar to a large single-family home on a small lot. Where land is assembled, the same scale should be maintained. ~~The minimum land area for every dwelling unit is 2,000 square feet.~~
- (c) *RM-1.2 Multi-family*. This subdistrict is intended to provide for mixed residential uses at moderately high densities. This is an intense district with an urban character. ~~The minimum land area for every dwelling unit is 1,200 square feet.~~
- (d) *RM-0.7 Multi-family*. This subdistrict is the most intense residential district and it will normally consist of tall multi-family or condominium structures. The character is intended to be urban and should be used where high intensity residential is needed to provide a residential base for important commercial areas. ~~The minimum land area for every dwelling unit is 700 square feet.~~

FIGURES 1405-03-A-D The following illustrations represent examples of the multi-family districts in this chapter:



Figure 1405-03-A, B



Figure 1405-03-C, D

Section 2. That existing Section 1405-03, “Specific Purposes of Multi-Family Subdistricts,” of the Cincinnati Municipal Code is hereby repealed.

Section 3. That Section 1405-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-07. - Development Regulations.

Schedule 1405-07 below prescribes the development regulations for the RM Districts, including lot area for every unit, minimum lot width, setbacks and maximum height. Figure 1405-07 illustrates the setbacks for the RM Districts. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

Schedule 1405-07 Development Regulations - Residential Multi-family Districts

Building Form and Location	Lot Area (sq. ft.)	Lot Area/Unit (sq. ft.)	Lot width (ft.)	Setbacks (ft.)			Maximum Height (ft.)
				Front Yard	Side Yard Min./Total	Rear Yard	
RMX single-family	2,500	—	25	20	0/5	20	35
RMX rowhouse exterior	2,500	—	—	20	0/5	20	35
RMX rowhouse interior	2,000	—	—	20	0/0	20	35
RMX two-family	5,000	2,500	25	20	3/6	20	35
RMX three-family	7,500	2,500	25	20	3/6	20	35

RMX other			25	20	3/6	20	35
RM 2.0 single-family	2,000	—	25	20	0/5	20	35
RM 2.0 rowhouse exterior	2,500	—	—	20	0/5	20	35
RM 2.0 rowhouse interior	2,000	—	—	20	0/0	20	35
RM 2.0 two-family	4,000	2,000	25	20	3/6	20	35
RM 2.0 multi-family	—	2,000	—	20 ¹	5/17 ³	35	45
RM 2.0 other			25	20 ¹	5/17 ³	35	45
RM 1.2 single-family	2,000	—	25	20	0/5	20	35
RM 1.2 rowhouse exterior	2,000	—	—	20	0/5	20	35
RM 1.2 rowhouse interior	1,500	—	—	20	0/0	20	35
RM 1.2 two-family	2,400	1,200	25	20	3/6	20	35
RM 1.2 multi-family	—	1,200	—	20 ²	5/17 ³	30 ²	-
RM 1.2 other				20 ²	5/17 ³	30 ²	—
RM 0.7 single-family	2,000	—	25	5	0/5	20	35
RM 0.7 rowhouse exterior	2,000	—	—	5	0/5	20	35
RM 0.7 rowhouse interior	1,500	—	—	5	0/0	20	35

RM 0.7 two-family	2,000	700	25	5	0/5	20	35
RM 0.7 multi-family	—	700	—	5	0/5 ⁴	25 ²	—
RM 0.7 other				5	0/5 ⁴	25 ²	—

“Yes” means additional regulations apply.

Regulations	RMX	RM 2.0	RM 1.2	RM 0.7	Additional Regulations
Vehicle Accommodation Driveways and Parking					
Location of parking	Yes	Yes	Yes	Yes	See § 1425-17
Parking lot landscaping	Yes	Yes	Yes	Yes	See § 1425-31
Parking lot screening	Yes	Yes	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	Yes	Yes	See § 1405-09
Other Regulations					
Buffering along district boundaries	Yes	Yes	Yes	Yes	See § 1423-13
Accessory structures	See Chapter 1421				
General site standards	See Chapter 1421				
Landscaping and buffer yards	See Chapter 1423				
Nonconforming uses and structures	See Chapter 1447				
Off-street parking and loading	See Chapter 1425				
Signs	See Chapter 1427				
Additional development regulations	See Chapter 1419				

¹ Additional 1-foot of setback for each 1-foot of building height above 35 feet.

² Additional 1-foot of setback for each five feet of building height above 35 feet.

³ Addition 0.5-foot of minimum side yard and 1-foot sum of side yard setback for each 1-foot of building height above 35 feet.

⁴ Additional 1-foot of minimum side yard and 2-foot sum of side yard setback for each five feet of building height above 35 feet.

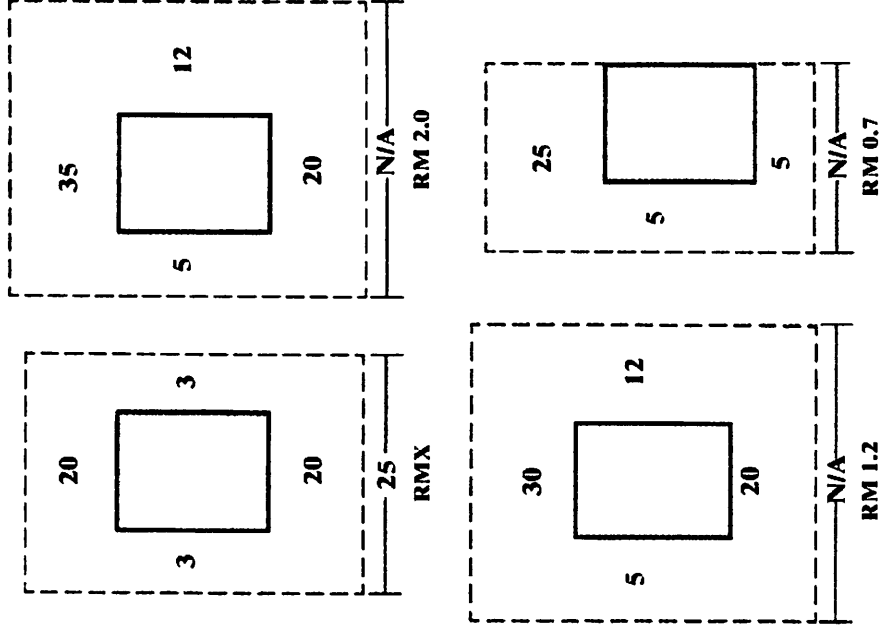


Figure 1405-07 Minimum Setbacks for Multi-Family Buildings 35 ft. in Height

Section 4. That existing Section 1405-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 5. That Section 1407-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1407-07. - Development Regulations.

Schedule 1407-07 prescribes the development regulations for O Office Districts, including ~~minimum lot area~~, maximum floor area ratio (FAR), maximum building height, minimum yards, driveways and parking and other standards that apply. Letter designations in the additional regulations column refer to regulations that follow Schedule 1407-07.

Schedule 1407-07: Development Regulations - Office Districts

Regulations	OL	OG	Additional Regulations
Building Scale - Intensity of Use			
Minimum lot area for every dwelling unit	1200	700	
Maximum gross floor area ratio	0.6	1.75	
Building Form and Location			
Maximum building height	45	100	
Minimum yard (ft.)			
Front	20	20	See § 1407-09
Side (minimum/total)	5/10	5/20	See § 1407-11
Side rowhouse (minimum/total)			
Exterior lot	0/5	—	
Interior lot	0/0	—	
Rear	20	20	See § 1407-13
Vehicle Accommodation - Driveways and Parking			
Driveway restrictions	Yes	Yes	See § 1407-15
Location of parking	Yes	Yes	See § 1425-15
Parking lot landscaping	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	See § 1407-17
Other Regulations			
Buffering along district boundaries	Yes	Yes	See § 1423-13
Accessory uses and structures	See Chapter 1421		
General site standards	See Chapter 1421		
Landscaping and buffer yards	See Chapter 1423		
Nonconforming uses and structures	See Chapter 1447		
Off-street parking and loading	See Chapter 1425		
Signs	See Chapter 1427		
Additional development regulations	See Chapter 1419		

Section 6. That existing Section 1407-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 7. That Section 1409-09, "Development Regulations," of the Cincinnati Municipal

Code is hereby amended as follows:

§ 1409-09. - Development Regulations.

Schedule 1409-09 prescribes the development regulations for Commercial Districts, maximum building height, minimum setbacks, driveways and parking and other standards that apply. Yes means regulations apply.

Schedule 1409-09: Development Regulations - Commercial Districts

Regulations	CN-P	CN-M	CC-P	CC-M	CC-A	CG-A	Additional Regulations
Building Scale-Intensity of Use							
Minimum Lot Area	0	0	0	0	0	0	
Building Form and Location							
Maximum building height (ft.)	50	50	85	85	85	85	
Minimum building height (ft.)	15	15	15	15	15	15	
Minimum front yard setbacks (ft.)	0	0	0	0	0	0	
Maximum front yard setbacks (ft.)	0	12	0	12	—	—	See § 1409-19
Building placement requirements	Yes	Yes	Yes	Yes	No	No	See § 1409-17 and § 1409-21
Ground floor transparency standards	Yes	Yes	Yes	Yes	No	No	See § 1409-23
Vehicle Accommodation - Driveways and Parking							
Driveway restrictions	Yes	Yes	Yes	Yes	Yes	Yes	See § 1409-11
Drive-through facilities	Yes	Yes	Yes	Yes	Yes	Yes	See § 1409-13 and 1419-13
Location of parking	Yes	Yes	Yes	Yes	No	No	See § 1409-25
Parking lot landscaping	Yes	Yes	Yes	Yes	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	Yes	Yes	Yes	Yes	See § 1409-15
Other Regulations							
Buffering along district boundaries	Yes	Yes	Yes	Yes	Yes	Yes	See § 1423-13
Accessory structures	See Chapter 1421						
General site standards	See Chapter 1421						

Landscaping and buffer yards	See Chapter 1423						
Nonconforming structures	See Chapter 1447						
Parking and loading	See Chapter 1425						
Signs	See Chapter 1427						
Additional development regulations	See Chapter 1419						
Residential Regulations							
New residential only							
Lot area/unit (sq. ft.)	700	700	700	700	700	700	
Front yard setback	0	0	0	0	0	0	
Interior side yard setback	0	0	0	0	0	0	
Corner side yard setback	0	0	0	0	0	0	
Rear yard setback	25	25	25	25	25	25	
Residential development in existing buildings							
Lot area/unit (sq./ft.)	500	500	500	500	500	500	

Section 8. That existing Section 1409-09, "Development Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 9. That Section 1410-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1410-07. - Development Regulations.

Schedule 1410-07 below prescribes the development regulations for the UM district, including ~~lot area for every unit~~, minimum lot width, setbacks and maximum height. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

Schedule 1410-07 Development Regulations—Urban Mix District

Building Form and Location				Setbacks (ft.)			
	Lot Area (sq. ft.)	Lot Area/Unit (sq. ft.)	Lot width (ft.)	Front Yard (Min./Max.)	Side Yard Min./Total	Rear Yard (Min.)	Maximum Height (ft.)
UM Residential	2,000	700	25	0/10	0/0	10	45

UM Non-residential	2,000	0	25	0/0	0/0	10	45
UM Rowhouse							
Interior	1,500	700	25	0/10	0/0	10	45
Exterior	1,500	700	25	0/10	0/0	10	45
UM Other Use	2,000	2,000	25	0/0	0/0	10	45
Regulations			UM	Additional Regulations			

Vehicle Accommodation—Driveways and Parking		
Driveway Restrictions	NO	
Drive-Through Facilities	NO	
Required Parking	YES	See 1410-09
Location of Parking	YES	See 1425-15
Parking Lot Landscaping	NO	
Parking Lot Screening	YES	See 1425-27
Truck Dock; Loading; Service Areas	YES	See 1403-09
Other Regulations		
Buffering along District Boundaries	YES	See 1423-14
Accessory Structures	YES	See Chapter 1421
General Site Standards	YES	See Chapter 1421
Landscaping and Buffer Yards	YES	See Chapter 1423
Nonconforming Structures	YES	See Chapter 1447
Off Street Parking & Loading	YES	See Chapter 1425
Signs	YES	See Chapter 1427
Additional Development Regulations	YES	See Chapter 1419

“Yes” means additional regulations apply.

Section 10. That existing Section 1410-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 11. That Section 1413-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1413-07. - Development Regulations.

Schedule 1413-07 below prescribes the development regulations for M Manufacturing Districts, including minimum lot area, maximum height, minimum yards and other standards. Additional standards are included in Chapter 1419.

Schedule 1413-07: Development Regulations - Manufacturing Districts

Regulations	MA	ML	MG	ME	Additional Regulations
Building Scale - Intensity of Use					
Minimum Lot Area (sq. ft.)					
Residential Uses	20,000	4,000	—	—	
Non-residential Uses	20,000	0	0	0	
Land area for every dwelling unit	—	2,000	—	—	
Building Form and Location					
Maximum Building Height (ft.)	35	45	85	85	
Minimum Yard (ft.)					
Front Residential	40	20	0	0	
Front Non-Residential	25	20	0	0	
Side Residential (minimum/total)	10/20	3/12	0	0	
Side Non-Residential (minimum/total)	10/20	10/20	0	0	
Rear Residential	35	25	0	0	
Rear Non-Residential	20	10	0	0	
Vehicle Accommodation - Driveways and Parking					
Driveway Restrictions	Yes	Yes	Yes	Yes	See § 1413-09
Parking Lot Landscaping	Yes	Yes	Yes	Yes	See § 1425-29
Truck Docks; Loading and Service Areas	Yes	Yes	Yes	Yes	See § 1413-11
Other Regulations					
Buffering Along District Boundaries	Yes	Yes	Yes	Yes	See § 1423-13
Accessory Uses and Structures			See Chapter 1421		
General Site Standards			See Chapter 1421		
Landscaping and Buffer Yards			See Chapter 1423		
Nonconforming Uses and Structures			See Chapter 1447		
Off-Street Parking and Loading			See Chapter 1425		
Signs			See Chapter 1427		

Additional Development Regulations		See Chapter 1419
------------------------------------	--	------------------

Section 12. That existing Section 1413-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 13. That Section 1415-09, “Development Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1415-09. - Development Regulations.

Schedule 1415-09 below prescribes the property development regulations for RF Riverfront Districts, including minimum lot area, maximum height, setback, parking and driveways and other standards. Additional standards are included in Chapter 1419, Additional Development Regulations.

Schedule 1415-09: Development Regulations - Riverfront Districts

Regulations	RF-R	RF-C	RF-M	Additional Regulations
Building Scale - Intensity of Use				
Minimum lot area (sq. ft.)	4,000	—	—	
Minimum lot area (sq. ft.) rowhouse	2,000	—	—	
Minimum area for every dwelling unit	2,000	—	—	
Building Form and Location				
Maximum building height (ft.)	35	100	—	See § 1415-11
Minimum yard (ft.)				
Front	10	25	20	
Side least width/sum	3/6	10/20	5/10	
Side rowhouse exterior, least width/sum	0/3	—	—	
Side rowhouse interior, least width/sum	0/0	—	—	
Rear	30	10	5	
Maximum building coverage (%)	60	70	80	See § 1415-13
Vehicle Accommodation - Driveways and Parking				
Parking lot landscaping	Yes	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	Yes	See § 1415-15
Other Standards				
Buffering along district boundaries	Yes	Yes	Yes	See § 1415-17

Ohio River bank area	Yes	Yes	Yes	See § 1415-19
Little Miami Riverfront area	Yes	Yes	Yes	See § 1415-21
Accessory uses and structures				See Chapter 1421
General site standards				See Chapter 1421
Landscaping and buffer yards				See Chapter 1423
Nonconforming uses and structures				See Chapter 1447
Off-street parking and loading				See Chapter 1425
Signs				See Chapter 1427
Additional development regulations				See Chapter 1419

Section 14. That existing Section 1415-09, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 15. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2021

Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strike through.



Christopher E. C. Smitherman
Cincinnati Vice Mayor

Motion

WE MOVE that the Cincinnati Recreation Centers (CRC) get \$100,000 for three of their recreation centers that offer spin classes to purchase 15 new spin bicycles. The Cincinnati Recreation Commission is committed to helping all residents maintain a healthy lifestyle. CRC is designed to provide fitness opportunities to all ages. Spin class is one such activity offered at Hirsch Recreation Center (Avondale), College Hill Recreation Center, and at the Mt. Washington Recreation Center.

WE FURTHER MOVE that the Red Bike program be expanded by \$500,000 to include Bond Hill, Roselawn, Evanston, and Avondale for fitness, transportation, and healthy living.

Statement

The American Rescue Plan has given the Cincinnati community a unique opportunity to be more active through spin classes and bike riding and to live healthier and more physically fit lives.

Vice Mayor Christopher Smitherman

_____	_____
_____	_____
_____	_____
_____	_____



Christopher E. C. Smitherman
Cincinnati Vice Mayor

May 5, 2021

Motion

WE MOVE that city workers not be required to return the work until Monday, September 13, 2021, after Labor Day in order to give those families more time to adjust to their new schedules.

WE FURTHER MOVE that flexible schedules for pick up and drop off of children be afforded to city workers when needed.

Vice Mayor Christopher Smitherman

_____	_____
_____	_____
_____	_____
_____	_____

Statement

City workers have experienced furloughs due to city budget constraints and they have dramatically changed their schedules because of COVID-19 a 100-year Pandemic. Many city workers are single moms and dads, some are caring for elderly parents, and others for sick family members. They have done everything their employer, the City of Cincinnati, has asked of them. Daycare centers and summer programs are not at full capacity and city workers deserve more time and our support as schedules get back to the new normal. Placing our city workers in the position to choose between family and job when flexible work time would resolve most issues is better. Cooperation between the city and its employees will help us in this COVID crisis get to a resting place that supports all interests.

COMMITTEES

Chair: Law & Public Safety • Committees: Economic Growth & Zoning • Neighborhoods

May 12, 2021

To: Mayor and Members of City Council 202101660
From: Paula Boggs Muething, City Manager
Subject: **Emergency Ordinance – Acceptance of Donation from Southwest Ohio Regional Transit Authority (SORTA)**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept a donation from the Southwest Ohio Regional Transit Authority of two decommissioned buses to the Cincinnati Police Department valued at a total of \$6000.

This Emergency Ordinance would authorize the City Manager to accept a donation from the Southwest Ohio Regional Transit Authority (SORTA) of two decommissioned Access buses to the Cincinnati Police Department (CPD) valued at a total of \$6,000.00 at no cost to the City.

Both vehicles are 2009 Ford E450 models and are being donated as-is. CPD Fleet Services will assume the liability and obligation of further maintenance on the vehicles.

The reason for the emergency is the immediate need to accept the donated equipment in a timely fashion.

The Administration recommends passage of this Emergency Ordinance.

cc: Christopher A. Bigham, Assistant City Manager
Karen Alder, Finance Director

Attachment

EMERGENCY

City of Cincinnati

AEP

AWB

An Ordinance No. _____ - 2021

AUTHORIZING the City Manager to accept a donation from the Southwest Ohio Regional Transit Authority of two decommissioned Access buses to the Cincinnati Police Department valued at a total of \$6000.

WHEREAS, the Southwest Ohio Regional Transit Authority has offered to donate two decommissioned 2009 Ford E450 model Access buses to the Cincinnati Police Department in as-is condition; and

WHEREAS, the vehicles are valued at a total of \$6000; and

WHEREAS, CPD Fleet Services will assume the liability and obligation of further maintenance on the vehicles; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager is hereby authorized to accept with gratitude a donation from the Southwest Ohio Regional Transit Authority of two decommissioned Access buses to the Cincinnati Police Department valued at a total of \$6000.

Section 2. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Section 1 hereof.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms

of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accept the donated equipment in a timely fashion.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

May 12, 2021

To: Mayor and Members of City Council 202101661
From: Paula Boggs Muething, City Manager
Subject: **Emergency Ordinance – Industrial/Organizational Solutions (I/SO)
Moral Obligation**

Attached is an Emergency Ordinance captioned:

AUTHORIZING a payment of \$19,556.14 from the Human Resources Department General Fund non-personnel operating budget account no. 050x121x1000x7289 as a moral obligation to Industrial/Organizational Solutions (“I/OS”) for payment of outstanding charges for legally- and contractually-required testing services for Police and Fire promotional exams for sworn personnel provided by I/OS prior to the execution of a professional services contract.

Approval of this Emergency Ordinance authorizes a payment of \$19,556.14 from the Human Resources Department's non-personnel operating budget account no. 050x121x1000x7289 as a moral obligation to Industrial/Organizational Solutions for payment of outstanding charges for legally and contractually required testing services for sworn Police and Fire promotional exams provided by the vendor prior to the execution of a professional services contract.

The previous contract with Industrial/Organizational Solutions (I/OS) expired in FY 2020. Due to COVID-19 and associated Temporary Emergency Leave (TEL) policies and the Early Retirement Incentive Program (ERIP), the Human Resources Department was not able to immediately execute a new contract. However, I/OS continued to provide legally and contractually required testing services for Police and Fire promotional exams.

While the Approved FY 2021 Budget Update did not include resources for promotional testing, sufficient resources are anticipated to be made available in the Final Adjustment Ordinance (FAO), which is slated for introduction to the City Council in May 2021.

The reason for the emergency is the immediate need for the City to provide I/OS with payment for its services in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

cc: Christopher A. Bigham, Assistant City Manager
Karen Alder, Finance Director

Attachment

EMERGENCY

City of Cincinnati

AEP

AWB

An Ordinance No. _____

- 2021

AUTHORIZING a payment of \$19,556.14 from the Human Resources Department General Fund non-personnel operating budget account no. 050x121x1000x7289 as a moral obligation to Industrial/Organizational Solutions (“I/OS”) for payment of outstanding charges for legally- and contractually-required testing services for Police and Fire promotional exams for sworn personnel provided by I/OS prior to the execution of a professional services contract.

WHEREAS, the City’s contract with Industrial/Organizational Solutions (“I/OS”) for legally- and contractually-required testing services for Police and Fire promotional exams for sworn personnel expired in FY 2020; and

WHEREAS, due to COVID-19 and associated Temporary Emergency Leave policies and the Early Retirement Incentive Program, the Human Resources Department was not able to immediately execute a new contract; and

WHEREAS, I/OS continued to provide necessary promotional exam testing services to the City; and

WHEREAS, the City entered into a new multi-year contract with I/OS in February 2021 with a contract not to exceed limit of \$600,000, in which the moral obligation amount of \$19,556.14 is included; and

WHEREAS, the Approved FY 2021 Budget Update did not include resources for promotional testing, but sufficient resources are anticipated to be made available in the Final Adjustment Ordinance, which is slated for introduction to City Council in May 2021; and

WHEREAS, City Council wishes to provide payment to I/OS for their services in a total amount of \$19,556.14; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Finance Director is authorized to make a payment of \$19,556.14 from the Human Resources Department General Fund non-personnel operating budget account no. 050x121x1000x7289 as a moral obligation to Industrial/Organizational Solutions for payment of

outstanding charges for legally- and contractually-required testing services for Police and Fire promotional exams for sworn personnel provided by the vendor prior to the execution of a contract.

Section 2. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Section 1 hereof.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need for the City to provide I/OS with payment for its services in a timely manner.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

May 12, 2021
202101664

To: Mayor and Members of City Council
From: Paula Boggs Muething, City Manager
Subject: **Emergency Ordinance – Avondale Town Center Improvements**

Attached is an Emergency Ordinance captioned:

ESTABLISHING new capital improvement program project account no. 980x164x211649, “Avondale Town Center Improvements,” for the purpose of providing resources to facilitate tenant improvements at Avondale Town Center, including the Avondale grocery store and the Urban League Social Justice Center; and **AUTHORIZING** the transfer and return to source of the sum of \$500,619.20 from capital improvement program project account no. 980x164x181650, “Avondale Infrastructure & Streetscape Improvements,” to the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757; and **AUTHORIZING** the transfer and appropriation of the sum of \$500,000 from the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757 to newly established capital improvement program project account no. 980x164x211649, “Avondale Town Center Improvements,” for tenant improvements at Avondale Town Center, including improvements for the Avondale grocery store and the Urban League Social Justice Center; and **DECLARING** expenditures from capital improvement program project account no. 980x164x211649, “Avondale Town Center Improvements,” to be for a public purpose because the project will facilitate development of the Avondale Town Center and provide suitable space for the Urban League Social Justice Center and the Avondale grocery store.

Approval of this Emergency Ordinance authorizes the establishment of new capital improvement program project account no. 980x164x211649, “Avondale Town Center Improvements,” for the purpose of providing resources to facilitate tenant improvements at Avondale Town Center, including the Avondale grocery store and the Urban League Social Justice Center. Approval of this Emergency Ordinance also authorizes the transfer and return to source the sum of \$500,619.20 from capital improvement program project account no. 980x164x181650, “Avondale Infrastructure & Streetscape Improvements” to the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757. The Emergency Ordinance further authorizes the transfer and appropriation of the sum of \$500,000.00 from the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757 to newly established capital improvement program project account no.

980x164x211649, “Avondale Town Center Improvements” for tenant improvements at Avondale Town Center, including improvements for the Avondale grocery store and the Urban League Social Justice Center. Finally, the Emergency Ordinance will declare expenditures from capital improvement program project account no. 980x164x211649, “Avondale Town Center Improvements” to be for a public purpose because the project will facilitate development of the Avondale Town Center and provide suitable space for the Urban League Social Justice Center and the Avondale grocery store.

On September 2, 2020, City Council adopted Council Motion #202001164 which committed \$500,000.00 from the City Operating or Capital Budget to help promote the Avondale grocery store project.

The Urban League Social Justice Center will share a significant portion of the space originally designated for the Avondale grocery store and intends to occupy its portion of the space in fall 2021. The shared tenant arrangement with the Urban League Social Justice Center will allow the grocery to operate with a smaller, more sustainable footprint while still addressing the community’s critical need for a grocery store.

This Emergency Ordinance is in accordance with the “Compete” strategy to “Foster a climate conducive to growth, investment, stability, and opportunity” as described on pages 103-113 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to allow the developer to start construction so the tenant improvements can be completed prior to tenant occupation, which is expected in fall 2021.

The Administration recommends passage of this Emergency Ordinance.

cc: Christopher A. Bigham, Assistant City Manager
Karen Alder, Finance Director

Attachment





EMERGENCY

City of Cincinnati

LES *AWB*

An Ordinance No. _____

- 2021

ESTABLISHING new capital improvement program project account no. 980x164x211649, “Avondale Town Center Improvements,” for the purpose of providing resources to facilitate tenant improvements at Avondale Town Center, including the Avondale grocery store and the Urban League Social Justice Center; and **AUTHORIZING** the transfer and return to source of the sum of \$500,619.20 from capital improvement program project account no. 980x164x181650, “Avondale Infrastructure & Streetscape Improvements,” to the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757; and **AUTHORIZING** the transfer and appropriation of the sum of \$500,000 from the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757 to newly established capital improvement program project account no. 980x164x211649, “Avondale Town Center Improvements,” for tenant improvements at Avondale Town Center, including improvements for the Avondale grocery store and the Urban League Social Justice Center; and **DECLARING** expenditures from capital improvement program project account no. 980x164x211649, “Avondale Town Center Improvements,” to be for a public purpose because the project will facilitate development of the Avondale Town Center and provide suitable space for the Urban League Social Justice Center and the Avondale grocery store.

WHEREAS, on September 2, 2020, City Council adopted Council Motion #202001164 which committed \$500,000 from the City Operating or Capital Budget to help promote the Avondale grocery store project; and

WHEREAS, the Urban League Social Justice Center will share a significant portion of the space originally designated for the Avondale grocery store, and intends to occupy its portion of the space in fall 2021; and

WHEREAS, the shared tenant arrangement with the Urban League Social Justice Center will allow the grocery store to operate with a smaller, more sustainable footprint while still addressing the community’s critical need for a grocery store; and

WHEREAS, returning the remaining balance of \$619.20 from capital improvement program project account no. 980x164x181650, “Avondale Infrastructure & Streetscape Improvements,” to source, the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757, will allow for the closure of the account in accordance with accounting best practices; and

WHEREAS, this project is in accordance with the “Compete” strategy to “Foster a climate conducive to growth, investment, stability, and opportunity” as described on pages 103-113 of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That new capital improvement program project account no. 980x164x211649, “Avondale Town Center Improvements,” is hereby established for the purpose of providing resources to facilitate tenant improvements at Avondale Town Center, including the Avondale grocery store and the Urban League Social Justice Center.

Section 2. That the sum of \$500,619.20 is hereby transferred and returned to source, the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757, from capital improvement program project account no. 980x164x181650, “Avondale Infrastructure & Streetscape Improvements.”

Section 3. That the sum \$500,000 is hereby transferred and appropriated from the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757 to newly established capital improvement program project account no. 980x164x211649, “Avondale Town Center Improvements,” for tenant improvements at Avondale Town Center, including improvements for the Avondale grocery store and the Urban League Social Justice Center.

Section 4. That expenditures from capital improvement program project account no. 980x164x211649, “Avondale Town Center Improvements,” are hereby declared to be for a public purpose because the project will facilitate development of the Avondale Town Center, providing suitable space for the Urban League Social Justice Center and the Avondale grocery store.

Section 5. That the proper City officials are hereby authorized to do all things necessary and proper to implement the provisions of Sections 1 through 4 hereof.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is

the immediate need to allow the developer to start construction so the tenant improvements can be completed prior to tenant occupation, which is expected in fall 2021.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____

Clerk

May 12, 2021

To: Mayor and Members of City Council
From: Paula Boggs Muething, City Manager
Subject: Liquor License – NEW

202101665

FINAL RECOMMENDATION REPORT

OBJECTIONS: Cincinnati Police Department, Mt. Auburn Community Council

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 6202775
PERMIT TYPE: NEW
CLASS: C1 C2
NAME: MTA CONVENIENCE STORE LLC
DBA: NONE LISTED
1735 HIGHLAND AV
CINCINNATI, OH 45202

The Department of Buildings & Inspections has not responded with their investigation as of today's date.

On March 16, 2021 Mt. Auburn Community Council was notified of this application and do object.

Police Department Approval

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
Objection No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: May 11, 2021

May 12, 2021

To: Mayor and Members of City Council

202101670

From: Paula Boggs Muething, City Manager

**Subject: Emergency Ordinance: New Classification and Salary Range
for the classification of Senior Emergency 911 Operator**

Attached is an Emergency Ordinance captioned:

ESTABLISHING the salary schedule and classification title for the new employment classification of Senior Emergency 911 Operator, and enacting Section 406 of Division 1, Chapter 307 of the Cincinnati Municipal Code, in order to establish a new salary schedule and new classification title of Senior Emergency 911 Operator.

The Human Resources Director has approved the request for this ordinance to establish the salary schedule and classification title for the new employment classification of Senior Emergency 911 Operator. The Department of Human Resources has done due diligence and conducted appropriate evaluation to ensure that the new salary schedule and classification title is consistent with similar positions with factors considered throughout the evaluation process including, scope of work and responsibility. The creation of the classification is necessary to fit the needs of the City, and consistent with the organizational changes described herein.

City Administration recommends passage of this ordinance.

cc: William M. Brown, Human Resources Director

EMERGENCY

CFG

- 2021

ESTABLISHING the classification and salary range schedule for the new employment classification of Senior Emergency 911 Operator and **ENACTING** Section 406 of Division 1, Chapter 307 of the Cincinnati Municipal Code, in order to establish a new salary schedule and classification title for this classification, consistent with the organizational changes described in this ordinance.

WHEREAS, in order to meet the national standards for call answering and call processing times set by the Association of Public-Safety Communications Officials (“APCO”) and the International Academies of Emergency Dispatch (“IAED”) in the emergency communications industry, the City’s Human Resources Department has determined that the creation of the Senior Emergency 911 Operator classification specification is necessary; and

WHEREAS, in order to meet the national standards for quality assurance reviews set by APCO and IAED in the emergency communications industry, the City’s Human Resources Department has determined that the creation of the Senior Emergency 911 Operator classification specification is necessary; and

WHEREAS, in order to provide timely and accurate performance feedback to all operations personnel, the City’s Human Resources Department has determined that the creation of the Senior Emergency 911 Operator classification is necessary; and

WHEREAS, in order to recruit and retain qualified employees at the Emergency Communications Center, the City’s Human Resources Department has determined that the creation of the Senior Emergency 911 Operator classification specification is necessary; and

WHEREAS, the Senior Emergency 911 Operator classification specification is necessary to ensure consistency in the knowledge, skills, and abilities required to carry out the duties and tasks prescribed to the position; and

WHEREAS, the Senior Emergency 911 Operator position and salary range provide an opportunity to increase effectiveness while maintaining a standard of excellence and a clear pathway for continued growth and career progression for employees at the City’s Emergency Communications Center; and

WHEREAS, the City’s Human Resources Department has performed due diligence and conducted appropriate internal comparisons to ensure that the new classification and salary range are consistent with the scope of services and the level of responsibility of the position of Senior Emergency 911 Operator, considering factors including liability, scope of responsibility, judgment and independent action, accountability, and desired levels of experience throughout the evaluation process; and

WHEREAS, it has been determined that adopting the new salary range and classification title for the position is based upon a market analysis, and consistent with the organization changes described herein and internal cost of living adjustment comparisons as approved by City Council; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 406 of Division 1, Chapter 307 of the Cincinnati Municipal Code is hereby enacted as shown below:

Hourly Minimum	Hourly maximum	Biweekly Min	Biweekly Max	Step	Annual Min	Annual Max
26.33	29.2088	2,106.40	2,336.704	1	54,766.40	60,754.31
	27.0497		2,163.976	2		
	27.7694		2,221.552	3		
	28.4891		2,279.128	4		
	29.088		2,327.04	5		

Section 2. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to establish the classification and salary ranges in order to recruit and retain qualified employees at the Emergency Communications Center and meet national industry standards for call processing times, quality assurance reviews, and ensure timely and accurate performance feedback to personnel.

Passed: _____, 2021

Mayor John Cranley

Attest: _____
Clerk

Date: May 12, 2021

To: Mayor and Members of City Council 202101687
From: Paula Boggs Muething, City Manager
Subject: EMERGENCY ORDINANCE –LIMITED WARRANTY DEEDS AND A GRANT OF EASEMENT IN FAVOR OF ODOT (BRENT SPENCE BRIDGE)

Attached is an emergency ordinance captioned as follows:

AUTHORIZING the City Manager to execute *Limited Warranty Deeds* and a *Grant of Easement* in favor of the State of Ohio for the use and benefit of the Ohio Department of Transportation to convey fee simple interests in and to, and a perpetual subsurface easement in, under, and through, real property located adjacent to Interstate 75 in the Central Business District and West End neighborhoods of Cincinnati in connection with transportation improvement project HAM 75-00.22.

The City owns certain real property adjacent to Interstate 75 (“Property”) in the Central Business District and West End neighborhoods of Cincinnati. The Ohio Department of Transportation (“ODOT”) is undertaking a transportation improvement project that will result in the reconstruction of the Brent Spence Bridge and the widening of Interstate 75, and it desires to acquire certain rights, title, or interests in and to the Property in connection with the project.

The City has determined that the Property is not needed for a municipal purpose, and that the City’s disposition of the Property to ODOT will not be detrimental to the interests of the general public.

The fair market value of the easements is approximately \$417,846, which ODOT has agreed to pay.

The City Planning Commission approved the easements at its meeting on January 15, 2021.

The reason for the emergency is the immediate need to convey the Property to ODOT without delay to avoid any unnecessary delays to the Project.

The Administration recommends passage of the attached emergency ordinance.

Attachment I – Limited Warranty Deeds and Grant of Easement
Attachment II – Right of Way Legend Sheet HAM – 75 – 00.22

cc: John S. Brazina, Director, Transportation and Engineering

EMERGENCY
City of Cincinnati

CHM

AWB

An Ordinance No. _____ - 2021

AUTHORIZING the City Manager to execute *Limited Warranty Deeds* and a *Grant of Easement* in favor of the State of Ohio for the use and benefit of the Ohio Department of Transportation to convey fee simple interests in and to, and a perpetual subsurface easement in, under, and through, real property located adjacent to Interstate 75 in the Central Business District and West End neighborhoods of Cincinnati in connection with transportation improvement project HAM 75 – 00.22.

WHEREAS, the City owns certain real property adjacent to Interstate 75 in the Central Business District and West End neighborhoods, as more particularly described in the *Limited Warranty Deed* and *Grant of Easement* attached to this ordinance as Attachment A and incorporated herein by reference (the “Property”), which Property is under the management and control of the City’s Department of Transportation and Engineering (“DOT”); and

WHEREAS, the Ohio Department of Transportation (“ODOT”) is undertaking a transportation improvement project that will result in the reconstruction of the Brent Spence Bridge and the widening of Interstate 75 (the “Project”), and it desires to acquire certain rights, title, or interests in and to the Property in connection therewith (designated by ODOT as HAM 75 – 00.22 Project Parcels 20 WL, 21 WL, 75 SS, 76 SS, 76 WL, 77 SS, 77 WL, 78 SS, 78 WL, 79 SS, 79 WL, 80 SS, 80 WL, and 83 WL, as generally depicted on the ODOT right-of-way plans attached to this ordinance as Attachment B); and

WHEREAS, pursuant to Cincinnati Municipal Code Section 331-1, the City may sell real property that is not needed for municipal purposes; and

WHEREAS, the City Manager, being the officer having the custody and control of the Property, upon confirmation by DOT, has determined that the Property is not needed for a municipal purpose, and that the City’s disposition of the Property to ODOT will not be detrimental to the interests of the general public; and

WHEREAS, the City’s Real Estate Services Division has determined, by professional appraisal, that the approximate fair market value of the Property is \$417,846, which ODOT has agreed to pay; and

WHEREAS, pursuant to Cincinnati Municipal Code Section 331-5, Council may authorize the sale of City-owned real property without competitive bidding in those cases in which it determines that it is in the best interests of the City; and

WHEREAS, the City has determined that the City's disposition of the Property, without competitive bidding, is in the City's best interests because ODOT desires to acquire the Property to facilitate a public transportation improvement project that will benefit the public; and

WHEREAS, the City Planning Commission, having the authority to approve the change in use of City property, approved the sale of the Property to ODOT at its meeting on January 15, 2021; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager is hereby authorized to execute *Limited Warranty Deeds* and a *Grant of Easement* in favor of the State of Ohio for the use and benefit of the Ohio Department of Transportation ("ODOT"), in substantially the form as Attachment A to this ordinance and incorporated herein by reference, pursuant to which the City will convey to ODOT fee simple title to certain real property designated by ODOT as HAM 75 – 00.22 Project Parcels 20 WL, 21 WL, 76 WL, 77 WL, 78 WL, 79 WL, 80 WL, and 83 WL and perpetual subsurface easements in certain real property designated by ODOT as HAM 75 – 00.22 Project Parcels 75 SS, 76 SS, 77 SS, 78 SS, 79 SS, and 80 SS (the "Property") to facilitate a public transportation improvement project that will result in the reconstruction of the Brent Spence Bridge and the widening of Interstate 75 (the "Project"), which Property is generally depicted on the ODOT right-of-way plans attached as Attachment B to this ordinance and incorporated herein by reference.

Section 2. That the Property is not needed for a municipal purpose, and that the City's conveyance of the Property to ODOT will not be detrimental to the interests of the general public.

Section 3. That the approximate fair market value of the Property, as determined by appraisal by the City's Real Estate Services Division, is \$417,846, which ODOT has agreed to pay.

Section 4. That it is in the best interests of the City to convey the Property to ODOT without competitive bidding because the Property is needed for the Project and the conveyances will benefit public transportation.

Section 5. That all proper City officials are hereby authorized to take all necessary and proper actions to carry out the provisions of this ordinance, including executing all necessary deeds, plats, and other real estate documents.

Section 6. That the proceeds from the sale of the Property, if any, shall be deposited into Property Management Fund 209 to pay the fees for services provided by the City's Real Estate Services Division in connection with the sale, and that the City's Finance Director is hereby authorized to deposit amounts in excess amount thereof into Miscellaneous Permanent Improvement Fund 757.

Section 7. That the City's Finance Director is authorized to transfer and appropriate such excess funds from Miscellaneous Permanent Improvement Fund 757 into Capital Improvement Program Project Account No. 980x233xYY2306, "Street Improvements," in which "YY" represents the last two digits of the fiscal year in which the closing occurs and the proceeds are received, referencing the latter fiscal year if the events occur in different fiscal years.

Section 8. That the City Solicitor shall cause an authenticated copy of this ordinance to be duly recorded in the land records of Hamilton County, Ohio.

Section 9. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the

emergency is the immediate need to convey the Property to ODOT without delay to avoid any unnecessary delays to the Project.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

[SPACE ABOVE FOR RECORDER'S USE]

LIMITED WARRANTY DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the "**City**"), in consideration of the sum of \$1.00, to be paid by the State of Ohio, Department of Transportation ("**ODOT**"), hereby grants, with limited warranty covenants, and conveys to the **STATE OF OHIO** and its successors and assigns for the use and benefit of ODOT ("**Grantee**"), all right, title, and interest in fee simple in and to real property more particularly described on Exhibit A (Legal Description) hereto (the "**Property**"). This conveyance is subject to the following exceptions from said limited warranty covenants: (i) all warranties and covenants that the Property is free from all encumbrances made by the City, and (ii) all covenants and warranties to defend, hold harmless, or indemnify Grantee, its heirs, assigns, and successors against lawful claims or demands of all persons claiming by, through, or under the City.

ODOT Project Parcel(s): 76 WL

ODOT Project: HAM 75-00.22

Being part of Hamilton County Current Tax Parcel No(s): None (municipal public right-of-way designated as West Court Street)

Prior Instrument Reference: None (municipal public right-of-way designated as West Court Street)

The property conveyed herein to Grantee is being acquired for one of the statutory purposes pursuant to which the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Section 5501.31 of the Revised Code.

Grantor has a right under Section 163.211 of the Revised Code to repurchase the property conveyed herein if Grantee decides not to use the property for the purpose stated above and Grantor provides timely notice of a desire to repurchase; provided however, that such right of repurchase is subject to the authority of the Director of ODOT to convey unneeded property pursuant to Section 5501.34(F) of the Revised Code. The price to be paid upon such repurchase shall be the property's fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by the court. This right of repurchase shall be extinguished if any of the following occur: (A) Grantor declines to repurchase the property; (B) Grantor fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) five years have passed since the property was appropriated.

This conveyance was authorized by Ordinance No. [____]-2021 passed by Cincinnati City Council on [_____]

Executed on _____, 2021.

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by _____, the _____ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

Recommended by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form:

Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, OH 45202

Exhibit A
to Limited Warranty Deed

Project: HAM 75-00.22
Project Parcel: 76 WL

EXHIBIT A

Page 1 of 3
Rev. 06/09

RX 252 WL

Ver. Date 03/06/2019

PID 89068

**PARCEL 76-WL
HAM-75-00.22
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
INCLUDING LIMITATION OF ACCESS**

Grantor/Owner, his heirs, executors, administrators, successors and assigns forever, are hereby divested of any and all abutter's rights, including access rights in, over and to the within described real estate, including such rights with respect to any highway facility constructed thereon (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of W. Court Street (60') as dedicated by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the original north right of way line of West Court Street (60') and the original east right of way line of Baymiller Street (50'), 124.92 feet right of the baseline of I-75 NB Station 69+52.57;

Thence with said north right of way line South 85° 48' 52" East 42.47 feet to an iron pin set in the existing I-75 east L/A easement line, 154.10 feet right of the baseline of I-75 NB Station 69+18.83, being the TRUE POINT OF BEGINNING, said iron pin bearing North 76° 12' 02" West 505.28 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

PARCEL 76-WL

Thence continuing with said north right of way line South 85° 48' 52" East 31.39 feet to a MAG nail set in the new I-75 east L/A easement line, 175.25 feet right of the baseline of I-75 NB Station 68+93.05;

EXHIBIT A

Page 2 of 3
Rev. 06/09

RX 252 WL

PARCEL 76-WL cont'd

Thence with said new I-75 east L/A easement line along the arc of a curve to the left 68.54 feet, said arc having a radius of 1084.32 feet, a central angle of 03° 37' 17" and a chord bearing South 43° 15' 21" East 68.52 feet to an iron pin set in said existing I-75 east L/A easement line, 172.86 feet right of the baseline of I-75 NB Station 68+16.41;

Thence with said existing I-75 east L/A easement line along the arc of a curve to the right 95.04 feet, said arc having a radius of 192.00 feet, a central angle of 28° 21' 37" and a chord bearing North 56° 17' 50" West 94.07 feet to the TRUE POINT OF BEGINNING, containing 0.0246 acres, (1071 SF), more or less, subject to all legal easements and restrictions of record.;

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through dedication by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office.

EXHIBIT A

Page 3 of 3
Rev. 06/09

RX 252 WL

PARCEL 76-WL cont'd

0.0246 acres of the above described area is contained within dedicated public right-of-way and the Hamilton County Auditor has assigned no Permanent Parcel Number, of which the present road right of way occupies 0.0246 acres, more or less.

Prepared by
LJB Inc.



By: Harry G. Herbst III 3/20/2019
Harry G. Herbst III, Ohio PS #6596 Date

[SPACE ABOVE FOR RECORDER'S USE]

LIMITED WARRANTY DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the "**City**"), in consideration of the sum of \$1.00, to be paid by the State of Ohio, Department of Transportation ("**ODOT**"), hereby grants, with limited warranty covenants, and conveys to the **STATE OF OHIO** and its successors and assigns for the use and benefit of ODOT ("**Grantee**"), all right, title, and interest in fee simple in and to real property more particularly described on Exhibit A (Legal Description) hereto (the "**Property**"). This conveyance is subject to the following exceptions from said limited warranty covenants: (i) all warranties and covenants that the Property is free from all encumbrances made by the City, and (ii) all covenants and warranties to defend, hold harmless, or indemnify Grantee, its heirs, assigns, and successors against lawful claims or demands of all persons claiming by, through, or under the City.

ODOT Project Parcel(s): 77 WL

ODOT Project: HAM 75-00.22

APN	Prior Instrument Reference
135-0001-0103-00	Deed Book 3019, Page 153 Hamilton County, Ohio Records
135-0001-0102-00	Deed Book 3021, Page 465 Hamilton County, Ohio Records
135-0001-0101-00	Deed Book 3134, Page 424 Hamilton County, Ohio Records

The property conveyed herein to Grantee is being acquired for one of the statutory purposes pursuant to which the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Section 5501.31 of the Revised Code.

Grantor has a right under Section 163.211 of the Revised Code to repurchase the property conveyed herein if Grantee decides not to use the property for the purpose stated above and Grantor provides timely notice of a desire to repurchase; provided however, that such right of repurchase is subject to the authority of the Director of ODOT to convey unneeded property pursuant to Section 5501.34(F) of the Revised Code. The price to be paid upon such repurchase shall be the property's fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by the court. This right of repurchase shall be extinguished if any of the following occur: (A) Grantor declines to repurchase the property; (B) Grantor fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) five years have passed since the property was appropriated.

This conveyance was authorized by Ordinance No. [____]-2021 passed by Cincinnati City Council on [_____].

Executed on _____, 2021.

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by _____, the _____ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

Recommended by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form:

Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, OH 45202

Exhibit A
to Limited Warranty Deed

Project: HAM 75-00.22
Project Parcel: 77 WL

EXHIBIT A

RX 252 WL

Page 1 of 3

Rev. 06/09

Ver. Date 03/20/2019

PID 89068

**PARCEL 77-WL
HAM-75-00.22
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
INCLUDING LIMITATION OF ACCESS**

Grantor/Owner, his heirs, executors, administrators, successors and assigns forever, are hereby divested of any and all abutter's rights, including access rights in, over and to the within described real estate, including such rights with respect to any highway facility constructed thereon (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 6 of CUTTER'S SUBDIVISION, being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 3019, Page 153, Deed Book 3021, Page 465, and Deed Book 3134, Page 424, of the Official Records of said county, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the original north right of way line of West Court Street (60') and the original east right of way line of Baymiller Street (50'), 124.92 feet right of the baseline of I-75 NB Station 69+52.57;

Thence with said north right of way line South 85° 48' 52" East 42.47 feet to an iron pin set in the existing I-75 east L/A easement line, 154.10 feet right of the baseline of I-75 NB Station 69+18.83, being the TRUE POINT OF BEGINNING, said iron pin bearing North 76° 12' 02" West 505.28 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

PARCEL 77-WL

Thence with said existing I-75 east L/A easement line along the arc of a curve to the right 4.69 feet, said arc having a radius of 192.00 feet, a central angle of 01° 23' 54" and a chord bearing North 41° 25' 05" West 4.69 feet to an iron pin set 154.23 feet right of the baseline of I-75 NB Station 69+24.00;

EXHIBIT A

Page 2 of 3

RX 252 WL

Rev. 06/09

PARCEL 77-WL cont'd

Thence continuing with said existing I-75 east L/A easement line North 40° 43' 08" West 55.58 feet to an iron pin set in said original east right of way line of Baymiller Street, 155.23 feet of the baseline of I-75 NB Station 69+85.38;

Thence with said original east right of way line of Baymiller Street North 04° 02' 22" East 37.49 feet to a MAG nail set in the new I-75 east L/A easement line, 181.36 feet right of the baseline of I-75 NB Station 70+15.34;

Thence with said new I-75 east L/A easement line along the arc of a curve to the left 109.16 feet, said arc having a radius of 1084.32 feet, a central angle of 05° 46' 06" and a chord bearing South 38° 33' 40" East 109.12 feet to a MAG nail set in said original north right of way line of West Court Street, 175.25 feet right of the baseline of I-75 NB Station 68+93.05;

Thence with said line North 85° 48' 52" West 31.39 feet to the TRUE POINT OF BEGINNING, containing 0.0449 acres, (1955 SF), more or less, subject to all legal easements and restrictions of record.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instruments of record in Deed Book 3019, Page 153, Deed Book 3021, Page 465, and Deed Book 3134, Page 424, Hamilton County Recorder's Office.

EXHIBIT A

RX 252 WL

PARCEL 77-WL cont'd

0.0449 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
13500010101	0.0243	0.0000
13500010102	0.0166	0.0000
13500010103	0.0040	0.0000

Prepared by
LJB Inc.



By: Harry G. Herbst III 3/20/2019
Harry G. Herbst III, Ohio PS #6596 Date

[SPACE ABOVE FOR RECORDER'S USE]

LIMITED WARRANTY DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the "**City**"), in consideration of the sum of \$46,775, to be paid by the State of Ohio, Department of Transportation ("**ODOT**"), hereby grants, with limited warranty covenants, and conveys to the **STATE OF OHIO** and its successors and assigns for the use and benefit of ODOT ("**Grantee**"), all right, title, and interest in fee simple in and to real property more particularly described on Exhibit A (Legal Description) hereto (the "**Property**"). This conveyance is subject to the following exceptions from said limited warranty covenants: (i) all warranties and covenants that the Property is free from all encumbrances made by the City, and (ii) all covenants and warranties to defend, hold harmless, or indemnify Grantee, its heirs, assigns, and successors against lawful claims or demands of all persons claiming by, through, or under the City.

ODOT Project Parcel(s): 78 WL

ODOT Project: HAM 75-00.22

Being part of Hamilton County Current Tax Parcel No(s): None (municipal public right-of-way designated as West Court Street)

Prior Instrument Reference: None (municipal public right-of-way designated as West Court Street)

The property conveyed herein to Grantee is being acquired for one of the statutory purposes pursuant to which the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Section 5501.31 of the Revised Code.

Grantor has a right under Section 163.211 of the Revised Code to repurchase the property conveyed herein if Grantee decides not to use the property for the purpose stated above and Grantor provides timely notice of a desire to repurchase; provided however, that such right of repurchase is subject to the authority of the Director of ODOT to convey unneeded property pursuant to Section 5501.34(F) of the Revised Code. The price to be paid upon such repurchase shall be the property's fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by the court. This right of repurchase shall be extinguished if any of the following occur: (A) Grantor declines to repurchase the property; (B) Grantor fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) five years have passed since the property was appropriated.

This conveyance was authorized by Ordinance No. [____]-2021 passed by Cincinnati City Council on [_____].

Executed on _____, 2021.

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by _____, the _____ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

Recommended by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form:

Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, OH 45202

Exhibit A
to Limited Warranty Deed

Project: HAM 75-00.22
Project Parcel: 78 WL

EXHIBIT A

RX 252 WL

Page 1 of 3

Rev. 06/09

Ver. Date 03/06/2019

PID 89068

**PARCEL 78-WL
HAM-75-00.22
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
INCLUDING LIMITATION OF ACCESS**

Grantor/Owner, his heirs, executors, administrators, successors and assigns forever, are hereby divested of any and all abutter's rights, including access rights in, over and to the within described real estate, including such rights with respect to any highway facility constructed thereon (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Baymiller Street (50') (now Court St.) and Cobb Alley (16') as dedicated by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the original north right of way line of West Court Street (60') and the original east right of way line of Baymiller Street (50'), 124.92 feet right of the baseline of I-75 NB Station 69+52.57;

Thence with said east line of Baymiller St. North 04° 02' 22" East 42.64 feet to an iron pin set in the existing I-75 east L/A easement line, 155.23 feet right of the baseline of I-75 NB Station 69+85.38, being the TRUE POINT OF BEGINNING, said iron pin bearing North 72° 35' 42" West 555.49 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

PARCEL 78-WL

Thence with said existing I-75 east L/A easement line North 40° 43' 08" West 12.81 feet to an iron pin set 155.16 feet right of the baseline of I-75 NB Station 69+99.53;

EXHIBIT A

Page 2 of 3

RX 252 WL

Rev. 06/09

PARCEL 78-WL cont'd

Thence continuing with said existing I-75 east L/A easement line along the arc of a curve to the right 64.41 feet, said arc having a radius of 356.00 feet, a central angle of 10° 22' 00" and a chord bearing North 35° 32' 10" West 64.32 feet to an iron pin set in the west right of way line of said Baymiller St., 158.98 feet right of the baseline of I-75 NB Station 70+70.56

Thence with said west right of way line North 04° 02' 22" East 43.01 feet to an iron pin set at the intersection of said west right of way line with the south right of way line of said Cobb Alley (16'), 187.26 feet right of the baseline of I-75 NB Station 71+06.80;

Thence with the south line of Cobb Alley North 86° 23' 44" West 25.33 feet to an iron pin set in said existing I-75 east L/A easement line, 167.77 feet right of the baseline of I-75 NB Station of I-75 NB Station 71+24.95;

Thence with said existing I-75 east L/A easement line North 24° 14' 35" West 18.10 feet to an iron pin set in the north right of way line of Cobb Alley, 171.29 feet right of the baseline of I-75 NB Station 71+44.76;

Thence with said north right of way line South 86° 23' 44" East 23.39 feet to MAG nail set in the new I-75 east L/A easement line, 189.47 feet right of the baseline of I-75 NB Station 71+28.21;

Thence with said new I-75 east L/A easement line along the arc of a curve to the left 100.43 feet, said arc having a radius of 1084.32 feet, a central angle of 05° 18' 25" and a chord bearing South 33° 01' 24" East 100.40 feet to MAG nail set in said east line of Baymiller St., 181.36 feet right of the baseline of I-75 NB Station 70+15.34;

Thence with said east line of Baymiller St. South 04° 02' 22" West 37.49 to the TRUE POINT OF BEGINNING, containing 0.0570 acres, (2485 SF), more or less, subject to all legal easements and restrictions of record.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

EXHIBIT A

RX 252 WL

Page 3 of 3
Rev. 06/09

PARCEL 78-WL cont'd

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through dedication by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office.

0.0570 acres of the above described area is contained within dedicated public right-of-way and the Hamilton County Auditor has assigned no Permanent Parcel Number, of which the present road right of way occupies 0.0570 acres, more or less.

Prepared by
LJB Inc.



By: Harry G. Herbst III 3/20/2019
Harry G. Herbst III, Ohio PS #6596 Date

[SPACE ABOVE FOR RECORDER'S USE]

LIMITED WARRANTY DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the "**City**"), in consideration of the sum of \$34,810, to be paid by the State of Ohio, Department of Transportation ("**ODOT**"), hereby grants, with limited warranty covenants, and conveys to the **STATE OF OHIO** and its successors and assigns for the use and benefit of ODOT ("**Grantee**"), all right, title, and interest in fee simple in and to real property more particularly described on Exhibit A (Legal Description) hereto (the "**Property**"). This conveyance is subject to the following exceptions from said limited warranty covenants: (i) all warranties and covenants that the Property is free from all encumbrances made by the City, and (ii) all covenants and warranties to defend, hold harmless, or indemnify Grantee, its heirs, assigns, and successors against lawful claims or demands of all persons claiming by, through, or under the City.

ODOT Project Parcel(s): 79 WL

ODOT Project: HAM 75-00.22

APN	Prior Instrument Reference
139-0003-0038-00	Deed Book 3041, Page 462 Hamilton County, Ohio Records
139-0003-0039-00	Deed Book 3057, Page 292 Hamilton County, Ohio Records
139-0003-0040-00	Deed Book 3015, Page 95 Hamilton County, Ohio Records
139-0003-0041-00	Deed Book 3057, Page 544 Hamilton County, Ohio Records
139-0003-0042-00	Deed Book 2933, Page 68 Hamilton County, Ohio Records

The property conveyed herein to Grantee is being acquired for one of the statutory purposes pursuant to which the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Section 5501.31 of the Revised Code.

Grantor has a right under Section 163.211 of the Revised Code to repurchase the property conveyed herein if Grantee decides not to use the property for the purpose stated above and Grantor provides timely notice of a desire to repurchase; provided however, that such right of repurchase is subject to the authority of the Director of ODOT to convey unneeded property pursuant to Section 5501.34(F) of the Revised Code. The price to be paid upon such repurchase shall be the property's fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by the court. This right of repurchase shall be extinguished if any of the following occur: (A) Grantor declines to repurchase the property; (B) Grantor fails to repurchase the property

within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) five years have passed since the property was appropriated.

This conveyance was authorized by Ordinance No. [__]-2021 passed by Cincinnati City Council on [____].

Executed on _____, 2021.

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by _____, the _____ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

Recommended by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form:

Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, OH 45202

Exhibit A
to Limited Warranty Deed

Project: HAM 75-00.22
Project Parcel: 79 WL

EXHIBIT A

RX 252 WL

Page 1 of 3

Rev. 06/09

Ver. Date 03/06/2019

PID 89068

**PARCEL 79-WL
HAM-75-00.22
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
INCLUDING LIMITATION OF ACCESS**

Grantor/Owner, his heirs, executors, administrators, successors and assigns forever, are hereby divested of any and all abutter's rights, including access rights in, over and to the within described real estate, including such rights with respect to any highway facility constructed thereon (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 7 of CUTTER'S SUBDIVISION, and being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 3041, Page 462, Deed Book 3057, Page 292, Deed Book 3015, Page 95, Deed Book 3057, Page 544, and Deed Book 2933, Page 68 of the Deed Records of said county, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the original south right of way line of Gest Street (50') with the original west right of way line of Baymiller Street (50'), 259.71 feet right of the baseline of I-75 NB Station 72+11.76;

Thence with said original south right of way line of Gest Street North 86° 23' 43" West 75.07 feet to a MAG nail set in the new I-75 east L/A easement line, 198.57 feet right of the baseline of I-75 NB Station 72+62.42, being the TRUE POINT OF BEGINNING, said MAG nail bearing North 58° 31' 23" West 749.86 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

EXHIBIT A

Page 2 of 3

RX 252 WL

Rev. 06/09

PARCEL 79-WL

Thence with said new I-75 east L/A easement line along the arc of a curve to the left 90.12 feet, said arc having a radius of 1102.28 feet, a central angle of 04° 41' 05" and a chord bearing South 28° 43' 10" East 90.10 feet to a MAG nail set 192.20 feet right of I-75 NB Station 71+60.35;

Thence continuing with said line along the arc of a curve to the left 28.52 feet, said arc having a radius of 1084.32 feet, a central angle of 01° 30' 26" and a chord bearing South 29° 36' 59" East 28.52 feet to a MAG nail set in the north line of Cobb Alley (16'), 189.47 feet right of the baseline of I-75 NB Station 71+28.21;

Thence with said line North 86° 23' 44" West 23.39 feet to an iron pin set in the existing I-75 east L/A easement line, 171.29 feet right of the baseline of I-75 NB Station 71+44.76;

Thence with said line North 24° 14' 35" West 113.09 feet to an iron pin set 188.32 feet right of the baseline of I-75 NB Station 72+70.39;

Thence continuing with said line North 24° 14' 35" West 113.09 feet to an iron pin set in the south right of way line of Gest Street, 188.32 feet right of the baseline of I-75 NB Station 72+70.39;

Thence with the south right of way line of Gest Street South 86° 23' 43" East 12.42 feet to the TRUE POINT OF BEGINNING, containing 0.0393, acres (1714 SF), more or less, subject to all legal easements and restrictions of record.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

EXHIBIT A

RX 252 WL

PARCEL 79-WL cont'd

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instruments as recorded in Deed Book 3041, Page 462, Deed Book 3057, Page 292, Deed Book 3015, Page 95, Deed Book 3057, Page 544, and Deed Book 2933, Page 68, Hamilton County Recorder's Office.

0.0393 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
13900030038	0.0060	0.000
13900030039	0.0085	0.000
13900030040	0.0079	0.000
13900030041	0.0092	0.000
13900030042	0.0077	0.000

Prepared by
LJB Inc.



By: Harry G. Herbst III 3/20/2019
 Harry G. Herbst III, Ohio PS #6596 Date

[SPACE ABOVE FOR RECORDER'S USE]

LIMITED WARRANTY DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the "**City**"), in consideration of the sum of \$1.00, to be paid by the State of Ohio, Department of Transportation ("**ODOT**"), hereby grants, with limited warranty covenants, and conveys to the **STATE OF OHIO** and its successors and assigns for the use and benefit of ODOT ("**Grantee**"), all right, title, and interest in fee simple in and to real property more particularly described on Exhibit A (Legal Description) hereto (the "**Property**"). This conveyance is subject to the following exceptions from said limited warranty covenants: (i) all warranties and covenants that the Property is free from all encumbrances made by the City, and (ii) all covenants and warranties to defend, hold harmless, or indemnify Grantee, its heirs, assigns, and successors against lawful claims or demands of all persons claiming by, through, or under the City.

ODOT Project Parcel(s): 80 WL

ODOT Project: HAM 75-00.22

Being part of Hamilton County Current Tax Parcel No(s): None (municipal public right-of-way designated as West Court Street)

Prior Instrument Reference: None (municipal public right-of-way designated as West Court Street)

The property conveyed herein to Grantee is being acquired for one of the statutory purposes pursuant to which the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Section 5501.31 of the Revised Code.

Grantor has a right under Section 163.211 of the Revised Code to repurchase the property conveyed herein if Grantee decides not to use the property for the purpose stated above and Grantor provides timely notice of a desire to repurchase; provided however, that such right of repurchase is subject to the authority of the Director of ODOT to convey unneeded property pursuant to Section 5501.34(F) of the Revised Code. The price to be paid upon such repurchase shall be the property's fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by the court. This right of repurchase shall be extinguished if any of the following occur: (A) Grantor declines to repurchase the property; (B) Grantor fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) five years have passed since the property was appropriated.

This conveyance was authorized by Ordinance No. [___]-2021 passed by Cincinnati City Council on [___].

Executed on _____, 2021.

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by _____, the _____ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

Recommended by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form:

Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, OH 45202

Exhibit A
to Limited Warranty Deed

Project: HAM 75-00.22
Project Parcel: 80 WL

EXHIBIT A

Page 1 of 3

RX 252 WL

Rev. 06/09

Ver. Date 03/06/2019

PID 89068

**PARCEL 80-WL
HAM-75-00.22
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
INCLUDING LIMITATION OF ACCESS**

Grantor/Owner, his heirs, executors, administrators, successors and assigns forever, are hereby divested of any and all abutter's rights, including access rights in, over and to the within described real estate, including such rights with respect to any highway facility constructed thereon (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Gest Street (50') as dedicated by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the original south right of way line of Gest Street (50') with the original west right of way line of Baymiller Street (50'), 259.71 feet right of the baseline of I-75 NB Station 72+11.76;

Thence with the south right of way line of Gest Street North 86° 23' 43" West 75.07 feet to a MAG nail set in the new east Limited Access right of way line of I-75, 198.57 feet right of the baseline of I-75 NB Station 72+62.42, said MAG nail being the TRUE POINT OF BEGINNING, said MAG nail bearing North 58° 31' 23" West 749.86 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

PARCEL 80-WL

Thence continuing with said south right of way line of Gest Street North 86° 23' 43" West 12.42 feet to an iron pin set in the existing east Limited Access right of way line of I-75, 188.32 feet right of the baseline of I-75 NB Station 72+70.39;

EXHIBIT A

Page 2 of 3

RX 252 WL

Rev. 06/09

PARCEL 80-WL cont'd

Thence with said east Limited Access right of way line North 28° 47' 38" West 59.22 feet to a 5/8" iron pin found in the north right of way line of Gest Street, 189.08 feet right of the baseline of I-75 NB Station 73+37.32;

Thence with said north right of way line South 86° 23' 43" East 11.02 feet to a drill hole set in the new east Limited Access right of way line of I-75, 198.42 right of the baseline of I-75 NB Station 73+30.68;

Thence with said new east Limited Access right of way line South 31° 16' 51" East 44.64 feet to a MAG nail set 199.82 feet right of the baseline of I-75 NB Station 72+79.89;

Thence continuing with said new east Limited Access right of way line along the arc of a curve to the left 15.39 feet, said arc having a radius of 1102.28 feet, a central angle of 00° 48' 00" and a chord bearing South 25° 59' 22" East 15.39 feet to the TRUE POINT OF BEGINNING, containing 0.0141 acres, (617 SF), more or less, subject to all legal easements and restrictions of record.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through dedication by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office.

EXHIBIT A

RX 252 WL

Page 3 of 3

Rev. 06/09

PARCEL 80-WL cont'd

0.0141 acres of the above described area is contained within dedicated public right-of-way and the Hamilton County Auditor has assigned no Permanent Parcel Number, of which the present road right of way occupies 0.0141 acres, more or less.

Prepared by
LJB Inc.

By: Harry G. Herbst III 3/20/2019
Harry G. Herbst III, Ohio PS #6596 Date



LIMITED WARRANTY DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the "**City**"), in consideration of the sum of \$11,697, to be paid by the State of Ohio, Department of Transportation ("**ODOT**"), hereby grants, with limited warranty covenants, and conveys to the **STATE OF OHIO** and its successors and assigns for the use and benefit of ODOT ("**Grantee**"), all right, title, and interest in fee simple in and to real property more particularly described on Exhibit A (Legal Description) hereto (the "**Property**"). This conveyance is subject to the following exceptions from said limited warranty covenants: (i) all warranties and covenants that the Property is free from all encumbrances made by the City, and (ii) all covenants and warranties to defend, hold harmless, or indemnify Grantee, its heirs, assigns, and successors against lawful claims or demands of all persons claiming by, through, or under the City.

ODOT Project Parcel(s): 83 WL

ODOT Project: HAM 75-00.22

APN	Prior Instrument Reference
139-0003-0064-00	Deed Book 3070, Page 403 Hamilton County, Ohio Records
139-0003-0063-00	Deed Book 3067, Page 677 Hamilton County, Ohio Records
139-0003-0062-00	Deed Book 3050, Page 211 Hamilton County, Ohio Records

The property conveyed herein to Grantee is being acquired for one of the statutory purposes pursuant to which the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Section 5501.31 of the Revised Code.

Grantor has a right under Section 163.211 of the Revised Code to repurchase the property conveyed herein if Grantee decides not to use the property for the purpose stated above and Grantor provides timely notice of a desire to repurchase; provided however, that such right of repurchase is subject to the authority of the Director of ODOT to convey unneeded property pursuant to Section 5501.34(F) of the Revised Code. The price to be paid upon such repurchase shall be the property's fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by the court. This right of repurchase shall be extinguished if any of the following occur: (A) Grantor declines to repurchase the property; (B) Grantor fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) five years have passed since the property was appropriated.

This conveyance was authorized by Ordinance No. [____]-2021 passed by Cincinnati City Council on [_____].

Executed on _____, 2021.

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by _____, the _____ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

Recommended by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form:

Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, OH 45202

Exhibit A
to Limited Warranty Deed

Project: HAM 75-00.22
Project Parcel: 83 WL

EXHIBIT A

RX 252 WL

Page 1 of 3

Rev. 06/09

Ver. Date 03/06/2019

PID 89068

**PARCEL 83-WL
HAM-75-00.22
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
INCLUDING LIMITATION OF ACCESS**

Grantor/Owner, his heirs, executors, administrators, successors and assigns forever, are hereby divested of any and all abutter's rights, including access rights in, over and to the within described real estate, including such rights with respect to any highway facility constructed thereon (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 7 of CUTTER'S SUBDIVISION, and being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 3070, Page 403, Deed Book 3067, Page 677, and Deed Book 3050, Page 211 of the Deed Records of said county, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the original north right of way line of Court Street (60') with the original west right of way line of Baymiller Street (50'), said point being 90.31 feet right of the baseline of I-75 NB Station 69+91.21;

Thence with said original west right of way line of Baymiller Street North 04° 02' 22" East 100.43 feet to an iron pin set in the existing I-75 east L/A easement line, 158.98 feet right of the baseline of I-75 NB Station 70+70.56, being the TRUE POINT OF BEGINNING, said pin bearing North 68° 22' 46" West 619.37 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

EXHIBIT A

Page 2 of 3

RX 252 WL

Rev. 06/09

PARCEL 83-WL

Thence with said existing I-75 east L/A easement line along the arc of a curve to the right 39.25 feet, said arc having a radius of 356.00 feet, a central angle of 06° 19' 01" and a chord bearing North 27° 11' 39" West 39.23 feet to an iron pin set 165.63 feet right of the baseline of I-75 NB Station 71+13.48;

Thence continuing with said existing I-75 east L/A easement line North 24° 14' 35" West 10.53 feet to an iron pin set in the south line of Cobb Alley (16'), 167.77 feet right of I-75 NB Station 71+24.95;

Thence with said south line of Cobb Alley South 86° 23' 44" East 25.33 feet to an iron pin set in the west right of way line of Baymiller Street, 187.26 feet right of the baseline of I-75 NB Station 71+06.80;

Thence with said west right of way line of Baymiller Street South 04° 02' 22" West 43.01 feet to the TRUE POINT OF BEGINNING, containing 0.0131 acres, (569 SF), more or less, subject to all legal easements and restrictions of record.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instruments as recorded in Deed Book 3070, Page 403, Deed Book 3067, Page 677, and Deed Book 3050, Page 211, Hamilton County Recorder's Office.

EXHIBIT A

RX 252 WL

PARCEL 83-WL cont'd

0.0131 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
13900030062	0.0085	0.000
13900030063	0.0044	0.000
13900030064	0.0002	0.000

Prepared by
LJB Inc.



By: Harry G. Herbst III 3/20/2019
Harry G. Herbst III, Ohio PS #6596 Date

LIMITED WARRANTY DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the "**City**"), in consideration of the sum of \$84,515, to be paid by the State of Ohio, Department of Transportation ("**ODOT**"), hereby grants, with limited warranty covenants, and conveys to the **STATE OF OHIO** and its successors and assigns for the use and benefit of ODOT ("**Grantee**"), all right, title, and interest in fee simple in and to real property more particularly described on Exhibit A (Legal Description) hereto (the "**Property**"). This conveyance is subject to the following exceptions from said limited warranty covenants: (i) all warranties and covenants that the Property is free from all encumbrances made by the City, and (ii) all covenants and warranties to defend, hold harmless, or indemnify Grantee, its heirs, assigns, and successors against lawful claims or demands of all persons claiming by, through, or under the City.

ODOT Project Parcel(s): 20 WL

ODOT Project: HAM 75-00.22

APN	Prior Instrument Reference
147-0007-0229-00	OR 9147, Page 2031 Hamilton County, Ohio Records
147-0007-0232-00	OR 9147, Page 2031 Hamilton County, Ohio Records
147-0007-0266-00	OR 9147, Page 2031 Hamilton County, Ohio Records
145-0004-0061-00	OR 9147, Page 2031 Hamilton County, Ohio Records

The property conveyed herein to Grantee is being acquired for one of the statutory purposes pursuant to which the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Section 5501.31 of the Revised Code.

Grantor has a right under Section 163.211 of the Revised Code to repurchase the property conveyed herein if Grantee decides not to use the property for the purpose stated above and Grantor provides timely notice of a desire to repurchase; provided however, that such right of repurchase is subject to the authority of the Director of ODOT to convey unneeded property pursuant to Section 5501.34(F) of the Revised Code. The price to be paid upon such repurchase shall be the property's fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by the court. This right of repurchase shall be extinguished if any of the following occur: (A) Grantor declines to repurchase the property; (B) Grantor fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) five years have passed since the property was appropriated.

This conveyance was authorized by Ordinance No. [____]-2021 passed by Cincinnati City Council on [_____].

Executed on _____, 2021.

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ___ day of _____, 2021, by _____, the _____ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

Recommended by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form:

Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, OH 45202

Exhibit A
to Limited Warranty Deed

Project: HAM 75-00.22
Project Parcel: 20 WL

EXHIBIT A

Page 1 of 3
Rev. 06/09

RX 252 WL
DR
Ver. Date 5/07/2014

PID 89068

**PARCEL 20-WL
HAM-75-00.22
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
INCLUDING LIMITATION OF ACCESS**

Grantor/Owner, his heirs, executors, administrators, successors and assigns forever, are hereby divested of any and all abutter's rights, including access rights in, over and to the within described real estate, including such rights with respect to any highway facility constructed thereon (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in Section 17, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being PART OF LOTS 1 through 7, 10, 11, 13, 14, 15, 16, and 17 of SAMUEL E FOOTE'S SUBDIVISION as recorded in Deed Book 139, Page 72 of said county's plat records, and being part of Smith Street, as vacated by Ordinance No. 474-1930, and being part of a 0.369 acre and a 0.162 acre parcels of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 9147, Page 2031 of the Official Records of said county, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at a Mag nail set at the intersection of the north right of way line of Third Street and the west right of way line of John Street 374.50 feet right of the baseline of I-75 NB Station 21+78.57;

Thence with said north right of way of Third Street South 78° 12' 29" West 422.57 feet to a Drill hole set in the north right of way of Third Street and the southeast corner of said 0.369 acre parcel, 11.89 feet left of the baseline of I-75 NB Station 20+07.47, said Drill hole being the TRUE POINT OF BEGINNING, said Drill hole bearing South 31° 45' 48" East 3456.35 feet from CAGIS monument 6973 which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

PARCEL 20 - WL

Thence with said north right of way line and the south line of said 0.369 acre parcel South 78° 12' 29" West 118.48 feet to a point witnessed by a Drill hole found South 61° 21' 41" East 0.31 feet at the intersection of the east L/A easement line and said north right of way line of Third Street, 120.22 feet left of the baseline of I-75 NB Station 19+59.50;

Thence with said east easement line and the west line of said 0.369 acre and 0.162 acre parcels along the arc of a curve to the right 159.09 feet, said arc having a radius of 630.60 feet, a central angle of 14° 27' 18" and a chord bearing North 10° 20' 56" East 158.67 feet to a Mag nail set 125.05 feet left of the baseline of I-75 NB Station 21+18.09;

Thence continuing with said line along the arc of a curve to the right 57.40 feet, said arc having a radius of 513.66 feet, a central angle of 06° 24' 09" and a chord bearing North 20° 46' 42" East 57.37 feet to an Iron Pin set at the intersection of said west easement line and the north existing L/A easement line of said 0.162 acre parcel, 116.39 feet left of the baseline of I-75 NB Station 21+74.81;

Thence with said north line North 87° 16' 20" East 108.15 feet to an Iron Pin set at the intersection of said north easement line and the east existing L/A easement line of said 0.162 acre parcel, 11.83 feet left of the baseline of I-75 NB Station 22+02.47;

Thence with said east line South 12° 06' 33" West 155.00 feet to an Iron Pin set at the corner of said 0.369 acre and said 0.162 acre parcels 11.88 feet left of the baseline of I-75 NB Station 20+47.47;

Thence with said east 0.369 acre parcel line South 12° 06' 33" West 40.00 feet to the TRUE POINT OF BEGINNING, containing 0.5314 acres (23149 SF), more or less, subject to all legal easements and restrictions of record.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron Pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

EXHIBIT A

RX 252 WL

Page 3 of 3
Rev. 06/09

PARCEL 20 -WL cont'd

Grantor claims title through instrument of record in O.R. 9147, Page 2031, Hamilton County Recorder's Office.

0.5314 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area(Ac.)	PRO
14700070229	0.3515	0.0000
14700070232	0.1430	0.0000
14500040061	0.0206	0.0000
14700070266	0.0164	0.0054

Prepared by
LJB Inc.



By: Harry G. Herbst III 5/7/14
Harry G. Herbst III, Ohio PS #6596 Date

[SPACE ABOVE FOR RECORDER'S USE]

LIMITED WARRANTY DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the "**City**"), in consideration of the sum of \$146,485, to be paid by the State of Ohio, Department of Transportation ("**ODOT**"), hereby grants, with limited warranty covenants, and conveys to the **STATE OF OHIO** and its successors and assigns for the use and benefit of ODOT ("**Grantee**"), all right, title, and interest in fee simple in and to real property more particularly described on Exhibit A (*Legal Description*) hereto (the "**Property**"). This conveyance is subject to the following exceptions from said limited warranty covenants: (i) all warranties and covenants that the Property is free from all encumbrances made by the City, and (ii) all covenants and warranties to defend, hold harmless, or indemnify Grantee, its heirs, assigns, and successors against lawful claims or demands of all persons claiming by, through, or under the City.

ODOT Project Parcel(s): 21 WL

ODOT Project: HAM 75-00.22

APN	Prior Instrument Reference
145-0004-0068-00	OR 9147, Page 2031 Hamilton County, Ohio Records
145-0004-0161-00	OR 9147, Page 2031 Hamilton County, Ohio Records

The property conveyed herein to Grantee is being acquired for one of the statutory purposes pursuant to which the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Section 5501.31 of the Revised Code.

Grantor has a right under Section 163.211 of the Revised Code to repurchase the property conveyed herein if Grantee decides not to use the property for the purpose stated above and Grantor provides timely notice of a desire to repurchase; provided however, that such right of repurchase is subject to the authority of the Director of ODOT to convey unneeded property pursuant to Section 5501.34(F) of the Revised Code. The price to be paid upon such repurchase shall be the property's fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by the court. This right of repurchase shall be extinguished if any of the following occur: (A) Grantor declines to repurchase the property; (B) Grantor fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) five years have passed since the property was appropriated.

This conveyance was authorized by Ordinance No. [____]-2021 passed by Cincinnati City Council on [____].

Executed on _____, 2021.

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by _____, the _____ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

Notary Public
My commission expires: _____

Recommended by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form:

Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, OH 45202

Exhibit A
to Limited Warranty Deed

Project: HAM 75-00.22
Project Parcel: 21 WL

EXHIBIT A

RX 252 WL
DR
Ver. Date 5/07/2014

Page 1 of 3
Rev. 06/09

PID 89068

**PARCEL 21-WL
HAM-75-00.22
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
INCLUDING LIMITATION OF ACCESS**

Grantor/Owner, his heirs, executors, administrators, successors and assigns forever, are hereby divested of any and all abutter's rights, including access rights in, over and to the within described real estate, including such rights with respect to any highway facility constructed thereon (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situate in Section 17, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 5 of SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE as recorded in Deed Book 52, Page 112, of said county's plat records, being part of a 0.016 acre parcel and an UNSTATED acre parcel of land as conveyed to THE CITY OF CINCINNATI by instrument as recorded in O.R. 9147, Page 2031 of the Official Records of said county, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at a point at the intersection of the north right of way line of West Third Street (66') with the west right of way line of John Street (60') 374.50 feet right of the baseline of I-75 NB Station 21+78.57;

Thence with said north right of way line South 78° 12' 29" West 370.82 feet to a Mag nail set at the intersection of the north right of way line of West Third Street with an existing I-75 east L/A easement line 35.43 feet right of the baseline of I-75 NB Station 20+28.42;

Thence with said east L/A easement line North 12° 08' 36" East 4.40 feet to a Drill hole set at the southwest corner of said parcel 35.43 feet right of the baseline of I-75 NB Station 20+32.82, said Drill hole being the TRUE POINT OF BEGINNING, bearing South 32° 37' 00" East 3471.24 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

EXHIBIT A

RX 252 WL

PARCEL 21 -WL

Thence continuing with said east L/A easement line and the west line of said UNSTATED acre parcel North 12° 08' 23" East 125.09 feet to an Drill hole set 35.53 feet right of the baseline of I-75 NB Station 21+57.91;

Thence continuing with said lines North 12° 48' 04 East 64.99 feet to a Drill hole set at the northwest corner of said parcel 36.34 feet right of the baseline of I-75 NB Station 22+22.89;

Thence with the north line of said parcel and said east L/A easement line North 64° 33' 43" East 57.88 feet to a Drill hole set at the northeast corner of said parcel 82.24 feet right of the baseline of I-75 NB Station 22+58.15;

Thence with an existing I-75 west L/A easement line, reference the southeast corner of said 0.016 acre parcel, also being the northeast corner of UNSTATED acre parcel South 38° 09' 00" East at 25.00 feet for a total of 208.81 feet to a Drill Hole set at the southeast corner of said parcel, witnessing a Mag nail found South 83° 44' 06" West 1.47 feet, said Drill hole being 242.76 feet right of the baseline of I-75 NB Station 21+24.61;

Thence with the south line of said UNSTATED acre parcel South 78° 12' 43" West 226.74 feet to the TRUE POINT OF BEGINNING, containing 0.5878 acres (25604 SF), more or less, subject to all legal easements and restrictions of record.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron Pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instrument of record in O.R. 9147, Page 2031, Hamilton County Recorder's Office.

0.5716 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Number 14500040161, of which the present road right of way occupies 0.000 acres, more or less.

EXHIBIT A

PARCEL 21 -WL cont'd

0.0162 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Number 14500040068, of which the present road right of way occupies 0.000 acres, more or less.

Prepared by
LJB Inc.



By: Harry G. Herbst III 5/7/14
Harry G. Herbst III, Ohio PS #6596 Date

[SPACE ABOVE FOR RECORDER'S USE]

GRANT OF SUBSURFACE EASEMENT

(three-dimensional subsurface easement for retaining wall tie-backs and appurtenances)

The **CITY OF CINCINNATI**, an Ohio municipal corporation, 801 Plum Street, Cincinnati, OH 45202 (the "**City**"), in consideration of the sum of \$90,761, to be paid by the **STATE OF OHIO**, Department of Transportation for the use and benefit of the Department of Transportation ("**Grantee**"), does hereby grant, bargain, sell, and convey to Grantee, its successors and assigns, a non-exclusive perpetual easement in, under, and through the real property identified below, which real property is more particularly described on Exhibit A (*Legal Description-Subsurface Easement*) attached hereto and hereby incorporated herein and made a part hereof by reference, for the purposes, and subject to any restrictions, as more particularly set forth on Exhibit A (the "**Subsurface Easement**"). The City for itself and its successors and assigns, covenants that it is the true and lawful owner in fee simple of the property and has the right and power to convey the property. The City grants and conveys the Subsurface Easement subject to the following: (i) no warranties or covenants that the burdened property is free from encumbrances, and (ii) no covenants or warranties to defend, hold harmless, or indemnify Grantee, its heirs, assigns, and successors against lawful claims or demands of all persons.

ODOT Project Parcel(s): 75 SS, 76 SS, 77 SS, 78 SS, 79 SS, and 80 SS

ODOT Project: HAM 75-00.22

See Exhibit A attached hereto

Hamilton County, Ohio Auditor's Current Tax Parcel ID Nos.: 134-0006-0008-90, 134-0006-0009-90, 134-0006-0010-90, 134-0006-0011-90, 134-0006-0012-90, 134-0006-0013-90, 135-0003-0014-90, 135-0001-0104-90, 135-0001-0103-90, 135-0001-0102-90, 135-0001-0101-90, 135-0001-0167-90, 139-0003-0038-90, 139-0003-0039-90, 139-0003-0040-90, 139-0003-0041-90, 139-0003-0042-90

Prior Instrument References: Deed Book 2842, Page 52 Hamilton County, Ohio Records; Deed Book 2871, Page 7 Hamilton County, Ohio Records; Deed Book 2763, Page 514 Hamilton County, Ohio Records; Deed Book 2901, Page 284 Hamilton County, Ohio Records; Deed Book 2802, Page 335 Hamilton County, Ohio Records; Deed Book 2815, Page 29 Hamilton County, Ohio Records; Plat Book 94, Page 81 Hamilton County, Ohio Records; Deed Book 3043, Page 144 Hamilton County, Ohio Records; Deed Book 3019, Page 153 Hamilton County, Ohio Records; Deed Book 3021, Page 465 Hamilton County, Ohio Records; Deed Book 3134, Page 424 Hamilton County, Ohio Records; Deed Book 3086, Page 444 Hamilton County, Ohio Records; Deed Book 3041, Page 462 Hamilton County, Ohio Records; Deed Book 3057, Page 292 Hamilton County, Ohio Records; Deed Book 3015, Page 95 Hamilton County, Ohio Records; Deed Book 3057, Page 544 Hamilton County, Ohio Records; and Deed Book 2933, Page 68 Hamilton County, Ohio Records.

The City's Real Estate Services Division has determined that the fair market value of the easement, as determined by appraisal, is \$90,761, which Grantee has agreed to pay.

Cincinnati City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the easement at its meeting on January 15, 2021.

The property conveyed herein to Grantee is being acquired for one of the statutory purposes the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Sections 5501.31 and 5519.01 of the Revised Code.

The provisions hereof shall run with the land and shall inure to the benefit of Grantee and its successors-in-interest and be binding upon the City and its successors-in-interest.

Exhibits. The following exhibits are attached hereto and made a part hereof:

Exhibit A – *Legal Description – Subsurface Easement*

[Signature Page Follows]

Executed on the date of acknowledgement indicated below (the "Effective Date").

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021 by _____, the _____ of the City of Cincinnati, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

Notary Public
My commission expires: _____

Approved by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form by:

Assistant City Solicitor

This instrument prepared by:
City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, OH 45202

EXHIBIT A

to Grant of Subsurface Easement

Legal Description –Subsurface Easement

EXHIBIT A

Page 1 of 3

RX 420
Rev. 08/08

PID 89068
PARCEL 75-SS
CTY-RTE-SEC HAM-75-00.22
Version Date 5/13/2014

**PARCEL 75-SS
HAM-75-00.22**

PERPETUAL THREE DIMENSIONAL SUBSURFACE EASEMENT

A perpetual subsurface easement in, under, and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating retaining wall "tie-backs" and appurtenances thereto [the "improvement"], with the following limitations of use by the Owner:

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 6 of CUTTER'S SUBDIVISION, being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 2842, Page 52, Deed Book 2871, Page 7, Deed Book 2763, Page 514, Deed Book 2901, Page 284, Deed Book 2815, Page 29, and Deed Book 2802, Page 335 of the Deed Records of said county, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the south right of way line of West Court Street (60') and the west right of way line of Linn Street (50'), 342.31 feet right of the baseline of I-75 NB Station 64+97.35;

Thence North 85° 48' 52" West 201.39 feet to a point 235.39 feet right of the baseline of I-75 NB Station 66+96.33, at elevation 507.59, said iron pin being the TRUE POINT OF BEGINNING, said pin bearing North 81° 05' 06" West 295.75 feet from CAGIS monument 6973, which is located South 38°16'21" East 1864.57 from CAGIS monument 7008;

PARCEL 75 -SS

Thence with the new subsurface easement line, being parallel with and 70 feet distant northeasterly from the face of the proposed retaining wall, South 51° 14' 08" East 17.34 feet to a point 235.43 feet right of the baseline of I-75 NB Station 66+76.28, at elevation 507.93;

EXHIBIT A
PARCEL 75 -SS cont'd

Page 2 of 3

Thence with the north line of a 0.322 acre parcel of land as conveyed to PHOENIX GRAPHIX INC., AN OHIO CORPORATION by instrument as recorded in OR Book 9720, Page 3387 of the official records of said county, and with the north line of a 0.030 acre parcel of land as conveyed to MARK ONE INVESTMENTS, LTD., AN OHIO LIMITED LIABILITY COMPANY by instrument as recorded in OR 9874, Page 401 of the official records of said county, North 85° 46' 38" West 95.45 feet to a point 179.53 feet right of the baseline of I-75 NB Station 67+64.60, at elevation 504.59;

Thence with the existing east Limited Access right of way line of I-75, North 50° 58' 49" West 17.13 feet to a point 178.66 feet right of the baseline of I-75 NB Station 67+83.80, at elevation 505.75;

Thence with the said south right of way line of West Court Street, South 85° 48' 52" East 95.23 feet to the TRUE POINT OF BEGINNING, containing 0.0215 acres (935 SF), more or less, subject to all legal easements and restrictions of record.

The elevations shown in the above description are surface elevations at the inflection points of the easement. The bottom of the easement extends below ground to elevation 465.00. All elevations are based on NAVD 88.

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

EXHIBIT A

PARCEL 75 -SS cont'd

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instruments as recorded in Deed Book 2842, Page 52, Deed Book 2871, Page 7, Deed Book 2763, Page 514, Deed Book 2901, Page 284, Deed Book 2815, Page 29, and Deed Book 2802, Page 335, Hamilton County Recorder's Office.

0.0215 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
13400060008	0.0006	0.000
13400060009	0.0035	0.000
13400060010	0.0049	0.000
13400060011	0.0063	0.000
13400060012	0.0062	0.000

Prepared by
LJB Inc.



By: Harry G. Herbst III 5/13/14
Harry G. Herbst III, Ohio PS #6596 Date

EXHIBIT A

Page 1 of 3

RX 420
Rev. 08/08

PID
PARCEL
CTY-RTE-SEC
Version Date

89068
76-SS
HAM-75-00.22
5/13/2014

**PARCEL 76-SS
HAM-75-00.22
PERPETUAL THREE DIMENSIONAL SUBSURFACE EASEMENT**

A perpetual subsurface easement in, under, and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating retaining wall "tie-backs" and appurtenances thereto [the "improvement"], with the following limitations of use by the Owner:

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of W. Court Street (60') as dedicated by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the original south right of way line of West Court Street (60') and the west right of way line of Linn Street (50'), 342.31 feet right of the baseline of I-75 NB Station 64+97.35;

Thence with the said south right of way line, North 85° 48' 52" West 201.39 feet to a point 235.39 feet right of the baseline of I-75 NB Station 66+96.33, at elevation 507.59, said iron pin being the TRUE POINT OF BEGINNING, said pin bearing North 81° 05' 06" West 295.75 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 from CAGIS monument 7008;

PARCEL 76 -SS

Thence with the said south right of way line, North 85° 48' 52" West 95.23 feet to a point on the existing east Limited Access right of way line of I-75, 178.66 feet right of the baseline of I-75 NB Station 67+83.80, at elevation 505.75;

Thence with the said east right of way line, North 50° 58' 49" West 19.46 feet to a point 177.43 feet right of the baseline of I-75 NB Station 68+05.60 at elevation 505.69;

EXHIBIT A
PARCEL 76-SS cont'd

Page 2 of 3

Thence continuing with said east right of way line, along the arc of a curve to the right 10.68 feet, said arc having a radius of 192.00 feet, a central angle of $03^{\circ} 11' 13''$ and a chord bearing North $72^{\circ} 04' 15''$ West 10.68 feet to a point 172.86 feet right of the baseline of I-75 NB Station 68+16.41, at elevation 505.65;

Thence with the new east Limited Access right of way line of I-75, along the arc of a curve to the right 68.54 feet, said arc having a radius of 1084.32 feet, a central angle of $03^{\circ} 37' 17''$ and a chord bearing North $43^{\circ} 15' 21''$ West 68.52 feet to a point on the original north right of way line of said West Court Street 175.25 feet right of the baseline of I-75 NB Station 68+93.05, at elevation 505.52;

Thence with the said north right of way line, South $85^{\circ} 48' 52''$ East 94.74 feet to a point 236.75 feet right of the baseline of I-75 NB Station 68+10.58, at elevation 506.44;

Thence with the new subsurface easement line, being parallel with and 70 feet distant northeasterly from the face of the proposed retaining wall, along the arc of a curve to the left 97.90 feet, said arc having a radius of 1020.32 feet, a central angle of $05^{\circ} 29' 51''$ and a chord bearing South $47^{\circ} 59' 59''$ East 97.86 feet to the TRUE POINT OF BEGINNING, containing 0.1349 acres (5876 SF), more or less, subject to all legal easements and restrictions of record.

The elevations shown in the above description are surface elevations at the inflection points of the easement. The bottom of the easement extends below ground to elevation 465.00. All elevations are based on NAVD 88.

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

EXHIBIT A
PARCEL 76-SS cont'd

Page 3 of 3

Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through dedication by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office.

0.1349 acres of the above described area is contained within dedicated public right-of-way and the Hamilton County Auditor has assigned no Permanent Parcel Number, of which the present road right of way occupies 0.1349 acres, more or less.

Prepared by
LJB Inc.

By: Harry G. Herbst III 5/13/14
Harry G. Herbst III, Ohio PS #6596 Date



EXHIBIT A

Page 1 of 4

RX 420
Rev. 08/08

PID 89068
PARCEL 77-SS
CTY-RTE-SEC HAM-75-00.22
Version Date 5/13/2014

**PARCEL 77-SS
HAM-75-00.22**

PERPETUAL THREE DIMENSIONAL SUBSURFACE EASEMENT

A perpetual subsurface easement in, under, and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating retaining wall "tie-backs" and appurtenances thereto [the "improvement"], with the following limitations of use by the Owner:

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 6 of CUTTER'S SUBDIVISION, being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 3043, Page 144, Deed Book 3019, Page 153, Deed Book 3021, Page 465, and Deed Book 3134, Page 424, of the Official Records of said county, and being part of an 0.011 acre parcel of land as conveyed to the CITY OF CINCINNATI by instrument as recorded in Deed Book 3086, Page 444, and being part of West Court Street as dedicated by RICHMOND-1 REDEVELOPMENT AREA SUBDIVISION as recorded in Plat Book 94, Page 81 of said county's plat records, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the original north right of way line of West Court Street (60') and the original east right of way line of Baymiller Street (50') 124.92 feet right of the baseline of I-75 NB Station 69+52.57;

Thence with the said east right of way line, North 04° 02' 22" East 80.13 feet to a point 181.36 feet right of the baseline of I-75 NB Station 70+15.34, at elevation 505.59, said iron pin being the TRUE POINT OF BEGINNING, said pin bearing North 68° 53' 46" West 565.33 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 from CAGIS monument 7008;

PARCEL 77 -SS

Thence continuing with the said east right of way line, North 04° 02' 22" East 75.87 feet to the northeast corner of said 0.011 acre parcel 232.68 feet right of the baseline of I-75 NB Station 70+79.33, at elevation 507.29;

EXHIBIT A
PARCEL 77-SS cont'd

Page 2 of 4

Thence with the north line of said 0.011 acre parcel, South 85° 59' 08" East 1.83 feet to a point 234.05 feet right of the baseline of I-75 NB Station 70+77.92, at elevation 507.65;

Thence with the east line of said 0.011 acre parcel, along the arc of a curve to the left 60.60 feet, said arc having a radius of 88.25 feet, a central angle of 39° 20' 29" and a chord bearing South 15° 40' 57" East 59.41 feet to the north line of an UNSTATED acre parcel of land as conveyed to the CITY OF CINCINNATI by instrument as recorded in Deed Book 3134, Page 424 of said county's deed records, 210.96 feet right of the baseline of I-75 NB Station 70+14.56, at elevation 507.57;

Thence with the north line of said parcel, South 85° 56' 51" East 8.23 feet to the northeast corner thereof, 216.90 feet right of the baseline of I-75 NB Station 70+08.00, at elevation 507.39;

Thence with the north line of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 3043, Page 144, Deed Book 3019, Page 153 and Deed Book 3021, Page 465 of said county's deed records, South 40° 51' 54" East 113.36 feet to a point 214.31 feet right of the baseline of I-75 NB Station 68+77.44, at elevation 506.36;

Thence with the north line of said West Court Street as dedicated by RICHMOND-1 REDEVELOPMENT AREA SUBDIVISION as recorded in Plat Book 94, Page 81 of said county's plat records, South 75° 40' 05" East 45.38 feet to a point 237.29 feet right of the baseline of I-75 NB Station 68+32.05, at elevation 507.02;

Thence with the new subsurface easement line, being parallel with and 70 feet distant northeasterly from the face of the proposed retaining wall, along the arc of a curve to the left 18.37 feet, said arc having a radius of 1020.32 feet, a central angle of 01° 01' 54" and a chord bearing South 44° 44' 07" East 18.37 feet to the original north right of way line of West Court Street, 236.75 feet right of the baseline of I-75 NB Station 68+10.58, at elevation 506.44;

Thence with the said original north right of way line of West Court Street, North 85° 48' 52" West 94.74 feet to a point 175.25 feet right of the baseline of I-75 NB Station 68+93.05, at elevation 505.52;

Thence along the arc of a curve to the right 109.16 feet, said arc having a radius of 1084.32 feet, a central angle of 05° 46' 06" and a chord bearing North 38° 33' 40" West 109.12 feet to the TRUE POINT OF BEGINNING, containing 0.1429 acres (6223 SF), more or less, subject to all legal easements and restrictions of record.

EXHIBIT A
PARCEL 77-SS cont'd

Page 3 of 4

The elevations shown in the above description are surface elevations at the inflection points of the easement. The bottom of the easement extends below ground to elevation 465.00. All elevations are based on NAVD 88.

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instruments of record in Deed Book 3086, Page 444, Deed Book 3043, Page 144, Deed Book 3019, Page 153, Deed Book 3021, Page 465, and Deed Book 3134, Page 424, and by dedication on Plat Book 94, Page 84, Hamilton County Recorder's Office.

EXHIBIT A
PARCEL 77-SS cont'd

Page 4 of 4

0.1429 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
13500010101	0.0259	0.0259
13500010102	0.0319	0.0319
13500010103	0.0296	0.0296
13500010104	0.0265	0.0265
13500010167	0.0106	0.0106
13500030014	0.0184	0.0184

Prepared by
LJB Inc.

By: Harry G. Herbst III 5/13/14
Harry G. Herbst III, Ohio PS #6596 Date



EXHIBIT A

Page 1 of 3

RX 420
Rev. 08/08

PID
PARCEL
CTY-RTE-SEC
Version Date

89068
78-SS
HAM-75-00.22
5/13/2014

**PARCEL 78-SS
HAM-75-00.22
PERPETUAL THREE DIMENSIONAL SUBSURFACE EASEMENT**

A perpetual subsurface easement in, under, and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating retaining wall "tie-backs" and appurtenances thereto [the "improvement"], with the following limitations of use by the Owner:

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Baymiller Street (50'), now known as Court Street, as dedicated by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorder's Office, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the original north right of way line of West Court Street (60') and the original east right of way line of Baymiller Street (50') 124.92 feet right of the baseline of I-75 NB Station 69+52.57;

Thence with the said east right of way line, North 04° 02' 22" East 80.13 feet to a point 181.36 feet right of the baseline of I-75 NB Station 70+15.34, at elevation 505.59, said iron pin being the TRUE POINT OF BEGINNING, said pin bearing North 68° 53' 46" West 565.33 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 from CAGIS monument 7008;

PARCEL 78 -SS

Thence with the new east Limited Access right of way line of I-75, along the arc of a curve to the right 100.43 feet, said arc having a radius of 1084.32 feet, a central angle of 05° 18' 25" and a chord bearing North 33° 01' 24" West 100.40 feet to the north line of Cobb Alley (16') 189.47 feet right of the baseline of I-75 NB Station 71+28.21, at elevation 505.67;

Thence with the north line of said Cobb Alley, South 86° 23' 44" East 10.51 feet to a point 197.59 feet right of the baseline of I-75 NB Station 71+20.64, at elevation 506.42;

EXHIBIT A

Page 2 of 3

PARCEL 78-SS cont'd

Thence with the original west right of way line of Baymiller Street, North 04° 02' 22" East 99.36 feet to a point 259.33 feet right of the baseline of I-75 NB Station 72+11.15, at elevation 507.67;

Thence with the new subsurface easement line, being parallel with and 70 feet distant northeasterly from the face of the proposed retaining wall, along the arc of a curve to the left 49.36 feet, said arc having a radius of 1062.46 feet, a central angle of 02° 39' 43" and a chord bearing South 29° 46' 31" East 49.36 feet to a point 255.86 feet right of the baseline of I-75 NB Station 71+52.72, at elevation 507.22;

Thence continuing with said subsurface easement line, along the arc of a curve to the left 40.26 feet, said arc having a radius of 1020.32 feet, a central angle of 02° 15' 39" and a chord bearing South 29° 59' 53" East 40.26 feet to the original east right of way line of Baymiller Street, 251.90 feet right of the baseline of I-75 NB Station 71+05.31, at elevation 507.70;

Thence with the east right of way line of said Baymiller Street, South 04° 02' 22" West 105.19 feet to the TRUE POINT OF BEGINNING, containing 0.1285 acres (5596 SF), more or less, subject to all legal easements and restrictions of record.

The elevations shown in the above description are surface elevations at the inflection points of the easement. The bottom of the easement extends below ground to elevation 465.00. All elevations are based on NAVD 88.

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

EXHIBIT A

PARCEL 78-SS cont'd

Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through dedication by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office.

0.1285 acres of the above described area is contained within dedicated public right-of-way and the Hamilton County Auditor has assigned no Permanent Parcel Number, of which the present road right of way occupies 0.1285 acres, more or less.

Prepared by
LJB Inc.

By: Harry G. Herbst III 5/13/14
Harry G. Herbst III, Ohio PS #6596 Date



EXHIBIT A

Page 1 of 3

RX 420
Rev. 08/08

PID
PARCEL
CTY-RTE-SEC
Version Date

89068
79-SS
HAM-75-00.22
5/13/2014

**PARCEL 79-SS
HAM-75-00.22**

PERPETUAL THREE DIMENSIONAL SUBSURFACE EASEMENT

A perpetual subsurface easement in, under, and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating retaining wall "tie-backs" and appurtenances thereto [the "improvement"], with the following limitations of use by the Owner:

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 7 of CUTTER'S SUBDIVISION, and being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 3041, Page 462, Deed Book 3057, Page 292, Deed Book 3015, Page 95, Deed Book 3057, Page 544, and Deed Book 2933, Page 68 of the Deed Records of said county, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the original south right of way line of Gest Street (50') with the original west right of way line of Baymiller Street (50') 259.71 feet right of the baseline of I-75 NB Station 72+11.76;

Thence with the said west right of way line, South 04° 02' 22" West 0.64 feet to an Iron pin 259.33 feet right of the baseline of I-75 NB Station 72+11.15, at elevation 507.67, said Iron pin being the TRUE POINT OF BEGINNING, said pin bearing North 55° 37' 48" West 684.07 from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 from CAGIS monument 7008;

PARCEL 79 -SS

Thence continuing with said west right of way line, South 04° 02' 22" West 99.36 feet to a point 197.59 feet right of the baseline of I-75 NB Station 71+20.64, at elevation 506.42;

Thence with the north line of Cobb Alley (16') North 86° 23' 44" West 10.51 feet to the new east Limited Access right of way line of I-75, 189.47 feet right of the baseline of I-75 NB Station 71+28.21, at elevation 505.67;

EXHIBIT A

Page 2 of 3

PARCEL 79 -SS cont'd

Thence with the said east right of way line, along the arc of a curve to the right 28.52 feet, said arc having a radius of 1084.32 feet, a central angle of 01° 30' 26" and a chord bearing North 29° 36' 59" West 28.52 feet to a point 192.20 feet right of the baseline of I-75 NB Station 71+60.35, at elevation 505.49;

Thence continuing with said east right of way line, along the arc of a curve to the right 90.12 feet, said arc having a radius of 1102.28 feet, a central angle of 04° 41' 05" and a chord bearing North 28° 43' 10" West 90.10 feet to the original south right of way line of Gest Street (50') 198.57 feet right of the baseline of I-75 NB Station 72+62.42, at elevation 505.56;

Thence with the said south right of way line, South 86° 23' 43" East 74.66 feet to a point in the east line of said subsurface easement 259.38 feet right of the baseline of I-75 NB Station 72+12.05 at elevation 507.70;

Thence with said new subsurface easement line, being parallel with and 70 feet distant northeasterly from the face of the proposed retaining wall, South 28° 25' 26" East 0.76 feet to the TRUE POINT OF BEGINNING, containing 0.1000 acres (4356 SF), more or less, subject to all legal easements and restrictions of record.

The elevations shown in the above description are surface elevations at the inflection points of the easement. The bottom of the easement extends below ground to elevation 465.00. All elevations are based on NAVD 88.

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

EXHIBIT A

PARCEL 79 -SS cont'd

Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instruments as recorded in Deed Book 3041, Page 462, Deed Book 3057, Page 292, Deed Book 3015, Page 95, Deed Book 3057, Page 544, and Deed Book 2933, Page 68, Hamilton County Recorder's Office.

0.1000 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
13900030038	0.0317	0.000
13900030039	0.0317	0.000
13900030040	0.0187	0.000
13900030041	0.0125	0.000
13900030021	0.0054	0.000

Prepared by
LJB Inc.



By: Harry G. Herbst III 5/13/14
 Harry G. Herbst III, Ohio PS #6596 Date

EXHIBIT A

Page 1 of 3

RX 420
Rev. 08/08

PID
PARCEL
CTY-RTE-SEC
Version Date

89068
80-SS
HAM-75-00.22
5/13/2014

**PARCEL 80-SS
HAM-75-00.22**

PERPETUAL THREE DIMENSIONAL SUBSURFACE EASEMENT

A perpetual subsurface easement in, under, and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating retaining wall "tie-backs" and appurtenances thereto [the "improvement"], with the following limitations of use by the Owner:

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Gest Street (50'), now known as Court Street, as dedicated by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the original south right of way line of Gest Street (50') with the original west right of way line of Baymiller Street (50') 259.71 feet right of the baseline of I-75 NB Station 72+11.76;

Thence with the said south right of way line of Gest Street, North 86° 23' 43" West 0.41 feet to an Iron pin 259.38 feet right of the baseline of I-75 NB Station 72+12.05, at elevation 507.70, said iron pin being the TRUE POINT OF BEGINNING, said pin bearing North 55° 36' 04" West 684.75 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 from CAGIS monument 7008;

PARCEL 80 -SS

Thence continuing with said south right of way line, North 86° 23' 43" West 74.66 feet to a point 198.57 feet right of the baseline of I-75 NB Station 72+62.42, at elevation 505.56;

Thence with the new east Limited Access right of way line of I-75, along the arc of a curve to the right 15.39 feet, said arc having a radius of 1102.28 feet, a central angle of 00° 48' 00" and a chord bearing North 25° 59' 22" West 15.39 feet to a point 199.82 feet right of the baseline of I-75 NB Station 72+79.89, at elevation 505.60;

EXHIBIT A

PARCEL 80 -SS cont'd

Thence with the new subsurface easement line, North 64° 24' 59" East 64.01 feet to a point 263.60 feet right of the baseline of I-75 NB Station 72+73.52, at elevation 506.69;

Thence along the arc of a curve to the left 51.83 feet, said arc having a radius of 1062.46 feet, a central angle of 02° 47' 41" and a chord bearing South 27° 00' 22" East 51.82 feet to the TRUE POINT OF BEGINNING, containing 0.0493 acres (2147 SF), more or less, subject to all legal easements and restrictions of record.

The elevations shown in the above description are surface elevations at the inflection points of the easement. The bottom of the easement extends below ground to elevation 465.00. All elevations are based on NAVD 88.

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through dedication by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office.

EXHIBIT A

PARCEL 80 -SS cont'd

0.0493 acres of the above described area is contained within dedicated public right-of-way and the Hamilton County Auditor has assigned no Permanent Parcel Number, of which the present road right of way occupies 0.0493 acres, more or less.

Prepared by
LJB Inc.

By: Harry G. Herbst III 5/13/14
Harry G. Herbst III, Ohio PS #6596 Date



RIGHT OF WAY LEGEND SHEET HAM-75-00.22

HAMILTON COUNTY
CINNINNATI TOWNSHIP
SEC. 17, 18, 23 & 24 TOWN 4, FR. 1
SEC. 19 & 20, TOWN 3, FR. 2
CITY OF CINNINNATI



LOCATION MAP

LATITUDE: 39°06'36" LONGITUDE: 84°31'53"

UTILITY OWNERS

SEE SHEET 2 FOR UTILITY OWNERS

OUPS/OGPUPS CONFIRMATION NUMBERS

B307900386-00B	B310100516-00B	B319000368-00B
B310000917-00B	B310100816-00B	B319000428-00B
B310000977-00B	B310100847-00B	B319000532-00B
B310000983-00B	B310100881-00B	B319000563-00B
B310001005-00B	B310100904-00B	B319000940-00B
B310001034-00B	B310100926-00B	B319000970-00B
B310001077-00B	B310100941-00B	B319001004-00B
B310001084-00B	B310100979-00B	B319001037-00B
B310001090-00B	B310100995-00B	B319001061-00B
B310001094-00B	B310101021-00B	B319001143-00B
B310001108-00B	B310101022-00B	B319001189-00B
B310100395-00B	B310101023-00B	B319001209-00B
B310100453-00B	B310101025-00B	B319001220-00B
B310100468-00B	B310101052-00B	B319001235-00B

STRUCTURE KEY

- RESIDENTIAL
- COMMERCIAL
- OUT-BUILDING

INDEX OF SHEETS:

RIGHT OF WAY LEGEND	1-2
SCHEMATIC PLAN	3-6
CENTERLINE PLAT	7-17
PROPERTY MAP	18-25
SUMMARY OF RIGHT OF WAY	26-45
RIGHT OF WAY TOPOGRAPHIC SHEETS	46-132 EVEN NUMBERED SHEETS AND 133-245 ODD NUMBERED SHEETS
RIGHT OF WAY BOUNDARY SHEETS	47-133 ODD NUMBERED SHEETS AND 134-246 EVEN NUMBERED SHEETS
RAILROAD PLAT SHEETS	247-251

CONVENTIONAL SYMBOLS

L/A Easement	LA	Utility Ease. (Ex)	Ex U
Std. Highway Easement	SH	Ex Railroad Right Of Way	Ex RR
Aerial Easement	A	EX Slope Easement	Ex SL
L/A R/W	LA-R/W	Ex Aerial Easement	Ex A
Subsurface Easement	SS	Ex L/A Easement	Ex LA
Slope Easement	SL	Ditch / Creek (Ex)	
County Line		Ditch / Creek (Pr)	
Township Line		Tree Line (Ex)	
Section Line		Ownership Hook Symbol	
Corporation Line		Property Line Symbol	
Fence Line (Ex)		Break Line Symbol	
Center Line		Tree (Pr)	
Right of Way (Ex)	Ex R/W	Tree (Ex)	
Right of Way (Pr)	R/W	Shrub (Ex)	
Standard Highway Ease.(Ex)	Ex SH	Tree (Remove)	
Temporary Right of Way	TMP	Shrub (Remove)	
Channel Ease. (Pr)	CH	Evergreen (Ex)	
Railroad		Evergreen (Remove)	
Guardrail (Ex)		Stump	
Construction Limits		Wetland (Pr)	
Edge of Pavement (Ex)		Grass (Pr)	
Edge of Pavement (Pr)		Aerial Target	
Edge of Shoulder (Ex)		Post (Ex)	
Edge of Shoulder (Pr)		Mailbox (Ex)	
		Light (Ex)	
		Telephone Marker (Ex)	
		Fire Hydrant (Ex)	
		Water Meter (Ex)	
		Water Valve (Ex)	
		Utility Valve Unknown (Ex)	
		Telephone Pole (Ex)	
		Power Pole (Ex)	
		Light Pole (Ex)	

FOR MONUMENT LEGEND SEE SHEET 7

PROJECT DESCRIPTION

PREPARATION OF FINAL R/W PLANS AND ACQUISITION OF R/W FOR COMPLETION OF THE BRENT SPENCE BRIDGE PROJECT ALONG APPROXIMATELY 3 MILES OF URBAN INTERSTATE I-75 NORTH OF THE OHIO RIVER.

THE EXISTING AND PROPOSED RIGHT OF WAY SHALL BE REFERENCED FROM THE BASELINE OF I-75 NORTHBOUND (I-75 NB)

PLANS PREPARED BY:

FIRM NAME: LJB INC.

PLANS PREPARED BY: HARRY G. HERBST III

FIELD REVIEW BY: JAMES BENEDICT

DATE COMPLETED: 5/05/2014

OWNERSHIP VERIFIED BY: TERRY HOPPES

DATE COMPLETED: 2/20/2014

DATE COMPLETED: 5/09/2014

LIMITED ACCESS DECLARATION:

THIS IMPROVEMENT IS ESPECIALLY DESIGNED FOR THROUGH TRAFFIC AND HAS BEEN DECLARED A LIMITED ACCESS HIGHWAY OR FREEWAY BY ACTION OF THE DIRECTOR IN ACCORDANCE WITH THE PROVISIONS OF SECTION 5511.02 OF THE REVISED CODE OF OHIO.

PARCEL IDENTIFIER LEGEND:

- WL = FEE SIMPLE WITH LIMITATION OF ACCESS
- WD = FEE SIMPLE WITH RESERVATION OF ACCESS
- WDV = FEE SIMPLE RESERVATION OF ACCESS IN THE NAME OF THE CITY OF CINNINNATI
- PRW = PROPERTY RIGHT FEE SIMPLE
- SH = STANDARD HIGHWAY EASEMENT
- SS = SUBSURFACE EASEMENT
- A = AERIAL EASEMENT
- SL = SLOPE EASEMENT
- T = TEMPORARY EASEMENT
- LA = LIMITED ACCESS EASEMENT
- WDU = FEE SIMPLE WITH RESERVATION OF ACCESS IN THE NAME OF DUKE ENERGY OHIO, INC.

I, HARRY G. HERBST III, P. S. HAVE SUPERVISED A TOPOGRAPHIC SURVEY INCLUDING THE EXISTING NGS MONUMENTS, PROJECT CONTROL POINTS AND PROPERTY POINTS FOR THE OHIO DEPARTMENT OF TRANSPORTATION IN MARCH, 2013. THE OHIO DEPARTMENT OF TRANSPORTATION HAS ALSO PROVIDED LIDAR BASEFILES ENCOMPASSING THE PROJECT. THE RESULTS OF BOTH SURVEYS ARE CONTAINED HEREIN.

UNDERGROUND UTILITY LOCATIONS ARE SHOWN FOR INFORMATION PURPOSES ONLY. THOUGH THEY ARE BELIEVED TO BE ACCURATE THEIR LOCATION IS AS MARKED ON THE GROUND BY THE UTILITY COMPANY PER THE OUPS AND OGPUPS CONFIRMATION NUMBERS LISTED ABOVE, AND THOSE MARKINGS SUBSEQUENTLY BEING SURVEYED AS PART OF THIS PROJECT.

THE HORIZONTAL COORDINATES EXPRESSED HEREIN ARE BASED ON THE KENTUCKY STATE PLANE COORDINATE SYSTEM, SINGLE ZONE ON NAD 83 (2007) DATUM. THE PROJECT COORDINATES (US SURVEY FOOT) ARE RELATIVE TO STATE PLANE GRID COORDINATES (US SURVEY FEET) BY A PROJECT ADJUSTMENT FACTOR OF 0.99988716

AS A PART OF THIS PROJECT I HAVE REESTABLISHED THE LOCATIONS OF THE EXISTING PROPERTY LINES AND THE EXISTING CENTERLINE OF RIGHT OF WAY FOR PROPERTY TAKES CONTAINED HEREIN.

AS A PART OF THIS PROJECT I HAVE ESTABLISHED THE PROPOSED PROPERTY LINES, CALCULATED THE GROSS TAKE, PRESENT ROADWAY OCCUPIED (PRO), NET TAKE AND NET RESIDUE, AS WELL AS PREPARED THE LEGAL DESCRIPTIONS NECESSARY TO ACQUIRE THE PARCELS AS SHOWN HEREIN. IRON PINS SET ARE REINFORCING ROD WITH ALUMINUM CAP STAMPED "ODOT R/W - PS 6596 - LJB INC" OR "ODOT - PS 6596 - LJB INC".

AS PART OF THIS WORK I HAVE SET RIGHT OF WAY MONUMENTS AT PROPERTY CORNERS, PROPERTY LINE INTERSECTIONS, POINTS ALONG THE RIGHT OF WAY AND/OR ANGLE POINTS ON THE RIGHT OF WAY, SECTION CORNERS AND OTHER POINTS SHOWN HEREIN.

ALL OF MY WORK CONTAINED HEREIN WAS CONDUCTED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE 4733-37 COMMONLY KNOWN AS "A MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO" UNLESS NOTED OTHERWISE.

THE WORDS I AND MY AS USED HEREIN ARE TO MEAN EITHER MYSELF OR SOMEONE WORKING UNDER MY DIRECT SUPERVISION.

HARRY G. HERBST III, OHIO LICENSE #6596

5/09/2014
DATE:

SURVEYORS SEAL



SIGNED: Harry G. Herbst III
DATE: 5/09/2014

C:\000T_08\01079494.DD - HAM-75-0022.RW Acq_P1089068\89068\row\sheets\89068R_001.dgn 5/8/2014 3:30:25 PM dbruno

HAM-75-0.22
 HAMILTON COUNTY
 CINCINNATI TOWNSHIP
 SEC. 17, 18, 23 & 24, TOWN 4, FR. 1
 SEC. 19 & 20, TOWN 4, FR. 2
 CITY OF CINCINNATI



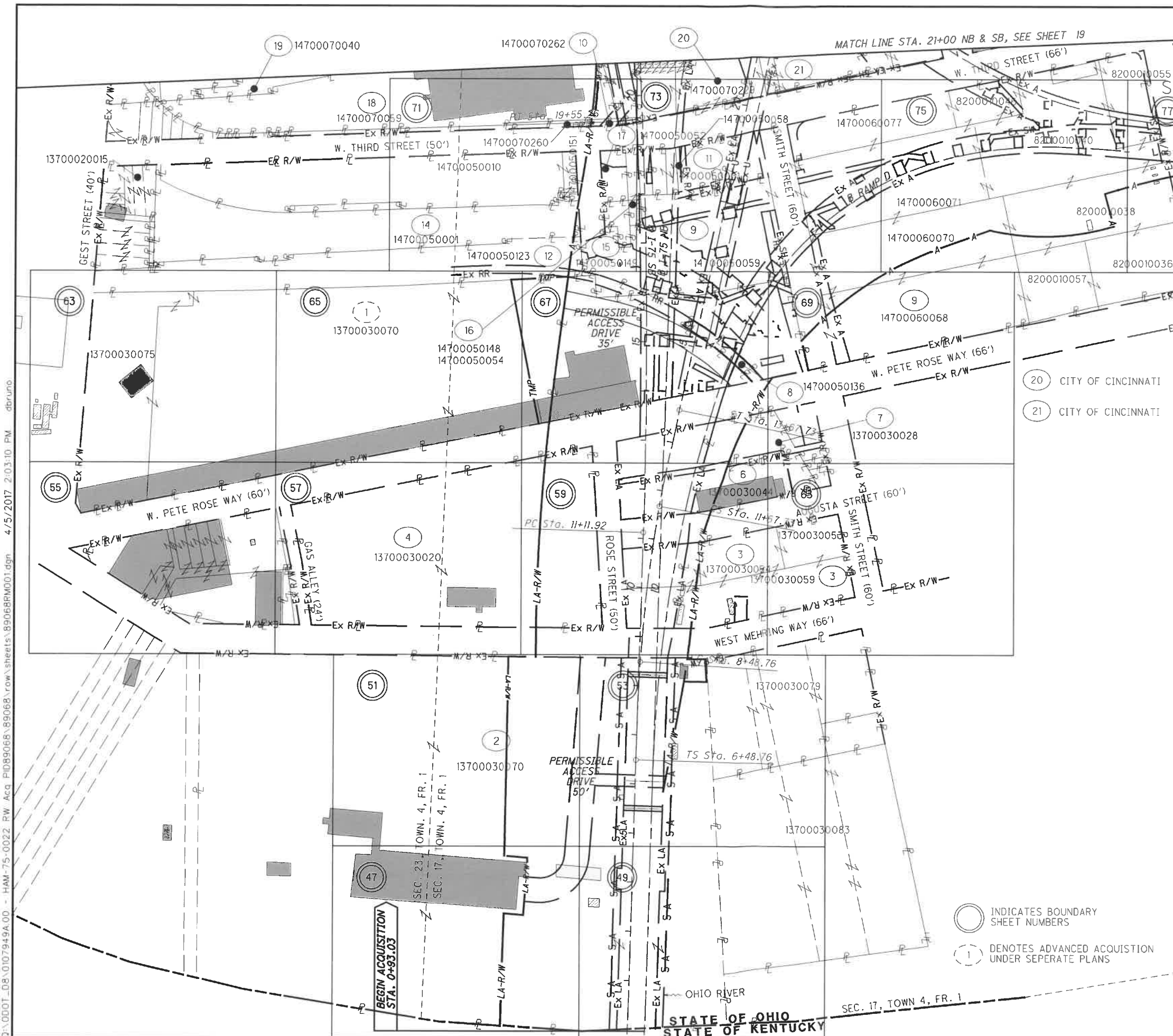
PID NO.
89068

R/W DESIGNER
 RDH
 R/W REVIEWER
 HGH

PROPERTY MAP

HAM-75-00.22

18
 251



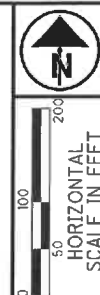
Q:\000T_08\0107949A.00 - HAM-75-0022.RW Acq PID89068\89068.yrw\sheet\89068RMD01.dgn 4/5/2017 2:03:10 PM dbruno

- 1 LONGWORTH HALL, LLC, AN OHIO LIMITED LIABILITY COMPANY
- 2 DUKE ENERGY OHIO INC, FKA DUKE ENERGY, FKA CINCINNATI GAS & ELECTRIC CO.
- 3 HILLTOP BASIC RESOURCES, INC. FKA HILLTOP CONCRETE CORPORATION
- 4 DUKE ENERGY OHIO INC, FKA DUKE ENERGY, FKA CINCINNATI GAS & ELECTRIC CO.
- 5 CITY OF CINCINNATI
- 6 CINCINNATI DOCK PROPERTIES, INC. AN OHIO CORPORATION
- 7 CINCINNATI DOCK PROPERTIES, INC. AN OHIO CORPORATION
- 8 CENTRAL RAILROAD CO OF INDIANA
- 9 CITY OF CINCINNATI
- 10 CITY OF CINCINNATI
- 11 SPEEDWAY SUPERAMERICA LLC, A DELAWARE LIMITED LIABILITY COMPANY
- 12 THE CENTRAL RAILROAD CO. OF INDIANA
- 13 SEE SHEET 18
- 14 COVINGTON & CINCINNATI ELEVATED RAILROAD & TRANSFER & BRIDGE COMPANY, AN OHIO & KY. CORP.
- 15 CSX TRANSPORTATION, INC., A CORPORATION UNDER THE LAWS OF VIRGINIA
- 16 LONGWORTH HALL, LLC AN OHIO LIMITED LIABILITY CO.
- 17 NORTON OUTDOOR ADVERTISING, INC., AN OHIO CORPORATION, (1/3), AND CHRISTIAN THEOLOGICAL SEMINARY, AN INDIANA CORPORATION, (2/3)
- 18 BT-OH LLC, A DELAWARE LIMITED LIABILITY COMPANY FKA CLEVE COMPANY, FKA CALDWELL REALTY CO
- 19 TOWNVIEW 56TH STREET, LLC, A DELAWARE LIMITED LIABILITY COMPANY

○ INDICATES BOUNDARY SHEET NUMBERS
 ① DENOTES ADVANCED ACQUISITION UNDER SEPERATE PLANS

REV. BY	DATE	DESCRIPTION
HGH	3/9/15	PARCEL 17 - OWNER
DATE COMPLETED 5/09/2014		

STATE OF OHIO
 STATE OF KENTUCKY



HAM-75-0.22
 HAMILTON COUNTY
 CINCINNATI TOWNSHIP
 SEC. 17, 18, 23 & 24, TOWN 4, FR. 1
 SEC. 19 & 20, TOWN 4, FR. 2
 CITY OF CINCINNATI



- 13 CITY OF CINCINNATI
- 18 BT-OH LLC, A DELAWARE LIMITED LIABILITY COMPANY
FKA CLEVE COMPANY, FKA CALDWELL REALTY CO
- 19 TOWNVIEW 56TH STREET, LLC,
A DELAWARE LIMITED LIABILITY COMPANY
- 20 CITY OF CINCINNATI
- 21 CITY OF CINCINNATI
- 22 NORTON ADVERTISING, INC.
AN OHIO CORPORATION
- 23 CITY OF CINCINNATI
- 24 DUKE ENERGY OHIO INC, FKA DUKE ENERGY, FKA
CINCINNATI GAS & ELECTRIC CO.
- 25 BT-OH LLC, A DELAWARE LIMITED LIABILITY COMPANY
FKA CLEVE COMPANY, FKA CALDWELL REALTY CO
- 26 CITY OF CINCINNATI
- 27 CITY OF CINCINNATI
- 28 CITY OF CINCINNATI
- 29 UNION BAPTIST CHURCH, INC.,
AN OHIO NONPROFIT CORPORATION
- 30 CITY OF CINCINNATI
- 31 CITY OF CINCINNATI
- 33 WXIX BROADCAST PLAZA, LLC,
A DELAWARE LIMITED LIABILITY COMPANY
- 82 CITY OF CINCINNATI

○ INDICATES BOUNDARY SHEET NUMBERS

R/W DESIGNER RDH R/W REVIEWER HGH
 PID NO. 89068

PROPERTY MAP

HAM-75-00.22

REV. BY	DATE	DESCRIPTION
HGH	3/22/17	ADD PARCEL 82-WL
HGH	3/9/15	PARCEL 22 - AERIAL EASEMENT
DATE COMPLETED	5/09/2014	

19
251

C:\0001_DB\0107949A.00 - HAM-75-0022 RW Acq PID89068\89068.yrow\sheet\89068R002.dgn 4/5/2017 2:03:15 PM dbruno

HAM-75-0.22
 HAMILTON COUNTY
 CINCINNATI TOWNSHIP
 SEC. 17, 18, 23 & 24, TOWN 4, FR. 1
 SEC. 19 & 20, TOWN 4, FR. 2
 CITY OF CINCINNATI



PID NO. **89068**

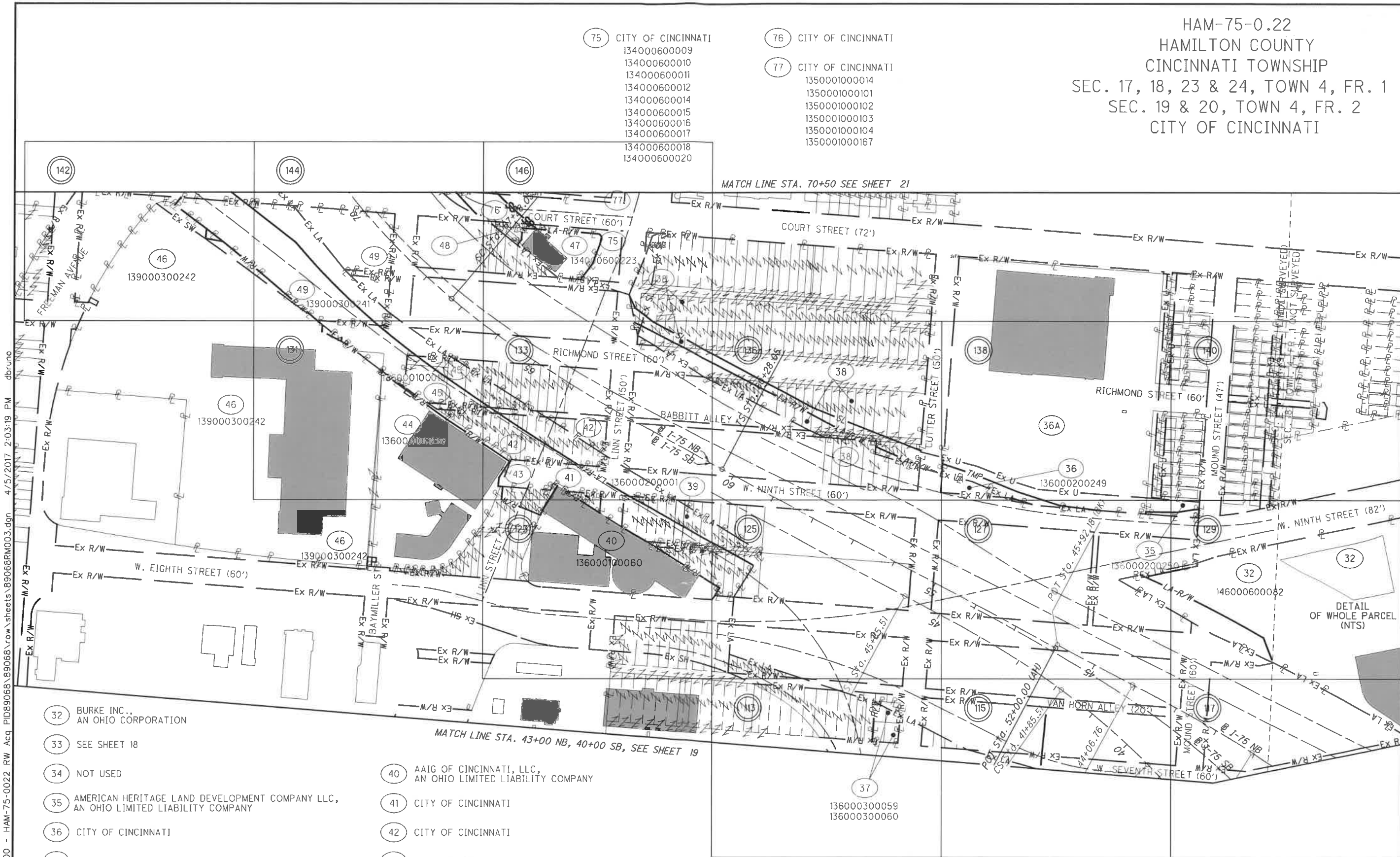
R/W DESIGNER
 RDH
 R/W REVIEWER
 HGH

PROPERTY MAP

HAM-75-00.22

20
251

- 75 CITY OF CINCINNATI
 134000600009
 134000600010
 134000600011
 134000600012
 134000600014
 134000600015
 134000600016
 134000600017
 134000600018
 134000600020
- 76 CITY OF CINCINNATI
 1350001000014
 1350001000101
 1350001000102
 1350001000103
 1350001000104
 1350001000167
- 77 CITY OF CINCINNATI
 1350001000014
 1350001000101
 1350001000102
 1350001000103
 1350001000104
 1350001000167



Q:\DOT_D8\0107949A.00 - HAM-75-0022 RW Acq PID89068\row\sheet\89068RMO03.dgn 4/5/2017 2:03:19 PM dbrunc

- 32 BURKE INC., AN OHIO CORPORATION
- 33 SEE SHEET 18
- 34 NOT USED
- 35 AMERICAN HERITAGE LAND DEVELOPMENT COMPANY LLC, AN OHIO LIMITED LIABILITY COMPANY
- 36 CITY OF CINCINNATI
- 36A MESSER REALTY XII, LLC
- 37 CITY OF CINCINNATI
- 38 CITY OF CINCINNATI
- 39 CITY OF CINCINNATI
- 40 AAIG OF CINCINNATI, LLC, AN OHIO LIMITED LIABILITY COMPANY
- 41 CITY OF CINCINNATI
- 42 CITY OF CINCINNATI
- 43 CITY OF CINCINNATI
- 44 LINN STREET INVESTMENTS, LLC, AN OHIO LIMITED LIABILITY COMPANY
- 45 CITY OF CINCINNATI
- 46 FULLER PROPERTIES, LLC, A LIMITED LIABILITY COMPANY FORMED IN THE STATE OF OHIO

- 47 PHOENIX GRAPHIX INC, AN OHIO CORPORATION
- 48 MARK ONE INVESTMENTS, LTD, AN OHIO LIMITED LIABILITY COMPANY
- 49 CITY OF CINCINNATI

○ INDICATES BOUNDARY SHEET NUMBERS

REV. BY	DATE	DESCRIPTION
HGH	3/7/17	REVISE OWNERSHIP PARCEL 36
DATE COMPLETED 5/09/2014		

HAM-75-0.22
 HAMILTON COUNTY
 CINCINNATI TOWNSHIP
 SEC. 17, 18, 23 & 24, TOWN 4, FR. 1
 SEC. 19 & 20, TOWN 4, FR. 2
 CITY OF CINCINNATI


- (72) CITY OF CINCINNATI
- (78) CITY OF CINCINNATI
- (79) CITY OF CINCINNATI
 13900030038
 13900030039
 13900030040
 13900030041
 13900030042
- (80) CITY OF CINCINNATI
- (81) A.D.A. INVESTMENT GROUP, INC.,
 AN OHIO CORPORATION
 13500030018

L & N INVESTMENT CORPORATION, A CORPORATION UNDER THE LAWS OF DELAWARE

MATCH LINE STA. 89+50 SEE SHEET 22

MATCH LINE STA. 70+50 SEE SHEET 20

Q:\ODOT_D8\107949A.00 - HAM-75-0022 RW Acq PID89068\89068\row\sheet\89068R004.dgn 4/5/2017 2:03:23 PM dbruno



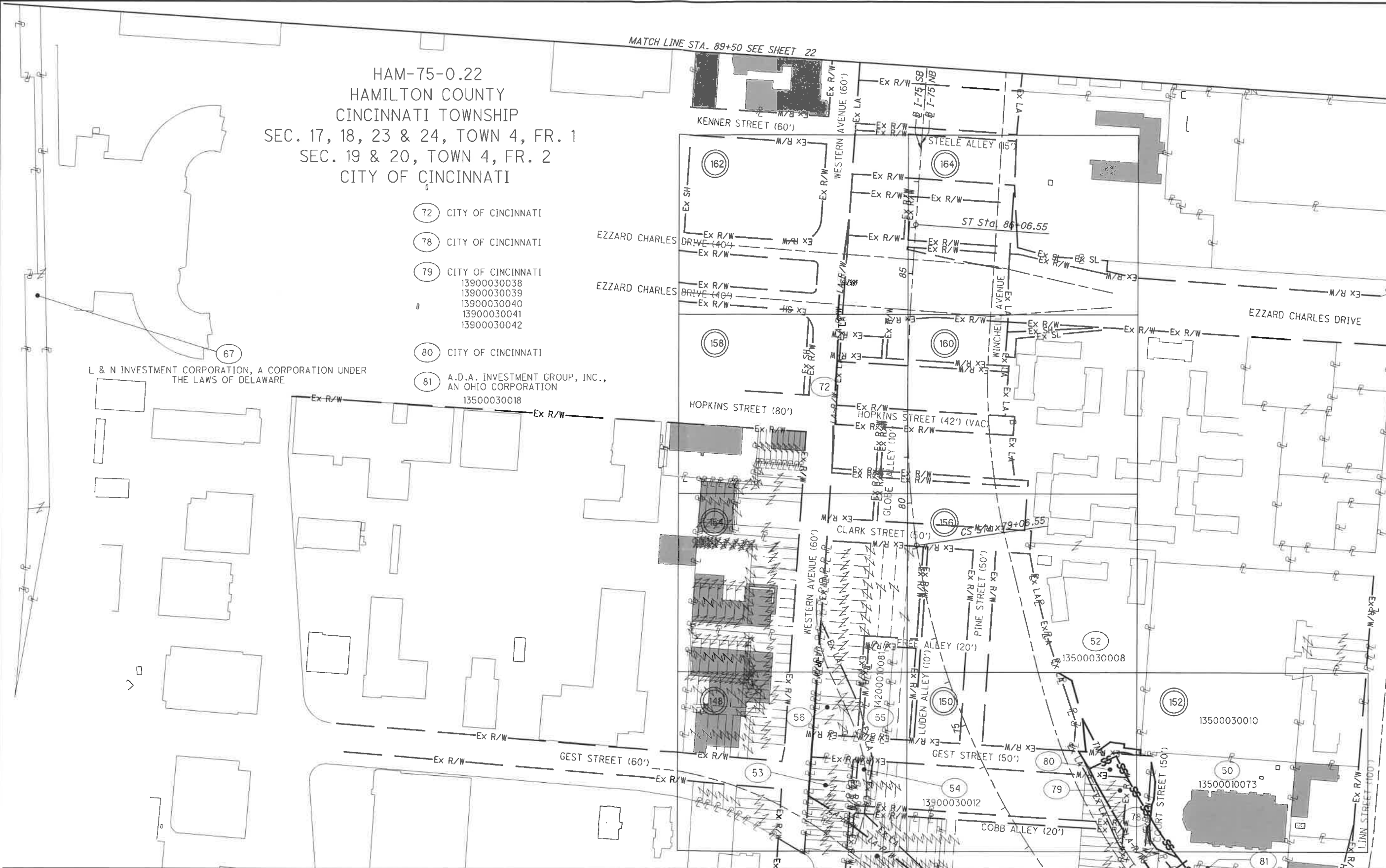
PID NO. **89068**

R/W DESIGNER RDH
 R/W REVIEWER HIGH

PROPERTY MAP

HAM-75-00.22

21
251



- (50) CINCINNATI-HAMILTON COUNTY COMMUNITY ACTION AGENCY, AN OHIO NOT-FOR-PROFIT CORPORATION
 - (51) CITY OF CINCINNATI
 - (52) EZZARD CHARLES ASSOCIATES, L.P., A MISSOURI LIMITED LIABILITY COMPANY
 - (53) CITY OF CINCINNATI
 13900030001
 13900030002
 13900030003
 13900030004
 13900030005
 13900030006
 - (54) CITY OF CINCINNATI
 - (55) CITY OF CINCINNATI
 - (56) CITY OF CINCINNATI
 14200010069 14200010076
 14200010070 14200010077
 14200010071 14200010078
 14200010072 14200010079
 14200010073
 14200010074
- INDICATES BOUNDARY SHEET NUMBERS

REV. BY	DATE	DESCRIPTION
	5/09/2014	

GRANTEE: ALL RIGHT OF WAY ACQUIRED IN THE NAME OF THE STATE OF OHIO UNLESS OTHERWISE SHOWN.
 WDV = CITY OF CINCINNATI WDU = DUKE ENERGY OHIO, INC., AN OHIO CORPORATION

ALL AREAS IN ACRES

* DENOTES RIGHT OF WAY ENCROACHMENT

PARCEL NO.	OWNER	SHEET NO.	OWNERS RECORD		AUDITOR'S PARCEL	RECORD AREA	TOTAL P.R.O.	GROSS TAKE	P.R.O. IN TAKE	NET TAKE	STRUC-TURE	NET RESIDUE		TYPE FUND	REMARKS	AS ACQUIRED			
			BOOK	PAGE								LEFT	RIGHT			BOOK	PAGE		
20-WL	CITY OF CINCINNATI	18, 19, 72, 73, 82, 83	OR 9147, P. 2031		14700070229	0.280	0.000	0.352	0.000	0.352				80% FED 20% STATE	PART OF LOT 7 SAMUEL E FOOTE'S SUBDIVISION PART OF VACATED SMITH ST. FENCE (320') OVERLAPS: SLOPE EASE 0.162AC DEED ACREAGE DOES NOT COVER ENTIRE APN				
					14700070232	0.209	0.000	0.143	0.000	0.143									
					14500040061	0.021	0.000	0.020	0.000	0.020									
					14700070266	0.01	0.005	0.016	0.005	0.011									
					TOTAL	0.520	0.005	0.531	0.005	0.526									
21-WL	CITY OF CINCINNATI	18, 19, 72, 73, 82, 83	OR 9147, P. 2031		14500040068	0.016	0.000	0.016	0.000	0.016				PART OF LOT 5 SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE FENCE (360') DEED ACREAGE DOES NOT COVER ENTIRE APN OVERLAP: SLOPE EASE 0.016AC					
					14500040161	0.569	0.000	0.572	0.000	0.572									
					TOTAL	0.585	0.000	0.588	0.000	0.588	0.000	0.000							
22-WL	NORTON ADVERTISING, INC. AN OHIO CORPORATION	19, 82, 83, 84, 85, 92, 93, 94, 95	4269	1083	14500040059	0.582	0.000	0.582	0.000	0.582	S(2)		0.000	PART OF LOT 5 SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE ASPHALT PARKING LOT (52 SPACES), 2 BILLBOARDS OVERLAPS: SLOPE EASE 0.154AC, AERIAL EASE 0.049AC					
23-WL	CITY OF CINCINNATI	19, 84, 85	2524	436	14500040137	0.672	0.028	0.006	0.006	0.000				PART OF LOT 6 SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE					
23-WD		19, 94, 95												CONCRETE WALK 100'					
24-WL	DUKE ENERGY OHIO INC, FKA DUKE ENERGY, FKA CINCINNATI GAS & ELECTRIC CO.	19, 80, 81, 90, 91	3619 3738	700 228	14700070258	7.547	0.000	0.213	0.000	0.213			7.334	PART OF LOTS 1 THROUGH 7 C. PARK'S HEIRS PARTITION PLAT ASPHALT PARKING LOT (20 SPACES), FENCE 60'					
24-A		19, 80, 81, 90, 91																	
24-T		19, 80, 81, 90, 91												CONSTRUCT BRIDGE SUPERSTRUCTURE					

PARCEL IDENTIFIER LEGEND:

WDU = FEE SIMPLE WITH RESERVATION OF ACCESS IN THE NAME OF DUKE ENERGY OHIO, INC.
 WDV = FEE SIMPLE WITH RESERVATION OF ACCESS IN THE NAME OF THE CITY OF CINCINNATI
 WL = FEE SIMPLE WITH LIMITATION OF ACCESS
 LA = LIMITED ACCESS EASEMENT
 SH = STANDARD HIGHWAY EASEMENT
 A = AERIAL EASEMENT
 SS = SUBSURFACE EASEMENT
 WD = FEE SIMPLE WITH RESERVATION OF ACCESS
 PRW = PROPERTY RIGHT FEE SIMPLE
 SL = SLOPE EASEMENT
 T = TEMPORARY EASEMENT

NOTE: ALL TEMPORARY PARCELS TO BE OF 36 MONTHS DURATION.

NOTE: UNDER NO CIRCUMSTANCES ARE TEMPORARY EASEMENTS TO BE USED FOR STORAGE OF MATERIAL OR EQUIPMENT BY THE CONTRACTOR UNLESS NOTED OTHERWISE.

80% FED 20% STATE			
REV. BY	DATE	DESCRIPTION	
HGH	3/9/15	PARCEL 22 - EASEMENT OVERLAPS	
FIELD REVIEW BY: JIM BENEDICT		DATE	4/30/2014
OWNERSHIP VERIFIED BY: TERRY HOPPES		DATE	2/20/2014
DATE COMPLETED:			5/9/2014

FEDERAL PROJECT NO. E120979
 PID NO. 89068
 STATE JOB NO. 487751
 R/W DESIGNER RDH
 R/W REVIEWER HIGH
 SUMMARY OF ADDITIONAL RIGHT OF WAY PARCELS 20-24
 HAM-75-00.22

G:\ODOT\DB\0107949A.00 - HAM-75-0022 RW Acq PID89068\89068\row\sheet\89068R\89068R\005.dgn 4/5/2017 2:03:46 PM dbruno

GRANTEE: ALL RIGHT OF WAY ACQUIRED IN THE NAME OF THE STATE OF OHIO UNLESS OTHERWISE SHOWN.
 WDV = CITY OF CINCINNATI WDU = DUKE ENERGY OHIO, INC., AN OHIO CORPORATION
 ALL AREAS IN ACRES * DENOTES RIGHT OF WAY ENCROACHMENT

Q:\DOT_08\107949A.00 - HAM-75-0022 RW Act PID890681\9068\row\sheet\89068\RS019.dgn 3/7/2019 10:56:03 AM kmoyer

PARCEL NO.	OWNER	SHEET NO.	OWNERS RECORD		AUDITOR'S PARCEL	RECORD AREA	TOTAL P.R.O.	GROSS TAKE	P.R.O. IN TAKE	NET TAKE	STRUC-TURE	NET RESIDUE		TYPE FUND	REMARKS	AS ACQUIRED	
			BOOK	PAGE								LEFT	RIGHT			BOOK	PAGE
69-WL	MARTIN MEDIA, A CALIFORNIA LIMITED PARTNERSHIP	24, 231, 232	OR 6160,	P. 1694	18700080133	0.098	0.033	0.033	0.033	0.000		0.065		80% FED 20% STATE	PART OF LOT 36 ADDITION TO SMITH AND GILBERT'S SUB'D. by G Ives		
69-PRW		24, 231, 232															
70	KAREN L. BLACKBURN-IVEY	24, 231, 232	OR 10625,	P. 2235	18700080069	0.215	0.000								NO ADDITIONAL RW REQUIRED		
71	CREATIVE DISPLAYS, INC.	24, 231, 232	3903	1014	18700080067	0.061	0.000				S*				NO ADDITIONAL RW REQUIRED *BILLBOARD ADC #12620, * CONC. PAD		
72-WL	CITY OF CINCINNATI	21, 157, 158, 161, 162	1	214	NO APN ASS'D			0.061	0.061	0.000					ISAAC BETTS SUBDIVISION OF SQR 29, IN BETTS DIVISI SMITH BETTS SUBDIVISION OF SQUARE NO. 30 OF BETTS ANTRAM SUBDIVISION OF SQ 31 BETTS RW TO BE TRANSFERRED AS LIMITED ACCESS		
73-WL	CITY OF CINCINNATI	23, 185, 186			18500060095		0.000	0.008	0.000	0.008							
74-WL	CITY OF CINCINNATI	23, 185, 186, 189, 190, 193, 194	13	32	NO APN ASS'D			0.429	0.429	0.000					AMENDED PLAT OF SUBD. MADE BY ROBERT O. KIRBY BENJAMIN STEWART'S SUBDIVISION WF & EA ROELOFSON'S SUBDIVISION RW TO BE TRANSFERRED AS LIMITED ACCESS POINT OF PERMISSIBLE ACCESS FOR PARCEL 58		
75-SS	CITY OF CINCINNATI	20, 145, 146			13400060008 13400060009 13400060010 13400060011 13400060012 TOTAL	0.038 0.043 0.268 0.053 0.042 0.000	0.000 0.000 0.000 0.000 0.000 0.021	0.001 0.003 0.005 0.006 0.006 0.021	0.000 0.000 0.000 0.000 0.000 0.000	0.001 0.003 0.005 0.006 0.006 0.021					FOR RETAINING WALL "TIE-BACKS" AND APPURTENANCES		
76-WL	CITY OF CINCINNATI	20, 143, 144, 144A			NO APN ASS'D			0.025	0.025	0.000					CUTTER'S SUBDIVISION		
76-SS	CITY OF CINCINNATI	20, 143, 144, 145, 146			NO APN ASS'D			0.135	0.000	0.135					CUTTER'S SUBDIVISION FOR RETAINING WALL "TIE-BACKS" AND APPURTENANCES		
77-WL	CITY OF CINCINNATI	20, 143, 144, 144A	94 3043	81 144	13500030014 13500010104	0.142 0.024	0.000 0.000	0.000 0.000	0.000 0.000	0.000 0.004					PART OF 12; RICHMOND-1 REDEVELOPMENT AREA SUBDIVISION PART OF 6; CUTTER'S SUBDIVISION		
			3019	153	13500010103	0.033	0.000	0.004	0.000	0.004							
			3021	465	13500010102	0.047	0.000	0.017	0.000	0.017							
			3134	424	13500010101	0.060	0.000	0.024	0.000	0.024							
			3086	444	13500010167	0.002	0.000	0.000	0.000	0.000							
					TOTAL 77-WL		0.000	0.045	0.000	0.045							
77-SS	CITY OF CINCINNATI	20, 143, 144, 145, 146, 151, 152	94 3043	81 144	13500030014 13500010104			0.018 0.027	0.000 0.000	0.018 0.027					PART OF 12; RICHMOND-1 REDEVELOPMENT AREA SUBDIVISION PART OF 6; CUTTER'S SUBDIVISION FOR RETAINING WALL "TIE-BACKS" AND APPURTENANCES		
			3019	153	13500010103			0.030	0.000	0.030							
			3021	465	13500010102			0.032	0.000	0.032							
			3134	424	13500010101			0.026	0.000	0.026							
			3086	444	13500010167			0.011	0.000	0.011							
					TOTAL 77-SS			0.143	0.000	0.143				80% FED 20% STATE			

PARCEL IDENTIFIER LEGEND:

WDU = FEE SIMPLE WITH RESERVATION OF ACCESS IN THE NAME OF DUKE ENERGY OHIO, INC.
 WDV = FEE SIMPLE WITH RESERVATION OF ACCESS IN THE NAME OF THE CITY OF CINCINNATI
 WL = FEE SIMPLE WITH LIMITATION OF ACCESS
 LA = LIMITED ACCESS EASEMENT
 SH = STANDARD HIGHWAY EASEMENT
 A = AERIAL EASEMENT
 SS = SUBSURFACE EASEMENT
 WD = FEE SIMPLE WITH RESERVATION OF ACCESS
 PRW = PROPERTY RIGHT FEE SIMPLE
 SL = SLOPE EASEMENT
 T = TEMPORARY EASEMENT

NOTE: ALL TEMPORARY PARCELS TO BE OF 36 MONTHS DURATION.

NOTE: UNDER NO CIRCUMSTANCES ARE TEMPORARY EASEMENTS TO BE USED FOR STORAGE OF MATERIAL OR EQUIPMENT BY THE CONTRACTOR UNLESS NOTED OTHERWISE.

REV. BY	DATE	DESCRIPTION
HGH	3/07/19	ADD PARCELS 76-WL, 77-WL
HGH	3/30/15	PARCEL 69 PRO
HGH	11/25/14	ADD NOTE, PPA, TO PARCEL 74-WL

FIELD REVIEW BY:	JIM BENEDICT	DATE	4/30/2014
OWNERSHIP VERIFIED BY:	TERRY HOPPES	DATE	2/20/2014
DATE COMPLETED:			5/9/2014

FEDERAL PROJECT NO. E120979
 PID NO. 89068
 STATE JOB NO. 487751
 R/W DESIGNER RDH
 R/W REVIEWER HGH
SUMMARY OF ADDITIONAL RIGHT OF WAY PARCELS 69-71
HAM-75-00.22
 44
 251

GRANTEE: ALL RIGHT OF WAY ACQUIRED IN THE NAME OF THE STATE OF OHIO UNLESS OTHERWISE SHOWN.
WDV = CITY OF CINCINNATI WDU = DUKE ENERGY OHIO, INC., AN OHIO CORPORATION
ALL AREAS IN ACRES * DENOTES RIGHT OF WAY ENCROACHMENT

Q:\DOT_D8\0107949A.00 - HAM-75-0022 RW Acq PID89068\row\sheet\89068RS020.dgn 3/21/2019 10:31:34 AM kmover

Table with columns: PARCEL NO., OWNER, SHEET NO., OWNERS RECORD BOOK/PAGE, AUDITOR'S PARCEL, RECORD AREA, TOTAL P.R.O., GROSS TAKE, P.R.O. IN TAKE, NET TAKE, STRUC-TURE, NET RESIDUE LEFT/RIGHT, TYPE FUND, REMARKS, AS ACQUIRED BOOK/PAGE.

FEDERAL PROJECT NO. E120979
PID NO. 89068
STATE JOB NO. 487751
R/W DESIGNER RDH
R/W REVIEWER HGH
SUMMARY OF ADDITIONAL
HAM-75-00.22

NOTE: ALL TEMPORARY PARCELS TO BE OF 36 MONTHS DURATION.

NOTE: UNDER NO CIRCUMSTANCES ARE TEMPORARY EASEMENTS TO BE USED FOR STORAGE OF MATERIAL OR EQUIPMENT BY THE CONTRACTOR'S UNLESS NOTED OTHERWISE.

PARCEL IDENTIFIER LEGEND:

WDU = FEE SIMPLE WITH RESERVATION OF ACCESS IN THE NAME OF DUKE ENERGY OHIO, INC.
WDV = FEE SIMPLE WITH RESERVATION OF ACCESS IN THE NAME OF THE CITY OF CINCINNATI
WL = FEE SIMPLE WITH LIMITATION OF ACCESS
LA = LIMITED ACCESS EASEMENT
SH = STANDARD HIGHWAY EASEMENT
A = AERIAL EASEMENT
SS = SUBSURFACE EASEMENT
WD = FEE SIMPLE WITH RESERVATION OF ACCESS
PRW = PROPERTY RIGHT FEE SIMPLE
SL = SLOPE EASEMENT
T = TEMPORARY EASEMENT

Table with columns: REV. BY, DATE, DESCRIPTION. Rows include HGH 3/07/19 ADD PARCELS 78-WL, 79-WL, 80-WL, 83-WL; HGH 8/14/17 REVISE DEED, PARCEL 82; HGH 3/22/17 ADD PARCEL 82-WL.

Table with columns: FIELD REVIEW BY, OWNERSHIP VERIFIED BY, DATE COMPLETED, DATE. Values include JIM BENEDICT, TERRY HOPPES, 4/30/2014, 2/20/2014, 5/9/2014.

HAM-75-00.22
HAMILTON COUNTY
CINCINNATI TOWNSHIP
SEC. 17, TOWN 4, FR. 1
CITY OF CINCINNATI



PID NO. **89068**

R/W DESIGNER RDH
R/W REVIEWER HGH

RIGHT OF WAY TOPO SHEET
1-75

HAM-75-00.22

72
251

MATCH LINE SEE SHEET 82

MATCH LINE SEE SHEET 70

MATCH LINE SEE SHEET 74

MATCH LINE SEE SHEET 66

MATCH LINE SEE SHEET 68

NOTE: LIGHTS MOUNTED ON BRIDGE
SUPERSTRUCTURE NOT SHOWN
FOR CLARITY

REV. BY	DATE	DESCRIPTION
HGH	3/22/16	ADD EX. AERIAL, E. SIDE SMITH ST.
DATE COMPLETED	5/09/2014	



21
CITY OF CINCINNATI
OR 9147, P. 2031
(0.016 ACRES)
LOT PART OF LOT 5
14500040068
0.016 ACRES
512 THIRD ST
PUBLIC SERVICE
SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE
P.B. DB 52, P. 112

9
CITY OF CINCINNATI
(NO DEED ACRES)
LOT PART OF BLOCK 8
14700060071
1.305 ACRES
205 CENTRAL AV
COMMERCIAL
SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE
P.B. DB 52, P. 112

9
CITY OF CINCINNATI
O.R. 8682, PG 3936
LOT PART OF BLOCK 7
8200010040
0.390 ACRES
205 CENTRAL AV
COMMERCIAL
SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE
P.B. DB 52, P. 112

20
CITY OF CINCINNATI
OR 9147, P. 2031
(0.369 ACRES)
LOT PART OF LOT 7
14700070229
0.280 ACRES
612 THIRD ST
PUBLIC SERVICE
SAMUEL E. FOOTE'S SUBDIVISION
P.B. DB 139, P. 72

CITY OF CINCINNATI
OR 5889, P. 35
(UNSTATED ACRES)
LOT PART OF BLOCK 8
14700060077
0.550 ACRES
513 THIRD ST
HEAVY INDUSTRIAL
SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE
P.B. DB 52, P. 112

CITY OF CINCINNATI
OR 8429, P. 2721
(0.6858 ACRES)
PART OF VACATED SMITH STREET
14700050153
0.690 ACRES
SMITH ST
NOT APPLICABLE
LONGWORTH, LAWLER, FOOTE & GREENE
P.B. DB 52, P. 112

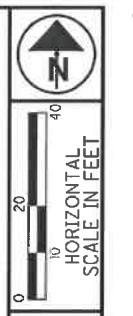
LONGWORTH HALL, LLC
OF 10536, P. 2922
(UNSTATED ACRES)
LOT PART OF LOT 3
14700050051
0.060 ACRES
512 THIRD ST
VACANT
SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE
P.B. DB 52, P. 112

SPEEDWAY SUPERAMERICA LLC, A DELAWARE
LIMITED LIABILITY COMPANY
OR 8633, P. 1501
(UNSTATED ACRES)
LOT PART OF LOT 3
14700050061
0.177 ACRES
609 THIRD ST
COMMERCIAL
SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE
P.B. DB 52, P. 112

LONGWORTH HALL, LLC
OF 10536, P. 2922
(UNSTATED ACRES)
LOT PART OF LOT 1
14700050148
0.030 ACRES
512 THIRD ST
VACANT
SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE
P.B. 1, P. 105

Q:\DOT_DB\0107949A.00 - HAM-75-0022.RW Acq PID89068\89068\row\sheets\89068R1014.dgn 4/5/2017 2:06:10 PM dbruno

HAM-75-00.22
HAMILTON COUNTY
CINCINNATI TOWNSHIP
SEC. 17, TOWN 4, FR. 1
CITY OF CINCINNATI



PID NO. 89068
R/W DESIGNER RDH
R/W REVIEWER HIGH

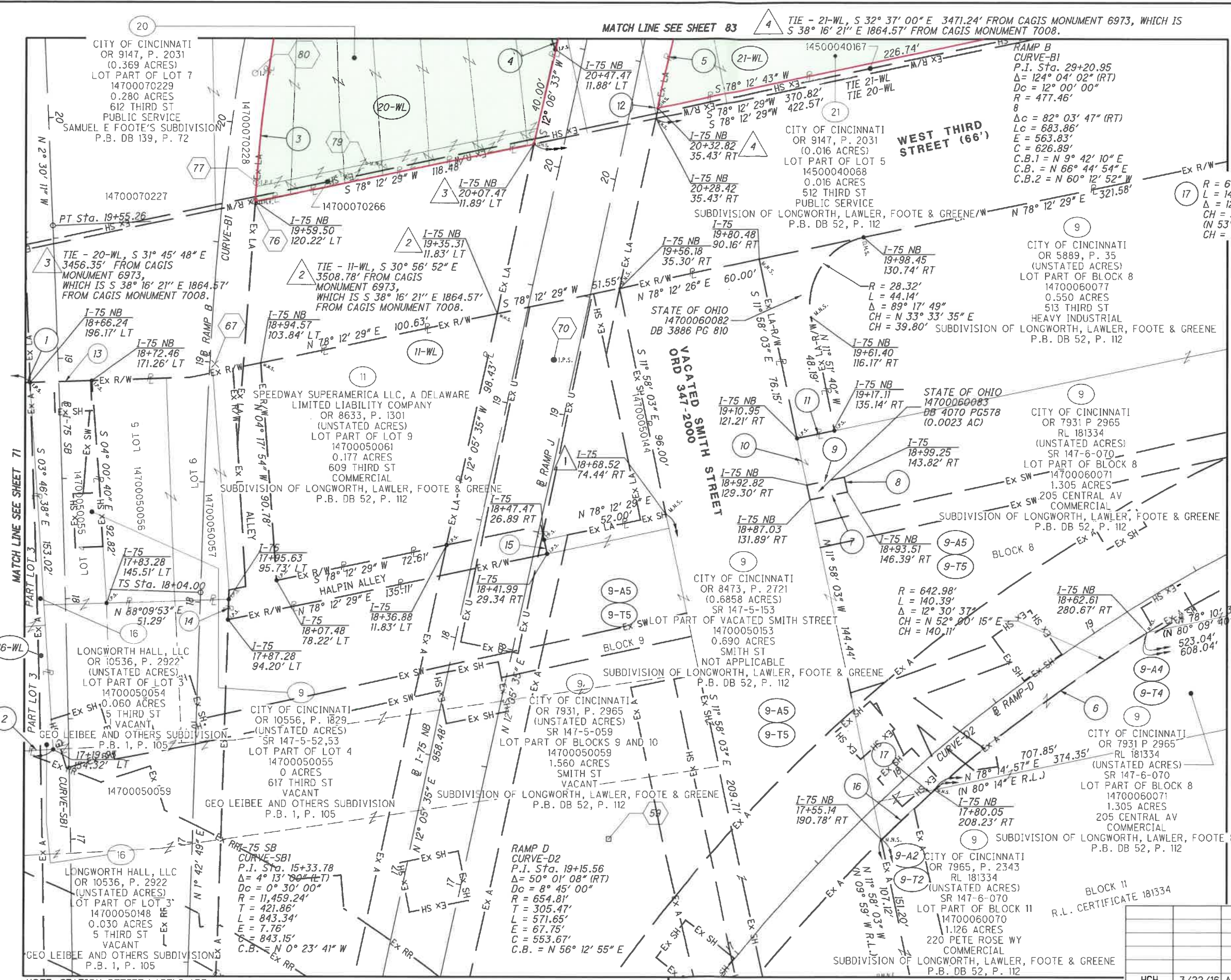
RIGHT OF WAY BOUNDARY SHEET
I-75

HAM-75-00.22

73
251

MATCH LINE SEE SHEET 83

4 TIE - 21-WL, S 32° 37' 00" E 3471.24' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.



- 1 N 88° 04' 30" E - 25.66'
- 2 S 86° 35' 22" W - 25.66'
- 3 R = 630.60'
L = 159.09'
Δ = 14° 27' 18" RT
CH = N 10° 20' 56" E
CH = 158.67'
- 4 S 12° 06' 33" W - 155.00'
- 5 N 12° 08' 23" E - 125.09'
- 6 R = 642.98'
L = 109.97'
Δ = 09° 47' 59"
CH = N 53° 21' 34" E
(N 55° 20' 37" E R.L.)
CH = 109.84'
- 7 N 78° 01' 42" E - 15.88'
- 8 N 11° 58' 03" W - 6.29'
- 9 N 78° 12' 57" E - 15.88'
- 10 N 11° 58' 03" W - 19.85'
- 11 N 78° 14' 53" E - 15.88'
- 12 N 12° 08' 36" E - 4.40'
- 13 N 88° 04' 29" W - 25.68'
- 14 S 01° 41' 19" W - 8.48'
- 15 N 11° 58' 04" E - 6.00'
- 16 R = 642.98'
L = 30.42'
Δ = 02° 42' 38"
CH = N 47° 06' 16" E
(N 49° 04' 39" E R.L.)
CH = 30.41'

NOTE: STATION-OFFSET LABELS ARE REFERENCED FROM THE I-75 NB FOR MONUMENT TABLE SEE SHEETS 13-15

MATCH LINE SEE SHEET 67
FOR CURVE DATA, RAMP D, CURVE-D2 SEE SHEET 67

1 TIE - 9-WL, S 31° 13' 28" E 3,616.51' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.

MATCH LINE SEE SHEET 69

REV. BY	DATE	DESCRIPTION
HGH	3/22/16	ADD EX. AERIAL, E. SIDE SMITH ST.
DATE COMPLETED	5/09/2014	

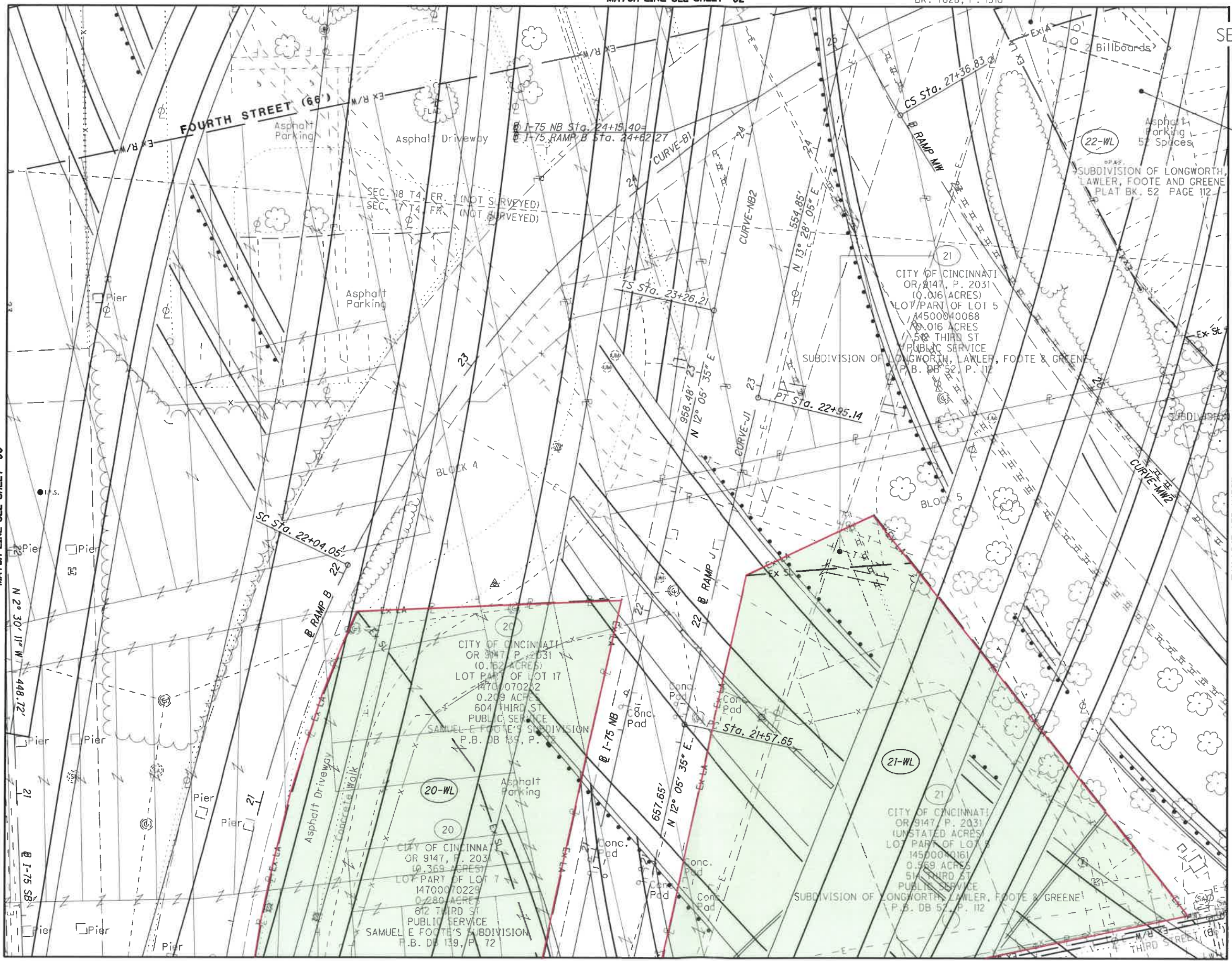
C:\ODOT\DB\0107949A.00 - HAM-75-0022 RW Acq PID89068\row\sheet\89068R014.dgn 4/5/2017 2:06:15 PM dbruno

Q:\ODOT_DB\0107949A.00 - HAM-75-0022 RW Acq PID890688\890688\row\sheets\890688R1019.dgn 4/5/2017 2:06:57 PM dbruno

MATCH LINE SEE SHEET 80

MATCH LINE SEE SHEET 92

HAM-75-00.22
HAMILTON COUNTY
CINCINNATI TOWNSHIP
SEC. 17 & 18, TOWN 4, FR. 1
CITY OF CINCINNATI



MATCH LINE SEE SHEET 72

NOTE: LIGHTS MOUNTED ON BRIDGE SUPERSTRUCTURE NOT SHOWN FOR CLARITY



PID NO. **89068**
R/W DESIGNER RDH
R/W REVIEWER HGH

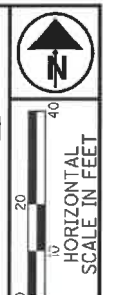
RIGHT OF WAY TOPO SHEET
I-75

HAM-75-00.22

82
251

REV. BY	DATE	DESCRIPTION
HGH	3/9/15	PARCEL 22 - AERIAL EASEMENT
DATE COMPLETED 5/09/2014		

HAM-75-00.22
HAMILTON COUNTY
CINCINNATI TOWNSHIP
SEC. 17 & 18, TOWN 4, FR. 1
CITY OF CINCINNATI



PID NO.
89068

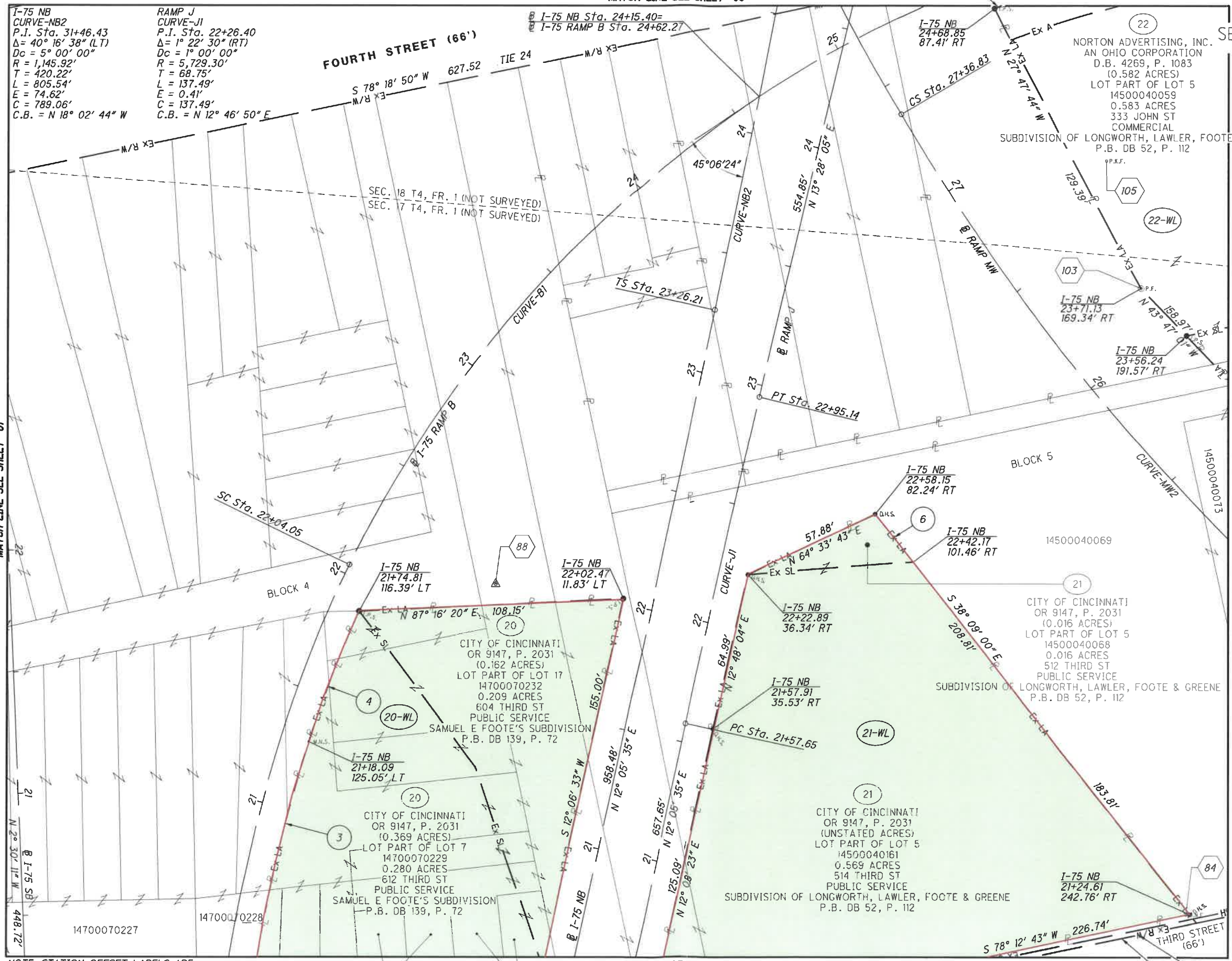
R/W DESIGNER
RDH
R/W REVIEWER
HIGH

RIGHT OF WAY BOUNDARY SHEET
I-75

HAM-75-00.22

3/9/15
REV. BY
DATE COMPLETED
5/09/2014

83
251



I-75 NB
CURVE-NB2
P.I. Sta. 31+46.43
Δ = 40° 16' 38" (LT)
Dc = 5° 00' 00"
R = 1,145.92'
L = 805.54'
T = 420.22'
E = 74.62'
C = 789.06'
C.B. = N 18° 02' 44" W

RAMP J
CURVE-J1
P.I. Sta. 22+26.40
Δ = 1° 22' 30" (RT)
Dc = 1° 00' 00"
R = 5,729.30'
L = 137.49'
T = 68.75'
E = 0.41'
C = 137.49'
C.B. = N 12° 46' 50" E

MATCH LINE SEE SHEET 93

MATCH LINE SEE SHEET 81

MATCH LINE SEE SHEET 85

NOTE: STATION-OFFSET LABELS ARE REFERENCED FROM THE @ I-75 NB FOR MONUMENT TABLE SEE SHEETS 13-15

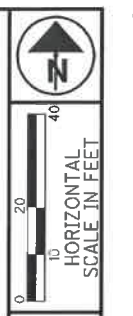
MATCH LINE SEE SHEET 73

FOR RAMP MW, CURVE-MW2 DATA SEE SHEET 73
FOR RAMP B, CURVE-BI DATA SEE SHEET 73

- 1 S 87° 12' 20" W - 370.82'
TIE 21-WL
- 2 S 87° 12' 20" W - 422.57'
TIE 20-WL
- 3 R = 630.60'
L = 159.09'
Δ = 14° 27' 18" RT
CH = N 10° 20' 56" E
CH = 158.67'
- 4 R = 513.66'
L = 57.40'
Δ = 06° 24' 09" RT
CH = N 20° 46' 42" E
CH = 57.37'
- 5 R = 465.63'
L = 144.91'
Δ = 17° 49' 52" RT
CH = N 78° 03' 00" E
CH = 144.33'
- 6 S 38° 09' 00" E - 25.00'

Q:\ODOT\DB\1017949A.00 - HAM-75-0022.RW Acq PID89068\89068\row\sheet\89068R019.dgn 4/5/2017 2:07:01 PM dbruno

HAM-75-00.22
HAMILTON COUNTY
CINCINNATI TOWNSHIP
SEC. 24, TOWN 4, FR. 1
CITY OF CINCINNATI

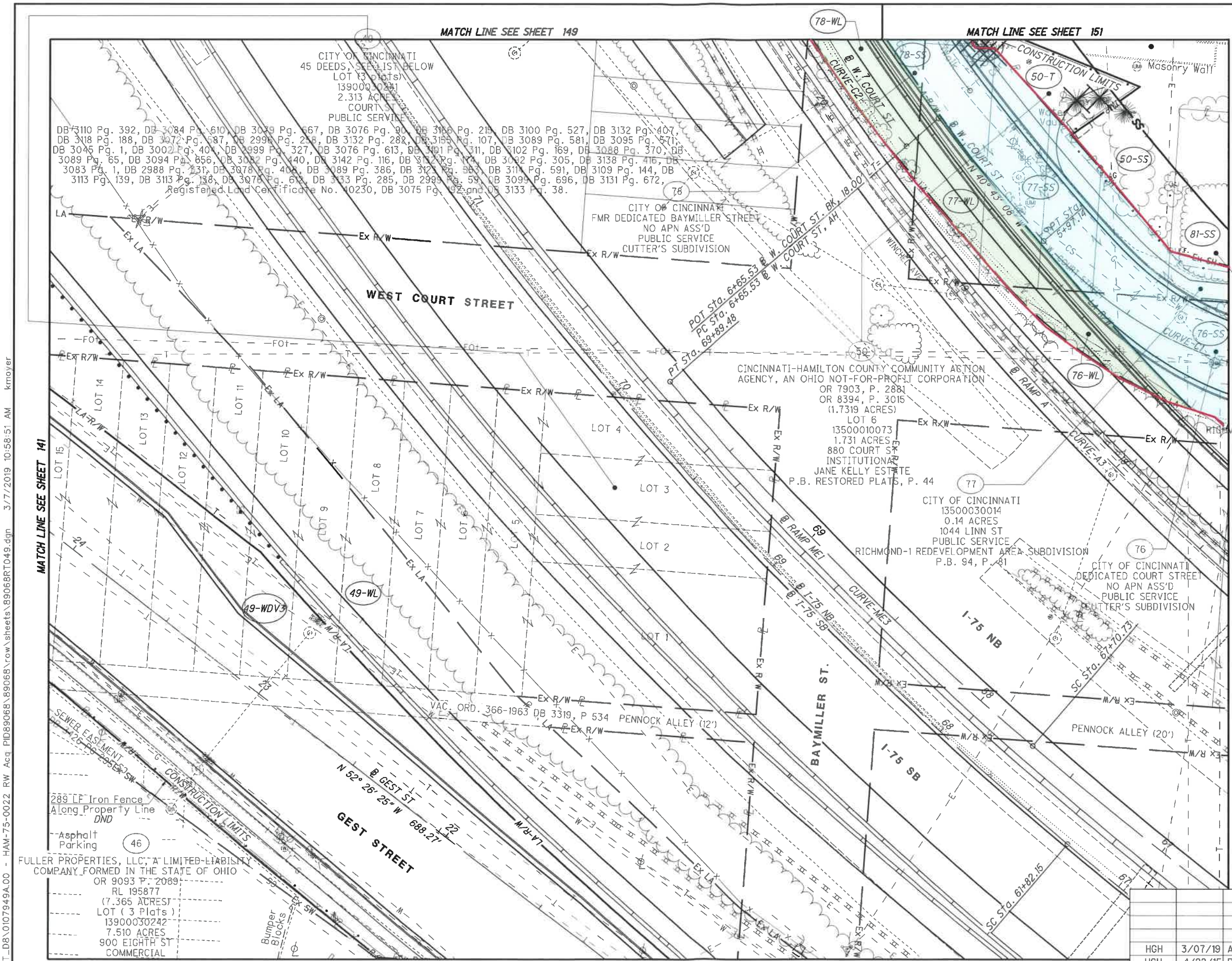


PID NO. **89068**
R/W DESIGNER RDH
R/W REVIEWER HIGH

RIGHT OF WAY TOPO SHEET
1-75

HAM-75-00.22

143
251



A. D. A. INVESTMENT GROUP, INC.
AN OHIO CORPORATION
OR 6015, P. 2229
(1.21655 ACRES)
LOT PART OF LOT 12
13500030018
0.722 ACRES
W. COURT ST
COMMERCIAL
RICHMOND-1 REDEVELOPMENT AREA SUBDIVISION
P.B. 94, P. 81

Q:\ODOT_D8\01079494.00 - HAM-75-00.22 RW Acq PID89068\89068\row\sheet\89068\BRT049.dgn 3/7/2019 10:58:51 AM kmoyer

REV. BY	DATE	DESCRIPTION
HGH	3/07/19	ADD PARCELS 76-WL, 77-WL, 78-WL
HGH	4/22/15	PARCEL 46 - UPDATE TOPO, REV. TEMPS
DATE COMPLETED 5/09/2014		

CITY OF CINCINNATI
45 DEEDS, SEE LIST BELOW
LOT (3 Plats)
13900030241
2.313 ACRES
COURT ST
PUBLIC SERVICE

DB 3110 Pg. 392, DB 3084 Pg. 610, DB 3029 Pg. 667, DB 3076 Pg. 90, DB 3106 Pg. 215, DB 3100 Pg. 527, DB 3132 Pg. 407,
DB 3118 Pg. 188, DB 3072 Pg. 687, DB 2996 Pg. 238, DB 3132 Pg. 282, DB 3155 Pg. 107, DB 3089 Pg. 581, DB 3095 Pg. 571,
DB 3045 Pg. 1, DB 3002 Pg. 40, DB 2999 Pg. 327, DB 3076 Pg. 613, DB 3101 Pg. 311, DB 3102 Pg. 169, DB 3088 Pg. 370, DB
3089 Pg. 65, DB 3094 Pg. 656, DB 3082 Pg. 440, DB 3142 Pg. 116, DB 3122 Pg. 172, DB 3092 Pg. 305, DB 3138 Pg. 416, DB
3083 Pg. 1, DB 2988 Pg. 231, DB 3078 Pg. 402, DB 3089 Pg. 386, DB 3122 Pg. 86, DB 3111 Pg. 591, DB 3109 Pg. 144, DB
3113 Pg. 139, DB 3113 Pg. 138, DB 3078 Pg. 612, DB 3133 Pg. 285, DB 2999 Pg. 59, DB 3099 Pg. 696, DB 3131 Pg. 672,
Registered Land Certificate No. 40230, DB 3075 Pg. 92 and DB 3133 Pg. 38.

CITY OF CINCINNATI
FMR DEDICATED BAYMILLER STREET
NO APN ASS'D
PUBLIC SERVICE
CUTTER'S SUBDIVISION

POT Sta. 6+65.53
PC Sta. 6+65.53
PT Sta. 69+89.48

CINCINNATI-HAMILTON COUNTY COMMUNITY ACTION
AGENCY, AN OHIO NOT-FOR-PROFIT CORPORATION
OR 7903, P. 2881
OR 8394, P. 3015
(1.7319 ACRES)
LOT 6
13500010073
1.731 ACRES
880 COURT ST
INSTITUTIONAL
JANE KELLY ESTATE
P.B. RESTORED PLATS, P. 44

CITY OF CINCINNATI
13500030014
0.14 ACRES
1044 LINN ST
PUBLIC SERVICE
RICHMOND-1 REDEVELOPMENT AREA SUBDIVISION
P.B. 94, P. 81

CITY OF CINCINNATI
DEDICATED COURT STREET
NO APN ASS'D
PUBLIC SERVICE
CUTTER'S SUBDIVISION

FULLER PROPERTIES, LLC, A LIMITED-LIABILITY
COMPANY FORMED IN THE STATE OF OHIO
OR 9093 P. 2069
RL 195877
(7.365 ACRES)
LOT (3 Plats)
13900030242
7.510 ACRES
900 EIGHTH ST
COMMERCIAL

MATCH LINE SEE SHEET 130

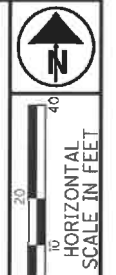
MATCH LINE SEE SHEET 141

MATCH LINE SEE SHEET 149

MATCH LINE SEE SHEET 151

MATCH LINE SEE SHEET 145

HAM-75-0.22
HAMILTON COUNTY
CINCINNATI TOWNSHIP
SEC. 24, TOWN 4, FR. 1
CITY OF CINCINNATI



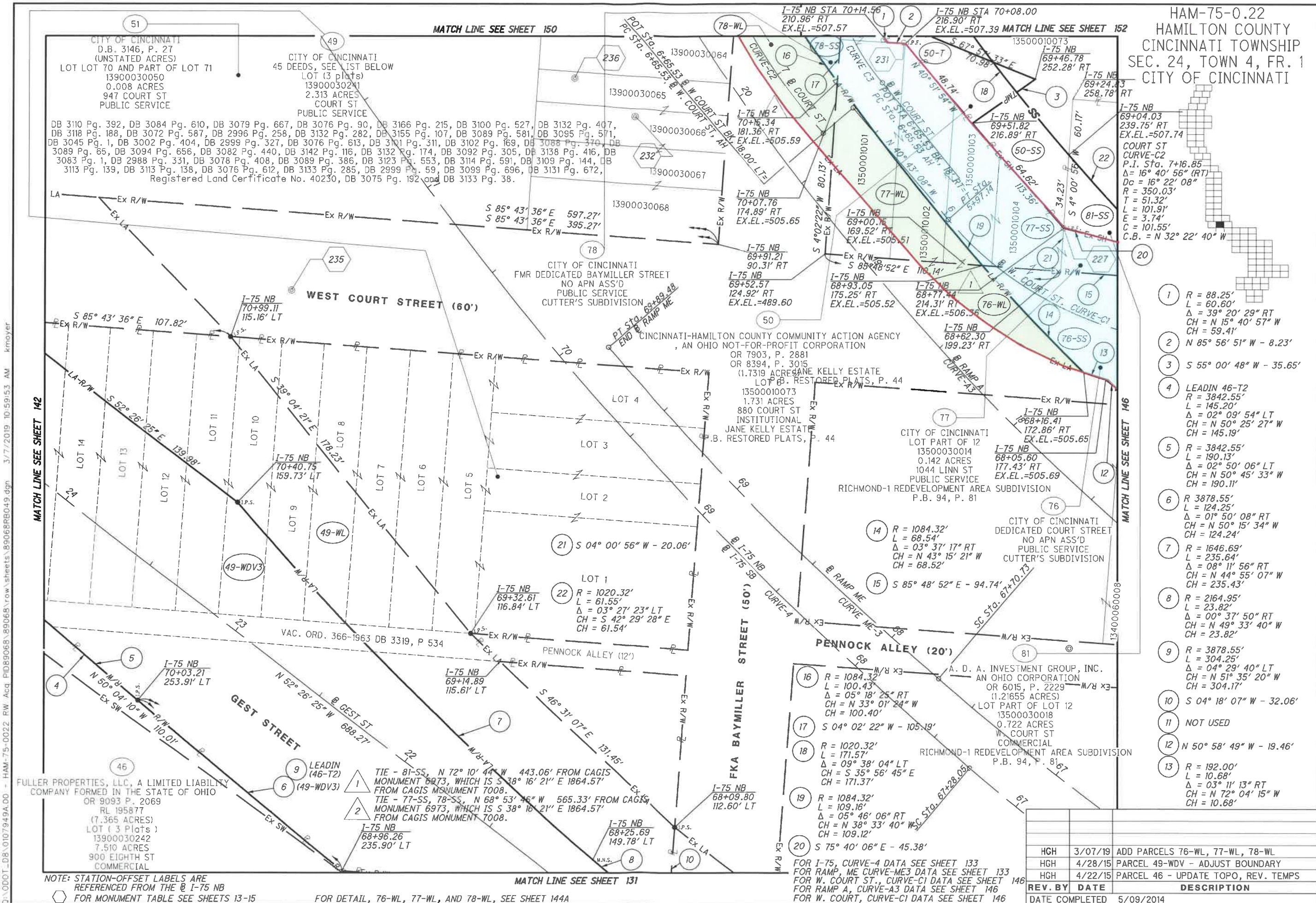
PID NO. 89068

R/W DESIGNER RDH
R/W REVIEWER HGH

RIGHT OF WAY BOUNDARY SHEET
I-75

HAM-75-00.22

144
251



- 1 R = 88.25'
L = 60.60'
Δ = 39° 20' 29" RT
CH = N 15° 40' 57" W
CH = 59.41'
- 2 N 85° 56' 51" W - 8.23'
- 3 S 55° 00' 48" W - 35.65'
- 4 LEADIN 46-T2
R = 3842.55'
L = 145.20'
Δ = 02° 09' 54" LT
CH = N 50° 25' 27" W
CH = 145.19'
- 5 R = 3842.55'
L = 190.13'
Δ = 02° 50' 06" LT
CH = N 50° 45' 33" W
CH = 190.11'
- 6 R 3878.55'
L = 124.25'
Δ = 01° 50' 08" RT
CH = N 50° 15' 34" W
CH = 124.24'
- 7 R = 1646.69'
L = 235.64'
Δ = 08° 11' 56" RT
CH = N 44° 55' 07" W
CH = 235.43'
- 8 R = 2164.95'
L = 23.82'
Δ = 00° 37' 50" RT
CH = N 49° 33' 40" W
CH = 23.82'
- 9 R = 3878.55'
L = 304.25'
Δ = 04° 29' 40" LT
CH = N 51° 35' 20" W
CH = 304.17'
- 10 S 04° 18' 07" W - 32.06'
- 11 NOT USED
- 12 N 50° 58' 49" W - 19.46'
- 13 R = 192.00'
L = 10.68'
Δ = 03° 11' 13" RT
CH = N 72° 04' 15" W
CH = 10.68'

FOR I-75, CURVE-4 DATA SEE SHEET 133
 FOR RAMP, ME CURVE-ME3 DATA SEE SHEET 133
 FOR W. COURT ST., CURVE-C1 DATA SEE SHEET 146
 FOR RAMP A, CURVE-A3 DATA SEE SHEET 146
 FOR W. COURT, CURVE-C1 DATA SEE SHEET 146

REV. BY	DATE	DESCRIPTION
HGH	3/07/19	ADD PARCELS 76-WL, 77-WL, 78-WL
HGH	4/28/15	PARCEL 49-WDV - ADJUST BOUNDARY
HGH	4/22/15	PARCEL 46 - UPDATE TOPO, REV. TEMPS
DATE COMPLETED 5/09/2014		

Q:\DOT\DB\0107949A.DWG - HAM-75-00.22 RW Acq PID89068-89068.rvt\sheet\89068RBO49.dgn 3/7/2019 10:59:53 AM kmoyer

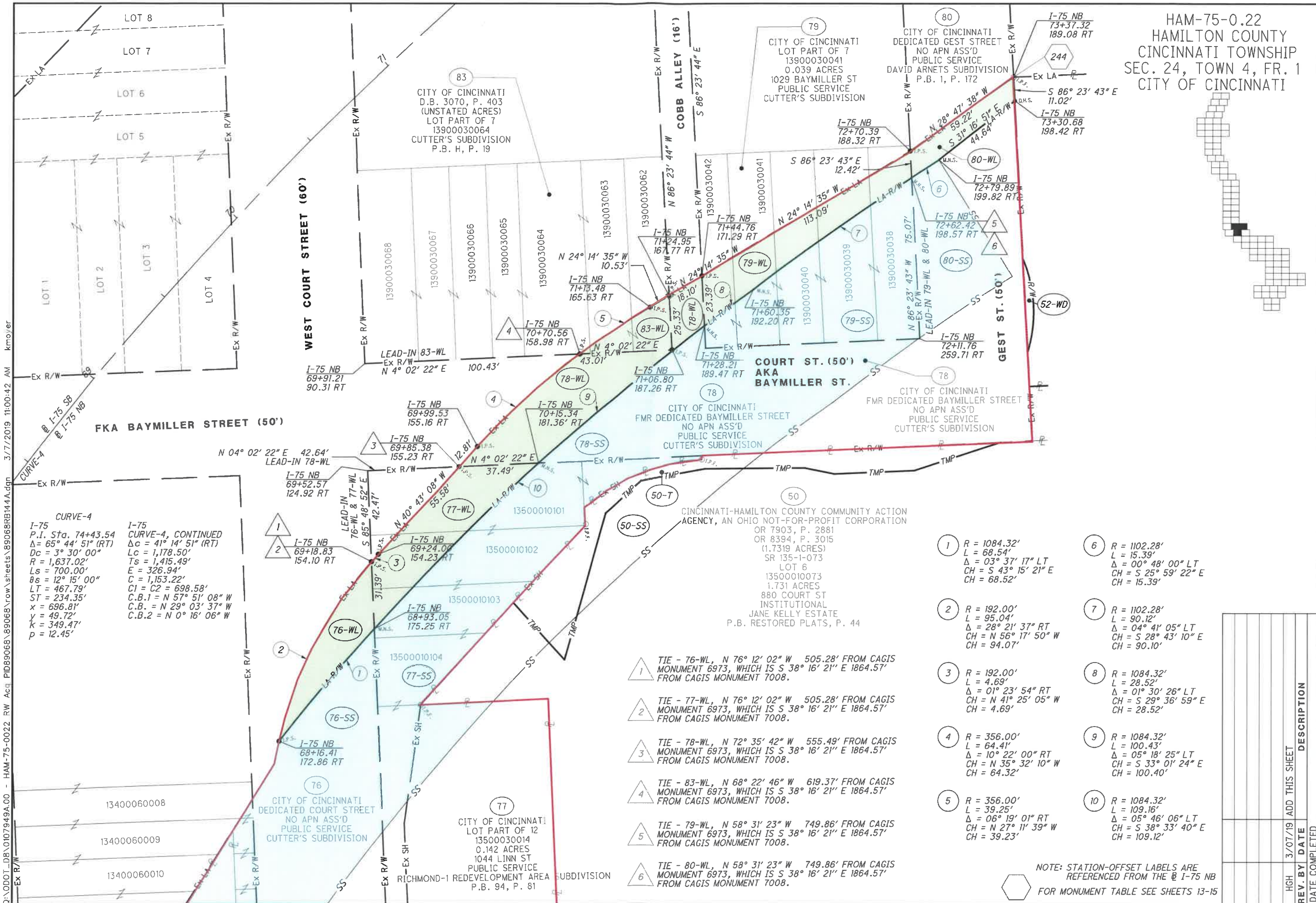
CITY OF CINCINNATI
 D.B. 3146, P. 27
 (UNSTATED ACRES)
 LOT LOT 70 AND PART OF LOT 71
 13900030050
 0.008 ACRES
 947 COURT ST
 PUBLIC SERVICE

CITY OF CINCINNATI
 45 DEEDS, SEE LIST BELOW
 LOT (3 PLATS)
 13900030241
 2.313 ACRES
 COURT ST
 PUBLIC SERVICE

DB 3110 Pg. 392, DB 3084 Pg. 610, DB 3079 Pg. 667, DB 3076 Pg. 90, DB 3166 Pg. 215, DB 3100 Pg. 527, DB 3132 Pg. 407, DB 3118 Pg. 188, DB 3072 Pg. 587, DB 2996 Pg. 258, DB 3132 Pg. 282, DB 3155 Pg. 107, DB 3089 Pg. 581, DB 3095 Pg. 571, DB 3045 Pg. 1, DB 3002 Pg. 404, DB 2999 Pg. 327, DB 3076 Pg. 613, DB 3101 Pg. 311, DB 3102 Pg. 169, DB 3088 Pg. 370, DB 3089 Pg. 65, DB 3094 Pg. 656, DB 3082 Pg. 440, DB 3142 Pg. 116, DB 3132 Pg. 174, DB 3092 Pg. 305, DB 3138 Pg. 416, DB 3083 Pg. 1, DB 2988 Pg. 331, DB 3078 Pg. 408, DB 3089 Pg. 386, DB 3123 Pg. 553, DB 3114 Pg. 591, DB 3109 Pg. 144, DB 3113 Pg. 139, DB 3113 Pg. 138, DB 3076 Pg. 612, DB 3133 Pg. 285, DB 2999 Pg. 59, DB 3099 Pg. 696, DB 3131 Pg. 672, Registered Land Certificate No. 40230, DB 3075 Pg. 192 and DB 3133 Pg. 38.

FULLER PROPERTIES, LLC, A LIMITED LIABILITY COMPANY FORMED IN THE STATE OF OHIO
 OR 9093 P. 2069
 RL 195877
 (7.365 ACRES)
 LOT (3 PLATS)
 13900030242
 7.510 ACRES
 900 EIGHTH ST
 COMMERCIAL

NOTE: STATION-OFFSET LABELS ARE REFERENCED FROM THE @ I-75 NB
 FOR MONUMENT TABLE SEE SHEETS 13-15
 MATCH LINE SEE SHEET 150
 MATCH LINE SEE SHEET 142
 MATCH LINE SEE SHEET 131
 MATCH LINE SEE SHEET 146
 FOR DETAIL, 76-WL, 77-WL, AND 78-WL, SEE SHEET 144A



HAM-75-0.22
 HAMILTON COUNTY
 CINCINNATI TOWNSHIP
 SEC. 24, TOWN 4, FR. 1
 CITY OF CINCINNATI



PID NO.
89068

R/W DESIGNER
 RDH
 R/W REVIEWER
 HGH

RIGHT OF WAY BOUNDARY SHEET
 I-75

HAM-75-00.22

DATE COMPLETED
 3/07/19
 ADD THIS SHEET
 DESCRIPTION
 144A
 251

Q:\DDOT\DB\0107949A.00 - HAM-75-00.22 RW Acq PID89068\89068\row\sheet\89068\RB144.dgn 3/7/2019 11:00:42 AM kmoyer

CURVE-4
 I-75
 P.I. Sta. 74+43.54
 $\Delta = 65^\circ 44' 51''$ (RT)
 $Dc = 3^\circ 30' 00''$
 $R = 1,637.02'$
 $Ls = 700.00'$
 $\theta_s = 12^\circ 15' 00''$
 $LT = 467.79'$
 $ST = 234.35'$
 $x = 696.81'$
 $y = 49.72'$
 $k = 349.47'$
 $p = 12.45'$

I-75
CURVE-4, CONTINUED
 $\Delta c = 41^\circ 14' 51''$ (RT)
 $Lc = 1,178.50'$
 $Ts = 1,415.49'$
 $E = 326.94'$
 $C = 1,153.22'$
 $C1 = C2 = 698.58'$
 $C.B.1 = N 57^\circ 51' 08'' W$
 $C.B. = N 29^\circ 03' 37'' W$
 $C.B.2 = N 0^\circ 16' 06'' W$

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1 TIE - 76-WL, N 76° 12' 02" W 505.28' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.</p> <p>2 TIE - 77-WL, N 76° 12' 02" W 505.28' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.</p> <p>3 TIE - 78-WL, N 72° 35' 42" W 555.49' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.</p> <p>4 TIE - 83-WL, N 68° 22' 46" W 619.37' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.</p> <p>5 TIE - 79-WL, N 58° 31' 23" W 749.86' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.</p> <p>6 TIE - 80-WL, N 58° 31' 23" W 749.86' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.</p> | <p>1 R = 1084.32'
L = 68.54'
$\Delta = 03^\circ 37' 17''$ LT
CH = S 43° 15' 21" E
CH = 68.52'</p> <p>2 R = 192.00'
L = 95.04'
$\Delta = 28^\circ 21' 37''$ RT
CH = N 56° 17' 50" W
CH = 94.07'</p> <p>3 R = 192.00'
L = 4.69'
$\Delta = 01^\circ 23' 54''$ RT
CH = N 41° 25' 05" W
CH = 4.69'</p> <p>4 R = 356.00'
L = 64.41'
$\Delta = 10^\circ 22' 00''$ RT
CH = N 35° 32' 10" W
CH = 64.32'</p> <p>5 R = 356.00'
L = 39.25'
$\Delta = 06^\circ 19' 01''$ RT
CH = N 27° 11' 39" W
CH = 39.23'</p> <p>6 R = 1102.28'
L = 15.39'
$\Delta = 03^\circ 37' 17''$ LT
CH = S 25° 59' 22" E
CH = 15.39'</p> <p>7 R = 1102.28'
L = 90.12'
$\Delta = 04^\circ 41' 05''$ LT
CH = S 28° 43' 10" E
CH = 90.10'</p> <p>8 R = 1084.32'
L = 28.52'
$\Delta = 01^\circ 30' 26''$ LT
CH = S 29° 36' 59" E
CH = 28.52'</p> <p>9 R = 1084.32'
L = 100.43'
$\Delta = 05^\circ 18' 25''$ LT
CH = S 33° 01' 24" E
CH = 100.40'</p> <p>10 R = 1084.32'
L = 109.16'
$\Delta = 05^\circ 46' 06''$ LT
CH = S 38° 33' 40" E
CH = 109.12'</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

NOTE: STATION-OFFSET LABELS ARE REFERENCED FROM THE @ I-75 NB FOR MONUMENT TABLE SEE SHEETS 13-15

HAM-75-00.22
HAMILTON COUNTY
CINCINNATI TOWNSHIP
SEC. 24, TOWN 4, FR. 1
CITY OF CINCINNATI



PTD NO. **89068**

R/W DESIGNER RDH
R/W REVIEWER HGH

RIGHT OF WAY TOPO SHEET
I-75

HAM-75-00.22

145
251

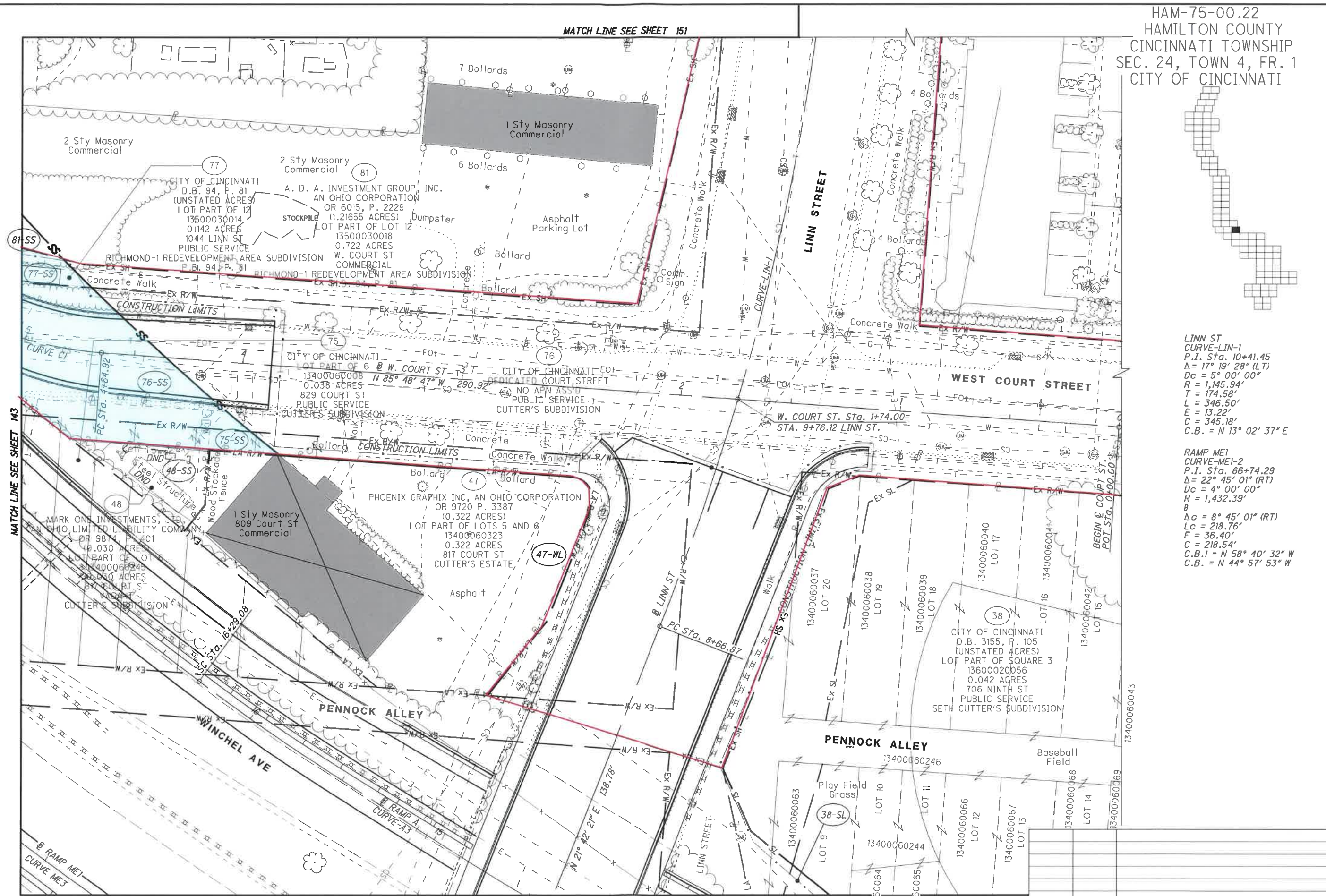
MATCH LINE SEE SHEET 151

MATCH LINE SEE SHEET 132

MATCH LINE SEE SHEET 143

LINN ST
CURVE-LIN-1
P.I. Sta. 10+41.45
 $\Delta = 17^\circ 19' 28''$ (LT)
Dc = $5^\circ 00' 00''$
R = 1,145.94'
T = 174.58'
L = 346.50'
E = 13.22'
C = 345.18'
C.B. = N $13^\circ 02' 37''$ E

RAMP ME1
CURVE-ME1-2
P.I. Sta. 66+74.29
 $\Delta = 22^\circ 45' 01''$ (RT)
Dc = $4^\circ 00' 00''$
R = 1,432.39'
T = 218.54'
Lc = 218.76'
E = 36.40'
C = 218.54'
C.B.1 = N $58^\circ 40' 32''$ W
C.B. = N $44^\circ 57' 53''$ W



G:\ODOT\DB\0107949A.00 - HAM-75-0022.RW Acq PID89068\89068\row\sheets\89068\RTD50.dgn 4/5/2017 2:11:37 PM cbruno

REV. BY	DATE	DESCRIPTION
	5/09/2014	

HAM-75-00.22
HAMILTON COUNTY
CINCINNATI TOWNSHIP
SEC. 24, TOWN 4, FR. 1
CITY OF CINCINNATI



PID NO. 89068

R/W DESIGNER RDH
R/W REVIEWER HGH

RIGHT OF WAY BOUNDARY SHEET

I-75

HAM-75-00.22

146
251

MATCH LINE SEE SHEET 152

MATCH LINE SEE SHEET 133

1 TIE - 47-WL, S 68° 01' 48" W 198.55' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.
2 TIE - 48-SS, N 89° 53' 41" W 322.75' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.
3 TIE - 75-SS, 76-SS, N 81° 05' 06" W 295.75' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.

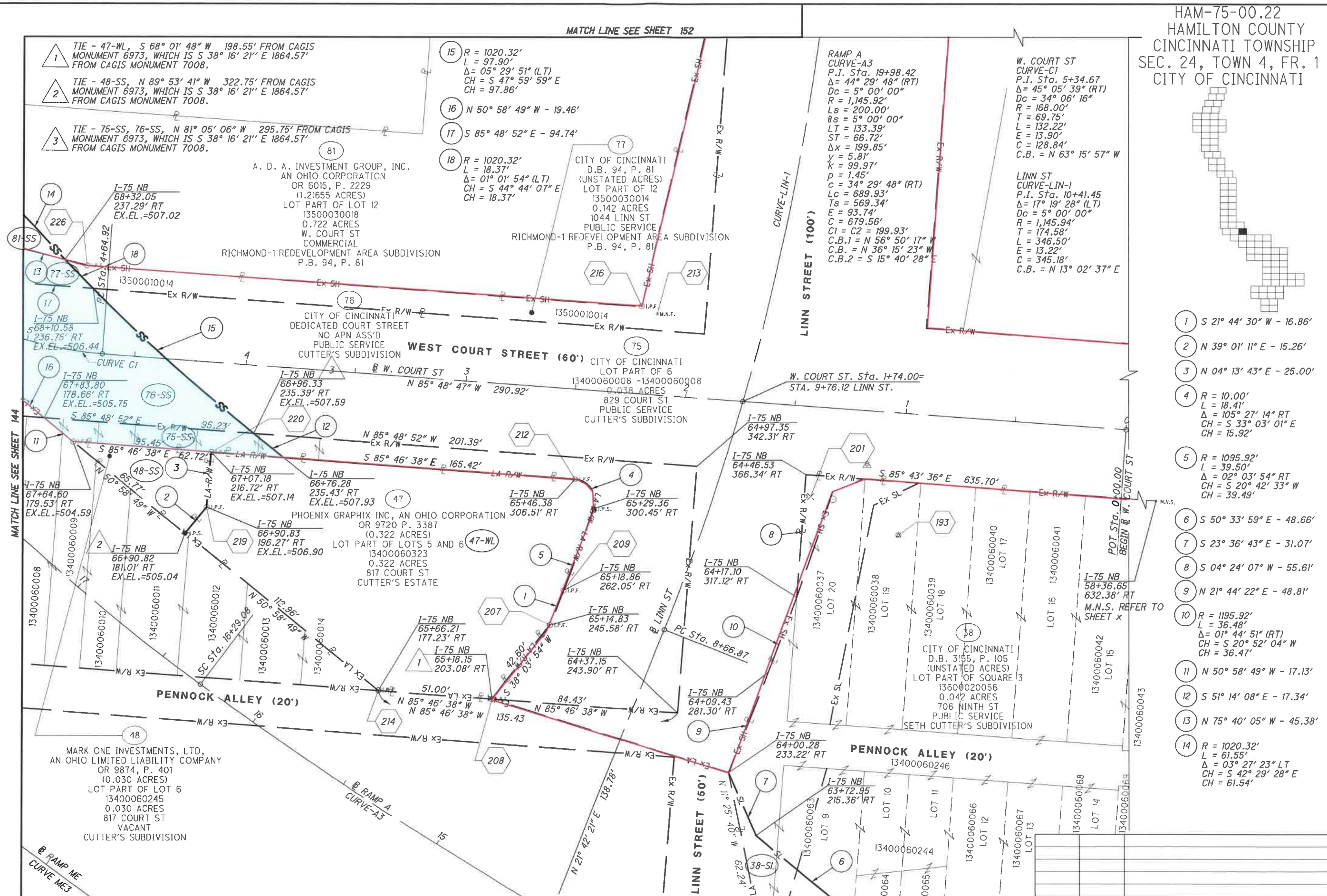
15 R = 1020.32'
L = 97.90'
Δ = 05° 29' 51" (LT)
CH = S 47° 59' 59" E
CH = 97.86'
16 N 50° 58' 49" W - 19.46'
17 S 85° 48' 52" E - 94.74'
18 R = 1020.32'
L = 18.37'
Δ = 01° 01' 54" (LT)
CH = S 44° 44' 07" E
CH = 18.37'

RAMP A
CURVE-A3
P.I. Sta. 19+98.42
Δ = 44° 29' 48" (RT)
Dc = 5° 00' 00"
R = 1,145.92'
Ls = 200.00'
Bs = 5° 00' 00"
LT = 133.39'
ST = 66.72'
Δx = 199.85'
y = 5.81'
k = 99.97'
p = 1.45'
c = 34° 29' 48" (RT)
Lc = 689.93'
Ts = 569.34'
E = 93.74'
C = 679.56'
C1 = C2 = 199.93'
C.B.1 = N 56° 50' 17" W
C.B.2 = S 15° 40' 28" E

W. COURT ST
CURVE-C1
P.I. Sta. 5+34.67
Δ = 45° 05' 39" (RT)
Dc = 34° 06' 16"
R = 168.00'
T = 69.75'
L = 132.22'
E = 13.90'
C = 128.84'
C.B. = N 63° 15' 57" W

LINN ST
CURVE-LIN-1
P.I. Sta. 10+41.45
Δ = 17° 19' 28" (LT)
Dc = 5° 00' 00"
R = 1,145.94'
T = 174.58'
L = 346.50'
E = 13.22'
C = 345.18'
C.B. = N 13° 02' 37" E

- 1 S 21° 44' 30" W - 16.86'
- 2 N 39° 01' 11" E - 15.26'
- 3 N 04° 13' 43" E - 25.00'
- 4 R = 10.00'
L = 18.41'
Δ = 105° 27' 14" RT
CH = S 33° 03' 01" E
CH = 15.92'
- 5 R = 1095.92'
L = 39.50'
Δ = 02° 03' 54" RT
CH = S 20° 42' 33" W
CH = 39.49'
- 6 S 50° 33' 59" E - 48.66'
- 7 S 23° 36' 43" E - 31.07'
- 8 S 04° 24' 07" W - 55.61'
- 9 N 21° 44' 22" E - 48.81'
- 10 R = 1195.92'
L = 36.48'
Δ = 01° 44' 51" (RT)
CH = S 20° 52' 04" W
CH = 36.47'
- 11 N 50° 58' 49" W - 17.13'
- 12 S 51° 14' 08" E - 17.34'
- 13 N 75° 40' 05" W - 45.38'
- 14 R = 1020.32'
L = 61.55'
Δ = 03° 27' 23" LT
CH = S 42° 29' 28" E
CH = 61.54'



MATCH LINE SEE SHEET 144

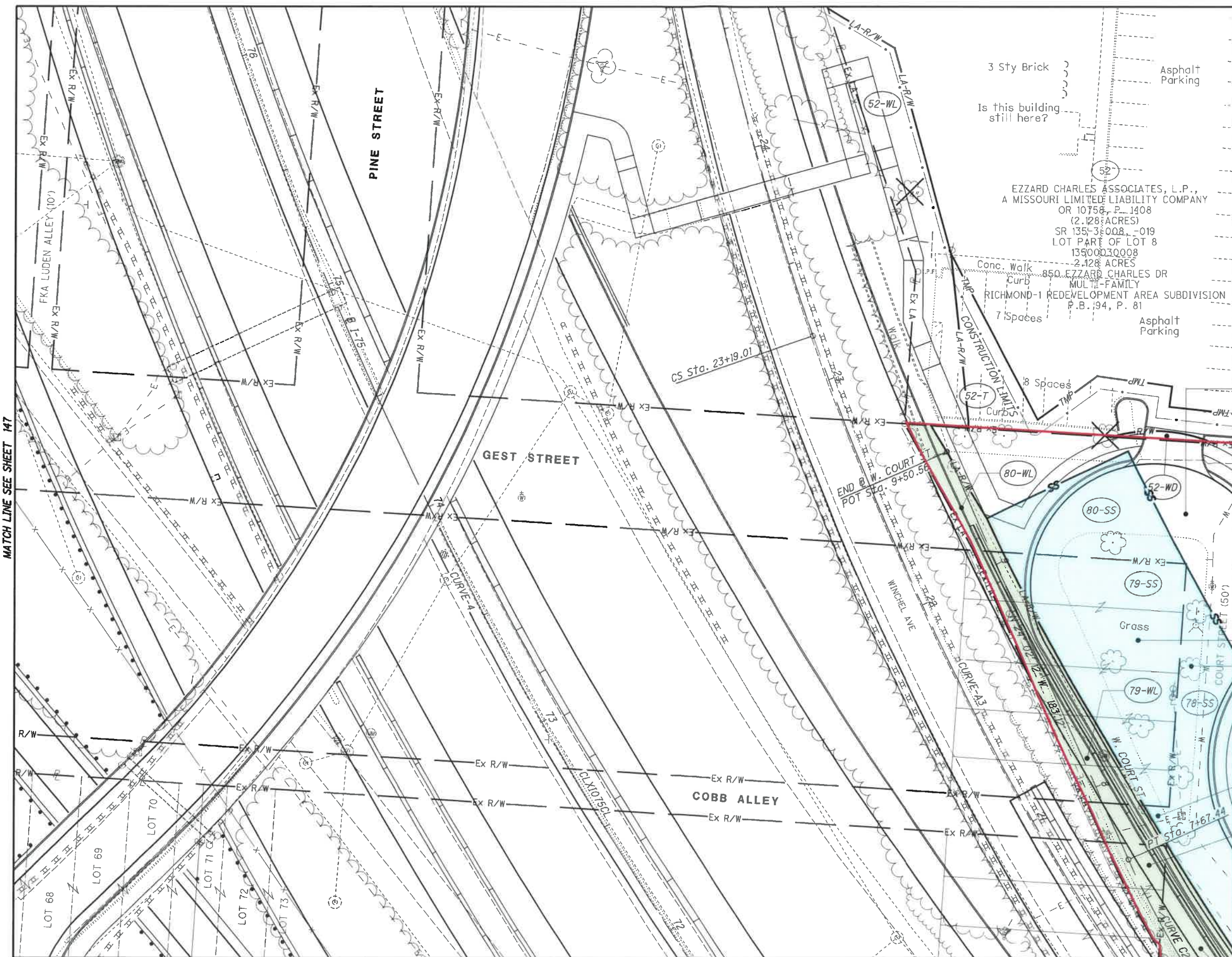
NOTE: STATION-OFFSET LABELS ARE REFERENCED FROM THE @ I-75 NB FOR MONUMENT TABLE SEE SHEETS 13-15

FOR RAMP ME CURVE ME3 DATA SEE SHEET 133

Q:\DOT\DB\0107949A.00 - HAM-75-00.22 RW Acq PID89068\89068\row\sheet\89068R050.dgn 4/5/2017 2:11:41 PM dbruno

Q:\ODCT_D8\0107949A.00 - HAM-75-00.22 RW Acq PID89068\89068\row\sheet\89068RT052.dgn 3/7/2019 11:01:47 AM kmoyer

MATCH LINE SEE SHEET 155



MATCH LINE SEE SHEET 147

MATCH LINE SEE SHEET 151

MATCH LINE SEE SHEET 141

MATCH LINE SEE SHEET 143

HAM-75-00.22
HAMILTON COUNTY
CINCINNATI TOWNSHIP
SEC. 24, TOWN 4, FR. 1
CITY OF CINCINNATI

3 Sty Brick
Asphalt Parking
Is this building still here?
EZZARD CHARLES ASSOCIATES, L.P.,
A MISSOURI LIMITED LIABILITY COMPANY
OR 10758, P. 1408
(2.128 ACRES)
SR 135-3-008, -019
LOT PART OF LOT 8
1390030008
2.128 ACRES
850 EZZARD CHARLES DR
MUL-FAMILY
RICHMOND-1 REDEVELOPMENT AREA SUBDIVISION
P.B. 194, P. 81

- 80 CITY OF CINCINNATI
DEDICATED GEST STREET
NO APN ASS'D
PUBLIC SERVICE
DAVID ARNETS SUBDIVISION
P.B. 1, P. 172
- 79 CITY OF CINCINNATI
LOT PART OF 7
1390030038
0.039 ACRES
1029 BAYMILLER ST
PUBLIC SERVICE
CUTTER'S SUBDIVISION
- 78 CITY OF CINCINNATI
FMR DEDICATED BAYMILLER STREET
NO APN ASS'D
PUBLIC SERVICE
CUTTER'S SUBDIVISION



PID NO. **89068**
R/W DESIGNER RDH
R/W REVIEWER HGH

RIGHT OF WAY TOPO SHEET
1-75

HAM-75-00.22

149
251

REV. BY	DATE	DESCRIPTION
HGH	3/07/19	ADD PARCELS 78-WL, 79-WL, 80-WL, 83-WL

HAM-75-00.22
HAMILTON COUNTY
CINCINNATI TOWNSHIP
SEC. 24, TOWN 4, FR. 1
CITY OF CINCINNATI



PID NO. **89068**

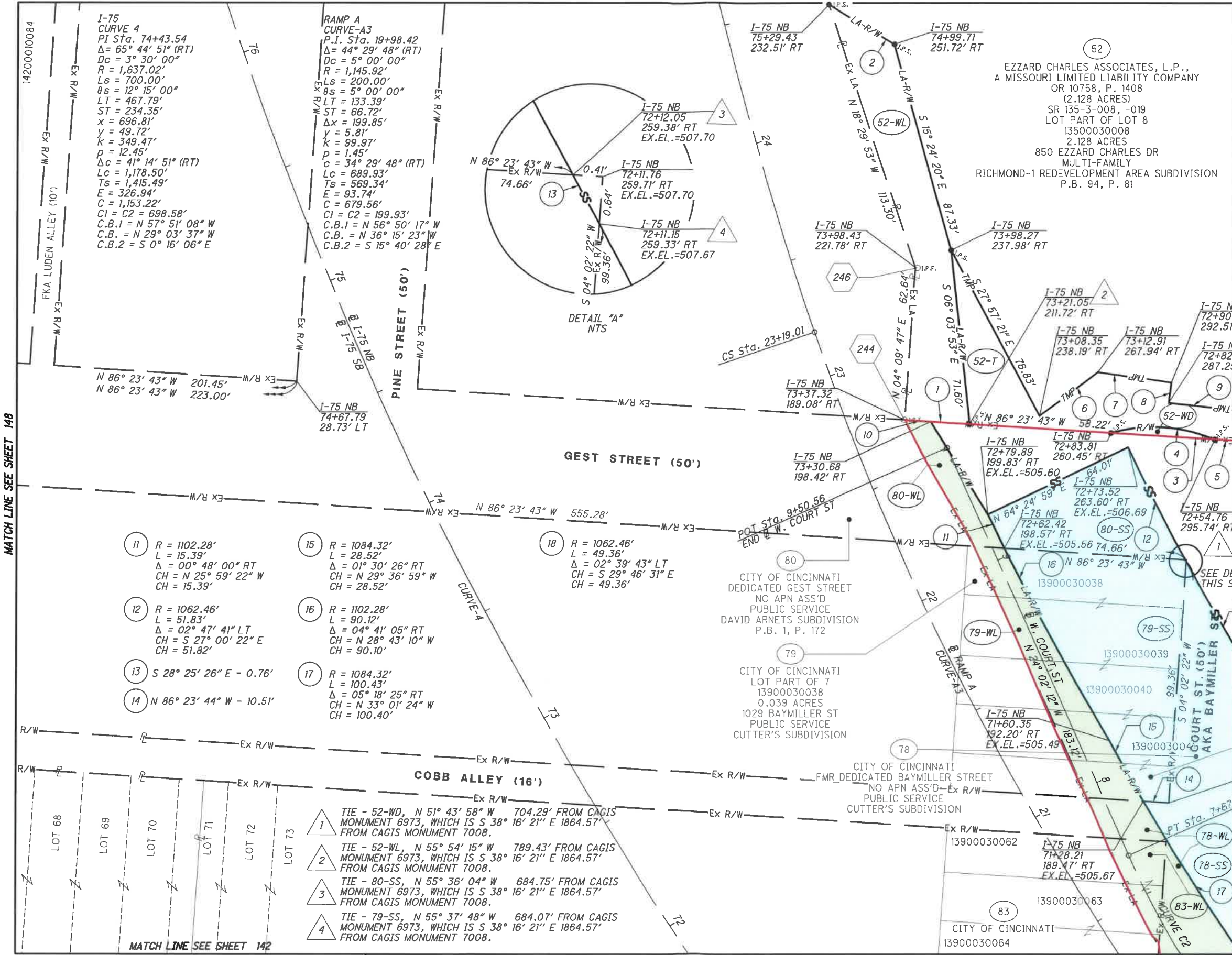
R/W DESIGNER RDH
R/W REVIEWER HGH

RIGHT OF WAY BOUNDARY SHEET
I-75

HAM-75-00.22

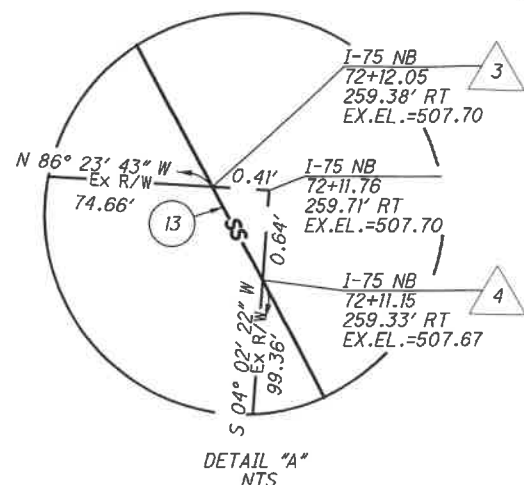
DATE COMPLETED
150
251

MATCH LINE SEE SHEET 156



I-75 CURVE 4
PI Sta. 74+43.54
 $\Delta = 65^\circ 44' 51''$ (RT)
Dc = 3° 30' 00"
R = 1,637.02'
Ls = 700.00'
 $\theta_s = 12^\circ 15' 00''$
LT = 467.79'
ST = 234.35'
x = 696.81'
y = 49.72'
K = 349.47'
p = 12.45'
 $\Delta c = 41^\circ 14' 51''$ (RT)
Lc = 1,178.50'
Ts = 1,415.49'
E = 326.94'
C = 1,153.22'
C1 = C2 = 698.58'
C.B.1 = N 57° 51' 08" W
C.B.2 = N 29° 03' 37" W
C.B.2 = S 0° 16' 06" E

RAMP A CURVE-A3
P.I. Sta. 19+98.42
 $\Delta = 44^\circ 29' 48''$ (RT)
Dc = 5° 00' 00"
R = 1,145.92'
Ls = 200.00'
 $\theta_s = 5^\circ 00' 00''$
LT = 133.39'
ST = 66.72'
 $\Delta x = 199.85'$
y = 5.81'
K = 99.97'
p = 1.45'
c = 34° 29' 48" (RT)
Lc = 689.93'
Ts = 569.34'
E = 93.74'
C = 679.56'
C1 = C2 = 199.93'
C.B.1 = N 56° 50' 17" W
C.B.2 = S 15° 40' 28" E



N 86° 23' 43" W 201.45'
N 86° 23' 43" W 223.00'

I-75 NB
74+67.79
28.73' LT

11 R = 1102.28'
L = 15.39'
 $\Delta = 00^\circ 48' 00''$ RT
CH = N 25° 59' 22" W
CH = 15.39'

12 R = 1062.46'
L = 51.83'
 $\Delta = 02^\circ 47' 41''$ LT
CH = S 27° 00' 22" E
CH = 51.82'

13 S 28° 25' 26" E - 0.76'
14 N 86° 23' 44" W - 10.51'

15 R = 1084.32'
L = 28.52'
 $\Delta = 01^\circ 30' 26''$ RT
CH = N 29° 36' 59" W
CH = 28.52'

16 R = 1102.28'
L = 90.12'
 $\Delta = 04^\circ 41' 05''$ RT
CH = N 28° 43' 10" W
CH = 90.10'

17 R = 1084.32'
L = 100.43'
 $\Delta = 05^\circ 18' 25''$ RT
CH = N 33° 01' 24" W
CH = 100.40'

18 R = 1062.46'
L = 49.36'
 $\Delta = 02^\circ 39' 43''$ LT
CH = S 29° 46' 31" E
CH = 49.36'

1 TIE - 52-WD, N 51° 43' 58" W 704.29' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.

2 TIE - 52-WL, N 55° 54' 15" W 789.43' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.

3 TIE - 80-SS, N 55° 36' 04" W 684.75' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.

4 TIE - 79-SS, N 55° 37' 48" W 684.07' FROM CAGIS MONUMENT 6973, WHICH IS S 38° 16' 21" E 1864.57' FROM CAGIS MONUMENT 7008.

NOTE: STATION-OFFSET LABELS ARE REFERENCED FROM THE I-75 NB FOR MONUMENT TABLE SEE SHEETS 13-15

MATCH LINE SEE SHEET 144

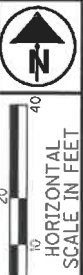
FOR DETAIL, 78-WL, 79-WL, 80-WL & 83-WL, SEE SHEET 144A

FOR COURT ST CURVE C2 DATA SEE SHEET 144

- 1 N 86° 23' 43" W - 26.76'
- 2 S 59° 20' 22" E - 31.79'
- 3 N 86° 23' 43" W - 42.74'
- 4 R = 63.50'
L = 43.59'
 $\Delta = 39^\circ 20' 05''$ RT
CH = S 86° 23' 43" E
CH = 42.74'
- 5 N 86° 23' 43" W - 16.45'
- 6 N 53° 20' 06" E - 30.00'
- 7 S 82° 10' 35" E - 30.94'
- 8 S 07° 49' 25" W - 8.49'
- 9 S 83° 52' 39" E - 36.25'
- 10 N 86° 23' 43" W - 11.02'

Q:\DOT_D8\0107949A.00 - HAM-75-0022 RW Acq PID89068\89068\row\sheet\89068R052.dgn 3/7/2019 11:02:57 AM kmover

HAM-75-00.22
HAMILTON COUNTY
CINCINNATI TOWNSHIP
SEC. 24, TOWN 4, FR. 1
CITY OF CINCINNATI



R/W DESIGNER RDH
R/W REVIEWER GHG
PID NO. **89068**

RIGHT OF WAY TOPO SHEET
1-75

HAM-75-00.22

151
251

REV. BY	DATE	DESCRIPTION
	5/09/2014	



G:\DDOT_DB\0107949A.00 - HAM-75-00.22 RW Acq PID89068\89068\row\sheet\89068RT053.dgn 4/5/2017 2:12:04 PM dbruno

52-T

MATCH LINE SEE SHEET 149

78-SS

50-T

50-SS

77-SS

MATCH LINE SEE SHEET 143

MATCH LINE SEE SHEET 145

HAM-75-00.22
HAMILTON COUNTY
CINCINNATI TOWNSHIP
SEC. 24, TOWN 4, FR. 1
CITY OF CINCINNATI



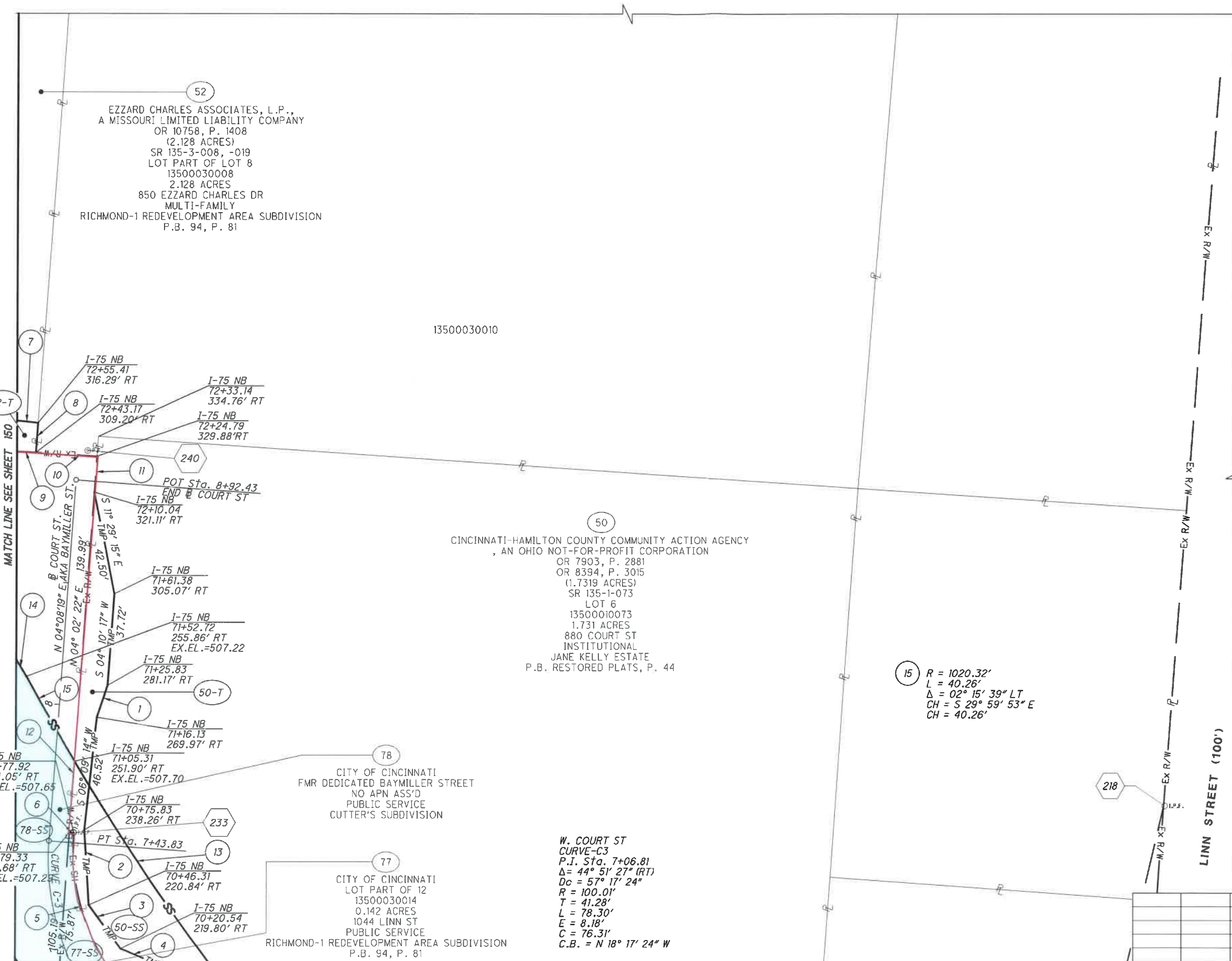
P/D NO. **89068**
R/W DESIGNER RDH
R/W REVIEWER HGH

RIGHT OF WAY BOUNDARY SHEET
I-75

HAM-75-00.22

152
251

Q:\DDT_D8\0107949A.00 - HAM-75-00.22 RW Acq PID89068\89068\row\sheet\89068RB053.dgn 4/5/2017 2:12:08 PM dbrunc



52
EZZARD CHARLES ASSOCIATES, L.P.,
A MISSOURI LIMITED LIABILITY COMPANY
OR 10758, P. 1408
(2.128 ACRES)
SR 135-3-008, -019
LOT PART OF LOT 8
13500030008
2.128 ACRES
850 EZZARD CHARLES DR
MULTI-FAMILY
RICHMOND-1 REDEVELOPMENT AREA SUBDIVISION
P.B. 94, P. 81

13500030010

50
CINCINNATI-HAMILTON COUNTY COMMUNITY ACTION AGENCY
, AN OHIO NOT-FOR-PROFIT CORPORATION
OR 7903, P. 2881
OR 8394, P. 3015
(1.7319 ACRES)
SR 135-1-073
LOT 6
13500010073
1.731 ACRES
880 COURT ST
INSTITUTIONAL
JANE KELLY ESTATE
P.B. RESTORED PLATS, P. 44

78
CITY OF CINCINNATI
FMR DEDICATED BAYMILLER STREET
NO APN ASS'D
PUBLIC SERVICE
CUTTER'S SUBDIVISION

77
CITY OF CINCINNATI
LOT PART OF 12
13500030014
0.142 ACRES
1044 LINN ST
PUBLIC SERVICE
RICHMOND-1 REDEVELOPMENT AREA SUBDIVISION
P.B. 94, P. 81

W. COURT ST
CURVE-C3
P.I. Sta. 7+06.81
 $\Delta = 44^\circ 51' 27''$ (RT)
Dc = 57' 17" 24"
R = 100.01'
L = 78.30'
E = 8.18'
C = 76.31'
C.B. = N 18° 17' 24" W

15
R = 1020.32'
L = 40.26'
 $\Delta = 02^\circ 15' 39''$ LT
CH = S 29° 59' 53" E
CH = 40.26'

- 1 S 18° 19' 13" W - 13.81'
- 2 S 03° 33' 57" E - 30.79'
- 3 S 36° 20' 00" E - 22.32'
- 4 S 67° 57' 33" E - 70.98'
- 5 R = 88.25'
L = 60.60'
 $\Delta = 39^\circ 20' 29''$ RT
CH = N 15° 40' 57" W
CH = 59.41'
- 6 N 85° 59' 04" W - 1.83'
- 7 S 83° 52' 39" E - 36.25'
- 8 S 04° 09' 47" W - 12.18'
- 9 N 86° 23' 43" W - 16.45'
- 10 N 86° 23' 43" W - 25.43'
- 11 S 04° 02' 22" W - 22.96'
- 12 N 04° 02' 22" E - 29.31'
- 13 R = 1020.32'
L = 171.57'
 $\Delta = 09^\circ 38' 04''$ LT
CH = S 35° 56' 45" E
CH = 171.36'
- 14 R = 1062.46'
L = 49.36'
 $\Delta = 02^\circ 39' 43''$ LT
CH = S 29° 46' 31" E
CH = 49.36'

NOTE: STATION-OFFSET LABELS ARE REFERENCED FROM THE @ I-75 NB FOR MONUMENT TABLE SEE SHEETS 13-15

MATCH LINE SEE SHEET 146

REV. BY	DATE	DESCRIPTION
	5/09/2014	

May 12, 2021

To: Mayor and Members of City Council 202101691
From: Paula Boggs Muething, City Manager
Subject: **Emergency Ordinance – Plush Settlement Expenditure**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the receipt of judgment bond proceeds of the sum of \$6,250,000 into Judgment Bond Fund 815; **AUTHORIZING** the expenditure of the sum of \$6,250,000 from Judgment Bond Fund 815 for the purpose of making payments for settlements and judgments against the City.

This Emergency Ordinance authorizes the receipt of judgment bond proceeds in the amount of \$6,250,000 into Judgment Bond Fund 815. These funds will be used to make payments for settlements and judgments against the City, specifically for the settlement in the *Ron Plush, et al. vs. City of Cincinnati, et al.*, Hamilton County Common Pleas Case Number A1903752. The settlement has been approved by the United States District Court for the Southern District of Ohio in an order in Case Number 21-MC-0004.

The settlement calls for a payment of \$6,000,000 to the Kyle Plush Qualified Settlement Fund to pay damages to the Plaintiffs. Additionally, a \$250,000 payment will be made to the Kyle Plush Qualified Settlement Fund to fund an independent team of experts to identify and facilitate continuous improvement of the functions of the Emergency Communications Center (ECC).

The reason for the emergency is the immediate need to accomplish the authorized transactions so that the funding described herein is in place immediately to comply with the monetary terms of the settlement agreement in the case of *Ron Plush, et al. vs. City of Cincinnati, et al.*, Hamilton County Common Pleas Case Number A1903752.

The Administration recommends passage of this Emergency Ordinance.

cc: Christopher A. Bigham, Assistant City Manager
Karen Alder, Finance Director

Attachment

EMERGENCY

EESW

- 2021

AUTHORIZING the receipt of judgment bond proceeds of the sum of \$6,250,000 into Judgment Bond Fund 815; **AUTHORIZING** the expenditure of the sum of \$6,250,000 from Judgment Bond Fund 815 for the purpose of making payments for settlements and judgments against the City.

WHEREAS, the City and some of its officials were defendants to the lawsuit captioned *Ron Plush, et al. vs. City of Cincinnati, et al.*, Hamilton County Common Pleas Case Number A1903752 for which there is a settlement agreement which has been approved by the United States District Court for the Southern District of Ohio in an order in Case Number 21-MC-0004; and

WHEREAS, the settlement, negotiated by the parties to the lawsuit with the assistance of an independent mediator, requires payment of \$6,000,000 to the Kyle Plush Qualified Settlement Fund, which was established by an order of the United States District Court for the Southern District of Ohio, for the purpose of paying damages to Plaintiffs; and

WHEREAS, the settlement requires a \$250,000 payment to the Kyle Plush Qualified Settlement Fund for the purpose of funding an independent team of experts to identify and facilitate continuous improvement of the functions of the Emergency Communications Center (ECC); and

WHEREAS, the City will issue judgment bonds to provide for the funds required to make these payments required by the settlement, and the proceeds of the judgment bonds will be deposited into Judgment Bond Fund 815; and

WHEREAS, payment of the funds to the Kyle Plush Qualified Settlement Fund will be made from Judgment Bond Fund 815; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Council hereby authorizes the receipt of judgment bond proceeds of the sum of \$6,250,000 into Judgment Bond Fund 815.

Section 2. That the expenditure of \$6,250,000 is hereby authorized from Judgment Bond Fund 815 for the purpose of providing payments into the Kyle Plush Qualified Settlement Fund which are required by the settlement agreed to in the case of *Ron Plush, et al. vs. City of Cincinnati, et al.*, Hamilton County Common Pleas Case Number A1903752.

Section 3. That the appropriate City officers are hereby authorized to do all things necessary and proper to implement the provisions of Sections 1 and 2 herein.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accomplish the authorized transactions so that the funding described herein is in place immediately to comply with the monetary terms of the settlement agreement in the case of *Ron Plush, et al. vs. City of Cincinnati, et al.*, Hamilton County Common Pleas Case Number A1903752.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

May 12, 2021

202101697

To: Mayor and Members of City Council
From: Paula Boggs Muething, City Manager
Subject: **Emergency Ordinance for Issuance of \$6,250,000 Judgment Bonds**

Transmitted herewith is an Emergency Ordinance captioned as follows:

PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED \$6,250,000 OF JUDGMENT BONDS, OR NOTES IN ANTICIPATION THEREOF, OF THE CITY OF CINCINNATI, COUNTY OF HAMILTON, STATE OF OHIO, FOR THE PURPOSE OF PAYING A FINAL JUDGMENT AND COSTS ASSOCIATED THEREWITH; AUTHORIZING A PLEDGE OF THE CITY'S FAITH AND CREDIT OR A PLEDGE OF AND LIEN ON CERTAIN REVENUES AND OTHER CITY RESOURCES, AS APPROPRIATE, TO SECURE SUCH BONDS OR NOTES; AND AUTHORIZING NECESSARY DOCUMENTS TO SECURE SUCH BONDS OR NOTES.

This Emergency Ordinance authorizes the Finance Director to proceed with the sale of judgment bonds in the amount of \$6,250,000 for the purpose of paying a negotiated and court approved settlement of *Ron Plush v. City of Cincinnati*, Hamilton County Common Pleas Case Number A1903752. The bonds will be supported by property tax revenue, the term of the bonds will not exceed 25 years, and the interest rate is expected to be below 6.00%. An Emergency Ordinance is necessary to fulfill the obligations of the settlement agreement in a timely manner.

This Emergency Ordinance is recommended for approval. The settlement is contingent upon Council passage of this ordinance. If there are questions about the reasoning behind recommending settlement of this litigation, the Administration recommends that City Council or the Council committee adjourn into executive session so that the attorneys from the Law Department can fully answer those question to the entire body while maintaining the attorney-client privilege.

cc: Karen Alder, Finance Director
Chris Bigham, Assistant City Manager
William Weber, Assistant City Manager

{00337456-1}

EMERGENCY

-2021

PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED \$6,250,000 OF JUDGMENT BONDS, OR NOTES IN ANTICIPATION THEREOF, OF THE CITY OF CINCINNATI, COUNTY OF HAMILTON, STATE OF OHIO, FOR THE PURPOSE OF PAYING A FINAL JUDGMENT AND COSTS ASSOCIATED THEREWITH; AUTHORIZING A PLEDGE OF THE CITY'S FAITH AND CREDIT OR A PLEDGE OF AND LIEN ON CERTAIN REVENUES AND OTHER CITY RESOURCES, AS APPROPRIATE, TO SECURE SUCH BONDS OR NOTES; AND AUTHORIZING NECESSARY DOCUMENTS TO SECURE SUCH BONDS OR NOTES.

WHEREAS, the City of Cincinnati (the "Issuer") and Jill Plush, individually, and Ron Plush, individually and as Administrator of the Estate of Kyle Plush (as each is defined in the Settlement described below) (collectively, the "Plaintiffs") have agreed to settle the lawsuit captioned *Ron Plush, et al., v. City of Cincinnati, et al*, Court of Common Pleas, Hamilton County, Ohio, case no. A1903752, which lawsuit involved the response of first responders, including City of Cincinnati employees, to calls for assistance; and

WHEREAS, the settlement with the Plaintiffs is established by the terms of the Settlement Agreement and Release dated April 15, 2021 (the "Settlement"), the terms and conditions of which were the result of good faith, arm's length settlement negotiations facilitated by an independent mediator and which have been reviewed and approved by Plaintiffs, Plaintiffs' attorneys, the Cincinnati City Manager, the City Solicitor, the attorney for certain individual defendants and the United States District Court for the Southern District of Ohio pursuant to an order in Case Number 21-MC-00004 entered by the Honorable Magistrate Judge Stephanie Bowman on May 3, 2021; and

WHEREAS, pursuant to the requirements of Section 133.14 of the Ohio Revised Code, the Director of Finance, as fiscal officer of the Issuer, has certified to this Council that the Issuer is unable, within the limits of its other funds that have been appropriated and are available for such purpose, to pay the amounts required by the Settlement; and

WHEREAS, this Council, as the Issuing Authority (the "Issuing Authority"), has determined to issue its judgment bonds, or notes in anticipation thereof, to pay the amounts required by the Settlement, pursuant to the authority granted by Section 133.14; and

WHEREAS, this Issuing Authority by this ordinance authorizes the issuance of bonds or notes to provide such funding; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. Definitions. When used in this Ordinance, and the Indenture (as hereinafter defined), if any, the following words shall have the indicated meanings:

“Authorized Officer” means any officer, member or employee of the Issuer authorized by a certificate of the Executive to perform the act or sign the document in question, and if there is no such authorization, means the Executive.

“Bond” or “Bonds” means not to exceed \$6,250,000 Judgment Bonds of the Issuer.

“Bondholder”, “Holder”, “holder of Bonds”, “owner of Bonds” or any similar term means any person in whose name a Bond or Note is registered on the Bond Register.

“Bond Legislation” means this Ordinance.

“Bond Register” means the records for the registration and transfer of Bonds or Notes maintained by the institution appointed as registrar and paying agent pursuant to the Fiscal Officer's Certificate or by the Trustee as Bond registrar pursuant to the Indenture.

“Bond Service Charges” means principal (including any mandatory redemption payments) of and interest and any redemption premium on the Bonds.

“Code” means the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder.

“Executive” means the City Manager or any Assistant City Manager of the Issuer.

“Fiscal Officer” means the Director of Finance, as Fiscal Officer of the Issuer.

“Fiscal Officer's Certificate” means the certificate executed by the Fiscal Officer setting forth any terms relating to the issuance of the Bonds or Notes which are not specified in this Bond Legislation.

“Indenture” means the Trust Agreement (if any) to be dated as of such date as is selected by the Fiscal Officer by and between the Issuer and the Trustee securing the Bonds or Notes, as the same may be amended as provided therein.

“Interest Payment Date” or “interest payment date” means, as to the Bonds or Notes, the dates designated as such in the Indenture or the Fiscal Officer's Certificate.

“Issuer” means the City of Cincinnati, Ohio.

“Issuing Authority” means the city council of the Issuer.

“Legal Officer” means the City Solicitor of the Issuer.

“Notes” means notes issued in anticipation of the issuance of the Bonds.

“Outstanding Bonds” or “Bonds outstanding” or “outstanding” as applied to Bonds, means, as of the applicable date, all Bonds which have been authenticated and delivered, or are then being delivered, by the Issuer pursuant to this Bond Legislation and the Fiscal Officer's Certificate or by the Trustee under the Indenture, as applicable, except:

- (a) Bonds cancelled on surrender, exchange or transfer or cancelled because of payment at or prior to such date;
- (b) Bonds for the payment, redemption or purchase for cancellation of which sufficient monies have been deposited and credited for the purpose on or prior to that date in the Bond Fund, or other Special Fund or account or with the Trustee or Paying Agent (whether upon or prior to the maturity of those Bonds); and provided that if any of those Bonds are to be purchased for cancellation a firm offer for sale stating the price shall have been received and accepted;
- (c) Bonds which are deemed to have been paid pursuant to the provisions of the Indenture or any Bonds which are deemed to have been paid pursuant to the provisions of this Bond Legislation and the Fiscal Officer's Certificate; and
- (d) Bonds in lieu of which others have been authenticated under the Indenture or this Bond Legislation and the Fiscal Officer's Certificate.

“Paying Agent” means the Trustee or its lawful successor, or the registrar and paying agent appointed pursuant to the Fiscal Officer's Certificate, as applicable.

“person” or “Person” or words importing persons means firms, associations, partnerships (including, without limitation, general and limited partnerships), joint ventures, societies, estates, trusts, corporations, public or governmental bodies, other legal entities and natural persons.

“Revenues” means all such taxes and revenues, other than ad valorem property taxes, as the Issuer specifies in the Indenture or the Fiscal Officer's Certificate, as applicable, to be pledged as security for the Bonds or Notes.

“State” means the State of Ohio.

“Trustee” means the bank or trust company that is appointed or any successor trustee under the terms of the Indenture.

Any reference to the Issuer, the Issuing Authority, or to their members, officers or to other public officers, boards, commissions, departments, institutions, agencies, bodies

or entities shall include those which succeed to their functions, duties or responsibilities by operation of law, and also those who at the time may legally act in their place.

References to any act or resolution of the Ohio General Assembly, or to a section, chapter, division, paragraph or other provision of the Ohio Revised Code or the Constitution of Ohio, or the laws of Ohio, shall include that act or resolution, and that section, chapter, division, paragraph or other provision and those laws as from time to time amended, modified, supplemented, revised or superseded, unless expressly stated to the contrary, provided that no such amendment, modification, supplementation, revision or supersession shall alter the obligation to pay the Bond Service Charges on Bonds or Notes outstanding, at the time of any such action, in the amount and manner, at the times and from the sources provided in the Bond Legislation and the Indenture, except as otherwise herein permitted.

Unless the context otherwise indicates, words importing the singular number shall include the plural number and words importing the plural number shall include the singular number. The terms “hereof”, “herein”, “hereby”, “hereto” and “hereunder”, and similar terms, means both the Bond Legislation and the Indenture, except in the case of reference to a stated section number of either.

Section 2. Determinations by Issuing Authority. The Issuing Authority hereby finds and determines that it is necessary to issue, sell and deliver the Bonds in the principal amount of not to exceed \$6,250,000 upon the terms set forth herein, as supplemented by the Indenture or the Fiscal Officer's Certificate, for the purpose of providing funds to pay the Settlement in the case of *Ron Plush, et al., v. City of Cincinnati, et al.*, which Settlement has been approved by the Court of Common Pleas, Hamilton County, Ohio; such principal amount may be increased to include amounts necessary to fund a debt service reserve fund (if needed), capitalized interest (if any), costs of issuance, and other necessary and permitted costs, all as determined by the Fiscal Officer. The officers specified herein are authorized to execute and deliver the documents necessary or appropriate in order to secure the Bonds.

This Issuing Authority hereby determines that the issuance of the Bonds will be for a proper public and municipal purpose and in the best interest of the Issuer.

Section 3. Terms of the Bonds.

- (a) Form, Denominations and Dates. The Bonds shall be designated “Unlimited Tax General Obligation Judgment Bonds Series 2021A” or as otherwise designated in the Fiscal Officer's Certificate, shall be negotiable instruments, shall be issued only in fully registered form, without coupons, and shall express upon their faces the purpose for which they are issued. The Bonds shall be dated as of their date of issuance, shall be numbered as determined by the Bond registrar or by the Trustee as Bond registrar, and shall be issued in denominations of \$5,000 or any integral multiple thereof. The Bonds shall be exchangeable for other Bonds in the manner and upon the terms set forth in the Indenture or the Fiscal Officer's Certificate.

- (b) Execution, Interest Rates and Maturities. The Bonds shall be executed by the signatures of the Mayor and Fiscal Officer of the Issuer and shall bear the official seal of the Issuer (provided that both of such signatures and such seal may be facsimiles), and shall bear the manual authenticating signature of an authorized signer of the Bond registrar or the Trustee, as appropriate. The Bonds shall bear interest from the most recent date to which interest has been paid or duly provided for, or, if no interest has been paid or duly provided for, from their dates, at an interest rate not to exceed 6%. The Bonds shall mature or be subject to mandatory sinking fund redemption at the times and in the respective principal amounts, and such principal amounts shall bear interest payable semiannually on each Interest Payment Date, at the respective rates per annum, as determined by the Fiscal Officer (after negotiation, if the Bonds are sold with the original purchaser of the Bonds), subject to the limitation provided herein, and set forth in the Fiscal Officer's Certificate or in a bond purchase agreement, as applicable. All Bonds shall finally mature not later than the last day of December of the twenty-fifth (25th) year following the year in which the first securities for such purpose are issued.
- (c) Optional Redemption. The Bonds of the maturities specified in the Fiscal Officer's Certificate or, if applicable, in the bond purchase agreement shall be subject to redemption, in the manner provided in the Fiscal Officer's Certificate or the Indenture, as applicable, at the option of the Issuer, by lot, either in whole or in part, on any date, and at the redemption prices (expressed as percentages of the principal amount to be redeemed) set forth in the Fiscal Officer's Certificate or Indenture, as applicable, plus accrued interest to the date fixed for redemption.
- (d) Payment. Bond Service Charges with respect to the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Trustee or the Paying Agent, in the manner provided in the Fiscal Officer's Certificate or the Indenture, as applicable.

Section 4. Issuance of Notes. If the Fiscal Officer, in the exercise of his or her judgment, determines that it is preferable that notes rather than bonds be issued initially, there are hereby authorized Notes in the aggregate principal amount of not to exceed \$6,250,000, which may be issued in anticipation of the issuance of a like principal amount of said bonds for the purpose described in Section 2 hereof. Such Notes shall be issued in such numbers and denominations as may be determined by the Fiscal Officer; shall bear interest at an interest rate not to exceed 6%, payable on such dates as are determined by the Fiscal Officer; shall be dated as of their date of issuance; shall mature on such date or dates as may be selected by the Fiscal Officer; may be callable in whole or in part at any time prior to maturity as approved by the Fiscal Officer; may be issued in installments as approved by the Fiscal Officer; shall be designated "Judgment Bond Anticipation Notes" or as otherwise designated in the Fiscal Officer's Certificate, and shall be payable as to principal at the office of the Paying Agent or the office of the Treasurer of the Issuer, and the interest thereon shall be paid by the Paying Agent or the

office of the Treasurer of the Issuer on each interest payment date to the holders of the Notes. Said Notes shall bear the facsimile signature of the Mayor and the manual signature of the Fiscal Officer, shall bear the corporate seal of the Issuer, and shall express on their faces the purpose for which they are issued and that they are issued pursuant to this ordinance.

Section 5. Sale of the Bonds or Notes. The Fiscal Officer is hereby authorized to award and sell the Bonds or Notes at public or private sale, in his or her sound discretion without further action by this Issuing Authority, at such price as is determined by the Fiscal Officer, plus accrued interest on the aggregate principal amount of the Bonds or Notes from their dates to the date of delivery and payment. The Executive or Fiscal Officer is hereby authorized to make arrangements for the delivery of the Bonds or Notes to, and payment therefor by, the purchaser or purchasers thereof at the price determined by the Fiscal Officer; and the Executive or Fiscal Officer is hereby authorized to execute a purchase agreement for the Bonds or Notes, if applicable, without further action by this Issuing Authority.

Section 6. Allocation of Proceeds of the Bonds or Notes. The proceeds received by the Issuer from the sale of the Bonds or Notes shall be allocated, and are hereby appropriated, in the amounts, and to the funds, set forth in the Fiscal Officer's Certificate or the Indenture, as applicable.

Section 7. Security for the Bonds or Notes. The security for the Bonds or Notes shall be determined by the Fiscal Officer, who is hereby authorized, in his or her discretion, to secure the Bonds or Notes with a pledge of the Issuer's full faith and credit, or with a pledge of Revenues, or with a combination of the two sources of security. The Fiscal Officer is also authorized, in his or her discretion: (a) to secure a portion of the Bonds or Notes with a pledge of the Issuer's full faith and credit and a portion with Revenues; (b) to cause the interest on all or a portion of the Bonds or Notes to be excludible from gross income for federal income tax purposes under the Code, and/or (c) to cause the interest on all or a portion of the Bonds or Notes to be includible in gross income for federal income tax purposes under the Code, on all or a portion of such Bonds to the extent permitted by law.

To the extent that the Bonds or Notes pledge the Issuer's full faith and credit:

For the purpose of providing the necessary funds to pay the interest on the foregoing issue of Bonds or Notes promptly when and as the same falls due, and also to provide for the discharge of said Bonds or Notes at maturity or as mandatory sinking fund payments fall due, there shall be and is hereby levied on all the taxable property in the City of Cincinnati, in addition to all other taxes, a direct tax annually during the period said Bonds are to run, outside of the limitations imposed by Article XII, Section 2, of the Constitution of Ohio and Section 5705.02 of the Ohio Revised Code, and by virtue of Section 4 of Article VIII of the Charter, in an amount sufficient to provide for the payment of said interest, when and as the same shall fall due, and also to discharge the principal of said Bonds at maturity or as mandatory sinking fund payments fall due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in the Issuer's Bond Retirement Fund which, together with the interest collected on the same, shall be irrevocably pledged for the payment of principal of and interest on said Bonds or Notes when and as the same fall due; provided, however, that to the extent that other revenues, including Revenues, are available for such purpose, such tax need not be levied.

To the extent that the Bonds or Notes are secured by Revenues:

The Bonds or Notes shall be payable solely from the Revenues and the Debt Service Reserve Fund (if any) and shall be secured only by the Indenture granting a lien upon the Revenues and the Debt Service Reserve Fund (if any). In addition, the Executive and the Fiscal Officer, in their sound discretion, are hereby authorized to further secure the Bonds or Notes by pledging toward payment of the Bonds or Notes other moneys not raised by taxation received by the Issuer, in the order and to the extent that they deem necessary or appropriate to obtain a favorable interest rate on the Bonds. The Executive and Fiscal Officer are further authorized to evidence such additional security in whatever manner they deem appropriate, and to execute and deliver any documents necessary to that end. Anything in the Indenture, the Bond Legislation or the Bonds or Notes notwithstanding, neither the Indenture, the Bond Legislation, nor the Bonds or Notes will constitute a debt, or a pledge of the faith, credit or taxing power of the Issuer, the State or any political subdivision thereof, and the holders or owners of the Bonds or Notes shall have no right to have taxes levied by the Issuing Authority, the General Assembly of the State, or the taxing authority of any political subdivision of the State for the payment of the Bond Service Charges, and the Bonds or Notes shall contain on their faces a statement to that effect. Nothing herein shall be deemed to prohibit the Issuer from lawfully using, of its own volition, any of its general resources for the fulfillment of any of the terms and conditions of the Indenture, the Bond Legislation, or the Bonds or Notes; provided, that no moneys raised by taxation are obligated or pledged therefor.

Section 8. Additional Provisions if Bonds or Notes Secured by Revenues. If the Fiscal Officer determines, pursuant to Section 7 hereof, to secure all or a portion of the Bonds or Notes with Revenues, the Executive and the Fiscal Officer are hereby authorized to make provision in the Indenture securing such Bonds or Notes for: the application of the Revenues; creation of such funds as are necessary or appropriate; investment of moneys in such funds; use of such funds; recordkeeping; such covenants of the Issuer as are necessary or appropriate; and such other matters as are customary or appropriate to be contained in the Indenture.

Section 9. Execution of the Indenture and Other Documents. The Executive and the Fiscal Officer are each hereby authorized to execute, acknowledge and deliver, on behalf of the Issuer, to the Trustee the Indenture (if any).

The Fiscal Officer is hereby authorized to exercise his or her discretion in order to set the terms contained in the Fiscal Officer's Certificate and to execute and deliver the same.

The Executive and the Fiscal Officer are each hereby separately authorized to take any and all actions and to execute such other instruments that may be necessary or appropriate in the opinion of Dinsmore & Shohl LLP, as Bond Counsel, in order to effect the issuance of the Bonds or Notes and the intent of the Bond Legislation. The Fiscal Officer, or other appropriate officer of the Issuer, shall certify a true transcript of all proceedings had with respect to the issuance of the Bonds or Notes, along with such information from the records of the Issuer as is necessary to determine the regularity and validity of the issuance of the Bonds or Notes.

This Bond Legislation shall constitute a part of the Indenture as therein provided and for all purposes of the Indenture, including, without limitation, application to the Bond Legislation of the provisions in the Indenture relating to amendment, modification and supplementation, and provisions for severability.

The Fiscal Officer is hereby authorized to appoint a trustee, paying agent and registrar for the Bonds or (if necessary) the Notes.

Section 10. Offering Document. The Executive and the Fiscal Officer are each separately authorized to execute and deliver a preliminary offering document and a final document on behalf of the Issuer, prepared by the Issuer's disclosure counsel, Dinsmore & Shohl LLP ("Disclosure Counsel") which shall be in such form as such officers may approve, their execution thereof on behalf of the Issuer to be conclusive evidence of such approval, and copies thereof are hereby authorized to be prepared and furnished by Disclosure Counsel to the original purchaser of the Bonds or Notes for distribution to prospective purchasers of the Bonds or Notes and other interested persons.

The Executive and the Fiscal Officer on behalf of the Issuer and each of them are hereby each separately authorized to furnish such information, to execute such instruments and to take such other actions in cooperation with the original purchaser of the Bonds or Notes as may be reasonably requested to qualify the Bonds or Notes for offer and sale under the Blue Sky or other securities laws and regulations and to determine their eligibility for investment under the laws and regulations of such states and other jurisdictions of the United States of America as may be designated by the original purchaser; provided however, that the Issuer shall not be required to register as a dealer or broker in any such state or jurisdiction or become subject to the service of process in any jurisdiction in which the Issuer is not now subject to such service.

Section 11. Taxability. As to any Bonds or Notes which constitute obligations the interest on which is excludable from gross income for federal income tax purposes under the Code, this Issuing Authority, for and on behalf of the City of Cincinnati, Hamilton County, Ohio, hereby covenants that it will restrict the use of the proceeds of the Bonds or Notes hereby authorized in such manner and to such extent, if any, and take such other actions as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Code.

The Fiscal Officer or any other officer having responsibility with respect to the issuance of the Bonds or Notes is authorized and directed to give an appropriate certificate on behalf of the Issuer on the date of delivery of the Bonds or Notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of said Sections 103(b)(2) and 148 and regulations thereunder.

These Bonds or Notes are not designated “qualified tax-exempt obligations” for the purposes set forth in Section 265(b)(3) of the Code.

Section 12. Severability. Should it be judicially determined by a court having jurisdiction to pass upon the validity of the Bond Legislation, the Indenture or the Bonds or Notes, that any provision of the Bond Legislation is beyond the powers of the Issuing Authority or the Issuer, or is otherwise invalid, then such decision shall in no way affect the validity of the Bond Legislation, the Indenture or the Bonds or Notes, or any proceedings related thereto, except as to the particular matters found by such decision to be invalid.

Section 13. Consolidation. That, pursuant to the provisions of Section 133.30, O.R.C., these Bonds or Notes may be consolidated into a single issue with other bonds or notes which have been authorized by the Issuing Authority as determined by the Fiscal Officer.

That these Bonds or Notes shall be issued in such designations, series, and shall have maturities or principal payments, as are consistent with the aggregate of the series, periodic maturities or principal payments of the separate issues of bonds as set forth in the respective bond ordinances and as provided in a Fiscal Officer's Certificate or in a bond purchase agreement to be entered into by and between the Issuer and an underwriter as determined by the Fiscal Officer.

Section 14. Book Entry Bonds or Notes. The Issuing Authority hereby determines to issue these Bonds or Notes in Book-Entry-Only form through The Depository Trust Company, New York, New York. The Letter of Representations to The Depository Trust Company from the Issuer, dated March 21, 1995, as supplemented from time to time, is hereby ratified and confirmed.

So long as these Bonds or Notes are in Book-Entry-Only form, the following covenants and agreements of the Issuer shall be in effect:

(a) Definitions.

“Beneficial Owner” means the person in whose name a Bond or Note is recorded as the beneficial owner of such Bond or Note by the respective systems of DTC and each of the DTC Participants.

“CEDE & Co” means CEDE & Co, the nominee of DTC, and any successor nominee of DTC with respect to the Bonds or Notes.

“DTC” means The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York, and its successors and assigns.

“DTC Participant” means banks, brokers or dealers who are participants of DTC.

“Letter of Representations” means the Letter of Representations dated March 21, 1995, as supplemented from time to time, from the Issuer and the Paying Agent and Registrar, to DTC with respect to the Bonds or Notes, which shall be the binding obligation of the Issuer and the Paying Agent and Registrar.

The Bonds or Notes shall initially be issued in global book entry form registered in the name of CEDE & Co, as nominee for DTC.

While in book entry form, payment of interest for any Bond or Note registered in the name of CEDE & Co shall be made by wire transfer or such other manner as permitted by the Letter of Representations, to the account of CEDE & Co on the Interest Payment Date or the redemption date at the address indicated for CEDE & Co in the bond register.

(b) Book Entry Bonds or Notes.

(i) Except as provided herein, the registered owner of all of the bonds or notes shall be DTC and the Bond or Notes shall be registered in the name of CEDE & Co, as nominee for DTC. The Issuer and the Paying Agent and Registrar shall supplement (with a description of the bonds) the Letter of Representations with DTC, and the provisions of such Letter of Representations shall be incorporated herein by reference.

(ii) The Bonds or Notes shall be initially issued in the form of single fully registered global certificates in the amount of each separate stated maturity of the Bonds or Notes. Upon initial issuance, the ownership of such Bonds or Notes shall be registered in the Issuer's bond register in the name of CEDE & Co, as nominee of DTC. The Paying Agent and Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive registered owner of the Bonds or Notes registered in its name for the purposes of payment of the principal, or redemption price of or interest on the Bonds or Notes, selecting the Bonds or Notes or portions thereof to be redeemed, giving any notice permitted or required to be given to Bondholders under this Ordinance, registering the transfer of Bonds or Notes, obtaining any consent or other action to be taken by Bondholders and for all other purposes whatsoever; and neither the Paying Agent and Registrar nor the Issuer shall be affected by any notice to the contrary. Neither the Paying Agent and Registrar nor the Issuer shall have any responsibility or obligation to any DTC Participant, any person claiming a

beneficial ownership interest in the Bonds or Notes under or through DTC or any DTC Participant, or any other person which is not shown on the registration books of the Paying Agent and Registrar as being a registered owner, with respect to the accuracy of any records maintained by DTC or any DTC Participant; the payment of DTC or any DTC Participant of any amount in respect of the principal or redemption price of or interest on the Bonds or Notes; any notice which is permitted or required to be given to Bondholders under this Ordinance; the selection by DTC or any DTC Participant of any person to receive payment in the event of a partial redemption of the Bonds or Notes; or any consent given or other action taken by DTC as Bondholder. The Paying Agent and Registrar shall pay from moneys available hereunder all principal of, and premium, if any, and interest on the Bonds or Notes only to or “upon the order of” DTC (as that term is used in the Uniform Commercial Code as adopted in the State of Ohio), and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of, and premium, if any, and interest on the Bonds or Notes to the extent of the sum or sums so paid. Except as otherwise provided herein, no person other than DTC shall receive an authenticated Bond certificate for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal of, and premium, if any, and interest pursuant to this Ordinance. Upon delivery by DTC to the Paying Agent and Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of CEDE & Co, and subject to the provisions of this Ordinance with respect to transfers of Bonds or Notes, the word “CEDE & Co” in this Ordinance shall refer to such new nominee of DTC.

- (c) Delivery of Bond Certificates. In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bond certificates, the Issuer may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the DTC Participants, of the availability through DTC of Bond certificates. In such event, the Paying Agent and Registrar shall issue, transfer and exchange, at the Issuer's expense, Bond certificates as requested by DTC in appropriate amounts. DTC may determine to discontinue providing its services with respect to the Bonds or Notes at any time by giving notice to the Issuer and the Paying Agent and Registrar and discharging its responsibilities with respect thereto under applicable law. Under such circumstances (if there is no successor securities depository), the Issuer and Paying Agent and Registrar shall be obligated to deliver Bond certificates as described in this Ordinance, provided that the expense in connection therewith shall be paid by DTC. In the event Bond certificates are issued, the provisions of this Ordinance shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal of, premium, if any, and interest on such certificates. Whenever DTC requests the Issuer and the Paying Agent and Registrar to do so, the Paying Agent and Registrar and the Issuer will cooperate with DTC in taking appropriate action after reasonable notice (i) to make available one or more separate certificates evidencing the Bonds or Notes to any DTC Participant

having Bonds or Notes credited to its DTC account or (ii) to arrange for another securities depository to maintain custody of certificates evidencing the Bonds or Notes.

Section 15. Open Meetings Determination. The Issuing Authority hereby finds and determines that all formal actions relative to the adoption of this Bond Legislation were taken in an open meeting of this Issuing Authority, and that all deliberations of this Issuing Authority and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 16. Effective Date. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is that the sale of the Judgment Bonds or notes authorized herein may be required within thirty days of passage of the ordinance in order to generate the funds needed to pay the judgment in a timely manner.

Passed: _____, 2021.

Mayor

Attest: _____
Clerk

May 12, 2021

To: Mayor and Members of City Council

202101724

From: Paula Boggs Muething, City Manager

Subject: Ordinance – Administrative Code Article XXIV Section 2 Human Services Amendment

Attached is an Ordinance captioned as follows:

MODIFYING Article XXIV, “Department of Community and Economic Development,” of the Administrative Code of the City of Cincinnati by AMENDING Section 2, “Duties of Director of Community and Economic Development,” to remove the oversight of the City’s human services funding from the responsibilities of the Department of Community and Economic Development (“DCED”) in order to facilitate timely and effective service delivery and allow DCED to concentrate limited staffing resources on economic and community development projects.

cc: William Weber, Assistant City Manager

City of Cincinnati

LES
AWG

An Ordinance No. _____

- 2021

MODIFYING Article XXIV, “Department of Community and Economic Development,” of the Administrative Code of the City of Cincinnati by **AMENDING** Section 2, “Duties of Director of Community and Economic Development,” to remove the oversight of the City’s human services funding from the responsibilities of the Department of Community and Economic Development (“DCED”) in order to facilitate timely and effective service delivery and allow DCED to concentrate limited staffing resources on economic and community development projects.

WHEREAS, the proposed amendment to Article XXIV of the Administrative Code revises the responsibilities of the Department of Community and Economic Development (“DCED”) so they align with the current needs of the City and DCED in order to allow DCED to concentrate limited staffing resources on economic and community development projects; and

WHEREAS, the City Manager is establishing an Office of Human Services in the City Manager’s Office in order to provide adequate resources and staffing to improve service delivery and partnerships with organizations funded by the City that deliver human services, violence prevention services, and other anti-poverty initiatives; and

WHEREAS, the City Manager believes that this restructuring will result in superior service delivery on economic and community development projects and human services; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio, with three-fourths of its members concurring:

Section 1. That Section 2 of Article XXIV, “Department of Community and Economic Development,” of the Administrative Code is hereby amended as follows:

Sec. 2. – Duties of Director of Community and Economic Development.

The director of community and economic development shall serve as an advocate for economic development and related programs and projects within the City of Cincinnati under the supervision of the city manager.

The director of community and economic development shall be responsible for: expediting and facilitating economic development projects on behalf of the city; shall manage all requests for city funding or passthrough funding targeted at economic development projects; shall be the primary point of contact with the city for developers, development authorities, and development corporations when promoting economic development projects in the city; shall coordinate with other entities on job attraction and expansion activities; shall coordinate the planning of economic development projects in the city; shall

be responsible for the development and redevelopment of industrial corridors and commercial corridor revitalization within the city; shall be responsible for job retention activities; shall have primary responsibility for advising the city manager on economic development projects involving the use of eminent domain; shall administer and enforce commercial development in neighborhood business districts and related commercial loan programs; shall administer small business services; and shall perform such other duties as may be assigned by the city manager or by ordinance of council.

The director of community and economic development shall administer neighborhood development services ~~and human services contract administration~~ for the citizens and the businesses of the City of Cincinnati and its neighborhoods.

The director of community and economic development shall administer and enforce all housing assistance and development programs and related housing and development loan programs, neighborhood assistance and liaison activities, and neighborhood support programs.

The director of community and economic development shall administer the funding of ~~essential human services~~; community development programs, ~~including public facilities and improvements consistent with human services policies of the city~~; and perform such other duties as may be assigned by the city manager or by ordinance of council.

Section 2. That existing Section 2 of Article XXIV of the Administrative Code, "Department of Community and Economic Development," is hereby repealed.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

Deleted language is struck through.

Clerk of Council
801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

\$25.00 FILING FEE

202101726

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

1. Full Name Charles H. Gerhardt, III
2. Occupation Government Strategies Group
3. Title/Position President & CEO
4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
5. Telephone Number (513) 651-4100
6. Date of Engagement as Legislative Agent April 1, 2021

B. EMPLOYER INFORMATION

1. Full name of company or organization Cincy Nice
2. Type of Industry Arts & Tourism
3. Business Address 2411 Gilbert Ave
Street Suite Number
Cincinnati OH 45206
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.


Activities related to talent attraction and city marketing.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

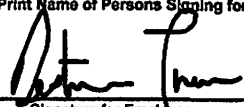
- | | | |
|--------------------------------------------------------|------------------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input checked="" type="checkbox"/> Retail and Commercial |
| <input checked="" type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Charles H. Gerhardt, III
 Type or Print Name of Legislative Agent

 Signature of Legislative Agent

April 26, 2021
 Date

Destinee Thomas
 Type or Print Name of Persons Signing for Employer
 BY: 
 Signature for Employer

Co-Founder
 Title

April 27, 2021
 Date

Clerk of Council

801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

\$25.00 FILING FEE

202101727

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days) the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

- 1. Full Name Alison C. Trianfo
- 2. Occupation Government Strategies Group
- 3. Title/Position Operations Manager
- 4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
- 5. Telephone Number (513) 651-4100
- 6. Date of Engagement as Legislative Agent April 1, 2021

B. EMPLOYER INFORMATION

- 1. Full name of company or organization Cincy Nice
- 2. Type of Industry Arts & Tourism
- 3. Business Address 2411 Gilbert Ave
Street Suite Number
Cincinnati OH 45206
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

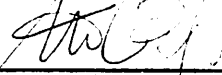
Activities related to talent attraction and city marketing.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

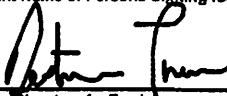
- | | | |
|--------------------------------------------------------|------------------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input checked="" type="checkbox"/> Retail and Commercial |
| <input checked="" type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Alison C. Trianfo
 Type or Print Name of Legislative Agent

 Signature of Legislative Agent

April 26, 2021
 Date

Destinee Thomas
 Type or Print Name of Persons Signing for Employer
 BY: 
 Signature for Employer

Co-Founder
 Title

April 27, 2021
 Date

Clerk of Council

801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

\$25.00 FILING FEE

202101729

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days) the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

- 1. Full Name Charles H. Gerhardt, III
- 2. Occupation Government Strategies Group
- 3. Title/Position President & CEO
- 4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
- 5. Telephone Number (513) 651-4100
- 6. Date of Engagement as Legislative Agent April 1, 2021

B. EMPLOYER INFORMATION

- 1. Full name of company or organization Produce Perks Midwest
- 2. Type of Industry Health & Nutrition / Social Services
- 3. Business Address 3600 Park 42 Dr, Ste 105A
Street Suite Number
Cincinnati OH 45241
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.


Activities related to nutrition programming and farmers' markets.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.


- | | | |
|---------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input checked="" type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Charles H. Gerhardt, III
 Type or Print Name of Legislative Agent

 Signature of Legislative Agent

April 26, 2021
 Date

Tevis Foreman
 Type or Print Name of Persons Signing for Employer
 BY: 
 Signature for Employer

Executive Director, Produce Perks Midwest, Inc.
 Title

4.27.21
 Date

Clerk of Council
801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

\$25.00 FILING FEE

202101729

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

1. Full Name Alana M. Tucker
2. Occupation Government Strategies Group
3. Title/Position Senior Associate
4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
5. Telephone Number (513) 651-4100
6. Date of Engagement as Legislative Agent April 1, 2021

B. EMPLOYER INFORMATION

1. Full name of company or organization Center for Chemical Addictions Treatment
2. Type of Industry Social Services
3. Business Address 830 Ezzard Charles D
Street Suite Number
Cincinnati OH 45214
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

Activities related to addiction services.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

- | | | |
|---------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Alana M. Tucker

Type or Print Name of Legislative Agent



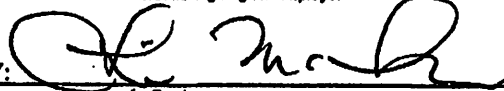
Signature of Legislative Agent

April 26, 2021

Date

Chellie McLellan

Type or Print Name of Persons Signing for Employer

BY: 

Signature for Employer

CEO

Title

4.29.21

Date

Clerk of Council
801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

\$25.00 FILING FEE

202101730

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days) the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

1. Full Name Alana M. Tucker
2. Occupation Government Strategies Group
3. Title/Position Senior Associate
4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
5. Telephone Number (513) 651-4100
6. Date of Engagement as Legislative Agent April 1, 2021

B. EMPLOYER INFORMATION

1. Full name of company or organization Boys and Girls Club of Greater Cincinnati
2. Type of Industry Social Services
3. Business Address 600 Dalton Ave
Street Suite Number
Cincinnati OH 45203
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

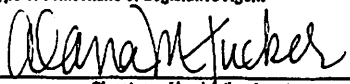
Activities related to after-school education and learning loss programming.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

- | | | |
|---------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input checked="" type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

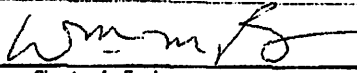
CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Alana M. Tucker
Type or Print Name of Legislative Agent

Signature of Legislative Agent

April 26, 2021
Date

William M. Bressen
Type or Print Name of Persons Signing for Employer

BY: 
Signature for Employer

CEO
Title

4-26-21
Date

Clerk of Council
801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

\$25.00 FILING FEE

202101731

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

1. Full Name J. Douglas Moormann
2. Occupation Development Strategies Group
3. Title/Position Vice President
4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
5. Telephone Number (513) 651-4100
6. Date of Engagement as Legislative Agent April 1, 2021

B. EMPLOYER INFORMATION

1. Full name of company or organization Boys and Girls Club of Greater Cincinnati
2. Type of Industry Social Services
3. Business Address 600 Dalton Ave
Street Suite Number
Cincinnati OH 45203
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.

Activities related to after-school education and learning loss programming.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.

- | | | |
|---------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input checked="" type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

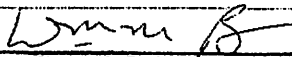
ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

J. Douglas Moormann
Type or Print Name of Legislative Agent


Signature of Legislative Agent

April 26, 2021
Date

WILLIAM M. BRESSER
Type or Print Name of Persons Signing for Employer

BY: 
Signature for Employer

CEO
Title

4-26-21
Date

Clerk of Council
801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

\$25.00 FILING FEE

202101732

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

1. Full Name Alana M. Tucker
2. Occupation Government Strategies Group
3. Title/Position Senior Associate
4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
5. Telephone Number (513) 651-4100
6. Date of Engagement as Legislative Agent April 1, 2021

B. EMPLOYER INFORMATION

1. Full name of company or organization Produce Perks Midwest
2. Type of Industry Health & Nutrition / Social Services
3. Business Address 3600 Park 42 Dr, Ste 105A
Street Suite Number
Cincinnati OH 45241
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.


Activities related to nutrition programming and farmers' markets.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.


- | | | |
|---------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input checked="" type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Alana M. Tucker
 Type or Print Name of Legislative Agent

 Signature of Legislative Agent

April 26, 2021
 Date

Tervis Freeman
 Type or Print Name of Persons Signing for Employer
 BY: 
 Signature for Employer

Executive Director, Produce Perks Midwest, Inc.
 Title

4.27.21
 Date

Clerk of Council
801 Plum Street, Room 308
Cincinnati, Ohio 45202
(513) 352-3246

\$25.00 FILING FEE

202101733

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Clerk of Council within ten (10) days of engagement. Please read instructions and review Section 112-5 prior to filing. There is a \$25.00 fee for this filing. *Check or money order only made payable to "Clerk of Council"*. Upon termination of this engagement, there is an affirmative duty to notify the Clerk of Council within thirty (30) days the form may be obtained from Clerk. **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

A. LEGISLATIVE AGENT INFORMATION

1. Full Name James T. Benedict
2. Occupation Government Strategies Group
3. Title/Position Vice President
4. Business Address 700 Walnut Street Ste 450
Street Suite Number
Cincinnati OH 45202
City State Zip(+4)
5. Telephone Number (513) 651-4100
6. Date of Engagement as Legislative Agent April 1, 2021

B. EMPLOYER INFORMATION

1. Full name of company or organization Produce Perks Midwest
2. Type of Industry Health & Nutrition / Social Services
3. Business Address 3600 Park 42 Dr, Ste 105A
Street Suite Number
Cincinnati OH 45241
City State Zip(+4)

C. BRIEF DESCRIPTION OF THE TYPE OF LEGISLATION TO WHICH LEGISLATIVE AGENT'S ENGAGEMENT RELATES.


Activities related to nutrition programming and farmers' markets.

D. CATEGORICAL LISTING OF PRINCIPAL BUSINESS OR ACTIVITY OF EMPLOYER. PLEASE CHECK ALL THAT ARE APPLICABLE.


- | | | |
|---------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Environment | <input type="checkbox"/> Real Estate/Housing |
| <input type="checkbox"/> Alcohol/Tobacco | <input type="checkbox"/> Financial Institutions/Consumer Finance | <input checked="" type="checkbox"/> Retail and Commercial |
| <input type="checkbox"/> Arts/Entertainment | <input type="checkbox"/> Medical/Hospitals/Health Care | <input type="checkbox"/> Service Business |
| <input type="checkbox"/> Communications/Media | <input type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Social Svs./Human Svs. |
| <input type="checkbox"/> Contractors/Construction | <input type="checkbox"/> Labor/Labor Organizations | <input type="checkbox"/> Science and Technology |
| <input type="checkbox"/> County/Local Government | <input type="checkbox"/> Legal | <input type="checkbox"/> State Employees |
| <input type="checkbox"/> Education | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> State Government |
| <input type="checkbox"/> Energy/Utilities | <input type="checkbox"/> Public Interest | <input type="checkbox"/> Transportation |

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

James T. Benedict
 Type or Print Name of Legislative Agent

 Signature of Legislative Agent

April 26, 2021
 Date

TEVIS Foreman
 Type or Print Name of Persons Signing for Employer
 BY: 
 Signature for Employer

Executive Director, Produce Perks Midwest, Inc.
 Title

4.27.21
 Date



Liz Keating
Councilmember

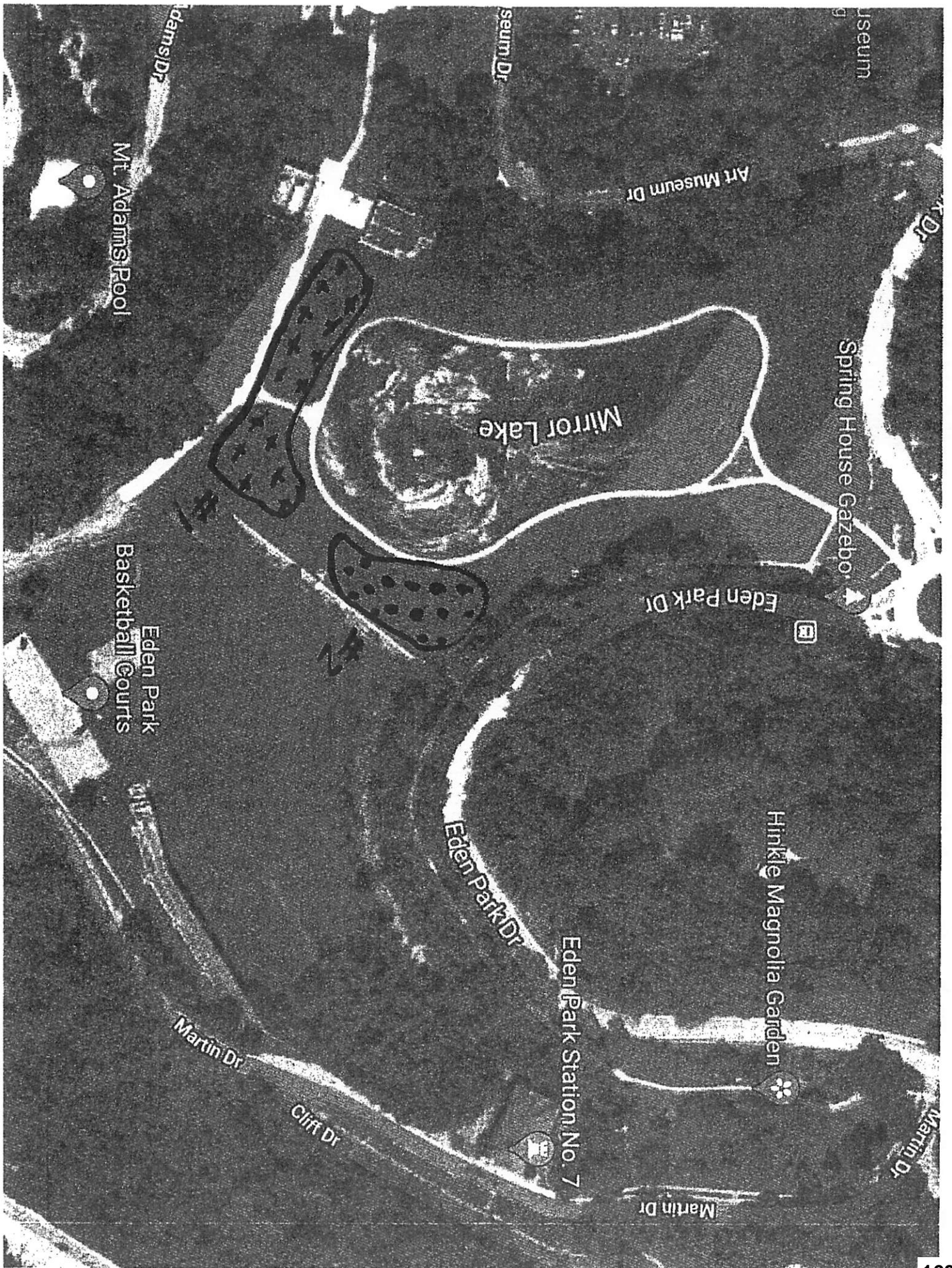
Motion

The water reservoir to the south east of Eden Park's Mirror Lake has two large grassplots. Cincinnati residents have proposed to plant a grove of Japanese Cherry Trees in one of those grassplots to celebrate the role of Cincinnati's own Helen Taft as First Lady of the United States of America. WE MOVE for the City Administration to provide a REPORT on the physical feasibility and agricultural capability of planting a grove of cherry trees around the water reservoir near Eden Park's Mirror Lake (Photo Attached).

Councilmember Liz Keating

Statement

Community interest has been shown in the planting of a grove of Japanese Cherry Tree's around the reservoir to the south east of Eden Park's Mirror Lake in honor of Cincinnati's own Helen Taft and her role as First Lady of the United States. First Lady Taft planted thousands of Japanese Cherry Trees throughout the Potomac Basin as part of the diplomatic peace effort with Japan in the early 1900s. The goal of this project is to utilize private funding for the purchasing and planting of these Japanese Cherry Trees. Before raising these funds, the community needs confirmation and support from Greater Cincinnati Water Works and the Cincinnati Parks about the feasibility of planting trees around the water reservoir.



ca 4119

MM

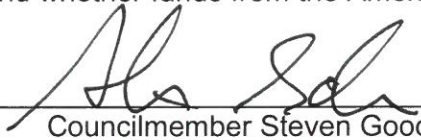


Steven P. Goodin
Councilmember

April 13, 2021

MOTION

As we work to restore trust in our government institutions, transparency has never been more important. The inability to provide timely access to police body camera footage has undermined police-community relations in many large American cities. The Citizens Complaint Authority (CCA) complains of delays in obtaining redacted footage for its investigations. The Fraternal Order of Police Lodge No. 69 has, likewise, expressed concern about the resulting delays in CCA's investigations and their effect on officer morale. Various media outlets have also routinely complained about access to public documents. Information requests by private citizens are often the subject of litigation. The City Solicitor's office has acknowledged it needs additional staff to process these requests in a timely manner. Accordingly, **WE MOVE** that the Administration prepare a report on the steps necessary to establish a new DEPARTMENT OF PUBLIC INFORMATION AND TRANSPARENCY which would, *inter alia*, coordinate with the various City departments, including the Solicitor's office, in order to respond to public records' requests and redact body camera and dash camera footage in accordance with the requirements set forth by Ohio law and the Cincinnati Municipal Code. **WE FURTHER MOVE** the Administration advise regarding the potential cost of standing up such a new Department, and whether funds from the American Rescue Plan could be utilized for this purpose.



Councilmember Steven Goodin

April 14, 2021
202101410

To: Mayor and Members of City Council

From: Paula Boggs Muething, City Manager

Subject: Ordinance – Amending the Community Council Map for Clifton and CUF

Transmitted is an Ordinance captioned:

AMENDING the community council representation area map on file with the Clerk of Council to modify the boundaries of the areas that the Clifton Town Meeting Community Council and the CUF Community Council are considered to represent for the purposes of Cincinnati Municipal Code Sections 111-1 and 111-5.

Summary

A map is currently on file with the Clerk of Council showing the boundaries identified by each Community Council as the area of their representation. This map is used by City Staff to determine which Community Council to notify when there is a proposed zone change, zoning hearing, or notwithstanding ordinance in accordance with Sections 111-1 and 111-5 of the Cincinnati Municipal Code. In the case that two or more Community Councils represent one area, the area is designated as a “Overlap Area.” When an area is designated as an “Overlap Area,” Staff notifies all Community Councils claiming the area.

On February 3, 2021, City Council adopted Motion 202100232 from Councilmembers Kearney and Landsman via Clifton Town Meeting to amend the boundaries of Clifton to include Burnet Woods, both sides of Bishop Street, and the area north of West Martin Luther King Jr. Drive between Clifton Avenue and Dixmyth Avenue. Burnet Woods is currently an “Overlap Area” for Corryville and the Heights (inactive). During neighborhood engagement about these new “Overlap Areas”, the CUF Neighborhood Association voted to change their bylaws on March 16, 2021 to include Burnet Woods as well. Amending Clifton’s boundary will create new “Overlap Areas” with Corryville, CUF, and the Heights.

At the April 2, 2021 City Planning Commission meeting, the Corryville Community Council did not support properties on both sides of Bishop Street becoming an “Overlap Area” between Clifton and Corryville. The City Planning Commission amended the proposed Community Council boundary recommendation to remove both sides of Bishop Street from Clifton so it would remain only in Corryville, consistent with existing conditions.

The proposed Community Council boundary map changes are consistent with *Plan Cincinnati* (2012), as the amendments to this map will help improve communication from the City to these neighborhoods.

The Administration recommends Approval of this Ordinance.

cc: Katherine Keough-Jurs, AICP, Director
Department of City Planning



City of Cincinnati

DBS

AWG

An Ordinance No. _____ - 2021

AMENDING the community council representation area map on file with the Clerk of Council to modify the boundaries of the areas that the Clifton Town Meeting Community Council and the CUF Community Council are considered to represent for the purposes of Cincinnati Municipal Code Sections 111-1 and 111-5.

WHEREAS, the areas of community council representation are depicted on an area map (“Map”) that is on file with the Clerk of Council in accordance with, and for the purposes set forth in, Cincinnati Municipal Code Sections 111-1 and 111-5; and

WHEREAS, Clifton Town Meeting Community Council (“CTM”) has requested that its area of representation on the Map be modified to include Burnett Woods, the properties fronting on Bishop Street, the area generally located to the north of West Martin Luther King Jr. Drive between Dixmyth Avenue and Clifton Avenue, and to remove an area dually represented by CTM and Spring Grove Village; and

WHEREAS, on February 3, 2021, City Council adopted Motion 202100232 (“Motion”) asking that the Department of City Planning work with CTM, the CUF Community Council (“CUF”), and the Corryville Community Council (“CCC”) to ensure that the Map accurately reflects their neighborhood boundaries; and

WHEREAS, following the adoption of the Motion, the Department of City Planning engaged CTM, CUF, and CCC consistent with the Council’s request; and

WHEREAS, in connection with this engagement, CUF requested that its area of representation on the Map be modified to include Burnett Woods; and

WHEREAS, the proposed changes to the Map would result in new “overlap areas” in which the Council recognizes two or more community councils that represent an area; and

WHEREAS, CTM, CUF, and CCC have indicated that they are in agreement that Burnett Woods is important to their three neighborhoods, and they do not object to the proposed modifications, except that CCC has not expressed its support for the inclusion of the Bishop Street properties within the CTM area of representation; and

WHEREAS, at its regularly scheduled meeting on April 2, 2021, the City Planning Commission recommended the requested modifications to the areas of representation on the Map, with the exception of the request to extend CTM’s area of representation to the properties fronting on Bishop Street; and

WHEREAS, a committee of Council considered the proposed changes to the areas of representation on the Map, and the committee approved the modification recommended by the City Planning Commission; and

WHEREAS, modifications to the Map are consistent with the “Collaborate” Initiative Area of *Plan Cincinnati* (2012), which includes the goal to “work in synergy with the Cincinnati Community,” (page 209) and the Action Step to “improve City-Community communication channels” (page 211); and

WHEREAS, Council hereby resolves to modify the Map consistent with the recommendation of the City Planning Commission; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the community council area representation map on file with the Clerk of Council pursuant to Cincinnati Municipal Code Sections 111-1 and 111-5 (“Map”) is hereby amended to modify the boundaries of the areas that the Clifton Town Meeting Community Council and the CUF Community Council are considered to represent as more particularly indicated on the map attached hereto as Exhibit A.

Section 2. That the areas depicted on the Map as areas represented by more than one community council shall be reflected as “overlap areas” in which the Council recognizes two or more community councils as representing an area.

Section 3. That, except as otherwise provided herein, the Map is ratified and confirmed.

Section 4. That the Clerk is hereby directed to take all necessary and appropriate actions to carry out the provisions of this ordinance, including by updating the Map maintained in its records consistent with the modifications approved herein.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

Exhibit A: Proposed Community Council Boundary Changes for Clifton and CUF

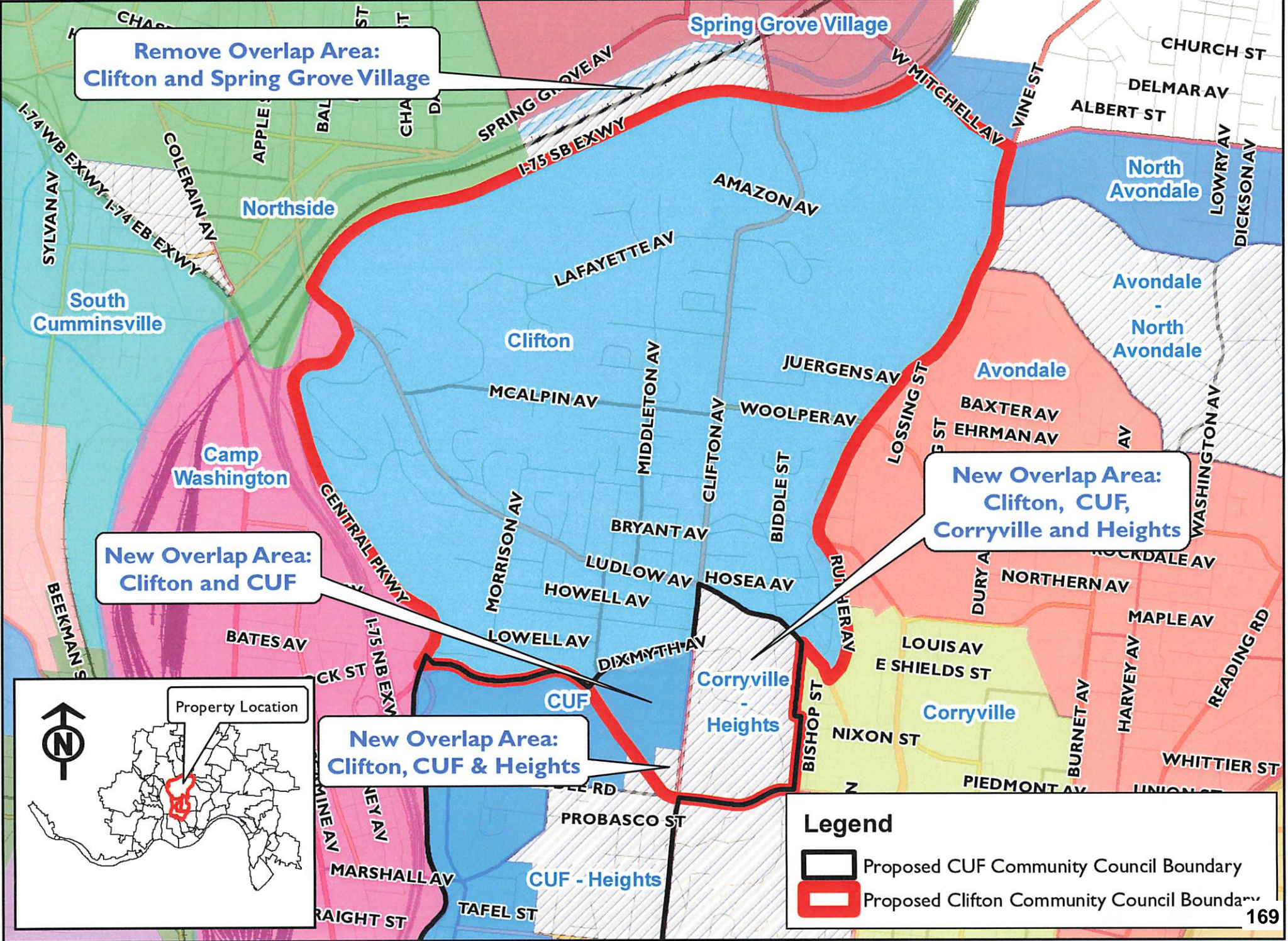
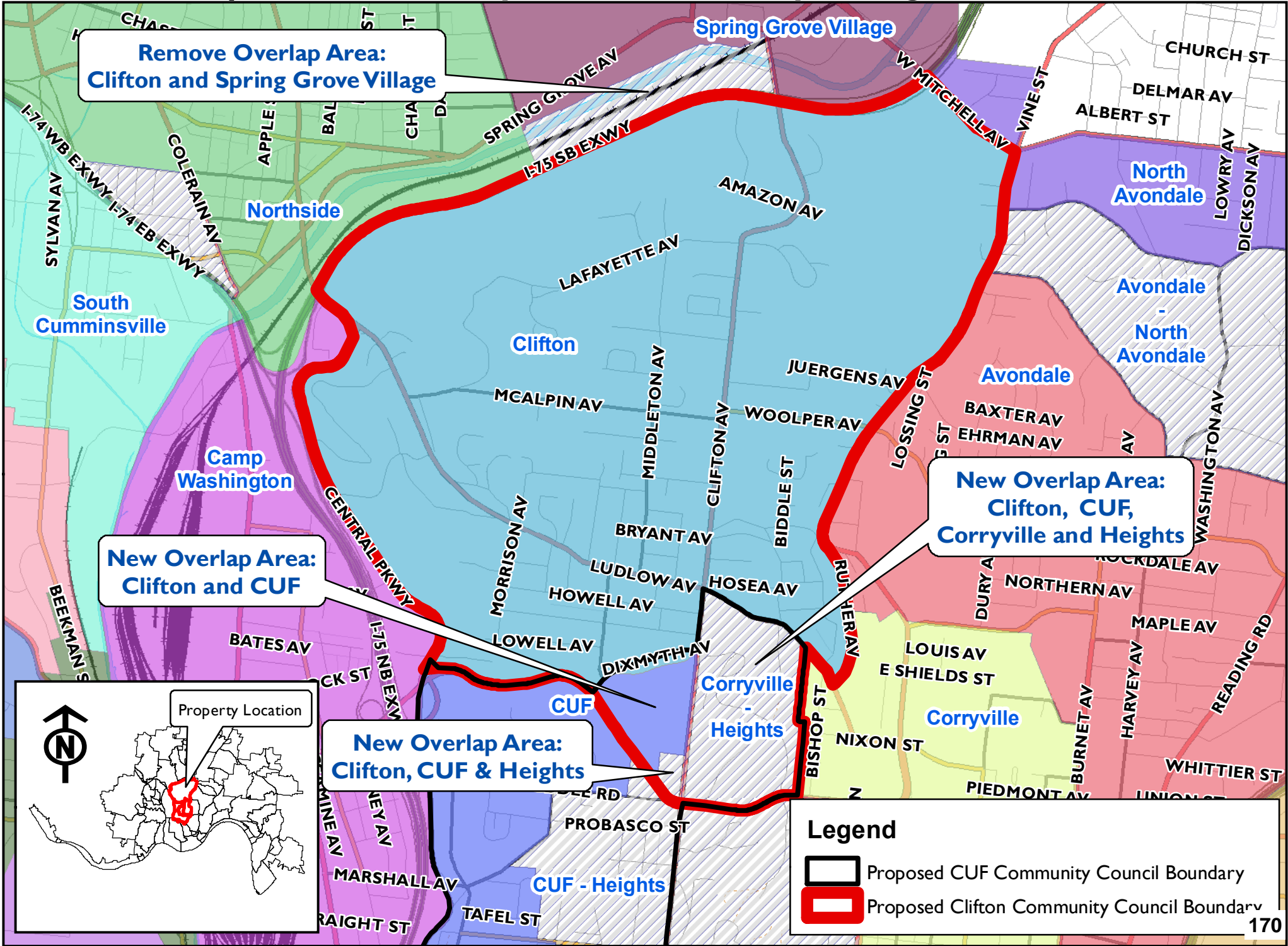


Exhibit A: Proposed Community Council Boundary Changes for Clifton and CUF



April 2, 2021

**Honorable City Planning Commission
Cincinnati, Ohio**

SUBJECT: A report and recommendation on a proposed amendment to the boundaries of Clifton and CUF for the Community Council Boundary Map which is used for compliance with the notice requirements of Municipal Code Sections 111-1 and 111-5.

GENERAL INFORMATION:

Location: Clifton and CUF neighborhoods
Petitioner: Councilmembers Kearney and Landsman via Clifton Town Meeting
Petitioner's Address: 801 Plum Street, Cincinnati, Ohio 45202

ATTACHMENT:

Provided in addition to this report is the following attachment:

- Exhibit A – Location Map
- Exhibit B – Council Motion 202100232
- Exhibit C – Correspondence

BACKGROUND:

Sections 111-1 (Hearings on Zoning Regulations) and 111-5 (Notice and Hearings on Notwithstanding Ordinances) of the Cincinnati Municipal Code both set the process and procedures for hearings. According to these sections, "A community council shall mean an organization participating in the neighborhood support program or included on a list of community councils approved by the city council and filed with the clerk. The area of representation of a community council shall be shown on a map approved by the city council and filed with the clerk. City Council may approve a map showing an area as being represented by more than one community council."

A map is currently on file with the Clerk of Council showing the boundaries identified by each Community Council as the area of their representation. This map is used by City Staff to determine which Community Council to notify when there is a proposed zone change, zoning hearing, or notwithstanding ordinance. In the case that two or more Community Councils represent one area, the area is designated as a "Overlap Area." When an area is designated as an "Overlap Area," Staff notifies all Community Councils claiming the area.

The information on this map is also available to the general public on the website for Cincinnati Area Geographic Information Systems (CAGIS) (<http://cagisonline.hamilton-co.org/cagisonline/index.html>).

On February 3, 2021, City Council adopted Motion 202100232 from Councilmembers Kearney and Landsman via Clifton Town Meeting to amend the boundaries of Clifton to include Burnet Woods, both sides of Bishop Street, and the area north of West Martin Luther King Jr. Drive between Clifton Avenue and Dixmyth Avenue. Burnet Woods is currently an "Overlap Area" for Corryville and the Heights, which is an inactive Community Council. Amending Clifton's boundary will create new "Overlap Areas" with Corryville, CUF, and the Heights.

During engagement about this proposed boundary change, CUF informed staff that they were going to amend their bylaws to also include Burnet Woods, creating a new "Overlap Area" with Corryville, the Heights, and Clifton. All three active Community Councils agree that Burnet Woods is an important asset to all three neighborhoods and that all three should receive notification for anything happening in Burnet Woods. CUF voted to change their bylaws to include their boundary on March 16, 2021.

NEW OVERLAP AREAS:

The proposed boundary changes for Clifton and CUF will result in the creation of new “Overlap Areas.” Since staff will notify all Community Councils claiming an “Overlap Area,” it ensures that all groups claiming an area will receive notification and have the opportunity to review and provide comment. The new “Overlap Areas” created as a result of these boundary changes include:

Clifton – Heights – Corryville - CUF:

Burnet Woods located at the northeast corner of Clifton Avenue and West Martin Luther King Jr. Drive is currently represented by Corryville and the Heights (an inactive Community Council). Clifton and CUF are also requesting to include Burnet Woods as their boundary, which will create an “Overlap Area” between all four neighborhoods. The three active Community Councils agree that all three neighborhoods should be notified for anything requiring public notification in Burnet Woods.

Clifton - Corryville:

Both sides of Bishop Street are currently represented by Corryville. Clifton is requesting to include properties on both sides of Bishop Street into their boundary. Corryville does not object to this new “Overlap Area.”

Clifton – CUF – Heights:

Clifton’s current southern boundary west of Clifton Avenue is Dixmyth Avenue from Clifton Avenue to West Martin Luther King Jr. Drive. Clifton is proposing to expand this boundary to include the area bound by Dixmyth Avenue to the north, Clifton Avenue to the east, and West Martin Luther King Jr. Drive to the south and west. This area includes Good Samaritan Hospital and Hebrew Union College. Doing so will create an “Overlap Area” with CUF for the entire area and with CUF and the Heights for 3003-3043 Clifton Avenue along the west side of Clifton Avenue south of Hebrew Union College.

REMOVED OVERLAP AREAS:

Clifton – Spring Grove Village:

The proposed boundary change for Clifton includes Interstate-75 as its northern boundary. Clifton currently has an “Overlap Area” with Spring Grove Village, which includes an area south of the Mill Creek’s northern shore between Crawford Avenue and Clifton Avenue. This area contains the Mill Creek and several railroad lines. Under these proposed changes, this “Overlap Area” will be removed.

ROLE OF THE CITY PLANNING COMMISSION:

According to Article VII, Section 3 of the Charter of the City of Cincinnati: “The powers and duties of the commission shall be to make plans and maps of the whole or any portion of the city and of any land outside the city which, in the opinion of the commission, bears a relation to the planning of the city, and to make changes in additions to and extensions of such plans or maps when it deems same advisable.”

PUBLIC COMMENT:

Prior to the Council Motion, Clifton Town Meeting (CTM) reached out to CUF Neighborhood Association (CUFNA) and Corryville Community Council (CCC) to inform them of their proposed boundary changes. CUFNA sent City Planning staff a letter expressing no objection and requested to change their boundary to include Burnet Woods as well. Staff reached out to CCC to ensure they had been notified by CTM of the proposed change. The CCC responded that they agreed that for matters related to Burnet Woods that require notification, CCC, CUFNA, and CTM should all be notified. The CCC does not support or object both sides of Bishop Street being a new “Overlap Area.”

CONSISTENCY WITH PLAN CINCINNATI:

The application for a change in zoning is consistent with Goal 1 of the Collaborate Initiative Area of *Plan Cincinnati* (2012), which is to “Work in synergy with the Cincinnati Community” (page 209). An Action Step of this Goal is to “Improve City-Community communication channels” (page 211). This change will ensure that these Community Councils will be properly notified for projects in within the area that they represent.

RECOMMENDATION:

The Staff of the Department of City Planning recommends that the City Planning Commission take the following action:

APPROVE the proposed amendment to the boundaries of Clifton and CUF for the Community Council Boundary Map which is used for compliance with the notice requirements of Municipal Code Sections 111-1 and 111-5.

Respectfully submitted:



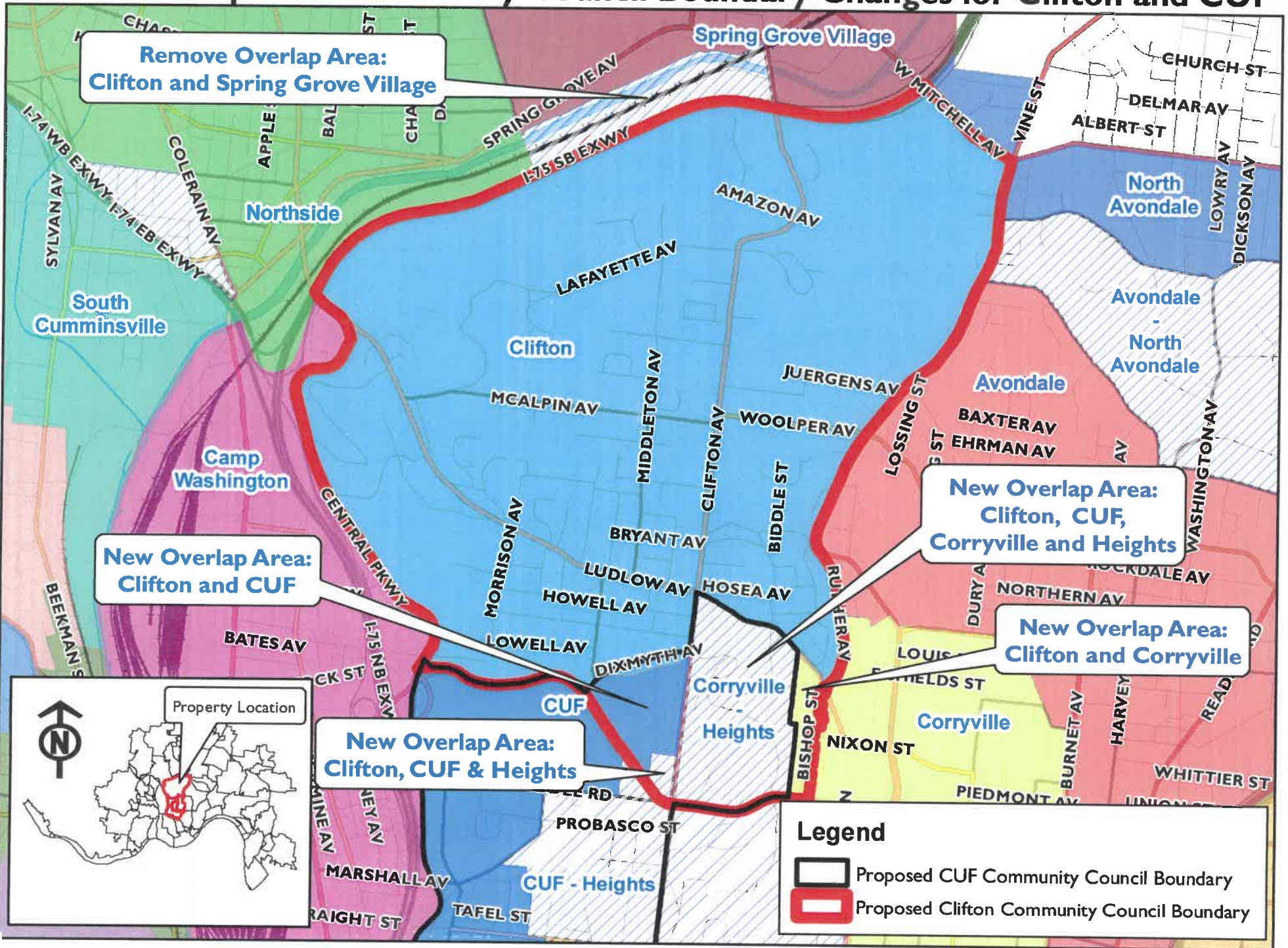
James Weaver, AICP, Senior City Planner
Department of City Planning

Approved:



Katherine Keough-Jurs, AICP, Director
Department of City Planning

Exhibit A: Proposed Community Council Boundary Changes for Clifton and CUF



City of Cincinnati



801 Plum Street, Suite 346 A
Cincinnati, Ohio 45202

Phone (513) 352 5205
Email Jan-Michele.Kearney@cityofcincinnati.org
Web www.cityofcincinnati.org

202100232

Jan-Michele Lemon Kearney
Councilmember

MOTION

WE MOVE for the Department of City Planning to work with the Clifton, CUF and Corryville neighborhoods to update all official overlay district maps to reflect accurate neighborhood boundaries.

A handwritten signature in blue ink, appearing to be "GL", written above a horizontal line.

Councilmember Greg Landsman

A handwritten signature in blue ink, reading "Jan-Michele Lemon Kearney", written above a horizontal line.

Councilmember Jan-Michele Lemon Kearney



NEIGHBORHOOD ASSOCIATION
representing Clifton Heights | University Heights | Fairview

February 2, 2021

**Resolution Requesting City to Include Multiple Community Councils
with Overlap Areas**

The Clifton Heights - University Heights - Fairview Neighborhood Association (CUFNA), the City-recognized Community Council for the neighborhoods of Clifton Heights, University Heights, and Fairview, acknowledges that its boundaries per its Bylaws may overlap those of another Council, Clifton Town Meeting, for the neighborhood of Clifton.

CUFNA requests that the City regard both Councils to have standing for the purposes of notification, public engagement, queries, and consideration of the views, opinions, and requests of their respective constituencies.

This acknowledgement holds as long as it is reciprocal or until rescinded by either Council, whichever may come first.

Passed by Clifton Heights - University Heights - Fairview Neighborhood Association on February 2, 2021.

Charles Kussmaul, President CUFNA

CC: Katherine Keough-Jurs katherine.keough-jurs@cincinnati-oh.gov
Joe Brunner, Clifton Town Meeting, CTMPresident@cliftoncommunity.org
Bill Crawford, Corryville Community Council, corryvillecc@outlook.com



NEIGHBORHOOD ASSOCIATION
representing Clifton Heights | University Heights | Fairview

February 2, 2021

Resolution Requesting City to Include Multiple Community Councils
with Overlap Areas

The Clifton Heights - University Heights - Fairview Neighborhood Association (CUFNA), the City-recognized Community Council for the neighborhoods of Clifton Heights, University Heights, and Fairview, acknowledges that its boundaries per its Bylaws may overlap those of another Council, Corryville Community Council, for the neighborhood of Corryville.

CUFNA requests that the City regard both Councils to have standing for the purposes of notification, public engagement, queries, and consideration of the views, opinions, and requests of their respective constituencies.

This acknowledgement holds as long as it is reciprocal or until rescinded by either Council, whichever may come first.

Passed by Clifton Heights - University Heights - Fairview Neighborhood Association on February 2, 2021.

Charles Kussmaul, President CUFNA

CC: Katherine Keough-Jurs katherine.keough-jurs@cincinnati-oh.gov
Joe Brunner, Clifton Town Meeting, CTMPresident@cliftoncommunity.org
Bill Crawford, Corryville Community Council, corryvilleecc@outlook.com

Weaver, James

From: Daniel Luther <Lutherdv@Zoomtown.com>
Sent: Thursday, March 4, 2021 5:07 PM
To: Weaver, James; 'Malcolm Montgomery (EduTech)'
Cc: corryvillecc@outlook.com; 'Lin Ziegler'; 'Charles Kussmaul'; Keough-Jurs, Katherine; brunnerjm@gmail.com; Hollstein, Leah
Subject: RE: [External Email] Clifton Town Meeting Request that City Update Official Record of CTM Boundaries

Follow Up Flag: Follow up
Flag Status: Flagged

Hi again,

Below is an official correspondence from the Corryville Community Council via its Board Secretary, Dr. Leah Hollstein:

“Corryville is happy to have neighboring Clifton and CUF incorporate Corryville's Burnet Woods into their own boundaries for purposes of notification, understanding that all three neighborhoods are protective of the integrity and viability of Burnet Woods as a continuing Cincinnati asset. The extension of Clifton's boundary on the east side of Burnet Woods past Bishop Street is an overlap with Corryville's existing boundaries, which extend north along Jefferson and Ludlow Avenues to Clifton Avenue on the west side of Burnet Woods.”

Corryville deems its participation in this matter closed. Should you need anything else from us, feel free to reach out. Returning now to the adventures on Short Vine.

-Daniel V. Luther, Esq.

Corryville Community Development Corp.
283 E Martin Luther King Drive
Cincinnati, Ohio 45219
(513) 221-1687
Lutherdv@Zoomtown.com

From: Daniel Luther [mailto:Lutherdv@Zoomtown.com]
Sent: Thursday, March 04, 2021 1:31 PM
To: 'Weaver, James' <James.Weaver@cincinnati-oh.gov>; 'Malcolm Montgomery (EduTech)' <Malcolm-CTM@edutech.us>
Cc: 'corryvillecc@outlook.com' <corryvillecc@outlook.com>; 'Lin Ziegler' <zieglerl@fuse.net>; 'Charles Kussmaul' <cintiwood13@gmail.com>; 'Keough-Jurs, Katherine' <Katherine.Keough-Jurs@cincinnati-oh.gov>; 'brunnerjm@gmail.com' <brunnerjm@gmail.com>
Subject: RE: [External Email] Clifton Town Meeting Request that City Update Official Record of CTM Boundaries

Hi Folks,

Chiming in from the land of Short Vine, I was unaware that Corryville was holding up Clifton's process, or that Corryville has the power to hold up the process of any neighborhood outside of Corryville's borders. This notion is supported by an email from Malcolm received Monday, March 1st which concludes with:

Exhibit C

“We were asked to ensure your councils are aware of our request. It is our understanding that recognition of our formal boundaries will provide a basis for notifying and including our council in matters of interest therein, without detracting from your councils’ standing. **No action is required on your part.**” (Highlights mine).

That ending should have been enough to move the message into the “taken care of” file, but I took a moment to email the Corryville Community Council Board asking for an official statement regarding Clifton’s request. Specifically, I tasked our Board Secretary to pen out a sentence or two. I’ll flip that to you when I get it, but she may be waiting for Tuesday night, our next general meeting.

The Neighborhoods of Uptown has taken up the item of Burnet Woods several times over the years. CUF reps, CTM reps, and CCC reps all agree that if anything happens with Burnet Woods, all three communities MUST be at the table. This led to the idea, a couple years back, for CUF and CTM to ensure that their official boundaries include Burnet Woods. I, as the CCC rep in those discussions, did not object to the other neighborhoods adopting the greenspace, but maintain that Burnet Woods is original Corryville property. So, yes, Corryville has been aware that Burnet Woods would be “Mutually claimed territory” for years.

Clifton also desires a second “Mutually claimed territory” centered around Bishop Street. CCC sees the east side of the street (including all of the Bishop Triangle greenspace) as Corryville’s boundary line and the west side of the street, and the residences there, as Clifton. Corryville would say draw a line right down the middle of street.

Clifton’s new map includes those houses on the east side of the street. Corryville, without conceding the east side of Bishop, sees the logic of Clifton incorporating the area into their boundaries, and Corryville has no issues with that.

In closing, how do I get Corryville out of Clifton’s process? Is the note from my Board Secretary my “Get out of Clifton free” card?

Oh – From the shameless self-promotion file, have you ever wondered why Vine turns into Jefferson in Corryville and then back into Vine? Click the link below, and you’ll find out within four minutes and fifty one seconds. ;)

[OKI Wanna Know: Why Does Vine Street Stop Being Vine Street In Corryville? | WVXU](#)

-Daniel V. Luther, Esq.

Corryville Community Development Corp.
283 E Martin Luther King Drive
Cincinnati, Ohio 45219
(513) 221-1687
Lutherdv@Zoomtown.com

From: Weaver, James [<mailto:James.Weaver@cincinnati-oh.gov>]
Sent: Thursday, March 04, 2021 12:46 PM
To: Malcolm Montgomery (EduTech) <Malcolm-CTM@edutech.us>
Cc: lutherdv@zoomtown.com; corryvillecc@outlook.com; Lin Ziegler <zieglerl@fuse.net>; Charles Kussmaul <cintiwood13@gmail.com>; Keough-Jurs, Katherine <Katherine.Keough-Jurs@cincinnati-oh.gov>; brunnerjm@gmail.com
Subject: RE: [External Email] Clifton Town Meeting Request that City Update Official Record of CTM Boundaries

Malcolm,

Exhibit C

I am attaching an email I sent you on 11/9/2020 that stated we would like to see an agreement from CUF and Corryville prior to officially requesting it to City Council to make this an overlap area. We aren't moving the target, our position has not changed.

Yes, your bylaws have remained the same, which is the first step. The officially City recognized Community Council Boundary of the City does not always represent what the neighborhood has as their boundaries. For instance, your boundaries leave out the Vine Street Hill Cemetery. North Avondale doesn't claim it either, and we can't have areas that are not claimed by any neighborhood.

As we have said all along, once we hear from Corryville, we will move this forward.

From: Malcolm Montgomery (EduTech) <Malcolm-CTM@edutech.us>
Sent: Thursday, March 4, 2021 12:29 PM
To: Weaver, James <James.Weaver@cincinnati-oh.gov>
Cc: lutherdv@zoomtown.com; corryvillecc@outlook.com; Lin Ziegler <zieglerl@fuse.net>; Charles Kussmaul <cintiwood13@gmail.com>; Keough-Jurs, Katherine <Katherine.Keough-Jurs@cincinnati-oh.gov>; brunnerjm@gmail.com
Subject: Re: [External Email] Clifton Town Meeting Request that City Update Official Record of CTM Boundaries

James, please clarify: What exactly do we need to do to bring the official City record of CTM's boundaries in line with our official published Bylaws? To be clear, we are not asking to *change* our boundaries; they have remained the same since at least 1992, the earliest Bylaws version I have found.

I feel like we're chasing a moving target because:

- First, we were told we need only request the correction and include a copy of our Bylaws detailing our boundaries. Check.
- Then, to send an official request from our president. Check.
- Next to work with a City Councilmember sponsor. Check.
- And then to notify overlapping councils. Check.
- Now we must wait for Corryville's formal approval. We asked, but their response is not under our control.

I think I understand the need, or at least the value of all but the latest requirement. It could hold up the whole process for a step that seems unnecessary: If the City is not using this record to adjudicate boundary overlaps, and its sole purpose is to decide whom to include — not exclude — for notifications, then what is the purpose of requiring another cc's approval? Especially since our boundaries have not changed for decades?

Daniel Luther, who had regularly represented CCC at the Neighborhoods of Uptown collaborative association, assured me CCC has no objection. I don't know what else I can do.

I really want to bring this to completion. What do we need to do?

Thanks,

Malcolm

Malcolm Montgomery
Trustee, Clifton Town Meeting

Committees:
Business

Exhibit C

Transportation & Public Safety
Housing & Zoning (chair)
Governance Committee (chair)
Support CCAC in Clifton (chair)

Member:

Clifton Business Association

Contact:

222 Hosea Avenue
Cincinnati, OH 45220
Cell 513-884-0944
Malcolm-CTM@edutech.us

Disclaimer: Statements and opinions above are those of the writer and not necessarily the organization unless identified as such.

On Mar 3, 2021, at 9:10 AM, Weaver, James <James.Weaver@cincinnati-oh.gov> wrote:

Hello all,

To make it easier than trying to read a legal description of their desired boundary, I've attached a map. It would create a new "overlap area" between Clifton and Corryville for Burnet Woods and properties on both sides of Bishop Street.

This isn't a big deal to us...we use this boundary primarily for notification purposes and notify Community Councils within 400 feet of a proposed project that requires notification anyway, so this wouldn't really be a change as far as City Planning processes.

When a neighborhood wants to change their City recognized Community Council boundary, we try to stay out of negotiations between neighborhoods but we do ask that adjoining neighborhoods have the discussion before officially making any changes. I've heard from CUF okaying the changes that affect them but haven't gotten any official correspondence from Corryville.

Thanks
James

From: Malcolm Montgomery (EduTech) <Malcolm-CTM@edutech.us>
Sent: Monday, March 1, 2021 6:08 PM
To: lutherdv@zoomtown.com; corryvillecc@outlook.com; Lin Ziegler <zieglerl@fuse.net>; Charles Kussmaul <cintiwood13@gmail.com>
Cc: Keough-Jurs, Katherine <Katherine.Keough-Jurs@cincinnati-oh.gov>; Weaver, James <James.Weaver@cincinnati-oh.gov>; brunnerjm@gmail.com
Subject: [External Email] Clifton Town Meeting Request that City Update Official Record of CTM Boundaries

External Email Communication

Daniel, Bill, Lin, Chip:

As previously discussed with all of you, Clifton Town Meeting is asking the City to correct the official City record of CTM's boundaries to match those established in our Bylaws over 28 years ago:

ARTICLE III. JURISDICTION For the purposes of this organization, the term "Clifton" shall include the land encompassed within the following boundaries: A line running from the intersection of Vine Street and Ruther Ave., south on Ruther to Jefferson Ave., across Jefferson and south along the east lines of the properties fronting on the east side of Bishop St. to Martin Luther King Jr. Drive, west on Martin Luther King Jr. Drive to Central Parkway, north on Central Parkway to Ludlow Ave., northwest on Ludlow Ave. to Interstate Highway I-75, northeast on I-75 to west boundary of the Vine St. Hill Cemetery, south and east on the west and south boundaries of the Cemetery to Vine St., south on Vine to Ruther.

We were asked to ensure your councils are aware of our request. It is our understanding that recognition of our formal boundaries will provide a basis for notifying and including our council in matters of interest therein, without detracting from your councils' standing. No action is required on your part.

Please let me know if you have further questions or concerns.

Thanks,
Malcolm

Malcolm Montgomery
Trustee, Clifton Town Meeting

Committees:

Business
Transportation & Public Safety
Housing & Zoning (chair)
Governance Committee (chair)
Support CCAC in Clifton (chair)

Member:

Clifton Business Association

Contact:

222 Hosea Avenue
Cincinnati, OH 45220
Cell 513-884-0944

Malcolm-CTM@edutech.us

Disclaimer: Statements and opinions above are those of the writer and not necessarily the organization unless identified as such.

<Clifton Desired Boundary.pdf>

Corryville Community Council
283 E Martin Luther King Dr
Cincinnati, OH 45219

Clifton Town Meeting
P. O. Box 20042
Cincinnati, OH 45220

CUF Neighborhood Association
2364 West McMicken Avenue
Cincinnati, OH 45214

April 14, 2021

Cincinnati City Council
Council Chambers, City Hall
Cincinnati, Ohio 45202



Dear Members of Council:

We are transmitting herewith an Ordinance captioned as follows:

AMENDING the community council representation area map on file with the Clerk of Council to modify the boundaries of the areas that the Clifton Town Meeting Community Council and the CUF Community Council are considered to represent for the purposes of Cincinnati Municipal Code Sections 111-1 and 111-5.

Summary:

A map is currently on file with the Clerk of Council showing the boundaries identified by each Community Council as the area of their representation. This map is used by City Staff to determine which Community Council to notify when there is a proposed zone change, zoning hearing, or notwithstanding ordinance in accordance with Sections 111-1 and 111-5 of the Cincinnati Municipal Code. In the case that two or more Community Councils represent one area, the area is designated as a "Overlap Area." When an area is designated as an "Overlap Area," Staff notifies all Community Councils claiming the area.

On February 3, 2021, City Council adopted Motion 202100232 from Councilmembers Kearney and Landsman via Clifton Town Meeting to amend the boundaries of Clifton to include Burnet Woods, both sides of Bishop Street, and the area north of West Martin Luther King Jr. Drive between Clifton Avenue and Dixmyth Avenue. Burnet Woods is currently an "Overlap Area" for Corryville and the Heights (inactive). During neighborhood engagement about these new "Overlap Areas", the CUF Neighborhood Association voted to change their bylaws on March 16, 2021 to include Burnet Woods as well. Amending Clifton's boundary will create new "Overlap Areas" with Corryville, CUF, and the Heights.

At the April 2, 2021 City Planning Commission meeting, the Corryville Community Council did not support properties on both sides of Bishop Street becoming an "Overlap Area" between Clifton and Corryville. The City Planning Commission amended the proposed Community Council boundary recommendation to remove both sides of Bishop Street from Clifton so it would remain only in Corryville, consistent with existing conditions.

The proposed Community Council boundary map changes are consistent with *Plan Cincinnati* (2012), as the amendments to this map will help improve communication from the City to these neighborhoods.

The Administration recommends Approval of this Ordinance.

Motion to Approve: Mr. Samad

Ayes:

Ms. Long
Mr. Smitherman
Ms. McKinney
Mr. Eby
Mr. Stallworth
Ms. Sesler
Mr. Samad

Seconded: Mr. Smitherman

THE CITY PLANNING COMMISSION

A handwritten signature in black ink that reads "Katherine Keough-Jurs".

Katherine Keough-Jurs, AICP, Director
Department of City Planning

KKJ: jmw

Encl.: Staff Report, Ordinance

To: Mayor and Members of City Council
From: Paula Boggs Muething, City Manager
Subject: Ordinance – Zone Change for 4804-4810 Whetsel Avenue

April 21, 2021
202101479

Transmitted is an Ordinance captioned:

AMENDING the official zoning map of the City of Cincinnati to rezone the real property located at 4804-4810 Whetsel Avenue in the Madisonville neighborhood from the T4N.SF, “T4 Neighborhood Small Footprint,” and T4N.SF-O, “T4 Neighborhood Small Footprint – Open,” transect zones to the T5MS-O, “T5 Main Street – Open,” transect zone to facilitate the establishment of a new restaurant.

Summary

The applicant, B.J. Kim is requesting a zone change from the existing T4 Neighborhood Small Footprint (T4N.SF) and T4 Neighborhood Small Footprint – Open (T4N.SF-O) zoning districts to the T5 Main Street – Open (T5MS-O) zoning district to permit the use of a restaurant on the first floor with Mr. Kim living on the floors above.

A restaurant is considered an eating and drinking establishment, which is not a permitted use in the T4N.SF zoning district. The area requested to be rezoned is approximately 0.5996 acres. The property is situated on the east side of Whetsel Avenue a block south of Madison Road.

The Iglesia Apostolica Hispana Church building is zoned T5MS-O, but their parking lot at 4810 Whetsel Avenue is zoned T4N.SF-O, putting one property in-between 4804 Whetsel Avenue and the desired zoning district. After much debate between the applicant and the church, the church membership agreed to consent to rezoning their parking lot to T5MS-O with the condition that their parking lot could not be used to serve the restaurant. The applicant agreed to this condition, as the parking lot is private property owned by the church.

The zone change is consistent with both *Plan Cincinnati* (2012) and with the future vision of Madisonville. The City Planning Commission voted to approve the zone change at their April 16, 2021 meeting.

The Administration recommends Approval of this Ordinance.

cc: Katherine Keough-Jurs, AICP, Director 
Department of City Planning



City of Cincinnati

DBS

AWG

An Ordinance No. _____

- 2021

AMENDING the official zoning map of the City of Cincinnati to rezone the real property located at 4804-4810 Whetsel Avenue in the Madisonville neighborhood from the T4N.SF, “T4 Neighborhood Small Footprint,” and T4N.SF-O, “T4 Neighborhood Small Footprint – Open,” transect zones to the T5MS-O, “T5 Main Street – Open,” transect zone to facilitate the establishment of a new restaurant.

WHEREAS, Brian J. Kim (“Petitioner”), has petitioned to rezone the real property located at 4804-4810 Whetsel Avenue in the Madisonville neighborhood (“Subject Area”) from the T4N.SF, “T4 Neighborhood Small Footprint,” and T4N.SF-O, “T4 Neighborhood Small Footprint – Open,” transect zones to the T5MS-O, “T5 Main Street – Open,” transect zone; and

WHEREAS, rezoning the Subject Area to the T5MS-O, “T5 Main Street – Open,” transect zone would allow the Petitioner to establish a new restaurant on the property located at 4804 Whetsel Avenue; and

WHEREAS, the property located at 4810 Whetsel Avenue within the Subject Area is currently located in the T5MS-O, “T5 Main Street – Open,” transect zone, and thus rezoning the entirety of the Subject Area to the same transect zone would allow it to be developed and operated in a manner consistent with the property located at 4804 Whetsel Avenue; and

WHEREAS, the proposed zone change is consistent with *Plan Cincinnati* (2012), including its “Compete” initiative with the goal to “target investment to geographic areas where there is already economic activity,” (p. 141); and

WHEREAS, the Madisonville Community Council and Madisonville Community Urban Redevelopment Corporation have submitted letters of support for the proposed rezoning; and

WHEREAS, at its regularly scheduled meeting on April 16, 2021 the City Planning Commission determined that the proposed zone change is in the interest of the public’s health, safety, morals, and general welfare, and it recommended rezoning the Subject Area from the T4N.SF, “T4 Neighborhood Small Footprint,” and T4N.SF-O, “T4 Neighborhood Small Footprint – Open,” transect zones to the T5MS-O, “T5 Main Street – Open,” transect zone; and

WHEREAS, a committee of Council held a public hearing on the proposed rezoning of the Subject Area following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved rezoning the Subject Area, finding it in the interest of the public’s health, safety, morals, and general welfare; and

WHEREAS, the Council resolves to rezone the Subject Area from the T4N.SF, “T4 Neighborhood Small Footprint,” and T4N.SF-O, “T4 Neighborhood Small Footprint – Open,”

transect zones to the T5MS-O, "T5 Main Street – Open," transect zone, finding it to be in the interest of the public's health, safety, morals, and general welfare; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the shape and area of the City of Cincinnati's official zoning map in the location of the real property located at 4804-4810 Whetsel Avenue in the Madisonville neighborhood, shown on the map attached hereto as Exhibit "A" and incorporated herein by reference, and being more particularly described on the legal description contained in Exhibit "B" attached hereto and incorporated herein by reference, is hereby amended from the T4N.SF, "T4 Neighborhood Small Footprint," and T4N.SF-O, "T4 Neighborhood Small Footprint – Open," transect zones to the T5MS-O, "T5 Main Street – Open," transect zone.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

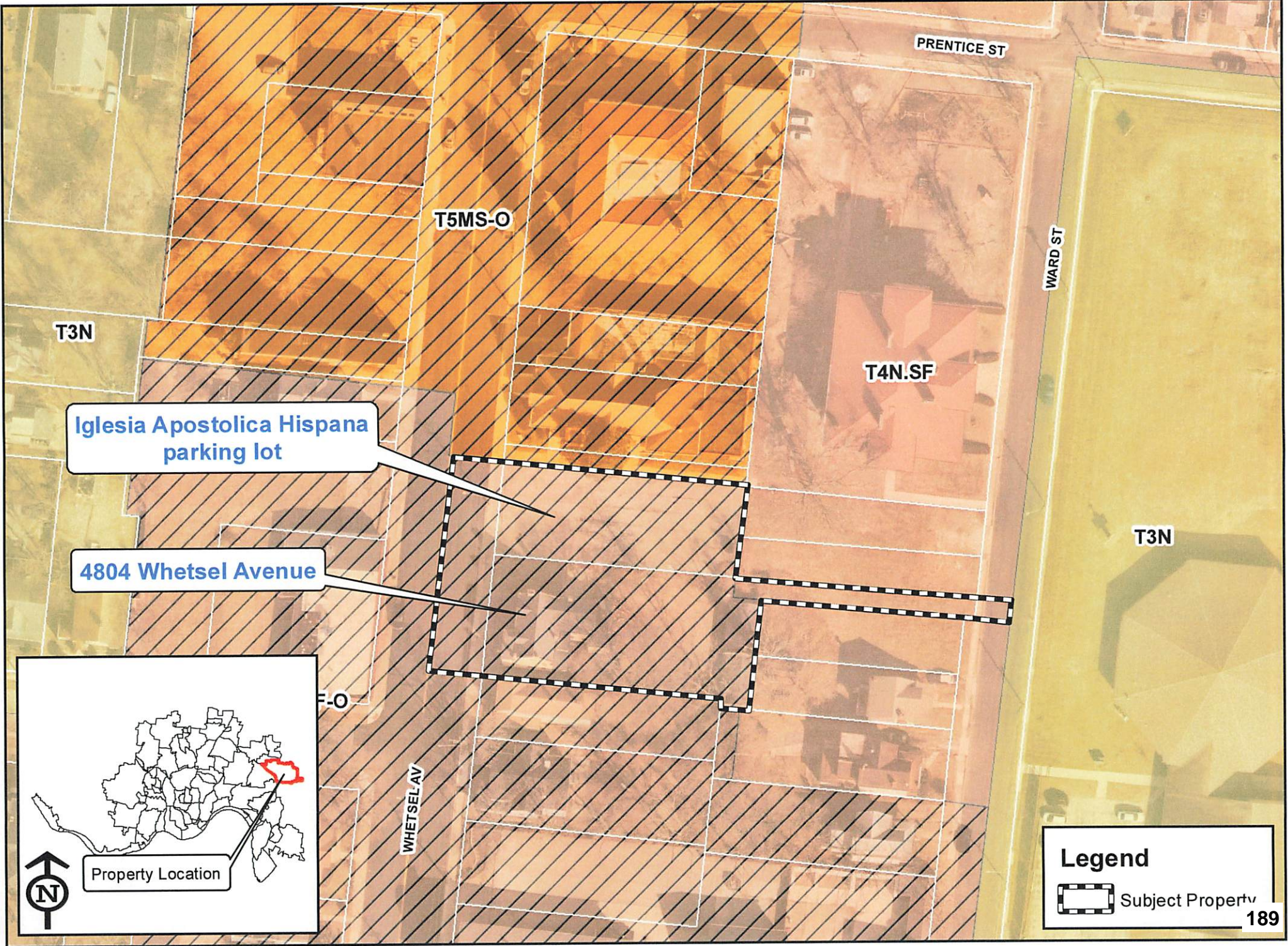
Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

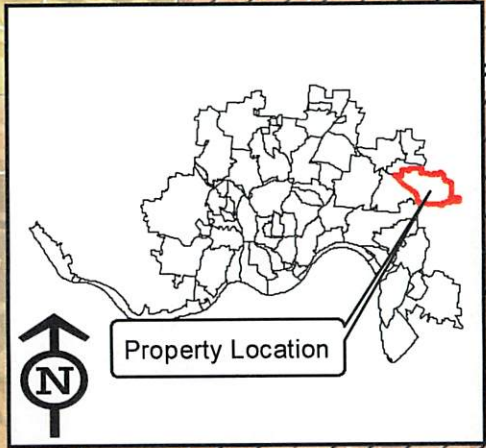
EXHIBIT A

Ex.A - Proposed Zone Change from T4N.SF and T4N.SF-O to T5MS-O at 4804 Whetsel Av. in Madisonville



Iglesia Apostolica Hispana parking lot

4804 Whetsel Avenue



Legend


 Subject Property

EXHIBIT B



**Abercrombie
& Associates, Inc.**
Civil Engineering + Surveying

SEPTEMBER 3, 2020
REVISED APRIL 8, 2021

**LEGAL DESCRIPTION
AREA TO BE REZONED
0.5996 ACRES**

SITUATE IN SECTION 16, TOWN-4, FRACTIONAL RANGE 2, MIAMI PURCHASE, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF WARD STREET WITH PRENTICE STREET; THENCE ALONG THE CENTERLINE OF WARD STREET (AS NOW IMPROVED), SOUTH 01°28'30" WEST, 334.25 FEET TO THE REAL PLACE OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE CONTINUING ALONG THE CENTERLINE OF WARD STREET (AS NOW IMPROVED), SOUTH 01°28'30" WEST, 12.00 FEET TO A POINT; THENCE LEAVING THE CENTERLINE OF WARD STREET (AS NOW IMPROVED), NORTH 88°31'30" WEST, 141.00 FEET TO A POINT; THENCE SOUTH 01°28'30" WEST, 66.00 FEET TO A POINT; THENCE NORTH 88°31'30" WEST, 24.00 FEET TO A POINT; THENCE NORTH 01°28'30" EAST, 4.00 FEET TO A POINT; THENCE NORTH 88°31'30" WEST, 177.00 FEET TO A POINT IN THE CENTERLINE OF WHETSEL AVENUE; THENCE ALONG THE CENTERLINE OF WHETSEL AVENUE, NORTH 01°28'30" EAST, 128.00 FEET TO A POINT; THENCE LEAVING THE CENTERLINE OF WHETSEL AVENUE, SOUTH 88°31'30" EAST, 177.80 FEET TO A POINT; THENCE SOUTH 01°28'30" WEST, 54.00 FEET TO A POINT; THENCE SOUTH 88°31'30" EAST, 164.20 FEET TO THE PLACE OF BEGINNING.

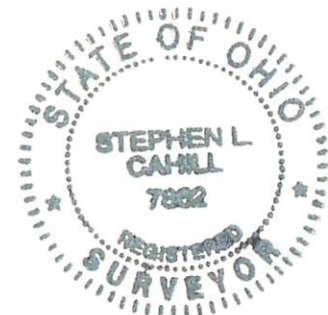
THUS CONTAINING 0.5996 ACRES OF LAND AND BEING SUBJECT TO THE RIGHT OF WAY OF WHETSEL AVENUE AND THE RIGHT OF WAY OF WARD STREET AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

I HEREBY CERTIFY THAT THE DESCRIPTION OF THE PROPERTY PROPOSED TO BE DEVELOPED IS A COMPLETE, PROPER AND LEGAL DESCRIPTION THEREOF.

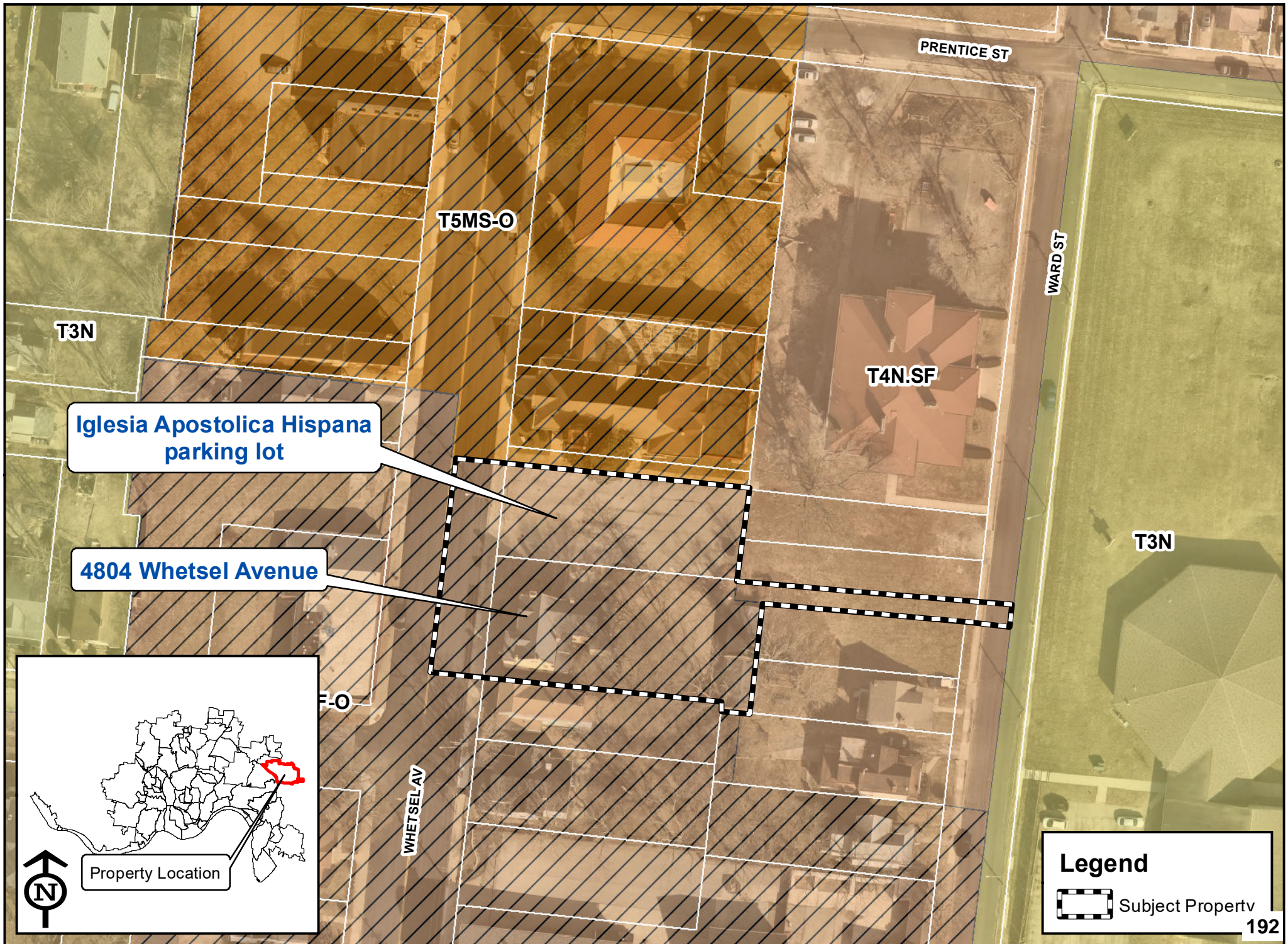
 4-07-21
STEPHEN L. CAHILL
OHIO REGISTERED SURVEYOR #7862

FILE:19-0181.LD1-0.5996AC

8111 Cheviot Road • Suite 200 • Cincinnati, Ohio 45247
Phone: (513) 385-5757 • Fax: (513) 245-5161
www.abercrombie-associates.com



Ex.A - Proposed Zone Change from T4N.SF and T4N.SF-O to T5MS-O at 4804 Whetsel Av. in Madisonville



Legend

 Subject Property



**Abercrombie
& Associates, Inc.**

Civil Engineering + Surveying

SEPTEMBER 3, 2020
REVISED APRIL 8, 2021

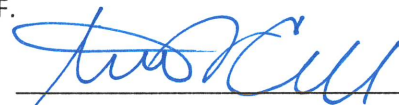
**LEGAL DESCRIPTION
AREA TO BE REZONED
0.5996 ACRES**

SITUATE IN SECTION 16, TOWN-4, FRACTIONAL RANGE 2, MIAMI PURCHASE, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF WARD STREET WITH PRENTICE STREET; THENCE ALONG THE CENTERLINE OF WARD STREET (AS NOW IMPROVED), SOUTH 01°28'30" WEST, 334.25 FEET TO THE REAL PLACE OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE CONTINUING ALONG THE CENTERLINE OF WARD STREET (AS NOW IMPROVED), SOUTH 01°28'30" WEST, 12.00 FEET TO A POINT; THENCE LEAVING THE CENTERLINE OF WARD STREET (AS NOW IMPROVED), NORTH 88°31'30" WEST, 141.00 FEET TO A POINT; THENCE SOUTH 01°28'30" WEST, 66.00 FEET TO A POINT; THENCE NORTH 88°31'30" WEST, 24.00 FEET TO A POINT; THENCE NORTH 01°28'30" EAST, 4.00 FEET TO A POINT; THENCE NORTH 88°31'30" WEST, 177.00 FEET TO A POINT IN THE CENTERLINE OF WHETSEL AVENUE; THENCE ALONG THE CENTERLINE OF WHETSEL AVENUE, NORTH 01°28'30" EAST, 128.00 FEET TO A POINT; THENCE LEAVING THE CENTERLINE OF WHETSEL AVENUE, SOUTH 88°31'30" EAST, 177.80 FEET TO A POINT; THENCE SOUTH 01°28'30" WEST, 54.00 FEET TO A POINT; THENCE SOUTH 88°31'30" EAST, 164.20 FEET TO THE PLACE OF BEGINNING.

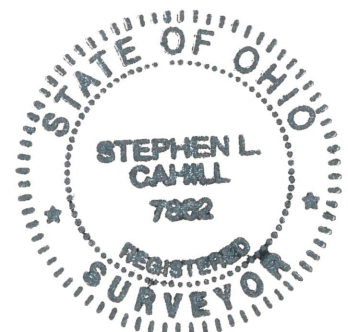
THUS CONTAINING 0.5996 ACRES OF LAND AND BEING SUBJECT TO THE RIGHT OF WAY OF WHETSEL AVENUE AND THE RIGHT OF WAY OF WARD STREET AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

I HEREBY CERTIFY THAT THE DESCRIPTION OF THE PROPERTY PROPOSED TO BE DEVELOPED IS A COMPLETE, PROPER AND LEGAL DESCRIPTION THEREOF.

 4-07-21
STEPHEN L. CAHILL
OHIO REGISTERED SURVEYOR #7862

FILE:19-0181.LD1-0.5996AC

8111 Cheviot Road • Suite 200 • Cincinnati, Ohio 45247
Phone: (513) 385-5757 • Fax: (513) 245-5161
www.abercrombie-associates.com



April 16, 2021

Honorable City Planning Commission
Cincinnati, Ohio

SUBJECT: A report and recommendation on a proposed zone change from T4 Neighborhood Small Footprint (T4N.SF) and T4 Neighborhood Small Footprint – Open (T4N.SF-O) to T5 Main Street – Open (T5MS-O) at 4804-4810 Whetsel Avenue in Madisonville.

GENERAL INFORMATION:

Location: 4804-4810 Whetsel Avenue, Cincinnati, OH 45227
Petitioner: Julie Gugino, Finney Law Firm (representing Brian J. Kim)
Petitioner’s Address: 4270 Ivy Pointe Blvd, #225, Cincinnati, OH 45245

ATTACHMENTS:

Provided in addition to this report are the following attachments:

- Exhibit A – Location Map
- Exhibit B – Zone Change Application, Legal Description, and Plat
- Exhibit C – Preliminary Site Plan
- Exhibit D – Coordinated Site Review Letter
- Exhibit E – Letters from Madisonville Community Council and Madisonville Community Urban Redevelopment Corporation
- Exhibit F – Letter from Iglesia Apostolica Hispana Church (the parking lot owner)

BACKGROUND:

On December 17, 2008, City Council directed City Planning staff to develop and implement a form-based code (FBC) chapter to be included in the Zoning Code. A working group was established in 2008 to begin building awareness about what a FBC can accomplish for Cincinnati. The FBC Working Group consisted of volunteer neighborhood organization leadership, stakeholder organizations, and City staff. This group was also made up of representatives from four “pilot” neighborhoods who were the first to implement the FBC in their communities: College Hill, Madisonville, Walnut Hills, and Westwood.

Madisonville has been an integral part of the Cincinnati FBC process since the beginning. Over 12 years ago, when the FBC concept was first discussed in Cincinnati, Madisonville stakeholders were one of the first groups to step forward and volunteer to be one of the first neighborhoods to have FBC zoning districts implemented. Since then, City Planning staff had worked with Madisonville on a long study and journey through the FBC process. At a Neighborhood Charrette, Madisonville went through an intense visioning process where several illustrative graphics were rendered, and a draft regulating plan and zoning map were produced. Over a hundred people from the Madisonville community attended over the four-day period to learn and be a part of the process.

Following City Council’s official approval of the Cincinnati Form-Based Code Chapter into the Zoning Code, City Planning staff continued working with Madisonville, fine-tuning of the draft regulating plans and maps. They also addressed moving forward with the zone change process to implement the FBC. Madisonville was the first neighborhood to make it through the entire process, with the other three “pilot” neighborhoods closely following.

Several meetings and presentations to the Madisonville community occurred between the Neighborhood Charrette and the Madisonville Community Council meeting where a vote was taken to support the zone

changes. City Planning staff worked with representatives of the Madisonville Community Council, Madisonville Community Urban Redevelopment Corporation (MCURC), and stakeholders from Madisonville involved in the FBC Working Group. The zone changes to FBC zoning districts were approved by the City Planning Commission on September 20, 2013 and by City Council on October 9, 2013 as Ordinance 307-2013.

On July 22, 2015, the applicant, B.J. Kim purchased the property located at 4804 Whetsel Avenue, which was a vacant four-family home that the applicant states had been a longstanding problem property in Madisonville. He is now requesting a zone change from the existing T4 Neighborhood Small Footprint (T4N.SF) and T4 Neighborhood Small Footprint – Open (T4N.SF-O) zoning districts to the T5 Main Street – Open (T5MS-O) zoning district to permit the use of a restaurant on the first floor with Mr. Kim living on the floors above.

A restaurant is considered an eating and drinking establishment, which is not a permitted use in the T4N.SF zoning district. This zoning district is meant to be a variety of urban housing choices, in small-to-medium footprint, medium-to-high density building types, which reinforce the walkable nature of the neighborhood, support neighborhood-serving retail and service uses adjacent to this zone. The area requested to be rezoned is approximately 0.5996 acres. The property is situated on the east side of Whetsel Avenue a block south of Madison Road.

The Iglesia Apostolica Hispana Church building is zoned T5MS-O, but their parking lot is zoned T4N.SF-O, putting one property in-between 4804 Whetsel Avenue and the desired zoning district. After much debate between the applicant and the church, the church membership agreed to consent to rezoning their parking lot to T5MS-O with the condition that their parking lot could not be used to serve the restaurant (Exhibit F). The applicant agreed to this condition, as the parking lot is private property owned by the church.

ADJACENT LAND USE AND ZONING:

The proposed zone change is for one consolidated parcel which is 0.5996 acres (Exhibit A). The property currently has a first-floor commercial shell with residential above. The existing zoning and land use surrounding the subject properties are as follows:

- North: T5 Main Street - Open (T5MS-O) – Iglesia Apostolica Hispana Church. The church building is zoned T5MS-O while the parking lot is zoned T4N.SF-O.
- East: T4 Neighborhood Small Footprint (T4N.SF) – Vacant land and single-family homes, according to the Hamilton County Auditor.
- South: T4 Neighborhood Small Footprint – Open (T4N.SF-O) – Single and two-family homes, according to the Hamilton County Auditor.
- West: T4 Neighborhood Small Footprint – Open (T4N.SF-O) – Small detached one-story retail built in 1945, according to the Hamilton County Auditor.

PROPOSED DEVELOPMENT:

The proposed zone change to T5MS-O would facilitate the use of a restaurant on the first floor of the building along with an outdoor seating area. A restaurant is considered an eating and drinking establishment, which is not permitted under the existing T4N.SF-O zoning. The existing church parking lot would remain the same, bringing the entire church property into a consistent zoning district.

ANALYSIS:

The requested zone is T5 Main Street – Open (T5MS-O). The T5MS-O desired form is attached, small-to-medium footprint, simple wall plane along street, building at the right-of-way, small to no side setbacks, up to four stories in height, and a diverse mix of frontages. The general use is primarily ground floor commercial and residential uses on the floors above. The intent is to provide a focal point for neighborhoods that accommodates neighborhood service retail, service, and residential uses in a compact, walkable urban form. The open sub-zones allow the flexibility in uses to meet market demands (i.e. a more diverse mix of uses on the ground floor, including residential, thus enabling the retail and service area to mature over time).

The Iglesia Apostolica Hispana Church understandably had concerns about their parking lot being rezoned. They believed that the main entrance to the restaurant would be off their parking lot, and that the restaurant was proposing to use their parking lot for customers. This may have stemmed from construction vehicles parking there during the renovation of 4804 Whetsel Avenue, which the applicant did not authorize. The applicant recognizes that this parking lot is private property and does not plan to use it for restaurant use. Under the proposed T5MS-O zoning, parking is not required for commercial spaces under 5,000 square feet. The zone change on the parking lot is purely to allow for a zone change at 4804 Whetsel Avenue, as City Planning Staff would not support a zone change on one small property, creating an “island” zoning district.

The proposed zone change is supported by the Madisonville Community Council and the Madisonville Community Urban Redevelopment Corporation (Exhibit E). The inclusion of a small neighborhood restaurant into the Madisonville Neighborhood Business District will be a welcomed addition to the neighborhood.

COORDINATED SITE REVIEW:

The proposed project and zone change were reviewed as a preliminary project by the Coordinated Site Review Advisory Team on April 15, 2020 as project CPRE200035. In the follow up letter, the Department of City Planning recommended the need to obtain consent from the church property to obtain rezoning. Other recommendations were standard comments related to a new restaurant use. The full letter is attached as Exhibit D.

PUBLIC COMMENT:

The Department of City Planning has been in contact with the applicant and representatives from the Madisonville Community Council and Madisonville Community Urban Redevelopment Corporation since before an official application was filed. Both entities have provided letters of support for a zone change (Exhibit E).

The Department of City Planning held a virtual public staff conference on this proposed zone change on February 18, 2021. Notices were sent to property owners within a 400-foot radius of the subject property and to the Madisonville Community Council. In addition to City staff, the applicant team was present at the meeting, along with representatives from the Madisonville Community Council and Madisonville Community Urban Redevelopment Corporation, one nearby property owner in support of the project, along with the leadership of the Iglesia Apostolica Hispana Church and their attorney, who was also translating the meeting.

During this meeting, the applicant and the church discussed the proposal and the request to rezone the church parking lot. Church leadership brought up concerns about their parking lot being used for the restaurant use, specifically if the restaurant was going to be accessed through their parking lot and if the

zone change meant that customers of the restaurant were going to park there. Staff explained that the parking lot was only needed to extend the T5MS-O zoning to 4804 Whetsel Avenue, and that besides consenting to the zone change no other action was required on their part. At the end of the meeting, the church asked for two weeks to think about the proposal. On March 14, 2021, the leadership of the church provided a letter consenting to the zone change with the condition that their parking lot is not used for restaurant use. The applicant has agreed to this condition, as the parking lot is private church property.

All property owners within a 400-foot radius of the subject properties and the Madisonville Community Council were notified of the City Planning Commission meeting. The Madisonville Community Council and Madisonville Community Urban Redevelopment Corporation have submitted letters of support (Exhibit E).

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposed zone change is consistent with the Compete Initiative Area of *Plan Cincinnati* (2012), and the Goal to “target investment to geographic areas where there is already economic activity” (page 141). Following approval of the zone change, the applicant intends to add to the commercial character of this part of Madisonville by adding a popular local restaurant to its neighborhood business district.

CONCLUSIONS:

The staff of the Department of City Planning supports the proposed change in zoning for the following reasons:

1. The proposed zone change request is adjacent to the desired T5MS-O zoning district. It is supported by the Madisonville Community Council and Madisonville Community Urban Redevelopment Corporation.
2. The proposed zone change is consistent with *Plan Cincinnati*, as it adds a popular restaurant within the existing Madisonville neighborhood business district.

RECOMMENDATION:

The staff of the Department of City Planning recommends that the City Planning Commission take the following action:

APPROVE the proposed zone change from T4 Neighborhood Small Footprint (T4N.SF) and T4 Neighborhood Small Footprint – Open (T4N.SF-O) to T5 Main Street – Open (T5MS-O) at 4804-4810 Whetsel Avenue in Madisonville.

Respectfully submitted:

Approved:

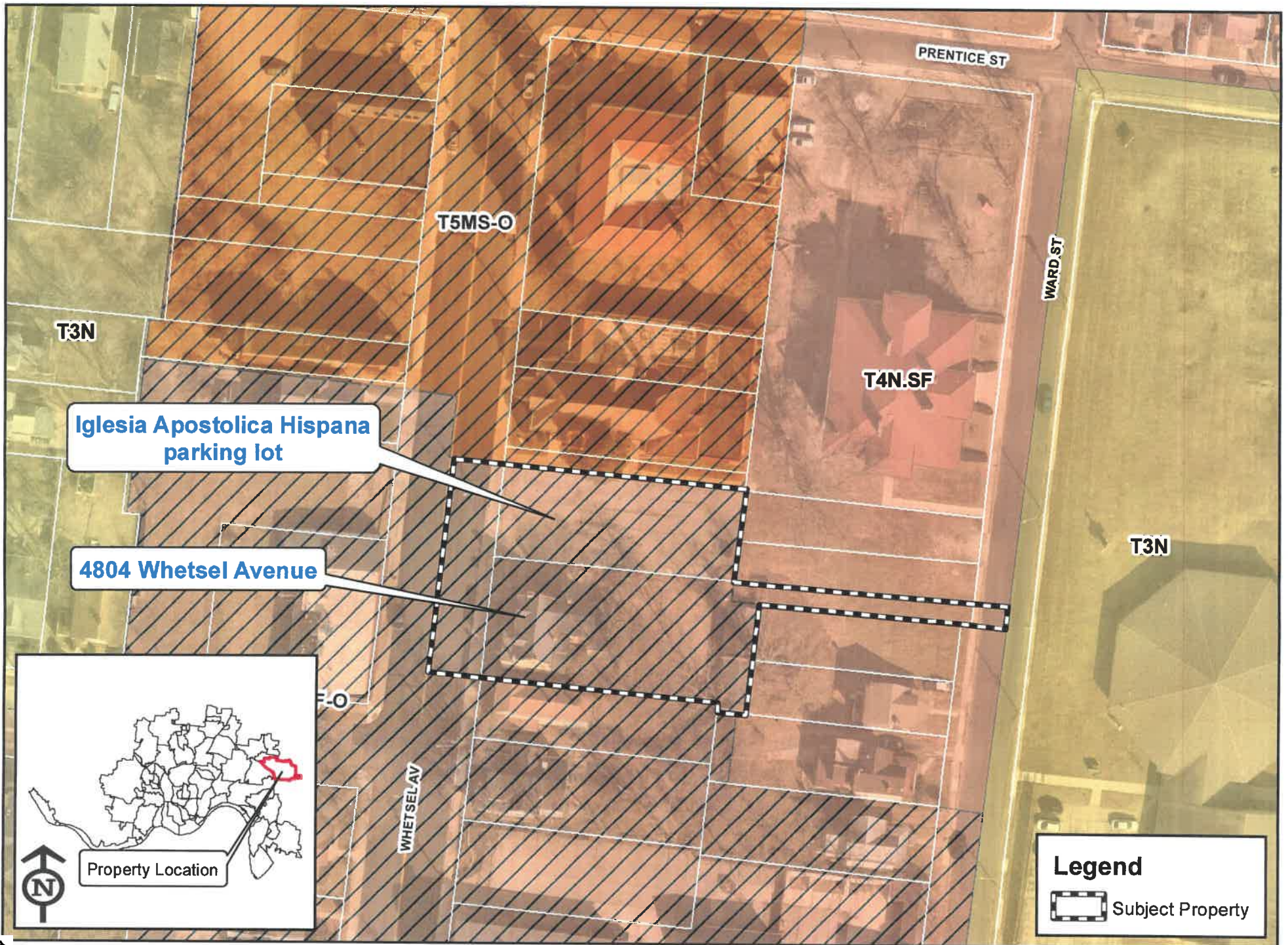


James Weaver, AICP, Senior City Planner
Department of City Planning



Katherine Keough-Jurs, AICP, Director
Department of City Planning

Ex.A - Proposed Zone Change from T4N.SF and T4N.SF-O to T5MS-O at 4804 Whetsel Av. in Madisonville



PETITION FOR CHANGE OF ZONING OF PROPERTY
LOCATED IN THE CITY OF CINCINNATI, OHIO

To: The Honorable Council of the City of Cincinnati

Date: 1/22/2021

I hereby request your Honorable Body to amend the Zoning Map of the City of Cincinnati by changing the area described in the attached legal documentation and depicted on the attached plat from the T4 Zone District to the T5 MS-O Zone District.

Location of Property (Street Address): 4804 Whetsel Avenue
Cincinnati, OH 45227

Area Contained in Property (Excluding Streets): 0.3825 Acres

Present Use of Property: Zoned T4 known as General Urban which applies to areas that have a mix of small to medium footprint, medium density housing and some single-family homes. Property is presently vacant and is adjacent to a church and library. Prior to Current owner's purchase of the property in 2015 numerous prior neighbors and community members have confirmed that the property was a crack house for decades.

Proposed Use of Property & Reason for Change: See attached letter

Property Owner's Signature: See attorney/agent signature below

Name Typed: Bryan J. Kim

Address: 4380 Eastgate Blvd. #105 Cincinnati, OH 45245 Phone: 513-356-0880

Agent Signature: 

Name Typed: Julie M. Gugino, Esq., FINNEY LAW FIRM, LLC.

Address: 4270 Ivy Pointe Blvd., #225 Cincinnati, OH 4525 Phone: 513-943-5669

Please Check if the Following Items are Attached

Application Fee X

Copies of Plat X

Copies of Metes and Bounds X



FINNEY LAW FIRM

4270 Ivy Pointe Boulevard, Suite 225, Cincinnati, OH 45245

January 26, 2021

Christopher P. Finney, Esq.
Direct Dial: (513) 943-6655
Fax: (513) 943-6669
Chris@FinneyLawFirm.com

**VIA ELECTRONIC MAIL
AND HAND DELIVERY**

Katherine Keough-Jurs, AICP, Director
Mr. James Weaver
City of Cincinnati
Department of City Planning
Two Centennial Plaza
805 Central Avenue, Suite 720
Cincinnati, OH 45202

**Re: Zone Change Application, 4804 Whetsel Ave, Cincinnati, Ohio,
Parcel Id 036-0002-0120-00 ("Property")**

Dear Ms. Keough-Jurs and Mr. Weaver,

This firm has been retained to represent Bryan J. Kim and Red Sesame LLC ("Applicant") in the above-noted matter. Enclosed with this letter please find: (i) Petition for Change for Zoning of Property located in the City of Cincinnati ("Petition"), (ii) one hard copy and one digital copy of Plat of the Property, (iii) one hard copy and one digital copy of Metes and Bounds Legal Description; and (iv) filing fee made out to the City of Cincinnati in the amount of One Thousand Five Hundred and No/100 Dollars (\$1,500.00).

By this submission, Applicant seeks a zone change of the above-noted Property.

Brief Description of Relief Requested

The Property is currently zoned T4 under the City of Cincinnati Form Based Code and Applicant requests a zone change to T5 Main Street.

According to the stated purpose of the Cincinnati Form-Based Code, the same,

...pays particular attention to the intended form and character of a place. The Form-Based Code secondarily regulates uses that are carefully chosen to maximize compatibility between uses and the intended physical form of the zone. The organizing principal of the FormBased Code is based on a hierarchy of places from the most rural to the most urban. The designation of each zone along this hierarchy (or transect) is determined first by the character and form, intensity of development, and type of place, and secondarily by the

Exhibit B

City of Cincinnati
Department of Planning and Development
January 26, 2021

mix of uses within the area. Form-Based Code transect zones are used to reinforce existing or to create new walkable mixed-use urban environments. Cincinnati Municipal Code §1703-1.10

The Property sits one block away from major development that has occurred in Madisonville at Madison Road and Whetsel Avenue in the previous 5 years. The next building over from the subject Property is a church, which is located at 4814 Whetsel Avenue, Parcel Id 003600020113 and is zoned T5 Main Street which zoning applies to areas that are higher density residential or commercial often in attached or slightly detached forms and allows both residential and commercial uses. In between the subject property and the church is a parking lot (4810 Whetsel Avenue, Parcel Id 003600020119) which is also owned by the church. The parking lot is zoned differently from its main parcel owned by the same owner; it is zoned T4 Neighborhood Small Footprint. Thus, the subject property is only one parcel removed from the T5 district it seeks a change to according to this Petition.

Proposed Use of Property

The Property is a large sprawling American Foursquare built in 1880. It abuts the Main Street commercial district, immediately adjacent to the public library and a church and only about 1.5 blocks away from the major development occurring at Madison Road and Whetsel Avenue. The circumstances of development surrounding the Property are unique to it as it is surrounded by commercial property.

Through discussions with previous owners of the church as well as community members, it is well established that, up until Mr. Kim bought it in 2015, the Property operated as a crack house for at least two decades. Mr. Kim purchased the property in 2015, fulfilling his dream to buy his first property in America, with the vision of establishing a small ethnic artisanal eatery focusing on Korean BBQ, one of only a few in the City of Cincinnati. Mr. Kim has gutted the Property, an action that was necessary due to its previous condition and use, pouring several \$100,000 into it. The Property on the first floor is a shell ready for commercial use.

Applicant plans to operate a “mom and pop” restaurant of days gone by, where he maintains the restaurant on the ground level and resides on the second level, thus retaining the function of the building as a residential home and occupying the same (rather than vacating it at the end of each business day) as an active member of the community.

Mr. Kim plans to create a warm, inviting and social gathering space for the Madisonville community and to sell beer and wine (once obtaining his liquor license). There will be outdoor seating where visitors from the surrounding neighborhood can walk to the restaurant and gather together for a meal. As described by the Madisonville Community Council President, Mr. Kim’s choice of Madisonville will fill a void in the “food desert crisis”

Reason for Change

The Property currently sits in a T4 zone Small Footprint which applies to areas that have a mix of small to medium footprint, medium density housing types (attached and detached) and in

Exhibit B

City of Cincinnati
Department of Planning and Development
January 26, 2021

some instances a mix of single-family homes and allows small footprint buildings. Mr. Kim desires to open a restaurant on the first level of the Property while living on the second level. The Property will remain a historic American Four Square with its owner living thereon, but the first level will be used for a thriving small ethnic and artisanal restaurant serving its neighborhood.

Mr. Kim requests a zone change as the use of the Property as a restaurant while he lives in the same is permitted in the adjacent T5 Main Street area which allows both residential and commercial uses.

Summary

Owing to special circumstances or conditions pertaining to a specific piece of property, the strict application of the provisions or requirements of this Code or the Land Development Code, as applicable, are unreasonable and would result in practical difficulties.

The zone change will not adversely affect the community character, public health, safety or general welfare and will be consistent with the general spirit and intent of the Land Development Code of the City of Cincinnati. Indeed, Mr. Kim's zone change has the full support, each, of the Madisonville Community Council, the Madisonville Community Urban Redevelopment Corporation ("MCURC") and the Madisonville Business Chamber ("MBC"). Those letters of support are attached to this Petition.

The Madisonville Community Council's letter indicates its support for a re-zoning of the Property from T4 to T5MS-O. The President of the Madisonville Community Council has further communicated that "Madisonville is eager to welcome Mr. Kim, both as a resident and as a business owner. If the ongoing residential chatter is any indication, providing that the City of Cincinnati approves the zone change, Red Sesame will be another bright spot in solving our food desert crisis in Madisonville." (January 11, 2021 email from Madisonville Community Council attached here).

MCURC lent its support to a zone change of the Property, stating,

In an effort to worked towards the goals of our Quality of Life Plan, we seek to support a diverse array of small businesses throughout our business district. Though we are aware of the reasons for our Form Based Code and the permitted uses, we are left with limited opportunities for new business. We do not make it a practice to support zone changes unless there is a well supported reason, but due to Mr. Kim's community support, support by contiguous property owners, and his location being across the street from commercial properties it makes sense to support his request. Mr. Kim's business will be a welcomed asset to our community. (MCURC Letter of Support, September 14, 2020).

In addition, the letter of support from the Madisonville Business Chamber, provides,

Per the Madisonville Quality of Life Plan, the community desired a diverse and inclusive presence of "Mom and Pop" business to occupy the Business District. The owner is visible within the community, is a member of The Madisonville Business Chamber and will be a great addition. Red Sesame will be a great addition that compliments Millie's Place, The

Exhibit B

City of Cincinnati
Department of Planning and Development
January 26, 2021

Cheesecakeery and Bad Tom Smith Brewing. MBC members voted 100% to support Mr. Kim in requesting the needed changes to move forward with zoning changes required. (MBC Letter of Support, June 22, 2020).

The zone change is supported by the Madisonville community and is in line with the spirit of the Madisonville Quality of Life Plan (attached) including the desire for “mom and pop” businesses in Madisonville, thus the zone change as requested will protect the integrity of the community and its environment. It will further promote the economic success of Madisonville in contributing to a well-rounded community with diverse options and businesses owned by members of the community.

This Property has served as the home of drug activities and its impact on the immediate neighborhood has been adverse for decades. As is, it has contributed absolutely nothing to the neighborhood, but detracts greatly from the same. Among the current uses available to the Property under the T4 zone designation include use as a “Day Care Center”, “Meeting Facility”, “Bed and Breakfast” and use in “Artisan Production” classified under Industry, Manufacturing and Processing. The new designation as T5 Main Street will allow the Applicant to establish an “Eating or Drinking” establishment at the Property. This new use is certainly of no greater impact upon the surrounding neighborhood than those currently permitted, including use as a daycare center, bed and breakfast, meeting facility and/or manufacturing for artisan production.

The zone change would continue to promote a diverse mix of uses as laid out in the Form-Based Code and Madisonville’s Quality of Life Plan which states as its goal to (i) create a walkable, pedestrian-friendly, mixed-use neighborhood business district at Madison & Whetsel, using a newly; (ii) Increase economic vitality in Madisonville by promoting the neighborhood as a great place to locate businesses; and (iii) Support small business development and a variety of housing choices.

The new use with the zone change as an owner occupied small ethnic and artisanal restaurant will transform the Property from a blighted building to a thriving business that will attract customers and provide a gathering place for the neighborhood. This use is in keeping with the Madisonville neighborhood plan and will serve as a dining option to the numerous new residences coming to the corner of Madison Road and Whetsel Avenue.

In addition, the request for a zone change (or change of use) is not a rare event in Madisonville given the changing nature of the area and the rapid development changes that have occurred in the preceding five years. Among recent such requests include (i) a use variance obtained by the Ackerman Group for Phase III Variances at Madison and Whetsel granting a use variance at the ground level of Madison Road to allow flexibility for office use, and (ii) a zone change was made at the request of Madison and Stewart, LLC a PLK Communities LLC company, in order to build the Jameson development at Madison Road and Stewart Avenue.

The Property, as it is, abuts the Main Street T5 Zone District; the very next building over is zoned T5 Main Street and the empty parking lot in between the Property and the church is also owned by the church but zoned T4. The current form-based code was implemented in 2013 and the parcels immediately adjacent to the Property (4814 and 4810 Whetsel Avenue) were owned by

Exhibit B

City of Cincinnati
Department of Planning and Development
January 26, 2021

one owner at the time but for some reason the parcels were split in zoning designation, with the building designated as T5 and the empty parking lot designated as T4. The zoning needs of the Property are unique to it, given the building's location on the border of T5 Main Street development and on the burgeoning development that has been occurring in Madisonville over the past five years at which the Property sits at the edge. In addition, the subject Property is surrounded by commercial properties across the street.

The new use of the Property as an owner occupied "mom and pop" small ethnic restaurant will blend well with the surrounding development in the community. The requested zone change is compatible with the predominant and prevailing land use, building and structure patterns of the neighborhood surrounding the Property and will not have a material net cumulative adverse impact on the neighborhood.

Applicant's intended use will transform this Property which was historically a nuisance to the surrounding neighborhood into an owner occupied artisanal ethnic restaurant. This will be in keeping with the rapid, changing and exciting development occurring in the Madisonville area and add to the beautification of the surrounding area as well as have a positive impact upon the options available to the community to dine and gather.

Conclusion

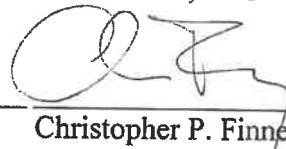
As stated herein, the Zone Change as requested herein is supported by the Madisonville Community Council, the Madisonville Community Urban Redevelopment Corporation and the Madisonville Business Chamber. It is in keeping with the changing development where it abuts the commercial and residential T5 Main Street Zone.

Further, the zone change will not alter the essential character of the area and will not result in a use or development on the subject property that would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development value of property or improvements permitted in the vicinity. Quite to the contrary, the change requested will transform a historically nuisance Property into a thriving business providing a place for the community to gather and dine.

Thank you,

FINNEY LAW FIRM, LLC

By: _____



Christopher P. Finney

CPF/kdr

cc: Julie M. Gugino, Esq.
Mr. Bryan J. Kim



Date: June 19th, 2020

To: Red Sesame
c/o BJ Kim
4450 Eastgate Blvd
Cincinnati, OH 45245

RE: Zoning Change Request for 4804 Whetsel

Dear Mr. Kim:

The Madisonville Community Council (MCC) is writing to you today to share our support of the Zone Change Request as presented at the virtual Madisonville Community Council General Body meeting on June 18th, 2020. The requests, approved on June 18th, 2020 is listed:

- Zone Change Request for the property at 4804 Whetsel to be re-zoned from a T4 to a T5MS-O.

We look forward to the continued progress as on the property on Whetsel and we welcome you to your new home and new business location in Madisonville! Thank you for choosing Madisonville!

Should you, Mr. Kim, or City of Cincinnati Planning Commission have any additional needs to discuss this further, please feel free to contact me directly at 513-227-4352.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kate Botos', with a long horizontal flourish extending to the right.

Kate Botos
Madisonville Community Council President

Officers

President
Kate Botos

Vice President
Kim Eppens

Treasurer
Joan Willis

Recording Secretary
Charlie Foster



June 22, 2020

City of Cincinnati
Zoning Department
805 Central Avenue
Cincinnati OH 45202

Dear Cincinnati Zoning Department -

I am writing to express The Madisonville Business Chamber's (MBC) support for Mr. BJ Kim and Red Sesame Korean BBQ for their request to change zoning at 4804 Whetzel Avenue in Madisonville, Ohio. Mr. Kim is the owner of the property and his vision is to reside above his business at this address, which requires a change from T4 to T5.

Per the Madisonville Quality of Life Plan, the community desired a diverse and inclusive presence of "Mom and Pop" businesses to occupy the Business District. The owner is visible within the community, is a member of The Madisonville Business Chamber and will be a great addition. Red Sesame will be a great addition that compliments Millie's Place, The Cheesecakeery and Bad Tom Smith Brewing. MBC members voted 100% to support Mr. Kim in requesting the needed changes to move forward with zoning changes required.

Sincerely,


Terri Henry, President
The Madisonville Business Chamber



6111 Madison Road | Cincinnati, OH 45227
(513) 271-2495 | www.mcurc.org

September 14, 2020

City of Cincinnati
Zoning
805 Centera Ave
Cincinnati, OH 45202

Dear Planning and Zoning Staff,

I am writing on behalf of MCURC to express our support for Mr. BJ Kim and Red Sesame Korean BBQ for their change of zoning request at 4804 Whetsel Avenue in the Madisonville neighborhood of Cincinnati, OH. Mr. Kim has shared plans and a timeline for construction with our organization, and explained his plan is to use the second floor as a personal residence and the first floor as his restaurant. For Mr. Kim to house his business on the first floor, and his residence above, it will require a zone change from T4 to T5-SSO.

In an effort to worked towards the goals of our Quality of Life Plan, we seek to support a diverse array of small businesses throughout our business district. Though we are aware of the reasons for our Form Based Code and the permitted uses, we are left with limited opportunities for new business. We do not make it a practice to support zone changes unless there is a well supported reason, but due to Mr. Kim's community support, support by contiguous property owners, and his location being across the street from commercial properties it makes sense to support his request. Mr. Kim's business will be a welcomed asset to our community.

Thank you,

Elishia Chamberlain, MPA
Executive Director

Exhibit B

----- Forwarded message -----

From: **Madisonville Community Council President** <president@ourmadisonville.com>

Date: Mon, Jan 11, 2021 at 3:40 PM

Subject: Re: 4804 whetsel zone change (MCC, MBC, MCURC)

To: Elishia Chamberlain <elishia@mcirc.org>

Cc: BJ KIM <byoungjoon13@gmail.com>, Weaver, James <James.Weaver@cincinnati-oh.gov>, Keough-Jurs, Katherine <Katherine.Keough-Jurs@cincinnati-oh.gov>, Madisonville Business Chamber <mba45227@gmail.com>, Peppers, Alex <Alex.Peppers@cincinnati-oh.gov>

Good afternoon,

The Madisonville Community Council voted to support Mr. Kim's request for a Zone Change back in June of 2020 (see attached letter of support). As the current President of the Madisonville Community Council (2 consecutive terms running from Jan. 2018-Dec.2021), I can assure you that this letter of support is still valid. Only a vote to overturn would render the letter invalid, which has not happened.

Furthermore, there is no one outside of myself and our Communications Chair (social media only) that is authorized to speak on behalf of the Madisonville Community Council in any official capacity. As recent events have shown, our democratic process is sacred and anyone, purporting to circumvent the neighborhood's elected officials in an effort to undermine the organization the City of Cincinnati recognizes as the voice of the neighborhood, will be subject to legal consequence as deemed appropriate by our legal team.

Madisonville is eager to welcome Mr. Kim, both as a resident and as a business owner. If the ongoing residential chatter is any indication, providing that the City of Cincinnati approves the zone change, Red Sesame will be another bright spot in solving our food desert crisis in Madisonville.

Thank you,

Kate Botos
(513) 227-4352
Madisonville Community Council - President



What is Madisonville's Quality-of-Life Plan?

The 2010 Madisonville Quality-of-Life Plan is a guiding document that outlines community goals and specific actions needed to reach those goals. It is the result of a neighborhood-driven process which engaged hundreds of leaders who shared great ideas and dedicated countless hours of hard work towards strategy development and action steps. The plan captures our energy for making Madisonville a better place to live, work, and play. It presents a shared vision with goals the neighborhood seeks to accomplish in the coming years and specifies who, what, when, and where these accomplishments will take place. Our Quality-of-Life Plan was created by residents and community leaders with a stake in Madisonville's future who are committed to working together towards their common vision. Most importantly, this plan is a dynamic tool for neighborhood progress. It will not sit on a shelf, but instead will inform the ongoing strategic decisions of neighborhood leaders.



MADISONVILLE

Background

Madisonville is a Cincinnati neighborhood located northeast of downtown along the I-75 corridor at Red Bank Road. Madisonville is surrounded by Hyde Park, Oakley, Mariemont, Madeira, Indian Hill, and Fairfax. Madison Road, a major east-west connector, originates in Madisonville and carries 20,000 cars per day through the neighborhood business district.

Nearly 10,000 people live in Madisonville. Madisonville is home to many long-time residents who remember a vibrant business district and nearby manufacturing plants, and a large number of newcomers, drawn to the neighborhood for its affordable housing stock, family-friendly feel, central location, and diverse population.

Recently recognized as a 40-year Stable and Integrated Hidden Treasure, Madisonville has a rich history of cultural and racial diversity. Madisonville boasts a strong faith-based community, five established schools, a beautiful and historic housing stock, and numerous opportunities for residential, commercial, and retail development. In addition, due to its convenient location, Madisonville is home to several major employers.

The affordable and attractive housing stock along quiet tree-lined streets makes Madisonville a desirable place to call home. A new recreation center, pool, public library, and two parks serve as anchors of community life. Madisonville is home to many key institutions and community organizations; with their help and commitment to the neighborhood, we know Madisonville's future is bright.

"This is a comfortable, friendly neighborhood, filled with deep social connections and a great sense of place" -Sara Sheets, Program Director, MCURC

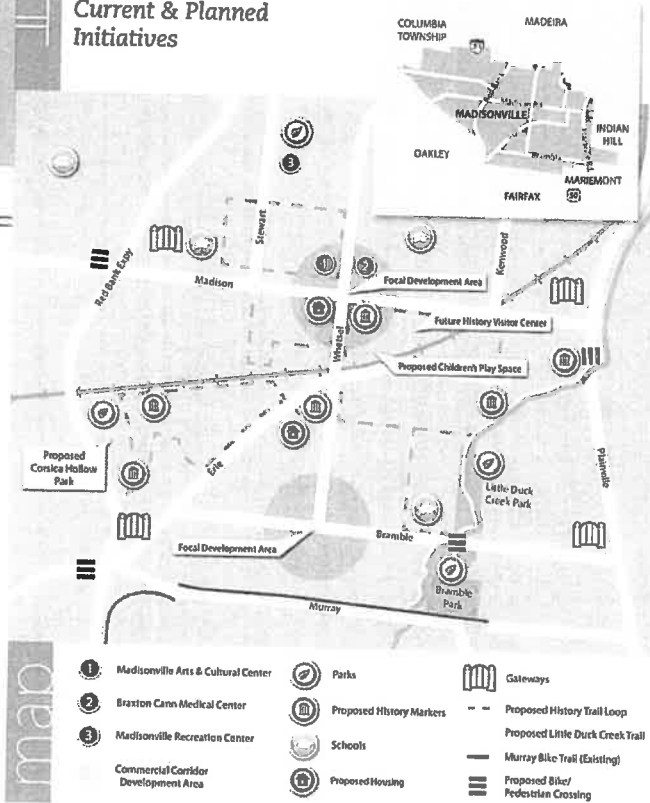
Opportunity

A number of factors have converged over the last few years to suggest Madisonville is ripe for growth and future development, including:

- The City of Cincinnati's adoption of the Growth & Opportunity (GO) Cincinnati Report, citing Madisonville as one of the Go Cincinnati neighborhoods with targeted areas for economic development
- Acquisition of key property in the neighborhood business district in preparation for future development
- The adoption of a form-based code to best capture the community's character in future new construction
- A tax increment financing (TIF) district, which is earning dollars for public improvements
- Two recently constructed public schools
- A strong local housing market attracting new investors
- Inclusive transportation projects planned for both the Madison Road Business District and Red Bank Commercial Corridor.
- Pending from LIJSC and Place Matters

With these and other major investments in Madisonville, it was essential that the community organize to make important and strategic decisions for the future. Madisonville is primed to set an example for other local initiatives, as well as provide lessons for national best practices in their community engagement and roll out of the Quality-of-Life Plan.

Current & Planned Initiatives



Goals & Strategies

ECONOMIC DEVELOPMENT

Create and expand economic and housing development opportunities.

- Create a walkable, pedestrian-friendly, mixed-use neighborhood business district at Madison & Whetsel, using a newly adopted form-based code to guide development.
- Increase economic vitality in Madisonville by promoting the neighborhood as a great place to locate businesses.
- Support small business development and a variety of housing choices.

HEALTH & WELLNESS

Support the health and well-being of all Madisonville residents.

- Improve community access to health care and preventive health care with the creation of a new and expanded Health Center.
- Increase availability of healthy food options.
- Promote walking, biking, hiking, and other outdoor physical activities, including the development of the Little Duck Creek Trail.

THE BUILT ENVIRONMENT

Ensure an attractive physical environment, demonstrating quality, care, and pride.

- Encourage the use of front-yard and community gardening (including clean-up days).
- Encourage and advocate for maintenance of infrastructure and street-scapes.
- Showcase our gateways and green spaces.

COMMUNITY ENGAGEMENT

Strengthen communication and build resident leadership.

- Increase neighborhood-level interaction and collaboration, by developing ongoing communication tools.
- Empower residents to be active participants in local decision-making and action, by supporting the development of active block clubs.
- Expand relationships with community partners and engage new stakeholders.

ARTS & CULTURE

Value and celebrate the arts, architecture, history, culture and diversity of Madisonville.

- Develop a cultural district and community arts facility, including the opening of the Madisonville Arts & Cultural Center.
- Increase opportunities for neighborhood creativity and innovation.
- Establish permanent touchstones for Madisonville's history and culture, such as markers along a new history trail.

EDUCATION & YOUTH

Support children and youth to learn, grow and succeed.

- Strengthen school/community relationships and increase enrollment at the community's public elementary school.
- Ensure that all young children in Madisonville are prepared for school by enrolling all Madisonville children in high-quality preschool or home-visitation programs.
- Expand opportunities for youth involvement in the community, including the development of a Madisonville Youth Council.



"Madisonville's effort is well positioned to demonstrate the value of a bottom-up approach to community development in Greater Cincinnati and Northern Kentucky." -Cincinnati Herald Newspaper

"I believe in Madisonville and I believe we can have the neighborhood that we all want: a thriving business district, good schools, safe streets. And I have come to learn that the answer to what we want is in this room. We can make Madisonville the neighborhood we all want and desire - if we work together." -Bob Igoe, Community Council President

Vision

Madisonville is a diverse community with a deep sense of pride and appreciation for its rich history. The people of Madisonville recognize complex and abiding social, cultural, faith-based, and familial connections. Successful development and community restoration will succeed when the past is recognized and the future is embraced. Long-time residents and newcomers will

come together and make neighborhood restoration happen.

The vision for Madisonville includes quiet, tree-lined streets with colorful gardens surrounding a safe, clean, and active business district where residents and visitors meet, shop, dine, play, live, connect, and entertain. High-quality schools, cultural organizations, health-based institutions, and employment centers are valued and nurtured.

A thriving local economy, public amenities, cultural assets, recreational opportunities, plentiful green spaces, and a variety of housing options, and a supportive social network are the keys to Madisonville's renewal. Residents believe the neighborhood is "The Soul of the City Street Story" and have the vision, the will, and the plan to unlock Madisonville's future.

How We Made Our Plan

When Madisonville received word in 2011 that it was selected as a recipient of a planning grant from LISI, the convening agency, MCHRC, immediately began working with the Madisonville Community Council and Weed and Seed Sustained, Inc. to establish a Steering Committee to guide the planning process. Residents, business, church, and organizational leaders came together to plan the engagement strategy. From fall 2011 to winter 2012, the team conducted nearly 100 interviews of existing leaders to discover their thoughts about Madisonville, to listen to their ideas, and to recruit new leadership. The results were compiled and analyzed by

the University of Cincinnati Community Design Center, which also provided existing conditions, demographics and a review of previous plans with key recommendations.

After the one-on-one conversations, the Steering Committee brought everyone together to hear ideas and begin making plans for the future. On April 19, 2012, nearly 200 residents and leaders of neighborhood-based organizations, institutions and businesses joined together to create a common vision for the future of Madisonville.

The ideas expressed during the visioning event fell into six categories. Over the summer months, the Steering Committee convened six working

sessions to develop specific strategies for improving the quality of life in Madisonville. Each session had a specific agenda, benchmarks for a successful planning process, and meaningful leadership responsibilities. The groups were also charged with identifying lead agencies or "champions" for each action to ensure accountability and productivity. The neighborhood coined a name for the process - "Madisonville 100met" - in an effort to express the positive growth the community was experiencing. By the end of the summer, over 2,000 hours of formal meeting time was spent. Group co-chairs, key volunteers, and staff spent even more time in between sessions working on their strategies



Highlights

The Madisonville Arts & Cultural Center

The Madisonville Arts & Cultural Center (MACC) will become a key anchor for community life and a unique, creativity-fostering engine for Madisonville's economic development in the years ahead. It will become Madisonville's cultural center and a place where a variety of music, dance, poetry, spoken word, historical exhibits, visual and culinary arts will be promoted and celebrated. It will be an architecturally significant and environmentally friendly place where Madisonville residents and visitors will gather and enjoy a rich cultural life in the heart of a diverse, urban neighborhood. The MACC will work towards incorporating public art and historical markers and trails throughout the neighborhood, in collaboration with neighborhood-based and city-wide organizations.

School-Community Organizing

During our recent work, we were stunned to learn that only 20% of kindergarten-to-grade-6 children living in Madisonville and Madison Place attend John P. Parker School, our neighborhood public elementary school. The rest of the K-6 students attend other schools throughout the region. We believe this flight from the neighborhood school has a direct impact on community life, the housing market, and the overall stability of the neighborhood.

In light of John P. Parker's recent academic successes, the time is right to begin an organized campaign to recruit more families to attend our neighborhood school. Partnering with the school will help us to increase enrollment and better connect school and civic life. We envision John P. Parker as an academically rich school where families in Madisonville and beyond choose to enroll their children.

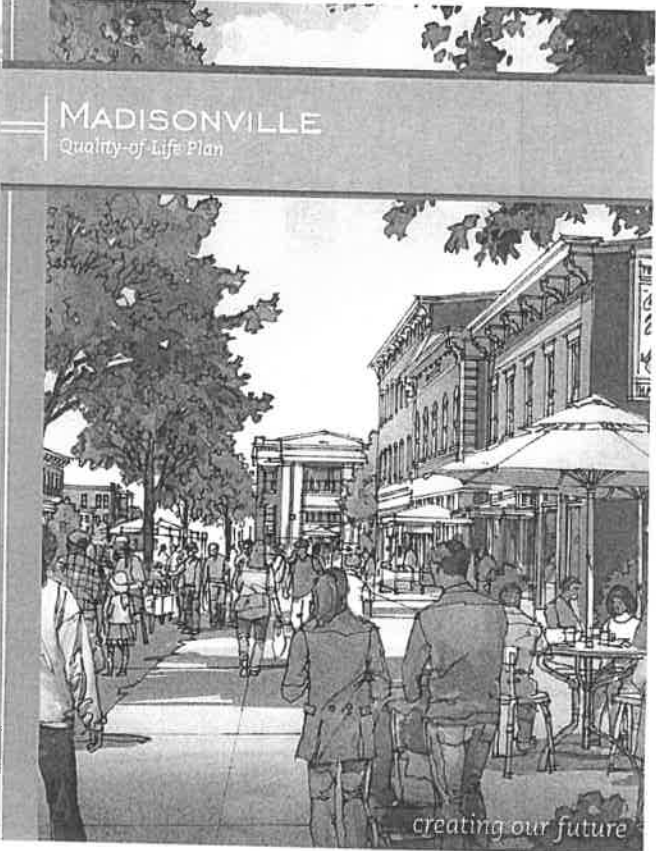
Key Partners

LISC In 2010, Madisonville was chosen to receive funding from the Local Initiatives Support Corporation (LISC) to help with quality-of-life planning. Madisonville was selected based on community need, opportunity and capacity. LISC's mission is to help community residents transform distressed neighborhoods into great places to work, play, do business and raise children. They achieve this goal by providing funds and technical assistance so that neighborhoods can expand investment in housing and other real estate, increase family income and wealth, stimulate economic development, improve education and youth programming, enhance safety and health and support healthy lifestyles. LISC does this work by helping communities build platforms on which they can pursue a citizen-led, asset-based comprehensive quality-of-life plan.

ArtsWave

- Frank Retail Group, Kathleen Norris, VP, Urban Focus
- Community Development Corporations Association of Greater Cincinnati
- Cincinnati Parks
- Cincinnati Public Schools District Two
- Cincinnati Public Schools
- City of Cincinnati Departments
 - Economic Development
 - Community Development
 - Transportation and Engineering
 - Health
 - Planning and Buildings
 - Public Services
- Civic Center Center
- Glasgowville
- John P. Parker School
- Keep Cincinnati Beautiful
- Lighthouse Community School
- LISC Greater Cincinnati & Northern Kentucky
- Madisonville Historical Society
- Madisonville Mission Ministries
- Madisonville Public Library
- Madisonville Recreation Center
- Madisonville Youth Council
- Madisonville Community Council
- Madisonville Community Urban Redevelopment Corporation
- National Underground Railroad Freedom Center
- Queen City Bible
- Shroder High School
- The Children's Home of Cincinnati
- Weed and Seed Sustained, Inc.

MCHRC The Madisonville Community Urban Redevelopment Corporation (MCHRC) is a non-profit community development corporation. For 25 years MCHRC related to volunteer-driven organization, primarily focused on redevelopment of the neighborhood business district. In order to reconnect with its mission as a community-based development corporation, MCHRC initiated an organizing and planning process to develop a vision and plan for the future. This work began in the fall of 2011 with broad participation and strong support from the entire community. For more information about MCHRC, visit their website at www.mchrc.org.





SEPTEMBER 3, 2020
REVISED APRIL 8, 2021

**LEGAL DESCRIPTION
AREA TO BE REZONED
0.5996 ACRES**

SITUATE IN SECTION 16, TOWN-4, FRACTIONAL RANGE 2, MIAMI PURCHASE, CITY OF CINCINNATI, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF WARD STREET WITH PRENTICE STREET; THENCE ALONG THE CENTERLINE OF WARD STREET (AS NOW IMPROVED), SOUTH 01°28'30" WEST, 334.25 FEET TO THE REAL PLACE OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE CONTINUING ALONG THE CENTERLINE OF WARD STREET (AS NOW IMPROVED), SOUTH 01°28'30" WEST, 12.00 FEET TO A POINT; THENCE LEAVING THE CENTERLINE OF WARD STREET (AS NOW IMPROVED), NORTH 88°31'30" WEST, 141.00 FEET TO A POINT; THENCE SOUTH 01°28'30" WEST, 66.00 FEET TO A POINT; THENCE NORTH 88°31'30" WEST, 24.00 FEET TO A POINT; THENCE NORTH 01°28'30" EAST, 4.00 FEET TO A POINT; THENCE NORTH 88°31'30" WEST, 177.00 FEET TO A POINT IN THE CENTERLINE OF WHETSEL AVENUE; THENCE ALONG THE CENTERLINE OF WHETSEL AVENUE, NORTH 01°28'30" EAST, 128.00 FEET TO A POINT; THENCE LEAVING THE CENTERLINE OF WHETSEL AVENUE, SOUTH 88°31'30" EAST, 177.80 FEET TO A POINT; THENCE SOUTH 01°28'30" WEST, 54.00 FEET TO A POINT; THENCE SOUTH 88°31'30" EAST, 164.20 FEET TO THE PLACE OF BEGINNING.

THUS CONTAINING 0.5996 ACRES OF LAND AND BEING SUBJECT TO THE RIGHT OF WAY OF WHETSEL AVENUE AND THE RIGHT OF WAY OF WARD STREET AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

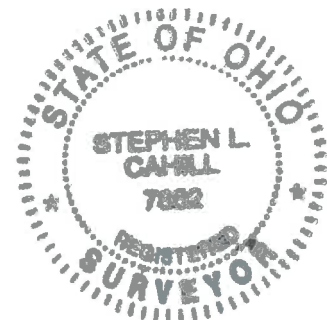
I HEREBY CERTIFY THAT THE DESCRIPTION OF THE PROPERTY PROPOSED TO BE DEVELOPED IS A COMPLETE, PROPER AND LEGAL DESCRIPTION THEREOF.



 STEPHEN L. CAHILL
 OHIO REGISTERED SURVEYOR #7862

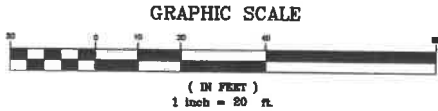
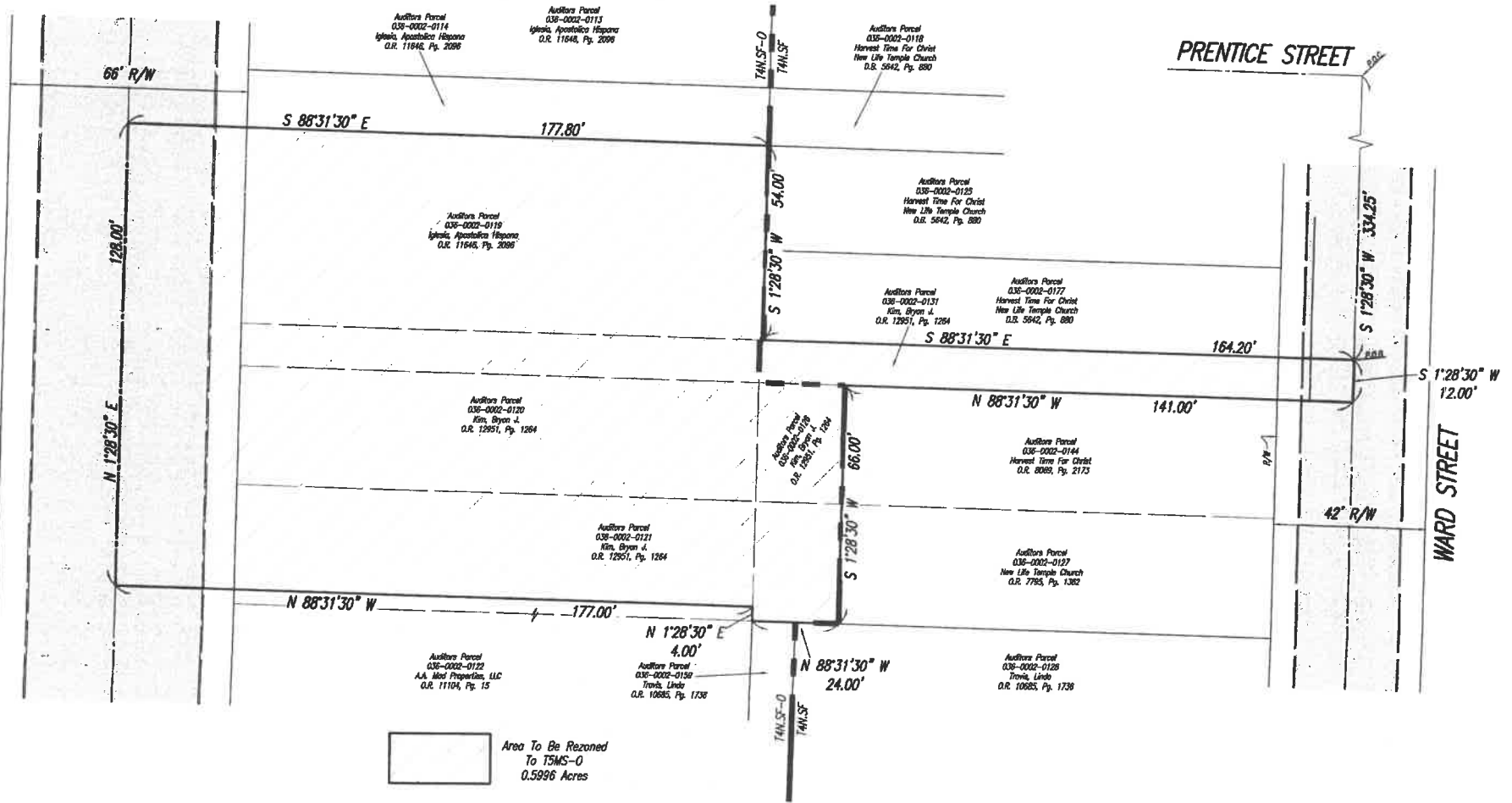
FILE:19-0181.LD1-0.5996AC

8111 Cheviot Road • Suite 200 • Cincinnati, Ohio 45247
Phone: (513) 385-5757 • Fax: (513) 245-5161
www.abercrombie-associates.com





WHETSEL AVENUE

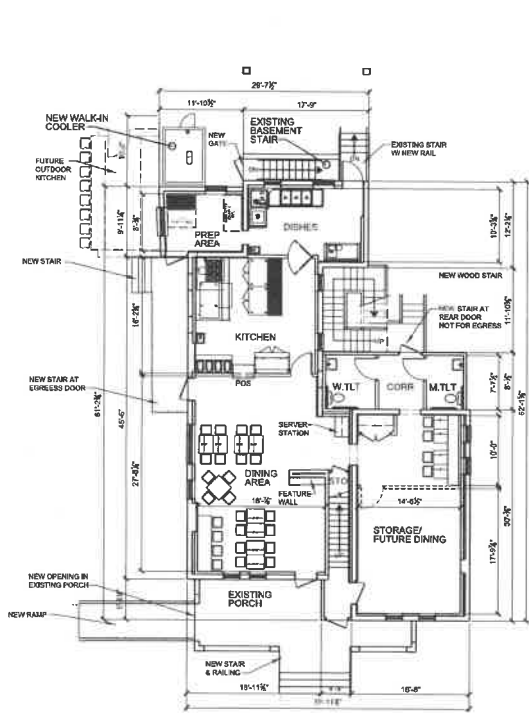


ZONE CHANGE PLAT

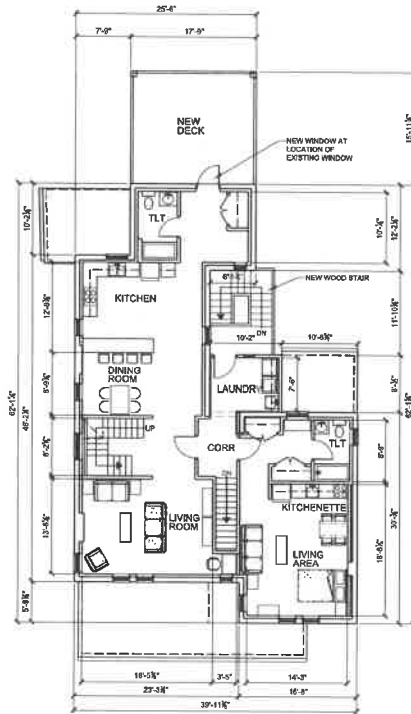
SECTION-16, TOWN-4, F.RANGE-2
MIAMI PURCHASE, CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

Ae Abercrombie & Associates, Inc.
Civil Engineering • Surveying
8111 Cheviot Road, Suite 200 • Cincinnati, Ohio 45247
513-386-5757 • www.abercrombie-associates.com

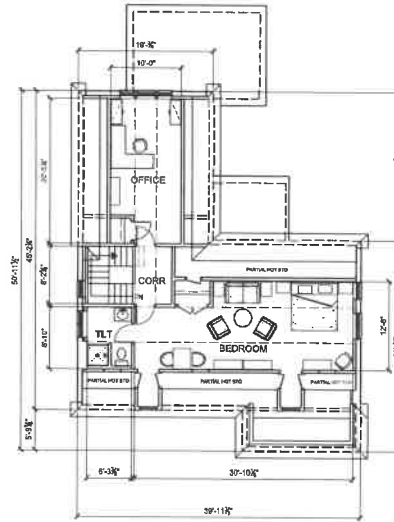
REVISIONS			
4-5-21			
SCALE	DATE	JOB.NO.	DRAWN
1" = 20'	9-1-20	19-0181	R.B.
DWG.: 19-ZONE			1



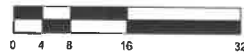
01
A101
1st FLOOR PLAN
SCALE: 1/8" = 1'-0"
N
E
S
W



02
A101
2nd FLOOR PLAN
SCALE: 1/8" = 1'-0"
N
E
S
W



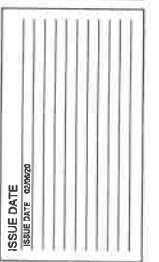
03
A101
3rd FLOOR PLAN
SCALE: 1/8" = 1'-0"
N
E
S
W

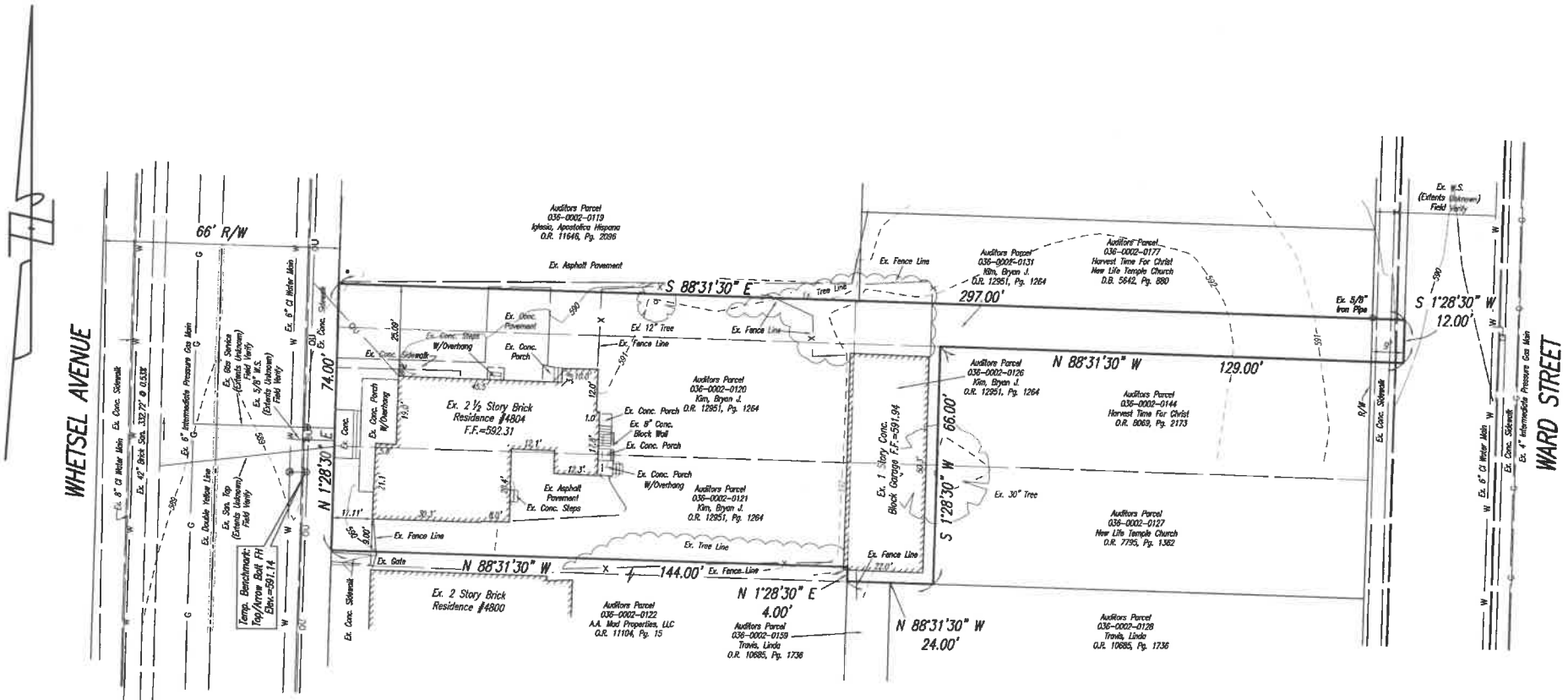


FIRST FLOOR OCCUPANCY LOADS

KITCHEN	518 SF / 200 SF PER OCC = 3 OCC
DINING	670 SF
FUTURE DINING	269 SF
TOTAL DINING	939 SF / 15 SF PER OCC = 63 OCC

OUTDOOR DINING - LIMITED TO 49 OCCUPANTS





Ex. Comb. MH
R/W=582.29
Inv=-572.68

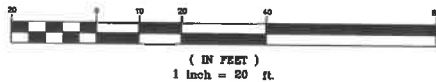
LEGEND

	Ex. Electric Meter
	Ex. Sign
	Ex. Bollard
	Ex. Fire Hydrant
	Ex. Water Valve
	Ex. Water Manhole
	Ex. Gas Valve
	Ex. San. MH
	OU

EXISTING UNDERGROUND UTILITIES REPRESENTED ON THIS DRAWING ARE APPROXIMATE LOCATION ONLY BASED ON FIELD OBSERVATIONS AND AVAILABLE RECORDS. CONTACT THE LOCAL UTILITY PROTECTION SERVICES AND AGENCIES PRIOR TO ANY EXCAVATION, CONSTRUCTION OR DESIGN.

ELEVATION DATUM SHOWN IS RELATIVE TO NAVD 88 BASED ON NGS BENCHMARK NO. 2047.

GRAPHIC SCALE



TOPOGRAPHIC & UTILITY SURVEY

SECTION-16, TOWN-4, F.RANGE-2
MIAMI PURCHASE, CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

A
Abercrombie & Associates, Inc.
Civil Engineering • Surveying
8111 Cheviot Road, Suite 200 • Cincinnati, Ohio 45227
513-365-6757 • www.abercombie-associates.com

REVISIONS				
SCALE	DATE	JOB NO.	DRAWN	
1" = 20'	10-10-19	19-0181	G.R.	1
DWG.: GR-BNTP				1



April 15, 2020

Mr. Jason Williams
Phoenix Architecture
9467 Kenwood Road
Cincinnati, Ohio 45242

Re: 4804 Whetsel Avenue | Red Sesame (P) – (CPRE200035) Initial Comments and Recommendations

Dear Mr. Williams,

This Preliminary Design Review letter informs you that our Advisory-TEAM has reviewed your proposed project at **4804 Whetsel Avenue** in the Community of Madisonville. We hope that the information provided below will help you move forward with your project. Please see our initial feedback listed below. Thank you for developing within the City of Cincinnati.

City Planning Department

Immediate Requirements to move forward with project:

1. **This project will require a zone change, which the Department of City Planning would recommend the closest adjacent zoning district of T5MS-O, which allows eating and drinking establishments. In order to do so, the Department of City Planning would also recommend that the property adjacent to the north, the Iglesia Apostolica Hispanic Church parking lot, also be rezoned to T5MS-O for continuity of zoning. This can be done on the same application for one fee, but you will need to discuss with the property owner, and they would need to consent via signature on the application.**

Requirements to obtain Permits:

1. The zone change will need to be complete before permits can be issued.

Recommendations:

1. The Department of City Planning recommends contacting the Madisonville Community Council to discuss the project before formally applying for a zone change.

Contact:

- **Alex Peppers | City Planning | 513-352-4855 | alex.peppers@cincinnati-oh.gov**

Buildings & Inspections – Zoning

Immediate Requirements to move forward with project:

1. The current T4N.SF-O Zoning does not support the proposed eating and drinking establishment use. **If rezoning is not possible, a Use Variance will be required.**

Requirements to obtain Permits:

1. If a Use Variance is granted under the existing Zoning, parking for the proposed eating and drinking establishment will be required at a rate of one space per 500 gross sf (including the Outdoor Area). Under T5MS Zoning, no parking is required for service and retail uses under 5,000 sf.

2. Parking for the residential use is required at a rate of ½ space per studio or one-bedroom unit or 1 space per two-bedroom unit under the existing T4N.SF-O zoning or one space per 1500 sf under T5MS. Parking may be provided on-site or on a lot within 600' of the subject property through a covenant or easement.
3. The proposed Outdoor area will require an additional Use Variance under the existing T4N.SF-O zoning. Under T5MS, it may not exceed 50% of the size of the indoor area accessible to the public. If it exceeds 50% of the indoor area, a Use Permit is required from the Zoning Hearing Examiner under T5MS.
4. If any outdoor entertainment is proposed for the outdoor area, including ambient background music on speakers, a Use Permit will be required from the Zoning Hearing Examiner.
5. Please indicate the location of the refuse storage area on the plans. The area should not be located in the front yard and should be screened with screen fencing at least one-foot taller than the containers.
6. All parcels comprising the proposed development must be consolidated by Consolidation Plat prior to issuance of building permits.

Recommendations:

- None

Contact:

- **Doug Owen** | ZPE | 513-352-2441 | douglas.owen@cincinnati-oh.gov

Metropolitan Sewer District (MSD)

Immediate Requirements to move forward with project:

- None

Requirements to obtain Permits:

1. Your project may change flow to a sewer overflow. Please complete the Request for Availability of Sewer Service Form online. The link to the online form can be found at http://www.msdbg.org/customer_care/development_services/index.html
2. Your project will require a grease trap review. The application and instructions can be found at http://msdbg.org/customer_care/permits_and_records/index.html. Submit the application, plans, and menu to SewerUseApplications@cincinnati-oh.gov

Recommendations:

- None

Contact:

- **Jim Wood** | MSD | 513-352-4311 | jim.wood@cincinnati-oh.gov

Stormwater Management Utility (SMU)

Immediate requirements to move forward with project:

- None

Requirements to obtain Permits:

1. Add following note on Site Plan:
 - All downspouts to remain connected to the underground sewer system."

Recommendation:

- None

Contact:

- **Saidou Wane** | SMU | 513-591-7746 | saidou.wane@cincinnati-oh.gov

Water Works

Immediate requirements to move forward with project:

- None.

Requirements to obtain Permits:

1. The subject development property is receiving water service from existing 5/8-inch water service branch (H-950915), which is connected to existing 6-inch public water main in Whetsel Avenue. **Any new branch(es) should come from the 8" public water main on the west side of Whetsel Avenue.**
2. Any existing water service branch not to be used for this development, must be properly disconnected at the owner's / developer's expense. Owner would be required to fill out the online FOD form at <https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/fod/> authorizing removal of the existing water service branch before any new water service can be sold.
3. Please note that there is a lead service line on this property 5/8" Lead Branch Number (H-950915) which is active. In accordance with CMC Chapter 401 Division M, this lead service line on your property must be replaced with copper service line. Please contact the GCWW Lead Service Line Replacement Coordinator Kathleen Frey at (513) 591-5068. Please call 513-651-5323 and/or refer to <http://www.cincinnati-oh.gov/water/lead-information/>.

Recommendations:

1. Owner(s)/Developer(s) will need to hire a Greater Cincinnati Water Works certified licensed and bonded plumber to perform the private water service branch design work and installation.
2. Owner(s)/Developer(s) must have a licensed plumber that is bonded and certified with GCWW and fill out the Online Branch application <https://www.cincinnati-oh.gov/water/engineering-construction/forms-specifications/> for water service.

Contact:

- **Bill Morris** | WaterWorks | 513-591-7858 | bill.morris@gcww.cincinnati-oh.gov

Fire Department

Immediate Requirements to move forward with project:

1. Confirm that the closest two hydrants have fire flows of at least 1000 GPM at 20 PSI.

Requirements to obtain Permits:

1. Closest hydrants are located at 4804 Whetsel Avenue, 4829 Whetsel Avenue and 4723 Whetsel Avenue.
2. If required, the Fire Department Connection is to be shown and is to be within 50' of a fire hydrant.

Recommendations:

- None



Contact:

- **Fred Prather** | Fire Dept. | 513-357-7595 | fred.prather@cincinnati-oh.gov

Office of Environmental Sustainability (OES)

Immediate Requirements to move forward with project:

- None

Requirements to obtain permits:

- None

Recommendations:

1. Due to the anticipated age of the existing site building, asbestos, lead based paint, and other hazardous building materials should be surveyed and, if needed, abatement should be conducted following all applicable regulations prior to renovations.
2. The development goal should be to earn at a minimum the LEED Certified rating level.
3. Rooftop solar should be considered in the design as a renewable energy source.
4. Onsite parking if applicable should be wired for electric vehicle charging.
5. The use of trees in the landscape design should be included to enhance urban forestry.
6. The use of non-impervious surfaces should be maximized to the extent practical.

Contact:

- **Howard Miller** | OES | 513-352-6999 | howard.miller@cincinnati-oh.gov

Police Department

Immediate Requirements to move forward with project:

- None at this time.

Requirements to obtain Permits:

- No Comments.

Recommendations:

- None

Contact:

- **Matt Hammer** | Police Dept. | 513-478-2257 | matt.hammer@cincinnati-oh.gov
- **Brandon Kyle** | Police Dept. | brandon.kyle@cincinnati-oh.gov

Health Department

Immediate Requirements to move forward with project:

- None

Requirements to obtain Permits:

1. A food facility plan review by the Cincinnati Health Department (CHD) will be required if future or current space (or tenant) is licensable (or is currently licensed) as a food service operation (FSO) or retail food establishment (RFE). If licensable, plumbing will not issue permits until CHD has completed the food facility review and approved the project.

Recommendations:

1. For assistance in determining whether facility is licensable as an FSO/RFE or not, please contact Trisha Blake.



Contact:

- **Trisha Blake** | Health Dept. | 513-352-2447 | trisha.blake@cincinnati-oh.gov

Department of Transportation & Engineering (DOT E)

Immediate Requirements to move forward with project:

- None

Requirements to obtain Permits:

1. There is currently no driveway on this property, it is all grass. It does not appear to be a proposed driveway, so the existing drive apron needs to be removed and replaced with full height curb and walk.
2. New stair handrail extension may not extend into the public right of way.
3. DOT E permit is required for all work in the right of way.
4. Addressing to be finalized by DOT E prior to submitting for building permit.
 - o The restaurant and apartments will each need an address; two addresses total. The current address 4804 Whetsel Avenue could go with either, if there is a preference. So, either 4802 or 4806 will need to be assigned. The restaurant needs to have the higher number as it is to the north of the door for the apartments.

Recommendations:

1. Per the Cincinnati Municipal Code, the adjacent property owner is responsible for the maintenance of the sidewalk. The applicant should consider repair or replacement of sub-standard sidewalk with the project.

Contact:

- **Morgan Kolks** | DOT E | 513-352-5285 | morgan.kolks@cincinnati-oh.gov

Buildings & Inspections – Buildings

Immediate Requirements to move forward with project:

1. The project must conform to accessibility requirements, including restrooms.
2. The outdoor dining area occupant load will be determined by area (SF).
3. The restaurant area must comply with all design loads.
4. The building requires suppression.
5. A wrecking permit is required to demolish the rear structure.

Requirements to obtain Permits:

- None

Recommendations:

- None

Contact:

- **Robert Martin** | B&I Plans Exam | 513-352-2456 | robert.martin@cincinnati-oh.gov



Department of Community & Economic Development (DCED)

Immediate Requirements to move forward with project:

- None

Requirements to obtain Permits:

- None

Recommendations:

- None

Contact:

- **Roy Hackworth** | DCED | 513-352-6119 | roy.hackworth@cincinnati-oh.gov

Law Department

Immediate Requirements to move forward with project:

1. No comments at this time.

Requirements to obtain Permits:

- None

Recommendations:

- None

Contact:

- **Charles Martinez** | Law | 513-352-3359 | charles.martinez@cincinnati-oh.gov

This letter is not intended as the City's final approval of your project, but rather as an initial review and consultation to provide feedback from the City's various departments and to better coordinate between the City and developer. We hope you find this process both forthcoming and helpful.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rodney D. Ringer".

Rodney D. Ringer
Development Manager

RDR: rdr



Date: June 19th, 2020

To: Red Sesame
c/o BJ Kim
4450 Eastgate Blvd
Cincinnati, OH 45245

RE: Zoning Change Request for 4804 Whetsel

Dear Mr. Kim:

The Madisonville Community Council (MCC) is writing to you today to share our support of the Zone Change Request as presented at the virtual Madisonville Community Council General Body meeting on June 18th, 2020. The requests, approved on June 18th, 2020 is listed:

- Zone Change Request for the property at 4804 Whetsel to be re-zoned from a T4 to a T5MS-O.

We look forward to the continued progress as on the property on Whetsel and we welcome you to your new home and new business location in Madisonville! Thank you for choosing Madisonville!

Should you, Mr. Kim, or City of Cincinnati Planning Commission have any additional needs to discuss this further, please feel free to contact me directly at 513-227-4352.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kate Botos', with a long horizontal flourish extending to the right.

Kate Botos
Madisonville Community Council President

Officers

President
Kate Botos

Vice President
Kim Eppens

Treasurer
Joan Willis

Recording Secretary
Charlie Foster



June 22, 2020

City of Cincinnati
Zoning Department
805 Central Avenue
Cincinnati OH 45202

Dear Cincinnati Zoning Department -

I am writing to express The Madisonville Business Chamber's (MBC) support for Mr. BJ Kim and Red Sesame Korean BBQ for their request to change zoning at 4804 Whetsel Avenue in Madisonville, Ohio. Mr. Kim is the owner of the property and his vision is to reside above his business at this address, which requires a change from T4 to T5.

Per the Madisonville Quality of Life Plan, the community desired a diverse and inclusive presence of "Mom and Pop" businesses to occupy the Business District. The owner is visible within the community, is a member of The Madisonville Business Chamber and will be a great addition. Red Sesame will be a great addition that compliments Millie's Place, The Cheesecakeery and Bad Tom Smith Brewing. MBC members voted 100% to support Mr. Kim in requesting the needed changes to move forward with zoning changes required.

Sincerely,


Terri Henry, President
The Madisonville Business Chamber



6111 Madison Road | Cincinnati, OH 45227
(513) 271-2495 | www.mcurc.org

September 14, 2020

City of Cincinnati
Zoning
805 Centera Ave
Cincinnati, OH 45202

Dear Planning and Zoning Staff,

I am writing on behalf of MCURC to express our support for Mr. BJ Kim and Red Sesame Korean BBQ for their change of zoning request at 4804 Whetsel Avenue in the Madisonville neighborhood of Cincinnati, OH. Mr. Kim has shared plans and a timeline for construction with our organization, and explained his plan is to use the second floor as a personal residence and the first floor as his restaurant. For Mr. Kim to house his business on the first floor, and his residence above, it will require a zone change from T4 to T5-SSO.

In an effort to worked towards the goals of our Quality of Life Plan, we seek to support a diverse array of small businesses throughout our business district. Though we are aware of the reasons for our Form Based Code and the permitted uses, we are left with limited opportunities for new business. We do not make it a practice to support zone changes unless there is a well supported reason, but due to Mr. Kim's community support, support by contiguous property owners, and his location being across the street from commercial properties it makes sense to support his request. Mr. Kim's business will be a welcomed asset to our community.

Thank you,

Elishia Chamberlain, MPA
Executive Director

MCURC is a 501(c)(3) nonprofit community development corporation. Our mission is to advance comprehensive community development to improve the quality of life for all.



Iglesia Apostólica Hispana.

4814 Whetsel Ave

Cincinnati Ohio 45227

Cincinnati Ohio marzo 14- 2021

A Quien Interese:

Por medio de la presente carta y en acuerdo con los líderes de la Iglesia Apostólica Hispana y ellos son: Bertilia Bartolón, Rodrigo Vásquez, Lorena Vásquez, Brayan Méndez, y ministra Dora Hernández, y el Pastor Elmer Hernández, a la solicitud del Vecino de cambio de zona del Parqueo de nuestra Iglesia hacemos saber que, si cambiaremos de zona, pero con la restricción que el parqueo es y será uso exclusivo para la Iglesia, no para el Restaurante o negocios cercanos.

Y así también tenemos planes para poner cerca, para evitar inconvenientes en el futuro.

Atentamente,

Pastor Elmer Hernández

A handwritten signature in blue ink, appearing to read "Elmer Hernández", written over a horizontal line.

Ministra Dora Hernández

A handwritten signature in blue ink, appearing to read "Dora Hernández", written over a horizontal line.

Bertilia Bartolón

A handwritten signature in blue ink, appearing to read "Bertilia Bartolón", written over a horizontal line.

Rodrigo Vásquez

A handwritten signature in blue ink, appearing to read "Rodrigo Vásquez", written over a horizontal line.

Lorena Vásquez

A handwritten signature in blue ink, appearing to read "Lorena Vásquez", written over a horizontal line.

Brayan Méndez

A handwritten signature in blue ink, appearing to read "Brayan Méndez", written over a horizontal line.



N7 Consulting Services, LLC

1101 S. W. 10th St., Suite 100
Miami, FL 33136
Phone: 305.441.1101
www.n7consulting.com

[TO WHOM IT MAY CONCERN:
OFFICIAL TRANSLATION A WRITTEN AGREEMENT]

Image
Hispanic Apostolic Church

Cincinnati Ohio March 14-2021

To whom it may concern:

Through this letter in agreement of the leaders of The Hispanic Apostolic Church who are: Bertilia Bartolón, Rodrigo Vásquez, Lorena Vásquez, Brayán Méndez, Minister Dora Hernandez, and Pastor Elmer Hernandez, to request of the neighbor a change of zoning of the parking space of our church. We advise, we will be proceeding with the changing of zone, but with the restriction that the parking space is and will be exclusive for the church, not for restaurants or neighboring businesses.

And also, we have plans to erect a fence to avoid inconveniences in the future.
Sincerely,

Pastor Elmer Hernández	[Signature]
Minister Dora Hernández	[Signature]
Bertilia Bartolón	[Signature]
Rodrigo Vásquez	[Signature]
Lorena Vásquez	[Signature]
Brayan Méndez	[Signature]

This certifies that I am competent to translate the document presented and am qualified as a translator from Spanish to English.

Joseph Nava, Esq has duly identified himself before me and I certify his signature as a notary of the State of Ohio on March 19th, 2021.

Gabriela Barbosa Gonzalez -Interpreter

Veronica Nava Soto de Hanna, Notary
State of Ohio My Commission expires August 14, 2022

<Notary Seal>



Veronica Nava Soto DeHanna
Notary Public, State of Ohio
My Commission Expires 08-14-2022

Member American Translators Association, Member No. 214448, National Association of Hispanic Business Owners & Translators No. 6497
Partner, MALDEF, Member, Cincinnati Chamber of Commerce; N7 is a Certified Minority Business Enterprise of Ohio, City of Cincinnati

AEM SERVICES LLC
2998 WEST MARKET ST
AKRON OH 44333

BALTIMORE & OHIO RAILROAD
COMPANY
500 WATER ST
JACKSONVILLE FL 32202

CARPENTER JAMES JR
4810 MATHIS ST
CINCINNATI OH 45227

DEWEY NICHOLAS & LAURYN
5807 PEABODY AVE
CINCINNATI OH 45227

ELLIS LAUREN
4723 WARD ST
CINCINNATI OH 45227

GAITHER PAMELA C
972 WINDSOR
CINCINNATI OH 45206

GASSETT ELMER
5805 PRENTICE ST
CINCINNATI OH 45227-2311

GENTRY ALVIN I & BILLIE M
4733 WHETSEL AVE
CINCINNATI OH 45227-2352

HAMILTON COUNTY LAND
REUTILIZATION CORPORATION
3 EAST FOURTH STREET SUITE 300
CINCINNATI OH 45202

HAMILTON COUNTY LIBRARY
800 VINE ST
CINCINNATI OH 45202

HAMILTON DENNIS J
7740 ROCK HILL LN
CINCINNATI OH 45243-4043

HARRISON ALESHA @6
5538 DAVIS PL
CINCINNATI OH 45227

HARVEST TIME FOR CHRIST NEW LIFE
TEMPLE CHURCH
4836 WARD ST
CINCINNATI OH 45227

HENSON ANGIE BYERS & MILDRED
BYERS
6004 PRENTICE ST
CINCINNATI OH 45227-2343

HINES PATRICIA
5807 PRENTICE ST
CINCINNATI OH 45227-2311

IGLESIA APOSTOLICA HISPANA CHURCH
1935 HARRISON AVE
CINCINNATI OH 45214

JMB BROTHERS PROPERTY
MANAGEMENT LLC
5411 TOMPKINS AVE
CINCINNATI OH 45227

JOHNSON MANAGEMENT &
DEVELOPMENT LLC
6746 ROLLAWAY RD
CINCINNATI OH 45236

KIM BRYAN J
4804 WHETSEL AVE
CINCINNATI OH 45227

KUBLEY NICHOLAS CAIRNS & LEIGH
ASHLEY NEWSOME KUBLEY
5805 PEABODY AVE
CINCINNATI OH 45227

LACEY TIMOTHY C
P O BOX 498008
CINCINNATI OH 45249

LOGAN 223 LLC
4734 WHETSEL AVE
CINCINNATI OH 45227

LOGAN 223 LLC
5812 ROE ST
CINCINNATI OH 45227

LOWERY MARY A
PO BOX 2714
CINCINNATI OH 45201

MAD PROPERTIES LLC
12009 STILLWOOD DR
CINCINNATI OH 45249

MAD PROPERTIES LLC
4905 WHETSEL FL 3
CINCINNATI OH 45227

MADISONVILLE PHASE III LLC
5801 MADISON RD
CINCINNATI OH 45227

MITCHELL RACHEL PIERCE & WILLIAM B
4810 RAVENNA AVE
CINCINNATI OH 45227

NEW LIFE TEMPLE CHURCH
4821 WARD ST
CINCINNATI OH 45227

PACIFIC URBAN PROPERTIES LLC
1894 E GALBRAITH RD
CINCINNATI OH 45215

QUADRUN ENTERPRISES
3434 DARWIN PL
CINCINNATI OH 45211

REID CARON DENISE
4722 WARD ST
CINCINNATI OH 45227-2324

S MACK CONSTRUCTION LLC
7440 BRILL RD
CINCINNATI OH 45243

STARGEL WILLARD R III @5
5800 PEABODY AVE C/O MEREDITH
STARGEL HARDEN
CINCINNATI OH 45227-2310

STUBBS ALAN R & MICHAEL A
5804 PEABODY AVE
CINCINNATI OH 45227

TOMESAL JOSEPH ET AL TRS
4730 WHETSEL AVE
CINCINNATI OH 45227-2328

TRAVIS LINDA
487 WARD ST #1
CINCINNATI OH 45227

VODA CHRISTOPHER
1133 HAWKSTONE DR
CINCINNATI OH 45230

WILKINSON PHEETTA G TR
4315 HOMER AVE
CINCINNATI OH 45227

WILLIAMS MARTHA A
4815 WHETSEL AVE
CINCINNATI OH 45227

WRIGHT THOMAS LEE & KIMOTHIE A
5801 PEABODY AVE
CINCINNATI OH 45227-2309

ZAND PROPERTIES LLC
P O BOX 176474
FT MITCHELL KY 41017

Madisonville Community Council
P.O. Box 9514
CINCINNATI OH 45209

April 21, 2021



Cincinnati City Council
Council Chambers, City Hall
Cincinnati, Ohio 45202

Dear Members of Council:

We are transmitting herewith an Ordinance captioned as follows:

AMENDING the official zoning map of the City of Cincinnati to rezone the real property located at 4804-4810 Whetsel Avenue in the Madisonville neighborhood from the T4N.SF, "T4 Neighborhood Small Footprint," and T4N.SF-O, "T4 Neighborhood Small Footprint – Open," transect zones to the T5MS-O, "T5 Main Street – Open," transect zone to facilitate the establishment of a new restaurant.

Summary:

The applicant, B.J. Kim is requesting a zone change from the existing T4 Neighborhood Small Footprint (T4N.SF) and T4 Neighborhood Small Footprint – Open (T4N.SF-O) zoning districts to the T5 Main Street – Open (T5MS-O) zoning district to permit the use of a restaurant on the first floor with Mr. Kim living on the floors above.

A restaurant is considered an eating and drinking establishment, which is not a permitted use in the T4N.SF zoning district. The area requested to be rezoned is approximately 0.5996 acres. The property is situated on the east side of Whetsel Avenue a block south of Madison Road.

The Iglesia Apostolica Hispana Church building is zoned T5MS-O, but their parking lot at 4810 Whetsel Avenue is zoned T4N.SF-O, putting one property in-between 4804 Whetsel Avenue and the desired zoning district. After much debate between the applicant and the church, the church membership agreed to consent to rezoning their parking lot to T5MS-O with the condition that their parking lot could not be used to serve the restaurant. The applicant agreed to this condition, as the parking lot is private property owned by the church.

The zone change is consistent with both *Plan Cincinnati* (2012) and with the future vision of Madisonville.

The City Planning Commission voted to approve the zone change at their April 16, 2021 meeting.

Motion to Approve: Ms. Sesler

Ayes:

Mr. Juech
Mr. Smitherman
Ms. McKinney
Mr. Stallworth
Ms. Sesler
Mr. Samad

Seconded: Ms. McKinney

THE CITY PLANNING COMMISSION

Katherine Keough-Jurs, AICP, Director
Department of City Planning

KKJ: jmw

Encl.: Staff Report, Ordinance

May 5, 2021

To: Mayor and Members of City Council 202101590
From: Paula Boggs Muething, City Manager
Subject: **Emergency Ordinance – Acceptance of In-Kind Donation
from FC Cincinnati**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept with gratitude an in-kind donation from FC Cincinnati Soccer Club of the construction of a mini-pitch soccer facility at the North Avondale Recreation valued at approximately \$85,000 to enhance soccer-related programming.

This Emergency Ordinance authorizes the City Manager to accept an in-kind donation from FC Cincinnati for the construction of a mini-pitch soccer facility at the North Avondale Recreation Center located in the Avondale neighborhood.

Once complete, the improvements will allow for afterschool soccer programs, tournaments, clinics, training sessions, and other soccer-related activities and events. The improvements are valued at approximately \$85,000, and the City will have no financial responsibilities associated with this construction. The donation requires no matching funds, and no new FTE are associated with this donation.

This Emergency Ordinance is in accordance with the “Live” goal to “Create a more livable community,” as described on page 156 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept the in-kind donation and begin construction.

The Administration recommends passage of this Emergency Ordinance.

cc: Christopher A. Bigham, Assistant City Manager
Karen Alder, Finance Director

Attachment



EMERGENCY

LES

- 2021

AUTHORIZING the City Manager to accept with gratitude an in-kind donation from FC Cincinnati Soccer Club of the construction of a mini-pitch soccer facility at the North Avondale Recreation valued at approximately \$85,000 to enhance soccer-related programming.

WHEREAS, FC Cincinnati Soccer Club intends to donate the construction of a mini-pitch soccer facility at the North Avondale Recreation Center to allow the Cincinnati Recreation Commission to provide afterschool soccer programs, tournaments, clinics, training sessions, and other soccer-related activities and events; and

WHEREAS, the value of the donation is approximately \$85,000; and

WHEREAS, the donation does not require matching funds or the creation of new FTEs; and

WHEREAS, this ordinance is in accordance with the “Live” goal to “Create a more livable community,” as described on page 156 of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager is hereby authorized to accept the generous in-kind donation from FC Cincinnati Soccer Club of the construction of a mini-pitch soccer facility at the North Avondale Recreation valued at approximately \$85,000 to enhance soccer-related programming.

Section 2. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Section 1 hereof.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms

of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accept the in-kind donation and begin construction.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

May 5, 2021

To: Mayor and Members of City Council 202101591
From: Paula Boggs Muething, City Manager
Subject: **Emergency Ordinance – CRC: Moral Obligation for Purchase Card Transactions**

Attached is an Emergency Ordinance captioned:

AUTHORIZING payments totaling \$11,539.85 from various Recreation Department non-personnel operating budget accounts as detailed on the attached schedule, as moral obligations to Spectrum Cable for Cincinnati Recreation Commission purchase card transactions for fees owed for cable and wifi services and to the Cincinnati Bengals for the purchase of tickets for program participants, the cost of which was subsequently reimbursed by the Cincinnati Bengals.

This Ordinance authorizes the payment of \$11,539.85 as a moral obligation for Cincinnati Recreation Commission (CRC) purchase card transactions occurring in October and November of 2020. The list of charges applicable to this Emergency Ordinance is attached.

This Emergency Ordinance is necessary due to policies and processing of expenditures without a prior encumbrance. The purchases were duly authorized for relevant purposes; however, the CRC was in a transition period with new staff members within the CRC's financial management team. Policies regarding purchase card usage were not fully understood by staff when the error occurred. Once the error was detected, refresher training on purchase card processes and procedures was held, and no further errors have occurred since.

The reason for the emergency is the immediate need for the City to pay Spectrum Cable and the Cincinnati Bengals for their goods and services in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

cc: Christopher A. Bigham, Assistant City Manager
Karen Alder, Finance Director

Attachment

EMERGENCY

AKS

- 2021

AUTHORIZING payments totaling \$11,539.85 from various Recreation Department non-personnel operating budget accounts as detailed on the attached schedule, as moral obligations to Spectrum Cable for Cincinnati Recreation Commission purchase card transactions for fees owed for cable and wifi services and to the Cincinnati Bengals for the purchase of tickets for program participants, the cost of which was subsequently reimbursed by the Cincinnati Bengals.

WHEREAS, the various purchases for cable and wifi services and football tickets were duly authorized and were for appropriate purposes; and

WHEREAS, the Cincinnati Bengals (“Bengals”) agreed to donate the cost of providing Bengals tickets to Cincinnati Recreation Center (“CRC”) program participants, but time limitations required that CRC purchase the tickets prior to receiving the money from the Bengals and before the money was properly encumbered; and

WHEREAS, due to various transitions within the Cincinnati Recreation Center’s financial management staff, the policies regarding purchase card usage were not fully understood by staff when the purchases were made; and

WHEREAS, upon discovering the error, refresher training on purchase card processes and procedures was held, and no further errors have occurred; and

WHEREAS, sufficient funds are available from various Recreation Department non-personnel operating budget accounts to pay for the services and goods provided by Spectrum and the Cincinnati Bengals; and

WHEREAS, City Council desires to provide payment to Spectrum Cable and the Cincinnati Bengals in a total amount of \$11,539.85 as provided in the attached schedule; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Finance Director is authorized to make payments totaling \$11,539.85 as detailed on the attached schedule from the various Recreation Department non-personnel operating budget accounts as moral obligations to Spectrum Cable for Cincinnati Recreation Commission purchase card transactions for fees owed for cable and wifi services and to the

Cincinnati Bengals for the purchase of tickets for program participants, the cost of which was subsequently reimbursed by the Cincinnati Bengals.

Section 2. That the proper City officials are authorized to do all things necessary and proper to carry out the provisions of Section 1 hereof.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need for the City to pay Spectrum Cable and the Cincinnati Bengals for their goods and services in a timely manner.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

May 5, 2021

To: Mayor and Members of City Council 202101592

From: Paula Boggs Muething, City Manager

Subject: **Emergency Ordinance – FY 2021 Restricted Funds Operating Budget Final Adjustment Ordinance (FAO)**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer of the sum of \$8,362,331 within the Restricted Funds from and to various operating accounts and **AUTHORIZING** the transfer and appropriation of \$1,181,726 from the unappropriated surplus of the respective Restricted Funds to various operating accounts for the purpose of realigning and providing funds for the ongoing needs of City departments in accordance with the attached Schedules of Transfer.

The attached Emergency Ordinance balances the City's Restricted Fund accounts as required by state law and authorizes transfers for 10 appropriated restricted funds. These include transfers within the FY 2021 Approved Budget Update, as well as increases to appropriations for six funds.

RESTRICTED FUND TRANSFERS WITHIN CURRENT APPROPRIATION

The recommended transfers within the current FY 2021 appropriation are for the following 10 funds: Water Works Fund 101, Parking System Facilities Fund 102, Convention Center Fund 103, Stormwater Management Fund 107, Street Construction, Maintenance, and Repair Fund 301, Income Tax-Infrastructure Fund 302, Parking Meter Fund 303, Recreation Special Activities Fund 323, Community Health Center Activities Fund 395, and the Cincinnati Health District Fund 416.

The information below summarizes the need and transfers for each fund.

Water Works Fund 101 – \$2,539,000

Department of Water Works – \$2,539,000

A transfer in the amount of \$2,539,000 is needed for the following: The Business Services Division has a need in personnel and benefits due to actual position vacancy allowance (PVA) of Early Retirement Incentive Program (ERIP) positions being less than budgeted. Additionally, there is a need in fixed charges due to the water main break at Riverside Drive. The Supply Division has a need in non-personnel services due to additional cleaning of facilities in response to COVID-19 as well as safety improvements made to help allow employees to return to a safer work environment. The Distribution Division has a need in personnel services to offset overtime spent related to water main leak repairs, and a need in non-personnel due to additional materials. The Information

Technology Division has a need in personnel and benefits due to actual position vacation savings of ERIP positions being less than budgeted. The Engineering Division transfers will provide funding for Enterprise Technology Solutions (ETS) Security Services (Virtual Private Network (VPN) Firewall).

Parking System Facilities Fund 102 – \$50,000

Department of Enterprise Services – \$50,000

The Division of Parking Facilities will require a transfer within appropriations in the amount of \$50,000 for a need in fringe benefits and the Sixth Street Garage insurance premium.

Convention Center Fund 103 – \$80,000

Duke Energy Convention Center – \$80,000

A transfer in the amount of \$80,000 is needed for salary reimbursements.

Stormwater Management Fund 107 – \$125,000

Department of Buildings and Inspections – \$125,000

Buildings and Inspections will require a transfer within appropriations in the amount of \$125,000 for a need in contractual services related to the Private Lot Abatement Program (PLAP).

Street Construction, Maintenance, and Repair Fund 301 – \$317,772

Department of Public Services – \$317,772

A transfer in the amount of \$317,772 will be necessary to account for a need in the Transportation and Road Operations Division (TROD) for increased ice control expenses and equipment.

Income Tax-Infrastructure Fund 302 – \$496,716

Department of Transportation & Engineering – \$496,716

A transfer in the amount of \$496,716 is needed to account for a shortfall in personnel costs in the Office of the Director, Division of Transportation Planning, and Division of Traffic Engineering.

Parking Meter Fund 303 – \$60,000

Department of Enterprise Services – \$60,000

An amount of \$60,000 is needed in the Parking Facilities Division to cover fringe benefits.

Recreation Special Activities Fund 323 – \$176,000

Department of Recreation – \$176,000

An amount of \$176,000 is needed to cover additional personnel and non-personnel needs in the Seniors Division and Support Services Division.

Community Health Center Activities Fund 395 – \$3,164,000

Health Department – \$3,164,000

A transfer in the amount of \$3,164,000 is needed due to higher than budgeted expenses for building rent and software costs, fringe benefits, reimbursements, and an increase in various medical supplies and service supplies as a result of the COVID-19 pandemic.

Cincinnati Health District Fund 416 – \$1,259,771

Health Department – \$1,259,771

A transfer in the amount of \$1,259,771 to the Office of the Commissioner, Technical Resources, and Community Health & Environmental Services agencies is needed to cover the following: higher than expected temporary personnel costs due to the COVID-19 pandemic, reassignments and the shifting of positions between divisions due to the pandemic, personal protective equipment (PPE), unbudgeted software costs, unbudgeted membership costs, equipment updates, uniforms, increased sewage costs, and IT costs for the new software system being installed at clinics.

TRANSFERS RESULTING IN A SUPPLEMENTAL APPROPRIATION

The following six funds require supplemental increases in appropriations in FY 2021 as described below:

Stormwater Management Fund 107 – \$191,537

Department of Public Services – \$191,537

A supplemental appropriation in the amount of \$191,537 is needed to cover an anticipated funding shortfall due to increased automotive repair fees and funds transferred to the Department of Building and Inspections to accommodate for the Private Lot Abatement Program (PLAP).

Street Construction, Maintenance and Repair Fund 301 – \$198,060

Department of Public Services – \$198,060

A need of \$198,060 exists in the Transportation and Road Operations Division (TROD) for an anticipated funding shortfall due to increased ice control expenses in winter operations.

Income Tax-Infrastructure Fund 302 – \$92,793

Department of Transportation and Engineering – \$92,793

A supplemental appropriation in the amount of \$92,793 is needed to cover a personnel shortfall in the Division of Traffic Engineering.

Parking Meter Fund 303 – \$1,279

Non-Departmental Accounts – \$1,279

A need of \$1,279 exists in the Public Employees Assistance Program (PEAP) non-departmental account based on employees' usage of the program.

Recreation Special Activities Fund 323 – \$170,000

Department of Recreation – \$170,000

An amount of \$170,000 is needed in the Support Services Division to cover the installation of Wi-Fi at all recreation centers and pools. This installation was partially reimbursed by CARES Act funding and the remaining expenses can be covered by existing fund balance within Fund 323.

Cincinnati Health District Fund 416 – \$622,129

Health Department – \$622,129

An amount of \$622,129 is needed in the Office of the Commissioner, Primary Health Care Centers, and School & Adolescent Health to cover personnel expenses due to actual costs exceeding budgeted amounts in FY 2021.

The reason for the emergency is the immediate need to provide for the ongoing needs of City departments through the end of the fiscal year.

The Administration recommends passage of this Emergency Ordinance.

cc: Christopher A. Bigham, Assistant City Manager
Karen Alder, Finance Director

Attachment

EMERGENCY

CFG

- 2021

AUTHORIZING the transfer of the sum of \$8,362,331 within the Restricted Funds from and to various operating accounts and **AUTHORIZING** the transfer and appropriation of \$1,181,726 from the unappropriated surplus of the respective Restricted Funds to various operating accounts for the purpose of realigning and providing funds for the ongoing needs of City departments in accordance with the attached Schedules of Transfer.

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the sum of \$8,362,331 existing within various Restricted Funds is hereby transferred from and to various operating accounts and the sum of \$1,181,726 is hereby transferred and appropriated from the unappropriated surplus of the respective Restricted Funds to various operating accounts, all according to the Schedules of Transfer attached hereto and by this reference made a part hereof, for the purpose of realigning certain accounts and providing funds for the ongoing needs of City departments until the end of fiscal year 2021, and appropriating certain amounts from the unappropriated surplus for the current fiscal year operating expenses.

Section 2. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Section 1 hereof and the Schedules of Transfer attached hereto.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is

the immediate need to provide for the ongoing needs of City departments through the end of the fiscal year.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

ATTACHMENT A

FY 2021 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 101 Water Works

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF WATER WORKS					DEPARTMENT OF WATER WORKS				
DEPARTMENTAL SUPPORT SERVICES	101	301	7200	80,000	DEPARTMENTAL SUPPORT SERVICES	101	301	7100	105,000
COMMERCIAL SERVICES	101	302	7100	300,000	DEPARTMENTAL SUPPORT SERVICES	101	301	7400	1,500,000
COMMERCIAL SERVICES	101	302	7200	140,000	DEPARTMENTAL SUPPORT SERVICES	101	301	7500	75,000
DIVISION OF SUPPLY	101	303	7100	300,000	DIVISION OF SUPPLY	101	303	7200	300,000
DIVISION OF SUPPLY	101	303	7500	100,000	DIVISION OF SUPPLY	101	303	7300	50,000
DIVISION OF DISTRIBUTION	101	304	7500	100,000	DIVISION OF DISTRIBUTION	101	304	7100	100,000
WATER QUALITY DIVISION	101	305	7300	310,000	DIVISION OF DISTRIBUTION	101	304	7300	50,000
ENGINEERING	101	306	7100	400,000	DIVISION OF DISTRIBUTION	101	304	7400	50,000
ENGINEERING	101	306	7500	209,000	DEPARTMENTAL SUPPORT SERVICES	101	307	7100	200,000
DEBT SERVICE	101	309	7700	600,000	DEPARTMENTAL SUPPORT SERVICES	101	307	7200	34,000
					DEPARTMENTAL SUPPORT SERVICES	101	307	7500	75,000
					Subtotal Transfers Within Appropriations				
				2,539,000					2,539,000
TOTAL FUND 101 REDUCTIONS				2,539,000	TOTAL FUND 101 INCREASES				2,539,000

FY 2021 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 102 Parking System Facilities

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF ENTERPRISE SERVICES					DEPARTMENT OF ENTERPRISE SERVICES				
DIVISION OF PARKING FACILITIES	102	248	7100	35,000	DIVISION OF PARKING FACILITIES	102	248	7400	30,000
DIVISION OF PARKING FACILITIES	102	248	7200	15,000	DIVISION OF PARKING FACILITIES	102	248	7500	20,000
Subtotal Transfers Within Appropriations				50,000	Subtotal Transfers Within Appropriations				50,000
TOTAL FUND 102 REDUCTIONS				50,000	TOTAL FUND 102 INCREASES				50,000

FY 2021 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 103 Convention Center

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
CONVENTION CENTER					CONVENTION CENTER				
	103	243	7200	80,000		103	243	7100	70,000
						103	243	7500	10,000
				<u>80,000</u>					<u>80,000</u>
Subtotal Transfers Within Appropriations				80,000	Subtotal Transfers Within Appropriations				80,000
TOTAL FUND 103 REDUCTIONS				80,000	TOTAL FUND 103 INCREASES				80,000

FY 2021 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 107 Stormwater Management

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF BUILDINGS AND INSPECTIONS					DEPARTMENT OF BUILDINGS AND INSPECTIONS				
	107	212	7100	125,000		107	212	7200	125,000
				<u>125,000</u>					<u>125,000</u>
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
UNAPPROPRIATED SURPLUS					DEPARTMENT OF PUBLIC SERVICES				
	107			191,537		107	253	7200	181,142
						107	253	7500	10,395
				<u>191,537</u>					<u>191,537</u>
TOTAL FUND 107 REDUCTIONS					TOTAL FUND 107 INCREASES				
				316,537					316,537

FY 2021 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 301 Street Construction, Maintenance, and Repair

<i>REDUCTIONS</i>					<i>INCREASES</i>					
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount	
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS					
SOURCE ACCOUNTS					USE ACCOUNTS					
DEPARTMENT OF PUBLIC SERVICES					DEPARTMENT OF PUBLIC SERVICES					
TRANSPORTATION AND ROAD OPERATIONS	301	252	7100	17,218	TRANSPORTATION AND ROAD OPERATIONS	301	252	7300	217,772	
TRANSPORTATION AND ROAD OPERATIONS	301	252	7500	94,737	TRANSPORTATION AND ROAD OPERATIONS	301	252	7600	100,000	
NEIGHBORHOOD OPERATIONS	301	253	7100	101,196						
NEIGHBORHOOD OPERATIONS	301	253	7500	104,621						
				<u>317,772</u>					<u>317,772</u>	
Subtotal Transfers Within Appropriations					Subtotal Transfers Within Appropriations					
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS					
SOURCE ACCOUNTS					USE ACCOUNTS					
UNAPPROPRIATED SURPLUS					DEPARTMENT OF PUBLIC SERVICES					
	301			198,060	TRANSPORTATION AND ROAD OPERATIONS	301	252	7300	198,060	
				<u>198,060</u>					<u>198,060</u>	
Subtotal Supplemental Appropriations					Subtotal Supplemental Appropriations					
TOTAL FUND 301 REDUCTIONS					515,832	TOTAL FUND 301 INCREASES				
						515,832				

FY 2021 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 303 Parking Meter

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount	Fund	Agency	Appropriation Unit	\$ Amount	
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF ENTERPRISE SERVICES					DEPARTMENT OF ENTERPRISE SERVICES				
	303	248	7100	20,000		303	248	7500	60,000
	303	248	7200	40,000					
				<u>60,000</u>					<u>60,000</u>
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF ENTERPRISE SERVICES					NON-DEPARTMENTAL ACCOUNTS				
	303	248	7200	1,279		303	919	7500	1,279
				<u>1,279</u>					<u>1,279</u>
TOTAL FUND 303 REDUCTIONS				61,279	TOTAL FUND 303 INCREASES				61,279

FY 2021 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Fund 323 Recreation Special Activities

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
CINCINNATI RECREATION COMMISSION					CINCINNATI RECREATION COMMISSION				
WEST REGION	323	191	7100	150,000	SENIORS	323	197	7100	115,000
WEST REGION	323	191	7500	6,000	SUPPORT SERVICES	323	199	7100	41,000
EAST REGION	323	192	7100	10,000	SUPPORT SERVICES	323	199	7400	20,000
CENTRAL REGION	323	193	7100	10,000					
Subtotal Transfers Within Appropriations				176,000	Subtotal Transfers Within Appropriations				176,000
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
UNAPPROPRIATED SURPLUS					CINCINNATI RECREATION COMMISSION				
	323			170,000	SUPPORT SERVICES	323	199	7200	170,000
Subtotal Supplemental Appropriations				170,000	Subtotal Supplemental Appropriations				170,000
TOTAL FUND 323 REDUCTIONS				346,000	TOTAL FUND 323 INCREASES				346,000

FY 2021 RESTRICTED FUNDS FINAL ADJUSTMENT ORDINANCE

Cincinnati Health District Fund 416

<i>REDUCTIONS</i>					<i>INCREASES</i>				
	Fund	Agency	Appropriation Unit	\$ Amount		Fund	Agency	Appropriation Unit	\$ Amount
TRANSFERS WITHIN APPROPRIATIONS					TRANSFERS WITHIN APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
DEPARTMENT OF HEALTH					DEPARTMENT OF HEALTH				
TECHNICAL RESOURCES	416	262	7100	6,500	OFFICE OF THE COMMISSIONER	416	261	7100	391,000
TECHNICAL RESOURCES	416	262	7500	14,500	OFFICE OF THE COMMISSIONER	416	261	7200	139,000
COMM. HEALTH & ENVIRONMENTAL SERVICES	416	263	7500	22,500	OFFICE OF THE COMMISSIONER	416	261	7300	37,000
PRIMARY HEALTH CARE PROGRAMS CENTERS S.P.	416	264	7100	87,500	OFFICE OF THE COMMISSIONER	416	261	7400	13,700
PRIMARY HEALTH CARE PROGRAMS CENTERS S.P.	416	264	7200	18,000	OFFICE OF THE COMMISSIONER	416	261	7500	146,000
PRIMARY HEALTH CARE PROGRAMS CENTERS S.P.	416	264	7500	84,200	TECHNICAL RESOURCES	416	262	7200	211,000
PRIMARY HEALTH CARE PROGRAMS CENTERS H.C.	416	265	7100	212,171	TECHNICAL RESOURCES	416	262	7300	46,900
PRIMARY HEALTH CARE PROGRAMS CENTERS H.C.	416	265	7500	97,300	TECHNICAL RESOURCES	416	262	7400	4,600
SCHOOL & ADOLESCENT HEALTH	416	266	7100	522,000	COMM. HEALTH & ENVIRONMENTAL SERVICES	416	263	7100	219,000
SCHOOL & ADOLESCENT HEALTH	416	266	7200	15,100	COMM. HEALTH & ENVIRONMENTAL SERVICES	416	263	7200	51,571
SCHOOL & ADOLESCENT HEALTH	416	266	7500	180,000					
Subtotal Transfers Within Appropriations				1,259,771	Subtotal Transfers Within Appropriations				1,259,771
SUPPLEMENTAL APPROPRIATIONS					SUPPLEMENTAL APPROPRIATIONS				
SOURCE ACCOUNTS					USE ACCOUNTS				
UNAPPROPRIATED SURPLUS					DEPARTMENT OF HEALTH				
	416			622,129	OFFICE OF THE COMMISSIONER	416	261	7100	226,800
					COMM. HEALTH & ENVIRONMENTAL SERVICES	416	263	7200	89,429
					COMM. HEALTH & ENVIRONMENTAL SERVICES	416	263	7300	25,100
					COMM. HEALTH & ENVIRONMENTAL SERVICES	416	263	7400	2,000
					PRIMARY HEALTH CARE PROGRAMS CENTERS S.P.	416	264	7300	69,800
					PRIMARY HEALTH CARE PROGRAMS CENTERS S.P.	416	264	7400	142,500
					PRIMARY HEALTH CARE PROGRAMS CENTERS H.C.	416	265	7200	6,500
					PRIMARY HEALTH CARE PROGRAMS CENTERS H.C.	416	265	7300	20,000
					SCHOOL & ADOLESCENT HEALTH	416	266	7300	40,000
Subtotal Supplemental Appropriations				622,129	Subtotal Supplemental Appropriations				622,129
TOTAL FUND 416 REDUCTIONS				1,881,900	TOTAL FUND 416 INCREASES				1,881,900

May 5, 2021

To: Mayor and Members of City Council 202101595

From: Paula Boggs Muething, City Manager

Subject: **Emergency Ordinance – FY 2021 Port Security Grant Program**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$171,325 from the United States Department of Homeland Security, Federal Emergency Management Agency for a grant from the FY 2021 FEMA Port Security Grant Program (CFDA 97.056), for the purpose of funding three separate equipment needs, including Marine Rescue/Dive Team equipment and support and maintenance of the Ohio River Port Security Camera Network for the Cincinnati Police Department, and dry decon kits, a weighted rescue dummy, and ice suits for the Cincinnati Fire Department.

This Emergency Ordinance would authorize the City Manager to apply for, accept, and appropriate a grant for up to the amount of \$171,325 from the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), for Marine Rescue/Dive Team equipment, and support/maintenance of the Ohio River Port Security Camera Network for the Police Department (CPD), and Dry Decon Kits, Weighted Rescue Dummy, and Ice Suits for the Fire Department (CFD).

The grant requires matching funds of up to \$57,108. Of that amount, \$51,608 would come from CPD and \$5,500 from CFD. The CPD match source for the Marine Rescue/Dive Team equipment (\$30,522) is Federal Asset Forfeiture Fund 367. Designated CPD staff time will serve as an in-kind match for the Ohio River Port Security Camera Network (\$21,086). CPD grant funds will be deposited into Law Enforcement Grant Fund 368, Program Code 21PORT. The CFD source for matching funds is 050x271x7300, and grant funds will be deposited into Fire Grants Fund 472.

This Emergency Ordinance is in accordance with the Live goal to “Create a more livable community” as described on page 156 of Plan Cincinnati (2012).

The reason for the emergency is the need to accept the awarded funds in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

cc: Christopher A. Bigham, Assistant City Manager
Karen Alder, Finance Director

Attachment





EMERGENCY

City of Cincinnati

CFG

AWB

An Ordinance No. _____

-2021

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$171,325 from the United States Department of Homeland Security, Federal Emergency Management Agency for a grant from the FY 2021 FEMA Port Security Grant Program (CFDA 97.056), for the purpose of funding three separate equipment needs, including Marine Rescue/Dive Team equipment and support and maintenance of the Ohio River Port Security Camera Network for the Cincinnati Police Department, and dry decon kits, a weighted rescue dummy, and ice suits for the Cincinnati Fire Department.

WHEREAS, through a FY 2021 FEMA Port Security Grant Program grant (CFDA 97.056), up to \$171,325 is available from the United States Department of Homeland Security, Federal Emergency Management Agency, which would be used by the Cincinnati Police Department (“CPD”) and the Cincinnati Fire Department (“CFD”) to fund up to three separate equipment needs; and

WHEREAS, the grant requires matching funds of up to \$57,108; and

WHEREAS, CPD would provide \$51,608 of the matching funds through application of Federal Asset Forfeiture, Fund 367 funds in the amount of \$30,522 to the Marine Rescue/Dive Team equipment, and contribution of CPD designated staff time in the amount of \$21,086 toward the Ohio River Port Security Camera Network; and

WHEREAS, CFD would provide \$5,500 of matching funds for the dry decon kits, weighted rescue dummy, and ice suits, from project account no. 050x271x7300; and

WHEREAS, there are no new FTEs associated with this grant; and

WHEREAS, due to the grant application deadline of May 14, 2021, CPD and CFD already applied for this grant, but grant funding shall not be accepted without approval from Council; and

WHEREAS, this ordinance is in accordance with the “Live” goal to “create a more livable community” as described on page 156 of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager is hereby authorized to apply for, accept, and appropriate a grant in the amount of up to \$171,325 from the United States Department of Homeland Security, Federal Emergency Management Agency, from the FY 2021 FEMA Port Security Grant Program

(CFDA 97.056), for the purpose of funding three separate equipment needs, including Marine Rescue/Dive Team equipment and support and maintenance of the Ohio River Port Security Camera Network for the Cincinnati Police Department, and dry decon kits, a weighted rescue dummy, and ice suits for the Cincinnati Fire Department.

Section 2. The Finance Director is hereby authorized to deposit the Cincinnati Police Department allocation into Law Enforcement Grant Fund 368, Program Code 21PORT.

Section 3. The Finance Director is further authorized to deposit the Cincinnati Fire Department allocation into Fire Grants Fund 472.

Section 4. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the terms of the grant and Sections 1 through 3 herein.

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accept the awarded funds in a timely manner.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

May 5, 2021

To: Mayor and Members of City Council 202101599
From: Paula Boggs Muething, City Manager
Subject: Ordinance – Local Food Promotion Program Grant

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a Local Food Promotion Program (CFDA #10.177) grant in the amount of \$16,080 from the Regional Food System Partnerships (“RFSP”), which RFSP grant will be provided to Green Umbrella with the City as a subrecipient of the grant for the purpose of funding the building of a regional food system that serves all residents of Greater Cincinnati; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund 350.

This Ordinance will authorize the City Manager to apply for, accept, and appropriate a grant in the amount of \$16,080 from the Regional Food System Partnerships (RFSP). The RFSP grant will be provided to Green Umbrella with the City as a subrecipient of the grant for the purpose of funding the building of a regional food system that serves all residents of Greater Cincinnati. The Ordinance will also authorize the Director of Finance to deposit the grant funds into Public Health Research Fund 350.

There is no local match required and no new FTEs are associated with this grant.

Building a regional food system is in accordance with the “Sustain” goal to “become a healthier Cincinnati” as described on page 181 of Plan Cincinnati (2012).

The administration recommends passage of this Ordinance.

cc: Christopher A. Bigham, Assistant City Manager
Karen Alder, Finance Director

Attachment



AUTHORIZING the City Manager to apply for, accept, and appropriate a Local Food Promotion Program (CFDA #10.177) grant in the amount of \$16,080 from the Regional Food System Partnerships (“RFSP”), which RFSP grant will be provided to Green Umbrella with the City as a subrecipient of the grant for the purpose of funding the building of a regional food system that serves all residents of Greater Cincinnati; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund 350.

WHEREAS, Green Umbrella, the regional sustainability alliance of Greater Cincinnati, is the recipient of a Regional Food System Partnerships Regional Food System Partnerships grant, and the City is a subrecipient of the grant; and

WHEREAS, funding from this grant will support the salary of the Cincinnati Health Department’s (“CHD”) Healthy Eating Coordinator who will assist Green Umbrella with achieving its objective to improve household access to local foods by expanding neighborhood-scale distribution of local foods to corner stores in low-income neighborhoods; and

WHEREAS, Green Umbrella already applied for the grant, but CHD will not accept any funds without approval of Council; and

WHEREAS, there is no local match required and no new FTEs are associated with this grant; and

WHEREAS, this ordinance is in accordance with the “Sustain” goal to “Become a healthier Cincinnati,” as described on page 181 of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager is hereby authorized to apply for, accept, and appropriate a Local Food Promotion Program (CFDA #10.177) grant in the amount of \$16,080 from the Regional Food System Partnerships (“RFSP”), which RFSP grant will be provided to Green Umbrella with the City as a subrecipient of the grant for the purpose of funding the building of a regional food system that serves all residents of Greater Cincinnati.

Section 2. That the Director of Finance is hereby authorized to deposit the grant resources into Public Health Research Fund 350.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the grant and of Sections 1 and 2 herein.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

EMERGENCY

City of Cincinnati

AEP
AWL

An Ordinance No. _____

- 2021

AUTHORIZING the transfer and return to source of the sum of \$3,500 from Councilmember Seelbach's General Fund personnel services operating budget account no. 050x016x7100 to General Fund 050; **AUTHORIZING** the transfer and return to source the sum of \$4,000 from Councilmember Seelbach's General Fund contractual services operating budget account no. 050x016x7200 to General Fund 050; **AUTHORIZING** the transfer and appropriation of the sum of \$7,500 from the unappropriated surplus of the General Fund to the Department of Community and Economic Development's General Fund fixed charges operating budget account no. 050x161x7400 for the purpose of providing resources for Lighthouse Youth Services's Safe and Supported Program, Cincinnati Union Bethel's Off the Streets Program, and the Queen City Bulldog Rescue each in the amount of \$2,500; **AUTHORIZING** the City Manager to enter into any necessary agreements for the distribution of these resources; and **DECLARING** the distribution of these resources to these local non-profit organizations to be for a public purpose.

WHEREAS, Council desires to provide resources to Lighthouse Youth Services's Safe and Supported Program, Cincinnati Union Bethel's Off the Streets Program, and the Queen City Bulldog Rescue each in the amount of \$2,500 to fund important programs benefitting the community; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the transfer and return to source of the sum of \$3,500 from Councilmember Seelbach's General Fund personnel services operating budget account no. 050x016x7100 to General Fund 050 is hereby authorized.

Section 2. That the transfer and return to source of the sum of \$4,000 from Councilmember Seelbach's General Fund contractual services operating budget account no. 050x016x7200 to General Fund 050 is hereby authorized.

Section 3. That the transfer and appropriation of the sum of \$7,500 from the unappropriated surplus of the General Fund to the Department of Community and Economic Development's General Fund fixed charges operating budget account no. 050x161x7400 is hereby authorized for the purpose of providing resources for Lighthouse Youth Services's Safe and

Supported Program, Cincinnati Union Bethel's Off the Streets Program, and the Queen City Bulldog Rescue each in the amount of \$2,500.

Section 4. That the City Manager is hereby authorized to enter into any necessary agreements for the distribution of these resources.

Section 5. That this distribution of resources to local non-profit organizations for use in programs that benefit the community is hereby declared to serve a public purpose.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to ensure necessary funds for distribution to local non-profit organizations prior to the end of Fiscal Year 2021.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

202101673

Date: May 5, 2021

To: Councilmember Chris Seelbach
From: Andrew W. Garth, City Solicitor *AWG*
Subject: **Emergency Ordinance – Budget Transfers**

Transmitted herewith is an emergency ordinance captioned as follows:

AUTHORIZING the transfer and return to source of the sum of \$3,500 from Councilmember Seelbach’s General Fund personnel services operating budget account no. 050x016x7100 to General Fund 050; **AUTHORIZING** the transfer and return to source the sum of \$4,000 from Councilmember Seelbach’s General Fund contractual services operating budget account no. 050x016x7200 to General Fund 050; **AUTHORIZING** the transfer and appropriation of the sum of \$7,500 from the unappropriated surplus of the General Fund to the Department of Community and Economic Development’s General Fund fixed charges operating budget account no. 050x161x7400 for the purpose of providing resources for Lighthouse Youth Services’s Safe and Supported Program, Cincinnati Union Bethel’s Off the Streets Program, and the Queen City Bulldog Rescue each in the amount of \$2,500; **AUTHORIZING** the City Manager to enter into any necessary agreements for the distribution of these resources; and **DECLARING** the distribution of these resources to these local non-profit organizations to be for a public purpose.

AWG.AEP/(lnk)
Attachment
337679