

EMERGENCY

City of Cincinnati

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An Ordinance No. \_\_\_\_\_

- 2021

**ACCEPTING AND CONFIRMING** the annexation of approximately 10.786 acres of land owned by The Seven Hills School, in Columbia Township, Hamilton County, Ohio, to the City of Cincinnati pursuant to an Expedited Type II Annexation petition approved by the Board of County Commissioners of Hamilton County, Ohio.

WHEREAS, on August 21, 2018, Stephen M. Griffith, Jr., agent for The Seven Hills School, filed an Expedited Type II Annexation petition with the Clerk of the Board of County Commissioners of Hamilton County, Ohio, pursuant to R.C. Section 709.023, to annex approximately 10.786 acres of land in Columbia Township, Hamilton County, Ohio to the City of Cincinnati (the "Annexation Petition"); and

WHEREAS, on September 6, 2018, City Council passed Ordinance No. 262-2018, which ordinance expressed the City's consent to the Annexation Petition, set forth the public services to be provided to the annexed territory, and established the land use regulations for the annexed territory upon annexation to the City; and

WHEREAS, on April 2, 2020, the Board of County Commissioners of Hamilton County, Ohio adopted a resolution approving the Annexation Petition; and

WHEREAS, pursuant to R.C. Section 709.033(C)(1), the Clerk of the Board of County Commissioners of Hamilton County, Ohio delivered a certified copy of the transcript of the annexation proceedings and resolution approving the Annexation Petition to the City on November 19, 2020 and, pursuant to R.C. 709.04, the City may take action on the petition as more than 60 days have passed since said transmittal date; and

WHEREAS, the City Manager has determined that the annexation of the territory is in the best interest of the City and recommends that Council accept the annexation of the territory to the City; and

WHEREAS, the City Planning Commission recommended the approval of the annexation of the territory at its meeting on December 1, 2017; and

WHEREAS, Council considers the annexation of the territory to the City to be in the best interests of the City and the public health, safety, morals, and welfare; now, therefore,

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

Section 1. That the City hereby accepts and confirms (i) the Expedited Type II Annexation petition filed by Stephen M. Griffith, Jr., agent for The Seven Hills School, to annex approximately

10.786 acres of land owned by The Seven Hills School, in Columbia Township, Hamilton County, Ohio to the City of Cincinnati (the "Petition"); (ii) the annexation plat entitled *Map of Territory Area to be Annexed to the City of Cincinnati from Columbia Township* (the "Annexation Plat"); and (iii) all other documents of record concerning the Petition on file with the Board of County Commissioners of Hamilton County, Ohio, including, without limitation, x ordinances, y agreements, and z the transcript of the annexation proceedings and resolution of approval dated April 2, 2020 (collectively with the Petition and Annexation Plat, the "Annexation Record"), which Annexation Record is attached to this ordinance as Exhibit A and incorporated herein by reference.

The approximately 10.786 acres of land hereby accepted for annexation is more particularly described as follows:

Situated in Section 17, Town 4, Fractional Range 2, BTM Columbia Township, Hamilton County, Ohio, being all of a 10.786 acre tract of land conveyed to The Seven Hills School as recorded in O.R. 12646 Pg. 1218, Hamilton County, Ohio Records:

Beginning at a point in the west line of said Section 17, said point being N05°15'58"E a distance of 1215.06 feet from the southwest corner of said Section 17, said point also being in the centerline of Red Bank Road;

Thence along said west line, N05°15'58"E a distance of 590.62 feet to a point;

Thence, S83°52'56"E, passing a 5/8" iron pin set at 30.00 feet, a total distance of 40.56 feet to a concrete monument found in the east right of way line of Red Bank Road;

Thence along said east right of way line, N05°27'04"E a distance of 167.21 feet to a 5/8" iron pin set;

Thence continuing, along a curve to the right an arc distance of 23.56 feet to a 5/8" iron pin set in the south right of way line of Ellmarie Drive, said curve having a radius of 15.00 feet, a delta of 90°00'00" and a chord bearing N50°27'04"E a distance of 21.21 feet;

Thence along said south right of way line the following three (3) courses:

1. S84°32'56"E a distance of 139.60 feet to a 5/8" iron pin set;
2. Along a curve to the left an arc distance of 72.44 feet to a 5/8" iron pin set, said curve having a radius of 191.56 feet, a delta of 21°40'00" and a chord bearing N84°37'04"E a distance of 72.01 feet;
3. Along a curve to the right an arc distance of 23.56 feet to a 5/8" iron pin set in the southwesterly right of way line of Raywill Court, said curve having a radius of 15.00 feet a delta of 90°00'00" and a chord bearing S61°12'56"E a distance of 21.21 feet;

Thence along said southwesterly right of way line the following three (3) courses:

1. S16°12'56"E a distance of 93.75 feet to a 5/8" iron pin set;
2. Along a curve to the right an arc distance of 29.63 feet to a 5/8" iron pin set, said curve having a radius of 50.83 feet, a delta of 33°23'57" and a chord bearing S00°29'03"W a distance of 29.21 feet;
3. Along a curve to the left an arc distance of 54.73 feet to a 5/8" iron pin set in the northwest corner of Lot 48 of Hillsdale Homes Subdivision as recorded in P.B. 59, Pgs. 24-25, said curve having a radius of 40.00 feet, a delta of 78°23'57" and a chord bearing S22°00'57"E a distance of 50.56 feet;

Thence along the westerly line of said Lot 48, S28°47'04"W a distance of 113.57 feet to a 5/8" iron pin set in the south line of said Hillsdale Homes Subdivision;

Thence in part along said south line and along the south line of a tract of land conveyed to the Seven Hills School in O.R. 12965, Pg. 922, S83°52'56"E a distance of 863.18 feet to a point in the westerly right of way line of Red Bank Expressway, witness a found 3/4" iron pin lying 0.3 feet North and 0.3 feet East;

Thence along said westerly right of way line the following three (3) courses:

1. S00°15'52"E a distance of 0.26 feet;
2. S08°27'40"W a distance of 220.76 feet to a 5/8" iron pin set;
3. S15°23'05"W a distance of 92.03 feet to a 5/8" iron pin set in the north line of a 24.784 acre (deed) tract of land conveyed to The Seven Hills School in O.R. 8380 Pg. 2080;

Thence along the lines of said 24.784 acre (deed) tract of land the following three (3) courses:

1. N83°55'42"W a distance of 965.33 feet to a point, witness a found 1" pipe lying 0.6 feet North and 0.6 feet West;
2. S05°15'58"W a distance of 203.00 feet to a 5/8" iron pin set;
3. N83°55'42"W, passing a 5/8" iron pin set at 140.00 feet, a total distance of 170.00 feet to the point of beginning.

Containing 10.786 acres, more or less and being subject to easements, restrictions and rights of way of record. Bearings are based on P.B. 355, Pg. 53, Hamilton County, Ohio Records.

Section 2. That this acceptance and confirmation of the annexation of the territory to the City is made pursuant to the provisions of Ordinance No. 262-2018.

Section 3. That the City Manager and all other proper City officials are hereby authorized to take all necessary and proper actions to carry out the provisions of this ordinance and to facilitate the annexation of the territory to the City, including, without limitation, executing the Annexation Plat and any and all ancillary documents.

Section 4. That, pursuant to R.C. Section 709.06, the Clerk of Council is hereby authorized and directed to issue authenticated copies of this ordinance and the accompanying Annexation Record, certifying the correctness thereof, and to deliver one copy each to the Hamilton County, Ohio Auditor's Office; the Hamilton County, Ohio Recorder's Office; the Ohio Secretary of State; the Columbia Township Administrator; and the Board of Elections of Hamilton County, Ohio.

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 rezone the annexed territory and provide it with the public services set forth by Ordinance No. 262-2018 without delay.

Passed: \_\_\_\_\_, 2021

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John Cranley, Mayor

Attest: \_\_\_\_\_  
Clerk