

ACCEPTING AND CONFIRMING the dedication to public use of a 0.031-acre tract of real property in Madisonville as a portion of Madison Road public right-of-way for street purposes.

WHEREAS, Madison and Stewart, LLC, an Ohio limited liability company (“Dedicator”) by and through its duly authorized representative, has dedicated to public use approximately 0.031-acres of real property in Madisonville as a portion of the Madison Road public right-of-way for street purposes by a plat attached to this ordinance as Attachment A and incorporated herein by reference (“Dedication Plat”); and

WHEREAS, Jody T. Klekamp, a reputable attorney practicing in Hamilton County, Ohio, has provided an Attorney’s Certificate of Title dated November 15, 2022, certifying that the Dedicator holds title to the land depicted and described on the Dedication Plat in fee simple, with full power to convey, free and clear of all encumbrances, including real estate taxes and assessments (or that the Dedicator has made satisfactory provision for payment of all real estate taxes and assessments); and

WHEREAS, the office of the City Engineer has examined and checked the Dedication Plat as to its technical features and found it to be correct; and

WHEREAS, the City Planning Commission approved the dedication of the portion of Madison Road to public use as public right-of-way for street purposes at its meeting on June 17, 2022; and

WHEREAS, based on the foregoing, the City Manager, upon consultation with the City’s Department of Transportation and Engineering, recommends that Council accept and confirm the dedication of the portion of Madison Road as public right-of-way; now, therefore,

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

Section 1. That the dedication to public use of an approximately 0.031-acre tract of real property (“Dedication Property”) in Madisonville as a portion of the Madison Road public right-of-way for street purposes, as depicted and described on the plat attached to this ordinance as Attachment A and incorporated herein by reference is hereby accepted and confirmed. The Dedication Property is more particularly described as follows:

Situated in Section 16, Town 4, Fractional Range 2, Columbia Township, in the City of Cincinnati, County of Hamilton, State of Ohio, and being a portion of a 4.477-acre consolidation plat recorded in Plat Book 479, Page 13 in the Hamilton County, Ohio Recorder's Office, and being more particularly described as follows:

Beginning at a point in the northerly existing right-of-way of Madison Road, (being 30.00' as measured perpendicular to centerline), at the common corner of Madison and Stewart, LLC (O.R. 14017, Pg. 2359), and NREA VB I, LLC (O.R. 13863, Pg. 1220), being an existing 5/8" iron pin (found);

Thence with the common line of Madison and Stewart, LLC and NREA VB I, LLC, North 03°54'00" East for a distance of 3.00 feet to a 5/8" iron pin (set);

Thence with the new division line for right-of-way for the following three calls:

South 85°35'00" East for a distance of 367.08 feet to a 5/8" iron pin (set);

Along a circular curve to the left, having a radius of 25.00 feet, an arc length of 36.14 feet, a chord bearing of North 53°00'19" East, for a chord distance of 33.07 feet to a 5/8" iron pin (set);

North 11°35'38" East for a distance of 18.28 feet to a point in the westerly right-of-way of Stewart Avenue (being 25.00 feet as measured perpendicular to centerline), being a 5/8" iron pin (set);

Thence with existing right-of-way and generally along the back of sidewalk for the following two calls:

South 04°36'20" West for a distance of 28.06 feet to a point being an existing notch;

continuing along a circular curve to the right, having a radius of 15.00 feet, an arc length of 23.52 feet, a chord bearing of South 49°30'40" West, for a chord distance of 21.18 feet to a point being in the northerly right-of-way of Madison Road, (33.00' measured perpendicular to centerline), being an existing notch;

Thence with said northerly right-of-way North 85°35'00" West for a distance of 379.05 feet to said common line with Madison and Stewart LLC and NREA VB I, LLC, being the said True Point of Beginning.

The above-described parcel of land contains 0.031 acres (1,331.81 S.F.) and is subject to all rights-of-way and easements of record.

The above description was prepared by Derrick Daily, Ohio Professional Surveyor, No. S-8819 of Surveying and Mapping, LLC (SAM LLC), based

upon a survey made by me or others under my direction, in April 2022, and that all monuments have been found to exist or set as shown. Iron pins denoted as (set) are 5/8” in diameter with a yellow plastic cap stamped “SAM LLC D. Daily PS 8819 PLS 4251.”

Section 2. That the proper City officials are hereby authorized to take all necessary and proper actions to carry out the terms of this ordinance, including without limitation the execution of all necessary real estate documents.

Section 3. That the City Solicitor shall cause an authenticated copy of this ordinance to be filed with the Hamilton County, Ohio Auditor's Office and recorded in the Hamilton County, Ohio Recorder's Office.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk