

EMERGENCY

City of Cincinnati

JRS

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An Ordinance No. 65 - 2021

DEDICATING, ACCEPTING, AND CONFIRMING the dedication of certain real property as public right-of-way for street purposes, as portions of the public streets known as Colerain Avenue, Blue Rock Street, and Elmore Street located in the Northside neighborhood of Cincinnati.

WHEREAS, the City's Department of Transportation and Engineering ("DOTE"), in coordination with the Ohio Department of Transportation ("ODOT"), undertook and completed the Northside Arterial Improvement Project (the "Project"), which Project improved, widened, and realigned certain portions of Colerain Avenue, Blue Rock Street, and Elmore Street in the Northside neighborhood of Cincinnati; and

WHEREAS, as part of the Project, ODOT acquired and conveyed to the City certain real property required to complete the Project, and DOTE has identified 12 such parcels located along Colerain Avenue, Blue Rock Street, and Elmore Street that must be dedicated, accepted, and confirmed as public right-of-way as parts of the aforementioned public streets (the "Dedication Property"), which Dedication Property is more particularly depicted on the plats entitled *Dedication Plat of Elmore Street 194-11-337*, *Dedication Plat of Parcel 192-63-65*, *Dedication Plat of Parcel 195-2-122*, *Dedication Plat of Parcel 194-12-252*, *Dedication Plat of Parcel 195-28-319*, *Dedication Plat of Parcel 195-28-320*, *Dedication Plat of Parcel 195-28-321*, *Dedication Plat of Parcel 195-29-171*, *Dedication Plat of Parcel 195-29-173*, *Dedication Plat of Parcel 195-29-176*, *Dedication Plat of Parcel 221-13-221*, and *Dedication Plat of Parcel 221-13-222*, attached to this ordinance as Attachment A (collectively, the "Dedication Plats"); and

WHEREAS, the office of the City Engineer has examined the Dedication Plats as to their technical features and found them to be correct and has recommended that the Dedication Property be dedicated, accepted, and confirmed as public right-of-way; and

WHEREAS, based on the foregoing, the City Manager recommends that Council dedicate, accept, and confirm the dedication of the Dedication Property as public right-of-way; and

WHEREAS, the City Planning Commission approved the dedication of the Dedication Property at its meeting on February 19, 2021; now, therefore,

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

Section 1. That the City of Cincinnati hereby dedicates, accepts, and confirms as public right-of-way for street purposes, certain real property as portions of the public streets known as Colerain Avenue, Blue Rock Street, and Elmore Street, as depicted on the plats entitled *Dedication Plat of Elmore Street 194-11-337, Dedication Plat of Parcel 192-63-65, Dedication Plat of Parcel 195-2-122, Dedication Plat of Parcel 194-12-252, Dedication Plat of Parcel 195-28-319, Dedication Plat of Parcel 195-28-320, Dedication Plat of Parcel 195-28-321, Dedication Plat of Parcel 195-29-171, Dedication Plat of Parcel 195-29-173, Dedication Plat of Parcel 195-29-176, Dedication Plat of Parcel 221-13-221, and Dedication Plat of Parcel 221-13-222* (collectively, the “Dedication Plats”), which Dedication Plats are attached to this ordinance as Attachment A and incorporated herein by reference. The real property hereby dedicated, accepted, and confirmed as public right-of-way is more particularly described as follows (the “Dedication Property”):

Auditor’s Parcel No.: 194-11-337

Situate in Section 27, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

Beginning at a set Mag nail at the intersection of the existing south line of Elmore Street, 30’ R/W and the west line of Spring Grove Avenue, 60’ R/W; thence South 20°47’21” West, 71.19 feet to an existing cross notch in the south line of Elmore Street as now constructed, R/W varies; thence with the south line of said Elmore Street as now constructed the following six courses;

1. on a curve to the left said curve having a radius of 1484.64 feet a chord bearing North 74°06’19” West, 17.13 feet, 17.13 feet as measured along said curve to an existing iron pin;
2. on a curve to the left said curve having a radius of 952.99 feet a chord bearing North 75°12’20” West, 74.42 feet, 74.44 feet as measured along said curve to an existing iron pin;
3. On a curve to the left said curve having a radius of 729.84 a chord bearing North 81°21’39” West, 105.82 feet, 105.92 feet as measured along said curve to an existing iron pin;

4. On a curve to the left said curve having a radius of 775.00 feet a chord bearing South 89°52'03" West, 134.19 feet, 134.36 feet as measured along said curve to a set 5/8" iron pin;

5. South 84°54'04" West, 28.85 feet to a set 5/8" iron pin;

6. On a curve to the left said curve having a radius of 55.00 feet a chord bearing South 29°15'48" West, 79.43 feet, 88.75 feet as measured along said curve to a set Mag nail in the east line of existing Colerain Avenue, 60' R/W;

thence with the east line of said Colerain Avenue North 20°54'09" West, 110.53 feet to a set Mag nail in the existing south line of said Elmore Street; thence with the existing south line of said Elmore Street the following two courses;

1. North 74°53'23" East, 121.42 feet to a set Mag nail;

2. South 84°01'56" East, 344.14 feet to the Place of Beginning.

Containing 25,256 square feet of land more or less (0.580 acres). Bearings based on NAD 83. Subject to all legal highways, easements and restrictions of record.

Auditor's Parcel No.: 192-63-65

Situate in Section 28, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

Beginning at the northwest corner of Lot 11 of Byron Kirby Heirs, First Subdivision as recorded in Plat Book 15, Page 26; thence South 05°38'22" West, 11.58 feet to a point; thence South 83°56'19" East, 48.36 feet to a point; thence South 74°13'57" East, 42.29 feet to a set cross notch being the Place of Beginning; thence North 05°38'22" East, 3.84 feet to a set cross notch; thence South 78°44'05" East, 50.18 feet to a set Mag nail; thence South 05°38'22" West, 7.84 feet to a set Mag nail; thence North 74°13'57" West, 50.73 feet to the Place of Beginning. Containing 292 square feet of land more or less (0.007 acres). Bearings based on NAD 83. Subject to all legal highways and restrictions of record.

Auditor's Parcel No.: 193-2-122

Situate in Section 27, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being part of Lots 236, 237 of E. Knowlton's Subdivision as recorded in Plat Book 1, Page 227 and being part of Lot 258 of C.E. Williams Subdivision as recorded in Plat Book 1, Page 124 and being more particularly described as follows:

Beginning at the northeast corner of said Lot 236 of E. Knowlton's Subdivision; thence South 21°09'10" West, 35.11 feet to a set 5/8" iron pin being the Place of Beginning; thence South 21°09'10" West, 18.86 feet to a set cross notch in the north line of Elmore Street R/W varies, as now built; thence with said Elmore Street the following three courses:

1. On a curve to the right said curve having a radius of 40.00 feet a chord bearing North 48°14'23" West, 7.25 feet, 7.26 feet as measured along said curve to a set cross notch;

2. North 42°54'28" West, 91.21 feet to a set cross notch;

3. On a curve to the right said curve having a radius of 20.00 feet a chord bearing North 20°28'53" West, 15.41 feet, 15.82 feet as measured along said curve to a set cross notch; Thence South 41°59'36" East, 17.37 feet to a set 5/8" iron pin; thence on a curve to the right said curve having a radius of 342.04 feet a chord bearing South 50°46'35" East, 87.89 feet, 88.13 feet as measured along said curve to the Place of Beginning.

Containing 1325 square feet of land more or less (0.030 acres). Bearings based on NAD 83. Subject to all legal highways and restrictions of record.

Auditor's Parcel No.: 194-12-252

Situate in Section 28, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being part of Lot 14 of T. Kirby's Subdivision as recorded in Plat Book 1, Page 171 H.C.R.O. and being more particularly described as follows:

Beginning at a set Mag nail at the intersection of the south line of Blue Rock Street, 60' R/W and the north line of line of Colerain Avenue, 60' R/W, measure with said Blue Rock Street South 60°46'23" East, 28.69 feet to a set cross notch; thence South 33°44'01" West, 19.85 feet to a set cross notch in the east line of said Colerain Avenue; thence with said Colerain Avenue North 24°39'51" West, 33.58 feet to the Place of Beginning.

Containing 284 square feet of land more or less (0.007 acres). Bearings based on NAD 83. Subject to all legal highways and restrictions of record.

Auditor's Parcel No.: 195-28-319

Situate in Section 28, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

Beginning at the northeast corner of Lot 4 of Byron Kirby Heirs, First Subdivision as recorded in Plat Book 15, Page 26 and the south line of Colerain Avenue R/W varies; thence South 64°52'16" East, 84.53 to a set cross notch being the Place of Beginning; thence South 64°52'16" East, 164.07 feet to an existing iron pin; thence South 18°31'44" West, 10.03 feet to a set 5/8" iron pin; thence North 66°55'39" West, 77.41 feet to a set Mag nail; thence North 64°19'29" West, 17.39 feet to a set Mag nail; thence North 61°55'07" West, 6.53 feet to an existing post; thence North 63°37'43" West, 37.78 feet to a set cross notch; thence North 64°58'54" West, 1.12 feet to a set cross notch; thence North 18°30'28" East, 4.80 feet to a set cross notch; thence North 71°33'39" West, 23.59 feet to a set cross notch; thence North 18°31'44" East, 9.46 feet to the Place of Beginning.

Containing 1831 square feet of land more or less (0.042 acres). Bearings based on NAD 83. Subject to all legal highways and restrictions of record.

Auditor's Parcel No.: 195-28-320

Situate in Section 28, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

Beginning at a set Mag nail at the northeast corner of Lot 4 of Byron Kirby Heirs, First Subdivision as recorded in Plat Book 15, Page 26 and the south line of Colerain Avenue R/W varies; thence South $18^{\circ}31'44''$ West, 10.16 feet to a set Mag nail; thence North $64^{\circ}59'20''$ West, 15.55 feet to a set Mag nail; thence on a curve to the left said curve having a radius of 462.02 feet a chord bearing North $67^{\circ}31'23''$ West, 43.62 feet, 43.64 feet as measured along said curve to a set $5/8''$ iron pin; thence North $81^{\circ}31'08''$ West, 5.42 feet to a set $5/8''$ iron pin; thence North $05^{\circ}58'51''$ East, 14.49 feet to a set cross notch; thence South $64^{\circ}52'16''$ East, 67.90 feet to the Place of Beginning.

Containing 721 square feet of land more or less (0.017 acres). Bearings based on NAD 83. Subject to all legal highways and restrictions of record.

Auditor's Parcel No.: 195-28-321

Situate in Section 28, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

Beginning at a set Mag nail at the northeast corner of Lot 4 of Byron Kirby Heirs, First Subdivision as recorded in Plat Book 15, Page 26 and the south line of Colerain Avenue R/W varies; thence with said Colerain Avenue South $64^{\circ}52'16''$ East, 84.53 feet to an existing cross notch; thence South $18^{\circ}31'44''$ West, 9.98 feet to a set cross notch; thence North $64^{\circ}59'20''$ West, 84.51 feet to a set Mag nail; thence North $18^{\circ}31'44''$ East, 10.16 feet to the Place of Beginning.

Containing 845 square feet of land more or less (0.019 acres). Bearings based on NAD 83. Subject to all legal highways and restrictions of record.

Auditor's Parcel No.: 195-29-171

Situate in Section 28, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

Beginning at a set Mag nail at the northwest corner of Lot 11 of Byron Kirby Heirs, First Subdivision as recorded in Plat Book 15, Page 26 and the south line of Colerain Avenue, R/W varies; thence with the south line of said Colerain Avenue South $76^{\circ}59'26''$ East, 195.08 feet to a set Mag nail; thence North $84^{\circ}07'32''$ West, 7.44 feet to a set Mag nail; thence North $78^{\circ}44'05''$ West, 132.78 feet to a

set cross notch; thence North 83°56'19" West, 53.89 feet to a set Mag nail; thence North 05°38'22" East, 11.58 feet to the Place of Beginning.
Containing 843 square feet of land more or less (0.019 acres). Bearings based on NAD 83.

Auditor's Parcel No.: 195-29-173

Situate in Section 28, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

Beginning at the northwest corner of Lot 11 of Byron Kirby Heirs, First Subdivision as recorded in Plat Book 15, Page 26; thence South 05°38'22" West, 11.58 feet to a point; thence South 83°56'19" East, 48.36 feet to a set 5/8" iron pin being the Place of Beginning; thence South 83°56'19" East, 5.53 feet to a set cross notch; thence South 78°44'05" East, 36.28 feet to a set cross notch; thence South 05°38'22" West, 3.84 feet to a set cross notch; thence North 74°13'57" West, 42.29 feet to the Place of Beginning.

Containing 89 square feet of land more or less (0.002 acres). Bearings based on NAD 83. Subject to all legal highways, easements and restrictions of record.

Auditor's Parcel No.: 195-29-176

Situate in Section 28, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

Beginning at a set cross notch at the northeast corner of Lot 5 of Byron Kirby Heirs, First Subdivision as recorded in Plat Book 15, Page 26; thence South 05°58'51" West, 16.20 feet to a set 5/8" iron pin; North 71°20'50" West, 13.58 feet to a cross notch; thence North 74°13'57" West, 96.32 feet to a set Mag nail; thence North 05°38'22" East, 7.84 feet to a set Mag nail; thence South 78°44'05" East, 46.31 feet to a set Mag nail; thence South 84°07'32" East, 7.44 feet to a set Mag nail; thence South 76°59'26" East, 55.08 feet to the Place of Beginning.

Containing 1316 square feet of land more or less (0.030 acres). Bearings based on NAD 83. Subject to all legal highways and restrictions of record.

Auditor's Parcel No.: 221-13-221

Situate in Section 28, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

Beginning at a set cross notch at the intersection of the north line of Blue Rock Street, R/W varies and the west line of Fergus Street 50' R/W; thence with said Blue Rock Street North 83°33'09" West, 89.27 feet to a set cross notch being the Place of Beginning; thence with said Blue Rock Street South 49°42'21" West, 32.88 feet to an existing cross notch, thence continuing with said Blue Rock

Street North 83°53'22" West 282.48 feet to a point being 3.12 north of an existing cross notch; thence North 06°03'44" East, 9.62 feet to a set 5/8" iron pin being the proposed north line of said Blue Rock Street; thence with the proposed north line of Blue Rock Street the following seven courses;

1. South 75°12'12" East, 59.65 feet to a set cross notch;
2. South 84°11'59" East, 95.65 feet to a set cross notch;
3. South 84°23'12" East, 120.14 feet to a set cross notch;
4. North 05°40'42" East, 20.92 feet to a set cross notch;
5. South 84°10'27" East, 26.03 feet to a set cross notch;
6. North 04°39'59" East, 0.48 feet to a set cross notch;
7. South 85°14'12" East, 4.56 feet to the Place of beginning.

Containing 1,022 square feet of land more or less (0.023 acres). Bearings based on NAD 83. Subject to all legal highways and restrictions of record.

Auditor's Parcel No.: 221-13-222

Situate in Section 28, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being more particularly described as follows:

Beginning at an existing Mag nail at the intersection of the south line of Blue Rock Street, R/W varies and the north line of Vandalia Avenue, 17' R/W, measure with said Vandalia Avenue South 66°53'55" West, 12.78 feet to an existing Mag nail; thence North 17°55'37" West, 10.38 feet to an existing Mag nail; thence South 80°28'20" East, 15.29 feet to an existing Mag nail; thence South 03°06'05" West, 2.34 feet to the Place of Beginning.

Containing 84 square feet of land more or less (0.002 acres). Bearings based on NAD 83. Subject to all legal highways and restrictions of record.

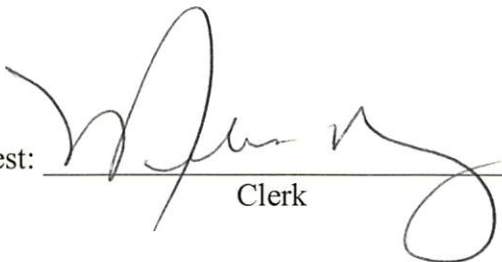
Section 2. That the City Solicitor shall cause an authenticated copy of this ordinance and the Dedication Plats to be filed with the Hamilton County, Ohio Auditor's Office and recorded in the Hamilton County, Ohio Recorder's Office.

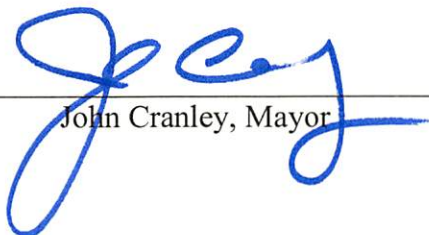
Section 3. That the City Manager and other City officials are authorized to take all necessary and proper actions to carry out the provisions of this ordinance, including, without limitation, executing the Dedication Plats and other necessary real estate documents.

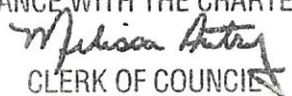
Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the

emergency is the immediate need for the City to accept and confirm the dedication of the Dedication Property and to record the Dedication Plats with the Hamilton County, Ohio Recorder's Office without delay.

Passed: March 3, 2021

Attest: 
Clerk


John Cranley, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 15 2021
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 3-16 2021

CLERK OF COUNCIL

ORDINANCE
THE CITY BULLETIN
MAY 15 2021

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