

City of Cincinnati

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EESW

- 2025

An Ordinance No. 111

ACCEPTING AND CONFIRMING the grant of a permanent easement in favor of the City of Cincinnati for a sidewalk on behalf of the pedestrian public through and across certain real property in the City of Cincinnati, Hamilton County, Ohio in accordance with the easement as recorded in Official Record 15371, Pages 1317, Hamilton County, Ohio Recorder's Office, and the dedication to public use of an approximately 0.0468 acre tract of real property as a portion of Dana Avenue, a public right-of-way, in the Evanston neighborhood of Cincinnati.

WHEREAS, Cincinnati Public Radio, Inc., an Ohio non-profit corporation ("Grantor"), has granted and dedicated an easement in favor of the City of Cincinnati for the installation, replacement, removal, maintenance, and repair of a public sidewalk through and across certain real property located in the City of Cincinnati, Hamilton County, Ohio, as more particularly depicted and described on the easement in Official Record 15371, Page 1317, Hamilton County, Ohio Recorder's Office (the "Easement"); and

WHEREAS, Grantor desires to dedicate to public use an approximately 0.0468 acre tract of real property (the "Dedication Property") as a portion of Dana Avenue, a public right-of-way, by a plat attached to this ordinance as Attachment C (the "Dedication Plat").

WHEREAS, Daniel E. Fausz, a reputable attorney practicing in Hamilton County, Ohio has provided an Attorney's Certificate of Title dated December 20, 2024, certifying that Grantor holds title to the Dedication Property in fee simple, with full power to convey, subject to certain encumbrances, including real estate taxes not yet due and payable, and that the Law Department's Real Estate Services Division has reviewed the encumbrances and the Dedication Plat and found that Grantor has made satisfactory provision for the subordination of the encumbrances and payment of all real estate taxes and assessments; and

WHEREAS, the City's Department of Transportation and Engineering and the City Engineer have examined and approved the Easement and the Dedication Plat as to their technical features and found them to be correct; and

WHEREAS, the City Planning Commission approved the Easement and Dedication Plat and the dedication of the additional portion of Dana Avenue to public use as public right-of-way at its meeting on November 1, 2024; and

WHEREAS, the City Manager, upon consultation with the Cincinnati Department of Transportation and Engineering, recommends that Council dedicate, accept and confirm the Dedication Property as portion of the Dana Avenue right-of way and accept and confirm the Easement for the use and benefit of the pedestrian public; 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 the easement granted by Cincinnati Public Radio, Inc., an Ohio corporation, to the City of Cincinnati for the construction, installation,

reconstruction, operation, maintenance, repair, replacement, modification, and removal of a public sidewalk and related fixtures, equipment, and appurtenances through and across certain real property in the City of Cincinnati, Hamilton County, Ohio, as more particularly depicted and described on the easement as recorded in Official Record 15371, Page 1317, Hamilton County, Ohio Recorder's Office, and attached as Attachment A and incorporated herein by reference (the "Easement"). The real property encumbered by the Easement is more particularly described on Attachment B.

Section 2. That the dedication to public use of an approximately 0.0468 acre tract of real property in Evanston as a portion of the Dana Avenue public right-of-way as depicted on the plat attached to this ordinance as Attachment C (the "Dedication Plat") and incorporated herein by reference and described on the legal description attached to this ordinance as Attachment D (the "Legal Description") and incorporated by reference is hereby accepted and confirmed.

Section 3. 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 any and all ancillary agreements, deeds, plats, or other related real estate documents as deemed necessary or appropriate by the City Manager.

Section 4. That the City Solicitor shall cause an authenticated copy of this ordinance to be recorded in the Hamilton County, Ohio Recorder's Office.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: April 30, 2025

Attest: Nicole Maynard
Acting Clerk

Aftab Pureval
Aftab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO. 111-2025
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 5/13/2025
Melissa Antley
CLERK OF COUNCIL