

EMERGENCY

City of Cincinnati

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AWB

An Ordinance No. _____

- 2021

TO APPROPRIATE to public use property required for the Auburn Avenue Improvement Project.

WHEREAS, on September 16, 2020, Council for the City of Cincinnati passed Resolution No. 51-2020 captioned as follows:

DECLARING the intent to appropriate to public use property required for the Auburn Avenue Improvement Project.

WHEREAS, notice of the passage of the Resolution has been served according to law; now, therefore,

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

Section 1. That it is hereby deemed necessary and hereby declared to be the intent of this Council to appropriate to public use for the purpose of the Auburn Avenue Improvement Project, which project includes the relocation, construction, reconstruction, widening, maintenance, resurfacing, repair, and improvement of a road open to the public without charge, fee simple interests in the real property described on Attachment A attached to this ordinance and incorporated herein by reference, and temporary construction easements in the real property described on Attachment B attached to this ordinance and incorporated herein by reference (collectively, the "Property"), with the owners of record of the Property being as follows:

<u>Project Parcel</u>	<u>Owner</u>	<u>Hamilton Co. Auditor Parcel No.</u>
1-T-1	The Christ Hospital f/k/a The Elizabeth Gamble Deaconess Home Association	088-0008-0128-00 (088-0008-0128-00 through -135; -185; -186 cons.), 088-0008-0136-00 , 088-0008-0137-00 (088-0008-0137-00 through -140; -143 through -146; -155 through -183; -187 through -190; -192 through -200; -208; -217; -221; -226; -227 cons.; -217; -221; -226; -227 cons.), & 088-0008-0141-00 (088-0008-141; -142 cons.)
1-WD-1	The Christ Hospital f/k/a The Elizabeth Gamble Deaconess Home Association	088-0008-0128-00 (088-0008-0128-00 through -135; -185; -186 cons.), 088-0008-0136-00 , 088-0008-0137-00 (088-0008-0137-00 through -140; -143 through -146; -155 through -183; -187 through -190; -192 through -200; -208; -217; -221; -226; -227 cons.; -217; -221; -226; -227 cons.), & 088-0008-0141-00 (088-0008-141; -142 cons.)
1-WD-2	The Christ Hospital f/k/a The Elizabeth Gamble Deaconess Home Association	088-0008-0128-00 (088-0008-0128-00 through -135; -185; -186 cons.), 088-0008-0136-00 , 088-0008-0137-00 (088-0008-0137-00 through -140; -143 through -146; -155 through -183; -187 through -190; -192 through -200; -208; -217; -221; -226; -227 cons.; -217; -221; -226; -227 cons.), & 088-0008-0141-00 (088-0008-141; -142 cons.)
1-T-3	The Christ Hospital	088-0008-0235-00 (088-0008-0235-00; -237 cons.)
1-T-4	The Christ Hospital	088-0008-0018-00

1-T-5	The Christ Hospital	088-0007-0069-00; -70; -71; -72; -73
1-WD-3	The Christ Hospital	088-0008-0235-00 (088-0008-0235-00; -237 cons.)
1-WD-4	The Christ Hospital	088-0008-0018-00
1-WD-5	The Christ Hospital	088-0007-0069-00; -70; -71; -72; -73
2-WD	Shabbat Shalom, LLC	088-0007-0035-00
2-T	Shabbat Shalom, LLC	088-0007-0035-00
3-WD	Cilo Properties, LLC	088-0008-0124-00 (088-0008-0124-00; -125 cons.)
3-T	Cilo Properties, LLC	088-0008-0124-00 (088-0008-0124-00; -125 cons.)
4-T	Medulla Oblongata Property Holdings, LLC	088-0008-0249-00
5-WD	Board of County Commissioners of Hamilton County, Ohio	088-0007-0020-90 (088-0007-0020-00; -21; -22; -109; -125; -126 cons.)
5-T	Board of County Commissioners of Hamilton County, Ohio	088-0007-0020-90 (088-0007-0020-00; -21; -22; -109; -125; -126 cons.)
6-WD	Arrow Investment Company, successor by merger to Hidy Transportation Company	088-0007-0001-00
7-WD	ORI Associates, LLC	088-0007-0002-00
7-T	ORI Associates, LLC	088-0007-0002-00
8-WD	James Gill	088-0007-0003-00
8-T	James Gill	088-0007-0003-00
9-T-1	NHC – Flat Iron, LLC	094-0006-0224-00 (094-0006-0224-00 through -0227)
9-T-2	NHC – Flat Iron, LLC	094-0006-0224-00 (094-0006-0224-00 through -0227)

10-T	Donald Blaire Frodge, Jr.	088-0007-0004-00
11-T	Merk Holdings OH 1, LLC	088-0007-0097-00; -132
12-T	2112 Ave Mt Auburn Holdings, LLC	088-0007-0104-00 (088-0007-0104-00; -107 cons.)
13-T-1; 13-T-2	Five Points Acquisition, LLC	094-0006-0220-00; 094-0006-0221-00; 094-0006-0222-00; & 094-0006-0223-00

Section 2. That the City Solicitor is hereby authorized to commence proceedings in a proper court by filing a complaint for appropriation of the Property at such time as the City has met the requirements of Section 163.04 of the Ohio Revised Code.

Section 3. That at any time prior or subsequent to the filing of a complaint or complaints for appropriation, the City Manager is hereby authorized, with the approval of the City Solicitor, to acquire by purchase the real property interests described in Section 1 hereof, and in connection with such acquisition, or for the preparation of court proceedings, to enter into special contracts for necessary services, expert or otherwise, as the same may be required.

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 file complaints for appropriation in order that the City may

commence the Auburn Avenue Improvement Project, in accordance with the schedules set forth in the contracts being entered into for this project.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

Attachment A

Legal Descriptions – Fee Simple Interests

Project Parcel: 1-WD-1

Auditor's Parcel Nos.: 088-0008-0128-00 (088-0008-0128-00 through -135; -185; -186 cons.); 088-0008-0136-00; 088-0008-0137-00 (088-0008-0137-00 through -140; -143 through -146; -155 through -183; -187 through -190; -192 through -200; -208; -217; -221; -226; -227 cons.; -217; -221; -226; -227 cons.); & 088-0008-0141-00 (088-0008-141; -142 cons.)

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to The Christ Hospital in O.R. 5624, Pg. 1032 and being more particularly described as follows:

Commencing at the intersection of the west line of Auburn Avenue, 60' R/W and the south line of Glencoe Place, 40' R/W; thence with the west line of said Auburn Avenue, South 02°58'35" West, 402.74 feet to a point; thence North 84°17'55" West, 189.00 feet to a point; thence South 02°58'35" West, 60.00 feet to a point; thence South 84°17'55" East, 189.00 feet to a point in the west line of said Auburn Avenue; thence with the west line of said Auburn Avenue South 07°57'05" West, 106.56 feet to the Place of Beginning; thence continuing with the west line of said Auburn Avenue the following two courses, South 07°57'05" West, 35.70 feet to a point; thence South 03°31'00" West, 28.79 feet to a point; thence on a curve to the left said curve having a radius of 15.00 feet a chord bearing North 27°56'47" West, 7.34 feet, 7.42 feet as measured along said curve to a point; thence North 03°33'58" East, 58.28 feet to a point; thence South 85°03'27" East, 6.54 feet to the Place of Beginning. Containing 281 square feet of land more or less (0.006 acres). Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 1-WD-2

Auditor's Parcel Nos.: 088-0008-0128-00 (088-0008-0128-00 through -135; -185; -186 cons.); 088-0008-0136-00; 088-0008-0137-00 (088-0008-0137-00 through -140; -143 through -146; -155 through -183; -187 through -190; -192 through -200; -208; -217; -221; -226; -227 cons.; -217; -221; -226; -227 cons.); & 088-0008-0141-00 (088-0008-141; -142 cons.)

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to The Christ Hospital in O.R. 5624, Pg. 1032 and being more particularly described as follows:

Commencing the intersection of the west line of Auburn Avenue, 60' R/W and the south line of Glencoe Place, 40' R/W; thence with the west line of said Auburn Avenue, South 02°58'35" West, 402.74 feet to a point; thence North 84°17'55" West, 189.00 feet to a point; thence South 02°58'35" West, 60.00 feet to a point; thence South 84°17'55" East, 189.00 feet to a point in the west line of said Auburn Avenue; thence with the west line of said Auburn Avenue the following three courses, South 07°57'05" West, 142.26 feet to a point; thence South 03°31'00" West, 65.49 feet to a point; thence 00°46'48" East 4.67 feet to the Place of Beginning; thence continuing with the west line of said Auburn Avenue the following four courses; South 00°46'48" East, 80.64 feet to a point; thence South 00°57'27" West, 75.00 feet to a point; thence South 05°43'35" West, 204.14 feet to a point; thence on a curve to the

right said curve having a radius of 20.00 feet a chord bearing South 49°05'48" West, 24.56 feet, 26.44 feet as measured along said curve to a point; thence North 88°38'31" West, 1.45 feet to a point; thence North 06°10'24" East, 1.84 feet to a point; thence South 84°00'58" East, 6.29 feet to a point; thence North 06°17'48" East, 99.79 feet to a point; thence North 05°33'28" East, 151.90 feet to a point; thence North 84°13'19" West, 6.20 feet to a point; thence North 05°58'57" East, 15.96 feet to a point; thence South 85°58'23" East, 5.99 feet to a point; thence North 04°01'37" East, 36.50 feet to a point; thence on a curve to the left said curve having a radius of 10.00 feet a chord bearing North 11°59'25" West, 5.52 feet, 5.59 feet as measured along said curve to a point; thence North 83°50'31" West, 4.19 feet to a point; thence North 03°54'19" East 57.75 feet to a point; thence on a curve to the left said curve having a radius of 15.00 feet a chord bearing North 38°25'47" East, 9.30 feet, 9.45 feet as measured along said curve to the Place of Beginning. Containing 3,767 square feet of land more or less (0.086 acres). Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 1-WD-3

Auditor's Parcel Nos.: 088-0008-0235-00 (088-0008-0235-00; -237 cons.)

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to The Christ Hospital in O.R. 7124, Pg. 601 and being more particularly described as follows:

Commencing at the intersection of the north line of Huntington Place, 50' R/W and the west line of Auburn Avenue, 60' R/W; thence with the west line of said Auburn Avenue North 06°01'18" East, 179.40 feet to the Place of Beginning; thence North 84°08'26" West, 17.66 feet to a point; thence North 06°10'24" East, 54.46 feet to a point; thence South 88°38'31" East, 1.45 feet to a point; thence on a curve to the left said curve having a radius of 20.00 feet a chord bearing North 49°05'48" East, 24.56 feet, 26.44 feet as measured along said curve to a point in the west line of said Auburn Avenue; thence with the west line of said Auburn Avenue South 06°34'41" West, 72.47 feet to the Place of Beginning. Containing 1,052 square feet of land more or less (0.024 acres). Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 1-WD-4

Auditor's Parcel No.: 088-0008-0018-00

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to The Christ Hospital in O.R. 11915, Pg. 1658 and being more particularly described as follows:

Beginning at the intersection of the north line of Huntington Place, 50' R/W and the west line of Auburn Avenue, 60' R/W; thence with the north line of said Huntington Place; North 84°54'09" West, 20.00 feet to a point; thence on a curve to the left said curve having a radius of 10.00 feet a chord bearing North 45°23'44" East, 12.65 feet, 13.69 feet as measured along said curve to a point; thence North 06°10'15" East, 153.75 feet to a point; thence on a curve to the left said curve having a radius of 10.05 feet a chord bearing North 29°36'22" West, 10.49 feet, 11.04 feet as measured along said curve to a point; thence North 06°10'24" East, 7.62 feet to a point; thence South 84°08'26" East, 17.66 feet to a point in the west line of said Auburn Avenue; thence with the west line of said Auburn Avenue, South 06°01'18" West, 179.40 feet to the Place of Beginning. Containing 2,193 square feet of land more or less (0.050 acres). Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 1-WD-5

Auditor's Parcel Nos.: 088-0007-0069-00; -70; -71; -72; -73

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to The Christ Hospital in O.R. 11223, Pg. 892 and being more particularly described as follows:

Beginning at the intersection of the east line of Auburn Avenue, 60' R/W and the north line of Earnshaw Avenue 40' R/W; thence with the east line of said Auburn Avenue, North 03°58'13" East, 4.48 feet to a point; thence South 38°10'18" East, 6.41 feet to a point in the north line of said Earnshaw Avenue; thence with the north line of said Earnshaw Avenue, North 82°24'18" West, 4.31 feet to the Place of Beginning. Containing 10 square feet of land more or less (0.000 Acres). Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 2-WD

Auditor's Parcel No.: 088-0007-0035-00

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Shabbat Shalom, LLC in O.R. 14108, Pg. 1582 and being more particularly described as follows:

Beginning at the intersection of the east line of Auburn Avenue, 60' R/W and the south line of Southern Avenue, 37' R/W; thence with the south line of said Southern Avenue, South 83°55'23" East, 1.89 feet to a point; thence South 45°38'31" West, 2.98 feet to a point in the east line of said Auburn Avenue; thence with the east line of said Auburn Avenue, North 06°10'24" East, 2.30 feet to the Place of Beginning. Containing 2 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 3-WD

Auditor's Parcel Nos.: 088-0008-0124-00 (088-0008-0124-00; -125 cons.)

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to CILO Properties, LLC in O.R. 11123, Pg. 1462 and being more particularly described as follows:

Beginning at the intersection of the south line of Huntington Place, 50' R/W and the west line of Auburn Avenue, 60' R/W; thence with the west line of said Auburn Avenue; South 06°10'24" West, 74.06 feet to a point; thence South 05°58'06" West, 53.54 feet to a point; thence North 01°55'04" East, 55.17 feet to a point; thence North 84°35'44" West, 1.00 feet to a point; thence North 01°44'03" East, 63.25 feet to a point; thence on a curve to the left said curve having a radius of 9.00 feet a chord bearing North 41°38'23" West, 12.27 feet, 13.50 feet as measured along said curve to a point; thence North 84°33'07" West, 7.05 feet to a point; thence North 05°26'53" East, 0.89 feet to a point in the south line of said Huntington Place; thence with the south line of said Huntington Place, South 84°54'09" East, 25.95 feet to the Place of Beginning. Containing 696 square feet of land more or less (0.016 acres). Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 5-WD

Auditor's Parcel Nos.: 088-0007-0020-90 (088-0007-0020-00; -21; -22; -109; -125; -126 cons.)

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Hamilton County Board of Commissioners in D.B. 2451, Pages 54, 315, 343 and 491 and D.B. 2457, Page 56 and being more particularly described as follows:

Beginning at the intersection of the east line of Auburn Avenue, 60' R/W and the north line of Bodmann Avenue, 50' R/W; thence with the east line of said Auburn Avenue, North 06°10'24" East, 237.94 feet to a point; thence South 82°52'21" East, 0.19 feet to a point; thence South 05°01'34" West, 0.30 feet to a point; thence South 03°03'00" West, 5.76 feet to a point; thence South 03°04'03" West, 29.59 feet to a point; thence South 01°54'03" West, 6.56 feet to a point; thence South 01°44'03" West, 72.67 feet to a point; thence on a curve to the right said curve having a radius of 726.96 feet a chord bearing South 06°23'25" West, 118.02 feet, 118.15 feet as measured along said curve to a point; thence South 11°15'33" West, 5.31 feet to a point in the north line of said Bodmann Avenue; thence with the north line of said Bodmann Avenue, North 84°06'54" West, 7.31 feet to the Place of Beginning. Containing 1,622 square feet of land more or less (0.037 acres). Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 6-WD

Auditor's Parcel No.: 088-0007-0001-00

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to HIDY Transportation Co. in D.B. 3777, Pg. 331 and being more particularly described as follows:

Beginning at the intersection of the east line of Auburn Avenue, 60' R/W and the north line of Dorchester Avenue, 50' R/W; thence with the east line of said Auburn Avenue, North 05°58'06" East, 97.85 feet to a point; thence South 84°06'54" East, 100.00 feet to a point; thence South 05°58'06" West, 97.99 feet to a point in the north line of said Dorchester Avenue said point being 0.46 feet north of an existing iron pin; thence with the north line of said Dorchester Avenue, North 84°02'08" West, 100.00 feet to the Place of Beginning. Containing 9,792 square feet of land more or less (0.225 acres). Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 7-WD

Auditor's Parcel No.: 088-0007-0002-00

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to ORI Associates, LLC in O.R. 12974, Pg. 602 and being more particularly described as follows:

Commencing at the intersection of the east line of Auburn Avenue, 60' R/W and the north line of Dorchester Avenue, 50' R/W; thence with the north line of said Dorchester Avenue, South 84°02'08" East, 100.00 feet to a point being 0.46 feet north of an existing iron pin and being the Place of Beginning; thence North 05°58'06" East, 26.85 feet to a point; thence on a curve to the left, said curve having a radius of 189.00 feet a chord bearing South 61°04'20" East, 44.76 feet, 44.87 feet as measured along said curve to a point; thence South 05°58'06" West, 9.38 feet to a point in the north line of said Dorchester Avenue said point being 0.46 feet north of an existing iron pin; thence with the north line of said Dorchester Avenue, North 84°02'08" West, 41.22 feet to the Place of Beginning. Containing 707 square feet of land more or less (0.016 acres). Bearings based on NAD 83 (2007). Subject to all legal highways,

easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 8-WD
Auditor's Parcel No.: 088-0007-0003-00

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to James Gill in D.B. 3935, Pg. 272 and being more particularly described as follows:

Commencing at the intersection of the east line of Auburn Avenue, 60' R/W and the north line of Dorchester Avenue, 50' R/W; thence with the north line of said Dorchester Avenue, South 84°02'08" East, 141.22 feet to a point being 0.46 feet north of an existing iron pin and being the Place of Beginning; thence North 05°58'06" East, 9.38 feet to a point; thence on a curve to the left, said curve having a radius of 189.00 feet a chord bearing South 74°43'56" East, 45.14 feet, 45.25 feet as measured along said curve to a point; thence South 81°23'03" East, 20.60 feet to a point; thence South 05°58'06" West, 1.13 feet to a point in the north line of said Dorchester Avenue; thence with the north line of said Dorchester Avenue, North 84°02'08" West, 65.13 feet to the Place of Beginning. Containing 248 square feet of land more or less (0.006 acres). Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Attachment B

Legal Descriptions – Temporary Easements

Project Parcel: 1-T-1

Auditor's Parcel Nos.: 088-0008-0128-00 (088-0008-0128-00 through -135; -185; -186 cons.), 088-0008-0136-00, 088-0008-0137-00 (088-0008-0137-00 through -140; -143 through -146; -155 through -183; -187 through -190; -192 through -200; -208; -217; -221; -226; -227 cons.; -217; -221; -226; -227 cons.), & 088-0008-0141-00 (088-0008-141; -142 cons.)

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to The Christ Hospital in O.R. 5624, Pg. 1032 and being more particularly described as follows:

Commencing the intersection of the west line of Auburn Avenue, 60' R/W and the south line of Glencoe Place, 40' R/W; thence with the west line of said Auburn Avenue, South 02°58'35" West, 402.74 feet to a point; thence North 84°17'55" West, 189.00 feet to a point; thence South 02°58'35" West, 60.00 feet to a point; thence South 84°17'55" East, 189.00 feet to a point in the west line of said Auburn Avenue; thence with the west line of said Auburn Avenue South 07°57'05" West, 106.56 feet to a point; thence North 85°03'27" West, 6.54 feet to the Place of Beginning; thence South 03°33'58" West, 58.28 feet to a point; thence on a curve to the right said curve having a radius of 15.00 feet a chord bearing South 27°56'47" East, 7.34 feet, 7.42 feet as measured along said curve to a point; thence South 03°31'00" West, 36.70 feet to a point; thence South 00°46'48" East, 4.67 feet to a point; thence on a curve to the right said curve having a radius of 15.00 feet a chord bearing South 38°25'47" West, 9.30 feet, 9.45 feet as measured along said curve to a point; thence South 03°54'19" West, 57.75 feet to a point; thence South 83°50'31" East, 4.19 feet to a point; thence on a curve to the right said curve having a radius of 10.00 feet a chord bearing South 11°59'25" East, 5.52 feet, 5.59 feet as measured along said curve to a point; thence South 04°01'37" West, 36.50 feet to a point; thence North 85°58'23" West, 5.99 feet to a point; thence North 05°27'47" East, 27.41 feet to a point; thence North 84°31'45" West, 11.85 feet to a point; thence North 03°54'19" East, 72.13 feet to a point; thence on a curve to the left said curve having a radius of 12.00 feet a chord bearing North 54°05'46" East, 18.69 feet, 21.42 feet as measured along said curve to a point; thence North 02°57'33" East, 32.55 feet to a point; thence on a curve to the left said curve having a radius of 12.00 feet a chord bearing North 44°00'52" West, 17.54 feet, 19.68 feet as measured along said curve to a point; thence; thence North 07°30'46" East, 57.37 feet to a point; thence South 85°03'27" East, 7.49 feet to the Place of Beginning.

and also:

Commencing the intersection of the west line of Auburn Avenue, 60' R/W and the south line of Glencoe Place, 40' R/W; thence with the west line of said Auburn Avenue, South 02°58'35" West, 402.74 feet to a point; thence North 84°17'55" West, 189.00 feet to a point; thence South 02°58'35" West, 60.00 feet to a point; thence South 84°17'55" East, 189.00 feet to a point in the west line of said Auburn Avenue; thence with the west line of said Auburn Avenue South 07°57'05" West, 106.56 feet to a point; thence North 85°03'27" West, 6.54 feet to a point; thence South 03°33'58" West, 58.28 feet to a point; thence on a curve to the right said curve having a radius of 15.00 feet a chord bearing South 27°56'47" East, 7.34 feet, 7.42 feet as measured along said curve to a point; thence South 03°31'00" West, 36.70 feet to a point; thence South 00°46'48" East, 4.67 feet to a point; thence on a curve to the right said curve having a radius of 15.00 feet a chord bearing South 38°25'47" West, 9.30 feet, 9.45 feet as measured along said curve to a point; thence South 03°54'19" West, 57.75 feet to a point; thence South 83°50'31" East, 4.19 feet to a point; thence on a curve to the right said curve having a radius of 10.00 feet a chord bearing South 11°59'25" East, 5.52 feet, 5.59 feet as measured along said curve to a point; thence South 04°01'37" West, 36.50 feet to a point; thence North 85°58'23" West, 5.99 feet to a point; thence South 05°58'57" West, 15.96 feet to the Place of Beginning; thence South 84°13'19" East, 6.20 feet to a point; thence South 05°33'28" West, 151.90 feet to a point; thence South 06°17'48" West, 99.79 feet to a point; thence North 84°00'58" West, 6.29 feet to a point; thence South 06°10'24" West, 1.84

feet to a point; thence North 88°38'31" West, 13.71 feet to a point; thence North 06°10'24" East, 18.73 feet to a point; thence North 83°41'36" West, 9.57 feet to a point; thence North 05°49'26" East, 52.17 feet to a point; thence South 83°41'53" East, 23.74 feet to a point; North 05°38'51" East, 130.47 feet to a point; thence North 05°49'43" East, 53.32 feet to the Place of Beginning. Containing a Total of 4,845 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 1-T-3

Auditor's Parcel Nos.: 088-0008-0235-00 (088-0008-0235-00; -237 cons.)

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to The Christ Hospital in O.R. 7124, Pg. 601 and being more particularly described as follows:

Commencing at the intersection of the north line of Huntington Place, 50' R/W and the west line of Auburn Avenue, 60' R/W; thence with the west line of said Auburn Avenue North 06°01'18" East, 179.40 feet to a point; thence North 84°08'26" West, 17.66 feet to the Place of Beginning; thence North 84°08'26" West, 15.43 feet to a point; thence North 06°10'24" East, 10.19 feet to a point; thence South 83°49'36" East, 6.28 feet to a point; thence North 06°10'24" East, 36.86 feet to a point; thence North 83°41'36" West, 4.51 feet to a point; thence North 06°10'24" East, 6.40 feet to a point; thence South 88°38'31" East, 13.70 feet to a point; thence South 06°10'24" West, 54.46 feet to the Place of Beginning. Containing 588 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 1-T-4

Auditor's Parcel No.: 088-0008-0018-00

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to The Christ Hospital in O.R. 11915, Pg. 1658 and being more particularly described as follows:

Commencing at the intersection of the north line of Huntington Place, 50' R/W and the west line of Auburn Avenue, 60' R/W; thence with the north line of said Huntington Place; North 84°54'09" West, 20.00 feet to the Place of Beginning; thence continuing with the north line of said Huntington Place North 84°54'09" West, 24.14 feet to a point; thence North 06°10'24" East, 15.88 feet to a point; thence North 43°06'54" East, 19.80 feet to a point; thence North 06°10'24" East, 5.62 feet to a point; thence South 84°58'53" East, 9.74 feet to a point; thence North 05°39'51" East, 120.79 feet to a point; thence North 84°03'12" West, 10.00 feet to a point; thence North 06°10'24" East, 21.78 feet to a point; thence South 84°08'26" East, 15.43 feet to a point; thence South 06°10'24" West, 7.62 feet to a point; thence on a curve to the right said curve having a radius of 10.05 feet a chord bearing South 29°36'22" East, 10.49 feet, 11.04 feet as measured along said curve to a point; thence South 06°10'15" West, 153.75 feet to a point; thence on a curve to the right said curve having a radius of 10.00 feet a chord bearing South 45°23'44" West, 12.65 feet, 13.69 feet to the Place of Beginning. Containing 2,752 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 1-T-5

Auditor's Parcel Nos.: 088-0007-0069-00; -70; -71; -72; -73

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to The Christ Hospital in O.R. 11223, Pg. 892 and being more particularly described as follows:

Commencing at the intersection of the east line of Auburn Avenue, 60' R/W and the north line of Earnshaw Avenue 40' R/W; thence with the east line of said Auburn Avenue, North 03°58'13" East, 111.84 feet to a point; thence North 03°03'25" East, 20.56 feet to a point; thence North 02°59'08" East, 89.23 feet to a point; thence South 87°00'52" East, 4.50 feet to a point; thence South 02°59'08" West, 89.23 feet to a point; thence South 03°03'25" West, 20.60 feet; thence South 03°58'13" West, 107.65 to a point; thence South 82°24'18" East, 15.52 feet to a point; thence South 03°58'13" West, 4.51 feet to a point in the north line of said Earnshaw Avenue; thence North 82°24'18" West, 20.03 feet to the Place of Beginning. Containing 1,068 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 2-T

Auditor's Parcel No.: 088-0007-0035-00

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Shabbat Shalom, LLC in O.R. 14108, Pg. 1582 and being more particularly described as follows:

Commencing at the intersection of the east line of Auburn Avenue, 60' R/W and the south line of Southern Avenue, 37' R/W; thence with the south line of said Southern Avenue, South 83°55'23" East, 1.89 feet to the Place of Beginning; thence South 83°55'23" East, 4.85 feet to a point; thence South 05°37'21" West, 26.70 feet to a point; thence South 06°10'24" West, 75.10 feet to a point; thence North 83°55'23" West, 7.00 feet to a point in the east line of said Auburn Avenue; thence with the east line of said Auburn Avenue, North 06°10'24" East, 99.50 feet to a point; thence North 45°38'31" East, 2.98 feet to the Place of Beginning. Containing 697 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 3-T

Auditor's Parcel Nos.: 088-0008-0124-00 (088-0008-0124-00; -125 cons.)

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to CILO Properties, LLC in O.R. 11123, Pg. 1462 and being more particularly described as follows:

Commencing at the intersection of the south line of Huntington Place, 50' R/W and the west line of Auburn Avenue, 60' R/W; thence with the south line of said Huntington Place; North 84°54'09" West, 25.95 feet to a point; thence South 05°26'53" West, 0.89 feet to the Place of Beginning; thence South 84°33'07" East, 7.05 feet to a point; thence on a curve to the right said curve having a radius of 9.00 feet a chord bearing South 41°38'23" East, 12.27 feet, 13.50 feet as measured along said curve to a point; thence South 01°44'03" West, 63.25 feet to a point; thence South 84°35'44" East, 1.00 feet to a point; thence South 01°55'04" West, 55.17 feet to a point; thence North 84°22'59" West, 14.94 feet to a point; thence North 04°55'08" East, 122.03 feet to a point; thence North 84°54'41" West, 8.47 feet to a point; thence North 05°26'53" East, 4.53 feet to the Place of Beginning. Containing 1,116 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 4-T
Auditor's Parcel No.: 088-0008-0249-00

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Medulla Oblongata Property Holdings, LLC in O.R. 12315, Pg. 1034 and being more particularly described as follows:

Commencing at the intersection of the south line of Huntington Place, 50' R/W and the west line of Auburn Avenue, 60' R/W; thence with the west line of said Auburn Avenue the following two courses; South 06°10'24" West, 74.06 feet to a point; thence South 05°58'06" West, 53.54 feet to the Place of Beginning; thence South 05°58'06" West, 19.97 feet to a point; thence South 87°12'52" West, 14.77 feet to a point; thence North 05°06'23" East, 22.13 feet to a point; thence South 84°22'59" East, 14.93 feet to the Place of Beginning. Containing 311 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 5-T
Auditor's Parcel Nos.: 088-0007-0020-90 (088-0007-0020-00; -21; -22; -109; -125; -126 cons.)

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Hamilton County Board of Commissioners in D.B. 2451, Pages 54, 315, 343 and 491 and D.B. 2457, Page 56 and being more particularly described as follows:

Commencing at the intersection of the east line of Auburn Avenue, 60' R/W and the north line of Bodmann Avenue, 50' R/W; thence with the north line of said Bodmann Avenue, South 84°06'54" East, 7.31 feet to the Place of Beginning; thence North 11°15'33" East, 5.31 feet to a point; thence on a curve to the left said curve having a radius of 726.96 feet a chord bearing North 06°23'25" East, 118.02 feet, 118.15 feet as measured along said curve to a point; thence North 01°44'03" East, 72.67 feet to a point; thence North 01°54'03" East, 6.56 feet to a point; thence North 03°04'03" East, 29.59 feet to a point; thence North 03°03'00" East, 5.76 feet to a point; thence North 05°01'34" East, 0.30 feet to a point; thence South 82°52'21" East, 14.79 feet to a point; thence South 14°03'30" East, 23.83 feet to a point; thence South 04°26'18" East, 31.28 feet to a point; thence South 01°57'47" West, 109.32 feet to a point; thence South 13°13'00" West, 76.00 feet to a point in the north line of said Bodmann Avenue, thence with the north line of said Bodmann Avenue, North 84°06'54" West, 20.38 feet to the Place of Beginning. Containing 5,649 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 7-T
Auditor's Parcel No.: 088-0007-0002-00

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to ORI Associates, LLC in O.R. 12974, Pg. 602 and being more particularly described as follows:

Commencing at the intersection of the east line of Auburn Avenue, 60' R/W and the north line of Dorchester Avenue, 50' R/W; thence with the north line of said Dorchester Avenue, South 84°02'08" East, 100.00 feet to a point being 0.46 feet north of an existing iron pin; thence; North 05°58'06" East, 26.85 feet to the Place of Beginning; thence North 05°58'06" East, 23.50 feet to a point; thence on a curve to the left, said curve having a radius of 169.00 feet a chord bearing South 58°06'20" East, 45.83 feet, 45.97 feet as measured along said curve to a point; thence South 05°58'06" West, 20.93 feet to a point; thence on a curve to the right said curve having a radius of 189.00 feet a chord bearing North 61°04'20" West, 44.76 feet to the Place of Beginning. Containing 908 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 8-T
Auditor's Parcel No.: 088-0007-0003-00

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to James Gill in D.B. 3935, Pg. 272 and being more particularly described as follows:

Commencing at the intersection of the east line of Auburn Avenue, 60' R/W and the north line of Dorchester Avenue, 50' R/W; thence with the north line of said Dorchester Avenue, South 84°02'08" East, 141.22 feet to a point being 0.46 feet north of an existing iron pin; thence; North 05°58'06" East, 9.38 feet to the Place of Beginning; thence North 05°58'06" East, 20.93 feet to a point; thence on a curve to the left said curve having a radius of 169.00 a chord bearing South 70°23'02" East, 26.43 feet, 26.46 feet as measured along said curve to a point; thence South 64°34'52" East, 41.83 feet to a point; thence South 05°58'06" West, 9.01 feet to a point; thence North 81°23'03" West, 20.60 feet to a point; thence on a curve to the right, said curve having a radius of 189.00 feet a chord bearing North 74°43'56" West, 45.14 feet, 45.25 feet as measured along said curve to the Place of Beginning. Containing 1,116 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey performed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 9-T-1
Auditor's Parcel Nos.: 094-0006-0224-00 (094-0006-0224-00 through -0227)

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being all of Lot 29 and part of Lots 26 and 28 of the F.G. and Frank Huntington Subdivision as recorded in Plat Book 13, Page 135 H.C.R.O. and being more particularly described as follows:

Beginning at the intersection of the southwest corner of said Lot 29 and the north line of Sycamore Street, 70' R/W; thence North 05°56'07" East, 42.10 feet to a point in the south line of Dorchester Avenue, 40' R/W; thence with the south line of said Dorchester Avenue, South 84°03'53" East, 37.18 feet to a point; thence South 05°39'15" West, 32.35 feet to a point in the north line of said Sycamore Street; thence with the north line of said Sycamore Street, South 81°18'30" West, 38.59 feet to the Place of Beginning. Containing 1,387 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record.

Project Parcel: 9-T-2
Auditor's Parcel Nos.: 094-0006-0224-00 (094-0006-0224-00 through -0227)

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being part of Lot 26 of the F.G. and Frank Huntington Subdivision as recorded in Plat Book 13, Page 135 H.C.R.O. and being more particularly described as follows:

Beginning at the intersection of the south line of Dorchester Avenue, 40' R/W and the North line of Sycamore Street, 70' R/W; thence with the north line of said Sycamore Street, South 64°45'09" West, 19.35 feet to a point; thence North 04°58'18" East, 10.02 feet to a point in the south line of said Dorchester Avenue; thence with the south line of said Dorchester Avenue, South 84°03'53" East, 16.72 feet to the Place of Beginning. Containing 84 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record.

Project Parcel: 10-T
Auditor's Parcel No.: 088-0007-0004-00

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Donald Blaire Frodge, Jr. in O.R. 7675, Pg. 1727 and being more particularly described as follows:

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Commencing at the intersection of the east line of Auburn Avenue, 60' R/W and the north line of Dorchester Avenue, 50' R/W; thence with the north line of said Dorchester Avenue, South 84°02'08" East, 206.35 feet to the Place of Beginning; thence North 05°58'06" East, 10.14 to a point; thence South 73°11'38" East, 35.08 feet to a point; thence South 81°23'03" East, 25.03 feet to a point; thence South 06°00'32" West, 2.38 feet to a point in the north line of said Dorchester Avenue; thence with the north line of said Dorchester Avenue, North 84°02'08" West, 59.45 feet to the Place of Beginning. Containing 310 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 11-T

Auditor's Parcel Nos.: 088-0007-0097-00; -132

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to Merk Holdings OH 1, LLC in O.R. 14121, Pg. 3045 and being more particularly described as follows:

Commencing at the intersection of the east line of Auburn Avenue, 60' R/W and the north line of Southern Avenue 37' R/W; thence with the east line of said Auburn Avenue, North 05°37'21" East, 44.52 feet to the Place of Beginning; thence North 05°37'21" East, 12.25 to a point; thence South 83°26'20" East, 4.77 feet to a point; thence South 05°32'24" West, 12.25 feet to a point; thence North 83°26'20" West, 4.79 feet to the Place of Beginning. Containing 59 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcel: 12-T

Auditor's Parcel Nos.: 088-0007-0104-00 (088-0007-0104-00; -107 cons.)

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio and being part of a tract conveyed to 2112 Ave Mt Auburn Holdings, LLC in O.R. 14121, Pg. 2574 and being more particularly described as follows:

Commencing at the intersection of the east line of Auburn Avenue, 60' R/W and the south line of Earnshaw Avenue 40' R/W; thence with the east line of said Auburn Avenue, South 05°37'21" West, 74.69 feet to the Place of Beginning; thence South 83°26'20" East, 4.70 feet to a point; thence South 05°32'24" West, 46.31 feet to a point; thence North 83°26'20" West, 4.77 feet to a point in the east line of said Auburn Avenue; thence with the east line of said Auburn Avenue, North 05°37'21" East, 46.31 feet to the Place of Beginning. Containing 219 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record. Based on a survey preformed under the direction of Joseph N. Koopman, Ohio Registration Number 7184.

Project Parcels: 13-T-1 & 13-T-2

Auditor's Parcel Nos.: 094-0006-0220-00; 094-0006-0221-00; 094-0006-0222-00; & 094-0006-0223-00

Situate in Section 13, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati, Hamilton County, Ohio, and being all of Lot 30 and part of Lot 31 of the F.G. and Frank Huntington Subdivision as recorded in Plat Book 13, Page 135 H.C.R.O. and being more particularly described as follows:

Beginning at the intersection of the southeast corner of said Lot 30 and the north line of Sycamore Street, 70' R/W; thence with the north line of said Sycamore Street, South 81°18'30" West, 48.09 feet to a point; thence North 05°56'07" East, 54.24 feet to a point in the south line of Dorchester Avenue, 40' R/W; thence with the south line of said Dorchester Avenue, South 84°03'53" East, 46.53 feet to a point; thence South 05°56'07" West, 42.10 feet to the Place of Beginning. Containing 2,241 square feet of land more or less. Bearings based on NAD 83 (2007). Subject to all legal highways, easements and restrictions of record.