

EMERGENCY

City of Cincinnati

CHM *BWL*

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

- 2020

**ACCEPTING** and confirming the dedication of 0.054 acres of real property in the Avondale neighborhood of Cincinnati to public use for right-of-way purposes as portions of the Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive rights-of-way.

WHEREAS, by virtue of a deed recorded in OR 13903, Page 1043, Hamilton County, Ohio Records, University of Cincinnati Medical Center, LLC (“Dedicator”) holds title to 1.270 acres of real property generally bounded by Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive in the Avondale neighborhood, which property is identified as Hamilton County Auditor’s Parcel ID No.: 106-0001-0386-00 (the “Property”);

WHEREAS, Dedicator desires to dedicate a 0.054 acre portion of the Property to public use for right-of-way purposes to be included as portions of the public streets known as Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive, and has prepared and executed a plat entitled “*Dedication Plat*” attached to this ordinance as Attachment A for such purpose (the “Dedication Plat”); and

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

WHEREAS, the City Planning Commission, at its meeting on May 22, 2020 approved the Dedication Plat, and the dedication of a 0.054 acre portion of the Property to public use for right-of-way purposes to be included as portions of the Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive public rights-of-way; and

WHEREAS, the City Manager, upon consultation with the City’s Department of Transportation and Engineering, recommends the Council accept the dedication for right-of-way purposes of said 0.054 acres of real property for inclusion as portions of the Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive public rights-of-way; 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 dedication of a 0.054 acre portion of real property located along Harvey Avenue, Burnet Avenue, and East Martin Luther King Jr. Drive to public use for right-of-way purposes, as depicted on the plat entitled “*Dedication Plat*” attached hereto as Attachment “A” and incorporated herein (the “ROW Property”). A copy of the Dedication Plat depicting the Property is on file in the office of the City Engineer.

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 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 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's Department of Transportation and Engineering to coordinate the maintenance and repair of the newly dedicated public right-of-way with the maintenance and repair of adjacent public rights-of-way.

Passed: \_\_\_\_\_, 2020

\_\_\_\_\_  
John Cranley, Mayor

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

**ATTACHMENT A**

