

**EXHIBIT A**

Received for the record and referred to the County Engineer...

**Taft/**

425 Walnut Street, Suite 1800 / Cincinnati, Ohio 45202-3957  
Tel: 513.381.2838 / Fax: 513.381.0205  
www.taftlaw.com

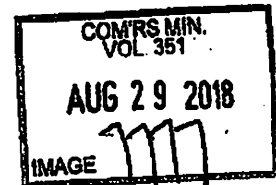
STEPHEN M. GRIFFITH, JR.  
513-357-8312  
griffith@taftlaw.com

**J.K.P.**

AUG 21 2018

August 20, 2018

**VIA OVERNIGHT DELIVERY SERVICE**



Jacqueline Panioto  
Clerk  
Hamilton County Ohio Board of County Commissioners  
138 East Court Street  
Room 603  
Cincinnati, OH 45202

Re: Annexation Petition of The Seven Hills School Seeking Annexation of  
Approximately 10.786 Acres That is Part of the School's Campus from  
Columbia Township Into the City of Cincinnati

Dear Ms. Panioto:

Enclosed please find the cover letter to you and the petition revised as you requested to indicate the area of the territory to be annexed and the fact that it is only a part of the school campus. Please substitute the enclosed for what we sent you originally.

I am sure that the Board requires that the petitioner pay the Board a fee or a deposit for fees that the Board may incur in connection with considering and acting on the petition. If you let me know that amount, I will get a payment to you.

Please let me know if you need anything further from me in connection with this application. I look forward to working with you on this matter.

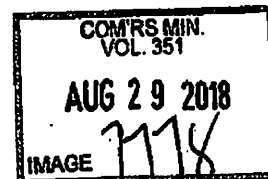
Very truly yours,

Stephen M. Griffith, Jr.

SMG  
Enclosures  
23381989.1

# Taft/

425 Walnut Street, Suite 1800 / Cincinnati, Ohio 45202-3957  
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STEPHEN M. GRIFFITH, JR.  
513-357-9312  
griffith@taftlaw.com

**J.K.P.**

AUG 21 2018

August 15, 2018

## VIA OVERNIGHT DELIVERY SERVICE

Jacqueline Panioto  
Clerk  
Hamilton County Ohio Board of County Commissioners  
138 East Court Street  
Room 603  
Cincinnati, OH 45202

**Re: Annexation Petition of The Seven Hills School Seeking Annexation of  
Approximately 10.786 Acres That is Part of the School's Campus from  
Columbia Township into the City of Cincinnati**

---

Dear Ms. Panioto:

This firm represents The Seven Hills School. Attached please find an annexation petition that the school is filing with you for the Board of County Commissioners to consider in accordance with Section 709.23, Ohio Revised Code. That statute provides for an annexation when the annexed territory is not to be excluded from the township of which the territory is a part.

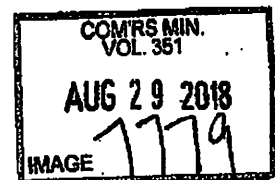
The school seeks annexation of property from Columbia Township into the City of Cincinnati. The school is the sole owner of the territory for which it seeks annexation.

Attached to the petition is a legal description of the territory sought to be annexed and four copies of a plat showing such description. I have a mylar copy of the plat for signature of the commissioners that I can provide you when necessary or you deem appropriate.

Also attached to the petition is a copy of an agreement between Columbia Township and the City of Cincinnati pertaining to the proposed annexation.

Also enclosed with this letter is a copy of the name, owner's address, and Auditor's tax parcel number of each parcel abutting the territory sought to be annexed.

Jacqueline Panioto  
August 15, 2018  
Page 2



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Very truly yours,

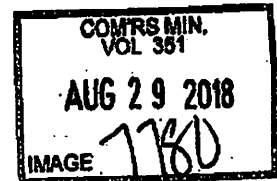
Stephen M. Griffith, Jr.

SMG  
Enclosures

23349763.1

**ANNEXATION PETITION IN ACCORDANCE WITH REVISED CODE SECTION 709.023**

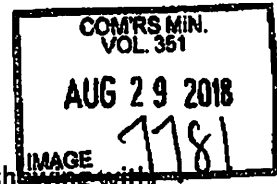
**To: COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO:**



The undersigned landowner ("Petitioner"), in accordance with Ohio Revised Section 709.023, respectfully petitions County Commissioners of Hamilton County, Ohio for annexation to the City of Cincinnati, Ohio ("Cincinnati") the following described unincorporated territory in the Township of Columbia, County of Hamilton, State of Ohio that is Hamilton County, Ohio Auditor's parcel number 520-0215-0011-00, consisting of approximately 10.786 acres that is part of Petitioner's campus, and that is more particularly described in Exhibit A to this petition and incorporated in it (the "Territory").

And in support of this petition, Petitioner shows to the Commissioners of Hamilton County, Ohio:

1. That the Territory is eligible for annexation to Cincinnati in accordance with Ohio Revised Code Section 709.023.
2. That the Territory is not embraced within any city, city and county, or incorporated town.
3. That the Territory abuts upon and is contiguous to Cincinnati in a manner which will afford reasonable ingress and egress to Cincinnati.
4. That (i) not less than one-sixth of the aggregate external boundaries of the Territory coincide with the existing boundaries of Cincinnati, and (ii) not less than five percent of the perimeter boundary of the Territory shares a boundary with Cincinnati.
5. That the noncontiguous boundaries of the Territory coincide with the existing block lines or center lines of established streets, roads, highways, or alleys, or with governmental subdivision lines for purposes of identification wherever possible.
6. That Petitioner is the sole and absolute owner in fee simple of the entire Territory.
7. That the address of Petitioner accompanies its signature below, together with the date of such signing.



8. This Petition is accompanied by four copies of a map or plat of the Territory, showing with reasonable certainty the Territory, its boundaries, and its relationship to the established corporate limits of Cincinnati.

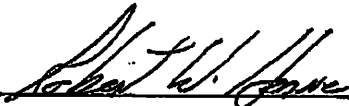
9. Attached is a copy of a certain agreement between the City of Cincinnati, Ohio and Columbia Township, Hamilton County, Ohio pertaining to the annexation petitioned for in this Annexation Petition.

Petitioner appoints Stephen M. Griffith, Jr., care of Taft Stettinius & Hollister LLP, 425 Walnut Street, Suite 1800, Cincinnati, Ohio 45202, (513) 357-9312, [griffith@taftlaw.com](mailto:griffith@taftlaw.com), to act as Petitioner's agent.

WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

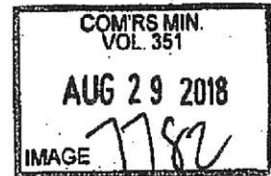
Petitioner:

THE SEVEN HILLS SCHOOL,  
an Ohio non-profit corporation

By 

Robert W. Horne  
Director of Finance & Operations  
Date signed: August 15, 2018

EXHIBIT A



CINCINNATI  
COLUMBUS  
DAYTON

6305 Centre Park Drive  
West Chester, OH 45069  
phone ► 513.779.7851  
fax ► 513.779.7852  
www.kleingers.com

January 25, 2017

**Legal Description**  
10.786 Acres – Annexation

Situated in Section 17, Town 4, Fractional Range 2, BTM Columbia Township, Hamilton County, Ohio, being all of a 10.786 acre tract of land conveyed to The Seven Hills School as recorded in O.R. 12646 Pg. 1218:

Beginning at a point in the west line of said Section 17, said point being N05°15'58"E a distance of 1215.06 feet from the southwest corner of said Section 17, said point also being in the centerline of Red Bank Road;

Thence along said west line, N05°15'58"E a distance of 590.62 feet to a point;

Thence, S83°52'56"E, passing a 5/8" iron pin set at 30.00 feet, a total distance of 40.56 feet to a concrete monument found in the east right of way line of Red Bank Road;

Thence along said east right of way line, N05°27'04"E a distance of 167.21 feet to a 5/8" iron pin set;

Thence continuing, along a curve to the right an arc distance of 23.56 feet to a 5/8" iron pin set in the south right of way line of Ellmarie Drive, said curve having a radius of 15.00 feet, a delta of 90°00'00" and a chord bearing N50°27'04"E a distance of 21.21 feet;

Thence along said south right of way line the following three (3) courses:

1. S84°32'56"E a distance of 139.60 feet to a 5/8" iron pin set;
2. Along a curve to the left an arc distance of 72.44 feet to a 5/8" iron pin set, said curve having a radius of 191.56 feet, a delta of 21°40'00" and a chord bearing N84°37'04"E a distance of 72.01 feet;
3. Along a curve to the right an arc distance of 23.56 feet to a 5/8" iron pin set in the southwesterly right of way line of Raywill Court, said curve having a radius of 15.00 feet, a delta of 90°00'00" and a chord bearing S61°12'56"E a distance of 21.21 feet;

Thence along said southwesterly right of way line the following three (3) courses:

1. S16°12'56"E a distance of 93.75 feet to a 5/8" iron pin set;



THE  
**KLEINGERS**  
GROUP

2. Along a curve to the right an arc distance of 29.63 feet to a 5/8" iron pin set, said curve having a radius of 50.83 feet, a delta of 33°23'57" and a chord bearing S00°29'03"W a distance of 29.21 feet;
3. Along a curve to the left an arc distance of 54.73 feet to a 5/8" iron pin set in the northwest corner of Lot 48 of Hillsdale Homes Subdivision as recorded in P.B. 59 Pgs 24-25, said curve having a radius of 40.00 feet, a delta of 78°23'57" and a chord bearing S22°00'57"E a distance of 50.56 feet;

Thence along the westerly line of said Lot 48, S28°47'04"W a distance of 113.57 feet to a 5/8" iron pin set in the south line of said Hillsdale Homes Subdivision;

Thence in part along said south line and along the south line of a tract of land conveyed to the Seven Hills School in O.R. 12965 Pg. 922, S83°52'56"E a distance of 863.18 feet to a point in the westerly right of way line of Red Bank Expressway, witness a found 3/4" iron pin lying 0.3 feet North and 0.3 feet East;

Thence along said westerly right of way line the following three (3) courses:

1. S00°15'52"E a distance of 0.26 feet;
2. S08°27'40"W a distance of 220.76 feet to a 5/8" iron pin set;
3. S15°23'05"W a distance of 92.03 feet to a 5/8" iron pin set in the north line of a 24.784 acre (deed) tract of land conveyed to The Seven Hills School in O.R. 8380 Pg. 2080;

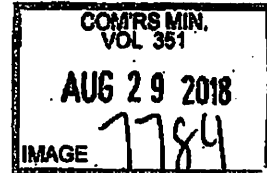
Thence along the lines of said 24.784 acre (deed) tract of land the following three (3) courses:

1. N83°55'42"W a distance of 965.33 feet to a point, witness a found 1" pipe lying 0.6 feet North and 0.6 feet West;
2. S05°15'58"W a distance of 203.00 feet to a 5/8" iron pin set;
3. N83°55'42"W, passing a 5/8" iron pin set at 140.00 feet, a total distance of 170.00 feet to the point of beginning.

Containing 10.786 acres, more or less and being subject to easements, restrictions and rights of way of record.

Bearings are based on P.B. 355 Pg. 53.





## **ANNEXATION AGREEMENT**

This Annexation Agreement is made and entered into on the Effective Date (as defined on the signature page hereof) by and between the City of Cincinnati ("Cincinnati"), a municipal corporation organized and existing under the Constitution and the laws of the State of Ohio, and Columbia Township ("Columbia Township"), a township organized and existing under the Constitution and the laws of the State of Ohio (referred to collectively as "Parties").

WHEREAS, the Seven Hills School (the "School") is an Ohio non-profit corporation that operates early childhood through secondary educational facilities on a contiguous campus that straddles the Cincinnati's territorial boundary with Columbia Township; and

WHEREAS, the School holds title to certain real property comprising a portion of the School's campus lying within Columbia Township, which real property is more particularly identified as Hamilton County Auditor's Parcel No. 520-0215-0011-00, and described and depicted in Exhibit A attached hereto and incorporated herein (the "Property"); and

WHEREAS, the School will prepare or has prepared an Expedited Type II Annexation petition pursuant to Ohio Revised Code Section 709.023 to request the Board of County Commissioners, Hamilton County to annex the Property to Cincinnati; and

WHEREAS, the Property will not be excluded from Columbia Township under Ohio Revised Code Section 503.07 upon annexation to Cincinnati and shall remain subject to Columbia Township real property taxation; and

WHEREAS, this agreement shall serve as an annexation agreement for purposes of Ohio Revised Code Section 709.192; and

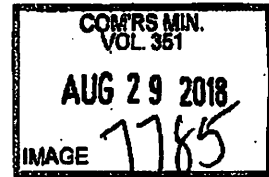
WHEREAS, the Parties agree, with respect to the annexation of the Property to Cincinnati, the terms hereinafter set forth in this Annexation Agreement are in the best interest of their respective citizens and taxpayers; and

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, and intending to be legally bound, the Parties hereby agree as follows:

Section 1. This Agreement shall constitute an annexation agreement under Ohio Revised Code Section 709.192.

Section 2. The Parties acknowledge and agree that Cincinnati shall provide to the Property all public services upon annexation as stipulated by ordinance or resolution passed by Cincinnati Council.

Section 3. The Parties acknowledge and agree that any obligations or commitments made by the Parties contained herein are contingent and shall be effective and enforceable only upon the approval of all necessary legislation and/or resolutions by the appropriate legislative authorities.



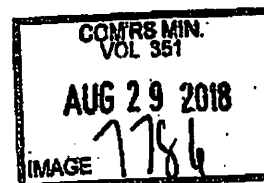
Section 4. This Agreement may be amended from time to time under Ohio Revised Code Section 709.192(B) to address any subject matter enumerated by Ohio Revised Code Section 709.192(C)(1)-(15) and all other subject matters that may be addressed in an annexation agreement under Ohio law.

Section 5. This Agreement shall be governed by, construed, and interpreted in accordance with the laws of the State of Ohio and the United States, in that order.

Section 6. The provisions of any part of this Agreement are severable. If any provision of this agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable to any extent, such provision shall be enforced to the greatest extent permitted by law and the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

Section 7. This Agreement constitutes the entire understanding of the Parties hereto with respect to the Expedited Type II Annexation of the Property to Cincinnati and supersedes all prior negotiations, discussions, undertakings and agreements between the Parties.

*SIGNATURE PAGE FOLLOWS*



This Agreement is executed by the parties on the dates indicated below their respective signatures, effective as of the later of such dates (the "Effective Date").

COLUMBIA TOWNSHIP,  
HAMILTON COUNTY, OHIO

By: C. Michael Lemon  
C. Michael Lemon, Township Administrator

Date: June 13, 2018

CITY OF CINCINNATI

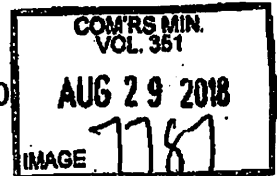
By: Patrick A. Duhaney  
Patrick A. Duhaney, Acting City Manager

Date: 7/18, 2018

APPROVED AS TO FORM:

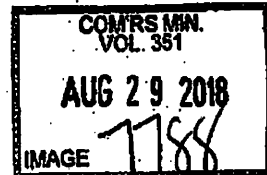
[Signature]  
Assistant City Solicitor

List of Parcels and Owner Information around parcel 520-0215-0011-00



Auditor Parcel ID	Owner Information
520-0215-0053-00	Robert H. Steele, Jr. 5318 Ellmarie Drive Cincinnati, OH 45227
520-0215-0054-00	Hillsdale Land Company 5400 Red Bank Road Cincinnati, OH 45227
520-0215-0055-00	Daniel L. Stephens 5340 Ellmarie Drive Cincinnati, OH 45227
520-0215-0147-00	The Seven Hills School 5400 Red Bank Road Cincinnati, OH 45227
520-0215-0097-00	The Seven Hills School 5400 Red Bank Rd. Cincinnati OH 45227
520-0215-0096-00	The Seven Hills School 5400 Red Bank Rd. Cincinnati OH 45227
520-0215-0084-00	Hillsdale Land Company LLC 5400 Red Bank Rd Cincinnati OH 45227
520-0215-0083-00	The Seven Hills School 5400 Red Bank Rd Cincinnati OH 45227
520-0215-0046-90	The Seven Hills School 5400 Red Bank Rd Cincinnati OH 45227
051-0011-0051-90	Hamilton County Commrs Board Of 138 E Court St Room 603 Cincinnati OH 45202
051-0011-0021-00	The Seven Hills School 5400 Red Bank Rd Cincinnati OH 45227
051-0011-0003-00	The Seven Hills School 5400 Red Bank Rd Cincinnati OH 45227
051-0011-0004-00	The Seven Hills School 5400 Red Bank Rd Cincinnati OH 45227

035-0001-0087-00	The Seven Hills School 5400 Red Bank Rd Cincinnati OH 45227
051-0012-0011-90	City Of Cincinnati 801 Plum St Room 122 Cincinnati OH 45202-5704



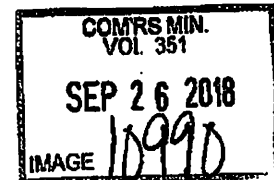
**Image Numbers 7789-7799 were inadvertently skipped by the Clerk**

Received for the record...

Taft/

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STEPHEN M. GRIFFITH, JR.  
513-357-9312  
griffith@taftlaw.com



September 11, 2018

**VIA OVERNIGHT DELIVERY SERVICE**

Jacqueline Panioto  
Clerk  
Hamilton County Ohio Board of County Commissioners  
138 East Court Street  
Room 603  
Cincinnati, OH 45202

Re: Annexation Petition of The Seven Hills School Seeking Annexation of  
Approximately 10.786 Acres That is Part of the School's Campus from  
Columbia Township into the City of Cincinnati

Dear Ms. Panioto:

Attached please find the affidavit of service that you requested.

Also attached please find a copy of an ordinance that the City Council of Cincinnati passed last week related to this matter.

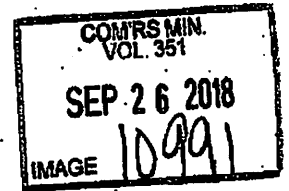
Please let me know if you need anything further from me in connection with this application. I look forward to working with you on this matter.

Very truly yours,

Stephen M. Griffith, Jr.

SMG  
Enclosures

23503823.1



AFFIDAVIT


The undersigned STEPHEN M. GRIFFITH, JR. ("Affiant"), being first duly sworn, and having personal knowledge of the facts recited in this Affidavit, deposes and says as follows:

1. Affiant sent by first class mail on September 10, 2018 a letter to each of the persons on the list attached to this Affidavit as Exhibit A enclosing a copy of the Annexation Petition that is attached to this Affidavit as Exhibit B (the "Petition").
2. Affiant sent by certified mail, return receipt requested on September 10, 2018 a letter to the Clerk of the City Council of the City of Cincinnati and the Administrator of Columbia Township, Hamilton County, Ohio Grantor enclosing a copy of the Annexation Petition.
3. Copies of the letters described in Sections 1 and 2 of this Affidavit are attached as Exhibit C.

AFFIANT SAYS NOTHING FURTHER.

  
 \_\_\_\_\_  
 STEPHEN M. GRIFFITH, JR.

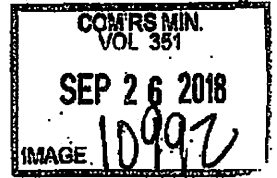
Sworn to before me and subscribed in my presence this 11<sup>th</sup> day of September, 2018 by STEPHEN M. GRIFFITH, JR.

  
 \_\_\_\_\_  
 Notary Public



**ASHLEY WEIGEL**  
 Notary Public, State of Ohio  
 My Commission Expires  
 May 10, 2022





**EXHIBIT A**

**NAME AND ADDRESS LIST**

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520-0215-0096-00	The Seven Hills School 5400 Red Bank Rd. Cincinnati OH 45227	
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051-0012-0011-90	City of Cincinnati 801 Plum St Room 122 Cincinnati OH 45202-5704

COMRS MIN.  
1/21 351  
SEP 26 2018  
IMAGE 10994

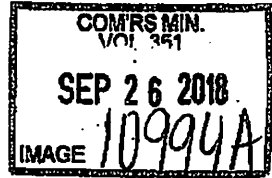
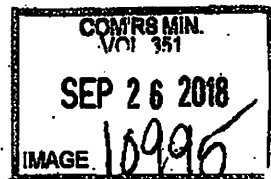


EXHIBIT B  
ANNEXATION PETITION



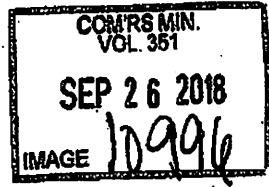
**ANNEXATION PETITION IN ACCORDANCE WITH REVISED CODE SECTION 709.023**

**To: COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO:**

The undersigned landowner ("Petitioner"), in accordance with Ohio Revised Section 709.023, respectfully petitions County Commissioners of Hamilton County, Ohio for annexation to the City of Cincinnati, Ohio ("Cincinnati") the following described unincorporated territory in the Township of Columbia, County of Hamilton, State of Ohio that is Hamilton County, Ohio Auditor's parcel number 520-0215-0011-00, and that is more particularly described in Exhibit A to this petition and incorporated in it (the "Territory").

And in support of this petition, Petitioner shows to the Commissioners of Hamilton County, Ohio:

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6. That Petitioner is the sole and absolute owner in fee simple of the entire Territory.
7. That the address of Petitioner accompanies its signature below, together with the date of such signing.



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9. Attached is a copy of a certain agreement between the City of Cincinnati, Ohio and Columbia Township, Hamilton County, Ohio pertaining to the annexation petitioned for in this Annexation Petition.

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Petitioner:

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an Ohio non-profit corporation

By

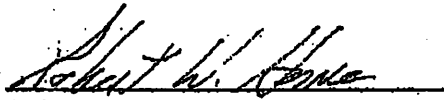
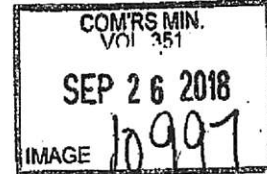
  
Robert W. Horne  
Director of Finance & Operations  
Date signed: August 15, 2018

EXHIBIT A



CINCINNATI  
COLUMBUS  
DAYTON

6305 Centre Park Drive  
West Chester, OH 45069  
phone ► 513.779.7851  
fax ► 513.779.7852  
www.kleingers.com

January 25, 2017

**Legal Description**  
10.786 Acres -- Annexation

Situated in Section 17, Town 4, Fractional Range 2, BTM Columbia Township, Hamilton County, Ohio, being all of a 10.786 acre tract of land conveyed to The Seven Hills School as recorded in O.R. 12646 Pg. 1218:

Beginning at a point in the west line of said Section 17, said point being N05°15'58"E a distance of 1215.06 feet from the southwest corner of said Section 17, said point also being in the centerline of Red Bank Road;

Thence along said west line, N05°15'58"E a distance of 590.62 feet to a point;

Thence, S83°52'56"E, passing a 5/8" iron pin set at 30.00 feet, a total distance of 40.56 feet to a concrete monument found in the east right of way line of Red Bank Road;

Thence along said east right of way line, N05°27'04"E a distance of 167.21 feet to a 5/8" iron pin set;

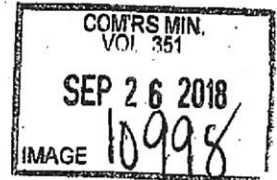
Thence continuing, along a curve to the right an arc distance of 23.56 feet to a 5/8" iron pin set in the south right of way line of Ellmarle Drive, said curve having a radius of 15.00 feet, a delta of 90°00'00" and a chord bearing N50°27'04"E a distance of 21.21 feet;

Thence along said south right of way line the following three (3) courses:

1. S84°32'56"E a distance of 139.60 feet to a 5/8" iron pin set;
2. Along a curve to the left an arc distance of 72.44 feet to a 5/8" iron pin set, said curve having a radius of 191.56 feet, a delta of 21°40'00" and a chord bearing N84°37'04"E a distance of 72.01 feet;
3. Along a curve to the right an arc distance of 23.56 feet to a 5/8" iron pin set in the southwesterly right of way line of Raywill Court, said curve having a radius of 15.00 feet, a delta of 90°00'00" and a chord bearing S61°12'56"E a distance of 21.21 feet;

Thence along said southwesterly right of way line the following three (3) courses:

1. S16°12'56"E a distance of 93.75 feet to a 5/8" iron pin set;



THE  
**KLEINGERS**  
GROUP



2. Along a curve to the right an arc distance of 29.63 feet to a 5/8" iron pin set, said curve having a radius of 50.83 feet, a delta of 33°23'57" and a chord bearing S00°29'03"W a distance of 29.21 feet;
3. Along a curve to the left an arc distance of 54.73 feet to a 5/8" iron pin set in the northwest corner of Lot 48 of Hillsdale Homes Subdivision as recorded in P.B. 59 Pgs 24-25, said curve having a radius of 40.00 feet, a delta of 78°23'57" and a chord bearing S22°00'57"E a distance of 50.56 feet;

Thence along the westerly line of said Lot 48, S28°47'04"W a distance of 113.57 feet to a 5/8" iron pin set in the south line of said Hillsdale Homes Subdivision;

Thence in part along said south line and along the south line of a tract of land conveyed to the Seven Hills School in O.R. 12965 Pg. 922, S83°52'56"E a distance of 863.18 feet to a point in the westerly right of way line of Red Bank Expressway, witness a found 3/4" iron pin lying 0.3 feet North and 0.3 feet East;

Thence along said westerly right of way line the following three (3) courses:

1. S00°15'52"E a distance of 0.26 feet;
2. S08°27'40"W a distance of 220.76 feet to a 5/8" iron pin set;
3. S15°23'05"W a distance of 92.03 feet to a 5/8" iron pin set in the north line of a 24.784 acre (deed) tract of land conveyed to The Seven Hills School in O.R. 8380 Pg. 2080;

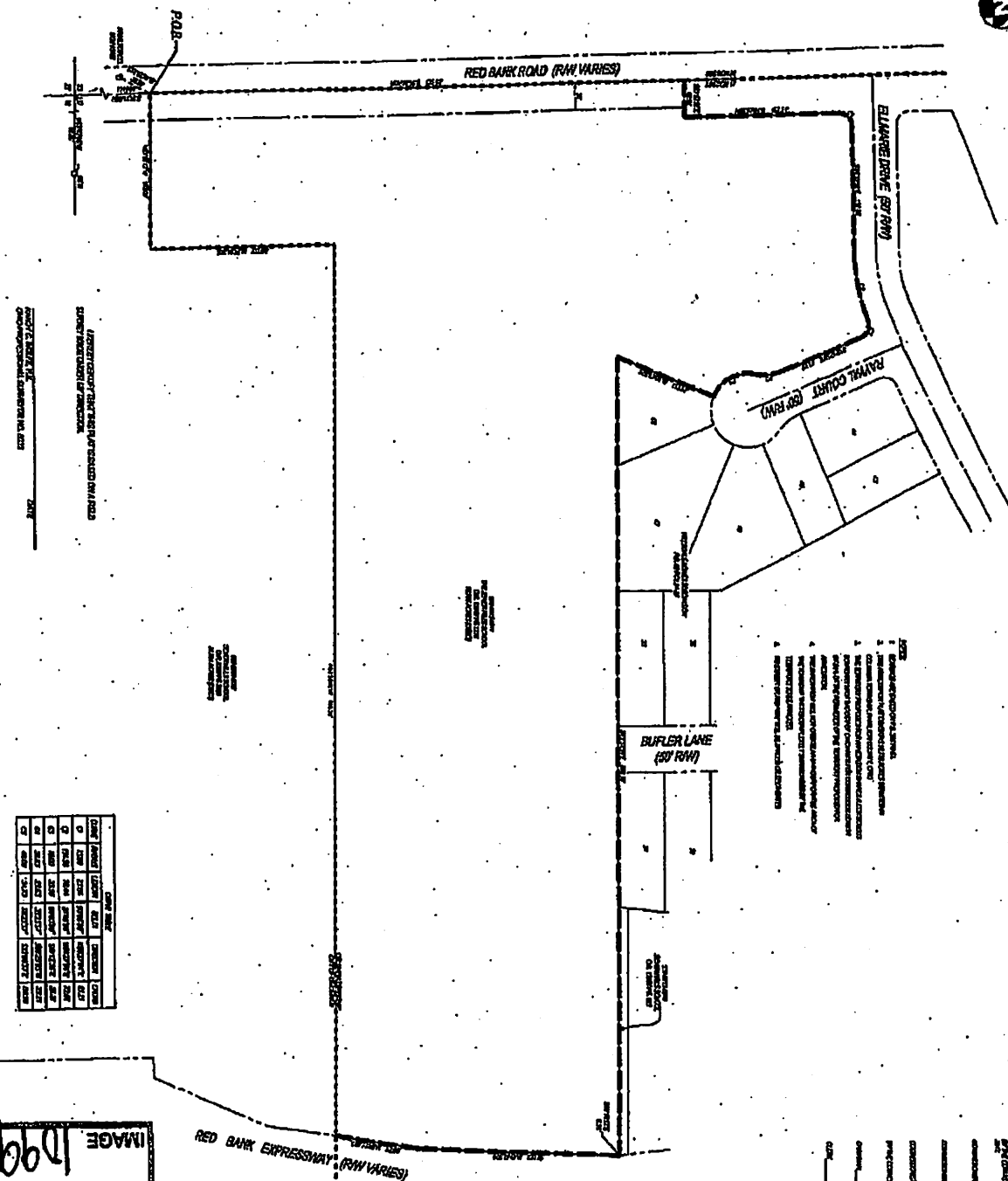
Thence along the lines of said 24.784 acre (deed) tract of land the following three (3) courses:

1. N83°55'42"W a distance of 965.33 feet to a point, witness a found 1" pipe lying 0.6 feet North and 0.6 feet West;
2. S05°15'58"W a distance of 203.00 feet to a 5/8" iron pin set;
3. N83°55'42"W, passing a 5/8" iron pin set at 140.00 feet, a total distance of 170.00 feet to the point of beginning.

Containing 10.786 acres, more or less and being subject to easements, restrictions and rights of way of record.

Bearings are based on P.B. 355 Pg. 53.





1. [Illegible]
2. [Illegible]
3. [Illegible]
4. [Illegible]
5. [Illegible]
6. [Illegible]
7. [Illegible]
8. [Illegible]
9. [Illegible]
10. [Illegible]

Lot	Area	Area	Area	Area	Area	Area	Area	Area	Area
1	1000	1000	1000	1000	1000	1000	1000	1000	1000
2	1000	1000	1000	1000	1000	1000	1000	1000	1000
3	1000	1000	1000	1000	1000	1000	1000	1000	1000
4	1000	1000	1000	1000	1000	1000	1000	1000	1000
5	1000	1000	1000	1000	1000	1000	1000	1000	1000
6	1000	1000	1000	1000	1000	1000	1000	1000	1000
7	1000	1000	1000	1000	1000	1000	1000	1000	1000
8	1000	1000	1000	1000	1000	1000	1000	1000	1000
9	1000	1000	1000	1000	1000	1000	1000	1000	1000
10	1000	1000	1000	1000	1000	1000	1000	1000	1000

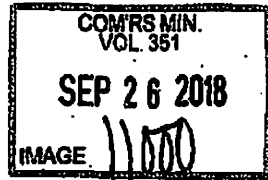
CONFIRM. VOL 391  
 SEP 26 2018  
 IMAGE 10999

**THE KLEINGERS GROUP**

1 OF 1

THE GREAT SEAL OF THE STATE OF TENNESSEE

MAP OF TERRITORY  
 AREA FOR RE-ANNEXED  
 CITY OF THE CITY OF  
 COLUMBIA TOWNSHIP



**ANNEXATION AGREEMENT**

This Annexation Agreement is made and entered into on the Effective Date (as defined on the signature page hereof) by and between the City of Cincinnati ("Cincinnati"), a municipal corporation organized and existing under the Constitution and the laws of the State of Ohio, and Columbia Township ("Columbia Township"), a township organized and existing under the Constitution and the laws of the State of Ohio (referred to collectively as "Parties").

WHEREAS, the Seven Hills School (the "School") is an Ohio non-profit corporation that operates early childhood through secondary educational facilities on a contiguous campus that straddles the Cincinnati's territorial boundary with Columbia Township; and

WHEREAS, the School holds title to certain real property comprising a portion of the School's campus lying within Columbia Township, which real property is more particularly identified as Hamilton County Auditor's Parcel No. 520-0215-0011-00, and described and depicted in Exhibit A attached hereto and incorporated herein (the "Property"); and

WHEREAS, the School will prepare or has prepared an Expedited Type II Annexation petition pursuant to Ohio Revised Code Section 709.023 to request the Board of County Commissioners, Hamilton County to annex the Property to Cincinnati; and

WHEREAS, the Property will not be excluded from Columbia Township under Ohio Revised Code Section 503.07 upon annexation to Cincinnati and shall remain subject to Columbia Township real property taxation; and

WHEREAS, this agreement shall serve as an annexation agreement for purposes of Ohio Revised Code Section 709.192; and

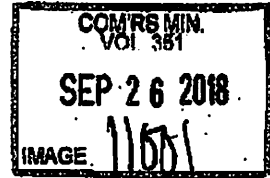
WHEREAS, the Parties agree, with respect to the annexation of the Property to Cincinnati, the terms hereinafter set forth in this Annexation Agreement are in the best interest of their respective citizens and taxpayers; and

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, and intending to be legally bound, the Parties hereby agree as follows:

Section 1. This Agreement shall constitute an annexation agreement under Ohio Revised Code Section 709.192.

Section 2. The Parties acknowledge and agree that Cincinnati shall provide to the Property all public services upon annexation as stipulated by ordinance or resolution passed by Cincinnati Council.

Section 3. The Parties acknowledge and agree that any obligations or commitments made by the Parties contained herein are contingent and shall be effective and enforceable only upon the approval of all necessary legislation and/or resolutions by the appropriate legislative authorities.



Section 4. This Agreement may be amended from time to time under Ohio Revised Code Section 709.192(B) to address any subject matter enumerated by Ohio Revised Code Section 709.192(C)(1)-(15) and all other subject matters that may be addressed in an annexation agreement under Ohio law.

Section 5. This Agreement shall be governed by, construed, and interpreted in accordance with the laws of the State of Ohio and the United States, in that order.

Section 6. The provisions of any part of this Agreement are severable. If any provision of this agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable to any extent, such provision shall be enforced to the greatest extent permitted by law and the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

Section 7. This Agreement constitutes the entire understanding of the Parties hereto with respect to the Expedited Type II Annexation of the Property to Cincinnati and supersedes all prior negotiations, discussions, undertakings and agreements between the Parties.

*SIGNATURE PAGE FOLLOWS*



This Agreement is executed by the parties on the dates indicated below their respective signatures, effective as of the later of such dates (the "Effective Date").

COLUMBIA TOWNSHIP,  
HAMILTON COUNTY, OHIO

By: C. Michael Lemon  
C. Michael Lemon, Township Administrator

Date: June 13 2018

CITY OF CINCINNATI

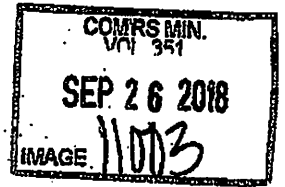
By: Patrick A. Duhaney  
Patrick A. Duhaney, Acting City Manager

Date: 7/18 2018

APPROVED AS TO FORM:

[Signature]  
Assistant City Solicitor

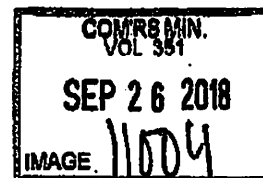
EXHIBIT C  
COPIES OF LETTERS



# Taft/

425 Walnut Street, Suite 1800 / Cincinnati, Ohio 45202-3957  
Tel: 513.381.2838 / Fax: 513.381.0205  
www.taftlaw.com

STEPHEN M. GRIFFITH, JR.  
513-357-9312  
griffith@taftlaw.com



September 10, 2018

Robert H. Steele, Jr.  
5318 Ellmarie Drive  
Cincinnati, OH 45227

Dear Mr. Steele:

This firm represents The Seven Hills School (the "School"). The School has filed with the Hamilton County Board of County Commissioners on August 21, 2018 a petition to annex a 10.786 acre parcel of land from Columbia Township into the City of Cincinnati. The land is Hamilton County Ohio Auditor's parcel 520-0215-0011-00, consisting of approximately 10.786 acres.

A copy of the petition is attached. Included in the petition is a copy of the property that the School proposes be annexed. The School is the sole owner of that parcel.

Ohio law requires the School to send you this notice because you own land across Ellmarie Drive from the parcel that the School wishes annexed.

The County Commissioners will hold a hearing on the annexation petition in the near future.

If you have any questions regarding this matter, please feel free to contact me.

Very truly yours,

Stephen M. Griffith, Jr.

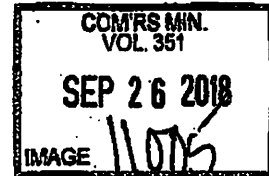
SMG  
Enclosures

23491502.1

# Taft/

425 Walnut Street, Suite 1800 / Cincinnati, Ohio 45202-3957  
Tel: 513.381.2838 / Fax: 513.381.0205  
www.taftlaw.com

STEPHEN M. GRIFFITH, JR.  
513-357-9312  
griffith@taftlaw.com



September 10, 2018

Daniel L. Stephens  
5340 Ellmarie Drive  
Cincinnati, OH 45227

Dear Mr. Stephens:

This firm represents The Seven Hills School (the "School"). The School has filed with the Hamilton County Board of County Commissioners on August 21, 2018 a petition to annex a 10.786 acre parcel of land from Columbia Township into the City of Cincinnati. The land is Hamilton County Ohio Auditor's parcel 520-0215-0011-00, consisting of approximately 10.786 acres.

A copy of the petition is attached. Included in the petition is a copy of the property that the School proposes be annexed. The School is the sole owner of that parcel.

Ohio law requires the School to send you this notice because you own property across Ellmarie Drive from the parcel that the School wishes annexed.

The County Commissioners will hold a hearing on the annexation petition in the near future.

If you have any questions regarding this matter, please feel free to contact me.

Very truly yours,

Stephen M. Griffith, Jr.

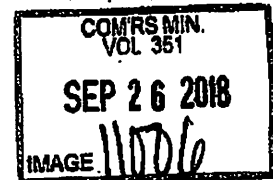
SMG  
Enclosures

23491507.1

# Taft/

425 Walnut Street, Suite 1800 / Cincinnati, Ohio 45202-3957  
Tel: 513.381.2838 / Fax: 513.381.0205  
www.taftlaw.com

STEPHEN M. GRIFFITH, JR.  
513-367-9312  
griffith@taftlaw.com



September 10, 2018

Hillsdale Land Company  
5400 Ellmarie Drive  
Cincinnati, OH 45227  
Attention: Robert Horne

Dear Robert:

This firm represents The Seven Hills School (the "School"). The School has filed with the Hamilton County Board of County Commissioners on August 21, 2018 a petition to annex a 10.786 acre parcel of land from Columbia Township into the City of Cincinnati. The land is Hamilton County Ohio Auditor's parcel 520-0215-0011-00, consisting of approximately 10.786 acres.

A copy of the petition is attached. Included in the petition is a copy of the property that the School proposes be annexed. The School is the sole owner of that parcel.

Ohio law requires the School to send you this notice because you own property adjacent to the parcel that the School wishes annexed.

The County Commissioners will hold a hearing on the annexation petition in the near future.

If you have any questions regarding this matter, please feel free to contact me.

Very truly yours,

Stephen M. Griffith, Jr.

SMG  
Enclosures

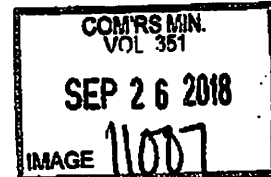
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# Taft/

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www.taftlaw.com

STEPHEN M. GRIFFITH, JR.  
513-357-9312  
griffith@taftlaw.com



September 10, 2018

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Hamilton County Board of County Commissioners  
138 East Court Street  
Room 603  
Cincinnati, OH 45202

Dear Commissioners:

This firm represents The Seven Hills School (the "School"). The School has filed with the Hamilton County Board of County Commissioners on August 21, 2018 a petition to annex a 10.786 acre parcel of land from Columbia Township into the City of Cincinnati. The land is Hamilton County Ohio Auditor's parcel 520-0215-0011-00, consisting of approximately 10.786 acres.

A copy of the petition is attached. Included in the petition is a copy of the property that the School proposes be annexed. The School is the sole owner of that parcel.

Ohio law requires the School to send you this notice because you own land across Red Bank Road from the parcel that the School wishes annexed.

The County Commissioners will hold a hearing on the annexation petition in the near future.

If you have any questions regarding this matter, please feel free to contact me.

Very truly yours,

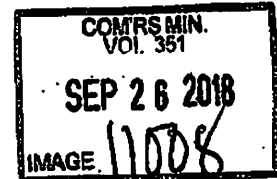
Stephen M. Griffith, Jr.

SMG  
Enclosures  
23491533.1

# Taft/

425 Walnut Street, Suite 1800 / Cincinnati, Ohio 45202-3957  
Tel: 513.381.2838 / Fax: 513.381.0205  
www.taftlaw.com

STEPHEN M. GRIFFITH, JR.  
513-357-9312  
griffith@taftlaw.com



September 10, 2018

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Melissa Autry  
Clerk, City Council  
City of Cincinnati  
Room 308  
City Hall  
801 Plum Street  
Cincinnati, Ohio 45202

Dear Ms. Autry:

This firm represents The Seven Hills School (the "School"). The School has filed with the Hamilton County Board of County Commissioners on August 21, 2018 a petition to annex a 10.786 acre parcel of land from Columbia Township into the City of Cincinnati. The land is Hamilton County Ohio Auditor's parcel 520-0215-0011-00, consisting of approximately 10.786 acres.

A copy of the petition is attached. Included in the petition is a copy of the property that the School proposes be annexed. The School is the sole owner of that parcel.

Ohio law requires the School to send you this notice.

The County Commissioners will hold a hearing on the annexation petition in the near future.

If you have any questions regarding this matter, please feel free to contact me.

Very truly yours,

Stephen M. Griffith, Jr.

SMG  
Enclosures

cc: Charles Martinez (w/encl.) (E-MAIL)  
23491685.1

# Taft/

425 Walnut Street, Suite 1800 / Cincinnati, Ohio 45202-3957  
Tel: 513.381.2838 / Fax: 513.381.0205  
www.taftlaw.com

STEPHEN M. GRIFFITH, JR.  
513-357-8312  
griffith@taftlaw.com



September 10, 2018

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

C. Michael Lemon  
Township Administrator  
Columbia Township  
Hamilton County, Ohio  
5686 Kenwood Road  
Cincinnati, Ohio 45227

Dear Mr. Lemon:

This firm represents The Seven Hills School (the "School"). The School has filed with the Hamilton County Board of County Commissioners on August 21, 2018 a petition to annex a 10.786 acre parcel of land from Columbia Township into the City of Cincinnati. The land is Hamilton County Ohio Auditor's parcel 520-0215-0011-00, consisting of approximately 10.786 acres.

A copy of the petition is attached. Included in the petition is a copy of the property that the School proposes be annexed. The School is the sole owner of that parcel.

Ohio law requires the School to send you this notice.

The County Commissioners will hold a hearing on the annexation petition in the near future.

If you have any questions regarding this matter, please feel free to contact me.

Very truly yours,

Stephen M. Griffith, Jr.

SMG  
Enclosures

cc: Bryan Pacheco (w/encl.) (E-MAIL)  
23481682.1

# City of Cincinnati Council



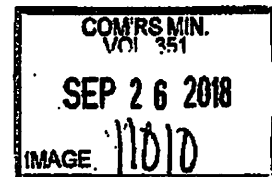
Melissa Autry, CMC  
Clerk of Council

Office of the Clerk

**J.K.P.**  
SEP 12 2018

801 Plum Street, Suite 308  
Cincinnati, Ohio 45202  
Phone (513) 352-3246  
Fax (513) 352-2578

September 10, 2018



Jacqueline Panioto, Clerk  
Hamilton County Board of Commissioners  
138 E. Court Street  
Cincinnati, Ohio 45202

Dear Clerk Panioto:

As Clerk of Council, I hereby certify the following Emergency Ordinance passed by the Council of the City of Cincinnati, State of Ohio passed at its session on September 6, 2018.

## ORDINANCE 262 -2018

ESTABLISHING Council's consent to an Expedited Type II Annexation petition filed by The Seven Hills School that proposes the annexation of approximately 10.786 acres from Columbia Township, Hamilton County, to the Madisonville neighborhood of the City of Cincinnati; and further AUTHORIZING the City to provide public services to the territory proposed for annexation; and further DESIGNATING the territory proposed for annexation as a Manufacturing Limited Zoning District immediately upon annexation; and further ADOPTING a statement addressing possible incompatible land uses and required zoning buffers in the territory proposed for annexation.

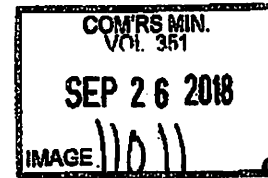
Sincerely,

  
Melissa Autry, CMC  
Clerk of Council

Enclosure



EMERGENCY



City of Cincinnati

An Ordinance No. 262 - 2018

**ESTABLISHING** Council's consent to an Expedited Type II Annexation petition filed by The Seven Hills School that proposes the annexation of approximately 10.786 acres from Columbia Township, Hamilton County, to the Madisonville neighborhood of the City of Cincinnati; and further **AUTHORIZING** the City to provide public services to the territory proposed for annexation; and further **DESIGNATING** the territory proposed for annexation as a Manufacturing Limited Zoning District immediately upon annexation; and further **ADOPTING** a statement addressing possible incompatible land uses and required zoning buffers in the territory proposed for annexation.

**WHEREAS**, pursuant to Ohio Revised Code Section 709.023, Stephen M. Griffith, Jr., agent for The Seven Hills School (the "School"), filed an Expedited Type II Annexation petition with the Clerk of the Board of County Commissioners, Hamilton County to annex approximately 10.786 acres from Columbia Township, Hamilton County to the City of Cincinnati; and

**WHEREAS**, the School is an Ohio non-profit corporation that operates early childhood through secondary educational facilities on a contiguous campus that straddles the City's territorial boundary with Columbia Township; and

**WHEREAS**, the School holds title to the real property that makes up the portion of its campus that lies within Columbia Township, which property is more particularly identified as Hamilton County Auditor's Parcel No. 520-0215-0011-00, and which is the sole property making up the 10.786 acres proposed for annexation; and

**WHEREAS**, the Council has reviewed the petition and finds that it satisfies all statutory requirements of Ohio Revised Code Section 709.023(E), namely:

1. The petition meets all the requirements set forth in, and was filed in the manner provided in, Ohio Revised Code Section 709.021;
2. The persons who signed the petition are owners of the real estate located in the territory proposed for annexation and constitute all of the owners of real estate in that territory;
3. The territory proposed for annexation does not exceed five hundred acres;
4. The territory proposed for annexation shares a contiguous boundary with the City for a continuous length of at least five per cent of the perimeter of the territory proposed for annexation;
5. The annexation will not create an unincorporated area of the township that is completely surrounded by the territory proposed for annexation;



6. By this ordinance, Council authorizes the City to provide to the territory proposed for annexation services specified herein, pursuant to Ohio Revised Code Section 709.023(C);
7. No street or highway will be divided or segmented by the boundary line between the Township and the City as to create a road maintenance problem, otherwise the City has an existing maintenance agreement with Hamilton County to correct any potential road maintenance problems; and

WHEREAS, under Ohio Revised Code Section 709.023(D), if Council consents to the annexation, and Columbia Township does not object to the petition, the County is required to approve the action; and

WHEREAS, the territory proposed for annexation from Columbia Township would remain subject to Columbia Township's real property tax, but any workers in the territory would become subject to the City's income tax; and

WHEREAS, Ohio Revised Code Section 709.023(C) requires the legislative authority of the municipal corporation to which annexation is proposed to adopt legislation prior to the hearing of the annexation petition, which adopted legislation shall indicate what services the municipal corporation will provide to the territory proposed for annexation and an approximate date by which it will provide those services; and

WHEREAS, the City is able to provide the following services to the annexed area: police response from Cincinnati Police Department's District Two; fire response and EMS service from the Cincinnati Fire Department's District Four; and street maintenance and repair by the City's Department of Transportation and Engineering and the Department of Public Services; and

WHEREAS, water and sewer service are already provided to the area to be annexed because the Metropolitan Sewer District of Greater Cincinnati serves all of Hamilton County and because the Greater Cincinnati Water Works already provides water services to Columbia Township; and

WHEREAS, Ohio Revised Code Section 709.023(C) requires Council to adopt legislation addressing land use regulations and buffers if the territory proposed for annexation is currently regulated by county zoning regulations adopted pursuant to Ohio Revised Code Chapter 303 or township zoning pursuant to Ohio Revised Code Chapter 519; and

WHEREAS, the territory proposed for annexation is currently subject to either county zoning regulations pursuant to Ohio Revised Code Chapter 303, or township zoning regulations pursuant to Ohio Revised Code Chapter 519; and

WHEREAS, pursuant to Ohio Revised Code Section 709.023(C), this ordinance must state that should the territory be annexed, and should the territory proposed for annexation become subject to the Cincinnati Zoning Code, and if the Cincinnati Zoning Code permits land uses in the annexed territory that are clearly incompatible with the land uses currently permitted in the

adjacent land remaining within the township under county or township zoning regulations, then the Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township; and

WHEREAS, pursuant to Ohio Revised Code Section 709.023(C), “buffer” includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks; and

WHEREAS, on January 14, 2004, the Council adopted Cincinnati Municipal Ordinance No. 15 of 2004, which ordinance establishes Cincinnati Zoning Code Chapter 1423, which provides buffer regulations separating adjacent land uses; and

WHEREAS, at its regularly scheduled meeting on December 1, 2017, the City Planning Commission recommended that immediately upon annexation the territory proposed for annexation will be designated as a Manufacturing Limited Zoning District because such zoning designation is in the interest of the general public’s health, safety, morals, and welfare; and

WHEREAS, a committee of Council held a public hearing on the proposed zoning designation following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the zoning designation, finding it in the interest of the general public’s health, safety, and welfare; and

WHEREAS, Council considers the Manufacturing Limited Zoning District to be in the best interests of the City, the proposed territory for annexation, and the general public’s health, safety, and welfare; and

WHEREAS, the territory proposed for annexation is adjacent to the City of Cincinnati to the north and west and areas adjacent to the territory proposed for annexation to the north and west are Columbia Township territory; and

WHEREAS, Council finds that the proposed annexation is consistent with the “Collaborate” goal, to “cooperate internally and externally to improve service delivery,” as described on page 218 of Plan Cincinnati (2012); and

WHEREAS, Ohio Revised Code Section 709.023(D) requires the legislative authority of the municipal corporation to which annexation is proposed to adopt legislation prior to the hearing of the annexation petition consenting to the proposed annexation; and

WHEREAS, by this ordinance Council consents to the proposal of annexation, addresses what City services will be provided to the annexed area, and also fulfills the requirement of addressing existing county or township zoning in the area to be annexed and whether any buffer zone in the area is necessary because of incompatible City zoning regulations, and should the County approve the petition, the City’s formal acceptance of the annexation will be accomplished by separate ordinance pursuant to Ohio Revised Code Section 709.04; now, therefore,

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

**Section 1.** That the City of Cincinnati, pursuant to Ohio Revised Code Section 709.023(D), hereby consents to the annexation of approximately 10.786 acres in Columbia Township, Hamilton County as depicted on Exhibit A attached hereto and more particularly described on Exhibit B attached hereto.

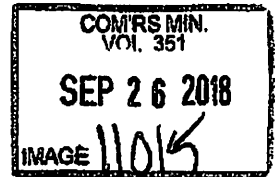
**Section 2.** That immediately upon the annexation, the annexed territory shall enjoy all rights, privileges, and responsibilities ascribed thereto under the Charter of the City of Cincinnati, including, but not limited to, the City's income tax.

**Section 3.** That the City shall provide to the approximately 10.786 acres in Columbia Township, Hamilton County immediately upon the annexation of the territory to the City of Cincinnati, Ohio any and all municipal services that the City provides from time to time to properties within its territory, including, but not limited to the following:

- a. The Cincinnati Police Department shall serve the territory proposed for annexation from Cincinnati Police Department District Two, which presently maintains 106 officers;
- b. The Cincinnati Fire Department shall serve the territory proposed for annexation from Fire Companies 8, 31, and 49, within Fire Department Fire District Four, all in close proximity to the territory;
- c. The City's Department of Transportation and Engineering and the Department of Public Services shall provide street maintenance, repair, and snow and ice removal services to the territory proposed for annexation; and
- d. Greater Cincinnati Water Works and the Metropolitan Sewer District of Greater Cincinnati shall continue to provide existing water and sewer services to the territory proposed for annexation upon such annexation.

**Section 4.** That the approximately 10.786 acres in Columbia Township shall be designated as a Manufacturing Limited Zoning District throughout the area designated on the map immediately upon annexation.





Section 5. That the City adopts the following statement for the approximately 10.786 acres in Columbia Township, Hamilton County:

Should the territory be annexed and subsequently become subject to zoning pursuant to the Cincinnati Zoning Code, and the zoning district governing the annexed territory permits uses in that territory that the City of Cincinnati determines are clearly incompatible with the uses permitted under current county zoning in the adjacent land remaining in the township from which the territory was annexed, City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township.

Section 6. That the City Manager and the proper City officials are hereby authorized to do all things necessary and proper to carry out the provisions of Sections 2 through 5 herein immediately upon annexation of the territory.

Section 7. That the Clerk of Council is directed to file a certified copy of this ordinance to the Board of County Commissioners of Hamilton County, Ohio upon passage by the Council and within 20 days after the date on which the annexation petition was filed with the Board of County Commissioners.

Section 8. 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 to ensure that the Clerk is able to file in a timely manner with the Board of Commissioners, Hamilton County the City's consent and statutorily-required statements addressing public services, land uses, and buffers found herein prior to the hearing of the annexation petition.

Passed: September 6, 2018

Attest: [Signature]  
Clerk

[Signature]  
John Cranley, Mayor  
CITY PLANNING COMMISSION

December 1, 2017  
APPROVED  
[Signature]

# County of Hamilton

THEODORE B. HUBBARD, P.E.-P.S. COUNTY ENGINEER

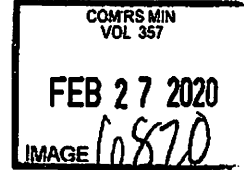
700 COUNTY ADMINISTRATION BUILDING

138 EAST COURT STREET

CINCINNATI, OHIO 45202-1232

PHONE (513)946-4250 FAX (513)946-4288

February 27, 2020



Board of Hamilton County Commissioners  
County Administration Building  
138 East Court Street, Room 603  
Cincinnati, Ohio 45202

Re: Joint Agreement between Hamilton County and the City of Cincinnati  
For the maintenance of a portion of Red Bank Road

Honorable Board:

Please find attached a Resolution for the purpose of authorizing an Agreement between Hamilton County and The City of Cincinnati, Ohio for the maintenance of a portion of Red Bank Road.

The COUNTY and the CITY desire to maintain a portion of Red Bank Road abutting property that is to be annexation by the CITY and agree that the maintenance of roads is required for the orderly and efficient flow of traffic and that the public will benefit by creating a joint agreement.

The CITY will be responsible for all maintenance of the relevant portion of Red Bank Road, on both sides of the street.

The COUNTY will delegate to the CITY responsibility and liability for the maintenance of a section of roadway within the jurisdiction of the COUNTY and agrees to approve the annexation by the CITY of property in Columbia Township adjacent to the portion of Red Bank Road to be maintained by the CITY, which annexation has already been approved by the CITY through Ordinance No. 262-2018.

This office recommends that your Honorable Board adopt the attached Resolution for the purpose of authorizing an Agreement between Hamilton County and The City of Cincinnati, Ohio for the maintenance of a portion of Red Bank Road.

Respectfully submitted,

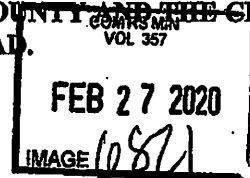
A handwritten signature in blue ink that reads "Theodore B. Hubbard".

THEODORE B. HUBBARD, P.E.-P.S.  
HAMILTON COUNTY ENGINEER

TBH/TPG/fel  
Attachments

"On motion of Commissioner Driehaus, seconded by Commissioner Summerow Dumas the following resolution was adopt"

**RESOLUTION AUTHORIZING A JOINT AGREEMENT BETWEEN HAMILTON COUNTY AND THE CITY OF CINCINNATI, OHIO FOR MAINTENANCE OF A PORTION OF RED BANK ROAD.**



**BY THE BOARD:**

**WHEREAS**, the COUNTY and the CITY desire to maintain a portion of Red Bank Road abutting property that is to be annexation by the CITY; and

**WHEREAS**, the COUNTY and the CITY agree that the maintenance of roads is required for the orderly and efficient flow of traffic and that the public will benefit by creating a joint agreement; and

**WHEREAS**, the CITY will be responsible for all maintenance of the relevant portion of Red Bank Road, on both sides of the street; and

**WHEREAS**, the COUNTY will delegate to the CITY responsibility and liability for the maintenance of a section of roadway within the jurisdiction of the COUNTY; and

**WHEREAS**, the COUNTY agrees to approve the annexation by the CITY of property in Columbia Township adjacent to the portion of Red Bank Road to be maintained by the CITY, which annexation has already been approved by the CITY through Ordinance No. 262-2018.

**NOW, THEREFORE BE IT RESOLVED** by the Board of County Commissioners of Hamilton County Ohio that the said Agreement be and the same hereby is approved.

**BE IT FURTHER RESOLVED** that the County Administrator be and he hereby is authorized and directed to execute the Agreement.

**BE IT FURTHER RESOLVED** that the Clerk of the Board be and she hereby is authorized and directed to certify a copy of the Resolution to the County Engineer.

**ADOPTED** at a regular meeting of the Board of County Commissioners of Hamilton County, State of Ohio, this 27<sup>th</sup> day of February, 2020.

Ms. Driehaus, YES

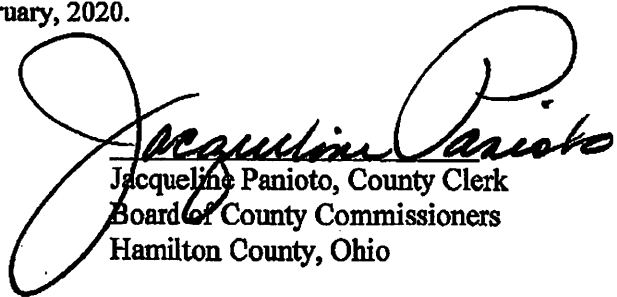
Ms. Summerow Dumas, YES

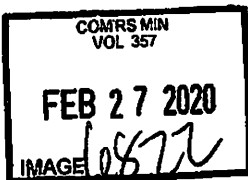
Ms. Parks, YES

**CERTIFICATE OF CLERK**

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a Resolution adopted by this Board of County Commissioners in session this 27<sup>th</sup> day of February, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Office of the County Commissioners of Hamilton County, Ohio, this 27<sup>th</sup> day of February, 2020.

  
Jacqueline Panioto, County Clerk  
Board of County Commissioners  
Hamilton County, Ohio



City Contract No. \_\_\_\_\_

**JOINT AGREEMENT BETWEEN HAMILTON COUNTY AND THE CITY OF CINCINNATI FOR MAINTENANCE OF A PORTION OF RED BANK ROAD**

This AGREEMENT is made and entered into by and between the Board of County Commissioners of Hamilton County, Ohio, on behalf of the County Engineer (the "COUNTY"), acting by and through its duly authorized agent, the County Administrator, and the City of Cincinnati, Ohio, a municipal corporation (the "CITY"), acting by and through its City Manager (collectively, the "PARTIES").

**Recitals:**

WHEREAS, the COUNTY and CITY desire to maintain a portion of Red Bank Road abutting property that is to be annexed by the CITY, which annexation would result in the road being segmented by the boundary line between the township and the City.

WHEREAS, because of the dual responsibility for a portion of the road that would result from the annexation, as a condition of the annexation the City has agreed to assume the maintenance of the entire portion of the road from the corporation line on the south to I-71 on the north.

WHEREAS, the COUNTY and CITY agree that the maintenance of roads is required for the orderly and efficient flow of traffic, and that the public will benefit by creating a joint agreement whereby the CITY will be responsible for all maintenance of the relevant portion of Red Bank Road, on both sides of the street.

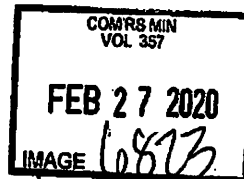
WHEREAS, in entering this agreement and performing work pursuant to this agreement, the PARTIES have accepted that the COUNTY will delegate to the CITY responsibility and liability for the maintenance of a small section of roadway within the jurisdiction of the COUNTY.

NOW, THEREFORE, in consideration of the mutual covenants, terms, and conditions contained herein, the PARTIES hereby mutually agree as follows:

**1. Obligations of the City.**

a. The CITY will perform all maintenance on the following portion of Red Bank Road, on the entire portion whether owned by the CITY or the COUNTY:

- i. Running north-south from the CITY's corporation line on the south to the ODOT Right-of-Way for Interstate 71 on the north;
- ii. Adjacent to Auditor's Parcel Nos. 051-0011-0004-00, 051-0011-0003-00, 051-0011-0021-00, 051-0011-0051-90, 051-0011-0048-00, 520-0215-0011-00, 520-0215-0102-90, 520-0215-0053-90, 520-0215-0049-90, 520-0215-0010-90;
- iii. As approximately depicted on Exhibit A , "Map," attached hereto.



b. "Maintenance" is defined as the act of preserving and keeping each type of roadway, roadside structure or facility within the Right-of-Way as nearly as possible to its original condition as constructed or as subsequently improved, to provide satisfactory and safe highway transportation. Maintenance shall include but is not limited to: crack sealing, pothole repair, partial depth pavement patching, pavement marking, sign repair and replacement, mowing, trimming, herbicidal spraying, street sweeping, snow and ice control, drainage repairs, catch basin cleaning, litter pick-up, full depth pavement repairs, resurfacing, pavement widening, guardrail repair and replacement, and culvert repair and replacement.

2. **Obligations of the County.** In consideration for the promises and performance of the CITY as set forth herein, the COUNTY agrees to approve the annexation by the CITY of property in Columbia Township adjacent to the portion of Red Bank Road to be maintained by the CITY, which annexation has already been approved by the CITY through Ordinance No. 262-2018.

3. **Insurance.** It shall be the responsibility of the CITY, through its self-insurance program, to protect the CITY, the CITY's employees, and the COUNTY from any and all general liability or automobile liability claims that may arise from maintenance carried out in performance of this agreement. The CITY is fully self-insured for the following potential liabilities:

- a. General liability;
- b. Workers compensation;
- c. Automobile liability;
- d. Professional liability.

4. **Subcontracting.** If the CITY subcontracts any portion of this agreement, the CITY shall be responsible for guaranteeing that the subcontractor for the portion of the agreement that is subcontracted is adequately covered to the insurance limits as specified herein and that the insurance for the subcontractor meets the same requirements as for the CITY, such as naming all of the required parties as additional insured. The CITY is responsible for obtaining the necessary proofs of insurance coverage from the subcontractor and submitting these to the County Engineer.

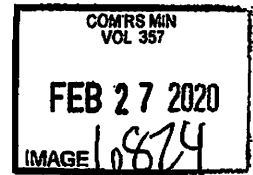
5. **Binding Effect.** This agreement shall be binding upon and inure to the benefit of the PARTIES and their respective successors and assigns.

6. **Term, Amendment.** This agreement shall take effect as of the Effective Date as defined on the signature page hereof and shall remain in effect indefinitely. Should the PARTIES consent to modifications of the contract, then an amendment shall be drawn, approved, and executed in the same manner as the original agreement. Should the ownership of the portion of Red Bank Road affected by this Agreement change, the PARTIES shall terminate or amend this agreement as necessary.

7. **Notice.** All notices required under this agreement shall be personally served or sent by U.S. mail, postage prepaid, addressed to the parties as follows:

To CITY:  
City of Cincinnati  
Dept. Transportation & Engineering  
801 Plum Street, Room 450  
Cincinnati, Ohio 45202

To COUNTY:  
Hamilton County Engineer  
Room 700 County Administration Building  
138 East Court Street  
Cincinnati, OH 45202



8. **Relationship of Parties.** CITY shall have exclusive control of and the exclusive right to control the details of the services and work performed hereunder and all persons performing the same and shall be solely responsible for the acts and omissions of its officers, agents, employees, contractors, and subcontractors, if any. Nothing herein shall be construed as creating a partnership or joint venture between the CITY and COUNTY.

9. **Entirety.** This agreement and the Exhibits attached hereto contain the entire contract between the PARTIES as to the matters contained herein. Any oral representations or modifications concerning this agreement shall be of no force and effect.

10. **Waiver.** This agreement shall be construed in a manner that a waiver of any breach of any provision of this agreement shall not constitute or operate as a waiver of any other breach of such provision or of any other provisions, nor shall any failure to enforce any provision hereof operate as a waiver of such provision or of any other provision.

11. **Severability.** This agreement shall be severable, so if any part or parts of this agreement shall for any reason be held invalid or unenforceable by a court of competent jurisdiction, all remaining parts shall remain binding and in full force and effect.

IN WITNESS WHEREOF, the COUNTY and CITY have signed and sealed this agreement on the dates indicated in their respective acknowledgements below, effective as of the later of such dates (the "Effective Date").

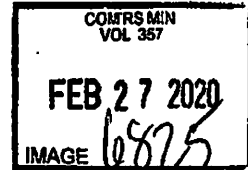
**HAMILTON COUNTY:**

*Dennis B. Hubbard*  
Hamilton County Engineer

Date: 1/7/2020 <sup>2020</sup> ~~2019~~ <sup>ABK</sup>

RESOLUTION VOL. \_\_\_\_\_, IMAGES \_\_\_\_\_ TO \_\_\_\_\_ DATE \_\_\_\_\_

*J. J. [Signature]* <sup>FOTE J&</sup>  
County Administrator



**APPROVED AS TO FORM**

*Eric Munn*  
County Prosecutor, by Eric Munn, asst. prosecutor

**CITY OF CINCINNATI**

*Patrick A. Duhaney*  
Patrick A. Duhaney, City Manager

Date: 1/23/2020

**RECOMMENDED BY:**

*John S. Brazina*  
John S. Brazina, Director, Department of Transportation and Engineering

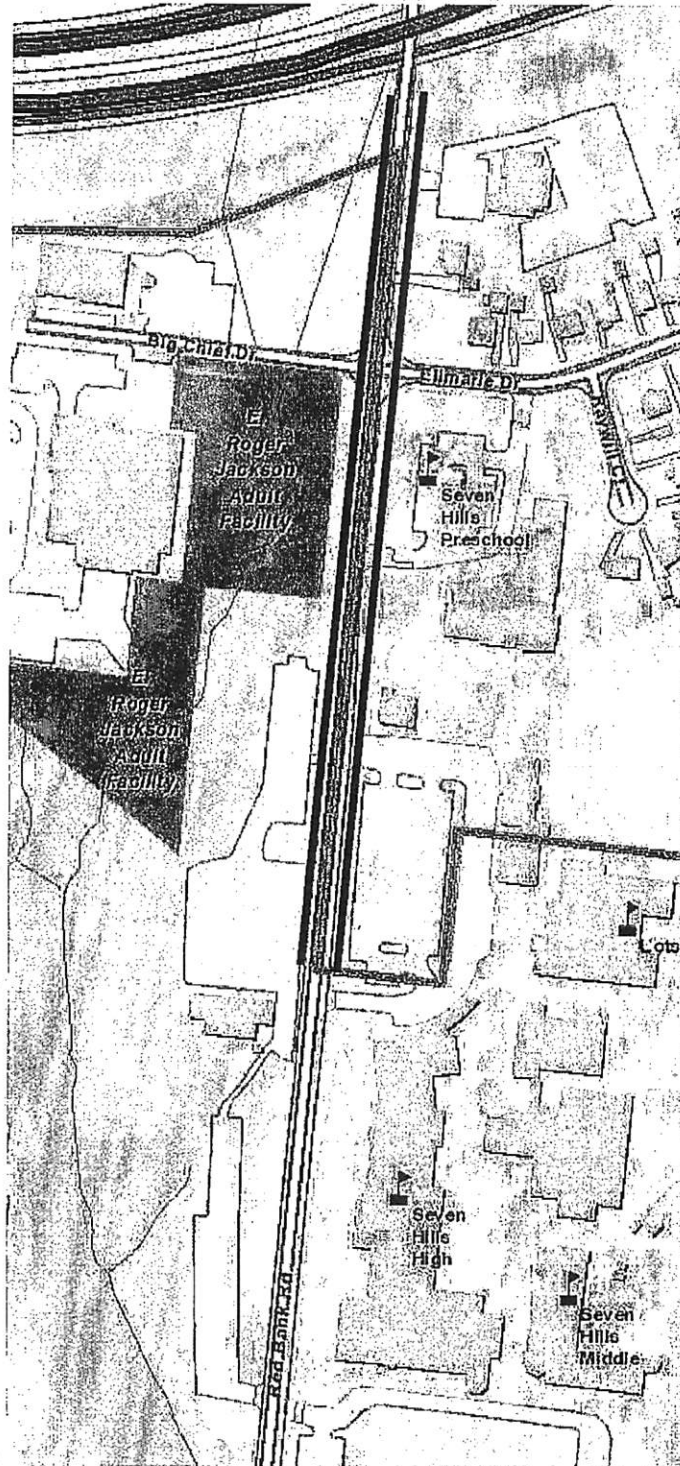
**APPROVED AS TO FORM:**

*D. Mark [Signature]*  
Assistant City Solicitor

**EXHIBIT A**  
**Map**

Approximate location of area to be maintained (between red lines):

COMRS MIN  
VOL 357  
**FEB 27 2020**  
IMAGE 0876





On motion of Commissioner *Driedaus*, seconded by  
Commissioner *Summerow* *Dumas*

the following resolution was adopted. . .

**RESOLUTION GRANTING A PETITION FOR THE ANNEXATION OF 10.786 ACRES  
FROM COLUMBIA TOWNSHIP TO THE CITY OF CINCINNATI**

BY THE BOARD:

WHEREAS, on August 21, 2018, Stephen M. Griffith, Jr., Agent for the Petitioners, submitted a petition for annexation 10.786 acres situate in Section 17, Town 4, Fractional Range 2, BTM Columbia Township to the City of Cincinnati, Ohio and being more particularly described as follows:

Beginning at a point in the west line of said Section 17, said point being N05°15'58"E a distance of 1215.06 feet from the southwest corner of said Section 17, said point also being in the centerline of Red Bank Road;

Thence along said west line, N05°15'58"E a distance of 590.62 feet to a point;

Thence, S83°52'56"E, passing a 5/8" iron pin set at 30.00 feet, a total distance of 40.56 feet to a concrete monument found in the east right of way line of Red Bank Road;

Thence along said east right of way line, N05°27'04"E a distance of 167.21 feet to a 5/8" iron pin set;

Thence continuing, along a curve to the right an arc distance of 23.56 feet to a 5/8" iron pin set in the south right of way line of Ellmarie Drive, said curve having a radius of 15.00 feet, a delta of 90°00'00" and a chord bearing N50°27'04"E a distance of 21.21 feet;

Thence along said south right of way line the following three (3) courses:

1. S84°32'56"E a distance of 139.60 feet to a 5/8" iron pin set;
2. Along a curve to the left an arc distance of 72.44 feet to a 5/8" iron pin set, said curve having a radius of 191.56 feet, a delta of 21°40'00" and a chord bearing N84°37'04"E a distance of 72.01 feet;
3. Along a curve to the right an arc distance of 23.56 feet to a 5/8" iron pin set in the southwesterly right of way line of Raywill Court, said curve having a radius of 15.00 feet, a delta of 90°00'00" and a chord bearing S61°12'56"E a distance of 21.21 feet;

Thence along said southwesterly right of way line the following three (3) courses:

1. S16°12'55"E a distance of 93.75 feet to a 5/8" iron pin set;
2. Along a curve to the right an arc distance of 29.63 feet to a 5/8" iron pin set, said curve having a radius of 50.83 feet, a delta of 33°23'57" and a chord bearing S00°29'03"W a distance of 29.21 feet;
3. Along a curve to the left an arc distance of 54.73 feet to a 5/8" iron pin set in the northwest corner of Lot 48 of Hillsdale Homes Subdivision as recorded in P.B. 59 Pgs 24-25, said curve having a radius of 40.00 feet, a delta of 78°23'57" and a chord bearing S22°00'57"E a distance of 50.56 feet;

Thence along the westerly line of said Lot 48, S28°47'04"W a distance of 113.57 feet to a 5/8" iron pin set in the south line of said Hillsdale Homes Subdivision;

~~Thence in part along said south line and along the south line of a tract of land conveyed to the Seven Hills School in O.R. 12965 Pg. 922, S83°52'56"E a distance of 863.18 feet to a point in the westerly right of way line of Red Bank Expressway, witness a found 3/4" iron pin lying 0.3 feet North and 0.3 feet East;~~

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Thence along said westerly right of way line the following three (3) courses:

1. S00°15'52"E a distance of 0.26 feet;
2. S08°27'40"W a distance of 220.76 feet to a 5/8" iron pin set;
3. S15°23'05"W a distance of 92.03 feet to a 5/8" iron pin set in the north line of a 24.784 acre (dead) tract of land conveyed to The Seven Hills School in O.R. 8380 Pg. 2080;

Thence along the lines of said 24.784 acre (deed) tract of land the following three (3) courses:

1. N83°55'42"W a distance of 965.33 feet to a point, witness a found 1" pipe lying 0.6 feet North and 0.6 feet West;
2. S05°15'58"W a distance of 203.00 feet to a 5/8" iron pin set;
3. N83°55'42"W, passing a 5/8" iron pin set at 140.00 feet, a total distance of 170.00 feet to the point of beginning.

WHEREAS, said petition was submitted in accordance with 709.023 providing for annexation by all property owners with or without consent of municipality and township; and

WHEREAS, the agent has provided proof of service to the governmental entities and that adjacent property owners were provided notice of the annexation; and

WHEREAS, the City of Cincinnati adopted a resolution setting forth services that will be provided if such area is annexed; and

WHEREAS, Columbia Township has not objected to the annexation; and

WHEREAS, a maintenance agreement for a portion of Red Bank Road has been obtained and entered into by the City of Cincinnati and Hamilton County; and

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Hamilton County, Ohio hereby approves the petition for annexation of 10.786 acres from Columbia Township to the City of Cincinnati in accordance with Section 709.023 of the Ohio Revised Code; and

BE IT FURTHER RESOLVED that the Clerk of the Board be and she hereby is directed to certify copies of this resolution to Columbia Township, City of Cincinnati; Mr. Stephen M. Griffith, Jr. Agent; Eric Beck, Acting Hamilton County Engineer; and Mr. James Noyes, Hamilton County Regional Planning Commission.

ADOPTED at a regularly adjourned meeting of the Board of County Commissioners, Hamilton County, Ohio this 2nd day of April, 2020.

Ms. Driehaus. *Yes*      Ms. Summerow Dumas. *Yes*      Ms. Parks. *Yes*

APR 02 2020

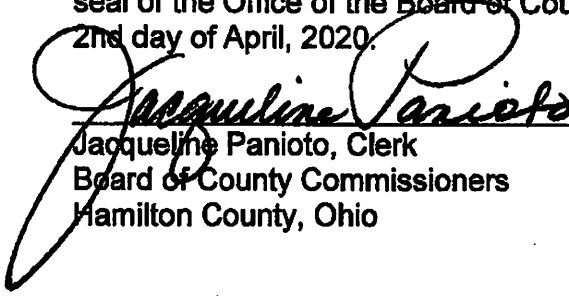
IMAGE

48

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution adopted by the Board of County Commissioners in session the 2nd day of April, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Office of the Board of County Commissioners, Hamilton County, Ohio this 2nd day of April, 2020.

  
Jacqueline Panioto, Clerk  
Board of County Commissioners  
Hamilton County, Ohio