

EMERGENCY

City of Cincinnati

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An Ordinance No. 250

- 2020

ACCEPTING the conveyance from the State of Ohio, Department of Transportation, of certain real property adjoining Colerain Avenue in the Northside neighborhood of Cincinnati designated as Hamilton County Auditor's Parcel No. 195-0029-0171-00.

WHEREAS, following the completion of the HAM-74-18.00 construction project, the State of Ohio, Department of Transportation ("ODOT") conveyed to the City of Cincinnati by *Director's Deed*, executed March 4, 2020, title to certain real property adjoining Colerain Avenue in Cincinnati designated as Hamilton County Auditor's parcel no. 195-0029-0171-00 (the "ODOT Parcel"); and

WHEREAS, the City Manager in consultation with the City's Department of Transportation and Engineering, recommends the Council to accept the donation of the ODOT Parcel to facilitate the dedication of additional land as public right-of-way to Colerain Avenue in association with the Northside Arterial Improvement Project; now, therefore,

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

Section 1. That the *Director's Deed* from the State of Ohio, Department of Transportation, executed March 4, 2020, attached to this ordinance as Attachment "A," conveying the fee simple title to certain real property located along Colerain Avenue to the City of Cincinnati, as more particularly described as follows, is hereby accepted and confirmed:

Situated in Section 28, Township 3, Fractional Range 2, Miami Purchase, City of Cincinnati, Millcreek Township, County of Hamilton, State of Ohio, and being part of that real estate conveyed to Joleen Inc. as recorded in Official Record Volume 5456, Page 52 (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Hamilton County Recorder's Office, unless noted otherwise)

Being a parcel of land lying on the right side of the centerline of proposed Colerain Avenue as determined for the Ham-74-18.00 project, made by the Ohio Department of Transportation in Plat Book 423, Pages 98-100, of the records of Hamilton County, and being located within the following described points in the boundary thereof: The stations and offsets of the above description are measured from the proposed centerline of construction of Colerain Avenue, and are depicted in the Ham-74-18.00 construction plans and corresponding centerline plat referenced above.

BEGINNING at a point at an iron pin set at the northwest corner of Lot No. 11 of Byron Kirby Heirs, First Subdivision as the same is recorded in Plat Book 15, Page 26, said point is also located 26.65 feet right of station 205+03.98;
Thence along the south side of Colerain Avenue South 76 deg. 41 min. 54 sec. East for a distance of 195.11 feet to an iron pin set at the northeast corner of Lot No. 7 of said Byron Kirby Heirs First Subdivision, also being located 30.61 feet right of centerline station 207+02.09;
Thence leaving Colerain Avenue, along the proposed south right-of-way of Colerain Avenue, North 83 deg. 50 min. 00 sec. West for a distance of 7.47 feet to an iron pin set in the west line of Lot No. 8 of said Bryon Kirby Heirs First Subdivision located 31.52 feet right of centerline station 206+94.68;
Thence North 78 deg. 26 min. 33 sec. West for a distance of 132.78 feet to an iron pin set at a point located 34.88 feet right of centerline station 205+61.94;
Thence North 83 deg. 38 min. 47 sec. West for a distance of 53.89 feet to an iron pin set in the east line of Lot No. 11 of said Byron Kirby Heirs First Subdivision located 38.23 right of centerline station 205+04.17;
Thence leaving the proposed south right-of-way of Colerain Avenue along the east line of said Lot No. 11, North 05 deg. 55 min. 54 sec. East for a distance of 11.58 feet to the TRUE POINT OF BEGINNING.

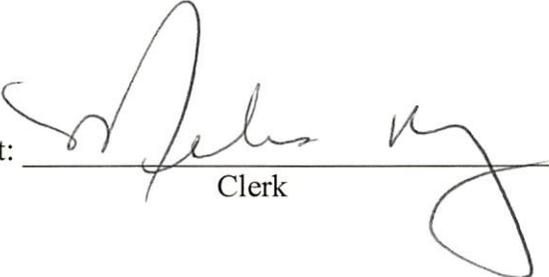
Section 2. That the Clerk of Council is hereby directed to note the Council's acceptance on the *Director's Deed* so that same may be placed of record in the land records of Hamilton County, Ohio.

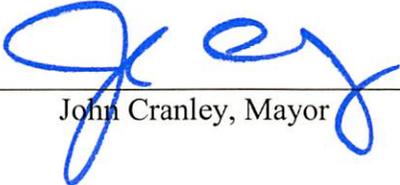
Section 3. That the City Manager is authorized to do all things necessary to carry out the terms of this ordinance, including, without limitation, executing any and all ancillary agreements, plats, deeds, and all other documents as the City Manager deems necessary or appropriate. That the City Solicitor shall cause an authenticated copy of this ordinance and the Deed to be filed with the Hamilton County, Ohio Auditor's Office, and recorded in the Hamilton County, Ohio Recorder's Office.

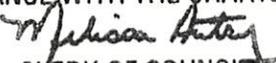
Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is immediate need to accept and record the conveyance instrument without delay to allow the

City's Department of Transportation and Engineering to continue to prepare all necessary documents to dedicate the property to public use for street purposes.

Passed: August 5, 2020

Attest: 
Clerk


John Cranley, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 250 2020
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 8-18-2020

CLERK OF COUNCIL