

ORDINANCE NO. 9 , 2020

**AN ORDINANCE ACCEPTING AND DEDICATING LAND FOR PUBLIC PARKING
AND INGRESS/EGRESS AT VINTAGE CLUB NORTH
AND DECLARING AN EMERGENCY**

WHEREAS, as a part of the Vintage Club North development, the City did acquire Auditor's parcel number 603-0A23-0223 upon which the City contracted with Traditions VC Developer, LLC for the construction of a public parking lot which also provides ingress and egress to and from Vintage Club Boulevard to property in and around the development; and

WHEREAS, to allow for continuing ingress and egress during construction to Auditor's parcel 620-0210-0018 owned by Contadino Properties, LLC, the City did agree to defer acquiring Auditor's parcel 603-0A23-0228 to allow for an alternate access easement to Contadino Properties, LLC during construction; and

WHEREAS, construction has now been completed for the public parking lot improvements across Auditor's parcel 603-0A23-0223 and 603-0A23-0228; and

WHEREAS, to properly terminate all permanent and alternate access easements in and across the City's property, the City does desire to accept the public improvements and dedicate land now owned by the City, and land to be acquired by the City, for appropriate public parking, drive aisles and streetscape improvements in and across these two lots to properly support the development and to provide safe access to Auditor's parcel 620-0210-0018 held by Contadino Properties, LLC.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. The City hereby accepts and dedicates for public use the public parking, drive aisles, interior landscaping, streetscape and other improvements constructed upon Auditor's parcel 603-0A23-0223, more particularly described in Exhibit A attached hereto and owned by the City.

SECTION 2. The City hereby accepts and dedicates for public use the public parking, drive aisles, interior landscaping, streetscape and other improvements constructed upon Auditor's parcel 603-0A23-0228, more particularly described in Exhibit B attached hereto, to be acquired by the City upon release of the permanent and temporary access easements across such properties.

SECTION 3. Further, Council authorizes the City Manager upon Closing on parcel 603-0A23-0028 to consolidate this lot with parcel 603-0A23-0223 over which have been constructed the public improvements dedicated herein.

SECTION 4. To be able to conclude the process to open the parking lots and drive aisles for public use without any overlapping easements, this Ordinance is hereby declared to be an emergency measure, necessary to preserve the public health, safety and welfare, and it shall take effect immediately upon passage.

PASSED: June 3, 2020

ATTEST: Connie M. Gaylor
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozsi
Christopher P. Dobrozsi, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon
Terrence M. Donnellon, Law Director

Exhibit A

**LOCATION: Vintage Club North Parcel
1.8883 Acres – Tract 3
Parcel No. 603-A23-223**

Situate in Section 36, Town 5, Entire Range 1, City of Montgomery, Symmes Township, Hamilton County, Ohio and being part of the same premises as conveyed to Hunting Hill LLC by deed recorded in O.R. 13267, Page 1468, Hamilton County, Ohio Recorder's Office and more particularly described as follows:

Beginning at a set 5/8" iron pin in the north corporation line of the City of Montgomery, said point being South 89°39'20" West, 149.47 feet from the northwest corner of Open Space Lot H of The Vintage Club Phase Three as recorded in P.B. 415, Pages 94-95, Hamilton County, Ohio Recorder's Office;

Thence, with new division lines, the following four (4) courses and distances;

1. South 00°00'00" East, 330.37 feet to a set 5/8" iron pin;
2. South 40°25'57" West, 153.88 feet to a set 5/8" iron pin;
3. South 49°34'03" East, 13.71 feet to a set 5/8" iron pin;
4. South 40°25'57" West, 78.46 feet to a set 5/8" iron pin in the north right-of-way line of Vintage Club Boulevard;

Thence, along said north right-of-way line, North 49°26'31" West, 24.35 feet to a set 5/8" iron pin;

Thence, leaving said north right-of-way line, with new division lines, the following three (3) courses and distances;

1. North 40°25'57" East, 94.66 feet to a set 5/8" iron pin;
2. North 49°34'03" West, 72.00 feet to a set 5/8" iron pin;
3. South 40°25'57" West, 83.98 feet to a set 5/8" iron pin in the north right-of-way line of Vintage Club Boulevard;

Thence, along said north right-of-way line, the following three (3) courses and distances;

1. Along an arc deflecting to the right, having a radius of 70.00 feet, a central angle of 02°58'32", a length of 3.64 feet, the chord of said arc bears North 09°03'59" West, 3.63 feet to an existing iron pin;
2. North 07°34'43" West, 60.87 feet to an existing iron pin;

DESCRIPTION ACCEPTABLE
HAMILTON COUNTY ENGINEER

Tax Map - 7/23/18

CAGIS - _____

603 - 0A23 - 223

581

3. Along an arc deflecting to the left, having a radius of 130.00 feet, a central angle of $16^{\circ}59'10''$, a length of 38.54 feet, the chord of said arc bears North $16^{\circ}04'18''$ West, 38.40 feet to a set $5/8''$ iron pin;

Thence, leaving said north right-of-way line, with new division lines, the following seventeen (17) courses and distances;

1. North $40^{\circ}25'57''$ East, 26.76 feet to a set $5/8''$ iron pin;
2. South $49^{\circ}34'03''$ East, 2.00 feet to a set $5/8''$ iron pin;
3. North $40^{\circ}25'57''$ East, 1.13 feet to a set $5/8''$ iron pin;
4. North $85^{\circ}25'57''$ East, 20.15 feet to a set $5/8''$ iron pin;
5. South $49^{\circ}34'03''$ East, 1.13 feet to a set $5/8''$ iron pin;
6. North $40^{\circ}25'57''$ East, 2.00 feet to a set $5/8''$ iron pin;
7. North $49^{\circ}34'03''$ West, 0.50 feet to a set $5/8''$ iron pin;
8. North $40^{\circ}25'57''$ East, 20.01 feet to a set $5/8''$ iron pin;
9. North $85^{\circ}25'57''$ East, 2.02 feet to a set $5/8''$ iron pin;
10. South $49^{\circ}34'03''$ East, 4.07 feet to a set $5/8''$ iron pin;
11. North $40^{\circ}25'57''$ East, 97.68 feet to a set $5/8''$ iron pin;
12. North $49^{\circ}34'03''$ West, 45.34 feet to a set $5/8''$ iron pin;
13. South $40^{\circ}25'57''$ West, 6.17 feet to a set $5/8''$ iron pin;
14. North $49^{\circ}34'03''$ West, 25.74 feet to a set $5/8''$ iron pin;
15. South $40^{\circ}25'57''$ West, 7.92 feet to a set $5/8''$ iron pin;
16. North $49^{\circ}34'03''$ West, 40.08 feet to a set $5/8''$ iron pin;
17. South $40^{\circ}25'57''$ West, 136.91 feet to a set $5/8''$ iron pin in the north right-of-way line of Vintage Club Boulevard;

Thence, along said north right-of-way line, North $49^{\circ}26'24''$ West, 24.43 feet to an existing iron pin and along an arc deflecting to the right, having a radius of 88.00 feet, a central angle of $04^{\circ}06'45''$, a length of 6.32 feet, the chord of said arc bears North $47^{\circ}23'01''$ West, 6.32 feet to a set $5/8''$ iron pin;

Thence, with new division lines, the following six (6) courses and distances;

1. Along an arc deflecting to the right, having a radius of 30.00 feet, a central angle of $36^{\circ}44'40''$, a length of 19.24 feet, the chord of said arc bears North $22^{\circ}11'14''$ East, 18.91 feet to a set $5/8''$ iron pin;
2. North $40^{\circ}33'34''$ East, 45.29 feet to a set $5/8''$ iron pin;
3. North $00^{\circ}52'11''$ West, 56.67 feet to a set $5/8''$ iron pin;
4. North $40^{\circ}33'34''$ East, 94.17 feet to a set $5/8''$ iron pin;
5. North $90^{\circ}00'00''$ East, 42.23 feet to a set $5/8''$ iron pin;

6. North 00°00'00" East, 77.08 feet to a set 5/8" iron pin in the aforesaid north corporation line of the City of Montgomery;

Thence, along said north corporation line, North 89°55'50" East, 136.63 to a point, said point being witnessed by an iron pin lying 0.1'S, 0.5'W and North 89°39'20" East, 32.87 feet to the Point of Beginning.

Containing 1.8883 acres of land.

Subject to all legal highways, easements and restrictions of record.

The above description was prepared by McGill Smith Punshon, Inc., under the direction of Jerry L. Keller, P.S., Ohio Registration No. 7584. The bearings in the above description are based on the Reserve of Montgomery, Section 4 as recorded in P.B. 315, Pages 57-58, Hamilton County, Ohio Recorder's Office.

Prepared by: McGill Smith Punshon, Inc.
Date: March 6, 2018
Revised: June 11, 2018
MSP No.: 04308.03

EXHIBIT B

Parcel No. 603-0A23-0228

LOCATION: **Vintage Club North Parcel**
0.1219 Acres – Tract 8

Situate in Section 36, Town 5, Entire Range 1, City of Montgomery, Symmes Township, Hamilton County, Ohio and being part of the same premises as conveyed to Hunting Hill LLC by deed recorded in O.R. 13267, Page 1468, Hamilton County, Ohio Recorder's Office and more particularly described as follows:

Commencing at an existing 5/8" iron pin in the north corporation line of the City of Montgomery, said point also being the northwest corner of Open Space Lot H of The Vintage Club Phase Three as recorded in P.B. 415, Pages 94-95, Hamilton County, Ohio Recorder's Office;

Thence, along said north corporation line, South 89°39'20" West, 182.34 feet and South 89°55'50" West, 136.63 feet to a set 5/8" iron pin;

Thence, with new division lines, South 00°00'00" East, 77.08 feet to a set 5/8" iron pin and North 90°00'00" West, 42.23 feet to a set 5/8" iron pin and the Real Point of Beginning for this description;

Thence, continuing along new division lines, the following four (4) courses and distances;

1. South 40°33'34" West, 94.17 feet to a set 5/8" iron pin;
2. South 00°52'11" East, 56.67 feet to a set 5/8" iron pin;
3. South 40°33'34" West, 45.29 feet to a set 5/8" iron pin;
4. Along an arc deflecting to the left, having a radius of 30.00 feet, a central angle of 36°44'40", a length of 19.24 feet, the chord of said arc bears South 22°11'14" West, 18.91 feet to a set 5/8" iron pin in the north right-of-way line of Vintage Club Boulevard;

Thence, with said north right-of-way line, along an arc deflecting to the right, having a radius of 88.00 feet, a central angle of 14°01'28", a length of 21.54 feet, the chord of said arc bears North 38°18'55" West, 21.49 feet to an existing iron pin and North 31°18'11" West, 59.28 feet to a set 5/8" iron pin;

Thence, leaving said north right-of-way line, the following six (6) courses and distances;

McGill Smith Punshon, Inc.
3700 Park 12 Drive ■ Suite 1908 ■ Cincinnati, Ohio ■ 45241-2097
513.759.0004 ■ Fax 513.563.7099 ■ www.mcgillsmithpunshon.com



1. North 40°33'34" East, 18.11 feet to a set 5/8" iron pin;
2. Along an arc deflecting to the left, having a radius of 40.00 feet, a central angle of 56°56'17", a length of 39.75 feet, the chord of said arc bears North 69°01'43" East, 38.13 feet to a set 5/8" iron pin;
3. North 40°33'34" East, 17.26 feet to a set 5/8" iron pin;
4. South 49°26'26" East, 10.78 feet to a set 5/8" iron pin;
5. North 40°33'34" East, 104.13 feet to a set 5/8" iron pin;
6. North 90°00'00" East, 6.58 feet to the Real Point of Beginning.

Containing 0.1219 acres of land.

Subject to all legal highways, easements and restrictions of record.

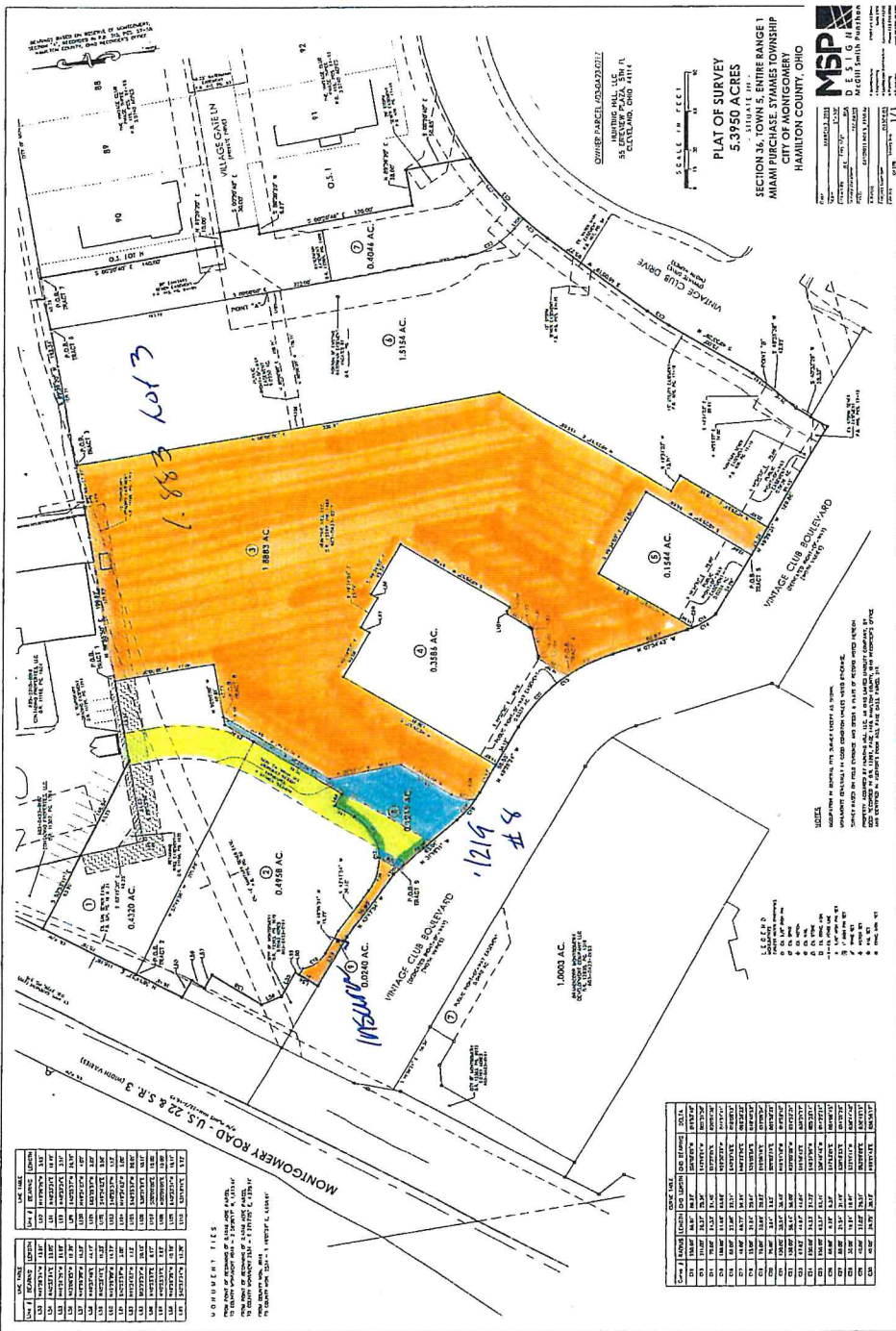
The above description was prepared by McGill Smith Punshon, Inc., under the direction of Jerry L. Keller, P.S., Ohio Registration No. 7584. The bearings in the above description are based on the Reserve of Montgomery, Section 4 as recorded in P.B. 315, Pages 57-58, Hamilton County, Ohio Recorder's Office.

Prepared by: McGill Smith Punshon, Inc.

Date: June 11, 2018

MSP No.: 04308.06

04308033-LEG-Q_1219 Ac-Tract 8.docx



PLAT OF SURVEY
5.3750 ACRES
 SECTION 36, TOWN 5, ENTIRE RANGE 1
 MIAMI PURCHASE, SYMMES TOWNSHIP
 CITY OF MONTGOMERY
 HAMILTON COUNTY, OHIO

SCALE IN FEET
 1" = 20'

MSP
ENGINEERING, INC.
 45 E. WYCKOFF AVE., SUITE 100
 CLEVELAND, OHIO 44115
 PHONE: (216) 421-1111
 FAX: (216) 421-1112
 WWW.MSP-ENG.COM

MONUMENT TIES

LINE	BEARING	DISTANCE
1	N 89° 15' 00" W	100.00
2	S 89° 15' 00" E	100.00
3	N 00° 00' 00" E	100.00
4	S 00° 00' 00" W	100.00
5	N 89° 15' 00" W	100.00
6	S 89° 15' 00" E	100.00
7	N 00° 00' 00" E	100.00
8	S 00° 00' 00" W	100.00
9	N 89° 15' 00" W	100.00
10	S 89° 15' 00" E	100.00
11	N 00° 00' 00" E	100.00
12	S 00° 00' 00" W	100.00
13	N 89° 15' 00" W	100.00
14	S 89° 15' 00" E	100.00
15	N 00° 00' 00" E	100.00
16	S 00° 00' 00" W	100.00
17	N 89° 15' 00" W	100.00
18	S 89° 15' 00" E	100.00
19	N 00° 00' 00" E	100.00
20	S 00° 00' 00" W	100.00
21	N 89° 15' 00" W	100.00
22	S 89° 15' 00" E	100.00
23	N 00° 00' 00" E	100.00
24	S 00° 00' 00" W	100.00
25	N 89° 15' 00" W	100.00
26	S 89° 15' 00" E	100.00
27	N 00° 00' 00" E	100.00
28	S 00° 00' 00" W	100.00
29	N 89° 15' 00" W	100.00
30	S 89° 15' 00" E	100.00
31	N 00° 00' 00" E	100.00
32	S 00° 00' 00" W	100.00
33	N 89° 15' 00" W	100.00
34	S 89° 15' 00" E	100.00
35	N 00° 00' 00" E	100.00
36	S 00° 00' 00" W	100.00
37	N 89° 15' 00" W	100.00
38	S 89° 15' 00" E	100.00
39	N 00° 00' 00" E	100.00
40	S 00° 00' 00" W	100.00
41	N 89° 15' 00" W	100.00
42	S 89° 15' 00" E	100.00
43	N 00° 00' 00" E	100.00
44	S 00° 00' 00" W	100.00
45	N 89° 15' 00" W	100.00
46	S 89° 15' 00" E	100.00
47	N 00° 00' 00" E	100.00
48	S 00° 00' 00" W	100.00
49	N 89° 15' 00" W	100.00
50	S 89° 15' 00" E	100.00
51	N 00° 00' 00" E	100.00
52	S 00° 00' 00" W	100.00
53	N 89° 15' 00" W	100.00
54	S 89° 15' 00" E	100.00
55	N 00° 00' 00" E	100.00
56	S 00° 00' 00" W	100.00
57	N 89° 15' 00" W	100.00
58	S 89° 15' 00" E	100.00
59	N 00° 00' 00" E	100.00
60	S 00° 00' 00" W	100.00
61	N 89° 15' 00" W	100.00
62	S 89° 15' 00" E	100.00
63	N 00° 00' 00" E	100.00
64	S 00° 00' 00" W	100.00
65	N 89° 15' 00" W	100.00
66	S 89° 15' 00" E	100.00
67	N 00° 00' 00" E	100.00
68	S 00° 00' 00" W	100.00
69	N 89° 15' 00" W	100.00
70	S 89° 15' 00" E	100.00
71	N 00° 00' 00" E	100.00
72	S 00° 00' 00" W	100.00
73	N 89° 15' 00" W	100.00
74	S 89° 15' 00" E	100.00
75	N 00° 00' 00" E	100.00
76	S 00° 00' 00" W	100.00
77	N 89° 15' 00" W	100.00
78	S 89° 15' 00" E	100.00
79	N 00° 00' 00" E	100.00
80	S 00° 00' 00" W	100.00
81	N 89° 15' 00" W	100.00
82	S 89° 15' 00" E	100.00
83	N 00° 00' 00" E	100.00
84	S 00° 00' 00" W	100.00
85	N 89° 15' 00" W	100.00
86	S 89° 15' 00" E	100.00
87	N 00° 00' 00" E	100.00
88	S 00° 00' 00" W	100.00
89	N 89° 15' 00" W	100.00
90	S 89° 15' 00" E	100.00
91	N 00° 00' 00" E	100.00
92	S 00° 00' 00" W	100.00
93	N 89° 15' 00" W	100.00
94	S 89° 15' 00" E	100.00
95	N 00° 00' 00" E	100.00
96	S 00° 00' 00" W	100.00
97	N 89° 15' 00" W	100.00
98	S 89° 15' 00" E	100.00
99	N 00° 00' 00" E	100.00
100	S 00° 00' 00" W	100.00

AREA TABLE

Lot	Area (Ac)	Area (Sq Ft)
1	0.4320	29,700
2	0.4158	28,700
3	1.8871	131,800
4	0.3358	23,100
5	0.4234	29,100
6	0.4158	28,700
7	0.4320	29,700
8	0.4158	28,700
9	0.4320	29,700
10	0.4158	28,700
11	0.4320	29,700
12	0.4158	28,700
Total	5.3750	375,000

MONUMENT TIES
 TO BE MADE TO THE CORNERS OF THE
 SECTION 36, TOWN 5, RANGE 1,
 MIAMI PURCHASE, SYMMES TOWNSHIP,
 CITY OF MONTGOMERY,
 HAMILTON COUNTY, OHIO.

NOTES
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS ARE TO THE CENTER OF THE LINE.
 3. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD.
 4. ALL DIMENSIONS ARE TO THE CENTER OF THE RIVER.
 5. ALL DIMENSIONS ARE TO THE CENTER OF THE CANAL.