**ORDINANCE NO. 10 , 2009**

**AN ORDINANCE ACCEPTING PUBLICLY DEDICATED PROPERTY ABUTTING 7667 PFEIFFER ROAD, MONTGOMERY, OHIO**

**WHEREAS,** Harry H. and Min L. Hsu ("Hsu") are the owners of certain real property located at 7667 Pfeiffer Road, Montgomery, Ohio, which property is being subdivided for residential development; and

**WHEREAS,** as a part of such proposed subdivision, the Hsu's have offered to dedicate .0399 acres of land abutting their property and Pfeiffer Road for right-of-way; and

**WHEREAS,** the City desires to accept such grant of right-of-way to be dedicated to the public use.

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

**SECTION 1.** Council hereby accepts the real property for publicly dedicated right-of-way abutting 7667 Pfeiffer Road, Montgomery, Ohio, which right-of-way area contains approximately .0399 acres and is more particularly described on Exhibit A attached hereto and incorporated herein by reference, and depicted on Exhibit B of the attached subdivision plat prepared for recording. The City accepts such property to be dedicated to the public use for all purposes permitted under law.

**SECTION 2.** This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: October 7, 2009

ATTEST: Susan J. Hamm
Susan J. Hamm, Clerk of Council

Gerri Harbison
Gerri Harbison, Mayor

APPROVED AS TO FORM:
Terrence M. Donnellon, Law Director

# HSU SUBDIVISION

SITUATED IN
SECTION 10, TOWN 4, RANGE 1
CITY OF MONTGOMERY
SYCAMORE TOWNSHIP
HAMILTON COUNTY, OHIO
ALSO BEING ALL OF LOT "A"
MONTGOMERY PEACHTREE SUBDIVISION
AS RECORDED IN PB 217, PG. 50
HAMILTON COUNTY RECORDER'S OFFICE
AND OTHER UNPLATTED LANDS
AS RECORDED IN OR 10281, PG. 2653

AUDITOR'S BOOK 603, PAGE 12
PARCEL 29 & 32

OWNERS CERTIFIATE

1. THE UNDERSIGNED, BEING OWNERS OF 1.2917 ACRES OF LAND IN SECTION 10, TOWN 4, RANGE 1, CITY OF MONTGOMERY, HAMILTON COUNTY, OHIO AND ALSO BEING KNOWN AS HSU SUBDIVISION, IN SAID CITY, DO HEREBY DEDICATE TO THE PUBLIC FOREVER, IN ACCORDANCE WITH THE LAWS IN SUCH CASES MADE AND PROVIDED, THE STREETS AND ROADWAYS AS SHOWN ON SAID PLAT, CERTIFYING THE SAME TO BE FREE AND UNENCUMBERED.

2. UTILITY EASEMENTS ARE PROVIDED ON THIS PLAT AND DESIGNATED AS SUCH. NO IMPROVEMENT OR IMPEDIMENT OF ANY KING SHALL BE MADE ON SAID UTILITY EASEMENT WHICH WILL INTERFERE WITH ACCESS TO THE SAID UTILITY. THE CITY OF MONTGOMERY, AND/OR THE UTILITY COMPANY SHALL NOT BE RESPONSIBLE TO ANY PRESENT OR FUTURE OWNER(S) OF SAID LOT FOR ANY DAMAGE DONE ON SAID EASEMENT TO SOD, SHRUBBERY, OR OTHER IMPROVEMENTS NATURAL OR ARTIFICIAL BY REASON OF ENTRY FOR PURPOSES OF CONSTRUCTING, MAINTAINING, REPLACING OR REPAIRING THE UTILITY. THE ERECTION OR PLACEMENT OF ANY STRUCTURE AND PLANTING OR PLACEMENT OF ANY TREES ON SAID UTILITY EASEMENT SHALL ALSO BE PROHIBITED.

   PRIVATE DRAINAGE EASEMENTS ARE PROVIDED ON THIS PLAT AND DESIGNATED AS SUCH. THE CITY OF MONTGOMERY DOES NOT ACCEPT PRIVATE DRAINAGE EASEMENTS SHOWN ON THIS PLAT AND THE CITY OF MONTGOMERY IS NOT OBLIGATED TO MAINTAIN OR REPAIR ANY CHANNELS OR INSTALLATIONS IN SAID EASEMENT. THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER OF THE LOT. WITHIN THESE EASEMENTS, NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD OR CHANGE THE DIRECTION OF THE FLOW OF THE WATER THROUGH THE DRAINAGE CHANNEL IN THE EASEMENT.

3. THE LOTS ARE NUMBERED FROM 1 TO 2 INCLUSIVE.

4. ALL PUBLIC IMPROVEMENTS INCLUDED AS PART OF THIS SUBDIVISION SHALL BE CONSTRUCTED AND DESIGNED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE "DESIGN, CONSTRUCTION AND MATERIAL SPECIFICATION HANDBOOK FOR MONTGOMERY, OHIO" AND ALL OTHER APPLICABLE ORDINANCES ADOPTED BY THE CITY OF MONTGOMERY.

"IN WITNESS THEREOF WE HAVE HEREUNTO SET OUR HAND THIS _____DAY OF _____, 20__.

WITNESS: _____ SIGNED: _____

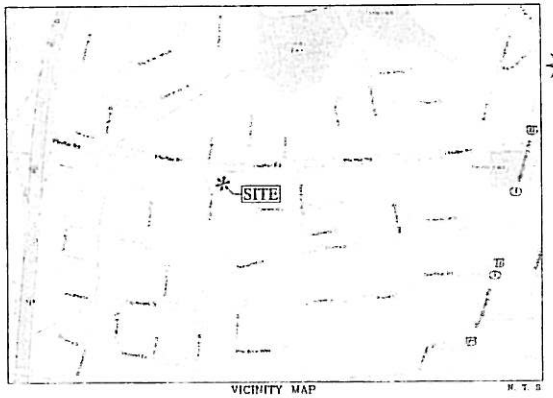
_____ _____

STATE OF OHIO, COUNTY OF HAMILTON, SS:

BE IT KNOWN, THAT ON THIS _____DAY OF _____, 2009, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, PERSONALLY CAME HARRY HSU AND MIN HSU (HUSBAND AND WIFE), WHO THEN AND HERE DID ACKNOWLEDGE THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTORIAL SEAL ON THE DAY AND YEAR AFORESAID."

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC




VICINITY MAP N. T. S.

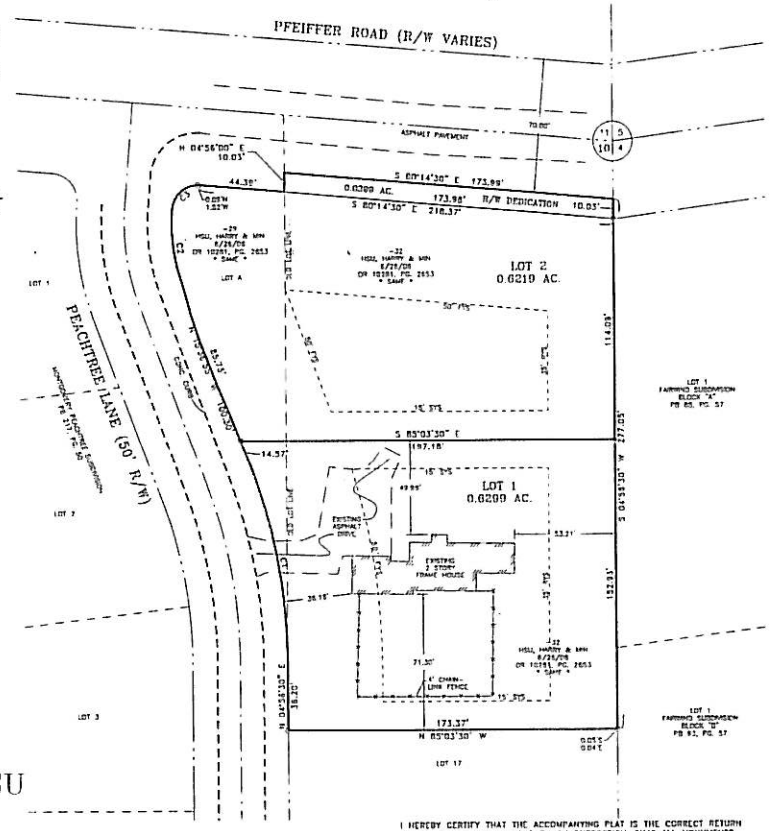
| ACREAGE TABLE | |
|---|---|
| LOTS | 1.2918 |
| R/W | 0.0399 |
| TOTAL | 1.2917 |

| CURVE TABLE | | | | |
|---|---|---|---|---|
| CURVE | ARC LENGTH | RADIUS | CHORD BEARING | CHORD LENGTH |
| C1 | 105.33' | 293.57' | N 02°22'13" W | 104.78' |
| C2 | 40.08' | 60.50' | N 02°55'43" W | 39.75' |
| C3 | 21.99' | 14.00' | N 54°45'30" E | 19.80' |

LEGEND
O IRON PIN FOUND-1/2"
● IRON PIN SET - 1/2"

BASIS OF BEARINGS: PB 217, PG. 50

DEED REFERENCE: OR 10281, PG. 2653




| Lot 1 Profile | Bearing | Distance | Northing | Easting | 6/2/2009 Station | Desc |
|---|---|---|---|---|---|---|
| 1 | | | 4723.96 | 4976.13 | 0.00 | |
| | N 85°03'30" W 173.37 | | | | | |
| 126 | | | 4728.92 | 4803.41 | 173.37 | |
| | N 04°56'30" E 36.20 | | | | | |
| PP | | | 4774.88 | 4806.53 | 209.57 | |
| Radius: 293.57 Chord: 104.78 Degree: 19°31'01" Dir: Left Length: 105.33 Delta: 20°33'23" Tangent: 53.24 Chord BRG: N 02°22'13" W Rad-In: N 85°03'30" W Rad-Out: S 74°23'05" W Radius Profile: PP N: 4803.27 E: 4514.03 | | | | | | |
| PP | | | 4879.29 | 4796.78 | 314.93 | |
| | N 15°38'55" W 14.57 | | | | | |
| PP | | | 4893.33 | 4792.96 | 329.47 | |
| | S 85°03'30" E 197.18 | | | | | |
| PP | | | 4876.31 | 4989.31 | 526.65 | |
| | S 04°56'30" W 152.83 | | | | | |
| 2 | | | 4723.96 | 4976.13 | 679.57 | |
| Area: 27437 S.F., 0.6299 Acres | | | | | | |

| Lot 2 Profile | Bearing | Distance | Northing | Easting | 6/2/2009 Station | Desc |
|---|---|---|---|---|---|---|
| PP | | | 4876.34 | 4989.31 | 0.00 | |
| | N 85°03'30" W 197.18 | | | | | |
| PP | | | 4893.33 | 4792.96 | 197.18 | |
| | N 15°38'55" W 83.73 | | | | | |
| PP | | | 4975.99 | 4769.78 | 322.91 | |
| Radius: 90.50 Chord: 34.75 Degree: 63°18'37" Dir: Right Length: 35.05 Delta: 22°22'26" Tangent: 25.37 Chord BRG: N 02°55'43" W Rad-In: N 74°23'04" E Rad-Out: S 52°14'30" E Radius Profile: PP N: 5000.29 E: 4858.94 | | | | | | |
| PP | | | 5015.59 | 4767.72 | 322.99 | |
| Radius: 14.00 Chord: 19.80 Degree: 40°15'20" Dir: Right Length: 21.99 Delta: 90°00'00" Tangent: 14.00 Chord BRG: N 54°45'13" E Rad-In: S 52°15'05" E Rad-Out: S 09°45'30" W Radius Profile: PP N: 5013.22 E: 4781.25 | | | | | | |
| PP | | | 5027.07 | 4783.93 | 344.98 | |
| | S 80°14'30" E 216.37 | | | | | |
| PP | | | 4990.01 | 4999.14 | 561.35 | |
| | S 04°56'30" W 114.09 | | | | | |
| PP | | | 4876.34 | 4989.31 | 677.44 | |
| Area: 27089 S.F., 0.6219 Acres | | | | | | |

| Right-of-Way Profile | Bearing | Distance | Northing | Easting | 6/2/2009 Station | Desc |
|---|---|---|---|---|---|---|
| PP | | | 4990.00 | 4999.14 | 0.00 | |
| | N 80°14'30" W 173.99 | | | | | |
| PP | | | 5019.48 | 4827.67 | 173.99 | |
| | N 04°56'30" E 10.03 | | | | | |
| PP | | | 5029.49 | 4828.53 | 184.02 | |
| | S 80°14'30" E 173.99 | | | | | |
| 1 | | | 5000.00 | 5000.00 | 358.00 | |
| | S 04°56'30" W 10.03 | | | | | |
| PP | | | 4990.00 | 4999.14 | 368.04 | |
| Area: 1739 S.F., 0.0399 Acres | | | | | | |

APPROVED BY THE PLANNING COMMISSION, CITY OF MONTGOMERY, OHIO,

THIS DAY ___ OF _____, 2009

ENTERED FOR TRANSFER _____, 20__

TRANSFERRED _____, 20__

_____
AUDITOR, HAMILTON COUNTY, OHIO

BY _____ DEPUTY

FILED FOR RECORD _____ AT _____

RECORDED _____, 20__

PLAT BOOK _____ PAGE _____

RECORDER, HAMILTON COUNTY OHIO

BY _____, DEPUTY

FILE _____ FEE _____

OWNER / DEVELOPER

HARRY H. & MIN L. HSU
7667 PFEIFFER ROAD
CINCINNATI, OHIO 45242
(513) 739-1281

PLANS PREPARED BY:

J. T. KING & CO., INC.
CIVIL ENGINEERS-LAND SURVEYORS
9200 MONTGOMERY ROAD, SUITE 21B
CINCINNATI, OHIO 45242
(513) 793-7667
www.jtking.com

I HEREBY CERTIFY THAT THE ACCOMPANYING PLAT IS THE CORRECT RETURN OF A SURVEY MADE BY ME FOR HSU SUBDIVISION, THAT ALL MONUMENTS HAVE BEEN SET, AND SUBDIVISION REGULATIONS OF THE CITY OF MONTGOMERY, OHIO HAS BEEN COMPLIED WITH TO THE BEST OF MY KNOWLEDGE.

SIGNATURE
REG SURVEYOR NO. 6549 IN OHIO

0' 30' 60' 90'
SCALE: 1"= 30'

REV. 06/18/09
05217-S
SHEET 1 OF 1
HSU SUBDIVISION

EXHIBIT "B"