ORDINANCE NO. 13 , 2011

AN ORDINANCE ACCEPTING ADDITIONAL PUBLICLY DEDICATED EASEMENT RIGHTS FROM VARIOUS PROPERTIES FOR THE MONTGOMERY ROAD CORRIDOR SIGNALIZATION PROJECT

WHEREAS, by Ordinance No. 11, 2011, which was adopted by City Council on September 7, 2011, Council did accept certain publicly dedicated easement rights along the Montgomery Road corridor in support of the Montgomery Road Corridor Signalization Project; and

WHEREAS, the City has negotiated with additional property owners within the corridor to acquire certain easement rights so that the signalization improvements in place, or improvements as they may be reconstructed, will be located in areas dedicated for appropriate public use; and

WHEREAS, Council does desire to accept these additional property rights for and on behalf of the City and to authorize the City Manager to finalize these Easement Agreements.

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

SECTION 1. Council hereby accepts easement rights, dedicated for public use, in support of Montgomery Road improvements, signalization improvements related with managing traffic along Montgomery Road, and certain supporting pedestrian walkways for the following properties as identified in the separate Easement Agreements and the plats from such Agreements attached hereto:

A. Property owned by the Myers Y. Cooper Company in the 9800-9900 block of Montgomery Road, Montgomery, Ohio 45242, Auditor's Parcel Number 603-0008-0466.

B. Property owned by Key Bank, N.A. (formerly Society Bank, N.A.) at 9861, Montgomery, Ohio 45242, Auditor's Parcel Number 603-0008-0225.

C. Property owned by Camargo Cadillac Company at 9880 Montgomery Road, Montgomery, Ohio 45242, Auditor's Parcel Number 603-0008-0010.

SECTION 2. Consistent with the terms of the Easement Agreements, the City shall be responsible to construct and install the public improvements at the location depicted therein and to maintain such public improvements consistent with the terms of the separate Easement Agreements.

SECTION 3. The City Manager is directed to execute any and all documentation necessary to accept these property rights, and thereafter to accept the responsibility for maintenance of such public improvements upon this property.

SECTION 4. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: November 2, 2011

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

Gerri Harbison
Gerri Harbison, Mayor

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