

ORDINANCE NO. 2 , 2011

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO DEDICATE CERTAIN PORTIONS OF CITY OWNED PROPERTY FOR PUBLIC ROADWAY AND UTILITY EASEMENTS ALONG PFEIFFER ROAD NEAR STORYBOOK DRIVE**

**WHEREAS**, the City did construct certain public improvements connecting Storybook Drive and Twinkle Lane parallel to Pfeiffer Road when the City acquired certain real estate rights on or about 1996; and

**WHEREAS**, as a part of the Storybook Drive/Pfeiffer Road intersection improvements project, it was discovered that the roadway constructed between Storybook Drive and Twinkle Lane had not been appropriately dedicated as a public easement; and

**WHEREAS**, it is the intent of this Ordinance to authorize the City Manager to execute documentation necessary to correct these errors to qualify the appropriate utility easements along such public roadway and to dedicate a portion of such City owned land to the right-of-way for such roadway.

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

**SECTION 1.** The City Manager is hereby authorized to execute any and all documentation necessary to dedicate the public roadway and appropriate utility easements for the public roadway connecting Storybook Drive and Twinkle Lane as depicted upon the attached Exhibit A.

**SECTION 2.** The dedicated right-of-way and public improvements as depicted on the attached Exhibit A are hereby accepted by the City and shall continue to be dedicated for public use consistent with the terms of all right-of-way easements.

**SECTION 3.** This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: April 6, 2011

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

Gerri Harbison  
Gerri Harbison, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon  
Terrence M. Donnellon, Law Director





CDS ASSOCIATES, INC.

**Legal Description  
Roadway & Utility Easement  
Storybook Acres, Section A  
Lot 19**

Situated in Section 11, Town 4, Entire Range 1, Sycamore Township, City of Montgomery, being a Roadway and Utility Easement over and through Lot 19 of Storybook Acres Subdivision, Section A, recorded in Plat Book 5, Page 56, Registered Land (all references to recorded documents are to those of the Hamilton County Recorder's Office in Cincinnati, Ohio) and the property conveyed to the City of Montgomery, Ohio by deed recorded in Official Record 6742, Page 637, being more particularly described as follows:

Commencing at the grantor's northeasterly corner, said point being the northeasterly corner of Lot 19 and in the westerly line of Storybook Drive;

Thence along the westerly line of Storybook Drive, South 10°21'35" West, a distance of 9.41 feet to the **Principal Point of Beginning** for this description;

Thence continuing along said westerly line, South 10°21'35" West, a distance of 40.02 feet;

Thence through the grantor's property, along the herein described Roadway & Utility Easement, for the following two (2) courses:

1. North 77°38'37" West, a distance of 162.57 feet;
2. along an arc deflecting to the right, having a radius of 880.00 feet, an arc length of 40.10 feet and a chord bearing North 76°20'17" West, a chord distance of 40.10 feet to a point in the grantor's easterly line, being the easterly line of Lot 19;

Thence along said easterly line, North 10°21'35" East, a distance of 40.14 feet;

Thence through the grantor's property, along the herein described Roadway & Utility Easement, for the following two (2) courses:

1. along an arc deflecting to the left, having a radius of 840.00 feet, an arc length of 41.50 and a chord bearing South 76°13'41" East, a chord distance of 41.50 feet;
2. South 77°38'37" East, a distance of 161.17 feet to the Point of Beginning;

Containing 8108 square feet, more or less, and being subject to all easements, restrictions, covenants and/or conditions of record.

**CDS Associates, Inc.**  
December 10, 2010  
2010031-020

EASEMENT-LOT 19.TXT

12-08-2010

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AREA BEARINGS (1-3 C 4 R 5 6 C 4 L 7 8 1)  
 AREA = 4053.2014 (ACRES = .0930)

POINT	BEARING	DISTANCE	NORTH COORDINATE	EAST COORDINATE
1			5000.0000	5000.0000
2	S 10 21 35.000 W	20.0100	4980.3162	4996.4016
3	N 77 28 22.000 W	154.9400	5013.9232	4845.1503
4	N 12 31 38.000 E	1010.0000 (RADIAL) CURVE CENTER	5999.8782	5064.2228
5	S 15 14 11.670 W	1010.0000 (RADIAL)	5025.3808	4798.7896
6	N 10 21 35.000 E	20.0700	5045.1236	4802.3987
4	N 15 20 07.161 E	990.0041 (RADIAL) CURVE CENTER	5999.8782	5064.2228
7	S 12 31 38.144 W	990.0041 (RADIAL)	5033.4432	4849.4868
8	S 77 28 22.000 E	154.1900	4999.9989	5000.0060
1	N 79 13 46.253 W	.0061	5000.0000	5000.0000

CIRCULAR CURVE 3 4 5 R  
 CENTRAL ANGLE = 2 42 33.670  
 CHORD DIRECTION = N 76 07 05.165 W  
 RADIUS = 1010.0000  
 LENGTH = 47.7600  
 TANGENT = 23.8845  
 CHORD = 47.7556  
 EXTERNAL = .2824  
 MIDDLE ORDINATE = .2823

CIRCULAR CURVE 6 4 7 L  
 CENTRAL ANGLE = 2 48 29.017  
 CHORD DIRECTION = S 76 04 07.347 E  
 RADIUS = 990.0041  
 LENGTH = 48.5200  
 TANGENT = 24.2649  
 CHORD = 48.5151  
 EXTERNAL = .2973  
 MIDDLE ORDINATE = .2972

CLOSURE (1-3 C 4 R 5 6 C 4 L 7 8) 1  
 LENGTH OF TRAVERSE = 4349.2183  
 CLOSURE DISTANCE = .0061  
 CLOSURE DIRECTION = N 79 13 46.253 W  
 CLOSURE RATIO = 1/ 712014.3

PRINTER OFF  
 \*\* PRINTER HAS BEEN TURNED OFF



CDS ASSOCIATES, INC.

**Legal Description  
Roadway & Utility Easement  
Storybook Acres, Section A  
Lot 20**

Situated in Section 11, Town 4, Entire Range 1, Sycamore Township, City of Montgomery, being a Roadway and Utility Easement over and through Lot 20 of Storybook Acres Subdivision, Section A, recorded in Plat Book 5, Page 56, Registered Land (all references to recorded documents are to those of the Hamilton County Recorder's Office in Cincinnati, Ohio) and the property conveyed to the City of Montgomery, Ohio by deed recorded in Official Record 6742, Page 635, being more particularly described as follows:

Commencing at the grantor's southwesterly corner, said point being the southwesterly corner of Lot 20 and in the northerly line of Pfeiffer Road;

Thence along the grantor's westerly line, North 10°21'35" East, a distance of 72.20 feet to the **Principal Point of Beginning** for this description;

Thence continuing along said westerly line, North 10°21'35" East, a distance of 40.61 feet;

Thence through the grantor's property, along the herein described Roadway & Utility Easement, for the following two (2) courses:

1. South 69°41'42" East, a distance of 26.00 feet;
2. along an arc deflecting to the left, having a radius of 840.00 feet, an arc length of 75.03 feet and a chord bearing South 72°15'14" East, a chord distance of 75.01 feet to a point in the grantor's easterly line, being the easterly line of Lot 20;

Thence along said easterly line, South 10°21'35" West, a distance of 40.14 feet;

Thence through the grantor's property, along the herein described Roadway & Utility Easement, for the following two (2) courses:

1. along an arc deflecting to the right, having a radius of 880.00 feet, an arc length of 81.98 and a chord bearing North 72°21'50" West, a chord distance of 81.95 feet;
2. North 69°41'42" West, a distance of 18.99 feet to the Point of Beginning;

Containing 4040 square feet, more or less, and being subject to all easements, restrictions, covenants and/or conditions of record.

**CDS Associates, Inc.**  
December 10, 2010  
2010031-020

EASEMENT-LOT 20.TXT

12-08-2010

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AREA BEARINGS (1-3 C 4 L 5 6 C 4 R 7 8 1)  
 AREA = 2018.5133 (ACRES = .0463)

POINT	BEARING	DISTANCE	NORTH COORDINATE	EAST COORDINATE
1			5000.0000	5000.0000
2	N 10 21 35.000 E	20.2800	5019.9494	5003.6469
3	S 70 04 58.000 E	21.7900	5012.5264	5024.1336
4	N 19 55 02.000 E	990.0000 (RADIAL)	5943.3103	5361.3891
5	S 15 20 07.066 W	990.0000 (RADIAL)	4988.5595	5099.5666
6	S 10 21 35.000 W	20.0700	4968.8167	5095.9574
7	N 15 14 11.576 E	1009.9959 (RADIAL)	5943.3103	5361.3891
8	S 19 55 02.050 W	1009.9959 (RADIAL)	4993.7266	5017.3215
1	N 70 04 58.000 W	18.4200	5000.0016	5000.0033
1	S 63 40 33.270 W	.0036	5000.0000	5000.0000

CIRCULAR CURVE 3 4 5 L  
 CENTRAL ANGLE = 4 34 54.934  
 CHORD DIRECTION = S 72 22 25.467 E  
 RADIUS = 990.0000  
 LENGTH = 79.1700  
 TANGENT = 39.6061  
 CHORD = 79.1489  
 EXTERNAL = .7919  
 MIDDLE ORDINATE = .7913

CIRCULAR CURVE 6 4 7 R  
 CENTRAL ANGLE = 4 40 50.474  
 CHORD DIRECTION = N 72 25 23.187 W  
 RADIUS = 1009.9959  
 LENGTH = 82.5100  
 TANGENT = 41.2780  
 CHORD = 82.4871  
 EXTERNAL = .8432  
 MIDDLE ORDINATE = .8424

CLOSURE (1-3 C 4 L 5 6 C 4 L 7 8) 1

LENGTH OF TRAVERSE = 4080.5517  
 CLOSURE DISTANCE = .0036  
 CLOSURE DIRECTION = S 63 40 33.270 W  
 CLOSURE RATIO = 1/ 1120049.2

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 \*\* PRINTER HAS BEEN TURNED OFF



CDS ASSOCIATES, INC.

**Legal Description  
Roadway & Utility Easement  
Storybook Acres, Section A  
Lot 21**

Situated in Section 11, Town 4, Entire Range 1, Sycamore Township, City of Montgomery, being a Roadway and Utility Easement over and through Lot 21 of Storybook Acres Subdivision, Section A, recorded in Plat Book 5, Page 56, Registered Land (all references to recorded documents are to those of the Hamilton County Recorder's Office in Cincinnati, Ohio) and the property conveyed to the City of Montgomery, Ohio by deed recorded in Official Record 6742, Page 636, being more particularly described as follows:

Commencing at the grantor's southwesterly corner, said point being the southwesterly corner of Lot 21 and the intersection of the northerly line of Pfeiffer Road with the easterly line of Twinkle Lane;

Thence along the easterly line of Twinkle Lane, North 10°21'35" East, a distance of 81.65 feet to the **Principal Point of Beginning** for this description;

Thence continuing along said easterly line, North 10°21'35" East, a distance of 48.69 feet;

Thence through the grantor's property, along the herein described Roadway & Utility Easement, South 69°41'42" East, a distance of 101.53 feet to the grantor's easterly line, being the easterly line of Lot 21;

Thence along said easterly line, South 10°21'35" West, a distance of 40.61 feet;

Thence through the grantor's property, along the herein described Roadway & Utility Easement for the following two (2) courses:

1. North 69°41'42" West, a distance of 85.38 feet;
2. South 81°56'38" West, a distance of 16.76 feet to the Point of Beginning;

Containing 4125 square feet, more or less, and being subject to all easements, restrictions, covenants and/or conditions of record.

**CDS Associates, Inc.**  
December 10, 2010  
2010031-020

EASEMENT-LOT 21.TXT

12-08-2010

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AREA BEARINGS (1-9 1)  
 AREA = 2280.7733 (ACRES = .0524)

POINT	BEARING	DISTANCE	NORTH COORDINATE	EAST COORDINATE
1			5000.0000	5000.0000
2	N 10 21 35.000 E	36.2900	5035.6984	5006.5259
3	S 23 04 58.000 E	38.7400	5000.0600	5021.7144
4	S 68 04 58.000 E	57.6100	4978.5561	5075.1606
5	S 70 04 58.000 E	22.5200	4970.8843	5096.3335
6	S 10 21 35.000 W	20.2800	4950.9350	5092.6866
7	N 70 04 58.000 W	26.2400	4959.8739	5068.0162
8	N 68 04 58.000 W	66.2400	4984.5991	5006.5637
9	N 23 04 58.000 W	16.7500	5000.0081	4999.9967
1	S 22 09 23.152 E	.0087	5000.0000	5000.0000

CLOSURE (1-9) 1

LENGTH OF TRAVERSE = 284.6700  
 CLOSURE DISTANCE = .0087  
 CLOSURE DIRECTION = S 22 09 23.152 E  
 CLOSURE RATIO = 1/32571.5

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