ORDINANCE NO. 8 , 2011

AN ORDINANCE AMENDING ORDINANCE 10, 2009 TO CORRECT AREA ACCEPTED AS RIGHT-OF-WAY

WHEREAS, Council did adopt Ordinance 10, 2009 on October 7, 2009, accepting real property for public right-of-way from Harry H. and Min L. Hsu abutting 7667 Pfeiffer Road, Montgomery, Ohio; and

WHEREAS, the plat map attached to such Ordinance, and the text of such Ordinance, acknowledged that the area in question contained approximately .0399 acres; and

WHEREAS, an updated review of the property records by the County Engineer, the County Auditor, and the land surveyors employed by the Hsus discovered that the right-of-way area in question runs to the centerline of Pfeiffer Road, and therefore the area to be dedicated, to be consistent with the contiguous properties, totals 0.1598 acres; and

WHEREAS, the purpose of this Ordinance is to correct the prior Ordinance and accept the corrected plat.

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

SECTION 1. Ordinance No. 10, 2009 is hereby corrected to acknowledge that Council accepts the real property for publicly dedicated right-of-way abutting 7667 Pfeiffer Road, Montgomery, Ohio, containing approximately 0.1598 acres, as more particularly described on Exhibit A attached hereto and incorporated herein by reference, and as depicted on Exhibit B of the attached subdivision plat prepared for

recording. The City accepts such property, as redefined, to be dedicated to the public use for all purposes permitted under law.

SECTION 2. Ordinance No. 10, 2009 is hereby amended as noted.

SECTION 3. The City Manager is hereby authorized to execute any and all documentation necessary to effect such transfer.

SECTION 4. This Ordinance shall take effect as a technical correction Ordinance and as administrative authorization directed to City management immediately upon passage.

PASSED: June 1, 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