

ORDINANCE NO. 1 , 2012

**AN ORDINANCE ACCEPTING PUBLICLY DEDICATED EASEMENT RIGHTS AND
STORM WATER IMPROVEMENTS FROM PROPERTY OWNERS IN THE
10600 BLOCK OF DEERFIELD ROAD**

WHEREAS, Natalie M. Ream and Marc Bryan Ream, Nina Paul, and Iris A. Bellos are property owners in the 10600 block of Deerfield Road, Montgomery, Ohio, being respectively Hamilton County Auditor's Parcel Numbers 603-0015-0388, 603-0015-0040 and 603-0015-0374, which properties are more fully described on Schedules A-1, A-2 and A-3 attached hereto; and

WHEREAS, the City of Montgomery, Ohio has contracted with the property owners to construct a storm sewer management system on and across such properties to appropriately manage storm water runoff from these properties and from the right-of-way of Deerfield Road; and

WHEREAS, these property owners have agreed to grant certain temporary and permanent easement rights to the City of Montgomery to allow the City access to the property, to construct such storm water management improvements, and to continue to maintain such public improvements in the future; and

WHEREAS, Council does desire to accept these property rights for and on behalf of the City and to commit to the construction and maintenance of such storm water management improvements now and in the future.

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

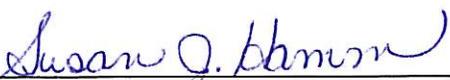
SECTION 1. Council hereby accepts both temporary construction easement and permanent easement rights from the property owners, Natalie M. Ream

and Marc Bryan Ream, Nina Paul, and Iris A. Bellos, upon and across properties located on Deerfield Road, being Auditor's Parcel Numbers 603-0015-0388, 603-0015-0040 and 603-0015-0374, and being more particularly described on Schedules A-1, A-2 and A-3 attached hereto and incorporated herein by reference. The easement areas in which the improvements will be constructed are described on the attached Schedules B-1, B-2 and B-3 and are further depicted in plats of the easement areas depicted on Schedules C-1, C-2 and C-3 attached hereto. It shall be the City of Montgomery's responsibility to construct and install these storm water management improvements within these easement areas and to maintain such public improvements consistent with the terms of separate Easement Agreements executed by and between the property owners and the City of Montgomery.

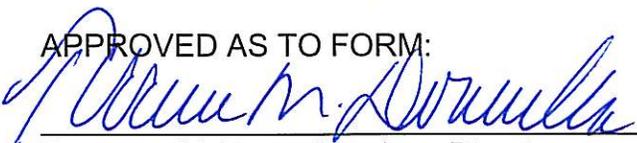
SECTION 2. The Acting Manager and/or City Manager is directed to execute any and all additional documentation as may be necessary to accept these property rights, and thereafter to accept responsibility for maintenance of such public improvements upon the property.

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

PASSED: January 4, 2012

ATTEST: 
Susan J. Hamm, Clerk of Council


Ken Suer, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon, Law Director

SCHEDULE A-1

Ream

Situate in Section 5, Town 4, Entire Range 1, Sycamore Township, City of Montgomery, Hamilton County, Ohio and being more particularly described as follows:

Beginning at a point in the west line of Section 5, said point lies North 00° 18' 00" West, 2200.12 feet from the southwest corner of said section; Thence, North 82° 26' 00" East, 770.35 feet to an iron pin at the southeast corner of lands conveyed to Calvin Ingram by deed recorded in Official Record 5671, Page 1021, Hamilton County, Ohio Recorder's Office;

Thence, with the east line of said Ingram, North 26° 20' 30" West, 95.23 feet to an iron pin and the real point of beginning for this description; Thence, with the lines of said Ingram, North 26° 20' 30" West, 95.23 feet to an iron pin and North 82° 26' 00" East, passing an iron pin at 268.71 feet to a total distance of 320.00 feet to a point in the centerline of Deerfield Road (40 foot right-of-way); thence, with said centerline, South 20° 28' 00" East, 92.50 feet to a point;

Thence, with a new division line, South 82° 26' 00" West, passing a set iron pin at 51.29 feet, a total distance of 310.00 feet to the real point of beginning.

Containing 0.6520 acres of land.

The above description was prepared from a plat of Survey 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 a Plat of Survey by Savage Walker and Associates dated December 22, 1989, (revised February 2, 1990) and April 12, 1993 and on file with the Hamilton County, Ohio Record of Land Surveys.

There are excepted from the warranty covenants set forth herein, matters of zoning, conditions and restrictions, and easements of-record.

603-0015-0388-00

DESCRIPTION ACCEPTABLE
HAMILTON COUNTY ENGINEER

Tax Map - 8-10-11 85

CAGIS - _____

603-15-388

SCHEDULE A-2

Paul

Legal Description
For File: 08SCC0320
Borrower: Paul

Situated in Section 5, Town 4, Entire Range 1, of the Miami Purchase, Sycamore Township, City of Montgomery, Hamilton County, Ohio and being part of the land as described in Deed Book 4390, Page 909 of the Deed Records of Hamilton County, Ohio and being more particularly described as follows:

Commencing at the southwest corner of Section 5, thence with the west line of said Section 5, North 00° 18' 00" West, 2413.35 feet to the northwest corner of Deed Book 4390, Page 909; thence with the north line of said Deed Book North 82° 26' 00" East, 453.53 feet to the real point of beginning of the parcel herein described; thence continuing with said north line North 82° 26' 00" East, 541.40 feet to the centerline of Deerfield Road; thence with said centerline South 20° 28' 00" East, 32.00 feet to the southeast corner of said Deed Book; thence with the lines of said Deed Book on the following courses: (1) South 82° 26' 00" Wests, 320.00 feet; (2) South 26° 20' 30" East, 190.46 feet; (3) South 82° 26' 00" West, 290.35 feet; thence leaving the lines of said Deed Book on a new division line of North 07° 25' 43" West, 211.52 feet to the real point of beginning, containing 1.4644 acres, more or less.

603-0015-0040-00

55

DESCRIPTION ACCEPTABLE
HAMILTON COUNTY ENGINEER

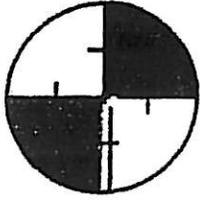
Tax Map -

10/15/08

CAGIS -

10979

304



**CINCINNATI
LAND
SURVEYING, INC.**

SCHEDULE B-1

1 of 2

Ream

11126 Kenwood Road, Suite A
Cincinnati, Ohio 45242
513/891-1611
Fax: 513/791-1936

**STORM SEWER EASEMENT DESCRIPTION
for CITY OF MONTGOMERY**

Situated in Section 5, Township 4, Entire Range 1 East, City of Montgomery, Hamilton County, Ohio, being part of the lands conveyed to Natalie M. and Marc Bryan Ream in O.R. 11795, Pg. 071 of said County's Records and being more particularly described as follows:

Commencing at the grantor's northeasterly property corner, said corner being in the centerline of Deerfield Road;

Thence, departing said centerline of Deerfield Road, along said grantor's northerly property line, S82°26'00"W, a distance of 124.61 feet to the Point of True Beginning,

Thence, through said grantor's lands along the lines of a 10 foot storm sewer easement, the following eight (8) courses and distances:

- 1) S45°22'51"W, a distance of 9.74 feet;
- 2) S76°15'36"W, a distance of 96.06 feet;
- 3) S47°49'20"W, a distance of 50.55 feet;
- 4) N42°10'40"W, a distance of 10.00 feet;
- 5) N47°49'20"E, a distance of 32.08 feet;
- 6) S76°15'36"W, a distance of 22.64 feet;
- 7) N13°44'24"W, a distance of 10.00 feet;
- 8) N76°15'36"E, a distance of 101.83 feet to a point in the aforementioned grantor's northerly property line;

Thence, along said grantor's northerly property line, N82°26'00"E, a distance of 46.50 feet to the Point of Beginning.

Containing 1757 total square feet of land, more or less, which is 0.0403 acre, being subject to all legal highways, rights-of-way, easements, covenants and / or restrictions of record.

This description was prepared by Jerome Wald, Professional Surveyor No. 6930 in the State of Ohio, from a field survey performed in September 2011.

SCHEDULE B-1

2 of 2

Storm Easement - Ream.txt

Parcel name: Stm Esmt - Ream

North: 5342.3512 East : 5469.5428
Line Course: S 45-22-51 W Length: 9.7407
North: 5335.5094 East : 5462.6094
Line Course: S 76-15-36 W Length: 96.0579
North: 5312.6941 East : 5369.3004
Line Course: S 47-49-20 W Length: 50.5493
North: 5278.7536 East : 5331.8400
Line Course: N 42-10-40 W Length: 10.0000
North: 5286.1642 East : 5325.1257
Line Course: N 47-49-20 E Length: 32.0840
North: 5307.7065 East : 5348.9020
Line Course: S 76-15-36 W Length: 22.6447
North: 5302.3280 East : 5326.9053
Line Course: N 13-44-24 W Length: 10.0000
North: 5312.0419 East : 5324.5302
Line Course: N 76-15-36 E Length: 101.8277
North: 5336.2276 East : 5423.4439
Line Course: N 82-26-00 E Length: 46.5038
North: 5342.3512 East : 5469.5428

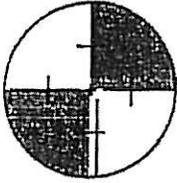
Perimeter: 379.4082 Area: 1,757.2854 sq.ft. 0.0403 acres

Mapcheck Closure - (Uses listed courses and chords)
Error Closure: 0.0000 Course: N 46-04-43 E
Error North: 0.00003 East : 0.00003
Precision 1: 379,408,100.0000

SCHEDULE B-2

1 of 2

Paul



**CINCINNATI
LAND
SURVEYING, INC.**

11126 Kenwood Road, Suite A
Cincinnati, Ohio 45242
513/891-1611
Fax: 513/791-1936

**STORM SEWER EASEMENT DESCRIPTION
for CITY OF MONTGOMERY**

Situated in Section 5, Township 4, Entire Range 1 East, City of Montgomery, Hamilton County, Ohio, being part of the lands conveyed to Nina Paul in O.R. 10979, Pg 303 of said County's Records and being more particularly described as follows:

Commencing at the grantor's northeasterly property corner, said corner being in the centerline of Deerfield Road;

Thence, departing said centerline of Deerfield Road, along said grantor's northerly property line, S82°26'00"W, a distance of 76.15 feet to the Point of True Beginning,

Thence, through said grantor's lands along the lines of a 10 foot storm sewer easement, the following four (4) courses and distances:

- 1) S45°22'51"W, a distance of 51.77 feet;
- 2) S82°26'00"W, a distance of 46.50 feet;
- 3) N76°15'36"E, a distance of 35.11 feet;
- 4) N45°22'51"E, a distance of 45.50 feet to a point in the aforementioned grantor's northerly property line;

Thence, along said grantor's northerly property line, N82°26'00"E, a distance of 16.60 feet to the Point of Beginning

Containing 574 total square feet of land, more or less, which is 0.0132 acre, being subject to all legal highways, rights-of-way, easements, covenants and / or restrictions of record.

This description was prepared by Jerome Wald, Professional Surveyor No. 6930 in the State of Ohio, from a field survey performed in September 2011

SCHEDULE B-2

2 of 2

Storm Easement - Paul.txt

Parcel name: Stm Esmt - Paul

North: 5378.7122 East : 5506.3902
Line Course: S 45-22-51 W Length: 51.7674
North: 5342.3513 East : 5469.5427
Line Course: S 82-26-00 W Length: 46.5038
North: 5336.2277 East : 5423.4438
Line Course: N 76-15-36 E Length: 35.1123
North: 5344.5674 East : 5457.5513
Line Course: N 45-22-51 E Length: 45.5010
North: 5376.5269 East : 5489.9385
Line Course: N 82-26-00 E Length: 16.5962
North: 5378.7123 East : 5506.3902

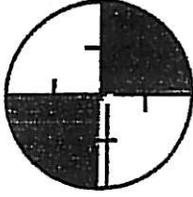
Perimeter: 195.4808 Area: 574.1363 sq.ft. 0.0132 acres

Mapcheck Closure - (Uses listed courses and chords)

Error Closure: 0.0001 Course: N 28-52-27 W

Error North: 0.00006 East : -0.00003

Precision 1: 1,954,807.0000



**CINCINNATI
LAND
SURVEYING, INC.**

SCHEDULE B-3

1 of 2

Bellos

11126 Kenwood Road, Suite A
Cincinnati, Ohio 45242
513/891-1611
Fax: 513/791-1936

**STORM SEWER EASEMENT DESCRIPTION
for CITY OF MONTGOMERY**

Situated in Section 5, Township 4, Entire Range 1 East, City of Montgomery, Hamilton County, Ohio, being part of the lands conveyed to Iris A. Bellos in O.R. 8243, Pg. 2150 of said County's Records and being more particularly described as follows:

Commencing at the grantor's southeasterly property corner, said corner being in the centerline of Deerfield Road;

Thence, departing said centerline of Deerfield Road, along said grantor's southerly property line, S82°26'00"W, a distance of 76 15 feet to the Point of True Beginning,

Thence, continuing along said grantor's southerly property line, S82°26'00"W, a distance of 16.60 feet;

Thence, through said grantor's lands along the lines of a 10 foot storm sewer easement, the following three (3) courses and distances:

- 1) N45°22'51"E, a distance of 18.93 feet;
- 2) S44°37'09"E, a distance of 10.00 feet;
- 3) S45°22'51"W, a distance of 5.69 feet to a point in the aforementioned grantor's southerly property line and the Point of Beginning.

Containing 123 total square feet of land, more or less, which is 0.0028 acre, being subject to all legal highways, rights-of-way, easements, covenants and / or restrictions of record.

This description was prepared by Jerome Wald, Professional Surveyor No 6930 in the State of Ohio, from a field survey performed in September 2011.

SCHEDULE B-3

2 of 2

Storm Easement - Bellos.txt

Parcel name: Stm Esmt - Bellos

North: 5378.7122 East : 5506.3902
Line Course: S 82-26-00 W Length: 16.5962
North: 5376.5268 East : 5489.9386
Line Course: N 45-22-51 E Length: 18.9344
North: 5389.8262 East : 5503.4159
Line Course: S 44-37-09 E Length: 10.0000
North: 5382.7083 East : 5510.4398
Line Course: S 45-22-51 W Length: 5.6892
North: 5378.7122 East : 5506.3903

Perimeter: 51.2198 Area: 123.1181 sq.ft. 0.0028 acres

Mapcheck Closure - (Uses listed courses and chords)

Error Closure: 0.0000 Course: N 66-50-36 E
Error North: 0.00002 East : 0.00004

Precision 1: 51,219,800.0000

LINE TABLE

LINE	BEARING	LENGTH
L1	S 45°22'51" W	9.74'
L2	S 76°15'36" W	96.06'
L3	S 47°49'20" W	50.55'
L4	N 42°10'40" W	10.00'
L5	N 47°49'20" E	32.08'
L6	S 76°15'36" W	22.64'
L7	N 13°44'24" W	10.00'
L8	N 76°15'36" E	101.83'
L9	N 82°26'00" E	46.50'

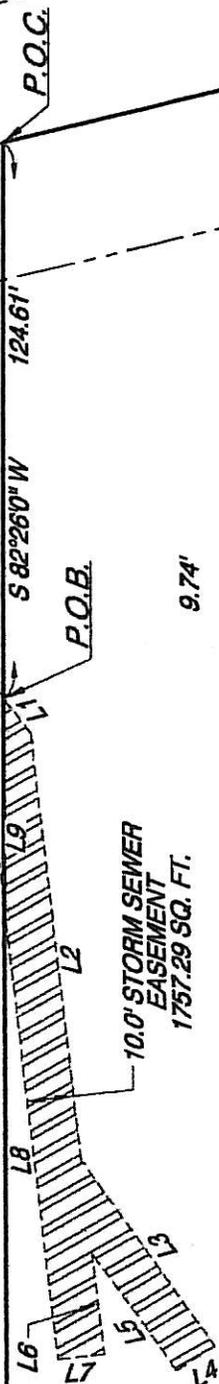
STORM SEWER EASEMENT
 for NATALIE M. AND MARC BRYAN REAM
 SECTION 5 - TOWN 4 - E.R. 1
 AS SITUATED IN:
 CITY OF MONTGOMERY
 HAMILTON COUNTY, OHIO

BELLOS, IRIS A.
 O.R. 8243, PG. 2150
 603-0015-0374

PAUL, NINA
 O.R. 10979, PG. 303
 603-0015-0040

REAM, NATALIE M. AND MARC BRYAN
 O.R. 11795, PG. 71
 603-0015-0388

WINCHELL, MARTIN C. AND REBECCA J.
 O.R. 11129, PG. 155
 603-0015-0200



CINCINNATI LAND SURVEYING, INC.
 11126 Kennwood Road, Suite A
 Cincinnati, Ohio 45242-1818
 (616) 515.8911.5011
 (616) 515.7911.1956
 (616) 659.525.7410
 (616) 659.525.0561

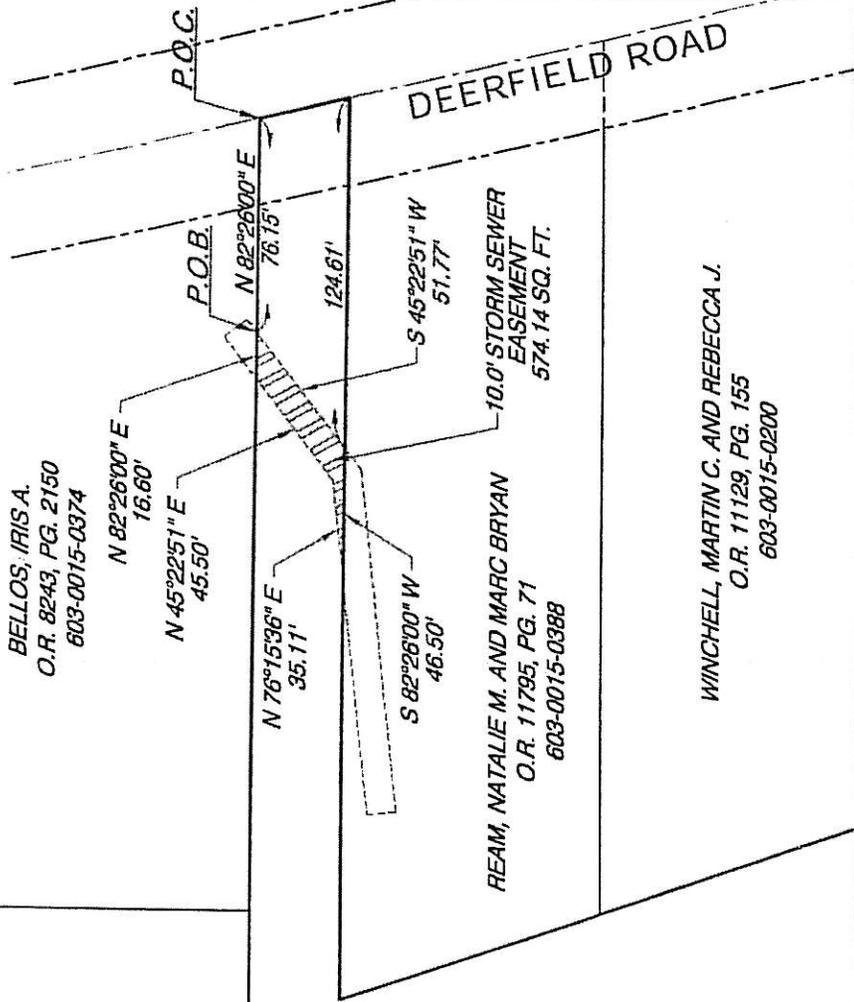
CDS ASSOCIATES, INC.
 Knowledge • Expertise • Innovation
 www.cds-associates.com
 11120 Kennwood Road
 Cincinnati, Ohio 45242-1818
 (616) 515.7911.1700
 (616) 515.7911.1956
 (616) 659.525.0561
 7000 Dixie Highway
 Florence, Kentucky 41042
 (616) 859.525.0544
 (616) 859.525.0561

JOB	2011015-018
SCALE	1" = 40'
DATE	SEPT 2011
REVISION	
FILE	
DRAWN BY	EHIM
REVIEWED BY	AMES
SHEET	1 OF 1

STORM SEWER EASEMENT

for NINA PAUL
 SECTION 5 - TOWN 4 - E.R. 1
 AS SITUATED IN:
 CITY OF MONTGOMERY
 HAMILTON COUNTY, OHIO

PAUL, NINA
 O.R. 10979, PG. 303
 603-0015-0040



BELLOS, IRIS A.
 O.R. 8243, PG. 2150
 603-0015-0374

N 82°26'00" E
 16.60'

N 45°22'51" E
 45.50'

N 76°15'36" E
 35.11'

N 82°26'00" E
 76.75'

S 82°26'00" W
 46.50'

S 45°22'51" W
 51.77'

REAM, NATALIE M. AND MARC BRYAN
 O.R. 11795, PG. 71
 603-0015-0388

10.0' STORM SEWER
 EASEMENT
 574.14 SQ. FT.

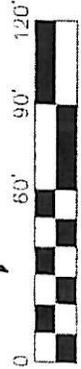
WINCHELL, MARTIN C. AND REBECCA J.
 O.R. 11129, PG. 155
 603-0015-0200

DEERFIELD ROAD

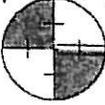
P.O.C.

P.O.B.

124.61'



SCALE IN FEET

 <p>CINCINNATI LAND SURVEYING, INC. 11126 Kennwood Road, Suite A Cincinnati, Ohio 45242-1818 (616) 513.8911.6611 (616) 513.7911.1996 (616) 459.525.0561</p>	 <p>CDS ASSOCIATES, INC. Knowledge • Expertise • Innovation www.cds-assoc.com 11120 Kennwood Road Cincinnati, Ohio 45242-1818 (616) 513.7911.1700 (616) 513.7911.1996 (616) 459.525.0561</p>	SCALE: 1" = 60' DATE: SEPT 2011 REVISION:	JOB: 2011015-018 DRAWN BY: EHIM REVIEWED BY: AMES SHEET 1 OF 1
		CDS ASSOCIATES, INC. 11120 Kennwood Road Cincinnati, Ohio 45242-1818 (616) 513.7911.1700 (616) 513.7911.1996 (616) 459.525.0561	CDS ASSOCIATES, INC. Knowledge • Expertise • Innovation www.cds-assoc.com 11120 Kennwood Road Cincinnati, Ohio 45242-1818 (616) 513.7911.1700 (616) 513.7911.1996 (616) 459.525.0561

STORM SEWER EASEMENT
 for IRIS A. BELLOS
 SECTION 5 - TOWN 4 - E.R. 1
 AS SITUATED IN:
 CITY OF MONTGOMERY
 HAMILTON COUNTY, OHIO

HARRIS, PHYLLIS, TR.
 O.R. 6782, PG. 842
 603-0015-0373

PAUL, NINA
 O.R. 10979, PG. 303
 603-0015-0040

BELLOS, IRIS A.
 O.R. 8243, PG. 2150
 603-0015-0374

10.0' STORM SEWER
 EASEMENT
 123.12 SQ. FT.

REAM, NATALIE M. AND MARC BRYAN
 O.R. 11795, PG. 71
 603-0015-0388

DEERFIELD ROAD

S 44°37'09" E
 10.00'

N 45°22'51" E
 18.93'

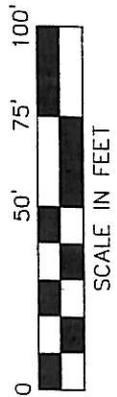
S 82°26'00" W
 16.60'

S 82°26'00" W
 76.75'

S 45°22'51" W
 5.69'

P.O.C.

P.O.B.



**CINCINNATI
 LAND
 SURVEYING, INC.**

11126 Keanwood Road, Suite A
 Cincinnati, Ohio 45242-1818
 (p) 513.991.1611 (f) 513.791.1996
 7000 Dixie Highway
 Florence, Kentucky 41042
 (p) 859.525.7410 (f) 859.525-0961



CDS ASSOCIATES, INC.

Knowledge • Expertise • Innovation

www.cds-400cc.com

11120 Keanwood Road
 Cincinnati, Ohio 45242-1818
 (p) 513.791.1700 (f) 513.791.1996
 7000 Dixie Highway
 Florence, Kentucky 41042
 (p) 859.525.0544 (f) 859.525-0961

© 2011 CDS ASSOCIATES, INC.

SCALE 1" = 50'

DATE SEPT 2011

REVISION

FILE

JOB 2011015-018

DRAWN BY EHM

REVIEWED BY AMES

SHEET 1 OF 1