

ORDINANCE NO. 5 , 2014

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT
AND DEDICATE CERTAIN PORTIONS OF RIGHT-OF-WAY ON PROPERTY
OWNED BY BETHESDA HOSPITAL, INC. FOR THE
PFEIFFER/MONTGOMERY ROAD PROJECT**

WHEREAS, the City is undertaking a project in cooperation with the Ohio Department of Transportation to widen the roadway in and around the Pfeiffer Road/Montgomery Road interchange; and

WHEREAS, as a part of this project, the City has updated its survey of right-of-way and requires additional right-of-way to be dedicated along Montgomery Road upon property owned by Bethesda Hospital, Inc., formerly known as Bethesda Hospital and Deaconess Association, an Ohio non-profit corporation ("Bethesda"), being Auditor's parcel numbers 603-0019-0001, 603-0019-0009 and 603-0019-0011; and

WHEREAS, Bethesda has agreed to transfer such right-of-way as needed across such parcels as depicted in the attached Quit-Claim Deed and to allow certain construction activities within a related Temporary Construction Easement area; and

WHEREAS, it is the further intent of this Ordinance to accept this dedicated right-of-way for the purposes of these proposed roadway improvements and any future public improvements; and

WHEREAS, it is the intent of this Ordinance to authorize the City Manager to execute documentation necessary to dedicate such additional land as will be necessary for the roadway project.

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

SECTION 1. The expanded right-of-way as depicted on the attached Exhibits are hereby accepted by the City from Bethesda Hospital, Inc. and shall continue to be dedicated for public use consistent with the terms of all right-of-way dedication.

SECTION 2. The City Manager is hereby authorized to execute a Dedication Plat and any other documentation necessary to accept such transfer from Bethesda and to dedicate right-of-way along Montgomery Road upon Auditor's parcel numbers 603-0019-0001, 603-0019-0009 and 603-0019-0011 for public roadway and related public improvements.

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

PASSED: March 5, 2014

ATTEST: Connie M. Gaylor
Connie M. Gaylor,
Acting Clerk of Council

Todd A. Steinbrink
Todd A. Steinbrink, Mayor

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