

RESOLUTION NO. 15 , 2016

A RESOLUTION ACCEPTING ANNEXATION OF CERTAIN PROPERTY INTO THE CITY OF MONTGOMERY, OHIO AND ACKNOWLEDGING ANY ZONING ISSUES

WHEREAS, by letter dated June 8, 2016, the City did receive notice from Hunting Hill, LLC, the owner of .0361 acres of property (Auditor's parcel number 620-0210-0723-00) that it has petitioned the Board of Commissioners of Hamilton County, Ohio to annex such lot from Symmes Township into the City of Montgomery; and

WHEREAS, R.C. § 709.023 provides that the City acknowledge to the Board of Commissioners that the City will accept such property as currently zoned and/or note any incompatibilities in the zoning between the property now zoned under the jurisdiction of Symmes Township and to be annexed into and regulated by the City of Montgomery.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Montgomery, Hamilton County, Ohio, pursuant to R.C. § 709.023, that:

SECTION 1. If approved by the Board of County Commissioners, Hamilton County, Ohio, the City of Montgomery will accept property identified as Auditor's parcel number 620-0210-0723-00 to be annexed into the City of Montgomery. Such property to be annexed is more specifically described on Schedule A-1 attached hereto and graphically depicted on Schedule A-2 attached hereto.

SECTION 2. The property to be annexed currently is zoned in the "O" Residence District within Symmes Township which allows subservient office and business uses. Section 151.0104 of the Montgomery Code of Ordinances provides that any land annexed into the City shall continue to be governed by the Township land use restrictions in place at the time of the annexation until an amendment to the City of Montgomery Zoning

Map is adopted. The district within which this property will be annexed within the City is the Limited Business (LB) District within the Vintage Club Planned Unit Development District. The property will be accepted into the City of Montgomery as zoned by Symmes Township at the time of the annexation, which uses are not incompatible with the similar residential uses and the limited business uses permitted in the zoning district within the City of Montgomery. Further, the district into which the property will be annexed is compatible with the adjacent uses remaining within Symmes Township which are a mixture of residential, business and multi-family uses, therefore no specific buffering will be required as provided by R.C. § 709.023(C).

SECTION 3. This Resolution shall be in full force and effect from and after its passage.

PASSED: June 22, 2016

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

Lynde Roese
Christopher P. Dobrozsi, Mayor
Acting Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon
Terrence M. Donnellon, Law Director

SCHEDULE A-1

DESCRIPTION FOR: Hunting Hill, LLC.

LOCATION: Vintage Club
0.0361 Acres

AREA TO BE ANNEXED TO THE CITY OF MONTGOMERY

Situate in Section 36, Town 5, Entire Range 1, Symmes Township, Hamilton County, Ohio and being part of the land conveyed to Hunting Hill, LLC, by deed recorded in O.R. 12315, Page 593, Hamilton County, Ohio Recorder's Office, and being more particularly described as follows:

Beginning at an iron pin at the northwest corner of Open Space Lot H of The Vintage Club, Phase Three, as recorded in P.B. 415, Pg. 94-95, Hamilton County, Ohio Recorder's Office;

Thence, with the northerly lines of the lands conveyed to Hunting Hill, LLC, by deed recorded in O.R. 12315, Page 593, Hamilton County, Ohio Recorder's Office, South 89°39'20" West, 182.34 feet to a point, said point being witnessed by an iron pin lying 0.1'S, 0.5'W;

Thence, South 89°55'50" West, 199.97 feet to a set 5/8" iron pin and the **Real Point of Beginning** for this description;

Thence, continuing along the north and east lines of said lands, South 89°55'50" West, 64.03 feet to a point, said point being witnessed by a concrete monument lying 1.5'S, 11.8'E;

Thence, North 03°45'30" West, 49.25 feet to a set 5/8" iron pin;

Thence, with a new division line, South 53°53'11" East, 83.25 feet to the **Real Point of Beginning**.

Containing 0.0361 acres of land.

Subject to all legal highways, easements and restrictions of record.

The above description was prepared 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 Reserve of Montgomery, Section 4, recorded in Plat Book 315, Page 57-58, Hamilton County, Ohio Recorder's Office.

Prepared by: McGill Smith Punshon, Inc.
Date: May 20, 2016
MSP No.: 04308.06

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5/20/2016



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