

**ORDINANCE NO. 09, 2017**

**AN ORDINANCE AUTHORIZING THE VILLAGE OF ST. BERNARD TO CONVEY A PORTION (SEE EXHIBIT A) OF REAL PROPERTY KNOWN FRANKLIN PARK ON THE CORNER OF FRANKLIN AND TOWER TO THE ST. BERNARD COMMUNITY IMPROVEMENT CORPORATION PURSUANT TO ARTICLE III SECTION 1 OF THE AGREEMENT AND PLAN BETWEEN THE VILLAGE OF ST. BERNARD, OHIO AND THE ST. BERNARD COMMUNITY IMPROVEMENT CORPORATION AND DECLARING AN EMERGENCY**

**WHEREAS,** the Village of St. Bernard is the owner of record of the real property known as Franklin Alley Park; and

**WHEREAS,** it is in the best interest of the Village to convey to the St. Bernard Community Improvement Corporation a portion (see exhibit A) of real property known as Franklin Alley Park for uses that will promote the welfare of the people of the Village, stabilize the economy and assist in the development of industrial and commercial activities required for the people of the Village; now therefore

**BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ST. BERNARD, STATE OF OHIO, TWO-THIRDS OF THE MEMBERS THEREOF CONCURRING:**

**Section 1.** That in conformity with its policy to promote the health, safety, morals and general welfare of its residents and in pursuance of the Agreement and Plan between the Village of St. Bernard and the St. Bernard Community Improvement Corporation, and pursuant to Article III Section 1 of said Agreement and Plan, the Village of St. Bernard shall convey to the St. Bernard Community Improvement Corporation the real property known as Franklin Alley Park.

**Section 2.** That the Service Director is hereby authorized and requested to execute a deed and such other documents necessary to affect the within Ordinance.

**Section 3.** That at the issuance of the Certificate of Occupancy the St. Bernard Community Improvement Corporation will have thirty (30) days to pay to the Village of St. Bernard the amount of \$1000.00.

**Section 4.** That this Ordinance shall be and is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety. The reason for the emergency is so that the St. Bernard Community Improvement Corporation can immediately implement plans to improve the condition of the real property known as Franklin Alley Park. Therefore, this Ordinance shall take effect immediately by and upon its passage, and the approval of two-thirds of the members of said Council. However, this Ordinance shall take effect on the earliest date provided if approved by no more than the majority of the members of Council and in that event, law sets the emergency provisions herein at naught.

Passed this 15<sup>TH</sup> day of May, 2017.



**ORIGINAL**

*Francis S. [Signature]*

President of Council

ATTEST:

M. Sue Kathman  
Clerk of Council

Approved this 11th day of May, 2017.

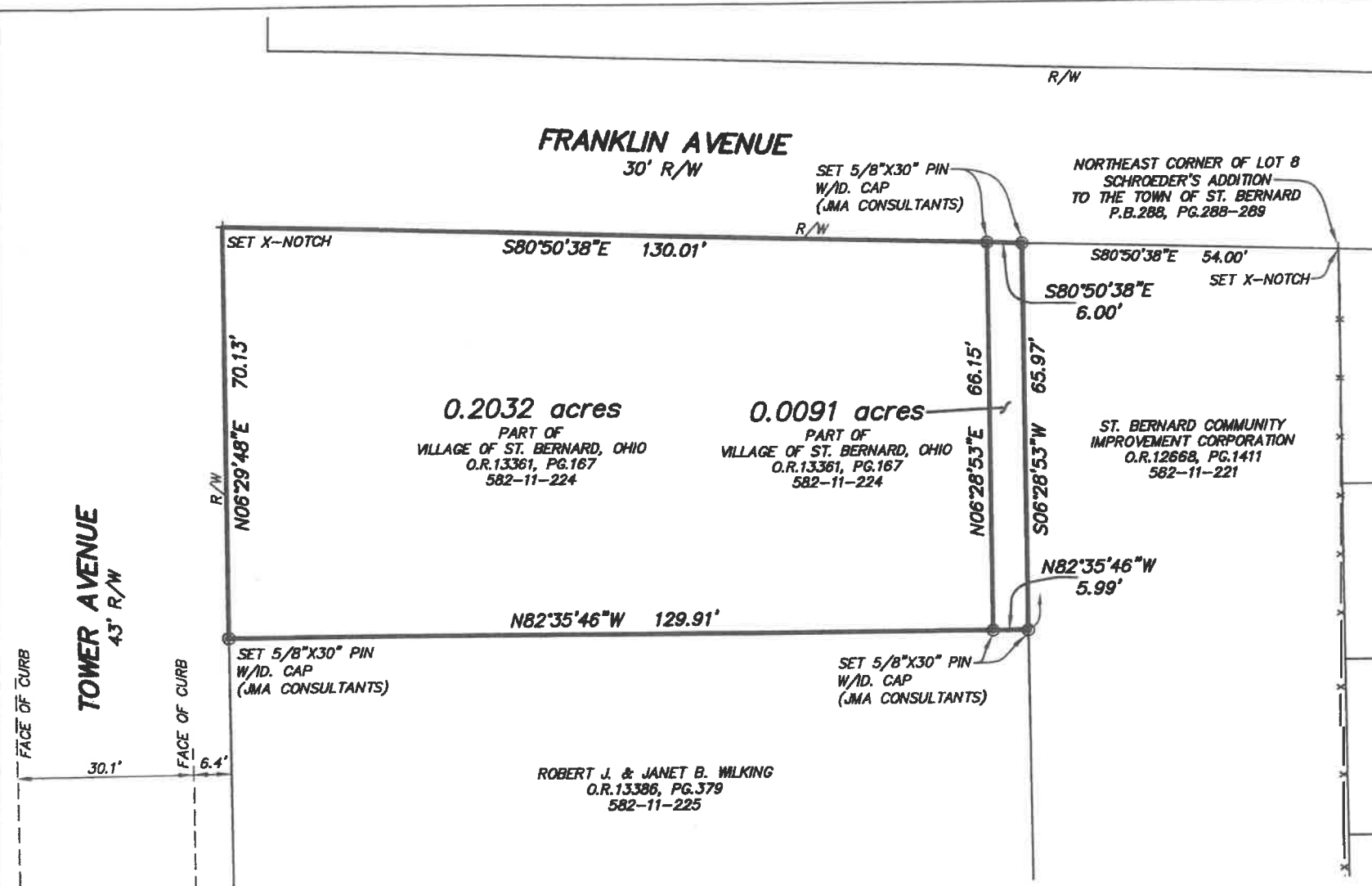
John Estep  
Mayor

I, M. SUE KATHMAN, CLERK OF COUNCIL, VILLAGE OF ST. BERNARD, STATE OF OHIO, DO HEREBY testify that the publication of Ordinance No. 09, 2017, was made by posting true copies of the same in the most public places designated by Council: St. Bernard Square Bus Stop; Vine Street and Washington Avenue; Bertus Street Park; Greenlee Avenue and Johnson Alley; Park on Heger Drive; each for a period of fifteen (15) days or more commencing 5.15, 2017.

ATTEST: M. Sue Kathman DATE 5.15  
Clerk of Council

Approved as to form [Signature] Date 5/15/17  
Director of Law

BEARINGS ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1927. REFERENCE MONUMENTS: HAMILTON COUNTY P.B.M. 2018 AND 2299. ALL DISTANCES ARE GROUND DISTANCES.



**CLOSURE**

Line Course: S 06-28-53 W	Length: 66.15	North: 430723.7186	East: 1434106.2396
Line Course: N 82-35-46 W	Length: 129.91	North: 430657.9914	East: 1434098.7726
Line Course: N 06-29-48 E	Length: 70.13	North: 430674.7320	East: 1433969.9457
Line Course: S 80-50-38 E	Length: 130.01	North: 430744.4116	East: 1433977.8806
Line Course: S 80-50-38 E	Length: 130.01	North: 430723.7238	East: 1434106.2341

Perimeter: 396.20 Area: 8,850 sq. ft. 0.2032 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
 Error Closure: 0.0076 Course: N 46-55-29 W  
 Error North: 0.00519 East: -0.00555  
 Precision 1: 52,131.58

**CLOSURE**

Line Course: S 06-28-53 W	Length: 65.97	North: 430722.7639	East: 1434112.1632
Line Course: N 82-35-46 W	Length: 5.99	North: 430657.2155	East: 1434104.7165
Line Course: N 06-28-53 E	Length: 66.15	North: 430657.9874	East: 1434098.7764
Line Course: S 80-50-38 E	Length: 6.00	North: 430723.7146	East: 1434106.2435
Line Course: S 80-50-38 E	Length: 6.00	North: 430722.7598	East: 1434112.1670

Perimeter: 144.12 Area: 396 sq. ft. 0.0091 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
 Error Closure: 0.0055 Course: S 43-31-59 E  
 Error North: -0.00401 East: 0.00381  
 Precision 1: 26,201.82

0.2032 acres  
 PART OF  
 VILLAGE OF ST. BERNARD, OHIO  
 O.R.13361, PG.167  
 582-11-224

0.0091 acres  
 PART OF  
 VILLAGE OF ST. BERNARD, OHIO  
 O.R.13361, PG.167  
 582-11-224

ST. BERNARD COMMUNITY  
 IMPROVEMENT CORPORATION  
 O.R.12668, PG.1411  
 582-11-221

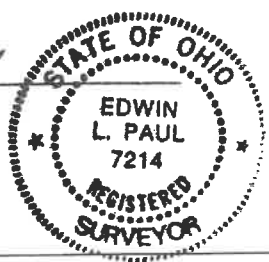
ROBERT J. & JANET B. WILKING  
 O.R.13386, PG.379  
 582-11-225

REFERENCES:  
 SURVEY BY JMA CONSULTANTS, INC., JOB #3684  
 DATED 5-23-14.  
 DEEDS AND SURVEYS OF RECORD AS SHOWN  
 HEREON.

I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE LAND SHOWN HEREON AND VERIFIED ALL DIMENSIONS. I HAVE ALSO SET OR FOUND MONUMENTS AS SHOWN.

*Edwin L. Paul*  
 EDWIN L. PAUL, P.S.  
 REGISTRATION NO. 7214

5-09-2017  
 DATE



**CUT-UP SURVEY**

SECTION 10, TOWN 3, FRACTIONAL RANGE 2  
 MIAMI PURCHASE ~ VILLAGE OF ST. BERNARD  
 HAMILTON COUNTY, OHIO

SCALE: 1"=20' DATE: 5-09-2017 JOB #3684

