

ORDINANCE NO. 19, 2020

AN ORDINANCE APPROVING THE DEDICATION OF A PORTION  
OF ROSS AVENUE AND VINE STREET PURSUANT TO R.C.  
723.03, AND DECLARING AN EMERGENCY

**WHEREAS,** pursuant to the provision of R.C. 723.03, when the Village of St. Bernard ("Village") determines there is good cause to accept and confirm as dedicated a street or alley and that such dedication will not be detrimental to the general interest it may do so by Ordinance;

**WHEREAS,** the St. Bernard Community Improvement Corporation is undertaking a development project in the vicinity of Ross Avenue and Vine Street; and

**WHEREAS,** the Village finds and determines that the development project constitutes good cause for the dedication and confirmation of the 0.0646 acre tract abutting Ross Avenue and Vine Street as more particularly described in the legal description attached hereto in Exhibit "A" and as more particularly shown in the hatched area on the Dedication Plat attached hereto as Exhibit "B"; and

**WHEREAS,** the Village further finds that dedication and confirmation of these portions of Ross Avenue and Vine Street will not be detrimental to the public interest; now therefore

**BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ST. BERNARD, STATE OF OHIO:**

**Section 1.** That the Village hereby finds and determines that good cause exists for the dedication and confirmation of these portions of Ross Avenue and Vine Street as those portions are described on Exhibits "A" and "B". The Village finds further finds that such dedication and confirmation shall not be detrimental to the general interest.

**Section 2.** That the Village hereby approves the dedication and confirmation of these portions of Ross Avenue and Vine Street as those portions are described on Exhibits "A" and "B". Pursuant to R.C. 723.03, the Village hereby authorizes the filing of a certified copy of this ordinance with the Hamilton County Recorder as required by law. The Village hereby authorizes the Building, Development, & Planning Director to forward a certified copy of this ordinance to the St. Bernard Community Improvement Corporation for that purpose.

**Section 3.** That it is hereby certified that all formal actions of the Council of the Village of St. Bernard relating to adoption of this ordinance were taken in an open meeting of the Council of the Village of St. Bernard and that all deliberations of this Council were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**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 the immediate need to dedicate the portions of Ross Avenue and Vine Street to begin the development project. 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 24 day of September, 2020.

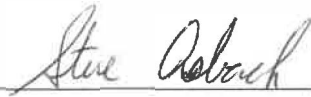
I certify this to be a true copy  
of the original document

Date: 9.24.2020

Signature: M. Sue Kothman  
Clerk of Council, St. Bernard, Ohio



ORIGINAL

  
\_\_\_\_\_  
President of Council

ATTEST:

  
\_\_\_\_\_  
Clerk of Council

Passed this 24 day of September, 2020.

  
\_\_\_\_\_  
Mayor

I, M. SUE KATHMAN, CLERK OF COUNCIL, VILLAGE OF ST. BERNARD, STATE OF OHIO, DO HEREBY testify that the publication of Ordinance No. 19, 2020, 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 9.24, 2020.

ATTEST:  DATE 9.24.2020  
\_\_\_\_\_  
Clerk of Council

Approved as to form  Date 9.24.2020  
\_\_\_\_\_  
Director of Law

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**EXHIBIT "A"**

**DESCRIPTION FOR:** The Village of St. Bernard

**LOCATION:** Vine Street and Ross Ave. – 0.0646 Ac.

Situate in Section 11, Town 3, Fractional Range 2, Village of St. Bernard, Hamilton County, Ohio and being part of the same lands conveyed to The City of St. Bernard in Official Record \_\_\_\_, Page \_\_\_\_, record of the Hamilton County, Ohio Recorder's Office, and also being part of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 64 of John T. Wright's Ludlow Grove Subdivision made by D.W. Strickland, Master Commissioner, in Case No. 51582 shown in Plat Book 74, Page 389, records of the Hamilton County, Common Pleas Court including part of Clay Street (former 60' R/W) as vacated by said city in Ordinance 64, 1973 as recorded in Deed Book 3954, Page 493, record of the Hamilton County, Ohio Recorder's Office and also being more particularly described as follows:

Beginning at a set pin (all pins set are 5/8" iron rebar, 30" in length, capped "McGill Smith Punshon") in the north line of Ross Avenue (60' R/W) lying North 85°55'59" West, 5.55 feet from the southeast corner of said Lot 64;

Thence, along the north line of said Ross Avenue, North 85°55'59" West, 133.41 feet to a set cross notch in the east line of Vine Street (R/W Varies);

Thence, along east lines of said Vine Street, North 01°05'00" East, 182.82 feet to a set cross notch and North 12°20'00" East, 158.66 feet to a set cross notch in the south line of Interstate 75 (L.A. R/W Varies) as shown in Plat Book 429, Pages 56-57, records of the Hamilton County, Ohio Recorder's Office;

Thence, along the south line of said Interstate 75, North 80°11'40" East, 2.50 feet to a set pin;

Thence, with new division lines the following six (6) courses and distances:

- 1.) South 12°20'00" West, 149.56 feet to a set pin;
- 2.) With a curve to the left, having a central angle of 11°15'00", a radius of 125.00 feet and a length of 24.54 feet. The chord of said arc bears South 06°42'30" West, 24.50 feet to a set nail;
- 3.) South 01°05'00" West, 96.89 feet to a set pin;

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**EXHIBIT "A"**

- 4.) With a curve to the left, having a central angle of  $87^{\circ}00'59''$ , a radius of 60.00 feet and a length of 91.12 feet. The chord of said arc bears South  $42^{\circ}25'29''$  East, 82.61 feet to a set pin;
- 5.) South  $85^{\circ}55'59''$  East, 13.30 feet to a set pin;
- 6.) South  $73^{\circ}09'51''$  East, 63.64 feet to the point of beginning.

Containing 0.0646 acres of land.

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

The above description was prepared from a Dedication Plat by McGill Smith Punshon, Inc. dated 25<sup>th</sup> of August, 2020. The bearings in the above description are based on Dedication Plat as recorded in Plat Book 168, Pages 48-49, record of the Hamilton County, Ohio Recorder's Office.

Prepared by: McGill Smith Punshon, Inc.  
Date: 25 AUG 2020  
MSP No.: 19579.00

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