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ORDINANCE NO. 20, 2020

AN ORDINANCE AUTHORIZING THE VILLAGE OF ST. BERNARD TO CONVEY THE PROPERTY LOCATED AT THE **INTERSECTION OF ROSS AND VINE (SEE EXHIBIT A), TO** BERNARD COMMUNITY THE ST. 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, State of Ohio ("Village") is the owner of record of the real property as described in the attached Exhibit A (the "Property"); and

WHEREAS, it is in the best interest of the Village to convey the Property to the St. Bernard Community Improvement Corporation 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 the Property to the St. Bernard Community Improvement Corporation.

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 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 Property. 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 _	*4	_ day of	September,	2020.	•	
)	Stere	aslack	
				Dresider	nt of Council	

President of Council



Clerk of Council

ATTEST:

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Approved this <u>24</u> day of <u>liftemtn</u>, 2020.

I, M. SUE KATHMAN, CLERK OF COUNCIL, VILLAGE OF ST. BERNARD, STATE OF OHIO, DO HEREBY testify that the publication of Ordinance No. 20, 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 $\frac{q}{2}$, $\frac{2}{2}$, $\frac{4}{2}$, 2020.

ATTEST: M. Jus Kath	CAN DATE	9.24.2020
Clerk of Counc	il	
Approved as to form Multi Dire	ector of Law	1) hate + 24.2020

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EXHIBIT "A1"

DESCRIPTION FOR:	The Village of St. Bernard
LOCATION:	Vine Street and Ross Ave. – 1.1643 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 6, Lot 64 and all of Lot 63 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 (R/W Varies) lying North 85°55'59" West, 5.55 feet from the southeast corner of said Lot 64;

Thence, with north lines of said Ross Avenue, the following three (3) courses and distances:

- 1.) North 73°09'51" West, 63.64 feet to a set pin;
- 2.) North 85°55'59" West, 13.30 feet to a set pin;
- 3.) With a curve to the right, having a central angle of 87°00'59", a radius of 60.00 feet and a length of 91.12 feet. The chord of said arc bears North 42°25'29" West, 82.61 feet to a set pin in the east line of Vine Street (R/W Varies);

Thence, with east lines of said Vine Street, the following three (3) courses and distances:

- 1.) North 01°05'00" East, 96.89 feet to a set nail;
- 2.) With a curve to the right, 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 North 06°42'30" East, 24.50 feet to a set pin;
- North 12°20'00" East, 149.56 feet to a set pin 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;

McGill Smith Punshon, Inc. 3700 Park 42 Drive, Suite 1908 Cincinnati, Ohio 45241 513.759.0004 Fax 513.563.7099 www.mspdesign.com



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EXHIBIT "A1"

Thence, along the south line of said Interstate 75, North 80°11'40" East, 131.05 feet to a set pin in the west line of lands conveyed to Solid Foundation Properties, LLC by deed recorded in Official Record 10423, Page 1426, record of the Hamilton County, Ohio Recorder's Office;

Thence, along said west line, with the east line of aforesaid vacated Clay Street, South 12°20'00" West, 125.50 feet to a set pin in the south line of Clay Street (60' R/W);

Thence, along the south line of said Clay Street, South 85°55'59" East, 50.00 feet to a set pin at the northwest corner of lands conveyed to St. Bernard Community Improvement Corporation by deed recorded in Official Record 12550, Page 309, record of the Hamilton County, Ohio Recorder's Office;

Thence, with the west line of said lands, and with the west line of lands conveyed to Belinda Pearl and Brennen Pearl by deed recorded in Official Record 10173, Page 269, record of the Hamilton County, Ohio Recorder's Office, South 12°20'00" West, 250.00 feet to a set pin in the north line of aforesaid Ross Avenue;

Thence, along said north line, North 85°55'59" West, 5.55 feet to the point of beginning.

Containing 1.1643 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 25th 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 2020MSP No.:19579.00

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EXHIBIT "A2"

DESCRIPTION FOR:

The Village of St. Bernard

LOCATION:

I-75 near Vine Street

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 Deed Book 1165, Page 525, record of the Hamilton County, Ohio Recorder's Office and also being part of Lot 6 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 and also being more particularly described as follows:

Beginning at a point at the northeast corner of said Lot 6;

Thence, along the east line of said Lot 6, South 12°20'00" West, 25.02 feet to a set pin at the southeast corner of lands conveyed to The State of Ohio in Deed Book 4155, Page 508, record of the Hamilton County, Ohio Recorder's Office;

Thence, with the east line of said lands, North 07°51'43" West, 25.31 feet to a point in the north line of said Lot 6;

Thence, along said north line, South 85°55'59" East, 8.83 feet to the point of beginning.

Containing 0.0025 acres of land.

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

The above description was prepared from a Plat of Survey by McGill Smith Punshon, Inc. dated 21st 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:21 AUG 2020MSP No.:19579.00

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EXHIBIT "A2"

DESCRIPTION FOR:

The Village of St. Bernard

LOCATION:

5 . . .

I-75 near Vine Street

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 Deed Book 1165, Page 525, record of the Hamilton County, Ohio Recorder's Office and also being part of Lot 6 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 and also being more particularly described as follows:

Beginning at a point at the northeast corner of said Lot 6;

Thence, along the east line of said Lot 6, South 12°20'00" West, 25.02 feet to a set pin at the southeast corner of lands conveyed to The State of Ohio in Deed Book 4155, Page 508, record of the Hamilton County, Ohio Recorder's Office;

Thence, with the east line of said lands, North 07°51'43" West, 25.31 feet to a point in the north line of said Lot 6;

Thence, along said north line, South 85°55'59" East, 8.83 feet to the point of beginning.

Containing 0.0025 acres of land.

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

The above description was prepared from a Plat of Survey by McGill Smith Punshon, Inc. dated 21st 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:21 AUG 2020MSP No.:19579.00

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