

REQUESTED BY: CITY MANAGER, BILL KOCHER

DATE OF FIRST READING: 2-7-2017

WAIVE RULES:  YES  NO

FINAL ACTION DATE: 2-7-2017

VOTE:  YES  NO

SUSPENSION OF TWO READING RULE

ADOPTION OF ORDINANCE:

YES	NO
<u>ABSENT</u>	<u>        </u>
<input checked="" type="checkbox"/>	<u>        </u>
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<u>6</u>	<u>0</u>

Denise Lingo  
 Jennifer Moody  
 Robert Parsons  
 Jeanne George  
 Judy Peterson  
 Joseph Roetting  
 Kisha Dosa  
 TOTALS

YES	NO
<u>ABSENT</u>	<u>        </u>
<input checked="" type="checkbox"/>	<u>        </u>
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<u>6</u>	<u>0</u>

ORDINANCE NO. 17-1814

**AN ORDINANCE ACCEPTING THE DEDICATION OF CLOVERNOOK AVENUE,  
 A PORTION OF ADAMS ROAD, and ASSOCIATED SEWER EASEMENTS  
 AND DECLARING AN EMERGENCY**

**WHEREAS**, Clovernook Apartments, LLC, an Ohio limited liability company, the owner of the real property commonly known as the Clovernook Apartments has submitted the Clovernook Avenue & Adams Road Dedication Plat ("Plat") attached hereto as Exhibit A for review by the Mt. Healthy Planning Commission on January 17, 2017, which commission has reviewed and approved the Plat, submitting it to the Mt. Healthy Council for approval and acceptance;

**WHEREAS**, dedication and acceptance of Clovernook Avenue and the subject portion of Adams Road creates new parcels with new legal descriptions for the said parcels, which require approval by the City of Mt. Healthy, copies of which are attached hereto as Exhibit B.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council ("City Council") of the City of Mt. Healthy, Hamilton County, Ohio:

**Section 1.** That the dedication of Clovernook Avenue and the portion of Adams Road set forth on the attached Plat is hereby accepted.

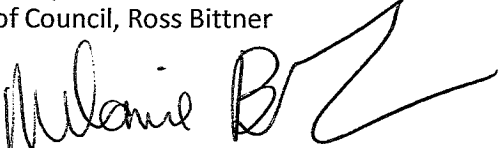
**Section 2.** That the dedication of the portions of public sewer set forth on the attached Plat is hereby accepted.

**Section 3.** That the new legal descriptions for the remainder parcels of land owned by Clovernook Apartments, LLC, an Ohio limited liability company, after dedication and acceptance of Clovernook Avenue and the subject portion of Adams Road, are hereby approved, subject to all matters of record, including, but not limited to the dedicated and accepted public sewer easements set forth on the attached Plat.

**Section 4.** That this Ordinance shall be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare and shall be in full force and effect from and after the first date provided by law. The reason for the emergency is to proceed with the Clovernook Apartment project in a timely manner.

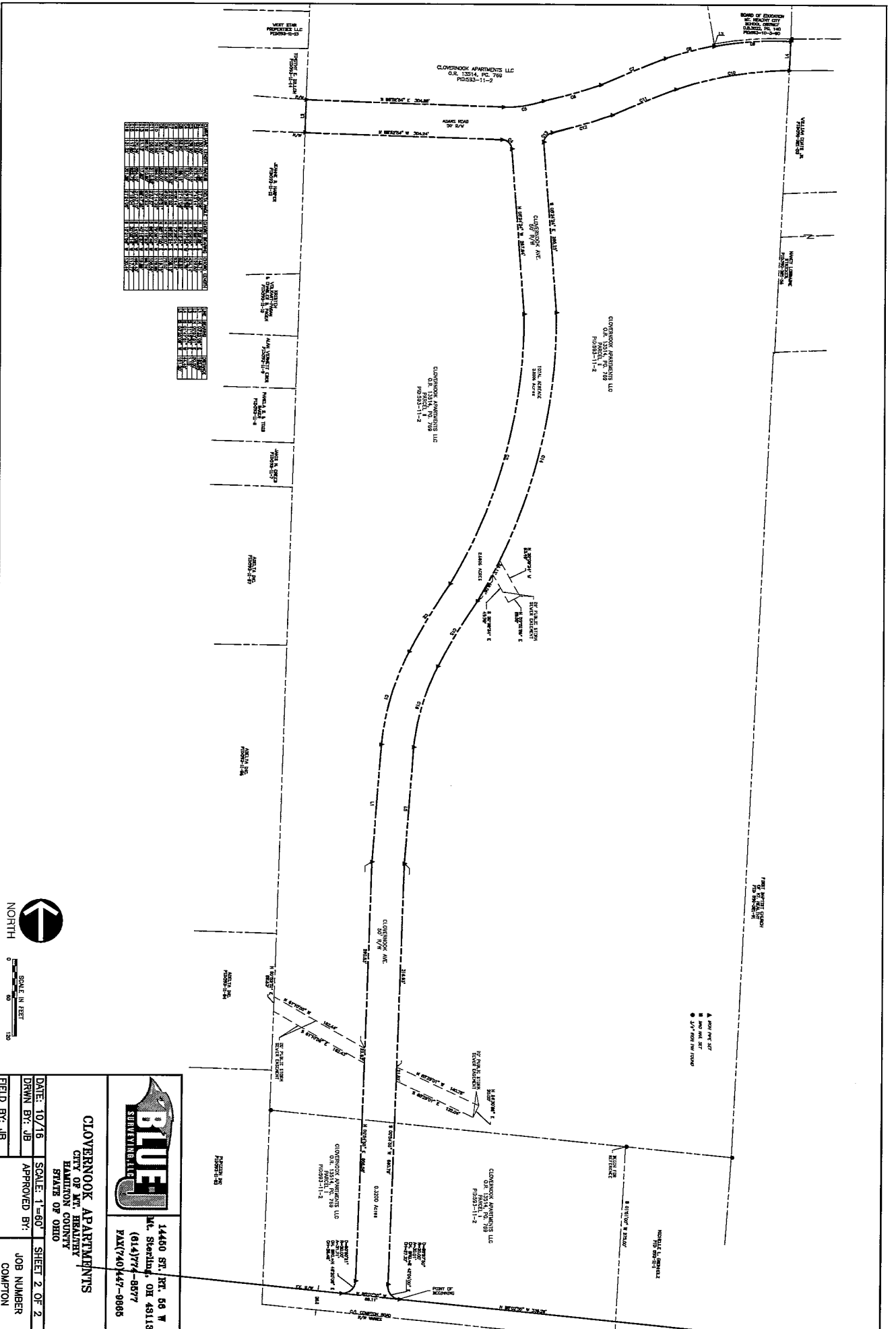
Passed this 7 day of February 2017

  
\_\_\_\_\_  
President of Council, Ross Bittner

Attest:   
\_\_\_\_\_  
Clerk of Council, ~~Melanie Evenson~~ Branditz

Approved this 7 day of February, 2017.

  
\_\_\_\_\_  
Mayor, James Wolf



**BLUE SURVEYING, LLC**

14460 ST. RT. 66 W  
Mt. Sterling, OH 43113  
(614) 774-8877  
FAX (740) 447-9865

**CLOVERNOOK APARTMENTS**  
CITY OF MT. HEALTHEY  
HAMILTON COUNTY  
STATE OF OHIO

DATE: 10/16	SCALE: 1"=60'	SHEET 2 OF 2
DRAWN BY: JB	APPROVED BY:	JOB NUMBER
FIELD BY: JB		COMPTON

***Exhibit B***

***BLUE-J SURVEYING, LLC  
14450 State Route 56 West  
Mount Sterling, Oh 43143  
PH. 614-774-8577***

Description of a 7.660 Acre Tract

Situate in the State of Ohio, County of Hamilton, City of Mt. Healthy and lying in Section 27, Township 3, Range 1 of the Miami Purchase, and being a 7.660 acre tract out of a 35.070 acre tract (Parcel II), being conveyed to Clovernook Apartments LLC, an Ohio limited liability company, by deed of record in Official Record 13154, Page 769, all records herein are from the Recorder's Office, Hamilton County, Ohio and said 7.660 acre tract being more particularly described as follows:

Beginning at an iron pin set at the northwest corner of the Clovernook Avenue and Adams Road Dedication Plat, of record in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, said point also being at the southeast corner of a tract conveyed to Midfirst Bank by deed of record in Official Record 13338, Page 1475;

Thence North  $00^{\circ}53'51''$  East, a distance of 721.69 feet, to a  $\frac{3}{4}$ " iron pin found at a southerly corner of a tract conveyed to Mt. Healthy Board of Education School District by deed of record in Deed Book 3522,, Page 140;

Thence the following six (6) courses and distances along the common lines of said 35.070 acre tract and said Mt. Healthy Board of Education School District tract;

1. South  $89^{\circ}06'09''$  East, a distance of 360.00 feet, to a  $\frac{3}{4}$ " iron pin found;
2. South  $00^{\circ}33'51''$  West, a distance of 367.00 feet, to a  $\frac{3}{4}$ " iron pin found;
3. South  $88^{\circ}12'09''$  East, a distance of 213.13 feet, to a  $\frac{3}{4}$ " iron pin found;
4. South  $11^{\circ}15'30''$  East, a distance of 250.05 feet, to a  $\frac{3}{4}$ " iron pin found;
5. Along a curve to the right, a delta angle of  $13^{\circ}05'51''$ , an arc length of 120.01 feet, a radius of 525.00 feet, a chord bearing of North  $85^{\circ}17'05''$  East, and a chord length of 119.75 feet, to a  $\frac{3}{4}$ " iron pin found;
6. South  $01^{\circ}47'51''$  West, a distance of 3.93 feet, to an iron pin set in the north line of said Clovernook Avenue and Adams Road Dedication;

Thence the following seven (7) courses and distances along the north line of said Clovernook Avenue and Adams Road Dedication:

1. Along a curve to the left, a delta angle of  $13^{\circ}01'12''$ , an arc length of 119.95 feet, a radius of 527.84 feet, a chord bearing of South  $85^{\circ}16'53''$  West, and a chord length of 119.69 feet, to an iron pin set;
2. North  $11^{\circ}15'30''$  West, a distance of 1.15 feet, to an iron pin set;

3. Along a curve to the left, a delta angle of  $06^{\circ}55'09''$ , an arc length of 78.08 feet, a radius of 646.55 feet, a chord bearing of South  $74^{\circ}22'00''$  West, and a chord length of 78.03 feet, to an iron pin set;
4. Along a compound curve to the left, a delta angle of  $02^{\circ}52'02''$ , an arc length of 108.13 feet, a radius of 2160.62 feet, a chord bearing of South  $66^{\circ}55'24''$  West, and a chord length of 108.12 feet, to an iron pin set;
5. Along a reverse curve to the right, a delta angle of  $06^{\circ}08'14''$ , an arc length of 92.20 feet, a radius of 860.80 feet, a chord bearing of South  $73^{\circ}28'04''$  West, and a chord length of 92.16 feet, to an iron pin set;
6. Along a compound curve to the right, a delta angle of  $21^{\circ}41'06''$ , an arc length of 62.90 feet, a radius of 166.19 feet, a chord bearing of South  $80^{\circ}16'34''$  West, and a chord length of 62.52 feet, to an iron pin set;
7. North  $88^{\circ}52'54''$  West a distance of 304.68 feet, to the POINT OF BEGINNING containing 7.660 acres more or less. Being subject to all easements, restrictions and right-of-ways of record.

The basis of bearings is based on the centerline of Compton Road as being North  $85^{\circ}02'55''$  West, of record in Official Record 13514, Page 769, at the Recorder's Office, Hamilton County, Ohio.

The above description is based on an actual field survey performed by Blue-J Surveying LLC, in September, 2016.

All iron pins set are 5/8" iron rebar, 30 inches in length with a yellow cap stamped "BLUE 8382".

***BLUE-J SURVEYING, LLC***

\_\_\_\_\_  
*Jennifer L. Blue, P.S. 8382 Date*

***Exhibit B***

***BLUE-J SURVEYING, LLC  
14450 State Route 56 West  
Mount Sterling, Oh 43143  
PH. 614-774-8577***

Description of a 28.260 Acre Tract

Situate in the State of Ohio, County of Hamilton, City of Mt. Healthy and lying in Section 27, Township 3, Range 1 of the Miami Purchase, and being a 28.260 acre tract out of a 3.851 acre tract (Parcel I) and a 35.070 acre tract (Parcel II), both tracts being conveyed to Clovernook Apartments LLC, an Ohio limited liability company, by deed of record in Official Record 13154, Page 769, all records herein are from the Recorder's Office, Hamilton County, Ohio and said 28.260 acre tract being more particularly described as follows:

Beginning at an iron pin set at a southeast corner of the Clovernook Avenue and Adams Road Dedication Plat, of record in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, also at the northwest corner of Lot 85 of the Herbert C. Huber 53<sup>rd</sup> Subdivision of record in Plat Book 12, Pages 17-20 and being conveyed to William Coats, JR. and Gwendolyn Douglas by deed of record in Official Record 10188, Page 56;

Thence South 01°47'51" West, a distance of 440.48 feet, along the east line of said 35.070 acre tract, to a ¾" iron pin found at the common corner of said 35.070 acre tract and the southwest corner of Lot 87 of said Herbert C. Huber 53<sup>rd</sup> Subdivision and being conveyed to Nancy Lorraine Stricker, by deed of record in Deed Book 9089, Page 180

Thence the following two (2) courses and distances along the common lines of said 35.070 acre tract and a 35.53 acre tract being conveyed to First Baptist Church of Mt. Health, Ohio, by deed of record in Deed Book 156, Page 56293:

1. South 89°54'02" West, a distance of 2.02 feet, to a ¾" iron pin found;
2. South 01°51'00" West, a distance of 1250.76 feet, to a ¾" iron pin found at the northeast corner of a 1.153 acre tract conveyed to John S. Fussner JR. and Michelle L. Gronholz, by deed of record in Official Record 13324, Page 1769;

Thence the following two (2) courses and distances along the lines of said 1.153 acre tract;

1. North 85°02'55" West, a distance of 164.99 feet, to a ¾" iron pin found;
2. South 01°51'00" West, a distance of 305.00 feet, to a point in the centerline of Compton Road;

Thence North 85°02'55" West, a distance of 548.30 feet, along the centerline of said Compton Road, to a point at the southwest corner of said 3.851 acre tract; and at the southeast corner Lot 1

of the Mt. Healthy Commerce Center, conveyed to BEPO Inc., by deed of record in Official Record 11526, Page 828;

Thence North  $00^{\circ}53'51''$  East, a distance of 1825.38 feet, along the west line of said 3.851 acre tract and said 35.070 acre tract, and said east line of Mt. Healthy Commerce Center plat, to an iron pin set at the southwest corner of Adams Road of said Clovernook Avenue and Adams Road Dedication;

Thence the following twenty-one (21) courses and distances along the lines of said Clovernook Avenue and Adams Road Dedication:

1. South  $88^{\circ}52'54''$  East, a distance of 304.24 feet, to an iron pin set;
2. Along a curve to the right, a delta angle of  $87^{\circ}39'58''$ , an arc length of 22.95 feet, a radius of 15.00 feet, a chord bearing of South  $47^{\circ}37'56''$  East, and a chord length of 20.78 feet, to an iron pin set;
3. South  $05^{\circ}24'24''$  East, a distance of 257.84 feet, to an iron pin set;
4. Along a curve to the right, a delta angle of  $31^{\circ}19'23''$ , an arc length of 439.60 feet, a radius of 804.10 feet, a chord bearing of South  $14^{\circ}06'06''$  West, and a chord length of 434.14 feet, to an iron pin set;
5. Along a reverse curve to the left, a delta angle of  $07^{\circ}13'14''$ , an arc length of 122.59 feet, a radius of 972.72 feet, a chord bearing of South  $29^{\circ}59'07''$  West, and a chord length of 122.50 feet, to an iron pin set;
6. Along a compound curve to the left, a delta angle of  $21^{\circ}30'09''$ , an arc length of 150.60 feet, a radius of 401.28 feet, a chord bearing of South  $15^{\circ}29'29''$  West, and a chord length of 149.71 feet, to an iron pin set;
7. South  $03^{\circ}25'08''$  West, a distance of 182.89 feet, to an iron pin set;
8. South  $00^{\circ}54'55''$  West, a distance of 655.56 feet, to an iron pin set;
9. Along a curve to the right, a delta angle of  $90^{\circ}50'21''$ , an arc length of 31.71 feet, a radius of 20.00 feet, a chord bearing of South  $46^{\circ}20'06''$  West, and a chord length of 28.49 feet, to an iron pin set;
10. South  $85^{\circ}02'55''$  East, a distance of 89.11 feet, to an iron pin set;
11. Along a curve to the right, a delta angle of  $85^{\circ}57'50''$ , an arc length of 30.01 feet, a radius of 20.00 feet, a chord bearing of North  $42^{\circ}04'00''$  West, and a chord length of 27.27 feet, to an iron pin set;
12. North  $00^{\circ}54'55''$  East, a distance of 660.79 feet, to an iron pin set;
13. North  $03^{\circ}25'08''$  East, a distance of 181.20 feet, to an iron pin set;
14. Along a curve to the right, a delta angle of  $21^{\circ}24'08''$ , an arc length of 131.22 feet, a radius of 351.28 feet, a chord bearing of North  $15^{\circ}31'56''$  East, and a chord length of 130.46 feet, to an iron pin set;
15. Along a compound curve to the right, a delta angle of  $07^{\circ}19'04''$ , an arc length of 117.85 feet, a radius of 922.72 feet, a chord bearing of North  $30^{\circ}02'16''$  East, and a chord length of 117.77 feet, to an iron pin set;
16. Along a reverse curve to the left, a delta angle of  $31^{\circ}33'10''$ , an arc length of 470.36 feet, a radius of 854.10 feet, a chord bearing of North  $14^{\circ}06'08''$  East, and a chord length of 464.43 feet, to an iron pin set;

17. North  $05^{\circ}24'24''$  West a distance of 266.25 feet, to an iron pin set;
18. Along a curve to the right, a delta angle of  $68^{\circ}47'35''$ , an arc length of 21.13 feet, a radius of 17.60 feet, a chord bearing of North  $40^{\circ}16'57''$  East, and a chord length of 19.89 feet, to an iron pin set;
19. Along a reverse curve to the left, a delta angle of  $06^{\circ}05'23''$ , an arc length of 96.80,feet, a radius of 910.80,feet, a chord bearing of North  $73^{\circ}18'23''$  East, and a chord length of 96.76,feet,, to an iron pin set;
20. Along a reverse curve to the right, a delta angle of  $02^{\circ}53'37''$ , an arc length of 106.60 feet, a radius of 2110.62 feet, a chord bearing of North  $66^{\circ}52'46''$  East, and a chord length of 106.59 feet, to an iron pin set;
21. Along a compound curve to the right, a delta angle of  $17^{\circ}14'11''$ , an arc length of 179.46 feet, a radius of 596.55 feet, a chord bearing of North  $79^{\circ}37'50''$  East, and a chord length of 178.78 feet, to the POINT OF BEGINNING containing 28.260 acres more or less.  
Being subject to all easements, restrictions and right-of-ways of record.

The basis of bearings is based on the centerline of Compton Road as being North  $85^{\circ}02'55''$  West, of record in Official Record 13514, Page 769, at the Recorder's Office, Hamilton County, Ohio.

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***BLUE-J SURVEYING, LLC***

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*Jennifer L. Blue, P.S. 8382 Date*