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MIAMI TOWNSHIP

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RESOLUTION 2018 -15

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Building on May 15, 2018 with the following members present: Mary Makley Wolff, Karl Schultz and Ken Tracy.

A motion was made to adopt the following resolution:

RESOLUTION REQUESTING THE VACATION OF ROADS ON THE PROPERTY LOCATED ON CLERMONT COUNTY REAL ESTATE PARCEL NO. 182402C001 AND DISPENSING WITH THE SECOND READING

WHEREAS, Ohio Revised Code Section 5553.045 provides that the vacation of roads located within a township may be initiated by the township board of trustees by resolution; and

WHEREAS, Potterhill Homes, LLC is the owner of the unimproved real properties located on Clermont County Real Estate Parcel No. 182402C001 in Miami Township, Ohio (the "Property"); and

WHEREAS, Pursuant to Ohio Revised Code Section 5553.045, Miami Township desires to initiate the process to vacate that portion of the road located on the Property as described on the attached Exhibit A ("Road") and such vacation will not be detrimental to the general interests of Miami Township; and

WHEREAS, a Vacation Plat is attached as Exhibit B and has been prepared showing the vacation of the Road on the Property; and

WHEREAS, the single owner of the Property, Potterhill Homes, LLC, has consented to this vacation of the Road on the affected parcel in the document attached as Exhibit C; and

WHEREAS, such vacation will not alter, eliminate nor change Miami Township's rights, sidewalks, easements and/or any utilities located within such area to be vacated as set forth in Ohio Revised Code Section 5553.045.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Miami Township Clermont County, Ohio as follows:

Section 1. The Road is requested to be vacated subject to Ohio Revised Code Section 5553.045, all subject to Miami Township's rights, sidewalks, easements and/or any

utilities located within such area to be vacated as set forth in Ohio Revised Code Section 5553.045.

Section 2. The Township Administrator is hereby directed to petition the Clermont County Ohio Board of County Commissioners to vacate the Road by filing a copy of this Resolution with the Clermont County Ohio Board of County Commissioners and certifying an additional copy of this Resolution to the Clermont County Engineer.

Section 3. That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. The Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

Section 5. This Resolution shall take effect at the earliest period allowed by law.

First Reading: May 15, 2018
Second Reading: Dispensed with
Effective: May 15, 2018

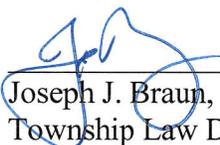
The motion was seconded and the resolution was adopted.

Resolution 2018-15 adopted May 15, 2018

ATTEST:


Eric C. Ferry, Fiscal Officer

APPROVED AS TO FORM:


Joseph J. Braun,
Township Law Director

CERTIFICATION

I, Eric C. Ferry, Fiscal Officer of Miami Township, do hereby certify that the foregoing is taken and copied from the Record of the Proceedings of Miami Township; that the same has been compared by me with the Resolution of said Record and that it is a true and correct copy thereof.


Eric C. Ferry
Fiscal Officer, Miami Township

CERTIFICATION

I, Eric C. Ferry, Fiscal Officer of Miami Township, Clermont County, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution 2018-15 duly passed by the Board of Trustees of Miami Township, Clermont County, Ohio on the 15th day of May 2018 and do hereby further certify that the amount required to meet the obligation imposed by this Resolution has been lawfully appropriated for such purpose, and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances.


Eric C. Ferry, Fiscal Officer

Exhibit "A"

LEGAL DESCRIPTION OF ROAD TO BE VACATED

DESCRIPTION FOR: Potterhill Homes, LLC

LOCATION: Mills of Miami, TND, Section One
(Portion of Miami Park Circle to be Vacated)
(0.0195 Acres)

Situate in Johnson Military Survey No. 981, Miami Township, Clermont County, Ohio and being part of Miami Park Circle, dedicated by the Mills of Miami TND, Section One record plat as recorded in Plat Cabinet 14, Pages 87-88, Clermont County, Ohio Recorder's Office and being more particularly described as follows;

Commencing at a point in the south right-of way line of said Miami Park Circle, said point also being the southeast corner of Lot 62, of said Mills of Miami TND, Section One;

Thence, with said south right-of-way line, along an arc deflecting to left, having a radius of 150.00 feet, a central angle of $30^{\circ}18'16''$, a length of 79.34 feet, the chord of said arc bears South $50^{\circ}05'47''$ East, 78.42 feet to the Real Point of Beginning for this description;

Thence, with a new division line, along an arc deflecting to left, having a radius of 150.00 feet, a central angle of $19^{\circ}06'11''$, a length of 50.01 feet, the chord of said arc bears South $74^{\circ}48'00''$ East, 49.78 feet to a point;

Thence, continuing with a new division line, South $84^{\circ}21'06''$ East, 26.00 feet to a point in the aforesaid south right-of-way line of Miami Park Circle;

Thence, with the lines of said right-of-way, the following four (4) courses and distances;

1. Along an arc deflecting to left, having a radius of 15.00 feet, a central angle of $87^{\circ}00'47''$, a length of 22.78 feet, the chord of said arc bears South $52^{\circ}08'30''$ West, 20.65 feet to a point;
2. North $84^{\circ}21'02''$ West, 50.02 feet to a point;
3. North $05^{\circ}38'58''$ East, 8.30 feet to a point;
4. Along an arc deflecting to left, having a radius of 15.00 feet, a central angle of $70^{\circ}53'53''$, a length of 18.56 feet, the chord of said arc bears North $29^{\circ}47'58''$ West, 17.40 feet to the Real Point of Beginning.

Containing 0.0195 acres (848 S.F.) of land.

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

McGill Smith Punshon, Inc.
3700 Park 42 Drive ■ Suite 190B ■ Cincinnati, Ohio ■ 45241-2097
513.759.0004 ■ Fax 513.563.7099 ■ www.mcgillsmithpunshon.com



The above description was prepared by McGill Smith Punshon, Inc., under the direction of Jerry L. Keller, P.S., Ohio Registration No. 7584. Bearings are based on U.S State Plane Coordinates, Ohio South Zone 3402.

Prepared by: McGill Smith Punshon, Inc.
Date: January 24, 2018
MSP No.: 11485.00

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01/24/2018

DESCRIPTION FOR: Potterhill Homes, LLC

LOCATION: Mills of Miami, TND, Section One
(Portion of Miami Park Circle to be Vacated)
(0.0194 Acres)

Situate in Johnson Military Survey No. 981, Miami Township, Clermont County, Ohio and being part of Miami Park Circle, dedicated by the Mills of Miami TND, Section One record plat as recorded in Plat Cabinet 14, Pages 87-88, Clermont County, Ohio Recorder's Office and being more particularly described as follows;

Commencing at a point in the south right-of-way line of said Miami Park Circle, said point also being the southeast corner of Lot 62, of said Mills of Miami TND, Section One;

Thence, with said south right-of-way line, the following three (3) courses and distances;

1. Along an arc deflecting to left, having a radius of 150.00 feet, a central angle of $49^{\circ}24'28''$, a length of 129.35 feet, the chord of said arc bears South $59^{\circ}38'52''$ East, 125.38 feet to a point;
2. South $84^{\circ}21'06''$ East, 90.00 feet to a point;
3. Along an arc deflecting to left, having a radius of 125.00 feet, a central angle of $53^{\circ}46'02''$, a length of 117.30 feet, the chord of said arc bears North $68^{\circ}45'53''$ East, 113.05 feet to the Real Point of Beginning for this description;

Thence, with a new division line, along an arc deflecting to left, having a radius of 125.00 feet, a central angle of $33^{\circ}12'11''$, a length of 72.44 feet, the chord of said arc bears North $25^{\circ}16'46''$ East, 71.43 feet to a point in the aforesaid right-of-way line of Miami Park Circle;

Thence, with the lines of said right-of-way, the following five (5) courses and distances;

1. Along an arc deflecting to left, having a radius of 15.00 feet, a central angle of $73^{\circ}23'54''$, a length of 19.22 feet, the chord of said arc bears South $28^{\circ}01'17''$ East, 17.93 feet to a point;
2. South $64^{\circ}43'14''$ East, 5.84 feet to a point;
3. South $25^{\circ}16'46''$ West, 50.00 feet to a point;
4. North $64^{\circ}43'14''$ West, 5.84 feet to a point;
5. Along an arc deflecting to left, having a radius of 15.00 feet, a central angle of $73^{\circ}23'54''$, a length of 19.22 feet, the chord of said arc bears South $78^{\circ}34'49''$ West, 17.93 feet to the Real Point of Beginning.

Containing 0.0194 acres (843 S.F.) 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. Bearings are based on U.S State Plane Coordinates, Ohio South Zone 3402.

Prepared by: McGill Smith Punshon, Inc.
Date: January 24, 2018
MSP No.: 11485.00

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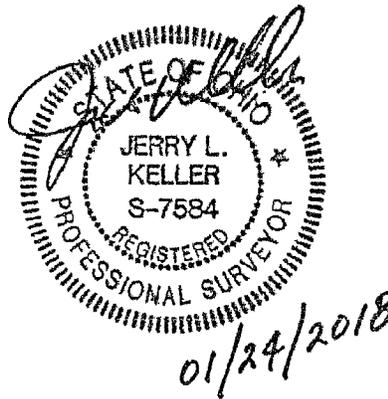


Exhibit "B"

VACATION PLAT

Exhibit "C"

CONSENT TO STREET VACATION

Whereas, Miami Township wishes to initiate the vacation of that portion of the street currently platted on the portion of Clermont County Real Estate Parcel No. 182402C001 as described in the attached Exhibit A and shown in the attached Exhibit B and which is owned by Potterhill Homes, LLC, the undersigned hereby consents to such street vacation on the parcel pursuant to Ohio Revised Code 5553.045.

In witness whereof, as the authorized agent of Potterhill Homes, LLC, Carolyn Rolfs has hereunto set their hand this 15 day of May, 2018.

POTTERHILL HOMES, LLC

By: Carolyn Rolfs
Print Name: Carolyn Rolfs
Title: President