

**ORDINANCE NO. 10 , 2010**

**AN ORDINANCE GRANTING AUTHORITY TO THE CITY MANAGER TO  
CONSOLIDATE AND SUBDIVIDE AND TO DEFINE RIGHT OF WAY  
FOR PROPERTY LOCATED AT THE INTERSECTION OF  
MONTGOMERY ROAD AND COOPER ROAD**

**WHEREAS**, The City of Montgomery is the record owner of property located at the intersection of Montgomery Road and Cooper Road, being described as Hamilton County, Ohio Auditor's parcel numbers 603-0003-0051, 601-0003-0052, 603-0003-0053, 603-0003-0055, 603-0003-0056 and 603-0003-0068; and

**WHEREAS**, The City of Montgomery wishes to consolidate these parcels of land into one parcel, and once the consolidated parcel has been accepted by the City of Montgomery Planning Commission and recorded and accepted by the appropriate authorities of Hamilton County, Ohio, the consolidated parcel shall be subdivided into Parcel One containing approximately 1.2784 acres and Parcel Two containing approximately .0875 acres; and

**WHEREAS**, the goal of this consolidation and subdivision is to better define the property for the purchase option granted to the tenants of the property under a separate Agreement of Lease; and

**WHEREAS**, it also is necessary to re-define the right-of-way within the property as it abuts the intersection to be able to maintain the public improvements constructed on site; and

**WHEREAS**, the purpose of this Ordinance is to grant to the City Manager authority on behalf of the City of Montgomery to complete these transactions.

**NOW THEREFORE, BE IT ORDAINED** by the Council of the City of Montgomery, Hamilton County, Ohio, that:

**SECTION 1.** The City Manager is authorized to sign any and all documentation related to the consolidation of parcel numbers 603-0003-0051, 601-0003-0052, 603-0003-0053, 603-0003-0055, 603-0003-0056 and 603-0003-0068, and to sign any and all documentation related to the subdivision of the consolidated parcels.

**SECTION 2.** Further, the City Manager is authorized to execute any and all documentation necessary to re-define and grant appropriate right-of-way within the property.

**SECTION 3.** This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: August 4, 2010

ATTEST: Susan J. Hamm  
Susan J. Hamm, Clerk of Council

Gerri Harbison  
Gerri Harbison, Mayor

APPROVED AS TO FORM:  
Terrence M. Donnellon  
Terrence M. Donnellon, Law Director