

ORDINANCE NO. 2023-21

AN ORDINANCE AUTHORIZING THE PURCHASE OF TEMPORARY AND PERMANENT RIGHT-OF-WAY FOR THE TODHUNTER ROAD CULVERT REPLACEMENT PROJECT FROM GAIL G. ALFORD.

WHEREAS, the purchase of the within described right-of-way will allow the roadway to be widened making it safer without requiring guardrails.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: Council hereby authorizes the purchase temporary and permanent right-of-way for the Todhunter Road Culvert Replacement Project from Gail G. Alford in the amount of \$7,735.00 as set forth on Exhibit "1" attached hereto and made a part hereof.

SECTION 2: This measure shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: September 24, 2023

ATTEST:

APPROVED:



Clerk of Council




Mayor

First Reading: September 12, 2023

This legislation was enacted in an open meeting pursuant to the terms and provisions of the Sunshine Law, Section 121.22 of the Ohio Revised Code.

"I, the undersigned Clerk of Council of the city of Monroe, Ohio, hereby certify the foregoing (ordinance or resolution) was published as required by Section 7.16 of the Charter of the City of Monroe.



Clerk of Council
City of Monroe, Ohio

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

Gail G. Alford, single, the Grantor(s), in consideration of the sum of \$272.00, to be paid by the City of Monroe, Ohio, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 1-T

CITY OF MONROE-TODHUNTER ROAD

SEE EXHIBIT A ATTACHED

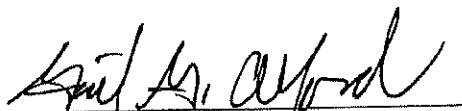
Butler County Current Tax Parcel No. C1800002000006
Prior Instrument Reference: O.R. 6104 Pg. 1657 and Vol. 1700 Pg. 559, Butler County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 18 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

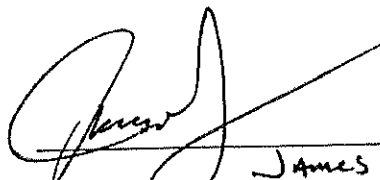
IN WITNESS WHEREOF Gail G. Alford, Unmarried, has hereunto set her hand on the 10th day of August, 2023.


GAIL G. ALFORD, SINGLE

STATE OF OHIO, COUNTY OF BUTLER SS:

BE IT REMEMBERED that on the 10th day of August, 2023, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Gail G. Alford, who acknowledged the foregoing instrument to be her voluntary act and deed. No oath or affirmation was administered to Gail G. Alford with regard to the notarial act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.


James Jones
NOTARY PUBLIC
My Commission expires: 6/29/27

This document was prepared by: City of Monroe, Ohio

EXHIBIT A

Page 1 of 2

Rev. 07/09

LPA RX 887 T

Ver. 03/28/2023

PID C1800002000006

**PARCEL C1800002000006-T1
TODHUNTER ROAD - SECTION 13 - TOWN 2 - RANGE 4
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
CONSTRUCT ROADWAY IMPROVEMENTS
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF MONROE, BUTLER COUNTY, OHIO**

[Surveyor's description of the premises follows]

SITUATE in the State of Ohio, County of Butler, City of Monroe, Section 13, Town 2, Range 4, located in the original Ohio subdivision "Between the Miamis", and being part of a 5.030 acre tract conveyed to Gail G. Alford in **O.R. Volume 1700, Pg. 559** of the Official Records of Butler County, Ohio, being more particularly described as follows:

COMMENCE at the southwest corner of said tract, said point being on the centerline of Todhunter Road and also the south line of Section 13; thence leaving said centerline and along the west line of said tract **N 4°11'14" E** a distance of 40.01 feet to a point to a point on the proposed north right of way line previously described for Todhunter Road; thence leaving said west line and along said proposed right of way line **S 84°36'46" E** a distance of 299.91 feet to a point, said being also being the TRUE POINT OF BEGINNING of the herein described easement:

1. Thence leaving said proposed right of way line **N 45°11'34" E** a distance of **39.05 feet** to a point;
2. Thence along a line bearing **S 84°36'46" E** a distance of **25.00 feet** to a point on the east line of said tract;
3. Thence along said east line **S 4°37'41" W** a distance of **30.00 feet** to a point on said proposed north right of way line for Todhunter Road;
4. Thence leaving said east line and along said proposed right of way line **N 84°36'46" W** a distance of **50.40 feet** to a point and returning to the POINT OF BEGINNING.

Containing 1130.96 square feet (**0.0260 acres**), more or less, and being subject to all easements, conditions, restrictions and legal highways of record pertaining to the parent tract.

EXHIBIT A

LPA RX 887 T

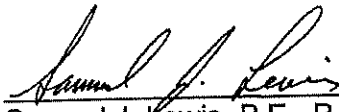
The above description is the result of a survey completed in December 2021 under the supervision of Samuel J. Lewis of JWCI Jones Warner Consultants, Incorporated, Ohio Registered Surveyor No. S-8471.

This description being the same boundary as graphically depicted on the attached Exhibit "B".

The parent tract is currently identified as Parcel ID C1800002000006 by the Butler County Auditor and is more commonly known as 450 Todhunter Road.

The basis of bearings for this description is the Ohio State Plane Coordinate System, South Zone, NAD83 (ft).

JONES WARNER CONSULTANTS, INC.



Samuel J. Lewis, P.E., P.S.
Ohio Registered Land Surveyor No. 8471

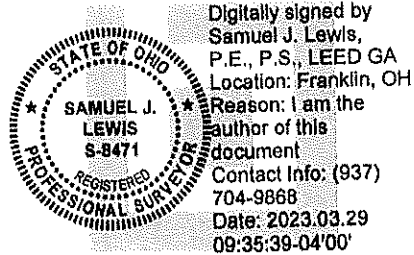
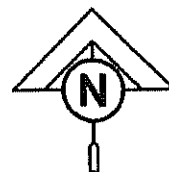


EXHIBIT "B"



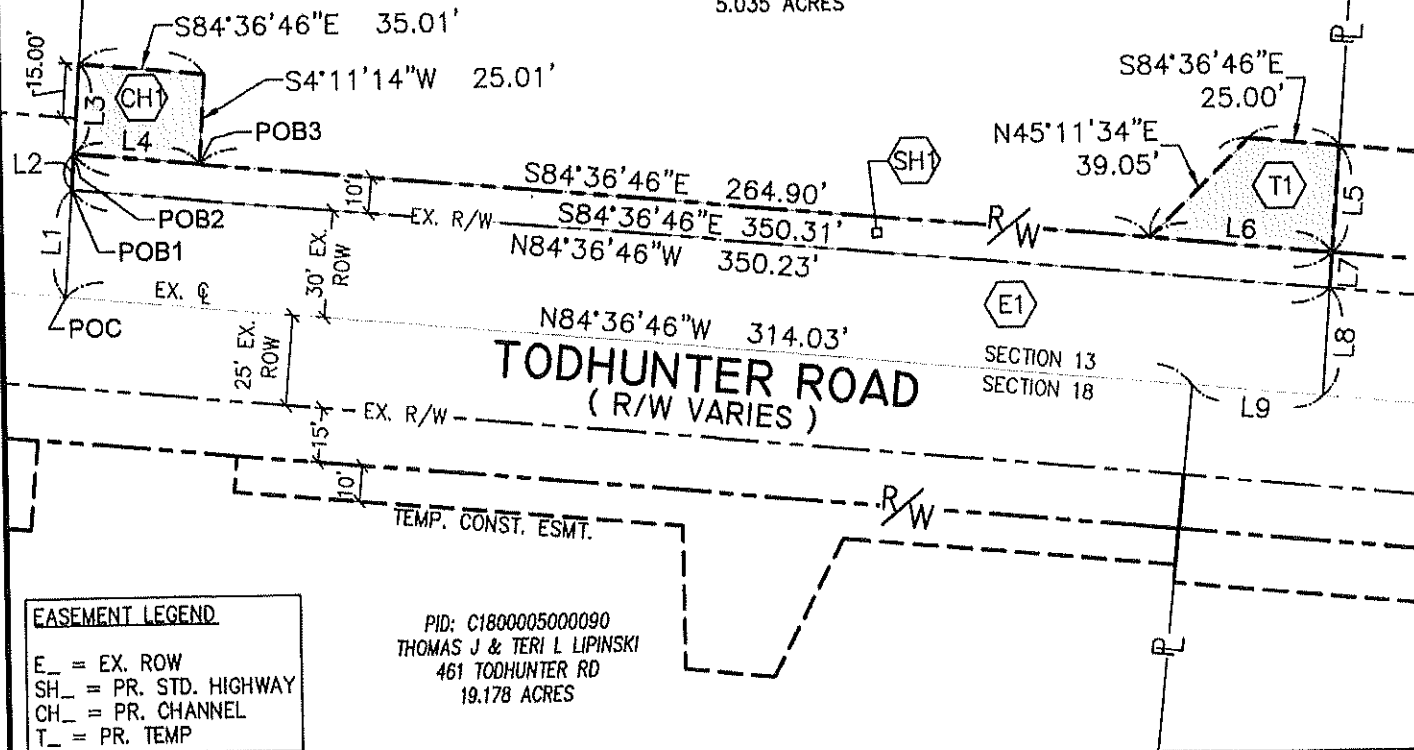
NORTH BASED ON STATE PLANE COORDINATES OHIO SOUTH ZONE US FT

THIS IS NOT A BOUNDARY SURVEY

LINE TABLE		
Line #	Length	Direction
L1	30.01'	N04°11'14"E
L2	10.00'	N04°11'14"E
L3	25.01'	N04°11'14"E
L4	35.01'	N84°36'46"W
L5	30.00'	S04°37'41"W
L6	50.40'	N84°36'46"W
L7	10.00'	S04°37'41"W
L8	30.00'	S04°37'41"W
L9	35.97'	N84°36'46"W

PARCEL AREAS		
PARCEL ID	AREA (SF)	AREA (AC)
C1800002000006-CH1	875.19	0.0201
C1800002000006-E1	10,503.46	0.2411
C1800002000006-SH1	3,502.69	0.0804
C1800002000006-T1	1,130.96	0.0260

PID: C1800002000006
 GAIL G. ALFORD
 450 TODHUNTER RD
 5.035 ACRES



EASEMENT LEGEND
E_ = EX. ROW
SH_ = PR. STD. HIGHWAY
CH_ = PR. CHANNEL
T_ = PR. TEMP

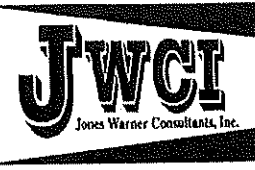
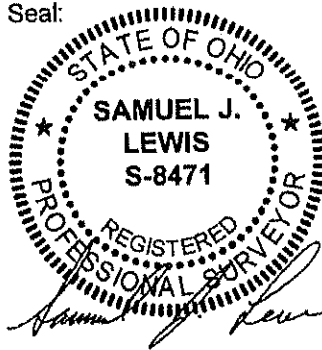
PID: C1800005000090
 THOMAS J & TERI L LIPINSKI
 461 TODHUNTER RD
 19.178 ACRES

DATE: 3/28/2023

SCALE: 1"=50'

Seal:

PROPOSED EASEMENTS PID: C1800002000006 GAIL G. ALFORD



www.joneswarner.com
 Voice: (855) 704-5924
 Fax: (937) 704-9949
 jwci@joneswarner.com

PROJECT LOCATION	PREPARED FOR
TODHUNTER ROAD CITY OF MONROE BUTLER COUNTY, OHIO	CITY OF MONROE, OHIO 233 SOUTH MAIN STREET MONROE, OH 45050-0330

EXHIBIT "B"

EASEMENT

Gail G. Alford, single, the Grantor(s), in consideration of the sum of \$7,463.00, to be paid by the City of Monroe, Ohio, the Grantee, does convey(s) to Grantee, its successors and assigns, an easement, which is more particularly described in Exhibit A attached, the following described real estate:

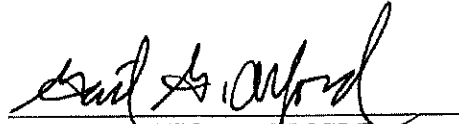
PARCEL(S): 1-CH, SH
CITY OF MONROE - TODHUNTER ROAD
SEE EXHIBIT A ATTACHED

Butler County Current Tax Parcel No. C1800002000006
Prior Instrument Reference: O.R. 6104 Pg. 1657 and Vol. 1700 Pg. 559, Butler County Recorder's Office.

Grantor(s), for herself and her successors and assigns, covenant(s) with the Grantee, its successors and assigns, that she is the true and lawful owner(s) in fee simple, and has the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all claims of all persons.

The property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

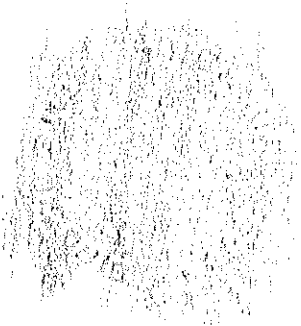
IN WITNESS WHEREOF Gail G. Alford, single, has hereunto set her hand on the 10th day of August, 2023.

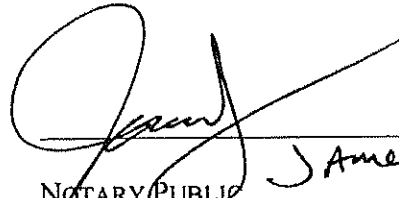

GAIL G. ALFORD, SINGLE

STATE OF OHIO, COUNTY OF BUTLER SS:

BE IT REMEMBERED that on the 10th day of August, 2023, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Gail G. Alford, who acknowledged the foregoing instrument to be her voluntary act and deed. No oath or affirmation was administered to Gail G. Alford with regard to the notarial act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.




NOTARY PUBLIC James Jones
My Commission expires: 6/29/27

This document was prepared by: City of Monroe, Ohio

EXHIBIT A

Page 1 of 2

LPA RX 871 SH

Rev. 06/09

Ver. 03/28/2023

PID C1800002000006

**PARCEL C1800002000006-SH1
TODHUNTER ROAD - SECTION 13 - TOWN 2 - RANGE 4
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF MONROE, BUTLER COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Monroe, Butler County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

SITUATE in the State of Ohio, County of Butler, City of Monroe, Section 13, Town 2, Range 4, located in the original Ohio subdivision "Between the Miamis", and being part of a 5.030 acre tract conveyed to Gail G. Alford in **O.R. Volume 1700, Pg. 559** of the Official Records of Butler County, Ohio, being more particularly described as follows:

COMMENCE at the southwest corner of said tract, said point being on the centerline of Todhunter Road and also the south line of Section 13; thence leaving said centerline and along the west line of said tract **N 4°11'14" E** a distance of 30.01 feet to a point on the original north right of way line for Todhunter Road, said being also being the **TRUE POINT OF BEGINNING** of the herein described easement:

1. Thence continuing along said west line **N 4°11'14" E** a distance of **10.00 feet** to a point on the proposed north right of way line for Todhunter Road;
2. Thence leaving said west line and along said proposed right of way line **S 84°36'46" E** a distance of **350.31 feet** to a point on the east line of said tract;
3. Thence leaving said proposed right of way line and along said east line **S 4°37'41" W** a distance of **10.00 feet** to a point on said original north right of way line for Todhunter Road;
4. Thence leaving said east line and along said original right of way line **N 84°36'46" W** a distance of **350.23 feet** to a point; and returning to the **POINT OF BEGINNING**.

EXHIBIT A

LPA RX 871 SH

Rev. 06/09

Containing 3,502.69 square feet (**0.0804 acres**), more or less, and being subject to all easements, conditions, restrictions and legal highways of record pertaining to the parent tract.

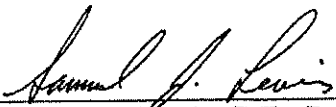
The above description is the result of a survey completed in December 2021 under the supervision of Samuel J. Lewis of JWCI Jones Warner Consultants, Incorporated, Ohio Registered Surveyor No. S-8471.

This description being the same boundary as graphically depicted on the attached Exhibit "B".

The parent tract is currently identified as Parcel ID C1800002000006 by the Butler County Auditor and is more commonly known as 450 Todhunter Road.

The basis of bearings for this description is the Ohio State Plane Coordinate System, South Zone, NAD83 (ft).

JONES WARNER CONSULTANTS, INC.



Samuel J. Lewis, P.E., P.S.
Ohio Registered Land Surveyor No. 8471

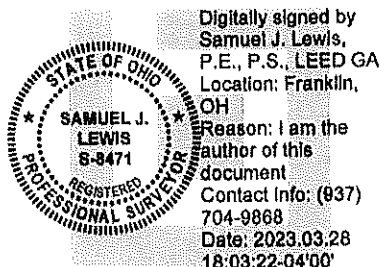
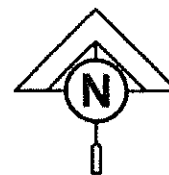


EXHIBIT "B"

LINE TABLE		
Line #	Length	Direction
L1	30.01'	N04°11'14"E
L2	10.00'	N04°11'14"E
L3	25.01'	N04°11'14"E
L4	35.01'	N84°36'46"W
L5	30.00'	S04°37'41"W
L6	50.40'	N84°36'46"W
L7	10.00'	S04°37'41"W
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L9	35.97'	N84°36'46"W

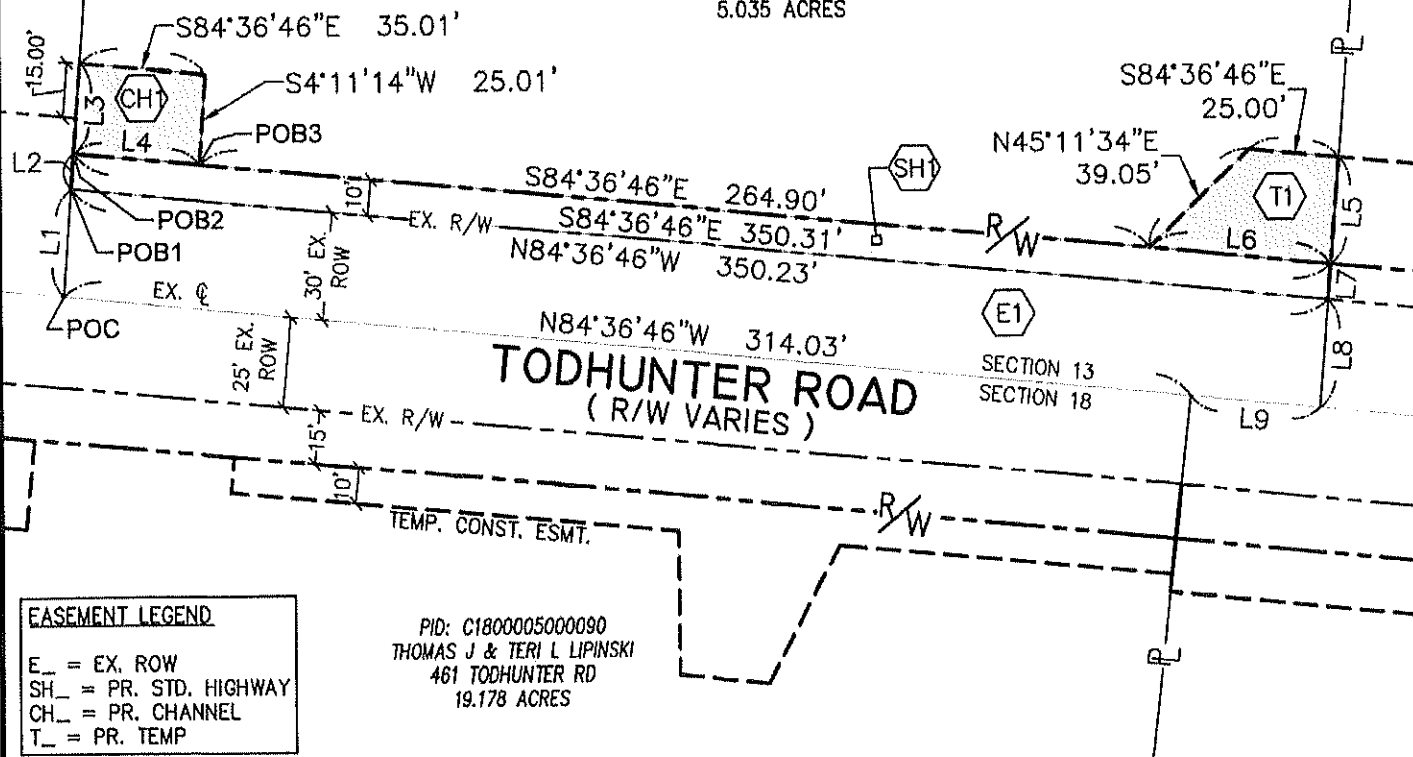
PARCEL AREAS		
PARCEL ID	AREA (SF)	AREA (AC)
C1800002000006-CH1	875.19	0.0201
C1800002000006-E1	10,503.46	0.2411
C1800002000006-SH1	3,502.69	0.0804
C1800002000006-T1	1,130.96	0.0260



NORTH BASED ON STATE
PLANE COORDINATES
OHIO SOUTH ZONE US FT

THIS IS NOT A
BOUNDARY SURVEY

PID: C1800002000006
GAIL G. ALFORD
450 TODHUNTER RD
5.035 ACRES



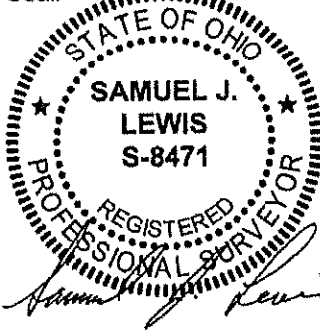
EASEMENT LEGEND	
E_	= EX. ROW
SH_	= PR. STD. HIGHWAY
CH_	= PR. CHANNEL
T_	= PR. TEMP

PID: C18000050000090
THOMAS J & TERI L LIPINSKI
461 TODHUNTER RD
19.178 ACRES

DATE: 3/28/2023 SCALE: 1"=50'

PROPOSED EASEMENTS PID: C1800002000006 GAIL G. ALFORD

Seal:



www.joneswarner.com
Voice: (855) 704-5924
Fax: (937) 704-9949
jwci@joneswarner.com

PROJECT LOCATION	PREPARED FOR
TODHUNTER ROAD CITY OF MONROE BUTLER COUNTY, OHIO	CITY OF MONROE, OHIO 233 SOUTH MAIN STREET MONROE, OH 45050-0330

EXHIBIT "B"

EXHIBIT A

Page 1 of 2

LPA RX 879 CH

Rev. 06/09

Ver. 03/28/2023

PID C1800002000006

**PARCEL C1800002000006-CH1
TODHUNTER ROAD - SECTION 13 - TOWN 2 - RANGE 4
PERPETUAL EASEMENT TO CONSTRUCT AND MAINTAIN A CHANNEL
IN THE NAME AND FOR THE USE OF THE
CITY OF MONROE, BUTLER COUNTY, OHIO**

A perpetual easement for the construction and maintenance of a perpetual watercourse, ditch, channel or other drainage facility upon the within described real estate. Grantor/Owner herein retains the right to use said real estate for any and all other purposes provided that such use does not interfere with nor impair the exercise of the easement herein granted (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

SITUATE in the State of Ohio, County of Butler, City of Monroe, Section 13, Town 2, Range 4, located in the original Ohio subdivision "Between the Miamis", and being part of a 5.030 acre tract conveyed to Gail G. Alford in **O.R. Volume 1700, Pg. 559** of the Official Records of Butler County, Ohio, being more particularly described as follows:

COMMENCE at the southwest corner of said tract, said point being on the centerline of Todhunter Road and also the south line of Section 13; thence leaving said centerline and along the west line of said tract **N 4°11'14" E** a distance of 40.01 feet to a point on the proposed north right of way line previously described for Todhunter Road, said being also being the TRUE POINT OF BEGINNING of the herein described easement:

1. Thence continuing along said west line **N 4°11'14" E** a distance of **25.00 feet** to a point;
2. Thence leaving said west line **S 84°36'46" E** a distance of **35.01 feet** to a point;
3. Thence along a line bearing **S 4°11'14" W** a distance of **25.01 feet** to a point on said proposed north right of way line for Todhunter Road;
4. Thence along said proposed right of way line **N 84°36'46" W** a distance of **35.01 feet** to a point and returning to the POINT OF BEGINNING.

Containing 875.19 square feet (**0.0201 acres**), more or less, and being subject to all easements, conditions, restrictions and legal highways of record pertaining to the parent tract.

EXHIBIT A

LPA RX 879 CH

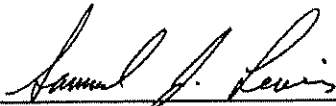
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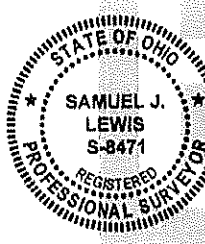
The parent tract is currently identified as Parcel ID C1800002000006 by the Butler County Auditor and is more commonly known as 450 Todhunter Road.

The basis of bearings for this description is the Ohio State Plane Coordinate System, South Zone, NAD83 (ft).

JONES WARNER CONSULTANTS, INC.

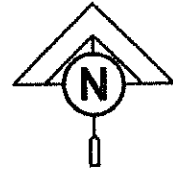


Samuel J. Lewis, P.E., P.S.
Ohio Registered Land Surveyor No. 8471



Digitally signed by
Samuel J. Lewis, P.E.,
P.S., LEED GA
Location: Franklin, OH
Reason: I am the
author of this document
Contact Info: (937)
704-9868
Date: 2023.03.28
18:04:47-04'00'

EXHIBIT "B"



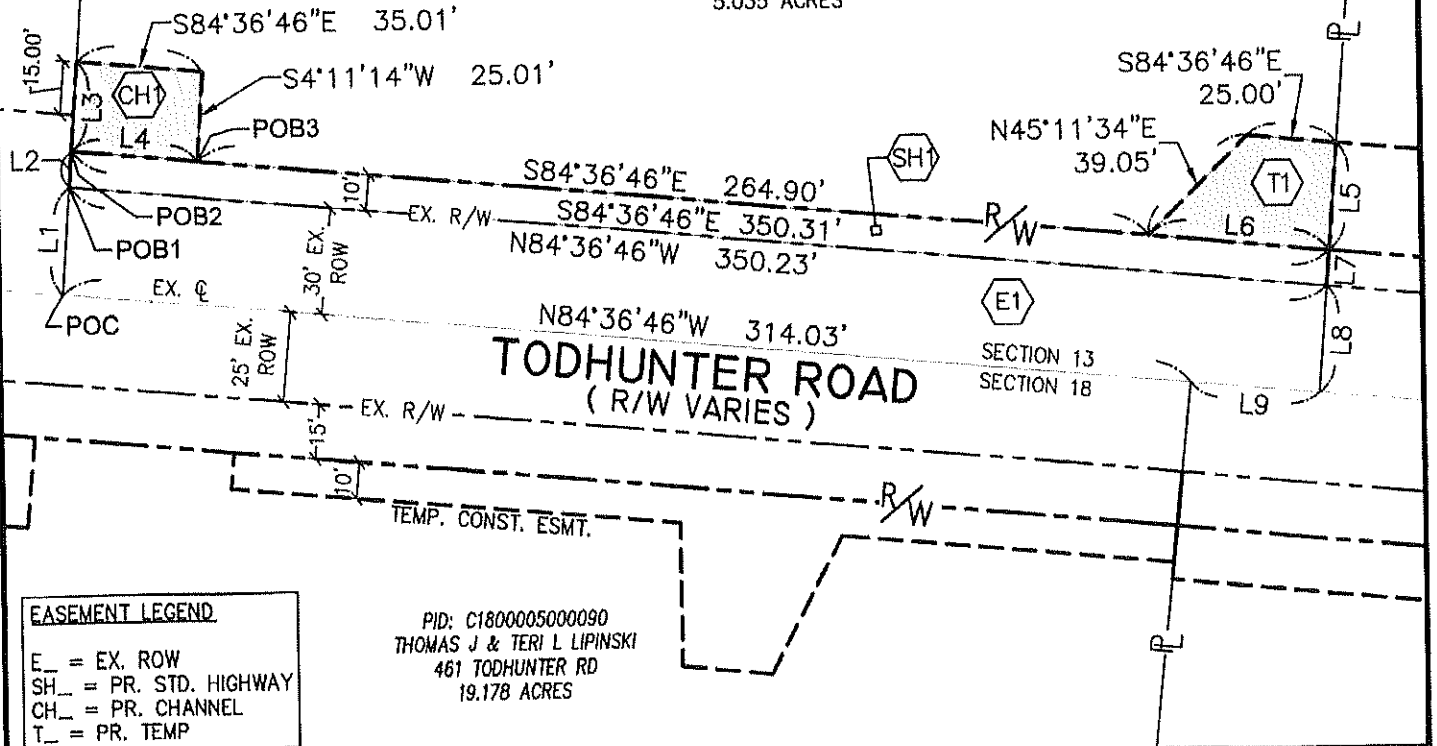
NORTH BASED ON STATE
PLANE COORDINATES
OHIO SOUTH ZONE US FT

THIS IS NOT A
BOUNDARY SURVEY

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C1800002000006-SH1	3,502.69	0.0804
C1800002000006-T1	1,130.96	0.0260

PID: C1800002000006
GAIL G. ALFORD
450 TODHUNTER RD
5.035 ACRES



EASEMENT LEGEND
E_ = EX. ROW
SH_ = PR. STD. HIGHWAY
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T_ = PR. TEMP

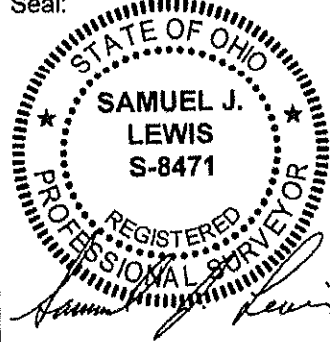
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THOMAS J & TERI L LIPINSKI
461 TODHUNTER RD
19.178 ACRES

DATE: 3/28/2023

SCALE: 1"=50'

Seal:

PROPOSED EASEMENTS PID: C1800002000006 GAIL G. ALFORD



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PROJECT LOCATION
TODHUNTER ROAD
CITY OF MONROE
BUTLER COUNTY, OHIO

PREPARED FOR
CITY OF MONROE, OHIO
233 SOUTH MAIN STREET
MONROE, OH 45050-0330

EXHIBIT "B"