

CITY OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2023-06

AN ORDINANCE VACATING A PORTION OF AN ALLEY FROM CAVOLTS'
ADDITION TO DEERFIELD

WHEREAS, per the Cavolts' Addition to Deerfield plat from 1896, a 5' +/- public alley was created on the south side of McKinley Street, as shown on Exhibit A; and

WHEREAS, given that there is no public purpose for this alley, the City Council desires to vacate this section of City right-of-way, and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Lebanon, at least a majority of all members elected thereto concurring:

Section 1. The City hereby vacates that portion of an alley from Cavolts' Addition to Deerfield as described in the attached Exhibits A, B, C, and D, and that by reason of such vacation, the land contained within the boundaries thereof shall revert to and belong to the abutting property owners in accordance with the attached map of said properties.

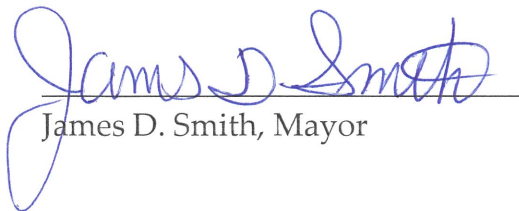
Section 2. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 3. That it is found and determined that all formal actions of the Council concerning and relating to passing this Ordinance were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 6th day of April, 2023.

Attest: _____

Petrina D. Williams, Fiscal Officer/Clerk


James D. Smith, Mayor

Ordinance 2023-06 Vacation of Alley from Cavolts' Addition
Page 2

Rules Suspended: / /2023 (if applicable)

Effective Date – / /2023

Vote - ____ Yeas

____ Nays

First Reading – 3/2/2023

Effective Date – 5/6/2023

Second Reading – 3/16/2023

Third Reading – 4/6/2023

Vote - 5 Yeas

____ Nays

Prepared by and approved as to form:

ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By:  _____

Date: 4/6/2023

DESCRIPTION FOR:**City of South Lebanon****LOCATION:**

**Cavolts' Addition to Deerfield
Alley (R/W Varies)
Perimeter 0.0242 Acres**

Situate in Section 31, Town 5, Range 3, Between the Miamis, City of South Lebanon, Union Township, Warren County, Ohio, being part of an Alley (R/W varies in width) of Cavolts' Addition to Deerfield as recorded in Plat Book 2, Page 85 (all records of the Warren 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 south line of McKinley Street (49.50' R/W) as recorded in Plat Book 2, Page 85, Plat Book 2, Page 160 and S.R. Vol. 5, Page 188, at the northeast corner of Lot 8 of said Cavolts' Addition to Deerfield;

Thence along the south line of said McKinley Street, South 85°08'17" East, 5.70 feet to a set pin at the northwest corner of Lot 1 of Kever's Addition to Mary Ellen Subdivision as recorded in Plat Book 2, Page 160;

Thence along the west line of said Lot 1, South 05°05'43" West, 200.00 feet to a set pin;

Thence with a new division line, North 85°08'17" West, 4.88 feet to a set pin at the southeast corner of aforesaid Lot 8;

Thence with the east line of said Lot 8, North 04°51'43" East, 200.00 feet to the point of beginning.

Containing 0.0242 acres of land.

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

The above description is the result of a Vacation) Plat prepared by McGill Smith Punshon, Inc. under the direction of Richard D. Nichols, P.S. No. 7929, dated the 2nd of November 2022. The bearings in the above description are based on Mary Ellen Street bearing South 5°00'00" West as shown in Plat Volume 142, Page 49, record of land surveys.

Prepared by: McGill Smith Punshon, Inc.
Date: 11 JAN 2023
MSP No.: 06308.18

06308183-LEG-0.0242ac

 1/20/23

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



DESCRIPTION FOR:**City of South Lebanon****LOCATION:**

**Cavolts' Addition to Deerfield
Alley (R/W Varies)
East 0.0121 Acres**

Situate in Section 31, Town 5, Range 3, Between the Miamis, City of South Lebanon, Union Township, Warren County, Ohio, being part of an Alley (R/W varies in width) of Cavolts' Addition to Deerfield as recorded in Plat Book 2, Page 85 (all records of the Warren 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 south line of McKinley Street (49.50' R/W) as recorded in Plat Book 2, Page 85, Plat Book 2, Page 160 and S.R. Vol. 5, P. 188, at the northwest corner of Lot 1 of Keever's Addition to Mary Ellen Subdivision as recorded in Plat Book 2, Page 160;

Thence along the west line of said Lot 1, South 05°05'43" West, 200.00 feet to a set pin;

Thence with new division lines, the following two (2) courses and distances:

- 1.) North 85°08'17" West, 2.44 feet to a set pin in the centerline of aforesaid Alley;
- 2.) Along the centerline of said Alley, North 04°58'43" East, 200.00 feet to a set pin in the south line of aforesaid McKinley Street;

Thence along the south line of said McKinley Street, South 85°08'17" East, 2.85 feet to the point of beginning.

Containing 0.0121 acres of land.

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

The above description is the result of a Vacation Plat prepared by McGill Smith Punshon, Inc. under the direction of Richard D. Nichols, P.S. No. 7929, dated the 2nd of November 2022. The bearings in the above description are based on Mary Ellen Street bearing South 5°00'00" West as shown in Plat Volume 142, Page 49, record of land surveys.

Prepared by: McGill Smith Punshon, Inc.
Date: 11 JAN 2023
MSP No.: 06308.18

06308183-LEG-0.0121ac EAST

Robert D. Nichols 1/20/23

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DESCRIPTION FOR:**City of South Lebanon****LOCATION:**

**Cavolts' Addition to Deerfield
Alley (R/W Varies)
West 0.0121 Acres**

Situate in Section 31, Town 5, Range 3, Between the Miamis, City of South Lebanon, Union Township, Warren County, Ohio, being part of an Alley (R/W varies in width) of Cavolts' Addition to Deerfield as recorded in Plat Book 2, Page 85 (all records of the Warren County, Ohio Recorder's Office) and also being more particularly described as follows:

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Thence along the south line of said McKinley Street, South 85°08'17" East, 2.85 feet to a set pin in the centerline of aforesaid Alley;

Thence with new division lines, the following two (2) courses and distances:

- 1.) Along the centerline of said Alley, South 04°58'43" West, 200.00 feet to a set pin;
- 2.) North 85°08'17" West, 2.44 feet to a set pin at the southeast corner of aforesaid Lot 8;

Thence with the east line of said Lot 8, North 04°51'43" East, 200.00 feet to the point of beginning.

Containing 0.0121 acres of land.

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

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Date: 11 JAN 2023
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06308183-LEG-0.0121ac WEST



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