

**CITY OF SOUTH LEBANON, OHIO  
ORDINANCE NO. 2024-21**

**AN ORDINANCE AUTHORIZING THE VACATION OF RIGHT-OF-WAY EASEMENT  
FOR A SECTION OF STRIKER ROAD AND DECLARING AN EMERGENCY**

**WHEREAS**, the City Council of the City of South Lebanon has received a Petition as provided in Exhibit "A" from Grandin Road Development, LLC, owner of parcel 16-05-100-017, being a part of Military Survey 1548, Warren County, Ohio, and from Beaver Creek Site Management, LLC, owner of parcels 16-11-295-017 and 16-11-295-018, being a part of Military Survey 1548, in South Lebanon, Warren County, Ohio, more fully described in the attached Exhibit "B", to vacate the right-of-way easement for a section of Striker Road; and,

**WHEREAS**, along with said Petition, a record plan for the vacation plat provided in Exhibit "C" was filed indicating the area to be vacated; and,

**WHEREAS**, the City Council finds that good cause has been substantiated for such vacation and that it would not be detrimental to the general interests of the City of South Lebanon, and that it complies with the applicable provisions of ORC 723; and,

**WHEREAS**, immediate action is needed in order for said vacation can be recorded and the property owners can continue the required steps in the development of the property, and such action is necessary in order to preserve the public peace, health, safety or welfare of the City.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of South Lebanon, at least two-thirds of all members elected thereto concurring:

**Section 1.** This Council finds the Petition signed by the owners of said properties along Striker Road has been presented to this Council requesting said right-of-way easement be vacated.

**Section 2.** This Council finds that, pursuant to ORC 723.06, notice of the pendency and prayer of said Petition is not required as this Petition is signed by the owners of all contiguous property.

**Section 3.** This Council further finds that there is good cause for such vacation of said right-of-way easement as requested for and that such vacation of said right-of-way easement shall not be detrimental to the general interest and should be granted.

**Section 4.** The section of right-of-way easement abutting and adjacent to owner of parcel 1605100017, being a part of Military Survey 1548, in South Lebanon, Warren County, Ohio, and parcels 1611295017 and 1611295018, being a part of Military Survey 1548, in South Lebanon, Warren County, Ohio, as indicated on the record plan for vacation as provided in Exhibit "C", and further described in the attached legal descriptions as provided in Exhibits "C", are hereby vacated upon the condition that all easements existing within said area for public utilities shall continue to exist and shall become permanent, pursuant to ORC 723.041 and conveyed to parcel

**Ordinance 2024- 21**  
**Page 2**

16-05-100-017 as described in Exhibit “C” and owned by Grandin Road Development LLC and parcels 16-11-295-017 and 16-11-295-018 as described in Exhibit “C” and owned by Beaver Creek Site Management, LLC.

<b>Owner</b>	<b>Tax Mailing Address</b>	<b>Vacation Survey Record</b>	<b>Existing Acreage, Parcel No. &amp; Deed Reference</b>	<b>Vacated Highway/ ROW</b>
Grandin Road Development LLC	7861 E. Kemper Rd. Cincinnati, OH 45249	S.R. Vol. Plat No. Filed	Ac. 39.1393 #16-05-100-017 Doc.2024-016576	See Exh. C
Beaver Creek Site Management, LLC	7861 E. Kemper Rd. Cincinnati, OH 45249	S.R. Vol. Plat No. Filed	Ac. 0.8143 #16-11-295-017 #16-11-295-018 Doc.2023-016021	See Exh. C

**Section 5.** The Clerk of Council is instructed to endorse upon the record plan for vacation plat as provided in Exhibit “C” the action of this Council in vacating such section of the right-of-way and to cause said plat to be recorded in the office of the Recorder of Warren County, Ohio.

**Section 6.** The Clerk of Council is directed to notify the Auditor of Warren County, Ohio, of the vacation by sending a copy of this Ordinance.

**Section 7.** The recitals contained in the Whereas clauses set forth above are incorporated by reference herein.

**Section 8.** All formal actions of City Council regarding this Ordinance were adopted in an open meeting of City Council in compliance with all legal requirements, including, but not limited to, Section 121.22 of the Ohio Revised Code.

**Section 9.** This Ordinance is hereby declared to be an emergency measure in accordance with Section 731.30 of the Ohio Revised Code for the immediate preservation of the public peace, health, safety, and general welfare; and this Ordinance shall be in full force and effective immediately upon its passage.

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**Page 3**

Adopted this 17<sup>th</sup> day of October, 2024.

Linda S. Burke  
Linda S. Burke, Mayor

Attest: Petrina D. Williams  
Petrina D. Williams, Director of Finance/Clerk

Rules Suspended:	<u>10/17/24</u>	(if applicable)
First Reading:	<u>-</u>	
Second Reading:	<u>-</u>	
Vote:	<u>4</u> Yeas	
	<u>1</u> Nays	
Effective Date:	<u>10/17/24</u>	

Prepared by and approved as to form:

Andrew P. Meier  
Law Director  
City of South Lebanon, Ohio

By: Andrew P. Meier  
Date: 10/17/2024

Exhibit "A"

Jerry Haddix  
City Administrator  
City of South Lebanon  
10 N. High Street  
South Lebanon, Ohio 45065

**PETITION FOR VACATION OF RIGHT-OF-WAY**

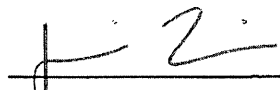
EAP  
5/22

Now comes Grandin Road Development, LLC ("Grandin") and Beaver Creek Site Management, LLC ("Beaver Creek"), both Ohio limited liability companies, jointly and severally the Petitioner, being the owners of Parcel Nos. 16-11-295-017 and 16-11-295-018 (Beaver Creek) and 16-05-100-~~017~~ (Grandin), who pursuant to Ohio Revised Code Section 723.04, petition the City of South Lebanon to vacate the 0.7792 acre portion of the Striker Road right-of-way, being two parcels of .2029 acres and .2066 acres owned by Beaver Creek and .3697 acres owned by Grandin, all as set forth in the Vacation Plat and legal descriptions attached hereto as Exhibit A.

Petitioner sets forth that pursuant to ORC 723.06, notice of the pendency and prayer of this Petition is not required as this Petition is signed by the owners of all contiguous property. The cause for the vacation is to generate additional land for development, and the vacation of said right-of-way easement would not be detrimental to the general interest of the community. The City of South Lebanon should, by ordinance, declare the described portion of the Striker Road right-of-way easement to be vacated.

Petitioner further sets forth that that described portion of the Striker Road right-of-way easement would be of no further value or use to the City of South Lebanon as a roadway. The vacation of said right-of-way would transfer the right-of-way to the abutting property owners, Beaver Creek and Grandin, for productive use.

**Grandin Road Development, LLC**  
an Ohio limited liability company

  
By: Julie Zicka, Manager

**Beaver Creek Site Management, LLC**  
an Ohio limited liability company

  
By: Edwin Farruggia, Manager

**Exhibit B**

**Parcel Nos.   16-11-295-017 (Lot 1)**  
**16-11-295-018 (Lot 2)**

Being all of Lots 1 and 2 of Miami Striker Remainder Lots Plat as recorded in Plat Book 91 Pages  
43 through 44 of the Warren County Records

Exhibit "B"

**DESCRIPTION FOR:** GRANDIN ROAD DEVELOPMENT, LLC

**LOCATION:** GRANDIN ROAD  
SOUTH LEBANON  
39.1393 ACRES

Situate in Military Survey No. 1547 and Military Survey No. 1548, City of South Lebanon, Hamilton township, Warren County, Ohio and being part of a 65.6780 acre tract as conveyed to Grandin Road Development, LLC by deed recorded in Deed Doc. No. 2024-014360, Warren County, Ohio Recorder's Office and being more particularly described as follows:

BEGINNING at a found iron pin in the north line of Willow Grove as recorded in Plat Book 51, Page 94, Warren County, Ohio Recorder's Office and the southeast corner of Lot 1, Striker Road Plat as recorded in Plat Book 91, Page 43;

Thence with the east line of said Lot 1 and Lot 2, Striker Road Plat and in part the east right of way line of Striker Road (R/W Varies), North 03°37'56" East, 836.80 feet to a found iron pin;

Thence through said right of way of said Striker Road and in part the south line of a 6.7981 acre tract as conveyed to Hamilton Township Warren County Ohio Board of Township Trustees by deed recorded in O.R. Volume 5380, Page 342, Warren County, Ohio Recorder's Office, South 86°21'10" East, 452.49 feet to a found iron pin;

Thence with the east line of said 6.7981 acre tract, North 03°34'41" East, 158.22 feet to a set iron pin;

Thence through said Grandin Road Development, LLC land with new division lines for the following five (5) courses and distances:

- 1) South 86°28'53" East, 290.83 feet to a set iron pin;
- 2) South 72°26'43" East, 123.69 feet to a set iron pin;
- 3) South 86°28'53" East, 540.00 feet to a set iron pin;
- 4) North 66°57'17" East, 67.08 feet to a set iron pin;
- 5) South 86°29'04" East, 212.83 feet to a set iron pin in the west line of a 62.8121 acre tract as conveyed to Grandin Road Development, LLC by deed recorded in O.R. Volume 5758, Page 397, Warren County, Ohio Recorder's Office;

McGill Smith Punshon, Inc.  
3700 Park 42 Drive, Suite 190B ■ Cincinnati, Ohio 45241  
513.759.0004 ■ Fax 513.563.7099 ■ [www.mspdesign.com](http://www.mspdesign.com)



Thence with the west line of said 62.8121 acre tract, South 03°48'06" West, 994.02 feet to a found iron pin in the north line of The Landing at Willow Pond, Section Two as recorded in Plat Book 41, Page 51, Warren County, Ohio Recorder's Office;

Thence with the north line of said The Landing at Willow Pond, Section Two, in part the north line of The Landing at Willow Pond, Section Three as recorded in Plat Book 41, Page 62, Warren County, Ohio Recorder's Office, in part the north line of The Landing at Willow Pond, Section Four as recorded in Plat Book 45, Page 4, Warren County, Ohio Recorder's Office, and in part the north line of the aforesaid Willow Grove, North 86°28'53" West, 1673.06 feet to the POINT of BEGINNING.

Containing 39.1393 acres of land of which 0.0750 acres lie within Military Survey No. 1547 and 39.0643 acres lie within Military Survey No. 1548, and of which 0.5763 acres lie within the public right of way of Striker Road, leaving 38.5630 acres net.

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

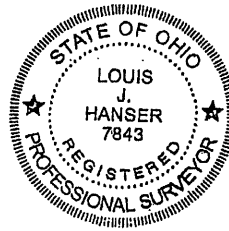
The above description is the result of a survey prepared by McGill Smith Punshon, Inc. under the direction of Louis J. Hanser, P.S., Ohio Registration No. 7843, dated July 12, 2024, the survey of which is filed in Volume 160, Page 81, Warren County Engineer's Record of Land Surveys. The bearings in the above description are based on The Ohio State Plane Coordinate System, South Zone, NAD83 (Ground).

Prepared by: McGill Smith Punshon, Inc.

Date: July 12, 2024

MSP No.: 18648.00

18648003-CL1-LEG-PARCEL 1



*[Signature]*

07/29/24

2 of 2

McGill Smith Punshon, Inc.

3700 Park 42 Drive, Suite 190B ■ Cincinnati, Ohio 45241

513.759.0004 ■ Fax 513.563.7099 ■ www.mspsdesign.com

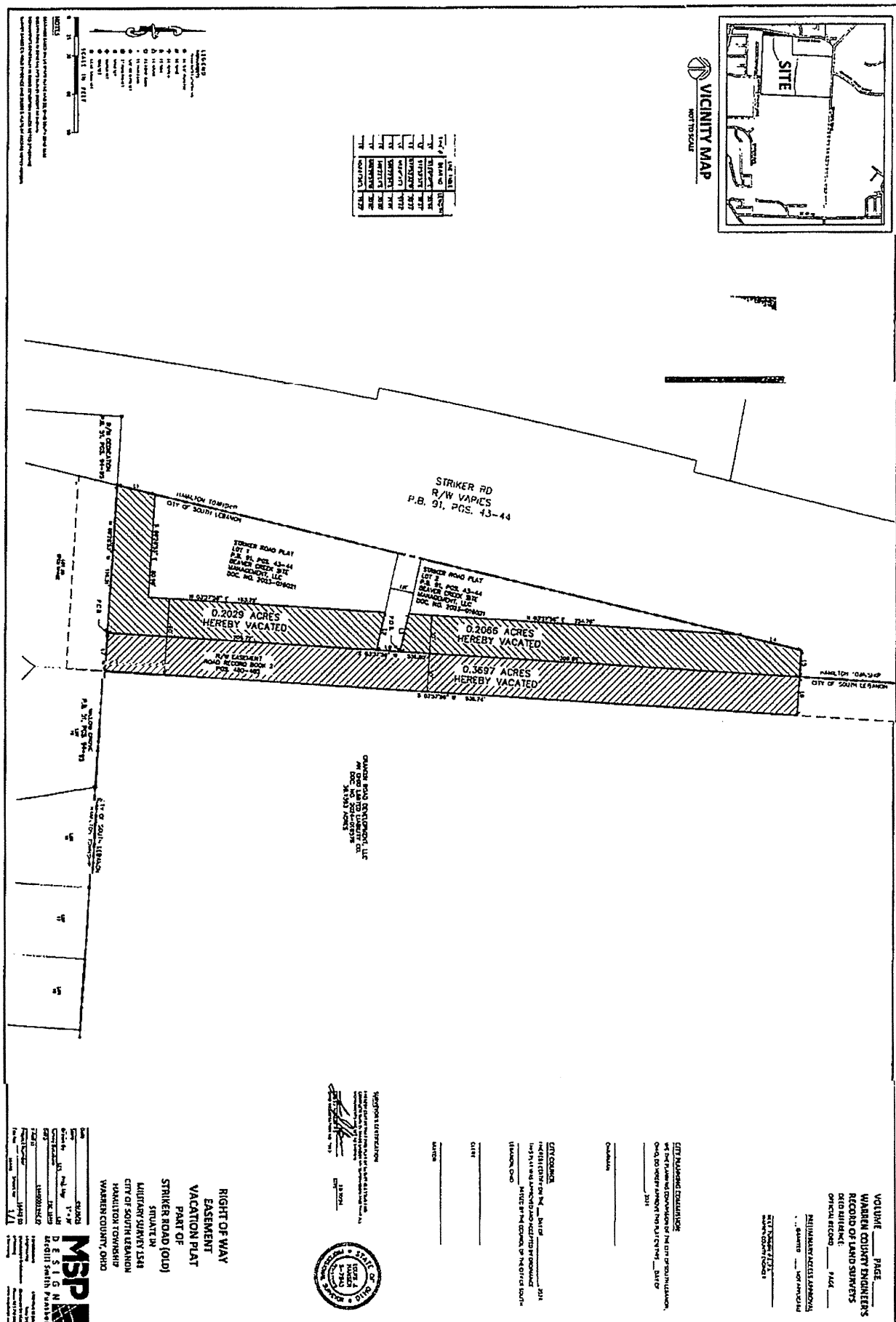


Old 16-05-100-016 65.6780 ac (1.0234 ac Hamilton Twp  
64.6546 ac S. Lebanon Corp  
51.9124 ac VMS 1548  
13.7656 ac VMS 1547)

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New 16-05-100-017 39.1393 ac (39.0643 ac VMS 1548  
0.0750 ac VMS 1547)

Rem 16-05-100-018 26.5387 ac (1.0234 ac Hamilton Twp  
25.5153 ac S. Lebanon Corp  
12.8481 ac VMS 1548  
13.6906 ac VMS 1547)





## Exhibit C

**DESCRIPTION FOR:** **STRIKER ROAD VACATION**

**LOCATION:** **CITY OF SOUTH LEBANON**  
**0.3697 Acres**

Situate in Military Survey No. 1548, City of South Lebanon, Hamilton Township, Warren County, Ohio and being part of a 39.1393 acre tract as conveyed to Grandin Road Development, LLC by deed recorded in Doc. No. 2024-016576, Warren County, Ohio Recorder's Office and being part of the right of way easement as recorded in Road Record Book 2, Pages 480-485, Warren County, Ohio Recorder's Office and being more particularly described as follows:

BEGINNING at a found iron pin at the southeast corner of Lot 1, Striker Road Plat as recorded in Plat Book 91, Pages 43-44, a point in the north line of Willow Grove as recorded in Plat Book 51, Pages 94-95, Warren County, Ohio Recorder's Office, a point in the centerline of Striker Road (Old), and the Hamilton Township and City of South Lebanon line;

Thence with the east line of said Lot 1 and Lot 2, Striker Road Plat and the centerline of said Striker Road (Old), North 03°37'56" East, 536.80 feet to a point;

Thence through said 39.1393 acre tract, South 86°22'04" East, 30.00 feet to a point in the east right of way line said Striker Road (Old);

Thence continuing through said 39.1393 acre tract and with the east right of way line of said Striker Road (Old), South 03°37'56" West, 536.74 feet to a point in the north line of said Willow Grove and said city and township lines;

Thence with said city and township lines and with the north line of said Willow Grove, North 86°28'53" West, 30.00 feet to the POINT of BEGINNING.

Containing 0.3697 acres of land of which.

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

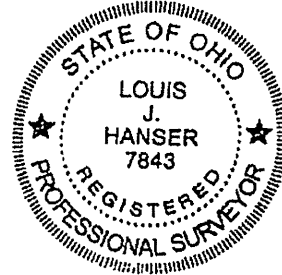
The above description is the result of a survey prepared by McGill Smith Punshon, Inc. under the direction of Louis J. Hanser, P.S., Ohio Registration No. 7843, dated September 26, 2024, the survey of which is filed in Volume \_\_\_\_\_, Page \_\_\_\_\_, Warren County Engineer's Record of Land Surveys. The bearings in the above description are based on The Ohio State Plane Coordinate System, South Zone, NAD83 (Ground).

Prepared by: McGill Smith Punshon, Inc.

Date: September 27, 2024

MSP No.: 18664.02

18664023-CU-LEG-VAC-0.3697 Ac



10/10/24

## Exhibit C

**DESCRIPTION FOR: STRIKER ROAD EASEMENT VACATION**

**LOCATION: CITY OF SOUTH LEBANON  
0.2029 Acres**

Situate in Military Survey No. 1548, City of South Lebanon, Hamilton Township, Warren County, Ohio and being part of Lot 1, Striker Road Plat as recorded in Plat Book 91, Pages 43-44, Warren County, Ohio Recorder's Office and as conveyed to Beaver Creek Site Management, LLC by deed recorded in Doc. No. 2023-016021, Warren County, Ohio Recorder's Office and being part of the right of way easement as recorded in Road Record Book 2, Pages 480-485, Warren County, Ohio Recorder's Office and being more particularly described as follows:

BEGINNING at a found iron pin at the southeast corner of said Lot 1, Striker Road Plat, the southwest corner of a 39.1393 acre tract as conveyed to Grandin Road Development, LLC by deed recorded in Doc. No. 2024-016576, Warren County, Ohio Recorder's Office and a point in the north line of Willow Grove as recorded in Plat Book 51, Pages 94-95, Warren County, Ohio Recorder's Office, the centerline of Striker Road (Old), and the Hamilton Township and City of South Lebanon line;

Thence with said city and township lines and with the north line of said Willow Grove, North 86°28'53" West, 116.31 feet to a found iron pin the east right of way line of Striker Road (R/W Varies) as recorded in said Striker Road Plat;

Thence continuing with said city and township lines and with the east right of way line of said Striker Road, North 13°41'41" East, 30.48 feet to a point;

Thence through said Lot 1, Striker Road Plat for the following two (2) courses and distances:

- 1) South 86°28'53" East, 80.98 feet to a point;
- 2) North 03°37'56" East, 183.25 feet to a point in the south part of an 18 foot strip of said Striker Road right of way;

Thence with the south line of said 18 foot strip of Striker Road right of way, South 77°53'33" East, 30.33 feet to a point in the centerline of said Striker Road (Old) and the west line of said 39.1393 acre tract;

Thence with centerline of said Striker Road (Old) and the west line of said 39.1393 acre tract, South 03°37'56" West, 208.72 feet to the POINT of BEGINNING.

Containing 0.2029 acres of land of which.

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

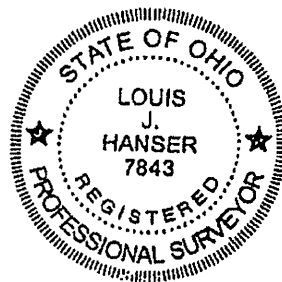
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Prepared by: McGill Smith Punshon, Inc.

Date: September 27, 2024

MSP No.: 18664.02

18664023-CU-LEG-VAC-0.2029 Ac



A handwritten signature in black ink, appearing to read "Louis J. Hanser".

10/10/24

## Exhibit C

**DESCRIPTION FOR: STRIKER ROAD EASEMENT VACATION**

**LOCATION: CITY OF SOUTH LEBANON  
0.2066 Acres**

Situate in Military Survey No. 1548, City of South Lebanon, Hamilton Township, Warren County, Ohio and being part of Lot 2, Striker Road Plat as recorded in Plat Book 91, Pages 43-44, Warren County, Ohio Recorder's Office and as conveyed to Beaver Creek Site Management, LLC by deed recorded in Doc. No. 2023-016021, Warren County, Ohio Recorder's Office and being part of the right of way easement as recorded in Road Record Book 2, Pages 480-485, Warren County, Ohio Recorder's Office and being more particularly described as follows:

BEGINNING at the southeast corner of said Lot 2, Striker Road Plat, a point in the west line of a 39.1393 acre tract as conveyed to Grandin Road Development, LLC by deed recorded in Doc. No. 2024-016576, Warren County, Ohio Recorder's Office, the northeast corner of an 18 foot strip of said Striker Road right of way as dedicated in said Striker Road Plat and a point in the centerline of Striker Road (Old);

Thence with the north line of said 18 foot strip of Striker Road right of way, North 77°53'33" West, 30.33 feet to a point;

Thence with the east right of way of said Striker Road, North 03°37'56" East, 254.76 feet to a point in the Hamilton Township and City of South Lebanon line;

Thence with said city and township lines and continuing with the east right of way of said Striker Road for the following two (2) courses and distances:

- 1) North 13°41'41" East, 51.44 feet to a point;
- 2) South 86°22'04" East, 21.01 feet to a point in the centerline of said Striker Road (Old) and the west line of said 39.1393 acre tract;

Thence with centerline of said Striker Road (Old) and the west line of said 39.1393 acre tract, South 03°37'56" West, 309.88 feet to the POINT of BEGINNING.

Containing 0.2066 acres of land of which.

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

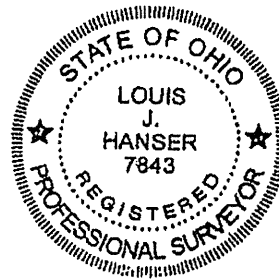
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Prepared by: McGill Smith Punshon, Inc.

Date: September 27, 2024

MSP No.: 18664.02

18664023-CU-LEG-VAC-D.2066 Ac



10/10/24

Exhibit C

**DESCRIPTION FOR: STRIKER ROAD EASEMENT VACATION**

**LOCATION: CITY OF SOUTH LEBANON**  
**0.7792 Acres**

Situate in Military Survey No. 1548, City of South Lebanon, Hamilton Township, Warren County, Ohio and being part of Lot 1 and Lot 2, Striker Road Plat as recorded in Plat Book 91, Pages 43-44, Warren County, Ohio Recorder's Office and as conveyed to Beaver Creek Site Management, LLC by deed recorded in Doc. No. 2023-016021, Warren County, Ohio Recorder's Office, being part of a 39.1393 acre tract as conveyed to Grandin Road Development, LLC by deed recorded in Doc. No. 2024-016576, Warren County, Ohio Recorder's Office, being part of the right of way easement as recorded in Road Record Book 2, Pages 480-485, Warren County, Ohio Recorder's Office and being more particularly described as follows:

BEGINNING at a found iron pin at the southeast corner of said Lot 1, Striker Road Plat, the southwest corner of said 39.1393 acre tract, a point in the north line of Willow Grove as recorded in Plat Book 51, Pages 94-95, Warren County, Ohio Recorder's Office, the centerline of Striker Road (Old), and the Hamilton Township and City of South Lebanon line;

Thence with said city and township lines and with the north line of said Willow Grove, North  $86^{\circ}28'53''$  West, 116.31 feet to a found iron pin the east right of way line of Striker Road (R/W Varies) as recorded in said Striker Road Plat;

Thence continuing with said city and township lines and with the east right of way line of said Striker Road, North  $13^{\circ}41'41''$  East, 30.48 feet to a point;

Thence through said Lot 1, Striker Road Plat for the following two (2) courses and distances:

- 1) South  $86^{\circ}28'53''$  East, 80.98 feet to a point;
- 2) North  $03^{\circ}37'56''$  East, 183.25 feet to a point in the south part of an 18 foot strip of said Striker Road right of way;

Thence with the south line of said 18 foot strip of Striker Road right of way, South  $77^{\circ}53'33''$  East, 30.33 feet to a point in the centerline of said Striker Road (Old) and the west line of said 39.1393 acre tract;

Thence with the centerline of said Striker Road (Old) and the west line of said 39.1393 acre tract, North 03°37'56" East, 18.20 feet to the northeast corner of said 18 foot strip of Striker Road right of way;

Thence with the north line of said 18 foot strip of Striker Road right of way, North 77°53'33" West, 30.33 feet to a point;

Thence with the east right of way of said Striker Road, North 03°37'56" East, 254.76 feet to a point in the Hamilton Township and City of South Lebanon line;

Thence with said city and township lines and continuing with the east right of way of said Striker Road, North 13°41'41" East, 51.44 feet to a point;

Thence continuing with said city and township lines and through said 39.1393 acre tract, South 86°22'04" East, 51.01 feet to a point in the east right of way line said Striker Road (Old);

Thence continuing through said 39.1393 acre tract and with the east right of way line of said Striker Road (Old), South 03°37'56" West, 536.74 feet to a point in the north line of said Willow Grove and said city and township lines;

Thence with said city and township lines and with the north line of said Willow Grove, North 86°28'53" West, 30.00 feet to the POINT of BEGINNING.

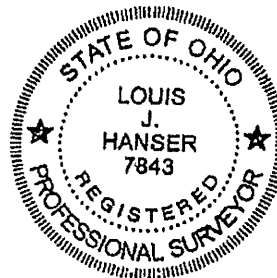
Containing 0.7792 acres of land of which.

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

The above description is the result of a survey prepared by McGill Smith Punshon, Inc. under the direction of Louis J. Hanser, P.S., Ohio Registration No. 7843, dated September 26, 2024, the survey of which is filed in Volume \_\_\_\_\_, Page \_\_\_\_\_, Warren County Engineer's Record of Land Surveys. The bearings in the above description are based on The Ohio State Plane Coordinate System, South Zone, NAD83 (Ground).

Prepared by: McGill Smith Punshon, Inc.  
Date: September 27, 2024  
MSP No.: 18664.02

2 of 3



McGill Smith Punshon, Inc.  
3700 Park 42 Drive, Suite 190B ■ Cincinnati, Ohio 45241  
513.759.0004 ■ Fax 513.563.7099 ■ [www.mspdesign.com](http://www.mspdesign.com)



A handwritten signature in black ink, appearing to read "Louis J. Hanser".

10/10/24



