

ORDINANCE NO. 20-064

AN ORDINANCE ACCEPTING THE DEDICATION PLAT AND CONFIRMING THE DEDICATION TO THE PUBLIC USE AS PUBLIC RIGHT-OF-WAY A PORTION OF LAND NORTH OF VENICE ROAD AND WEST OF EDGEWATER AVENUE, WITH A TOTAL AREA OF 0.2364 ACRES, AS VENICE ROAD RIGHT-OF-WAY, AS SET FORTH ON THE DEDICATION PLAT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, as part of the West Side Utility & Connectivity Improvements Project on the north side of Venice Road, the City is replacing an existing waterline, replacing existing storm sewers, and installing a new storm system and multi-use asphalt path; and

WHEREAS, in order to install the new waterline for the West Side Utility & Connectivity Improvements Project, additional frontage property was necessary to allow the proper horizontal clearance between utilities as required by the Ohio Environmental Protection Agency; and

WHEREAS, this City Commission approved a Contract for Sale and Purchase of Real Property with Toft Dairy, Inc. for a portion of Parcel No. 60-00568.000, located at 3717 Venice Road, Sandusky, for the West Side Utility & Connectivity Improvements Project by Ordinance No. 20-033, passed on February 10, 2020; and

WHEREAS, the Department of Public Works has recommended to the Planning Commission this dedication of right-of-way and the Planning Commission at their meeting on March 18, 2020, resolved to recommend approval of the dedication plat to the City Commission; and

WHEREAS, this City Commission approves the dedication for public use the portion of land north of Venice Road and west of Edgewater Avenue as Venice Road right-of-way and authorizes the recording of the Dedication Plat in the office of the Erie County Recorder; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the Dedication Plat to be immediately approved and recorded as the contractor is scheduled to begin work on the West Side Utility & Connectivity Improvements Project in mid to late April, 2020; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission accepts and approves the Dedication Plat for a portion of land north of Venice Road and west of Edgewater Avenue, with a total

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area of 0.2364 acres, as set forth on the Dedication Plat, a copy of which is marked exhibit "A", attached to this Ordinance and incorporated herein, to be included as part of the Venice Road right-of-way and its dedication to the public use as a right-of-way is accepted and confirmed.

Section 2. The Clerk of the City Commission is authorized to cause the Dedication Plat to be recorded in the office of the Erie County Recorder.

Section 3. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



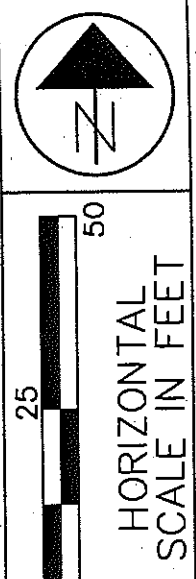
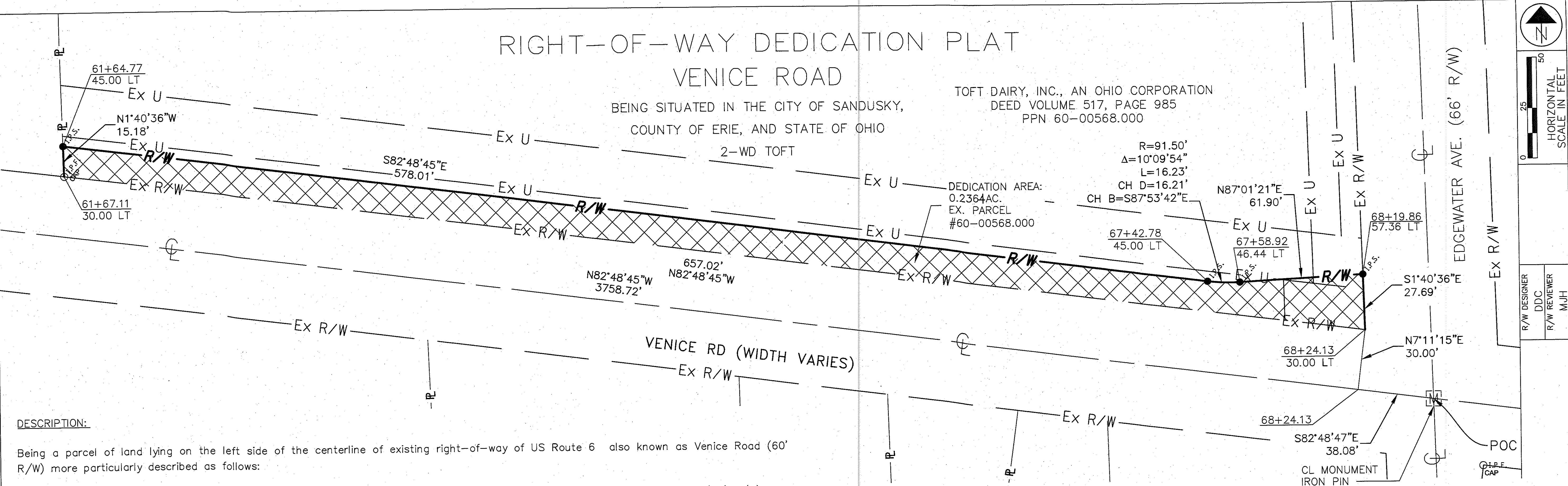
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: April 13, 2020

RIGHT-OF-WAY DEDICATION PLAT VENICE ROAD

BEING SITUATED IN THE CITY OF SANDUSKY,
COUNTY OF ERIE, AND STATE OF OHIO

TOFT DAIRY, INC., AN OHIO CORPORATION
DEED VOLUME 517, PAGE 985
PPN 60-00568.000



R/W DESIGNER
DDC
R/W REVIEWER
MJH

DESCRIPTION:

Being a parcel of land lying on the left side of the centerline of existing right-of-way of US Route 6 also known as Venice Road (60' R/W) more particularly described as follows:

BEGINNING at a one inch iron pin found in a monument box at the intersection of the centerline of Venice Road US 6 (60' R/W) with the centerline of Edgewater Avenue (66' R/W), said point being at Venice Road station 68+62.20. Thence along the centerline of Venice Road, North 82 degrees 48 minutes 45 seconds West for a distance of 38.08 feet to a point being at Venice Road station 68+24.13. Thence North 07 degrees 11 minutes 15 seconds East for a distance of 30.00 feet to a point being 30.00 feet left of the centerline of existing right-of-way of Venice Road station 68+24.13 and being the TRUE POINT OF BEGINNING of the parcel herein described.

Thence along the northerly right-of-way of Venice Road, North 82 degrees 48 minutes 45 seconds West for a distance of 657.02 feet to a capped iron pin found at the southwesterly corner of said land of the Grantor, said corner being 30.00 feet left of the centerline of existing right-of-way of Venice Road station 61+67.11;

Thence along the westerly line of said Grantor's land being the easterly line of land owned by Ben B. Bailey, Trustee, Mary J. Bailey, Trustee and Mark A. Bailey recorded in Official Record 348, Page 283, Official Record 348, Page 279 and Official Record 513, Page 205, North 01 degrees 40 minutes 36 seconds West for a distance of 15.18 feet to an iron pin set being 45.00 feet left of the centerline of existing right-of-way of Venice Road station 61+64.77;

Thence crossing through the lands of the Grantor, South 82 degrees 48 minutes 45 seconds East for a distance of 578.01 feet to an iron pin set at a point of curvature, said iron pin set being 45.00 feet left of the centerline of existing right-of-way of Venice Road station 67+42.78;

Thence crossing through the lands of the Grantor following the arc of a circle curving to the left having a central angle of 10°09'54", a radius of 91.50 feet, an arc length of 16.23 feet and a long chord which bears South 87 degrees 53 minutes 42 seconds East for a distance of 16.21 feet to an iron pin set at a point of tangency, said iron pin set being 46.44' left of the centerline of existing right-of-way of Venice Road station 67+58.92;

Thence crossing through the lands of the Grantor, North 87 degrees 01 minutes 21 seconds East for a distance of 61.90 feet to an iron pin set being 57.36 feet left of the centerline of existing right-of-way of Venice Road station 68+19.86;

Thence along the easterly line of said Grantor's land being the westerly right-of-way of Edgewater Avenue, South 01 degrees 40 minutes 36 seconds East for a distance of 27.69 feet to the TRUE POINT OF BEGINNING, containing 0.2364 acres, more or less, subject to legal highways and other easements of record.

CITY COMMISSION CERTIFICATE:

The plat and dedication of right-of-way has been approved and accepted by the City Commission of the City of Sandusky, Ohio by Ordinance No. _____ passed this _____ day of _____, 2020.

President of Commission

Clerk of Commission

CITY PLANNING COMMISSION CERTIFICATE:

The plat and dedication of right-of-way has been approved and accepted by the City Planning Commission of the City of Sandusky, Ohio passed this _____ day of _____, 2020.

[Signature]

Chairman

[Signature]

Secretary

OWNER'S CERTIFICATE:

The undersigned Owners hereby certify that the attached plat correctly represents their dedication plat. We hereby assent to and adopt the dedication and acknowledge the same as our free act and deed and hereby dedicate the right-of-way thereon shown to the use of the public forever.

In witness whereof _____ have heretofore set their hands this _____ day of _____, 2020

Witness _____ Signed _____
OWNER

STATE OF OHIO, COUNTY OF ERIE S.S.

Before me, a Notary Public in and for said County, personally came the Owners, who personally acknowledged the signing of the foregoing instrument to be their voluntary act and deed for the use and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this _____ day of _____, 2020

My Commission Expires _____ Notary Public Erie County, Ohio

COUNTY AUDITOR'S CERTIFICATE:

Transferred this _____ day of _____, 2020, and fees of _____ were collected.

Erie County Auditor

COUNTY RECORDER'S CERTIFICATE:

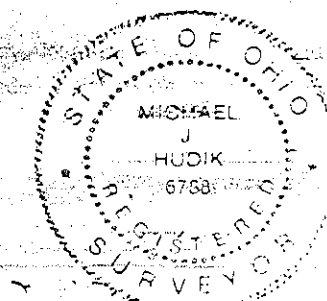
Recorded this _____ day of _____, 2020, in Plat Volume _____ Page _____

Erie County Recorder

SURVEYOR'S CERTIFICATE:

"I hereby certify that this plat represents a survey made under my direct supervision and that I have found or set the pins and monuments as shown."

[Signature] P.S. 2-12-20
Michael J. Hudik, Ohio Registered Professional Surveyor, S-6788



APPROVED as per Erie County Resolution _____
And Sections 4733-37 thru 4733-37-07 of the
Administrative Code with No Field Verifications
for Accuracy made.
[Signature]
Engineer/Surveyor: Erie County Engineer's
Date: 02/12/20

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