



RESOLUTION G2017-47

**RESOLUTION AUTHORIZING AND DIRECTING THE TRANSFER OF TOWNSHIP
REAL PROPERTY, BEING PORTIONS OF THE VACATED RIGHTS-OF-WAY OF
KNICELY ALLEY AND PINKVOSS LANE TO MICHAEL A. HOWELL AND SUE A.
HOWELL AND DISPENSING WITH SECOND READING**

WHEREAS, Howell and the Board of Trustees of Symmes Township, Hamilton County, Ohio sent a letter dated October 21, 2014, to the Hamilton County, Ohio Engineer's Office ("Engineer") requesting the release/vacation of Fee right-of-way for part of Knicely Alley and Pinkvoss Lane; and

WHEREAS, on March 15, 2017, the Board of County Commissioners of Hamilton County, Ohio passed a resolution declaring that Knicely Alley and Pinkvoss Lane, were no longer needed by Hamilton County and that for public convenience and welfare part of Knicely Alley and Pinkvoss Lane be conveyed to the Board of Trustees of Symmes Township, Hamilton County, Ohio; and

WHEREAS, on May 3, 2017, the Board of County Commissioners of Hamilton County, Ohio adopted a Resolution, recorded as Commissioner's Min. Vol. 346, Image 4174-4176, vacating to the Board of Trustees of Symmes Township, Hamilton County, Ohio, the public right-of-way across portions of Knicely Alley and Pinkvoss Lane; and

WHEREAS, the transfer of the vacated public right-of-way across portions of Knicely Alley and Pinkvoss Lane, being Hamilton County, Ohio Auditor's parcel no. 620-0122-0252, were transferred to the Board of Trustees of Symmes Township, Hamilton County, Ohio by documents recorded in Official Record Book 13422, page 750, Hamilton County, Ohio Recorder's records; and

WHEREAS, the Board of Trustees of Symmes Township, Hamilton County, Ohio has determined that it is for the public convenience and welfare that the public right-of-way across portions of Knicely Alley and Pinkvoss Lane be conveyed to the adjoining property owner, Michael A. Howell and Sue A. Howell; and

WHEREAS, pursuant to Ohio Revised Code Section 505.10 (A) (6), the Board of Trustees of Symmes Township, Hamilton County, Ohio wishes to transfer and convey the public right-of-way across portions of Knicely Alley and Pinkvoss Lane to Michael A. Howell and Sue A. Howell; and

WHEREAS, the vacated portions of Knicely Alley and Pinkvoss Lane, being 0.1010 acres are as described in Exhibit "A" attached hereto and made part hereof, and are as depicted in Exhibit "B" attached hereto and made part hereof, being the survey of Byrneside Surveying, LLC dated January 9, 2017;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Symmes Township, Hamilton County, Ohio:

Section 1. That the Board of Trustees of Symmes Township, Hamilton County, Ohio, by unanimous vote, hereby declares that the public right-of-way across portions of Knicely Alley and Pinkvoss Lane are no longer needed by Symmes Township and that it is for the public convenience and welfare that said right-of-way be conveyed to Michael A. Howell and Sue A. Howell.

Section 2. That by adoption of this resolution and in consideration of One Dollar (\$1.00) and other good and valuable consideration to be paid to the Township, all right, title and interest in the property described in Exhibit "A" and depicted in Exhibit "B," will be conveyed to Michael A. Howell and Sue A. Howell.

Section 3. That the Board of Trustees of Symmes Township, Hamilton County, Ohio hereby authorizes the Township Administrator to execute a Quit Claim Deed conveying the property described in Exhibit "A" to Michael A. Howell and Sue A. Howell, in substantially the deed form set forth and attached hereto as Exhibit "C."

Section 4. It is hereby certified that all formal actions of the Board of Trustees of Symmes Township, Hamilton County, Ohio, relating to the adoption of this Resolution were taken in an open meeting of the Board and that all deliberations of the Board were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

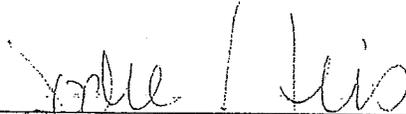
Section 5. The Board does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorize the adoption of this Resolution upon its first reading.

Section 6. This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

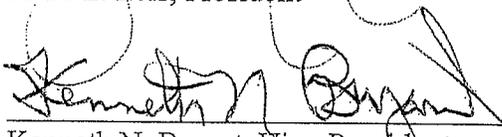
ADOPTED JULY 11, 2017- RESOLUTION G2017-47

Vote Record: Ms. Leis AYE Mr. Bryant AYE Mr. Beck AYE

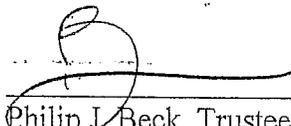
BOARD OF TRUSTEES OF SYMMES
TOWNSHIP, Hamilton County, Ohio



Jodie L. Leis, President



Kenneth N. Bryant, Vice-President



Philip J. Beck, Trustee

ATTEST:



Carol A. Sims, Fiscal Officer

APPROVED AS TO FORM:



Kevin C. McDonough, Law Director

Kimberly A. Lapensee

From: Roccina S. Niehaus <RSNiehaus@WoodLamping.com>
Sent: Friday, July 07, 2017 11:41 AM
To: Kimberly A. Lapensee
Cc: Kevin C. McDonough; Bill Pitman
Subject: RE: Howell [WL-wldms.FID72930]
Attachments: Howell_Symmes resolution for transfer of vacated alleys (2).DOC;
20170707113247367.pdf

Importance: High

Hi, Kim,

Attached are the following:

1. Resolution to transfer the portions of Knicely Alley and Pinkvoss Lane parcels to the Howells. Note that it says Howells are to pay \$1.00 for the parcels, which you should collect from them in exchange for the deed.
2. PDFs of the Exhibits to the Resolution. Exhibit C is the draft deed. Kevin will confirm the timing for your signature once the resolution is passed. It should be confirmed with the Howells whether or not they want to take title with survivorship prior to execution of the deed. This is how the draft deed is written. If they do not want to take title with survivorship, let me know so I can make the revision. Also, note that the Resolution references the deed as Exhibit C- "...substantially in the form..." so it can be revised. Lastly, please confirm with the Howells what tax mailing address they want to use.

I will send a final draft of the deed and the exempt conveyance form for the Auditor's office once I have the outstanding information. You can also have Mike Howell contact me directly regarding this information.

Please review these documents and let me know if you have any questions or revisions.

Thanks, Roccina

Roccina S. Niehaus
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600 Vine Street Suite 2500
Cincinnati, OH 45202-2491
www.woodlamping.com
rsniehaus@woodlamping.com
Direct: (513)-852-6062
Fax: (513)-419-6462
Firm: (513) 852-6000

From: Kimberly A. Lapensee [<mailto:klapensee@symmestownship.org>]
Sent: Friday, July 07, 2017 8:12 AM
To: Roccina S. Niehaus
Subject: RE: Howell [WL-wldms.FID72930]

Ok

From: Roccina S. Niehaus [<mailto:RSNiehaus@WoodLamping.com>]
Sent: Thursday, July 06, 2017 5:33 PM
To: Kimberly A. Lapensee; Bill Pitman
Subject: Howell [WL-wldms.FID72930]

Update: It turned out that I needed to research a few more background documents than I received from Bob Heidkamp. I also talked to Kevin and since he was tied up today, leaving for the meeting there at 2, and would be heading to a 2nd meeting tonight, we decided that I would send him the resolution tonight for review first thing tomorrow morning.

We will send the resolution and deed for the packet tomorrow.

Thanks.

Roccina S. Niehaus
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Cincinnati, OH 45202-2491
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rsniehaus@woodlamping.com
Direct: (513)-852-6062
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Be aware! Online banking fraud is on the rise. If you receive an email containing WIRE TRANSFER INSTRUCTIONS call directly to immediately verify the information prior to sending funds.

3

Norbert A. Nadel
Hamilton County Recorder's Office
Doc #: 17-38319 Type: NCDE
Filed: 05/01/17 10:18:00 AM \$0.00
Off.Rec.: 13407 01342 F F1 3 290

138776
17-413083
17-419936
04/27/2017

Convey. number:
Deed number:
Instr. number:
Transfer date:
Sec. 319.202 R.C.
Sec. 322.02 R.C.
Dusty Rhodes
Hamilton County Auditor
Sales amount:
003 - Transfer Fee
Fee total:

0.50
0.50



QUIT CLAIM DEED

THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO, pursuant to a Resolution dated March 15, 2017 authorizing the conveyance of County real property to Michael A. Howell and Sue A. Howell, a copy of which is on file in the offices of the BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO, for valuable consideration paid, do hereby REMISE, RELEASE AND FOREVER QUIT CLAIM to Michael A. Howell and Sue A. Howell, husband and wife, whose tax mailing address is 7810 Clement Street, Camp Dennison, Ohio 45111, the following described real estate:

See Attached Exhibit A

PRIOR INSTRUMENT REFERENCE: Plat Book 2, page 286

Executed this 24th day of April, 2017, by BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO Todd Portune, Denise Dreihaus and Chris Monzell who have caused their names to be hereunto subscribed as members of said BOARD authorized by Resolution adopted at a regularly adjourned meeting of said BOARD.

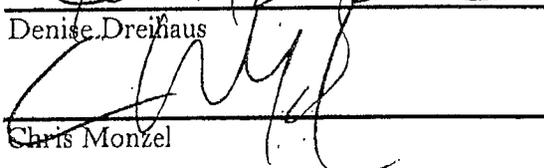
BOARD OF COUNTY
COMMISSIONERS OF HAMILTON
COUNTY, OHIO



Todd Portune



Denise Dreihaus



Chris Monzell

STATE OF OHIO, COUNTY OF HAMILTON, SS :

The foregoing instrument was acknowledged before me this 24th day of April, 2017, by Todd Portune, Denise Dreihaus and Chris Monzel members of the BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO.



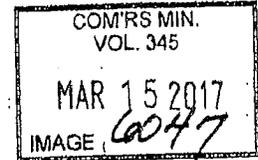
Jacqueline Panioto
NOTARY-PUBLIC-STATE OF OHIO

JACQUELINE PANIOTO
Notary Public, State of Ohio
My Commission Expires 06-03-2021

This instrument was prepared by Lawrence C. Baron, Assistant Prosecuting Attorney of Hamilton County, Ohio.

LEGAL DESCRIPTION

(0.1212 Acre Tract)



Situated in the State of Ohio, Hamilton County, Symmes Township, being in Section 19, Township 5, Range 1, Miami Purchase, being part of Pinkvoss Lane (16 feet wide) and a part of Clement Street (16 feet wide) of E. Campbell's Subdivision of Camp Dennison per Plat Book 2, Page 286 of the Hamilton County Ohio Recorder's Office and being more particularly described as follows:

Commencing at a 5/8" dia. iron pin found at the intersection of the northerly line of said Pinkvoss Lane (16 feet wide) and the centerline of vacated Centre Street per Plat Book 421, Page 81; thence, South 86° 56' 39" West, along said northerly line of Pinkvoss Lane, passing a 5/8" dia. iron pin set at 150.00 feet and 225.00 feet, a total distance of 241.00 feet to a mag nail found at the southeast corner of the lands of Howell, Michael A. & Sue A. (O.R. 12051, Pg. 1827), said mag nail found also being the True Point of Beginning for the following described tract of land:

thence, from said True Point of Beginning, South 2° 12' 00" East, along a new division line across said Pinkvoss Lane, 16.00 feet to a 5/8" dia. iron pin set in the southerly line of said Pinkvoss Lane;

thence, South 86° 56' 39" West, along the southerly line of said Pinkvoss Lane, 146.00 feet to a 5/8" dia. iron pin set in the westerly line of Clement Street (16 feet wide);

thence, North 2° 12' 00" West, along said westerly line of Clement Street (16 feet wide) and along the easterly line of Clement Street (R/W varies), 200.00 feet to a 5/8" dia. iron pin set in the southerly line of Lincoln Road (40 feet wide);

thence, North 86° 56' 39" East, along a new division line across said Clement Street (16 feet wide), 16.00 feet to a 5/8" dia. iron pin found at the northwest corner of the lands of Howell, Gregory W. (O.R. 12051, Pg. 1820);

thence, South 2° 12' 00" East, along the easterly line of Clement Street (16 feet wide), passing a 5/8" dia. iron pin found at 82.00 feet, a total distance of 184.00 feet to a 5/8" dia. iron pin found in the northerly line of Pinkvoss Lane and at the southwest corner of the lands of Howell, Michael A. & Sue A. (O.R. 12051, Pg. 1827);

thence, North 86° 56' 39" East, along said northerly line of Pinkvoss Lane, 130.00 feet to the True Point of Beginning, containing 0.1212 acres (5,280.03 Sq. Ft.) of land, more or less. Subject, however, to all legal rights-of-way of previous record.

Previous Deed Reference: Official Record _____, Page _____ of the Hamilton County Ohio Recorder's Office.

Basis of Bearings: E. Campbell's Subdivision of Camp Dennison per Plat Book 2, Page 286 of the Hamilton County Ohio Recorder's Office.

The foregoing description was prepared by Thomas J. Mack, Ohio Professional Surveyor, No. S-7964 for Byrnside Surveying, LLC in January 2017.

DESCRIPTION ACCEPTABLE
HAMILTON COUNTY ENGINEER

Tax Map - 4/22/17

CAGIS - 4-27-17

620-122 - NEW ENTRY

ES Clement St.
New Entry
620-122 - 251 = 0.1212 Ac.

