

## RESOLUTION 2016-04

9th Council for the Village of New Richmond, Ohio met in regular session this day of February, 2016 with the following members present:

Richard Hilt,  
Amanda Davidson

Mary Allen  
Paul Vanderbosch

Gary Skeene  
Richard Feldkamp

Councilperson Skeene moved for adoption of the following:

### RESOLUTION ENTERING INTO AN AGREEMENT WITH PEACH WOODS LLC TO ACCEPT THE DONATION OF REAL ESTATE

Whereas, Ohio Revised Code Section 715.01 and 715.21 authorize the Village to acquire real estate by gift; and

Whereas, Council for the Village of New Richmond has determined that the acceptance of the donated real estate owned by Peach Woods, LLC on Old U.S. 52, consisting of two parcels described in "Exhibit A", will benefit the village

Now therefore be it RESOLVED by Council for the Village of New Richmond as follows:

Section 1. Council authorizes the Village Administrator to enter into an agreement with Peach Woods, LLC to accept the donated parcels of real estate described in "Exhibit A".

Section 2. That Council finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting and that all deliberations of Council which resulted in the passage of this Resolution, were taken in meetings open to the public, in full compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Councilperson Feldkamp seconded the motion to adopt the foregoing Resolution and upon roll call the vote was as follows:

Richard Hilt	<u>yes</u>
Mary Allen	<u>yes</u>
Gary Skeene	<u>yes</u>

Amanda Davidson yes  
Paul Vanderbosch yes  
Richard Feldkamp yes

First Reading 1/12/2016  
Second Reading 1/26/2016  
Third Reading 2/9/2016

Adopted: 2/9/2016  
Date

ATTEST:

Kelly Painter  
CLERK, Kelly Painter

Ramona Carr  
MAYOR, Ramona Carr

Approved as to form and content:

Matt Faris  
Matt Faris, Solicitor

**EXHIBIT A    *Resolution 2016-04***

**LEGAL DESCRIPTION**

Peach Woods, LLC  
Highway Right-of-Way Easement  
0.592 Acres Tract

Situated in the Village of New Richmond, County of Clermont, State of Ohio, being a part of Dandridge's Military Survey No. 437, being a part (0.088 acres) of the 0.60 acres "Parcel I" (Parcel No. 26-09-22.080), part (0.112 acres) of the 0.62 acres "Parcel II" (Parcel No. 26-09-22.079), and part (0.392 acres) of the 1.704 acres "Parcel III" (Parcel No. 26-09-22.064) as conveyed to Peach Woods, LLC and recorded in Official Record Volume 1996, Page 211 of the Clermont County Recorder's Office, and being further bounded and described as follows:

Beginning at a ½" iron pin (found) marking the intersection of the old centerline of Old U.S. Route 52 and the easterly limited access right-of-way line of U.S. Route 52 (CLE 52-3.31), said iron pin being the southerly most corner of the 0.4918 acres tract as conveyed to Troy J. Hall and Aime D. Hall (O.R. 1531, Page 1110) and found in Surveyor's Record V3-79 of the Clermont County Engineer's Record of Land Surveys, and corner to the original 50 acres (net 1.57 acres) tract as conveyed to the Old 52 Corporation (D.B. 534, Page 100), and having Ohio State Plane Coordinates Northing 356,985.611 feet, Easting 1,460,665.086 feet South Zone and based upon NAD 83 (2011);

thence with the old centerline of Old U.S. Route 52 and the easterly line of Troy J. Hall N 03°13'47" E, a distance of 45.42 feet to a 5/8" iron pin (found, bent);

thence continuing with the old centerline of Old U.S. Route 52 and the easterly line of Troy J. Hall N 04°00'54" E, a distance of 156.42 feet to a Mag nail (set) in Old U.S. Route 52, said Mag nail being the southwesterly corner of the 0.580 acres tract as conveyed to William R.

Gilpin, Trustee (O.R. 1763, Page 1404) and found in Surveyor's Record TL76-0201 of the Clermont County Engineer's Record of Land Surveys;

thence with Gilpin's southerly line N 74°00'06" E, passing the existing centerline of Old U.S. Route 52 at 5.60 feet, a total distance of 45.69 feet to a 5/8" iron pin (set) in the easterly right-of-way line of Old U.S. Route 52;

thence with the easterly right-of-way line of Old U.S. Route 52 S 05°47'12" E, a distance of 133.40 feet to a 5/8" iron pin (set);

thence also with the easterly right-of-way line of Old U.S. Route 52 S 20°40'20" E, a distance of 199.12 feet to a 5/8" iron pin (set) in the northerly line of the 1.00 acres tract as conveyed to GSC Properties, LLC (O.R. 2062, Page 1012) and found in Surveyor's Record 97, Page 09 of the Clermont County Engineer's Record of Land Surveys;

thence with the northerly line of the 1.00 acres tract as conveyed to GSC Properties, LLC S 73°50'58" W, passing the northwesterly corner of GSC Properties, LLC and continuing with the northerly line of the 24.26 acres tract (by Auditor's record) as conveyed to the Village of New Richmond (D.B. 505, Page 69), passing the existing centerline of Old U.S. Route 52 at 59.23 feet, a total distance of 95.30 feet to a 5/8" iron pin (set) in the easterly limited access right-of-way line of U.S. Route 52 (CLE 52-3.31);

thence with the easterly limited access right-of-way line of U.S. Route 52 (CLE 52-3.31) N 20°40'20" W, a distance of 140.61 feet to the beginning, containing 0.592 acres of land.

The above description contains 0.392 acres subject to a perpetual easement and right-of-way for public highway and road purposes referred to a Parcel No. 36 as conveyed to the State of

Ohio Department of Highways and recorded in Highway Easement Book 9, Page 451 of the Clermont County Recorder's Office.

The above description contains 0.200 acres subject to a perpetual easement and right-of-way for public highway and road purposes referred to a Parcel No. 35 as conveyed to the State of Ohio Department of Highways and recorded in Highway Easement Book 9, Page 453 of the Clermont County Recorder's Office.

Subject to all legal easements and rights-of-way of record.

Bearings are based upon the Grid Azimuth (Az 182° 02' 09.9") between National Geodetic Survey CORS Station "LEBA" and the Clermont County Geodetic Survey Control Monument "CLE055" and derived from GPS observations taken November 3, 2015, utilizing the Trimble ODOT CORS VRS (Virtual Reference System).

Land surveyed in November 2015, under the direction of Thomas E. Purtell, Registered Professional Surveyor No. 6519, the survey plat of which is referred to as Project No. S15-569 on file in the office of McCarty Associates, LLC, Hillsboro, Ohio, and filed in Surveyor's Record Volume \_\_\_\_, Plat No. \_\_\_\_ of the Clermont County Engineer's Record of Land Surveys.

All iron pins (set) are 5/8" diameter with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".

**LEGAL DESCRIPTION**  
Peach Woods, LLC  
Limited Access Right-of-Way  
0.101 Acres Tract

Situated in the Village of New Richmond, County of Clermont, State of Ohio, being a part of Dandridge's Military Survey No. 437, being part of the 1.704 acres "Parcel III" (Parcel No. 26-09-22.064) as conveyed to Peach Woods, LLC and recorded in Official Record Volume 1996, Page 211 of the Clermont County Recorder's Office, and being the same real estate referred to as a perpetual easement and right-of-way for public highway and road purposes and referred to as Parcel No. 36-LA as conveyed to the State of Ohio Department of Highways and recorded in Highway Easement Book 9, Page 451 of the Clermont County Recorder's Office, and being further bounded and described as follows:

Beginning at a ½" iron pin (found) marking the intersection of the old centerline of Old U.S. Route 52 and the easterly limited access right-of-way line of U.S. Route 52 (CLE 52-3.31), said iron pin being the southerly most corner of the 0.4918 acres tract as conveyed to Troy J. Hall and Aime D. Hall (O.R. 1531, Page 1110) and found in Surveyor's Record V3-79 of the Clermont County Engineer's Record of Land Surveys, and corner to the original 50 acres (net 1.57 acres) tract as conveyed to the Old 52 Corporation (D.B. 534, Page 100), and having Ohio State Plane Coordinates Northing 356,985.611 feet, Easting 1,460,665.086 feet South Zone and based upon NAD 83 (2011);

thence with the easterly limited access right-of-way line of U.S. Route 52 (CLE 52-3.31) S 20°40'20" E, a distance of 140.61 feet to a 5/8" iron pin (set) in the northerly line of the 24.26 acres tract (by Auditor's record) as conveyed to the Village of New Richmond (D.B. 505, Page 69);

thence with the northerly line of the 24.26 acres tract (by Auditor's record) as conveyed to the Village of New Richmond

S 73°50'58" W, a distance of 62.91 feet to a point in the westbound lane of U.S. Route 52 and in the old centerline of Old U.S. Route 52, said point being in the easterly line of the original 50 acres (net 1.57 acres) tract as conveyed to the Old 52 Corporation (D.B. 534, Page 100);

thence with the old centerline of Old U.S. Route 52 and the easterly line of the Old 52 Corporation N 04°08'30" E, a distance of 149.44 feet to the beginning, containing 0.101 acres of land.

Bearings are based upon the Grid Azimuth (Az 182° 02' 09.9") between National Geodetic Survey CORS Station "LEBA" and the Clermont County Geodetic Survey Control Monument "CLE055" and derived from GPS observations taken November 3, 2015, utilizing the Trimble ODOT CORS VRS (Virtual Reference System).

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VOLUME \_\_\_\_\_ PLAT NO. \_\_\_\_\_  
CLERMONT COUNTY ENGINEER'S  
RECORD OF LAND SURVEYS  
DATE DECEMBER 17, 2015  
SCALE 1"=40'  
DEED REFERENCE  
OFFICIAL RECORD  
VILLAGE OF NEW RICHMOND  
DANDRIDGE'S M.S. 437

[illegible]

P.O.R. 0.101 Ac. at 0.592 Ag, N 356,985.611  
P.O.R. 2.242 Ac. N 357,199.588  
E 1,480,665.082  
E 1,480,722.514

DLITAN  
CITY

BEARINGS ARE BASED UPON THE GRID AZIMUTH (AZ. 182° 02' 08.9")  
BETWEEN NATIONAL GEODETIC SURVEY CORRS STATION "LEBA" AND  
CLEMONT COUNTY GEODETIC SURVEY CONTROL MONUMENT "CLOSS"  
AND DERIVED FROM GPS OBSERVATIONS TAKEN NOVEMBER 3, 2015.  
UTILIZING THE TRIUMBI COOT CORRS VRS (VIRTUAL REFERENCE SYSTEM).

DEED REFERENCE  
PEACH WOODS, LLC  
O.R. 1986, PAGE 211

NOTES

THE ABOVE LISTED DEED REFERENCES WERE USED AS A BASIS FOR CARRYING OUT THE WORK.

NO EVIDENCE OF OCCUPATION EXISTS ALONG PROPERTY LINES INDICATED BY SOLID LINES.

ALL MONUMENTS FOUND OR SET ARE IN GOOD CONDITION UNLESS OTHERWISE INDICATED.

**SURVEY FOR  
NATIONAL RETAIL DEVELOPMENT, LLC**

VILLAGE OF NEW RICHMOND  
CLERMONT COUNTY, OHIO  
DANDRIDGE'S M.S. 437

**MCCARTHY ASSOCIATES, LLC**

HENRY CESTRY, DUE TO BE A  
 PLAT OF A SURVEY MADE UNDER MY  
 COMMISSION IN NOVEMBER, 1815.

DATE	SCALE	PROJECT NO.
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ECENBER 17, 2015	1"=40'	S15-569
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# McCARTY ASSOCIATES, LLC

## ARCHITECTS—ENGINEERS—SURVEYORS

HILLSBORO — WASHINGTON C.H. — LOVELAND  
304 E. MARKET ST., WASHINGTON C.H., OHIO 43160 PH 740-335-3816 FAX 740-335-5828  
Michael L. McCarty, P.E., P.S. — Thomas E. Purtell, P.S. — Loren M. Puckett, P.E. — Jerrold B. Bradley, AIA

File No. S15-569  
December 31, 2015

### LEGAL DESCRIPTION Peach Woods, LLC Highway Right-of-Way Easement 0.592 Acres Tract

Situated in the Village of New Richmond, County of Clermont, State of Ohio, being a part of Dandridge's Military Survey No. 437, being a part (0.088 acres) of the 0.60 acres "Parcel I" (Parcel No. 26-09-22.080), part (0.112 acres) of the 0.62 acres "Parcel II" (Parcel No. 26-09-22.079), and part (0.392 acres) of the 1.704 acres "Parcel III" (Parcel No. 26-09-22.064) as conveyed to Peach Woods, LLC and recorded in Official Record Volume 1996, Page 211 of the Clermont County Recorder's Office, and being further bounded and described as follows:

Beginning at a  $\frac{1}{2}$ " iron pin (found) marking the intersection of the old centerline of Old U.S. Route 52 and the easterly limited access right-of-way line of U.S. Route 52 (CLE 52-3.31), said iron pin being the southerly most corner of the 0.4918 acres tract as conveyed to Troy J. Hall and Aime D. Hall (O.R. 1531, Page 1110) and found in Surveyor's Record V3-79 of the Clermont County Engineer's Record of Land Surveys, and having Ohio State Plane Coordinates Northing 356,985.611 feet, Easting 1,460,665.086 feet South Zone and based upon NAD 83 (2011);

thence with the old centerline of Old U.S. Route 52 and the easterly line of Troy J. Hall N 03°13'47" E, a distance of 45.42 feet to a  $\frac{5}{8}$ " iron pin (found, bent);

thence continuing with the old centerline of Old U.S. Route 52 and the easterly line of Troy J. Hall N 04°00'54" E, a distance of 156.42 feet to a Mag nail (set) in Old U.S. Route 52, said Mag nail being the southwesterly corner of the 0.580 acres tract as conveyed to William R. Gilpin, Trustee (O.R. 1763, Page 1404) and found in Surveyor's Record TL76-0201 of the Clermont County Engineer's Record of Land Surveys;

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thence with the easterly right-of-way line of Old U.S. Route 52 S 05°47'12" E, a distance of 133.40 feet to a 5/8" iron pin (set);

thence also with the easterly right-of-way line of Old U.S. Route 52 S 20°40'20" E, a distance of 199.12 feet to a 5/8" iron pin (set) in the northerly line of the 1.00 acres tract as conveyed to GSC Properties, LLC (O.R. 2062, Page 1012) and found in Surveyor's Record 97, Page 09 of the Clermont County Engineer's Record of Land Surveys;

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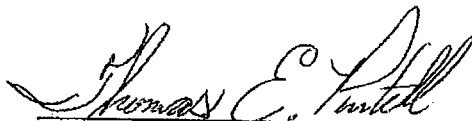
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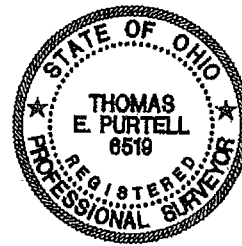
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Thomas E. Purtell, P.S. 6519



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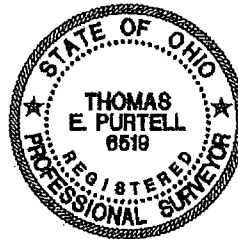
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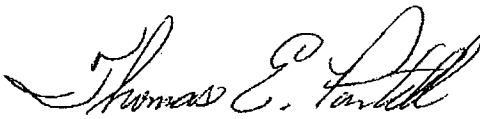
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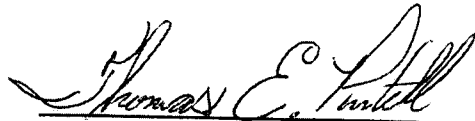
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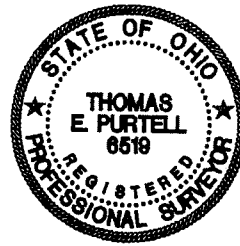
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Limited Access Right-of-Way  
0.101 Acres Tract

Situated in the Village of New Richmond, County of Clermont,  
State of Ohio, being a part of Dandridge's Military Survey No.  
437, being part of the 1.704 acres "Parcel III" (Parcel No. 26-09-  
22.064) as conveyed to Peach Woods, LLC and recorded in Official  
Record Volume 1996, Page 211 of the Clermont County Recorder's  
Office, and being the same real estate referred to as a perpetual  
easement and right-of-way for public highway and road purposes  
and referred to a Parcel No. 36-LA as conveyed to the State of  
Ohio Department of Highways and recorded in Highway Easement  
Book 9, Page 451 of the Clermont County Recorder's Office,  
and being further bounded and described as follows:

Beginning at a ½" iron pin (found) marking the intersection  
of the old centerline of Old U.S. Route 52 and the easterly  
limited access right-of-way line of U.S. Route 52 (CLE 52-3.31),  
said iron pin being the southerly most corner of the 0.4918 acres  
tract as conveyed to Troy J. Hall and Aime D. Hall (O.R. 1531,  
Page 1110) and found in Surveyor's Record V3-79 of the Clermont  
County Engineer's Record of Land Surveys, and having Ohio State  
Plane Coordinates Northing 356,985.611 feet, Easting 1,460,665.086  
feet South Zone and based upon NAD 83 (2011);

thence with the easterly limited access right-of-way line  
of U.S. Route 52 (CLE 52-3.31) S 20°40'20" E, a distance of

140.61 feet to a 5/8" iron pin (set) in the northerly line of the 24.26 acres tract (by Auditor's record) as conveyed to the Village of New Richmond (D.B. 505, Page 69);

thence with the northerly line of the 24.26 acres tract (by Auditor's record) as conveyed to the Village of New Richmond S 73°50'58" W, a distance of 62.91 feet to a point in the westbound lane of U.S. Route 52 and in the old centerline of Old U.S. Route 52;

thence with the old centerline of Old U.S. Route 52 N 04°08'30" E, a distance of 149.44 feet to the beginning, containing 0.101 acres of land.

Bearings are based upon the Grid Azimuth (Az 182° 02' 09.9") between National Geodetic Survey CORS Station "LEBA" and the Clermont County Geodetic Survey Control Monument "CLE055" and derived from GPS observations taken November 3, 2015, utilizing the Trimble ODOT CORS VRS (Virtual Reference System).

Land surveyed in November 2015, under the direction of Thomas E. Purtell, Registered Professional Surveyor No. 6519, the survey plat of which is referred to as Project No. S15-569 on file in the office of McCarty Associates, LLC, Hillsboro, Ohio, and filed in Surveyor's Record Volume \_\_\_\_, Plat No. \_\_\_\_ of the Clermont County Engineer's Record of Land Surveys.

All iron pins (set) are 5/8" diameter with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".



Thomas E. Purtell, P.S. 6519

