

**ORDINANCE NO. 2015-35**

AN ORDINANCE VACATING A PORTION OF GARVER ROAD.

WHEREAS, the owners of real property abutting a portion of Garver Road to be vacated have consented, in writing, to the vacation as further described herein; and

WHEREAS, the vacation of the portion of Garver Road will not be detrimental to the general interest of the public; and

WHEREAS, Ohio Revised Code Section 723.06 provide for the vacation of a street, without notice, when there is good cause and the abutting property owners provide written consent.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: The portion of Garver Road as set forth on Exhibit "A" attached hereto and made a part hereof is hereby vacated.

SECTION 2: This measure shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: November 24, 2015

ATTEST:

APPROVED:

  
\_\_\_\_\_  
Clerk of Council

  
\_\_\_\_\_  
Mayor

First Reading: November 10, 2015

This legislation was enacted in an open meeting pursuant to the terms and provisions of the Street Law, Section 121.22 of the Ohio Code.

I, the undersigned Clerk of Council of the city of Monroe, Ohio, hereby certify the foregoing (ordinance or resolution) was published as required by Section 7.16 of the Charter of the City of Monroe.

  
\_\_\_\_\_  
Clerk of Council  
City of Monroe, Ohio

Exhibit "A" Ord No. 2015-35

**RIGHT-OF-WAY VACATION DESCRIPTION  
PART OF NORTH GARVER ROAD  
0.3037 ACRES  
SECTION 11, TOWN 3, RANGE 3  
CITY OF MONROE  
BUTLER COUNTY, OHIO**

Situate in Section 11, Town 3, Range 3, City of Monroe, County of Butler, State of Ohio and being a right-of-way vacation of part of North Garver Road, said right-of-way vacation being more particularly described as follows: (all references to deed books, official records, microfiche numbers, instrument numbers, survey records and/or plats refer to the Butler County Recorder's Office, Butler County, Ohio)

Commencing at the intersection of the east line of said Section 11 (also being the west line of Section 5, Town 3, Range 3, the east line of Butler County and the west line of Warren County) with the centerline of State Route 63 of BUT/WAR-75-10.30/0.00 as recorded in Vol. 48, Pg. 117A;

Thence along the east line of said Section 11, the west line of said Section 5 and the county line North 06°09'00" East a distance of 95.01 feet to an iron pin set in the north right-of-way line State Route 63, said point located 95.01 feet left of Station 20+79.41 of the centerline of said State Route 63 and being the **TRUE POINT OF BEGINNING**;

Thence along the north line of said State Route 63 North 84°24'59" West a distance of **80.00 feet** to a ½" iron pin found at the southeast corner of a 2.881 acre parcel as conveyed to McDonald's Real Estate Company by deed as recorded in D.B. 8178, Page 1577;

Thence along the east lines of said 2.881 acre McDonald's parcel the following 2 (two) courses:

- 1) **North 12°05'16" East** a distance of to a 5/8" iron pin found with a "Haley Dusa" identification cap;
- 2) **North 24°48'47" East** a distance of **78.12 feet** to a "Mag" Spike found;

Thence **South 06°09'00" West** a distance of **27.00 feet** to an iron pin set;

Thence **South 83°51'00" East** a distance of **40.00 feet** to an iron pin set in the east line of Section 11, the west line of Section 5 and the county line;

Thence along the east line of Section 11, the west line of Section 5 and the county line South 06°09'00" West a distance of **190.44 feet** to the **TRUE POINT OF EASEMENT BEGINNING**.

**Right-of-way Vacation Description**  
**0.3037 acres**  
**Section 11, Town 3, Range 3**  
**City of Monroe, Butler County, Ohio**  
**Page 2**

Containing a total of **13,229 square feet or 0.3037 acres**, more or less, subject to all legal highways, easements, and restrictions of record.

**Basis of Bearings:** East line of Section 11, Town 3, Range 3 (also the west line of Section 5, Town 3, Range 3, and the county line) as recorded in **D.B 4408, Page 970**  
**Bearing = North 06°09'00" East**

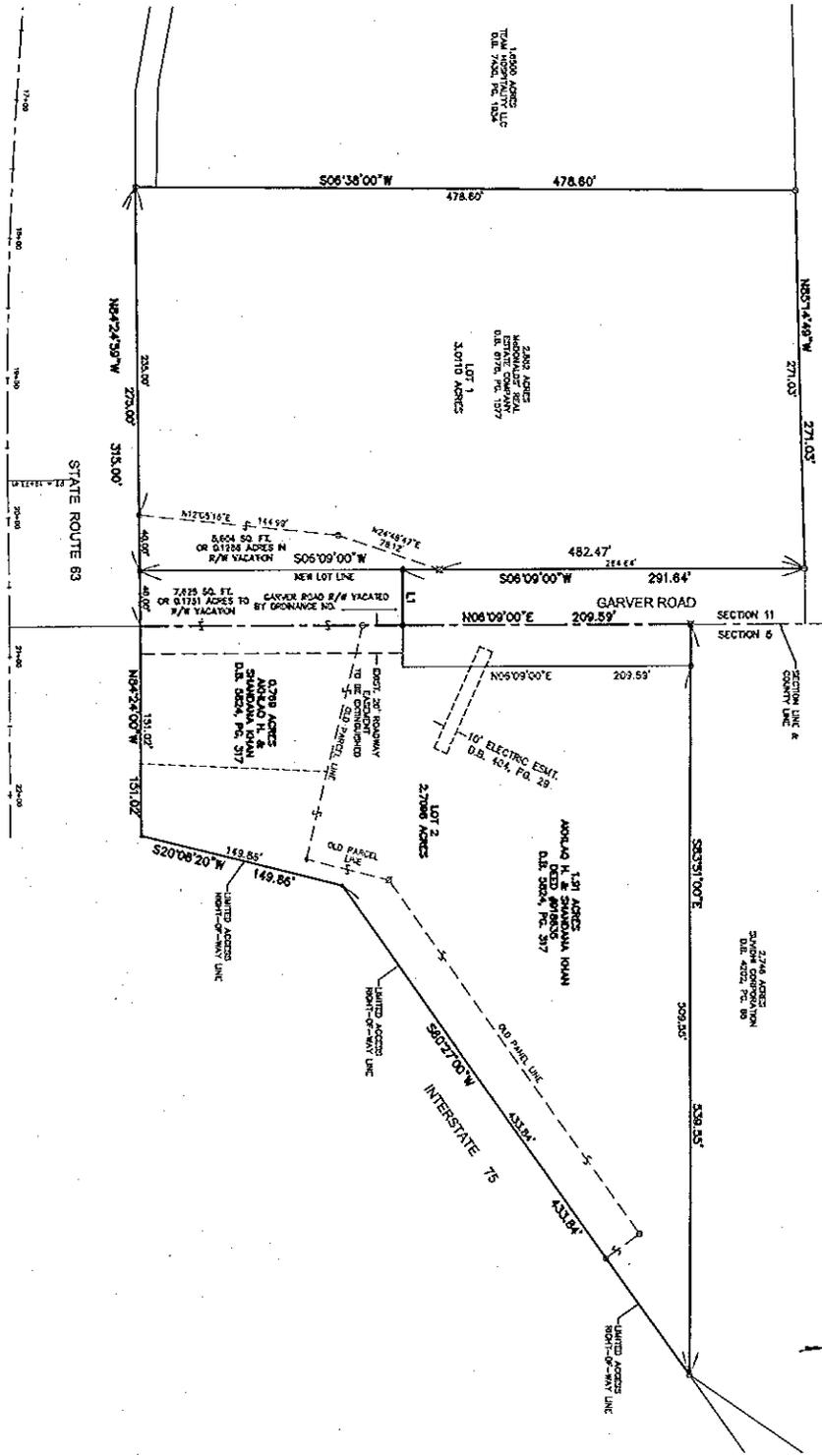
This description is based upon a field survey conducted under the supervision of Thomas E. Dusa, Registered Surveyor, Ohio License Number S-7143, on September 16, 2015.

**Haley-Dusa Engineering & Surveying Group, LLC**

**Thomas E. Dusa**  
**Registered Surveyor**  
**Ohio License Number S-7143**

**October 5, 2015**  
**Job #E3330**

**RECORD PLAN**  
**KHAN - McDONALD'S PLAT**  
 LOCATED IN SECTIONS 5 & 11, TOWN 5, RANGE 3  
 BEING A PART OF A  
 1.91 ACRE PARCEL & A 0.289 ACRE PARCEL  
 CITY OF MONROE  
 BUTLER & WARREN COUNTIES, OHIO  
 CONTAINING 5.8851 ACRES



GRAPHIC SCALE  
 1" = 40'

GENERAL NOTES:  
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
 2. ALL DIMENSIONS WERE TAKEN ON SET IN GOOD CONDITION.

SECTION 5, 6, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

**HELDY-DURO**  
 Surveying Group, LLC  
 770 Sycamore Ridge Drive, Suite 202  
 Dayton, Ohio 45424  
 Phone: (937) 439-2005  
 Email: info@heldyduro.com  
 Website: www.heldyduro.com

Scale: 1" = 40'  
 Date: OCT. 12, 2015

