

ORDINANCE NO. 24-057

AN ORDINANCE ACCEPTING THE FINAL PLAT AND CONFIRMING THE DEDICATION TO THE USE OF THE PUBLIC, A TRACT OF LAND ON CEDAR POINT DRIVE, PARCEL NO. 57-69026.000, WITH A TOTAL AREA OF 0.8494 ACRES; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, as part of the development of the Sandusky Bay Pathway, the City partnered with the Ohio Department of Transportation as the lead agency, and several other agencies, to pursue funding through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) federal grant program for projects along State Route 6 between the City of Sandusky and Huron Township; and

WHEREAS, the City Commission adopted preliminary legislation submitted by the Director of the Ohio Department of Transportation for the Sandusky / US 6 RAISE Grant application, PID No. 116570, by Resolution No. 019-22R, passed on March 28, 2022, and subsequently was awarded funds; and

WHEREAS, the City is managing the portion of the project within the City limits, which follows the old Pier Track right-of-way between Hemminger Ditch and Cedar Point Drive, however, the City must follow ODOT procedures to be eligible for the Federal funding which includes incorporating additional acquisition and design services prior to beginning construction activities; and

WHEREAS, the City is the owner of property on the east side of Cedar Point Drive, just north of the City's Pier Track Lift Station, Parcel 57-69026.000, which is part of the Sandusky Bay Pathway, and pursuant to ODOT requirements, must be dedicated for public use; and

WHEREAS, this City Commission approves the dedication for public use the tract of land on the east side of Cedar Point Drive, just north of the City's Pier Track Lift Station, and authorizes the recording of the Final 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 accepted as public use and recorded so the project can meet the Ohio Department of Transportation's deadlines for right-of-way filing; 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,

PAGE 2 - ORDINANCE NO. 24-057

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

Section 1. This City Commission accepts and approves the Final Plat for a tract of land on Cedar Point Drive, Parcel No. 57-69026, located on the east side of Cedar Point Drive, just north of the City’s Pier Tract Lift Station, with a total area of 0.8494 acres, as set forth on the dedication plat, a copy of which is marked Exhibit “A”, attached to this Ordinance and incorporated herein, and its dedication to the use of the public is accepted and confirmed.

Section 2. The Clerk of the City Commission is authorized to cause the Final 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



ATTEST: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: March 11, 2024

DEDICATION PLAT OF A 0.8494 ACRE TRACT
OWNED BY THE CITY OF SANDUSKY

SITUATED IN THE STATE OF OHIO, COUNTY OF ERIE, CITY OF SANDUSKY
AND KNOWN AS BEING A PART OF DARLINGS SURVEY EAST OF SYCAMORE LINE

OWNER'S CERTIFICATE:

THE UNDERSIGNED OWNERS HEREBY CERTIFY THAT THE ATTACHED PLAT CORRECTLY REPRESENTS THEIR DEDICATION PLAT. WE HEREBY ASSENT TO AND ADOPT THIS DEDICATION AND ACKNOWLEDGE THE SAME AS OUR FEE ACT AND DEED AND HEREBY DEDICATE THE TRACT OF LAND THEREON SHOWN TO THE USE OF THE PUBLIC FOREVER.

IN WITNESS WHEREOF, _____ HAVE HERETOFORE SET THEIR HANDS
THIS _____ DAY OF _____, 2023

WITNESS _____ SIGNED OWNER _____

STATE OF OHIO, COUNTY OF ERIE S.S.

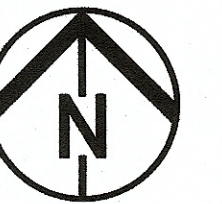
BEFORE ME, A NOTARY PUBLIC IN AND SAID FOR COUNTY, PERSONALLY CAME THE OWNERS, WHO PERSONALLY ACKNOWLEDGE THE SIGNING OF THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED FOR THE USE AND PURPOSES THEREIN EXPRESSED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL
THIS _____ DAY OF _____, 2023.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC ERIE COUNTY, OHIO _____

LEGEND

- MONUMENT BOX FOUND AS DESCRIBED
IRON PIN OR PIPE FOUND AS DESCRIBED
5/8" REBAR SET W/L.D. CAP
"ENVRN DESIGN GROUP, AKRON OHIO"



0 20 40
GRAPHIC SCALE IN FEET

BASIS OF BEARING

GRID NORTH, OHIO STATE PLANE
COORDINATE SYSTEM (NAD83)

CITY COMMISSION CERTIFICATE:

THE PLAT AND DEDICATION HAS BEEN APPROVED AND ACCEPTED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO BY ORDINANCE NO. PASSED THIS _____ DAY OF _____, 2023

PRESIDENT OF COMMISSION _____ CLERK OF COMMISSION _____

CITY PLANNING COMMISSION CERTIFICATE:

THE PLAT AND DEDICATION HAS BEEN APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION OF THE CITY OF SANDUSKY, OHIO PASSED THIS _____ DAY OF _____, 2023

CHAIRMAN _____ SECRETARY _____

COUNTY AUDITOR'S CERTIFICATE:

TRANSFERRED THIS _____ DAY OF _____, 2023
AND FEES OF _____ WERE COLLECTED.

ERIE COUNTY AUDITOR _____

COUNTY RECORDER'S CERTIFICATE:

RECORDED THIS _____ DAY OF _____, 2023
IN PLAT VOLUME _____ PAGE _____

ERIE COUNTY RECORDER _____

COUNTY ENGINEER'S CERTIFICATE:

THE PLAT AND DEDICATION HAS BEEN APPROVED BY THE COUNTY ENGINEER OF THE COUNTY OF ERIE, OHIO
THIS _____ DAY OF _____, 2023

COUNTY ENGINEER _____

APPROVED as per Erie County Requirements
And Sections 4733-37 thru 4733-37-07 of the Ohio
Administrative Code only. No Field Verifications
for Accuracy made.

Michael J. Farrell
Engineer/Surveyor: Erie County Engineer's
Date: 11-20-2023

DEDICATION AREA

37,000 S.F.
0.8494 Ac.
(0.0918 Ac. IN R/W)

Situated in the State of Ohio County of Erie, City of Sandusky and known as being a part of O.L. 26 of Darlings Survey East of Sycamore Line, and is also known as land owned by The City of Sandusky as recorded in Deed Volume 321, Page 448 of the Erie County Records and is more fully described as follows:

Beginning at a point on the centerline of Cedar Point Drive which is known as Station 14+88.66 on a survey made by the Department of Engineering and Construction of the City of Sandusky, Ohio dated January 8, 1968. Said point is witnessed by a 3/4 inch iron pin in a monument box found at a point of curve on the centerline of Cedar Point Drive (width of 80 feet), North 43 degrees 09 minutes 22 seconds East, a distance of 62.19 feet and is the point of beginning for the parcel herein described;

Thence North 43 degrees 09 minutes 22 seconds East, along the centerline of said Cedar Point Drive, a distance of 50.00 feet to a point being the southwesterly corner of land now or formerly owned by Cedar Point Park, LLC as recorded in RN 201410099 of the Erie County Records;

Thence South 46 degrees 51 minutes 38 seconds East, along the southerly line of said Cedar Point Park, LLC land, a distance of 370.00 feet, passing over a capped iron pin set at a distance of 40.00 feet and 300.00 feet, to a point in Pipe Creek;

Thence South 43 degrees 09 minutes 22 seconds West, along the westerly line of said Cedar Point Park, LLC land, a distance of 100.00 feet to a point in Pipe Creek;

Thence North 46 degrees 51 minutes 38 seconds West, along the northerly line of said Cedar Point Park, LLC land and northerly line of land now or formerly owned by The City of Sandusky as recorded in D.V. 272, Page 398 of the Erie County Records, a distance of 370.00 feet, passing over a capped iron pin set at a distance of 200.00 feet and 330.00 feet, to a point on the centerline of said Cedar Point Drive;

Thence North 43 degrees 09 minutes 22 seconds East along the centerline of said Cedar Point Drive, a distance of 50.00 feet to the point of true beginning and containing 37,000 square feet or 0.8494 acres of land, more or less of which 0.0918 acres are within Cedar Point Drive right of way

This description was prepared based on a field survey performed under the direction of Dennis W. Stoffer, Registered Surveyor Number 7604, in March 2023.

The basis of Bearings for this description is the Ohio State Plain Coordinate System, NAD83, (ODOT CORS) Ohio North Zone.

SURVEYOR'S CERTIFICATION:

I DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME AND THE PINS SHOWN ON THE PLAT HAVE BEEN PLACED.

Dennis W. Stoffer

DENNIS W. STOFFER REGISTRATION NO. OHIO 7604
DATE OF MAP: OCTOBER 16, 2023

