

EMERGENCY

City of Cincinnati

CHM

EESW

An Ordinance No. 402

- 2023

**AUTHORIZING** the City Manager to execute a plat entitled Sanitary Sewer Easement Plat Grovedale Place Subdivision to release and quitclaim a portion of a public utility easement held by the City of Cincinnati for a sanitary sewer located in and upon certain real property located in the Hyde Park neighborhood of Cincinnati.

WHEREAS, pursuant to a Deed dated July 15, 1918, and recorded on August 5, 1918, in Deed Book 1177, Page 81, Hamilton County, Ohio records, the City of Cincinnati holds a public utility easement for a sanitary sewer (“Easement”) in and upon certain real property more particularly depicted on a plat entitled Sanitary Sewer Easement Plat Grovedale Place Subdivision attached to this ordinance as Attachment A and incorporated herein by reference (“Vacation Plat”); and

WHEREAS, Monarch Homes, LLC, an Ohio limited liability company (“Petitioner”), holds title to the real property burdened by the Easement and has petitioned Metropolitan Sewer District of Greater Cincinnati (“MSDGC”) to abandon the sewer and the City to release the Easement; and

WHEREAS, the City Manager, upon consultation with MSDGC, has determined that the Easement is not needed for a municipal purpose and therefore recommends the release of same; and

WHEREAS, the MSDGC Chief Engineer has examined the Vacation Plat, found it to be correct, and approved it as to its technical features; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

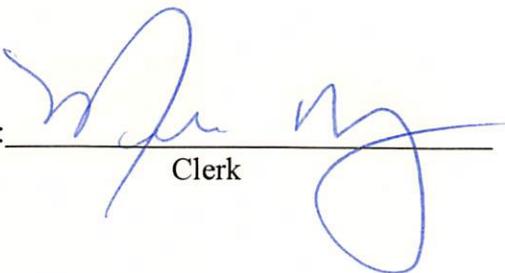
Section 1. That the City Manager is hereby authorized to execute a plat entitled Sanitary Sewer Easement Plat Grovedale Place Subdivision (“Vacation Plat”), attached to this ordinance as Attachment A and incorporated herein by reference, to release and quitclaim a portion of a public utility easement for a sanitary sewer (“Easement”) granted to the City of Cincinnati across certain real property more particularly depicted on the Vacation Plat pursuant to a Deed dated July 15, 1918, and recorded on August 5, 1918, in Deed Book 1177, Page 81, Hamilton County, Ohio records.

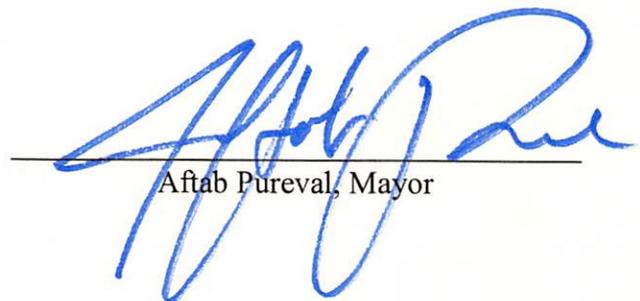
Section 2. That the Easement is not needed for any municipal purpose.

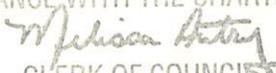
Section 3. That the City Manager and other City officials are authorized to take all necessary and proper actions to carry out the provisions of this ordinance including, without limitation, executing any and all ancillary agreements, plats, and other documents.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to allow the City Manager and other City officials to take all necessary and proper actions to carry out the provisions of this ordinance to allow a shovel-ready residential housing project to move forward with construction so that the City may receive the economic and non-economic benefits from said project at the earliest possible time.

Passed: November 29, 2023

Attest:   
Clerk

  
Aftab Pureval, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 402-2023  
WAS PUBLISHED IN THE CITY BULLETIN  
IN ACCORDANCE WITH THE CHARTER ON 12/12/2023  
  
CLERK OF COUNCIL