

City of Cincinnati
An Ordinance No. _____

CHM

AWB

- 2022

ACCEPTING AND CONFIRMING the grant of a public utility easement in favor of the City of Cincinnati for water mains, appurtenances, fixtures, and equipment in and upon certain real property located in Miami Township related to The Reserve at Deer Run, Phase 3 Subdivision.

WHEREAS, DRCC, LLC, an Ohio limited liability company, and Deer Run Neighborhood Association, Inc., an Ohio nonprofit corporation, have granted an easement in favor of the City of Cincinnati for water mains, appurtenances, fixtures, and equipment in and upon certain real property located in Miami Township related to The Reserve at Deer Run, Phase 3 Subdivision, as more particularly depicted and described on an easement plat recorded in Plat Book 482, Page 86, Hamilton County, Ohio Recorder's Office; and

WHEREAS, the aforementioned plat has been examined and approved as to its technical features by the Greater Cincinnati Water Works Chief Engineer, who has found it to be correct; and

WHEREAS, based on the foregoing, the City Manager, upon consultation with the Greater Cincinnati Water Works, recommends that Council accept and confirm the acceptance of the aforementioned public utility easement; now, therefore,

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

Section 1. That the easement granted by DRCC, LLC, an Ohio limited liability company, and Deer Run Neighborhood Association, Inc., an Ohio nonprofit corporation, to the City of Cincinnati for the construction, installation, reconstruction, operation, maintenance, repair, replacement, modification, and removal of water mains and related fixtures, equipment, and appurtenances in and upon certain real property located in Miami Township related to The Reserve at Deer Run, Phase 3 Subdivision, as depicted on the plat entitled *Waterline Easement Plat WSL# 3628 PS- The Reserve at Deer Run, Phase 3 – E-1048*, as more particularly depicted and described on an easement plat recorded in Plat Book 482, Page 86, Hamilton County, Ohio Recorder's Office and incorporated herein by reference, is hereby accepted and confirmed. The real property encumbered by the easement is more particularly described as follows:

Tract I

SITUATE IN SECTION 2, TOWN 1, FRACTIONAL RANGE 2, MIAMI TOWNSHIP, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF LOT 145, THE RESERVE AT DEER RUN, PHASE 3, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 484, PAGES 83 AND 84, OF THE HAMILTON COUNTY RECORDER'S OFFICE, CINCINNATI, OHIO

Tract II

SITUATE IN SECTION 2, TOWN 1, FRACTIONAL RANGE 2, MIAMI TOWNSHIP, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF LOT 146, THE RESERVE AT DEER RUN, PHASE 3, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 484, PAGES 83 AND 84, OF THE HAMILTON COUNTY RECORDER'S OFFICE, CINCINNATI, OHIO

Tract III

SITUATE IN SECTIONS 1 AND 2, TOWN 1, FRACTIONAL RANGE 2, MIAMI TOWNSHIP, HAMILTON COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A SET 5/8" IRON PIN AND CAP (#7862) AT THE NORTHWEST CORNER OF LOT 20 OF DEER RUN COUNTRY CLUB ESTATES, SECTION 1 AS RECORDED IN PLAT BOOK 262, PAGES 97 AND 98 OF THE HAMILTON COUNTY, OHIO RECORDS; THENCE ALONG THE LINES OF SAID DEER RUN COUNTRY CLUB ESTATES, SECTION 1 THE FOLLOWING FIVE COURSES AND DISTANCES, SOUTH 37°28'39" EAST, 151.45 FEET TO A POINT IN THE NORTHWESTERLY RIGHT OF WAY OF PICKWAY DRIVE; THENCE ALONG THE NORTHWESTERLY RIGHT OF WAY OF PICKWAY DRIVE, ALONG A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 325.00 FEET; A DISTANCE OF 30.07 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 48°55'30" WEST, 30.06 FEET TO A POINT; THENCE LEAVING THE NORTHWESTERLY RIGHT OF WAY OF PICKWAY DRIVE, NORTH 37°28'39" WEST, 165.00 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 73°02'10" WEST, 134.17 FEET TO A POINT, BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.23 FEET NORTH; THENCE NORTH 71°47'55" WEST, 51.99 FEET TO THE NORTHWEST CORNER OF SAID DEER

RUN COUNTRY CLUB ESTATES, SECTION 1 BEING THE NORTHEAST CORNER OF DEER RUN COUNTRY CLUB ESTATES, SECTION 2A AS RECORDED IN PLAT BOOK 270, PAGE 19 AND 20 OF THE HAMILTON COUNTY, OHIO RECORDS AND BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.24 FEET NORTH; THENCE LEAVING THE NORTHERLY LINE OF SAID DEER RUN COUNTRY CLUB ESTATES, SECTION 1 ALONG THE NORTHERLY LINES OF SAID DEER RUN COUNTRY CLUB ESTATES, SECTION 2A THE FOLLOWING TWO COURSES AND DISTANCES, NORTH 67°04'01" WEST, 186.91 FEET TO A POINT, BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.23 FEET WEST; THENCE NORTH 83°20'12" WEST, 262.49 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) AT THE NORTHWEST CORNER OF SAID DEER RUN COUNTRY CLUB ESTATES, SECTION 2A BEING THE NORTHEAST CORNER OF DEER RUN COUNTRY CLUB ESTATES, SECTION 2B AS RECORDED IN PLAT BOOK 278, PAGES 96 AND 97 OF THE HAMILTON COUNTY, OHIO RECORDS; THENCE LEAVING THE NORTHERLY LINE OF SAID DEER RUN COUNTRY CLUB ESTATES, SECTION 2A ALONG THE LINES OF SAID DEER RUN COUNTRY CLUB ESTATES SECTION 2B THE FOLLOWING TWENTY THREE COURSES AND DISTANCES, NORTH 49°19'01" WEST, 238.68 FEET TO AN EXISTING IRON PIN AND CAP; THENCE NORTH 45°51'26" WEST, 217.34 FEET TO AN EXISTING IRON PIN AND CAP; THENCE NORTH 86°50'03" WEST, 98.04 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 64°31'12" WEST, 125.26 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 39°58'14" WEST, 127.51 FEET TO AN EXISTING 5/8" IRON PIN; THENCE SOUTH 02°25'11" EAST, 160.14 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 61°02'47" EAST, 224.30 FEET TO AN EXISTING 5/8" IRON PIN; THENCE SOUTH 40°40'59" WEST, 85.00 FEET TO A POINT, BEING WITNESSED BY AN EXISTING 5/8" IRON PIN WHICH IS 0.89 FEET WEST; THENCE NORTH 63°24'10" WEST, 236.47 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 65°00'16" WEST, 230.07 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 08°58'21" EAST, 233.55 FEET TO A POINT, BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.37 FEET NORTH AND 0.29 FEET EAST; THENCE SOUTH 62°19'01" EAST, 215.00 FEET TO A POINT; THENCE SOUTH 78°16'01" EAST, 20.19 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 28°12'35" WEST, 168.92 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 10°23'00" EAST, 58.66 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 28°01'01" EAST, 97.78 FEET TO AN EXISTING 5/8" IRON PIN; THENCE SOUTH 68°21'51" EAST, 166.81 FEET TO AN EXISTING 5/8" IRON PIN; THENCE NORTH 88°28'59" EAST, 134.05 FEET TO AN EXISTING IRON PIN AND CAP; THENCE NORTH 17°26'23" EAST, 334.22 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 26°45'26" EAST, 70.67

FEET TO AN EXISTING IRON PIN AND CAP; THENCE NORTH 40°35'36" EAST, 162.40 FEET TO AN EXISTING IRON PIN AND CAP AND NORTH 23°21'54" EAST, 28.49 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) AT THE SOUTHWEST CORNER OF LOT 38 OF THE AFOREMENTIONED DEER RUN ESTATES, SECTION 2A; THENCE LEAVING THE LINES OF SAID DEER RUN COUNTRY CLUB ESTATES, SECTION 2B ALONG THE LINES OF SAID DEER RUN COUNTRY CLUB ESTATES SECTION 2A THE FOLLOWING NINE COURSES AND DISTANCES, SOUTH 68°08'22" EAST, 80.93 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 79°04'27" EAST, 86.90 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 21°53'11" WEST, 38.67 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 38°14'11" WEST, 337.56 FEET TO AN EXISTING 5/8" IRON PIN; THENCE SOUTH 10°01'54" EAST, 230.60 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 78°48'04" EAST, 248.65 FEET TO AN EXISTING IRON PIN AND CAP; THENCE NORTH 37°43'03" EAST, 196.98 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 41°42'29" EAST, 283.50 FEET TO A POINT; BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.17 FEET SOUTH AND 0.22 FEET WEST; THENCE NORTH 10°58'53" EAST, 108.00 FEET TO AN EXISTING 1" IRON PIN AT THE SOUTHWEST CORNER OF LOT 16 OF THE AFOREMENTIONED DEER RUN ESTATES, SECTION 1; THENCE LEAVING THE LINES OF SAID DEER RUN ESTATES, SECTION 2A ALONG THE LINES OF SAID DEER RUN ESTATES SECTION 1 THE FOLLOWING FOURTEEN COURSES AND DISTANCES, SOUTH 84°22'26" EAST, 97.07 FEET TO A POINT; BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.34 FEET SOUTH AND 0.51 FEET WEST; THENCE SOUTH 00°16'15" WEST, 53.01 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 20°08'59" EAST, 188.48 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 55°47'14" EAST, 142.20 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 72°24'08" EAST, 188.81 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 20°35'19" EAST, 151.65 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 18°25'48" WEST, 188.03 FEET TO A POINT; BEING WITNESSED BY AN EXISTING 5/8" IRON PIN WHICH IS 0.23 FEET NORTH AND 0.28 FEET WEST; THENCE NORTH 37°28'39" WEST, 199.30 FEET TO A POINT IN THE NORTHERLY RIGHT OF WAY OF PICKWAY DRIVE; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF PICKWAY DRIVE, ALONG A CURVE DEFLECTING TO THE LEFT, HAVING A RADIUS OF 375.00 FEET; A DISTANCE OF 30.05 FEET, THE CHORD OF SAID CURVE BEARS NORTH 49°24'22" EAST, 30.04 FEET TO A POINT; THENCE SOUTH 37°28'39" EAST, 128.81 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 66°27'27" EAST, 105.00 FEET TO AN EXISTING 1" IRON PIN, THENCE SOUTH 44°11'11" EAST, 84.57 FEET TO A SET 5/8" IRON PIN AND CAP (#7862);

THENCE SOUTH 74°43'19" EAST, 101.00 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 53°24'39" EAST, 140.00 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) AT THE SOUTHEAST CORNER OF SAID DEER RUN ESTATES, SECTION 1, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 284 OF KIRKRIDGE ACRES, BLOCK "L" AS RECORDED IN PLAT BOOK 256, PAGE 37 OF THE HAMILTON COUNTY, OHIO RECORDS; THENCE LEAVING SAID DEER RUN ESTATES SECTION 1 ALONG THE WESTERLY LINES OF SAID KIRKRIDGE ACRES, BLOCK "L" THE FOLLOWING FOUR COURSES AND DISTANCES, SOUTH 04°57'04" WEST, 81.49 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 01°22'20" EAST, 156.50 FEET TO AN EXISTING IRON PIN AND CAP WHICH IS 1.81 FEET SOUTH AND 0.95 FEET EAST; THENCE SOUTH 43°55'59" WEST, 50.00 FEET A POINT, BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 2.16 FEET SOUTH AND 1.36 FEET EAST; THENCE SOUTH 46°04'01" EAST, 182.37 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) IN THE NORTHERLY LINE OF THE PROPERTY AS CONVEYED TO ERNEST AND JEANNE CIAMBARELLA IN DEED BOOK 4347, PAGE 1156 OF THE HAMILTON COUNTY, OHIO RECORDS; THENCE LEAVING THE WESTERLY LINE OF SAID KIRKRIDGE ACRES, BLOCK "L" ALONG THE NORTHERLY LINES OF SAID CIAMBARELLA TRACT THE FOLLOWING FOUR COURSES AND DISTANCES, SOUTH 73°30'23" WEST, 369.52 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 43°55'59" WEST, 329.02 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 46°04'01" WEST, 131.10 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) AND SOUTH 51°55'59" WEST, 640.41 FEET TO A POINT IN THE NORTHERLY LINE OF THE PROPERTY AS CONVEYED TO RUSSELL G. AND SUSAN J. CORNETT IN OFFICIAL RECORD 12582, PAGE 448 OF THE HAMILTON COUNTY, OHIO RECORDS AND BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.24 FEET NORTH; THENCE LEAVING THE NORTHERLY LINE OF SAID CIAMBARELLA TRACT ALONG THE NORTHERLY LINE OF SAID CORNETT TRACT THE FOLLOWING SIX COURSES AND DISTANCES, NORTH 38°04'01" WEST, 4.00 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 85°12'19" WEST, 217.00 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 77°58'59" WEST, 178.62 FEET TO AN EXISTING IRON PIN AND CAP; THENCE SOUTH 61°28'59" WEST, 69.83 FEET TO AN EXISTING 5/8" IRON PIN; THENCE SOUTH 74°26'59" WEST, 86.92 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) AND SOUTH 61°00'26" WEST, 257.03 FEET TO THE NORTHWEST CORNER OF SAID CORNETT TRACT; SAID POINT BEING IN THE NORTHEASTERLY LINE OF THE PROPERTY S CONVEYED TO WESTERN WILDLIFE CORRIDOR, INC. IN OFFICIAL RECORD 12786, PAGE 1198 OF THE HAMILTON COUNTY, OHIO RECORDS AND BEING WITNESSED BY A 5/8" IRON PIN WHICH IS

0.37 FEET WEST; THENCE LEAVING THE NORTHERLY LINE OF SAID CORNETT TRACT ALONG THE NORTHERLY LINE OF SAID WESTERN WILDLIFE CORRIDOR TRACT THE FOLLOWING TWO COURSES AND DISTANCES, NORTH 81°06'01" WEST, 81.76 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); AND NORTH 53°55'01" WEST, 5.68 FEET TO A SET 5/8" IRON PIN AND CAP (#7862) ; THENCE LEAVING THE NORTHEASTERLY LINE OF SAID WESTERN WILDLIFE CORRIDOR TRACT ALONG A NEW DIVISION LINE THE FOLLOWING TWENTY SIX COURSES AND DISTANCES, NORTH 05°02'20" WEST, 537.81 FEET TO A POINT; THENCE ALONG A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 76.00 FEET; A DISTANCE OF 35.15 FEET; THE CHORD OF SAID CURVE BEARS NORTH 81°47'17" WEST, 34.84 FEET TO A POINT; THENCE SOUTH 58°28'12" WEST, 12.13 FEET TO A POINT; THENCE ALONG A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 86.00 FEET; A DISTANCE OF 23.46 FEET, THE CHORD OF SAID CURVE BEARS NORTH 55°51'08" WEST, 23.38 FEET TO A POINT; THENCE NORTH 48°02'20" WEST, 288.86 FEET TO A POINT; THENCE ALONG A CURVE DEFLECTING TO THE LEFT, HAVING A RADIUS OF 114.00 FEET, A DISTANCE OF 41.27 FEET, THE CHORD OF SAID CURVE BEARS NORTH 58°24'32" WEST, 41.04 FEET TO A POINT; THENCE NORTH 68°46'43" WEST, 193.06 FEET TO A POINT; THENCE ALONG A CURVE DEFLECTING TO THE LEFT, HAVING A RADIUS OF 40.00 FEET; A DISTANCE OF 27.27 FEET, THE CHORD OF SAID CURVE BEARS NORTH 01°41'37" EAST, 26.74 FEET TO A POINT; THENCE NORTH 46°33'10" EAST, 150.00 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 57°29'39" WEST, 165.10 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 03°24'08" EAST, 790.85 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 05°31'33" EAST, 68.29 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 27°45'13" EAST, 55.88 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 38°24'08" EAST, 239.48 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 45°50'18" EAST, 66.18 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 59°39'05" EAST, 66.18 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 73°28'25" EAST, 66.18 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE NORTH 87°17'46" EAST, 66.18 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 79°27'24" EAST, 70.85 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 76°35'52" EAST, 354.94 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 85°11'05" EAST, 267.63 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 76°35'31" EAST, 592.82 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 57°35'30" EAST, 383.65 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 17°34'01" EAST, 107.53 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 37°55'59" WEST, 114.46

FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 52°04'01" EAST, 12.00 FEET TO A SET 5/8" IRON PIN AND CAP (#7862); THENCE SOUTH 37°55'59" WEST, 125.00 FEET TO THE PLACE OF BEGINNING.

THUS CONTAINING 56.6128 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

Section 2. That the City Solicitor shall cause an authenticated copy of this ordinance to be recorded in the Hamilton County, Ohio Recorder's Office.

Section 3. That the proper City officers and officials are authorized to take all necessary and proper actions to carry out the provisions of this ordinance.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk