

**ACCEPTING AND CONFIRMING** the grant of a public utility easement in favor of the City of Cincinnati for water mains and related fixtures, equipment, and appurtenances through certain real property in Anderson Township, Hamilton County, Ohio in accordance with the plat entitled Water Line Easement Plat, WSL#3687 - Nagel Village - E-1097, as recorded in Plat Book 492, Page 36, Hamilton County, Ohio Recorder's Office.

WHEREAS, Zicka Development Company, LLC, an Ohio limited liability company, has granted a public utility easement in favor of the City of Cincinnati for water mains and related fixtures, equipment, and appurtenances through certain real property located in Anderson Township, Hamilton County, Ohio, as more particularly depicted and described on the plat entitled Water Line Easement Plat, WSL#3687 - Nagel Village - E-1097, as recorded in Plat Book 492, Page 36, Hamilton County, Ohio Recorder's Office ("Easement Plat"); and

WHEREAS, the Greater Cincinnati Water Works Chief Engineer has examined and approved the Easement Plat as to its technical features and 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 public utility easement granted by Zicka Development Company, LLC, an Ohio limited liability company, 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 through certain real property in Anderson Township, Hamilton County, Ohio, as more particularly depicted and described on the plat entitled Water Line Easement Plat, WSL#3687 - Nagel Village - E-1097, as recorded in Plat Book 492, Page 36, Hamilton County, Ohio Recorder's Office, and incorporated herein by reference, is hereby accepted and confirmed. The real property encumbered by the public utility easement is more particularly described as follows:

Situate in A. Hite's Military Survey No. 608, Anderson Township, Hamilton County, Ohio and including part of Lot 4 of the James O. Johnson Estate (recorded reference unknown), and being more particularly described as follows:

Beginning at an iron pin set in the southerly line of Lot 6 of Stonegate Subdivision Phase III as recorded in Plat Book 395, pages 31-32, Hamilton County Recorder's Office and Registered Land Plat Book 87, pages 31-32, Hamilton County Registered Land Office, said point being South 89° 11' 24" East, 36.99 feet from the southwesterly corner of said Lot 6 and the southeasterly corner of Lot 7 of Stonegate Subdivision Phase III;

Thence along southerly lines of Lots 1 through 6 of said Stonegate Subdivision Phase III, South 89° 11' 24" East, 419.01 feet to an iron pin set at the southeasterly corner of said Lot 1;

Thence along the easterly line of said Lot 1, North 00° 48' 36" East, 65.43 feet to an existing iron pin with a cap stamped "MSP" at the southwesterly corner of Open Space Parcel A of said Stonegate Subdivision Phase III;

Thence in part along the southerly line of said Open Space Parcel A, South 89° 11' 24" East, passing an existing iron pin at 85.44 feet, a total distance of 105.45 feet to a point in the centerline of Nagel Road (a right-of-way of varying width);

Thence along said centerline of Nagel Road, South 02° 08' 36" West, 203.36 feet to a point;

Thence North 89° 42' 12" West, 292.00 feet to a point witnessed by an existing iron pin with a cap stamped "RLS 5507" lying 0.1' east;

Thence South 02° 08' 36" West, 225.00 feet to an iron pin set in the southerly line of aforesaid Lot 4 and northerly line of Lot 3 of the James O. Johnson Estate;

Thence along said line, North 89° 39' 24" West, 219.52 feet to a set iron pin;

Thence along a new division line, North 00° 20' 36" East, 367.22 feet to the point of beginning.

Containing 2.984 acres of land.

The above description was prepared from a Plat of Survey by McGill Smith Punshon, Inc. dated August 29, 2018, and revised October 4, 2018. The bearings of the above description are based on Ohio State Plane Coordinates South Zone (NAD83).

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: \_\_\_\_\_, 2023

\_\_\_\_\_  
Aftab Pureval, Mayor

Attest: \_\_\_\_\_  
Clerk