

**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 Sycamore Township, Hamilton County, Ohio in accordance with the plat entitled Spencer Avenue Water Main Easement E-1111 (WSL 3539), as recorded in Plat Book 498, Page 90, Hamilton County, Ohio Recorder's Office.

WHEREAS, David Andrew Schatzley and Kenwood Office Park, LLC, an Ohio limited liability company, have 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 Sycamore Township, Hamilton County, Ohio, as more particularly depicted and described on the plat entitled Spencer Avenue Water Main Easement E-1111 (WSL 3539), as recorded in Plat Book 498, Page 90, 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 David Andrew Schatzley and Kenwood Office Park, 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 Sycamore Township, Hamilton County, Ohio, as more particularly depicted and described on the plat entitled Spencer Avenue Water Main Easement E-1111 (WSL 3539), as recorded in Plat Book 498, Page 90, 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:

## Tract I

Situate in Section 14, Town 4, Entire Range 1, Miami Purchase, Sycamore Township, Hamilton County, Ohio, and being part of the former right of way of Spencer Avenue 50.00 feet in width, as vacated by the Board of County Commissioners of Hamilton County, Ohio by Resolution dated August 25, 2022, recorded on September 21, 2022, in Official Record 14756, Page 788, Hamilton County, Ohio Recorder's Office, and being more particularly described as follows:

Commencing at a set 5/8" iron pin in the west right of way of Pine Road (50.00 R/W) and the south line of said Spencer Avenue, Also being the Northeast corner of a 1.8537-acre tract, as conveyed to Lucke Land, LLC as recorded in O.R. 14614, Page 1935 of the Hamilton County Recorder's Office;

Thence with the west right of way line said Pine Road, North 02° 50' 00" East, 25.00 feet to a set 5/8" iron pin at the TRUE POINT of BEGINNING;

Thence through said Spencer Avenue, along the following two (2) courses and distances:

- 1) North 87° 10' 00" West, 190.00 feet to a set 5/8" iron pin;
- 2) North 02° 50' 00" East, 25.00 feet to a set 5/8" iron pin in the north right of way line of said Spencer Avenue, and the southwest corner of land as conveyed to David A. Schatzley by deed O.R. 14472, Page 3739 of the Hamilton County Recorder's Office;

Thence with the north right of way line of said Spencer Avenue, South 87° 10' 00" East, 190.00 feet to a set 5/8" iron pin in the west right of way line said Pine Road;

Thence with the west right of way of said Pine Road, South 02° 50' 00" West 25.00 feet to the TRUE POINT of BEGINNING.

The above description was prepared by McGill Smith Punshon, Inc., under the direction of Louis J. Hanser, Ohio Registration No. 7843. Bearings are based on Plat Book 419, Page 4 of the Plat Records, Hamilton County, Ohio Recorder's Office.

## Tract II

Situate in Section 14, Town 4, Entire Range 1, Miami Purchase, Sycamore Township, Hamilton County, Ohio, and being part of the former right of way of Spencer Avenue 50.00 feet in width, as vacated by the Board of County Commissioners of Hamilton County, Ohio by Resolution dated August 25, 2022, recorded on September 21, 2022, in Official Record 14756, Page 788, Hamilton

County, Ohio Recorder's Office, and being more particularly described as follows:

BEGINNING at a set 5/8" iron pin in the west right of way of Pine Road (50.00 R/W) and the south line of said Spencer Avenue, Also being the Northeast corner of a 1.8537-acre tract, as conveyed to Lucke Land, LLC, as recorded in O.R. 14614, Page 1935 of the Hamilton County Recorder's Office;

Thence with the south right of way line of said Spencer Avenue, North 87° 10' 00" West, 190.00 feet to a set 5/8" iron pin;

Thence through said Spencer Avenue the following two (2) courses and distances:

- 1) North 02° 50' 00" East, 25.00 feet to set 5/8" iron pin;
- 2) South 87° 10' 00" East, 190.00 feet to a set 5/8" iron pin in the west right of way line of said Pine Road;

Thence with the west right of way of said Pine Road, South 02° 50' 00" West 25.00 feet to the POINT of BEGINNING.

The above description was prepared by McGill Smith Punshon, Inc., under the direction of Louis J. Hanser, Ohio Registration No. 7843. Bearings are based on Plat Book 419, Page 4 of the Plat Records, Hamilton County, Ohio Recorder's Office.

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: \_\_\_\_\_, 2024

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

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