

EMERGENCY

City of Cincinnati

CHM

AWB

An Ordinance No. 404 - 2021

ACCEPTING the grant of permanent public utility easements in favor of the City of Cincinnati for the construction, maintenance, and repair of stormwater sewers in and upon certain real property located north of Golden Avenue in the Columbia Tusculum and Hyde Park neighborhoods.

WHEREAS, Barbara W. Kellar and Larry Kellar have granted to the City public utility easements to construct, maintain, and repair public stormwater sewers in and upon certain real property generally located north of Golden Avenue and south of Grandin Road in the Columbia Tusculum and Hyde Park neighborhoods, as more particularly depicted and described on a plat entitled *Permanent Easement Plat for Stormwater Sewer along Barbara W. Kellar Property* attached to this ordinance as Attachment A and incorporated herein by reference (the "Easement Plat"); and

WHEREAS, the City Stormwater Management Engineer has examined and approved the Easement Plat as to its technical features and has found it to be correct; and

WHEREAS, based on the foregoing, the City Manager, upon consultation with the Greater Cincinnati Waterworks on behalf of the Stormwater Management Utility, recommends that Council accept and confirm the acceptance of the aforementioned public utility easements; now, therefore,

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

Section 1. That the public utility easements granted by Barbara W. Kellar and Larry Kellar to the City of Cincinnati for the construction, maintenance, and repair of public stormwater sewers in and upon the real property more particularly depicted and described on the plat entitled *Permanent Easement Plat for Stormwater Sewer along Barbara W. Kellar Property* attached to this ordinance as Attachment A and incorporated herein by reference (the "Easement Plat") are hereby accepted and confirmed. The real property burdened by the public utility easements is more particularly described as follows:

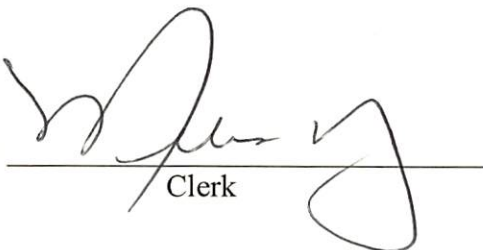
Lying and being in the City of Cincinnati, County of Hamilton, State of Ohio, and being in Section 25, Town 4, Fractional Range 2, Miami Purchase, Columbia Township and being part of Lots 11 and 12 of John Totten's Estate, as recorded in Plat Book 5, Page 147, Recorder's Office, Hamilton County, Ohio, as recorded in Official Record 6633, Page 1102, Hamilton County, Ohio Records.

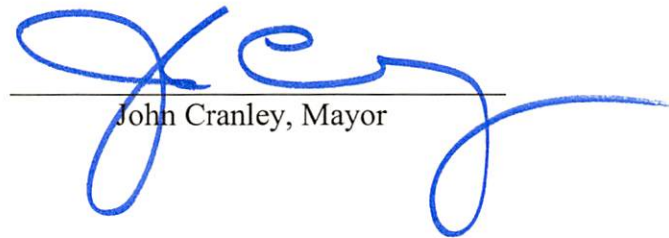
Section 2. That the City Solicitor shall cause an authenticated copy of this ordinance and the Easement Plat to be recorded in the Hamilton County, Ohio Recorder's Office.

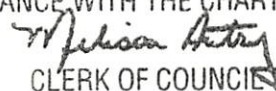
Section 3. That City officers and officials are authorized to take all necessary and proper actions to carry out the provisions of this ordinance, including, without limitation, executing the Easement Plat and other necessary real estate documents.

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 for the City to accept and confirm the acceptance of the public utility easements and to record the Easement Plat with the Hamilton County, Ohio Recorder's Office without delay.

Passed: October 20, 2021

Attest: 
Clerk


John Cranley, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO 404-2021
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 11.2.2021

CLERK OF COUNCIL