

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 being part of the Garden Grove Development in Delhi Township, Hamilton County, Ohio in accordance with the plat entitled *GCWW Easement Plat Garden Grove Development, 643 Covedale Avenue, WSL 3681 – Garden Grove – E-1089*, as recorded in Plat Book 489, Page 91, Hamilton County, Ohio Recorder’s Office.

WHEREAS, 643 COV, 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 Delhi Township, Hamilton County, Ohio, as more particularly depicted and described on the plat entitled *GCWW Easement Plat Garden Grove Development, 643 Covedale Avenue, WSL 3681 – Garden Grove – E-1089*, as recorded in Plat Book 489, Page 91, 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 643 COV, 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 Delhi Township, Hamilton County, Ohio, as more particularly depicted and described on the plat entitled *GCWW Easement Plat Garden Grove Development, 643 Covedale Avenue, WSL 3681 – Garden Grove – E-1089*, as recorded in Plat Book 489, Page 91, 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:

Situated in Section 12, Town 3, Fractional Range 1 Between the Miamis, Delhi Township, Hamilton County, Ohio and being all of 643 COV, LLC as recorded in Official Record 14335, Page 1702, Official Record 14335, Page 1980 and Official Record 14335, Page 2955 of the Hamilton County. Ohio Recorder's Office, containing 6.4255 acres being further described as follows:

Begin at a found 5/8" iron pin capped "Allen" at the northeast corner of Foley Square Condominium, Phase II as recorded in Plat Book 326, Page 7, said pin being on the west right of way of Covedale Avenue (40') and being the True Point of Beginning;

thence, from the True Point of Beginning, departing the west right of way of said Covedale Avenue with and departing said Foley Square Condominium, Phase II, North 88° 34' 17" West, 294.90 feet to a set 5/8" iron pin at a north corner of Foley Square Condominium, Phase I, as recorded in Plat Book 323, Page 24;

thence, with said Foley Square Condominium, Phase I, South 05° 50' 43" West, 2.92 feet to a set 5/8" iron pin;

thence, North 88° 34' 17" West, 277.52 feet to a set 5/8" iron pin on the northwest corner of Steven L. & Tracey A. Schatzman as recorded in Deed Book 4326, Page 1391, said pin being on the east line of Savanna G. Hayes as recorded in Official Record 13722, Page 1780;

thence, departing said Schatzman and with said Hayes the following two courses: North 05°55' 43" East, 75.78 feet to a set 5/8" iron pin;

thence, North 88° 34' 17" West, 75.00 feet to a set 5/8" iron pin on the east line of Lot 48 of Melody Acres Subdivision, Block "B" as recorded in Plat Book 126, Page 53;

thence, departing said Hayes and with the east line of said Melody Acres Subdivision, Block "B", North 05° 55' 43' East, 367.92 feet to a set 5/8" iron pin at the southwest corner of the City of Cincinnati land as recorded in Deed Book 3141, Page 388;

thence, departing said Melody Acres Subdivision, Block "B" and with the south line of said City of Cincinnati land, South 88° 37' 23' East, passing a found 1-1/2" iron pipe at 351.72 feet, a found concrete monument at 641.82 feet, a total distance of 646.82 feet to a set 5/8" iron pin on the west right of way of said Covedale Avenue;

thence, departing said City of Cincinnati land and with the west right of way of said Covedale Avenue, South 05° 50' 43" West, 441.31 feet to the True Point of Beginning containing 6.4255 acres of land more or less subject to all legal highways, easements, restrictions and agreements 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: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk