

ACCEPTING AND CONFIRMING the grant of a public utility easement in favor of the City of Cincinnati for storm sewer lines and related fixtures, equipment, and appurtenances through certain real property generally located at 4945 Kirby Avenue in the City of Cincinnati in accordance with the plat entitled *4929 Kirby Avenue Permanent Easement*, as recorded in Plat Book 496, Page 94, Hamilton County, Ohio Recorder's Office.

WHEREAS, Sue A. Hartman has granted a public utility easement in favor of the City of Cincinnati for storm sewer lines and related fixtures, equipment, and appurtenances through certain real property generally located at 4945 Kirby Avenue in the City of Cincinnati, which property is more particularly identified as Hamilton County, Ohio Auditor's Parcel Identification No. 227-0A03-0003 on the plat entitled *4929 Kirby Avenue Permanent Easement*, as recorded in Plat Book 496, Page 94, 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, Stormwater Management Utility 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, Stormwater Management Utility 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 Sue A. Hartman to the City of Cincinnati for the construction, perpetual maintenance, reconstruction, repair, and operation of storm sewers and associated fixtures, appurtenances, and equipment in, through, and upon certain real property generally located at 4945 Kirby Avenue in the City of Cincinnati, as more particularly depicted on the plat entitled *4929 Kirby Avenue Permanent Easement*, as recorded in Plat Book 496, Page 94, 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:

Situate in the City of Cincinnati, County of Hamilton and State of Ohio, an accurate description and plat of each separate body or parcel of which are as follows, to-wit:

Situate in Section 35, Town 3, Fractional Range 2, and being more particularly described as follows: beginning at a point in the center of Kirby Avenue, said point being the extreme easterly point of land registered under certificate no. 1476, Hamilton County, Registered Lands, said point being also 532.48 feet northwestwardly from the intersection of the center line of Kirby Avenue with the east line of said Section 35; thence in the center of Kirby Avenue, North 58° 01' West 294.00 feet; thence South 31° 59' West 337.3 feet to a point; thence South 58° 01' East 264.28 feet to a point; thence North 37° 01' East 338.62 feet to the place of beginning.

Registered Land Certificate No. 225236

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