

# **City of Cincinnati**

## **An Ordinance No. \_\_\_\_\_**

DMZ

EESW

- 2025

**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 Delhi Township, Hamilton County, Ohio in accordance with the plat entitled Water Main Easement Dedication Plat (E-1099), as recorded in Plat Book 493, Page 24 of the Hamilton County, Ohio Recorder's Office.

WHEREAS, by virtue of general warranty deeds recorded at Hamilton County, Ohio Official Record Volume 14023, Page 818, Official Record Volume 9523, Page 3277, Official Record Volume 9567, Page 2504, and Official Record Volume 9567, Page 2501, the Board of Township Trustees, Delhi Township, Hamilton County, Ohio, a political subdivision of the State of Ohio, and the Board of County Commissioners of Hamilton County, Ohio, a political subdivision of the State of Ohio (collectively "Grantors"), were, at the time of the conveyance made in the Easement Plat described below, the owners of certain real property located in Delhi Township, Hamilton County, Ohio as described in the legal description attached to this ordinance as Attachment A (the "Property"); and

WHEREAS Grantors have granted a public utility easement in favor of 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 and across the Property, as depicted in the plat being recorded at Hamilton County, Ohio Plat Book 493, Pages 24 ("Easement Plat"); and

WHEREAS, 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 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 the Board of Township Trustees, Delhi Township, Hamilton County, Ohio, a political subdivision of the State of Ohio, and the Board of County Commissioners of Hamilton County, Ohio, a political subdivision of the State of Ohio (collectively "Grantors") to the City of Cincinnati for the construction, installation, reconstruction, operation, maintenance, repair, replacement, modification, removal and use of water mains and related fixtures, equipment, and appurtenances through and across certain real property in Delhi

Township, Hamilton County, Ohio, as more particularly depicted and described on the plat entitled Water Main Easement Dedication Plat (E-1099), as recorded in Plat Book 493, Pages 24 of the 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 on Attachment A attached to this ordinance.

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: \_\_\_\_\_, 2025

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

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

**ATTACHMENT A**

**ATTACHMENT A**  
*Property Legal Description*

**Tract I**

Situated in Section 11, Town 3, Fractional Range 1, Delhi Township, Hamilton County, Ohio being part of a 16.002 acre (survey) tract of land conveyed to DFG-Delhi, LLC in O.R. 12443 Pg. 1497 the boundary of which being more particularly described as follows:

Commencing at the northwest corner of Lot 1 of Jay Buchert's First Subdivision as recorded in P.B. 208 Pg. 16;

Thence along the west line of said 16.002 acre tract, N 01° 46' 24" E a distance of 702.91 feet to a point in the south right of way of Delhi Road;

Thence along said south right of way line, N 77° 01' 00" E a distance of 76.39 feet to a 5/8" iron pin set at the Point of Beginning;

Thence continuing, N 77° 01' 00" E a distance of 87.40 feet to a point referenced by a 5/8" iron pin found 0.5' South;

Thence continuing along a curve to the right for an arc distance of 55.17 feet to a 5/8" iron pin set, said curve having a radius of 2824.79 feet, a central angle of 1° 01' 09" and a chord which bears N 77° 34' 34" E a distance of 55.17 feet;

Thence along new division lines the following three (3) courses:

1. S 01° 46' 24" W a distance of 198.79 feet to a mag nail set;
2. N 88° 13' 36" W a distance of 138.00 feet to a mag nail set;
3. N 01° 46' 24" E a distance of 163.00 feet to the Point of Beginning;

Containing 0.574 acres more or less, being subject to all right of ways and easements of record.

Bearings are based on D.B. 4312 Pg. 1582 of the Hamilton County Recorder's Office;

The above description is based on a field survey performed by The Kleingers Group under the direct supervision of Randy C. Wolfe, Ohio Professional Surveyor No. 8033.

## **Tract II**

Situated in Section 11, Town 3, Fractional Range 1, Delhi Township, Hamilton County, Ohio being part of a 16.002 acre (survey) tract of land conveyed to DFG-Delhi, LLC in O.R. 12443 Pg. 1497 the boundary of which being more particularly described as follows:

Beginning at a 5/8" iron pin set at the northeast corner of Lot 15 of Jay Buchert's First Subdivision as recorded in P.B. 208 Pg. 16;

Thence along the north line of said subdivision, N 66° 10' 30" W a distance of 817.38 feet to a point in the east line of a tract of land conveyed to John Anevski in O.R. 9206 Page 4180 being referenced by a 3/4" iron pin found (0.7' north and 0.2' west);

Thence in part along the easterly line of said Anevski tract and tracts conveyed to John Anevski in D.B. 4349 Pg. 756 and O.R. 5620 Pg. 684, N 01° 46' 24" E a distance of 702.91 feet to a 5/8" iron pin set in the south right of way line of Delhi Road;

Thence along said south right of way line, N 77° 01' 00" E a distance of 76.39 feet to a mag nail set;

Thence along new division lines the following three (5) courses:

1. S 01° 46' 24" W a distance of 163.00 feet to a mag nail set;
2. S 88° 13' 36" E a distance of 138.00 feet to a mag nail set;
3. N 01° 46' 24" E a distance of 60.52 feet to a mag nail
4. S 88° 24' 03" E a distance of 205.45 to a set mag nail;
5. N 01° 36' 22" E a distance of 179.30 feet to a set mag nail in the aforesaid south right of way line of Delhi Road;

Thence along said south right of way line, along a curve to the right for an arc distance of 56.33 feet to a mag nail set, said curve having a radius of 2824.79 feet, a central angle of 1° 08' 34" and a chord which bears N 82° 50' 49" E a distance of 56.33 feet;

Thence along a new division line, S 01° 36' 22" W a distance of 193.68 feet to a mag nail set;

Thence continuing, S 88° 10' 15" E a distance of 256.88 feet to a 5/8" iron pin set in the west right of way line of Klemme Drive;

Thence along the right of way lines of Klemme Avenue, S 01° 36' 22" W a distance of 270.35 feet to a 5/8" iron pin found and S 88° 23' 38" E a distance of 25.00 feet to a point in the west line of a tract of land conveyed to Larry Moormann in O.R. 7823 Pg. 1851, being referenced by a 1-1/2" pipe found (0.4' south and 0.4" west);

Thence along the west line of said Moormann tract, S 01° 36' 22" W a distance of 651.22 feet to the point of beginning;

Containing 13.435 acres more or less, being subject to all right of ways and easements of record.

Bearings are based on D.B. 4312 Pg. 1582 of the Hamilton County Recorder's Office;

The above description is based on a field survey performed by The Kleingers Group under the direct supervision of Randy C. Wolfe, Ohio Professional Surveyor No. 8033.

**Tract III**

Situate in Section 11, Town 3, Fractional Range 1, Miami Purchase, Delhi Township, Hamilton County, Ohio, and being Lot Number 45 of Letto Subdivision, Block "B", a plat of which is recorded in Plat Book 64, pages 57 and 58, Hamilton County, Ohio Records.

**Tract IV**

Situate in Section 11, Town 3, Fractional Range 1, Miami Purchase, Delhi Township, Hamilton County, Ohio, and being Lot Number 44 of Letto Subdivision, Block "B", a plat of which is recorded in Plat Book 64, pages 57 and 58, Hamilton County, Ohio Records.