

ORDINANCE NO. 19 -63

By: Shaw

To authorize the Mayor to execute a release of the public utility easement in Lots Nos. 46, 47, 48, 49, 50 and 51 of Mayfield Place Addition, and to declare an emergency.

Whereas, through the acceptance of the Plat of Mayfield Place Addition, certain easements for public utility purposes were set apart and dedicated; and

Whereas, Mayfield Place Addition has been developed and all necessary utility lines have been installed to service all lots in said addition; and

Whereas, no service lines have been installed or are contemplated to be installed in the portion of the platted easement requested to be released; and

Whereas, buildings have been installed over said easements; and

Whereas, the release of said easements hereinafter described will not be detrimental to the interests of the general public; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Mayor, on behalf of the City of Bexley, Ohio, be and he is hereby authorized and directed to execute a release of easements in the following form and for the easements therein described:

RELEASE OF PREMISES FROM EASEMENT

Know all Men by these Presents, that the City of Bexley, Ohio, by and through William A. Schneider, its Mayor, pursuant to Ordinance No. 19 -63, passed September 16th, 1963, for a valuable consideration, the receipt of which is hereby acknowledged, does hereby release and discharge the utility easement 10 feet in width designated upon the recorded plat for Lots Nos. 46, 47, 48, 49, 50 and 51 of Mayfield Place Addition, Plat Book 11, Page 20, Recorder's Office, Franklin County, Ohio, the easterly five (5.0) feet of which is described as follows:

"Being five (5.0) feet off the west side of Lots Nos. 46, 47, 48, 49, and 50 of Mayfield Place Addition, Plat Book 11, Page 20," and the westerly five (5.0) feet being described as follows:

" Being five (5.0) feet off the east side of part of Lot No. 51, of Mayfield Place Addition, Plat Book 11, Page 20, said five (5.0) foot strip lying contiguous to and westerly from, the westerly line of said Lots Nos. 46, 47, 48, 49 and 50,

of Mayfield Place Addition, Plat Book 11, Page 20."

Provided, however, that this release shall not be construed to waive or in any manner affect or inviolate easements reserved on the residue of the lots recorded ~~in~~ on the Plat of Mayfield Place Addition as recorded on the plat of Mayfield Place Addition which plat was accepted by Ordinance No. \_\_\_\_\_ passed

In Witness Whereof, I have hereunto set my hand this 16<sup>th</sup> day of September, 1963.

CITY OF BEXLEY

By: W. A. Schneider  
William A. Schneider  
Mayor

In the Presence of:

W. A. Montgomery  
Nelson L. Eckhardt

STATE OF OHIO  
FRANKLIN COUNTY, SS:

Before me, a Notary Public, in and for said county, personally appeared William A. Schneider, Mayor of the City of Bexley, Ohio, who acknowledged that he signed the foregoing instrument; that the same is his free act and deed as such officer and the free act and deed of the City of Bexley; and that his name was subscribed to the foregoing instrument by direction of the Council of said City, as expressed in Ordinance No. \_\_\_\_\_.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal in the City of Bexley, Ohio, this \_\_\_\_\_ day of \_\_\_\_\_, 1963.

\_\_\_\_\_  
Notary Public

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety, said emergency being that the completion of the development is being held up and said ordinance shall go into immediate force and effect.

Passed: September 10, 1963

Attest: [Signature]  
Clerk of Council

[Signature]  
President of Council

Approved: Sept 16<sup>th</sup>, 1963

W. A. Schneider  
Mayor

RELEASE OF PREMISES FROM EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the City of Bexley, Ohio, by and through William A. Schneider, its Mayor, pursuant to Ordinance No. 19-63, passed Sept 10, 1963, for a valuable consideration, the receipt of which is hereby acknowledged, does hereby release and discharge the utility easement 10 feet in width designated upon the recorded plat for Lots Nos. 46, 47, 48, 49, 50 and 51 of Mayfield Place Addition, Plat Book 11, Page 20, Recorder's Office, Franklin County, Ohio, the easterly five (5.0) feet of which is described as follows:

"Being five (5.0) feet off the west side of Lots Nos. 46, 47, 48, 49 and 50 of Mayfield Place Addition, Plat Book 11, Page 20," and the westerly five (5.0) feet being described as follows:

"Being five (5.0) feet off the east side of part of Lot No. 51, of Mayfield Place Addition, Plat Book 11, Page 20, said five (5.0) foot strip lying contiguous to and westerly from, the westerly line of said Lots Nos. 46, 47, 48, 49 and 50, of Mayfield Place Addition, Plat Book 11, Page 20."

Provided, however, that this release shall not be construed to waive or in any manner affect or inviolate easements reserved on the residue of the lots recorded ~~in~~ on the Plat of Mayfield Place Addition as recorded on the plat of Mayfield Place Addition which plat was accepted by Ordinance No. passed

IN WITNESS WHERE OF, I have hereunto set my hand this 16 day of Sept, 1963.

CITY OF BEXLEY

By: W. A. Schneider  
William A. Schneider  
Mayor

In the Presence of:

HOWARD C. PARK

HELEN L. EBERHARD

STATE OF OHIO  
COUNTY OF FRANKLIN, SS:

Before me, a Notary Public, in and for said county, personally appeared William A. Schneider, Mayor of the City of Bexley, Ohio, who acknowledged that he signed the foregoing instrument; that the same is his

free act and deed of the City of Bexley; and that his name was subscribed to the foregoing instrument by direction of the Council of said City, as expressed in Ordinance No. 19-63.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal in the City of Bexley, Ohio, this \_\_\_\_ day of \_\_\_\_\_, 1963.

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Notary Public