

ORDINANCE NO. 38 -67

By: K. McClure

To vacate a portion of the sewer and sewer easement on Lot Five (5) of Sessions, providing a replacement sewer and sewer easement is furnished by the owner.

WHEREAS the existing sewer on Lot 5 of Sessions prevents the construction of a home thereon; and

WHEREAS the prospective purchaser of said lot is willing to construct a replacement sewer in a different location and execute a new easement to the City; and

WHEREAS this procedure has been approved by the Jennings-Lawrence Company; now, therefore,

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

Section 1. That the sewer easement ten (10) feet in width extending in an east/west direction across Lot No. 5 as said easement and said lot are delineated on the plat of Sessions as said plat is recorded in Plat Book 19 page 44, Recorder's Office, Franklin County, Ohio, as well as the sewer located in said easement be and the same are hereby vacated as soon as a substitute easement is furnished the City of Bexley and a substitute sewer is constructed in said substitute easement, the plans, specifications and construction of said substitute sewer to be subject to the approval of The Jennings-Lawrence Company, and the substitute easement to be described as follows:

Situate in the State of Ohio, County of Franklin, and City of Bexley, and being part of Lot No. 5 as said lot is numbered and delineated on the plat of Sessions as the same is recorded in Plat Book 19, Page 44, Recorder's Office, Franklin County, Ohio, said right-of-way being 10 ft. in width, the center line of said 10 ft. being more particularly described as follows:

Beginning at a point in the westerly line of said Lot No. 5, said point being 5 ft. as measured at right angles south of the northerly line of said Lot No. 5; thence in an easterly direction parallel to and 5 ft. distant, as measured at right angles southerly from the northerly line of said Lot No. 5 to an angle point in said center line, said angle point being 5 ft. as measured at right angles westerly from the easterly line of said Lot No. 5; thence in a southerly direction parallel to and 5 ft. distant as measured at right angles, westerly from the easterly line of said Lot No. 5, a distance of 25.0 ft. to the terminus of the center line herein described.

and the terms, covenants and conditions of such substitute easement to be acceptable to the City Solicitor. The vacation of the above sewer easement and the sewer located therein shall be effective when a written statement is made by said The Jennings-Lawrence Company that said substitute sewer has been properly constructed and connected and when an acceptable ease-

ment has been executed by the owner of said lot and delivered to and filed by the City of Bexley.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: Dec 12, 1967

J. Roth Leab
President of Council

Attest:

[Signature]
Clerk of Council

Approved: 12/12, 1967

J. A. Schreuder
MAYOR

Posted 12/13/67