

ORDINANCE NO. 19-86

BY: *J. H. Henry*

An Ordinance accepting an easement of Lawrence R. and Margaret Z. Smith for sewer purposes; authorizing the Mayor and the Auditor to reimburse Lawrence R. and Margaret Z. Smith in the amount of \$1,500.00 for said easement; to appropriate funds; and to declare an emergency.

WHEREAS, Lawrence R. and Margaret Z. Smith have agreed to execute their certain easement to the City of Bexley, Ohio, for the purpose of constructing, operating, maintaining, repairing, cleaning and caring for a sanitary sewer over and through the following described real estate, situated in the County of Franklin, State of Ohio, and City of Bexley, to-wit:

Being 35 feet off of the entire south side of the same 4.32 acre tract conveyed to said Lawrence R. and Margaret Z. Smith by Deed of Record in Deed Volume 2112, at Page 604, Recorder's Office, Franklin County, Ohio for the Construction of a Sanitary Sewer. There is also granted a Temporary Construction Easement 25 feet in width north of and abutting the aforementioned Permanent Easement for purposes of construction to terminate upon completion of the Project; and

WHEREAS, said easement is necessary for the construction of the Parkview Avenue Sanitary Relief Sewer line; and

WHEREAS, the cost of accepting said easement is \$1,500.00.

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

Section 1. That the Mayor and Auditor be authorized and directed, and they are hereby, to sign and execute a Deed of Easement to the City of Bexley, Ohio for the purpose of constructing, operating, maintaining, repairing, cleaning and caring for a sanitary sewer and that said Deed of Easement is attached hereto and made a part hereof.

Section 2. That the sum of \$1,500.00 be, and it is hereby, appropriated from the unencumbered Sewer Fund and that the Mayor and Auditor be and they are hereby authorized to reimburse Lawrence R. and Margaret Z. Smith in said amount upon proper execution and recording of the easement as specified in Section 1.

Section 3. That this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health and safety, and this Ordinance shall go into immediate force and effect upon its passage and approval by the Mayor.

Passed: April 8, 1986

J. H. Henry
President of Council

ATTEST: *John H. Henry*, 1986

Clerk of Council

APPROVED: April 8, 1986

David H. Madison
David H. Madison, Mayor

March 25, 1986 - 1st reading
April 8, 1986 - 2nd reading
Susp. & Adopt.

07700801

72410

No.....

D E E D O F E A S E M E N T

KNOW ALL MEN BY THESE PRESENTS, That Lawrence R. and Margaret Z. Smith of the City of Bexley, County of Franklin and State of Ohio, in consideration of the sum of One Thousand, Five Hundred Dollars (\$1,500.00) and other valuable considerations to them paid by the City of Bexley, Ohio, the receipt of which is hereby acknowledged, do grant and release to the City of Bexley, Ohio, its successors and assigns forever, a right of way over and through the following real estate in said City, and described as follows:

Being 35 feet off of the entire south side of the same 4.32 acre tract conveyed to said Lawrence R. and Margaret Z. Smith by Deed of Record in Deed Volume 2112, at Page 604, Recorder's Office, Franklin County, Ohio for the Construction of a Sanitary Sewer. There is also granted a Temporary Construction Easement 25 feet in width north of and abutting the aforementioned Permanent Easement for purposes of construction to terminate upon completion of the Project.

To have and to hold said premises to said Grantee, its successors and assigns forever, for the uses and purposes hereinbefore mentioned.

IN WITNESS WHEREOF, The said Lawrence R. and Margaret Z. Smith

..... who hereby release their right of dower in the premises, have set their hands this 14th day of April Nineteen Hundred and Eighty Six (1986).

Signed and acknowledged in the presence of:

Stanley S. Shubert
Edna B. Bessy
Kathryn Rose
Karen M. Sluder
Witness

Lawrence R. Smith
Margaret Z. Smith

Vory's Box: Tom Mason
FRANKLIN COUNTY, OHIO
Recorded: JUL 9 - 1986
Time: 3:45 P.M.
JOSEPH W. TESTA, Recorder
Recorder's Fee \$ 10.00

CONVEYANCE TAX EXEMPT DW
PALMER C. MCNEAL
FRANKLIN COUNTY AUDITOR

TRANSFER NOT NECESSARY
JUL 9 1986
PALMER C. MCNEAL
AUDITOR
FRANKLIN COUNTY, OHIO

STATE OF OHIO)
) ss:
FRANKLIN COUNTY)

Be it remembered that on this 14th day of April 1986, before me the subscriber, a Notary Public, in and for said County, personally came the above named Lawrence R. and Margaret Z. Smith the Grantors in the foregoing deed of easement and acknowledged the signing of the same to be their voluntary act and deed for the purposes and uses therein-mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Marianna McCullough
NOTARY

My Commission Expires
MARIANNA McCULLOUGH
Notary Public-State of Ohio
My Commission Expires 6-6-90

This instrument prepared by the City of Bexley, Ohio

No.....

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Signed and acknowledged in the presence of:

Stanley N. Shuban
Witness

Edna Busby
Witness

Kathy Rose
Witness

Karen M. Sluder
Witness

Lawrence R. Smith
Margaret Z. Smith

STATE OF OHIO)
) ss:
FRANKLIN COUNTY)

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IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Marianna McCullough
NOTARY

My Commission Expires 6-6-90.

This instrument prepared by the City of Bexley, Ohio

MARIANNA McCULLOUGH
Notary Public-State of Ohio
My Commission Expires 6-6-90