

ORDINANCE NO. 3 -93BY: John H. Offenberg

An Ordinance accepting an easement of Malcolm D. Jeffrey, Nancy J. Kingsley and Walter Jeffrey, Jr., for water line purposes.

WHEREAS, Malcolm D. Jeffrey, Nancy J. Kingsley, and Walter Jeffrey, Jr. have agreed to execute their certain easement to the City of Bexley, Ohio, for the purpose of operating, maintaining and repairing a water line, together with the right of access to said easement for said purposes, over and through the following described real estate to wit:

Situate in the State of Ohio, County of Franklin, City of Bexley and being a strip of land on, over, and across Lot Numbers 1, 2, 3 and 6 of "WALTER JEFFREY ADDITION" as shown of record in Plat Book 73, page 15, records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Being a strip of land, 15.00 feet in width, the centerline to which being more particularly described as follows:

Beginning for reference at a point in the westerly right-of-way line of Parkview Avenue at the northeasterly corner of said Lot No. 6;

Thence S 04° 42' 09" W, a distance of 32.50 feet, along the westerly right-of-way line of Parkview Avenue and the easterly line of said Lot Number 6 to the point of true beginning for the herein described strip of land;

Thence the following four (4) courses and distances across said Lot Numbers 6, 1, 2 and 3:

1. Thence N 84° 57' 57" W, a distance of 314.22 feet, to a point of curvature;
2. Thence along a curve to the left having a radius of 142.50 feet, a central angle of 60° 35' 13" the chord to which bears S 64° 44' 26" W, a said distance of 143.76 feet, to a point of reverse curvature;
3. Thence along a curve to the right having a radius of 177.50 feet, a central angle of 60° 29' 28", the chord to which bears S 64° 41' 34" W, a chord distance of 178.82 feet, to a point of tangency;
4. Thence N 85° 03' 42" W, a distance of 284.00 feet, to the terminus point.

WHEREAS, said easement is necessary to protect the health and general welfare of the citizens of the City of Bexley, Ohio. NOW, THEREFORE,

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

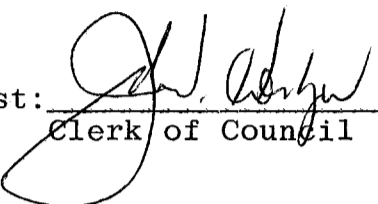
Section 1. That the Mayor and Auditor be, and they hereby are, authorized and directed to accept a Deed of Easement to the City of Bexley, Ohio, for the purpose of operating, maintaining and repairing a water line, and that said Deed of Easement is attached hereto and made a part hereof.

Section 2. That this Ordinance shall take effect on the earliest date permitted by law.

Passed: February 23, 1993

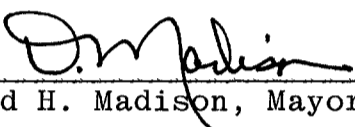


President of Council

Attest: 

Clerk of Council

Approved: Feb. 23., 1993



David H. Madison, Mayor

073/Jeffwatr

Jan. 26, 1993 - 1st reading
February 9, 1993 - 2nd reading
Feb. 23, 1993 - 3rd reading
Adopted



CONSULTING ENGINEERS & SURVEYORS

December 28, 1992

City of Bexley
2242 East Main Street
Bexley, Ohio 43209

Attention: Ms. Dorothy C. Pritchard
Assistant Service Director

Re: Walter Jeffrey Addition
Bexley, Ohio
Waterline & Sanitary Sewer Imps.
E.M.H.&T., Inc. Order No. S-3176

Dear Dorothy:

A final inspection was recently conducted on the above referenced project and no deficiencies were observed.

It is therefore recommended that these improvements be accepted by the City of Bexley, subject to the one year maintenance provisions of the City.

It is further recommended that five hundred dollars (\$500.00) be retained by the City to cover the estimated inspection costs for the one year period.

Very truly yours,

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Walter A. Ramey, P.E.

WR/ta

cc: Corna DiCesare Construction Co.
Northwest Conduit, Inc.
Mr. Nelson Kohman

EVANS, MECHWART, HAMBLETON & TILTON, INC.
170 MILL STREET, GAHANNA, OHIO 43230 614/471-5150 Telefax No. 614/471-9286

DEC 18 1991

EASEMENT

JOSEPH W. TESTA, RECORDER *1A2*

294083

RECORDER'S FEE \$
The undersigned MALCOLM D. JEFFREY, married, NANCY J. KINGSLEY, married, and WALTER JEFFREY, JR., married (hereinafter collectively "Grantors"), in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid by the CITY OF BEXLEY, OHIO, a municipal corporation (hereinafter "Grantee"), the receipt and sufficiency of which are hereby acknowledged, do hereby grant to Grantee, its successors and assigns, forever, a perpetual, non-exclusive easement in, over, under and through the real property legally described in Exhibit "A" attached hereto and made a part hereof for the purposes of constructing, operating, maintaining, repairing and replacing a water line and appurtenances thereto, together with the right of access to said easement for said purposes.

PRIOR INSTRUMENT REFERENCES: O.R. 05765G08 and O.R. 15831J06, Recorder's Office, Franklin County, Ohio.

A water line and appurtenant works are to be constructed within the easement area by Grantors at their expense and in accordance with plans and specifications approved by Grantee. By acceptance hereof, Grantee agrees to maintain the water line and appurtenant works upon completion by Grantors and inspection and acceptance by Grantee.

Grantee, as soon as is practicable after all entries made pursuant to the rights granted herein, shall restore the surface area to its former condition as nearly as is reasonably possible.

The rights granted herein shall not be construed to interfere with or restrict Grantors' use of the easement area, except that no structure, building, facility, or improvement (other than pavement) shall be constructed within the easement area.

Grantors hereby covenant with Grantee that Grantors are the true and lawful owners of the above described real property and are lawfully seized of the same in fee simple and have good right and full power to grant this easement.

To have and to hold said easement unto Grantee, its successors and assigns forever, for the uses and purposes set forth herein.

IN WITNESS WHEREOF, the Grantors have executed this instrument. Betty M. Jeffrey, wife of Malcolm D. Jeffrey, Richard K. Kingsley, husband of Nancy J. Kingsley, and Marilyn H. Jeffrey, wife of Walter Jeffrey, Jr., have joined in the execution of this instrument to waive dower rights.

Porter, Wright Box - dwp

Signed and acknowledged
in the presence of:

Dianne L. Bowe
Dianne L. Bowe

George McElroy
(as to both)
George McElroy

Sharon Kennon
Sharon Kennon

James R. Morse
(as to both)
James R. Morse

Barbara A. Voltmer
Barbara A. Voltmer

Barbara A. Voltmer
(as to both) Barbara A. Voltmer
Ellen P. Ivey
Ellen P. Ivey

Malcolm D. Jeffrey
Malcolm D. Jeffrey

Betty M. Jeffrey
Betty M. Jeffrey

Nancy J. Kingsley
Nancy J. Kingsley

Richard K. Kingsley
Richard K. Kingsley

Walter Jeffrey, Jr.
Walter Jeffrey, Jr.

Marilyn H. Jeffrey
Marilyn H. Jeffrey

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

The foregoing instrument was acknowledged before me this 6th day
of December, 1991 by Malcolm D. Jeffrey and Betty M. Jeffrey.

Dianne L. Bowe
Notary Public

DIANNE L. BOWE
Notary Public, State of Ohio
My Commission Expires Feb. 10, 1995

STATE OF CALIFORNIA,
COUNTY OF San Francisco, SS:

The foregoing instrument was acknowledged before me this 4th day
of December, 1991, by Nancy J. Kingsley and Richard K. Kingsley.

Sharon Kennon
Notary Public



STATE OF NEW JERSEY,
COUNTY OF Essex, SS:

The foregoing instrument was acknowledged before me this 26 day
of November, 1991, by Walter Jeffrey, Jr. and Marilyn H. Jeffrey.

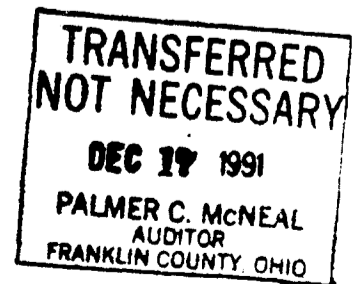
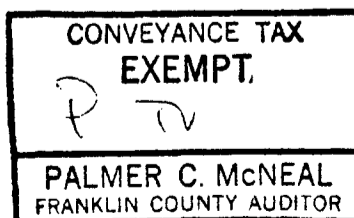
Barbara A. Voltmer
Notary Public

BARBARA A. VOLTMER
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JAN. 28, 1996

THIS INSTRUMENT PREPARED BY:

Donald W. Jordan, Esq.
PORTER, WRIGHT, MORRIS & ARTHUR
41 South High Street
Columbus, Ohio 43215

JOR/2003



**WATERLINE EASEMENT
WALTER JEFFREY ADDITION
BEXLEY, OHIO**

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R. D. ZANDE & ASSOCIATES, LIMITED

LWP:seb
December 10, 1990
RDZ JN 2287.1
2287WALJE.ADD

