

ORDINANCE NO. 01-12

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Paul Gresham ON  
THE 20<sup>th</sup> DAY OF February, 2012.

**AN ORDINANCE TO VACATE PORTIONS OF THE SANITARY SEWER AND WATER EASEMENT FOR BETHANY VILLAGE, AND TO RESERVE NEW AREAS FOR SANITARY SEWER AND WATER EASEMENTS ON PROPERTY IN BETHANY VILLAGE BELONGING TO GRACEWORKS LUTHERAN SERVICES AT 6445 FAR HILLS AVENUE.**

WHEREAS, there exist public utility easements in the area of Breezy Hill Drive, Calais Ct. and Brilliant Way in the Bethany Village Record Plat; and

WHEREAS, Graceworks Lutheran Services has petitioned to change the sanitary sewer and water easements in this area by vacating a portion of the existing easement and establishing new reserve areas, as depicted in "Exhibit A" attached to this ordinance; and

WHEREAS, the petition includes a Release of Easement Affidavit from Montgomery County Water Services;

WHEREAS, the Planning Department and the Planning Commission have reviewed the application and have made a recommendation to Council to approve the petition; and

WHEREAS, the applicants, being the only abutting landowners, have given written consent to the proposed action of Council; and

WHEREAS, this application to change the easements is in compliance with Article 5.11 (G) of the Centerville Unified Development Ordinance.

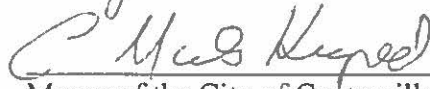
**NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:**

SECTION 1. In accordance with Article 5.11 (G) of the Centerville Unified Development Ordinance, the City of Centerville does hereby release, quit claim and surrender to the City of Centerville on behalf of Graceworks Lutheran Services, their successors and assignees, all such right, title and interest in said real estate by virtue of an easement granted to Montgomery County by dedication recorded in Plat Book 93, page 72, Montgomery County Records. Said real estate is shown and more particularly

described on the attachment, "Exhibit A". Easement Vacation and Reservation Plat, Bethany Village incorporated herein.

SECTION 2. This Ordinance shall become effective at the earliest date allowed by law.

PASSED THIS 20<sup>th</sup> day of February, 2012.



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Mayor of the City of Centerville, Ohio

ATTEST:



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Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 01-12, passed by the Council of the City of Centerville, Ohio on the 20<sup>th</sup> day of February, 2012.



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Clerk of the Council

Approved as to form, consistency with the  
Charter and Constitutional Provisions.

Department of Law  
Scott A. Liberman  
Municipal Attorney

