

ORDINANCE NO. 17-11

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks Compton ON  
THE 21st DAY OF November, 2011.

**AN ORDINANCE TO VACATE A PORTION OF A PLATTED  
UTILITY EASEMENT LOCATED ON LOT NUMBER 3 AND 4  
OF THE PARK ESTATES RECORD PLAN AND ADDRESSED AS  
2267 JAIME ROSE WAY.**

**WHEREAS**, there exists a public utility easement on lots 3 and 4 of the Park Estates Record Plan; and

**WHEREAS**, Bradley Judge, Judge Engineering Company, has petitioned on behalf of property owners, Lisa Hanauer and Susan Spiegel, to vacate a portion of this easement as depicted in "Exhibit A" attached to this ordinance; and

**WHEREAS**, the property owners' petition includes Release of Easement Affidavits from the Dayton Power and Light Company, Montgomery County Water Services, The Ohio Bell Telephone Company, DBA AT&T, Time Warner Cable, L.P. and Vectren Energy Delivery of Ohio, Incorporated; and

**WHEREAS**, the Planning Department has reviewed the application in order to make a recommendation to Council to approve the petition to vacate; and

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

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

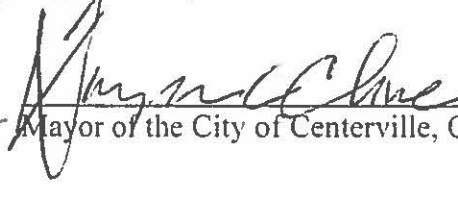
**NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:**

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 Lisa Hanauer and Susan Spiegel, their successors and assignees, all such right, title and interest in said real estate by virtue of an easement granted to Public Utilities by dedication dated January 28, 1992 and recorded in Plat Book 148, page 44, Montgomery County Records. Said real estate known and more particularly described as follows:

1. Lots 3 and 4 of Park Estates, as recorded in Plat Book 148, Page 44 of the Plat Records of Montgomery County, Ohio, and addressed as 2267 Jaime Rose Way.
2. The portion of said easement to be released is depicted on the attachment, "Exhibit A", incorporated herein.

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

PASSED THIS 21st day of November, 2011.

Deputy Mayor of the City of Centerville, Ohio  


ATTEST:

Debra A. James  
Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

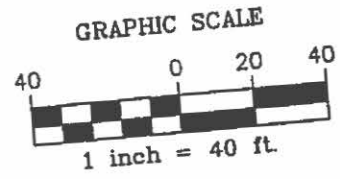
The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 17-11, passed by the Council of the City of Centerville, Ohio on the 21st day of November, 2011:

Debra A. James  
Clerk of the Council

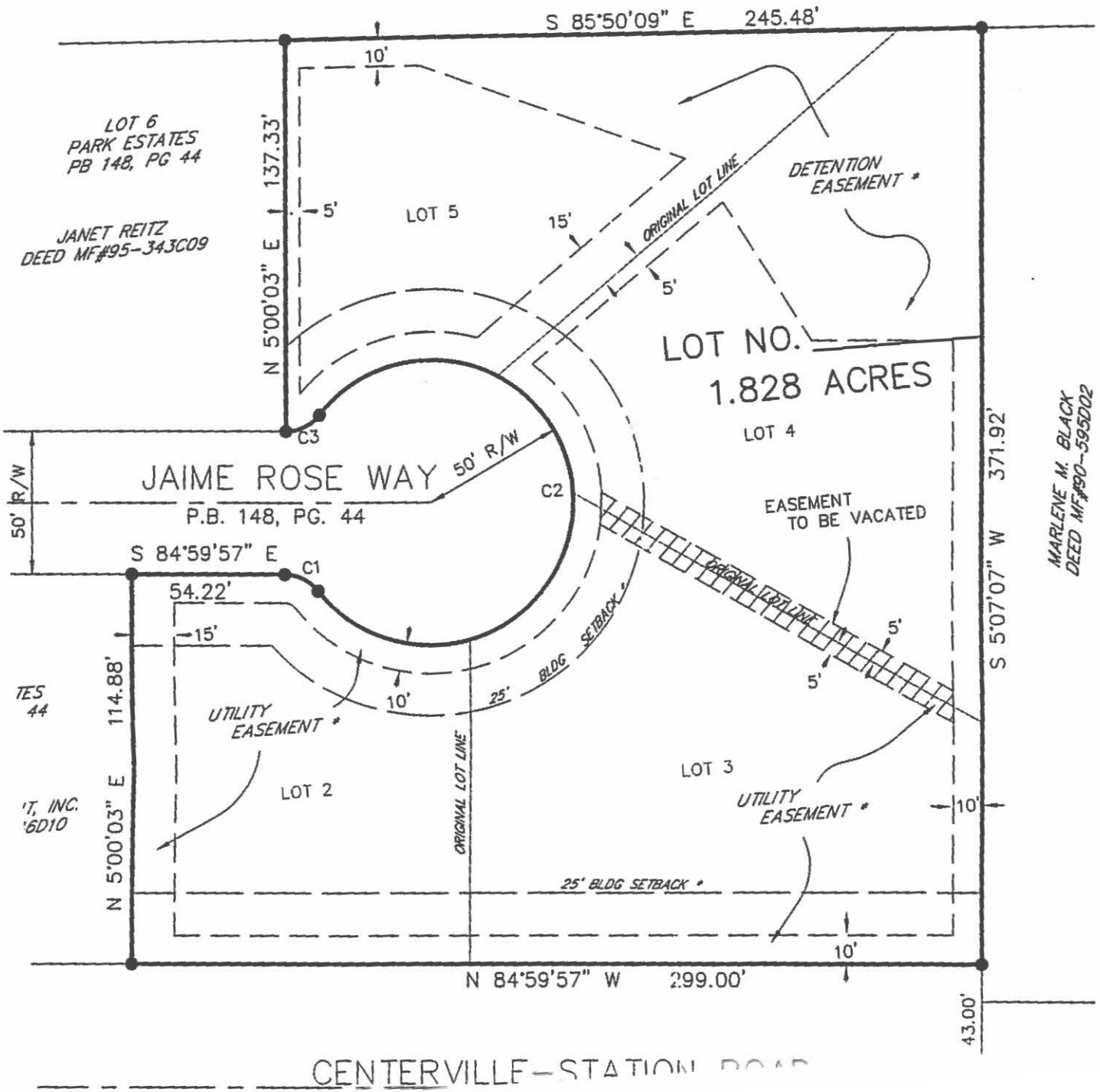
Approved as to form, consistency with the  
Charter and Constitutional Provisions.  
Department of Law  
Scott A. Liberman  
Municipal Attorney



BEARINGS BASED ON THE NORTH LINE  
OF CENTERVILLE-STATION ROAD  
N 84°59'57" W  
P.B. 148, PG. 44



WASHINGTON TOWNSHIP  
PARK DISTRICT  
DEED MF#73-466D02



JANET REITZ  
DEED MF#95-343C09

LOT 6  
PARK ESTATES  
PB 148, PG 44

LOT NO.  
1.828 ACRES  
LOT 4

MARLENE M. BLACK  
DEED MF#90-595D02

\* RECORD BOOK

CENTERVILLE-STATION ROAD