

ORDINANCE NO. 05-10  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Boocho Compton ON THE 5<sup>th</sup>  
DAY OF April, 2010.

AN ORDINANCE TO VACATE A PORTION OF A PLATTED  
UTILITY EASEMENT LOCATED ON LOT NUMBER 524 OF  
RED COACH SOUTH, SECTION 4 AND ADDRESSED AS  
6240 BRENTSHIRE COURT.

WHEREAS, there exists a public utility easement located on lot 524 of the Red  
Coach South, Section 4 Record Plan; and

WHEREAS, Bradley Judge, Judge Engineering Company has petitioned on behalf of  
the property owners, Max L. and Anubis D. Reeder, to vacate a portion of this  
easement as depicted in "Exhibit A" attached to this ordinance; and

WHEREAS, the property owner's 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 Ohio, Time Warner Cable, L. P.,  
and Vectren Energy Delivery of Ohio, Incorporated; and

WHEREAS, the City of Centerville does not use nor have a future use for this  
easement; 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 applicant, being the only abutting land owner, has 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:

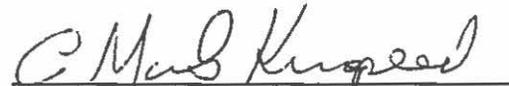
Section 1. In accordance with Article 5.11 (G) of the Centerville Unified Development  
Ordinance, the City of Centerville does hereby release, quit claim and surrender to Max L.  
and Anubis D. Reeder, successors and assigns, all such right, title and interest in said real  
estate by virtue of a easement granted to Public Utilities by dedication dated June 1, 1972 and  
recorded in Plat Book 92, Page 72 and 72A, Montgomery County Records. Said real estate

known as and being more particularly described as follows:

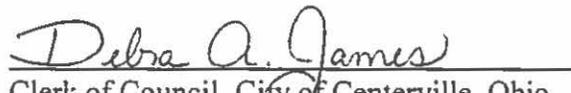
1. Lot Number 524, Red Coach South, Section 4 as recorded in Plat Book 92, Page 72 and 72A, of the Plat Records of Montgomery County, Ohio.
2. The portion of said easement to be released is depicted on the attachment, "Exhibit A" incorporated herein.

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

PASSED this 5<sup>th</sup> day of April, 2010.

  
\_\_\_\_\_  
Mayor of the City of Centerville, Ohio

ATTEST:

  
\_\_\_\_\_  
Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Ordinance Number 05-10, passed by the Council of the City of Centerville, Ohio, on the 5<sup>th</sup> day of April, 2010.

Debra A. James  
Clerk of Council

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

Department of Law  
Scott Liberman,  
Municipal Attorney

## “Exhibit A”



**Judge Engineering Company**

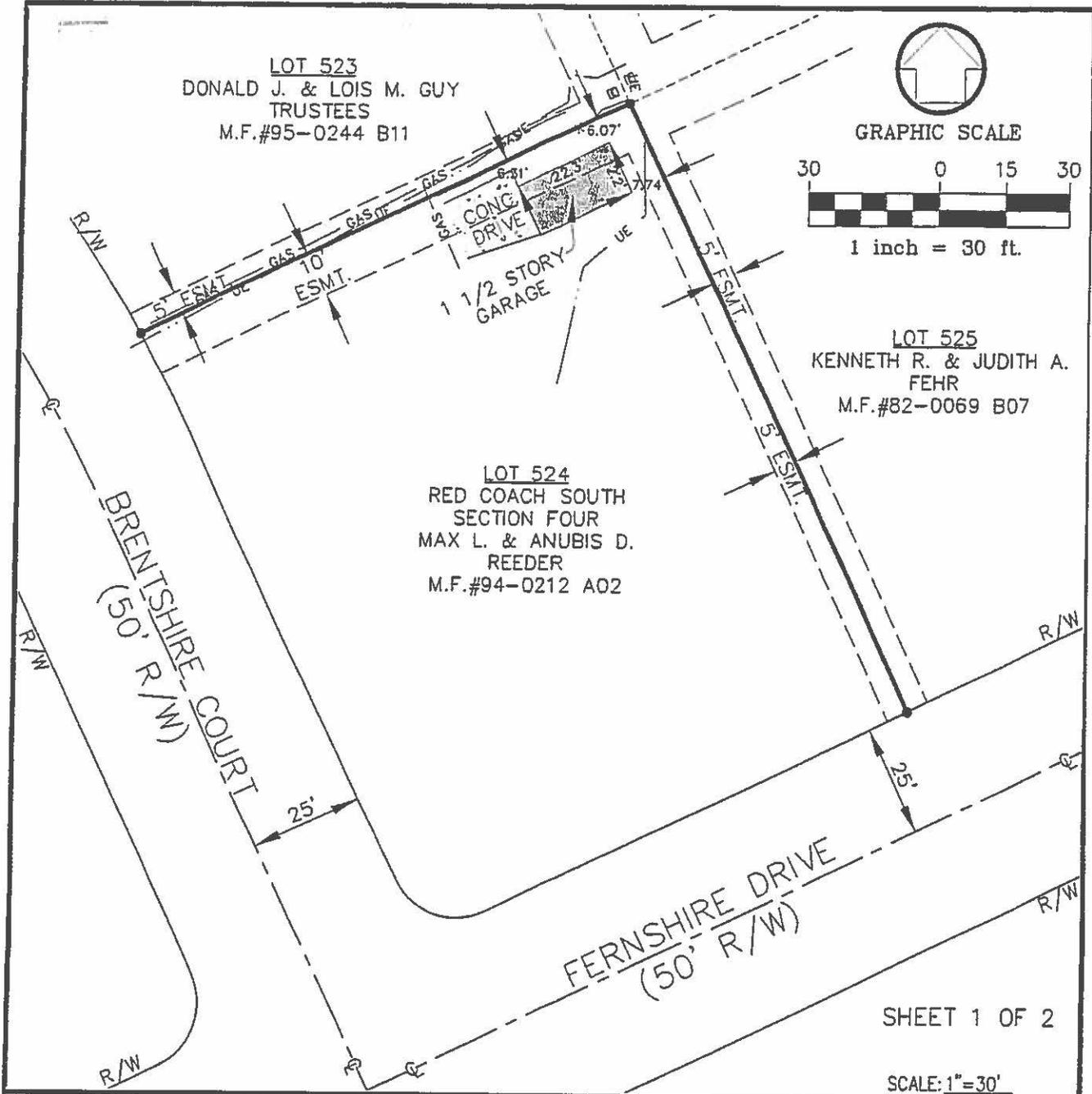
Professional Engineers and Surveyors • Consultants

### Description of Portion of Public Utility Easement to be Vacated

Situate in the City of Centerville, Montgomery County, Ohio, and being a portion of a utility easement to be vacated upon Lot Numbered 524 of Red Coach South, Section 4, as recorded in Book 92, Page 72 & 72A of the plat records of said county, said portion of easement to be vacated being more particularly described as follows:

Starting at the northwest corner of Lot Numbered 524, thence southeasterly on a curve to the right having a radius of 325.00 feet an arc distance of 5.00 feet to the point of beginning (said curve having a central angle of  $0^{\circ} 52' 53''$ , a chord bearing of  $S 29^{\circ} 43' 47'' E$ , and a chord distance of 5.00 feet);

thence from said point of beginning,  $N 64^{\circ} 27' 30'' E$  a distance of 116.06 feet to a point; thence  $S 25^{\circ} 32' 30'' E$  a distance of 5.00 feet to a point; thence  $S 64^{\circ} 27' 30'' W$  a distance of 115.77 feet to a point of curvature; thence northwesterly on a curve to the left having a radius of 325.00 feet an arc distance of 5.00 feet to the terminus of the herein described easement (said curve having a central angle of  $0^{\circ} 52' 53''$ , a chord bearing of  $N 28^{\circ} 50' 54'' W$ , and a chord distance of 5.00 feet).



CLIENT: MAX L. & ANUBIS D. REEDER

ADDRESS: 6240 BRENTSHIRE COURT

LOT No.: 524 RED COACH SOUTH SECTION FOUR

CITY: CENTERVILLE COUNTY: MONTGOMERY STATE: OHIO

DATE: JANUARY 21, 2010 BY: SKS

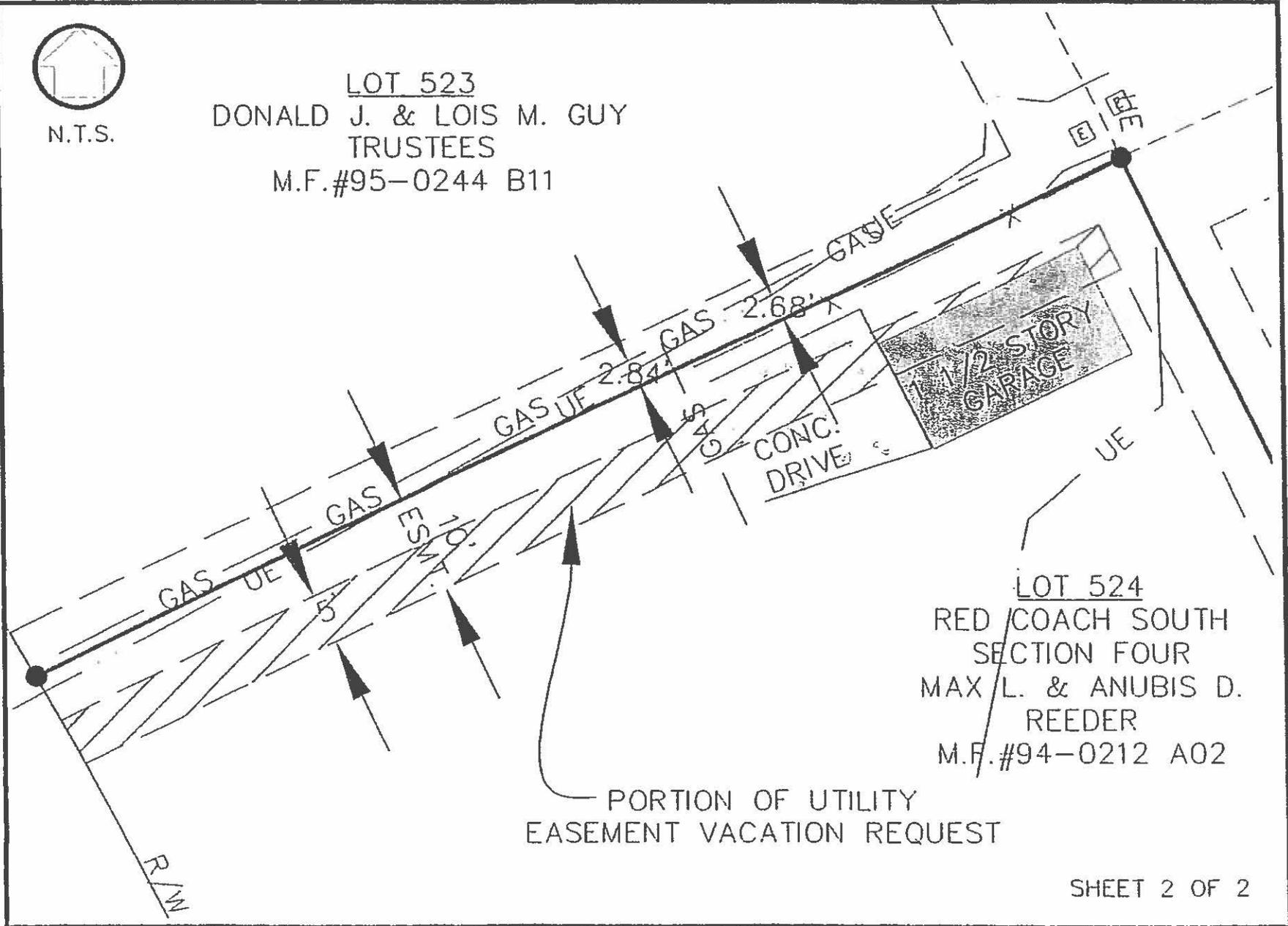


BASE DWG. 5301 PROJ. NO. 5301 ACAD FILE: PLOT PLAN



N.T.S.

LOT 523  
DONALD J. & LOIS M. GUY  
TRUSTEES  
M.F.#95-0244 B11



LOT 524  
RED COACH SOUTH  
SECTION FOUR  
MAX L. & ANUBIS D.  
REEDER  
M.F.#94-0212 A02

PORTION OF UTILITY  
EASEMENT VACATION REQUEST

SHEET 2 OF 2

BASE DWG. 5301

PROJ. NO 5301

ACAD FILE: PLOT PLAN