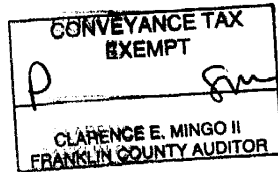


TRANSFER  
NOT NECESSARY

DEC 22 2015

CLARENCE E. MINGO II  
AUDITOR  
FRANKLIN COUNTY, OHIO



201512230179469  
Pgs: 4 \$44.00 T20150093640  
12/23/2015 8:41AM ND  
Terry J. Brown  
Franklin County Recorder

**ORDINANCE NO. 2015-39**

**TO VACATE AN EXISTING STORM SEWER  
EASEMENT LOCATED NORTH OF EAST SCHROCK  
ROAD AND EAST OF SOUTH STATE STREET, ON  
PROPERTY OWNED BY WESTERVILLE SQUARE, INC**

WHEREAS, a storm sewer easement exists which was conveyed to the City of Westerville by deed of record in Instrument 201205310076423, said easement being through a portion of those 17.812 and 0.519 acre tracts of land conveyed to Westerville Square, Inc. by deed of record in Deed Book 2866, Page 122 and Instrument 200711090195038, all references to the Franklin County Recorder's Office; and

WHEREAS, the Council finds that there is good cause for vacation of the storm sewer easement on the aforementioned property, and that such vacations will not be detrimental to the general interest of the citizens of the City;

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

Section 1. That the storm sewer easement as described in the document attached as Exhibit "A-1" and delineated on the survey map attached hereto as Exhibit "A", which were conveyed to the City by deed of record in Instrument 201205310076423 of record in the Franklin County Recorder's Office, be and the same is hereby vacated.

Section 2. That the Clerk of the City of Westerville is hereby directed to file a copy of this ordinance with the Franklin County Recorder evidencing the vacation of such portion of such easement.

Section 3. That this ordinance shall take effect and be in force and after the earliest period allowed by law.

PASSED: November 17, 2015

Craig P. Treneff

Craig P Treneff  
Chair of Council

APPROVED: Bruce E. Bailey

Bruce E. Bailey  
Director of Law

Mary J. Johnston

Mary J. Johnston, MMC  
Clerk of Council

**STORM SEWER EASEMENT  
0.151 ACRE**

Situated in the State of Ohio, County of Franklin, City of Westerville, located in Quarter Township 2, Township 2, Range 17, United States Military Lands, being across those 17.812 and 0.519 acre tracts conveyed to Westerville Square Inc. by deed of record in Deed Book 2866, Page 122 and Instrument Number 200711090195038 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at a southwesterly corner of said 17.812 acre tract, a northwesterly corner of said 0.519 acre tract, a northeasterly corner of that 0.036 acre tract, conveyed to City of Westerville by deed of record in Instrument Number 200906040080813, being the easterly right-of-way line of South State Street;

thence South 15° 39' 01" East, with the easterly right-of-way line of said South State Street, a distance of 0.66 feet to the TRUE POINT OF BEGINNING;

thence North 86° 02' 46" East, across said 17.812 acre and 0.519 acre tracts, a distance of 182.84 feet to a point;

thence South 15° 52' 17" East, continuing across said 17.812 acre and 0.519 acre tracts, a distance of 167.33 feet to a point in the northerly line of an existing 10' Storm Sewer Easement (Strip Number 2) by deed of record in Deed Book 2595, Page 170;

thence North 85° 33' 52" West, with the northerly line of said existing 10' Storm Sewer Easement, across said 17.812 acre tract, a distance of 21.33 feet to a point;

thence North 15° 52' 17" West, across said 17.812 acre tract, a distance of 143.71 feet to a point;

thence South 86° 02' 46" West, across said existing 10' Storm Sewer Easement, across said 17.812 acre and 0.519 acre tracts, a distance of 162.48 feet to a point in the easterly right-of-way line of said South State Street;

thence North 15° 39' 02" West, with the easterly right-of-way line of said South State Street, the westerly line of said 0.519 acre tract, a distance of 20.42 feet to the TRUE POINT OF BEGINNING, and containing 0.151 acre of land, more or less.



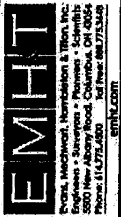
EVANS, MECHWART, HAMBLETON & TILTON, INC

*Heather L. King* 3/12/12  
Heather L. King  
Registered Surveyor No. 8307

HLK: tb/March 13, 2012  
0\_151 ac 20082132ESMT\_STRM

Ord No 2015-39  
Exhibit A-1

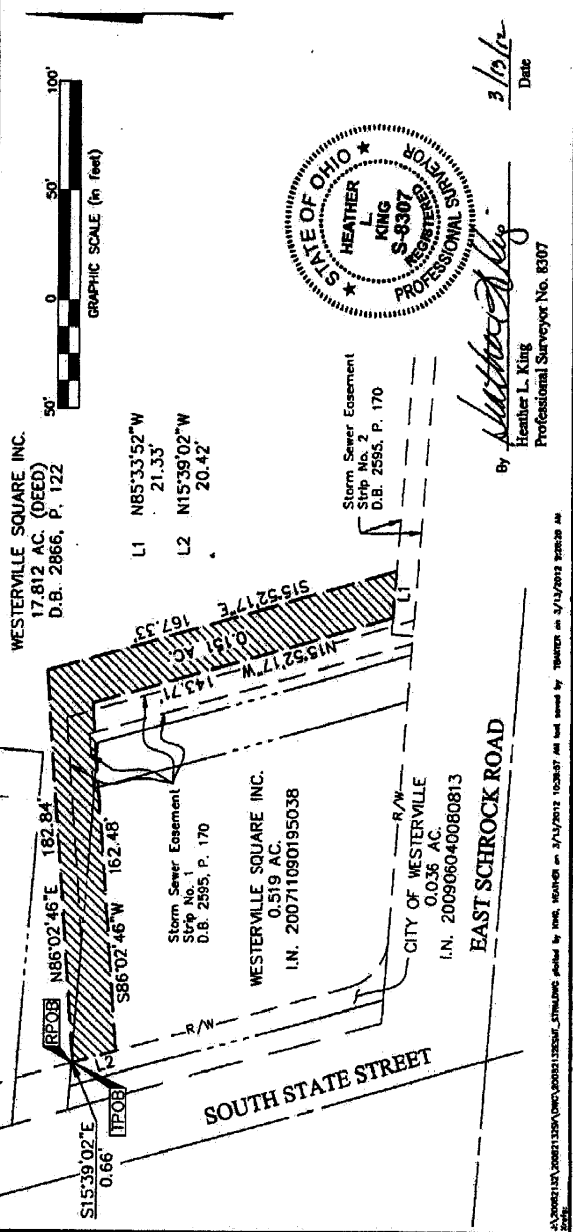
8



# STORM SEWER EASEMENT

QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 17  
UNITED STATES MILITARY LANDS  
CITY OF WESTERVILLE, COUNTY OF FRANKLIN, STATE OF OHIO

Date: March 13, 2012  
Scale: 1" = 50'  
Job No. 2008-2132



By *Heather L. King*  
Heather L. King  
Professional Surveyor No. 8307  
Date: 3/13/12

As shown on the plat, the easement is shown as a hatched area. The plat is shown as a hatched area. The plat is shown as a hatched area.

Ord No 2015-39  
Exhibit A



Mary J. Johnston, MMC  
Clerk of Council, City of Westerville

21 South State Street  
Westerville, Ohio 43081  
t. 614.901.6410  
f. 614.901.6401  
e. mary.johnston@westerville.org

## CERTIFICATE

I, Mary J. Johnston, Clerk of Council for the City of Westerville, Ohio, and in whose custody of Files and Records of said Council are required by the Laws of State of Ohio do hereby certify that the foregoing is a true and correct copy of

*ORDINANCE NO. 2015-39, "TO VACATE AN EXISTING STORM SEWER EASEMENT LOCATED NORTH OF EAST SCHROCK ROAD AND EAST OF SOUTH STATE STREET, ON PROPERTY OWNED BY WESTERVILLE SQUARE, INC."*

was passed by Westerville City Council on the November 17, 2015.

Mary J. Johnston, MMC  
Clerk of Council

Date: November 18, 2015