

ORDINANCE NO. 2019-017

ACCEPTING A PUBLIC UTILITY EASEMENT RELATED TO THE NEW  
FIRE STATION

WHEREAS, as part of the new fire station project, it has become necessary for the Village of Waynesville to accept a public utility easement; and

WHEREAS, the owner of the affected property has agreed to donate said easement.

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Waynesville, 7 members elected thereto concurring:

Section 1. That the public utility easement set forth in Exhibit "A," incorporated herein by reference, is hereby accepted by the Village of Waynesville.

Section 2. That the Village Manager is hereby authorized to execute any necessary documents to further the acceptance of said easement.

Section 3. That this Ordinance shall be and is effective from and after the earliest period allowed by law.

Adopted this 15<sup>th</sup> day of April, 2019.

Attest:

CITY OF COUNCIL

MANAGER

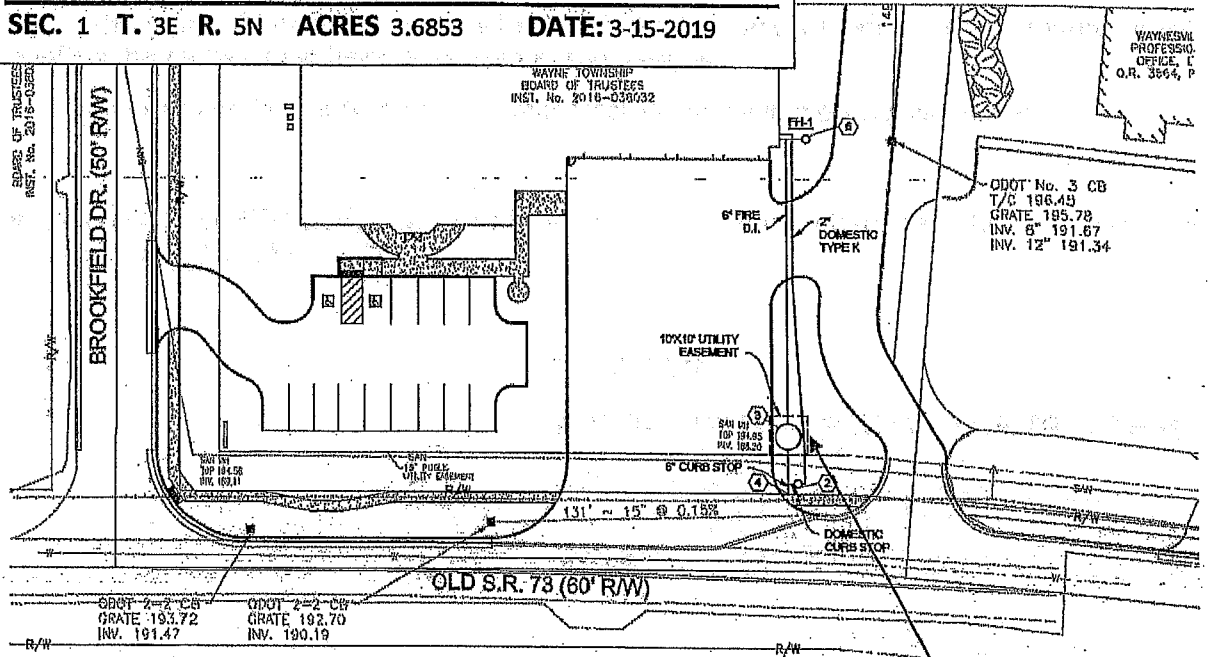
**TITLE**

Wayne Township Board of Trustees

Village of Waynesville, WAYNE TOWNSHIP, WARREN COUNTY, OHIO

SEC. 1 T. 3E R. 5N ACRES 3.6853 DATE: 3-15-2019

**Exhibit "A"**



**SITE PLAN - PLUMBING**

**10' x 10'**  
**Public Utility Easement**

## THE VILLAGE OF WAYNESVILLE GRANT FOR WATER PUBLIC UTILITY EASEMENT

Known all men by these present the **WAYNE TOWNSHIP BOARD OF TRUSTEES** (hereinafter "Grantor"), for valuable consideration provided by **THE VILLAGE OF WAYNESVILLE**, an Ohio Municipality (hereinafter "Grantee"), does hereby grant to the Grantee, its successors and assigns forever, a Public Utility Easement for any and all purposes for which water delivery is now or may hereafter be used, and also, to construct, reconstruct, erect, add to, operate, maintain, use, remove, replace underground water lines, meter pits, vaults, manholes, and all other necessary and incidental appurtenances contained in, upon, under and through, subject to the conditions hereinafter on the following premises, viz:

Situated in the Village of Waynesville, Wayne Township, Warren County, State of Ohio

Being Lot No. 2C of Victoria Glen Revision No. 2 Replat of Lot No. 2 as recorded in Plat Book 96, Page 86 of the plat records of Warren County, Ohio, and being the same premises conveyed in a Warranty Deed, No. 2017-019155 of the Deed Records of Warren County, Ohio.

Parcel I.D. No. 05-01-310-012

Said Easement shall be **10 Feet** in width and depth on the North side of the existing Public Utility Easement, approximately along the following course identified on Exhibit "A" attached hereto and made a part hereof.

The Grantee, its successors and assigns, its agents, contractors and employees shall have the right of ingress and egress over the right of way and the adjoining premises of the Grantors for all purposes previously stated, together with the right to trim, cut, and remove or otherwise control trees, roots, undergrowth or other obstructions both within and without the limits of the right of way and public utility easement which according to the Grantee's standards and its opinion may interfere with the construction, maintenance, use or successful operation of the water facilities.

No building or other structures shall be erected within the limits of the said Public Utility Easement by the Grantors. No excavating or filling shall be done or be permitted by the Grantors within Easement that would either (A) reduce or add to the distance the Grantee's facilities and the land surface without the Grantee's prior written consent and which consent will not be unreasonably withheld, (B) impair the Grantee's ability to maintain the facilities or (C) create a hazard, except for the general planting and maintaining of a landscaping bed and planting materials within such Grantee's Utility Easement by the Grantor that do not interfere with said water utility.