

ORDINANCE NO 41-2013

Approving an Agreement with Worthington Square Acquisition, LLC to Install a Public Sanitary Sewer; Vacating a Portion of a Platted Utility Easement Across Property Owned by IS-CAN Ohio, L.P.; and Accepting a Sanitary Sewer Easement from IS-CAN Ohio, L.P.

WHEREAS, certain utility easements were shown and described for the Worthington Square Subdivision in Plat Book 57, Page 40; and,

WHEREAS, in connection with the construction of the apartment and office complex at West Wilson Bridge Road and Corporate Hill Drive by Worthington Square Acquisition, LLC, it is necessary to vacate a portion of a platted utility easement established as part of the original Worthington Square Subdivision and establish a new easement for the installation of a public sanitary sewer line that will serve the tenants of the office and apartment buildings owned by Worthington Square Acquisition, LLC, which sanitary sewer line will also extend to property owned by IS-CAN Ohio, L.P.; and,

WHEREAS, City Council wishes to enter into an agreement with Worthington Square Acquisition, LLC for the construction of the sanitary sewer as a public sanitary sewer.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That the City Manager be and is hereby authorized and directed to enter into an agreement with Worthington Square Acquisition, LLC for the installation of public improvements in substantial compliance with the Agreement to Install Public Improvements attached hereto as Exhibit "A" and made a part hereof.

SECTION 2. That the City Manager is also hereby authorized and directed to execute and deliver a release of the City's rights in and to a portion of the original platted utility easement shown on the attached Sewer and Water Main Easement Vacation attached hereto as Exhibit "B" and made a part hereof.

SECTION 3. In connection with the construction of a new public sanitary sewer line in Corporate Hill Drive by Worthington Square Acquisition, LLC, the City here by accepts a sanitary sewer easement from IS-CAN Ohio, L.P. as more specifically shown on Exhibit "C" attached hereto and made a part hereof.

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SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington Ohio.

Passed December 2, 2013

[Signature on File]
President Pro-Tem of Council

Attest:

[Signature on File]
Clerk of Council

Introduced November 18, 2013
P.H. December 2, 2013
Effective December 26, 2013