

ORDINANCE NO. 8-04

CITY OF CENTERVILLE

SPONSORED BY COUNCIL MEMBER Paul M. Sheahan ON THE
19th DAY OF July, 2004.

AN ORDINANCE BY THE COUNCIL OF THE CITY OF CENTERVILLE, MONTGOMERY COUNTY, STATE OF OHIO TO APPROPRIATE CERTAIN REAL PROPERTY LOCATED AT 43 WEST FRANKLIN STREET, CENTERVILLE, OHIO FOR PUBLIC PURPOSES.

Whereas, the City Council of Centerville, Ohio by Resolution No. 14-04, passed on May 17, 2004, declared its intention to appropriate certain real property hereinafter described for the purpose of making a road improvement which shall be open to the public without charge and for road purposes; and

Whereas, the City has been unable to agree with the owner of the said real property as to the compensation to be paid for said real property; and

Whereas, notice of the passage of the above referenced resolution of intent to appropriate was served upon the owners of, person in possession of or person having a record interest in said property according to law, and a return of service has been made to the City.

NOW THEREFORE THE MUNICIPALITY OF CENTERVILLE
HEREBY ORDAINS:

SECTION 1. There is hereby appropriated in fee simple absolute for the use of the public and for public purposes the following real property, to wit: situated in the City of Centerville, Township of Washington, County of Montgomery and State of Ohio, and being further described as follows:

Being a strip of land FIFTY-FIVE AND FIVE-TENTHS WIDE, measured along the front property line, taken by parallel lines off the east side of Lot Numbered TWENTY-THREE (23) on the Benjamin Robbins Plat of the City of Centerville.

SECTION 2. The City of Centerville, Ohio does hereby declare that the total value of the said fee simple estate appropriated is the sum of \$55,000.00.

SECTION 3. The Municipal Attorney or his designee is hereby authorized and directed to apply to the Court of Common Pleas, Montgomery County, Ohio, for the purpose of assessing the compensation to be paid for said real property.

SECTION 4. The Municipal Attorney or his designee is hereby authorized to deposit with the Clerk of the Common Pleas Court in said appropriation case the sum of \$55,000.00, the value of the real property appropriated.

SECTION 5. This Ordinance shall take effect and be in full force on and after the earliest date allowed by law.

PASSED this 19th day of July, 2004.

C Mark Kingseed
Mayor of the City of Centerville, Ohio

ATTEST:

Maria J. McLaughlin
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. 8-04, passed by the Council of the City of Centerville, Ohio on the 19th day of July, 2004.

Maria J. McLaughlin
Clerk of Council

Approved as to form,
consistency with existing
ordinances, the charter and
constitutional provisions.
Department of Law
Robert N. Farquhar
Municipal Attorney

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June 4, 2004