

ORDINANCE NO. 36-94
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER J.V. Stone ON THE
16th DAY OF JANUARY, 1994⁵

AN ORDINANCE TO APPROPRIATE CERTAIN INTERESTS
IN REAL PROPERTY FOR THE PURPOSE OF MAKING
PUBLIC IMPROVEMENTS.

WHEREAS, the Centerville City Council did by Resolution
Number 12-94 adopted on the 21st day of February, 1994 declare
its intention to appropriate certain real property as described
in exhibit "A" attached hereto, and

WHEREAS, service of said Resolution has been made upon
all persons having or claiming to have an interest in said
premise, and

WHEREAS, it is necessary to immediately appropriate
said real estate for the purpose of the roadway construction and
for the preservation of the public peace, health, safety and
welfare.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY
ORDAINS:

SECTION 1. That the described real estate for public
right of way for the South Main Street Improvement Project be and
the same is hereby appropriated for the construction of said
project; more fully described in Exhibit "A" attached hereto and
incorporated herein.

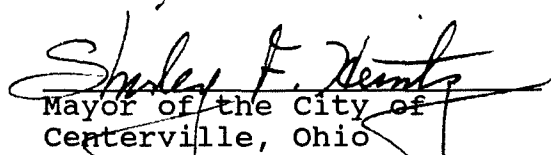
SECTION 2. That the above-described real estate is
valued as follows:

Jack F. and Barbara Fritzche, Parcel No. 10WV \$2755
(Appraised value \$7850.00 reduced by the construction
cost to install 8 inch water main to beyond roadway
pavement per property owner request.)

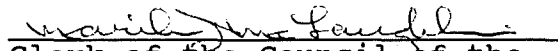
SECTION 3. That the City Manager or his designate is
hereby authorized and directed to deposit said amount with the
Clerk of Court of Montgomery County, Ohio, or other depository,
take possession of the aforescribed property, and apply it to a
court of competent jurisdiction to make inquiry into and assess
the compensation to be paid for the interest or interests taken
in said property and to do all things necessary or proper in
connection therewith.

SECTION 4. This Ordinance shall become effective from and after the earliest time allowed by law.

PASSED this 16th day of January,
1994⁵

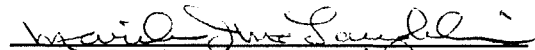

Mayor of the City of
Centerville, Ohio

ATTEST:


Clerk of the Council of the
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 36-94, passed by the Council of the City of Centerville, Ohio, on the 16th day of January, 1994.


Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.
Department of Law
Robert N. Farquhar
Municipal Attorney

S.R. 48 - PHASE II
PARCEL NO. 10WV

JACK FRITZCHE, TRUSTEE

SITUATE IN THE SOUTHWEST QUARTER OF SECTION 30, TOWN 3, RANGE 5 M.R.S., CITY OF CENTERVILLE, TOWNSHIP OF WASHINGTON, COUNTY OF MONTGOMERY, STATE OF OHIO AND BEING PART OF A 4.683 ACRE TRACT CONVEYED TO JACK FRITZCHE, TRUSTEE BY DEED RECORDED IN MF 82-404 A05 OF THE DEED RECORDS OF MONTGOMERY COUNTY WITH CENTERLINE BEARINGS BASED ON A SURVEY BY LOCKWOOD, JONES & BEALS, INC. DONE IN 1987 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EXISTING CENTERLINE OF SPRING VALLEY ROAD WITH THE EXISTING CENTERLINE OF S.R. 48;

THENCE WITH SAID CENTERLINE OF S.R. 48 NORTH 1°00'42" WEST 1,737.92 FEET TO THE GRANTOR'S SOUTHEAST PROPERTY CORNER AND THE TRUE POINT OF BEGINNING;

THENCE WITH THE GRANTOR'S SOUTH PROPERTY LINE SOUTH 84°32'05" WEST 54.78 FEET TO A POINT IN THE WEST PROPOSED RIGHT-OF-WAY OF S.R. 48;

THENCE WITH SAID PROPOSED WEST RIGHT-OF-WAY ON THE FOLLOWING 2 COURSES;

NORTH 0°18'47" WEST 53.24 FEET;

NORTH 0°24'11" EAST 277.58 FEET TO A POINT IN THE GRANTOR'S NORTH PROPERTY LINE;

THENCE WITH THE GRANTOR'S NORTH PROPERTY LINE NORTH 84°32'05" EAST 47.26 FEET TO THE GRANTOR'S NORTHEAST CORNER AND THE EXISTING CENTERLINE OF S.R. 48;

THENCE WITH THE SAID CENTERLINE AND THE GRANTOR'S EAST PROPERTY LINE SOUTH 1°00'42" EAST 330.15 FEET TO THE POINT OF BEGINNING, CONTAINING 0.388 ACRES OF LAND, MORE OR LESS, SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD.

PREPARED BY: LOCKWOOD, JONES & BEALS, INC.
1563 EAST DOROTHY LANE
DAYTON, OHIO 45429

BY: George N. Stephenson
GEORGE N. STEPHENSON, OHIO
PROFESSIONAL SURVEYOR NO. 7264

DATE: 12/20/90

GROSS TAKE = 0.388 ACRES
PRO = 0.227 ACRES
NET TAKE = 0.161 ACRES