

## CITY OF CENTERVILLE

ORDINANCE NO. 12-91

SPONSORED BY: Councilmember Brooks Goupton on the 14th day of August, 1991.

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

WHEREAS, this Council did by Resolution Number 26-91 adopted the 15th day of July, 1991, declare its intention and the necessity of appropriating certain real estate described in said Resolution, and

WHEREAS, service of notice of said Resolution has been made upon all the persons having or claiming to have an interest in said premises, 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, Be It Ordained by the Council of the City of Centerville, State of Ohio:

Section 1. That the described real estate and/or easement for public right of way and work agreements for the Whipp Road Project be and the same are hereby appropriated for the construction of said project: more fully described in Exhibit "A" attached and incorporated herein.

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

Angus and Barbara Kiser \$920.00

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 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. That it is necessary to provide for the immediate construction of the Whipp Road Project so as to provide for the safety of vehicular and pedestrian traffic and the preservation of the public peace, health, safety and public welfare.

Section 5. This ordinance shall become effective from and after passage. An emergency affecting public peace, health, safety and public welfare is hereby declared to exist for the reasons set forth in Section 4 hereof.

PASSED this 19th day of August, 1991.

*Shirley F. Heintz*  
Mayor of the City of  
Centerville, Ohio

ATTEST:

*Maril 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. 12-91, passed by the Council of the City of Centerville, Ohio on the 19th day of August, 1991.

*Maril J. McLaughlin*  
Clerk of Council

07/11/91 14:04 513 223 5100

ALTICK &amp; CORWIN --- Centerville

003/009

PARCEL NO. 17-TBeing a parcel of land situated in MONTGOMERY County, Ohio, WASHINGTONTownship, Section 26, Town 2, Range 6 M.R.S., and being located within the following described boundary thereof:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT NO. 7, SAID POINT ALSO LYING ON THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD AND BEING 32.95 FEET RIGHT OF CENTERLINE STATION 33+53.56; THENCE WITH THE EAST LINE OF SAID LOT 7, SOUTH 02°-04'-00" EAST 16.00 FEET TO A POINT, SAID POINT BEING 48.95 FEET RIGHT OF CENTERLINE STATION 33+53.56; THENCE SOUTH 87°-56'-00" WEST 180.00 FEET TO A POINT IN THE WEST LINE OF SAID LOT 7 AND ON THE EAST RIGHT-OF-WAY LINE OF CULPEPPER COURT, SAID POINT BEING 48.95 FEET RIGHT OF CENTERLINE STATION 31+73.56; THENCE ALONG THE WEST LINE OF SAID LOT 7 AND THE EAST RIGHT-OF-WAY LINE OF CULPEPPER COURT, NORTH 02°-04'-00" WEST 1.00 FEET TO A POINT, SAID POINT BEING 47.95 FEET RIGHT OF CENTERLINE STATION 31+73.56; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 15.00 FEET, INTERNAL ANGLE OF 90°-00'-00" (LONG CHORD BEARING NORTH 42°-56'-00" EAST 21.21 FEET) ALONG THE ARC FOR 23.56 FEET TO A POINT IN THE NORTH LINE OF SAID LOT 7 AND ON THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, SAID POINT BEING 32.95 FEET RIGHT OF CENTERLINE STATION 31+88.56; THENCE ALONG THE NORTH LINE OF SAID LOT 7 AND THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, NORTH 87°-56'-00" EAST 165.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.065 ACRES OF LAND MORE OR LESS.

Project construction plans have been deposited with the County Engineer's Office.

The description for parcel number 17-T above was calculated and derived from a centerline survey made by Lockwood, Jones & Seals, Inc. George H. Stephenson, Registered Surveyor Number 7264.

Grantor claims title by instrument dated \_\_\_\_\_, recorded in MICROFICHE #72-332D03 \_\_\_\_\_), of the records of Montgomery County.