

CITY OF CENTERVILLE

ORDINANCE NO. 14-91

SPONSORED BY: Councilmember Mark Ruggs on the 19th 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 27-91 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:

Robert Schaeffer Hayes, et al \$3,065.00

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:

Maile 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. 14-91, passed by the Council of the City of Centerville, Ohio on the 19th day of August, 1991.

Maile McLaughlin
Clerk of Council

PARCEL No. 24-T

Being a parcel of land situated in MONTGOMERY County, Ohio, WASHINGTON

Township, Section 26, Town 2, Range 6 M.R.S., and being

located within the following described boundary thereof:

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

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT NO. 1, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, AND BEING 52.49 FEET RIGHT OF CENTERLINE STATION 42+21.01; THENCE WITH THE NORTH LINE OF SAID LOT NO. 1 AND THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, NORTH 75°-00'-40° EAST 48.00 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING 44.86 FEET RIGHT OF CENTERLINE STATION 42+62.10; THENCE CONTINUING WITH THE NORTH LINE OF SAID LOT NO. 1 AND THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, NORTH 75°-00'-40° EAST 15.00 FEET TO A POINT, SAID POINT BEING 42.68 FEET RIGHT OF CENTERLINE STATION 42+76.29; THENCE SOUTH 81°-47'-25° EAST 30.46 FEET TO A POINT, SAID POINT BEING 51.14 FEET RIGHT OF CENTERLINE STATION 43+04.19; THENCE NORTH 80°-35'-03° EAST 69.77 FEET TO A POINT IN THE WEST RIGHT-OF-WAY OF OAK HILL LANE AND THE EAST LINE OF SAID LOT NO. 1, SAID POINT BEING 52.72 FEET RIGHT OF CENTERLINE STATION 43+70.38; THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF OAK HILL LANE AND THE EAST LINE OF SAID LOT NO. 1, SOUTH 00°-24'-40° EAST 6.00 FEET TO A POINT, SAID POINT BEING 58.99 FEET RIGHT OF CENTERLINE STATION 43+69.18; THENCE SOUTH 83°-02'-26° WEST 68.60 FEET TO A POINT, SAID POINT BEING 54.12 FEET RIGHT OF CENTERLINE STATION 43+04.50; THENCE NORTH 85°-45'-30° WEST 45.54 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.011 ACRES OF LAND MORE OR LESS.

The description for parcel number 24-T above was calculated and derived from a centerline survey made by Lockwood, Jones & Beals, Inc. George N. Stephenson, Registered surveyor Number 7264.

Grantor claims title by instrument dated _____, recorded in MICROFICHE #72-072CD2

situated in MONTGOMERY

County, Ohio, WASHINGTON Township, Section 26, Town
2, Range 6 N.R.S., and bounded and described as follows:

PARCEL NO. 24-SL

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT NO. 1, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, AND BEING 52.49 FEET RIGHT OF CENTERLINE STATION 42+21.01; THENCE ALONG THE NORTH LINE OF SAID LOT NO. 1 AND THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, NORTH 75°-00'-40" EAST 63.00 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING 42.68 FEET RIGHT OF CENTERLINE STATION 42+76.29; THENCE CONTINUING ALONG THE NORTH LINE OF SAID LOT NO. 1, AND THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, NORTH 75°-00'-40" EAST 82.92 FEET TO A POINT, SAID POINT BEING 34.66 FEET RIGHT OF CENTERLINE STATION 43+55.64; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 15.00 FEET, INTERNAL ANGLE OF 104°-34'-40" (LONG CHORD BEARING SOUTH 52°-42'-00" EAST 23.73 FEET) ALONG THE ARC 27.38 FEET TO A POINT, SAID POINT BEING 52.72 FEET RIGHT OF CENTERLINE STATION 43+70.38; THENCE SOUTH 80°-35'-03" WEST 69.77 FEET TO A POINT, SAID POINT BEING 51.14 FEET RIGHT OF CENTERLINE STATION 43+04.19; THENCE NORTH 81°-47'-25" WEST 30.46 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.027 ACRES OF LAND MORE OR LESS.

The description for parcel number 24-SL above was calculated and derived from a center-line survey made by Lockwood, Jones & Seals, Inc. George M. Stephenson, Registered Surveyor Number 7264.

Grantor claims title by instrument dated _____, recorded in MICROFICHE #72-072C02
(_____), of the records of Montgomery County.