

CITY OF CENTERVILLE

ORDINANCE NO. 16-91

SPONSORED BY: Councilmember J. R. Stoue 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 28-91 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:

Village South Dev. Co. \$225.00

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. Dent
Mayor of the City of
Centerville, Ohio

ATTEST:

Maile 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. 16-91, passed by the Council of the City of Centerville, Ohio on the 19th day of August, 1991.

Maile J. McLaughlin
Clerk of Council

TOWNSHIP, SECTION 26 TOWN 2, FR./ENTIRE RANGE 6 N.R.S
 MILITARY SURVEY _____, CITY/TOWNSHIP OF Centerville
 PARCEL NO. 19-WV TYPE OF INTEREST Warranty Deed for Local
Public Agency

DESCRIPTION:

BEGINNING AT THE NORTHEAST CORNER OF SAID RESERVE "A", SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, AND BEING 33.14 FEET RIGHT OF CENTERLINE STATION 36140.09; THENCE NORTH 83°-45'-40" WEST 65.95 FEET TO A POINT IN THE WEST LINE OF SAID RESERVE "A" AND ON THE EAST RIGHT-OF-WAY LINE OF BROOKBURN COURT, SAID POINT BEING 37.45 FEET RIGHT OF CENTERLINE STATION 35471.74; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 15.00 FEET, INTERNAL ANGLE OF 87°-03'-50" (LONG CHORD BEARING NORTH 60°-27'-11" EAST 20.66 FEET) ALONG THE ARC FOR 22.79 FEET TO A POINT IN THE NORTH LINE OF SAID RESERVE "A" AND IN THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, SAID POINT BEING 24.73 FEET RIGHT OF CENTERLINE STATION 35488.57; THENCE ALONG THE NORTH LINE OF SAID RESERVE "A" AND THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD ON A CURVE TO THE RIGHT WITH A RADIUS OF 240.10 FEET, INTERNAL ANGLE OF 12°-06'-35" (LONG CHORD BEARING SOUTH 69°-57'-38" EAST 50.65 FEET) ALONG THE ARC FOR 50.75 FEET TO THE POINT OF BEGINNING, CONTAINING 0.012 ACRES OF LAND MORE OR LESS.

The description for parcel number 19-WV above was calculated and derived from a center-line survey made by Lockwood, Jones & Beals, Inc. George N. Stephanson, Registered Surveyor Number 7264.

It is understood that the strip of land above described contains 0.012 acres, more or less, including the present road which occupies 0.000 acres, more or less.

Grantor claims title by instrument(s) of record in D.B. 2289, Page 210 County Recorder's Office.

Being a parcel of land situated in MONTGOMERY County, Ohio, WASHINGTON
 Township, Section 26, Town 2, Range 6 N.R.S., and being
 located within the following described boundary thereof:

BEGINNING AT THE NORTHWEST CORNER OF SAID RESERVE
 "A", SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF
 WHIPP ROAD, AND BEING 33.14 FEET RIGHT OF CENTERLINE
 STATION 36+40.09; THENCE ALONG THE EAST LINE OF SAID
 RESERVE "A" SOUTH 26°-05'-40" WEST 16.00 FEET TO A POINT,
 SAID POINT BEING 48.65 FEET RIGHT OF CENTERLINE STATION
 36+35.99; THENCE NORTH 78°-50'-35" WEST 60.12 FEET TO A
 POINT IN THE WEST LINE OF SAID RESERVE "A" AND ON THE EAST
 RIGHT-OF-WAY LINE OF BROOKBURN COURT, SAID POINT BEING
 47.32 FEET RIGHT OF CENTERLINE STATION 35+72.70; THENCE
 ALONG THE WEST LINE OF SAID RESERVE "A" AND THE EAST
 RIGHT-OF-WAY LINE OF BROOKBURN COURT, NORTH 02°-04'-00"
 WEST 5.00 FEET TO A POINT, SAID POINT BEING 42.40 FEET
 RIGHT OF CENTERLINE STATION 35+71.78; THENCE ON A CURVE TO
 THE RIGHT WITH A RADIUS OF 15.00 FEET, INTERNAL ANGLE OF
 18°-59'-15" (LONG CHORD BEARING NORTH 07°-25'-38" EAST
 4.95 FEET) ALONG THE ARC 4.97 FEET TO A POINT, SAID POINT
 BEING 37.45 FEET RIGHT OF CENTERLINE STATION 35+71.74;
 THENCE SOUTH 83°-45'-40" EAST 65.95 FEET TO THE POINT OF
 BEGINNING, CONTAINING 0.018 ACRES OF LAND MORE OR LESS.

The description for parcel number 19-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 Volume 2289, Page
210 (_____), of the records of Montgomery County.

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