

CITY OF CENTERVILLE

ORDINANCE NO. 18-91

SPONSORED BY: Councilmember Mark Hunsceer 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 29-91 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:

Seibenthaler Co. \$22,900.00

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. Wentz
Mayor of the City of
Centerville, Ohio

ATTEST:

Maude J. Saughel
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. 18-91, passed by the Council of the City of Centerville, Ohio on the 19th day of August, 1991.

Maude J. Saughel
Clerk of Council

Exh. B + A

PARCEL NO. 75-WV

TYPE OF INTEREST Warranty Deed for Local Public Agency

DESCRIPTION:

BEGINNING AT THE NORTHWEST CORNER OF LOT NO. 8 OF THE VILLAGE SOUTH SECTION NO. 3 AS RECORDED IN PLAT BOOK 71, PAGE 38 OF THE PLAT RECORDS OF MONTGOMERY COUNTY, OHIO, SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD AND BEING 32.95 FEET RIGHT OF CENTERLINE STATION 25+00.32; THENCE SOUTH 87°-56'-00" WEST 392.00 FEET TO A POINT, SAID POINT BEING 32.95 FEET RIGHT OF CENTERLINE STATION 21+08.33; THENCE SOUTH 63°-47'-52" WEST 12.00 FEET TO A POINT IN THE EAST RIGHT-OF-WAY LINE OF STATE ROUTE 48, SAID POINT BEING 37.86 FEET RIGHT OF CENTERLINE STATION 20+97.37; THENCE WITH THE EAST RIGHT-OF-WAY LINE OF STATE ROUTE 48, NORTH 08°-56'-00" EAST 10.09 FEET TO A POINT, SAID POINT BEING 27.95 FEET RIGHT OF CENTERLINE STATION 20+99.30; THENCE CONTINUING WITH THE EAST RIGHT-OF-WAY LINE OF STATE ROUTE 48, NORTH 02°-04'-00" WEST 30.00 FEET TO A POINT IN THE NORTH LINE OF SAID SIEBENTHALER LAND, A POINT IN THE NORTH LINE OF SAID SECTION 26 AND IN THE CORPORATION LINE BETWEEN WASHINGTON TOWNSHIP AND THE CITY OF CENTERVILLE, SAID POINT BEING 2.05 FEET LEFT OF CENTERLINE STATION 20+99.30; THENCE WITH THE NORTH LINE OF SAID SIEBENTHALER LAND, THE NORTH LINE OF SAID SECTION 26, AND WITH SAID CORPORATION LINE, NORTH 87°-56'-00" EAST 397.52 FEET TO THE NORTHEAST CORNER AT SAID SIEBENTHALER LAND, SAID POINT BEING 2.05 FEET LEFT OF CENTERLINE STATION 24+96.82; THENCE WITH THE EAST LINE OF SAID SIEBENTHALER LAND, SOUTH 07°-47'-10" EAST 35.18 FEET TO THE POINT OF BEGINNING, CONTAINING 0.321 ACRES OF LAND, MORE OR LESS.

PARCEL NO: 13-T TYPE OF INTEREST Temporary Agreement

BEGINNING AT THE NORTHWEST CORNER OF LOT NO. 8 OF THE VILLAGE SOUTH SECTION NO. 3 AS RECORDED IN PLAT BOOK 71, PAGE 38 OF THE PLAT RECORDS OF MONTGOMERY COUNTY, OHIO, SAID POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD AND BEING 32.95 FEET RIGHT OF CENTERLINE STATION 25+00.32, SAID POINT ALSO LYING IN THE EAST LINE OF SAID SIEBENTHALER LAND; THENCE WITH THE EAST LINE OF SAID SIEBENTHALER LAND, SOUTH 7°-47'-10" EAST 11.94 FEET TO A POINT, SAID POINT BEING 44.84 FEET RIGHT OF CENTERLINE STATION 25+01.51; THENCE SOUTH 87°-56'-00" WEST 287.00 FEET TO A POINT, SAID POINT BEING 44.84 FEET RIGHT OF CENTERLINE STATION 22+14.52; THENCE SOUTH 02°-04'-00 EAST 18.00 FEET TO A POINT, SAID POINT BEING 62.84 FEET RIGHT OF CENTERLINE STATION 22+14.52; THENCE SOUTH 87°-56'-00" WEST 122.00 FEET TO A POINT IN THE EAST RIGHT-OF-WAY LINE OF STATE ROUTE 48, SAID POINT BEING 62.84 FEET RIGHT OF CENTERLINE STATION 20+92.52; THENCE WITH THE EAST RIGHT-OF-WAY LINE OF STATE ROUTE 48, NORTH 08°-56'-00" EAST 25.44 FEET TO A POINT, SAID POINT BEING 37.86 FEET RIGHT OF CENTERLINE STATION 20+97.37; THENCE NORTH 63°-47'-52" EAST 12.00 FEET TO A POINT, SAID POINT BEING 32.95 FEET RIGHT OF CENTERLINE STATION 21+08.33; THENCE NORTH 87°-56'-00" EAST 392.00 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 0.159 ACRES OF LAND, MORE OR LESS.