

CITY OF CENTERVILLE

ORDINANCE NO. 20-91

SPONSORED BY: Councilmember James Sugar on the 9th day of September, 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 30-91 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:

Christine L. Cowden, et al, \$1,840.00

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.

ALTICK & CORWIN

PARCEL NO. 37-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:

BEGINNING AT THE NORTHEAST CORNER OF LOT NO. 7 OF THE
 OAK HILL PLAT AS RECORDED IN PLAT BOOK 70, PAGE 21 IN THE
 PLAT RECORDS OF MONTGOMERY COUNTY, OHIO, SAID POINT ALSO
 BEING THE NORTHEAST CORNER OF SAID COWDEN LAND AND ON THE
 SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, SAID POINT BEING
 32.99 FEET RIGHT OF CENTERLINE STATION 45+85.59; THENCE
 WITH THE NORTH LINE OF SAID COWDEN LAND AND THE SOUTH
 RIGHT-OF-WAY LINE OF WHIPP ROAD, NORTH 75°-00'-40" EAST
 120.00 FEET TO A POINT IN THE EAST LINE OF SAID COWDEN
 LAND, SAID POINT BEING 33.19 FEET RIGHT OF CENTERLINE
 STATION 47+05.59; THENCE ALONG THE EAST LINE OF SAID
 COWDEN LAND SOUTH 14°-59'-20" EAST 14.00 FEET TO A POINT,
 SAID POINT BEING 47.19 FEET RIGHT OF CENTERLINE STATION
 47+05.57; THENCE SOUTH 74°-46'-18" WEST 123.78 FEET TO A
 POINT IN THE WEST LINE OF SAID COWDEN LAND SAID POINT
 BEING 47.50 FEET RIGHT OF CENTERLINE STATION 45+81.79;
 THENCE ALONG THE WEST LINE OF SAID COWDEN LAND, NORTH 00°-
 24'-40" WEST 15.00 FEET TO THE POINT OF BEGINNING,
 CONTAINING 0.040 ACRES OF LAND MORE OR LESS.

The description for parcel number 37-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 #89-243A10
 AND MICROFICHE #89-243A12 (_____), of the records of Montgomery County.

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

Situated in the City of Centerville, County of Montgomery, State of Ohio, and in Section 26, Town 2, Range 6 N.E.S., and bounded and described as follows:

PARCEL NO. 37-WV

BEGINNING AT THE NORTHEAST CORNER OF LOT NO. 7 OF THE OAK HILL PLAT AS RECORDED IN PLAT BOOK 70, PAGE 21 IN THE PLAT RECORDS OF MONTGOMERY COUNTY, OHIO, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY OF WHIPP ROAD AND 32.99 FEET RIGHT OF CENTERLINE STATION 45 + 83.59; THENCE WITH THE WEST LINE OF SAID COWDEN LAND NORTH 0° 24' 40" WEST 36.16 FEET TO THE NORTHWEST CORNER OF SAID COWDEN LAND, BEING 1.99 FEET LEFT OF CENTERLINE STATION 45 + 94.77; THENCE WITH THE NORTH LINE OF SAID COWDEN, NORTH 75° 00' 40" E 110.90 FEET TO THE NORTHEAST CORNER OF SAID COWDEN LAND, BEING 1.81 FEET LEFT OF CENTERLINE STATION 47 + 05.68; THENCE WITH THE EAST LINE OF SAID COWDEN LAND SOUTH 14° 59' 20" EAST 35.00 FEET TO THE NORTHEAST CORNER OF LOT 72 OF VILLAGE SOUTH SECTION 5 AS RECORDED IN PLAT BOOK 72, PAGE 35 OF THE PLAT RECORDS OF MONTGOMERY COUNTY, OHIO, SAID POINT BEING 33.19 FEET RIGHT OF CENTERLINE STATION 47 + 05.59; THENCE WITH THE PROPOSED SOUTH RIGHT-OF-WAY OF WHIPP ROAD SOUTH 75° 00' 40" WEST 120.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.093 ACRES OF LAND, MORE OR LESS, SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD.

PASSED this 9th day of Sept., 1991.

Shirley F. Nemko
Mayor of the City of
Centerville, Ohio

ATTEST:

Maile 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. 20-91, passed by the Council of the City of Centerville, Ohio on the 9th day of September, 1991.

Maile J. Saughel
Clerk of Council