

ORDINANCE NO. 17-84

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Charles Taylor
ON THE 30th DAY OF APRIL, 1984.

AN EMERGENCY ORDINANCE TO APPROPRIATE CERTAIN
REAL ESTATE OF WILLIAM R. SHARP, JR. AND MARY
ANN SHARP FOR THE BIGGER ROAD IMPROVEMENT
PROJECT IN THE CITY OF CENTERVILLE, OHIO

WHEREAS, this Council did by Resolution No. 17-84
adopted on the 16th day of April, 1984, 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 immediately necessary to appropriate said
real estate for the purpose of reconstructing and widening Bigger
Road and for the immediate preservation of the public peace,
health, safety and welfare.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE
HEREBY ORDAINS:

Section 1.

That the following described real estate be and the same
hereby is appropriated in fee simple title, including a temporary
easement and/or channel easement, for street and other public
purposes, to-wit:

COUNTY Montgomery
ROUTE Bigger Road
SECTION _____

OWNER: William R. Sharp, Sr. & Nancy Ann Sharp
Montgomery, COUNTY, OHIO

Washington TOWNSHIP, SECTION 14 TOWN 2, FR./ENTIRE RANGE 6

MILITARY SURVEY M.R.S., CITY/VILLAGE OF Centerville

PARCEL NO. 12F TYPE OF INTEREST Temporary Easement

BEING a parcel of land lying on the right side(s) of the centerline of a survey, made by the Department of Transportation and recorded in Book _____, Page _____ of the records of Montgomery County. *in the name and for the use of the City of Centerville, Ohio,

Description:

Beginning at the Southwest corner of said section, said point being the intersection of centerlines of the Alexandersville-Bellbrook Pike (State Route 725) and Bigger Road;
Thence along the centerline of Bigger Road North 4°-47'-15" East a distance of 2,586.55 feet to a point, Station 25+86.55;
Thence continuing along said line North 4°-42'-20" East a distance of 2,492.21 feet to a point being the grantor's southwest property corner, Station 50+78.76;
Thence along the grantor's south line South 66°-47'-40" East a distance of 58.0 feet to a point on the right-of-way line of said road and being the true point of beginning of the tract herein described;
Thence along said line North 4°-42'-20" East a distance of 108.44 feet to a point on the grantor's north property line, 55.0 feet left of Station 51+68.80;
Thence along said line South 66°-47'-40" East a distance of 21.09 feet to a point, 75.0 feet right of Station 51+62.11;
Thence South 2°-49'-32" East a distance of 114.45 feet to a point on the grantor's south property line, 90.0 feet right of Station 50+48.65;
Thence along said line North 66°-47'-40" West a distance of 36.91 feet to the point of beginning.

The description of this parcel is based on a centerline survey made by Shaw, Weiss & De Naples, Professional Corporation, by George B. Shaw, P.L.S., Ohio Registration Number 5548.

Purpose: Roadway construction, drive and grade adjustment

It is understood that the strip of land above described contains 0.069 acres, more or less; inclusive of the present road which occupies _____ acres, more or less.

Owner claims title by instrument of record in Book _____, Page _____, Montgomery County Recorder's Office.

MICROFICHE NO. 75-358-A05

OWNER: William R. Sharp, Jr., Emily Ann SharpMontgomery, COUNTY, OHIOWashington TOWNSHIP, SECTION 14 TOWN 2, RANGE6, MILITARY SURVEY, M.R.S., CITY/VILLAGE OF CentervillePARCEL NO. _____ EWD _____ TYPE OF INTEREST Warranty Deed

BEING a parcel of land lying on the right side(s) of the centerline of a survey, made by the Department of Transportation* and recorded in Book _____, Page _____, of the records of Montgomery County. *in the name and for the use of the City of Centerville, OH

Description:

Beginning at the southwest corner of said section, said point also being the intersection of centerlines of the Alexandria-Bellbrook Pike (State Route 725) and Bigger Road;

Thence along the west line of said section and the centerline of Bigger Road, North 4° 47' 15" East, a distance of 2,586.55 feet to a point, Station 25+86.55;

Thence continuing along said line, North 4° 42' 20" East, a distance of 2,492.21 feet to the True Point of Beginning of the tract herein described;

Thence continuing along said line, North 4° 42' 20" East, a distance of 108.44 feet to a point being the grantor's northwest property corner, Station 51+87.20;

Thence along the grantor's north property line, South 65° 47' 40" East, a distance of 58.0 feet to a point on the right-of-way line of said road, 55.0 feet right of Station 51+68.80;

Thence along said line, parallel to the centerline, South 4° 42' 20" West, a distance of 108.44 feet to a point on the grantor's south property line, 55.0 feet right of Station 50+60.36;

Thence along the grantor's south line, North 65° 47' 40" West, a distance of 58.0 feet to the Point of Beginning.

The description of this parcel is based on a centerline survey made by Shaw, Weiss & De Naples, Professional Corporation, by George B. Shaw, P.L.S., Ohio Registration Number 5548.

Grantor reserves the right of ingress and egress to and from any residual area.

It is understood that the strip of land above described contains 0.137 acres, more or less, inclusive of the present road which occupies 0.050 acres, more or less.
Microfiche

Owner claims title by instrument of record in Trust Book No. 75-318, Page A05, Montgomery County Recorder's Office.

Section 2.

That the above described real estate is valued as follows: \$ 2290.00.

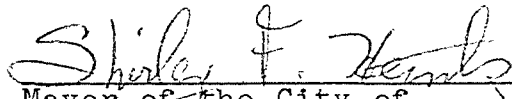
Section 3.

That the Municipal Attorney be and he hereby is authorized and directed to deposit said amount with the Clerk of Courts of Montgomery County, Ohio, or other depository; take possession of the aforesaid 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.

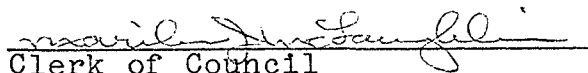
This ordinance is hereby declared to be an emergency measure and shall become effective immediately upon passage. An emergency affecting public health, safety and welfare is hereby declared to exist by virtue of the immediate need to make said improvements.

PASSED THIS 30th DAY OF APRIL, 1984.



Mayor of the City of
Centerville, Ohio

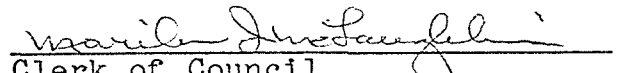
ATTEST:



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. 17-84, passed by the Council of the City of Centerville, Ohio, on the 30th day of April, 1984.



Clerk of Council

Approved as to form, consistency,
with existing ordinances, the
charter & constitutional provisions,
Department of Law
Robert N. Farquhar,
Municipal Attorney.

ALTICK & CORWIN