	ORDINANCE NUMBER 32-80
,	CITY OF CENTERVILLE, OHIO
SPONSORED BY COUNCILMAN	James Singer ON THE 19th
DAY OF	, 1980.

AN ORDINANCE TO APPROPRIATE CERTAIN REAL ESTATE OF NED J. HAVERSTICK, JOSEPH B. HAVERSTICK AND ALBERTA Z. HAVERSTICK FOR THE CLYO ROAD IMPROVEMENT PROJECT IN THE CITY OF CENTERVILLE, OHIO

WHEREAS, this Council did by resolution No. 20-80 adopted the 28th day of April, 1980, declare its intention and the necessity appropriating certain real estate described in said Resolution, and

WHEREAS, service of notice of said Resolution has been made upn 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 Clyo Road and for the immediate reservation of the public peace, health, safty and welfare.

NOW THEREFORE, the municipality of Centerville hereby ordaines;

Section I. 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;

LEGAL DESCRIPTION Parcel No. 2

GRANTOR: Ned J. & Joseph B. Haverstick

GRANTEE: City of Centerville PREPARED: October 29, 1979

BEING A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 19, TOWN 2, RANGE 6, B.M.R.S., WASHINGTON TOWNSHIP, CITY OF CENTERVILLE, MONTGOMERY COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at an existing railroad spike at the southwest corner of said southeast quarter, spike also located at the intersection of the centerlines of Clyo Road and Franklin Street;

thence, north zero degree 45' 08" east 252.01 feet with the west line of said quarter and centerline of Clyo Road to a point, said point being located at Station 8+52.01 or Clyo Road and marking the principle place of beginning of the parcel herein conveyed;

thence, continuing north zero degree 45' 03" east 271.08 feet with the west line of sequenter and centerline of Clyo Road to a point;

thence, south 890 14' 52" east 66.69 feet with the south line of the Franklin East Subdivision, Section 2, as recorded in P.B. 100, Pg. 68 to a point marking the southward corner of Lot no. 83;

thence, south 0° 49' 50" west 271.08 feet to an existing iron pin located on the north line of a Bank tract as recorded in P.B. 103, pg. 39;

thence, north 89° 14' 52" west 66.32 feet with the north line of said Bank tract to t principle place of beginning, containing 0.414 acre, more or less, and subject to all legal highways and easements of record.

Grantor acquired title to the above described parcel by deed as recorded in Microfich No. 74-544A09.

This description was prepared on October 29, 1979, by Stephen Dee Worl, Registered Surveyor No. 5366, from a centerline survey of Clyo Road made by same in July 1979.

A temporary right of way easement during the period beginning with the breaking of ground for the construction of the Clyo Road Improvement and terminating when the completed work has been fully accepted by the City of Centerville for the purpose of performing the work necessary to construct back slopes, grading and seeding within the limits shown on the right of way plans, in the real estate described as follows to wit:

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	AND THE RESERVE OF THE PROPERTY OF THE PROPERT
	Being a parcel of land situated in the City of Centerville, County Montgomery, State of Ohio, Section 19 , Town 2
	Range 6 , and lying on the side
	of a survey, made by Stephen Worl
	and recorded in Book
- 4	and being located within the following described points in the boundary
	thereof:
	Commencing for reference at an existing railroad spike at the southeast corner of said southwest quarter, spike also being located at the intersection of the centerline of Clyo Road and Franklin Street;
	thence, north 0^0 45' 08" east 252.01 feet with the east line of said quarter and center line of Clyo Road to a point located at Station 8+52.01 on the Clyo Road centerline;
	thence, south 89 ⁰ 14' 52" east 66.32 feet with the grantor's south line to a point mark the true place of beginning of the easement herein conveyed;
	thence, south 890 14' 52" east 35.00 feet with the grantor's south line to a point;
? مر مغرست. ژگواند تا	thence, north 0 ⁰ 49' 50" east 20.00 feet to a point;
	thence, north 89 ⁰ 14' 52" west 20.00 feet to a point;
	thence, north 0°49' 50" east 251.08 feet to a point on the grantor's north line;
	thence, north 89 14' 52" west 15.00 feet to a point;
	thence, south 0 ⁰ 49' 50" west 271.08 feet to the true place of beginning containing 0.103 acres, more or less, and subject to all legal highways and easements of record.

A temporary right of way easement during the period beginning with the breaking of ground for the construction of the Clyo Road Improvement and terminating when the completed work has been fully accepted by the City of Centerville for the purpose of performing the work necessary to construct back slopes, grading and seeding within the limits shown on the right of way plans, in the real estate described as follows to wit:

Being a parcel of land situated in the City of Centerville, County of
Montgomery, State of Ohio, Section 19, Town 2
Range 6 , and lying on the side
of a survey, made by Stephen Worl
and recorded in Book
and being located within the following described points in the boundary
thereof:
Commencing for reference at an existing railroad spike at the southeast corner of said southwest quarter, spike also being located at the intersection of the centerline of Clyo Road and Franklin Street;
thence, north 0^0 45' 08" east 523.09 feet with east line of said quarter and centerline of Clyo Road to a point located at Station 11+23.09 on the Clyo Road centerline;
thence, south 89^{0} 14' 52" east 66.69 feet with the grantor's south line to a point marking the true point of beginning of the easement herein conveyed;
thence, north 0° 49' 32" east 455.04 feet to a point;
thence, north 0 ⁰ 34' 55" west 101.57 feet to a point;
thence, north 02 ⁰ 05' 23" west 350.96 feet to a point;
thence, north 0^0 38' 24" west 122.00 feet to a point;
thence, north 88° 52' 08" east 20.00 feet to a point;
thence, south 0° 38' 24" east 122.00 feet to a point;
thence, south 02° 05' 23" east 350.96 feet to a point;
thence, south 0 ⁰ 34' 55" east 101.57 feet to a point;
thence, south 0 ⁰ 49' 32" west 455.04 feet to a point;
thence, north 89° 14' 52" west 20.00 feet with the grantor's south line to the true place of beginning, containing 0.473 acres, more or less, and subject to all legal highways.

and easements of record.

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Section II. That the above described real estate is valued as follows: \$/2,000.00
Section III. 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 access 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 IV. This Ordinance shall take full force in effect from and after the earliest date provided by law.
PASSED THIS 1980.
Topo De Place
Deputy-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. 32-80, passed by the Council of the City of Centerville, Ohio, on the day of, 1980.
Clerk of Council
Clerk of Council
Approved as to form, consistency with existing ordinances, the charter & consistences provisions, Day reseased to the Robert M. Vargatist Municipal Attorney
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