

ORDINANCE NUMBER 32-80

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN James Suiger ON THE 19th
DAY OF May, 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 tem-
porary easement and/or channel easement, for street and other
public purposes to wit;

CLYO ROAD

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' 03" 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 on 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 said quarter and centerline of Clyo Road to a point;

thence, south 89° 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 southwest 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 the 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 Microfilm 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.

Section II. That the above described real estate is valued as follows: \$12,000.00

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 19th day of May, 1980.

[Signature]
Deputy-Mayor of the City of Centerville, Ohio

ATTEST:

[Signature]
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 19th day of May, 1980.

[Signature]
Clerk of Council

Approved as to form, consistency with existing ordinances, the charter & constitutional provisions.

Department of Law
Robert H. Vargishar
Municipal Attorney