

RESOLUTION NO. 10-16
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Willis Serr ON THE 14th
DAY OF March, 2016.

A RESOLUTION BY THE CENTERVILLE CITY COUNCIL, MONTGOMERY COUNTY, STATE OF OHIO, DECLARING THE INTENT OF THE CITY OF CENTERVILLE TO APPROPRIATE REAL PROPERTY LOCATED AT 5041 WILMINGTON PIKE FOR THE WILMINGTON PIKE PHASE II ROAD PROJECT FOR WIDENING OF WILMINGTON PIKE FROM BROWN ROAD TO I-675.

WHEREAS, the City of Centerville is engaged in the acquisition of certain interests in real property in connection with a public roadway improvement within the corporate limits of Centerville; and

WHEREAS, the acquisition of the within described property for roadway purposes is immediately necessary for roadway purposes in connection with construction of the improvement; and

WHEREAS, the Council has determined that the property hereinafter described is necessary for public roadway construction in connection with such project so there will be no delay for the immediate preservation of the public peace, health, safety and welfare.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CENTERVILLE, MONTGOMERY COUNTY, STATE OF OHIO, THAT:

SECTION 1: It is hereby declared by the Council of the City of Centerville, Ohio to be its intention to appropriate certain real property described more fully in Section 2 below; a permanent right-of-way and an easement for construction purposes, the following property for the purpose of widening and improving Wilmington Pike which is a road open to the public without charge and heretofore approved by the City.

SECTION 2: That the property to be appropriated include the following described real property being necessary for a public right-of-way and road improvement:

Permanent Take Parcel as identified in Exhibit "A" and depicted in Exhibit "C", both exhibits hereby attached and incorporated by reference.

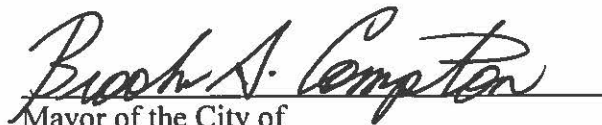
Temporary Construction Easement as identified in Exhibit "B" and depicted in Exhibit "C", both exhibits hereby attached and incorporated by reference.

SECTION 3: It is further determined that for said road improvement to be constructed it is necessary that the City of Centerville take immediate possession of said land, permanent and temporary rights-of-way and easements for construction purposes.

SECTION 4: Upon passage of the within Resolution, it is hereby authorized and directed that written notice of the passage of the same be given to the owner of, persons in possession of, or persons having an interest of record in said property in accordance with Sections 163.04, 163.041 and 719.05 of the Revised Code.

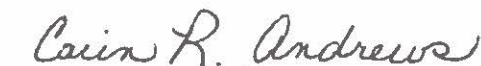
SECTION 5: This resolution shall take effect at the earliest time allowed by law.

PASSED THIS 14th day of March, 2016.



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 Resolution No. 10-16, passed by the Council of the City of Centerville, Ohio on the 14th day of March, 2016.



Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions
Department of Law
Scott A. Liberman
Municipal Attorney



CINCINNATI
COLUMBUS
DAYTON

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**LEGAL DESCRIPTION
DAYTON KOREAN BAPTIST CHURCH
0.049 ACRES**

Situated in Section 15, Town 2, Range 6, M.Rs., City of Centerville, Montgomery County, Ohio, being part of a 5.1372 acre (deed) tract of land conveyed to Dayton Korean Baptist Church in Deed M.F. #92-0554D04 of the Montgomery County, Ohio Recorder's Office, the boundary of which being more particularly described as follows:

Beginning at a 5/8" iron pin set in the west line of a 0.279 acre (deed) tract of land conveyed to The City of Centerville in Deed M.F. #93-0542E03, said point being N66°47'43"W a distance of 139.07 feet and along a curve to the right an arc distance of 64.23 feet from a 7/8" iron pin found at the northeast corner of the aforementioned Section 15, said curve having a radius of 875.73 feet, a delta of 4°12'08" and a chord bearing S20°11'11"E a distance of 64.22 feet

Thence along said west line, along a curve to the right an arc distance of 109.02 feet to a 5/8" iron pin set, said curve having a radius of 875.73, a delta of 7°07'59" and a chord bearing S14°31'08"E a distance of 108.95 feet;

Thence along new division lines, the following five (5) courses:

1. S79°02'52"W a distance of 5.00 feet to a 5/8" iron pin set;
2. N11°22'48"W a distance of 13.00 feet to a 5/8" iron pin set;
3. N64°28'09"W a distance of 33.00 feet to a 5/8" iron pin set;
4. N14°19'07"W a distance of 34.00 feet to a 5/8" iron pin set;
5. N21°31'33"E a distance of 50.00 feet to the point of beginning.

Containing 0.049 acres of land more or less and being subject to easements and rights of way of record.

Bearings are based on the Ohio State Plane Coordinate System (OSPC) – South Zone. The project coordinates are based on OSPC and has been scaled to ground by using a project adjustment factor of 1.0000942433 applied at a base point of N: 608674.24 E: 1515391.69. Grid and ground coordinates area identical at the base point.



CINCINNATI
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**LEGAL DESCRIPTION
DAYTON KOREAN BAPTIST CHURCH
TEMPORARY CONSTRUCTION EASEMENT**

Situated in Section 15, Town 2, Range 6, M.Rs., City of Centerville, Montgomery County, Ohio, being part of a 5.1372 acre (deed) tract of land conveyed to Dayton Korean Baptist Church in Deed M.F. #92-0554D04 of the Montgomery County, Ohio Recorder's Office, the boundary of a temporary construction easement being more particularly described as follows:

Commencing at a 7/8" iron pin found at the northeast corner of said Section 15;

Thence along the north line of said Section N66°47'43"W a distance of 139.07 feet to the northwesterly corner of a 0.279 acre (deed) tract of land conveyed to The City of Centerville in Deed M.F. #93-0542E03;

Thence along the west line of said 0.279 acre (deed) tract of land, along a curve to the right an arc distance of 64.23 feet, said curve having a radius of 875.73 feet, a delta of 4°12'08" and a chord bearing S20°11'11"E a distance of 64.22 feet;

Thence along a new division line, S21°31'33"W a distance of 21.27 feet to the point of beginning for this description;

Thence the following six (6) courses:

1. S21°31'33"W a distance of 28.73 feet;
2. S14°19'07"E a distance of 34.00 feet;
3. S64°28'09"E a distance of 33.00 feet;
4. S78°37'12"W a distance of 30.00 feet;
5. N15°20'05"W a distance of 76.50 feet;
6. N74°39'55"E a distance of 22.81 feet to the point of beginning.

Containing 0.020 acres of land more or less and being subject to easements and rights of way of record.



Bearings are based on the Ohio State Plane Coordinate System (OSPC) – South Zone. The project coordinates are based on OSPC and has been scaled to ground by using a project adjustment factor of 1.0000942433 applied at a base point of N: 608674.24 E: 1515391.69. Grid and ground coordinates area identical at the base point.

The above description is based upon a field survey made by The Kleingers Group under the direction of Matthew D. Habedank, Ohio Professional Surveyor No. 8611. A plat of survey is recorded in Volume _____ Page _____ of the Montgomery County Engineers Record of Land Surveys.

MATTHEW D. HABEDANK, P.S.
OHIO PROFESIONAL SURVEYOR NO. 8611

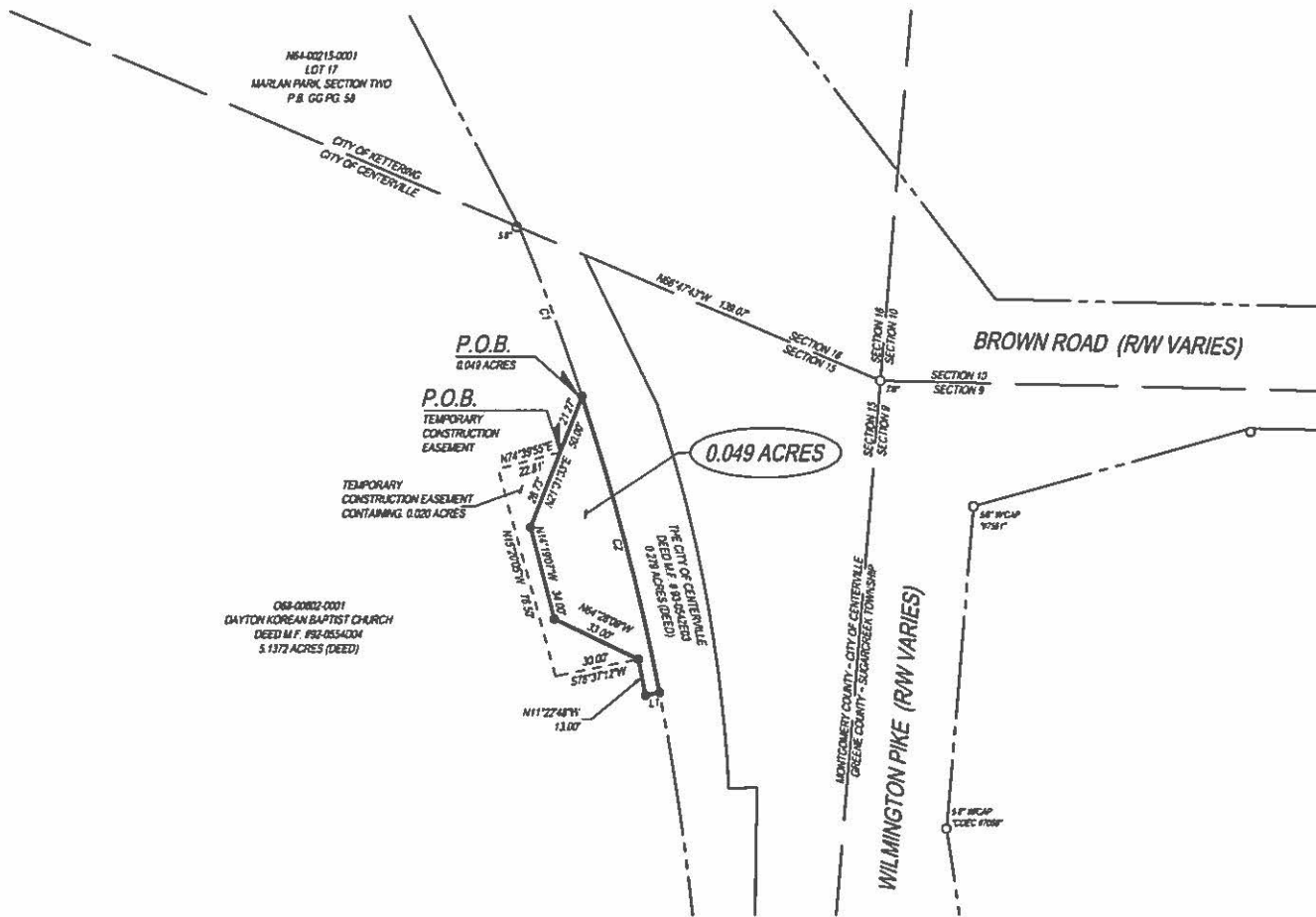
DATE



BEARINGS ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM (OSPC) - SOUTH ZONE. THE PROJECT COORDINATES ARE BASED ON OSPC AND HAVE BEEN SCALED TO GROUND BY USING A PROJECT ADJUSTMENT FACTOR OF 1.00009433 APPLIED AT A BASE POINT OF N 40874.24' E 1515391.03' GRID AND GROUND COORDINATES ARE IDENTICAL AT THE BASE POINT.

LEGEND

- 5/8" IRON PIN SET 1/10" CAP STAMPED "KLEINGERS"
- IRON PIN FOUND (SIZE AS NOTED)



068-0082-0001
DAYTON KOREAN BAPTIST CHURCH
DEED M.F. #92-0534004
5.1372 ACRES (DEED)

N64-0215-0001
LOT 17
MARLAN PARK, SECTION THYO
P.B. GG PG. 58

0.049 ACRES

BROWN ROAD (RW VARIES)

WILMINGTON PIKE (RW VARIES)

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S79°02'27"W	5.00

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	DIRECTION	CHORD
C1	875.73	64.23	4°12'08"	S20°11'11"E	64.22
C2	875.73	108.02	7°07'59"	S14°31'08"E	108.85

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON A SURVEY MADE UNDER MY DIRECTION.

MATTHEW D. HABEDANK, P.E.
OHIO PROFESSIONAL SURVEYOR NO. 8611

DATE

NOTES

1. ALL MONUMENTS FOUND IN GOOD CONDITION.
2. SOURCE DOCUMENTS ARE AS NOTED.
3. OCCUPATION IS AS SHOWN.



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SEAL



NO. DATE DESCRIPTION
1 11/18/15 INITIAL SURVEY - DKY

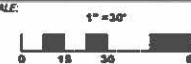
BOUNDARY SURVEY
0.049 ACRES

SECTION 15, TOWN 2, RANGE 6, M.R.S.
CITY OF CENTERVILLE
MONTGOMERY COUNTY, OHIO

PROJECT NO: 150173VSD000

DATE: 11/18/15

SCALE:



SHEET NAME:

DAYTON KOREAN BAPTIST CHURCH

SHEET NO:

1 OF 1