

RESOLUTION NO. 09-14
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER John Beals ON
THE 10th DAY OF March, 2014.

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 5770 WILMINGTON PIKE FOR THE WIDENING OF FEEDWIRE ROAD FROM EXISTING WILMINGTON PIKE AND FEEDWIRE ROAD INTERSECTION 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 that 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 Feedwire Road 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 "B" both exhibits hereby attached and incorporated by reference.

Temporary Easement as identified in Exhibit "A" and depicted in Exhibit "B" 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 right-of-ways 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 Section 719.05 of the Revised Code.

SECTION 5: Additionally, upon passage of the within Resolution, the Mayor shall cause written notice to be given to the owner of, person in possession of, or person having an interest of record in, every piece of property sought to be appropriated pursuant to Ohio Revised Code Sections 719.05, 163.04 and 163.041.

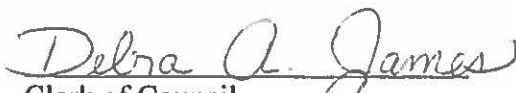
SECTION 6: This resolution shall take effect at the earliest time allowed by law.

PASSED THIS 10th day of March, 2014.



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. 09-14, passed by the Council of the City of Centerville, Ohio on the 10th day of March, 2014.

Debra A. James
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

6305 Centre Park Drive
West Chester, OH 45069
phone 513.779.7851
fax 513.779.7852
www.kleingers.com

**LEGAL DESCRIPTION
SUGARCREEK CROSSING, LLC
0.008 ACRES**

Situated in Section 9, Town 2, Range 6, MRs, City of Centerville, Greene County, Ohio being part of Lot 2 of Sugarcreek Crossing as recorded in P.C. 34 Pg. 593B-597A as conveyed to Sugarcreek Crossing Permanent, LLC in O.R. 2460 Pg. 155 of the Greene County Recorder's Office the boundary of which being more particularly described as follows:

Beginning at a 5/8" iron pin set in the south right of way line of Feedwire Road, being N89°00'37"W a distance of 185.91 feet from a cross notch found at the northeast corner of said Lot 2;

Thence through said Lot 2, S83°51'53"W a distance of 40.46 feet to a 5/8" iron pin set;

Thence, S57°02'51"W a distance of 32.79 feet to a 5/8" iron pin set in the east right of way line of Wilmington Pike;

Thence along said east right of way line, along an arc distance of 37.60 feet to a 5/8" iron pin found, said curve having a radius of 25.00 feet, a central angle of 86°10'03" and a chord which bears, N47°54'22"E a distance of 34.15 feet;

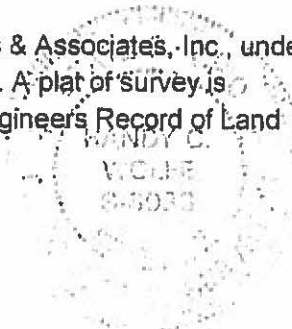
Thence along the south right of way line of the aforesaid Feedwire Road, S89°00'37"E a distance of 42.41 feet to the Point of Beginning;

Containing 0.008 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 Kleingers & Associates, Inc., under the direction of Randy C. Wolfe, Ohio Professional Surveyor No. 8321. A plat of survey is recorded in Volume _____ Page _____ of the Greene County Engineers Record of Land Surveys.

Randy C. Wolfe
3/11/14





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**LEGAL DESCRIPTION
SUGARCREEK CROSSING, LLC
TEMPORARY CONSTRUCTION EASEMENT**

Situated in Section 9, Town 2, Range 6, MRs, City of Centerville, Greene County, Ohio being part of Lot 2 of Sugarcreek Crossing as recorded in P.C. 34 Pg. 593B-597A as conveyed to Sugarcreek Crossing Permanent, LLC in O.R. 2460 Pg. 155 of the Greene County Recorder's Office the boundary of a temporary construction easement being more particularly described as follows:

Beginning at a cross notch found at the northeast corner of said Lot 2, being in the south right of way line of Feedwire Road;

Thence along the east line of said Lot 2, S00°59'23"W a distance of 43.39 feet;

Thence through said Lot 2 the following four (4) courses:

1. N89°00'37"W a distance of 16.46 feet;
2. N23°51'27"W a distance of 35.70 feet;
3. N89°00'37"W a distance of 190.94 feet;
4. S57°02'51"W a distance of 37.91 feet to a point in the east right of way line of Wilmington Pike;

Thence along said east right of way line, N04°49'20"E a distance of 8.86 feet;

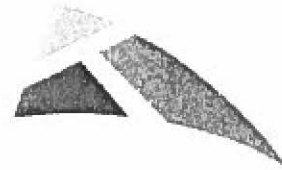
Thence along a proposed right of way line, N57°02'51"E a distance of 32.79 feet;

Thence continuing, N83°51'53"E a distance of 40.46 feet to a point in the aforesaid south right of way line of Feedwire Road;

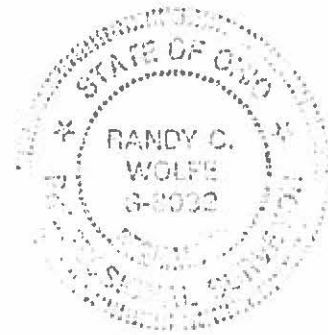
Thence along said south right of way line, S89°00'37"E a distance of 185.91 feet to the Point of Beginning;

Containing 3,399 square feet more or less and being subject to easements and rights of way of record.

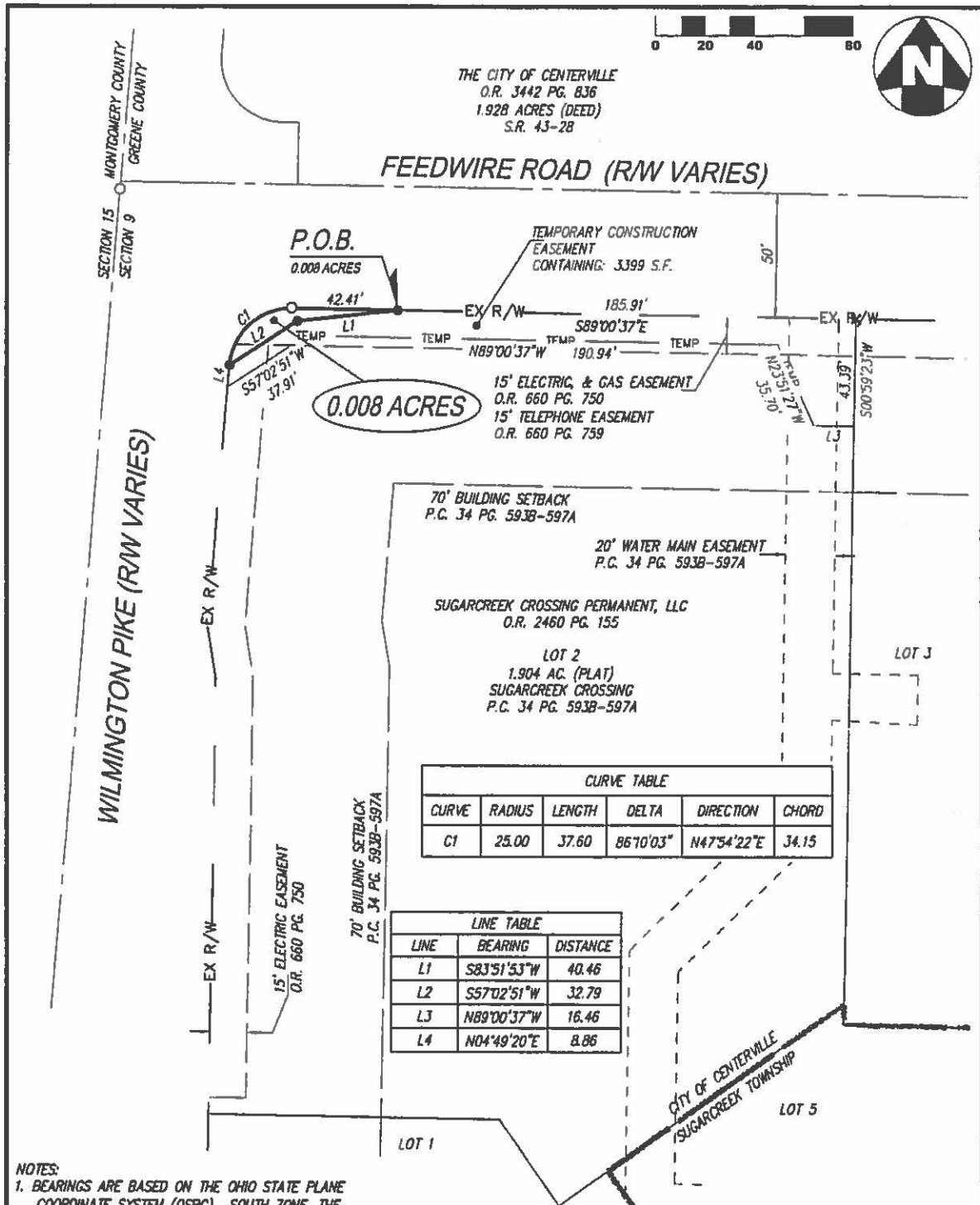
THE KLEINGERS
SURVEYORS



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.



Randy C Wolfe
3/11/14



- NOTES:**
1. 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 1.0000942433 APPLIED AT A BASE POINT OF N:608674.24 E:1515391.69. GRID AND GROUND COORDINATES ARE IDENTICAL AT THE BASE POINT.
 2. ALL MONUMENTS FOUND IN GOOD CONDITION.
 3. SOURCE DOCUMENTS ARE AS NOTED.
 4. OCCUPATION IS AS SHOWN.

BOUNDARY SURVEY and DIVISION 0.008 ACRES

LEGEND

- 5/8" IRON IN SET W/ID CAP STAMPED "KLEINGERS"
- 5/8" IRON PIN FOUND W/ID CAP STAMPED "CESO"
- × CROSS NOTCH FOUND

SURVEYED BY:
Randy C. Wolfe 3-11-14
 Randy C. Wolfe Reg. Surveyor No. 80933

APPROVED
 Greene County Engineer

By _____ Date _____

APPROVED BY:
 ZONING _____ DATE _____

RPCC, CITY, OR VILLAGE _____ DATE _____



GRANTOR SUGAR CREEK CROSSING, LLC

GRANTEE THE CITY OF CENTERVILLE

LOCATION:
 Section 9, Town 2, Range 6, MRs

CITY OF CENTERVILLE
 GREENE COUNTY, OHIO

Date 3/10/14 JOB NO.: 130384VSD000