

RESOLUTION NO. 19-06  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER James Singer ON THE 17<sup>th</sup> DAY  
OF April, 2006.

**A RESOLUTION OF INTENT TO APPROPRIATE CERTAIN INTERESTS IN  
REAL PROPERTY FOR PUBLIC ROADWAY PURPOSES FROM JOHN T. AND  
ROBERTA J. GRAMANN LOCATED AT 1 N. MAIN STREET, CENTERVILLE,  
OHIO.**

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

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

WHEREAS, the Council has determined that the easement hereinafter described is necessary for public roadway and parking 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.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY  
RESOLVES:

Section 1: This Council hereby declares the necessity and intention to appropriate certain real property in accordance with Chapter 163 of the Ohio revised Code.

Section 2: It is necessary and the City's intention to appropriate a certain easement for roadway purposes in the real estate described herein: as more fully described in Exhibit "A" attached and incorporated herein.

Section 3: That the City Manager or his designate is hereby authorized to cause written notice of the adoption of this Resolution to be given to the owners, persons in possession of, or having interest of record in the above described premises, and said notice shall be served according to law by a person to be designated for that purpose by said City Manager or his

designate and to make return of said service of notice in the manner provided by law.

PASSED THIS 17<sup>th</sup> day of April, 2006

*C. McG. Keyed*  
Mayor of the City of Centerville, Ohio

ATTEST:

*Debra A. James*  
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. 19-06, passed by the Council of the City of Centerville, Ohio on the 17<sup>th</sup> day of April, 2006.

*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

## EXHIBIT A

Situate in the City of Centerville, Montgomery County, Ohio, Section 25, Town 2, Range 5 M.R.s. and being Part of Lot 19 and Part of Lot 20 of the Benjamin Robbins Plat as recorded in Plat Book 1, Page 11 and as conveyed to John T. & Roberta J. Gramann by MF# 97-248D05 of the deed records of Montgomery County, Ohio and being more particularly described as follows:

Starting for reference at a mag nail found at the southwest corner of Lot 1 of the Centerville Benjamin Robbins Plat, Section One recorded in Plat Book 201, Page 6 and also being in the north line of said Gramann's Parcel;

Thence N 89°40'29" W with the north line of said Gramann's Parcel and also being the south line of Lot 2 of said Centerville Benjamin Robbins Plat a distance of 19.75 feet to a mag nail set and the True Point of Beginning for the herein described parcel;

thence S 04°49'16" W with a new division line through said Gramann's Parcel passing a 5/8" rebar set at 75.57 feet on the north right-of-way line of West Franklin Street (66') for a total distance of 108.57 feet to a mag nail set in south line of Lot 19 and also being the original centerline of West Franklin Street;

thence S 84°40'23" W with the south line of Lot 19 a distance of 42.41 feet to a mag nail set at the southwest corner of said Lot 19 and also being the southeast corner of Lot 21 of said Benjamin Robbins Plat;

thence N 01°04'21" E with the west line of said Lot 19 and the east line of said Lot 21 passing a 5/8" iron pin found at 33.21 feet on the north right-of-way line of West Franklin Street (66') for a total distance of distance of 112.32 feet to a mag nail found in the south line of said Lot 2 of the Centerville Benjamin Robbins Flat and also being the northwest corner of said Gramann's Parcel;

thence S 89°40'29" E with the south line of said Lot 2 and also being the north line of said Gramann's Parcel a distance of 31.00 feet to the True Point of Beginning, subject to all legal conditions, easements and rights-of-way of record, containing 0.0928 Acres Total, of which 0.0308 acres are within the right-of-way. This description prepared by McDougall, Marsh, & Chico, based on a survey made by same in January 2003, October 2004 and March 2006. Bearings are based on the south line (N 89°40'29" W) of Lot 1 of the Centerville Robbins Plat Section One recorded in Flat Book 201, Page 6 of the Montgomery County Recorder's Office.