

RESOLUTION NO. 43-05
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Susan Linnach ON THE
19th DAY OF September, 2005.

A RESOLUTION ACCEPTING AN EASEMENT
FROM ANTHONY AND KAREN STAUB OF MONTGOMERY
COUNTY, OHIO, IN ORDER TO INSTALL STREET LIGHTS
ALONG NORTH MAIN STREET ON SAID PROPERTY.

WHEREAS, It is necessary for Anthony F. and Karen L. Staub to grant an
easement to the City of Centerville in order that the Grantee can install street lights along
North Main Street on land owned by the Grantor, and

WHEREAS, Anthony F. and Karen L. Staub of Montgomery County, Ohio,
proposes to grant to the City of Centerville an easement on land described in Exhibit "A"
attached hereto, for said purpose.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY
RESOLVES:

Section 1. The City of Centerville hereby accepts an easement granted by
Anthony F. and Karen L. Staub of Montgomery County, Ohio, on a parcel of land
described in Exhibit "A" attached hereto and incorporated herein, to provide for the
installation of street lights on said property situated along North Main Street.

PASSED this 19th day of September, 2005.

C. Mark Kuyed
Mayor of the City of Centerville, Ohio

ATTEST:

Debra James, Assistant
Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 43-05, passed by the Council of the City of Centerville, Ohio, on the 19th day of September, 2005.

Debra James, Assistant
Clerk of Council

Approved as to form, consistency
with Ordinances, the Charter and
Constitutional Provisions.

Department of Law
Scott A. Liberman
Municipal Attorney

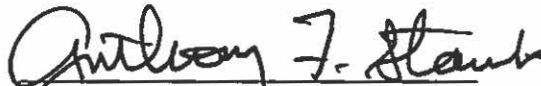
EASEMENT FOR STREET LIGHTS

KNOW ALL MEN BY THESE PRESENTS: That ANTHONY F. STAUB and KAREN L. STAUB, husband and wife, the Grantors who are the owners of a 0.540 acre tract and a 0.060 acre parcel of real property as described in a deed recorded in Microfiche Number 92-550-D01 of the Deed Records of Montgomery County, Ohio hereby **GRANT** to the City of Centerville, an Ohio municipal corporation, the Grantee, its successors and assigns an easement for the construction, reconstruction, repair and removal of street lights over Grantors' real property which is more particularly described in Exhibit A, attached hereto and incorporated herein.

Appurtenant to said easement is the perpetual, non-exclusive right of Grantee to use and occupy the real estate described in Exhibit A and the street lights to be constructed thereon.

PROVIDED, HOWEVER, THAT the Grantee, its successors and assigns shall repair any damage to property described in Exhibit A caused by virtue of its exercise of its rights granted hereunder.

IN WITNESS WHEREOF, Grantors have executed this Easement this 31st day of May, 2005.


ANTHONY F. STAUB


KAREN L. STAUB

State of Ohio
County of Montgomery SS:

The foregoing instrument was acknowledged before me this 31st day of May, 2005 by ANTHONY F. STAUB and KAREN L. STAUB, husband and wife, the Grantors.


Notary Public

This Instrument Prepared By:
Robert N. Farquhar
Attorney at Law
1700 One Dayton Centre
Dayton, Ohio 45402

PATRICIA R. WELLS, Notary Public
In and for the State of Ohio
My Commission Expires August 15, 2005

Exhibit "A"

Situate in Section 25, Town 2, Range 6 M.Rs., City of Centerville, Montgomery County, Ohio and being an Utility easement across a 0.540 Acre tract & a 0.060 Acre tract as conveyed to Anthony F. & Karen L. Staub in Microfiche Number 92-550-D01 of the Deed Records of Montgomery County, Ohio and being more particularly described as follows:

Starting for Reference at the northeast corner of a 0.680 Acre tract as conveyed to Anthony F. & Karen L. Staub in Microfiche Number 92-550-D03 of the Deed Records of Montgomery County, Ohio, said point being in the centerline of North Main Street (70' right-of-way);

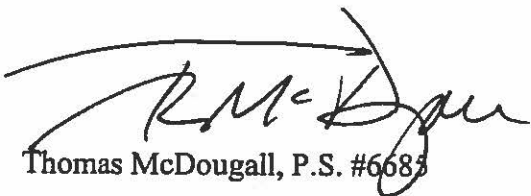
thence S 84°02'00" W a distance of 35.13 feet to the west right-of-way line of said North Main Street, said point being the Point of Beginning of the herein described easement;

thence S 01°00'00" E with the west right-of-way line of said North Main Street a distance of 100 feet to a point;

thence S 84°02'00" W a distance of 10.04 feet to a point;

thence N 01°00'00" W a distance of 100 feet to a point on the north line of said 0.680 Acre tract and the south line of a 0.428 Acre tract as conveyed to 157 North Main Street LLC in Instrument Record 03-115810D of the Deed Records of Montgomery County, Ohio;

thence N 84°02'00" E with the north line of said 0.680 Acre tract and the south line of said 0.428 Acre tract a distance of 10.04 feet to the Point of Beginning containing 0.023 Acres, subject to all legal easements and restrictions of record. Bearings based on the north line of said 0.680 Acre tract as recorded in Microfiche Number 92-550-D03 (N 84°02'00" E).

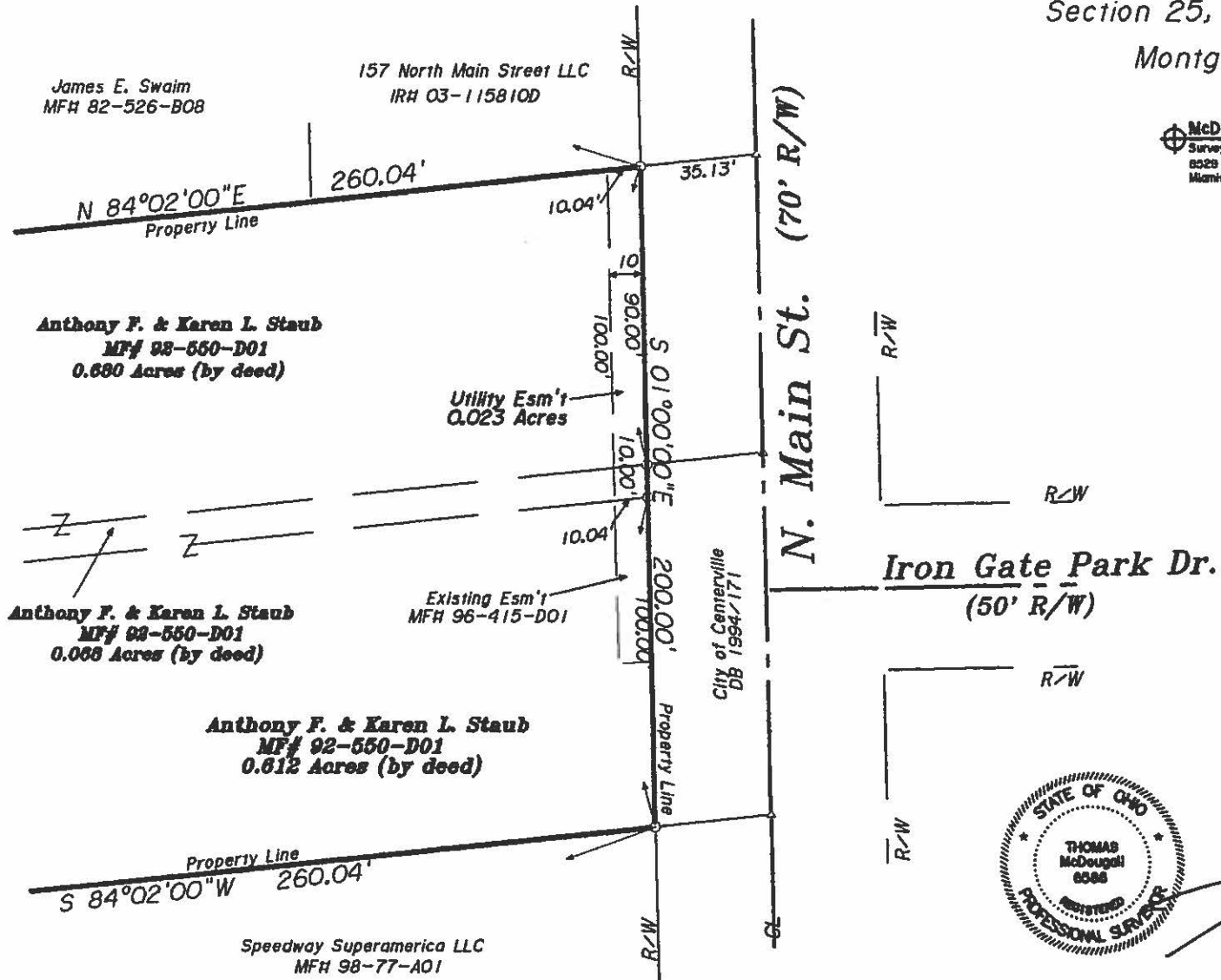
A handwritten signature in black ink, appearing to read "T. McDougall", with a long horizontal stroke extending to the left.

Thomas McDougall, P.S. #6683

Exhibit A
Utility Easement

City of Centerville
 Section 25, Town 2, Range 6 M.Rs.
 Montgomery County, Ohio

McDougal, Marsh & Chico
 Surveyors and Civil Engineers
 6526 Byers Road Tel: 937-847-8860
 Miamiburg, Ohio 45342 Fax: 937-847-2870



THOMAS McDougal
 THOMAS McDOUGAL, P.S. #6588