

RESOLUTION NO. 11-01
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Susan W. Lienesch ON THE 22nd
DAY OF JANUARY, 2001

A RESOLUTION OF INTENT TO APPROPRIATE
CERTAIN INTERESTS IN REAL PROPERTY AND
EASEMENTS FOR THE MOT-725-20.10 EAST
ALEXANDERSVILLE-BELBROOK ROAD
RECONSTRUCTION AND WIDENING PROJECT
FROM RONALD B. AND LAURIE DIANE
PHILLIPS, PARCEL NO. 21-WD.

WHEREAS, the City of Centerville is engaged in the acquisition of right of way and temporary construction easements for the MOT-725-20.10 East Alexandersville-Bellbrook Road Reconstruction and Widening Project within the corporate limits of Centerville, and

WHEREAS, the acquisition of that parcel of real estate is immediately necessary for the roadway construction in connection with said project, and

WHEREAS, the Council has determined that the lands hereinafter described are necessary for 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.

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 intention to appropriate certain roadway right of way and easements 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 an 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 22nd day of January, 2001 .

Sally D. Beals
Mayor of the City of Centerville, Ohio

ATTEST:

Marie J. Laughlin
Clerk of Council of the
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 11-01, passed by the Council of the City of Centerville, Ohio, on the 22nd day of January, 2001.

Marie J. Laughlin
Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.
Department of Law
Robert N. Farquhar
Municipal Attorney

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That _____

hereinafter referred to as the grantor (as used herein, Grantor includes the plural and words in the masculine includes the feminine) in consideration of the sum of _____

Dollars (\$ _____) to him paid by the City of Centerville, the Grantee, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey to the said

Grantee, its successors and assigns forever, the following described real estate:

Situated in the City of Centerville, County of Montgomery, State of Ohio, and in Section 19, Town 2, Range 6 M.R.S., Washington Township, and bounded and described as follows:

PARCEL NO. 21-WD

Being a part of a 4.745 acre parcel acquired by Ronald B. & Laurie D. Phillips as recorded in M. F. #00-481 D08 and being more particularly described as follows:

Commencing at a 5/8" iron pin in a monument box at the northeast corner of the northeast quarter of Section 19, in the centerline intersection of Alex-Bell Road (S.R. 725) and Bigger Road at P.I. Station 1117+38.25;

Thence, with the centerline of Alex-Bell Road (S.R. 725), and the north line of a parcel acquired by the City of Centerville, M.F. #84-243 A07, North 86° 22' 38" West, 560.40 feet to a mag nail set at Station 1111+77.85;

Thence, leaving said centerline, South 04° 43' 22" West, 43.00 feet to an iron pin set in the south line of said City of Centerville parcel at the Grantor's northwest corner, 42.99 feet right of Station 1111+77.03, said iron pin set being the True Place of Beginning of the land herein described;

Thence, with the south line of said City of Centerville parcel, South 84° 19' 58" East, 560.34 feet to an iron pin set in the Grantor's east line and the new right-of-way line, 62.99 feet right of Station 1117+37.02;

Thence, with the new right-of-way line, North 86° 04' 18" West, 560.32 feet to an iron pin set in the east line of a parcel acquired by C. Phillips, M.F. #00-088 D07, 60.00 feet right of Station 1111+76.70;

Thence, with the east line of said C. Phillips, North 04° 43' 22" East, 17.01 feet to the True Place of Beginning.

All iron pins set are capped 5/8"x30" with "WORL & ASSOC." stamped on cap.

It is understood the above contains a total of 0.109 of an acre, more or less, including the present road which occupies 0 of an acre, more or less.

Of the above described area, 0.109 of an acre is to be deleted from Auditor's Tax Duplicate Number 088-008-07-0016.

The description for parcel number 21-WD above was calculated and derived from a centerline survey of Alex-Bell Rd. (S.R. 725) made by Worl and Associates, Inc. for the City of Centerville, under the direction and supervision of Mark B. Stuebaker, Registered Surveyor Number 7074. Stations referenced above have been established on the existing centerline of right-of-way of Alex-Bell Road, (State Route 725), the centerline Plat of MOT-725-20.10 is recorded in Plat Book 179 Page 26 of the Montgomery County Plat Records. Bearings used within are based on the centerline of Bigger Road and the east line of Section 20, being North 04° 47' 15" East as shown on Plat Book 159, Page 32A.

Said stations being the Station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Department of Transportation, Columbus, Ohio.

Grantor claims title by Instrument(s) of record in Deed 00-481 D08 Montgomery County Recorder's Office.

Grantor, for himself and his heirs, executors, administrators and assigns, reserves the right of ingress and egress to the residual area.

_____ therefore belongs to the _____