

RESOLUTION NO. 41-99  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER James Reppert ON THE  
20th DAY OF September, 1999.

A RESOLUTION AUTHORIZING THE CITY  
MANAGER TO GRANT AN EASEMENT,  
ON BEHALF OF THE CITY OF CENTERVILLE,  
TO THE BOARD OF COUNTY COMMISSIONERS  
OF MONTGOMERY COUNTY, OHIO, FOR THE  
INSTALLATION OF A WATER MAIN ACROSS  
THE FRONTAGE OF PROPERTY OWNED BY  
THE CITY OF CENTERVILLE.

WHEREAS, it is necessary for the City of Centerville to grant unto the Board of  
County Commissioners of Montgomery County, Ohio, an easement for the extension of a  
sixteen (16) inch water main across the frontage of property owned by the City of  
Centerville, and

WHEREAS, to accomplish this the Board of County Commissioners of  
Montgomery County, Ohio, has requested an easement across the property owned by the  
City of Centerville, situated in Section 4, Town 2, Range 5 M.Rs., Microfiche Number  
93-0765D07 of the Deed Records of Montgomery County, Ohio.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY  
RESOLVES:

Section 1. That the City Manager be and is hereby authorized, on behalf of the  
City of Centerville, to grant unto the Board of County  
Commissioners of Montgomery County, Ohio, an easement for the  
extension of a sixteen (16) inch water main across the frontage of  
property owned by the City of Centerville, a copy of which is  
attached hereto and made a part hereof, marked as Exhibit "A".

Section 2. That this Resolution shall become effective immediately upon  
passage.

PASSED this 20th day of September, 1999.

*Sally D. Bialk*  
Mayor of the City of Centerville, Ohio

ATTEST:

*Maureen J. Laughlin*  
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 41-99, passed by the Council of the City of Centerville, Ohio, on the 20th day of September, 1999.

*Maureen J. Laughlin*  
Clerk of Council

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

Department of Law  
Robert N. Farquhar  
Municipal Attorney

DISTRICT: GREATER MORaine - BEAVERCREEK SEWER DISTRICT  
SEWER IMPROVEMENT AREA # \_\_\_\_\_  
\_\_\_\_\_ SUBDISTRICT

**EASEMENT DEED**

KNOW ALL MEN BY THESE PRESENT:

That CITY OF CENTERVILLE, AN OHIO MUNICIPAL  
CORPORATION OF MONTGOMERY COUNTY, OHIO

in consideration of the sum of One Dollar (\$1.00) and other valuable considerations to them paid by the Board of County Commissioners of Montgomery County, Ohio, receipt of which is acknowledged, does hereby grant and release to said Board of County Commissioners of Montgomery County, Ohio, and their successors in office, forever, the right, privilege and easement to construct, maintain, tap into and repair the stated utility ~~a sanitary sewer~~ and/or water line\_ through the following described real estate:

Situate in Section 4, Town 2, Range 5 M.Ra., in the City of Centerville, Montgomery County, Ohio, being an easement, twenty (20) feet in width, for the installation, maintenance, operation, replacement and removal of a water line across the acre tract conveyed to CITY OF CENTERVILLE by deed recorded in Microfiche Number 93-765D07 of the Deed Records of Montgomery County, Ohio, said easement being more particularly described as follows:

Beginning at an iron pin found at the northeast corner of Lot 65 of Waterbury Woods, Section Five, recorded in Plat Book 164, Page 44 of the Plat Records of said County, said corner being on the south right-of-way line of Social Row Road (90 feet wide);

thence from said point of beginning N 71°15'00" W with the north line of said Lot 65 a distance of 70.17 feet to a point on said line being 20.00 feet south of the south right-of-way line of Social Row Road (measured radially);

thence northwestwardly parallel with and 20.00 feet south of said south right-of-way line along a curve to the right having a radius of 1325.00 feet, an arc distance of 337.67 feet, a central angle of 14°36'06" the chord of which bears N 45°55'41" W a distance of 336.76 feet to the southeast corner of an existing twenty feet wide water line easement recorded in MF #

thence N 61°22'22" E with the southeast line of said existing easement a distance of 20.00 feet to the south right-of-way line of Social Row Road;

thence southeastwardly with said south right-of-way line along a curve to the left having a radius of 1305.00 feet, an arc distance of 399.33 feet, a central angle of 17°31'57" the chord of which bears S 47°23'37" E a distance of 397.77 feet to the point of beginning, containing 0.169 acres with the herein described easement. This description prepared by McDougall Associates based on a survey made by same. Bearings are based on the centerline of Social Row Road from Microfiche Number 88-0510C11.

Kirk P. Diehl, P.S. #7032

Said property now is owned by CITY OF CENTERVILLE

By deed reference: MF # 93-0765D07

Said grantees are to have the right and privilege of entering upon the above described premises through themselves, employees and contractors to construct, maintain, tap into and repair the ~~sanitary-sewer-and/or~~ water line \_\_\_ along the line above set forth.

As further consideration for this easement, grantees agree to restore the said premises to its original condition, as near as possible, after construction, repair or replacement of said ~~sanitary-sewer-and/or~~ water line \_\_\_, unless otherwise agreed to by separate agreement.

The Grantor\_\_\_ shall have full right to use the land within the said right of way and easement for any purpose consistent with the rights herein granted to the Grantee, its successors and assigns; provided, however, that no buildings or other structures shall be erected within the limits of said right of way and easement by the Grantor\_\_\_ or any other party claiming title or possession under said Grantor\_\_\_.

IN WITNESS WHEREOF, the said\_\_\_\_\_

\_\_\_\_\_

hereunto subscribed\_\_\_\_\_ name on this\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

Executed in the presence of us:

(two witnesses required)

Witness:

Owner:

1)\_\_\_\_\_

\_\_\_\_\_

(print: )\_\_\_\_\_

(print: )\_\_\_\_\_

Title: \_\_\_\_\_

2)\_\_\_\_\_

\_\_\_\_\_

(print: )\_\_\_\_\_

(print: )\_\_\_\_\_

Title: \_\_\_\_\_

State of Ohio) SS:

Before me, the undersigned, a Notary Public in and for the State of Ohio, Montgomery County, personally appeared\_\_\_\_\_

the grantor\_\_ in the foregoing easement deed, and acknowledged the execution thereof to be\_\_\_\_\_ free and voluntary act for the uses and purposes therein set forth.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and afixed my notarial seal on this\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Ohio  
My Commission expires\_\_\_\_\_

This instrument approved as to for by:

Mathias H. Heck, Jr., Prosecuting Attorney

**McDOUGALL ASSOCIATES**

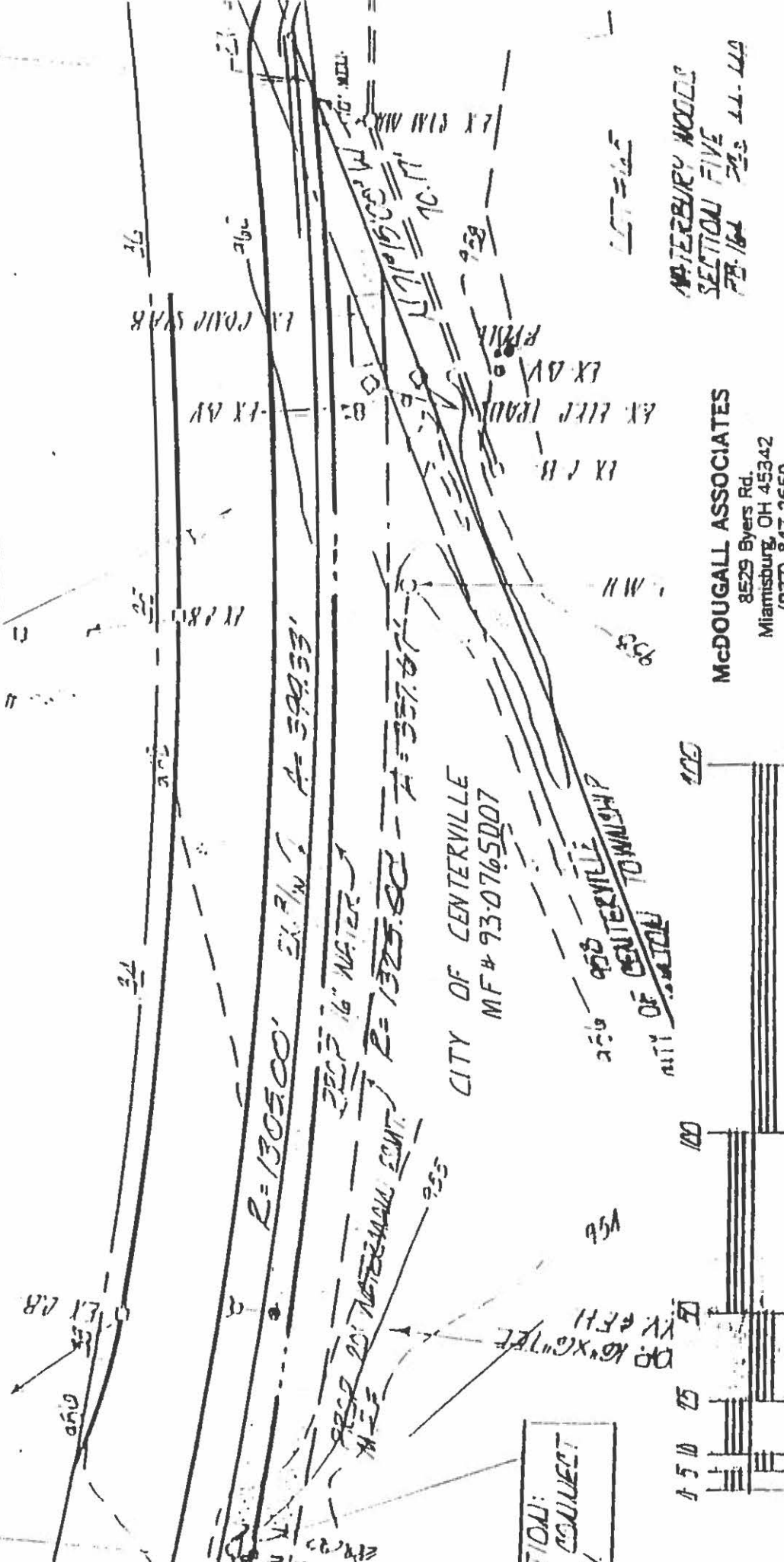
by \_\_\_\_\_

8529 Byers Rd.  
Miamisburg, OH 45342  
(937) 847-2660

\* FILL IN UTILITY & LOCAL  
 \* ALL EXISTING UTILITIES  
 BEFORE ANY CONSTRUCTION  
 OR EXCAVATION COMMENCES.

EXHIBIT TO  
 EASEMENT

SOCIAL ROW ROAD

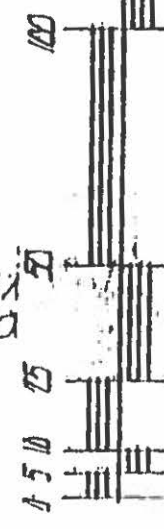


R=1305.00' EX. 7.11' A=599.33'

EX. 20\"/>

CITY OF CENTERVILLE  
 MF # 93-0765007

955  
 956  
 958  
 CITY OF CENTERVILLE  
 CITY OF CENTON



GRAPHIC SCALE: 1"=40'

WATERBURY MOORE  
 SECTION FIVE  
 PB. 164 PGS. 11-149

McDOUGALL ASSOCIATES  
 8529 Byers Rd.  
 Miamisburg, OH 45342  
 (937) 847-2660

NOT TO SCALE

DISTRICT: GREATER MORAINÉ - BEAVERCREEK SEWER DISTRICT  
SEWER IMPROVEMENT AREA # \_\_\_\_\_

\_\_\_\_\_ SUBDISTRICT

**EASEMENT DEED**

KNOW ALL MEN BY THESE PRESENT:

That CITY OF CENTERVILLE, AN OHIO MUNICIPAL  
CORPORATION OF MONTGOMERY COUNTY, OHIO

in consideration of the sum of One Dollar (\$1.00) and other valuable considerations to them paid by the Board of County Commissioners of Montgomery County, Ohio, receipt of which is acknowledged, does hereby grant and release to said Board of County Commissioners of Montgomery County, Ohio, and their successors in office, forever, the right, privilege and easement to construct, maintain, tap into and repair the stated utility ~~a sanitary sewer~~ and/or water line\_ through the following described real estate:

Situate in Section 4, Town 2, Range 5 M.Rs., in the City of Centerville, Montgomery County, Ohio, being an easement, twenty (20) feet in width, for the installation, maintenance, operation, replacement and removal of a water line across the acre tract conveyed to City of Centerville by deed recorded in Microfiche Number 93-765D07 of the Deed Records of Montgomery County, Ohio, said easement being more particularly described as follows:

Beginning at an iron pin found at the northeast corner of Lot 65 of Waterbury Woods, Section Five, recorded in Plat Book 164, Page 44 of the Plat Records of said County, said corner being on the south right-of-way line of Social Row Road (90 feet wide);

thence from said point of beginning N 71°15'00" W with the north line of said Lot 65 a distance of 70.17 feet to a point on said line being 20.00 feet south of the south right-of-way line of Social Row Road (measured radially);

thence northwestwardly parallel with and 20.00 feet south of said south right-of-way line along a curve to the right having a radius of 1325.00 feet, an arc distance of 337.67 feet, a central angle of 14°36'06" the chord of which bears N 45°55'41" W a distance of 336.76 feet to the southeast corner of an existing twenty feet wide water line easement;

thence N 51°22'22" E with the southeast line of said existing easement a distance of 20.00 feet to the south right-of-way line of Social Row Road;

thence southeastwardly with said south right-of-way line along a curve to the left having a radius of 1305.00 feet, an arc distance of 399.33 feet, a central angle of 17°31'57" the chord of which bears S 47°23'37" E a distance of 397.77 feet to the point of beginning, containing 0.169 acres with the herein described easement. This description prepared by McDougall Associates based on a survey made by same. Bearings are based on the centerline of Social Row Road from Microfiche Number 88-0510C11.

Kirk P. Diehl, P.S. #7032

Said property now is owned by CITY OF CENTERVILLE

By deed reference: MICROFICHE NO. 93-0765D07

Said grantees are to have the right and privilege of entering upon the above described premises through themselves, employees and contractors to construct, maintain, tap into and repair the sanitary sewer and/or water line \_\_\_\_\_ along the line above set forth.

As further consideration for this easement, grantees agree to restore the said premises to its original condition, as near as possible, after construction, repair or replacement of said sanitary sewer and/or water line \_\_\_\_\_, unless otherwise agreed to by separate agreement.



The Grantor\_\_ shall have full right to use the land within the said right of way and easement for any purpose consistent with the rights herein granted to the Grantee, its successors and assigns; provided, however, that no buildings or other structures shall be erected within the limits of said right of way and easement by the Grantor\_\_ or any other party claiming title or possession under said Grantor\_\_.

IN WITNESS WHEREOF, the said Gregory B. Horn, City Manager,  
City of Centerville

hereunto subscribed his name on this 19th day of  
October, 1999.

Executed in the presence of us:  
(two witnesses required)

Witness:

1) Debra A. James  
(print:) Debra A. James

Owner:  
[Signature]  
(print:) Gregory B. Horn  
Title: City Manager

2) Linda L. Schroth  
(print:) LINDA L. SCHROTH

(print:) \_\_\_\_\_  
Title: \_\_\_\_\_

State of Ohio) SS:

Before me, the undersigned, a Notary Public in and for the State of Ohio, Montgomery County, personally appeared Gregory B. Horn, City  
Manager, City of Centerville

the grantor\_\_ in the foregoing easement deed, and acknowledged the execution thereof to be his free and voluntary act for the uses and purposes therein set forth.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on this 19th day of October, 1999.

[Signature]  
Notary Public in and for the State of Ohio  
My Commission expires \_\_\_\_\_

This instrument approved as to for by:  
Mathias H. Heck, Jr., Prosecuting Attorney  
**McDOUGALL ASSOCIATES**

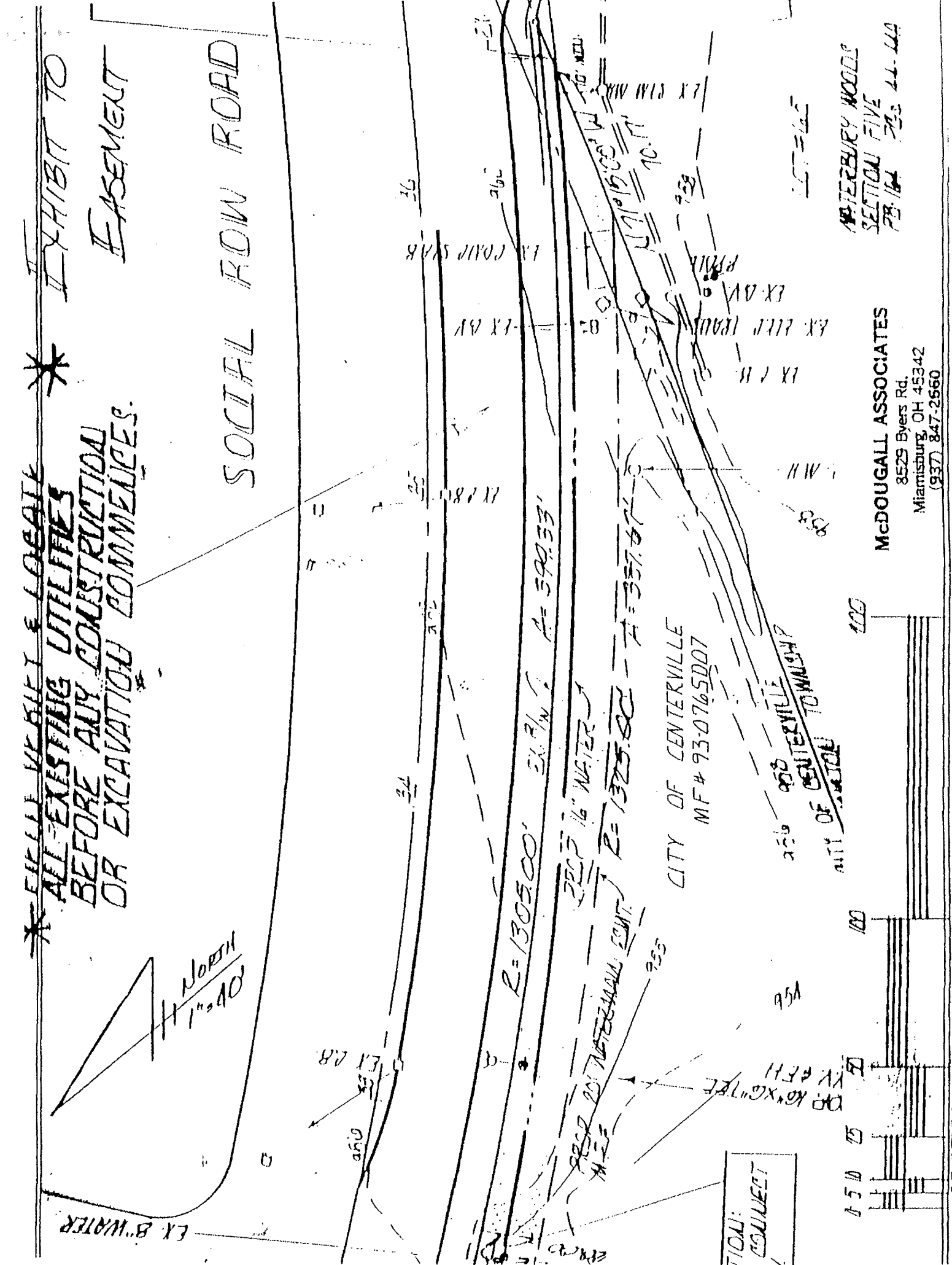
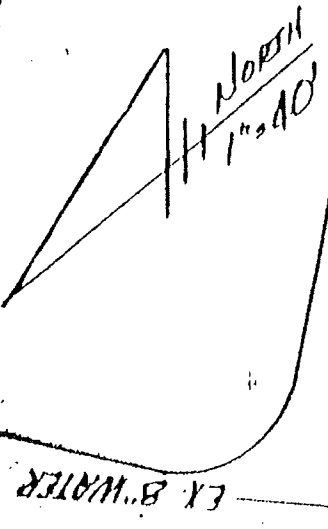
by \_\_\_\_\_  
8529 Byers Rd.  
Miamisburg, OH 45342  
(937) 847-2660

MARILYN J. McLAUGHLIN, Notary Public  
In and for the State of Ohio  
My Commission Expires September 29, 2004

\* FILL IN KYLE & LOCAL  
 \* ALL EXISTING UTILITIES  
 \* BEFORE ANY CONSTRUCTION  
 \* OR EXCAVATION COMMENCES.

EXHIBIT TO  
 EASEMENT

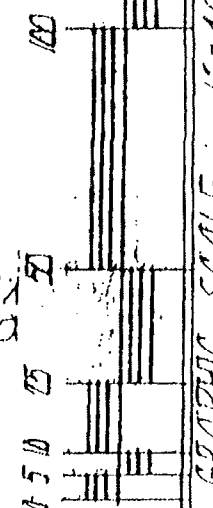
SOCIAL ROW ROAD



MCDUGALL ASSOCIATES  
 8529 Byers Rd.  
 Miamisburg, OH 45342  
 (937) 847-2660

WATERBURY WOODS  
 SECTION FIVE  
 P.B. 164 P. 23 44-44A

CONNECTION:  
 COLLECT



DISTRICT: GREATER MORAINÉ - BEAVERCREEK SEWER DISTRICT  
SEWER IMPROVEMENT AREA # \_\_\_\_\_  
\_\_\_\_\_ SUBDISTRICT  
EASEMENT DEED

KNOW ALL MEN BY THESE PRESENT:

That ROBERT C. & MAY E. HARTSHORN

in consideration of the sum of One Dollar (\$1.00) and other valuable considerations to them paid by the Board of County Commissioners of Montgomery County, Ohio, receipt of which is acknowledged, does hereby grant and release to said Board of County Commissioners of Montgomery County, Ohio, and their successors in office, forever, the right, privilege and easement to construct, maintain, tap into and repair the stated utility ~~a sanitary sewer~~ and/or water line through the following described real estate:

DESCRIPTION OF EASEMENT  
FOR MONTGOMERY COUNTY  
SANITARY ENGINEERING DEPARTMENT  
OCTOBER 5, 1999

Situate in Section 4, Town 2, Range 5 M.Rs., Washington Township, Montgomery County, Ohio, being an easement varying in width, for the installation, maintenance, operation, replacement and removal of a water line across the 0.0934 acre tract conveyed to Robert C. and May E. Hartshorn by deed recorded in Microfiche Number 99-143B04 of the Deed Records of Montgomery County, Ohio, said easement being more particularly described as follows:

Starting for reference at an iron pin found at the intersection of the east line of said Section 4 and the centerline of Social Row Road, said corner being the northeast corner of said Whipp tract;  
thence S 02°20'06" W with the east line of said Section 4 a distance of 25.73 feet to an iron pin set on the south right-of-way line of Social Row Road (49.5 feet wide);  
thence N 71°48'27" W with said south right-of-way line a distance of 343.71 feet to the east line of the land conveyed to Robert C. and May E. Hartshorn by deed recorded in MF #80-288D07;  
thence N 71°15'00" W with the south right-of-way line of Social Row Road a distance of 150.00 feet to the west line of said Hartshorn tract, and the True Point of Beginning for the herein described easement;  
thence from said True Point of Beginning S 18°45'00" W with the west line of said Hartshorn tract a distance of 15.00 feet to the southeast corner of the herein described easement;  
thence S 67°58'11" W a distance of 31.00 feet to the east line of the 35.2096 acre tract conveyed to Myers Woods Limited Partnership by deed recorded in MF #98-747C09;  
thence N 12°56'58" E with the east line of said Myers Woods Limited Partnership tract a distance of 35.43 feet to the south right-of-way line of Social Row Road;  
thence S 71°15'00" E with the south right-of-way line of Social Row Road a distance of 27.06 feet to the True Point of Beginning, containing 0.015 acres within the herein described easement. This description prepared by McDougall Associates based on a survey made by same. Bearings are based on the centerline of Social Row Road from Microfiche Number 88-0510C11.

Kirk P. Diehl, P.S. #7032

Said property now is owned by ROBERT C. & MAY E  
HARTSHORN

By deed reference: MICROFICHE NO. 99-143B04

Said grantees are to have the right and privilege of entering upon the above described premises through themselves, employees and contractors to construct, maintain, tap into and repair the ~~sanitary sewer and/or~~ water line along the line above set forth.

As further consideration for this easement, grantees agree to restore the said premises to its original condition, as near as possible, after construction, repair or replacement of said ~~sanitary sewer and/or~~ water line, unless otherwise agreed to by separate agreement.

The Grantor\_\_ shall have full right to use the land within the said right of way and easement for any purpose consistent with the rights herein granted to the Grantee, its successors and assigns; provided, however, that no buildings or other structures shall be erected within the limits of said right of way and easement by the Grantor\_\_ or any other party claiming title or possession under said Grantor\_\_.

IN WITNESS WHEREOF, the said May E. Hartsborn and  
Robert C. Hartsborn

hereunto subscribed their names on this 15th day of  
October, 1999.

Executed in the presence of us:  
(two witnesses required)

Witness:

1) Debra A. James  
(print:) Debra A. James

Owner:  
May E. Hartsborn  
(print:) MAY E. HARTSBORN  
Title: Owner

2) Linda L. Schrott  
(print:) LINDA L. SCHROTH

Robert C. Hartsborn  
(print:) ROBERT C. HARTSBORN sr  
Title: OWNER

State of Ohio) SS:

Before me, the undersigned, a Notary Public in and for the State of Ohio, Montgomery County, personally appeared May E. Hartsborn and  
Robert C. Hartsborn

the grantor\_\_ in the foregoing easement deed, and acknowledged the execution thereof to be their free and voluntary act for the uses and purposes therein set forth.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on this 15th day of October, 1999.

Marilyn J. McLaughlin  
Notary Public in and for the State of Ohio  
My Commission expires \_\_\_\_\_

This instrument approved as to for by:  
Mathias H. Heck, Jr., Prosecuting Attorney  
**McDOUGALL ASSOCIATES**  
by 8529 Byers Rd.  
Miamisburg, OH 45342  
(937) 847-2660

MARILYN J. McLAUGHLIN, Notary Public  
In and for the State of Ohio  
My Commission Expires September 29, 2004

CITY OF CLEVELAND  
94-742.D04

3 CUI

# SOCIAL ROW ROAD

EX BUSH - REMOVE OR RELOCATE

EX 18" STM

EX R/W

916

916

916

916

916

916

916

50' E TO W.M.

10' MIN. EX STM TO PROP W.M.

14' 7 1/2"

16" x 45" BEILD

16" x 45" BEILD

16" x 45" BEILD

EX WELL

EX DRIVE & RESTORE IN KIND

SAWCUT EX DR

15' PROP ESMT

M.F.#

EX BUSH - REMOVE OR RELOCATE

EX 18" STM

EX R/W

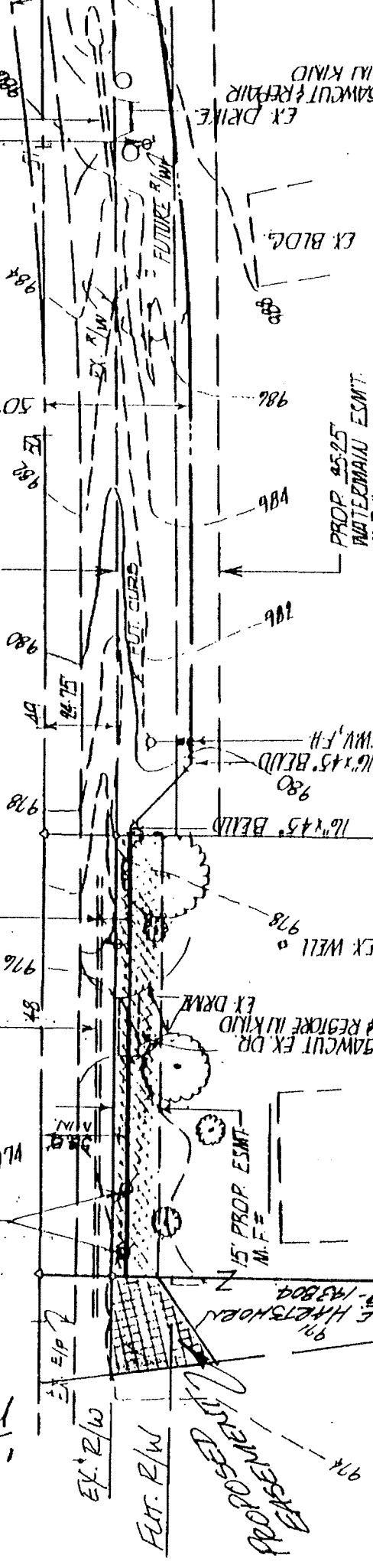
EX R/W

EX R/W

EX R/W

EX R/W

EX R/W



EX DRIVE  
SAWCUT & RESTORE IN KIND

EX BLDG

PROP 45" 25' WATERMAIN ESMT  
M.F.#

16" x 45" BEILD  
16" x 45" BEILD  
16" x 45" BEILD

EX WELL

EX DRIVE & RESTORE IN KIND

SAWCUT EX DR

15' PROP ESMT

M.F.#

EX BUSH - REMOVE OR RELOCATE

EX 18" STM

EX R/W

EX R/W

EX R/W

EX R/W

ROBERT C. & MAY E. HARTSHORN  
M.F.# 80-288.D07  
1.00 AL.

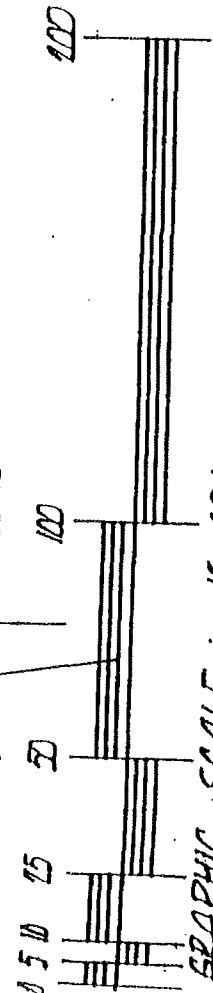


EXHIBIT TO #

McDOUGALL ASSOCIATES  
8529 Byers Rd.  
Miami, OH 45342  
(937) 847-2660

PROPOSED IMPROVEMENTS

NORTH  
1" = 40'

**MONTGOMERY COUNTY  
1998 FORM 1099-S INFORMATION RETURN -- WORKSHEET**

**PERMANENT BASEMENT ACQUISITIONS**

**DEPARTMENT: SANITARY ENGINEERING**

<b>Seller's Name:</b>		<b>Seller's Tax Identification Number (TIN) (Federal I.D. Number)</b>	
Robert C. and May E. Hartshorn			
<b>Seller's Address:</b>		<b>Date of Closing (MM/DD/YY) (Settlement Date - Date Agreement Signed)</b>	<b>Gross Proceed:</b> (For LAND VALUE ONLY)
1198 Social Row Road Centerville, Ohio 45458		September 15, 1999	\$1.00
<b>Same Address (including apt. no.)</b>		<b>Address of legal description of easement (including city, state and ZIP code) (If same as mailing address, just indicate "SAME")</b>	
Same		MF # 80-288 D07	
<b>City, state and ZIP code</b>			
<b>Auditor's Vendor Acct Number:</b>	<b>Auditor's Warrant Number:</b>		

**If the seller did or will receive property or services as part of the consideration, please indicate here and explain below. \_\_\_\_\_ Yes**

**Completed By:** Norbert Hoffman

**Date:** 10/8/99