

RESOLUTION NO. 45-98
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER C. MARK KINGSEED ON THE
16th DAY OF NOVEMBER, 1998.

A RESOLUTION ACCEPTING A PERMANENT
EASEMENT FOR PUBLIC SIDEWALK PURPOSES FROM
THE CENTERVILLE CITY SCHOOL DISTRICT.

WHEREAS, a parcel of land conveyed to the Centerville City School District is deemed necessary for the permanent installation, maintenance, and repair of a public sidewalk; and

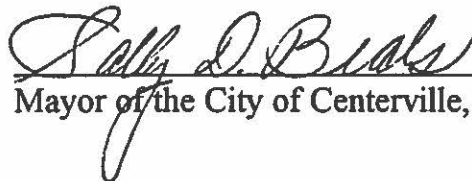
WHEREAS, the Centerville City School District proposes to grant to the City of Centerville a permanent easement for a tract of land recorded in the Deed Records of Montgomery County, Ohio, Microfiche Number 72-010A03.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY
RESOLVES:

Section 1. The City of Centerville hereby accepts a permanent easement for a tract of the land conveyed to the Centerville City School District for the installation, maintenance, and repair of a public sidewalk, said real property as recorded by Deed Microfiche Number 72-010A03 in the Deed Records of Montgomery County, Ohio, and more particularly described in Exhibit "A" attached hereto and made a part hereof.

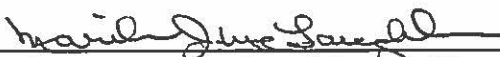
Section 2. This Resolution shall become effective at the earliest date allowed by law.

PASSED this 14th day of NOVEMBER, 1998.



Mayor of the City of Centerville, Ohio

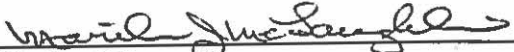
ATTEST:



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 45-98, passed by the Council of the City of Centerville, Ohio, on the 16th day of NOVEMBER, 1998.


Clerk of Council

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

Department of Law
Robert N. Farquhar
Municipal Attorney

EASEMENT FOR SIDEWALK

KNOW ALL MEN BY THESE PRESENTS: That the Centerville City School District, an Ohio city school district, the Grantor, for One Dollar (\$1.00) and other valuable consideration hereby grants to the City of Centerville, an Ohio municipal corporation a non-exclusive easement for the installation, maintenance, repair and use of a public sidewalk to be open for the free use of the public over the following described premises:

Situate in Section 24, Town 3, Range 5 M.Rs., in the City of Centerville, Montgomery County, Ohio, being a non-exclusive easement for the installation, maintenance, repair, replacement and use of a public sidewalk across the tract of land conveyed to Centerville City School District by deed recorded in Microfiche Number 72-010A03 of the Deed Records of Montgomery County, Ohio, said easement being more particularly described as follows:

Starting for reference at the northwest corner of said Section 24 and in the centerline of West Franklin Street; thence N⁰ 49' 15" E with said centerline and section line a distance of 855.0 (per deed) feet to the northeast corner of said School tract; thence S 00⁰ 51' 05"W a distance of 30.0 feet to a point on the south right-of-way line of W Franklin Street; thence S 88⁰ 49' 15"W a distance of 111.0 feet with said right-of-way to the True Point of Beginning for the herein described easement;

thence from said True Point of Beginning S 01⁰ 10' 45" E a distance of 28.6 feet to a point;

thence S 88⁰49'15" W a distance of 20.0 feet to a point;

thence N 01⁰10'45" W a distance of 28.6 feet to a point;

thence N 88⁰49'15" E a distance of 20.0 feet to the Place of Beginning. This description prepared by McDougall Associates based on a survey made by same in March 1998. All iron pins set are 30" x 5/8" capped "McDougall Associates". Bearings based on prior Deed Microfiche # 72-10A03 at the centerline of East Franklin Street.

Thomas McDougall, P.S. #6588

Prior Instrument: Microfiche # 72-010A03 of the Deed Records of Montgomery County, Ohio.



1700 ONE DAYTON CENTRE
ONE SOUTH MAIN STREET
DAYTON, OHIO 45402

IN WITNESS WHEREOF, the Grantor, acting through its duly authorized President, has executed this Easement this 16th day of December, 1998.

Witness:

Peggy A. Whisman

CENTERVILLE CITY SCHOOL DISTRICT

By: Bradley W. Evers
its President

Judith A. Schmitt

GRANTOR

State of Ohio
County of Montgomery SS:

The foregoing instrument was acknowledged before me this 16th day of December, 1998 by Bradley W. Evers, President of the Centerville City School District the Grantor.

Marilyn J. McLaughlin
Notary Public

MARILYN J. McLAUGHLIN, Notary Public
In and for the State of Ohio
My Commission Expires September 29, 1999

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

CVILLE8741.RNF

AC
ALTICK
&
CORWIN
CO., L.P.A.

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