

RESOLUTION NO. 7-96
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER BROOKS COMPTON ON THE
19th DAY OF FEBRUARY, 1996.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT AN EASEMENT, ON BEHALF OF THE CITY OF CENTERVILLE, FROM ANDREW W. HITTLE AND STEPHANIE A. IRWIN HITTLE FOR THE INSTALLATION, MAINTENANCE, REPAIR AND USE OF A PUBLIC SIDEWALK.

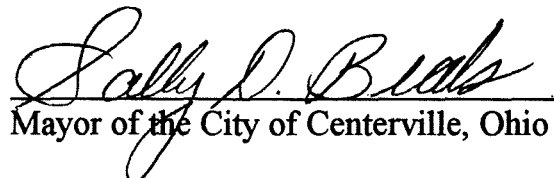
WHEREAS, it is the intent of the City of Centerville to install a public sidewalk to be open for the free use of the public, across a 1.25 acre tract of land, located at 1262 Centerville Station Road, and conveyed to Andrew W. Hittle and Stephanie A. Irwin Hittle; and

WHEREAS, Andrew W. Hittle and Stephanie A. Irwin Hittle has offered an easement to the City of Centerville for said purpose across their property, situated in the City of Centerville, Montgomery County, State of Ohio, said property being a tract of land situated in Section 18, Town 3, Range 5 M.R.s., of the Deed of Records of Montgomery County, Ohio.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That the City Manager is hereby authorized to accept, on behalf of the City of Centerville, an Easement from Andrew W. Hittle and Stephanie A. Irwin for the installation, maintenance, repair and use of a public sidewalk; said Easement being that which is attached hereto, marked Exhibit "A" and incorporated herein.

PASSED this 19th day of FEBRUARY, 1996.



Mayor of the City of Centerville, Ohio

ATTEST:

Maude J. Saughel
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 7-96 passed by the Council of the City of Centerville, Ohio, on the 19th day of FEBRUARY, 1996.

Maude J. Saughel
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 Andrew W. Hittle and Stephanie A. Irwin Hittle, husband and wife, the Grantors, 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 18, 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 1.25 acre tract conveyed to Andrew W. and Stephanie A. Irwin Hittle by deed recorded in Microfiche Number 92-150C03 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 18, said corner also being on the centerline of Centerville Station Road at the northwest corner of said Hittle 1.25 acre tract;

thence from said Starting Point S 81°30'00" E with the north line of said Section 18 and the centerline of Centerville Station Road a distance of 198.00 feet to the northeast corner of said Hittle 1.25 acre tract;

thence S 04°25'00" W with the east line of said Hittle 1.25 acre tract a distance of 30.08 feet to the existing south right-of-way line of Centerville Station Road (30.0 feet south of the centerline of said road measured at right angles) and the True Point of Beginning for the herein described easement;

thence from said True Point of Beginning S 04°25'00" W continuing with the east line of said Hittle 1.25 acre tract a distance of 20.05 feet to an iron pin found at the northwest corner of Lot 1141 of Black Oak Estates 3, Section 4, recorded in Plat Book 88, Pages 60-61 of the Plat Records of said County;

thence N 51°31'33" W a distance of 40.03 feet to a point on the existing south right-of-way line of Centerville Station Road, parallel with and 30.0 feet south of the centerline of said road measured at right angles, a distance of 33.25 feet to the True Point of Beginning. This description prepared by McDougall Associates based on a survey made by same. Bearings are based on the east line of said Hittle 1.25 acre tract from Microfiche Number 92-150C03.

Kirk P. Diehl, P.S. #7032

Prior Instrument: Microfiche # 92-150C03 of the Deed Records of Montgomery



ATTORNEYS AT LAW

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

County, Ohio.

IN WITNESS WHEREOF, the Grantors have executed this Easement this 22 day of January, 1996.

Witness:

Craig E. Bailey

Andrew W. Hittle
Andrew W. Hittle

Michael D. Steward

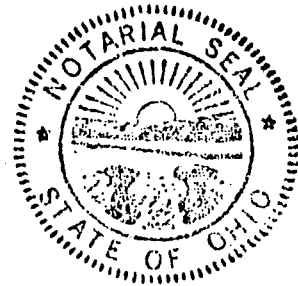
Stephanie A. Irwin Hittle
Stephanie A. Irwin Hittle

GRANTORS

State of Ohio
County of Montgomery SS:

The foregoing instrument was acknowledged before me this 22nd day of January, 1996 by Andrew W. Hittle and Stephanie A. Irwin Hittle, husband and wife the Grantors.

Rae Ann Hight
Notary Public



EYP. on 11/2/99

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

AC
ALTICK
&
CORWIN

ATTORNEYS AT LAW

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