

RESOLUTION NO. 9-94
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks Compton ON THE
21st DAY OF February, 1994.

A RESOLUTION OF INTENT TO APPROPRIATE CERTAIN INTERESTS IN REAL PROPERTY AND EASEMENTS FOR THE SOUTH MAIN STREET RECONSTRUCTION AND WIDENING PROJECT FROM JOHN P. HEINZ AND LINDA L. HEINZ AND EDMOND A. SCACCHETTI AND ROSEMARIE B. SCACCHETTI, MF 77-091C06, 170 SOUTH MAIN STREET.

WHEREAS, the City of Centerville is engaged in the acquisition of right of way and temporary construction easements for the South Main Street 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.

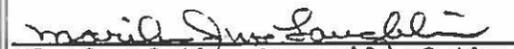
SECTION 2. It is necessary and intention to appropriate certain roadway right of way and easements in the real estate described herein: as more fully described in Exhibit "A" and "B" attached and incorporated herein.

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 21st day of February,
1994.

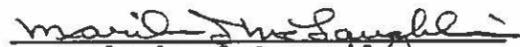

Mayor of the City of
Centerville, Ohio

ATTEST:


Clerk of the 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 9-94, passed by the
Council of the City of Centerville, Ohio, on the 21st day of
February, 1994.


Clerk of Council

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

LAND DESCRIPTION

John P. Heinz and Linda L. Heinz
Edmond A. Scacchetti and Rosemarie B. Scacchetti
MF 77091 C06

Located in Section 30, Town 3, Range 5, MRS City of Centerville, Montgomery County, Ohio, and being a 35.00 foot wide strip of land along grantor's westerly property line and described as follows:

Beginning at grantors southwesterly property corner located in the centerline of South Main Street, being N 0° 13' E 493.40 feet along the centerline of said South Main Street from the southwest corner of Son Development Company Plat No. 3, Section 5 as recorded in Book 62, Page 34 in the Plat Records of Montgomery County, Ohio;

Thence along the centerline of South Main Street N 0° 13' E 99.50 feet to grantor's northwesterly property corner;

Thence along grantor's northerly property line N 84° 22' 40" E 35.18 feet to a point;

Thence along a new line of division S 0° 13' W 99.50 feet parallel with the centerline of South Main Street to a point in grantor's southerly property line;

Thence along grantor's southerly property line S 84° 22' 40" W 35.18 feet to the place of beginning containing 0.0795 acres, more or less.

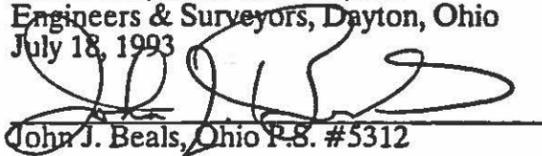
Gross Acres: 0.516 Acres
Pro: 0.0682 Acres
Take: 0.0795 Acres
Net Acres: 0.0437 Acres

0.0113 Take

Deed Reference: MF 77091 C06

Survey by:

Lockwood, Jones & Beals, Inc.
Engineers & Surveyors, Dayton, Ohio
July 18, 1993


John J. Beals, Ohio P.S. #5312

TEMPORARY ACCESS EASEMENT

For minor land grading to the proposed walk and for driveway construction work. Property to be restored to near original condition.

John P. Heinz and Linda L. Heinz
Edmond A. Scacchetti and Rosemarie B. Scacchetti

MF 77091 C06

Located in Section 30, Town 3, Range 5, MRS, City of Centerville, Montgomery County, Ohio and being a 15.00 foot wide strip of land along grantor's new westerly property line and described as follows:

A 15.00 foot wide strip of land immediately east of grantor's 35.00 foot wide right of way. This strip of land is defined by a line 50.00 east of the South Main Street centerline and parallel with that street, stretching across the entire width of grantor's property.

July 18, 1993
Not to be Recorded

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