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RESOLUTION NO. 12-94
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
JACK FRITZCHE, PARCEL NO. 10WV.

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.

Shirley F. Dennis
Mayor of the City of
Centerville, Ohio

ATTEST:

Marilyn J. Saubel
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 12-94, passed by the Council of the City of Centerville, Ohio, on the 21st day of February, 1994.

Marilyn J. Saubel
Clerk of Council

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

S.R. 48 - PHASE II
PARCEL NO. 10WV

JACK FRITZCHE, TRUSTEE

SITUATE IN THE SOUTHWEST QUARTER OF SECTION 30, TOWN 3, RANGE 5 M.R.S., CITY OF CENTERVILLE, TOWNSHIP OF WASHINGTON, COUNTY OF MONTGOMERY, STATE OF OHIO AND BEING PART OF A 4.683 ACRE TRACT CONVEYED TO JACK FRITZCHE, TRUSTEE BY DEED RECORDED IN MF 82-404 A05 OF THE DEED RECORDS OF MONTGOMERY COUNTY WITH CENTERLINE BEARINGS BASED ON A SURVEY BY LOCKWOOD, JONES & BEALS, INC. DONE IN 1987 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EXISTING CENTERLINE OF SPRING VALLEY ROAD WITH THE EXISTING CENTERLINE OF S.R. 48;

THENCE WITH SAID CENTERLINE OF S.R. 48 NORTH 1°00'42" WEST 1,737.92 FEET TO THE GRANTOR'S SOUTHEAST PROPERTY CORNER AND THE TRUE POINT OF BEGINNING;

THENCE WITH THE GRANTOR'S SOUTH PROPERTY LINE SOUTH 84°32'05" WEST 54.78 FEET TO A POINT IN THE WEST PROPOSED RIGHT-OF-WAY OF S.R. 48;

THENCE WITH SAID PROPOSED WEST RIGHT-OF-WAY ON THE FOLLOWING 2 COURSES;

NORTH 0°18'47" WEST 53.24 FEET;

NORTH 0°24'11" EAST 277.58 FEET TO A POINT IN THE GRANTOR'S NORTH PROPERTY LINE;

THENCE WITH THE GRANTOR'S NORTH PROPERTY LINE NORTH 84°32'05" EAST 47.26 FEET TO THE GRANTOR'S NORTHEAST CORNER AND THE EXISTING CENTERLINE OF S.R. 48;

THENCE WITH THE SAID CENTERLINE AND THE GRANTOR'S EAST PROPERTY LINE SOUTH 1°00'42" EAST 330.15 FEET TO THE POINT OF BEGINNING, CONTAINING 0.388 ACRES OF LAND, MORE OR LESS, SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD.

PREPARED BY: LOCKWOOD, JONES & BEALS, INC.
1563 EAST DOROTHY LANE
DAYTON, OHIO 45429

BY: George N. Stephenson
GEORGE N. STEPHENSON, OHIO
PROFESSIONAL SURVEYOR NO. 7264

DATE: 12/20/90

GROSS TAKE = 0.388 ACRES
PRO = 0.227 ACRES
NET TAKE = 0.161 ACRES

EXHIBIT "B"

TEMPORARY WORK EASEMENT

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

Jack F. & Barbara A. Fritzche
MF 82-404 A05

Located in Section 30, Town 3, Range 5, MRS, City of Centerville, Montgomery County, Ohio and being a 20.00 foot wide strip of land along grantor's new easterly property line as shown on construction plans on file with the City of Centerville and described as follows:

A 20.00 foot wide strip of land immediately west of grantor's new right-of-way line. This strip of land is defined by a line 55.00 west of the South Main Street centerline at the grantor's southeast property corner extending North 0°24'11" East 277.58 feet to a point in the grantor's north property line, said point being 47.26 feet west of the South Main Street centerline, and parallel with that street, stretching across the entire width of grantor's property.

(Not to be Recorded)