

RESOLUTION NO. 30-91  
CITY OF CENTERVILLE

SPONSORED BY COUNCILMEMBER Sally Beals ON THE 12th  
DAY OF August, 1991.

A RESOLUTION OF INTENT TO APPROPRIATE CERTAIN  
EASEMENTS FOR THE EAST WHIPP ROAD PROJECT FROM  
CHRISTINE L. COWDEN, ET AL PARCEL 37.

WHEREAS, the City of Centerville is engaged in the acquisition of right of way for the East Whipp Road Project in the City 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, Be It Resolved by the Council of the City of Centerville, State of Ohio:

Section 1. This Council hereby declares the necessity and intention to appropriate certain real property and temporary easements in accordance with Chapter 163 of the Ohio Revised Code.

Section 2. It is necessary and intention to appropriate certain easements in the real estate described herein: as more fully described in Exhibit "A" 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 of his designate and to make return of said service of notice in the manner provided by law.

Passed by Council this 12th day of August, 1991.

*Shirley F. Heints*  
Mayor of the City of  
Centerville, Ohio

ATTEST:

*Maui McLaughlin*  
Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 30-91, passed by the Council of the City of Centerville, Ohio on the 12th day of August, 1991.

*Maui McLaughlin*  
Clerk of Council

Approved as to form, consistency,  
with existing ordinances, the  
charter & constitution provisions.

Department of Law  
Robert N. Farquhar  
Municipal Attorney

PARCEL NO. 37-T

Being a parcel of land situated in MONTGOMERY County, Ohio, WASHINGTON

Township, Section 26, Town 2, Range 6 M.R.S., and being located within the following described boundary thereof:

BEGINNING AT THE NORTHEAST CORNER OF LOT NO. 7 OF THE OAK HILL PLAT AS RECORDED IN PLAT BOOK 70, PAGE 21 IN THE PLAT RECORDS OF MONTGOMERY COUNTY, OHIO, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID COWDEN LAND AND ON THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, SAID POINT BEING 32.99 FEET RIGHT OF CENTERLINE STATION 45+85.59; THENCE WITH THE NORTH LINE OF SAID COWDEN LAND AND THE SOUTH RIGHT-OF-WAY LINE OF WHIPP ROAD, NORTH 75°-00'-40" EAST 120.00 FEET TO A POINT IN THE EAST LINE OF SAID COWDEN LAND, SAID POINT BEING 33.19 FEET RIGHT OF CENTERLINE STATION 47+05.59; THENCE ALONG THE EAST LINE OF SAID COWDEN LAND SOUTH 14°-59'-20" EAST 14.00 FEET TO A POINT, SAID POINT BEING 47.19 FEET RIGHT OF CENTERLINE STATION 47+05.57; THENCE SOUTH 74°-46'-18" WEST 123.78 FEET TO A POINT IN THE WEST LINE OF SAID COWDEN LAND SAID POINT BEING 47.50 FEET RIGHT OF CENTERLINE STATION 45+81.79; THENCE ALONG THE WEST LINE OF SAID COWDEN LAND, NORTH 00°-24'-40" WEST 15.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.040 ACRES OF LAND MORE OR LESS.

The description for parcel number 37-T above was calculated and derived from a centerline survey made by Lockwood, Jones & Beals, Inc. George N. Stephenson, Registered Surveyor Number 7264.

Grantor claims title by instrument dated \_\_\_\_\_, recorded in MICROFICHE #89-243A10 and MICROFICHE #89-243A12 ( \_\_\_\_\_ ), of the records of Montgomery County.

Project construction plans have been deposited with the County Engineer's office.

Situated in the City of Centerville, County of Montgomery, State of Ohio, and in Section 26, Town 2, Range 6 M.R.S., and bounded and described as follows:

PARCEL NO. 37-WV

BEGINNING AT THE NORTHEAST CORNER OF LOT NO. 7 OF THE OAK HILL PLAT AS RECORDED IN PLAT BOOK 70, PAGE 21 IN THE PLAT RECORDS OF MONTGOMERY COUNTY, OHIO, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY OF WHIPP ROAD AND 32.99 FEET RIGHT OF CENTERLINE STATION 45 + 85.59; THENCE WITH THE WEST LINE OF SAID COWDEN LAND NORTH  $0^{\circ} 24' 40''$  WEST 36.16 FEET TO THE NORTHWEST CORNER OF SAID COWDEN LAND, BEING 1.99 FEET LEFT OF CENTERLINE STATION 45 + 94.77; THENCE WITH THE NORTH LINE OF SAID COWDEN, NORTH  $75^{\circ} 00' 40''$  E 110.90 FEET TO THE NORTHEAST CORNER OF SAID COWDEN LAND, BEING 1.81 FEET LEFT OF CENTERLINE STATION 47 + 05.68; THENCE WITH THE EAST LINE OF SAID COWDEN LAND SOUTH  $14^{\circ} 59' 20''$  EAST 35.00 FEET TO THE NORTHEAST CORNER OF LOT 72 OF VILLAGE SOUTH SECTION 5 AS RECORDED IN PLAT BOOK 72, PAGE 35 OF THE PLAT RECORDS OF MONTGOMERY COUNTY, OHIO, SAID POINT BEING 33.19 FEET RIGHT OF CENTERLINE STATION 47 + 05.59; THENCE WITH THE PROPOSED SOUTH RIGHT-OF-WAY OF WHIPP ROAD SOUTH  $75^{\circ} 00' 40''$  WEST 120.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.093 ACRES OF LAND, MORE OR LESS, SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD.