

RESOLUTION NO. 12-84

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Bernard Samples
ON THE 16th DAY OF April, 1984.

TO DECLARE THE NECESSITY AND INTENTION OF
ACQUIRING CERTAIN PARCELS OF REAL ESTATE FOR
THE BIGGER ROAD IMPROVEMENT PROJECT IN THE
CITY OF CENTERVILLE, OHIO.

WHEREAS, the City is engaged in the acquisition of
right-of-way for the Bigger Road Improvement Project in the City
of Centerville, and

WHEREAS, the acquisition of certain parcels of real
estate is immediately necessary for the construction in connec-
tion with said project, and

WHEREAS, this Council has determined that the lands
hereinafter described are necessary for construction in
connection with such project so that there will be no delays 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 estate in accordance with Chapter
163 of the Ohio Revised Code.

Section 2:

It is the necessity and intention to appropriate from
the following real estate a fee simple title and/or temporary
easement and/or channel easement and/or sewer easement and/or
slope easement with said temporary easement in the real estate
described herein to be for and during the period beginning with
the breaking of the ground for the construction of said project
and terminating when the completed work has been fully accepted
by the City of Centerville:

ROUTE Bigger Road

SECTION _____

OWNER: Carriage South, Inc.

Montgomery, COUNTY, OHIO

Washington TOWNSHIP, SECTION 20 TOWN 2, FR./ENTIRE

RANGE 6, MILITARY SURVEY, M.R.S., CITY/VILLAGE OF Centerville

PARCEL NO. 2S TYPE OF INTEREST Sewer Easement

BEING a parcel of land lying on the left side(s) of the centerline of a survey, made by the Department of Transportation* and recorded in Book _____, Page _____, of the records of Montgomery County* in the name of and for the use of the City of Centerville, Ohio

Description:

Beginning at the Southeast corner of said section said point being the intersection of centerlines of the Alexandersville-Bellbrook Pike (State Route 725) and Bigger Road;

Thence along the centerline of Bigger Road North 4°-47'-15" East a distance of 2,586.55 feet to a point, Station 25+96.55;

Thence continuing along said line North 4°-42'-20" East a distance of 2,564.15 feet to a point, Station 51+50.70;

Thence North 85°-17'-40" West a distance of 45.0 feet to a point on the right-of-way line of said road and being the true point of beginning of the tract herein described;

Thence North 65°-51'-16" West a distance of 24.79 feet to a point, 68.38 feet left of Station 51+58.95;

Thence North 24°-08'-44" East a distance of 10.0 feet to a point, 65.05 feet left of Station 51+68.38;

Thence South 65°-51'-16" East a distance of 21.26 feet to a point on the right-of-way line of said road, 45.0 feet left of Station 51+61.30;

Thence along said line South 4°-42'-20" West a distance of 10.61 feet to the point of beginning.

The description of this parcel is based on a centerline survey made by Shaw, Weiss & De Naples, Professional Corporation, by George B. Shaw, P.L.S., Ohio Registration Number 5542.

Purpose: Storm sewer construction

It is understood that the strip of land above described contains 0.005 acres, more or less, inclusive of the present road which occupies _____ acres, more or less.

Owner claims title by instrument of record in Deed Book No. 73-348, Page 009, Montgomery County Recorder's Office.

EXHIBIT SHEET A-1

THE OHIO DEPARTMENT OF REVENUE

Section 3.

That the Municipal Attorney be and he is hereby authorized to cause written notice of the adoption of this Resolution to be given to the owner, 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 Municipal Attorney, and to make return of said service of notice in the manner provided by law.

Section 4.

That for the reasons stated in the preamble hereto which is hereby made a part hereof, this Resolution shall take effect and be in force from and after its adoption as provided by law.

PASSED THIS 16th DAY OF April, 1984.

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

ATTEST:

Marion J. McLaughlin
Clerk of the Council of the
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. 12-84, passed by the Council of the City of Centerville, Ohio, on the 16th day of April, 1984.

Marion J. McLaughlin
Clerk of Council

Approved as to form, consistency,
with existing ordinance, the
charter & constitution of Ohio.

Robert N. Farquhar
Municipal Attorney

ALTICK & CORWIN