RESOLUTION NO. 12-84

CITY OF CENTERVILLE, OHIO

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 connection 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:

ALTICK & CORWIN

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- ,:		2	ROUTE Bigger Road
			SECTION
	ANNIED .	Carriage South, Inc.	
	(Milatin)	Montgomery	1 2 2000 10
	15 (4.1)	washington TOWNSIII	P, SECTION 20 TOWN 2 , FR./ENTIRE
	RANGE_	6 MILITARY SURVE	Y, M.R.S. , CITY/VII LAGE OF Centerville
	PARC	CEL NO. 2S	TYPE OF INTEREST Sewer Easement
	BEING made by of the	a parcel of land lying on the y the Department of Transprecords of <u>Montgomery</u>	ne left side(s) of the centerline of a survey ortation and recorded in Book , Page
	Descrip	ation:	· ·
		being the intersection of Pike (State Route 725) at Thence along the continuing distance of 2,586. Thence continuing distance of 2,564.15 feet Thence North 85°-point on the right-of-way point of begining of the Thence North 65°-a point, 68.38 feet left Thence North 24°-point, 65.05 feet left of Thence South 65°-to a point on the right-of Station 51+61.30;	enterline of Bigger Road North 4°-47′-15″ .55 feet to a point, Station 25+86.55; along said line North 4°-42′-20″ East a t to a point, Station 51+50.70; 17′-40″ West a distance of 45.0 feet to a sy line of said road and being the true tract herein described; 51′-16″ West a distance of 24.79 feet to of Station 51+58.95; 08′-44″ East a distance of 10.0 feet to a Station 51+68.38; 51′-16″ East a distance of 21.26 feet of-way line of said road, 45.0 feet left line South 4°-42′-20″ West a distance
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	The de De Nap Number	gies, Professional Corporano	based on a centerline survey made by Shaw, Weiss & n, by George B. Shaw, P.L.S., Ohio Registration
			a <sup>l</sup> a
		Phrpose: Storm sever co	onstruction
	this or les	mediateland that the step of s, inclusive of the present	read which occupies acres, more or less.
	Owner	r claims title by instrument	of record in Deed Leed No. 73-348 Rage Dog ty Recorder's Office.
		EXH	IBIT SHILT A-1
			THE STATE OF THE S

U8-RE-725

	(BIGGER ROAD)
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WHER: CARRIAGE SOUTH, INC.	,
MONTGOMERY COUNTY, A	
WASHINGTON TOWNSHIP, SECTION 20 7	OUR 2 XXXXXXXX PAUL 6
MARKEN SERRED M.R.S., XXXXXXA	CENTERVILLE
PARCEL NO. 2-T TYPE IN TYPE IN	TEMPORARY EASEMENT
neine a parcel of land lying on the left survey, made by the Department of Transcription and the of the records of MONTGOMERY Country	nadify) of the Councilian of a record of the following a house the council of the

Description:

Commencing 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 N 4° 47' 15" E a distance of 2,586.55 feet to a point, Station 25+86.55;

Thence continuing along said line N  $4^{\circ}$  42' 20" E a distance of 2,024.05 feet to a point, Station 46+10.60;

Thence N 85° 17' 40" Wa distance of 65.00 feet to a point, said point being 65.00 feet left of Bigger Road centerline survey Station 46+10.60, said point being the true point of beginning of the tract herein described; Thence N 4° 42' 20" E a distance of 339.40 feet, 65.0 feet left of Station 49+50;

Thence N  $2^{\circ}$  00' 16" E a distance of 212.24 feet to a point, 75.0 feet left of Station 51+62;

Thence N 10° 21' 46" E a distance of 50.72 feet to a point on the grantor's north property line, 70.0 feet left of Station 52+12.48; Thence along said line S 86° 21' 45" E a distance of 25.00 feet to a point on the right of way line of said road, 45.0 feet left of Station 52+12.94; Thence along said line S 4° 42' 20" W a distance of 51.64 feet to a point, 45.0 feet left of Station 51+61.30;

Thence N 65° 51' 16" W a distance of 21.26 feet to a point, 65.05 feet left of Station 51+68.38:

left of Station 51+68.38; Thence S 24° 08' 44" W a distance of 10.0 feet to a point, 68.38 feet left of Station 51+58.95;

Thence S 65° 51' 16" E a distance of 21.79 feet to a point on said right of way line, 45.0 feet left of Station 51+50.70;

Thence along said line S 4° 42' 20" W a distance of 520.10 feet to a point; thence along the existing westerly right of way line of Bigger Road on a curve to the right having a radius of 20.00 feet for an arc distance of 31.42 feet, chord bears S 49° 42' 20" W for a distance of 28.28 feet to the point of beginning.

The description of this parcel is based on a centerline survey made by Shaw, Weiss & DeNaples, Professional Corporation, by George B. Shaw, P.L.S., Ohio Registration No. 5548.

PURPOSE: Highway Construction.

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			Microfiche	No.	73-348-D09	
Smer claims title by	instrument	1	XXXXXXXXXXXXXXXX	XXXX	XXXXX	
Montgomery	Conser Then				• • • • • • • • • • • • • • • • • • • •	

# 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.

Mayor of the City of Centerville, Ohio

ATTEST:

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 16-16-16 day of 1984.

Clerk of Council

Robert N. Ferquier Municipal Attorney