

RESOLUTION NO. 13-84

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Charles Taylor  
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: Woodley Development Company, 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. 37D TYPE OF INTEREST Warranty Deed

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 and for the use of the City of Centerville, Ohio

Description:

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

Thence along the east line of said section and the centerline of Bigger Road North 4°47'15" East, a distance of 2,586.55 feet to a point;

Thence continuing along said line North 4°42'20" East, a distance of 2,627.23 feet to the true point of beginning of the tract herein described, said point being Station 52+13.78 of said centerline survey and the grantor's southeast property corner;

Thence along the grantor's south line North 86°21'45" West, a distance of 45.0 feet to a point, 45.0 feet left of Station 52+12.94,

Thence along the right-of-way line, parallel to Bigger Road centerline North 4°42'20" East, a distance of 65.04 feet to a point on the corporation line dividing the Cities of Centerville and Kettering, said point being 45.0 feet left of Station 52+78.06;

Thence along said corporation line South 86°21'45" East, a distance of 45.0 feet to a point on the east line of said section and the centerline of said road, being Station 52+78.82;

Thence along said line South 4°42'20" West, a distance of 65.04 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 5545.

Grantor reserves the right of ingress and egress to and from any residual area.

THIS INSTRUMENT WAS PREPARED BY

THE OHIO DEPARTMENT OF TRANSPORTATION

It is understood that the strip of land above described contains 0.067 acres, more or less, inclusive of the present road which occupies 0.030 acres, more or less.

Owner claims title by instrument of record in Deed Book No. 2537, Page 356, Montgomery County Recorder's Office.

ROUTE Bigger Road

SECTION \_\_\_\_\_

OWNER: Woodley Development Co., 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. 31 TYPE OF INTEREST Temporary 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 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+86.55;

Thence continuing along said line North 4°-42'-20" East a distance of 2,627.23 feet to a point being the grantor's southeast property corner, Station 52+13.78;

Thence along the grantor's south property line North 86°-21'-45" West a distance of 45.0 feet to a point on the right-of-way line of said road, 45.0 feet left of Station 52+12.94 and being the true point of beginning of the tract herein described;

Thence continuing along said property line North 86°-21'-45" West a distance of 25.0 feet to a point, 70.0 feet left of Station 52+12.48;

Thence North 39°-21'-58" East a distance of 27.06 feet to a point, 55.0 feet left of Station 52+35;

Thence North 4°-42'-20" East a distance of 42.80 feet to a point on the corporation line dividing the cities of Centerville and Kettering, 55.0 feet left of Station 52+77.80;

Thence continuing North 4°-42'-20" East a distance of 12.21 feet to a point, 55.0 feet left of Station 52+90;

Thence South 85°-17'-40" East a distance of 14.01 feet to a point on the existing right-of-way line, 40.99 feet left of Station 52+90;

Thence along said line South 4°-42'-20" West a distance of 11.94 feet to a point on said corporation line, 40.99 feet left of Station 52+78.06;

Thence along said line North 36°-21'-95" West a distance of 4.01 feet to a point on said right-of-way line, 45.0 feet left of Station 52+78.06;

Thence along said line South 4°-42'-20" West a distance of 65.04 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 5548.

Purpose: roadway construction, drive adjustment

It is understood that the strip of land above described contains 0.023 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. 2537, Page 356, Montgomery County Recorder's Office.


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.

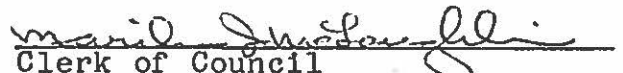
  
Mayor of the City of  
Centerville, Ohio

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. 13-84, passed by the Council of the City of Centerville, Ohio, on the 16th day of April, 1984.

  
Clerk of Council

Approved as to form, consistency,  
with existing laws, and the  
charter & resolutions of the City,

  
Robert H. Farquhar  
Municipal Attorney

ALTICK & CORWIN