RESOLUTION NO. 16-84

CITY OF CENTERVILLE, OHIO

	SPONSORED BY			ED BY	COUNCILMEMBER	Charles Todos		
ON	THE	16th	DAY	OF _	Agril	, 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

) 8 RE-125		COUNTY	Montgor	nery
) K- K- 123		ROUTE	Bigger	Road
		SECTION		
oustin Passi	k H. Jones, Jr.			
	, COUNTY, OH!		7757 2197	
	TOWNSHIP, SECTION		2 .	FR./ENTIRE
	, MILITARY SURVEY, M.R.S.			
The same of the sa	. 11WD TYPE OF IN			
	el of land lying on the right			
	epartment of Transportation and reconfigure County.	CONCRECT IN DARK	of and fo	or the use of
Description:			\$ • €	
Beginning at t intersection of and Bigger Ro	he southwest corner of said section, centerlines of the Alexandersville-B ad;	said point a ellbrook Pike	lso being (State R	the loute 725)
North 4° 47' 13 Thence continu	the west line of said section and the 5" East, a distance of 2,586.55 feet ling along said line, North 4° 42' 20 ue Point of Beginning of the tract he	to a point, S " East, a dis	tation 25 tance of	+86.55;
Thence continu	uing along said line, North 4° 42' 20 , being the grantor's northwest pro	"East, a dis perty corner,	tance of Station	363.82 50+78.76;
Thence along to 58.00 feet t	the grantor's north property line, So o a point on the right-of-way line,	outh 66° 47' 55.0 feet righ	40" East, it of Stai	a distance tion 50+60.36;
Thence continue a distance of Cright of Statio	uing along said line and parallel to s 363.82 feet to a point on the grantor in 46+96.54;	aid centerling 's south prop	e, South	4° 42' 20" West, e, 55.0 feet
Thence along the Point of B	said south line, North 66° 47' 40" We eginning.	est, a distanc	e of 58.0	0 feet to
				i.
		-		
		2 2		*
Owner reserves	s the right of ingress and egress to	and Iron any	residual	area
	,		<"	
The description	on of this parcel is based on a cente	rline survey	made by	Shaw Weiss &
De Naples, Pr. Number 5548.	ofessional Corporation, by George B	. Shaw, P.L	.S., Ohio	Registration
		UMBIT V/SCI Marenticalar		
It is underst	ood that the strip of land above desusive of the present road which occu	scribed containupies 0.16	ins <u>0.4</u>	59 acres, more s, more or less.
	title by instrument of record in 🖼 County Recorder's O	Microfiche ext. Beaks No.	No.79-77	76-C0s
	EXHIBIT SHEET /	1		

D8 RE- 125		COUNTY
		ROUTE Bigger Road
		SECTION
OWNER: Frank	H. Jones, Jr.	
Montg	omery . COUNTY	, 01110
Washir	ngtonTOWNSIIIP, SECTI	ON 14 TOWN 2, FR./ENTIRE
The second secon		S, CITY/VILLAGE OF _ Centerville
PARCEL NO	. 11S TYPE	OF INTEREST Sewer easement
made by the D	epartment of Transportation a	nt side(s) of the centerline of a survend recorded in Book, Page
Rou Eas dist poin poin 10.0 a p	ng the centerlines of the Alexante 725) and Bigger Road; Thence along the centerline to a distance of 2,586.55 feet to Thence continuing along said tance of 2,258.45 feet to a point Thence South 85°-17'-40" Each ton the right-of-way line of the feet to a point of beginning of the tract he	I line North 4°-42'-20" East a t, Station 48+45.00; st a distance of 55.0 feet to a said road and being the true erein described; a 4°-42'-20" East a distance of the of Station 48+55.00; st a distance of 20.0 feet to a 48+55.00; t a distance of 10.0 feet to a 48+45.00;
		if the same of the
		Co.
The description De Naples, Pro Number 5548.	n of this parcel is based on a f of this parcel is based on a f of this parcel is	centerline survey made by Shaw, Weiss & rge B. Shaw, P.L.S., Ohio Registration
		4 18000 0
		7.11
Purpo It is understo or less, inclu		
Owner claims Monto	title by instrument of record	M.F.No. 79-776-008 in Deed Book No, Page er's Office.
	EXHIBIT SHLE	ТА-1

*	*	ROUTE Bigger Road
		SICTION
OWNER:	Frank H. Jones, Jr.	and the contract of the contra
M	ontgomery, COUNTY, OH	10
	ashington TOWNSHIP, SECTION	
	6 , MILITARY SURVEY, M.R.S. ,	
	L NO. TYPE OF IN	
BEING a p	parcel of land lying on the <u>right</u> the Department of Transportation and re- cords of <u>Montgomery</u> County.	side(s) of the centerline of a surve corded in Book, Page,
Descriptio		
	Beginning at the Southwest corner being the intersection of centerlines of Pike (State Route 725) and Bigger Road Thence along the centerline of Big East a distance of 2,586,55 feet to a positive to a point being property corner, Station 47+14.94; Thence along the grantor's south property corner, Station 47+14.94; Thence along the grantor's south property corner, Station 47+14.94; Thence along the grantor's south property corner, Station 47+14.94; Thence along the grantor's south property corner, Station 47+14.94; Thence along said line North 4°-42 line of said road, 55.0 feet right of Station 48+45.0 and point, 75.0 feet right of Station 48+45.0 and point, 75.0 feet right of Station 48+45.0 and point, 75.0 feet right of Station 48+55.0 and point on said right-of-way line, 55.0 feet right of Station 49-42 los. 36 feet to a point on the grantor's feet right of Station 50+60.36; Thence along said line North 4°-42 los. 36.91 feet to a point, 90.0 feet right of Thence South 16°-13'-04" West a dispoint, 75.0 feet right of Station 49:00; Thence South 2°-53'-21" East a dispoint, 85.0 feet right of Station 49:00; Thence South 16°-00'-56" West a dispoint, 85.0 feet right of Station 48+50; Thence South 16°-00'-56" West a dispoint, 85.0 feet right of Station 48+50; Thence South 16°-08'-44" West a dispoint on the grantor's south property lide+88.17; Thence along said line North 66°-426.36 feet to the point of beginning.	the Alexandersville-Bellbrook d; ger Road North 4°-47'-15" bint, Station 25+86.55; North 4°-42'-20": East a and the grantor's southwest property line South 66°-1 point on the right-of-way ntion 46+96.54 and being therein described; 2'-20" East a distance of of Station 48+45.00; istance of 20.0 feet to a 200; stance of 10.0 feet to a 200; istance of 20.0 feet to a 200; istance of 20.1 feet to a 200; istance of 30.1 feet to a 300; istance of 50.1 feet to a 300; istance of 50.1 feet to a 300; istance of 50.48.56; istance of 75.66 feet to a 30; istance of 75.66 feet to a 30; istance of 50.99 feet to a 40; istance of 50.99 feet to a 50; istance of 50; istanc
The descr De Maples Number 5	ription of this parcel is based on a center. Professional Corporation, by George E 548.	3. Shaw, P.IS., Ohio Registration
I	FHE (Purpose: Roadway Construction, Drive &	MSTRUMENT WAS PREPARED BY MIO DEPARTMENT OF INVESTMENT OF STREET
It is und or less,	derstood that the strip of land above definctusive of the present road which occurred	upies acres, more or less.
Owner C	laims title by instrument of record in De ontgomery County Recorder's C	F.#79776-C08 red Book No, Page, Office.
	EXHIBIT SHEET A	-2

- 108 EL 125

evoca i klourdomară

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

Clerk of Council

Approved as to form, consistency, with exist and the charter & con

Rebert II. Farquiar Municipal Attorney

-2-

CORWIN