

RESOLUTION NO. 16-84

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:

COUNTY Montgomery

ROUTE Bigger Road

SECTION _____

OWNER: Frank H. Jones, Jr.

Montgomery, COUNTY, OHIO

Washington TOWNSHIP, SECTION 14 TOWN 2, FR./ENTIRE

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

PARCEL NO. _____ 11WD _____ TYPE OF INTEREST Warranty Deed

BEING a parcel of land lying on the right 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, OH

Description:

Beginning at the southwest 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 west 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, Station 25+86.55; Thence continuing along said line, North 4° 42' 20" East, a distance of 2,128.39 feet to the True Point of Beginning of the tract herein described;

Thence continuing along said line, North 4° 42' 20" East, a distance of 363.82 feet to a point, being the grantor's northwest property corner, Station 50+78.76;

Thence along the grantor's north property line, South 66° 47' 40" East, a distance of 58.00 feet to a point on the right-of-way line, 55.0 feet right of Station 50+60.36;

Thence continuing along said line and parallel to said centerline, South 4° 42' 20" West, a distance of 363.82 feet to a point on the grantor's south property line, 55.0 feet right of Station 46+96.54;

Thence along said south line, North 66° 47' 40" West, a distance of 58.0 feet to the Point of Beginning.

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

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.

THIS INSTRUMENT WAS PREPARED BY
THE OHIO DEPARTMENT OF TRANSPORTATION

It is understood that the strip of land above described contains 0.459 acres, more or less, inclusive of the present road which occupies 0.167 acres, more or less.

Owner claims title by instrument of record in Book No. _____, Page _____,
Montgomery County Recorder's Office. Microfiche No. 79-776-C08

ROUTE Bigger Road

SECTION

OWNER: Frank H. Jones, Jr.

Montgomery, COUNTY, OHIO

Washington TOWNSHIP, SECTION 14 TOWN 2, FR./ENTIRE

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

PARCEL NO. 115 TYPE OF INTEREST Sewer easement

BEING a parcel of land lying on the right 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 Southwest corner of said section, said point being the 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 2,258.45 feet to a point, Station 48+45.00;
Thence South 85°-17'-40" East a distance of 55.0 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 along said line North 4°-42'-20" East a distance of 10.0 feet to a point, 55.0 feet right of Station 48+55.00;
Thence South 85°-17'-40" East a distance of 20.0 feet to a point, 75.0 feet right of Station 48+55.00;
Thence South 4°-42'-20" West a distance of 10.0 feet to a point, 75.0 feet right of Station 48+45.00;
Thence North 85°-17'-40" West a distance of 20.0 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: 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.
M.F.No. 79-776-C08

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

ROUTE Bigger Road

SECTION

OWNER: Frank H. Jones, Jr.

Montgomery COUNTY, OHIO

Washington TOWNSHIP, SECTION 14 TOWN 2, FR./ENTIRE

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

PARCEL NO. 111 TYPE OF INTEREST Temporary Easement

BEING a parcel of land lying on the right 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, OH

Description:

Beginning at the Southwest 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 2,128.39 feet to a point being the grantor's southwest property corner, Station 47+14.94;

Thence along the grantor's south property line South 66°-47'-40" East a distance of 58.0 feet to a point on the right-of-way line of said road, 55.0 feet right of Station 46+96.54 and being the true point of beginning of the tract herein described;

Thence along said line North 4°-42'-20" East a distance of 148.46 feet to a point, 55.0 feet right of Station 48+45.00;

Thence South 85°-17'-40" East a distance of 20.0 feet to a point, 75.0 feet right of Station 49+45.00;

Thence North 4°-42'-20" East a distance of 10.0 feet to a point, 75.0 feet right of Station 48+55.00;

Thence North 85°-17'-40" West a distance of 20.0 feet to a point on said right-of-way line, 55.0 feet right of Station 48+55.00;

Thence along said line North 4°-42'-20" East a distance of 205.36 feet to a point on the grantor's north property line, 55.0 feet right of Station 50+60.36;

Thence along said line South 66°-47'-40" East a distance of 36.91 feet to a point, 90.0 feet right of Station 50+48.56;

Thence South 16°-13'-04" West a distance of 75.16 feet to a point, 75.0 feet right of Station 49+75;

Thence South 2°-53'-21" East a distance of 75.66 feet to a point, 85.0 feet right of Station 49+00;

Thence South 4°-42'-20" West a distance of 50.0 feet to a point, 85.0 feet right of Station 48+50;

Thence South 16°-00'-56" West a distance of 50.99 feet to a point, 75.0 feet right of Station 48+00;

Thence South 2°-08'-44" West a distance of 111.94 feet to a point on the grantor's south property line, 80.0 feet right of Station 46+88.17;

Thence along said line North 66°-47'-40" West a distance of 26.36 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.

THIS INSTRUMENT WAS PREPARED BY THE OHIO DEPARTMENT OF TRANSPORTATION

Purpose: Roadway Construction, Drive & grade adjustment.

It is understood that the strip of land above described contains 0.208 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. _____, Page _____, Montgomery County Recorder's Office.

M.F.#79--776-COS

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. Hantz

Mayor of the City of
Centerville, Ohio

ATTEST:

Maurel J. Heston

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 16th day of April, 1984.

Maurel J. Heston

Clerk of Council

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

Robert M. Farquhar

Municipal Attorney