

RESOLUTION NO. 17-84

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks Compton
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: William R. Sharp, Sr. & Nancy Ann Sharp

Montgomery, COUNTY, OHIO

Washington TOWNSHIP, SECTION 14 TOWN 2, FR./ENTIRE RANGE 6

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

PARCEL NO. 121 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 and for the use of the City of Centerville, Ohio,

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 2,492.21 feet to a point being the grantor's southwest property corner, Station 50+78.76;

Thence along the grantor's south line South 66°-47'-40" East a distance of 58.0 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 108.44 feet to a point on the grantor's north property line, 55.0 feet left of Station 51+68.80;

Thence along said line South 66°-47'-40" East a distance of 21.09 feet to a point, 75.0 feet right of Station 51+62.11;

Thence South 2°-49'-32" East a distance of 114.45 feet to a point on the grantor's south property line, 90.0 feet right of Station 50+48.65;

Thence along said line North 66°-47'-40" West a distance of 36.91 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 and grade adjustment

It is understood that the strip of land above described contains 0.069 acres, more or less; inclusive of the present road which occupies _____ acres, more or less.

MICROFICHE NO. 75-358-A05

Owner claims title by instrument of record in Book 75358 Page 808, Montgomery County Recorder's Office.

OWNER: William R., Sharp, Jr., & Mary Ann SharpMontgomery, COUNTY, OHIOWashington TOWNSHIP, SECTION 14 TOWN 2, FR./ENTIRERANGE 6, MILITARY SURVEY, M.R.S., CITY/VILLAGE OF CentervillePARCEL NO. _____ LEWD _____ TYPE OF INTEREST Warranty Deed

BEING a parcel of land lying on the _____ side 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, 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 2,492.21 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 108.44 feet to a point being the grantor's northwest property corner, Station 51+87.20;

Thence along the grantor's north 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 51+68.80;

Thence along said line, parallel to the centerline, South 4° 42' 20" West, a distance of 108.44 feet to a point on the grantor's south property line, 55.0 feet right of Station 50+60.36;

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

The description of this parcel is based on a centerline survey made by Shaw, Weiss & D. Naples, Professional Corporation, by George B. Shaw, P.L.S., Ohio Registration Number 5548.

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

It is understood that the strip of land above described contains 0.137 acres, more or less, inclusive of the present road which occupies 0.050 acres, more or less.

Microfiche

Owner claims title by instrument of record in ~~Instrument~~ Book No. 75-358, Page A.05, Montgomery County Recorder's Office.

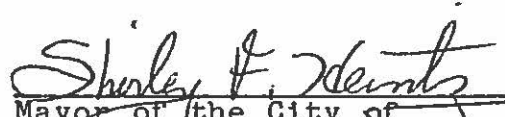
Section 3.

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.

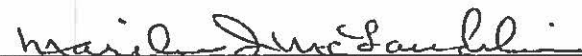
That for the reasons stated in the preamble hereto which is hereby made a part hereof, this Resolution shall take effect and be in force from and after its adoption as provided by law.

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. 17-84, 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 & constitution of the City.



Robert H. Parquhar
Municipal Attorney