

RESOLUTION NO. 19-84

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: Christ Community Church

Montgomery, COUNTY, OHIO

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

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

PARCEL NO. 14T-1 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, Ohio

Description:

Beginning at the Northwest corner of said section, said corner also being the grantor's northwest property corner and being Station 54+43.93 of said Bigger Road centerline survey;

Thence along the grantor's north line and the corporation line dividing the cities of Centerville and Kettering South 66°-47'-40" East a distance of 323.71 feet to a point;

Thence South 23°-12'-20" West a distance of 25.0 feet to a point being the true point of beginning of the tract herein described;

Thence parallel to said property line South 66°-47'-40" East a distance of 470.50 feet to a point;

Thence South 23°-12'-20" West a distance of 20.0 feet to a point;

Thence parallel with said North line North 66°-47'-40" West a distance of 476.13 feet to a point;

Thence North 34°-23'-18" East a distance of 20.39 feet to a point;

Thence South 66°-47'-40" East a distance of 1.68 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.

THE OHIO DEPARTMENT OF TOWNSHIP

It is understood that the strip of land above described contains 0.218 acres, more or less, inclusive of the present road which occupies _____ acres, more or less.

Microfiche NO. 81-005-B02

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

ROUTE Bigger Road

SECTION _____

OWNER: Christ Community Church

Montgomery, COUNTY, OHIO

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

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

PARCEL NO. 14F-2 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, Ohio

Description:

Beginning at the Northwest corner of said section, said corner also being the grantor's northwest property corner and being Station 54+43.93 of said Bigger Road centerline survey;

Thence along the grantor's north line and the corporation line dividing the cities of Centerville and Kettering South 66°-47'-40" East a distance of 326.98 feet to a point;

Thence South 34°-23'-18" West a distance of 66.01 feet to a point, being the true point of beginning of the tract herein described;

Thence South 66°-47'-40" East a distance of 31.84 feet to a point;

Thence South 23°-12'-20" West a distance of 15.00 feet to a point;

Thence North 66°-47'-40" West a distance of 34.81 feet to a point;

Thence North 34°-23'-18" East a distance of 15.29 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.

THIS INSTRUMENT WAS PREPARED BY
THE OHIO DEPARTMENT OF TRANSPORTATION

It is understood that the strip of land above described contains 0.012 acres, more or less, inclusive of the present road which occupies _____ acres, more or less.
Microfiche #81-005-B02

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

ROUTE Bigger Road

SECTION _____

OWNER: Christ Community Church

Montgomery, COUNTY, OHIO

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

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

PARCEL NO. 14WD TYPE OF INTREST 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.

Description:

Beginning at the northwest corner of said section, said corner being the grantor's northwest property corner and being Station 54+43.92 of said Bigger Road centerline survey;

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 54+25.53;

Thence along said line, parallel to the centerline, South 4° 42' 20" West, a distance of 146.70 feet to a point on the grantor's south property line, 55.0 feet right of Station 52+78.83;

Thence along said south line, North 66° 47' 40" West, a distance of 58.0 feet to a point on the west line of said section and the centerline of Bigger Road, Station 52+97.23, said point being the grantor's southwest property corner;

Thence along said line, North 4° 42' 20" East, a distance of 146.70 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.

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

THE OHIO DEPARTMENT OF TRANSPORTATION

It is understood that the strip of land above described contains 0.185 acres, more or less, inclusive of the present road which occupies 0.007 acres, more or less.

Owner claims title by instrument of record in Book 14WD Page 14 Microfiche No. 81-005-B02 Montgomery County Recorder's Office.

ROUTE Bigger Road

SECTION _____

OWNER: Christ Community Church

Montgomery, COUNTY, OHIO

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

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

PARCEL NO. 14S TYPE OF INTEREST Sewer Construction

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.

Description:

Beginning at the Northwest corner of said section, said corner being the grantor's northwest property corner and being Station 54+43.93 of said Bigger Road centerline survey;

Thence along said centerline and the grantor's west property line South 4°-42'-20" West a distance of 146.7 feet to a point, being the grantor's southwest property corner and Station 52+97.23;

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 and being the true point of beginning of the tract herein described;

Thence along said line North 4°-42'-20" East a distance of 15.82 feet to a point 55.0 feet right of Station 52+94.65;

Thence parallel with said South property line South 66°-47'-40" East a distance of 182.53 feet to a point;

Thence North 34°-23'-18" East a distance of 126.52 feet to a point on the grantor's north property line;

Thence along said line South 66°-47'-40" East a distance of 17.12 feet to a point;

Thence South 23°-12'-20" West a distance of 25.0 feet to a point;

Thence parallel with said north line North 66°-47'-40" West a distance of 1.68 feet to a point;

Thence South 34°-23'-18" West a distance of 116.33 feet to a point on the grantor's south property line;

Thence along said line North 66°-47'-40" West a distance of 194.93 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: Sewer Construction

It is understood that the strip of land above described contains 0.126 acres, more or less, inclusive of the present road which occupies _____ acres, more or less.

Microfiche No. 81-005-B02

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

ROUTE Bigger Road

SECTION _____

OWNER: Christ Community Church

Montgomery, COUNTY, OHIO

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

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

PARCEL NO. 14X TYPE OF INTEREST Channel 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 Northwest corner of said section, said corner also being the grantor's northwest property corner and being Station 54+43.93 of said Bigger Road centerline survey;

Thence along the grantor's north line and the corporation line dividing the cities of Centerville and Kettering South 66°-47'-40" East a distance of 323.71 feet to a point being the true point of beginning of the tract herein described;

Thence continuing along said line South 66°-47'-40" East a distance of 630.50 feet to a point;

Thence South 83°-50'-52" West a distance of 91.79 feet to a point;

Thence North 66°-47'-40" West a distance of 80.0 feet to a point;

Thence North 23°-12'-20" East a distance of 29.9 feet to a point;

Thence parallel with said North line North 66°-47'-40" West a distance of 470.50 feet to a point;

Thence North 23°-12'-20" East a distance of 25.0 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: Channel Construction

THIS INSTRUMENT IS FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER, MONTGOMERY COUNTY, OHIO

It is understood that the strip of land above described contains 0.394 acres, more or less, inclusive of the present road which occupies _____ acres, more or less.

Owner claims title by instrument of record in Book No. 81-005-182 Page No. 81-005-182-182 of the records of Montgomery County Recorder's Office.

ROUTE Bigger Road

SECTION _____

OWNER: Christ Community Church

Montgomery, COUNTY, OHIO

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

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

PARCEL NO. 14T 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, Ohio

Description:

Beginning at the Northwest corner of said section, said corner being the grantor's northwest property corner and being Station 54+43.92 of said Bigger Road centerline survey;

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 54+25.53 and being the true point of beginning of the tract herein described;

Thence continuing along said north line South 66°-47'-40" East a distance of 21.09 feet to a point;

Thence South 7°-13'-49" West a distance of 113.50 feet to a point;

Thence South 66°-47'-40" East parallel with said north property line a distance of 169.60 feet to a point;

Thence North 34°-23'-18" East a distance of 111.23 feet to a point on said line;

Thence along said property line South 66°-47'-40" East a distance of 5.10 feet to a point;

Thence South 34°-23'-18" West a distance of 126.52 feet to a point;

Thence parallel to said North line North 66°-47'-40" West a distance of 182.53 feet to a point on said right-of-way line, 55.0 feet right of Station 52+94.65;

Thence along said line North 4°-42'-20" East a distance of 130.88 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 and grade adjustment.

It is ~~represented~~ that the ~~steps~~ of land above described contains 0.123 acres, more or less, inclusive of the present road which occupies _____ acres, more or less. Microfiche #81-005-B02

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

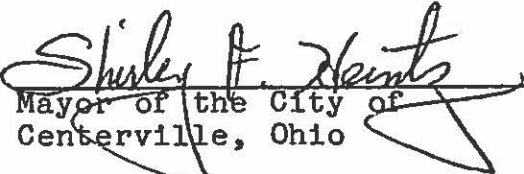
Section 3.

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.

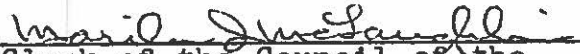
Section 4.

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. 19-84, 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 ordinances, the
charter & constitution of the City.


Robert N. Farquhar
Municipal Attorney

ALTICK & CORWIN