

RESOLUTION NO. 21-84

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Bernard Samples  
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: Setty  
Gale A. /and Jewell A. Setty

Montgomery, COUNTY, OHIO

Washington TOWNSHIP, SECTION 13 TOWN 2, FR./ENTIRE  
RANGE 6, MILITARY SURVEY, M.R.S., CITY/VILLAGE OF Centerville

PARCEL NO. 17WD 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, Ohio

Description:

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

Thence along the centerline of Alexandersville-Bellbrook Pike and the north line of said section and grantor's property South 67°51'39" East, a distance of 307.00 feet to a point, being the grantor's northeast property corner, Station 106+07.00;

Thence along the grantor's east property line South 4°44'21" West, a distance of 41.95 feet, to a point on the right-of-way line of said road, 40.0 feet right of Station 106+19.55;

Thence along said line, North 71°40'58" West, a distance of 301.38 feet to a point on the west line of said section and the grantor's west property line, 62.99 feet right of Station 102+98.80;

Thence along said line, North 4°44'39" East, a distance of 63.0 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.

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 0.353 acres, more or less, inclusive of the present road which occupies 0.233 acres, more or less.

Owner claims title by instrument of record in Deed Book No. 2102, Page 719,  
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.

Shirley F. Hertz  
Mayor of the City of  
Centerville, Ohio

ATTEST:

Marion D. Laughlin  
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. 21-84, passed by the Council of the City of Centerville, Ohio, on the 16th day of April, 1984.

Marion D. Laughlin  
Clerk of Council

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

Robert A. ...  
Municipal Attorney

ALTICK & CORWIN