

RESOLUTION NO. 22-84

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Jeffrey S. Lee
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: Iris L. Barton

Montgomery, COUNTY, OHIO

Washington TOWNSHIP, SECTION 19 TOWN 2, FR./ENTIRE

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

PARCEL NO. 18WD 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 and for the use of the City of Centerville, Ohio

Description:

Beginning at the northeast 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 the Alexandersville-Bellbrook Pike and the north line of said section North 86°20'43" West, a distance of 560.5 feet to the grantor's northeast property corner and the true point of beginning of the tract herein described;

Thence along the grantor's east property line South 4°45'17" West, a distance of 42.99 feet to a point on the right-of-way line of said road, 43.0 feet right of Station 97+38.68;

Thence along said line North 82°13'26" West, a distance of 118.79 feet to a point on the grantor's west property line, 34.46 feet right of Station 96+20.19;

Thence along said west property line North 5°20'17" East, a distance of 34.47 feet to a point on the north line of said section and being the grantor's northwest property corner, Station 96+21.20;

Thence along said section and centerline and the grantor's north property line South 86°20'43" East, a distance of 118.30 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.

It is understood that the strip of land above described contains 0.105 acres, more or less, inclusive of the present road which occupies 0.090 acres, more or less.

Owner claims title by instrument of record in Deed Book No. 78-607, Page E02, Montgomery County Recorder's Office.

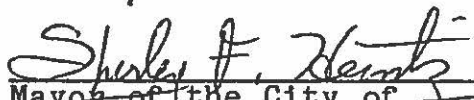
Section 3.

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.

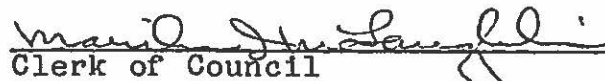

Mayor of the City of
Centerville, Ohio

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. 22-84, 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 Ohio.

Do, Notary of Law/
Robert N. Farquhar
Municipal Attorney

ALTICK & CORWIN