

RESOLUTION NUMBER 18-80

THE CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN RUSSELL SWEETMAN ON THE 28th DAY OF
APRIL, 1980

TO DECLARE THE NECESSITY AND INTENTION OF
ACQUIRING CERTAIN PARCELS OF REAL ESTATE FOR THE
CLYO ROAD IMPROVEMENT PROJECT IN THE CITY OF
CENTERVILLE, OHIO.

WHEREAS, the City is engaged in the acquisition of
right of way for the Clyo 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 con-
nection with said project, and

WHEREAS, this council has determined that the lands
hereinafter described are necessary for construction in con-
nection with such project so that there will be no delays for
the immediate preservation of the public peace, health, safty
and welfare.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY
RESOLVES;

Section I. This Council hereby declares the necessity and
intention to appropriate certain real estate in accordance
with Chapter 163 of the Ohio Revised Code.

Section II. It is the necessity and intention to appropriate
a fee simple title in the following real estate and/or tem-
porary right of way in real estate described herein during the
period beginning with the braking of the ground for the
construction of said project and terminating when the
completed work has been fully accepted by the City of
Centerville:

A channel easement for the right to construct and maintain a perpetual watercourse and drainage structures with the owner retaining the right to use the area for any other purpose provided that such use does not impair the proper functioning of the highway drainage facilities within the following area:

BEING A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 19, TOWN 2, RANGE 6, B.M.R.S., WASHINGTON TOWNSHIP, CITY OF CENTERVILLE, MONTGOMERY COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at an existing railroad spike at the southeast corner of said southwest quarter, spike also being located at the intersection of the centerline of Clio Road and Franklin Street;

thence, north $0^{\circ} 45' 08''$ east 4940.00 feet with the east line of said quarter and centerline of Clio Road to a point located at Station 55+40 on the Clio Road centerline;

thence, south $89^{\circ} 14' 52''$ east 43.00 feet to a point marking the principle place of beginning of easement herein conveyed;

thence, south $89^{\circ} 14' 52''$ east 15.00 feet to a point;

thence, south $0^{\circ} 45' 08''$ west 20.00 feet to a point;

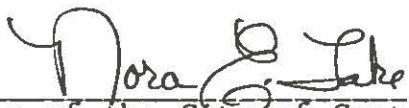
thence, north $89^{\circ} 14' 52''$ west 15.00 feet to a point;

thence, north $0^{\circ} 45' 08''$ east 20.00 feet to the principle place of beginning, containing 0.007 acres, more or less, and subject to all legal highways and easements of record.

Section III. 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 IV. That for the reasons states in the preamble hereto which is hereby made a part hereof, this Resolution shall take affect and be inforce from and after its adoption as provided by law.

PASSED THIS 28th DAY OF April, 1980


Deputy - Mayor of the City of Centerville, Ohio

ATTEST:


Clerk of the Council
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. 18-80, passed by the Council of the City of Centerville, Ohio, on the 28th day of April, 1980.


Clerk of Council