

RESOLUTION NUMBER 26-80

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Jeffrey Silver ON THE
12th DAY OF May, 1980.

A RESOLUTION ACCEPTING THE TERMS OF A TEMPORARY
RIGHT OF WAY AGREEMENT AND AUTHORIZING PAYMENT
THEREFORE AS THEREIN PROVIDED.

WHEREFORE, the City of Centerville, acting by and through
its agent entered into a temporary right of way agreement in
connection with the improvement of Clys Road with Charles L. Simon
and Alberta M. Simon; and

WHEREAS, as part of said agreement the City of Centerville
agreed to pay Charles L. Simon and Alberta M. Simon the sum of Ten
Dollars (\$10.00);

NOW THEREFORE, the municipality of Centerville hereby
resolved;

Section I. That the articles of agreement with Charles L. Simon
and Alberta M. Simon is hereby ratified and accepted by the City of
Centerville.

Section II. That the director of finance is hereby authorized to
pay to Charles L. Simon and Alberta M. Simon the sum of Ten Dollars
(\$10.00).

Section III. This resolution shall become effective immediately
upon passage.

PASSED THIS 12th day of May, 1980.

Russell E. Brewster, Jr.
Councilman - City of Centerville, Ohio

ATTEST:

Marilyn D. Laughlin
Clerk of 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. 26-80, passed by the
Council of the City of Centerville, Ohio, on the 12th day of
May, 1980.

Marilyn D. Laughlin
Clerk of Council

TEMPORARY RIGHT OF WAY AGREEMENT

PARCEL NO. _____

PROJECT _____, SECTION _____, MONTGOMERY COUNTY, OHIO.

ARTICLES OF AGREEMENT

These articles of agreement, entered into this 24 day of

April, 1980 by Charles Leo Simon & Alberta Mae Simon

That Charles Leo Simon & Alberta Mae Simon for and in consideration

of the sum of 1.00 Dollars (\$ 1 0 00), to them paid by the City of Centerville, the receipt of which is hereby acknowledged, do hereby authorize the City of Centerville or its duly authorized agents, employees, or contractors to enter upon and use their land hereinafter described as Parcel No. _____, during the period beginning with the breaking of ground for construction of the above street improvement, and terminating when the completed work has been fully accepted by the City of Centerville for the purpose of performing the work necessary to grade and seed

IN ACCORDANCE WITH THE PLANS PREPARED BY Design Assoc and specifications prepared by the City of Centerville, Ohio.

PARCEL NO. _____

Being a parcel of land situated in the City of Centerville, County of Montgomery, State of Ohio, Section _____, Town _____, Range _____, and lying on the _____ side of a survey, made by _____ and recorded in _____ Book _____ and being located within the following described points in the boundary thereof:

In accordance with the plans and specifications on file with City Engineer

The City of Centerville, its agents, employees or assigns, shall have the right and authority to go on the lands above described for the purpose of removing trees, shrubbery, structures, or any appurtenances thereto, and completing the improvement in accordance with the plans on file.

And it is further understood and agreed that after completion of the above project, the City of Centerville assumes no obligation of maintenance of the work done on the area described herein.

IN WITNESS WHEREOF, the said Charles L Simon + Alberta M Simon has hereunto set their hand this 29 day of April, 1980.

Signed and sealed in the presence of:

Carol Hunter
Robert Hunter

X Charles L Simon
X Alberta M Simon

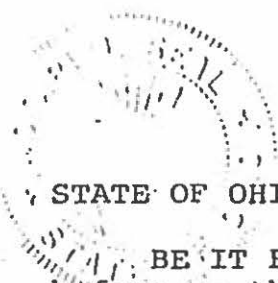
STATE OF OHIO, COUNTY OF MONTGOMERY, ss

BE IT REMEMBERED, That on this 29 day of April, 1980, before me the subscriber, a Notary Public in and for said county, personally came and above named Charles L Simon + Alberta M Simon

and acknowledged the signing of the foregoing agreement to be their voluntary act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Robert E. Hunter
ROBERT E. HUNTER, NOTARY PUBLIC
Notary Public, State of Ohio
My Commission has no expiration date
Section 147.03 B. D.



STATE OF OHIO, COUNTY OF MONTGOMERY, ss.

BE IT REMEMBERED, That on this _____ day of _____, 19____, before me the subscriber, a Notary Public in and for said County, personally came and above named _____

and acknowledged the signing of the foregoing agreement to be _____ voluntary act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

NOTARY PUBLIC

This instrument was prepared by _____, Law Director and Counsel for the City of Centerville, Ohio.