

RESOLUTION NUMBER 28-80

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN James Switzer 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 Clyo Road with Richard Noggle
and Joyce Noggle; and

WHEREAS, as part of said agreement the City of Centerville
agreed to pay Richard Noggle and Joyce Noggle the sum of Ten
Dollars (\$10.00);

NOW THEREFORE, the municipality of Centerville hereby
resolved;

Section I. That the articles of agreement with Richard Noggle and
Joyce Noggle is hereby ratified and accepted by the City of
Centerville.

Section II. That the director of finance is hereby authorized to
pay to Richard Noggle and Joyce Noggle 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. Switzer, Sr.
Councilman - City of Centerville, Ohio

ATTEST:

Maude J. Sautter
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. 28-80, passed by the
Council of the City of Centerville, Ohio, on the 12th day of
May, 1980.

Maude J. Sautter
Clerk of Council

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.

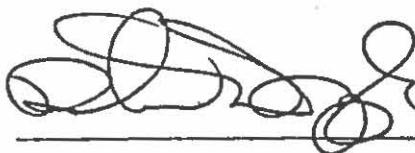
And it is further understood and agreed that after completion of the above project, the City of Centerville assumes no obligation of maintenance of the work done on the area described herein.

IN WITNESS WHEREOF, the said Richard & Joyce Noggle has hereunto set their hand this 24 day of April, 1980.

Signed and sealed in the presence of:

Edwin Chynoweth

Robert Hunt



x Joyce Noggle

STATE OF OHIO, COUNTY OF MONTGOMERY, ss

BE IT REMEMBERED, That on this 24 day of April, 1980, before me the subscriber, a Notary Public in and for said county, personally came and above named Richard & Joyce Noggle

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

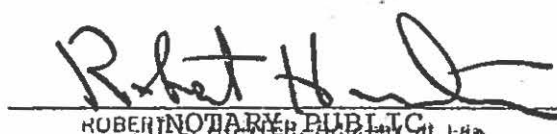
In testimony whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

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.



ROBERT HUNTER, Notary Public, State of Ohio
My Commission has no expiration date
Section 147.03 B.C.

NOTARY PUBLIC

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

EXHIBIT "A"
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, 19 86 by _____

That Richard & Joyce Muggle

_____ for and in consideration
of the sum of Ten Dollars
Dollars (\$ 10.00), 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 _____ 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 Associates
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:

as shown on the plans & specifications for
Ogo Road