

RESOLUTION NUMBER 35-80

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Shirley Heintz ON THE
16th DAY OF June, 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 M.
Reeves and Sandra B. Reeves; and

WHEREAS, as part of said agreement the City of Centerville
agreed to pay Richard M. Reeves and Sandra B. Reeves the sum of
One Thousand Twenty Two Dollars (\$1,022.00);

NOW THEREFORE, the Municipality of Centerville hereby
resolved;

Section I. That the articles of agreement with Richard M. Reeves
and Sandra B. Reeves is hereby ratified and accepted by the City
of Centerville.

Section II. That the director of finance is hereby authorized to
pay to Richard M. Reeves and Sandra B. Reeves the sum of One
Thousand Twenty Two Dollars (\$1,022.00).

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

PASSED THIS 16th day of June, 1980.

Dora G. Lake
Deputy-Councilman - City of Centerville, Ohio
Mayor

ATTEST:

Maile J. McLaughlin
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. 35-80, passed by the
Council of the City of Centerville, Ohio, on the 16th day of
June, 1980.

Maile J. McLaughlin
Clerk of Council

TEMPORARY RIGHT OF WAY AGREEMENT

PARCEL NO. 1001 Ambridge Road (Lot #1 Black Oak Forest, Sec.1)

PROJECT Clyo Road Reconstruction, City of Centerville, , MONTGOMERY
COUNTY, OHIO.

ARTICLES OF AGREEMENT

These articles of agreement, entered into this _____ day of
June _____, 19 80 by Richard M. & Sandra B. Reeves
(owners of said Lot 1), and the City of Centerville

That Richard M. and Sandra B. Reeves

_____ for and in consideration
of the sum of one thousand and twenty two, no/100
Dollars (\$ 1,022.00), _____ 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. Lot 1, Black Oak Forest , 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 _____ widen and reconstruct Clyo Road

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

PARCEL NO. Lot 1, Black Oak Forest

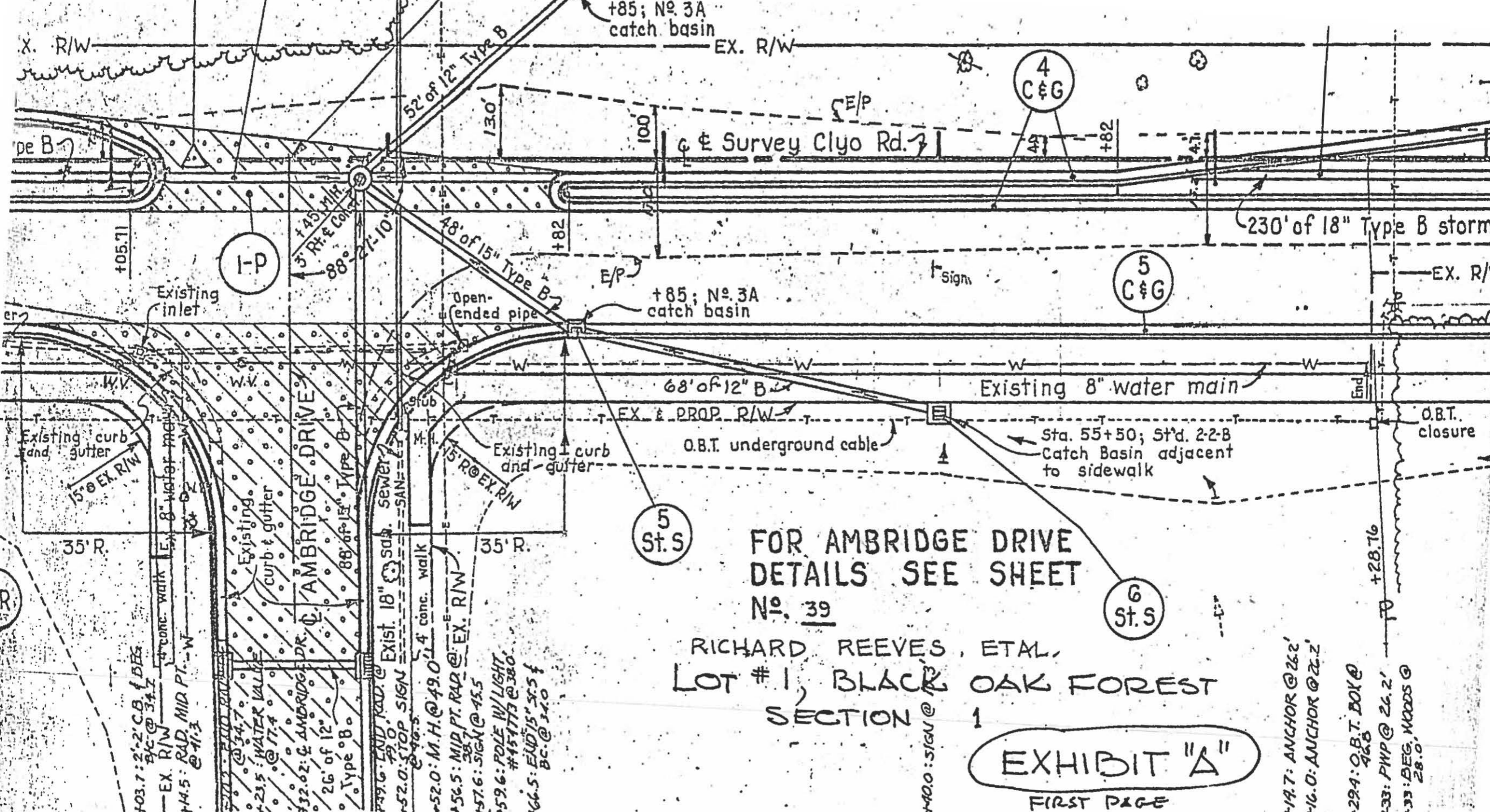
Being a parcel of land situated in the City of Centerville, County of
Montgomery, State of Ohio, Section 19 , Town 2
Range 6 , and lying on the _____ east _____ side _____
of a survey, made by _____ Stephen Worl _____
and recorded in the Montgomery County Plat _____ Book 110, page 25
and being located within the following described points in the boundary
thereof:

See attached Exhibit "A"

The above Lot # 1 of Black Oak Forest, Section 1 is presently owned by Richard Reeves, et al
as shown in Microfiche D78384D07.

It is being recognized by both parties that additional work on the premises might be
needed, not shown in Exhibit "A". The intent of such work would be to create a fully
functional drainage pattern on the property. It will possibly involve additional removal
of some landscape items or additional areas to be resodded.

Should this occur, the "per unit" price as quoted by the Siebenthaler Nursery (see
Exhibit "B") will apply, and settlement of any claims will occur after all work is
finished.



0.81	0.26	0.43	0.87	0.66	0.261	0.373	0.502	0.647	0.810	0.1152
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EXHIBIT "B"

FIRST PAGE



THE SIEBENTHALER COMPANY

LANDSCAPE NURSERYMEN

ESTABLISHED 1870

3001 CATALPA DRIVE • DAYTON, OHIO 45405 Phone (513)-274-1154

May 5, 1980

Mrs. Richard Reeves
1001 Ambridge Road
Dayton, Ohio 45459

Dear Mrs. Reeves,

I have recorded and estimated the replacement value of the existing plant material that falls within the construction limit of the Ambridge Road improvements.

The following is a list of landscape shrub within the construction limits:

1	Red Twig Dogwood	5-6'		\$16.50
1	Flowering Honeysuckle	5-6'		15.25
1	Nannyberry Viburnum	4-5'		14.75
2	Common Lilac	2½-3'	@8.75	17.50
3	Yucca	18-24"	6.75	20.25
2	Flowering Crab	5-6'	37.50	<u>75.00</u>
	MATERIAL			159.25
	INSTALLATION			<u>112.00</u>
	TOTAL:			\$271.25

The row of 4' White Pine bordering the construction limits will be effected, but the number of plants destroyed can not be exactly determined at this time. I will therefore provide a per each planted price as follows:

Each White Pine	4'	41.25
INSTALLATION		<u>28.00</u>
TOTAL:		\$69.25

SIEBENTHALER COMPANY

DAYTON, OHIO 45405

Sod damage is difficult to estimate before construction. I determined the total area of existing sod within the construction limits by measuring the area between construction limits and property line and subtracting the area not currently in sod. I arrived at a figure of 2106 Sq.Ft.

Sodding prices to follow are based on the use of sod from Tisher's Green Velvet Sod Farms, Bellbrook, Ohio.
234 Sq.Yds. of Sodding - Providing fine hand grading and installation: \$610.74

Price will be based on actual area in square yards x \$2.61 per yard.

I hope these figures will be suitable for your needs.

Sincerely,

THE SIEBENTHALER COMPANY

Scott M. Clay

SMC/ct

SETTLEMENT WITH THE CITY OF CENTERVILLE
BASED ON THE FOLLOWING QUANTITIES:

- | | | |
|-----|--|-----------|
| (a) | Landscape items,
incl. installation | \$ 271.25 |
| (b) | (2) White pines
(@ \$70 ±) | \$ 140.00 |
| (c) | 234 Sq.yds of
Sodding | \$ 610.74 |

Total: ~~\$ 1022.99~~\$ 1022.00

K. Schat