

IN THE MATTER OF THE VACATION OF A
 PORTION OF AN EXISTING EASEMENT
 FOR HIGHWAY PURPOSES AND AN
 AGREEMENT FOR CHANNEL CHANGE LOCATED
 ADJACENT TO STATE ROUTE NO. 48,
 SECTION 3.38-6.52, MONTGOMERY
 COUNTY, OHIO.

JOURNAL ENTRY

WHEREAS, in connection with the improvement of State Route No. 48, Section 3.38-6.52, Montgomery County, Ohio, it was desirable and necessary for the public convenience and welfare to alter and realign said highway, and

WHEREAS, on February 1, 1960, the State of Ohio acquired a perpetual easement for highway purposes, and an agreement for channel change, which are recorded in Volume 1994, Pages 167 and 169 respectively, in the Record of Deeds, Montgomery County, Ohio, and referred to as Parcel Nos. 34 and 34-X, and

WHEREAS, in connection with the above referenced improvement, a portion of said perpetual easement for highway purposes, and all of the agreement for channel change purposes, which were acquired over State Route No. 48, Montgomery County, Ohio, will no longer be needed for the purposes of a public highway.

NOW THEREFORE, I, P. B. Masheter, Director of Highways, pursuant to authority contained in Section 5511.07 of the Revised Code of Ohio, do hereby determine and declare it to be my intention to vacate the portions of the aforesaid right-of-way referred to as Parcel Nos. 34 and 34-X, used for public highway purposes over State Route No. 48, and which are no longer needed for public highway right-of-way purposes, such portions are now referred to as Parcel Nos. 34 and 34-X, and are described as follows:

Being a parcel of land lying on the right side of centerline of survey, made by the Ohio Department of Highways on State Route 48, Section 3.38-6.52. Title being claimed by Robert B. Ferguson, through instrument of record in Deed Book 2289, Page 534, Montgomery County, Recorder's Office, and being further described as follows:

PARCEL NO. 34 (Part)

Situated in the Village of Centerville, Montgomery County, Ohio, Washington Township, Section 25, Town 2, Range 6, and being located within the following described points in the boundary thereof:

Commencing at the northwest corner of the southeast quarter of Section 25, said point being the grantor's northwesterly property corner; thence South 84° 13' 55" East along the northerly line of said quarter section, and the grantor's northerly property line, 39.63 feet to a point, said point being the Real Point of Beginning for land herein described; thence South 84° 13' 55" East continuing along said northerly quarter section line and said northerly property line, 22.86 feet to a point in the existing easterly right-of-way line of S. R. 48; thence along said existing easterly right-of-way the following two courses and distances: Southwestwardly upon and along a curve to the left having a radius of 12,217.67 feet and an arc length of 83.98 feet (the chord of said arc bears South 6° 04' 15" West, 83.97 feet) to a point; thence North 84° 07' 34" West, 25.00

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feet to a point in the proposed easterly right-of-way line of S. R. 48; thence along said proposed easterly right-of-way line the following five (5) courses and distances: North $5^{\circ} 56' 55''$ East, 31.91 feet to a point; thence North $55^{\circ} 32' 27''$ East, 25.92 feet to a point; thence North $6^{\circ} 00' 16''$ East, 15.92 feet to a point; thence North $54^{\circ} 06' 56''$ West, 24.04 feet to a point; thence North $6^{\circ} 10' 56''$ East, 36.08 feet to the Real Point of Beginning, and containing 0.036 acres, more or less.

Being a parcel of land lying on the right side of centerline of survey, made by the Ohio Department of Highways on State Route 48, Section 3.38-6.52. Title being claimed by Robert D. Ferguson, through instrument of record in Deed Book 2209, Page 534, Montgomery County, Recorder's Office, and being further described as follows:

PARCEL NO. 34-X

Situated in the Village of Centerville, Montgomery County, Ohio, Washington Township, Section 25, Town 2, Range 6, and being located within the following described points in the boundary thereof:

Commencing at the northwest corner of the southeast quarter of Section 25, said point being the grantor's northwesterly property corner; thence South $84^{\circ} 13' 55''$ East along the northerly line of said quarter section and the grantor's northerly property line, 62.49 feet to a point in the existing easterly right-of-way line of S. R. 48; thence southwestwardly upon and along a curve to the left having a radius of 12,217.67 feet and an arc length of 48.15 feet (the chord of said arc bears South $6^{\circ} 09' 17''$ West, 48.15 feet) to a point, said point being the intersection of the existing northerly channel easement line with said existing easterly right-of-way line of S. R. 48, said point also being the Real Point of Beginning for the land herein described; thence South $56^{\circ} 55' 53''$ East along said existing northerly channel easement line 39.31 feet to a point, said point being the northeasterly corner of the existing channel easement; thence South $45^{\circ} 55' 27''$ West along the existing easterly channel easement line 23.33 feet to a point, said point being the southeasterly corner of the existing channel easement; thence North $47^{\circ} 22' 46''$ West along the existing southerly channel easement line 24.95 feet to a point in the existing right-of-way line of S. R. 48; thence northeastwardly along the existing easterly right-of-way line of S. R. 48 upon and along a curve to the right having a radius of 12,217.67 feet and an arc length of 20.90 feet (the chord of said arc bears North $5^{\circ} 59' 34''$ East, 20.90 feet) to the Real Point of Beginning, and containing 0.017 acres, more or less.

It is therefore ordered that a true and correct copy of this entry

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to be published once a week for two consecutive weeks, as required by law, as notice of my finding and determination.

It is further ordered that a true and correct copy of this entry be served by registered first-class mail, return receipt requested, upon each owner or owners of property abutting on such portion of the highway to be vacated.

It is further ordered that all owners of property abutting on that portion of said highway right-of-way to be vacated, take due notice of the contents hereof, and that they shall file their claims for compensation and damage, or either of them, arising by reason of such vacation.

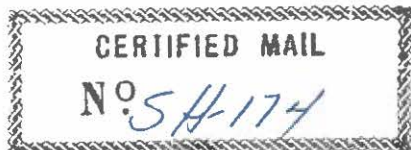
Such claims shall be filed in duplicate on or before 12 o'clock noon, Eastern Standard Time, on the 23rd day of September, 1966, with J. R. Cooke, Division Deputy Director, Ohio Department of Highways, Division 8, 3701 Tytus Avenue, Middletown, Ohio, Box 100, and failure to file any claims shall be a waiver thereof, as provided under Section 5511.07 of the Revised Code of Ohio.

WITNESS my hand and official seal this 12th day of August, 1966.


 P. E. Masheter - Director of Highways

I hereby certify that the foregoing is a true and correct copy of an entry in the Right-of-Way Section of the Journal of the Director of Highways, made on August 12, 1966, in Volume 51, Page 1430.


 Esther E. Dearing - Recorder



RETURN RECEIPT REQUESTED

