

RESOLUTION NO. 38-20  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Mark Engert ON  
THE 6<sup>th</sup> DAY OF July, 2020.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY  
MANAGER TO TAKE ALL STEPS AND EXECUTE ALL  
DOCUMENTS NECESSARY IN ORDER TO AFFECT THE  
PURCHASE OF REAL PROPERTY EASEMENTS FROM  
CHARLES A. HICKMAN, TRUSTEE OF THE HICKMAN  
FAMILY TRUST, UNDER AGREEMENT DATED MARCH 29,  
2001 FOR PROPERTY LOCATED ALONG SPRING VALLEY  
AND STATE ROUTE 48.**

WHEREAS, Council has determined that it would be in the best interest of its citizens to purchase a temporary and permanent easement on property located in the City of Centerville from Charles A. Hickman, Trustee of The Hickman Family Trust, Under Agreement Dated March 29, 2001, for the purpose of road improvements along Spring Valley and State Route 48; and

WHEREAS, the City, through ODOT, initiated an Appropriation action to take a temporary and permanent easement on the property from Charles A. Hickman, Trustee of The Hickman Family Trust, Under Agreement Dated March 29, 2001; and

WHEREAS, Charles A. Hickman, Trustee of The Hickman Family Trust, Under Agreement Dated March 29, 2001, has agreed to accept the City's offer of compensation and avoid the appropriation of its property; and

WHEREAS, the City of Centerville has negotiated the purchase of a temporary and permanent easement of the real property from Charles A. Hickman, Trustee of The Hickman Family Trust, Under Agreement Dated March 29, 2001, upon terms acceptable to the City; and

WHEREAS, the City Manager in prior consultation with the Council at an open meeting work session called pursuant to §121.22, Ohio Revised Code, discussed the purchase of the temporary and permanent easement property and was instructed by the Council to purchase a temporary and permanent easement of property for the total amount of \$1,833.00; and

WHEREAS, Council has the power to enter into such Real Property Purchase Agreement and a Right of Entry Agreement by virtue of its Charter and

the provisions of Article VIII, Section 16 and Article XVIII, Section 3 of the Ohio Constitution;

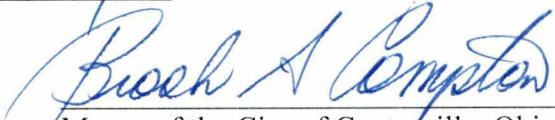
NOW THEREFORE, BE IT RESOLVED:

Section 1: That the City Manager is hereby authorized to take all steps necessary and execute any necessary documents with Charles A. Hickman, Trustee of The Hickman Family Trust, Under Agreement Dated March 29, 2001, for the purchase of both a temporary and a permanent easement on the property in exchange for the City's payment of \$1,833.00 for both easements.


Section 2: That the City Manager is hereby authorized and directed to do any and everything necessary to carry out the terms of said agreements.

Section 3: This Resolution shall become effective at the earliest date allowed by law.

PASSED THIS 6<sup>th</sup> day of July, 2020.

  
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Mayor of the City of Centerville, Ohio

ATTEST:

  
\_\_\_\_\_  
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. 38-20, passed by the Council of the City of Centerville, Ohio on the 6<sup>th</sup> day of July, 2020.

  
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Clerk of the Council

Approved as to form, consistency  
with the Charter and Constitutional Provisions.  
Department of Law  
Scott A. Liberman, Municipal Attorney  
Municipal Attorney