

RESOLUTION NO. 39-20
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Mark Engert ON THE
6th DAY OF July, 2020.

**A RESOLUTION ACCEPTING EASEMENTS FOR ROADWAY
PURPOSES FROM CHARLES A. HICKMAN, TRUSTEE OF
THE HICKMAN FAMILY TRUST, UNDER AGREEMENT
DATED MARCH 29, 2001.**

WHEREAS, a parcel of land conveyed to Charles A. Hickman, Trustee of The Hickman Family Trust, Under Agreement Dated March 29, 2001, is necessary for the establishment, construction, reconstruction, widening, repair or maintenance of a public road thereon; and

WHEREAS, Charles A. Hickman, Trustee of The Hickman Family Trust, Under Agreement Dated March 29, 2001, propose to grant to the City of Centerville a permanent easement and a temporary easement for a portion of land more fully described in the Easements attached hereto as Exhibits "1" and "2", and referenced as Tax Parcel No. O68-103811-0052 and recorded in I.R. Deed 18-007269 of Montgomery County, Ohio for said purpose.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:


Section 1. The City of Centerville hereby accepts a permanent and a temporary easement for a portion of the land conveyed to Charles A. Hickman, Trustee of The Hickman Family Trust, Under Agreement Dated March 29, 2001, for the establishment, construction, reconstruction, widening, repair or maintenance of a public road, said land being and referenced as Tax Parcel No. O68-103811-0052 and recorded in I.R. Deed 18-007269 of Montgomery County, Ohio, and more particularly described in Exhibits "1" and "2" attached hereto and made a part hereof.

Section 2. This Resolution shall become effective at the earliest date allowed by law.

PASSED this 6th day of July, 2020.


Mayor of the City of Centerville, Ohio

ATTEST:


Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 39-20, passed by the Council of the City of Centerville, Ohio, on the 6th day of July, 2020.


Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.

Department of Law
Scott A. Liberman
Interim Municipal Attorney

EXHIBIT "A"

Situate in the City of Centerville, Montgomery County, Ohio and being a storm sewer easement 20 feet in width for the purpose of, installation, maintenance, repair and/or replacement of said storm sewer upon part of Part Lot 23 of the Benjamin Robbins Plat as recorded in Plat Book 1, Page 11 and as conveyed to Joseph M. and Joan M. Beyerle by Deed MF# 92-206D08 of the deed records of Montgomery County, Ohio and being more particularly described as follows:

Beginning at an 5/8" rebar set at the northwest corner of Lot 23 of said Benjamin Robbins Plat, said rebar set also being the northeast corner of Lot 24 of said Plat;

thence N 84°53'42" E with the north line of Part Lot 23 and also being the south line of a 0.67 acre tract conveyed to Michael W. & Cynthia Sue Majusick by I.R. # 03-004408 a distance of 48.18 feet to a 5/8" rebar set at the northwest corner of Part Lot 23 as conveyed to the City of Centerville by I.R. # 05-011937;

thence S 01°04'21" W with the east line of said Beyerle's Part Lot 23 and also being the west line of said Centerville's Part Lot 23 a distance of 20.12 feet to a point;

thence S 84°53'42" W through said Beyerle's Part Lot 23 and being 20 feet south of and parallel to the north line of said Part Lot 23 a distance of 48.18 feet to a point in the west line of Lot 23 and also being the east line of said Lot 24 as conveyed to Beyerle Family Partners by Deed MF# 97-005D04 and also known as Part Lot 24;

thence N 01°04'21" E with the west line of said Lot 23 and the east line of said Lot 24 a distance of 20.12 feet to the True Point of Beginning, subject to all legal conditions, easements and rights-of-way of record. This description prepared by McDougall, Marsh, & Chico, based on a survey made by same in January 2004 and June 2005. Bearings are assumed for the purpose of angular measurement only.