

RESOLUTION NO. 30-23
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER JoAnne Rau ON THE
20th DAY OF March, 2023.

A RESOLUTION ACCEPTING A PERMANENT SEWER
EASEMENT FOR PUBLIC PURPOSES FROM JAMES P.
MATTESON AND JILL W. MATTESON.

WHEREAS, a parcel of land owned by James P. Matteson and Jill W. Matteson, is necessary for the establishment, construction, reconstruction, widening, repair or maintenance of a sanitary and storm sewer for the benefit of the public, which is also necessary for the Uptown public parking; and

WHEREAS, James P. Matteson and Jill W. Matteson propose to grant to the City of Centerville a non-exclusive permanent easement for a portion of land more fully described in the Easement attached hereto as Exhibit "1", and referenced as Tax parcel No. O68 00102 0051 and in the legal description attached to Exhibit "1", and recorded in Deed 89-0161 B05 of the records of Montgomery County, Ohio for said purpose.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE
HEREBY RESOLVES:

Section 1. The City of Centerville hereby accepts a non-exclusive permanent sewer easement for a portion of the land conveyed to James P. Matteson and Jill W. Matteson, for the public to install, maintain, and repair the sanitary and storm sewer on said property, said land being and referenced as Tax Parcel No. O68 00102 0051 and recorded in Deed 89-0161 B05 of Montgomery County, Ohio, and more particularly described in Exhibit "1" attached hereto and made a part hereof.

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

PASSED this 20th day of March, 2023.



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 30-23, passed by the Council of the City of Centerville, Ohio, on the 20th day of March, 2023.



Clerk of Council

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

Department of Law
Scott A. Liberman
Municipal Attorney

PERMANENT SEWER EASEMENT

James P. Matteson and Jill W. Matteson, husband and wife, the Grantor, in consideration of the sum of \$1 and other good consideration, paid by the **City of Centerville**, an Ohio Municipal corporation, the Grantee, does convey(s) to Grantee, its successors and assigns, an easement, which is more particularly described in Exhibit A and depicted on Exhibit B, attached, the following described real estate:

SEE EXHIBIT A ATTACHED

Montgomery County Current Tax Parcel No. O68 00102 0051

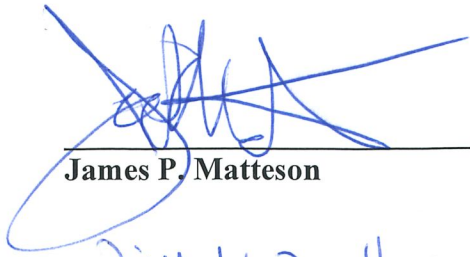
Prior Instrument References: Deed 89-0161 B05, Montgomery County Recorder's Office.

The easement is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a sanitary and storm sewer for the benefit of the public. Said easement shall be for the use of the Grantee and Grantee's contractors and assigns.

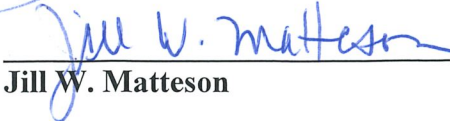
The above-described easement is to be used for locating, constructing, improving, grading, landscaping and other necessary work, including the operation of equipment, and the movement of a work force, over, upon and across the described easement, together with the right of ingress and egress.

This Agreement is binding upon the heirs, executors, administrators, successors, and assigns.

EXECUTED BY the said, **James P. Matteson and Jill W. Matteson** on 9th day of March, 2023.



James P. Matteson



Jill W. Matteson

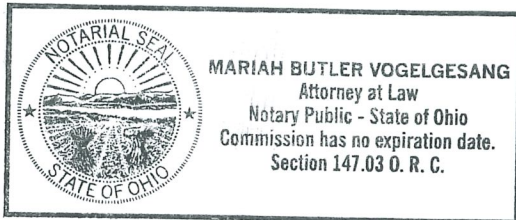
STATE OF OHIO

COUNTY OF MONTGOMERY ss:

This is an acknowledgement clause; no oath or affirmation was administered to the signer.

BE IT REMEMBERED, that on the 9th day of March, 2023, before me the subscriber, a Notary Public in and for said state and county, personally came the above named **James P. Matteson and Jill W. Matteson**, husband and wife, and who acknowledged the foregoing instrument 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.





Notary Public

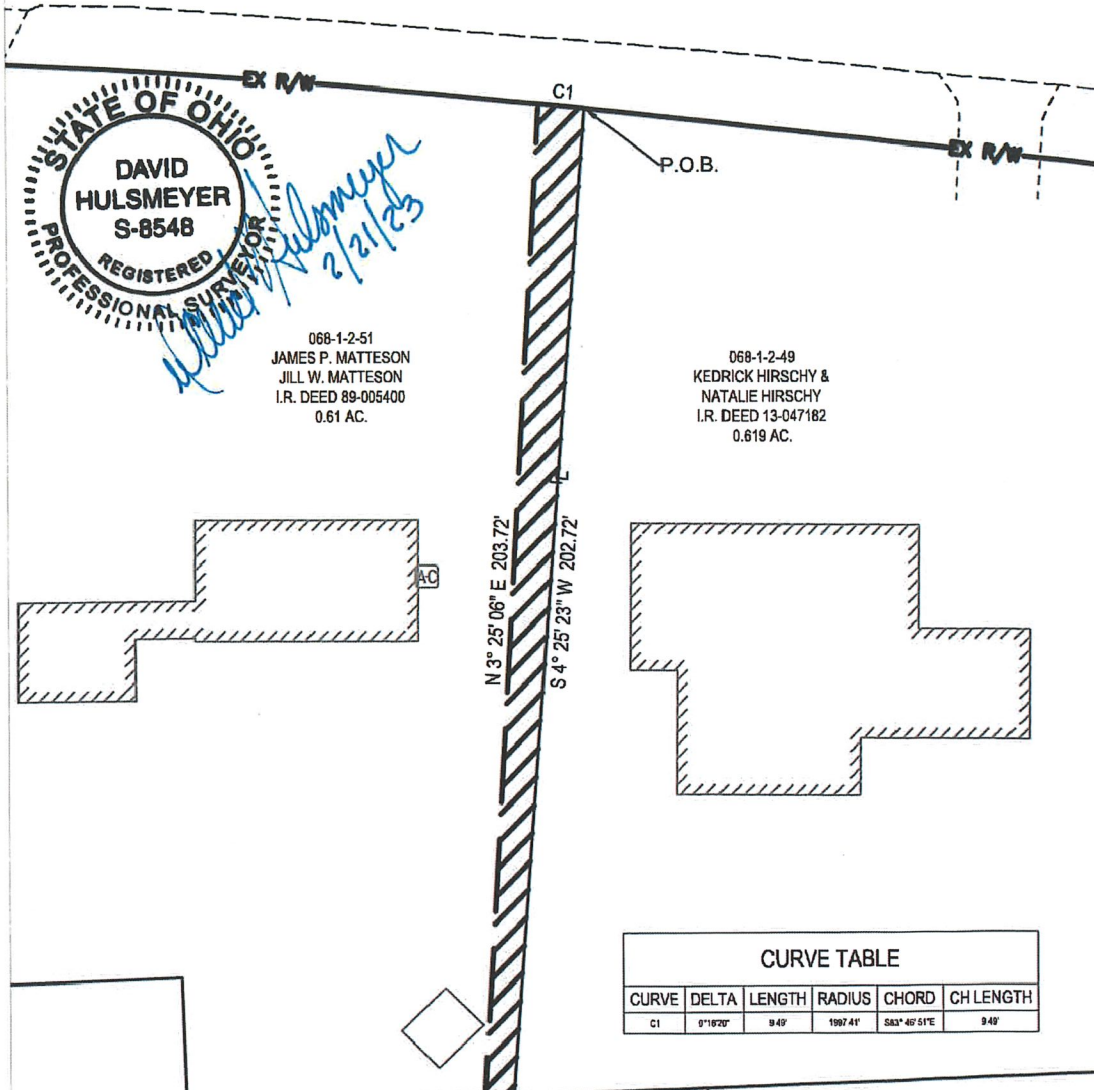
My Commission expires: ORC 147.03
no expiration

This document was prepared by:
Scott A. Liberman, Esq.
Buckley King LPA
110 N. Main St., Ste. 1200
Dayton, OH 45402

EXHIBIT "A"
SEWER EASEMENT
SITUATED IN:
SECTION 25, TOWN 2, RANGE 6 M.Rs.
TO THE CITY OF CENTERVILLE
1565 Sq. Ft., 0.036 Ac.



W. RIDGEWAY DR.
 (50' R/W)



STATE OF OHIO
DAVID HULSMEYER
S-8548
REGISTERED PROFESSIONAL SURVEYOR

David Hulsmeyer 2/21/23

068-1-2-51
 JAMES P. MATTESON
 JILL W. MATTESON
 I.R. DEED 89-005400
 0.61 AC.

068-1-2-49
 KEDRICK HIRSCHY &
 NATALIE HIRSCHY
 I.R. DEED 13-047182
 0.619 AC.

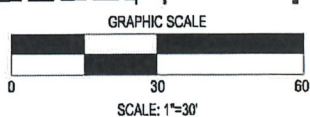
N 3° 25' 06" E 203.72'
 S 4° 25' 23" W 202.72'

CURVE TABLE					
CURVE	DELTA	LENGTH	RADIUS	CHORD	CH LENGTH
C1	0°18'20"	9.49'	1997.41'	583°40'51"E	9.49'

068-1-2-21
 GOOD CATS, LLC
 133 W FRANKLIN ST
 I.R. DEED 06-029157
 0.498 AC.

S 87° 57' 55" W 5.95'

068-1-2-164
 THE CITY OF CENTERVILLE



North and bearing system is based on Ohio State Plane Coordinates, South Zone 3402, NAD83 (2011) GEOID 18 established by GPS using ODOT's VRS.


PROJECT: UPTOWN IMPROVEMENT PLAN				JOB #: 0120159	
SUBJECT: 068-1-2-51 - SEWER EASEMENT				DATE: 12/21/2022	
DSGN: KWW	DRWN: BSE	CHKD: KWW	SHEET NO.: 1/1	SCALE: 1"=30'	 LJB Inc. We think bigger.

EXHIBIT "B"

Legal Description Sanitary/Storm Sewer Easement James P. & Jill W. Matteson

Situate in Section 25, Town 2, Range 6 MRs, the City of Centerville, County of Montgomery, State of Ohio and being an easement through part of land conveyed to James P. Matteson and Jill W. Matteson, 0.61 ac. described in IR Deed 89-005400 (all references to recorded documents made herein are to those of the Montgomery County Recorder's Office in Dayton, OH), and being more particularly described as follows:

Beginning at a point in the south right-of-way line for W. Ridgeway Drive, being the northeast corner of 0.61 ac. tract,

Thence with the east line of the Matteson tract being in the west line of land conveyed to Kedrick Hirschy and Natalie Hirschy as recorded in I.R. Deed 13-047182 South 04°25'23" West 202.72 feet to a point in the north line of the Good Cats, LLC tract;

Thence with said north line of said Good Cats, LLC property South 87°57'55" West 5.95 feet to a point;

Thence through the grantor's property, on a new line, North 03°25'06" East 203.72 feet to a point in the north line of the 0.61 acre tract in the south right-of-way line for W. Ridgeway Drive;

Thence with said lines along an arc deflecting 00°16'20" to the right 9.49 feet, having a radius of 1997.41 feet and a chord bearing South 83°46'51" East 9.49 feet to the point of beginning, containing 1565 SF (0.036 Acres), more or less

North and bearing system is based on Ohio State Plane Coordinates, South Zone 3402, NAD83 (2011) GEOID 18 established by GPS using ODOT's VRS.

Prepared By:

LJB Inc.

By: 

David Hulsmeyer, Ohio PS No. 8548

2/21/23
Date

