

CITY OF VANDALIA
MONTGOMERY COUNTY, OHIO
RESOLUTION 13-R-63

A RESOLUTION OF INTENTION TO APPROPRIATE INTEREST IN PROPERTY LOCATED ALONG SOUTH DIXIE DRIVE FOR PUBLIC ROAD PURPOSES.

WHEREAS, the orderly and balanced development of the City of Vandalia is necessary for the health, safety and general welfare of the citizens; and

WHEREAS, there is a need for acquisition of right-of-way for maintenance and improvements to the public roadway known as South Dixie Drive; and

WHEREAS, the City deems it necessary to certain property listed herein for public and road purposes; and

WHEREAS, Ohio Revised Code Section 719.04 prescribes that the legislative authority of a municipal corporation, whenever it is deemed necessary to appropriate property, must pass a resolution declaring such intent, defining the purpose of the appropriation, and setting forth the pertinent description of the land and the estate of interest therein described to be appropriated; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF VANDALIA, MONTGOMERY COUNTY, OHIO THAT:

Section 1. It is the intent of the city of Vandalia to appropriate the following described real estate:

A. The following property owned by Vandalia Properties, Ltd.:

1. Fee Simple title to Parcel 10 WD which is more particular described on the attached Exhibit A-1
2. Temporary Easement to Parcel 10 T1 which is more particular described on the attached Exhibit A-2
3. Temporary Easement to Parcel 10 T2 which is more particular described on the attached Exhibit A-3

B. The following Property owned by First Baptist Church of Vandalia, Inc.:

1. Fee Simple title to Parcel 13 WD which is more particular described on the attached Exhibit B-1
2. Temporary Easement to Parcel 13 T1 which is more particular described on the attached Exhibit B-2
3. Temporary Easement to Parcel 13 T2 which is more particular described on the attached Exhibit B-3
4. Temporary Easement to Parcel 13 T3 which is more particular described on the attached Exhibit B-4

C. The following Property titled in the name of Mildred S. Wines:

1. Fee Simple title to Parcel 7B WD which is more particular described on the attached Exhibit C-1

D. The following Property owned by Evan W. & Joni L Schumann:

1. Fee Simple title to Parcel 7A WD which is more particular described on the attached Exhibit D-1
2. Temporary Easement to Parcel 7 T which is more particular described on the attached Exhibit D-2

E. The following Property owned by Vandalia-Butler City School District

1. Fee Simple title to Parcel 18 WD which is more particular described on the attached Exhibit E-1
2. Fee Simple title to Parcel 18 WD2 which is more particular described on the attached Exhibit E-2
3. Fee Simple title to Parcel 18 WD3 which is more particular described on the attached Exhibit E-3
4. Fee Simple title to Parcel 18 WD4 which is more particular described on the attached Exhibit E-4
5. Temporary Easement to Parcel 18 T1 which is more particular described on the attached Exhibit E-5
6. Temporary Easement to Parcel 18 T2 which is more particular described on the attached Exhibit E-6

F. The following Property titled in the name of Mitchell M. Niarhos and Nancy L Niarhos:

1. Fee Simple title to Parcel 2 WD which is more particular described on the attached Exhibit F-1
2. Temporary Easement to Parcel 2 T which is more particular described on the attached Exhibit F-2

Section 2. The purpose of the acquisition is to acquire property necessary for the improvements to a public road open to the public without charge.

Section 3. This Resolution shall take effect immediately upon its adoption by Council.

Passed this 16th day of December, 2013.

APPROVED:

Arlene Setzer, Mayor

ATTEST:

Douglas Knight, Interim Clerk of Council