

RESOLUTION NO. R25-27

A RESOLUTION BY THE TROTWOOD CITY COUNCIL GRANTING A TEMPORARY EASEMENT ON CITY-OWNED PROPERTY KNOWN AS 5345 OLIVE ROAD, PARCEL ID NO. H33 02103 0066, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A TEMPORARY EASEMENT AGREEMENT.

WHEREAS, the Ohio Department of Transportation announced in May 2022 that the City of Trotwood would be awarded nearly \$1 million in grant funding as part of their statewide plan to improve safety on and off various roadways; and

WHEREAS, the grant award will fund a transportation improvement project in the City of Trotwood redesigning the State Route 49 and Olive Road intersection, to include infilling sidewalks along the west side of Olive Road from Shiloh Springs Road to State Route 49 (Salem Avenue) to improve pedestrian access; and

WHEREAS, it is necessary for the City of Trotwood, as the owner of certain land along Olive Road, to grant to the contractor awarded the bid to perform work associated with infilling sidewalks on Olive Road, a temporary easement on City-owned property known as 5345 Olive Road, Parcel ID No. H33 02103 0066; and

WHEREAS, the City Manager recommends City Council authorize him, on behalf of the City, to grant a temporary easement to the contractor awarded the bid to perform work associated with infilling sidewalks on Olive Road, and to execute a Temporary Easement Agreement on the City’s behalf.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:

SECTION I: City Council hereby authorizes granting to the contractor awarded the bid to perform work associated with infilling sidewalks on Olive Road, a temporary easement on the City-owned property known as 5345 Olive Road, Parcel ID No. H33 02103 0066.

SECTION II: City Council further authorizes the City Manager to enter into a Temporary Easement Agreement, which is in substantial conformance with the agreement attached hereto and incorporated herein as Exhibit “1”, with the contractor awarded the bid to perform work associated with infilling sidewalks on Olive Road.

SECTION III: This Resolution shall take effect and be in full force from and after the date of its passage.

Passed this 7th day of April, 2025.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

ATTEST:


KARA B. LANDIS
CLERK OF COUNCIL

APPROVED:


YVETTE F. PAGE
MAYOR


TYNA R. BROWN
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Resolution No. R25-27 adopted by the Trotwood City Council at a regular scheduled meeting held on the 7th day of April, 2025, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

CLERK OF COUNCIL

LPA RE 807-D
Rev. 10/2017

TED
LPA

TEMPORARY EASEMENT AGREEMENT

The City of Trotwood ("Grantor") and Madison Township merged into a single entity in 1996, thereby the Grantor became the successor in interest of the publicly-owned land and area formerly known as Madison Township. Accordingly, the Grantor(s), hereby grants to the contractor awarded the bid ("the Grantee") a temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 8-T
MOT-Trotwood Olive Rd Walks SA22
See Exhibit A Attached

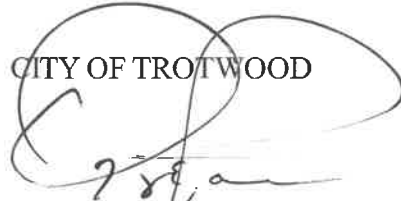
Montgomery County Current Tax Parcel No. H33 02103 0066
Prior Instrument Reference: Book 2522 Page 262, Montgomery County Recorder's Office

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 18 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF, the City of Trotwood, by and through its City Manager, Quincy E. Pope, Sr., as the Grantor's authorized agent, subscribed their name on the 8th day of April, 2025.

CITY OF TROTWOOD


By: Quincy E. Pope, Sr., City Manager

STATE OF OHIO, COUNTY OF MONTGOMERY } SS:

BE IT REMEMBERED, that on the 8th day of April, 2025, before me the subscriber, a Notary Public in and for said state and county, personally came the above-named Quincy E. Pope Sr., who acknowledged being the City Manager of the City of Trotwood, Ohio, and who acknowledged the foregoing instrument to be the voluntary act and deed of said City of Trotwood.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on this 8th day of April, 2025.





NOTARY PUBLIC
My Commission expires:

KARA B LANDIS
Notary Public - State of Ohio
Commission Expires Nov. 4, 2028


This document was prepared by: City of Trotwood

EXHIBIT A

Page 1 of 2

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LPA RX 887 T


Ver. Date 02/26/24

PID 117202

**PARCEL 8-T
MOT-TROTWOOD OLIVE RD WALKS SA22
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
CITY OF TROTWOOD, MONTGOMERY COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Montgomery, City of Trotwood, Section 3, Town 4, Range 5 East, and being part of the 2.6567 acre tract of land conveyed to Madison Township Board of Trustees as recorded in DB 2522-0262 of the Deed Records of Montgomery County, Ohio and being more particularly described as follows:

Being a parcel lying on the left side of the existing centerline of right of way of Olive Road as part of the MOT-Trotwood Olive Rd Walks SA22 Centerline Plat made by Crawford, Murphy & Tilly, Inc. for the City of Trotwood as recorded in Plat Book 244 Page 029 of the plat records of Montgomery County, Ohio and being located within the following described points in the boundary thereof:

BEGINNING at a point in the grantor's southerly line, said line also described as the northerly property line of Pleasant Green Missionary Baptist Church land, said point being 50.00 feet left of Ex. CL R/W Olive Road at Station 7+79.32;

Thence with said southerly line South Eighty-Eight Degrees Fifty-Nine Minutes Four Seconds West (S88°59'04"W) a distance of 10.00 feet to a point 60.00 feet left of Ex. CL R/W Olive Road at Station 7+79.20;

Thence North Zero Degrees Twenty Minutes Four Seconds West (N00°20'04"W) a distance of 100.01 feet to a point in the northerly line of the grantor's tract, said point being 60.00 feet left of Ex. CL R/W Olive Road at Station 8+79.21;

Thence with said northerly line North Eighty-Eight Degrees Fifty-Nine Minutes Four Seconds East (N88°59'04"E) a distance of 10.00 feet to a point in the proposed easterly line of said tract and proposed westerly right of way line, said point being 50.00 feet left of Ex. CL R/W Olive Road at Station 8+79.33;

EXHIBIT A

LPA RX 887 T

Rev. 07/09

Thence with said easterly line South Zero Degrees Twenty Minutes Four Seconds East (S00°20'04"E) a distance of 100.01 feet to a point in the existing southerly line of said tract, said point being 50.00 feet left of Ex. CL R/W Olive Road at Station 7+79.32 and the POINT OF BEGINNING.

The above-described area is within Montgomery County Auditor's Parcel Number: 0.023 acres (of which 0.000 is P.R.O.) is within H33 02103 0066, leaving a net of 0.023 acres, more or less, subject to all legal easements and right of way.

Prior Instrument Reference as of the date of this survey was prepared: DB 2522-0262 of the Deed Records of Montgomery County, Ohio.

This description is based on MOT-Trotwood Olive Rd Walks SA22 right of way plans filed with Ohio Department of Transportation District 7, dated 2025 September 15.

Bearings used herein are based on the Custom OHDOT LDP, Montgomery County Survey FT, referenced to NAD (83) (2011) and are for this project use only. Stationing used herein is based upon ODOT plans MOT-49-5.28, Revised 63-03-07, as found on file at the ODOT District 7 office in Sidney, Ohio and said Centerline Plat referenced above.

Ryan D. Hillard, Professional Surveyor Number 8558 of Crawford, Murphy & Tilly, Inc., prepared this description on March 25, 2024


Ryan. D. Hillard

10-21-24
Date



Professional Surveyor of Ohio: No. 8558

RIGHT OF WAY LEGEND SHEET MONT-TROTWOOD OLIVE RD WALKS SA22

MONTGOMERY COUNTY
CITY OF TROTWOOD
SEC. 3, T-4, R-5E



PORTION TO BE IMPROVED
 INTERSTATE HIGHWAY
 FEDERAL ROUTES
 STATE ROUTES
 COUNTY & TOWNSHIP ROADS
 OTHER ROADS

OHIO811.org
Before You Dig

OHIO 811 8-1-1 or 1-800-382-2764
(Non members must be called directly)

CONVENTIONAL SYMBOLS

County Line	-----
Township Line	-----
Section Line	-----
Corporation Line	-----
Fence Line (Ex)	-----
Center Line	-----
Right of Way (Ex)	-----
Standard Highway Easement (Ex)	-----
Channel Easement (Ex)	-----
Utility Easement (Ex)	-----
Guardrail (Ex)	-----
Construction Limits	-----
Edge of Pavement (Ex)	-----
Edge of Pavement (Pr)	-----

CONVENTIONAL SYMBOLS

Edge of Shoulder (Ex)	-----
Ditch / Creek (Ex)	-----
Tree Line (Ex)	-----
Ownership Hook Symbol (Pr)	-----
Property Line Symbol (Pr)	-----
Break Line Symbol (Pr)	-----
Tree (Remove) (Ex)	-----
Evergreen (Remove) (Ex)	-----
Wetland (Pr) - v, Grass (Pr) - alk, Aerial Target (Ex)	-----
Post (Ex) - Mailbox (Ex) - TEL, Telephone Marker (Ex) - TEL	-----
Light (Ex) - Telephone Pole (Ex) - φ, Power Pole (Ex) - φ	-----
Water Valve (Ex) - φ, Water Meter (Ex) - φ	-----
Telephone Pole (Ex) - φ, Power Pole (Ex) - φ	-----
Light Pole (Ex) - φ	-----

FEDERAL PROJECT NUMBER
E220536

RAILROAD INVOLVEMENT
NONE

PROJECT DESCRIPTION
ADD 1,500 FEET OF NEW SIDEWALK (3 SEGMENTS) ALONG OLIVE ROAD & INTERSECTION OF A TRAFFIC SIGNAL AT THE 5849 OLIVE ROAD INTERSECTION IN TROTWOOD, MONTGOMERY COUNTY OHIO

PLANS PREPARED BY:
 FIRM NAME: CMT (CRAWFORD, MURPHY & TILLY)
 R/W DESIGNER: SHELBY R. JINGLE PE
 FIELD REVIEWER: RYAN D. HILLARD PE PS
 R/W REVIEWER: BRYAN M. ROSS EI
 PRELIMINARY FIELD REVIEW DATE: 2024-01-17
 OWNERSHIP UPDATED BY: 2024-09-17
 DATE COMPLETED: 2024-10-21
 FIELD REVIEWER: BRANDI ROSS EI
 FINAL FIELD REVIEW DATE: 2024-10-21
 FINAL R/W PLAN DATE: 2024-10-21

STRUCTURE KEY

RESIDENTIAL

COMMERCIAL

OUT-BUILDING

LEGEND SHEET

TYPES OF TITLE LEGEND:

WD - WARRANTY DEED
 E - EASEMENT
 T - TEMPORARY EASEMENT

NOTE: ALL TEMPORARY PARCELS TO BE OF 18 MONTH DURATION.

INDEX OF SHEETS:

RW.1
 RW.2 - RW.4
 RW.5 - RW.6
 RW.7
 RW.8 - RW.19 (EVEN PAGES)
 RW.8 - RW.19 (ODD PAGES)

WATER & SANITARY SEWER
 CITY OF TROTWOOD
 1001 W. OHEN ROAD
 TROTWOOD, OHIO 45439
 TEL (937) 837-1702
 JIMCULSKEY@TROTWOOD.ORG
 JOHNNY MCCLUSKEY

MONTGOMERY COUNTY ENVIRONMENTAL SERVICES
 1850 SPAULDING ROAD
 KETTERING, OHIO 45432
 TEL (937) 979-2789
 CHARLES SCHAEFER
 CHARLES.SCHAEFER@MCOHIO.ORG

TELECOMMUNICATIONS
 1850 SPAULDING ROAD
 KETTERING, OHIO 45439
 TEL (937) 833-0468
 CHARLES BERNACCHI@TRC.COM
 CHARLES BERNACCHI

GAS
 CENTERPOINT ENERGY/GRIDHAWK
 5500 CLOVO ROAD
 CENTERVILLE, OHIO 45459
 TEL (937) 832-2531
 GREG FISHER@CENTERPOINTENERGY.COM
 GREG FISHER

NOTES:

THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN ON THE PLANS ARE OBTAINED FROM THE SURVEY DATA AS REQUIRED BY SECTION 163.64 O.R.C.

UTILITIES ARE SHOWN AS FOUND ON THESE SITES. IN RESPONSE TO OUPS TICKET #A310402987 DATED 4/14/2023.

I, Ryan D. Hillard, P.S. 8558 have conducted a survey of the existing conditions for the Ohio Department of Transportation in October, 2022. The results of that survey are contained herein. See the Survey Parameters attached to this plan. As a part of this project, I have reestablished the corners of the existing boundary lines, the existing center line of Right of Way and the existing Right of Way limits as necessary for the property lines contained herein. As a part of this project, I have established the proposed boundary lines, calculated the Gross Take, present road occupied (PRO), Net Take and Net Residue herein. As a part of this work, right of way monuments will be set at the locations shown herein per the Memorandum of Understanding between the Board of Registration for Engineers and Surveyors and the Ohio Department of Transportation. The Board of Registration for Engineers and Surveyors and the Ohio Department of Administrative Code Chapter 473-3-37 Standards for Boundary Surveys unless so noted. The words "I" and "my" as used herein are to mean that either myself or someone working under my direct supervision.

Ryan D. Hillard
10-21-24 Date

DESIGN AGENCY
CMT (CRAWFORD, MURPHY & TILLY)
1001 W. OHEN ROAD
TROTWOOD, OHIO 45439
TEL (937) 837-1702

SURVEYORS SEAL

RYAN D. HILLARD
P.S. 8558

DESIGNER
SRI

REVIEWER
RDH 06/28/24

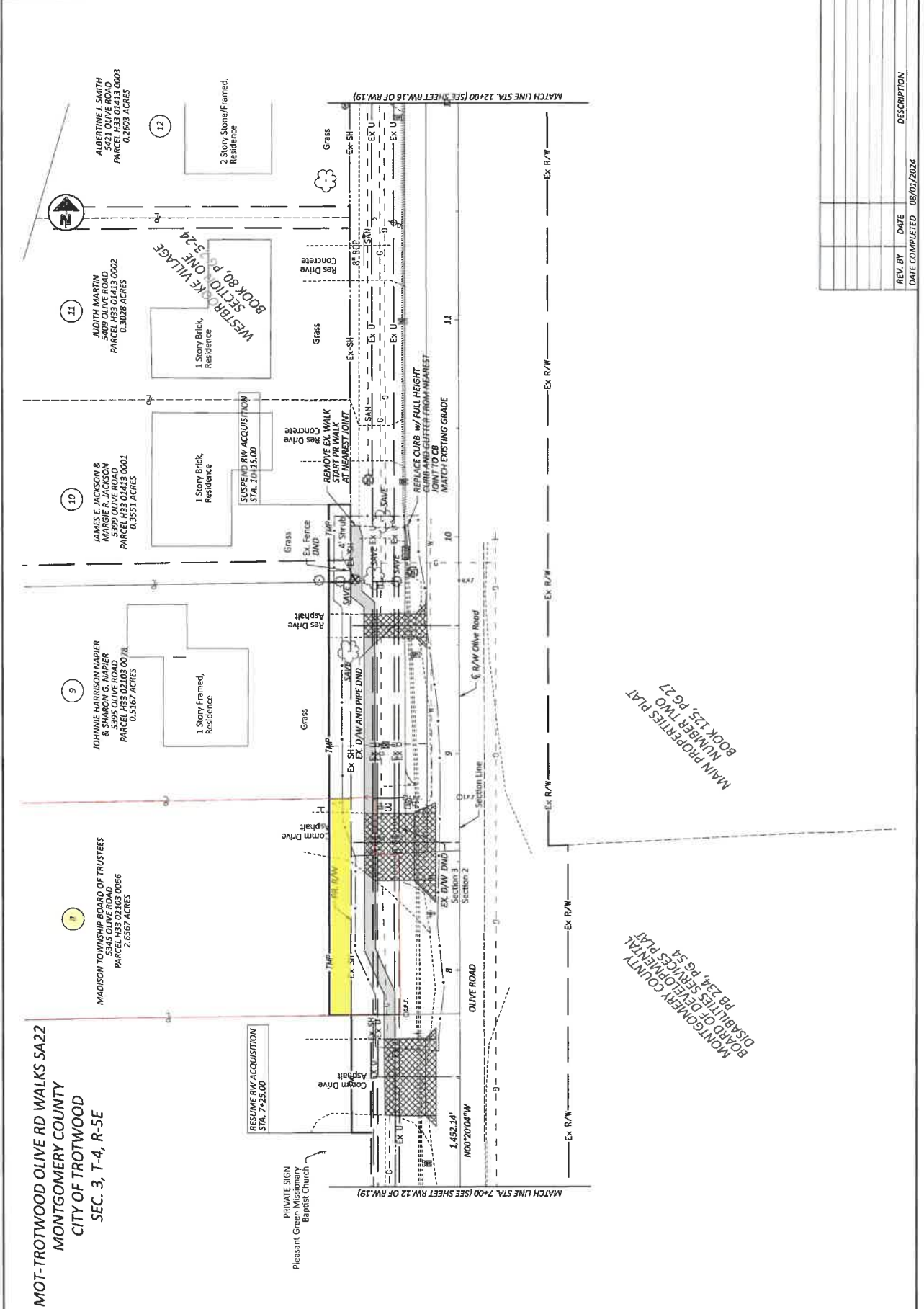
PROJECT ID
117202

SHEET
RW.1 | RW.19



RIGHT OF WAY TOPO SHEET
STA. 7+00 TO STA. 12+00

REGION AGENCY	CMT
PROJECT NO.	RDH 06/28/24
SHEET	11/202
TOTAL	RW.14 RW.19
REVISION	SRI
REVIEWER	RDH 06/28/24

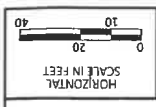


REV. BY	DATE	DESCRIPTION
	08/01/2024	

MOT-TROTWOOD OLIVE RD WALKS SA22
MONTGOMERY COUNTY
CITY OF TROTWOOD
SEC. 3, T-4, R-5E

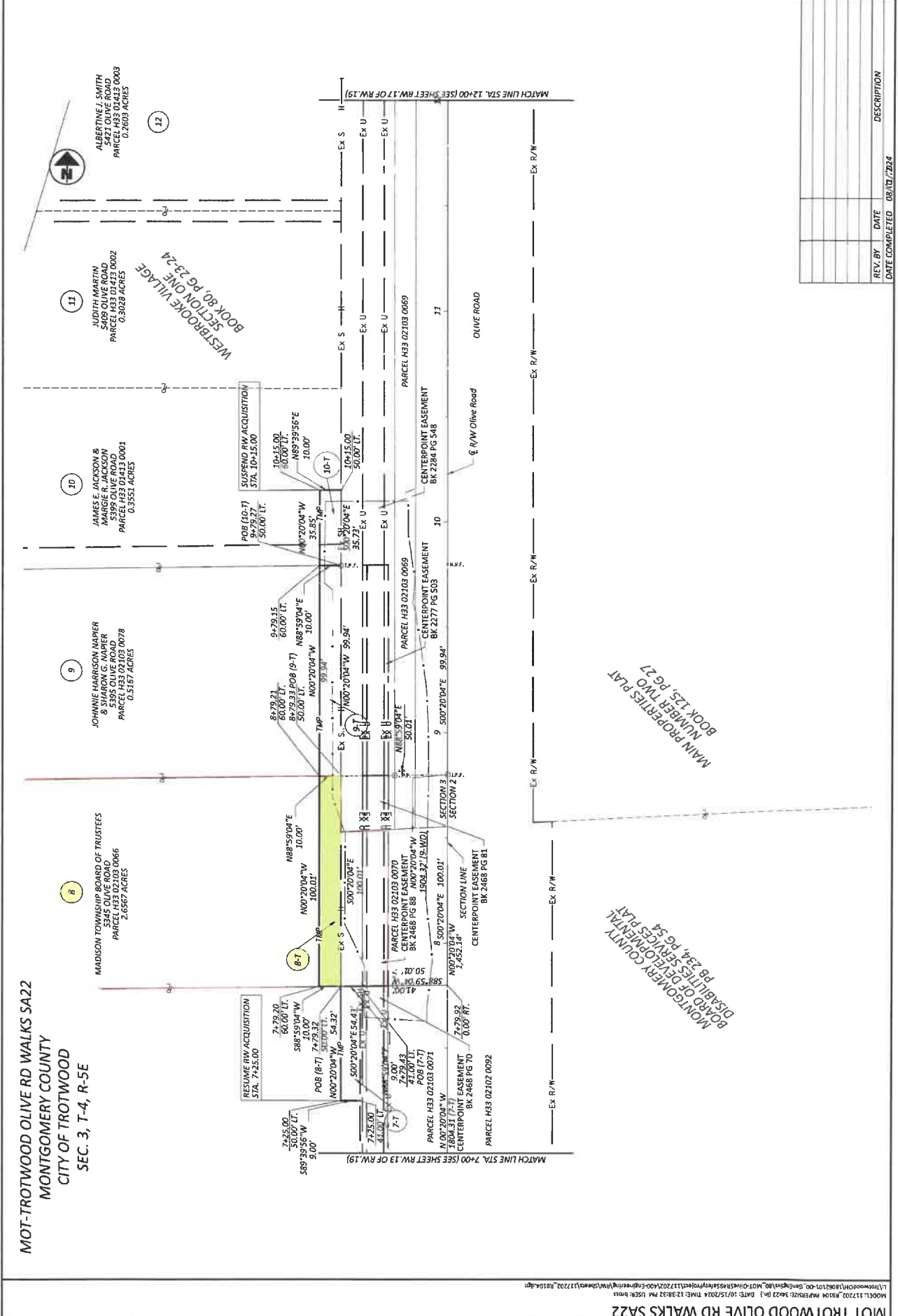
MONTGOMERY COUNTY
BOARD OF DEVELOPMENTAL
DISABILITIES SERVICES PLAT
PB 234, PG 54

MAIN PROPERTIES PLAT
NUMBER TWO
BOOK 125, PG 27



RIGHT OF WAY BOUNDARY SHEET
 STA. 7+00 TO STA. 12+00

DESIGN AGENCY	CMT	
PROJECT NO.	RDH 06/28/24	
PROJECT ID	117202	
DATE	08/13/24	
BY		
CHECKED		
DESIGNED		
REVIEWER	SRI	
TOTAL SHEETS	117	
SHEET NO.	15	
DATE COMPLETED	08/13/24	
REV. BY	DATE	DESCRIPTION



MONTGOMERY COUNTY
 BOARD OF DEVELOPMENTAL
 DISABILITIES SERVICES PLAT
 NUMBER TWO, PG 27
 MAIN PROPERTIES PLAT
 NUMBER TWO, PG 27