

## Resolution 156.

Declaring intention to appropriate an easement and right of way over, through and across lots and parcels of land here in described for construction and maintenance of sanitary sewer.

Whereas, the Council of the Village of Berley, State of Ohio, has heretofore taken the necessary legal steps, and adopted appropriate legal measures preparatory to the construction and maintenance of a sanitary sewer and requisite branches thereof, for the public use of said Village and its inhabitants, (which said sewer and branches for the most part are located in the public streets and alleys of said Village) but in order to complete said sewer and branches, and cause them to be discharged at the sewage treatment plant of said Village, located about one half mile South of said Village limits, it is deemed necessary by said Village Council to appropriate a right of way and easement fifteen feet wide and one mile in length, more or less, over, through and across certain lots and parcels of land belonging to and owned by the respective and several individuals hereinafter described for that purpose:

Now therefore, toward that end, be it remembered by the Council of the said Village of Berley, State of Ohio, that it is the intention of the Council of said Village to appropriate a right of way or easement in a strip of land fifteen feet wide and a mile long more or less, over, through and across the following described lots and parcels of land lying on both the East and West sides of main track of said sanitary sewer, as located by said Council and sanitary engineer of said Village to-wit: South of Main Street and East of Plum Creek in a southerly direction down to the Sewage Treatment Plant, situated on a tract of land on the East Bank of Plum

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l creek, and belonging to the Village of Berley,  
State of Ohio.

Lot or Parcel No. 1

Situate in the State of Ohio, County of Franklin,  
Marion Township and in said Village of Berley  
being the West part of Lot Number 3 and the  
whole of Lot Number 4 of Fredericka Long's  
Heir's Subdivision of lands, and as a whole  
bounded as follows:

"Beginning in the center of East Main  
Street, North  $37\frac{3}{4}^{\circ}$  West  $125-30/100$  feet  
from the North East corner of said Lot  
Number 3, thence South  $4^{\circ}$  East and para-  
llel with the East line of said Lot Number  
3, a distance of  $420-52/100$  ft. to the  
North right of way line of the Columbus,  
Buckeye Lake and Newark Traction  
Company; thence North  $86^{\circ}$  Westerly  
along the North line of said Company's  
line  $177-14/100$  feet, a point in Alum Creek;  
thence up said creek  $662-16/100$  feet to  
the center of said East Main Street, and  
the North-west corner of said Lot Num-  
ber 4 of said Fredericka Long's Heir's  
Subdivision; thence  $87-3/4^{\circ}$  East along  
the North line of said Lots 3 and 4 in  
said Subdivision, to the center of said  
East Main Street  $224$  feet to the plac-  
e of beginning, containing  $3-11/100$  acres  
more or less.

For said Lots 3 and 4 as above  
described, reference is made to said Fredericka  
Long's Heir's said subdivision, the Plat of which  
is of record in the Recorder's office of Franklin  
County, Ohio in Plat Book 3 page 369.  
Said tract or parcel belongs to the Heir's of  
Laura S. P. Book deceased:

Lot or parcel No. 2.

Situate in the state of Ohio, County of Frank-  
lin, Marion Township and in The Village  
of Berley, and part of Half Section Number 20,

Section 13, Township 5, Range 22 Refuge land and part of Lot Number 2 of John Niekig Amended Subdivision as the same is platted and recorded in the Recorder's Office of Franklin County, Ohio in Plat Book No. 3 page 118, and beginning in the center of "The Columbus and Winchester Pike" North  $9^{\circ} 41'$  West  $546 \frac{46}{100}$  feet from the south east corner of Lot Number 4 of John Niekig's Amended Subdivision of Lots 1 to 6 of John Niekig's Subdivision and Suburban Addition to the City of Columbus, Ohio; thence North  $85^{\circ} 30'$  West 31 feet to an iron pin in the West line of "The Columbus and Winchester Pike" (now called College Avenue); thence continuing the same course  $934 - 28 \frac{1}{100}$  feet to an iron pin on the East bank of Alum Creek, thence up the center of said Alum Creek  $87 - 53 \frac{1}{100}$  feet to an angle; thence North  $4^{\circ} 38'$  West 28 feet to a point; thence South  $85^{\circ} 41'$  East 71 feet to an iron pin on the East bank of said Alum Creek; thence continuing same course  $938$  feet to an iron pin in the West line of said Columbus and Winchester Pike; thence same course  $970$  feet to the center of said pike; thence with the center of said Pike South  $9^{\circ} 41'$  East  $121 - 54 \frac{1}{100}$  feet to place of beginning, containing  $2 - 633 \frac{1}{1000}$  acres more or less, and owned by Belle M. Houstler.

Lot or Parcel No. 3.

Situated in the State of Ohio, County of Franklin, Marion Township and in The Village of Beavley, and consisting of Lot No. 19 and  $2 - 15 \frac{1}{100}$  acres off of the North Side of No. 18 of Edward Livingstons Heirs Subdivision, the Plat of which Subdivision is of record in the Recorder's Office of Franklin County, Ohio in Plat Book No. 2 page 278, and said Lot or Parcel No. 3 is described more definitely as in Half Section

No. 20, Section No. 13, Township No. 5, Range 22, Refuge Lands and contains 7 acres of land more or less and is owned by Alfred G. Wyatt, a resident of the City of Columbus, Ohio.  
Parcel No. 4.

Situate in the State of Ohio, County of Franklin and in Marion Township, and being part of Half Section 34, Township 5, Range 22 Refuge Lands, and being Lot Number 2 of a Plat made in the Partition Suit in the Court of Common Pleas of Franklin County, Ohio, wherein, Virginia B. Livingston was Plaintiff and Martha A. Brown and others were defendants, and which said Lot No. 2 was assigned by said Commissioners in partition to said Virginia B. Livingston and confirmed by the said Court; said Lot No. 2 being described by notes and bounds as follows, to-wit;

Beginning in the center of "The Columbus and Winchester Turnpike, and being one of the corners to Lot No. 1 in said partition plat above referred, to, and running thence with the center line of said Turnpike South  $29\frac{1}{2}^{\circ}$  East  $47-08/100$  poles to the northeast corner of Lot No. 3 of said Partition Plat; thence with North Line of said Lot No. 3,  $87^{\circ}$  West, passing a stone planted on the West Side of said Columbus and Winchester Turnpike  $115-74/100$  poles to the center of Alum Creek passing a stone on the East bank thereof; thence up the center of said Alum Creek with the meanders thereof to the Southwest corner of said Lot No. 1; thence with the line of said Lot No. 1, South  $87^{\circ}$  East  $103-52/100$  poles to the place of beginning, containing  $20\frac{1}{2}$  acres more or less, owned by Jacob S. Wolf

of Reynoldsburg, Ohio, and Margaret J. Oberly of Columbus, Ohio, as the heirs at law and next of kin of John Wolf, late of Franklin County, Ohio, who died intestate.

The Council of the Village of Berley, State of Ohio, also hereby authorizes and instructs its Mayor to have notices of such intentions served upon the above owners by a person designated for the purpose, and return made in the manner provided by law for the service and return of summons in civil actions, and in case said owner or owners, person, or their agents cannot be found, then the Mayor shall give notices by publication once a week for three consecutive weeks in a newspaper of general circulation within the Village of Berley, State of Ohio.

Passed:-

May, 2, 1913.

Attest:

Geo E. Fry.  
Clerk.

Frank Schaubert  
Mayor.