

**FAIRFIELD TOWNSHIP**  
**RESOLUTION NO. 23-113**

**RESOLUTION AUTHORIZING ADMINISTRATOR TO EXECUTE ALL NECESSARY  
DOCUMENTS TO TRANSFER PROPERTY TO BUTLER COUNTY, STATE OF OHIO FOR  
FUTURE ROUNDABOUT.**

**WHEREAS:** The Butler County Engineer's Office is in the planning phase of a roundabout at the intersection of Morris Road and Millikin Road and has requested some permanent and temporary right-of-way to construct the infrastructure improvement as described in the attached exhibits; and

**WHEREAS:** The Butler County Engineer's Office has identified the intersection as a public safety concern and has designed infrastructure improvements to the intersection that include the construction of a roundabout to improve safety; and

**WHEREAS:** The Fairfield Township Board of Trustees owns Parcel Identification Number A0300-018.000-034 located at 6032 Moris Road; and

**WHEREAS:** The Board of Trustees of Fairfield Township desires to transfer the requested portion of the parcel transfer to Butler County, State of Ohio for the planned infrastructure improvements; and

**NOW, THEREFORE, BE IT RESOLVED,** by the Board of Trustees of Fairfield Township, Butler County, Ohio, as follows;

**SECTION 1:** The Board of Trustees hereby authorizes the Administrator to execute the required documents to transfer the land as described in the attached exhibits to Butler County, State of Ohio for temporary easement and permanent right-of-way for the purpose of public infrastructure improvements including the installation of the planned roundabout. The transfer of the portion of Parcel Identification Number A0300-018.000-034 located at 6032 Morris Road situated in Fairfield Township, Butler County, Ohio, will promote the safety and welfare of the citizens of Fairfield Township and Butler County.

**SECTION 2:** The Board hereby dispenses with the requirement that this resolution be read on two separate days, pursuant to RC 504.10, and authorizes the adoption of this resolution upon its first reading.

**SECTION 3** This resolution is the subject of the general authority granted to the Board of Trustees through the Ohio Revised Code and not the specific authority granted to the Board of Trustees through the status as a Limited Home Rule Township.

**SECTION 4:** That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

**SECTION 5:** This resolution shall take effect at the earliest period allowed by law.

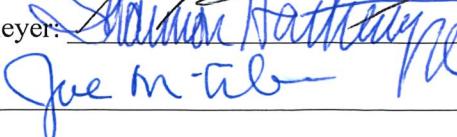
**Adopted:** August 22, 2023

**Board of Trustees**

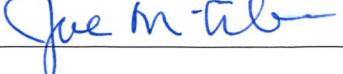
Michael Berding:



Shannon Hartkemeyer:



Joe McAbee:



**Vote of Trustees**

yes

yes

yes

AUTHENTICATION

This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township  
Fiscal Officer this 22 day of August, 2023.

ATTEST:

Shelly Schultz

Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:

L.E. Barbiree

Lawrence E. Barbiree, Township Assistant Law Director

## **EASEMENT**

The Fairfield Township Trustees of Butler County, Ohio, the Grantor(s), in consideration of the sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_), to be paid by the Board of County Commissioners, Butler County, Ohio, the Grantee herein, does convey to Grantee, its successors and assigns, an easement, which is more particularly described in Exhibit A attached, the following described real estate:

PARCEL(S): 9-SH

PROJECT #BUT-CR22-0.63/BUT-TR106-2.99

SEE EXHIBIT A ATTACHED

Butler County Current Tax Parcel No. A0300-018.000-034

Prior Instrument Reference: Book 1234, Page 273, Butler County Recorder's Office.

Grantor(s), for themselves and their successors and assigns, covenant with the Grantee, its successors and assigns, that they are the true and lawful owners in fee simple, and have the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all claims of all persons.

The property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

In the event that the Grantee decides not to use the property conveyed for the above-stated purpose, the Grantor(s) have a right under Section 163.211 of the Revised Code to

repurchase the property for its fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by an appropriate court. However, this right to repurchase will be extinguished if any of the following occur: (A) Grantor(s) decline to repurchase the property; (B) Grantor(s) fail to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) Five years have passed since the property was appropriated.

IN WITNESS WHEREOF The Fairfield Township Trustees of Butler County, Ohio by and through  
Julie Vonderhaar, the Administrator of The Fairfield Township Trustees  
of Butler County, Ohio, has hereunto subscribed their name on the 22 day of  
August, 2023.

The Fairfield Township Trustees of Butler  
County, Ohio

By:

Julie Vonderhaar

STATE OF OHIO, COUNTY OF Butler ss:

BE IT REMEMBERED, that on the 22 day of August, 2023, before  
me the subscriber, a Notary Public in and for said state and county, personally came the above  
named Julie Vonderhaar, who acknowledged being the Administrator of  
The Fairfield Township Trustees of Butler County, Ohio, and who acknowledged the foregoing  
instrument to be the voluntary act and deed of said God's Temple World Outreach, Inc..

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official  
seal on the day and year last aforesaid.



DIANNE FRENCH  
Notary Public, State of Ohio  
My Commission Expires  
December 28, 2023

Dianne French

NOTARY PUBLIC  
My Commission expires: 12-28-2023

This document was prepared by:  
The Butler County Engineers Office

## **TEMPORARY EASEMENT**

The Fairfield Township Trustees of Butler County, Ohio the Grantor, in consideration of the sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) to be paid by the Board of County Commissioners, Butler County, Ohio, the Grantee herein, does grant to Grantee, the temporary easement to exclusively occupy and use for the purpose of performing the work necessary for public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road, at the following location:

PARCEL(S): 9-T

PROJECT #BUT-CR22-0.63/BUT-TR106-2.99

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

Butler County Current Tax Parcel No.: A0300-018.000-034

Prior Instrument Reference: Book 1234, Page 273, Butler 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 Fairfield Township Trustees of Butler County, Ohio has caused its name to be subscribed by Julie Vonderhaar, its duly authorized Administrator, and its duly authorized agent on the 22 day of August, 2023.

The Fairfield Township Trustees of Butler County, Ohio

Julie Vonderhaar

By:

STATE OF OHIO, COUNTY OF Butler ss:

BE IT REMEMBERED, that on the 22 day of August, 2023, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Julie Vonderhaar, who acknowledged being the Administrator and duly authorized agent of The Fairfield Township Trustees of Butler County, Ohio, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



DIANNE FRENCH  
Notary Public, State of Ohio  
My Commission Expires  
December 28, 2023

Dianne French

NOTARY PUBLIC  
My Commission expires: 12-28-2023

This document was prepared by:  
The Butler County Engineer's Office

## EXHIBIT A

### Parcel 9-SH

Situated in Fairfield Township, Lot 315, County of Butler, State of Ohio, and in Section 14, Town 2, Range 3 and bounded and described as follows:

Commencing at an existing monument box found, said monument box being at Station 505+72.17, 10.90 feet right of the centerline of construction and the Grantor's northwest property corner and the **True Point of Beginning** of the parcel herein described:

Thence from said found monument with the Grantor's northerly property line South 85°08'49" East a distance of 94.86 feet; Thence leaving the Grantor's northerly property line with the proposed roadway easement South 04°51'11" West a distance of 44.63 feet; Thence continuing with the proposed roadway easement being described by an arc to the left with a radius of 60.00 feet, an arc curve length of 94.12 feet and a chord bearing South 50°00'07" West with a chord length of 84.76 feet; Thence with the proposed roadway easement North 84°56'15" West a distance of 35.14 feet to the grantor's westerly property line; Thence with the Grantor's westerly property line North 05°03'45" East a distance of 104.29 feet to the **True Point of Beginning**.

Gross	=	0.1630 Acres of land
P.R.O.	=	0.1454 Acres of land
Net	=	0.0176 Acres of land

Grantor's claim title by instrument of record in Book 1234, Page 273 in the office of the Butler County Recorder.

This description is based on a survey made by the Butler County Engineer's Office.

Project # BUT-CR22-0.63/BUT-TR106-2.99

The above description is contained within Auditor's Parcel ID: A0300-018.000-034

## EXHIBIT A

### Parcel 9-T

Situated in Fairfield Township, Lot 315, County of Butler, State of Ohio, and in Section 14, Town 2, Range 3 and bounded and described as follows:

Commencing at an existing monument box found, said monument box being at Station 505+72.17, 10.90 feet right of the centerline of construction and the Grantor's northwest property corner; Thence from said found monument with the Grantor's northerly property line South 85°08'49" East a distance of 94.86 feet; Thence leaving the Grantor's northerly property line South 04°51'11" West a distance of 44.63 feet to the **True Point of Beginning** of the parcel herein described:

Thence from said point with the proposed temporary easement South 04°51'11" West a distance of 5.00 feet; Thence continuing with the proposed temporary easement being described by an arc to the left with a radius of 55.00 feet, an arc curve length of 86.28 feet and a chord bearing South 50°00'07" West with a chord length of 77.70 feet; Thence with the proposed temporary easement North 84°56'15" West a distance of 5.00 feet; Thence with the proposed roadway easement being described by an arc to the right with a radius of 60.00 feet, an arc curve length of 94.12 feet and a chord bearing North 50°00'07" East with a chord length of 84.76 feet to the **True Point of Beginning**.

Gross	=	0.0104 Acres of land
P.R.O.	=	0.0000 Acres of land
Net	=	0.0104 Acres of land

Grantor's claim title by instrument of record in Book 1234, Page 273 in the office of the Butler County Recorder.

This description is based on a survey made by the Butler County Engineer's Office.

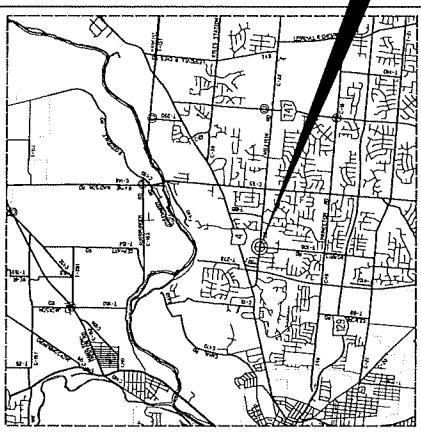
Project # BUT-CR22-0.63/BUT-TR106-2.99

The above description is contained within Auditor's Parcel ID: A0300-018.000-034

# RIGHT OF WAY

## LEGEND SHEET

### BUT - CR22 / TR106 - 0.63 / 2.99

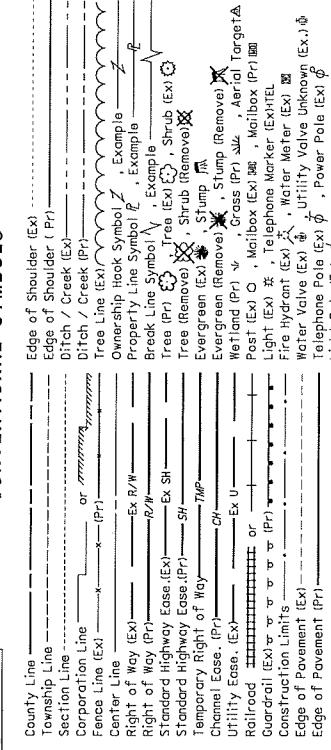


BUTLER COUNTY, OHIO  
FAIRFIELD TOWNSHIP  
SECTION 14, 15, 20, 21  
TOWNSHIP 2, RANGE 3

#### INDEX OF SHEETS:

LEGEND	1
PROPERTY MAP	2
SUMMARY OF ADDITIONAL RIGHT OF WAY	3
RIGHT OF WAY TOPO/BOUNDARY	4-11

#### CONVENTIONAL SYMBOLS



**PROJECT SITE**  
BUT-CR22-0.63  
BUT-TR106-2.99

#### RIGHT OF WAY

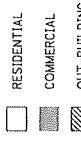
#### LEGEND SHEET

FEDERAL PROJECT NO.	E210531
PID NO.	114270
CALENDAR PID NO.	114270
KVS	SLM

**PROJECT DESCRIPTION**  
CONSTRUCTION OF A SINGLE LANE ROUNDABOUT AT THE  
INTERSECTION OF MILLKIN AND MORIS ROAD INCLUDING  
LIGHTING, CLOSED STORM SEWER DRAINAGE SYSTEM  
WITHIN THE PROJECT LIMITS.

TYPES OF TITLE LEGEND:  
SH = STANDARD HIGHWAY EASEMENT  
T = TEMPORARY EASEMENT  
CH = CHANNEL EASEMENT

#### STRUCTURE KEY



NOTES:  
THE LOCATION OF THE UNDERGROUND UTILITIES  
SHOWN ON THE PLANS ARE OBTAINED FROM THE  
OWNER OF THE UTILITIES AS REQUIRED BY  
SECTION IS3.64 O.R.C.

SURVEYOR'S SEAL
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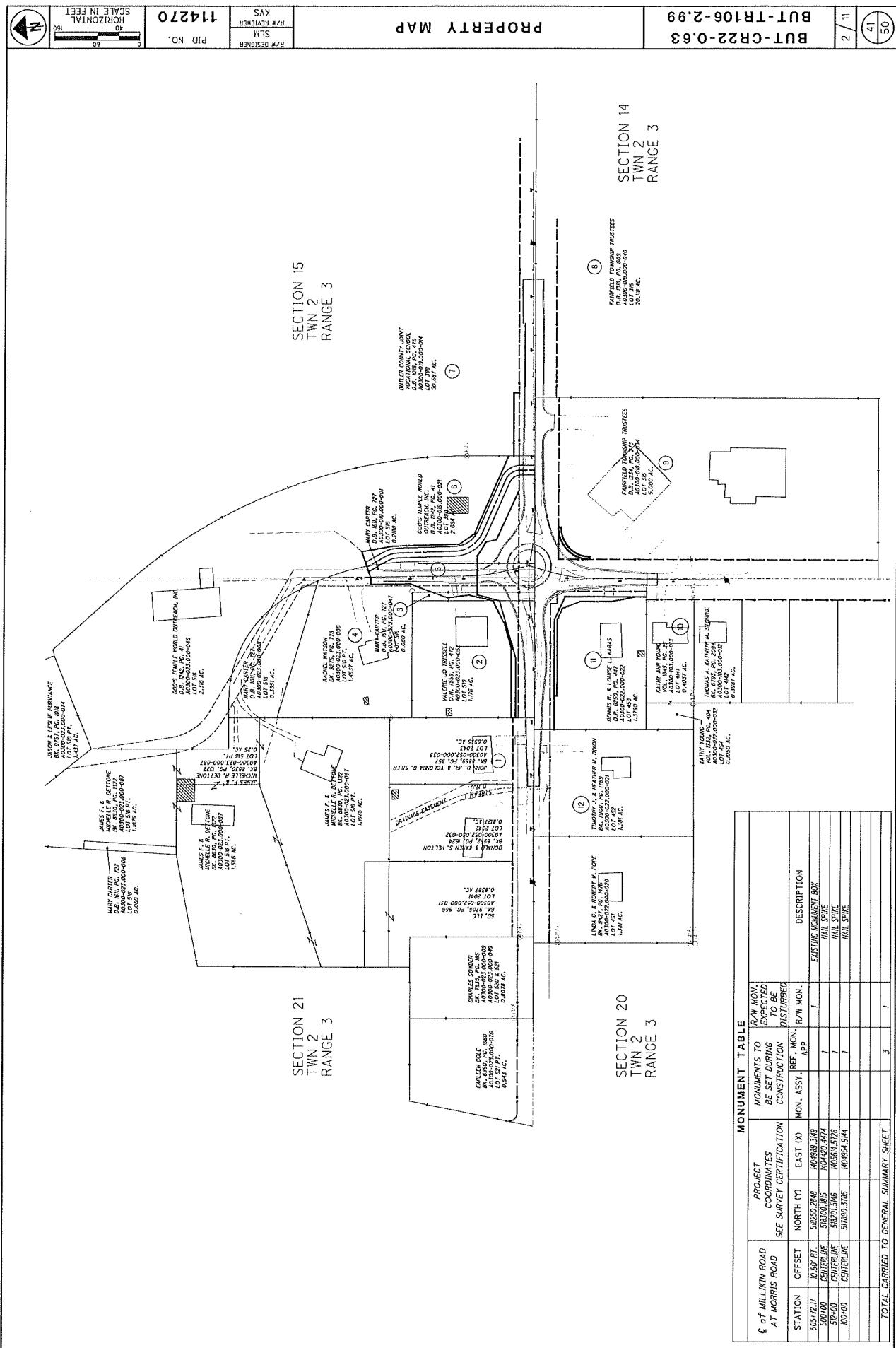
Date:

Professional Land Surveyor No. \_\_\_\_\_

I, P. S., have conducted a survey of the existing conditions for  
the results of that survey are contained herein. The horizontal coordinates expressed  
herein are based on the Ohio State Plane Coordinates system NAD 83.  
This survey was conducted using the 2007 CORS network adjustment by  
Project Adjustment Factor used for this  
project. As part of this project, I have established the locations of the existing property lines  
and centerline of the existing Right of Way for property takes contained herein. All of my work contained herein  
was conducted in accordance with Ohio Administrative Code 4133-37 commonly known as "A Minimum Standard for  
Boundary Surveys in The State of Ohio" unless noted. The words I and my as used herein are To mean either  
myself or someone working under my direct supervision.

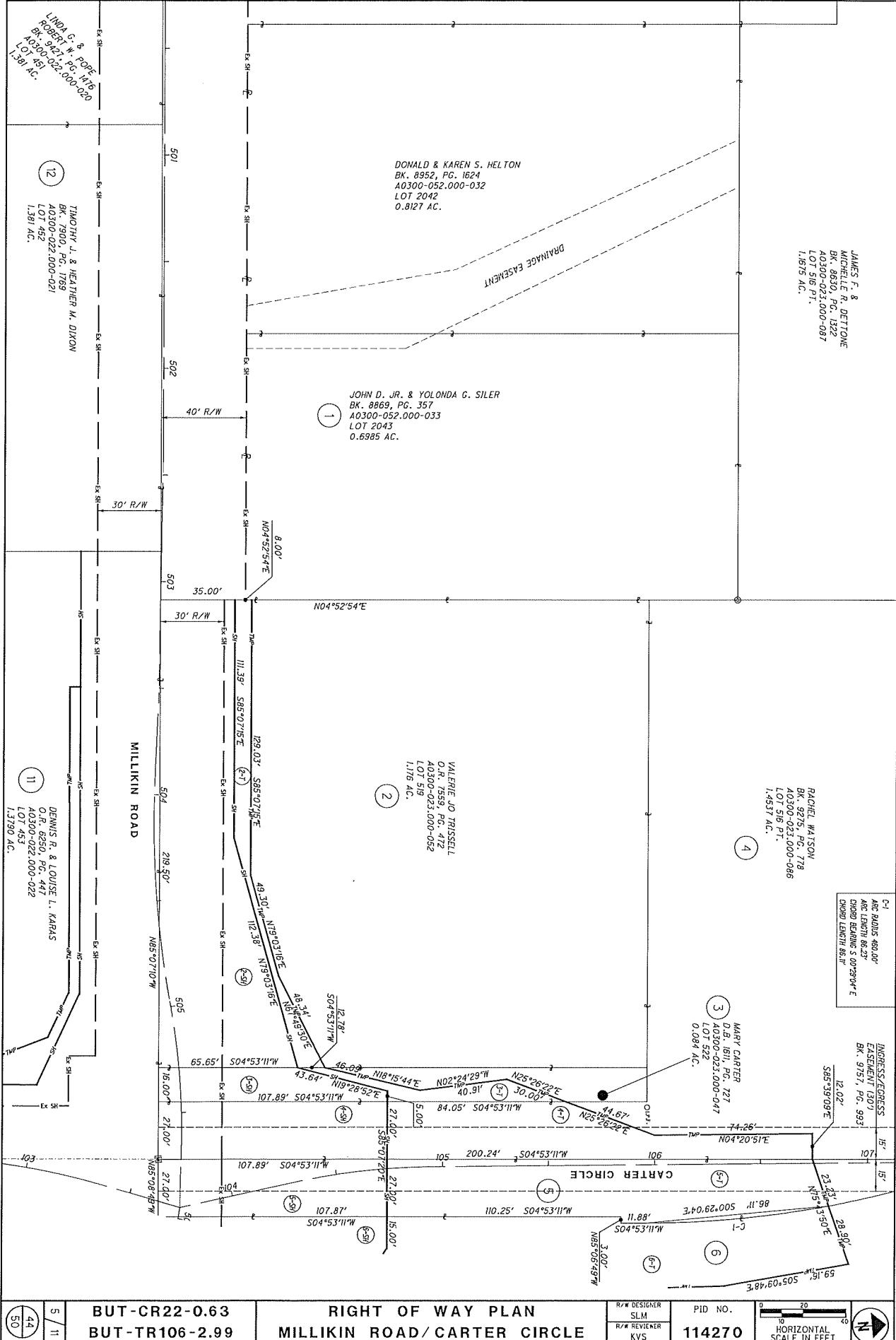
1/11

(45)



TOTAL NUMBER OF : 8 OWNERSHIPS 15 PARCELS										TOTAL TAKES 0 OWNERSHIPS W/ STRUCTURES INVOLVED	
ALL AREAS IN ACRES										REMARKS	
PARCEL NO.	OWNER	OWNERS RECORD	AUDITOR'S PARCEL	RECORD AREA	TOTAL P.R.O.	GROSS P.R.O. IN TAKE	P.R.O. IN NETTE TAKE			AS ACQUIRED BOOK PAGE	
										REMARKS	
1	JOHN D. JR. & YOLONDA G. SILER	BK. 8969, PG. 357	A0300-052.000-033	0.5955							
2-SH 2-T	VALERIE JO TRISSELL	O.R. 7559, PG. 472	A0300-023.000-052	1.7760	0.1512	0.2144	0.1512	0.0632 0.0337	GRADING		
3-SH 3-T	MARY CARTER	D.B. 1611, PG. 727	A0300-023.000-047	0.0840	0.0110	0.0243	0.0110	0.0233 0.0163	GRADING		
4-SH 4-T	RACHEL WATSON	BK. 9235, PG. 778	A0300-023.000-086	1.4557	0.0165	0.0659	0.0165	0.0484 0.0304	GRADING AND PAVING		
5-SH 5-T	MARY CARTER	D.B. 1611, PG. 727	A0300-018.000-001	0.2168	0.0165	0.0659	0.0165	0.0484 0.0284	GRADING AND PAVING		
6-SH 6-T	GOD'S TEMPLE WORLD OUTREACH, INC.	D.B. 1242, PG. 41	A0300-015.000-021	2.6840	0.0550	0.2128	0.0550	0.1173 0.3550	GRADING AND TEMPORARY DRIVE		
7-T	BUTLER COUNTY JOINT VOCATIONAL SCHOOL	D.B. 1018, PG. 476	A0300-019.000-014	50.6870	0.0272			0.0272	GRADING		
8	FAIRFIELD TOWNSHIP TRUSTEES	D.B. 1318, PG. 609	A0300-018.000-040	20.1180					NO TAKE		
9-SH 9-T	FAIRFIELD TOWNSHIP TRUSTEES	D.B. 1234, PG. 273	A0300-018.000-034	5.0000	0.1454	0.1630	0.1454	0.0176 0.0104	GRADING		
10	KATHY ANN YOUNG	VOL. 1645, PG. 25	A0300-013.000-013	0.5087					NO TAKE		
11-SH 11-T	DENNIS R. & LOUISE L. KARAS	O.R. 6250, PG. 447	A0300-022.000-022	1.3790	0.3064	0.3949	0.3064	0.0885 0.0481	GRADING		
12	TIMOTHY J. & HEATHER M. DIXON	BK. 7900, PG. 1769	A0300-022.000-021	1.381					NO TAKE		
										GRANTEE:	
										ALL RIGHT OF WAY ACQUIRED IN THE NAME OF: THE COUNTY COMMISSIONERS OF BUTLER COUNTY, OHIO UNLESS OTHERWISE SHOWN.	
										UNDER NO CIRCUMSTANCES ARE TEMPORARY EASEMENTS TO BE USED FOR STORAGE OF MATERIAL OR EQUIPMENT BY THE CONTRACTOR, UNLESS NOTED OTHERWISE.	
										NOTE: ALL TEMPORARY PARCELS TO BE OF 18 MONTH DURATION.	
										NET TAKE = GROSS TAKE - PRO IN TAKE	
										SH = STANDARD HIGHWAY EASEMENT T = TEMPORARY EASEMENT	
										NOTE: ALL TEMPORARY PARCELS TO BE OF 18 MONTH DURATION.	

		BUT-CR22-0.63	RIGHT OF WAY PLAN MILLIKIN ROAD/CARTER CIRCLE	R/W DESIGNER SLM	PID NO. <b>114270</b>		
50	43	BUT-TR106-2.99		R/W REVIEWER KVS		0 10 20 40	HORIZONTAL SCALE IN FEET



2024/05/24 Row Sheets N001/2.RD003A.dgn Sheet 5/24/2023 3:27:13 PM miles

**6.**

**GOD'S TEMPLE WORLD OUTREACH, INC.**  
D.B. 1242, PG. 41  
A0300-019,000-021  
LOT 390  
2.684 AC.

**CONC.  
PAD.**

**SHELTER  
BLDG.**

**7.**

**BUTLER COUNTY JOINT VOCATIONAL SCHOOL**  
D.B. 1018, PG. 416  
A0300-019,000-014  
LOT 399  
50.887 AC.

**8.**

**FAIRFIELD TOWNSHIP TRUSTEES**  
D.B. 1318, PG. 213  
A0300-018,000-034  
LOT 315  
20.118 AC.

**9.**

**FAIRFIELD TOWNSHIP TRUSTEES**  
D.B. 1318, PG. 609  
A0300-018,000-040  
LOT 316  
20.118 AC.

5

BUT-CR22-0.63  
BUT-TR106-2.99

**RIGHT OF WAY PLAN  
MILLIKIN ROAD**

R/W DESIGNER SLM	PID NO.
R/W REVIEWER KVS	114270



