

ORDINANCE NO. 3-02

CITY OF CENTERVILLE

SPONSORED BY COUNCIL MEMBER Douglas C. Cline ON THE
18th DAY OF March, 2002.

AN ORDINANCE BY THE COUNCIL OF THE CITY OF CENTERVILLE, MONTGOMERY COUNTY, STATE OF OHIO TO APPROPRIATE CERTAIN REAL PROPERTY LOCATED AT 201 WEST SPRING VALLEY PIKE, CENTERVILLE, OHIO FOR PUBLIC PURPOSES.

Whereas, the City Council of Centerville, Ohio by Resolution No. 5-02, passed on January 28, 2002, declared its intention to appropriate certain real property hereinafter described for public purposes; and

Whereas, the City has been unable to agree with the owner of the said real property as to the compensation to be paid for said real property; and

Whereas, notice of the passage of the above referenced resolution of intent to appropriate was served upon the owners of, person in possession of or person having a record interest in said property according to law, and a return of service has been made to the City.

NOW THEREFORE THE MUNICIPALITY OF CENTERVILLE
HEREBY ORDAINS:

SECTION I: There is hereby appropriated in fee simple absolute for the use of the public and for public purposes the following real property, to wit: situated in the City of Centerville, Township of Washington, County of Montgomery and State of Ohio, and being further described as follows:

Being in Section Thirty (30), Town Three (3), Range Five (5) MRS, and being part of a tract of land containing 69 acres conveyed to Sadie May Hinsey, et al. by Deed Recorded in Deed Book 523, Page 553 of the records of said county bounded and described as follows: Beginning at a point on the south line of said Section, which is the south line of said tract, 1471.5 feet westward from the southeast corner of the southwest quarter of said section; thence northward at a right angle to said south line, 418.84 feet to a corner; thence

westward parallel with said south line, 156.0 feet to a point, thence southward at a right angle to said south line, 418.84 feet to a point on said south line; thence eastward along said south line, 156.0 feet to the place of beginning, containing 1.5 acres more or less.

Excepting therefrom the following described real estate:

Situate in Section 30, Town 3, Range 5 M.R.S., Washington Township, City of Centerville, County of Montgomery, State of Ohio and being part of parcel conveyed to Celine Percy by deed recorded in MF80-48C10 of the deed records of Montgomery County and being more particularly described as follows:

Beginning at a point in the centerline of Spring Valley Road, said point being on the south line of said section and on the south line of said tract, 1471.5 feet westward from the southeast corner of the southwest quarter of said section;

Thence on the following for (4) courses:

South 83° 57' 03" West, with the centerline of Spring Valley Road and the south line of Section 156.00 feet to a point;

North 6° 02' 57" West, 52.50 feet to a point;

North 83° 57' 03" East, 156.00 feet to a point;

South 6° 02' 57" East, 52.5 feet to the point of beginning, containing 0.188 acres, more or less.

Description prepared by Lockwood, Jones & Beals, Inc., Peter W. Freeman, Ohio Registered Surveyor NO. 7106.


SECTION II.: The City of Centerville, Ohio does hereby declare that the total value of the said fee simple estate appropriated is the sum of \$155,000.00.

SECTION III.: The Municipal Attorney or his designee is hereby authorized and directed to apply to the Court of Common Pleas, Montgomery County, Ohio, for the purpose of assessing the compensation to be paid for said real property.

SECTION IV: The Municipal Attorney or his designee is hereby authorized to deposit with the Clerk of the Common Pleas Court in said appropriation case the sum of \$155,000.00, the value of the real property appropriated.


SECTION V: This Ordinance shall take effect and be in full force on and after the earliest date allowed by law.

PASSED this 18th day of March, 2002.



Mayor of the City of Centerville, Ohio

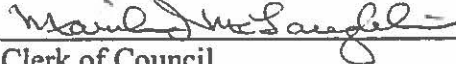
ATTEST:



Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 3-02, passed by the Council of the City of Centerville, Ohio on the 18th day of March, 2002.



Clerk of Council

Approved as to form,
consistency with existing
ordinances, the charter and
constitutional provisions.
Department of Law
Robert N. Farquhar
Municipal Attorney