

ORDINANCE NO. 18-00  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Mark Kingseed ON THE  
18<sup>th</sup> DAY OF September, 2000.

AN EMERGENCY ORDINANCE TO REPEAL  
ORDINANCE NUMBER 14-00 IN ITS ENTIRETY, AND  
TO AUTHORIZE THE ANNEXATION OF CONTIGUOUS  
TERRITORY AND DIRECT THE MUNICIPAL  
ATTORNEY TO PROSECUTE THE PROCEEDINGS  
NECESSARY TO EFFECT SAID ANNEXATION.

WHEREAS, Passed by the Council of the City of Centerville on the 21<sup>st</sup>  
day of August, 2000 was an emergency Ordinance authorizing the Municipal Attorney to  
prosecute the proceedings necessary to effect the annexation of a 0.265 acre tract of land  
from Washington Township to the City of Centerville; and

WHEREAS, The description attached to Ordinance Number 14-00 was not  
all inclusive and has been corrected to include the correct amount of acreage to be  
annexed; and

WHEREAS, The City of Centerville is the owner of a 0.363 acre tract  
which is located in the unincorporated area of Washington Township, Montgomery  
County, Ohio but contiguous to the corporate limits of the City which tract is more  
particularly described in Exhibit A, attached hereto and incorporated herein; and

WHEREAS, The Council proposes to annex said property to the City of  
Centerville in accordance with the provisions of § 709.14 *et. Seq.* Ohio Revised Code.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE  
HEREBY RESOLVES:

Section 1. That Ordinance Number 14-00 be repealed in its entirety and  
that the annexation of the city owned property described in Exhibit A is hereby  
authorized and the Municipal Attorney is hereby directed to prosecute the proceedings  
necessary to effect said annexation.

Section 2. This Ordinance is hereby declared to be an emergency and shall become effective upon passage. An emergency affecting public health and safety is hereby declared to exist by virtue of the fact that it is likely that the General Assembly will pass new legislation that will discontinue this method of annexation.

PASSED this 18<sup>th</sup> day of September, 2000

Sally D. Beak  
Mayor of the City of Centerville, Ohio

ATTEST:

Marilee J. McLaughlin  
Clerk of Council, City of Centerville, Ohio

**CERTIFICATE**

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of <sup>Ordinance</sup> Resolution Number 18-00, passed by the Council of the City of Centerville, Ohio, on the 18<sup>th</sup> day of September, 2000.

Marilee J. McLaughlin  
Clerk of Council

Approved as to form, consistency  
with the Charter and Constitutional Provisions.

Department of Law  
Robert N. Farquhar  
Municipal Attorney

**McDougall Associates, Inc.***Professional Land Surveyors*

8529 Byers Road

Miamisburg, Ohio 45342

(937) 847-2660

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**DESCRIPTION OF 0.363 ACRES  
TO BE ANNEXED TO  
THE CITY OF CENTERVILLE, OHIO  
AUGUST 24, 2000**

Situate in Section 5, Town 2, Range 5 M.Rs., Washington Township, Montgomery County, Ohio, being part of the 0.644 acre tract conveyed to The City of Centerville, recorded in Microfiche Number 94-742D04 (Tract No. 5), and all of the 0.265 acre tract conveyed to the City of Centerville by deed recorded in MF #95-781D03, both of the Deed Records of Montgomery County, Ohio, and being a tract of land more particularly described as follows:

Starting for reference at the intersection of the west right-of-way line of Yankee Street Pike and the south right-of-way line of Silverlake Drive as shown on said Silvercreek Estates, Sec. 1, recorded in Plat Book 106, Page 75 of the Plat Records of said County;

thence from said Starting Point S 87°16'47" E with a south line of said Silvercreek Estates, Sec. 1 a distance of 45.00 feet to the centerline of Yankee Street Pike;

thence S 02°43'13" W with the centerline of Yankee Street Pike a distance of 183.56 feet to the northwest corner of said 0.265 acre tract, said point being on the existing City of Centerville Corporation Line as shown on Plat Book 152, Page 44;

thence S 84°56'52" E with the north line of said 0.265 acre tract a distance of 69.05 feet, more or less to the northwest corner of the 2.594 acre tract conveyed to Christine Hill by deed recorded in MF #97-578E06, and the True Point of Beginning for the herein described parcel;


thence from said True Point of Beginning southwardly with the east right-of-way line of Yankee Street Pike along a curve to the right having a radius of 2919.79 feet, an arc distance of 147.67 feet, more or less, a central angle of 2°53'52" the chord of which bears S 04°32'33" W a distance of 147.66 feet, more or less, to a point of tangency;

thence S 05°59'31" W continuing with the east right-of-way line of Yankee Street Pike a distance of 24.89 feet, more or less to the southwest corner of said Hill tract;

thence N 84°55'37" W with the existing City of Centerville Corporation Line a distance of 84.70 feet, more or less (passing the centerline of Yankee Street Pike at 62.93 feet, more or less) to the City of Centerville Corporation Line;

thence N 02°43'13" E with the existing City of Centerville Corporation Line, parallel with and 24.75 feet west of the centerline of Yankee Street Pike a distance of 172.65 feet, more or less to the existing City of Centerville Corporation Line;

thence S 84°42'33" E with the existing City of Centerville Corporation Line a distance of 24.77 feet, more or less to the True Point of Beginning, containing 0.363 acres (including 0.265 acres of said City of Centerville tract, MF #95-781D03 and 0.098 acres of said City of Centerville tract, MF #94-742D04), more or less, to be annexed to the City of Centerville, Ohio. This description prepared by McDougall Associates, Inc. based on Tax Records of Montgomery County, Ohio and does not represent a survey made by McDougall Associates, Inc. Bearings are based the centerline of Yankee Street Pike (N 02°43'13" E) as shown on MF #95-781D03.

  
Kirk P. Diehl, P.S. #7032

