

ORDINANCE NO. 19-90
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Sally Beale ON THE 17th
DAY OF December, 1990.

AN ORDINANCE VACATING 0.057 ACRES OF RIGHT-OF-WAY ALONG EXISTING WHIPP RD. (NOW NAMED OLD WHIPP COURT) AND CORRECTING THE PREVIOUS VACATION BY THE CITY IN ORDINANCE 12-88. ALSO, THIS ORDINANCE VACATES 0.054 ACRES OF RIGHT-OF-WAY ALONG RELOCATED WHIPP RD.

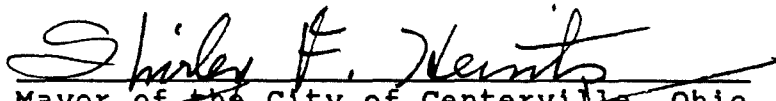
THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. This Council finds that the sole owner of land in the immediate vicinity of existing Whipp Road (Now named Old Whipp Court) and relocated Whipp Road has filed its petition with Council praying that such portion of existing Whipp Road (Now named Old Whipp Court) and relocated Whipp Road as is described in Exhibit A and Exhibit B attached hereto and incorporated herein by reference be vacated. This vacation, also, corrects the previous vacation by the City in Ordinance 12-88 along existing Whipp Road (Now named Old Whipp Court). The Council has held a public hearing upon said petition and finds that notice provided for in Section 723.07, Ohio Revised Code, is not required by virtue of the provisions of Section 723.06, Ohio Revised Code, because the petitioner has consented to said vacation. Upon said hearing, Council is satisfied that there is good cause for such vacation, that it will not be detrimental to the general interests, and that it should be made.

Section 2. This Council declares that the portion of existing Whipp Rd. (Now Old Whipp Court) and the portion of relocated Whipp Rd. which are described in Exhibits A and B attached hereto and incorporated herein is hereby vacated.

Section 3. This Ordinance shall become effective from and after the earliest date allowed by law.

PASSED THIS 17th day of December, 1990.


Mayor of the City of Centerville, Ohio

ATTEST:

Maile J. Saughel
Clerk of the Council
City of Centerville, Ohio

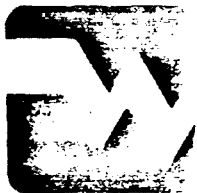
CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 19-90, passed by the Council of the City of Centerville, Ohio, on the 17th day of December, 1990.

Maile J. Saughel
Clerk of the Council

Approved as to form, consistency with existing ordinance, the charter and constitutional provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney



WOOLPERT

Exhibit A

**DESCRIPTION OF
R/W TO BE VACATED
ALONG EXISTING WHIPP ROAD
CONTAINING 0.057 ACRES
JUNE 28, 1990**

Located in Section 15, Town 2, Range 6, East, City of Centerville, County of Montgomery, State of Ohio, and being a portion of dedicated right-of-way of the Whipp Road Plat as recorded in Plat Book 136, Page 42 of the Plat Records of Montgomery County, Ohio, and being more particularly described as follows:

Beginning at a point in the northerly line of Lot No. 2 of said Whipp Road Plat, said point being in the dedicated right-of-way line of existing Whipp Road and being thirty and 00/100 (30.00) feet south of as measured at right angles to the centerline of existing Whipp Road;

thence along the northerly line of said Lot No. 2 and the dedicated right-of-way line of existing Whipp Road for the following two courses:

North eighty-five degrees twenty-five minutes twenty seconds ($85^{\circ}25'20''$) West for four hundred fifty-five and 65/100 (455.65) feet;

thence on a curve to the left with a radius of sixty-five and 93/100 (65.93) feet for an arc distance of seventy-seven and 54/100 (77.54) feet, [long chord bearing South sixty degrees fifty-three minutes twelve seconds ($60^{\circ}53'12''$) West for seventy-three and 14/100 (73.14) feet, central angle of said curve being sixty-seven degrees twenty-two minutes fifty-six seconds ($67^{\circ}22'56''$)];

thence along the proposed right-of-way line of existing Whipp Road for the following four courses:

on a curve to the right with a radius of seventy-four and 05/100 (74.05) feet for an arc distance of eighty-seven and 09/100 (87.09) feet, [long chord bearing North sixty degrees fifty-three minutes twelve seconds ($60^{\circ}53'12''$) East for eighty-two and 16/100 (82.16) feet, central angle of said curve being sixty-seven degrees twenty-two minutes fifty-six seconds ($67^{\circ}22'56''$)] to a point twenty-five and 00/100 (25.00) feet south of as measured at right angles to the centerline of existing Whipp Road;

thence South eighty-five degrees twenty-five minutes twenty seconds ($85^{\circ}25'20''$) East for four hundred forty-four and 19/100 (444.19) feet;

thence on a curve to the right with a radius of thirty-five and 71/100 (35.71) feet for an arc distance of thirty-three and 49/100 (33.49) feet, [long chord bearing South fifty-eight degrees thirty-three minutes thirty-three seconds ($58^{\circ}33'33''$) East for thirty-two and 27/100 (32.27) feet, central angle of said curve being fifty-three degrees forty-three minutes thirty-five seconds ($53^{\circ}43'35''$)];

thence on a curve to the left with a radius of fifty and 00/100 (50.00) feet for an arc distance of three and 72/100 (3.72) feet, [long chord bearing South thirty-three degrees forty-nine minutes forty-seven seconds (33°49'47") East for three and 72/100 (3.72) feet, central angle of said curve being four degrees sixteen minutes five seconds (4°16'05")] to a point in the northerly line of said Lot No. 2, said point being in the dedicated right-of-way line of existing Whipp Road;

thence along the northerly line of said Lot No. 2 and the dedicated right-of-way line of existing Whipp Road, on a curve to the left with a radius of thirty-five and 71/100 (35.71) feet for an arc distance of thirty and 83/100 (30.83) feet, [long chord bearing North sixty degrees forty-one minutes thirty-five seconds (60°41'35") West for twenty-nine and 88/100 (29.88) feet, central angle of said curve being forty-nine degrees twenty-seven minutes thirty seconds (49°27'30")] to the point of beginning, containing no and 057/1000 (0.057) acres, more or less.



DESCRIPTION OF
R/W TO BE VACATED
ALONG RELOCATED WHIPP ROAD
CONTAINING 0.054 ACRES
JUNE 27, 1990

Located in Section 15, Town 2, Range 6, East, City of Centerville, County of Montgomery, State of Ohio, and being a portion of dedicated right-of-way of the Whipp Road Plat as recorded in Plat Book 136, Page 42 of the Plat Records of Montgomery County, Ohio, and being more particularly described as follows:

Beginning at the northeast corner of Lot No. 1 of said Whipp Road Plat, said corner being in the west right-of-way line of Wilmington Pike;

thence along the east line of said Lot No. 1 and the west right-of-way line of Wilmington Pike, South two degrees fifteen minutes no seconds ($02^{\circ}15'00''$) West for one hundred ninety and 00/100 (190.00) feet to the TRUE POINT OF BEGINNING;

thence along the proposed right-of-way line of relocated Whipp Road for the following eight courses:

South two degrees fifteen minutes no seconds ($02^{\circ}15'00''$) West for three and 26/100 (3.26) feet;

thence on a curve to the right with a radius of fifteen and 00/100 (15.00) feet for an arc distance of twenty-three and 56/100 (23.56) feet, [long chord bearing South forty-seven degrees fifteen minutes no seconds ($47^{\circ}15'00''$) West for twenty-one and 21/100 (21.21) feet, central angle of said curve being ninety degrees no minutes no seconds ($90^{\circ}00'00''$)];

thence North eighty-seven degrees forty-five minutes no seconds ($87^{\circ}45'00''$) West for two and 25/100 (2.25) feet;

thence on a curve to the right with a radius of seven hundred thirty-five and 25/100 (735.25) feet for an arc distance of four hundred fifty-one and 33/100 (451.33) feet, [long chord bearing North seventy degrees nine minutes fifty-two seconds ($70^{\circ}09'52''$) West for four hundred forty-four and 28/100 (444.28) feet, central angle of said curve being thirty-five degrees ten minutes sixteen seconds ($35^{\circ}10'16''$)];

thence North fifty-two degrees thirty-four minutes forty-three seconds ($52^{\circ}34'43''$) West for one hundred fifty-one and 20/100 (151.20) feet;

thence on a curve to the left with a radius of one thousand sixty-one and 00/100 (1061.00) feet for an arc distance of seventy-two and 33/100 (72.33) feet, [long chord bearing North fifty-four degrees thirty-one minutes fifty-three seconds ($54^{\circ}31'53''$) West for seventy-two and 31/100 (72.31) feet, central angle of said curve being three degrees fifty-four minutes twenty-one seconds ($3^{\circ}54'21''$)];

thence on a curve to the right with a radius of fifteen and 00/100 (15.00) feet for an arc distance of twenty-one and 91/100 (21.91) feet, [long chord bearing North fourteen degrees thirty-eight minutes forty seconds (14°38'40") West for twenty and 01/100 (20.01) feet, central angle of said curve being eighty-three degrees forty minutes forty-eight seconds (83°40'48")];

thence on a curve to the right with a radius of sixty-five and 93/100 (65.93) feet for an arc distance of four and 64/100 (4.64) feet, [long chord bearing North twenty-nine degrees twelve minutes forty-eight seconds (29°12'48") East for four and 64/100 (4.64) feet, central angle of said curve being four degrees two minutes eight seconds (4°02'08")] to a point in the southerly line of Lot Nos. 1 and 2 of said Whipp Road Plat, said point also being in the dedicated right-of-way line of relocated Whipp Road;

thence along the southerly line of said Lot Nos. 1 and 2 and the dedicated right-of-way line of relocated Whipp Road for the following six courses:

on a curve to the left with a radius of fifteen and 00/100 (15.00) feet for an arc distance of twenty-three and 00/100 (23.00) feet, [long chord bearing South twelve degrees forty minutes fifty seconds (12°40'50") East for twenty and 81/100 (20.81) feet, central angle of said curve being eighty-seven degrees fifty minutes no seconds (87°50'00")];

thence on a curve to the right with a radius of one thousand forty-three and 00/100 (1043.00) feet for an arc distance of seventy-six and 00/100 (76.00) feet, [long chord bearing South fifty-four degrees thirty minutes thirty-five seconds (54°30'35") East for seventy-five and 98/100 (75.98) feet, central angle of said curve being four degrees ten minutes fifty seconds (4°10'50")];

thence South fifty-two degrees twenty-five minutes twenty seconds (52°25'20") East for one hundred forty-six and 01/100 (146.01) feet;

thence on a curve to the left with a radius of seven hundred thirty-two and 00/100 (732.00) feet for an arc distance of four hundred fifty-one and 34/100 (451.34) feet, [long chord bearing South seventy degrees five minutes ten seconds (70°05'10") East for four hundred forty-four and 23/100 (444.23) feet, central angle of said curve being thirty-five degrees nineteen minutes forty seconds (35°19'40")];

thence South eighty-seven degrees forty-five minutes no seconds (87°45'00") East for two and 25/100 (2.25) feet;

thence on a curve to the left with a radius of fifteen and 00/100 (15.00) feet for an arc distance of twenty-three and 56/100 (23.56) feet, [long chord bearing North forty-seven degrees fifteen minutes no seconds (47°15'00") East for twenty-one and 21/100 (21.21) feet, central angle of said curve being ninety degrees no minutes no seconds (90°00'00")] to the TRUE POINT OF BEGINNING, containing no and 054/1000 (0.054) acres, more or less.