

ORDINANCE NO. 12-88  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Bernard Samples ON THE 19th  
DAY OF December, 1988.

AN ORDINANCE VACATING APPROXIMATELY FIVE  
(5) FEET IN WIDTH OF RIGHT-OF-WAY FROM THE  
SOUTH SIDE OF EXISTING WHIPP ROAD.

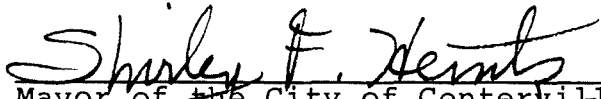
THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. This Council finds that the sole owner of land in the immediate vicinity of existing Whipp Road has filed its petition with Council praying that such portion of existing Whipp Road as is described in Exhibit A attached hereto and incorporated herein by reference be vacated. 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 that portion of existing Whipp Road which is described in Exhibit A 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 19th day of December, 1988.

  
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. 12-88, passed by the Council of the City of Centerville, Ohio on the 19th day of December, 1988.

  
Clerk of the Council

Approved as to form, consistency  
with existing ordinances, the  
charter & constitutional provisions.

Department of Law  
Robert N. Farquhar  
Municipal Attorney

A DESCRIPTION OF  
THE RIGHT-OF-WAY AREA  
TO BE VACATED  
ALONG WHIPP ROAD  
SEPTEMBER 21, 1988

Located in Section 15, Town 2, Range 6, M.R.S., City of Centerville, County of Montgomery, State of Ohio, and being a portion of land conveyed by deed to Finke Realty Company in Deed Microfiche 86-0090808 of the Deed Records of Montgomery County, Ohio, and being more particularly described as follows:

Beginning at the northeast corner of Oak Creek Four Section Five Record Plan recorded in Plat Book 88, Page 59 of the Plat Records of Montgomery County, Ohio, said corner being in the centerline of Whipp Road; thence along the centerline of Whipp Road, South eighty-five degrees twenty-five minutes twenty seconds (85-25'20") East for three hundred forty-six and 19/100 (346.19) feet; thence South four degrees thirty-four minutes forty seconds (04-34'40") West for twenty-five and 00/100 (25.00) feet to a point in the proposed south right-of-way line of Whipp Road, said point being the TRUE POINT OF BEGINNING of this description;

thence along the proposed south right-of-way line of Whipp Road for the following two courses:

South eighty-five degrees twenty-five minutes twenty seconds (85-25'20") East for four hundred thirty-six and 69/100 (436.69) feet; thence on a curve to the right with a radius of fifty and 00/100 (50.00) feet for an arc distance of twenty-two and 55/100 (22.55) feet, [long chord bearing South seventy-two degrees thirty minutes four seconds (72-30'04") East for twenty-two and 36/100 (22.36) feet, central angle of said curve being twenty-five degrees fifty minutes thirty-one seconds (25-50'31")] to a point in the existing south right-of-way line of Whipp Road;

thence along the existing south right-of-way line of Whipp Road, North eighty-five degrees twenty-five minutes twenty seconds (85-25'20") West for four hundred eighty-five and 41/100 (485.41) feet to a point in the proposed south right-of-way line of Whipp Road;

thence along the proposed south right-of-way line of Whipp Road, On a curve to the right with a radius of seventy-five and 00/100 (75.00) feet for an arc distance of twenty-seven and 54/100 (27.54) feet, [long chord bearing North eighty-four degrees three minutes twenty-nine seconds (84-03'29") East for twenty-seven and 39/100 (27.39) feet, central angle of said curve being twenty-one degrees two minutes twenty-two seconds (21-02'22")]; to the TRUE POINT OF BEGINNING, containing no and 054/1000 (0.054) acres, more or less.