

ORDINANCE NO. 15-85

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Charles Taylor ON THE 16th
DAY OF December, 1985.

AN ORDINANCE TO AUTHORIZE THE TRANSFER OF CERTAIN REAL ESTATE OWNED BY THE CITY OF CENTERVILLE TO CENTERVILLE BUILDERS SUPPLY CO., INC., IN EXCHANGE FOR OTHER REAL ESTATE.

Whereas, the City of Centerville holds title to a tract of land containing .2439 acres more or less and desires to exchange that real estate with Centerville Builders Supply Co., Inc., for two (2) tracts of land in the same general area which is better suited for the use by the City; and

Whereas, the Charter of this City has no provisions specifically dealing with transfers or conveyances by this City of any part of its real estate to another owner; and

Whereas, there is no existing Ordinance of this City which deals with transfers or conveyances by this City of any part of its real estate to another owner; and

Whereas, Section 3.02 of the Charter provides, in general, that if no procedure is established by the Charter or by Ordinance with regard to any particular matter, such procedure as may be provided by general State law shall be followed until the City Council provides a different procedure by Ordinance; and

Whereas, the Council of the City of Centerville hereby makes special provision to authorize the trade and exchange of real estate parcels between the City of Centerville and Centerville Builders Supply Co., Inc., so that this Ordinance rather than general State law shall control the procedures in making that trade and exchange:

NOW, THEREFORE

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

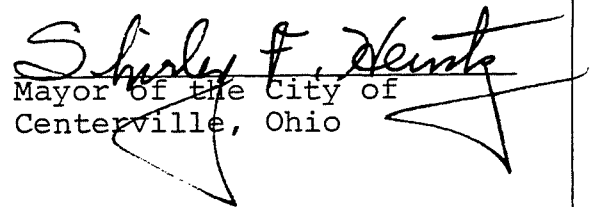
Section 1. It is hereby provided that this City shall effect a real estate trade and exchange with Centerville Builders Supply Co., Inc., under the terms of this Ordinance and without necessity of compliance with any provision of the Ohio Statutes.

Section 2. A tract of .2439 acres of land owned by this City and located adjacent to land owned by Centerville Builders Supply Co., Inc., shall be traded to and exchanged with Centerville Builders Supply Co., Inc., for two (2) separate tracts of land now owned by Centerville Builders Supply Co., Inc., specifically being 0.5568 acres and 0.041 acres. Those two (2) tracts are located in the general vicinity of the 0.2439 acre tract of land referred to above.

Section 3. The City Manager is hereby authorized and directed to execute a special warranty deed from this City to said Centerville Builders Supply Co., Inc., so as to convey the 0.2439 acre tract of land; and the City Manager is authorized and directed to execute all other documents and take any other steps necessary to complete the trade and exchange referred to above.

Section 4. This Ordinance shall take effect from and after the earliest period allowed by law.

PASSED THIS 16th day of December, 1985.


Mayor of the City of
Centerville, Ohio

ATTEST:

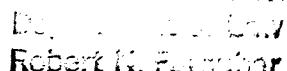

Clerk of Council
City of Centerville, Ohio

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. 15-85, passed by the Council of the City of Centerville, Ohio on the 16th day of December, 1985.


Clerk of Council

Approved as to form, consistency,
with existing ordinances, the
charter & constitution of this city.


Robert W. Fungar
Municipal Attorney