

ORDINANCE NO. 41-79

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Leonard Stubbs on the
1st day of October, 1979.

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY OF CENTERVILLE TO PURCHASE THE PROPERTY DESCRIBED HEREIN FROM PHILLIPS MARKETING PROPERTIES, INC. AND FURTHER AUTHORIZING AND DIRECTING THE PAYMENT OF THE SUM OF \$8,555.75 TO PHILLIPS MARKETING PROPERTIES, INC. FOR SAME.

WHEREAS, the City of Centerville has undertaken improvement of the intersection of Main and Franklin Streets;

WHEREAS, in order to accomplish the improvement of said intersection it is necessary to purchase additional land amounting to approximately 2,444.5 square feet which land is now owned by Phillips Marketing Properties, Inc.;

WHEREAS, the said Phillips Marketing Properties, Inc. has proposed to sell the said land to the City of Centerville for \$8,555.75 which amount the council of the City of Centerville hereby determines to be fair;

NOW, THEREFORE

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINES:

SECTION 1. That the City of Centerville is hereby authorized and directed to purchase from Phillips Marketing Properties, Inc. for the sum of \$8,555.75 the following described property to wit:

Situated in the City of Centerville, County of Montgomery, State of Ohio, and in Section 25, Township 2, Range 6, Miami Rivers Survey and bounded and described as follows:

Being a part of Lots Number 1 and 2 of the Aaron Nutt Plat as recorded in Plat Book 1, Page 20, of the Plat Records of Montgomery County, now known as Lots Number 61 and 62 of the Plat of the Village of Centerville (Auditor's revised numbering system) and more particularly bounded and described as follows:

Beginning at the southwesterly corner of said Lot 61, said corner also being the intersection of the centerline of Main Street (State Route 48) and the centerline of Franklin Street;

thence along the westerly line of said Lots 61 and 62, same being said centerline of Main Street, North 3°23'00" East 208.56 feet to the northwest corner of said Lot 62;

thence along the northerly line of said Lot 62, same being the southerly line of Lot Number 63, formerly known as Lot Number 3, North 87°23'00" East 45.75 feet;

thence parallel with and 45.50 feet East of the westerly line of said Lots 61 and 62 South 3°23'00" West 146.00 feet;

thence South 44°26'31" East 36.52 feet;

thence parallel with and 35.00 feet North of the southerly line of said Lot 61 North 87°23'00" East 140.00 feet to a point on the easterly line of said Lot 61;

thence along the easterly line of said Lot 61, as this line is established by a certain boundary agreement dated the 4th day of November, 1958, and recorded in Deed Book 1906, Page 149 of the Deed Records of Montgomery County, South 3°23'00" West 35.19 feet to the southeasterly corner of said Lot 62, passing a stone monument at 2.01 feet;

thence along the southerly line of said Lot 62, same being said centerline of Franklin Street, South 87°23'00" West 212.97 feet to the point of beginning containing 0.361 acres, more or less, inclusive of 0.302 acres, more or less, in present road occupied.

Description for this parcel, prepared by Burgess & Niple, Limited, is based on a survey by Robert E. Thompson.

SECTION 2. That the City Manager and Director of Finance are hereby authorized and directed to undertake anything necessary to effectuate said purchase.

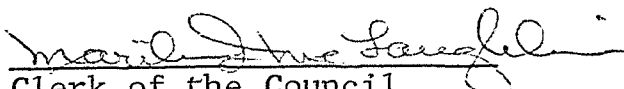
SECTION 3. This Ordinance shall become effective from and after the earliest date allowed by law.

PASSED THIS 1st day of October, 1979.



Mayor of the City of Centerville,
Ohio

ATTEST:



Clerk of the Council
City of Centerville, Ohio

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT PHILLIPS MARKETING PROPERTIES, INC. Grantor, in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto CITY OF CENTERVILLE of 100 W. Spring Valley Road, Centerville, Ohio, Grantee, the following real property and premises, situate in the County of Montgomery, State of Ohio, to wit:

Situated in the City of Centerville, County of Montgomery, State of Ohio, and in Section 25, Township 2, Range 6, Miami Rivers Survey and bounded and described as follows:

Being a part of Lots Number 1 and 2 of the Aaron Nutt Plat as recorded in Plat Book 1, Page 20, of the Plat Records of Montgomery County, now known as Lots Number 61 and 62 of the Plat of the Village of Centerville (Auditor's revised numbering system) and more particularly bounded and described as follows:

Beginning at the southwesterly corner of said Lot 61, said corner also being the intersection of the centerline of Main Street (State Route 48) and the centerline of Franklin Street;

thence along the westerly line of said Lots 61 and 62, same being said centerline of Main Street, North 3°23'00" East 208.56 feet to the northwest corner of said Lot 62;

thence along the northerly line of said Lot 62, same being the southerly line of Lot Number 63, formerly known as Lot Number 3, Number 87°23'00" East 45.75 feet;

thence parallel with and 45.50 feet East of the westerly line of said Lots 61 and 62 South 3°23'00" West 146.00 feet;

thence South 44°26'31" East 36.52 feet;

thence parallel with and 35.00 feet North of the southerly line of said Lot 61 North 87°23'00" East 140.00 feet to a point on the easterly line of said Lot 61;

thence along the easterly line of said Lot 61, as this line is established by a certain boundary agreement dated the 4th day of November, 1958, and recorded in Deed Book 1906, Page 149 of the Deed Records of Montgomery County, South 3°23'00" West 35.19 feet to the southeasterly corner of said Lot 62, passing a stone monument at 2.01 feet;

thence along the southerly line of said Lot 62, same being said centerline of Franklin Street, South 87°23'00" West 212.97 feet to the point of beginning containing 0.361 acres, more or less, inclusive of 0.302 acres, more or less, in present road occupied.

Description for this parcel, prepared by Burgess & Niple, Limited, is based on a survey by Robert E. Thompson.

Grantor, for itself and its successors and assigns reserves the right of ingress and egress to and from any residual area.

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT PHILLIPS PETROLEUM COMPANY, Grantor, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, does hereby remise, release and forever quitclaim unto CITY OF CENTERVILLE, 100 W. Spring Valley Road, Centerville, Ohio, Grantee, all of Grantor's right, title and interest in and to the following real property and premises, situate in the County of Montgomery, State of Ohio, to wit:

Situated in the City of Centerville, County of Montgomery, State of Ohio, and in Section 25, Township 2, Range 6, Miami Rivers Survey and bounded and described as follows:

Being a part of Lots Number 1 and 2 of the Aaron Nutt Plat as recorded in Plat Book 1, Page 20, of the Plat Records of Montgomery County, now known as Lots Number 61 and 62 of the Plat of the Village of Centerville (Auditor's revised numbering system) and more particularly bounded and described as follows:

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thence along the westerly line of said Lots 61 and 62, same being said centerline of Main Street, North 3°23'00" East 208.56 feet to the northwest corner of said Lot 62;

thence along the northerly line of said Lot 62, same being the southerly line of Lot Number 63, formerly known as Lot Number 3, North 87°23'00" East 45.75 feet;

thence parallel with and 45.50 feet East of the westerly line of said Lots 61 and 62 South 3°23'00" West 146.00 feet;

thence South 44°26'31" East 36.52 feet;

thence parallel with and 35.00 feet North of the southerly line of said Lot 61 North 87°23'00" East 140.00 feet to a point on the easterly line of said Lot 61 ;

thence along the easterly line of said Lot 61, as this line is established by a certain boundary agreement dated the 4th day of November, 1958, and recorded in Deed Book 1906, Page 149 of the Deed Records of Montgomery County, South 3°23'00" West 35.19 feet to the southeasterly corner of said Lot 62, passing a stone monument at 2.01 feet;

thence along the southerly line of said Lot 62, same being said centerline of Franklin Street, South 87°23'00" West 212.97 feet to the point of beginning containing 0.361 acres, more or less, inclusive of 0.302 acres, more or less, in present road occupied.

