

ORDINANCE NO. 52-79
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Leonard Stubbs on the
5th day of November, 1979.

AN ORDINANCE ACCEPTING THE DEDICATION
OF PUBLIC RIGHT-OF-WAY AS HEREINAFTER
DESCRIBED.

WHEREAS, on the 4th day of October, 1979 the City of Centerville, Ohio received a deed from Phillips Marketing Properties, Inc. for the following described property which deed is for additional right-of-way needed by the City of Centerville in connection with its improvement of the intersection of Main and Franklin Streets; and

WHEREAS, Section 723.03 Ohio Revised Code requires that a Municipal Corporation accept dedication of public right-of-way by an ordinance specially passed for such purpose;

NOW, THEREFORE,

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION I. That the dedication of the following described property is hereby accepted and confirmed by the City of Centerville, to wit:

Situate in the City of Centerville, County of Montgomery, State of Ohio, and in Section 25, Township 2, Range 6, Miami Rivers Survey 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 45.00 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 2° 23' 00" West 35.19 feet to the southeasterly corner of said Lot 61, passing a stone monument at 2.01 feet;

thence along the southerly line of said Lot 61, 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 II. This ordinance shall become effective from and after the earliest date allowed by law.

PASSED THIS 5th day of November, 1979.

Victor Alper
Mayor of the City of Centerville, Ohio

ATTEST:

Marion McLaughlin
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. 52-79, passed by the Council of the City of Centerville, Ohio, on the 5th day of November, 1979.

Marion McLaughlin
Clerk of the Council

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

Robert N. Farquhar
Municipal Attorney -2-