

RESOLUTION NO. 50-13
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Doug Cline ON THE 21st
DAY OF October, 2013.

**A RESOLUTION ACCEPTING THE ANNEXATION OF 0.933±
ACRES OF PROPERTY FROM WASHINGTON TOWNSHIP
TO THE CITY OF CENTERVILLE.**

WHEREAS, FEZCO DLP, LLC, is the owner of land at 9010 Dayton-Lebanon Pike, which is located in the unincorporated area of Washington Township, Montgomery County, Ohio, but contiguous to the corporate limits of the City of Centerville; and

WHEREAS, FEZCO DLP, LLC filed a petition to annex 0.933 acres, more or less, of land as more particularly described in Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, on or about July 2, 2013, a petition seeking annexation of such property was presented to and subsequently approved by the Montgomery County Board of County Commissioners on or about August 6, 2013; and

WHEREAS, the Resolution of the Montgomery County Board of County Commissioners granting the petition for annexation and the accompanying map or plat, petition, and record were received from the County Commissioners' Clerk by the City of Centerville Clerk on August 6, 2013 in accordance with the provisions of §709.04 *et seq.* Ohio Revised Code, more than sixty days have elapsed since the City Clerk's receipt of the annexation papers and the matter is now ready for acceptance or rejection by the City of Centerville; and

WHEREAS, the Council of the City of Centerville wishes to accept the annexation of such property to the City of Centerville in accordance with the provisions of §709.04 *et seq.* Ohio Revised Code.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1: That the annexation of property described in Exhibit "A" attached hereto be and is hereby accepted.

Section 2: The Clerk is hereby directed to send certified copies of the annexation petition, map or plat, and transcript and record to the Secretary of State, the county auditor and recorder, written notice of the boundary change and a copy of this resolution and annexation

map or plat to the board of elections within thirty days, and any other official filing required by statute.

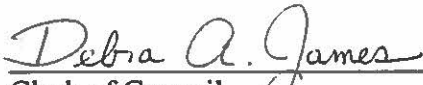
Section 3: This Resolution is to be effective at the earliest date allowed by law.

PASSED THIS 21st day of October, 2013.



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 Resolution No. 50-13, passed by the Council of the City of Centerville, Ohio on the 21st day of October, 2013.



Clerk of the Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.

Department of Law
Scott A. Liberman, Municipal Attorney



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**LEGAL DESCRIPTION
0.933 ACRES TO BE ANNEXED**

Situated in Section 29, Town 3, Range 5, Washington Township, Montgomery County, Ohio, the boundary of area to be annexed to the City of Centerville, being more particularly described as follows:

Beginning at the northwest corner of the northeast quarter of Section 29;

Thence along the north line of Section 29 and the centerline of E. Spring Valley Pike, N84°21'52"E a distance of 200.00 feet;

Thence, S01°01'08"E a distance of 30.10 feet to a point in the existing corporation line of the City of Centerville and the Point of Beginning for this description;

Thence along the east line of a 0.92 acre tract of land conveyed to Fezco DLP, LLC in Deed No. 10-077088, S01°01'08"E a distance of 169.91 feet;

Thence along the south line of said 0.92 acre tract, S84°21'57"W a distance of 139.80 feet to the east right of way line of State Route 48;

Thence along said east right of way line the following seven courses:

1. S01°01'08"E a distance of 68.33 feet;
2. N88°58'52"E a distance of 40.00 feet;
3. S01°01'08"E a distance of 67.37 feet;
4. N85°45'45"E a distance of 0.48 feet;
5. S01°01'08"E a distance of 35.00 feet;
6. S85°47'22"W a distance of 38.65 feet;
7. S01°01'08"E a distance of 78.92 feet to the south line of a tract of land conveyed to Goodwill industries of the Miami Valley in Deed No. 05-121453;

Thence, S89°14'12"W a distance of 32.04 feet to the aforesaid corporation line of the City of Centerville;

THE
KLEINGERS
GROUP



Thence along said corporation line, N01°00'00"W a distance of 419.08 feet;

Thence continuing, N84°21'52"E a distance of 169.91 feet to the Point of Beginning;

Containing 0.933 acres more or less.

Being subject to easements and rights of way of record.

Bearings are based on the centerline of Spring Valley Road being N84°21'52"E Per Deed No. 10-077088.



Randy C Wolfe
6/27/13