

RESOLUTION NO. 56-13
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Paul Gresham ON
THE 16th DAY OF December, 2013.

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

WHEREAS, YANKEE TRACE WOODS, LLC, is the owner of land 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, YANKEE TRACE WOODS, LLC, filed a petition to annex 13.8 acres, more or less, of land as more particularly described in Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, on or about August 19, 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 September 24, 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 September 24, 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 16th day of December, 2013.

Brooks A. Compton
Deputy Mayor of the City of Centerville,
Ohio

ATTEST:

Debra A. James
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. 56-13, passed by the Council of the City of Centerville, Ohio on the 16th day of December, 2013.

Debra A. James
Clerk of the Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.
Department of Law
Scott A. Liberman, Municipal Attorney

BRUMBAUGH ENGINEERING & SURVEYING, LLC
1105 South Miami St.
West Milton, Ohio 45383
937-698-3000

August 16, 2013

PROPOSED ANNEXATION
13.8 ACRES

Situate in the State of Ohio, County of Montgomery, Township of Washington, and being in Section 35, Town 3, Range 5 MRS, and being all of the 13.812 Acre Tract as acquired by Yankee Trace Woods, LLC in I.R. Deed 13-057389 (all references to deed books, official records, microfiche numbers, instrument numbers, survey records and/or plats refer to the Montgomery County Recorders office, Montgomery County, Ohio), and being more specifically described as follows:

Commencing at the Northwest corner of said Yankee Trace Woods, LLC tract and the Northwest corner of the Southwest quarter of Section 35, Town 3, Range 5 MRS marking the **TRUE POINT OF BEGINNING**;

Thence with the North line of said Yankee Trace Woods, LLC tract and with the South line of a tract conveyed to Linda S. Gastineau, Trustee in IR Deed 07-004940 S 89° 41' 28" E for a distance of 870.70 feet to a point at the Northwest corner of a tract conveyed to James C. Mayberry, Sr. and Carolyn Mayberry in I.R. Deed 02-128968;

Thence with an East line of said Yankee Trace Woods, LLC tract and the West Line of said Mayberry tract S 00° 20' 12" W for a distance of 398.76 feet to a point at the Southwest corner of said Mayberry tract;

Thence with a North line of said Yankee Trace Woods, LLC tract and the South line of said Mayberry tract S 89° 43' 15" E for a distance of 369.70 feet to a point on the west line of a tract conveyed to the Board of Trustees of the Township of Washington, County of Montgomery, Ohio in I.R. Deed 10-051094, being the west right-of-way line of Paragon Road (82' ROW);

Thence with the East line of said Yankee Trace Woods, LLC tract and the west right-of-way line of said Paragon Road on a curve to the left with an arc distance of 4.88 feet whose radius = 410.65 feet, delta = 0° 40' 51", tangent = 2.44 feet, and whose long chord bears S 05° 23' 11" W for a distance of 4.88 feet to a point;

Thence continuing with the East line of said Yankee Trace Woods, LLC tract and the West right-of-way line of said Paragon Road S 05° 03' 17" W for a distance of 194.96 feet to a point on the North line of a tract conveyed to Susan J. Mauro, Trustee in I.R. Deed 03-083491;

Thence with the South line of said Yankee Trace Woods, LLC tract and North Line of said Mauro tract N 89° 43' 22" W for a distance of 1070.46 feet to a point on the Northwest corner of said Mauro tract and in the North line of Yankee Trace Section 17 recorded in Plat Book 174 page 42A;

Thence with a Southerly line of said Yankee Trace Woods, LLC tract and the North Line of said Yankee Trace Section 17 N 67° 49' 39" W for a distance of 219.90 feet to a point in the West line of said section 35 and the East line of Yankee Trace Subdivision Section 16 as recorded in Plat Book 173 page 36A;

Thence with the West line of said section 35 and said Yankee Trace Woods, LLC tract and the East line of Yankee Trace Section 16 N 05° 56' 19" E for a distance of 518.93 feet to the **TRUE POINT OF BEGINNING**. The above described property contains a total of 13.8 ± acres more or less and being subject to all restrictions, easements, conditions, covenants and legal highways of record.

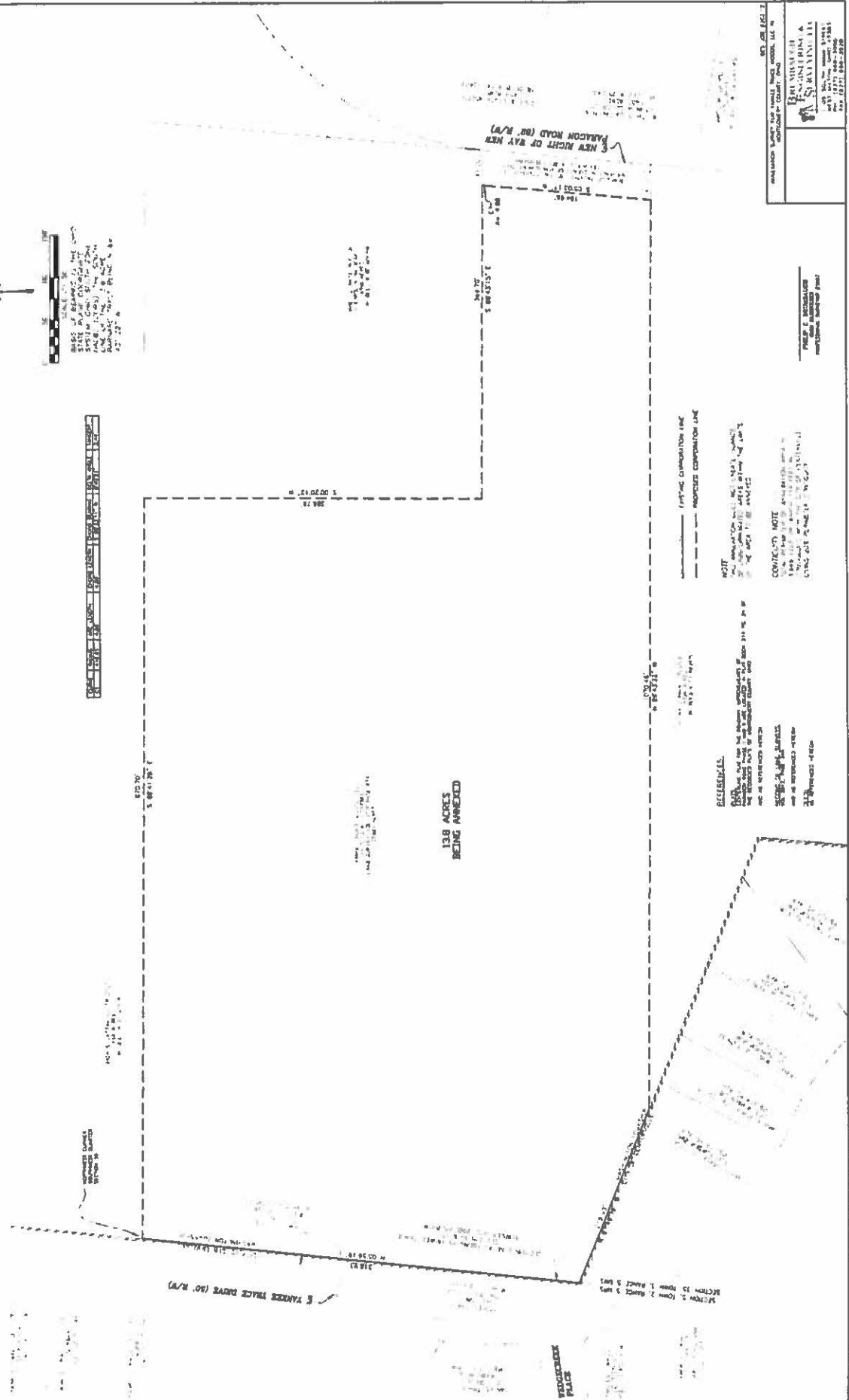
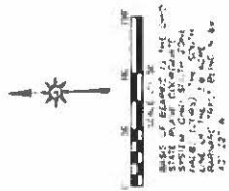
The basis of bearing of the foregoing description is the Ohio State Plane Coordinate system, south zone, NAD83 (cors), the South line of the Yankee Trace Woods, LLC being N 89° 43' 22" W.

The foregoing description is according to the 12-12-12 survey of Philip C Brumbaugh, Registered Surveyor # 5057, as filed in Survey Volume 2012 and Page 0340 of the Montgomery County Engineers Office.

This description is for annexation purposes only and is not to be used for deed transfer.

Philip C. Brumbaugh
Ohio Reg. #5057

ANNEXATION OF 13.8 ± ACRES TO THE CITY OF CENTERVILLE
SECTION 36, TOWN 3, RANGE 5 MRS
TOWNSHIP OF WASHINGTON, COUNTY OF MONTGOMERY, STATE OF OHIO
 AUGUST 14, 2013



LEGEND
 - - - - - PROPOSED COMPLETION LINE
 - - - - - RESIDENTIAL

NOTICE
 THE CITY OF CENTERVILLE HAS REVIEWED THE PLANS AND APPROVES THE ANNEXATION OF THE 13.8 ± ACRES OF LAND SHOWN ON THESE PLANS TO THE CITY OF CENTERVILLE.

CONTACT NOTE
 FOR MORE INFORMATION, CONTACT THE CITY ENGINEER AT (513) 233-3300 OR THE CITY CLERK AT (513) 233-3300.

ANNEXATION MAP OF 13.8 ± ACRES, SEE ABOVE, LLC IN
 CONFORMANCE WITH
REVISIONS
REVISIONS
REVISIONS
 DATE: 08/14/13
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: 08/14/13