

RESOLUTION NO. 16-12
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks Compton ON
THE 16th DAY OF APRIL, 2012.

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

WHEREAS, Yankee Development Group, an Ohio general partnership, 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 Development Group filed a petition to annex 96.5 acres, more or less, of land as more particularly described in Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, a petition seeking annexation of such property was presented to and subsequently approved by the Montgomery County Board of County Commissioners on or about February 7, 2012; 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 February 9, 2012 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 April, 2012.



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. 16-12, passed by the Council of the City of Centerville, Ohio on the 16th day of April, 2012.



Clerk of the Council

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

Department of Law
Scott A. Liberman, Municipal Attorney

**PROPOSED ANNEXATION
96.5 ACRES**

FROM: WASHINGTON TOWNSHIP

TO: CITY OF CENTERVILLE

Situated in the State of Ohio, County of Montgomery, Township of Washington, located in Sections 28 and 34, Township 3, Range 5, Miami River Survey, being those tracts conveyed to Board of Education of Centerville School District under Special Instrument from Washington Township Board of Trustees of record in IR/Deed 07-046520, Board of Education Centerville School District by deed of record in IR/Deed 07-047124, The Board of Trustees of Washington Township by deed of record in Deed Microfiche 01-0115A06, Board of County Commissioners of Montgomery County, Ohio by deed of record in IR/Deed 10-035891, Board of County Commissioners of Montgomery County, Ohio by deed of record in Deed Book 95-0772, Centerville Board of Education of the Centerville School District by deed of record in IR/Deed 10-024310, Centerville Board of Education by deed of record in Deed Microfiche 74-128E05, The Board of Trustees of Washington Township, Montgomery County, Ohio by deed of record in IR/Deed 07-060884 and Board of Trustees of Washington Township, Montgomery County, Ohio by deed of record in IR/Deed 02-062582;

Beginning for reference, at the centerline intersection of West Social Row Road and Sheehan Road (variable right-of-way widths);

thence North 88° 24' 50" East, with the centerline of said West Social Row Road, a distance of 146.01 feet to a point;

thence North 01° 33' 24" West, across the right-of-way of said West Social Row Road, a distance of 45.00 feet to a point in the northerly right-of-way line of said West Social Row Road, being the TRUE POINT OF BEGINNING;

thence North 32° 42' 17" West, with the easterly right-of-way line of said Sheehan Road, a distance of 85.65 feet to a point;

thence North 26° 10' 36" East, continuing with said easterly right-of-way line, a distance of 122.94 feet to a point in the southerly line of that tract conveyed to Samuel C. Lovett by deed of record in Deed Microfiche 96-0073A05;

thence with the perimeter of said Lovett tract, the following courses and distances:

South 75° 42' 11" East, a distance of 291.22 feet to a point;

North 26° 09' 43" East, a distance of 100.00 feet to a point; and

North 66° 55' 17" West, a distance of 285.42 feet to a point in said easterly right-of-way line;

thence with the easterly right-of-way line of said Sheehan Road, the following courses and distances:

North 26° 09' 45" East, a distance of 67.46 feet to a point;

North 63° 50' 15" West, a distance of 5.00 feet to a point;

North 26° 09' 50" East, a distance of 161.67 feet to a point; and

North 36° 50' 03" East, a distance of 37.20 feet to a point in the southerly line of that tract conveyed to Charles E. Rabold by deed of record in Deed Microfiche 90-0384B08;

thence South 53° 09' 57" East, with said southerly line, a distance of 292.64 feet to a point;

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96.5 ACRES**

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thence North 36° 50' 03" East, with the easterly line of said Rabold tract, a distance of 325.00 feet to a point;

thence North 53° 09' 57" West, with the northerly line of said Rabold tract and the extension thereof across the right-of-way of said Sheehan Road, a distance of 352.64 feet to a point in the westerly right-of-way line thereof, being in an easterly existing City of Centerville Corporation line, as established by Resolution Number 42-97, of record in Deed Microfiche 97-0425A01;

thence North 36° 50' 03" East, with said existing City of Centerville Corporation, the westerly right-of-way line of said Sheehan Road, across that tract conveyed to Yankee Development Group by deed of record in Deed Microfiche 90-0384B10, a distance of 893.57 feet to a point;

thence South 44° 53' 17" East, across the right-of-way of said Sheehan Road, a distance of 60.63 feet to a point in the easterly right-of-way line of said Sheehan Road;

thence North 36° 35' 54" East, continuing with said easterly right-of-way line, a distance of 456.67 feet to a point in the southwesterly line of that tract conveyed to Bonnie I. and Barry G. Eyre by deed of record in IR/Deed 04-112816;

thence South 48° 05' 35" East, with the southwesterly line of said Eyre tract and with the southwesterly line of that subdivision entitled "Somerset Section One", of record in Plat Book 187, Page 7, a distance of 663.25 feet to a point;

thence North 88° 06' 25" East, with the southerly line of said "Somerset Section One" and the that tract conveyed to Somerset Developers Ltd., by deed of record in Deed Microfiche 01-0562A12, a distance of 1167.28 feet to a point in the line common to said Sections 34 and 28;

thence North 01° 42' 05" East, with said Section line, the easterly line of said Somerset Developers tract, a distance of 392.57 feet to a point at the southwesterly corner of that tract conveyed to William J. Horst of record in Certificate of Transfer 10-050907;

thence North 85° 18' 36" East, with the southerly line of said Horst tract, a distance of 804.51 feet to a point;

thence South 01° 24' 42" West, across said Board of Trustees of Washington Township, Montgomery County, Ohio tract, a distance of 837.39 feet to a point in the northerly line of that tract conveyed to Board of Trustees of Washington Township, Montgomery County, Ohio by deed of record in IR/Deed 02-062582;

thence South 85° 24' 42" West, with the northerly line of said Board of Trustees of Washington Township, Montgomery County, Ohio tract, a distance of 408.61 feet to a point in the easterly line of subdivision entitled "Social Row Estates", of record in Plat Book 130, Page 8;

thence with the perimeter of said "Social Row Estates", the following courses and distances:

North 01° 42' 05" East, a distance of 106.13 feet to a point;

North 50° 29' 48" West, a distance of 207.80 feet to a point; and

South 85° 24' 47" West, a distance of 234.82 feet to a point in said Section line;

thence South 01° 42' 05" West, with said Section line, the westerly line of said "Social Row Estates", a distance of 1231.21 feet to a point in the northerly right-of-way line of said West Social Row Road;

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96.5 ACRES

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thence with the northerly right-of-way line of said West Social Row Road, the following courses and distances;

South 88° 24' 50" West, a distance of 1265.20 feet to a point;

North 01° 35' 10" West, a distance of 20.25 feet to a point; and

South 88° 24' 50" West, a distance of 1541.38 feet to the TRUE POINT OF BEGINNING, and containing 96.5 acres of land, more or less.

THIS DESCRIPTION IS FOR ANNEXATION PURPOSES ONLY AND IS NOT TO BE USED FOR DEED TRANSFER.



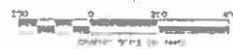
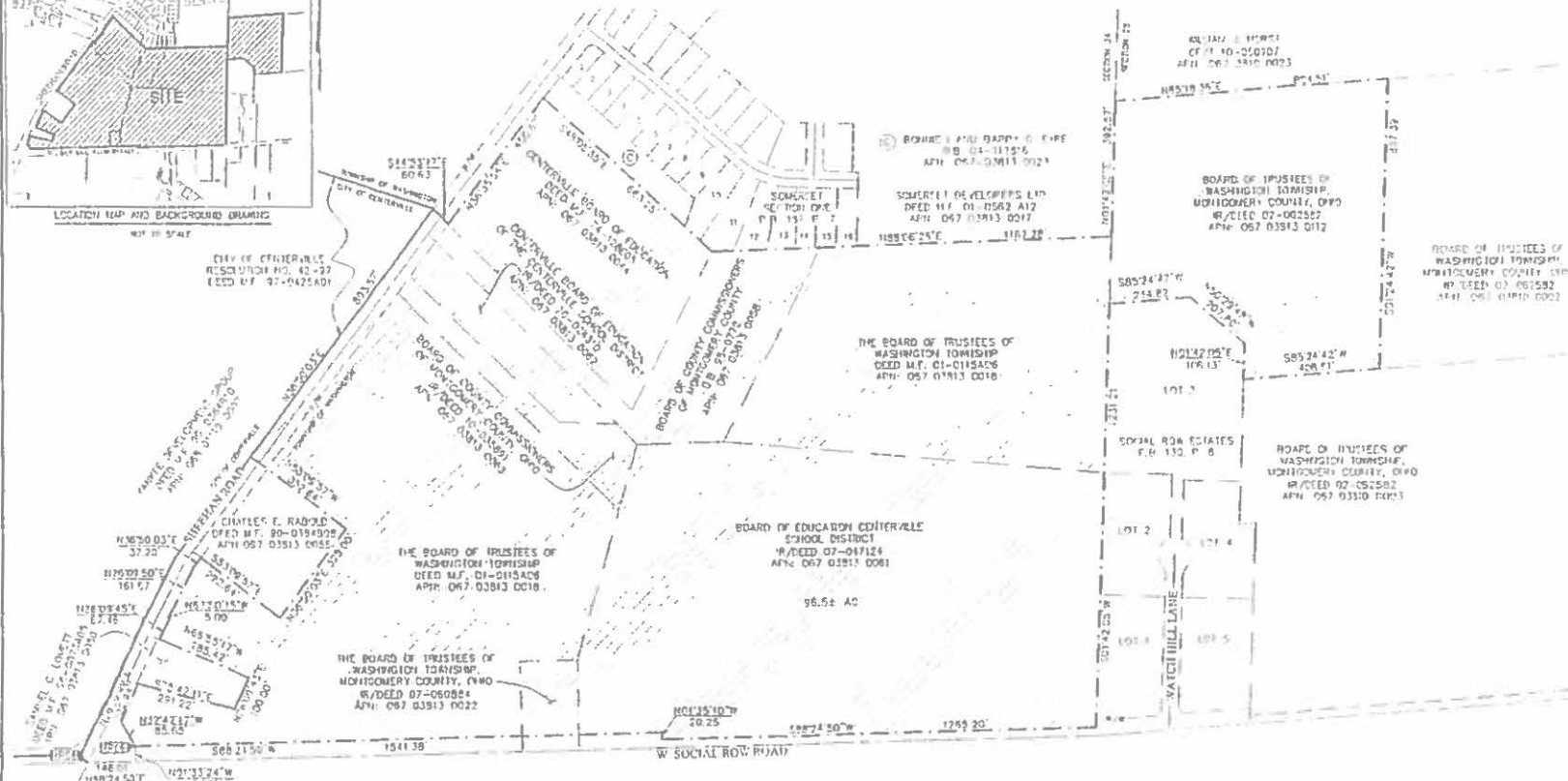
EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King 12/14/11
Heather L. King
Registered Surveyor No. 8307

HLLK: tb/November 9, 2011
HLLK/December 13, 2011
96.5 ac 20111427ANNX_02

ANNEXATION OF 96.5 ± ACRES TO THE CITY OF CENTERVILLE

SECTIONS 28 AND 34, TOWNSHIP 3, RANGE 5 MIAMI RIVER SURVEY TOWNSHIP OF WASHINGTON, COUNTY OF MONTGOMERY, STATE OF OHIO



Note:
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

Complete Note:
Total residents of annexation area is 12,312 feet, of which 894 feet is contiguous with the City of Centerville by Resolution Number 42-97, giving 716 permanent residents.

AREA TO BE ANNEXED

 FROM CITY OF CENTERVILLE CORPORATION LINE
 EXISTING CONTIGUOUS CITY OF CENTERVILLE CORPORATION LINE



Heather L. King
 Heather L. King
 Professional Surveyor No. 1397

EMHT <small>Engineering, Mapping & Technology 2500 New Albany Road, Columbus, OH 43224 Phone: 614.278.4777 Fax: 614.278.4778 e-mail: info@emht.com</small>		Date	November 7, 2011
		Scale	1" = 200'
		Job No	2011-1427
		Sheet	1 of 1
PERMITS			
MARK	DATE	DESCRIPTION	
MS	12/1/11	Revised per comments	
MS	12/1/11	Revised to include additional tract	