

RESOLUTION NO. 01-11
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks Compton ON THE 24th DAY
OF January, 2011.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT WITH THE BOARD OF TRUSTEES OF WASHINGTON TOWNSHIP FOR PROPERTY CONSISTING OF 2.58 ACRES OF LAND MORE OR LESS LOCATED IN WASHINGTON TOWNSHIP.

WHEREAS, the City and Washington Township have successfully negotiated an Annexation Agreement to allow property to be annexed into the City; and

WHEREAS, this Council has determined that it would be in the best interests of the citizens of Centerville to enter into said agreement.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

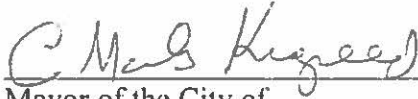
Section 1. That Council hereby approves the Annexation Agreement and authorizes the City Manager to sign the same in substantially the same form as the Agreement attached hereto as Exhibit "A" and incorporated herein.

Section 2. That Council finds that the annexation of the Property in accordance with the terms of the Annexation Agreement is in the best interests of the City and would promote the health, safety and welfare of the citizens and hereby approves the same.

Section 3. That the City Manager is hereby directed to execute the Annexation Agreement on behalf of the City.

Section 4. That this resolution shall take effect at the earliest date allowed by law.

PASSED THIS 24th day of January, 2011.



Mayor of the City of
Centerville, Ohio

ATTEST:

Julia M. Weaver
~~Assistant~~ 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. 01-11, passed by the Council of the City of Centerville, Ohio on the 24th day of January, 2011.

Julia M. Weaver
~~Assistant~~ Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions
Department of Law
Scott A. Liberman
Municipal Attorney

ANNEXATION AGREEMENT

This Annexation Agreement is entered into this 6th day of December, 2010, by and between the Board of Trustees of Washington Township, Montgomery County, Ohio, a duly established and operating township under the laws of the State of Ohio (hereinafter "Township"), and the City of Centerville, an Ohio municipal corporation (hereinafter "City").

WHEREAS, to the extent consistent with the wishes of a current Township landowner, the Township and the City wish to cooperate in facilitating annexation of certain territory of the Township to the City; and

WHEREAS, such territory is set forth on the map attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the owner of the territory has determined that this Agreement is in the best interests of the owner and the annexation of the territory will facilitate the economic development and the creation and preservation of economic opportunities to the owner, property, and region; and

WHEREAS, the City and the Township have determined that this Agreement is in the best interests of their respective residents, citizens, and taxpayers, is for their mutual benefit and will provide for government services, and promote and support economic development; and

WHEREAS, this Agreement shall serve as an annexation agreement for purposes of Section 709.192 of the Ohio Revised Code;

NOW, THEREFORE, in consideration of the following, the Township and the City hereby agree as follows:

Section 1: If the landowner of land within the territory set forth on the map attached as Exhibit A petitions for annexation to the City pursuant to O.R.C. 709.022, the Township hereby consents to annexation of such area. The Township and the City agree to cooperate fully and in good faith with each other to achieve successful annexation of such lands within the subject territory.

Section 2: The Township and the City acknowledge and agree that this Agreement is intended to and shall serve as an annexation agreement pursuant to O.R.C. 709.022.

Section 3: In the event that the territory set forth on the map attached as Exhibit A is annexed into the City, the Township shall continue to provide to the territory all governmental services it currently provides to all other incorporated areas of the Township.

This agreement is executed this 6th day of December, 2010, by the Board of Trustees of Washington Township, Montgomery County, Ohio, and the 24th day of January, 2011 by the City of Centerville, Ohio, and is effective upon the date provided above.

PASSED AND ADOPTED by the Board of Trustees of Washington Township on December 6, 2010.

Joyce C. Young

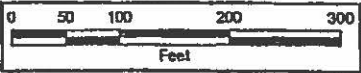
Dale M. Berry

Scott Paulson

Executed by the City Manager on behalf of the City of Centerville.

CITY OF CENTERVILLE, OHIO

By: Gregory B. Horn
Its: City Manager



Proposed Boundaries

Produced by
Centerville Planning Department
100 W. Spring Valley Rd
Centerville, OH 45458
(937) 433-7161

Washington
Township

9240 Yankee St.
2.58 acres

Yankee St.

City of
Centerville

Little Yankee Run

Shadbush Ln.

Holes Creek Tra.

Shadbush Cir.

Bethany Commons Trl.

Little Yankee Run

ORDER NO. 29380499

SITUATE IN THE TOWNSHIP OF WASHINGTON, COUNTY OF MONTGOMERY, STATE OF OHIO AND IN SECTION 5, TOWN 2, RANGE 5 MRS AND BEING PART OF A 69.75 ACRE TRACT WHICH IS DESCRIBED IN DEED VOLUME 859, PAGE 168 OF THE RECORDS OF MONTGOMERY COUNTY, OHIO, SAID PART HEREBY CONVEYED BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID 69.75 ACRE TRACT IN THE CENTER OF YANKEE STREET; THENCE SOUTH 79 DEG. 11' EAST ALONG THE NORTH LINE OF SAID TRACT FOR A DISTANCE OF 400.00 FEET TO A WOOD POST, A CORNER; THENCE SOUTH 2 DEG. 32' WEST FOR A DISTANCE OF 223.2 FEET TO AN IRON POST, A CORNER; THENCE NORTH 89 DEG. 41' WEST FOR A DISTANCE OF 385.2 FEET TO A CORNER ON THE WEST LINE OF SAID TRACT AND IN THE CENTER OF YANKEE STREET; THENCE NORTH 3 DEG. 0' EAST ALONG SAID WEST LINE FOR A DISTANCE, OF 358.0 FEET TO THE POINT OF BEGINNING. CONTAINING 2.58 ACRES.

KARL KEITH
COUNTY AUDITOR
MONTGOMERY COUNTY (DAYTON) OHIO
DESCRIPTION APPROVED FOR
STRAIGHT TRANSFER CLOSURE
NOT CHECKED
BY *[Signature]* DATE *9/16/09*
MAP OF COUNTY FILED