

RESOLUTION NO. 48-06
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Jim Singer ON THE 16th
DAY OF October, 2006.

**A RESOLUTION ACCEPTING THE ANNEXATION OF
PROPERTY OWNED BY DILLE LABORATORIES CORP.,
WHICH IS CONTIGUOUS TO THE CORPORATE LIMITS OF
THE CITY OF CENTERVILLE AND WHICH IS LOCATED IN
THE UNINCORPORATED AREA OF SUGARCREEK
TOWNSHIP.**

WHEREAS, Dille Laboratories Corp., is the owner of a 94.987 acre, more or less, tract of land which is located in the unincorporated area of Sugarcreek Township, Greene County, Ohio, but contiguous to the corporate limits of the City of Centerville which tract is 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 Greene County Board of County Commissioners on or about July 6, 2006; and

WHEREAS, the Resolution of the Greene County Board of County Commissioners granting the petition for annexation and the accompanying map or plat, petition, and record have been presented to the City of Centerville by the Clerk in accordance with the provisions of §709.04 *et seq.* Ohio Revised Code, 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.

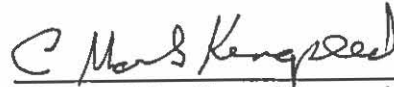
NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

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, and any other official filing required by statute.

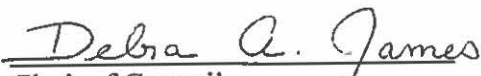
Section 3: This Resolution is to be effective at the earliest date allowed by law.

PASSED THIS 16th day of October, 2006.



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. 48-06, passed by the Council of the City of Centerville, Ohio on the 16th day of October, 2006.



Clerk of the Council

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

Legal Description
Territory to be Annexed
to the
City of Centerville
containing 94.987 acres

Being part of Section 8 and Section 9, Town 2 East, Range 6 North, Miami Rivers Survey, in Sugarcreek Township, Greene County, Ohio, and consisting of all of the ground bounded by the centerline of Wilmington Pike on the west, the north right of way line of Interstate 675 and the south line of Five Seasons Plat on the north, the west right of way line of Possum Run Road on the east, and the south line of said Section 9 to the south, excepting the 10.000 acre tract of land as described in Deed Book 333 page 534, and including all of the right of way for Wilmington Pike extending to the southern limits of the portion of said right of way purchased by the State of Ohio in Section 8; said centerline of Wilmington Pike being the county line between Greene and Montgomery Counties and the existing corporate boundary between the City of Centerville and Sugarcreek Township, Greene County; and being more particularly bounded and described, based upon a field survey by Horizon Surveying, Inc. in 2005 with bearings based upon the Ohio State Plane Coordinate System, South Zone, (NAD83), a field survey by CESO dated 2000, additional field surveying by LJB Inc. in 2006, existing deeds and plats of record, and office calculations by LJB Inc. in April 2006, as follows:

Beginning for reference at an Iron Pin found in a Monument Box at the northwest corner of said Section 9, being the intersection of the centerlines of Wilmington Pike and Brown Road, and in the west line of said Greene County;

Thence with the west line of said Section 9, said Wilmington Pike centerline and said County line South $04^{\circ} 46' 56''$ West 2701.29 feet to a PK nail found at the southwest corner of the northwest quarter of said section, being the intersection of the centerlines of Feedwire Road and Wilmington Pike;

Thence continuing with said lines South $04^{\circ} 49' 44''$ West 996.64 feet to a centerline monument assembly found in said centerline, said monument assembly being the southwest corner of the 173.135 acre annexation to the City of Centerville as recorded in Plat Cabinet ____ slide ____ and the **True Point of Beginning** for the area of annexation herein described;

Thence with the south line of said 173.135 acre annexation South $85^{\circ} 16' 14''$ East 80.00 feet to an iron pin found, being the southwest corner of Lot 1 of the Sugarcreek Crossing Plat as filed in Plat Cabinet 34 slide 593B of the Greene County Recorder's office, and being the intersection of the north limited access right of way line of I-675 with the east limited access right of way line of Wilmington Pike, (witness an iron pin found bearing South $68^{\circ} 06' 55''$ East 0.34 feet;

Thence with the south line of said Lot 1 and the north limited access right of way line of Interstate 675, and continuing with the south line of said 173.135 acre annexation, South 61° 38' 20" East 80.85 feet to a point, (witness an iron pin found bearing South 84° 50' 25" East 0.31 feet);

Thence continuing with said lines South 89° 58' 53" East 140.07 feet to an iron pin set at the southeast corner of said Lot 1;

Thence leaving the south line of said 173.135 acre annexation and continuing with the north limited access right of way line of I-675 and the south line of said Sugarcreek Crossing Plat for the following five (5) courses:

1. South 89° 58' 53" East 179.81 feet to a point, (witness an iron pin found bearing South 83° East 0.25 feet);
2. South 86° 27' 18" East 327.96 feet to a point, (witness an iron pin found bearing North 73° East 0.32 feet);
3. North 85° 28' 34" East 258.68 feet to a point, (witness an iron pin found bearing North 62° East 0.23 feet);
4. North 72° 01' 16" East 283.95 feet to a point, (witness an iron pin found bearing South 13° West 0.33 feet);
5. North 63° 20' 26" East 283.70 feet to a point 152.00 feet left of the centerline of Interstate 675 at Station 119+00.00;

Thence crossing Interstate 675 radial to said centerline South 32° 53' 19" East 302.02 feet to an iron pin found at the southwest corner of the Five Seasons Plat as recorded in Plat Cabinet 30 slide 571B;

Thence along said Five Seasons Plat for the following two (2) courses:

1. South 36° 21' 27" East 516.56 feet to an iron pin set;
2. South 86° 00' 17" East (passing an iron pin set at 851.42 feet) for a total distance of 865.82 feet to point in the west right of way line of Possum Run Road, 20.00 feet from centerline, being the east line of the southwest quarter of said Section 9;

Thence along the west right of way line of Possum Run Road, parallel with and 20.00 feet distant from said centerline and section line, South 04° 19' 37" West 1192.66 feet to a point in the south line of said Section 9, said point bearing North 89° 00' 26" West 20.03 feet from an iron pin set at the southeast corner of the southwest quarter of said Section 9;

Thence along the south line of said Section 9 North 89° 00' 26" West 1703.44 feet to an iron pin set at the southeast corner of said 10.000 acre tract of land (as conveyed to Christ Evangelical Brethren Church as recorded in Deed Book 333, Page 534);

Thence along the lines of said 10.00 acre tract for the following two (2) courses:

1. North 00° 59' 34" East 347.83' feet to an iron pin set at the northeast corner of said tract;
2. North 89° 00' 26" West 1180.53' feet to an iron pin set at an angle point in the southeast limited access right-of-way line of Interstate Route 675, said point being the northeast corner of the right of way parcel conveyed to the State of Ohio by instrument as recorded in Deed Book 513, Page 658, said point being 60.00 feet east of the centerline of Wilmington Pike, as measured at right angles;

Thence with the east right of way line of Wilmington Pike for the following five (5) courses:

1. South 5° 58' 54" West 248.59 feet to a point;
2. South 7° 40' 15" West 100.86 feet to a point;
3. South 4° 49' 45" West 100.22 feet to a point;
4. South 89° 00' 26" East 10.02 feet to a point;
5. South 04° 49' 45" West 249.72 feet to a point at its intersection with the eastward projection of the south line of the 0.399 acre tract of land as conveyed to the State of Ohio by instrument as recorded in Deed Book 496 page 545 of the deed records of said County;

Thence along said south line and its eastward projection North 85° 10' 15" West 60.00 feet to a point at the southwest corner of said tract in the centerline of Wilmington Pike, being the west line of said Section 8, the Montgomery-Greene county line and the existing east corporation line of the City of Centerville;

Thence with the west line of said Sections 8 and 9, the centerline of Wilmington Pike, the Montgomery-Greene county line and the existing east corporation line of the City of Centerville North 04° 49' 45" East 2049.80 feet to the **True Point of Beginning** containing 94.987 acres, more or less.

Said 94.987 acres being comprised of the following, more or less:

- I 70.935 ac. All of the remainder of the 184.45 acre tract of land as conveyed to Dille Laboratories Corporation by instrument as recorded in Deed Book 306 page 319 of the deed records of said County, except the right of way for Possum Run Road; from Auditor's Parcel ID Number L32000100020000300.
- II 23.148 ac. Part of the 32.406 acre tract of land purchased for limited access right of way for Wilmington Pike and Interstate 675, said part being all of the Interstate 675 limited access right of way from Wilmington Pike eastward 1805.07 feet, as measured along the centerline of said Interstate 675, to Station 119+00.00 of said centerline, and all of the Wilmington Pike limited access right of way south of Interstate 675 within said tract, said 32.406 acre tract of land as conveyed to the State of Ohio by instrument as recorded in Deed Book 513 page 658 of the deed records of said County; being from Auditor's Parcel ID Number L32000100020005500.
- III 0.325 ac. All of the 0.325 acre limited access right of way tract of land purchased with Interstate 675; said 0.325 acre tract of land as conveyed to the State of Ohio for the right of way for Wilmington Pike by instrument as recorded in Deed Book 515 page 457 of the deed records of said County; from Auditor's Parcel ID Number L32000100020006200.
- IV 0.123 ac. All of the 0.123 acre right of way tract of land purchased with Interstate 675; said 0.123 acre parcel of land as conveyed to the State of Ohio for the right of way for Wilmington Pike by instrument as recorded in Deed Book 515 page 458 of the deed records of said County; from Auditor's Parcel ID Number L32000100020006300.
- V 0.399 ac. All of the 0.399 acre right of way tract of land purchased with Interstate 675; said 0.399 acre parcel of land as conveyed to the State of Ohio for the right of way for Wilmington Pike by instrument as recorded in Deed Book 496 page 545 of the deed records of said County; from Auditor's Parcel ID Number L32000100030001400.
- VI 0.057 ac. Part of the Wilmington Pike right of way north of Clyo Road; subject right of way being dedicated to the public by the Sugarcreek Plaza plat as filed in Plat Cabinet 33 slide 795A of the Greene County Recorders office; Auditor's Parcel ID Number not assigned.

Notes:

1. Iron pins south of Interstate 675 set by Horizon Surveying Inc.
2. Monumentation north of Interstate 675 set by CESO.
3. Bearings returned by CESO survey and recorded on the Sugarcreek Crossing plat as filed in Plat Cabinet C slide 593B of the Greene County Recorders office are rotated counterclockwise to match the bearings returned by Horizon Surveying Inc.
4. Occupation generally fits the lines herein described.
5. Description prepared for annexation purposes and is not to be utilized for any land conveyance.

The above legal description of the territory to be annexed to the City of Centerville was prepared by LJB Inc., by Harry G. Herbst III, Ohio registered Professional Surveyor # 6596.

Harry G. Herbst III date 4/27/06

