

RESOLUTION NO. 14-05
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Robert L. Corbin ON THE
21st DAY OF March, 2005.

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER
TO TAKE ALL STEPS AND EXECUTE ALL DOCUMENTS NECESSARY IN
ORDER TO EFFECT THE SALE OF THE REAL PROPERTY KNOWN AS
PARCEL #29 (WOODLANDS AT YANKEE TRACE), CENTERVILLE, OHIO**

WHEREAS, this Council previously authorized the City to enter into an Agreement with Yankee Trace Development, Inc. dated June 27, 1994, and previously modified by an Amendment to the Agreement dated September 20, 1994; a Second Amendment to Agreement dated September 21, 1995; a Supplemental Amendment dated December 21, 1998; a Third Amendment to Agreement dated May 31, 2000 and a Fourth Amendment to Agreement dated November 21, 2000; and

WHEREAS, said Fourth Amendment to Agreement provides for the transfer of Parcel 29 real property known as parcel #29 (Woodlands at Yankee Trace) to Yankee Trace Development, Inc.; and

WHEREAS, representatives of the City and of the purchasers have determined that all contingencies and requirements of the contracts have been fulfilled; and

WHEREAS, Yankee Trace Development, Inc., has requested the City perform under the Agreement to transfer and sell Parcel 29 to them; and

WHEREAS, the City, as a charter city with full home rule powers as authorized by Section 3, Article XVIII of the Constitution of the State of Ohio, which powers would allow the City to conclude said purchase if this Council determines that such a procedure is in the best interest of the citizens of Centerville; and

WHEREAS, this Council has determined that it is in the best interests of the City to conclude said sale and to authorize and direct the City Manager to do any and every thing necessary and to execute all documents deemed by him to be necessary to conclude said sale and transfer.

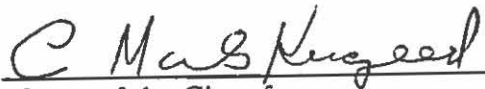
NOW THEREFORE,

THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1:

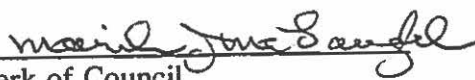
That the City Manager is hereby authorized and directed to do any and everything necessary and to execute all documents deemed by him to be necessary to conclude said sale and transfer of the property in accordance with the Fourth Amendment to Agreement dated November 21, 2000.

PASSED THIS 21st day of March, 2005



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. 14-05, passed by the Council of the City of Centerville, Ohio on the 21st day of March, 2005



Clerk of the Council

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