

RESOLUTION NO. 48-04  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks A. Compton ON THE 20<sup>th</sup> DAY OF December, 2004.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE ALL STEPS AND EXECUTE ALL DOCUMENTS NECESSARY IN ORDER TO EFFECT THE PURCHASE OF .057 ACRES OUT OF AN ORIGINAL 1.899 ACRE TRACT OF THE REAL PROPERTY LOCATED AT 9505 YANKEE STREET, CENTERVILLE, OHIO.

WHEREAS, this Council has determined that the City should assist in the creation of a hiker-biker trail around Yankee Trace Golf Course; and

WHEREAS, pursuant to this determination the City has been working with Yankee Trace Development, Inc. for the construction and completion of the Hiker-Biker Trail around the main irrigation lake at Yankee Trace; and

WHEREAS, Yankee Trace Development, Inc. executed a Hiker-Biker Trail Construction Easement Agreement with Donald R. Martin and Margaret W. Martin, owners of the property located at 9505 Yankee St., Centerville, Ohio, to allow for the construction and completion of the Hiker-Biker Trail; and

WHEREAS, there was a need to acquire from the Martins, a .057 acres tract of land for the Hiker-Biker Trail; and

WHEREAS, Yankee Trace Development, Inc will pay the consideration for the purchase of the property; but have the property conveyed to the City; and

WHEREAS, this 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 interests of the citizens of Centerville; and

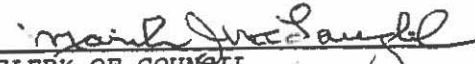
WHEREAS, this Council has determined that it is in the best interests of the City to conclude said purchase and to authorize and direct the City Manager to do any and everything and to execute all documents deemed by him to be necessary to conclude said purchase and accept said property into the City.

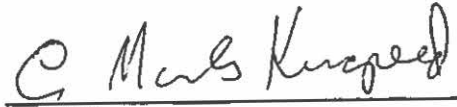
NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That the City Manager is authorized and directed to do any and everything and to execute all documents deemed by him to be necessary to conclude said purchase and accept said property for the reasons set forth in the preamble hereof.

PASSED THIS 20<sup>th</sup> day of December, 2004.

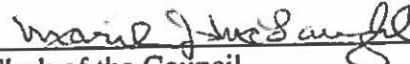
ATTEST:

  
CLERK OF COUNCIL  
City of Centerville, Ohio

  
MAYOR

**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. 48-04, passed by the Council of the City of Centerville, Ohio on the 30<sup>th</sup> day of December, 2004.

  
Clerk of the Council

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