

RESOLUTION NO. 1-01
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER James E. Singer ON THE
22nd DAY OF January, 2001.

A RESOLUTION ACCEPTING THE APPLICATION OF KEVIN
HARKER, KREMER INVESTMENTS AND TIMOTHY
DUNNING FOR THE ANNEXATION OF TERRITORY.

THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That the application of Kevin Harker, Kremer Investments and
Timothy Dunning, for the annexation of the following described territory:

Situate in Section 34, Town 3, Range 5, Washington Township, Montgomery
County, Ohio and containing 1.825 acres more or less being part of Kevin Harker
as recorded in M.F.#99-781-C03, containing 2.179 acres more or less being part of
Kremer Investments as recorded in M.F.#98-078-C11, and containing 3.128 acres
more or less as all of Timothy Dunning as recorded in M.F.#99-029-E05 for a total
of 7.132 acres more or less to be annexed into The City of Centerville and being
further described as follows;

Begin at the Southwest corner of Lot 271 of Rose Estates, Section 14 as recorded
in Plat Book 107 Page 47 of the Montgomery County Recorders Office said point
also being on the existing corporation line and the Northerly line of Section 34;
thence, departing said Section 34, with said corporation line and the westerly line
of John & Mary Reese as recorded in M.F.#78-276-A06, South 2°08'56" West,
67.43 feet to the northerly line of Kevin Harker as recorded in M.F.#99-781-C03
and the southwesterly corner of said Reese land and the true point of beginning.

Thence from the true point of beginning departing said corporation line with the
southerly line of said Reese land South 71°27'21" East, 378.81 feet;

Thence departing said Reese land through said Harker land South 16°14'12" West
200.56 feet to the southerly line of said Harker land and the northerly line of
Kremer Investments as recorded in M.F.#98-078-C11;

Thence with said Kremer land South 71°27'21" East, 72.01 feet;

Thence through said Kremer land continuing South 12°52'19" West, 225.51 feet to

the southerly line of said Kremer land and the Northwesterly corner of Linda Hazel as recorded in M.F.#91-397-C01 and the northeasterly corner of Timothy Dunning as recorded in M.F.#99-029-E05;

Thence departing said Kremer Investments land with said Hazel land and Timothy Dunning as recorded in M.F.#93-770-E08, continuing South 12°52'19" West, 371.39 feet to the southwesterly corner of said Dunning land and the northerly line of Yankee Development as recorded in M.F.#90-384-810 said corner being on the existing corporation line;

Thence with said corporation line, said Yankee Development land North 71°18'51" West, 334.81 feet to the easterly line of Charles Burkhart as recorded in M.F.#79-250-E06;

Thence continuing with said corporation line and with said Burkhart land and said Willcox land and said City of Centerville land North 02°41'29" East 824.92 feet to the corner of said City of Centerville land and the northwesterly corner of said Harker land;

Thence continuing with said corporation line and said City of Centerville land South 71°27'21" East 42.26 feet to the true point of beginning.

This description was based on existing deeds and plats of record and does not represent a new survey. Prepared by Bayer Becker Engineers, Jeffrey O. Lambert P.S.#7568.

ALSO the following described real property:

Situate in Section 34, Town 3, Range 5, Washington Township, Montgomery County, Ohio and containing 1.825 Acres more or less being part of Kevin Harker as recorded in M.F.#99-781-C03 to be annexed into The City of Centerville and being further described as follows;

Begin at the Southwest corner of Lot 271 of Rose Estates, Section 14 as recorded in Plat Book 107 Page 47 of the Montgomery County Recorders Office, said point also being on the existing corporation line and the Northerly line of Section 34; thence, departing said Section 34, with said corporation line and the westerly line of John & Mary Reese as recorded in M.F.#78-276-A06, South 2°08'56" West, 67.43 feet to the northerly line of Kevin Harker as recorded in M.F.#99-781-C03 and the southwesterly corner of said Reese land and the true point of beginning.

Thence from the true point of beginning, departing said corporation line, with the

southerly line of said Reese land South 71°27'21" East, 378.81 feet;

Thence departing said Reese land through said Harker land South 16°14'12" West, 200.56 feet to the southerly line of said Harker land and the northerly line of Kremer Investments as recorded in M.F.#98-078-C11;

Thence with said Kremer Investments land North 71°27'22" West, 372.24 feet to the northwesterly corner of said Kremer Investments and the Easterly line of The City of Centerville as recorded in M.F.#90-524-C12, said point also being on the existing corporation line;

Thence with said corporation line and the easterly line of said City of Centerville the following two courses: North 02°41'29" East, 208.32 feet to an easterly corner of said City of Centerville;

Thence South 71°27'21" East 42.26 to the true point of beginning.

This description was based on existing deeds and plats of record and does not represent a new survey. Prepared by Bayer Becker Engineers, Jeffrey O. Lambert P.S.#7568.

ALSO the following described real property:

Situate in Section 34, Town 3, Range 5, Washington Township, Montgomery County, Ohio and containing 2.179 acres more or less being part of Kremer Investments as recorded in M.F.#98-078-C11 to be annexed into The City of Centerville and being further described as follows;

Begin at the Southwest corner of Lot 271 of Rose Estates, Section 14 as recorded in Plat Book 107 Page 47 of the Montgomery County Recorders Office, said point also being on the existing corporation line and the Northerly line of Section 34, thence, departing said Section 34, with said corporation line and the westerly line of John & Mary Reese as recorded in M.F.#78-276-A06, South 2°08'56" West, 67.43 feet to the northerly line of Kevin Harker as recorded in M.F.#99-781-C03 and a corner of The City of Centerville as recorded in M.F.#90-524-C12; thence, continuing with said corporation line and said City of Centerville land the following two courses: North 71°27'21" West, 42.26 feet; thence, South 2°41'29" West, 208.32 feet to the Southwesterly corner of said Harker land and the northwesterly corner of Kremer Investments as recorded in M.F.#98-078-C11 and the true point of beginning.

Thence from the true point of beginning departing said corporation line with said Harker land and Kremer Investments land South 71°27'21" East 444.25 feet;

Thence departing said Harker land through Kremer Investments land, South $12^{\circ}52'19''$ West, 225.51 feet to the southerly line of said Kremer Investments land and the northwesterly corner of Linda Hazel as recorded in M.F.#91-397-C01 and the northeasterly corner of Timothy Dunning as recorded in M.F.#99-029-E05;

Thence with said Dunning land North $71^{\circ}22'01''$ West, 402.99 feet to the northwesterly corner of said Dunning land and the easterly line of Edith Willcox as recorded in M.F.#95-032-E02, said point also being on the existing corporation line;

Thence with said corporation line, said Willcox land and the easterly line of said City of Centerville land North $2^{\circ}41'29''$ East, 232.63 feet to the true point of beginning.

This description was based on existing deeds and plats of record and does not represent a new survey. Prepared by Bayer Becker Engineers, Jeffrey O. Lambert P.S.#7568.

ALSO the following described real property:

Situate in Section 34, Town 3, Range 5, Washington Township, Montgomery County, Ohio and containing 3.128 acres more or less being all of Timothy Dunning as recorded in M.F.#99-029-E05 to be annexed into The City of Centerville and being further described as follows;

Begin at the Southwest corner of Lot 271 of Rose Estates, Section 14 as recorded in Plat Book 107 Page 47 of the Montgomery County Recorders Office said point also being on the existing Corporation line and the Northerly line of Section 34; thence, departing said Section 34, with said corporation line and the westerly line of John & Mary Reese as recorded in M.F.#78-276-A06, South $2^{\circ}08'56''$ West, 67.43 feet to the northerly line of Kevin Harker as recorded in M.F.#99-781-C03 and a corner of The City of Centerville as recorded in M.F.#90-524-C12; thence, continuing with said corporation line and said City of Centerville land North $71^{\circ}27'21''$ West, 42.26 feet; thence, continuing with said corporation line and part of said City of Centerville land and part of Edith Willcox as recorded in M.F.#95-032-E02, South $2^{\circ}41'29''$ West, 440.95 feet to the Southwesterly corner of Kremer Investments as recorded in M.F.#98-078-C11 and the northwesterly corner of Timothy Dunning as recorded in M.F.#99-029-E05 and the true point of beginning.

Thence from the true point of beginning departing said corporation line with said Kremer Investments land and said Dunning land South $71^{\circ}22'01''$ East 402.99 feet

to the Northwesterly corner of Linda Hazel as recorded in M.F.#91-397-C01;

Thence departing said Kremer Investments land with said Hazel land and Timothy Dunning as recorded in M.F.#493-770-E08, South 12°52'19" West, 371.39 feet to the southwesterly corner of said Dunning land and the northerly line of Yankee Development as recorded in M.F.#90-384-810 said corner being on the existing corporation line;

Thence with said corporation line, said Yankee Development land North 71°18'51" West, 334.81 feet to the easterly line of Charles Burkhart as recorded in M.F.#79-250-E06;

Thence continuing with said corporation line and with said Burkhart land and said Willcox land North 2°41'29" East 383.97 feet to the true point of beginning.

This description was based on existing deeds and plats of record and does not represent a new survey. Prepared by Bayer Becker Engineers, Jeffrey O. Lambert P.S.#7568.

An accurate map of which territory, together with the Petition for its annexation and other papers relating thereto, and certified transcript of the proceedings of the county commissioners in relation thereto are on file with the Clerk of Council of said City, be and the same is hereby accepted.

Section 2. The conditions for annexation stated in Resolution No.00-1911 of the Board of County Commissioners of Montgomery County are hereby accepted.

PASSED this 22nd day of January, 2001.

Sally D. Beals
Mayor of the City of Centerville, Ohio

ATTEST:

Maril J. McLaughlin
Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 1-01, passed by the Council of the City of Centerville, Ohio, on the 22nd day of January, 2001.

Maria J. Saugli
Clerk of Council

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

Department of Law
Robert N. Farquhar
Municipal Attorney