

RESOLUTION NO. 48-96  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER C. MARK KINGSEED ON THE  
16th DAY OF SEPTEMBER, 1996.

A RESOLUTION ACCEPTING A QUIT CLAIM DEED  
FOR ADDITIONAL ROAD RIGHT OF WAY ALONG  
SOUTH MAIN STREET FROM REALTY INCOME  
CORPORATION.

WHEREAS, as a condition of approval for the construction of  
Jiffy Lube on South Main Street, a part of land conveyed to the Realty Income  
Corporation, situated in the southwest quarter of Section 30, Township 3, Range 5,  
M.Rs., City of Centerville, County of Montgomery, State of Ohio, as recorded in Deed  
Microfiche No. 96-0430D11 is required for dedication as road right-of-way, and

WHEREAS, the Realty Income Corporation quit claims to the City of  
Centerville real property along South Main Street containing 0.039 acres for said purpose.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE  
HEREBY RESOLVES:

Section 1. That the City of Centerville hereby accepts a Quit Claim Deed  
from the Realty Income Corporation for 0.039 acres, more or less, for roadway purposes,  
said real property being a part of land conveyed to the Realty Income Corporation,  
situated in the southwest quarter of Section 30, Township 3, Range 5, M.Rs., City of  
Centerville, County of Montgomery, State of Ohio, as recorded in Deed Microfiche No.  
96-0430D11 and more particularly described in Exhibit "A" attached hereto and made a  
part hereof.

PASSED this 16th day of SEPTEMBER, 1996.

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

ATTEST:

Maile J. Saughell  
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 48-96 passed by the Council of the City of Centerville, Ohio, on the 16th day of SEPTEMBER, 1996.

Maile J. Saughell  
Clerk of Council

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

Department of Law  
Robert N. Farquhar  
Municipal Attorney

**EXHIBIT A**

**DESCRIPTION OF AN ADDITIONAL  
FIFTEEN FOOT RIGHT-OF-WAY  
ALONG SOUTH MAIN STREET  
CENTERVILLE, OHIO  
CONTAINING 0.039 ACRES  
AUGUST 2, 1996**

Situate in the Southwest Quarter of Section 30, Township 3, Range 5, M.Rs., City of Centerville, County of Montgomery, State of Ohio, and being part of the parcel of land conveyed to Realty Income, Inc. as recorded in Deed Microfiche No. 96-0430D11, being more particularly bounded and described as follows:

Commencing for reference at a centerline monument in the intersection of South Main Street (State Route 48) and Spring Valley Road, marking the southeast corner of said Southwest Quarter Section;

thence along the east line of said Quarter Section and the centerline of said South Main Street, North no degrees twenty-one minutes thirty seconds West ( $N00^{\circ}21'30''W$ ) for two hundred and 48/100 feet (200.48') to the southeast corner of a tract of land conveyed to the City of Centerville as recorded in Deed Microfiche No. 89-344A07;

thence along the south line of said City of Centerville land, South eighty-four degrees thirty-seven minutes no seconds West ( $S84^{\circ}37'00''W$ ) for forty-five and 17/100 feet (45.17') to the **TRUE POINT OF BEGINNING** of the herein described tract of land at the southwest corner of said City of Centerville land, said point also being in the north line of a tract of land conveyed to George C. and Helen S. Schubert as recorded Deed Microfiche No. 74-133E11;

thence along the north line of said Schubert land, continuing South eighty-four degrees thirty-seven minutes no seconds West ( $S84^{\circ}37'00''W$ ) for fifteen and 06/100 feet (15.06') to an iron pipe (found);

thence departing said Schubert land and over said Realty Income, Inc. land, North no degrees twenty-one minutes thirty seconds West ( $N00^{\circ}21'30''W$ ) for one hundred thirteen and 00/100 feet (113.00');

thence North eighty-four degrees thirty-seven minutes no seconds East ( $N84^{\circ}37'00''E$ ) for fifteen and 06/100 feet (15.06') to the northwest corner of said City of Centerville land;

thence along the west line of said City of Centerville land, South no degrees twenty-one minutes thirty seconds East ( $S00^{\circ}21'30''E$ ) for one hundred thirteen and 00/100 feet (113.00') to the **TRUE POINT OF BEGINNING**, containing no and 39/1000 (0.039) acres, more or less, subject however to all covenants, conditions, restrictions, reservations, and easements contained in any instrument of record pertaining to the above described tract of land.

This description was prepared from a field survey performed by Woolpert in December of 1995, with bearings based upon Deed Microfiche No. 77-420E03.