

RESOLUTION NO. 17-90
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Sally Beale ON THE
18th DAY OF June, 1990.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CELINE PERCY FOR THE PURCHASE OF REAL PROPERTY FOR RIGHT OF WAY PURPOSES AND AUTHORIZING THE PAYMENT THEREFORE.

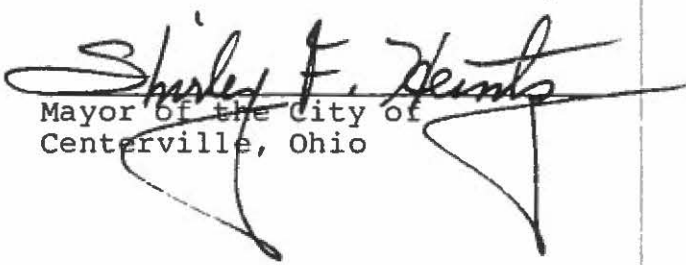
THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That the City Manager is hereby authorized and directed to enter into a contract for the purchase of real property for right of way purposes with Celine Percy. A copy of said contract is attached hereto as Exhibit "A" and incorporated herein.

Section 2. That the amount of money specified in the contract is hereby authorized to be expended by the City of Centerville for the purpose of right of way described in Exhibit "A".

Section 3. As a resolution, this measure shall become effective immediately upon passage.

PASSED THIS 18th day of June, 1990.


Mayor of the City of
Centerville, Ohio

ATTEST:


Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 17-90, passed by the Council of the City of Centerville, Ohio, on the 15th day of June, 1990.

Marie J. Laull
Clerk of Council

Approved as to form, consistency with existing ordinances, the charter & constitutional provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney

PROJECT MAIN ST./SPRING VALLEY RD. INTERSECTION IMPROVEMENTS 1989

PARCEL AT 201 West Spring Valley Road

OFFER TO SELL REAL ESTATE

1. I/~~we~~ Celine Percy
Celine Percy

hereinafter referred to as the "Owner(s)" hereby offer to sell to the City of Centerville, Ohio, hereinafter referred to as the "City" for the sum of Five Thousand Two Hundred and Sixty Five Dollars (\$ 5,265.00), the real property described as follows:

(see attached description)

Handwritten notes: 4-11-89, 201 West Spring Valley Road, 52-10-100

together with all improvements located wholly or partly thereon.

2. The consideration above stated includes compensation for all damages accruing from the taking of the real estate described herein.

3. The owner(s) will convey said property to the City in fee simple, free, clear and unencumbered, by deed of general warranty with full release of dower, and will procure, record and deliver to it all releases of all other interests therein which are necessary to convey such title including, but not by way of limitation, those of tenants, lessees or other now in possession, or in any manner

occupying said premises, and all assessment claims against the property. If, however, the conveyance of the property herein cannot be affected with the time stipulated because of defective title or the inability or refusal of the owner to convey said property, the owner shall be liable for all additional taxes and assessments which accrue as a result of said delay of conveyances.

4. Complete possession of the above described property shall be given to the City on date of conveyance to the City.

5. The City may withhold, at the time the sale is closed, a sufficient portion of the purchase money stated above to pay all fixed tax claims against the property for the payment of which the owner is obligated herein and all assessment claims against the property, and to pay all such tax and assessment claims which may then be liens but which cannot be paid until the amounts thereof are fixed. Any balance remaining after such claims are discharged shall be refunded to the owner, and the owner shall be liable for any deficiency.

WITNESSES:

Patricia Hecox
Bonny J. Underhill

DATE June 11 1990
JUNE 11, 1990
June 11, 1990

LAND DESCRIPTION
FOR RIGHT-OF-WAY AQUISITION

SPRING VALLEY ROAD
CELINE PERCY

Situate in Section 30, Town 3, Range 5 M.R.S., Washington Township, City of Centerville, County of Montgomery, State of Ohio and being part of a parcel conveyed to Celine Percy by deed recorded in MF 80-48C10 of the deed records of Montgomery County and being more particularly described as follows:

Being the south 52.50 feet of the said Celine Percy parcel as delineated by a line distant 52.50 feet north of and parallel with the south line of section 30 and the centerline of Spring Valley Road, containing 0.188 acres of land, more or less, and subject to all legal easements and restrictions of record.

Description prepared by:
Lockwood, Jones & Beals, Inc.

By George N. Stephenson
George N. Stephenson, Ohio
Professional Surveyor #7264

Gross Take	0.188 Acres
PRO in Take	0.107 Acres
Net Take	0.081 Acres