

RESOLUTION NO. 6-89  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER J.V. Stone ON THE  
20th DAY OF February, 1989.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TOWNSHIP PROPERTIES, INC. FOR THE PURCHASE OF REAL PROPERTY FOR ROAD RIGHT OF WAY PURPOSES AND AUTHORIZING THE PAYMENT OF \$11,000.00 THEREFORE.


THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That the City Manger is hereby authorized and directed to enter into a contract for the purchase of real property for road right of way purposes with Township Properties, Inc. A copy of said contract is attached hereto as Exhibit "A" and incorporated herein.

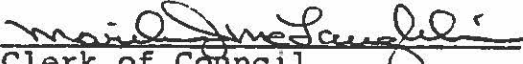
Section 2. That the sum of \$11,000.00 is hereby authorized to be expended by the City of Centerville for the purpose of the road right of way described in Exhibit "A".

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

PASSED THIS 20th day of February, 1989.

  
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. 6-89, passed by the Council of the City of Centerville, Ohio, on the 20th day of February, 1989.

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

Department of Law  
Robert N. Farquhar  
Municipal Attorney,

  
Clerk of the Council

PROJECT \_\_\_\_\_

PARCEL NO. 20

## OFFER TO SELL REAL ESTATE

1. I/We Township Properties Inc.

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 Eleven Thousand (\$11,000), the real property described as follows:

*conditioned upon installation of second drive*

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.

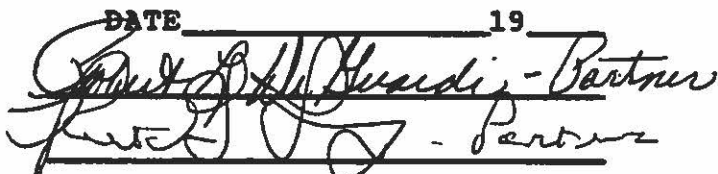
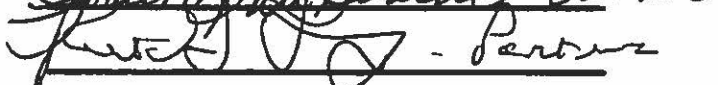
3. The owner(s) will convey said property to the City in fee simple, free, clear and unencumbered, by deed of general warranty with full release of dower, and will procure, record and deliver to it all releases of all other interests therein which are necessary to convey such title including, but not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

DATE \_\_\_\_\_ 19\_\_\_\_  
 - Partner  
 - Partner  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This instrument was prepared by Robert E. Hunter, Attorney at Law .

Situate in Section 29, Town 3, Range 5, M.R.S., Washington Township, Montgomery County, State of Ohio and being part of a 0.5707 acre tract conveyed to Township Properties Inc. by deed recorded on Microfiche 85-061D07 of the Deed Records of Montgomery County, with centerline bearings based on a survey by Lockwood Jones and Beals Inc., done in 1986 and being more particularly bounded and described as follows:

Beginning at the intersection of the centerline of S.R. 48 with the centerline of Spring Valley Road;

Thence with the centerline of Spring Valley Road, N84°21'52"E 262.90 feet to the grantor's north west corner and the true point of beginning, said point being 0. feet right of the centerline of Spring Valley Road station 122+55.31;

Thence N84°21'52"E 107.00 feet along the grantor's north line and the said centerline to the grantor's northeast corner on the centerline of Spring Valley Road station 123+62.31;

Thence S10°43'04"E 43.17 feet along grantor's east line to a point 43.00 feet right of the centerline of Spring Valley Road station 123+66.13;

Thence S84°21'52"W 114.30 feet to a point on the grantor's west line, said point being 43.00 feet right of the centerline of Spring Valley Road station 122+51.83;

Thence N1°01'08"W 43.14 feet along the grantor's west line to the point of beginning containing 0.1092 acres, (4758 sq. ft.), more or less, and subject to all legal easements and restrictions of record.

Description prepared by Lockwood, Jones and Beals Inc.

Situate in Section 29, Town 3, Range 5, M.R.S., Washington Township, Montgomery County, State of Ohio and being part of a 0.5707 acre tract conveyed to Township Properties, Inc. by deed recorded on Microfiche 85-061D07 of the Deed Records of Montgomery County, with centerline bearings based on a survey by Lockwood Jones and Beals Inc., done in 1986 and being more particularly bounded and described as follows:

Beginning at the intersection of the centerline of S.R. 48 with the centerline of Spring Valley Road;

Thence with the centerline of Spring Valley Road, N84°21'52"E, 350.59 feet to a point on the centerline of Spring Valley Road station 123+43;

Thence S5°38'08"E 43.00 feet to the true point of beginning, said point being 43.00 feet right of the centerline of Spring Valley Road station 123+43;

Thence N84°21'52"E 10.00 feet to a point 43.00 feet right of the centerline of Spring Valley Road station 123+53;

Thence S5°38'08"E 10.00 feet to a point 53.00 feet right of the centerline of Spring Valley Road station 123+53;

Thence S84°21'52"W 10.00 feet to the point 53.00 feet right of the centerline of Spring Valley Road station 123+43;

Thence N5°38'08"W 10.00 feet to the point of beginning containing 0.0023 acres, (100 sq. ft.), more or less, and subject to all legal easements and restrictions of record.

Description prepared by Lockwood, Jones and Beals Inc.

Situate in the City of Centerville, Washington Township, Montgomery County, State of Ohio and being part of a 0.5707 acre tract conveyed to Township Properties, Inc. by Deed recorded on Microfiche 85-061D07 of the Deed Records of Montgomery County, with centerline bearings based on a survey by Lockwood Jones and Beals Inc., done in 1986 and being more particularly bounded and described as follows:

Beginning at the intersection of the centerline of S.R. 48 with the centerline of Spring Valley Road;

Thence with the centerline of Spring Valley Road, N84°21'52"E, 259.43 feet to a point on the center of Spring Valley Road station 122+51.84;

Thence S5°38'08"E 43.00 feet to a point on the grantor's west line and the true point of beginning, said point being 43.00 feet right of the centerline of Spring Valley Road station 122+51.83;

Thence N84°21'52"E 114.30 feet to a point on the grantor's east line 43.00 feet right of the centerline of Spring Valley Road station 123+66.13

Thence S21°15'51"W 11.21 feet along the grantor's east line to a point 53.00 feet right of the centerline of Spring Valley Road station 123+61.06;

Thence S84°21'52"W 110.03 feet to a point on the grantor's west line 53.00 feet right of the centerline of Spring Valley Road station 122+51.03;

Thence N1°01'08"W 10.03 feet along the grantor's west line to the point of beginning containing 0.0257 acres, (1122 sq. ft.), more or less, and subject to all legal easements and restrictions of record.

Description prepared by Lockwood, Jones and Beals