

RESOLUTION NO. 11-89
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Bernard Samples ON THE
20th DAY OF March, 1989.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LAWRENCE B. AND BETTY L. GOODNOUGH FOR THE PURCHASE OF REAL PROPERTY FOR ROAD RIGHT OF WAY PURPOSES AND AUTHORIZING THE PAYMENT OF \$5,471.00 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 road right of way purposes with Lawrence B. and Betty L. Goodnough. A copy of said contract is attached hereto as Exhibit "A" and incorporated herein.


Section 2. That the sum of \$5,471.00 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 March, 1989.


Mayor of the City of
Centerville, Ohio

ATTEST:

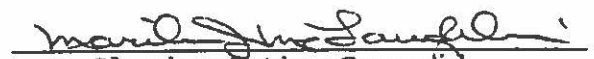

Clerk of Council
City of Centerville, Ohio

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. 11-89, passed by the Council of the City of Centerville, Ohio, on the 20th day of March, 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. 5

OFFER TO SELL REAL ESTATE

1. I/We
Lawrence B. And Betty L. Goodnough

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 four hundred seventy, one 5471.00, the real property described as follows:

Described as exhibit "A" and attached hereto.

Consideration includes the sewer easement exhibit "B" and the Temporary easement exhibit "C"

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 March 8 19 88
Laurence B. Goodenough
City of Newburgh

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 0.094 acre tract conveyed to Lawrence B. & Betty L. Goodnough by deed recorded on Microfiche 86-418 C10 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 200.00 feet to grantor's southwest corner, said point being the true point of beginning, said point being on the centerline of Spring Valley Road station 121+92.41;

Thence N84°21'52"E 62.90 feet to the grantor's northeast corner and a point on the centerline of Spring Valley Road station 122+55.31;

Thence S1°01'08"E 43.14 feet along the grantor's north line to a point 43.00 feet right of the centerline of Spring Valley Road station 122+51.83;

Thence S84°21'52"W 62.90 feet to a point on the grantor's west line 43.00 feet right of the centerline of Spring Valley Road station 121+88.93;

Thence N1°01'08"W 43.14 feet along the grantor's west line to the point of beginning containing 0.0621 acres, (2705 sq.ft.), more or less, and subject to all legal easements and restrictions of record.

Description prepared by Lockwood, Jones and Beals Inc.

Said description being the same property as shown in the attachments to the letter sent by Norbert Hoffman City Engineer, dated Nov. 29, 1988.

5-WV Lawrence B. & Betty L. Goodnough

Situate in Section 29, Town 3, Range 5, M.R.S., Washington Township, Montgomery County, State of Ohio and being part of a 0.094 acre tract conveyed to Betty Lou & Lawrence Goodnough by deed recorded on Microfiche 86-418C10 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" 242.59 feet to a point on the centerline of Spring Valley Road station 122+35.00;

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 133+35.00;

Thence N84°21'52"E 10.00 feet to a point 43.00 feet right of the centerline of Spring Valley Road station 122+45.00;

Thence S5°38'08"E 10.00 feet to a point 53.00 feet right of the centerline of Spring Valley Road station 122+45.00;

Thence S84°21'52"W 10.00 feet to a point 53.00 feet right of the centerline of Spring Valley Road station 122+35.00;

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, Section 29, Town 3, Range 5, M.R.S. Washington Township, Montgomery County, State of Ohio and being part of a 0.094 acre tract conveyed to Lawrence B. & Betty L. Goodnough by Deed recorded on Microfiche 86-418 C10 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 201.18 feet to a point on the centerline of Spring Valley Road station 121+88.93;

Thence S5°38'08"E 43.00 feet to a point on the grantor's west line at station 121+88.93 and the true point of beginning;

Thence N84°21'52"E 62.90 feet to a point 43.00 feet right of the centerline of Spring Valley Road station 122+55.83;

Thence S1°01'08"E 16.06 feet to a point on the east line, said point being 60.00 feet right of the centerline of Spring Valley Road station 122+50.46;

Thence S84°21'52"W 62.90 feet to a point on the west line, said point being 60.00 feet right of the centerline of Spring Valley Road station 121+87.56;

Thence N1°01'08"W 17.06 feet to the point of beginning containing 0.0245 acres, (1069 sq.ft.), more or less, and subject to all legal easements and restrictions of record.

Description prepared by Lockwood, Jones and Beals Inc.