

RESOLUTION NO. 19-89
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER J. V. Stone ON THE
17th DAY OF April, 1989.

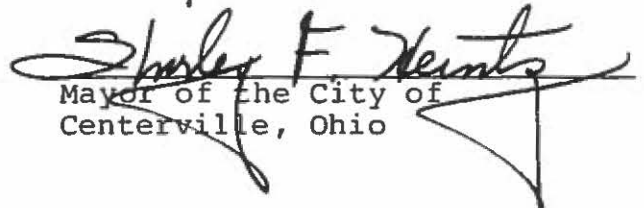
A RESOLUTION ACCEPTING THE DEDICATION OF
REAL PROPERTY BY LLOYD M. AND ABBY E.
WHITESSELL AND GEORGE E. AND NANCY J.
REINKE FOR ROAD RIGHT OF WAY PURPOSES.

THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That the City Manager is hereby directed to
do all things necessary in order to accept the dedication of real
property for road right of way purposes from Lloyd M. and Abby E.
Whitesell and George E. and Nancy J. Reinke; property described
in Exhibit "A", together with the property needed as a storm
sewer easement and described in Exhibit "B", and the temporary
easements described in Exhibit "C" all of which are attached
hereto and incorporated herein.

Section 2. As a resolution, this measure shall become
effective immediately upon passage.

PASSED THIS 17th day of April, 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. 19-89, passed by the Council
of the City of Centerville, Ohio, on the 17th day of
April, 1989.


Clerk of Council

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

Department of Law
Robert N. Farquhar
Municipal Attorney

PROJECT _____

PARCEL NO. _____

OFFER TO DEDICATE REAL ESTATE

1. I/We Lloyd M. Whitesell & Abby E. Whitesell
 George E. Reinke & Nancy J. Reinke

hereinafter referred to as the "Owner(s)" hereby offer to dedicate to the City of Centerville, Ohio, hereinafter referred to as the "City" for the sum of - 0 - (\$ - 0 -), the real property described as follows:

As attached hereto and marked as exhibit "A" together with the property needed as a storm sewer easement and described in exhibit "B", and the temporary easement described in 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 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__

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

SPRING VALLEY ROAD & S.R.48 PHASE 1

PARCEL NO. 25-WV

LLOYD M. WHITESELL & GEORGE E. REINKE

SITUATE IN SECTION 29, TOWN 3, RANGE 5, M.R.S., WASHINGTON TOWNSHIP, MONTGOMERY COUNTY, STATE OF OHIO AND BEING PART OF A 0.672 ACRE TRACT AND A 4.521 ACRE TRACT CONVEYED TO LLOYD M. WHITESELL & GEORGE E. REINKE, BY DEED RECORDED IN MICROFICHE 83-253B02 AND MICROFICHE 86-412C03 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 737.43 FEET TO THE GRANTOR'S NORTHWEST CORNER AND THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE CENTERLINE OF SPRING VALLEY ROAD STATION 127+29.71;

THENCE N84°21'52"E 311.35 FEET ALONG THE GRANTOR'S NORTH LINE AND THE CENTERLINE OF SPRING VALLEY ROAD TO THE GRANTOR'S NORTHEAST CORNER ON THE CENTERLINE OF SPRING VALLEY ROAD STATION 130+41.06;

THENCE ALONG GRANTOR'S EAST LINE S1°02'08"E 43.14 FEET TO A POINT 43.00 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 130+37.60;

THENCE S84°21'52"W 307.20 FEET TO A POINT ON THE GRANTOR'S WEST LINE 43.00 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 127+30.39;

THENCE ALONG GRANTOR'S WEST LINE N6°33'08"W 43.01 FEET TO THE POINT OF BEGINNING, CONTAINING 0.3053 ACRES, (13299 SQ.FT.), MORE OR LESS, AND SUBJECT TO ALL LEGAL EASEMENTS AND RESTRICTIONS OF RECORD.

DESCRIPTION PREPARED BY:

LOCKWOOD, JONES AND BEALS INC.

by _____
JOHN J. BEALS, OHIO P. S. 5312

Prior Deed References:

GROSS AREA	0.3053 ACRES
PRO IN TAKE	0.2134 ACRES
NET TAKE	0.0919 ACRES

EXHIBIT "B"

SPRING VALLEY ROAD & S.R.48 PHASE 1

PARCEL NO. 25-S

LLOYD M. WHITESELL & GEORGE E. REINKE

SITUATE IN SECTION 29, TOWN 3, RANGE 5, M.R.S., WASHINGTON TOWNSHIP, MONTGOMERY COUNTY, STATE OF OHIO AND BEING PART OF A 4.521 ACRE TRACT CONVEYED TO LLOYD M. WHITESELL & GEORGE E. REINKE, BY DEED RECORDED IN MICROFICHE 86-412C03 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 874.72 FEET TO A POINT ON THE GRANTOR'S NORTH LINE AND THE CENTERLINE OF SPRING VALLEY ROAD STATION 128+67.13; 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 128+67.12;

THENCE N84°21'52"E 36.38 FEET TO A POINT 43.00 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 129+03.50;

THENCE S52°13'36"E 47.32 FEET TO A POINT 72.52 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 129+37.88;

THENCE S37°46'24"W 25.00 FEET TO A POINT 93.68 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 129+20.70;

THENCE N52°13'36"W 73.75 FEET TO THE POINT OF BEGINNING, CONTAINING 0.0347 ACRES, (1513 SQ.FT.), MORE OR LESS, AND SUBJECT TO ALL LEGAL EASEMENTS AND RESTRICTIONS OF RECORD.

DESCRIPTION PREPARED BY:

LOCKWOOD, JONES AND BEALS INC.

by _____
JOHN J. BEALS, OHIO P. S. 5312

Prior Deed References:

SPRING VALLEY ROAD & S.R.48 PHASE 1

PARCEL NO. 25-T

LLOYD M. WHITESELL & GEORGE E. REINKE

SITUATE IN SECTION 29, TOWN 3, RANGE 5, M.R.S., WASHINGTON TOWNSHIP, MONTGOMERY COUNTY, STATE OF OHIO AND BEING PART OF A 0.672 & 4.521 ACRE TRACT CONVEYED TO LLOYD M. WHITESELL & GEORGE E. REINKE, BY DEED RECORDED IN MICROFICHE 253B02 & 412C03 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 737.99 FEET TO A POINT ON THE GRANTOR'S NORTH LINE AND THE CENTERLINE OF SPRING VALLEY ROAD STATION 127+30.40; 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 127+30.39;

THENCE N84°21'52"E 307.20 FEET TO A POINT ON THE GRANTOR'S EAST LINE 43.00 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 130+37.60;

THENCE S1°02'08"E 10.03 FEET ALONG THE GRANTOR'S EAST LINE TO A POINT 53.00 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 130+36.79;

THENCE S80°49'39"W 162.10 FEET TO A POINT 63.00 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 128+75.00;

THENCE N88°02'27"W 75.66 FEET TO A POINT 53.00 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 128+00.;

THENCE S84°21'52"W 69.45 FEET TO A POINT ON THE GRANTOR'S WEST LINE 53.00 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 127+30.55;

THENCE N6°33'08"W 10.00 FEET ALONG THE GRANTOR'S WEST LINE TO THE POINT OF BEGINNING, CONTAINING 0.0976 ACRES, (4251 SQ.FT.), MORE OR LESS, AND SUBJECT TO ALL LEGAL EASEMENTS AND RESTRICTIONS OF RECORD.

DESCRIPTION PREPARED BY:

LOCKWOOD, JONES AND BEALS INC.

by _____
JOHN J. BEALS, OHIO P. S. 5312

Prior Deed References:

SPRING VALLEY ROAD & S.R. 48 PHASE 1

PARCEL NO. 25-T-1

LLOYD M. WHITESELL & GEORGE E. REINKE

SITUATE IN SECTION 29, TOWN 3, RANGE 5, M.R.S., WASHINGTON TOWNSHIP, MONTGOMERY COUNTY, STATE OF OHIO AND BEING PART OF A 0.672 & 4.521 ACRE TRACT CONVEYED TO LLOYD M. WHITESELL & GEORGE E. REINKE, BY DEED RECORDED IN MICROFICHE 253B02 & 412C03 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 945.47 FEET TO A POINT ON THE GRANTOR'S NORTH LINE AND THE CENTERLINE OF SPRING VALLEY ROAD STATION 127+30.40; THENCE S5°38'08"E 75.52 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING 75.52 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 127+37.88;

THENCE S52°13'36"E 145.00 FEET TO A POINT 175.16 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 130+43.22;

THENCE S37°46'24"W 25.00 FEET TO A POINT 193.32 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 130+26.04;

THENCE N52°13'36"W 145.00 FEET TO A POINT 93.68 FEET RIGHT OF THE CENTERLINE OF SPRING VALLEY ROAD STATION 129+20.70;

THENCE N37°46'24"E 25.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.0832 ACRES, (3625 SQ.FT.), MORE OR LESS, AND SUBJECT TO ALL LEGAL EASEMENTS AND RESTRICTIONS OF RECORD.

DESCRIPTION PREPARED BY:

LOCKWOOD, JONES AND BEALS INC.

by _____
JOHN J. BEALS, OHIO P. S. 5312

Prior Deed References: