

RESOLUTION NO. 19-78

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Don White on the 20th day of February, 1978.

A RESOLUTION RELEASING DEED RESTRICTIONS CONTAINED IN A QUIT-CLAIM DEED FROM WILLIAM A. ROGERS, JR., TRUSTEE, TO BLACK OAK DEVELOPMENT COMPANY DATED OCTOBER 13, 1971 AND RECORDED IN THE OFFICE OF THE RECORDER OF MONTGOMERY COUNTY, OHIO ON NOVEMBER 5, 1971 AT MICROFICHE 71537D03.

WHEREAS, on October 18, 1971 the Council of the City of Centerville passed Ordinance numbers 77-71, rezoning certain land described in Microfiche 71537D03 of the Deed Records of the Recorder of Montgomery County, Ohio from Centerville R-3 zoning classification to Centerville B-2 zoning classification; and

WHEREAS, as a condition of said rezoning, the City of Centerville required the Black Oak Development Company to restrict the uses on said property to those uses permitted only in Centerville B-1 zoning classification; and

WHEREAS, on November 4, 1974 by Ordinance 76-74 the Council of the City of Centerville rezoned said property from Centerville -2 classification to Centerville B-1 zoning classification; and

WHEREAS, on September 19, 1977 by Ordinance No. 35-77 the Council of the City of Centerville again rezoned said property from Centerville B-1 zoning classification to Centerville R-4 zoning classification, said rezoning being initiated by the City of Centerville and not by the owner of said property; and

WHEREAS, said initial deed restriction was solely for the benefit of the City of Centerville which deed restrictions are no longer appropriate in view of the City initiated rezoning to Centerville R-4 zoning classification; and

WHEREAS, in order for there to be any use of said property, it is necessary for said deed restrictions to be removed; and

WHEREAS, the Council of the City of Centerville has determined that said deed restrictions imposed for the benefit of the City of Centerville and at the request of the City of Centerville should be removed;

NOW THEREFORE,

THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

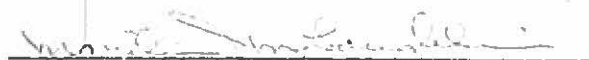
Section 1. That the City of Centerville hereby consents to the removal of the said deed restrictions imposed, at the request of the City of Centerville, in a Quit-Claim Deed recorded at Microfiche 71537D03 of the Deed Records of the Recorder of Monthomery County, Ohio.

PASSED this 20th day of February, 1978.



Mayor of the City of Centerville, Ohio

ATTEST:


Clerk of the Council of the
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. 19-78, passed by the Council of the City of Centerville, Ohio, on the 20th day of February, 1978.


Clerk of the Council