

ORDINANCE NUMBER 7-1958  
VILLAGE OF CENTERVILLE, OHIO

"AN ORDINANCE TO ACCEPT APPLICATION FOR ANNEXATION OF TERRITORY"

WHEREAS, certain adult freeholders did submit to the Board of County Commissioners of Montgomery County, Ohio, a petition for the annexation of the following described territory in the County of Montgomery and adjacent to the Village of Centerville, to be annexed to said Village of Centerville, Ohio, to-wit:

Situate in Section 30, Town 3, Range 5, MRS., Washington Township, Montgomery County, Ohio. Beginning at a point in the east line of the present corporation line of the Village of Centerville and at the intersection of the east right-of-way line of State Road No. 48 with the south right-of-way line of Spring Valley Pike; thence northwardly with the present corporation line to the half section line of Section 30; thence eastwardly with the half section line of Section 30, with the present corporation line and with the north line of the 20-acre tract as described in Deed Book 969, page 95, to the northeast corner of the southeast quarter of said section, said point being the northeast corner of said 20-acre tract; and the northwest corner of "Centerville Acres Plat," Section 2, as recorded in Plat Book "LL", page 23, of the plat records of said county; thence southwardly with the east line of Section 30 and the west line of Centerville Acres Plat, Sections 1 and 2, recorded in Plat Book "KK" page 49 and "LL" page 23 of the plat records of said county, for a distance of 2794.64 feet to the south right-of-way line of Spring Valley Pike, said point being the center of Atchison Road; thence westwardly with the south right-of-way line of Spring Valley Pike, parallel with and 30 feet distant southwardly from the southline of Section 30, for a distance of 2621.16 feet to the place of beginning containing 163.30 Acres, more or less;

WHEREAS, said Board of County Commissioners of Montgomery County, after public hearing, did on October 24, 1957, by its Resolution No. 1300 approve said petition and the annexation thereunder;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Centerville, State of Ohio:

SECTION 1. That the said application and petition of a majority of the resident freeholders for the annexation of the territory above described in the County of Montgomery and adjacent to the Village of Centerville be, and the same is hereby, accepted.

SECTION 2. That a certified transcript of the proceedings of the said County Commissioners in relation thereto be retained in the records of the Village and on file with the Clerk of the Council of Centerville.

SECTION 3. That the Village Solicitor be, and he is hereby, directed to make the requisite filing with the Secretary of State for the State of Ohio relating to such annexation of said territory.

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: January 6, 1958.

(signed) Omer Jackson  
Mayor

(signed) Kenneth E. Poff  
Clerk-Treasurer

C E R T I F I C A T E

I hereby certify that the foregoing is a true and correct copy of an Ordinance passed and adopted by the Council of the Village of Centerville, Ohio, this 3rd day of February, 1958.

(signed) Kenneth E. Poff  
Clerk-Treasurer

ORDINANCE NUMBER 8-1958  
VILLAGE OF CENTERVILLE, OHIO

AN ORDINANCE DETERMINING TO PROCEED WITH THE CONSTRUCTION OF A SEWAGE DISPOSAL WORKS CONSISTING OF A TREATMENT PLANT AND OTHER PROPER AND NECESSARY APPURTENANCES THERETO, TO PROVIDE FOR THE TREATMENT AND DISPOSAL OF SEWAGE FROM LOTS 3349 THROUGH 3565, INCLUSIVE, OF HERBERT C. HUBER PLAT 25, CENTERVILLE, OHIO, AS RECORDED IN PLAT BOOK "QQ", PAGES 52 AND 53, OF THE PLAT RECORDS OF MONTGOMERY COUNTY, OHIO.

WHEREAS, the owner of all of the lots and lands known and described as Lots 3349 through 3565, inclusive, of Herbert C. Huber Plat 25, Centerville, Ohio, as recorded in Plat Book QQ, Pages 52 and 53 of the Plat Records of Montgomery County, Ohio, has petitioned for the construction of a sewage disposal works, consisting of a treatment plant and other proper and necessary appurtenances thereto, to provide for the treatment and disposal of sewage from the said lots of the said Herbert C. Huber Plat 25, only; and

WHEREAS, said petition does not include a request for construction of a collection system ancillary to such sewage disposal works.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CENTERVILLE, STATE OF OHIO, at least three-fourths of all members elected thereto concurring:

(Ordinance Number 8-1958 continued)

SECTION 1. That it is hereby determined to proceed with the construction of a sewage disposal works consisting of a treatment plant and other proper and necessary appurtenances thereto, to provide for the treatment and disposal of sewage from lots 3349 through 3565, inclusive, of Herbert C. Huber Plat 25, Centerville, Ohio, as recorded in Plat Book QQ, Pages 52 and 53 of the Plat Records of Montgomery County, Ohio, at the earliest practicable date, all of which shall be in accordance with Resolution No. 4-1958, passed on the 26th day of February, 1958, and in accordance with the plans and specifications prepared by Ralph L. Woolpert Company, Consulting Engineers, Dayton, Ohio.

SECTION 2. That the whole cost of the construction of said sewage disposal works shall be assessed against the petitioning owner of said lots and lands which are to be especially benefited thereby, being the same real property above described, and which said lots and lands are hereby determined to be specifically benefited by said improvement; and the cost of the said construction of the said sewage disposal works shall consist of all costs and expenses incurred by the Village of Centerville, Ohio, including the expense of the preliminary and other surveys and of printing and publishing notices, resolutions and ordinances required, and the serving of said notices, all costs of construction together with interest on notes and bonds issued in anticipation of the collection of deferred assessments and all other necessary expenditures.

SECTION 3. That the assessment shall be paid in full, in cash, at such time as the construction of said sewage disposal works is completed and the assessment therefor is levied in accordance with law.

SECTION 4. That the payment of such assessment, when due and payable, be guaranteed by the filing of good and sufficient bond executed by the petitioning owner of such lots and lands, as principal, and an insurance company authorized to do business in the State of Ohio, as surety, in form approved by the Village Solicitor; that such bond be filed prior to the letting of any contracts for the said construction, and that said bond shall be in an amount equal to double the amount of any such construction contract.

SECTION 5. That the Clerk-Treasurer of the Village, after consultation with the Village Engineer, be and he is hereby authorized and directed to advertise for bids for the construction of said improvement according to law.

SECTION 6. That construction of said sewage disposal works shall not be commenced until such time as proper easements for discharge of the treatment plant effluent into a natural drainage outlet have been obtained.

SECTION 7. The foregoing ordinance is declared to be an emergency measure and shall take effect immediately upon its passage, the said emergency which is found and declared to exist being the necessity for proper treatment and disposal of sewage in the interest of the public health, welfare and safety.

PASSED this 26th day of February, 1958.

(signed) Omer Jackson  
Mayor Village of Centerville, Ohio

ATTEST:

(signed) Kenneth E. Poff  
Clerk-Treasurer of the Village  
of Centerville, Ohio

#### C E R T I F I C A T E

I, Kenneth Poff, Clerk-Treasurer of the Village of Centerville, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 8, 1958 passed by the Council of the Village of Centerville, Ohio, on the 26th day of February, 1958, at a special meeting of said Council, by at least three-fourths of all members elected thereto, upon declaration of the existence of an emergency.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of the Village of Centerville, Ohio, this 26th day of February, 1958.

(signed) Kenneth E. Poff  
Clerk-Treasurer of the Village of  
Centerville, Ohio

#### ORDINANCE NUMBER 9-1958 VILLAGE OF CENTERVILLE, OHIO

AN ORDINANCE TO AUTHORIZE ANNEXATION OF CERTAIN TERRITORY TO THE VILLAGE OF CENTERVILLE, OHIO.

WHEREAS, it is necessary, desirable and in the public interest and is reasonably related to the preservation of the public peace, property, health and safety of the Village of Centerville that certain territory contiguous to the present corporate limits of the said Village of Centerville be annexed thereto, in accordance with the provisions of Revised Code Section 709.14, et seq., Revised Code of the State of Ohio,

THEREFORE, BE IT ORDAINED by the Council of the Village of Centerville, Montgomery County, Ohio:

SECTION 1. That the annexation of the following described territory:

Situate in Sections 29 and 35, Town 3, Range 5, MRS., Washington Township, Montgomery County, Ohio. Beginning at a point in the present corporation line of the Village of Centerville, in the southwest corner of the Plat known as "Centervilla", Section 5, as described in Plat Book "RR" page 70 of the plat records of said county, in the northeast corner of the 84.60 acre tract and in the northwest corner of