

State of Ohio, shall be and is hereby saved harmless from any and all damages or claims thereof arising from or growing out of the certification or obligations made or agreed to in Sections (a), (b), (c), (d) and (e) hereinabove.

SECTIONS IX (Emergency Clause)

This ordinance is hereby declared to be an emergency measure by reason of the need for expending construction of project(s) to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Vote on suspension of the rule requiring an ordinance to be fully and distinctly read on three different days:
(Requires a yeas vote by three-fourths of all elected members)

Yeas 6 (six) Nays 0 (None)

Vote on emergency clause: Yeas 6 (six) Nays 0 (None)

Passed , 1958 Yeas 6 (six) Nays 0 (None)

As an emergency measure.

Passed: June 24, 1958

Attest: Kenneth E. Poff (signed) Clerk (signed) Omer Jackson Mayor

Attest: James T. Lynn, Jr. (signed) (signed) Frank R. Arnold President of Council

The foregoing is accepted as a basis for proceeding with the construction herein described.

For the Village of Centerville, Ohio.

Attest: James T. Lynn, Jr. (signed) (signed) Omer Jackson Date 7-30-58 Contractual Officer--Mayor

For the State of Ohio.

Attest: _____ Date Aug. 1, 1958 Director, Ohio Department of Highways

CERTIFICATE OF COPY

STATE OF OHIO

Village of Centerville SS

County, Montgomery

I, Kenneth E. Poff, as clerk of the village of Centerville, Ohio do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the council of the said village on the 24th day of June, 1958, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in ordinance Record No _____, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 24th day of June, 1958.

(signed) Kenneth E. Poff Clerk

VILLAGE OF CENTERVILLE, OHIO.

ORDINANCE NUMBER 13-1958
VILLAGE OF CENTERVILLE, OHIO

AN ORDINANCE TO ACCEPT APPLICATION FOR ANNEXATION OF TERRITORY.

WHEREAS, the Village of Centerville, by Ordinance Number 9-1958, passed March 10, 1958, did direct James T. Lynn, Jr., legal counsel for the Village, to prosecute proceedings necessary to annex the following described territory in Montgomery County and adjacent to the Village of Centerville, to-wit:

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 the 8.15 acre tract, as described in Deed Book 1865, page 384, of the Deed Records of said County; thence with the present corporation line, with the south line of Centervilla Plat, Section 5, and with the north line of said 8.15 acre tract

Ordinance Number 13-1958 (Continued)

North 85 degrees 0 minutes East for a distance of 702.06 feet to the southeasterly right-of-way line of Sheehan Road; thence with the southeasterly right-of-way line of Sheehan Road South 30 degrees West for a distance of 1406.12 feet to a point in the east line of the 84.60 acre tract, as described in deed Book 1865, page 384; thence with the east line of said 84.60 acre tract South 0 degrees 45 minutes West for a distance of 244.67 feet to a point in the southeast corner of the 84.60 acre tract and in the west line of the 126.226 acre tract, as described in Deed Book 1697, page 199-203 of the Deed Recrds of Montgomery County (said point bears North 1 degree West 1385.5 feet distant from the southeast corner of Section 35); thence with the south line of said 84.60 acre tract and with the North line of the 19.52 acre tract, as described in Deed Book 1131, page 74, South 86 degrees 30 minutes West for a distance of 147.53 feet to a point in the southeasterly right-of-way line of Sheehan Road south 35 degrees 0 minutes West for a distance of 1674.81 feet to a point in the south line of the 19.52 acre tract, as described in Deed Book 1131, page 74; thence with the south line of Section 35, with the south line of the 67.50 acre tract, as described in Deed Book 1865, page 384, and with the north line of the real estate as described in Deed Book 1074, page 577, and Deed Book 1812, page 610, north 89 degrees 10 minutes West for a distance of 1732.46 feet to a point in the southwest corner of said 67.50 acre tract; thence with the west line of the 67.50 acre tract, with the east line of the 44.52 acre tract, as described in Deed Book 1100, page 109, and with the half section line North 4 degrees 35 minutes East for a distance of 1384.68 feet to a point; thence continuing with the half section line, with the west line of the 84.60 acre tract, as described in Deed Book 1865, page 384, and with the east line of the 43.0 acre tract, as described in Deed Book 366, page 531, North 0 degrees 45 minutes East for a distance of 1381.38 feet to the northwest corner of said 84.60 acre tract; thence with the north line of the 84.60 acre tract and with the south line of the 99.59 acre tract, as described in Deed Book 1271, page 559, the 45.25 acre tract as described in Deed Book 1271, page 553, and the 78.32 acre tract as described in Deed Book 1836, page 318, North 86 degrees 15 minutes East for a distance of 2727.12 feet to the place of beginning containing 162.35 Acres, more or less; and

Note: V. Schab
12.7.82
30' S.E.
of Center
line in
1958

Whereas, said Board of County Commissioners, after public hearing, did, on June 5th, 1958, by its Resolution Number 619, approve the petition by the Village of Centerville for the annexation of said territory and the annexation thereunder; and

WHEREAS, a resolution of this Council classifying said territory into zoning district or districts in the manner provided by the Zoning Ordinance of Centerville has been heretofore passed, to be effective upon acceptance of this annexation;

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

Section 1. That the action of the Board of County Commissioners of Montgomery County under date of June 5, 1958, by Resolution Number 619 authorizing 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, and that said territory is and shall hereafter be a part of the municipal corporation of Centerville.

Section 2. That a certified transcript of the proceedings of 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 Recorder of Montgomery County and the Secretary of State of Ohio relating to the 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: November 3, 1958

(signed) Omer Jackson
Mayor

(signed) Kenneth E. Poff
Clerk-Treasurer

CERTIFICATE

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 November, 1958.

(signed) Kenneth E. Poff
Clerk-Treasurer