

RESOLUTION NO. 60-21  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Bill Serr ON  
THE 17<sup>th</sup> DAY OF May, 2021.

A RESOLUTION AUTHORIZING THE CITY MANAGER ON BEHALF OF THE CITY OF CENTERVILLE TO GRANT BY QUIT CLAIM DEED A PARCEL OF LAND TO THE CITY OF KETTERING.

WHEREAS, the City of Centerville owns property within Pondview Park, which property is located within the City of Kettering and known as Pond View Drive Extension State Parcel No. 75 WD-2 (the "Property"); and

WHEREAS, the City of Centerville and the City of Kettering are mutually agreeable that a parcel of land containing approximately 0.133 acres, more or less, of land commonly known as Pond View Drive Extension State Parcel No. 75 WD-2 be transferred from the City of Centerville to the City of Kettering; and

WHEREAS, in order to accomplish this transfer, it is necessary for the City of Centerville to grant by Quit Claim Deed said real property to the City of Kettering; and

WHEREAS, the City has no municipal purpose for the Property in that the City of Kettering has maintained and controlled the Property as part of Pondview Park; and

WHEREAS, the City, as a Charter City, has the authority to make sales to other public bodies pursuant to Centerville Ordinance Section 212.05; and

WHEREAS, the transfer of the Property is in the best interests of the City of Centerville.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That the City Manager is hereby authorized to do all things necessary to cause the transfer of a parcel of land containing 0.133 acres, more or less, owned by the City of Centerville more particularly referred to as Pond View Drive Extension State Parcel No. 75WD-2, recorded in Plat Book 99, Page 28, of the Records of Montgomery County, by Quit Claim Deed to the City of Kettering in a form substantially similar to the copy of said deed as attached hereto and made a part hereof, marked as Exhibit "A".

Section 2. That this Resolution shall become effective at the earliest time allowed by law.

PASSED THIS 17<sup>th</sup> day of May, 2021.

  
Mayor of the City of  
Centerville, Ohio

ATTEST:

  
Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 60-21, passed by the Council of the City of Centerville, Ohio on the 17<sup>th</sup> day of May, 2021.

  
Clerk of the Council

Approved as to form, consistency  
with existing ordinances, the  
charter & constitutional provisions  
Department of Law  
Scott A. Liberman  
Municipal Attorney

**QUIT CLAIM DEED**

**CITY OF CENTERVILLE, OH, an Ohio municipal corporation, grants to the CITY OF KETTERING, OH, an Ohio municipal corporation, whose tax-mailing address is**

\_\_\_\_\_ ,  
the following described real property:

POND VIEW DRIVE EXTENSION  
STATE PARCEL NO. 75 WD-2  
DESCRIPTION

Being situated in the City of Centerville, Township of Washington, County of Montgomery and State of Ohio, and known as being part of Section 14, Town 2, Range 6, and more fully bounded and described as follows:

Being a parcel of land lying on the left side of the centerline on a survey, made by the Department of Transportation and recorded in Plat Book 99, Page 28, of the Records of Montgomery County.

Commencing at the point of intersection of the centerline surveys of I-675 and of Bigger Road, said centerline survey of Bigger Road being also the westerly line of said Section 14;

thence North 81 degrees 19 minutes 00 seconds East along said proposed centerline of I-675 for a distance of 1856.18 feet to a point in the Owner's easterly property line;

thence North 4 degrees 02 minutes 56 seconds East along said property line for a distance of 396.61 feet to a point in the proposed southwesterly right of way line of Pond View Drive, said point being 386.86 feet left of the proposed I-675 centerline survey Station 378+88.61, said point being the TRUE PLACE OF BEGINNING of the parcel herein described;

thence along said proposed southwesterly Pond View Drive right of way on a curve to the right having a radius of 125.00 feet for a distance of 164.14 feet, chord bears North 14 degrees 23 minutes 39 seconds West for a distance of 152.60 feet to a point in the Owner's northeasterly property line and in the northeasterly line of said Section 14;

thence South 66 degrees 46 minutes 30 seconds East along said property line and Section line for a distance of 51.11 feet to the Owner's northeasterly property corner;

thence South 4 degrees 02 minutes 56 seconds West along the Owner's easterly property line of a distance of 127.98 feet to the PLACE OF BEGINNING, containing 0.133 of an acre, more or less.

This description is based on a survey made under the direction and supervision of A.E. Wall, Registered Surveyor No. 424.

Said stations being the station numbers as stipulated in the hereinbefore mentioned survey and as shown by plans on file in the Ohio Department of Transportation, Columbus, Ohio.

It is hereby stipulated and agreed: that

1. Control of the "Limited Access Boundaries" within said Project will remain under the jurisdiction of the Director of Transportation, State of Ohio, and
2. In the event said Road ceases to be used by the City of Centerville, Ohio, for Public Roadway Purposes, said Parcel will then revert to the State of Ohio and returned to the jurisdiction of the Ohio Department of Transportation (Highways).

SUBJECT TO all easements, conditions, restrictions and limitations of record and all legal highways, and excepting from the warranty hereof taxes and assessments due and payable December, 2021 and thereafter.

TAX PARCEL NUMBER(S): N64 03610 0008

PRIOR DEED REFERENCE: 1990-00004964

FICHE NUMBER: 90-00153C09 of the Montgomery County Deed Records.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_ 2021.

**CITY OF CENTERVILLE, OH,  
a municipal corporation**

---

By: Wayne S. Davis  
Its: City Manager

STATE OF OHIO )  
COUNTY OF MONTGOMERY )SS

BE IT REMEMBERED, that on this \_\_\_\_ day of \_\_\_\_\_ 2021, before me, the subscriber, a Notary Public in and for said County and State, personally came **Wayne S. Davis** as City Manager of **CITY OF CENTERVILLE, OH, an Ohio municipal corporation**, the municipal corporation which executed the foregoing instrument, who acknowledged that he did sign said instrument as such City Manager on behalf of said municipal corporation, duly authorized; that said instrument was signed as his free act and deed individually and the free act and deed of said municipal corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year first above written.

---

Notary Public

This instrument prepared by: Scott A. Liberman, Buckley King LPA, 110 North Main St., Suite 1200,  
Dayton, Ohio 45402



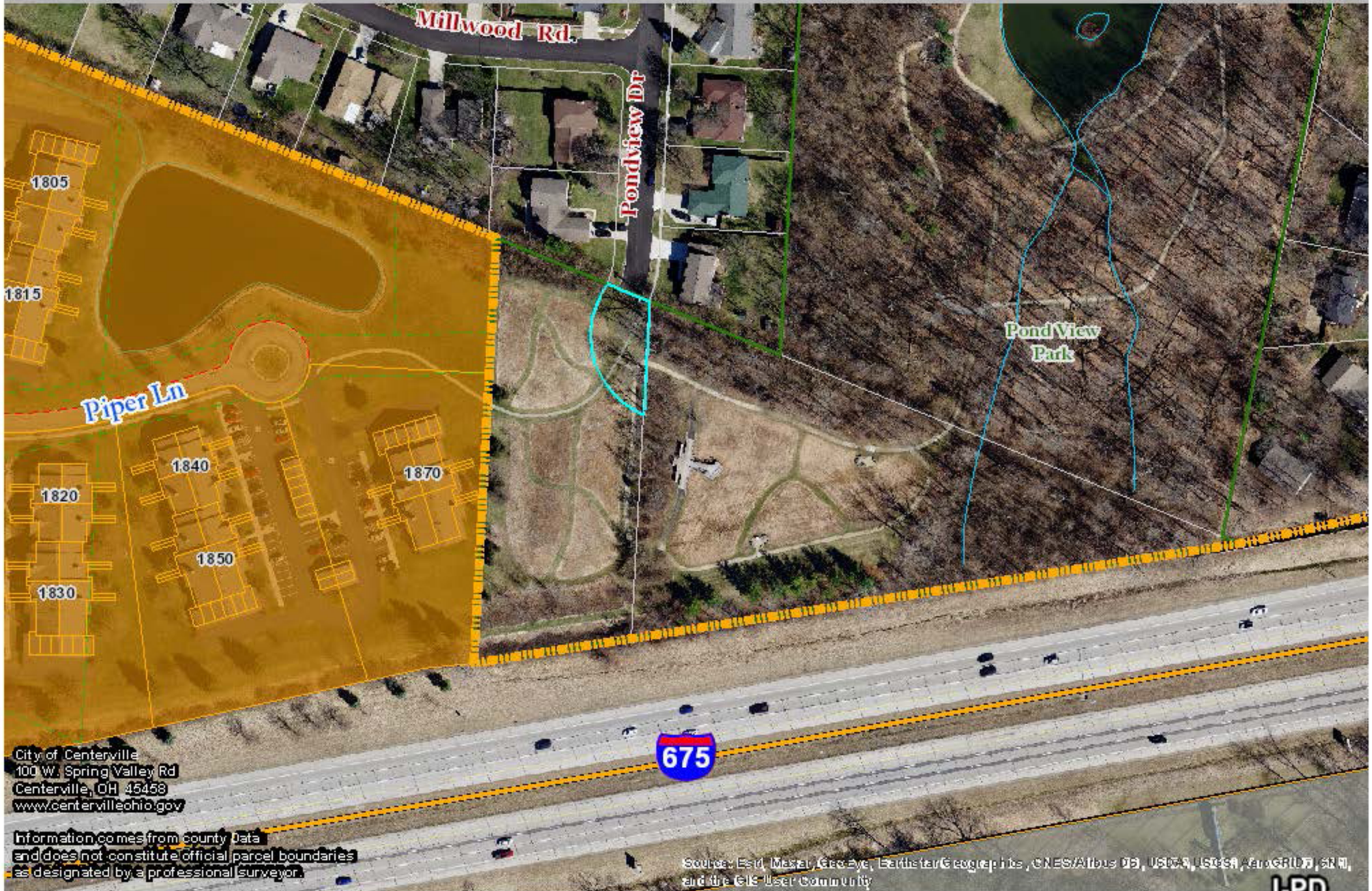


# City Property

City of Centerville



Date Saved: 5/14/2021



City of Centerville  
100 W. Spring Valley Rd  
Centerville, OH 45458  
[www.centervilleohio.gov](http://www.centervilleohio.gov)

Information comes from county data and does not constitute official parcel boundaries as designated by a professional surveyor.

Source: Esri, Imagery, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

LPD