

RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1986-09

Passed August 19, 1986

AN ORDINANCE ACCEPTING THE DEDICATION OF A PARCEL OF LAND LOCATED AT WOLFCREEK PIKE AND ARLINGTON ROAD.

WHEREAS, it is now deemed necessary to acquire additional land for the purposes of constructing and improving the intersection of Wolfcreek Pike and Arlington Road, located within the Municipality of Brookville, Montgomery County, Ohio.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE MUNICIPALITY OF BROOKVILLE, OHIO, THAT:

SECTION I:

That the deed of dedication by McMaken Realty, Inc. of a parcel of land, a description of which is attached hereto and marked Exhibit "A", dedicating the same to public use, be and the same is hereby accepted and confirmed.

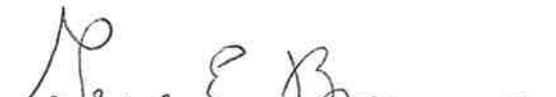
SECTION II:

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

PASSED this 19th day of August, 1986.

ATTEST:


E. EUGENE ROESER, Clerk


GEORGE E. BROWN, Mayor

CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1986-09 passed by the Council of said Municipality on the 19th day of August, 1986.


E. EUGENE ROESER, Clerk

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CERTIFICATION OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1986-09 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio on the 27th day of August, 1986, to the 25th day of September, 1986 both days inclusive.

E. Eugene Roeser
E. EUGENE ROESER, Clerk



Know all Men by these Presents

That McMAKEN REALTY, INC. an Ohio Corporation, duly organized under the laws of the State of Ohio and whose post office address is 1 McMAKEN LANE BROOKVILLE, OH, the owner of the tract described below, does hereby dedicate to public use to the Village of Brookville, Ohio, the following described property:

Situate in the Northwest Quarter of Section 34, Town 6, Range 4 East, Village of Brookville, Montgomery County, State of Ohio, and being part of the 1.090 acre tract conveyed to McMaken Realty, Inc. by deed recorded in Microfiche 85-0720 A06, of the Montgomery County Deed Records, and being more fully bounded and described as follows:

Beginning at the intersection of the centerline of Arlington Road and the centerline of Wolf Creek Pike, in the west line of said Northwest Quarter of Section 34, at the northwest corner of the 0.597 acre tract conveyed to The Village of Brookville, Ohio by deed recorded in Deed Book 2331, page 464, of the Montgomery County Deed Records; thence with the centerline of said Arlington Road, and with the west line of said Northwest Quarter of Section 34, South 05 degrees East, 109.22 feet to a point; thence at right angles, North 85 degrees East, 35.00 feet to a point of curve in the west line of said McMaken 1.090 acre tract, and being a point of curve also in the said Village 0.597 acre tract, the true point of beginning for the herein described tract.

Thence with the common curve to the said McMaken 1.090 acre tract, and said Village 0.597 acre tract, on a curve to the right which radius is 15.00 feet, which central angle is 128 degrees 09 minutes, which beginning tangent bears North 05 degrees West, and which long chord bears North 59 degrees 04 minutes 30 seconds East, 26.98 feet, for a distance of 33.55 feet, as measured on the arc, to the point of tangency.

Thence with the northeast line of said McMaken 1.090 acre tract, and with a southwest line of said Village 0.597 acre tract, parallel to and 40 feet southwest of the centerline of said Wolf Creek Pike, as measured at right angles thereto, South 56 degrees 51 minutes East, 59.57 feet to a new corner.

Thence South 85 degrees West, 71.11 feet to a new corner in the west line of said McMaken 1.090 acre tract, and in an east line of said Village 0.597 acre tract.

Thence with the west line of said McMaken 1.090 acre tract, and with an east line of said Village 0.597 acre tract, parallel to and 35 feet east of the centerline of said Arlington Road, as measured at right angles thereto, North 05 degree West, 25.00 feet to the true point of beginning for the herein described tract, and containing 0.041 acre, more or less, subject to all easements of record.

The above description was prepared by Donald R. Bowman, Registered Surveyor Number 4323, State of Ohio. The centerline of said Arlington Road was assumed to be South 05 degrees East.

Signed in the presence of:

McMAKEN REALTY, INC.

John E. Wylie
WITNESS

BY: Jack McMaken
President - Jack McMaken

E. E. Rymer, Rec.
WITNESS

BY: Jack McMaken
Secretary - Jack McMaken

STATE OF OHIO)
COUNTY OF MONTGOMERY) ss:

Before me, a Notary Public, in and for said county and state, personally appeared the President and Secretary of McMAKEN REALTY, INC. who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed and the free act and deed of the corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Brookville, Ohio this 11th day of July, 1986.

Lucille E. Ramsey
Notary Public

LUCILLE E. RAMSEY, Notary Public
In and for the State of Ohio
My Commission Expires MAR. 4, 1990

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