

ORDINANCE NO. 99-165

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE EXCHANGE OF APPROXIMATELY 21.232 ACRES WITH BETTY JANE WESTERKAMM AND DECLARING AN EMERGENCY

WHEREAS, the City of Mason wishes to enter into a property exchange with Betty Jane Westerkamm; and

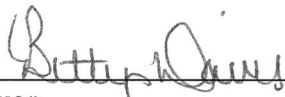
WHEREAS, City Council has determined that this exchange of property is in the best interests of the City of Mason.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, **seven (7)** members thereto concurring:

Section 1. That the City Manager is hereby authorized to enter into a contract and execute any and all documents to provide the exchange of approximately 21.232 acres of real estate with Betty Jane Westerkamm, which contract is to be approved by the Law Director. The properties to be exchanged are more particularly set forth in the General Warranty Deeds attached hereto and incorporated herein as Exhibits "A" and "B".

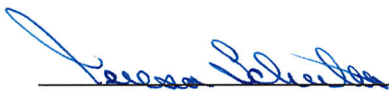
Section 2. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to exchange the subject properties at the earliest possible date.

Passed this 11th day of October, 1999.



Mayor

Attest:



Clerk of Council

KING-HASSELBRING & ASSOCIATES

CONSULTING ENGINEERS AND LAND SURVEYORS

212 NORTH BROADWAY

LEBANON, OHIO 45036-1716

(513) 932-3806 (513) 932-6847 FAX

TAG

A

FILE: WESTERKAMM.LGL
DWG. NO.: C-10267
FILE NO.: 98-9583

JUNE 23, 1998 *PARCEL A*
PAGE 1 OF 2 *WESTERKAMM to City*

PARCELA
LEGAL DESCRIPTION
21.232 ACRES

SITUATED IN SECTION 29, TOWN 4, RANGE 2, CITY OF MASON, WARREN COUNTY, OHIO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A PK NAIL IN THE CENTERLINE OF MASON-MONTGOMERY ROAD, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID SECTION 29;

THENCE LEAVING SAID CENTERLINE OF SAID MASON-MONTGOMERY ROAD IN AND ALONG THE NORTH LINE OF SAID SECTION 29, S-86D-59'-55"-E A DISTANCE OF 325.00 FEET TO A POINT, PASSING AT 30.00 FEET A THREE-QUARTER (3/4) INCH IRON PIN FOUND;

THENCE PARALLEL WITH SAID CENTERLINE OF SAID MASON-MONTGOMERY ROAD S-04D-00'-00"-W A DISTANCE OF 456.35 FEET TO AN IRON PIN SET;

THENCE S-03D-15'-00"-W A DISTANCE OF 153.00 FEET A FIVE-EIGHTS (5/8) INCH IRON PIN FOUND AND THE REAL POINT-OF-BEGINNING FOR THIS DESCRIPTION;

THENCE S-87D-10'-01"-E A DISTANCE OF 1327.01 FEET TO A ONE (1) INCH IRON PIN SET;

THENCE S-03D-48'-46"-W A DISTANCE OF 656.11 FEET TO A POINT, PASSING AT 651.11 FEET AN IRON PIN SET;

THENCE N-87D-22'-46"-W A DISTANCE OF 1145.08 FEET TO AN IRON PIN SET, PASSING AT 5.00 FEET AN IRON PIN SET;

THENCE IN AND ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 277.19 FEET TO AN IRON PIN SET, SAID CURVE HAVING A RADIUS OF 630.00 FEET AND A CHORD LENGTH OF 274.96 FEET BEARING S-80D-00'-58"-W;

THENCE N-87D-22'-46"-W A DISTANCE OF 245.59 FEET TO A PK NAIL SET IN SAID CENTERLINE OF SAID MASON-MONTGOMERY ROAD, PASSING AT 195.59 FEET AN IRON PIN SET;

THENCE IN AND ALONG SAID CENTERLINE OF SAID MASON-MONTGOMERY ROAD N-04D-02'-30"-E A DISTANCE OF 16.00 FEET TO A PK NAIL SET;

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LEGAL DESCRIPTION
21.232 ACRES

THENCE LEAVING SAID CENTERLINE OF SAID MASON-MONTGOMERY ROAD
S-87D-22'-46"-E A DISTANCE OF 243.22 FEET TO A THREE-QUARTER (3/4)
INCH IRON PIN FOUND, PASSING AT 30.00 FEET AN IRON PIN SET;

THENCE N-01D-49'-14"-E A DISTANCE OF 134.85 FEET TO A THREE-QUARTER
(3/4) INCH IRON PIN FOUND;

THENCE S-86D-45'-46"-E A DISTANCE OF 32.10 FEET TO A IRON PIN FOUND;

THENCE N-04D-01'-57"-E A DISTANCE OF 570.64 FEET TO A THREE-QUARTER
(3/4) INCH IRON PIN FOUND;

THENCE S-87D-19'-00"-E A DISTANCE OF 57.75 FEET TO THE REAL
POINT-OF-BEGINNING FOR THIS DESCRIPTION.

ALL HEREINABOVE MENTIONED IRON PINS ARE ONE-HALF (1/2) INCH UNLESS
INDICATED OTHERWISE.

CONTAINING IN ALL 21.232 ACRES MORE OR LESS, SUBJECT TO ALL LEGAL
HIGHWAYS AND EASEMENTS OF RECORDS.

PRIOR DEED REFERENCE: OFFICIAL RECORD 489 PAGE 287.

THIS DESCRIPTION IS THE RESULT OF A SURVEY PREPARED BY
KING-HASSELBRING & ASSOCIATES, CHARLES H. HUNTLEY, PS, OHIO REGISTERED
SURVEYOR No. 5630, DATED APRIL 10, 1998, THE SURVEY PLAT OF WHICH IS
FILED IN VOL. _____ PLAT No. _____ OF THE WARREN COUNTY
ENGINEER'S RECORD OF LAND DIVISION.

ISSUED

JUN 24 1998

King-Hasselbring Assoc.
CIVIL ENGINEERS & SURVEYORS

KING-HASSELBRING & ASSOCIATES

Civil Engineers & Land Surveyors
212 North Broadway Lebanon, Ohio 45036
Telephone (513) 932-3806 Facsimile (513) 932-6847

Principal:
J. Timothy King, PE-PS

Associates:
Paul E. Hasselbring, PE-PS
M. Ernie Blankenship, PE
Robert M. Nevin, SIT

FILE: WESTERKAMM.LGL
DWG. NO.: C-10267-A
FILE NO.: 98-9583

AUGUST 17, 1999
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CITY TO WESTERKAMM

PARCEL "B"
LEGAL DESCRIPTION
21.232 ACRES

Situated in Section 30, Town 4, Range 2, City of Mason, Warren County, Ohio, and being more particularly described as follows:

Beginning at a PK Nail in the centerline of Mason-Montgomery Road, said point also being the southwest corner of said Section 30;

Thence in and along said centerline of said Mason-Montgomery Road and west line of said Section 30, N-03d-41'-59"-E a distance of 129.66 feet to a point at the southeast corner of Section 36;

Thence continuing in and along said centerline of said Mason-Montgomery Road and west of of said Section 30, N-04d-00'-00"-E a distance of 873.57 feet to a Mag nail set and real Point-of-Beginning for this description;

Thence continuing in and along said centerline of said Mason-Montgomery Road and west of of said Section 30, N-04d-00'-00"-E a distance of 644.92 feet to a Mag nail set;

Thence leaving said centerline of said Mason-Montgomery Road and said west line of said Section 30, S-88d-18'-45"-E a distance of 1435.63 feet to an iron pin found, passing at 30.00 feet an iron pin set;

Thence S-04d-04'-16"-W a distance of 644.95 feet to an iron pin set;

Thence N-88d-18'-45"-W a distance of 1434.83 feet to the real Point-of-Beginning for this description, passing at 1404.83 feet an iron pin set.

KING-HASSELBRING & ASSOCIATES
ENGINEERS-SURVEYORS
LEBANON, OHIO

FILE: WESTERKAMM.LGL
DWG. NO.: C-10267-A
FILE NO.: 98-9583

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PARCEL "B"
LEGAL DESCRIPTION
21.232 ACRES

Containing in all 21.232 acres more or less, subject to all legal highways and easements of records.

Prior deed reference: Official Record 1610, Page 224.

This description is the result of a survey prepared by King-Hasselbring & Associates, J. Timothy King, PE-PS, Ohio Registered Surveyor No. 6549, dated August 17, 1999, the survey plat of which is filed in Vol. _____ Plat No. _____ of the Warren County Engineer's Record of Land Division.