

ORDINANCE NO. 2006-183

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR SALE AND PURCHASE OF REAL PROPERTY WITH RICHARD D. HADLEY AND JANET K. HADLEY FOR AN AMOUNT NOT TO EXCEED \$360,000.00**

WHEREAS, the City of Mason has determined that it is in the public welfare to extend certain areas of green space through the City; and

WHEREAS, the proposed green space is located on the property owned by Richard and Janet Hadley; and

WHEREAS, the City of Mason and the Hadleys have reached an agreement as to the purchase of the property.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, five members elected thereto concurring:

Section 1. That the City Manager is hereby authorized and directed to enter into a Contract for Sale and Purchase of Real Property with Richard D. Hadley and Janet K. Hadley.

Section 2. That the City Manager is further authorized to execute any and all necessary and related documents to complete the terms of the Contract.

Section 3. That said property is as described in the attached Exhibit "A" which is incorporated herein by reference.

Section 4. That the terms of the Contract are as indicated in the attached Exhibit "B", which is incorporated herein by reference, and which terms are subject to modifications by the Law Director of the City of Mason consistent with the overall purpose of this Contract.


Section 5. That the Finance Director is hereby authorized to pay Richard D. Hadley and Janet K. Hadley an amount not to exceed \$360,000.00 for said real property.

Section 6. That this Ordinance is and shall be effective from and after the earliest period allowed by law.

Passed this 11<sup>th</sup> day of December, 2006.

Attest:

  
Clerk of Council

  
Mayor

38894



Survivorship Deed\*

16-30-253-002 AK

RICHARD D. HADLEY and JANET K. HADLEY,  
husband and wife  
of Warren County, Ohio  
for valuable consideration paid, grant(s) with general warranty covenants, to  
RICHARD D. HADLEY and JANET K. HADLEY, husband and wife  
for their joint lives, remainder to the survivor of them, whose tax-mailing addresses are  
305 Lakeview Drive, Mason, Ohio 45040  
the following REAL PROPERTY: Situated in the county of Warren  
of Ohio and in the City of Mason

Situated in the Village of Mason Warren County, Ohio, and being a part of  
Section #30, Town 4, Range 2, and bounded and described as follows:

Beginning at a point in the North corner of Lot No. 22, First Addition to  
Elkwood Subdivision as recorded in Plat Book 4, Page 25; running thence, with the  
Westerly line of said Addition, (1) S. 27° 52' W. 244.23 feet to an iron rod;  
(2) S. 67° 03' 00" W. 106.75 feet to a point; (3) S. 80° 03' W. 341.45 feet to an iron  
rod at the Southwest corner of Lot No. 21 of said Addition; running thence, with the  
lines of said Lot No. 21, (1) N. 63° 41' E. 285.00 feet to an iron rod; (2) N. 10°  
16' E. 54.40 feet to an iron rod in the Southerly line of Lakeview Drive; running  
thence, with the Southerly line of said Street on a 50.-0 foot radius curve to the  
left, whose chord bears N. 69° 06' 00" E. 28.84 feet, an arc distance of 29.25 feet  
to an iron rod at the Northwest corner of Lot No. 20 of said Addition; running  
thence, with the lines of said Lot, (1) S. 10° 16' W. 69.28 feet to an iron rod;  
(2) S. 33° 52' E. 190.43 feet to a cross chisled in the cast iron rim of a sanitary  
manhole in the Westerly line of Lot No. 19; thence, with the Westerly line of Lot No.  
19, S. 21° 10' W. 115.00 feet to an iron rod at the Northeast corner of Lot No. 10,  
Elkwood Subdivision as recorded in Plat Book 3, Page 253; running thence, with the  
lines of Lot No. 10, (1) N. 87° 00' W. 173.70 feet to an iron rod; (2) S. 74° 34' W.  
143.10 feet to an iron rod; (3) S. 12° 42' W. 111.05 feet to an iron rod at the  
Southwest corner of said Lot No. 10 and in a Southerly line of a 45 Acre Tract, more  
or less, recorded in Deed Book 210, Page 423, running thence, with the lines of said  
45 Acre Tract, (1) N. 77° 01' W. 127.80 feet to an iron rod; (2) N. 49° 42' W.  
(passing an iron rod at 273.11 feet) a distance of 335.75 feet to a point in  
(CONTINUED ON REVERSE)

Prior Instrument Reference: Vol. 411, Page 62 of the Deed Records of Warren  
County, Ohio. RICHARD D. HADLEY and JANET K. HADLEY  
Grantor, releases all rights of dower therein. Witness their  
hand(s) this 17th day  
of SEPTEMBER, 1987

Signed and acknowledged in presence of:

Jan L. Gault  
Lynne K. McClure  
Richard D. Hadley  
Janet K. Hadley  
County of Warren ss.  
day of \_\_\_\_\_, 19\_\_\_\_, before me,  
the subscriber, a Notary Public

RICHARD D. HADLEY and JANET K. HADLEY  
foregoing deed, and acknowledged the signing thereof to be their  
voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my  
seal  
on the day and year last aforesaid.  
LYNNE K. MCCLURE  
Notary Public, State of Ohio  
My Commission Expires Nov 28, 1988

This instrument was prepared by David K. Batsche, BATSCHE & PETERS LAW FIRM  
300 W. Main Street, Mason, Ohio 45040

- (1) Name of Grantor(s) and marital status.
- (2) See Sections 5302.05 and 5302.06 Ohio Revised Code.
- (3) Name of Grantees and marital status of each.
- (4) Description of land or interest therein, and encumbrances, reservations and exceptions, taxes and assessments if any.
- (5) Delete whichever does not apply.
- (6) Execution in accordance with Chapter 5301 Ohio Revised Code.

Auditor's and Recorder's Stamps

\*See Section 5302.17 Ohio Revised Code.

Muddy Creek; (3) thence, with said Creek, N, 13° 02' E. 285.15 feet to a stone on the East bank of said Creek; (4) N. 53° 01' E. 551.65 feet to an iron rod in said Creek; (5) N. 18° 23' E. 78.26 feet to a point; (6) S. 69° 08' 00" E. 115.90 feet to the point of beginning, containing Seven and Two Hundred Sixty-eight Thousandths (7.268) Acres, subject to all easements of record.

Previous Deed Reference: Vol. 411, page 23  
Warren County Official Records

SEP 22 4 05 PM '87

EXHIBIT A  
PAGE 2 OF 2

RECEIVED  
1:05 PM  
C.H.

SEP 22 1987