

ORDINANCE NO. 2013 - 114

AUTHORIZING THE CITY MANAGER TO ACQUIRE APPROXIMATELY 3.2 ACRES OF REAL PROPERTY AT A PRICE NOT TO EXCEED \$1100.00 AND DECLARING AN EMERGENCY (FORMER WEATHERSTONE PROPERTY)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASON, SEVEN MEMBERS ELECTED THERETO CONCURRING:

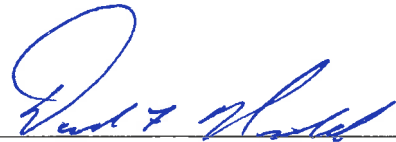
SECTION 1. That the City Manager is hereby authorized to acquire the real property more fully described in Exhibit A, attached hereto and incorporated herein by reference, at a price not to exceed \$1100.00.

SECTION 2. That the City Manager is further authorized to execute any and all documents, as approved by the Law Director, in order to complete said acquisition.

SECTION 3. That the Finance Director is hereby authorized to pay an amount not to exceed \$1100.00 for said acquisition.

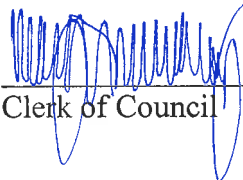
SECTION 4. That this ordinance is declared an emergency necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this municipality. The reason for said emergency is to complete the property acquisition at the earliest possible date.

Passed this 9th day of December, 2013.



Mayor

Attest:



Clerk of Council

EXHIBIT "A"

Parcel 6 - Sidwell No. 12-25-464-161 ^(HCH)

Located in Section 19 and 25, Town 4, Range 3, in the City of Mason, Warren County, Ohio and being more particularly described as follows:

Beginning at a stone at the Southwest corner of said Section 19 and at the Southeast corner of said Section 25; thence with the South line of said Section 25 on the following courses:

- (i) North 85 degrees 30 minutes 26 seconds West 1605.05 feet to an iron pin;
- (ii) North 85 degrees 15 minutes 29 seconds West 479.96 feet to a stone;
- (iii) North 84 degrees 16 minutes 24 seconds West 613.56 feet to an iron pin in Main Street (U.S. Route No. 42) at the Southeasterly corner of a 32.372 acre tract recorded in Deed Book 468, Page 163 of the deed records of said county;

Thence by new division lines, on the following courses:

- (i) North 38 degrees 52 minutes 30 seconds East 220.41 feet to a nail in the centerline of Main Street;
- (ii) South 47 degrees 37 minutes 56 seconds East 60.00 feet to a concrete monument in the Easterly right of way line of Main Street;
- (iii) ~~South 77 degrees 12 minutes 14 seconds East 192.80 feet to a point;~~
- (iv) North 69 degrees 55 minutes 50 seconds East 333.20 feet to a point;
- (v) North 20 degrees 20 minutes 38 seconds East 311.65 feet to a point;
- (vi) North 42 degrees 22 minutes 04 seconds East 250.00 feet to a point in a Southerly boundary line of a 12.754 acre tract, recorded in Official Record Volume 119, Page 991 of the Official Records of said county;

Thence with the boundary line of said 12.754 acre tract, on the following courses:

- (i) South 47 degrees 37 minutes 56 seconds East 110.71 feet to an iron pin;
- (ii) South 85 degrees 55 minutes 54 seconds East 1014.97 feet to an iron pin;
- (iii) North 04 degrees 04 minutes 06 seconds East 460.00 feet to an iron pin;
- (iv) North 85 degrees 55 minutes 54 seconds West 952.04 feet to an iron pin in the Easterly right of way line of Main Street;
- (v) North 47 degrees 37 minutes 56 seconds West (passing an iron pin at 90.00 feet) a distance of 140.00 feet to a nail in the centerline of Main Street;

Thence with the centerline of Main Street North 42 degrees 22 minutes 04 seconds East 178.87 feet to a point in the Northerly boundary line of a 59.36 acre tract, recorded in Deed Book 507, Page 150 of the deed records of said county; thence with said Northerly boundary line, South 85 degrees 01 minutes 56 seconds East (passing an iron pin at 58.89 feet) a distance of 279.58 feet to a point at the Southwesterly corner of a 9.808 acre tract, recorded in Deed Book 507, Page 142 of the deed records of said county; thence with the Westerly boundary line of said 9.808 acre tract, on the following courses:

EXHIBIT

tabbles

A

- (i) North 04 degrees 58 minutes 04 seconds East 29.33 feet to a point;
- (ii) North 57 degrees 24 minutes 04 seconds East 595.41 feet to a point in the Southerly boundary line of a 21.148 acre tract, recorded in Deed Book 507, Page 145 of the deed records of said county;

Thence with the boundary lines of said 21.148 acre tract, on the following courses:

- (i) North 85 degrees 01 minutes 43 seconds West 68.98 feet to a point;
- (ii) North 06 degrees 48 minutes 14 seconds East 110.13 feet to a point;
- (iii) North 31 degrees 09 minutes 14 seconds East 115.24 feet to a point;
- (iv) North 71 degrees 00 minutes 14 seconds East 160.02 feet to a point;
- (v) North 53 degrees 26 minutes 14 seconds East 213.84 feet to a point;
- (vi) North 06 degrees 46 minutes 14 seconds East 255.83 feet to a point;
- (vii) North 77 degrees 51 minutes 30 seconds East 302.43 feet to a point;
- (viii) North 52 degrees 02 minutes 30 seconds East 329.78 feet to a point; witness an iron pin bears North 84 degrees 52 minutes 30 seconds West 106.17 feet;
- (ix) South 85 degrees 41 minutes 32 seconds East 125.62 feet to an iron pin in the Westerly right of way line of State Route No. 741;

Thence with said right of way line, on the following courses:

- (i) South 13 degrees 58 minutes 01 seconds East 28.43 feet to an iron pin;
- (ii) On a 3966.53 foot radius curve to the left (chord bears South 17 degrees 51 minutes 48 seconds East 539.14 feet) an arc distance of 539.56 feet to an iron pin in the Easterly boundary line of said 21.148 acre tract;

Thence with the said Easterly boundary line, South 05 degrees 12 minutes 38 seconds West 636.13 feet to a stone in the Northerly boundary line of a 57 acre tract recorded in Deed Book 507, Page 148 of the deed records of said county; thence with said Northerly boundary line, South 83 degrees 58 minutes 35 seconds East 408.52 feet to an iron pin in the Westerly right of way line of State Route No. 741; thence with said right of way line South 32 degrees 25 minutes 20 seconds East 1030.29 feet to an iron pin in the Easterly boundary line of said 57 acre tract; thence with the boundary lines of said 57 acre tract, on the following courses:

- (i) South 04 degrees 25 minutes 13 seconds West 743.71 feet to a stone in the South line of said Section 19;
- (ii) With said Section line, North 85 degrees 32 minutes 46 seconds West 1317.16 feet to the point of beginning, containing 122.258 acres, more or less. In the above described tract, there being 49.285 acres in Section 19 and 72.973 acres in said Section 25.

(Volume 51, Plat No. 23 Warren County Engineers Record of Land Division)

SR 51-23

SAVE AND EXCEPT:

- 1) 9.600 Acres of the 10 Acres conveyed to Charles V. Simms Development Corporation, an Ohio Corporation at Official Record Volume 1841, Page 789, on October 8, 1999.
- 2) 27.410 Acres as contained in the record plat of Weatherstone Section One, Plat Book 48, Pages 23, 24 & 25, Warren County Plat Records.
- 3) 11.851 Acres of the 16.428 Acres as contained in the record plat of Weatherstone Section Two, Plat Book 50, Pages 19, 20 & 21, Warren County Plat Records.
- 4) 8.219 Acres of the 9.551 Acres as contained in the record plat of Weatherstone Section Three, Block A, Plat Book 51, Pages 41 & 42, Warren County Plat Records.
- 5) 10.000 Acres as conveyed to Charles V. Simms Development Corporation, an Ohio Corporation at Official Record Volume 2193, Page 471, on June 12, 2001.
- 6) 17.2212 Acres as contained in the record plat of Weatherstone Section Four Phase A, Plat Book 56, Pages 83 & 84, Warren County Plat Records.
- 7) 3.060 Acres as contained in the record plat of Weatherstone Section Three, Block B, Plat Book 57, Pages 16 & 17, Warren County Plat Records.
- 8) 6.4176 Acres of the 6.960 Ac. and 1.641 Ac. as conveyed to Charles V. Simms Development Corporation, an Ohio Corporation at Official Record Volume 2798, Page 442, on December 6, 2002.
- 9) 9.2146 Acres as contained in the record plat of Weatherstone Section Four Phase B, Plat Book 60, Pages 65 & 68, Warren County Plat Records.
- 10) 5.8185 Acres of the 5.7051 Acres as contained in the record plat of Weatherstone Section Three, Block C, Plat Book 61, Pages 75, 76 & 77, Warren County Plat Records.
- 11) 10.4263 Acres as contained in the record plat of Weatherstone Section 4 Phase C, Plat Book 69, Pages 53 & 54, Warren County Plat Records.

LEAVING A REMAINDER OF 3.2198 ACRES

CERTIFICATE OF SALE OF FORFEITED LAND
ORC SEC. 5723.12

State of Ohio
Warren County: ss:

I, Nick Nelson, the duly elected, qualified and acting Auditor in and for the State and County aforesaid, do hereby certify that the following tract of land or lot, described as follows:

See Exhibit A for Legal Description

Entered for taxation in **Mason Corporation, Mason City** School District Taxing District and forfeited to the State of Ohio for the non-payment of taxes, assessments, penalties, interest and costs, was sold to *City of Mason Ohio* on **December 9, 2013** for the sum of

(\$ *1,100.00*).

Witness my hand and official seal at Lebanon, Ohio this **9th day of December, 2013..**



Nick Nelson-Auditor
Warren County, Ohio

Purchasers address and Phone Number:

**Acct. No. 1108042, formerly
Weatherstone at Mason, LLC,
An Ohio Limited Liability Company
property**

Joseph J. Reigelberger, Finance Director

*6006 Mason-Mantganz Rd
Mason Ohio 45046*

513-229-8530