

**CITY OF XENIA, OHIO  
RESOLUTION 2019 – AA**

**AUTHORIZING THE SALE OF CITY-OWNED PROPERTIES LOCATED  
AT 2046 EL CAMINO DRIVE (BEVERLY HILLS PARK) TO RHONDA P. HILES  
AND THOMAS & MARLA WHITACRE**

**WHEREAS**, Ohio Revised Code Section 721.01 grants this Council the special power to sell real estate belonging to the City when such real estate is not needed for any municipal purpose;

**WHEREAS**, Section 9.16(B) of the City’s Charter provides that the sale of property, including the fixtures thereon, may be accomplished by negotiation or informal competition, when approved by this Council;

**WHEREAS**, the City owns the properties located at 2046 El Camino Drive, consisting of .0.64 acres, more or less, that are not needed for any municipal purpose and the sale of which will bring a productive reuse of the properties; and

**WHEREAS**, based upon the recommendation of the City Manager, this Council finds it to be in the best interests of the health, safety and welfare of the City to enter into a Real Estate Purchase Agreements with Rhonda P. Hiles and Thomas and Marla Whitacre to sell them the properties located at 2046 El Camino Drive.

**NOW, THEREFORE, THE CITY OF XENIA HEREBY RESOLVES**, at least four (4) members of the City Council concurring, that:

**Section 1.** The sale of the property located at 2046 El Camino Drive, consisting of 0.45 acres, more or less, (consisting of a portion of Greene County Auditor Parcel ID M4000010007800), subject to any existing easements or covenants of record, to Rhonda P. Hiles, in the amount of Three Thousand Dollars and No Cents (\$3,000), is hereby approved.

**Section 2.** The City Manager is authorized to execute a Real Estate Purchase Agreement with Rhonda P. Hiles for the sale of the property listed in Section 1, above, and to execute the deeds and any other documents necessary to the sale of said property.

**Section 3.** The sale of the property located at 2046 El Camino Drive, consisting of .0.19 acres, more or less, (consisting of a portion of Greene County Auditor Parcel ID M4000010007800), subject to any existing easements or covenants of record, to Thomas and Marla Whitacre, husband and wife, in the amount of One Thousand Dollars and No Cents (\$1,000.00), is hereby approved.


**Section 4.** The City Manager is authorized to execute a Real Estate Purchase Agreement with Thomas and Marla Whitacre for the sale of the property listed in Section 3, above, and to execute the deeds and any other documents necessary to the sale of said property.


**Section 5.** It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 6.** This Resolution shall be effective immediately upon its passage.

Introduced: August 22, 2019  
Passed: September 12, 2019

Attest:

  
Michelle D. Johnson  
City Clerk

  
Michael D. Engle  
President, Xenia City Council

**CERTIFICATION:**

I HEREBY CERTIFY THAT THIS REPLAT REPRESENTS A TRUE AND COMPLETE SURVEY MADE BY ME OR UNDER MY SUPERVISION, THAT ALL MEASUREMENTS ARE CORRECT AS SHOWN AND THAT MONUMENTS ARE SET OR FOUND AS SHOWN.

**OCCUPATIONAL STATEMENT:**

OCCUPATION IN GENERAL FITS SURVEY. THERE IS NO EVIDENCE OF OCCUPATION OTHER THAN SHOWN. ALL FOUND MONUMENTATION WERE STRAIGHT AND IN GOOD CONDITION UNLESS OTHERWISE NOTED.

THIS SURVEY WAS COMPLETED IN THE ABSENCE OF A COMPLETE AND ACCURATE TITLE SEARCH.

**SURVEYOR'S S CERTIFICATION:**

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON A FIELD SURVEY IN AUGUST 2019. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND IS SUBJECT TO ANY FACTS REVEALED BY SUCH. DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF.

KENNETH W. BOUTWELL  
PROFESSIONAL SURVEYOR #8211  
PRISM SURVEYS, LLC.

**DESCRIPTION**

BEING A REPLAT OF LOT NUMBER 264 OF BEVERLY HILLS SUBDIVISION, SECTION TEN AS SHOWN IN PLAT CABINET 33 PAGES 569A-570B AS CONVEYED TO THE CITY OF XENIA.

**LEGEND:**

- = 5/8" IRON PIN (FOUND)
- △ = MAG/P.K. NAIL (FOUND)
- = 5/8" IRON PIN (SET)  
(PRISM SURVEYS, LLC. CAP)

**SUPERIMPOSITION NOTE:**

THE PLAT SHOWN HEREIN IS SUPERIMPOSED WITHIN THE LANDS OF THE DEDICATORS FROM WHICH THE PLAT IS DRAWN.

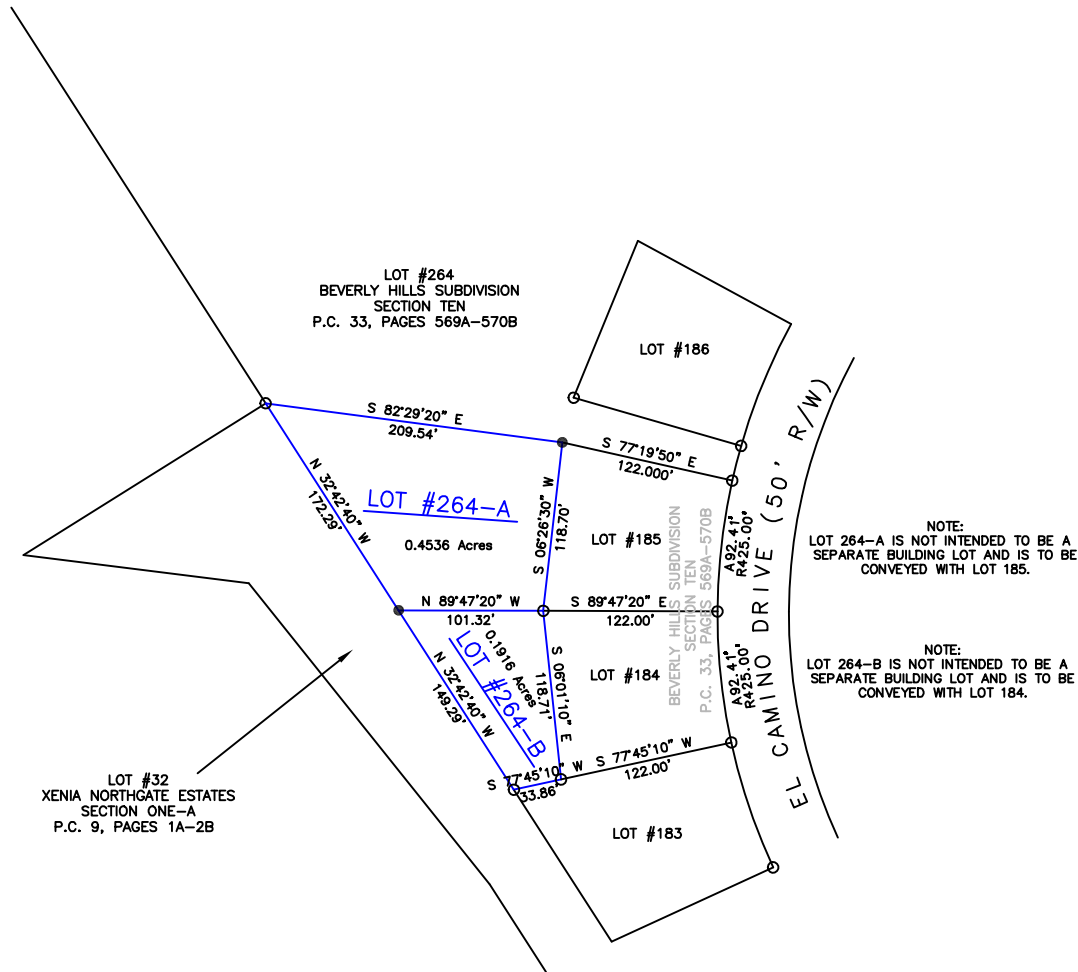
**REFERENCES:**

AS SHOWN ON DRAWING.

PREPARED BY:  
PRISM SURVEYS, LLC.  
1584 FAIRGROUND ROAD  
XENIA, OHIO 45385  
937.431.4755  
INFO@OHIOSURVEYORS.COM

**RECORD PLAN**

REPLAT OF LOT NUMBER 264 OF BEVERLY HILLS SUBDIVISION SECTION TEN AS SHOWN IN PLAT CABINET 33 PAGES 569A-570B LOCATED IN VMS No. 387 CITY OF XENIA GREENE COUNTY, OHIO 0.6452 +/- TOTAL ACRES AUGUST 2019



**OWNERS STATEMENT:**

WE THE UNDERSIGNED, BEING ALL THE OWNERS OF THE LANDS HEREIN SUBDIVIDED, DO HEREBY ACKNOWLEDGE THE MAKING AND SIGNING OF THIS INSTRUMENT TO BE OUR VOLUNTARY ACT AND DEED AND DO HEREBY RESERVE THE EASEMENTS AS SHOWN WITHIN THE PLAT TO THE PUBLIC USE FOREVER. EASEMENTS SHOWN ON THE PLAT ARE RESERVED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF WATER, SEWER, GAS, ELECTRIC, TELEPHONE OR OTHER UTILITY LINES OR SERVICES AND FOR THE EXPRESS PRIVILEGES OF REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES, AND FOR PROVIDING INGRESS AND EGRESS FROM THE PREMISES FOR SAID PURPOSES, AND ARE TO BE MAINTAINED AS SUCH FOREVER.

OWNERS:

WITNESSES:

CITY OF XENIA

PRINT NAME: \_\_\_\_\_

**STATE OF OHIO, COUNTY OF MONTGOMERY, SS:**

BE IT REMEMBERED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE OF OHIO, PERSONALLY CAME \_\_\_\_\_, OWNER OF LOT 264 OF BEVERLY HILLS SUBDIVISION, SECTION TEN WHO ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE WITHIN PLAT TO BE THEIR VOLUNTARY ACT AND DEED.

IN TESTIMONY WHEREOF, I HEREUNTO SET MY HAND AND NOTARY SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC  
MY COMMISSION EXPIRES \_\_\_\_\_

**APPROVALS:**

GREENE COUNTY AUDITOR:  
TRANSFERRED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

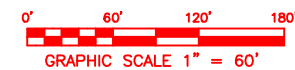
BY: \_\_\_\_\_  
GREENE COUNTY AUDITOR

GREENE COUNTY RECORDER:

FILE NO: \_\_\_\_\_ BY: \_\_\_\_\_  
RECEIVED \_\_\_\_\_ GREENE COUNTY RECORDER  
TIME: \_\_\_\_\_  
RECORDED \_\_\_\_\_  
PLAT CABINET VOLUME \_\_\_\_\_ PAGES: \_\_\_\_\_  
FEE: \_\_\_\_\_

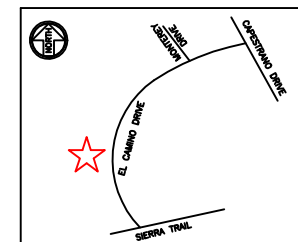
CITY OF XENIA  
PLANNING COMMISSION

CHAIRPERSON	DATE
SECRETARY	DATE



**BASIS OF BEARING:**

S 77 DEG. 19'50" E  
BEING THE NORTH LINE OF LOT 185  
BEVERLY HILLS SUBDIVISION SECTION TEN AS SHOWN ON PLAT CABINET 33, PAGES 569A - 570B



<b>EL CAMINO DRIVE</b>		
DRAWN KWB	DATE 07/19	SECTION 10 BEVERLY HILLS
APPROVED	DATE	CITY OF XENIA
SCALE 1"=60'	SHEET 1 OF 1	PROJECT NO. 18-0134