

**CITY OF XENIA, OHIO  
ORDINANCE 2022 – 36**

**APPROVING THE CONVEYANCE OF A 0.349-ACRE TRACT ON BURNETT DRIVE AND  
AUTHORIZING A PURCHASE AND SALE AGREEMENT WITH CIL ISOTOPE  
SEPARATIONS, LLC, FOR SAID CONVEYANCE**

**WHEREAS**, ORC 723.121 authorizes the conveyance and/or right to use of any lands owned by a municipal corporation that were acquired or used for public highways or streets, provided that the legislative authority of the municipal corporation has made a determination that the lands to be conveyed are not needed for any municipal purpose;

**WHEREAS**, Section 4.01 G.(2) of the City Charter grants this Council the power to convey or grant the right to use any real property owned by the City when Council, by resolution, has made a determination that the property is not needed for any municipal purpose and upon the adoption of an ordinance approving such conveyance or right to use;

**WHEREAS**, Council, by Resolution 2022-AAA, has determined that there is 0.349 acres (more or less) along Burnett Drive that is not needed for any municipal purpose; and

**WHEREAS**, this Council finds it to be in the best interests of the health, safety and welfare of the City to convey the 0.349-acre tract along Burnett Drive to CIL Isotope Separations, LLC, in consideration of its conveyance of needed water and sanitary sewer utility easements to the City.

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

**Section 1.** The conveyance of the City-owned property consisting of 0.349 acres along Burnett Drive, as described and shown in the attached Exhibit A, to CIL Isotope Separations, LLC, in consideration of its dedication to the City of two (2) fifteen-foot (15') water and sanitary sewer easements to the City, is hereby approved.

**Section 2.** There is hereby granted to CIL Isotope Separations, LLC, upon execution of the Purchase and Sale Agreement, the right to use the 0.349-acre tract for the purposes set forth in the Purchase and Sale Agreement.

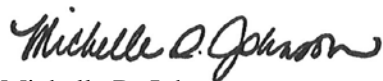
**Section 3.** The City Manager is authorized to execute a Purchase and Sale Agreement with CIL Isotope Separations, LLC, for said conveyances, as well as the deed and any other documents necessary for the conveyance of the 0.349-acre tract and acceptance of the utility easements.


**Section 4.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this legislation 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 ORC 121.22.

**Section 5.** This Ordinance shall be effective on October 22, 2022.

Introduced: September 8, 2022  
Adopted: September 22, 2022

Attest:

  
Michelle D. Johnson  
City Clerk

  
Wesley E. Smith  
President, Xenia City Council

BURNETT DRIVE  
LOT 25 DEDICATED AREA  
0.349 Acres

Situate in the State of Ohio, County of Greene, City of Xenia, located in Virginia Military Survey No. 2239 and being all of that land known and dedicated as Burnett Drive (60' wide) in Arnovitz Industrial Park Corrective Replat Recorded in Plat Cabinet 30, Pages 596B-598A of the Greene County Recorder's Office and being more particularly described as follows:

Commencing at the southeasterly corner of Lot 25 of Arnovitz Industrial Park Section Three Replat as recorded in Plat Cabinet 30, Pages 797B-799A, and being the POINT OF BEGINNING;

Thence northeasterly along the northerly line of Burnett Drive and the southerly line of said Lot 25 the following three (3) courses:

- 1) Along the arc of a curve to the right for 60.48 feet (Radius=1,500', Delta=2°18'36") a chord bearing North 54°38'50" East, 60.47 feet
- 2) North 55°48'08" East, 50.00 feet
- 3) Along the arc of a curve to the right for 196.75 feet (Radius=530', Delta=21°16'11") a chord bearing North 66°26'14" East, 195.62 feet to the westerly line of Lot 6E of Xenia Industrial Park and Commerce Center Replat as recorded in Plat Cabinet 38, Pages 234A-B and as conveyed to CIL Isotope Separations LLC in Deed No. 2017016523

Thence southerly along said westerly line South 9°46'17" West, 65.78 feet to the southerly line of Burnett Drive and the northerly corner of Lot 27 of said of Arnovitz Industrial Park Section Three Replat;


Thence southwesterly along the southerly line of Burnett Drive and the northerly line of said Lot 27 the following two (2) courses:

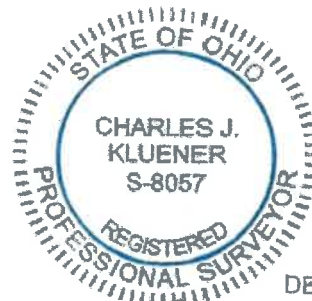
- 1) Along the arc of a curve to the left for 149.08 feet (Radius=470', Delta=18°10'26") a chord bearing South 64°53'21" West, 148.46 feet
- 2) South 55°48'08" West, 50.00 feet to the southwesterly corner of said Lot 27

Thence North 80°00'17" West, 84.32 feet to the POINT OF BEGINNING, containing 0.349 acres of land more or less.

Record references to those of the Recorder's Office, Greene County, Ohio.


The bearings shown heron are based on the bearing of North 80°00'17" West on the southerly line of lot 25, Arnovitz Industrial Park Section Three Replat, Plat Cabinet 30, Pg. 797B-799A

  
Charles J. Kluener  
Ohio Registered Surveyor No. 8057



DESCRIPTION CHECK  
Greene County Engineer's Tax Map Dept.

Legally Sufficient As Described  
 Legally Sufficient With Corrections Needed  
 Legally Insufficient, New Survey Required

By:  Date: 083022  
 PAR ID: DIST \_\_\_ BK \_\_\_ PG \_\_\_ PAR \_\_\_

# EXHIBIT

BURNETT DRIVE LOT 25 DEDICATED AREA  
 ARNOVITZ INDUSTRIAL PARK  
 CORRECTIVE REPLAT FOR SECTION THREE  
 PC VOL 30, PGS 596-598A  
 VMS 2239, CITY OF XENIA, GREENE COUNTY, OHIO



CIL ISOTOPE SEPARATIONS LLC  
 DEED NO. 2022013901

LOT 25 DEDICATED AREA  
 0.349 AC

LOT 25  
 ARNOVITZ INDUSTRIAL PARK  
 SECTION THREE REPLAT  
 PLAT CABINET 30, PG. 797B-799A  
 6.732 AC.

CIL ISOTOPE SEPARATIONS LLC  
 DEED NO. 2017016523

LOT 6E  
 XENIA INDUSTRIAL PARK AND  
 COMMERCE PARK REPLAT  
 PLAT CABINET 38, PG. 234A-B  
 33.427 AC

MICHAEL & CATHERN WOLF  
 FAMILY LIMITED PARTNERSHIP  
 DEED VOL 3236, PG. 72

LOT 27  
 ARNOVITZ INDUSTRIAL PARK  
 SECTION THREE REPLAT  
 PLAT CABINET 30, PG. 797B-799A  
 0.248 AC

CITY OF XENIA  
 DEED VOL 47, PG.854  
 SR 23, PG 203

PT LOT 6  
 XENIA IUSTRIAL & COMMERCE PARK  
 PLAT CABINET 33, PG. 446B-447A  
 0.830 AC

10' UTILITY EASEMENT  
 PC 30, PG 551A-552B

5' UTILITY EASEMENT  
 PC 30, PG 551A-552B

**POB**

SCHWAN'S SALES ENTERPRISE INC  
 DEED VOL 451, PG 871

XENIA INDUSTRIAL PARK AND COMMERCE PARK REPLAT LOT 2A  
 PLAT CABINET 34, PG. 607A-B  
 2.978 AC.

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1,500.00'	2°18'36"	60.48'	N 54°38'50" E	60.47'
C2	530.00'	21°16'11"	196.75'	N 66°26'14" E	195.62'
C3	470.00'	18°10'26"	149.08'	S 64°53'21" W	148.46'

8/28/2022



**RVP**  
**SURVEYING**  
 8170 Corporate Park Dr. Suite 137  
 Cincinnati, Ohio 45242 • 513-823-2175

0 25 50  
 1 inch = 50 ft.