

# RECORD OF ORDINANCES

Ordinance No. 2012-03 Passed March 20, 2012

## AN ORDINANCE VACATING A PORTION OF NUTRITION WAY IN THE CITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY.

**WHEREAS**, Council has determined, pursuant to Section 723.05 of the Ohio Revised Code, that there is good cause for vacating a portion of Nutrition Way as set forth and described in the plat attached hereto as Exhibit "A" and incorporated herein by reference; and

**WHEREAS**, Council has determined that vacation of a portion of Nutrition Way will not be detrimental to the general interest; and

**WHEREAS**, Council further finds that all of the property owners abutting the area to be vacated have consented to the vacation of this public right-of-way, and therefore, that notice to adjoining property owners is not required under Section 723.06 of the Ohio Revised Code.

### NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:

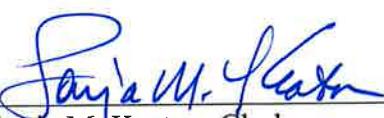
**SECTION I:** A portion of Nutrition Way, as set forth and described in the plat attached hereto as Exhibit "A" and incorporated herein by reference, is hereby vacated.

**SECTION II:** A certified copy of this Ordinance and plat of this street vacation shall be filed with the office of the Montgomery County Recorder, and a copy of this Ordinance shall be submitted to the office of the Montgomery County Auditor by the Clerk of Council.

**SECTION III:** This Ordinance is hereby declared to be an emergency measure to preserve the public peace, health, safety and welfare of the citizens of the City of Brookville and to authorize the immediate vacation of a portion of Nutrition Way and thereby permit the City of Brookville to immediately proceed with the approval of Northbrook Industrial Park Section Seven Record Plan. This Ordinance shall take effect immediately upon passage of this Ordinance as provided by the Charter of the City of Brookville.

PASSED this 20th day of March 2012.

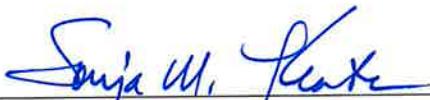
ATTEST:

  
Sonja M. Keaton, Clerk

  
David E. Seagraves, Mayor

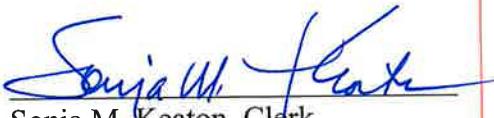
### CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2012-03, passed by the Council of the City of Brookville, Ohio, on the 20th day of March 2012.

  
Sonja M. Keaton, Clerk

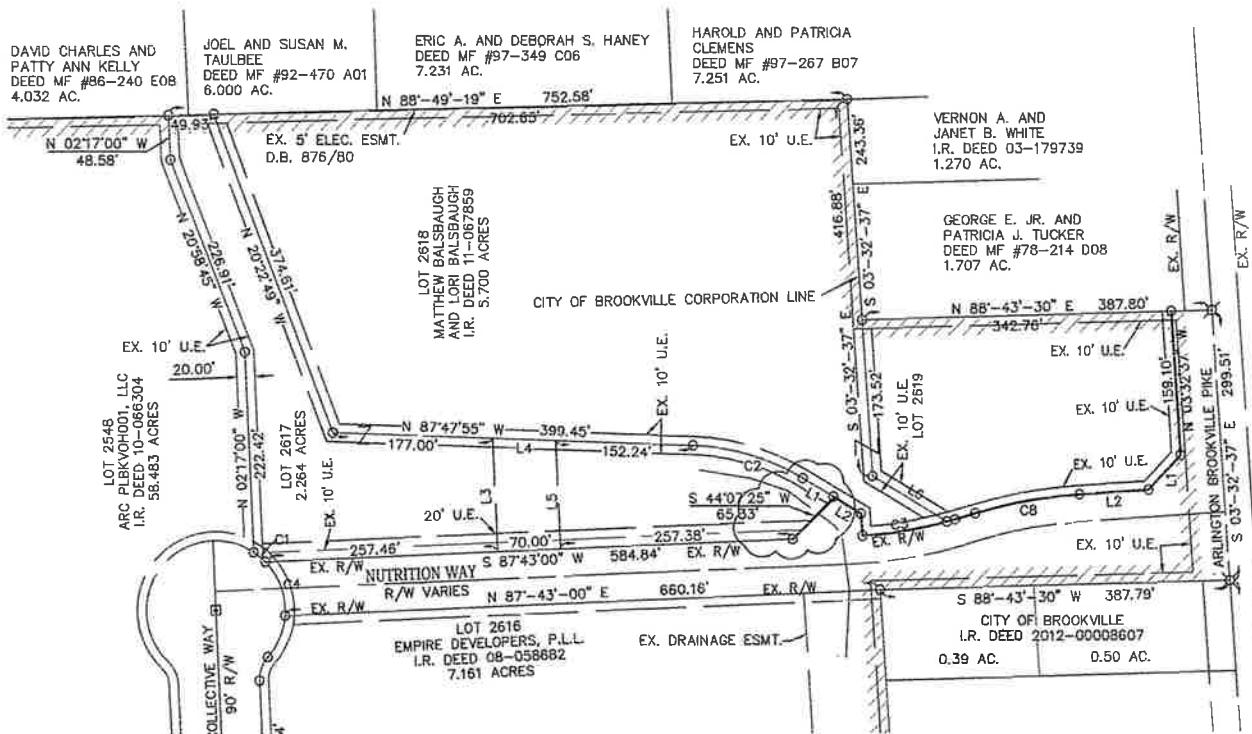
### CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2012-03 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 21st day of March 2012 to the 19th day of April 2012, both days inclusive.

  
Sonja M. Keaton, Clerk

## EXHIBIT A

BEING THE VACATION OF A PORTION  
OF R/W OF NUTRITION WAY  
SECTION 28, TOWN 6, RANGE 4E,  
CITY OF BROOKVILLE, MONTGOMERY COUNTY, OHIO



## DETAIL



LINE TABLE			
NO.	LENGTH	BEARING	
L1	39.76'	N 58°-22'-25" W	
L2	35.91'	N 58°-22'-25" W	
L3	126.38'	S 02°-17'-00" E	
L4	70.21'	N 87°-47'-55" W	
L5	120.88'	S 02°-17'-00" E	
L6	33.91'	N 58°-22'-25" W	

THE BEARING OF S 88°-43'-30" W ALONG  
THE SOUTH LINE OF THE NORTHEAST  
QUARTER SECTION WAS BASED ON LAND  
SURVEY VOLUME 2001, PAGE 293.

SCALE: 1" = 200'

440 E. HOEWISHER ROAD      203 W. LOVELAND AVENUE  
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