

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2008-07

Passed NOVEMBER 4TH, 2008

AN ORDINANCE ZONING LOTS 2602 AND 2603 OF THE REVISED AND CONSECUTIVE NUMBER OF LOTS OF THE CITY OF BROOKVILLE, OHIO TO A NEW CLASSIFICATION.

WHEREAS, the City of Brookville recently annexed certain territory along the south side of East Upper Lewisburg Salem Road consisting of 1.142 acres; and

WHEREAS, it is deemed necessary and proper to provide zoning for this newly annexed territory; and

WHEREAS, after the Public Hearing, and upon written recommendation of the Planning Commission, Council by this Ordinance hereby approves said zoning classification of R-1B for the newly annexed territory.

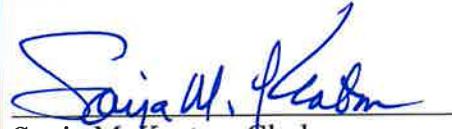
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:

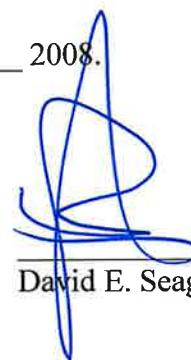
SECTION 1: The territory recently annexed to the City of Brookville consisting of 1.142 acres, and being Lots 2602 and 2603 of the revised and consecutive number of lots of the City of Brookville, being further described in Exhibits A and B attached hereto and incorporated herein by reference, is hereby zoned to the classification of "R-1B" Urban Residential District.

SECTION 2: This Ordinance shall be in full force and effect from and after the earliest period allowed by law after passage by the Council of the City of Brookville.

PASSED this 4th day of November 2008.

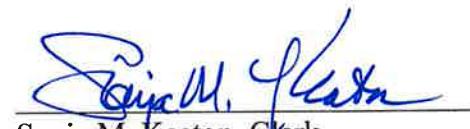
ATTEST:


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. 2008-07, passed by the Council of the City of Brookville, Ohio, on the 4th day of November 2008.


Sonja M. Keaton, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2008-07 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 5th day of November 2008 to the 5th day of December 2008, both days inclusive.

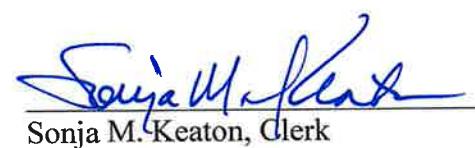

Sonja M. Keaton, Clerk

EXHIBIT A

LEGAL DESCRIPTION

PROPOSED ANNEXATION TO THE CITY OF BROOKVILLE, OHIO
1.142 ACRES

BEING PART OF TRACTS OF LAND OWNED BY CHRISTINE L. PETERS AS DESCRIBED IN IR 07-082601D AND BY PAUL R. CHASE III AND DONNA R. CHASE DESCRIBED IN IR 07-007340D OF THE MONTGOMERY COUNTY DEED RECORDS, SITUATE IN THE NORTH HALF OF SECTION 34, TOWN 6 NORTH, RANGE 4 EAST, CLAY TOWNSHIP, MONTGOMERY COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at a monument box with iron pin found at the northwest corner of the northwest quarter of Section 34;

thence, North 88°-46'-40" East, 2364.65 feet, along the north line of Section 34 and being the existing centerline of East Upper Lewisburg & Salem Road to a P.K. nail found at the northwest corner of tract owned by Christine L. Peters as described in IR 07-082601D;

thence, South 00°-06'-33" West, 30.00 feet, along the west property line of said Peters tract to a point intersecting the existing south right-of-way of East Upper Lewisburg & Salem Road and being the principal place of beginning of the parcel herein conveyed;

thence, North 88°-46'-40" East, 220.01 feet, along the south right-of-way of said East Upper Lewisburg & Salem Road to a point on the east property line of tract owned by Paul R. CHASE III and Donna R. Chase as described in IR 07-007340D;

thence, South 00°-06'-33" West, 226.34 feet, along the said Chase tract's east property line to a point at the southeast corner of said Chase tract, also being a point on the existing corporation line of the City of Brookville;

thence, South 88°-46'-40" West, 220.01 feet, along the existing corporation line of the City of Brookville and the said south property lines of both Peters and Chase tracts to an iron pin found at the southwest corner of said Peters tract;

thence, North 00°-06'-33" East, 226.34 feet, along the west property line of said Peters tract to the principal place of beginning.

Containing a total of 1.142 acres more or less, with 0.571 acres being a part of the Peters tract, and 0.571 acres being a part of the Chase tract.

Bearings are based on North 88°-46'-40" East of the north line of Section 34 as described in Recorder's Plat Book 204 Page 10 & 10A.

The above description was prepared by Wesley D. Goubeaux, Ohio Professional Surveyor Number 8254, based on a survey performed under his direction and dated January 31, 2008.



Exhibit B

PROPOSED ANNEXATION TO
THE CITY OF BROOKVILLE, OHIO

**CONTAINING 1.142 ACRES TOTAL
NORTH HALF SEC 34, T 6 N, R 4 E, CLAY TOWNSHIP**

EX. R/W EX. R/W

NW COR, NW 1/4 SEC. 34

MON. BOX W/I.P. FOUND

H 88°-46'-40" E. 2364.65' SECTION LINE 30.00' 30.00' S. 00°-05'-33" W 30.00' NE COR. NW 1/4 SEC. 34 NW COR. NE 1/4 SEC. 34

EAST UPPER LEWISBURG & SALEM ROAD, 60' N/W MON. BOX W/STONE FD.

EX. R/W EX. R/W

RICHARD R. & MARILYN K. ROHRER MF #00-122-C007 0.71 ACRES

PROPOSED CORP. LINE M 00°-05'-33" E. 226.54' HUNTERS RUN DRIVE, 60' R/W

CHRISTINE L. PETERS IR #07-082601D LOT 2602 1.142 ACRES TO BE ANNEXED

PAUL P. CHASE III AND DONNA R. CHASE IR #07-007340D LOT 2603 S. 00°-05'-33" W. 226.34'

JOHN W. CONLEY SR. IR #07-04849D

WILLIAM & JEAN R. SZWECK MF #73-393-C04 1.953 ACRES

PROPOSED CORP. LINE M 00°-05'-33" E. 226.54' HUNTERS RUN, 60' R/W

BUILDING BY DESIGN, LLC IR #06-000002 LOT 2459 152.27' 87.74' HUNTERS RUN, PHASE 1 REC. P.B. 204, PAGE 10 & 10A

BUILDING BY DESIGN, LLC. LOT #1735 IR #06-000002

ACREAGE BREAKDOWN:

PETERS, MF 07-082601D: 0.571 AC.
CHASE, MF 07-007340D: 0.571 AC.
TOTAL AC. TO BE ANNEXED: 1.142 AC.

BEARINGS ARE BASED ON N 88°-46'-40"E FOR THE NORTH LINE OF SECTION 34 AS PER RECORDER'S PLAT BOOK 204, PAGE 10

SCALE: 1"=40'

0 40 80

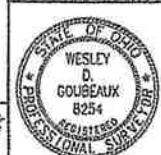
VICINITY MAP

DATE: 01-31-2008
DRAWN BY: BJS
JOB NUMBER: NOTBRO08
SHEET NUMBER: 1 OR 1

WESLEY D. GOUBEAX, P.S. #8254
STATE OF OHIO
WESLEY D. GOUBEAX
#8254
NATIONAL SURVEYOR
EXCELSIOR SURVEYORS
ONE
ENGINEERING

446 E. HEGEMAN ROAD, MURRAY, OHIO 43050
(319) 437-2900 (664) 237-4313
www.choiceengineering.com

Wesley D. Goubeaux 1-31-2008
WESLEY D. GOUBEAUX, P.S. #8254 DATE



CHOICE ONE
ENGINEERING
446 E. HIGWAY 100 ROAD, SUITE 100, SCHAUMBURG, IL 60196
(708) 977-2200 FAX (708) 437-0121

DATE:	01-31-2008
DRAWN BY:	BJS
JOB NUMBER:	MOTBROOB03
SHEET NUMBER:	1 OF 1