

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2008-07 Passed NOVEMBER 4TH, 20 08

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

