

# RECORD OF ORDINANCES

Ordinance No. 2008-12Passed NOVEMBER 18, 2008

**AN ORDINANCE VACATING CERTAIN PLAT EASEMENTS IN MEADOWS OF BROOKVILLE, SECTION FIVE, 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 certain plat easements on Lots 2426 through 2438 and Lots 2440 through 2458 in Meadows of Brookville, Section Five, 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 said plat easements 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 these public easements, 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:**

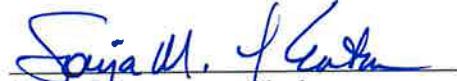
**SECTION I:** The plat easements on Lots 2426 through 2438, and Lots 2440 through 2548 in Meadows of Brookville, Section Five, as set forth and described in the plat attached hereto as Exhibit "A" and incorporated herein by reference, is hereby vacated.

**SECTION II:** A certified copy of this Ordinance and plat 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 to authorize the immediate vacation of the plat easements and thereby permit the City of Brookville to proceed with re-platting of a portion of Meadows of Brookville subdivision. This Ordinance shall take effect immediately upon passage of this Ordinance as provided by the Charter of the City of Brookville.

PASSED this 18th day of November 2008.

ATTEST:

  
Sonja M. Keaton, Clerk



David E. Seagraves, Mayor

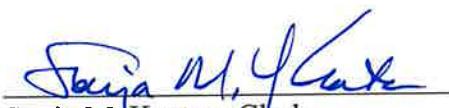
**CERTIFICATE**

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2008-12, passed by the Council of the City of Brookville, Ohio, on the 18th 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. 2008-12 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 19th day of November 2008 to the 19th day of December 2008, both days inclusive.

  
Sonja M. Keaton, Clerk

## **Exhibit “A”**

