

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. **2003-02**

Passed **July 15**, **2003**
YEAR

AN ORDINANCE REZONING CERTAIN LOTS OF THE REVISED AND CONSECUTIVE NUMBERS OF LOTS OF THE CITY OF BROOKVILLE, OHIO, FROM ITS PRESENT CLASSIFICATION OF "I-2" TO THE NEW CLASSIFICATION OF "R-3."

WHEREAS, an application has been filed for rezoning of a certain property, as described in Exhibit "A"; and

WHEREAS, after the Public Hearing on the application, and upon written recommendation of the Planning Commission, Council by this Ordinance, hereby approves said zoning amendment.

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

SECTION I:

The classification of Part Lot #1327, containing approximately 6.250 total acres, located between Mosier Industrial Park and Brookhaven, is hereby amended from its present classification of "I-2" to the new classification of "R-3," pursuant to the Zoning Ordinance of the City of Brookville, Ohio.

See attached Legal Description marked Exhibit "A" and attached map marked Exhibit "B."

SECTION II:

This Ordinance shall revoke and rescind all Ordinances, parts of Ordinances; and all Resolutions and parts of Resolutions that are in conflict herewith and shall be enforced from and after the earlier period allowed by law.

PASSED this 15th day of July, 2003.

ATTEST:


Sonja M. Keaton, Clerk


Carole A. Imler, 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. 2003-02, passed by the Council of said City on the 15th day of July, 2003.


Sonja M. Keaton, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio hereby certifies that the foregoing Ordinance No. 2003-02 was posted at the City Building, U.S. Post Office, and the Brookville Branch of the Montgomery County Library, Brookville, Ohio on the 16th day of July, 2003 to the 16th day of August, 2003, both days inclusive.


Sonja M. Keaton, Clerk

EXHIBIT "A"

LEGAL DESCRIPTION - 6.250 ACRES

Situate in the Village of Brookville, County of Montgomery, State of Ohio being within the Northwest Quarter of Section 35, Town 6, Range 4 East and being 6.250 acres out of Lot No. 1327 of the consecutive numbers of lots of the said Village of Brookville as conveyed to the Carole A. & Glenn R. Imler Revocable Living Trust by deed recorded in MF 97-865-B12, bounded and described as follows.

Beginning at a 1.5" diameter iron pipe found which marks the southeast corner of the Brookhaven Retirement Community Section One Plat as recorded in Plat Book 161 Page 14, said iron pipe also being the northeast corner of said Lot No. 1327 and *True Point of Beginning* for the hereinafter described tract.

Thence, with the east line of said Lot No. 1327 and a westerly line of Brookville Enterprises Inc.'s 66.04 acre tract (Lot No. 1960) as recorded in MF 95-436-A11, South 01 deg.22'55" East, passing a 1.25" iron pipe found at 189.85 feet, in all, a distance of 190.00 feet to the northeast corner of Lot No. 1362 as conveyed to Donna K. Gollahon by deed recorded in MF 94-506-A05;

Thence, with Gollahon's north line of said Lot No. 1362, South 88 deg.54'13" West a distance of 1433.17 feet to an iron pin set, said iron pin being North 88 deg.54'13" East a distance of 3.00 feet from the southeast corner of Carole A. and Glenn R. Imler's Lot No. 1326 as recorded in MF 94-865-B12;

Thence, with a new division line through Lot No. 1327, North 01 deg.10'54" West a distance of 190.00 feet to an iron pin set on the south line of the said Brookville Retirement Community Section One Plat as recorded in Plat Book 161 Page 14;

Thence, with the south line of said Brookville Retirement Community Section One Plat, North 88 deg.54'13" East a distance of 1432.51 feet returning to the *True Point of Beginning*, containing **6.250 acres**, more or less.

Subject to all easements, restrictions, and rights-of-way of record. Field survey and description by Professional Associates Inc. - M.L.Oxner, Reg. Surveyor No. 6209 - November 29, 2000. Bearing basis correlated to the south line of the Brookville Retirement Community Section One Plat as recorded in Plat Book 161 Page 14 as South 88 deg.54'13" West. Iron pins set are 5/8" x 30"L with plastic ID caps

2001 - 0018L

PG. 9 BROOKVILLE

BK. 1 PG. 6 & 11 BROOKVILLE

This map is for assessment use only and does NOT represent a survey.
No liability is assumed for accuracy of the data delineated herein.
See the recorded documents for detailed legal information.
MAP NOT TO SCALE.

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