

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. **2002-13**

Passed January 21, 2003
YEAR

AN ORDINANCE ZONING CERTAIN LOTS OF THE REVISED 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 west side of Arlington Road north of I-70 consisting of 5.963 acres; and

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

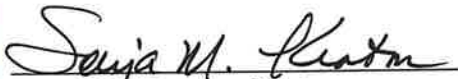
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:

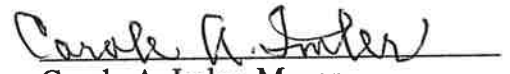
SECTION 1: The territory recently annexed to the City of Brookville consisting of 5.963 acres, being Lots 2225, 2226, 2227 and 2228 of revised consecutive number of lots of the City of Brookville, being further described in Exhibits A and B attached hereto and incorporated herein by reference, is hereby zoned to the classification of "HS" Highway Service.

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 21st day of January, 2003

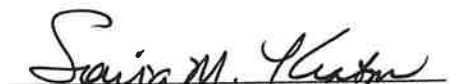
ATTEST:


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. 2002-13, passed by the Council of the City of Brookville, Ohio, on the 21st day of January, 2003.


Sonja M. Keaton, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2002-13 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 22nd day of January, 2003 to the 21st day of February, 2003 both days inclusive.



Sonja M. Keaton, Clerk

EXHIBIT "A"

The following described real estate situate in the Northeast quarter of Section 28 and the Northwest quarter of Section 27, Town 6, Range 4 East, First Meridian, Clay Township, Montgomery County, State of Ohio, being part of the following tracts;

Tract No.	Owner	Microfiche Deed Book	Deed Area (Acres)	Area to be Annexed (Acres)	Proposed Village Lot Number
1	Ranndall A. & Beverly A. Robbins	91-116E05	1.348	1.348	2225
2 & 3	Warren A. & Ruth E. Henninger	D.B. 2234, Pg. 555 D.B. 2275, Pg. 480	1.794 0.448	2.242	2226 & 2227
4	Chad A. & Christine M. Mullennix	95-217A02	1.948	1.948	2228
5	Diane Lynn Long		50.789	0.425	Right of Way

And being more fully bounded and described as follows:

Beginning at the East Quarter Corner of Section 28 and being the True Point of Beginning.

Thence South 88°43'30" West along the quarter Section line of Said Section 28 and the existing corporation line a distance of three hundred ninety two and ten hundredths feet (392.10') to the southwest corner of said Robbins Parcel 1 (1.348 acre tract).


Thence North 03°19'22" West along the existing corporation line distance of six hundred seventeen and thirty seven hundredths feet (617.37') to the northwest corner of said Mullennix Parcel 4 (1.948 acre tract).

Thence North 88°43'30" East along the north property line of said Mullennix Parcel 4 (1.948 acre tract) a distance of four hundred nineteen and seventy four hundredths feet (419.74') to a point.

Thence South 03°32'37" East along the east Right-of-Way line of Arlington Brookville Pike a distance of six hundred seventeen and forty four hundredths feet (617.44') to a point.

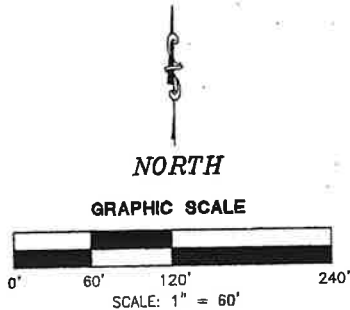
Thence South 88°41'14" West along the quarter section line of said Section 27 and the existing corporation line a distance of thirty and two hundredths feet (30.02') to a Railroad Spike for the true point of Beginning, containing 5.963 acres, more or less

The above description was prepared by Eric C. Thomas, Registered Surveyor Number 7236, State of Ohio


Eric C. Thomas
Registered Surveyor Number 7236
State of Ohio

This instrument prepared: October 16, 2001
By: Eric C. Thomas
Fanning/Howey Associates, Inc.
1200 Irmischer Blvd.
Celina OH, 45822
(419) 586-2292

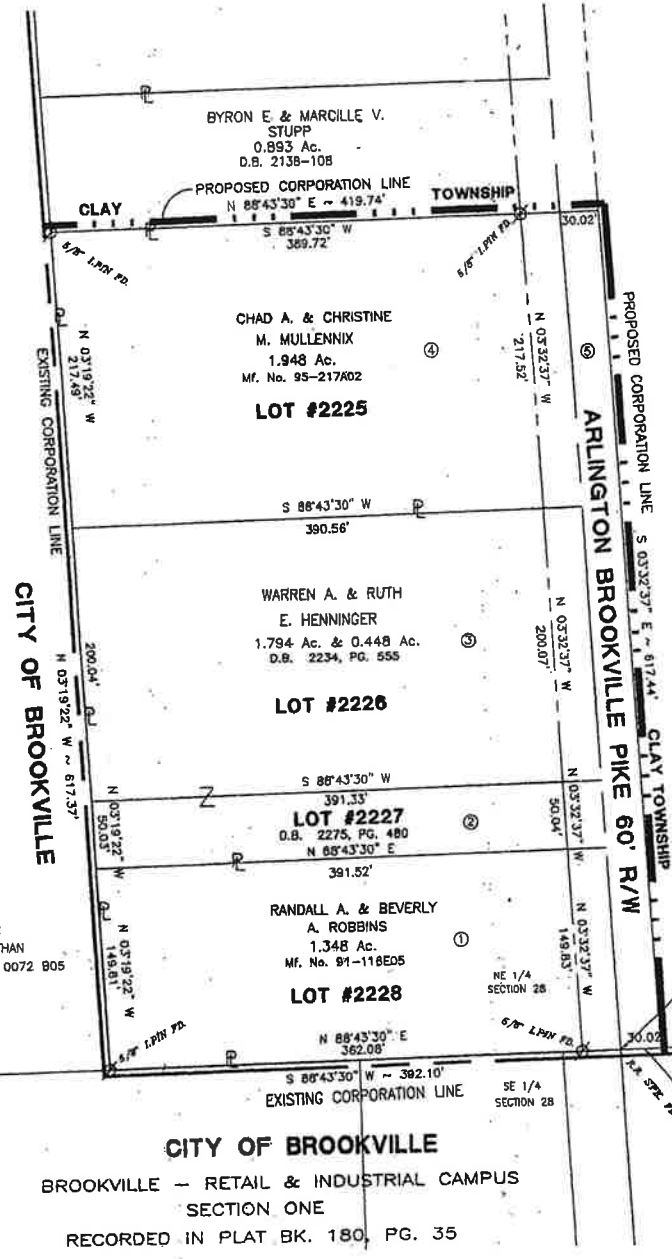
EXHIBIT "B"



LEGEND:

- ① INDICATES TRACT NUMBER
- #3000 INDICATED PROPOSED LOT NUMBER CITY OF BROOKVILLE
- FOR DESCRIPTION - SEE EXHIBIT "A"
- IRON PIN FOUND

PT. LOT No. 1758
HENRY JOE WALKER SR., CONNIEJ. WALKER
HENRY JOE WALKER JR., KRIS ELIZABETH LOUTHAN
D.B. 2433, PG. 15; DEED 93 797 C11 & DEED 94 0072 B05
(90.716 ACRES DEED)
(REMAINING ACRES 23.982)



CITY OF BROOKVILLE
BROOKVILLE - RETAIL & INDUSTRIAL CAMPUS
SECTION ONE
RECORDED IN PLAT BK. 180, PG. 35

OWNERSHIP LIST:

- ① RANDALL A. & BEVERLY A. ROBBINS
- ② WARREN A. & RUTH E. HENNINGER
- ③ CHAD A. & CHRISTINE M. MULLENNIX
- ④ DIANE LYNN LONG

PROPOSED LOT No.'S

- 2225
- 2226 & 2227
- 2228
- ROAD R/W ONLY

ACREAGE BREAKDOWN:

- NE 1/4 28 - 1.243 ACRES LOT NUMBER 2228
- 2.072 ACRES LOT NUMBER 2226 & 2227
- 1.798 ACRES LOT NUMBER 2225
- 0.425 ACRES IN ROAD R/W
- NW 1/4 27 - 0.425 ACRES IN ROAD R/W

MAP
OF
PROPOSED ANNEXATION
TO THE
CITY OF BROOKVILLE
CONTAINING
5.963 AC.
IN
SECTION 27 & SECTION 28, TOWN 6,
RANGE 4E, FIRST MERIDIAN.
CLAY TOWNSHIP, MONTGOMERY CO., OHIO
OCTOBER 2001

DIANE LYNN LONG
50.789 ACRES



ERIC C. THOMAS, REGISTERED PROFESSIONAL SURVEYOR
No. 7236, STATE OF OHIO

PREPARED BY:

Fanning/Howey
Civil Engineering Division
Engineers Surveyors Consultants
1200 DUNSMITH BOULEVARD, CLEVELAND, OHIO 44122
TEL (419) 516-2292, FAX (419) 516-3393
PROJECT No. 20180824

DATE THIS PRINT ISSUED: