

RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1991-02

Passed March 5, 1991

AN ORDINANCE ZONING CERTAIN LOTS OF THE REVISED CONSECUTIVE NUMBER OF LOTS OF THE MUNICIPALITY OF BROOKVILLE, OHIO TO A NEW CLASSIFICATION OF " HS ".

WHEREAS, the Municipality of Brookville, Ohio, recently annexed certain territory along North side of Upper Lewisburg-Salem Rd. consisting of 41.488 acres to the Municipality of Brookville; and

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

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

SECTION I:

The classification of the real estate recently annexed to the Municipality of Brookville, Ohio along north side of Upper Lewisburg-Salem Rd. consisting of 41.488 acres is hereby zoned to the classification of " HS " pursuant to the Zoning Ordinances of the Municipality of Brookville, Ohio.

See further description attached hereto and marked Exhibit "A".

SECTION II:

This Ordinance shall revoke and rescind all ordinances, parts of ordinances and resolutions and parts of resolutions that are in conflict herewith and shall be in force from and after the earliest period allowed by law.

PASSED this 5th day of March, 1991.

ATTEST:


E. Eugene Roeser, Clerk


Michael A. Duncan, Mayor

CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1991-02 passed by the Council of said Municipality on the 5th day of March, 1991.


E. Eugene Roeser, Clerk

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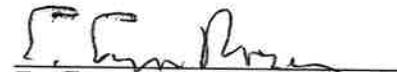
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CERTIFICATION OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No.1991-02 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio on the 14th day of March, 1991 to the 12th day of April, 1991, both days inclusive.



E. Eugene Roeser, Clerk

Office:
LTIMORE-PHILLIPSBURG PIKE
BROOKVILLE, OH. 45309
(513) 836-8888

Residence:
10,947 ARLINGTON ROAD
BROOKVILLE, OH. 45309
(513) 884-5714

DONALD R. BOWMAN
Civil Engineer and Surveyor

#9014

May 30, 1990

DESCRIPTION OF PROPOSED NORTH ANNEXATION
TO THE VILLAGE OF BROOKVILLE, OHIO
FROM CLAY TOWNSHIP (41.488 ACRES)

The following described real estate situate in the Southwest Quarter of Section 27, Town 6, Range 4 East, Clay Township, Montgomery County, State of Ohio, and being part of the following tracts:

Tract No.	Owner	Microfiche Deed Reference	Deed Area (Acres)	Area to be Annexed (Acres)
1	Robert E. Spitler & Jennifer L. Ludy	80-255B05	2.500	2.328
2	Anthony H. & Kathleen J. Shaffer	82-207B09	5.0985	4.9845
3	Christ Life Center	86-301A03	31.7925	31.5725
4	James H. & Theresa L. McMaken	89-444C08	2.009	1.940
5	ditto	ditto	0.780	0.663

And being more fully bounded and described as follows:

Beginning at a buried iron pin found in the centerline of Upper Lewisburg & Salem Road at the southeast corner of said Southwest Quarter of Section 27, and at the southeast corner of said McMaken 0.780 acre tract; thence with the centerline of said Road, and with the south line of said Southwest Quarter of Section 27, South 89 degrees 24 minutes West, 989.65 feet to a PK nail found at the southeast corner of Lot Number 1497, as recorded in Plat Book 109, page 1, of the Montgomery County Plat Records, said corner being a corner in the present north corporation line of the said Village of Brookville, and said corner also being the southwest corner of the said Ludy 2.500 acre tract; thence with the east line of said Lot Number 1497, with the west line of said Ludy 2.500 acre tract, and with an east line of the said Brookville corporation line, North 01 degrees 19 minutes West, 30.00 feet to the true point of beginning for the herein described 41.488 acre tract.

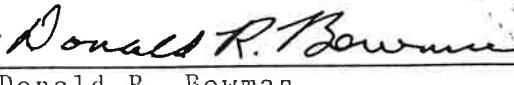
Thence from said true point of beginning, with an east line of said Brookville corporation line, with the east line of said Lot Number 1497, with the east line of Lot Number 1495 in said plat, and with the west lines of said Ludy 2.500 acre tract, said Shaffer 5.0985 acre tract, and said Christ Life Center 31.7925 acre tract, North 01 degree 19 minutes West, 1822.83 feet to the northwest corner of said Christ Life Center 31.7925 acre tract, the northeast corner of said Lot Number 1495, and a northeast corner of said Brookville present north corporation line.

Thence leaving said corporation line, with the north line of said Christ Life Center 31.7925 acre tract, North 89 degrees 06 minutes 43 seconds East, 990.61 feet to the northeast corner thereof.

Thence with the east line of said Christ Life Center 31.7925 acre tract, and continuing with the east lines of said McMaken 2.009 acre and 0.780 acre tracts, South 01 degree 17 minutes 09 seconds East, 1827.80 feet to an iron pipe in the north right-of-way line of said Upper Lewisburg & Salem Road, said corner being 30.00 feet north of the southeast corner of said Southwest Quarter of Section 27.

Thence parallel to and 30 feet north of the centerline of said Road, and the south line of said Southwest Quarter of Section 27, South 89 degrees 24 minutes West, 989.67 feet, more or less, to the true point of beginning, and containing 41.488 acres, more or less.

The above description was prepared by Donald R. Bowman, Registered Surveyor Number 4323, State of Ohio, and based on surveys made in November 1979 by Donald R. Bowman, in May and June 1980 by Surveyor James E. Hudson, and May 1982 by Surveyor Harold J. Conkel. The bearings for the boundary were taken from the said Hudson surveys.


Donald R. Bowman
Registered Surveyor Number 4323
State of Ohio

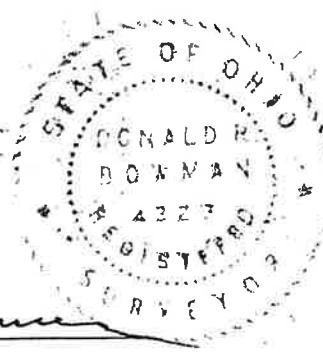
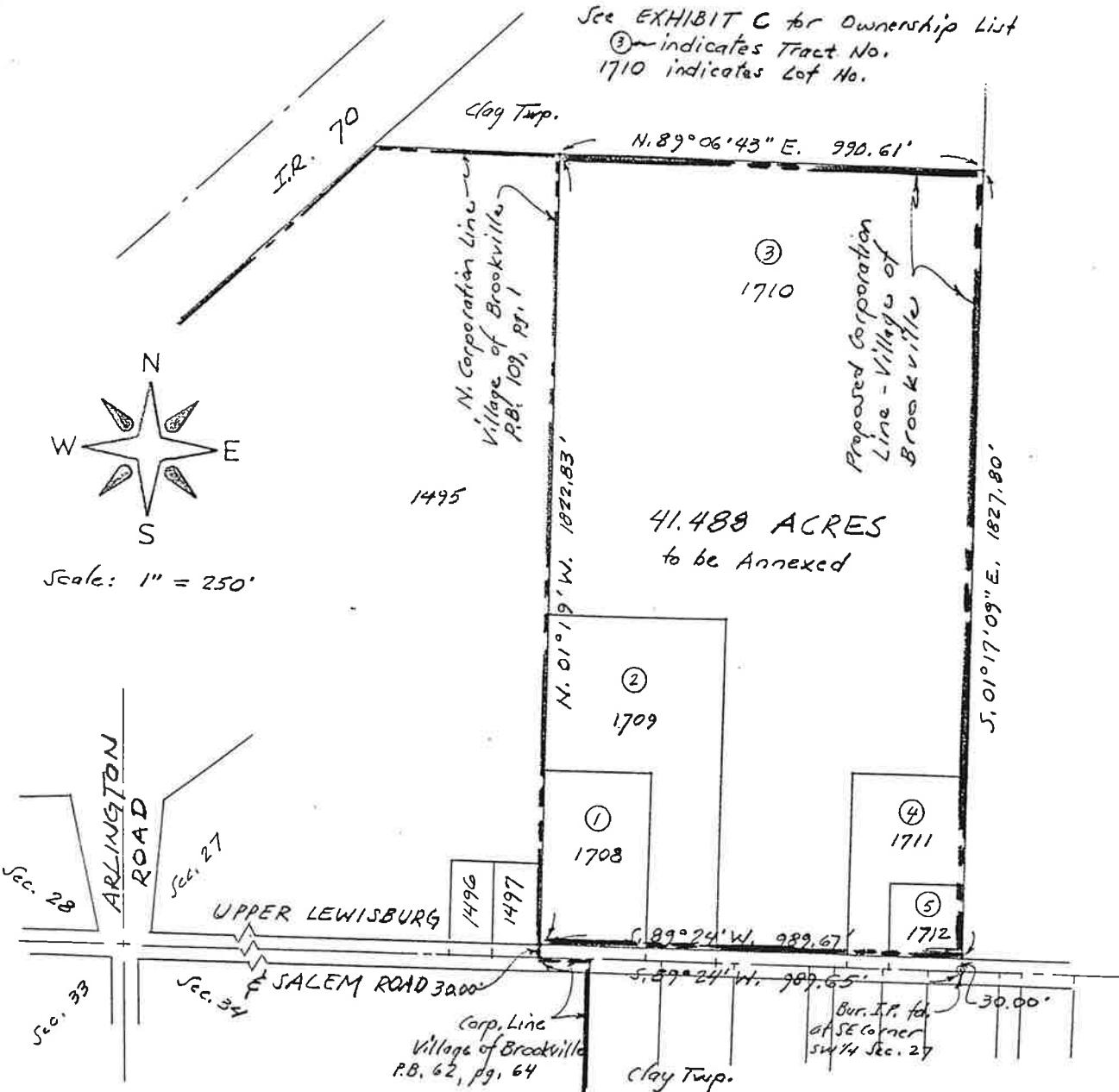


EXHIBIT B

PLAT OF PROPOSED
ANNEXATION
TO THE
VILLAGE OF BROOKVILLE
IN

SW 1/4 Sec. 27, T. 6, R. 4 E.
CLAY TOWNSHIP
MONTGOMERY COUNTY
OHIO

May 30, 1990



Prepared by: Donald R. Bowman
Civil Engineer & Surveyor
9349 Baltimore-Philippburg Pike
Brookville, OH 45309
(513) 836-6888

Donald R. Bowman
Registered Surveyor No 4323
State of Ohio

#9014

