

RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1988-02 Passed May 3, 1988

AN ORDINANCE REZONING CERTAIN LOTS OF THE REVISED AND CONSECUTIVE NUMBER OF LOTS OF THE MUNICIPALITY OF BROOKVILLE, OHIO, FROM THEIR PRESENT CLASSIFICATION OF R-2 TO THE NEW CLASSIFICATION OF PLANNED RESIDENTIAL.

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

SECTION I:

The classification of the following described real estate, commonly known as the corner of Salem Street and Albert Road, Brookville, Ohio, to be and the same is hereby changed and rezoned from R-2 to Planned Residential use pursuant to the zoning ordinances of the Municipality of Brookville, Ohio:

The following described real estate situated in the County of Montgomery, the State of Ohio and the Municipality of Brookville, and being known as the corner of Salem Street and Albert Road, Brookville, Ohio.

See copies of attached description for the above-described real estate.

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 enforced from and after the earlier period allowed by law.

PASSED this 3rd day of May, 1988.

ATTEST:

E. Eugene Roeser
E. EUGENE ROESER, Clerk

George E. Brown
GEORGE E. BROWN, 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. 1988-02 passed by the Council of said Municipality on the 3rd day of May, 1988.

E. Eugene Roeser
E. EUGENE ROESER, Clerk

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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. 1988- 02 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio on the 9th day of May, 1988 to the 7th day of June, 1988, both days inclusive.



E. EUGENE ROESER, Clerk

DONALD R. BOWMAN
Civil Engineer and Surveyor

#8817
March 24, 1988

**DESCRIPTION OF 7.811 ACRE TRACT (PART OF HICKS FARM)
PROPOSED ZONING CHANGE IN THE VILLAGE OF BROOKVILLE
MONTGOMERY COUNTY, OHIO**

The following described real estate situate in the Northeast Quarter of Section 34, Town 6, Range 4 East, Village of Brookville, Montgomery County, State of Ohio, and being part of the 10.83 acre tract with exceptions described in a certificate of transfer to H. Douglas Hicks, et al, and recorded in Microfiche 81-002A07, of the Montgomery County Deed Records, and being more fully bounded and described as follows:

Beginning at an iron pin in the centerline of Albert Road, in the east line of said Hicks described 10.83 acre tract, in the east line of said Northeast Quarter of Section 34, at the southwest corner of E. P. Landis Plat, as recorded in Plat Book W, page 5, and in the present north corporation line of the Village of Brookville, as annexed and recorded in Plat Book 97, page 44, both of the Montgomery County Plat Records, said beginning point being Due North, 1303.55 feet from an iron pin at the southeast corner of said Northeast Quarter of Section 34.

Thence with the centerline of said Albert Road, with the east line of said Hicks described 10.83 acre tract, and with the east line of said Northeast Quarter of Section 34, Due South, 672.85 feet to the southeast corner of said Hicks described 10.83 acre tract.

Thence with the south line of said Hicks described 10.83 acre tract, South 54 degrees 20 minutes 19 seconds West, 860.59 feet to an iron pin at the southwest corner thereof, and in the east line of a public alley.

Thence with the west line of said Hicks described 10.83 acre tract, and with the east line of said public alley, North 07 degrees 57 minutes East, 510.42 feet to an iron pin at the southwest corner of the 0.44 acre tract excepted in said Hicks described 10.83 acre tract.

Thence with the south line of said excepted 0.44 acre tract, continuing with the south line of the 0.18 acre tract excepted in said Hicks described 10.83 acre tract, and continuing with the south line of a 0.434 acre tract previously conveyed to Brian J. Smucker by deed recorded in Microfiche 81-029A11, of the Montgomery County Deed Records, North 48 degrees 30 minutes East, 372.68 feet to an iron pin at the southeast corner of said Smucker 0.434 acre tract.

Thence with the east line of said Smucker 0.434 acre tract, North 41 degrees 30 minutes West, 180.00 feet to an iron pin at the northeast corner thereof, in the centerline of Brookville & Salem Pike, and in the north line of said Hicks excepted 10.83 acre tract.

Thence with the centerline of said Brookville & Salem Pike, and with the north line of said Hicks described 10.83 acre tract, North 48 degrees 30 minutes East, 17.73 feet to a point in the north line of the original incorporation of the said Village of Brookville, as recorded in Plat Book B, page 5, of the Montgomery County Plat Records.

Thence with the said original and present north corporation line, South 85 degrees 12 minutes East, 416.19 feet to a corner in said north corporation line as annexed and recorded in Plat Book 97, page 44, of the Montgomery County Plat Records.

Thence continuing with the said north corporation line, parallel to and 30 feet west of the centerline of said Albert Road, North 01 degree 42 minutes West, 309.36 feet to a corner thereof.

Thence continuing with the said north corporation line, North 88 degrees 22 minutes East, 30.00 feet to the point of beginning, and containing 7.811 acres, more or less, subject to all legal highways, easements and restrictions of record.

The above description was prepared by and based on surveys made in July 1972, and August 1981, by Donald R. Bowman, Registered Surveyor Number 4323, State of Ohio, and based on a survey made in March 1988, by Surveyor J. E. Hudson. The said centerline of Albert Road was assumed to be South 01 degree 42 minutes East.


Donald R. Bowman
Registered Surveyor No. 4323
State of Ohio

