

RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1988-05

Passed August 16, 1988

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

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 located on Wolf Creek Pike and commonly referred to as the Volk Lands in Brookville, Ohio, to be and the same is hereby changed and rezoned from its present classification to the classification of R-2 pursuant to the zoning ordinance of the Municipality of Brookville, Ohio:

Located in the Village of Brookville and in Section 3, Town 5, Range 4E, Perry Township, Montgomery County, State of Ohio and being all of Lot 1578 and part of Lots 1576 and 1577, all of the consecutive numbers of lots on the Plat of said Village of Brookville, Ohio and being more particularly described as follows:

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

SECTION II:

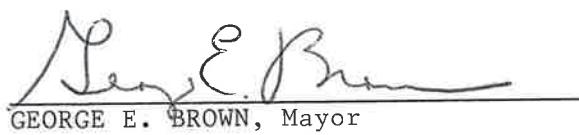
This Ordinance shall revoke and rescind all Ordinances, parts of Ordinances, and Resolutions and parts of Resolutions that are in conflict herewith and shall be enforced from and after the earlier period allowed by law.

PASSED this 16th day of August, 1988.

ATTEST:



E. EUGENE ROESER, Clerk



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. 1988-05 passed by the Council of said Municipality on the 16th day of August, 1988.



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. 1988-05 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio on the 19th day of August, 1988 to the 17th day of September, 1988, both days inclusive.



E. EUGENE ROESER, Clerk

TRI-CITY ENGINEERING COMPANY



CIVIL ENGINEERS AND SURVEYORS

2151 EMBURY PARK ROAD
DAYTON, OHIO 45414

TELEPHONE 513 278-4803

ABRAHAM BODENSTEIN, PE, PS

DON MEEK, PS

LUIS RIANCHO, PS

SCOTT VAGEDES, PE

KENNETH GRIFFITHS, PE, PS

DARRELL BALL, PS

GERALD MACY, PS

JEFFREY JONES, PS

JAMES RUEMPING, PS

JAMES VANDEN BOSCH, PS

CHARLES HAUGHT, PE

D74-191 (51)

May 17, 1988

Description of Area to be Zoned R-2
Volk Lands - Wolf Creek Pike

Located in the Village of Brookville and in Section 3, Town 5, Range 4E, Perry Township, County of Montgomery, State of Ohio and being all of Lot 1578 and part of Lots 1576 and 1577, all of the consecutive numbers of lots on the Plat of said Village of Brookville, Ohio and being more particularly described as follows:

beginning at the northeast corner of said Lot 1576;

thence with the east line of said Lot 1576, South one degree twenty-three minutes twelve seconds ($1^{\circ} 23' 12''$) East for four hundred sixty-seven and 06/100 (467.06) feet to the southeast corner of said Lot 1576;

thence with the south line of said Lot 1576, North seventy-six degrees thirty-eight minutes twenty-five seconds ($76^{\circ} 38' 25''$) West for one hundred three and 41/100 (103.41) feet to the northeast corner of said Lot 1577;

thence with the east line of said Lot 1577, South one degree twenty-three minutes twelve seconds ($1^{\circ} 23' 12''$) East for four hundred forty-five and 65/100 (445.65) feet to the southeast corner of said Lot 1577;

thence with the south line of said Lot 1577, North eighty degrees forty-eight minutes two seconds ($80^{\circ} 48' 02''$) West for seven hundred thirty and 92/100 (730.92) feet to the southwest corner of said Lot 1577, said southwest corner of said Lot 1577 being also the southeast corner of said Lot 1578;

thence with the south line of said Lot 1578, South seventy-five degrees twenty-eight minutes fifteen seconds ($75^{\circ} 28' 15''$) West for one hundred eighty-three and 53/100 (183.53) feet to the southwest corner of said Lot 1578 and the centerline of Wolf Creek Pike;

thence with the west line of said Lot 1578 and with the centerline of said Wolf Creek Pike, North twenty-one degrees fifty minutes forty-five seconds ($21^{\circ} 50' 45''$) West for one hundred fifty-one and 23/100 (151.23) feet to the northwest corner of said Lot 1578, said point being also the southwest corner of said Lot 1577;

thence with the north line of said Lot 1578 and with the south line of said Lot 1577, North seventy-five degrees twenty-eight minutes fifteen seconds ($75^{\circ} 28' 15''$) East for two hundred two and 79/100 (202.79) feet to a point;

Desc. of Area To Be
Zoned R-2, Volk Lands

-2-

5/17/88

thence continuing with the north line of said Lot 1578 and with the south line of said Lot 1577 on a curve to the right with a radius of one hundred fifty and 00/100 (150.00) feet for sixty-one and 78/100 (61.78) feet to the north-east corner of said Lot 1578, chord to said curve bears North eighty-seven degrees sixteen minutes fifteen seconds ($87^{\circ} 16' 15''$) East for sixty-one and 35/100 (61.35) feet;

thence with a new zoning line, parallel to the east line of said Lot 1577 and the east line of said Lot 1576, North one degree twenty-three minutes twelve seconds ($1' 23' 12''$) West for six hundred seven and 27/100 (607.27) feet to a point in the north line of said Lot 1576, crossing the north line of said Lot 1577 and the south line of said Lot 1576 at one hundred ninety-six and 08/100 (196.08) feet;

thence with the north line of said Lot 1576, North eighty-eight degrees forty-eight minutes twenty-two seconds ($88^{\circ} 48' 22''$) East for seven hundred ninety-one and 26/100 (791.26) feet to the point of beginning, containing 14.927 acres, more or less, according to a survey of said premises by Luis G. Riancho, Registered Surveyor, State of Ohio #5287.

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Chk'd by: J.R.