

# RECORD OF ORDINANCES

KUCK-SCHULTZ

Dayton Legal Blank Co.—10116

Ordinance No. 1988-08

Passed August 16, 19 88

AN ORDINANCE REZONING CERTAIN LOTS OF THE REVISED AND CONSECUTIVE NUMBERS 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 Wolfe Creek Pike to be and the same is hereby changed and rezoned from its present classification of R-3 to the classification of R-2 pursuant to the zoning ordinance of the Municipality of Brookville, Ohio; a description of which is attached hereto 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. 1988-08 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. 1988-08 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

**DONALD R. BOWMAN**  
*Civil Engineer and Surveyor*

#8851  
July 20, 1988

**DESCRIPTION OF 6.15 ACRE TRACT FOR KUCK AND SHULTZ  
PROPOSED ZONING CHANGE, MUNICIPALITY OF BROOKVILLE**

The following described real estate situate in the Northeast Quarter of Section 3, Town 5, Range 4 East, Village of Brookville, Montgomery County, State of Ohio, and being all of the 2.201 acre tract conveyed to Fryman-Kuck General Contractors, Inc. by deed recorded in Microfiche 86-13A10, and being all of the 6.15 acre tract excepting the said Kuck 2.201 acre tract as conveyed to Steven D. and Deborah S. Shultz by deed recorded in Microfiche 86-585E04, both of the Montgomery County Deed Records, and being more fully bounded and described as follows:

Beginning at an iron pin in the centerline of Wolf Creek Pike at the northeast corner of said Shultz tract.

Thence with the centerline of said Wolf Creek Pike, with the east line of said Shultz tract, and continuing with the east line of said Kuck 2.201 acre tract, South 27 degrees 45 minutes East, 470 feet to an iron pin at the southeast corner of said Kuck 2.201 acre tract.

Thence with the south line of said Kuck 2.201 acre tract, South 62 degrees 15 minutes West, 550 feet to the southwest corner thereof.

Thence with the west line of said Kuck 2.201 acre tract, and continuing with the west line of said Shultz tract, North 27 degrees 45 minutes West, 389 feet to a bend therein.

Thence with the west line of said Shultz tract on the following bearings and courses:

North 37 degrees East, 138.6 feet to a bend therein.

North 17 degree 45 minutes East, 66.4 feet to the northwest corner thereof.

Thence with the north line of said Shultz tract, North 65 degrees 05 minutes East, 417 feet to the point of beginning, and containing 6.15 acres, more or less.

The above description was prepared by and based on a survey made in June 1977, by Donald R. Bowman, Registered Surveyor Number 4323, State of Ohio, and based on a previous survey made in December 1930, by Surveyor G. W. Riley. The bearings and courses were taken from said Riley survey.