

# RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1987-03

Passed June 2, 1987

AN ORDINANCE ESTABLISHING ZONING CLASSIFICATIONS FOR CERTAIN LOTS OF THE REVISED AND CONSECUTIVE NUMBER OF LOTS OF THE MUNICIPALITY OF BROOKVILLE, OHIO WHICH HAVE BEEN RECENTLY ANNEXED FROM PERRY TOWNSHIP TO THE MUNICIPALITY OF BROOKVILLE, OHIO.

WHEREAS, a certain 32.744 acre tract was recently annexed by the Municipality of Brookville, Ohio; and

WHEREAS, it is necessary for the Municipality to establish zoning classification for this area.

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 is hereby zoned to R-1B pursuant to the zoning ordinances of the Municipality of Brookville, Ohio:

Situate in the West Half of Section 3, and in the East Half of Section 4, Town 5, Range 4 East, Perry Township, Montgomery County, State of Ohio, and being more fully bounded and described as follows:

Beginning at an iron pin found at the southwest corner of the Northwest Quarter of said Section 3, in the centerline of the Johnsville & Brookville Pike; thence with the south line of said Northwest Quarter of Section 3, Eastwardly, 30.00 feet to the southwest corner of the present corporation line of the Village of Brookville as recorded in Plat Book 78, page 71, of the Montgomery County Plat Records, the true point of beginning for the herein described area.

Thence from said true beginning point, with the south line of said present Brookville corporation line, and with the south line of said Northwest Quarter of Section 3, Eastwardly, 1037.64 feet to the northeast corner of the 9.82 acre tract conveyed to Fryman-Kuck General Contractors, Inc. as recorded in Microfiche 85-0500A01, of the Montgomery County Deed Records.

Thence with the east line of said Fryman-Kuck 9.82 acre tract, Due South, 400.60 feet to the southeast corner thereof.

Thence with the south line of said Fryman-Kuck 9.82 acre tract and its westward extension, Westwardly, 1097.64 feet to a point 30.00 feet westwardly from the southwest corner thereof.

Thence parallel to and 30 feet, as measured at right angles thereto, west of the centerline of said Johnsville & Brookville Pike, Due South, 112.12 feet to a point in the south line of the 1.48 acre tract conveyed to William W. and M. Jean Hinszew by deed recorded in Microfiche

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74-499A05, of the Montgomery County Deed Records, said corner being 30.0 feet westwardly from the southeast corner thereof.

Thence with the south line of said Hinszew 1.48 acre tract, Westwardly, 420.35 feet to the southwest corner thereof, said corner also being a southeast corner of the 13.283 acre tract conveyed to the said William W. and M. Jean Hinszew by deed recorded in Microfiche 72-587B12, of the Montgomery County Deed Records.

Thence with the south line of said Hinszew 13.283 acre tract, Westwardly, 884.00 feet to the southwest corner thereof.

Thence with the west line of said Hinszew 13.283 acre tract, Northwardly, 520.00 feet to the northwest corner thereof.

Thence with the north line of said Hinszew 13.283 acre tract, Eastwardly, 1005.44 feet to the southwest corner of the 0.813 acre tract conveyed to Thomas M. and Barbara A. Webb by deed recorded in Microfiche 77-690E01, of the Montgomery County Deed Records.

Thence with the west line of said Webb 0.813 acre tract and its northward extention, and parallel to the east line of the Northeast Quarter of said Section 4, Due North, 642.00 feet to the northwest corner of the 0.813 acre tract conveyed to Mabel F. Little by deed recorded in Deed Book 1892, page 18, of the Montgomery County Deed Records.

Thence with the north line of said Little 0.813 acre tract, Eastwardly, 100.00 feet to the southwest corner of the 0.723 acre tract conveyed to Reginald W. Little by deed recorded in Deed Book 1980, page 582, of the Montgomery County Deed Records.

Thence with the west line of said Little 0.723 acre tract, Due North, 143.00 feet to a corner thereof.

Thence continuing with the west line of said Little 0.723 acre tract, Northeastwardly, 115.09 feet to the northwest corner thereof, said corner also being the southwest corner of the 0.484 acre tract conveyed to Reginald and Mable M. Little by deed recorded in Microfiche 85-0018C12, of the Montgomery County Deed Records.

Thence with the west line of said Little 0.484 acre tract, Due North, 55.67 feet to the northwest corner thereof, and in the south side of the Brookville & Pyrmont Pike.

Thence with the south side of said Brookville & Pyrmont Pike, and with the north line of said Little 0.484 acre tract, Northeastwardly, 18.22 feet to a bend therein.

Thence continuing with the south side of said Brookville & Pyrmont Pike, and with the north line of said Little 0.484 acre tract, Northeastwardly, 182.86 feet to a point 30.00 feet, as measured at right angles thereto, west of the centerline of said Johnsille & Brookville

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Pike.

Thence parallel to and 30 feet west of the centerline of said Johnsville & Brookville Pike, and the east line of the Northeast Quarter of said Section 4, Due North, 235.40 feet to a corner.

Thence Eastwardly, 30.00 feet to the northwest corner of the 50 acre tract conveyed to Charles A. and Dona May Wenger by deed recorded in Deed Book 908, page 58, of the Montgomery County Deed Records, in the centerline of said Johnsville & Brookville Pike, in the east line of said Northeast Quarter of Section 4, and in the west line of said Northwest Quarter of Section 3.

Thence with the north line of said Wenger 50 acre tract, Eastwardly, 30.00 feet to a corner in the said present west corporation line of the Village of Brookville.

Thence with the said west corporation line, parallel to and 30 feet east of the centerline of said Johnsville & Brookville Pike, and the west line of said Northwest Quarter of Section 3, Due South, 1304.50 feet to the true point of beginning, and containing 32.744 acres, more or less, of which 10.718 acres are in said Section 3, and 22.026 acres are in said Section 4.

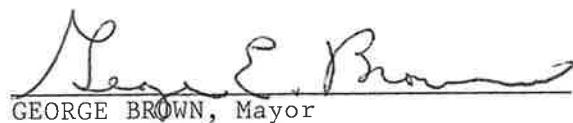
The above description was prepared by Donald R. Bowman, Registered Surveyor Number 4323, State of Ohio, and was based on the deeds, surveys and annexation of record. The centerline of said Johnsville & Brookville Pike was assumed to be Due South.

## 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 earliest period allowed by law.

PASSED this 2nd day of June, 1987.

  
E. EUGENE ROESER, Clerk

  
GEORGE BROWN, Mayor

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## CERTIFICATE

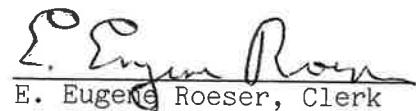
The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1987-03 passed by the Council of said Municipality on the 2nd day of June, 1987.



E. Eugene Roeser, Clerk

## CERTIFICATION OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1987-03 was posted at the Municipal Building, U. S. Post Office and the Brookville National Bank, Brookville, Ohio on the 9th day of June, 1987 to the 8th day of July, 1987 both days inclusive.



E. Eugene Roeser, Clerk