

RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1987-12

Passed December 15, 1987

AN ORDINANCE AUTHORIZING THE COMMENCEMENT OF ANNEXATION PROCEEDINGS FOR 4.1829 ACRES OF LAND LOCATED IN CLAY TOWNSHIP, MONTGOMERY COUNTY, OHIO, WHICH IS OWNED BY THE MUNICIPALITY OF BROOKVILLE, OHIO, AND DIRECTING THE CITY DIRECTOR OF LAW OF THE MUNICIPALITY OF BROOKVILLE, OHIO, TO PROSECUTE ALL NECESSARY PROCEEDINGS NECESSARY TO EFFECT SUCH ANNEXATION.

WHEREAS, the Municipal Corporation of the Municipality of Brookville, Ohio, currently owns real estate located in Clay Township, Ohio, which is adjacent to and contiguous to the corporate limits of the Municipality of Brookville, Ohio, a description of which is attached hereto and marked Exhibit "A"; and

WHEREAS, the Municipality of Brookville, Ohio, believes that it is in the best interest of the inhabitants generally of the municipal corporation to annex that real estate owned by the Municipality which is contiguous to the corporate limits of the Municipality of Brookville, Ohio, into the corporate limits of the Municipality of Brookville, Ohio.

NOW, THEREFORE, be it ordained by the Council of the Municipality of Brookville, Ohio, that:

SECTION I.

The Municipality of Brookville, Ohio, hereby authorizes the annexation of a certain tract of real estate, a description of which is attached hereto and marked Exhibit "A", which said real estate is currently owned by the Municipality of Brookville, Ohio into the corporate limits of the Municipality of Brookville, Ohio.

SECTION II.

Gary E. Zuhl, Law Director for the Municipality of Brookville, Ohio, is hereby directed to prosecute all proceedings necessary to effect such annexation of the above-described real estate including but not limited to serving as the Petitioner for the Municipality of Brookville, Ohio, and presenting such Petition for annexation.

SECTION III.

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 and shall take effect upon passage of the majority of council as provided by the Municipal Charter.

PASSED this 15th day of December, 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. 1987-12 passed by the Council of said Municipality on the 15th day of December, 1987.



E. EUGENE ROESER, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1987-12 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio, on the 17th day of December, 1987, to the 15th day of January, 1988, both days inclusive.



E. EUGENE ROESER, Clerk

DONALD R. BOWMAN
Civil Engineer and Surveyor

#8779
October 27, 1987

EXHIBIT "A"

DESCRIPTION OF 4.1829 ACRE TRACT FOR
PROPOSED ANNEXATION TO THE VILLAGE OF
BROOKVILLE - GOLDEN GATE PARK ANNEX

The following described real estate situate in the Northwest Quarter of Section 34, Town 6, Range 4 East, Clay Township, Montgomery County, State of Ohio, and being all of the 4.1829 acre tract conveyed to the Municipality of Brookville, Ohio, by deed recorded in Microfiche 86-0670 D10 of the Montgomery County Deed Records, and being more fully bounded and described as follows:

Beginning at a iron pin monument at the northwest corner of said Section 34, at the intersection of the centerlines of Arlington Road and Upper Lewisburg & Salem Road; thence with the centerline of said Upper Lewisburg & Salem Road, North 88 degrees 46 minutes 40 seconds East, 2304.65 feet to a point; thence with the west line of a private 60-foot road, South 00 degrees 23 minutes 50 seconds East, 761.82 feet to a 1/2-inch iron pipe; thence South 88 degrees 46 minutes 40 seconds West, 630.23 feet to a 1/2-inch iron pipe at the northwest corner of said 4.1829 acre tract, in the east line of the present Village of Brookville Corporation Line, as recorded in Plat Book 62, page 64, of the Montgomery County Plat Records, the true point of beginning for the herein described 4.1829 acre tract.

Thence from the said true point of beginning, with the east line of said Village of Brookville Corporation Line, and with the west line of said 4.1829 acre tract, South 00 degrees 23 minutes 50 seconds East, 407.31 feet to a 1/2-inch iron pipe at the southwest corner of said 4.1829 acre tract.

Thence leaving the said east Corporation Line, with the south line of said 4.1829 acre tract, North 88 degrees 46 minutes 40 seconds East, 630.23 feet to a 5/8-inch iron pin at the southeast corner thereof, and in the west line of said private 60-foot road.

Thence with the west line of said private 60-foot road, and with the east line of said 4.1829 acre tract, North 00 degrees 23 minutes 50 seconds West, 97.00 feet to a 5/8-inch iron pin at a northeast corner thereof.

Thence with a north line of said 4.1829 acre tract, South 88 degrees 46 minutes 40 seconds West, 240.00 feet to a 5/8-inch iron pin at a corner thereof.

Thence with an east line of said 4.1829 acre tract, North 00 degrees 23 minutes 50 seconds West, 310.31 feet to a 5/8-inch iron pin at the northeast corner thereof.

Thence with the north line of said 4.1829 acre tract, South 88 degrees 46 minutes 40 seconds West, 390.23 feet to the true point of beginning, and containing 4.1829 acres, more or less, subject to all easements of record.

The above description was prepared by Donald R. Bowman, Registered Surveyor Number 4323, State of Ohio, and based on surveys made by Surveyors H. J. Conkel, and R. L. Hough. The bearings and distances were taken from the survey in October 1986, by said Surveyor R. L. Hough.



Donald R. Bowman

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

