

# RECORD OF ORDINANCES

Dayton Legal Blank Co. 10114

Ordinance No. 1985-04

Passed June 4, 1985

AN ORDINANCE REZONING CERTAIN LOTS OF THE REVISED AND CONSECUTIVE NUMBER OF LOTS OF THE MUNICIPALITY OF BROOKVILLE, OHIO FROM THEIR PRESENT CLASSIFICATION TO THE NEW CLASSIFICATION OF I-1.

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 718 Market Street, Brookville, Ohio, to be and the same is hereby changed and rezoned from B-1 to I-1 pursuant to the zoning ordinances of the Municipality of Brookville, Ohio:

### TRACT I:

Situated in Section 34, Town 6, Range 4 East of the Village of Brookville, Montgomery County, Ohio, and being part of the 40.22 acre tract as described in Deed Book 1374, Page 461 of the Montgomery County Deed Records. Being more particularly described as follows:

Beginning at the northwest corner of lot 1 of the Macy Sub-division as recorded in Plat Book 68, Page 43 of the Montgomery County Plat Records and in a east line of Market Street; Thence northwardly with the east line of Market Street on a curve to the right having a radius of 104.33 feet for an arc length of 50.79 feet; Thence North  $47^{\circ} 31'$  East for a distance of 222.37 feet; Thence South  $42^{\circ} 29'$  East for a distance of 48.82 feet to the northeast corner of said lot 1; Thence South  $47^{\circ} 31'$  West with the north line of said lot 1 for a distance of 234.50 feet to the place of beginning. Containing 0.270 acres more or less. Subject to all conditions of record pertaining to the above described premises including all easements for ingress and egress, said premises being located at 718 Market Street, Brookville, Ohio 45309.

### TRACT II.

Situated in the County of Montgomery, in the State of Ohio and in the Village of Brookville, and bounded and described as follows:

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, being part of

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the 35.67 acre tract conveyed to Walter E. Macy by deed recorded in Deed Book 1374, page 461, of the Montgomery County Deed Records and being more fully bounded and described as follows:

Beginning at an iron pipe found at the north corner of Lot Number 1204 of the Macy Subdivision, Section One, as recorded in Plat Book 68, page 43, of the Montgomery County Plat Records, said beginning point also being the east corner of the 0.270 acre tract conveyed to Larry I. and Beverly J. McGregor by deed recorded in Microfiche No. 77-524C10 of the Montgomery County Deed Records.

Thence with the northeast line of said McGregor 0.270 acre tract, North 42 degrees 29 minutes West, 48.82 feet to an iron pipe set for the north corner thereof.

Thence with the northwest line of said McGregor 0.270 acre tract, South 47 degrees 31 minutes West, 222.37 feet to an iron pipe found at the west corner thereof, and at the northeast corner of Market Street as dedicated in said Macy Subdivision, Section One.

Thence on a radial line of the curve with the north line of said Macy Subdivision, Section One, South 75 degrees 24 minutes 55 seconds West, 30.00 feet to a railroad spike set for the centerline of said Market Street. Thence with the centerline of said Market Street extended northwardly on a curve to the right which radius is 134.33 feet, central angle 12 degrees 23 minutes 35 seconds, for a distance of 29.06 feet, as measured on the arc, to an iron pipe set for the point of tangency.

Thence continuing with the centerline of said Market Street extended northwardly, North 02 degrees 11 minutes 30 seconds West, 178.00 feet to an iron pipe set for a corner.

Thence at right angles, North 87 degrees 48 minutes 30 seconds East, 30.00 feet to an iron pipe set for a corner.

Thence continuing North 87 degrees 48 minutes 30 seconds East, 120 feet to an iron pipe set for a bend.

Thence North 82 degrees 05 minutes 52 seconds East, 100.50 feet to an iron pipe set for a corner.

Thence South 06 degrees 46 minutes 30 seconds West, 105.10 feet to the point of beginning, and containing 0.733 acres, more or less, subject to all easements of record, and subject to a strip of ground 30 feet in width taken by parallel lines off the west line of the herein described tract reserved for street purposes and composed of 0.140 acre, more or less, leaving a net acreage of 0.593 acres, more or less, exclusive of the street reservation.

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Dayton Legal Blank Co. 10114

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## 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 4th day of June, 1985.

  
E. Eugene Roeser, Clerk

  
George 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. 1985-04 passed by the Council of said Municipality on the 4th day of June, 1985.

  
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. 1985-04 was posted at the Municipal Building, U. S. Post Office and the Brookville National Bank, Brookville, Ohio on the 6th day of June, 1985 to the 5th day of July, 1985 both days inclusive.

  
E. Eugene Roeser, Clerk