

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-03 Passed June 15, 2021

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF THE PROPERTY LOCATED AT 201 SYCAMORE STREET IN THE CITY OF BROOKVILLE FROM ITS PRESENT CLASSIFICATION OF OR (PD) OFFICE RESIDENTIAL PLANNED DEVELOPMENT OVERLAY DISTRICT TO THE NEW CLASSIFICATION OF I-1 (PD) LIGHT INDUSTRIAL PLANNED DEVELOPMENT OVERLAY DISTRICT.

WHEREAS, the property located at 201 Sycamore St. in the City of Brookville, including parcels C05 00114 0001, C05 00114 0002, C05 00203 0033, and C05 00203 0041, being further described in Exhibit A attached hereto (the "Property"), is currently zoned OR (PD) Office Residential Planned Development Overlay District; and

WHEREAS, after public hearing on this amendment to the zoning classification of the Property as required by Section 4.11 of the Charter, and upon recommendation of the Planning Commission, Council hereby adopts this Ordinance to amend the zoning classification of the Property from its present classification of OR (PD) Office Residential Planned Development Overlay District to its new classification of I-1 (PD) Light Industrial Planned Development Overlay District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:


SECTION I: The zoning classification of the Property located at 201 Sycamore St. in the City of Brookville, including parcels C05 00114 0001, C05 00114 0002, C05 00203 0033 and C05 00203 0041, being further described in Exhibit "A" attached hereto and incorporated herein by reference, is hereby amended from its present zoning classification of OR (PD) Office Residential Planned Development Overlay District to the new classification of I-1 (PD) Light Industrial Planned Development Overlay District

SECTION II: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION III: This Ordinance shall take effect thirty (30) days after passage by the Council of the City of Brookville as provided by the Charter of the City of Brookville.

PASSED this 15th day of June 2021.

ATTEST:


Kimberly Duncan, Clerk


Charles Letner, Mayor

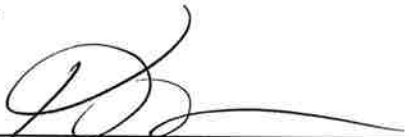
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CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2021-03, passed by the Council of the City of Brookville, Ohio, on the 15th day of June 2021.


Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2021-03 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 16th day of June 2021, to the 15th day of July 2021, both days inclusive.


Kimberly Duncan, Clerk

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BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2021-03 Passed June 15, 2021

EXHIBIT "A"

The real property located at 201 Sycamore Street, Brookville, Ohio and further described in the attached plat of survey and legal description dated January 3, 2017 and prepared by Luis G. Rancho & Associates, Inc.



LUIS G. RIANCHO, PS

LUIS G. RIANCHO & ASSOCIATES, INC.

SURVEYING

GPS SERVICES
HIGHWAY & CONSTRUCTION STAKING
BOUNDARY & TOPOGRAPHIC SURVEYS

140 W. WENGER ROAD
ENGLEWOOD, OHIO
45322-2727

TEL (937) 836-1585
FAX (937) 836-9974

Email: lgriancho@woh.rr.com

D16060-1

January 3, 2017

Description of Parcel Combination
Sycamore Street, Brookville, Ohio
Containing 1.7888 Acres

CO5 00114 0001
CO5 00114 0002 N.S.
CO5 00203 0033
CO5 00203 0041

Located in the City of Brookville and in the southeast quarter of Section 34, Town 6, Range 4E, County of Montgomery, State of Ohio and being all of a 1.6598 acre tract of land conveyed to Thrush Rentals, LLC by deed recorded in I.R. Deed 12-078559, Parcel I, and being all of a 0.005 acre tract of land conveyed to Thrush Rentals, LLC by deed recorded in I.R. Deed 12-078559, Parcel II, and being all of a 0.26 acre tract of land conveyed to Thrush Rentals, LLC by deed recorded in I.R. Deed 12-078559, Parcel III, and being all of a 0.0832 acre tract of land conveyed to Thrush Rentals, LLC by deed recorded in I.R. Deed 12-069799, all in the Deed Records of Montgomery County, Ohio and being a tract of land described as follows:

commencing at a 1/2" iron pin found at the intersection of the south right-of-way line of Hays Avenue (51' Right-of-Way) with the east right-of-way line of Sycamore Street (51' Right-of-Way), said iron pin being also at the northwest corner of a 0.3607 acre tract of land conveyed to Eric B. Leiber by deed recorded in I.R. Deed 13-076342;

thence in a southerly direction with the east line of said Sycamore Street, South thirty degrees forty-two minutes twenty seconds (30° 42' 20") East for two hundred seventy-seven and 35/100 (277.35) feet to a 5/8" iron pin capped "LGR" found at the southwest corner of a 0.0142 acre tract of land conveyed to Geve Properties, LLC by deed recorded in I.R. Deed 09-034669, Parcel III and the **TRUE POINT OF BEGINNING**;

thence in an easterly direction with the south line of said 0.0142 acre Geve Properties, LLC land, North sixty degrees fourteen minutes thirty-one seconds (60° 14' 31") East for two hundred six and 76/100 (206.76) feet to a 5/8" iron pin capped "LGR" found at the southeast corner of said 0.0142 acre Geve Properties, LLC land;

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Brookville, Ohio

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thence in a northerly direction with the east line of said 0.0142 acre Geve Properties, LLC land and with the east line of a 0.489 acre tract of land conveyed to Geve Properties, LLC by deed recorded in I.R. Deed 09-034669, Parcel I and with the east line of a 0.0758 acre tract of land conveyed to Geve Properties, LLC by deed recorded in I.R. Deed 09-034669, Parcel II, North thirty degrees twenty-two minutes fifty-five seconds (30° 22' 55") West, passing axles found at three and 00/100 (3.00) feet and at one hundred six and 76/100 (106.76) feet, for a total distance of one hundred twenty-two and 76/100 (122.76) feet to an iron pin set in the south line of a 0.534 acre tract of land conveyed to Darrell L., Jr. & Nancy Flory by deed recorded in I.R. Deed 16-027502;

thence in an easterly direction with the south line of said Flory land, North fifty-nine degrees thirty-three minutes twenty-five seconds (59° 33' 25") East for eighty-six and 18/100 (86.18) feet to a 5/8" iron pin capped "SCHRAM" found at the southeast corner of said Flory land, said iron pin being also in the southerly line of a 7.59 acre tract of land conveyed to Village of Brookville, Ohio by deed recorded in Micro 93-0118D06;

thence in a southeasterly direction with the southerly line of said Village of Brookville land, South sixty-two degrees forty-two minutes forty-six seconds (62° 42' 46") East for three hundred twenty-five and 06/100 (325.06) feet to a 5/8" iron pin capped "SCHRAM" found at the northeast corner of a 0.163 acre tract of land conveyed to City of Brookville by deed recorded in I.R. Deed 03-165797;

thence in a southwesterly direction with the northerly line of said 0.163 acre City of Brookville land, South forty-five degrees forty-four minutes thirteen seconds (45° 44' 13") West for sixty-five and 32/100 (65.32) feet to a 5/8" iron pin capped "SCHRAM" found at the northwest corner of said 0.163 acre City of Brookville land, said iron pin being also in the easterly line of a 1.839 acre tract of land conveyed to City of Brookville by deed recorded in I.R. Deed 03-085244;

thence in a northwesterly direction with the easterly line of said 1.839 acre City of Brookville land, North sixty-two degrees forty-two minutes forty-six seconds (62° 42' 46") West for twenty and 00/100 (20.00) feet to a 1/2" iron pipe found at the northeast corner of said 1.839 acre City of Brookville land;

thence in a westerly direction with the north line of said 1.839 acre City of Brookville land and with the north line of a 0.878 acre tract of land conveyed to City of Brookville by deed recorded in I.R. Deed 03-085246, South sixty degrees thirty-four minutes zero

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Instrument Number: 2017-00004864 Seq: 4

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seconds (60° 34' 00") West for three hundred ninety-one and 89/10 (391.89) feet to a 5/8" iron pin capped "SCHRAM" found at the northwest corner of said 0.878 acre City of Brookville land, said iron pin being also in the east right-of-way line of said Sycamore Street;

thence in a northerly direction with the east right-of-way line of said Sycamore Street, North thirty degrees forty-two minutes twenty seconds (30° 42' 20") West for one hundred forty-six and 35/100 (146.35) feet returning to the **TRUE POINT OF BEGINNING**, containing 1.7888 acres more or less and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by Luis G. Riancho, Registered Surveyor, State of Ohio #5287, dated December 2016.

Note: basis of bearing is North thirty degrees forty-two minutes twenty seconds (30° 42' 20") West for the easterly right-of-way line of Sycamore Street by deed recorded in Instrument Record Number Deed-03-085246.

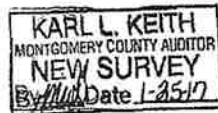
Note: All deeds referenced are recorded in the Deed Records of Montgomery County, Ohio and all plats referenced are recorded in the Plat Records of Montgomery County, Ohio.

Note: All iron pins set are #5 rebars, capped and stamped "LGR & ASSOC, ENGLEWOOD, OHIO".

Note: A Plat of Survey is recorded with the Montgomery County Engineer's Office Record of Land Surveys Volume 2017 Page 0001.

PAUL W. GRUNER, P.E., P.S.
MONTGOMERY COUNTY ENGINEER
APPROVED FOR POINT OF BEGINNING,
ACREAGE AND CLOSURE ONLY
DATE 1/23/17 FILE NO. 2017-0001

BY Wayne B. Earl



Luis G. Riancho
Registered Surveyor
State of Ohio #5287

Date 1/23/17

