

ORDINANCE NO. 14-16

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Belinda Kenley ON THE 15<sup>th</sup>  
DAY OF August, 2016.

AN ORDINANCE AMENDING ORDINANCE NUMBER 14-08, CHAPTER 1216, THE UNIFIED DEVELOPMENT ORDINANCE, AS AMENDED, TO REZONE 3.22 ACRES OF LAND, MORE OR LESS, LOCATED AT 9240 YANKEE STREET, FROM WT A, WASHINGTON TOWNSHIP AGRICULTURE, AND R-1C, SINGLE-FAMILY RESIDENTIAL, WITH A LIFESTYLE COMMUNITY OVERLAY ZONE CLASSIFICATION TO R-PD, RESIDENTIAL PLANNED DEVELOPMENT, ZONE CLASSIFICATION.

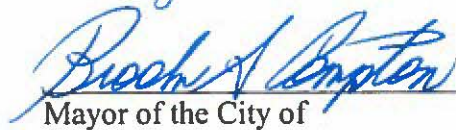
THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. The Official Zoning Map attached to Ordinance Number 14-08, Chapter 1216, Article 7 of the Unified Development Ordinance, passed on the 15th day of December, 2008, and as subsequently amended, be, and the same hereby is amended to rezone 3.22 acres of land, more or less, located at 9240 Yankee Street from WT A, Washington Township, Agriculture, and R-1c, Single-Family Residential with a Lifestyle Community Overlay zone classification to R-PD, Residential-Planned Development zone classification. The Lifestyle Community Overlay is to be removed. A map defining the area (Exhibit A) and the legal description (Exhibit B) are attached hereto and incorporated herein.

Section 2. The zoning map of the City of Centerville, Ohio, shall be revised to reflect these adjustments.

Section 3. This ordinance shall take effect and be in force at the earliest date provided by law.

PASSED THIS 15<sup>th</sup> day of August, 2016.

  
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Mayor of the City of  
Centerville, Ohio

ATTEST:

Carin R. Andrews

Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 14-16, passed by the Council of the City of Centerville, Ohio on the 15<sup>th</sup> day of August, 2016.

Carin R. Andrews

Clerk of the Council

Approved as to form, consistency with the  
Charter and Constitutional Provisions.  
Department of Law  
Scott A. Liberman  
Municipal Attorney





570 Congress Park Dr • Dayton, OH 45459 • P 937.438.5650 F 937.438.5645

July 7, 2016

**PROPERTY TO BE REZONED  
3.2242 ACRES**

LOCATED IN SECTION 5, TOWN 2, RANGE 5 M.Rs., CITY OF CENTERVILLE, MONTGOMERY COUNTY, STATE OF OHIO AND BEING ALL OF LOT NUMBER 1 OF GRACEWORKS ASSISTED LIVING SITE AS RECORDED IN PLAT BOOK 227, PAGES 51-51A OF THE PLAT RECORDS OF SAID COUNTY AND PART OF THAT 2.58 ACRE TRACT AS CONVEYED TO GW REAL PROPERTY, LLC, AN OHIO LIMITED LIABILITY COMPANY BY THE DEED RECORDED IN I.R. DEED 09-062961 OF THE DEED RECORDS OF SAID COUNTY AND BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1 OF GRACEWORKS ASSISTED LIVING SITE, SAID POINT ALSO LYING ON THE EAST RIGHT-OF-WAY LINE OF YANKEE STREET AND ON THE SOUTH LINE OF SAID 2.58 ACRE TRACT;

THENCE WITH THE FUTURE RIGHT-OF-WAY LINE OF YANKEE STREET THE FOLLOWING COURSES:

1. NORTH 02°41'59" EAST, 210.25 FEET TO A POINT;
2. THENCE SOUTH 87°43'42" EAST, 5.00 FEET TO A POINT;
3. THENCE NORTH 06°35'55" EAST, 127.89 FEET TO A POINT ON THE NORTH LINE OF SAID 2.58 ACRE TRACT AND A POINT ON THE SOUTH LINE OF THAT LAND AS CONVEYED TO WILLIAM DAVIS AND BETTY H. DAVIS, CO-TRUSTEES OF THE DAVIS FAMILY LIVING TRUST BY THE DEED RECORDED IN I.R. DEED 06-095757 OF THE DEED RECORDS OF SAID COUNTY;

THENCE WITH THE SOUTH LINE OF SAID DAVIS TRACT AND THE NORTH LINE OF SAID 2.58 ACRE TRACT SOUTH 70°34'55" EAST, 338.43 FEET TO THE NORTHEAST CORNER OF SAID 2.58 ACRE TRACT AND A NORTHWEST CORNER OF LOT 1 OF BETHANY COMMONS AT YANKEE TRACE SECTION ONE AS RECORDED IN PLAT BOOK 178, PAGES 48-48D OF THE PLAT RECORDS OF SAID COUNTY;

THENCE WITH THE COMMON LINE BETWEEN SAID LOT 1 OF BETHANY COMMONS AT YANKEE TRACE SECTION ONE AND SAID 2.58 ACRE TRACT THE FOLLOWING COURSES:

1. SOUTH 02°40'13" WEST, 223.20 FEET TO A POINT;
2. THENCE SOUTH 89°45'50" WEST, 132.75 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 OF GRACEWORKS ASSISTED LIVING SITE;

THENCE WITH THE LINES OF SAID LOT 1 OF GRACEWORKS ASSISTED LIVING SITE THE FOLLOWING COURSES:

1. SOUTH 13°21'26" WEST, 143.44 FEET TO A POINT;
2. THENCE SOUTH 43°44'25" WEST, 66.49 FEET TO A POINT;
3. THENCE SOUTH 29°37'30" WEST, 40.73 FEET TO A POINT;
4. THENCE SOUTH 04°23'55" WEST, 73.53 FEET TO A POINT;
5. THENCE ON A CURVE TO THE LEFT WITH A RADIUS OF 250.50 FEET, INTERNAL ANGLE OF 12°33'25" (LONG CHORD BEARING NORTH 81°19'17" WEST, 54.79 FEET) ALONG THE ARC 54.90 FEET TO A POINT;
6. THENCE NORTH 87°36'00" WEST, 58.57 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1 OF GRACEWORKS ASSISTED LIVING SITE AND A POINT ON THE EAST RIGHT-OF-WAY LINE OF YANKEE STREET;

THENCE WITH THE EAST RIGHT-OF-WAY LINE OF YANKEE STREET AND THE WEST LINE OF SAID LOT 1 OF GRACEWORKS ASSISTED LIVING SITE NORTH 02°24'00" EAST, 284.99 FEET TO THE POINT OF BEGINNING CONTAINING 3.2242 ACRES, MORE OR LESS, SUBJECT HOWEVER TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.