

ORDINANCE NO. 12-13
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Paul Gresham ON THE
21st DAY OF October, 2013.

AN ORDINANCE AMENDING ORDINANCE NUMBER 14-08, CHAPTER 1216, THE UNIFIED DEVELOPMENT ORDINANCE AS AMENDED, TO REZONE 13.8 ACRES OF LAND, MORE OR LESS, LOCATED ON THE WEST SIDE OF PARAGON ROAD AT THE CURVE SOUTH OF SPRING VALLEY PIKE FROM WASHINGTON TOWNSHIP A, AGRICULTURE, USE, TO CITY OF CENTERVILLE R-1C, SINGLE-FAMILY RESIDENTIAL 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 13.8 acres of land, more or less, located on the west side of Paragon road at the curve south of Spring Valley Pike, from Washington Township A, Agriculture, to City of Centerville R-1c, Single-family Residential District zone classification. A map defining the area is marked Exhibit "A", attached hereto and incorporated herein. Included is Parcel Identification number O67 03814 0070.

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

Section 3. This ordinance shall become effective thirty days after the City of Centerville's acceptance of the Annexation of the Property or within thirty days of passage of this Ordinance, whichever occurs last.

PASSED THIS 21st day of October, 2013.



Mayor of the City of Centerville, Ohio

ATTEST:

Debra A. James
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.

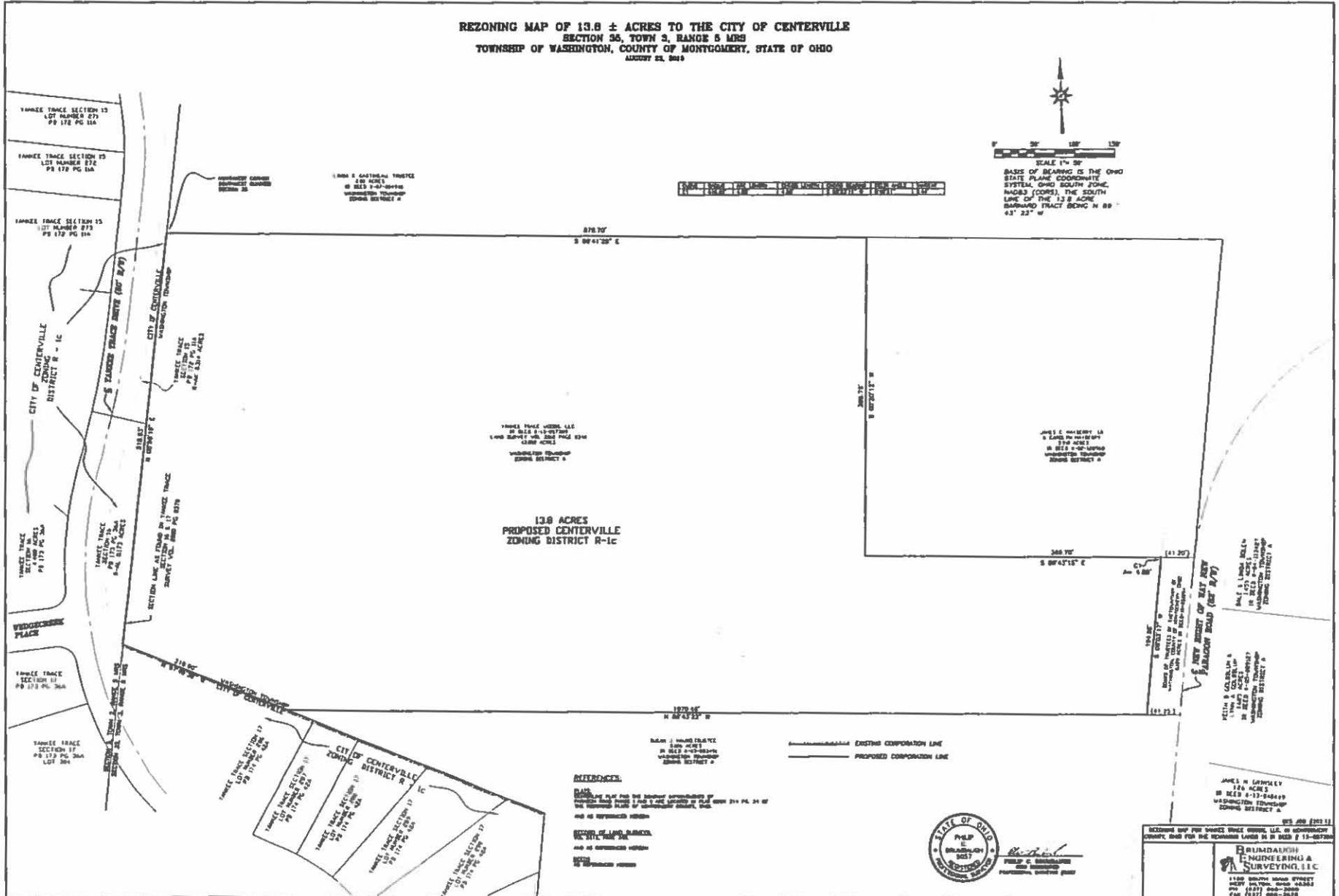
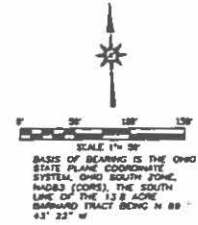
12-13, passed by the Council of the City of Centerville, Ohio on the 21st day of October, 2013.

Debra A. James
Clerk of the Council

Approved as to form,
consistency with the Charter
and Constitutional Provisions.

Department of Law
Scott A. Liberman
Municipal Attorney

REZONING MAP OF 13.8 ± ACRES TO THE CITY OF CENTERVILLE
 SECTION 35, TOWN 3, RANGE 5 MBS
 TOWNSHIP OF WASHINGTON, COUNTY OF MONTGOMERY, STATE OF OHIO
 AUGUST 23, 2014



NOTICES
 THE PLAT FOR THE REZONING MAP OF THE PROPERTY DESCRIBED BY PARAGRAPHS 1 AND 2 ARE LOCATED AT PLAT BOOK 214 PG. 24 OF THE RECORDS OF MONTGOMERY COUNTY, OHIO.
 AND AS REFERENCED HEREIN.
 RECORD OF LAND BANKS.
 PL. 211, 208 204.
 AND AS REFERENCED HEREIN.
 RECORD OF LAND BANKS.
 PL. 211, 208 204.
 AND AS REFERENCED HEREIN.



BRUNDALEIGH ENGINEERING & SURVEYING, I.L.C.
 1100 BRUNDALEIGH DRIVE
 WEST CHESTER, OHIO 45381
 PH: 513-344-2800
 FAX: 513-344-2820

RECORDED BY THE COUNTY CLERK OF MONTGOMERY COUNTY, OHIO FOR THE REZONING MAP OF THE PROPERTY DESCRIBED BY PARAGRAPHS 1 AND 2.
 BRUNDALEIGH ENGINEERING & SURVEYING, I.L.C.
 1100 BRUNDALEIGH DRIVE
 WEST CHESTER, OHIO 45381
 PH: 513-344-2800
 FAX: 513-344-2820

BRUMBAUGH ENGINEERING & SURVEYING, LLC
1105 South Miami St.
West Milton, Ohio 45383
937-698-3000

January 22, 2012

Description of 13.812 Acre Tract

Situate in the State of Ohio, County of Montgomery, Township of Washington, and being in Section 35, Town 3, Range 5 MRS, and part of the 14.00 Acre Tract as acquired by Patricia A. Barnard and Brian C. Barnard in IR Deed # 07-095190 (all references to deed books, official records, microfiche numbers, instrument numbers, survey records and/or plats refer to the Montgomery County Recorders office, Montgomery County, Ohio), and being more specifically described as follows:

Commencing at a Stone found at the Northwest corner of the Southwest quarter of Section 35, Town 3, Range 5 MRS marking the **TRUE POINT OF BEGINNING**;

Thence with the South line of a 2.00 acre tract conveyed to Linda S. Gastineau, Trustee in IR Deed # 07-004940 S 89° 41' 28" E for a distance of 870.70 feet to a Iron Pin set (All iron pins set are 5/8" x 30" rebar capped Brumbaugh E & S) at the Northwest corner of a 3.910 acre tract conveyed to James C. Mayberry, Sr. and Carolyn Mayberry in I.R. deed # 02-128968;

Thence with the West Line of said 3.910 acre tract S 00° 20' 12" W for a distance of 398.76 feet to an Iron Pin found at the Southwest corner of said 3.910 acre tract;

Thence with the South line of said 3.910 acre tract S 89° 43' 15" E for a distance of 369.70 feet to an Iron Pin set on the west line of a 0.189 acre tract as conveyed to the Board of Trustees of the Township of Washington, County of Montgomery, Ohio in I.R. Deed 10-051094. Being the west right-of-way line of Paragon Road (82' ROW);

Thence with the west right-of-way line of said Paragon Road on a curve to the left with an arc distance of 4.88 feet whose radius = 410.65 feet, delta = 0° 40' 51", tangent = 2.44 feet, and whose long chord bears S 05° 23' 11" W for a distance of 4.88 feet to a 5/8" capped Iron Pin set;

Thence continuing with the west right-of-way line of said Paragon Road S 05° 03' 17" W for a distance of 194.96 feet to an Iron Pin set on the north line of a 5.006 acre tract conveyed to Susan J. Mauro, Trustee in IR Deed # 03-083491;

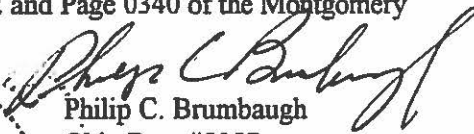
Thence with the North Line of said 5.006 acre tract N 89° 43' 22" W for a distance of 1070.46 feet to an Iron Pin found at the Northwest corner of said 5.006 acre tract and in the North line of Yankee Trace Section 17 recorded in Plat Book 174 page 42A;

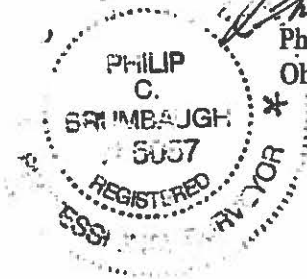
Thence with the North Line of said Yankee Trace Section 17 N 67° 49' 39" W for a distance of 219.90 feet to an Iron Post in concrete found in the west line of said section 35 and the east line of Yankee Trace Subdivision Section 16 as recorded in Plat Book 173 page 36A;

Thence with the West line of said section 35 and the east line of Yankee Trace Section 16 N 05° 56' 19" E for a distance of 518.93 feet to the **TRUE POINT OF BEGINNING**. The above described property contains a total of 13.812 acres more or less and being subject to all restrictions, easements, conditions, covenants and legal highways of record.

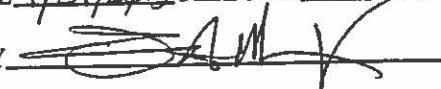
The basis of bearing of the foregoing description is the Ohio State Plane Coordinate system, south zone, NAD83 (cors), the South line of the 13.811 Acre Barnard Tract being N 89° 43' 22" W.


The foregoing description is according to the 12-12-12 survey of Philip C Brumbaugh, Registered Surveyor # 5057, as filed in Survey Volume 2012 and Page 0340 of the Montgomery County Engineers Office.


Philip C. Brumbaugh
Ohio Reg. #5057



Parcel No. 067 03814 0070, 103

PAUL W. GRUNER, P.E., P.S.
MONTGOMERY COUNTY ENGINEER
APPROVED FOR POINT OF BEGINNING,
ACREAGE AND CLOSURE ONLY
DATE 1/21/2013 FILE NO. 2012 0340
BY 

KARL L. KEITH
MONTGOMERY COUNTY AUDITOR
NEW SURVEY
By  Date 1-14-13