

ORDINANCE NO. 16-07
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER James Singer ON THE
19th DAY OF November, 2007.

AN ORDINANCE AMENDING ORDINANCE NUMBER 11-86, THE ZONING ORDINANCE, TO ADJUST THE BOUNDARIES OF THE R-PD, RESIDENTIAL-PLANNED DEVELOPMENT, AND B-PD, BUSINESS PLANNED DEVELOPMENT, DISTRICTS EAST OF WILMINGTON PIKE AND SOUTH OF BROWN ROAD BY REZONING 2.76 ACRES OF A LARGER B-PD PARCEL FROM B-PD, BUSINESS PLANNED DEVELOPMENT, TO BE ADDED TO A LARGER R-PD, RESIDENTIAL-PLANNED DEVELOPMENT, ZONE CLASSIFICATION; AND REZONING 4.10 ACRES OF A LARGER R-PD PARCEL FROM R-PD, RESIDENTIAL-PLANNED DEVELOPMENT, TO BE ADDED TO A LARGER B-PD, BUSINESS-PLANNED DEVELOPMENT, ZONE CLASSIFICATION.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. The zoning map attached to Ordinance Number 11-86 passed on the 21st day of July, 1986, and as subsequently amended, be, and the same hereby is amended to adjust the boundaries by adding to a larger B-PD, Business-Planned Development, 4.10 acres within the boundaries of a larger parcel of the B-PD, Business-Planned Development, District that is east of Wilmington Pike and south of Brown Road so that it is described as follows:

Being part of Section 9, Town 2 East, Range 6 North, Miami Rivers Survey, in the City of Centerville, Greene County, Ohio, and being part of a 70.525 acre tract of land conveyed to Roger Pfister as Successor Trustee under the Amended and Restated Revocable Living Trust Agreement of by Charles A. Dille, Jr. as recorded in Official Record 2583, Page 60, and being part of a 86.432 acre tract of land known as Parcel I as conveyed to Dille Laboratories Corporation, Roger Pfister, Trustee as recorded in Official Record 2583, Page 48. The ground is bounded by the south right of way line of Brown Road on the north, the west limited access right of way line of Interstate Route 675 on the east, Feedwire Road on the south, and the centerline of Wilmington Pike on the west; said centerline of Wilmington Pike being the county line between Greene and Montgomery Counties; and being more particularly bounded and described as follows:

Beginning for reference at an Iron Pin found in a Monument Box at the northwest corner of said Section 9, being the intersection of the centerlines of Wilmington Pike and Brown Rd and in the west line of said Greene County;

Thence with said Wilmington Pike centerline and said County line South 88° 38' 49" East

131.28 feet to a point on the south Right-of-Way of Brown Road and being the True Point of Beginning for the area of rezoning herein described;

Thence continuing along the south right of way line of Brown Road, 15.00 feet from said centerline and the north line of said Section 9, South 88° 38' 49" East 1031.68 feet to a point;

Thence along a new zoning boundary the following four (4) courses:

1. South 01° 21' 11" West 265.92 feet to a point on the common lot line of said 70.525 acre and 86.432 acre tracts;
2. Continuing South 01° 21' 11" West 576.71 feet to a point;
3. South 43° 38' 49" East 324.30 feet to a point;
4. South 88° 38' 49" East 1243.82 feet to a point on the west limited access right-of-way for Interstate Route 675;

Thence along said west limited access right-of-way line of Interstate Route 675 and the City of Centerville Corporation Line for the following six (6) courses:

1. South 02° 55' 11" West 382.24 feet to a point;
2. South 23° 13' 01" West 193.27 feet to an iron pin set;
3. South 04° 27' 18" West 192.14 feet to an iron pin set;
4. South 21° 11' 54" West 379.62 to a point;
5. South 27° 01' 14" West 436.90 feet to a point in the north limited access right-of-way line of Feedwire Road as established by instrument recorded in Deed Book 513, Page 654, Greene County records;
6. South 36° 17' 54" West 285.30 feet to an iron pin set in the south limited access right-of-way line of said Feedwire Road, being the northeast corner of the Sugarcreek Crossing Plat as filed in Plat Cabinet 34 drawer 593B of the Greene County Recorders office;

Thence along the south limited access right-of-way lines of Feedwire Road and the north line of said Plat for the following six (6) courses:

1. North 82° 57' 02" West 129.59 feet to an iron pin set;
2. North 77° 18' 00" West 101.98 feet to an iron pin set;
3. North 82° 53' 58" West 301.50 feet to an iron pin set;
4. North 78° 48' 43" West 11.00 feet to an iron pin set, being the southeast corner of the Feedwire Road right of way dedicated by said Sugarcreek Crossing Plat);

5. Thence continuing North 78° 48' 43" West a distance of 140 feet more or less;
6. North 01° 23' 23" East a distance of 25 feet more or less to the centerline of Feedwire Road;

Thence with the centerline of Feedwire Road North 89° 00' 12" West a distance of 1,542 feet more or less to the west line of said Section 9, and also being the intersection of the centerlines of Feedwire Road and Wilmington Pike and the Montgomery-Greene county line;

Thence following the west line of said Section 9, the centerline of Wilmington Pike, and the Montgomery-Greene county line North 04° 46' 56" East 2659.44 feet to a point;

Thence perpendicular to said centerline South 85° 13' 04" East 36.50 feet to an iron pin set at the Intersection of the south right of way line of Brown Road with the east right of way line of Wilmington Pike, being an angle point in the 2.325 acre parcel of ground as conveyed to the Board of Commissioners of Greene County, Ohio, for the right of way for Wilmington Pike as recorded in Official Record 743 page 436 of the deed records of said County;

Thence along the south right of way line of Brown Road, being along a south line of said 2.325 acre parcel and the south line of an 0.026 acre parcel of land conveyed to Greene County Commissioners as recorded in Official Record 743, Page 434, North 74° 47' 10" East 101.58 feet to an iron pin set;

Thence North 01° 18' 36" East a distance of 15.00 feet to the **True Point of Beginning** containing 122.232 acres, more or less.

Section 2. The zoning map attached to Ordinance Number 11-86 passed on the 21st day of July, 1986, and as subsequently amended, be, and the same hereby is amended to adjust the boundaries by adding to a larger R-PD, Residential-Planned Development, 2.76 acres within the boundaries of a larger parcel of the R-PD, Residential-Planned Development, District that is east of Wilmington Pike and south of Brown Road so that it is described as follows:

Situate in Section 9, Township 2, Range 6, State of Ohio, County of Greene, City of Centerville, and being part of a 70.525 acre tract of land conveyed to Roger Pfister as Successor Trustee under the Amended and Restated Revocable Living Trust Agreement of by Charles A. Dille, Jr. as recorded in Official Record 2583, Page 60, and being part of a 86.432 acre tract of land known as Parcel I as conveyed to Dille Laboratories Corporation as recorded in Official Record 2583, Page 48 (all references to deeds, plats, surveys, etc. refer to the records of the Greene County Recorder's Office);

Commencing for reference at the Northwest corner of said Section 9;

Thence South 88 degrees 38 minutes 49 seconds East, a distance of 1162.96 feet along the north line of said Section 9, being also the north lines of tracts of land conveyed to the Greene County Commissioners as recorded in Official Record 743, Page 434 and said 70.525 acre tract, said north line being also along the south line of a tract of land conveyed to Sugar creek Golf Course, Inc. as recorded in Official Record 696, Page 488, and in part along the south line of a 5.959 acre tract of land conveyed to Spring Valley Holding Company to the **POINT OF BEGINNING** of the following describe tract of land:

Thence South 88 degrees 38 minutes 49 seconds East, a distance of 15.94 feet, continuing along the line common to said 70.525 acre tract, said Section line, and said 5.959 acre tract to the northeast corner of said 70.525 acre tract, being also the northwest corner of said 86.432 acre tract;

Thence South 88 degrees 38 minutes 49 seconds East, a distance of 1381.51 feet, continuing along the line common to said 86.432 acre tract, said Section line, said 5.959 acre tract, and the south line of Browns Run Subdivision as recorded in Plat Cabinet 34, Page 366B and its easterly extension along the south line of a 0.237 acre tract of land conveyed to Christina M. Clemons as recorded in Official Record 2584, Page 579 to the northeast corner of said 86.432 acre tract, being also the southeast corner of said 0.237 acre tract, and said corner being also in the west limited access right-of-way line of Interstate Highway 675;

Thence along the lines common to said 86.432 acre tract and said I.H. 675 for the following three (3) described courses:

1. South 4 degrees 57 minutes 30 seconds East, a distance of 562.15 feet;
2. South 1 degree 09 minutes 03 seconds East, a distance of 389.71 feet;
3. South 2 degrees 55 minutes 11 seconds West, a distance of 114.90 feet;

Thence crossing said 86.432 acre tract for the following three (3) described courses:

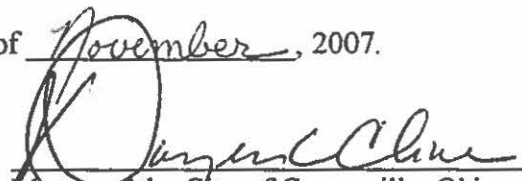
1. North 88 degrees 38 minutes 49 seconds West, a distance of 1243.82 feet;
2. North 43 degrees 38 minutes 49 seconds West, a distance of 324.30 feet;
3. North 1 degree 21 minutes 11 seconds East, a distance of 567.71 feet to the line common to said 86.432 acre tract and said 70.525 acre tract;

Thence North 1 degree 21 minutes 11 seconds East, a distance of 265.91 feet, continuing along the previous line, crossing said 70.525 acre tract to the **POINT OF BEGINNING**, containing 34.7251 acres, more or less, subject however to all covenants, conditions, restrictions, reservations, and easements contained in any instrument of record pertaining to the above described tract of land.

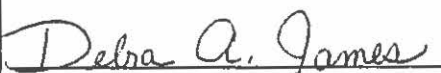
Section 3. The zoning map of the City of Centerville, Ohio, shall be revised to reflect these adjustments.

Section 4. This ordinance shall be effective at the earliest date allowed by law.

PASSED THIS 19th day of November, 2007.


Deputy Mayor of the City of Centerville, Ohio

ATTEST:


Clerk of Council
City of Centerville, Ohio

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. 16-07, passed by the Council of the City of Centerville, Ohio on the 19th day of November, 2007.

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