

ORDINANCE NO. 22-06
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks Compton ON THE
20th DAY OF November, 2006.

AN ORDINANCE AMENDING ORDINANCE NUMBER 11-86 DATED JULY 21, 1986, THE ZONING ORDINANCE BY REZONING A TOTAL OF 71.482 ACRES, MORE OR LESS, PARCEL OF LAND WITH 44.931 ACRES, MORE OR LESS, TO CITY OF CENTERVILLE R-PD, RESIDENTIAL-PLANNED DEVELOPMENT AND 26.551 ACRES, MORE OR LESS, TO CITY OF CENTERVILLE O-PD, OFFICE-PLANNED DEVELOPMENT ZONE CLASSIFICATIONS.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That 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 revised as follows:

By changing the zoning of the following described property to Centerville R-PD, Residential-Planned Development classification:

Situate in Section 9, Township 2, Range 6, City of Centerville, County of Greene, State of Ohio, and being part of a tract of land conveyed to Dille Laboratories Corporation as recorded in Official Record 2583, Page 48 (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Greene County Recorders Office, unless noted otherwise) and being more particularly bounded and described as follows:

Beginning at an iron pin set at the southeast corner of the southwest quarter of said Section 9, said point being in the north line of a tract of land conveyed to Wendell E. Spears as recorded in Official Record 323, Page 217;

thence along the south line of said Section 9 and in part along the north line of said Spears land and in part along the north line of a tract of land conveyed to The Board of Sugarcreek Township Trustees as recorded in Official Record 375, Page 636, North eighty-nine degrees zero minutes twenty-six seconds West (N89°00'26"W) for one thousand seven hundred twenty-three and 47/100 feet (1723.47') to an iron pin set at the southeast corner of a tract of land conveyed to Christ Evangelical Brethren Church as recorded in Deed Book 333, Page 534;

thence along the lines of said Church land for the following two (2) courses:

1. North zero degrees fifty-nine minutes thirty-four seconds East (N00°59'34"E) for three hundred forty-seven and 83/100 feet (347.83') to an iron pin set;
2. North eighty-nine degrees zero minutes twenty-six seconds West (N89°00'26"W) for two hundred eighty-two and 92/100 feet (282.92');

thence over said Dille land for the following three (3) courses:

1. on a non-tangent curve to the right with a radius of three thousand twelve and 00/100 feet (3012.00') for an arc distance of one thousand one hundred fifty-four and 73/100 feet (1154.73'), [chord bearing North fifty-one degrees twenty-two minutes thirty-three seconds East (N51°22'33"E) for one thousand one hundred forty-seven and 67/100 feet (1147.67'), delta angle of said curve being twenty-one degrees fifty-seven minutes fifty-seven seconds (21°57'57")] to a point of compound curvature;
2. on a curve to the right with a radius of one thousand twelve and 00/100 feet (1012.00') for an arc distance of three hundred thirty-four and 99/100 feet (334.99'), [chord bearing North seventy-one degrees fifty minutes thirty-one seconds East (N71°50'31"E) for three hundred thirty-three and 47/100 feet (333.47'), delta angle of said curve being eighteen degrees fifty-seven minutes fifty-eight seconds (18°57'58")];
3. North eight degrees forty minutes thirty seconds West (N08°40'30"W) for forty-seven and 64/100 feet (47.64') to a southerly corner of Five Seasons as recorded in Plat Cabinet 30 Slide 571B;

thence along a south line of said Five Seasons, South eighty-six degrees zero minutes seventeen seconds East (S86°00'17"E) for eight hundred eighty-five and 82/100 feet (885.82') to point in the east line of the southwest quarter of said Section 9, Phillip M. & Sharon L. Herres as recorded in Deed Book 551, Page 903 and Official Record 500, Page 414;

thence along the east line of said southwest quarter and part along the west line of said Herres land, in part along the west line of Sugar Leaf Section 2 as recorded in Plat Cabinet 33, Slide 773A, and in part along the west line of Sugar Leaf Section 1 as recorded in Plat Cabinet 33, Slide 619B, South four degrees nineteen minutes thirty-seven seconds West (S04°19'37"W) for one thousand one hundred ninety-one and 61/100 feet (1191.61') to the **POINT OF BEGINNING**, containing forty-four and 931/1000 (44.931) 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 2. That 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 revised as follows:

By changing the zoning of the following described property to Centerville 0-PD, Office-Planned Development classification:

Situate in Section 9, Township 2, Range 6, City of Centerville, County of Greene, State of Ohio, and being part of a tract of land conveyed to Dille Laboratories Corporation as recorded in Official Record 2583, Page 48 (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Greene County Recorders Office, unless noted otherwise) and being more particularly bounded and described as follows:

Commencing for reference at an iron pin set at the southeast corner of the southwest quarter of said Section 9, said point being in the north line of a tract of land conveyed to Wendell E. Spears as recorded in Official Record 323, Page 217;

thence along the south line of said Section 9 and in part along the north line of said Spears land and in part along the north line of a tract of land conveyed to The Board of Sugarcreek Township Trustees as recorded in Official Record 375, Page 636, North eighty-nine degrees zero minutes twenty-six seconds West (N89°00'26"W) for one thousand seven hundred twenty-three and 47/100 feet (1723.47') to an iron pin set at the southeast corner of a tract of land conveyed to Christ Evangelical Brethren Church as recorded in Deed Book 333, Page 534;

thence along the lines of said Church land for the following two (2) courses:

1. North zero degrees fifty-nine minutes thirty-four seconds East (N00°59'34"E) for three hundred forty-seven and 83/100 feet (347.83') to an iron pin set;
2. North eighty-nine degrees zero minutes twenty-six seconds West (N89°00'26"W) for two hundred eighty-two and 92/100 feet (282.92') to the **TRUE POINT OF BEGINNING** of the herein described tract of land;

thence continuing along the north line of said Church land, North eighty-nine degrees zero minutes twenty-six seconds West (N89°00'26"W) for eight hundred ninety-seven and 61/100 feet (897.61') to a point in the east limited access right-of-way line of Interstate Route 675 as established by Deed Book 513, Page 658;

thence along said limited access right-of-way line for the following seven (7) courses:

1. North fifteen degrees nineteen minutes forty-one seconds East (N15°19'41"E) for three hundred fifty-seven and 44/100 feet (357.44') to an iron pin set;
2. North forty-four degrees thirty-six minutes forty-six seconds East (N44°36'46"E) for two hundred seventy-six and 56/100 feet (276.56') to an iron pin set;
3. North fifty-five degrees thirty-two minutes twenty-one seconds East (N55°32'21"E) for one hundred five and 95/100 feet (105.95') to an iron pin set;

4. North sixty-six degrees fifty minutes thirty-three seconds East (N66°50'33"E) for eight hundred fifty-one and 36/100 feet (851.36') to an iron pin set;
5. North eighty-two degrees fifty-six minutes forty-seven seconds East (N82°56'47"E) for two hundred sixty-four and 05/100 feet (264.05') to an iron pin set;
6. North sixty-four degrees fifty-nine minutes fifty-seven seconds East (N64°59'57"E) for two hundred sixty-five and 99/100 feet (265.99') to an iron pin set;
7. North thirty-five degrees fifty-nine minutes forty-six seconds East (N35°59'46"E) for two hundred thirty and 70/100 feet (230.70') to an iron pin found at the southwest corner of Five Seasons as recorded in Plat Cabinet 30 Slide 571B;

thence along said Five Seasons, South thirty-six degrees twenty-one minutes twenty-seven seconds East (S36°21'27"E) for five hundred sixteen and 56/100 feet (516.56') an iron pin set;

thence over said Dille land for the following three (3) courses:

1. South eight degrees forty minutes thirty seconds East (S08°40'30"E) for forty-seven and 64/100 feet (47.64');
2. on a non-tangent curve to the left with a radius of one thousand twelve and 00/100 feet (1012.00') for an arc distance of three hundred thirty-four and 99/100 feet (334.99'), [chord bearing South seventy-one degrees fifty minutes thirty-one seconds West (S71°50'31"W) for three hundred thirty-three and 47/100 feet (333.47'), delta angle of said curve being eighteen degrees fifty-seven minutes fifty-eight seconds (18°57'58")] to a point of compound curvature;
3. on a curve to the left with a radius of three thousand twelve and 00/100 feet (3012.00') for an arc distance of one thousand one hundred fifty-four and 73/100 feet (1154.73'), [chord bearing South fifty-one degrees twenty-two minutes thirty-three seconds West (S51°22'33"W) for one thousand one hundred forty-seven and 67/100 feet (1147.67'), delta angle of said curve being twenty-one degrees fifty-seven minutes fifty-seven seconds (21°57'57")] to the **TRUE POINT OF BEGINNING**, containing twenty-six and 551/1000 (26.551) 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. That the zoning map of the City of Centerville, Ohio shall be revised to reflect this zoning.

Section 4. This Ordinance shall become effective at the earliest date allowed by law.

PASSED this 20th day of November, 2006.

Mark Kugreed
Mayor of the City of Centerville, Ohio

ATTEST:

Debra A. James
Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Ordinance Number 22-06, passed by the Council of the City of Centerville, Ohio, on the 20th day of November, 2006.

Debra A. James
Clerk of Council

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

Department of Law
Scott A. Liberman
Municipal Attorney