

ORDINANCE NO. 23-06
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Paul Gresham 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 156.957 ACRES, MORE OR LESS, PARCEL OF LAND WITH 36.053 ACRES, MORE OR LESS, TO CITY OF CENTERVILLE R-PD, RESIDENTIAL-PLANNED DEVELOPMENT AND 120.904 ACRES, MORE OR LESS, TO CITY OF CENTERVILLE B-PD, BUSINESS-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, part of another tract of land conveyed to Roger Pfister, Successor Trustee as recorded in Official Record 2583, Page 60 (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 (found) in a monument box at the Northwest corner of said Section 9;

thence along the north line of said Section 9, in part along the south line of a tract of land conveyed to Sugarcreek Golf Course, Inc. as recorded in Official Record 696, Page 488, and in part along the south line of a tract of land conveyed to Ellen McDonald as recorded in Official Record 1460, Page 317, South eighty-eight degrees thirty-eight minutes forty-nine seconds East (S88°38'49"E) for nine hundred eighty-eight and 60/100 feet (988.60) to the TRUE POINT OF BEGINNING of the herein described tract of land;

thence continuing along the north line of said Section 9, and in part along the south line of said Ellen McDonald land, in part along the south line of Brown's Run Subdivision as recorded in Plat Cabinet 34, Slide 366B, and in part along the south line of a tract of land conveyed to Katherine A. and Reginald B O'Hara as recorded in Official Record 1397, Page 657, South eighty-eight degrees thirty-eight minutes forty-nine seconds East (S88°38'49"E) for one thousand five hundred seventy-one and 81/100 feet (1571.81') to an iron pin set in the west limited access right-of-way line of Interstate Route 675 as established by Deed Book 513, Page 662 and Official Record 204, Page 524;

thence along said west limited access right-of-way line for the following three (3) courses:

1. South four degrees fifty-seven minutes thirty seconds East (S04°57'30"E) for five hundred sixty-two and 15/100 feet (562.15') (witness an iron pin found North 48°East for 1.37 feet from said corner);
2. South one degree nine minutes three seconds East (S01°09'03"E) for three hundred eighty-nine and 71/100 feet (389.71') to an iron pin set;
3. South two degrees fifty-five minutes eleven seconds West (S02°55'11"W) for twenty-one and 87/100 feet (21.87');

thence over said Dille land for the following two (2) courses:

1. North eighty-eight degrees thirty-six minutes fifty-three seconds West (N88°36'53"W) for one thousand six hundred fifty and 64/100 feet (1650.64');
2. North one degree twenty-three minutes nineteen seconds East (N01°23'19"E) for nine hundred sixty-nine and 02/100 feet (969.02') to the **TRUE POINT OF BEGINNING**, containing thirty-six and 053/1000 (36.053) 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 B-PD, Business-Planned Development classification:

Situate in Section 9, Township 2, Range 6, City of Centerville, County of Greene, State of Ohio, and being a tract of land conveyed to Roger Pfister, Successor Trustee as recorded in Official Record 2583, Page 60 and 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 (found) in a monument box at the Northwest corner of said Section 9;

thence along the north line of said Section 9, said line being the south line of a tract of land conveyed to Sugarcreek Golf Course, Inc. as recorded in Official Record 696, Page 488, South eighty-eight degrees thirty-eight minutes forty-nine seconds East (S88°38'49"E) for one hundred thirty-one and 28/100 feet (131.28') to the TRUE POINT OF BEGINNING of the herein described tract of land;

thence continuing along the north line of said Section 9, and in part along the south line of said Sugarcreek Golf Course land, and in part along the south line of a tract of land conveyed to Ellen McDonald as recorded in Official Record 1460, Page 317, South eighty-eight degrees thirty-eight minutes forty-nine seconds East (S88°38'49"E) for eight hundred fifty-seven and 32/100 feet (857.32');

thence over said Dille land for the following two (2) courses:

1. South one degree twenty-three minutes nineteen seconds West (S01°23'19"W) for nine hundred sixty-nine and 02/100 feet (969.02');
2. South eighty-eight degrees thirty-six minutes fifty-three seconds East (S88°36'53"E) for one thousand six hundred fifty and 64/100 feet (1650.64') to a point in the west limited access right-of-way line of Interstate Route 675 as established by Deed Book 513, Page 662 and Official Record 204, Page 524;

thence along said west limited access right-of-way line for the following eight (8) courses:

1. South two degrees fifty-five minutes eleven seconds West (S02°55'11"W) for two hundred eighty-four and 53/100 feet (284.53') (witness an iron pin found North 32°East for 0.63 feet from said corner);
2. South forty-nine degrees forty-two minutes forty-five seconds West (S49°42'45"W) for fifty-seven and 23/100 feet (57.23') (witness an iron pin found North 20°East for 0.63 feet from said corner);
3. South thirty-three degrees forty-nine minutes twenty-seven seconds East (S33°49'27"E) for sixty-nine and 73/100 feet (69.73') (witness an iron pin found North 21°East for 0.47 feet from said corner);
4. South two degrees fifty-five minutes eleven seconds West (S02°55'11"W) for ninety-five and 68/100 feet (95.68') (witness an iron pin found North 6°East for 0.58 feet from said corner);
5. South twenty-three degrees thirteen minutes one second West (S23°13'01"W) for one hundred ninety-three and 27/100 feet (193.27') to an iron pin set;
6. South four degrees twenty-seven minutes eighteen seconds West (S04°27'18"W) for one hundred ninety-two and 14/100 feet (192.14') to an iron pin set;
7. South twenty-one degrees eleven minutes fifty-four seconds West (S21°11'54"W) for three hundred seventy-nine and 62/100 feet (379.62') (witness an iron pin found North 84° West for 0.29 feet from said corner);

8. South twenty-seven degrees one minute fourteen seconds West (S27°01'14"W) for four hundred thirty-six and 90/100 feet (436.90') to a point in the north limited access right-of-way line of Feedwire Road as established by Deed Book 513, Page 654 (witness an iron pin found North 29° West for 0.32 feet from said corner);

thence along said north limited access right-of-way line for the following six (6) courses:

1. North eighty-eight degrees fifty minutes thirty-one seconds West (N88°50'31"W) for two hundred ninety-two and 23/100 feet (292.23') to an iron pin set;
2. South eighty degrees four minutes forty-seven seconds West (S80°04'47"W) for one hundred one and 98/100 feet (101.98') to an iron pin set;
3. North eighty-five degrees forty-four minutes fifty-two seconds West (N85°44'52"W) for one hundred and 12/100 feet (100.12') (witness a P. K. Nail found South 68° East for 0.54 feet from said corner);
4. South eighty-two degrees fifty-one minutes thirty-two seconds West (S82°51'32"W) for two hundred two and 24/100 feet (202.24') to an iron pin set;
5. South seventy-three degrees sixteen minutes seventeen seconds West (S73°16'17"W) for one hundred fifty-seven and 83/100 feet (157.83') to an iron pin set;
6. South one degree twenty-three minutes twenty-three seconds West (S01°23'23"W) for twenty-five and 00/100 feet (25.00') to a point on the south line of the Northwest Quarter of said Section 9;

thence along the south line of the Northwest Quarter of said Section 9, North eighty-nine degrees zero minutes twelve seconds West (N89°00'12"W) for one thousand four hundred seventy-two and 84/100 feet (1472.84') to the southeast corner of a tract of land conveyed to Greene County Commissioners as recorded in Official Record 743, Page 436;

thence along said Greene County Commissioners land for the following four (4) courses:

1. North zero degrees fifty-nine minutes forty-eight seconds East (N00°59'48"E) for twenty-five and 00/100 feet (25.00') to an iron pin set;
2. North eighty-nine degrees zero minutes twelve seconds West (N89°00'12"W) for six and 68/100 feet (6.68') to an iron pin set at a point of curvature;
3. on a curve to the right with a radius of twenty-five and 00/100 feet (25.00') for an arc distance of forty and 92/100 feet (40.92'), [chord bearing North forty-two degrees six minutes thirty-eight seconds West (N42°06'38"W) for thirty-six and 50/100 feet (36.50'), delta angle of said curve being ninety-three degrees forty-seven minutes eight seconds (93°47'08")] to an iron pin set at a point of tangency;
4. North four degrees forty-six minutes fifty-six seconds East (N04°46'56"E) for two thousand six hundred five and 27/100 feet (2605.27') to an iron pin set;

thence in part along said Greene County Commissioners land and in part along the south line of another tract of land conveyed to Greene County Commissioners as recorded in Official Record 743, Page 434, North seventy-four degrees forty-seven minutes ten seconds East (N74°47'10"E) for one hundred one and 58/100 feet (101.58') to an iron pin set;

thence along the east of the Greene County Commissioners land recorded in Official Record 743, Page 434, North one degree eighteen minutes thirty-six seconds East (N01°18'36"E) for fifteen and 00/100 feet (15.00') to the TRUE POINT OF BEGINNING, containing one hundred twenty and 904/1000 (120.904) 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 Hengreud
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 23-06, 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