

ORDINANCE NO. 07-04
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Douglas C. Cline ON THE
21st DAY OF June, 2004.

AN ORDINANCE AMENDING ORDINANCE NUMBER 11-86 DATED JULY 21, 1986, THE ZONING ORDINANCE BY REZONING A PORTION OF A 5.4658 ACRE TRACT OF LAND FROM B-PD, BUSINESS-PLANNED DEVELOPMENT TO I-PD, INDUSTRIAL-PLANNED DEVELOPMENT, AND A PORTION OF A 10.8559 ACRE TRACT OF LAND FROM I-PD, INDUSTRIAL-PLANNED DEVELOPMENT TO B-PD, BUSINESS-PLANNED DEVELOPMENT FOR A TOTAL REZONING OF 5.0183 ACRES, MORE OR LESS.

Section 1. That the zoning map attached to Ordinance 11-86 passed on the 21st day of July, 1986, and as subsequently amended, be, and the same is hereby revised as follows:

By changing a portion of the zoning of the following described property from B-PD, Business-Planned Development Classification to I-PD, Industrial-Planned Development Classification:

Situate in Section 14, Town 2, Range 6 M.Rs. in the City of Centerville, Montgomery County, Ohio being part of Lot One of South Metro Industrial Park, Section Two, recorded in Plat Book 171, Page 15 of the Plat Records of Montgomery County, Ohio, said Lot One being part of the land conveyed to Woodley Development Company, Inc. by deeds recorded in Microfiche Number 87-105B10 (½ interest) and Microfiche Number 97-608C11 (½ interest), both of the Deed Records of said County and being a tract of land more particularly described as follows: Beginning at point in the centerline of South Metro Drive, on the east plat line of said South Metro Industrial Park Section Two, thence from said True Point of Beginning with said centerline on the following courses: N 88°58'17" W a distance of 73.35 feet to a point, thence westwardly along a curve to the right having a radius of 600.00 feet, an arc distance of 122.69 feet, a central angle of 11°42'57" the chord of which bears N 83°06'49" W a distance of 122.47 feet to a point, thence N 77°15'20" W along said centerline a distance of 448.88 feet to a point, thence N 00°15'36" E leaving said centerline, a distance of 422.47 feet, to a point at the southwest corner of land conveyed to Society Bank NA, Trustee as described in MF#87-211D09, thence S 69°52'24" E with the south line of said Society Bank NA, Trustee land, a distance of

677.69 feet to a point,
thence S 01°01'43" W with the west line of said society Bank NA, Trustee land a distance of 304.35 feet to the point of beginning containing 5.4658 acres of land, subject to all legal conditions, easement and rights-of-way pertaining to the premises herein described. Also subject to all easements, covenants, restrictions and setbacks as recorded on South Metro Industrial Park, Section Two, Plat Book 171, Page 15.

and

By changing a portion of the zoning of the following described property from I-PD, Industrial-Business Development Classification to B-PD, Business-Planned Development Classification:

Situate in Section 14, Town 2, Range 6 M.R.s. in the City of Centerville, Montgomery County, Ohio being part of Lot One of South Metro Industrial Park, Section Two, recorded in Plat Book 171, Page 15 of the Plat Records of Montgomery County, Ohio, said Lot One being part of the land conveyed to Woodley Development Company, Inc. by deeds recorded in Microfiche Number 87-105B10 (½ interest) and Microfiche Number 97-608C11 (½ interest), both of the Deed Records of said County and being a tract of land more particularly described as follows:

Beginning at point in the centerline of South Metro Drive, on the east plat line of said South Metro Industrial Park Section Two, thence from said True Point of Beginning the following courses:

thence S 01°01'43"W with the west line of land conveyed to Society Bank NA, Trustee as described in MF#90-650B03, a distance of 450.00 feet, to the northeast corner of Thomas Paine Condominium, thence N 77°15'20"W a distance of 1136.88 feet to a point with the north line of Thomas Paine Settlement Condominium,

thence N 00°20'26"E with the centerline of a 20 foot wide utility easement a distance of 423.10 feet to a point in the centerline of South Metro Drive,

thence with said centerline the following courses:

S 77°15'20" E a distance of 942.73 to a point,

thence eastwardly along a curve to the left having a radius of 600.00 feet, an arc distance of 122.69 feet, a central angle of 11°42'57" the chord of which bears S 83°06'49" E a distance of 122.47 feet to a point, thence S 88°58'17" E a distance of 73.35 feet to the point of beginning containing 10.8559 acres of land, subject to all legal conditions, easements and rights-of-way pertaining to the premises herein described. Also subject to all easements, covenants, restrictions and setbacks as recorded on South Metro Park, Section Two, Plat Book 171, Page 15.

Section 2. This Ordinance shall become effective at the earliest date allowed by law.

PASSED this 21st day of June, 2004.

C. Mark Kingseed
Mayor of the City of Centerville, Ohio

ATTEST:

Marie Jane Paugh
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 7-04, passed by the Council of the City of Centerville, Ohio, on the 21st day of June, 2004.

Marie Jane Paugh
Clerk of Council

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

Department of Law
Robert N. Farquhar
Municipal Attorney