

ORDINANCE NO. 17-02
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER C. Mark Kingseed ON THE
27th DAY OF January, 2002.3

AN ORDINANCE AMENDING ORDINANCE NUMBER
11-86 DATED JULY 21, 1986, THE ZONING
ORDINANCE BY REZONING 1.567 ACRES, MORE OR
LESS, FROM CENTERVILLE B-PD, BUSINESS-
PLANNED DEVELOPMENT CLASSIFICATION TO R-
PD, RESIDENTIAL-PLANNED DEVELOPMENT.

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 the zoning of the following described property from Centerville B-PD, Business-Planned Development classification to R-PD, Residential-Planned Development:

Part of Section 20, Township 2, Range 6, M.Rs., City of Centerville, Montgomery County, Ohio and being part of the 13.341 acre tract of land conveyed to RETS Tech Center Company, Inc. as recorded in Microfiche No. 98-0478 C03 (all references to deed books, microfiche numbers and plats refer to the Montgomery County Recorder's Office, Montgomery County, Ohio) and being more particularly described as follows;

Commencing from a found MAG nail at the southwest corner of said Section 20, also being the southeast corner of Section 26, Township 2, Range 6, M.Rs., thence along the south line of said Section 26 South $86^{\circ}27'43''$ West, 3.99 feet to a found MAG nail at the extension of the east line of Loop Road as recorded in Plat Book 86, Page 73;

thence along said east line North $01^{\circ}10'47''$ West, 445.94 feet to a 5/8" iron pin with a cap stamped "CESO INC" found at the southwest corner of a 1.000 acre tract of land conveyed to Barry A. Diehl as recorded in Microfiche No. 82-380 D07, also being the northwest corner of a 1.165 acre tract of land conveyed to Big Bear Real Estate, LLC as recorded in Microfiche No. 00-0405 B04;

thence along the south line of said Diehl tract North $88^{\circ}03'40''$ East, 324.50 feet to a 5/8" iron pin found at the southeast corner of said Diehl tract;

thence along the east line of said Diehl tract North $00^{\circ}41'00''$ West, 134.03 feet to a 5/8" iron pin found at the northeast corner of said Diehl tract and being on the south

line of Interstate Executive Center Condominium Section Three as recorded in Plat Book 145, Page 20;

thence along the south and east line of said Interstate Executive Center Condominium Section Three the following two (2) courses;

1) North $88^{\circ}03'40''$ East, 97.45 feet to a 5/8" iron pin found at the southeast corner of said Interstate Executive Center Condominium Section Three;

2) North $05^{\circ}23'35''$ West, 49.50 feet to a set 5/8" iron pin with a cap stamped "CESO INC" and being the **Point of Beginning** of the following described tract of land; thence continuing along said east line and along all of the east line of Interstate Executive Center Condominium Section Four as recorded in Plat Book 146, Page 03 and part of the east line of Interstate Executive Center Condominium Section Five as recorded in Plat Book 149, Page 28 North $05^{\circ}23'35''$ West, 356.83 feet to a 5/8" iron pin with a cap stamped "CESO INC" set at a southwestern corner of Chardon Valley Section One recorded in Plat Book 137, Page 51;

thence along a western line of said Chardon Valley Section One, also being a western line of a 50-foot wide Access & Utility Easement as shown on said plat and being a western line of a 20.00 acre tract conveyed to Chardon Development Corporation Microfiche No. 87-0664 A10 South $56^{\circ}31'30''$ East, 347.56 feet to a set 5/8" iron pin with a cap stamped "CESO INC";

thence along a new division line the following two (2) courses;

1) South $02^{\circ}06'46''$ West, 159.87 feet to a set 5/8" iron pin with a cap stamped "CESO INC";

thence South $89^{\circ}07'58''$ West, 250.51 feet to the **Point of Beginning**, containing 1.567 acres, subject however to all covenants, conditions, restrictions and easements contained in any instrument of record pertaining to the above described tract of land.

Basis of bearings is the Plat of Survey for Dr. B.A. Diehl by Woolpert Consultants, dated September 8, 1982 and recorded in Survey Records Sur-82-57 (South $88^{\circ}03'40''$ West).

This description was prepared by David R. Barnhart, P.S., #7646, Ohio, CESO, Inc., 1700 Lyons Road, Centerville, Ohio 45458 and is based on field survey made in July 2002.

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

PASSED this 27th day of January, 2002. 3

Sally D. Beale
Mayor of the City of Centerville, Ohio

ATTEST:

Margie Jane Sauph
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 17-02, passed by the Council of the City of Centerville, Ohio, on the 27th day of January, 2002.3

Margie Jane Sauph
Clerk of Council

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

Department of Law
Robert N. Farquhar
Municipal Attorney