

ORDINANCE NO. 2-90  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Sally Beals ON THE  
16th DAY OF April, 1990.

AN ORDINANCE AMENDING ORDINANCE NUMBER 11-86 DATED JULY 21, 1986, THE ZONING ORDINANCE BY REZONING 5 ACRES MORE OR LESS, FROM CENTERVILLE R-PD CLASSIFICATION TO CENTERVILLE I-1 CLASSIFICATION; BY REZONING 10.1 ACRES MORE OR LESS, FROM CENTERVILLE R-PD CLASSIFICATION TO CENTERVILLE R-1C CLASSIFICATION AND BY REZONING 13.0 ACRES MORE OR LESS FROM CENTERVILLE R-1C CLASSIFICATION TO CENTERVILLE R-PD CLASSIFICATION.

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, by, and the same hereby is revised as follows:

By changing the zoning of the following described property from Centerville R-PD classification to Centerville I-1 classification:

Located in Section 14, Town 2, Range 6, M.R.S., City of Centerville, County of Montgomery, State of Ohio, and being a tract of land to be rezoned shown on a plan entitled "Adjacent Property Owner Map, Clyo Road Master Plan, Hills Communities", said tract to be rezoned being described as follows:

Beginning at the southwest corner of the Thomas Paine Settlement Number One Corrective Plat recorded in Plat Book 95, Page 28 of the Plat Records of Montgomery County, Ohio, also being a point in the centerline of Bigger Road;

thence along a south line of said Thomas Paine Settlement and its eastward extension, South seventy-six degrees twelve minutes forty seconds (76° 12' 40") East for seven hundred fifteen and 00/100 (715.00) feet;

thence South thirteen degrees forty-seven minutes sixteen seconds (13° 47' 16") West for three hundred four and 99/100 (304.99) feet to a point in the

north right-of-way line of proposed Clyo Road;

thence along the north right-of-way line of proposed Clyo Road for the following five courses: North seventy-six degrees twelve minutes forty-four seconds ( $76^{\circ} 12' 44''$ ) West for one hundred ninety-three and 17/100 (193.17) feet;

thence on a curve to the left with a radius of one thousand fifty-six and 10/100 (1056.10) feet for an arc distance of two hundred fifty-seven and 58/100 (257.58) feet, [long chord bearing North eighty-three degrees eleven minutes fifty-eight seconds ( $83^{\circ} 11' 58''$ ) West for two hundred fifty-six and 94/100 (256.94) feet, central angle of said curve being thirteen degrees fifty-eight minutes twenty-seven seconds ( $13^{\circ} 58' 27''$ )];

thence South eighty-nine degrees forty-eight minutes forty-nine seconds ( $89^{\circ} 48' 49''$ ) West for one hundred fourteen and 70/100 (114.70) feet;

thence on a curve to the right with a radius of twenty and 00/100 (20.00) feet for an arc distance of thirty-one and 42/100 (31.42) feet, [long chord bearing North forty-five degrees eleven minutes eleven seconds ( $45^{\circ} 11' 11''$ ) West for twenty-eight and 28/100 (28.28) feet, central angle of said curve being ninety degrees no minutes no seconds ( $90-00'00''$ )];

thence South eighty-nine degrees forty-eight minutes forty-nine seconds ( $89^{\circ} 48' 49''$ ) West for forty-three and 00/100 (43.00) feet to a point in the centerline of Bigger Road, also being an existing zoning line;

thence along the centerline of Bigger Road and said existing zoning line, North no degrees eleven minutes eleven seconds ( $00^{\circ} 11' 11''$ ) West for three hundred seventy and 73/100 (370.73) feet to the point of beginning, containing five and 0/10 (5.0) 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.

This description was compiled from office and record information and is not the result of a complete field survey.

And by changing the zoning of the following described property from Centerville R-PD classification to Centerville R-1C classification:

Located in Section 14, Town 2, Range 6, M.R.S., City of Centerville, County of Montgomery, State of Ohio, and being a tract of land to be rezoned shown on a plan entitled "Adjacent Property Owner Map, Clyo Road Master Plan, Hills Communities", said tract to be rezoned being described as follows:

Beginning at the most southerly corner of Thomas Paine Settlement Condominium Section Three, Parcel "D" recorded in Plat Book 106, Page 23-A of the Plat Records of Montgomery County, Ohio, also being a point in the north right-of-way line of proposed Clyo Road;

thence along the eastward extension of the southwest line of said Thomas Paine Settlement, South seventy-six degrees twelve minutes forty seconds ( $76^{\circ} 12' 40''$ ) East for four hundred ninety-seven and 91/100 (497.91) feet;

thence along an existing zoning line for the following five courses: South fifty degrees fifty-four minutes forty seconds ( $50^{\circ} 54' 40''$ ) West for two hundred seventy and 00/100 (270.00) feet;

thence South sixty-eight degrees nine minutes forty-seven seconds ( $68^{\circ} 09' 47''$ ) West for one hundred sixty and 00/100 (160.00) feet;

thence South fifty-five degrees fifty-one minutes forty-seven seconds ( $55^{\circ} 51' 47''$ ) West for one hundred fifteen and 00/100 (115.00) feet;

thence South thirty-nine degrees one minutes no seconds ( $39^{\circ} 01' 00''$ ) West for four hundred five and 00/100 (405.00) feet;

thence North thirty-five degrees fifty-nine minutes forty-five seconds ( $35^{\circ} 59' 45''$ ) West for thirty-seven and 48/100 (37.48) feet;

thence North six degrees one minutes twelve seconds ( $06^{\circ} 01' 12''$ ) West for one hundred thirty and 36/100 (130.36) feet;

thence on a curve to the right with a radius of three hundred twenty-four and 00/100 (324.00) feet for an arc distance of three hundred sixty-six and

67/100 (366.67) feet, [long chord bearing North thirty-eight degrees forty-nine minutes twelve seconds ( $38^{\circ} 49' 12''$ ) West for three hundred forty-seven and 42/100 (347.42) feet, central angle of said curve being sixty-four degrees fifty minutes thirty-two seconds ( $64^{\circ} 50' 32''$ )];

thence North six degrees twenty-three minutes fifty-six seconds ( $06^{\circ} 23' 56''$ ) West for one hundred forty-eight and 56/100 (148.56) feet to a point in the said north right-of-way line of proposed Clys Road;

thence along the north right-of-way line of proposed Clys Road, on a curve to the right with a radius of nine hundred sixty-six and 10/100 (966.10) feet for an arc distance of one hundred forty-five and 89/100 (145.89) feet, [long chord bearing North eighty-eight degrees fifty minutes forty-three seconds ( $88^{\circ} 50' 43''$ ) West for one hundred forty-five and 75/100 (145.75) feet, central angle of said curve being eight degrees thirty-nine minutes nine seconds ( $08^{\circ} 39' 09''$ )];

thence North thirteen degrees forty-seven minutes sixteen seconds ( $13^{\circ} 47' 16''$ ) East for two hundred ninety-four and 85/100 (294.85) feet;

thence along the westward extension of the southwest line of said Thomas Paine Settlement, South seventy-six degrees twelve minutes forty seconds ( $76^{\circ} 12' 40''$ ) East for five hundred eighty-seven and 09/100 (587.09) feet to the point of beginning, containing ten and 1/10 (10.1) 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.

This description was compiled from office and record information and is not the result of a complete field survey.

And by changing the zoning of the following described property from Centerville R-1C classification to Centerville R-PD classification:

Located in Section 14, Town 2, Range 6, M.R.S., City of Centerville, County of Montgomery, State of Ohio, and being a tract of land to be rezoned shown on a plan entitled "Adjacent Property Owner Map, Clys

Road Master Plan, Hills Communities", said tract to be rezoned being described as follows:

Beginning at a southwest corner of Thomas Paine Settlement Number One Corrective Plat recorded in Plat Book 95, Page 28 of the Plat Records of Montgomery County, Ohio, said corner being in the centerline of Bigger Road;

thence along the centerline of Bigger Road, South no degrees eleven minutes eleven seconds ( $00^{\circ} 11' 11''$ ) East for one thousand thirty-seven and 73/100 (1037.73) feet to a corner in an existing zoning line, said corner being the TRUE POINT OF BEGINNING of the herein described zoning tract;

thence continuing along said existing zoning line for the following nine courses: South eighty-five degrees three minutes thirty-two seconds ( $85^{\circ} 03' 32''$ ) East for two hundred eighty and 00/100 (280.00) feet;

thence South sixty-one degrees fifty-five minutes thirty-four seconds ( $61^{\circ} 55' 34''$ ) East for sixty-five and 00/100 (65.00) feet;

thence North forty-three degrees fifty-nine minutes thirty-four seconds ( $43^{\circ} 59' 34''$ ) East for one hundred sixty and 00/100 (160.00) feet;

thence South seventy-seven degrees four minutes fifty-five seconds ( $77^{\circ} 04' 55''$ ) East for one hundred seventy-five and 00/100 (175.00) feet;

thence North forty-seven degrees forty minutes forty-eight seconds ( $47^{\circ} 40' 48''$ ) East for one hundred seventy and 00/100 (170.00) feet;

thence South seventy-two degrees twenty-four minutes fifty-seven seconds ( $72^{\circ} 24' 57''$ ) East for one hundred thirty and 00/100 (130.00) feet;

thence North seventy-seven degrees sixteen minutes five seconds ( $77^{\circ} 16' 05''$ ) East for one hundred thirty-five and 00/100 (135.00) feet;

thence North sixty-seven degrees twenty-six minutes thirty-six seconds ( $67^{\circ} 26' 36''$ ) East for one hundred forty and 00/100 (140.00) feet;

thence South thirty-five degrees fifty-nine minutes forty-five seconds ( $35^{\circ} 59' 45''$ ) East for two hundred sixty-seven and  $52/100$  (267.52) feet;

thence South six degrees one minutes twelve seconds ( $06^{\circ} 01' 12''$ ) East for one hundred ninety-eight and  $95/100$  (198.95) feet;

thence on a curve to the right with a radius of two hundred sixteen and  $00/100$  (216.00) feet for an arc distance of one hundred sixteen and  $63/100$  (116.63) feet, [long chord bearing South nine degrees twenty-six minutes fifty-five seconds ( $09^{\circ} 26' 55''$ ) West for one hundred fifteen and  $22/100$  (115.22) feet, central angle of said curve being thirty degrees fifty-six minutes thirteen seconds ( $30^{\circ} 56' 13''$ )];

thence South twenty-four degrees fifty-five minutes three seconds ( $24^{\circ} 55' 03''$ ) West for fifty-three and  $20/100$  (53.20) feet;

thence on a curve to the right with a radius of three hundred eighty-eight and  $49/100$  (388.49) feet for an arc distance of sixty-eight and  $53/100$  (68.53) feet [long chord bearing South twenty-nine degrees fifty-eight minutes fifteen seconds ( $29^{\circ} 58' 15''$ ) West for sixty-eight and  $44/100$  (68.44) feet, central angle of said curve being ten degrees six minutes twenty-six seconds ( $10^{\circ} 06' 26''$ )];

thence on a curve to the right with a radius of two hundred seventy-six and  $00/100$  (276.00) feet for an arc distance of three hundred thirty-nine and  $68/100$  (339.68) feet, [long chord bearing South seventy degrees sixteen minutes fifty-four seconds ( $70^{\circ} 16' 54''$ ) West for three hundred eighteen and  $64/100$  (318.64) feet, central angle of said curve being seventy degrees thirty minutes fifty-two seconds ( $70^{\circ} 30' 52''$ )];

thence North seventy-four degrees twenty-seven minutes forty seconds ( $74^{\circ} 27' 40''$ ) West for two hundred forty-eight and  $17/100$  (248.17) feet;

thence on a curve to the right with a radius of two hundred sixteen and  $00/100$  (216.00) feet for an arc distance of two hundred seven and  $85/100$  (207.85) feet, [long chord bearing North forty-six degrees fifty-three minutes forty seconds ( $46^{\circ} 53' 40''$ ) West

for one hundred ninety-nine and 92/100 (199.92) feet, central angle of said curve being fifty-five degrees eight minutes no seconds (55° 08' 00" ]];

thence on a curve to the left with a radius of four hundred fifty-four and 00/100 (454.00) feet for an arc distance of two hundred fifty-seven and 95/100 (257.95) feet, [long chord bearing North thirty-five degrees thirty-six minutes seventeen seconds (35° 36' 17") West for two hundred fifty-four and 50/100 (254.50) feet, central angle of said curve being thirty-two degrees thirty-three minutes fourteen seconds (32° 33' 14" ]];

thence South thirty-eight degrees seven minutes six seconds (38° 07' 06") West for one hundred twenty-four and 00/100 (124.00) feet;

thence on a curve to the left with a radius of three hundred thirty and 00/100 (330.00) feet for an arc distance of two hundred twenty and 62/100 (220.62) feet, [long chord bearing North seventy-one degrees two minutes three seconds (71° 02' 03") West for two hundred sixteen and 53/100 (216.53) feet, central angle of said curve being thirty-eight degrees eighteen minutes seventeen seconds (38° 18' 17" ]];

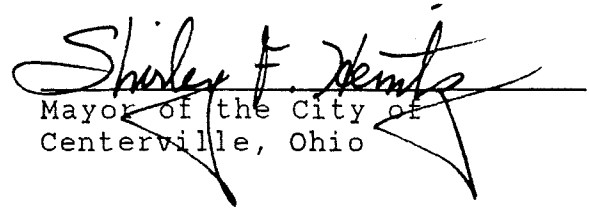
thence South eighty-nine degrees forty-eight minutes forty-nine seconds (89° 48' 49") West for one hundred sixteen and 10/100 (116.10) feet to a point in the centerline of Bigger Road, also being an existing zoning line;

thence along the centerline of Bigger Road and the said existing zoning line, North no degrees eleven minutes eleven seconds (00° 11' 11") West for one hundred eighty and 62/100 (180.62) feet to the TRUE POINT OF BEGINNING, containing thirteen and 0/10 (13.0) 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.

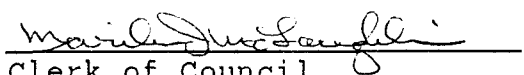
This description was compiled from office and record information and is not the result of a complete field survey.

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

PASSED THIS 16th day of April, 1990.

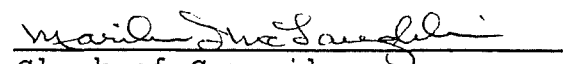
  
Mayor of the City of  
Centerville, Ohio

ATTEST:

  
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. 2-90, passed by the Council of the City of Centerville, Ohio on the 16th day of April, 1990.

  
Clerk of Council

Approved as to form, consistency,  
with existing ordinances, the  
charter & constitutional provisions.  
Department of Law  
Robert N. Farquhar  
Municipal Attorney

cville@zoning.3