

ORDINANCE NO. 17-89  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER J. V. Stoue ON THE  
15th DAY OF January, 1989.

AN ORDINANCE AMENDING ORDINANCE NUMBER 11-86 DATED JULY 21, 1986, THE ZONING ORDINANCE BY REZONING 1.0789 ACRES MORE OR LESS, FROM R-1d CLASSIFICATION TO CENTERVILLE OFFICE SERVICE 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, be, and the same hereby is revised as follows:

By changing the zoning of the following described property from R-1d classification to Centerville office service classification:

TRACT I:

Situate in the City of Centerville, Township of Washington, County of Montgomery, and State of Ohio, and being a part of the Northwest Quarter of Section 30, Town 3, Range 5 MRs., and described as follows:

Beginning at a point in the center of the Miamisburg-Centerville Pike 110 feet distant East of the Northwest corner of the Northwest Quarter of said Section 30, as described in Deed Book 773, Page 141 of the deed records of Montgomery County; thence parallel with the West line of said Quarter Section South 1 degree West 204.5 feet to an iron pin; thence North 84 degrees 20 minutes East 129.13 feet to a point in the West line of a proposed 50 foot street; thence with the West line of said proposed street North 4 degrees 5 minutes West 204.3 feet to an iron pin in the center of the Miamisburg-Centerville Pike; thence South 84 degrees 20 minutes West 110 feet to the place of beginning, containing .558 acre, more or less.

Subject to a perpetual easement and right-of-way for public highway and road purposes as described in Deed Book 2199, Page 355 of the records of Montgomery County, Ohio.

TRACT II:

Situate in the City of Centerville, Township of Washington, County of Montgomery, and State of Ohio, and being a part of the Northwest Quarter of Section 30, Town 3, Range 5 MRs., and described as follows:

Beginning at a point in the Northwest Quarter of Section 30, and on the center line of the Miamisburg and Centerville Pike, as described in Deed Book 773, Page 141 of the Deed Records of Montgomery County; thence with the west line of said Quarter South 1 degree West 204.5 feet to an iron pin; thence North 84 degrees 20 minutes East 110 feet to an iron pin; thence north 1 degree East 204.5 feet to an iron pin in the center of the Miamisburg and Centerville Pike, thence South 84 degrees 20 minutes West 110 feet to the place of beginning, containing .5129 acres, more or less.

Subject, however, to a permanent easement granted for highway purposes by the Grantors herein to the State of Ohio on the 14th day of April, 1964 being in and upon the parcel of land herein before described and which is more particularly described as follows:

Situate in Montgomery County, Ohio, City of Centerville, Section 30, Town 3, Range 5 MRs., and bounded and described as follows:

Being a parcel of land lying on the right and left sides of the centerline of a survey, made by the Department of Highways, and recorded in Book 68, Page 13, of the records of Montgomery County and being located within the following described points in the boundary thereof:

Beginning at the Grantors' Northwesterly property corner, said point being the Northwesterly corner of Section 30, thence North 86 degrees 46 minutes 15 seconds East along the Grantors' Northerly property line and along the Northerly line of said Section 30 a distance of 110.78 feet; thence South 3 degrees 42 minutes West a distance of 34.50 feet to a point in the proposed Southerly right of way line of S.R. 725; thence South 86 degrees 40 minutes West along the proposed right of way line of S.R. 725, a distance of 41.64 feet to a point; thence South 75 degrees 59 minutes 21 seconds West a distance of 71.39 feet to a point in the Grantors' Westerly property line, said point also being in the Westerly line of Section 30; thence North 3 degrees 21

minutes 30 seconds East along said Westerly line, a distance of 46.74 feet to the place of beginning.

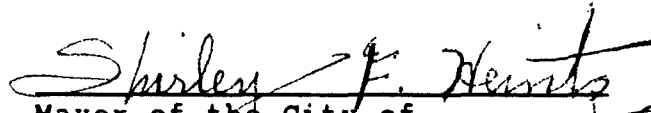
It is understood that the strip of land above described contains 0.013 acres, more or less, exclusive of the present road which occupies 0.084 acres, more or less.

Said easement hereinbefore referred to is recorded in Deed Book 2204, Page 88 of the records of Montgomery County, Ohio.

This conveyance is made subject to the same conditions and restrictions, if any, as contained in all previous conveyances in effect at this date.

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

PASSED THIS 15th day of January, 1989.

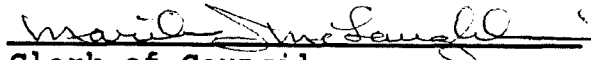
  
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Mayor of the City of  
Centerville, Ohio

ATTEST:

  
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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. 17-89, passed by the Council of the City of Centerville, Ohio on the 15th day of January, 1989.

  
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Clerk of Council

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