

ORDINANCE NO. 84-75

CITY OF CENTERVILLE, OHIO

Sponsored By Councilman Woodward Stubbs on the 15th day
of December, 1975.

AN ORDINANCE AMENDING ORDINANCE NO. 15 DATED DECEMBER 11, 1961, THE ZONING ORDINANCE, BY RE-ZONING 4.350 ACRES, MORE OR LESS, AND ALSO LOTS 22 AND 23 IN GORMAN'S SUBDIVISION, FROM CENTERVILLE R-1 CLASSIFICATION TO CENTERVILLE ARCHITECTURAL PRESERVATION CLASSIFICATION.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the zoning map attached to Ordinance No. 15, passed on the 11th day of December, 1961, and as subsequently amended, be, and the same hereby is, revised as follows:

By changing the zoning of the following described property from Centerville R-1 Classification to Centerville Architectural Preservation Classification:

Situate in the City of Centerville, Township of Washington, County of Montgomery and State of Ohio and being in Section 25, Town 2, Range 6 MRs, bounded and described as follows:

Being in the Southwest quarter of Section 25, Town 2, Range 6 MRs, described as follows: Beginning on the West line of said Section 25 at the intersection of Normandy Lane with the centerline of Cross Street; thence with the centerline of Normandy Lane and the West line of said Section 25, North $1^{\circ} 15'$ West for 272.20 feet to the Southwest corner of land conveyed to Leona M. Hemberger by deed described in Book 1028, page 491, in the Deed Records of Montgomery County, Ohio; thence with the South line of said Hemberger land North $88^{\circ} 45'$ East for 230.00 feet to the Southeast corner of said Hemberger land; thence with the Southward extension of the East line of said Hemberger land and its extension, said extension being the West line of land conveyed to Jacob N. Markel by deed described in Book 855, page 575, in the Deed Records of Montgomery County, Ohio, South $1^{\circ} 15'$ East for 210.00 feet to an angle in the West line of said Markel land; thence still with the West line of said Markel land, South $7^{\circ} 56'$ East for 35.00 feet to the Southwest corner of said Markel land, said Southwest corner being in the said centerline of Cross Street; thence with the said centerline of Cross Street, South $82^{\circ} 04'$ West for 235.67 feet to the point of beginning, containing 1.37 acres, more or less. EXCEPTING from the above described premises, the part conveyed to Richard J. Gleuckert and Virginia I. Gleuckert by deed recorded in Deed Record 1636, page 384, Montgomery County Records, more fully bounded and described as follows: Situate in the Village of Centerville, Township of Washington, County of Montgomery and State of Ohio, being a part of Section 25, Town 2, Range 6 MRs, bounded and described as follows: Beginning at a point in the West line of Section 25 and in the center of Normandy Lane, said point being referenced South $01^{\circ} 15'$ West, 172.20 feet to the southwest corner of said Section 25; thence from said beginning point along the center of said Normandy Lane with the West line of said Section 25, North $01^{\circ} 15'$ West, 100 feet to a point common to lands

of Carl H. and Inez E. Taylor; thence leaving said Normandy Lane and the West line of said Section 25 and running with the South line of said Taylor, North 88° 45' East, 230 feet, passing an iron pipe referenced at 30.00 feet to an iron pipe marking the Southeast corner of lands of said Taylor; thence leaving lands of said Taylor and running in part with lands of Florence M. Worley and in part with lands of J. N. Markel, Deed Book 855, page 575, South 01° 15' East, 100.00 feet to an iron pipe in the West line of said Markel; thence leaving lands of said Markel and running entirely within lands of subject owner, South 88° 45' West, 230 feet passing an iron pipe referenced at 200.00 feet to the place of beginning, containing 0.528 acres, more or less. ALSO EXCEPTING from the above described premises, the part conveyed to State of Ohio by deed recorded in Deed Record 2199, page 357, Montgomery County Records, bounded and described as follows: Beginning at the grantor's Southwesterly property corner, said point being the Southwesterly corner of Section 25; thence North 3° 26' East along the grantor's Westerly property line and along the Westerly line of said Section 25, for a distance of 101.08 feet; thence South 84° 08' 04" East for a distance of 30.03 feet to a point in the existing Easterly right of way line of Normandy Lane; thence South 29° 46' 18" East a distance of 52.49 feet to the property Northerly right of way line of S. R. 725; thence South 88° 37' 21" East along said right of way line a distance of 170.59 feet to the grantor's Easterly property line; thence South 3° 00' East a distance of 35.00 feet to the grantor's Southeasterly property corner; said point being in the Southerly line of Section 25; thence South 86° 46' 15" West along the grantor's Southerly property line and along said Southerly Section line a distance of 234.73 feet to the place of beginning, containing 0.050 acres, exclusive of present road which occupies 0.232 acres, being a perpetual easement and right of way for highway and road purposes.

And the following described property:

Situate in the City of Centerville, Township of Washington, County of Montgomery, State of Ohio, and being the entire interest in the following described real estate: Being in the southwest quarter of Section 25, Town 2, Range 6, MRs.; described as follows: Beginning in the centerline of Cross Street at a point two hundred thirty-five and 67/100 (235.67) feet eastwardly from the southwest corner of land belonging to grantor herein as described in Book 619, Page 430 of the Deed Records of Montgomery County, Ohio; thence North seven degrees fifty-six minutes (7° 56') West for thirty-five and 00/100 (35.00) feet; thence North one degree fifteen minutes (1° 15') West for two hundred one and 37/100 (201.37) feet; thence North eighty-two degrees four minutes (82° 04') East for one hundred five and 00/100 (105.00) feet; thence South five degrees fifty-six minutes (5° 56') East for two hundred thirty-five and 14/100 (235.14) feet; thence with the centerline of Cross Street, South eighty-two degrees four minutes (82° 04') West for one hundred twenty and 25/100 (120.25) feet to the point of beginning containing no and 62/100 (0.62) acres more or less.

And the following described property:

Situate in Section 25, Town 2, Range 6 MRs, City of Centerville, Montgomery County, Ohio and being more particularly described as follows:

Beginning at a point on the centerline of West Franklin Street (State Route 725) located N 82° 04' 00" E, a

distance of 355.92 feet from the southwest corner of said Section 25 and the centerline of Normandy Lane, said place of beginning also being the southeast corner of the Walter C. and Betty R. Buchsieb 0.62 acre tract as recorded in Microfiche 73-199-C04 of the Montgomery County Deed Records;

thence from said place of beginning N 5° 56' 00" W with the east line of the Buchsieb tract and passing an iron pin at 35.02 feet from the centerline, a distance of 235.14 feet to an iron pin in a tree; thence N 82° 04' 00" E, a distance of 101.80 feet to an iron pin at the northwest corner of the Jack N. and E. Blodwyn Leshar 0.459 acre tract as recorded in Microfiche 73-397-A07 of the Montgomery County Deed Records; thence S 7° 56' 00" E, with the west line of the Leshar tract and passing an iron pin at 200.00 feet, a distance of 235.00 feet to the centerline of Franklin Street; thence S 82° 04' 00" W with the centerline a distance of 110.00 feet to the place of beginning containing 0.571 acres, more or less.

And the following described property:

Situate in the City of Centerville, County of Montgomery and State of Ohio, and located in Section 25, Town 2, Range 6 MRs., and being part of the 1.11 acre tract conveyed to Alberta L. Kelsey as described in Deed Book 2166, Page 226, of the Montgomery County, Ohio Records, more particularly described as follows:

Beginning at the southeast corner of said 1.11 acre tract and in the centerline of West Franklin Street; thence South 82° 04' West, along the south line of said 1.11 acre tract and the centerline of West Franklin Street, a distance of 100.00 feet; thence North 5° 56' West, passing an iron pipe at a distance of 35.00 feet, a distance of 235.14 feet to an iron pipe in the north line of said 1.11 acre tract; thence North 82° 04' East, along the north line of said 1.11 acre tract, a distance of 100.00 feet to a concrete monument at the northeast corner thereof; thence South 5° 56' East, along the east line of said 1.11 acre tract, passing a concrete monument at a distance of 200.14 feet, a distance of 235.14 feet to the place of beginning. Containing 0.459 acres more or less.

And the following described property:

Situated in the Village of Centerville, Township of Washington, County of Montgomery and State of Ohio, and being part of the southwest quarter of Section 25, Township 2, Range 6 MRs., and bounded and described as follows: Beginning at the intersection of the northerly line of Franklin Street and the westerly line of Hampton Road; thence Westerly along the northerly line of Franklin Street, 205 feet; thence north 7 degrees 56 minutes west 202 feet; thence north 82 degrees 4 minutes east for 249.19 feet to the westerly line of Hampton Road; thence southerly along the westerly line of Hampton Road, 206.45 feet to the place of beginning and being further known as lots 22 and 23 in Gorman's proposed subdivision.

And the following described property:

Situated in the County of Montgomery, in the State of Ohio and in the Village of Centerville: and being in the southwest quarter of Section 25, Town 2, Range 6 M.R.S.

described as follows: Beginning in the center line of Cross Street at a point 100 feet westwardly from the southwest corner of land belonging to James F. Presbaugh as recorded in Book 842, page 564 in the Deed Records of Montgomery County, Ohio; thence with the center line of Cross Street, south 82° 4' West for 115 feet; thence North 7° 56' west for 35 feet; thence in a northerly direction on a curve to the right with a radius of 424.72 feet for 208.25 feet, said curve at point of beginning being tangent to last course, thence North 82° 04' East for 64.96 feet to a point 100 feet westwardly from the northwest corner of said Presbaugh land; thence parallel with and 100 feet from the west line of said Presbaugh land, south 7° 56' East for 235 feet to the point of beginning, containing 0.55 acres more or less but subject to all legal highways. Curve distance is measured on the arc.

And the following described property:

Situate in the City of Centerville, in the County of Montgomery and State of Ohio, and being in the southwest quarter of Section 25, Town 2, Range 6 MRS., and described as follows: Beginning in the centerline of Cross street at a point 200 feet westwardly from the Southwest corner of a 1.00 acre tract of land belonging to Louise Hill. Said point of beginning being the Southwest corner of a 0.54 acre tract of land belonging to James F. Presbaugh as described in Book 842, Page 564 in the Deed Records of Montgomery County; thence with the centerline of Cross street South 82° 04' West for 100 feet to a point, said point being the Southeast corner of an 0.55 acre tract of land belonging to Marguerite C. Sauerbrun as described in Book 1040, Page 170 in the Deed Records of Montgomery County; thence with the East line of said Sauerbrun land North 7° 56' West for 235 feet to the Northeast corner of said Sauerbrun land; thence parallel to and 235 feet from the centerline of Cross street North 82° 04' East for 100 feet to the Northwest corner of said Presbaugh land; thence with the West line of said Presbaugh land South 7° 56' East for 235 feet to the place of beginning, containing .54 acres, more or less.

And the following described property:

Situate in the City of Centerville, Washington Township, Montgomery County, Ohio: Being in the southwest quarter of Section 25, Town 2, Range 6 MR's, being part of the same premises described in the conveyance from Sidney M. Davis, deceased to Louise Hill, deed dated December 27, 1928, and as recorded in Deed Book 626, Page 212 of the deed records of Montgomery County, Ohio: being bounded and more particularly described as follows: Beginning at an iron pin in the centerline of West Franklin Street (formerly known as Cross Street) and being Westward from the southwest corner of lot No. 32 of the Robbins Plat of Centerville, a distance of 304.92 feet, formerly Martha Crosby's lot: Said beginning point is south 82 deg. 04 min. West with said centerline of West Franklin Street, a distance of 5.47 feet from the northeast corner of a plat known as Boyles Addition to Centerville, and as recorded in Plat Book "AA", page 47 of the plat records of Montgomery County, Ohio: thence from above said beginning point south 82 deg. 04 min. west with centerline of West Franklin Street and south line of said section a distance of 201.28 feet to a distance of 20.75 feet from an iron pin at the northwest corner of above said plat known as Boyles Addition to Centerville: thence north 7 deg. 56 min. west,

with the east line of Warren E. and Ethel Marie Espy's 0.54 acre tract, as recorded in Deed Book 897 page 102 of deed records of said County, a distance of 207.94 feet to an iron pin: thence north 82 deg. 04 min. east, with Jay E. and Alma S. Minnich's south line and Carl F. and Betty L. Lights south line and Ruth C. Lang's (deceased) south line a distance of 217.83 feet, to an iron pin: thence south 3 deg. 01 min. east with west line of Noble R. Miller's 1.0 acre tract, a distance of 208.60 feet to the place of beginning, containing One (1) acre, more or less.

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

PASSED this 15th day of December, 1975.

[Signature]
Mayor of the City of Centerville, Ohio

ATTEST:

[Signature]
Clerk of the Council of the
City of Centerville, Ohio

C E R T I F I C A T E

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 80-75, passed by the Council of the City of Centerville, Ohio, on the 15th day of December, 1975.

Approved as to form, consistency
with existing laws, and the
charter of the City of Centerville.

[Signature]
Robert H. Fairman
Municipal Attorney

[Signature]
Clerk of the Council