

Ordinance No. 11-72

Passed March 20, 1972 19

ORDINANCE NUMBER 11-72

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN JOHN MCINTIRE ON THE 20th DAY OF MARCH, 1972.

AN ORDINANCE AMENDING ORDINANCE NO. 15 DATED DECEMBER 11, 1961, THE ZONING ORDINANCE, BY REZONING THE LAND DESCRIBED IN SECTION 1 TO CENTERVILLE ARCHITECTURAL PRESERVATION DISTRICT 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 from the existing zoning classification to Centerville Architectural Preservation District Classification:

Beginning at the intersection of the east right-of-way line of North Main Street (State Route 48) and the south right-of-way line of Zengel Drive;

thence eastwardly, along the south right-of-way line of Zengel Drive, to its intersection with the northwardly extension of the east line of lands owned by the Medical South Company, as recorded in Deed Book 2511, page 178;

thence southwardly, along the east line of said Medical South Company lands and its northwardly extension, to its southeast corner, said corner being on the south line of lands owned by Zengel Builders, Inc., as recorded in Deed Book 2291, page 51;

thence eastwardly, along the south line of said Zengel Builders lands and along the south line of Lot 126 in the Pleasant Hill Plat, Section 5 as recorded in Plat Book 62, page 40, to the northeast corner of lands owned by Trustees Cent. Cem. Assn. as recorded in Deed Book 104, page 562;

thence southwardly, along the east line of said Cent. Cem. Assn. lands, to its southeast corner;

thence westwardly, along the south line of said Cent. Cem. Assn. lands, to the northeast corner of lands owned by Zengel Builders, Inc. as recorded in Deed Book 2220, page 58;

thence southwardly, along the east line of said Zengel Builders, lands, across Bradstreet Road, and along the east line of lands owned by Richard E. Ackney as recorded in Deed Book 2171, page 235 to its southeast corner, said corner being on the north line of lands owned by the First National Bank, Miamisburg, Ohio, as recorded in Deed Book 2516, page 2;

thence eastwardly, along the north line of said First National Bank lands, to its northeast corner;

thence southwardly, along the east line of said First National Bank lands, Dorothy D. Gerber lands as recorded in Deed Book 2230, page 664 and Deed Book 1356, page 487 to the southeast corner of said Gerber lands recorded in Deed Book 1356, page 487, said corner being also on the north line of the F. L. Arnold Plat as recorded in Plat Book 75, page 69;

thence eastwardly, along the north line of the F. L. Arnold Plat, to the west right-of-way line of Maple Street;

thence southwestwardly, along the west right-of-way line of Maple Street, to the south line of the F. L. Arnold Plat, said South line being also the north line of lands owned by Marbella Associates as recorded in Deed Book 2479, page 733;

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thence continuing southwestwardly, across said Marbella Associates lands, to the northeast corner of lands owned by Nellie L. Lawrie as recorded in Deed Book 1825, page 217;

thence southwardly, along the east line of said Lawrie lands and its southwardly extension, to the west right-of-way line of Maple Avenue;

thence continuing southwardly, along the west right-of-way line of Maple Avenue, to its intersection with the westwardly extension of the south line of Lot 104 in Weidner's Addition as recorded in Plat Book "X", page 1;

thence eastwardly, along the south line of said Lot 104 and its westwardly extension and along the south line of Lots 93 thru 102 in Said Weidner's Addition, to the west right-of-way line of Cemetery Drive;

thence southwardly, along the west right-of-way line of Cemetery Drive and its southwardly extension, to the south right-of-way line of East Franklin Street;

thence westwardly, along the south right-of-way line of East Franklin Street, to the east line of a 0.34 acre tract as recorded in Deed Book 2395, page 81;

thence southwardly, along the east line of said 0.34 acre tract, to its southeast corner;

thence westwardly, along the south line of said 0.34 acre tract, and along the south line of three 0.17 acre tracts as recorded in Deed Book 2027, page 154, Deed Book 2276, page 153 and Deed Book 2435, page 349, across East Avenue, and continuing westwardly, along the south line of six 0.17 acre tracts as recorded in Deed Book 2151, page 381, Deed Book 2302, page 117, Deed Book 685, page 364, Deed Book 1040, page 577, Deed Book 2007, page 135 and Deed Book 1303, page 389, and along the south line of a 0.222 acre tract as recorded in Deed Book 2513, page 682 to the southwest corner of said 0.222 acre tract, said corner being also the northwardly extension of the west line of a 0.396 acre tract as recorded in Deed Book 2057, page 231;

thence southwardly, along the west line of said 0.396 acre tract and its northwardly extension, to the north right-of-way line of Weller Avenue;

thence westwardly, along the north right-of-way line of Weller Avenue, to its intersection with the northwardly extension of the east line of a 16 foot alley in Lucas Park Subd. as recorded in Plat Book "U", page 25;

thence southwardly, along the east line of said alley, its northwardly extension and its southwardly extension, to the south right-of-way line of Martha Avenue;

thence eastwardly, along the south right-of-way line of Martha Avenue to the northwest corner of lands owned by Charles and Opal Mendenhall as recorded in Deed Book 904, page 29;

thence southwardly, along the west line of said Mendenhall lands and along the west line of Lots 474 thru 478 in the Son Development Co. Plat, No. 3, Section 5 as recorded in Plat Book 62, page 34, to the southwest corner of Lot 474, said corner being also the northeast corner of Lot 472 in said Plat;

thence westwardly, along the north line of said Lot 472, a distance of 150.15 feet to an angle point;

thence southwestwardly, along the rear line of Lots 471 and 472 in said Plat, a distance of 118.55 feet to an angle point;

thence southwardly, along the rear line of Lots 470 and 471 in said Plat, a distance of 100.00 feet to the north line of Lot

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467 in said Plat;

thence westwardly, along the north line of said Lot 467 and its westwardly extension, to the centerline of South Main Street (State Route 48);

thence continuing westwardly, across South Main Street (State Route 48), to a point of curvature in the south line of Lot 249 in the Son Development Co. Plat No. 3, Section 1 as recorded in Plat Book "ZZ", page 31 and 32, said point of curvature being also on the north right-of-way line of Edenhurst Drive;

thence continuing westwardly, along the north right-of-way line of Edenhurst Drive, to the southwest corner of said Lot 249;

thence northwardly, along the west line of said Lot 249, a distance of 101.00 feet to an angle point;

thence northeastwardly, along the west line of said Lot 249, a distance of 23.15 feet, to its northwest corner, said corner being also an angle point on the east line of Lot 353 in the Son Development Co. Plat No. 3, Section 3 as recorded in Plat Book 61, pages 10 and 11;

thence northwardly, along the east line of said Lot 353, across Peach Grove Avenue and along the east line of Lots 354 thru 356 in said Plat, to the most northeasterly corner of Lot 356;

thence westwardly, along the north line of Lots 356 thru 358 in said Plat, a distance of 422.86 feet to an angle point in the north line of Lot 358, said point being also an angle point on the east line of Lot 376 in said Plat;

thence northwardly, along the east line of said Lot 376, across Westerly Drive and along the east line of Lot 377 in said Plat, a distance of 273.00 feet to the northeast corner of Lot 377;

thence westwardly, along the north line of Lots 377 thru 379 in said Plat, to the southeast corner of Lot 173 in the Boyles Addition as recorded in Plat Book "AA", page 47;

thence northwardly, along the east line of said Lot 173, to the south right-of-way line of Jeanette Avenue;

thence eastwardly and northwardly, along the south right-of-way line of Jeanette Avenue, around a curve to the left, and along the east right-of-way line of Westerfield Drive, to its intersection with the eastwardly extension of the north right-of-way line of White Birch Road;

thence westwardly, along the north right-of-way line of White Birch Road and its eastwardly extension, to the east right-of-way line of Virginia Avenue;

thence northwardly, along the east right-of-way line of Virginia Avenue, to the south right-of-way line of West Franklin Street (State Route 725);

thence eastwardly, along the south right-of-way line of West Franklin Street (State Route 725), to its intersection with the southwardly extension of the west line of a 1.00 acre tract as recorded in Deed Book 2409, page 379;

thence northwardly, along the west line of said 1.00 acre tract and its southwardly extension, to its northwest corner, said corner being also on the south line of a 0.53 acre tract as recorded in Deed Book 1854, page 561;

thence eastwardly, along the south line of the following tracts, said 0.53 acre tract, 0.54 acre tract as recorded in Deed Book 1738, page 362, 0.43 acre tract as recorded in Deed Book 1998, page 204, 0.54 acre tract as recorded in Deed Book 2200,

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page 28, 0.67 acre tract as recorded in Deed Book 2107, page 292, 0.51 acre tract as recorded in Deed Book 2091, page 356, and a 0.26 acre tract as recorded in M.F. 71-223E03, to the southeast corner of said 0.26 acre tract;

thence northwardly, along the east line of said 0.26 acre tract and along the east line of a 0.52 acre tract as recorded in Deed Book 1390, page 150, to an angle point in the east line of said 0.52 acre tract, said angle point being also the southwest corner of a 0.44 acre tract as recorded in Deed Book 2312, page 252;

thence northwestwardly, along the west line of said 0.44 acre tract and its northwestwardly extension, to the north right-of-way line of Davis Road, said north right-of-way line being also the south line of a 2.614 acre tract as recorded in Deed Book 2441, page 305;

thence northwardly, across said 2.614 acre tract, to the southeast corner of a 0.90 acre tract as recorded in M.F. 71-301B03;

thence northwardly, along the east line of the following tracts, 0.90 acre tract, 0.92 acre tract as recorded in Deed Book 2449, page 728, Wythe Parish Condominium, Section 1 as recorded in Plat Book "91", page 14, and Terrace Villa, Section 2 as recorded in Plat Book "90", page 43, to the northeast corner of said Terrace Villa, Section 2, said corner being also the northwest corner of a 0.208 acre tract as recorded in Deed Book 2328, page 574;

thence eastwardly, along the north line of said 0.208 acre tract, to its northeast corner, said corner being also on the west line of a 0.441 acre tract as recorded in Deed Book 2028, page 663;

thence northwardly, along the west line of said 0.441 acre tract, to its northwest corner;

thence eastwardly, along the north line of said 0.441 acre tract, to its northeast corner, said corner being also on the west line of lands owned by Irene Cultice as recorded in Deed Book 2028, page 665;

thence northwardly, along the west line of said Cultice lands, to its northwest corner;

thence eastwardly, along the north line of said Cultice lands to the west right-of-way line of North Main Street (State Route 48);

thence northwardly, along the west right-of-way line of North Main Street (State Route 48), to the south line of a 0.457 acre tract as recorded in Deed Book 2102, page 747;

thence westwardly, along the south line of said 0.457 acre tract, to its southwest corner, said corner being also the southeast corner of a 4.219 acre tract as recorded in Deed Book 2505, page 369 thru 376;

thence northwardly, along the east line of said 4.219 acre tract, to its northeast corner, said corner being also the northwest corner of a 0.973 acre tract as described in Deed Book 2504, page 362 thru 368, said corner being also on the present Centerville Corporation line;

thence eastwardly, along the present Centerville Corporation line and the north line of said 0.973 acre tract and its eastwardly extension; to the east right-of-way line of North Main Street (State Route 48);

thence northwardly, along the east right-of-way line of North Main Street (State Route 48), to the south right-of-way line of Zengel Drive and the place of beginning.

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All deed references are from the Montgomery County, Ohio Deed Records on file at the Montgomery County Court House.

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

PASSED this 20th day of March, 1972.

ATTEST: /s/ Paul C. Hoy Mayor of the City of Centerville, Ohio

/s/ Marilyn J. McLaughlin Clerk of the Council of the City of Centerville, Ohio

CERTIFICATE

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. 11-72, passed by the Council of the City of Centerville, Ohio, on the 20th day of March, 1972.

/s/ Marilyn J. McLaughlin Clerk of the Council

Approved as to form, consistency with existing ordinances, the charter & constitutional provisions.

Department of Law Robert N. Farquhar Municipal Attorney