

ORDINANCE NUMBER 12-1962
VILLAGE OF CENTERVILLE, OHIO

AN ORDINANCE AMENDING ORDINANCE NUMBER 15-1961
OF THE CODE OF ORDINANCES OF THE VILLAGE OF
CENTERVILLE, OHIO, BY ADDING CERTAIN ADDITIONAL
ZONED AREAS THERETO.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF
CENTERVILLE, OHIO, THAT:

SECTION 1. The following described property be and the same is hereby zoned R-1.

East of Clys, both sides of Centerville Station Road.

Being in Section 19 and Section 13, Town 2, Range 6 MRs and in Section 18 and Section 24, Town 3, Range 5 MRs, and beginning at a point on the north line of said Section 24, which is the intersection of the centerline of clyo Road and Centerville Station Road; thence eastwardly on the north line of said Section 24 which is the south line of said Section 19 for 469 feet to a point on said line; thence northwardly parallel to the centerline of Clys Road to a point on the north line of property conveyed to Margaret C., John W., and Wilber S. McIntire by Deed recorded in Deed Book 1882, Page 177, of the Deed Records of Montgomery County, Ohio, said point being 469 feet eastwardly from the northwest corner of said McIntire property on the centerline of Clys Road; thence eastwardly along the north line of said McIntire property and with its eastward extension to the southwest corner of land conveyed to Black and Combs Construction Company by deed recorded in Book 1995, Page 235 in the Deed Records of Montgomery County, Ohio; thence northwardly with the west line of said Black and Combs Construction Company land to the northwest corner thereof; thence eastwardly with the north line of said Black and Combs Construction Company land and with its eastwardly extension to the northwest corner of land conveyed to Margaret Cynthia Young by deed recorded in Book 1900, Page 340 in the Deed Records of Montgomery County, Ohio; thence eastwardly with the north line of said Young land to the east line of said Montgomery County and the east line of said Section 13; thence southwardly with the east line of said Montgomery County and the east line of said Section 13 to the southeast corner of said Section 13 and the north line of said Section 18, thence eastwardly with the east line of said Montgomery County and with the north line of said Section 18 to the northeast corner of said Section 18; thence southwardly with the east line of said Montgomery County and with the east line of said Section 18 to the south line of land belonging to Mildred L. Fisher and the southeast corner of the northeast quarter of said Section 18; thence westwardly along the south line of the north half of said Section 18 to the southwest corner of the northwest quarter of said Section 18 which is the southeast corner of the northeast quarter of said Section 24; thence westwardly with the south line of the north half of said Section 24 to a point on the centerline of said Clys Road; thence northwardly on the centerline of said Clys Road to a starting point.

ALSO

East of Route 48, Between Whipp and Alexandersville Bellbrook Road.

Being Sections 26 and 20, Town 2, Range 6 MRs and starting at a point on the centerline of Whipp Road which is 800 feet eastwardly from the intersection of the centerlines of the Dayton-Lebanon Pike and Whipp Road; thence eastwardly with the centerline of said Whipp Road to the west right-of-way line of the Pennsylvania Railroad (C.L. & N. Division); thence southwardly with the west right-of-way line of said Pennsylvania Railroad to the south line of said Section 20 and the centerline of said Alexandersville Bellbrook Pike; thence westwardly with the south line of said Section and the centerline of said Alexandersville-Bellbrook Pike to the southwest corner of said Section 20, the southeast corner of said Section 26; thence continuing westwardly on the south line of said Section 26 to a point on the south line of said Section 26 which is 800 feet eastward on the intersection of the centerlines of the Dayton-Lebanon Pike and Alexandersville-Bellbrook Pike; thence northwardly parallel to and 800 feet from the centerline of the Dayton-Lebanon Pike to the starting point.

SECTION 2. The following described property be and the same is hereby zoned R-2.

South of Centerville Station Road and West of Clys.

Beginning at the northwest corner of Section 24, Town 3, Range 5 MRs in the centerline of Centerville Station Road; thence eastwardly with the north line of said Section 24, 2097.9 feet to the northwest corner of property conveyed to Dempsey A. and Edna M. Kerr by Deed recorded in Deed Book 1930, Page 287 of the Deed Records of Montgomery County Ohio; thence southwardly along the west line of said Kerr property and the east line of property conveyed to Frances I. Thomas by Deed recorded in Deed Book 1526, page 87, of the Deed Records of Montgomery County Ohio, to the south line of the northern half of said Section 24; thence westwardly along the south line of north half of said Section 24 to the southwest corner of the northwest quarter of said Section 24; thence northwardly with the west line of said Section 24 to the starting point.

East of Clyo and North of Centerville Station Road.

Being in Section 19, Town 2, Range 6 MRs and beginning at a point on the north line of property conveyed to Margaret C., John W. and Wilber S. McIntire by Deed recorded in Deed Book 1882, Page 177 of the Deed Records of Montgomery County Ohio, said point being 119 feet eastwardly of the northwest corner of said McIntire property on the centerline of Clyo Road; thence eastwardly with the said north line of said McIntire property 350 feet to a point; thence southwardly parallel to the centerline of Clyo Road to a point on the south line of said Section 19, 469 feet eastward from the intersection of said south line of said Section 19 and the centerline of said Clyo Road; thence westwardly along the south line of said Section 19, 350 feet to a point; thence northwardly on a line parallel to the centerline of Clyo Road to the starting point.

SECTION 3. The following described property be and the same is hereby zoned R-3.

East of Clyo Road and North of Centerville Station Road.

Being in Section 19, Town 2, Range 6 MRs and beginning at a point on the centerline of Clyo Road at the northwest corner of property conveyed to Margaret C., John W. and Wilber S. McIntire by Deed recorded in Deed Book 1882, Page 177 of the Deed Records of Montgomery County Ohio; thence proceeding eastwardly along the north line of said McIntire property for 119 feet to a point; thence southwardly on a line parallel to the centerline of Clyo Road to a point on the centerline of Centerville Station Road 119 feet east of the intersection of the centerline of Clyo Road and Centerville Station Road and being on the south line of Section 19, Town 2, Range 6 MRs; thence westwardly along the south line of said Section 19 to the intersection of the south line of said Section 19 and the centerline of said Clyo Road; thence northwardly on the centerline of said Clyo Road to the starting point.

SECTION 4. The following described property be and the same is hereby zoned as an Entrance Corridor Zone.

East of Route 48 and Between Whipp Road and Alexandersville-Bellbrook Pike.

Being in Section 26, Town 2 Range 6 MRs and beginning at a point on the centerline of Whipp Road at the northeast corner of land conveyed to the Siebenthaler Company by deed recorded in Deed Book 1832, Page 125 of the Deed Records of Montgomery County, Ohio; thence eastwardly along the centerline of Whipp Road to a point 800 feet eastwardly of the intersection of the centerlines of the Dayton-Lebanon Pike and Whipp Road; thence southwardly parallel to the centerline of the said Dayton-Lebanon Pike and 800 feet east of it to a point on the south line of said Section 26; thence westwardly along the centerline of Alexandersville-Bellbrook Pike which is the south line of said Section 26 to the centerline of the Dayton-Lebanon Pike; thence northwardly along the centerline of said Dayton-Lebanon Pike to a point which is the southwest corner of land conveyed to Charles H. Huber by deed recorded in Deed Book 1570, Page 516 of the Deed Records of Montgomery County Ohio; thence eastwardly on the south line of said Huber land to the southeast corner of said Huber land and said Siebenthaler land to the starting point.

SECTION 5. The following described property be and the same is hereby zoned B-2.

Southeast Corner Whipp Road and State Route 48.

Being in Sections 26, and 20, Town 2, Range 6 MRs Montgomery County, Ohio and starting at the intersection of the centerlines of Whipp Road and the Dayton-Lebanon Pike (State Route 48); thence eastwardly with the centerline of said Whipp Road 501.43 feet to the northeast corner of land conveyed to the Siebenthaler Company by deed recorded in Deed Book 1832, Page 125, of the Deed Records of Montgomery County Ohio; thence southwardly on the east line of said Siebenthaler Company property and on the east line of land conveyed to Charles H. Huber by deed recorded in Deed Book 1570, Page 516, of the Deed Records of Montgomery County, Ohio, to the southeast corner of said Charles H. Huber land; thence westwardly on the south line of said Charles H. Huber property to the centerline of the Dayton-Lebanon Pike (State Route 48); thence northwardly on the centerline of said Dayton-Lebanon Pike to the starting point.

SECTION 6. The following described property be and the same is hereby zoned as an Industrial Zone.

West of Clyo Road.

Beginning at a point on the centerline of the Centerville Station Road 604.42 feet west of the west right-of-way line of the Pennsylvania Railroad Company (C.L. & N. Division) and proceeding eastwardly with the north line of Section 24, Town 3, Range 5 MRs and the centerline of said Centerville Station Road to the west right-of-way line of said Pennsylvania Railroad; thence northwardly with the old Centerville Corporation line and with the west right-of-way line of said Pennsylvania Railroad to the point where said old Centerville Corporation line leaves the west right-of-way line of said Pennsylvania Railroad; thence eastwardly at right angles to said west right-of-way line to the east right-of-way line of said Pennsylvania Railroad and the west line of land conveyed to William M. Fox, Jr. et al by Deed recorded in Book 2028, Page 38 in the Deed Records of Montgomery County, Ohio; thence northwardly with said east right-of-way line and with the west line of said Fox land to the northwest corner of said Fox land; thence eastwardly with the north line of said Fox land to the centerline of Clyo Road and the west line of land conveyed to Margaret C., John W. and Wilber S. McIntire by Deed recorded in Book 1882, Page 177 in the Deed Records of Montgomery County, Ohio; thence southwardly with the centerline of said Clyo Road to a point on the south boundary of the north half of Section 24; thence westwardly along the south boundary of the north half of Section 24 to the southeast corner of land conveyed to Frances I. Thomas by Deed recorded in Book 1526, Page 87 in the Deed Records of Montgomery County, Ohio; thence along the east boundary of said Thomas land and the east line of land conveyed to Jane H. Magsig by deed recorded

in Deed Book 1503, Page 293, of the Deed Records of Montgomery County, to the startin point.

SECTION 7. Maps of the area herein zoned, marked Exhibit "A" attached and made a part hereof, has been submitted to the Planning Commission and approved.

SECTION 8. Any ordinance, resolution, or any part thereof, in conflict hereto is hereby rescinded and repealed.

SECTION 9. This ordinance shall take effect from the earliest period determined by law.

(Signed) William O. Gimbel
Mayor

(Signed) C. L. Stingley
President of Council

ATTEST:

(Signed) Charles G. Taylor, Jr.
Clerk-Treasurer

CERTIFICATE

The undersigned, Village Clerk of the Village of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance Number 62-12, passed by the Council of said Village on the 19th day of December, 1962.

(Signed) Charles G. Taylor, Jr.
Village Clerk

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ORDINANCE NUMBER 1-63
VILLAGE OF CENTERVILLE, OHIO

AN ORDINANCE AMENDING ORDINANCE NUMBER 16 DATED NOVEMBER 20, 1959, BY ADDING THERETO SECTION 28.241 TO THE CODE OF ORDINANCES OF THE VILLAGE OF CENTERVILLE, OHIO, REGULATING THE TRIMMING AND PLANTING OF TREES AND SHRUBS WITHIN THE VILLAGE OF CENTERVILLE, MONTGOMERY COUNTY, OHIO.

WHEREAS, it is necessary to provide for the regulation and control of the trimming and planting of trees and shrubs within the Village of Centerville, Montgomery County, Ohio,

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CENTERVILLE, MONTGOMERY COUNTY, OHIO, THAT:

SECTION 1. TREES DEFINED:

The word "Trees" as used in this Ordinance shall be construed to include shrubs.

SECTION 2. OVERHANGING TREES:

The owner of each lot or parcel of land within the Village of Centerville, Montgomery County, Ohio, upon which a tree stands with any part of said tree upon or overhanging a public thoroughfare, and the owner of each such lot or parcel of land abutting a public thoroughfare upon whic thoroughfare and in front of which lot or parcel of land a tree stands, shall conform to the following regulations:

(A) Said owner shall trim or cause to be trimmed, said tree, so that the same shall not obstruct the free passage of light from any street-light to the street, sidewalk and/or public thoroughfare.

(B) Said owner shall trim or cause to be trimmed, said tree, so that a clear height of thirteen and one-half feet between the lowest branches of the same and the street, alley, sidewalk or public thoroughfare is maintained.

(C) Said owner shall trim or remove, as the cause may require, every dead, decayed or broken tree hereinabove described, or part thereof, so that the same shall not fall to the street, alley, sidewalk, public thoroughfare and right of way.

SECTION 3. Said Village of Centerville, Ohio, shall have the right to cause to be trimmed any trees standing in violation of Section 2. of the within ordinance and that said Village shall give the property owner ten (10) days notice in writing and in event property owner fails to comply with said notice, the costs incurred by said Village shall be paid by property and that if not paid same shall be certified by the Village Clerk to the County Auditor as a special assessment to be placed on the tax duplicate and to be collected as other taxes.