

RESOLUTION NO. 40 - 2001

**A RESOLUTION APPROVING A ZONE DISTRICT
CHANGE FOR WEST CHESTER TOWNSHIP
MAP AMENDMENT CASE # 08-01**

WHEREAS, by advertisement, a public hearing to amend the West Chester Township Zoning Resolution was held on September 25, 2001 as applied for by Shepherd Farm LLC for a district change from M-2 (General Industrial) District to B-2 (General Business) District for the following described property:

Situate in the State of Ohio, County of Butler, Township of West Chester, in Section 4, Town 2, Range 2, M5610003000005 and M5610003000008 and being more particularly described as follows:

Commencing at the northwest corner of said Section 4, said point also being an Iron Pin (found);
thence south along the west line of Section 4, S 0°25'00" W, 2760.67 feet from a point;
thence S 89°28'42" W, 753.34 feet to a point, said point being the **TRUE POINT OF BEGINNING** for the herein described parcel of land;
thence S 89°28'42" E, 186.24 feet to a point;
thence S 1°03'09" W, 1089.04 feet to a point;
thence N 68°32'17" W, 433.73 feet to a point;
thence N 0°08'12" E, 100.00 feet to a point;
thence N 89°51'48" W, 250.00 feet to a point in the easterly right-of-way of State Route 747;
thence along said right-of-way for the next five (5) courses, N 0°31'33" E, 140.31 feet to a point;
thence N 89°28'27" W, 15.00 feet to a point,
thence N 0°31'33" E, 300.00 feet to a point;
thence N 89°28'27" W, 15.00 feet to a point;
thence N 0°31'33" E, 89.09 feet to a point;
thence departing said right-of-way along the dividing line between Shepherd Farm LLC and Jacquemin Farm LLC, S 65°22'23" E, 565.52 feet to a point;
thence departing said dividing line, N 0°11'16" W, 537.28 feet to the True Point of Beginning, containing 9.755 acres of land (2.381 acres from Shepherd Farm LLC and 7.374 acres from Jacquemin Farm LLC), subject to all legal easements and restrictions of record. Property is currently zoned M2.

Being part of the lands of Shepherd Farm LLC, as recorded in Official Record 6437, Page 787 and Jacquemin Farm LLC, as recorded in Official Record 6389, Pages 205-219 of the Butler County Recorders Office.

Basis of bearing is the west line of Section 4, Town 2, Range 2 as recorded in Survey Volume 34, Page 170.

WHEREAS, The Shepherd Farm LLC's amendment to the West Chester Township Zoning Resolution also includes a district change request from A-1 (Agricultural) District and M-2 (General Industrial) District to B-2 (General Business) District for the following described property:

Situate in the State of Ohio, County of Butler, Township of West Chester, in Section 4, Town 2, Range 2, M5610003000008, 049, 064, 063, 028 and 047 and being more particularly described as follows:

Commencing at the northwest corner of said Section 4, paid point also being Iron Fin (Found); thence east along the north line of Section 4, S 85°25'02" E, 69.92 feet to a point in the centerline of **STATE ROUTE 747**;

thence along said centerline, S 6°31'06" E, 333.26 feet to a point;

thence along a curve to the right an arc length of 420.50 feet as defined by a radius of 3805.73 feet, chord bears S 3°21'11" E, 420.28 feet to a point, said point also being the **TRUE POINT OF BEGINNING** for the herein described parcel of land;

thence departing the centerline of STATE ROUTE 747 and along the north line of Shepherd Farm LLC, S 85°25'02" E, 1320.13 feet to a point;

thence S 0°11'16" E, 1124.36 feet to a point in the northerly right-of-way line of Union Centre Boulevard, as recorded in Plat Envelope 3111, Page A;

thence along said right-of-way, N 85°28'30" W, 153.20 feet to a point;

thence along a curve to the left an arc length of 561.84 feet as defined by a radius of 6300.42 feet, chord bears N 88°01'46" W, 561.66 feet to a point;

thence departing said right-of-way, N 0°11'16" W, 730.97 feet to a point;

thence N 85°52'50" W, 600.00 feet to a point in the centerline of STATE ROUTE 747;

thence along said centerline of STATE ROUTE 747, N 0°11'16" W, 265.54 feet to a point;

thence along a curve to the left an arc length of 158.89 feet as defined by a radius of 3805.73 feet, chord bears N 1°23'01" W, 158.87 feet to the True Point of Beginning, containing 24.338 total acres of land (18.556 acres from Shepherd Farm LLC and 5.772 acres from Richard L. Alderson), subject to all legal easements and restrictions of record. 5.841 acres currently zoned M-2 and 18.497 acres currently zoned A-1.

Being part of the lands of Shepherd Farm LLC, as recorded in Official Record 6453, Pages 1742 and 1746, Official Record 6461, Page 1441, and Official Record 6437, Page 787. Official Record 6606, Page 1119 and Richard L. Alderson, as recorded in Official Record 6459, Page 707 and Official Record 6606, Page 1115 of the Butler County Recorders Office.

Basis of bearings is in the west line of Section 4, Town 2, Range 2 as recorded in Survey Volume 34, Page 170.

WHEREAS, The Shepherd Farm LLC's amendment to the West Chester Township Zoning Resolution also includes a district change request from A-1 (Agricultural) District to M-2 (General Industrial) District.

Situate in the State of Ohio, County of Butler, Township of West Chester, in Section 4, Town 2, Range 2, M5610003000028 and being more particularly described as follows:

Commencing at the northwest corner of said Section 4, said point also being an Iron Pin (found);

thence east along the north line of Section 4, S 85°25'02" E, 69.92 feet to a point in the centerline of STATE ROUTE 747;

thence along said centerline, S 6°31'06" E, 333.26 feet to a point;

thence along a curve to the right an arc length of 420.50 feet as defined by a radius of 3805.73 feet, chord bears S 3°21'11" E, 420.28 feet to a point;

thence departing the centerline of STATE ROUTE 747 and along the north line of Shepherd Farm LLC, S 85°25'02" E, 1320.13 to a point, said point being the **TRUE POINT OF BEGINNING** for the herein described parcel of land;

thence S 85°25'02" E, 566.20 feet to an Iron Pin (found);

thence S 0°37'36" W, 511.22 feet to a Stone (found);

thence S 85°52'50" E, 618.74 feet to an Iron Pin (found);

thence S 4°07'10" W, 255.00 feet to an Iron Pin (found);

thence N 85°52'50" W, 1158.08 feet to a point;

thence N 0°11'16" W, 772.03 feet to the True Point of Beginning, containing 13.451 total acres of land, subject to all legal easements and restrictions of record. Property is currently zoned A-1.

Being part of the lands of Shepherds Farm LLC, as recorded in Official Records 6453, Pages 1742 and 1746 of the Butler County Recorders Office.


Basis of bearings is the west line of Section 4, Town 2, Range 2 as recorded in Survey Volume 34, Page 170.

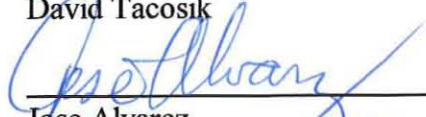
WHEREAS, all those present for the hearing who wished to be heard voiced their opinions with respect thereto; and


WHEREAS, said application was reviewed by the Board of Township Trustees with respect to consistency with the West Chester Township Land Use Plan.

NOW THEREFORE, BE IT RESOLVED, that by failure to achieve the unanimous vote necessary to overturn the decision of the West Chester Township Zoning Commission, the Board of Trustees does hereby approve the district change from M-2 (General Industrial) District to B-2 (General Business) District, A-1 (Agricultural District and M-2 (General Industrial) District to B-2 (General Business) District and A-1 (Agricultural) District to M-2 (General Industrial) District.

Adopted the 9th day of October, 2001

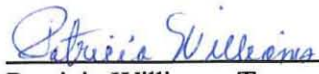


David Tacosik


Jose Alvarez



Catherine Stoker

ATTEST:



Patricia Williams, Township Clerk

APPROVED AS TO FORM:



Donald L. Crain, Law Director

