

RECORD OF RESOLUTIONS

Resolution No. 2017-Y

August 28, 2017

City of Bellbrook

Resolution No. 2017-Y

A Resolution Approving the Re-Plat of Lot #3C into Lots #37A and #3D, Highview Terrace Subdivision Section I.

WHEREAS, the Ohio Revised Code requires a re-plat for changes of lot lines or easements in a platted subdivision, and

WHEREAS, the City of Bellbrook's consulting engineer and the Bellbrook Planning Board have recommended approval of a re-plat of Lot #3C into Lots #37A and #3D, Highview Terrace Subdivision, Section I; and

WHEREAS, the City of Bellbrook Subdivision Regulations stipulate that changes to a recorded plat shall be approved by action of the Bellbrook City Council

Now, Therefore, the City of Bellbrook Hereby Resolves:

Section 1. That the re-plat of Lot #3C into Lots #37A and #3D, Highview Terrace Subdivision, Section I is hereby approved for recording purposes.

Section 2. That the Mayor and Clerk of Council are authorized to affix their signatures to the revised record plan.

Section 3. That this resolution shall take effect and be in force forthwith.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

DEDICATION

WE, THE UNDERSIGNED, BEING ALL THE OWNERS AND LIENHOLDERS OF THE LANDS HEREIN PLATTED, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AS SHOWN HEREON, AND DO DEDICATE EASEMENTS AS SHOWN HEREON TO THE PUBLIC USE FOREVER. EASEMENTS SHOWN ON THE WITHIN PLAT ARE RESERVED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, GAS, SEWER, ELECTRIC, TELEPHONE OR OTHER UTILITIES OR SERVICES, AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES AND FOR THE PROVIDING OF INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES, AND ARE TO BE MAINTAINED AS SUCH FOREVER.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

OWNER LOT 3C:
CLEMENS DEVELOPMENT CO., INC

WITNESS

BY: RICHARD M. CLEMENS
PRESIDENT, CLEMENS DEVELOPMENT CO., INC

WITNESS

STATE OF OHIO, S.S.:
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 20____, BY CLEMENS DEVELOPMENT CO., INC,
BY RICHARD M. CLEMENS, ITS PRESIDENT, AS OWNER.

NOTARY PUBLIC

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

LIENHOLDER:
MINSTER BANK (WESTERN OHIO)

WITNESS

BY:
WITNESS

(PRINTED NAME)

ITS:

(PRINTED TITLE)

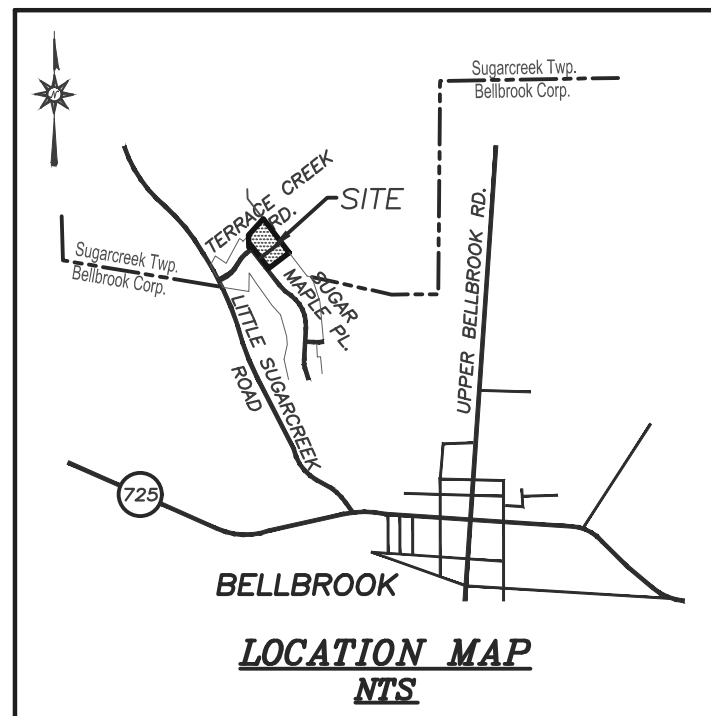
STATE OF OHIO, S.S.:
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 20____, BY MINSTER BANK

BY _____, IT'S
AS LIENHOLDER.

NOTARY PUBLIC

**HIGHVIEW TERRACE
SECTION ONE
RE-PLAT OF LOT 3C INTO LOTS
37A & 3D**

FOR
CLEMENS DEVELOPMENT COMPANY, INC
LOCATED IN
CITY OF BELLBROOK
SECTION 2, TOWN 2, RANGE 6 M.R.'s.
GREENE COUNTY, OHIO
4.115 ACRES
JULY 17, 2017



DESCRIPTION

THE WITHIN RE-PLAT IS A SUBDIVISION CONTAINING 4.115 ACRES AND BEING ALL OF CLEMENS DEVELOPMENT COMPANY, INC, LOT 3C AS RECORDED IN HIGHVIEW TERRACE SECTION ONE RE-PLAT, PLAT CABINET VOL. 37 PG'S 290B & 291A AS AS ACQUIRED BY CLEMENS DEVELOPMENT COMPANY THROUGH INSTRUMENTS RECORDED IN O.R. 2372, PG. 672 OF THE OFFICIAL RECORDS OF GREENE COUNTY, OHIO.

STATE OF OHIO, S.S.: CLEMENS DEVELOPMENT CO., INC, BY RICHARD M. CLEMENS, ITS PRESIDENT, BEING DULY SWORN, SAYS THAT ALL PERSONS AND CORPORATIONS TO THE BEST OF HIS KNOWLEDGE INTERESTED IN THIS DEDICATION, EITHER AS OWNERS OR LIENHOLDERS, HAVE UNITED IN ITS EXECUTION.

RICHARD M. CLEMENS

SWORN TO AND SIGNED IN MY PRESENCE ON

THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC

COVENANTS, CONDITIONS AND RESTRICTIONS:

THE LOTS OF THE WITHIN RE-PLAT ARE GOVERNED BY THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, ASSESSMENTS, ARTICLES OF INCORPORATION AND BY-LAWS OF THE "HIGHVIEW TERRACE SUBDIVISION HOMEOWNERS ASSOCIATION", ALL OF WHICH ARE RECORDED ON HIGHVIEW TERRACE SECTION ONE, O.R. VOL. 2782, PG'S 450-483 & O.R. VOL. 2795, PG'S 619-637 OF THE DEED RECORDS OF GREENE COUNTY, OHIO AND SHALL BE IN EFFECT FOR HIGHVIEW TERRACE, SECTION TWO INCLUDING THIS PLAT.

BELLBROOK PLANNING BOARD:

CHAIRMAN _____

SECRETARY _____

BELLBROOK COUNCIL:

MAYOR _____

CLERK OF COUNCIL _____

GREENE COUNTY AUDITOR:

WE HEREBY APPROVE AND ACCEPT THIS PLAT AND RECOMMEND THAT THE SAME BE RECORDED SUBJECT TO THE INCLUDED AGREEMENTS.

SIGNED THIS _____ DAY OF _____, 20____

TRANSFERRED THIS _____ DAY OF _____, 20____

GREENE COUNTY AUDITOR

GREENE COUNTY RECORDER:

FILE NO. _____ PLAT CABINET VOL. _____, PAGES _____

FEE: _____ RECEIVED FOR RECORD THIS _____ DAY OF

_____, 20____ AT _____ M.

RECORDED THIS _____ DAY OF _____, 20____.

GREENE COUNTY RECORDER

CERTIFICATION

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, THAT THIS PLAT REPRESENTS A FIELD SURVEY OF JANUARY, 2016 PERFORMED UNDER THE DIRECT SUPERVISION OF PHILIP C. BRUMBAUGH AND THE MONUMENTS, THEIR LOCATION, SIZE & MATERIAL SHOWN HEREON EXIST AS LOCATED OR WILL BE SET AS INDICATED, ALL DIMENSIONAL DETAILS ARE BELIEVED CORRECT AND THAT THE SUBDIVISION RULES FOR THE CITY OF BELLBROOK, OHIO HAVE BEEN COMPLIED WITH.

PHILIP C. BRUMBAUGH, P.S. DATE
OHIO LICENSE NO. 5057

DEVELOPER

CLEMENS DEVELOPMENT CO., INC.
6730 LITTLE SUGARCREEK RD.
DAYTON, OHIO 45440
PHONE: (937) 545-3232

**BRUMBAUGH
ENGINEERING &
SURVEYING, LLC**
1105 SOUTH MIAMI STREET
WEST MILTON, OHIO 45383
PHONE (937) 698-3000
FAX (937) 698-3928

LEGEND

○ 5/8" x 30" IRON PIN SET WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH E&S"

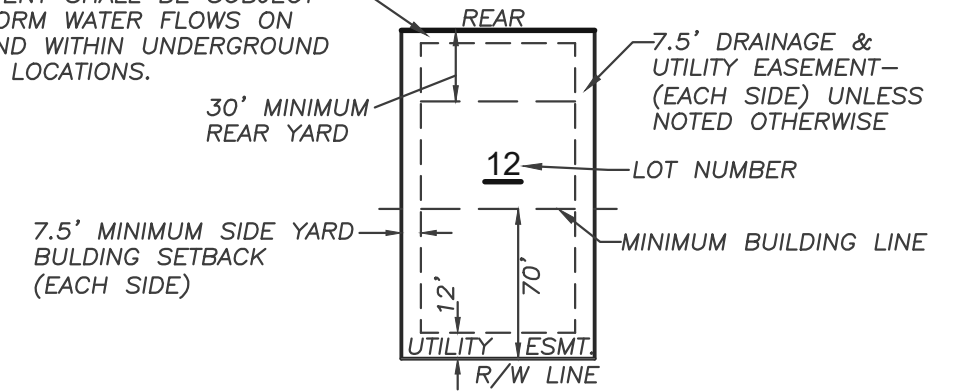
● 5/8" IRON PIN FOUND

ALL MONUMENTS FOUND ARE IN GOOD CONDITION UNLESS OTHERWISE NOTED.

HIGHVIEW TERRACE SECTION ONE RE-PLAT OF LOT 3C INTO LOTS 37A & 3D

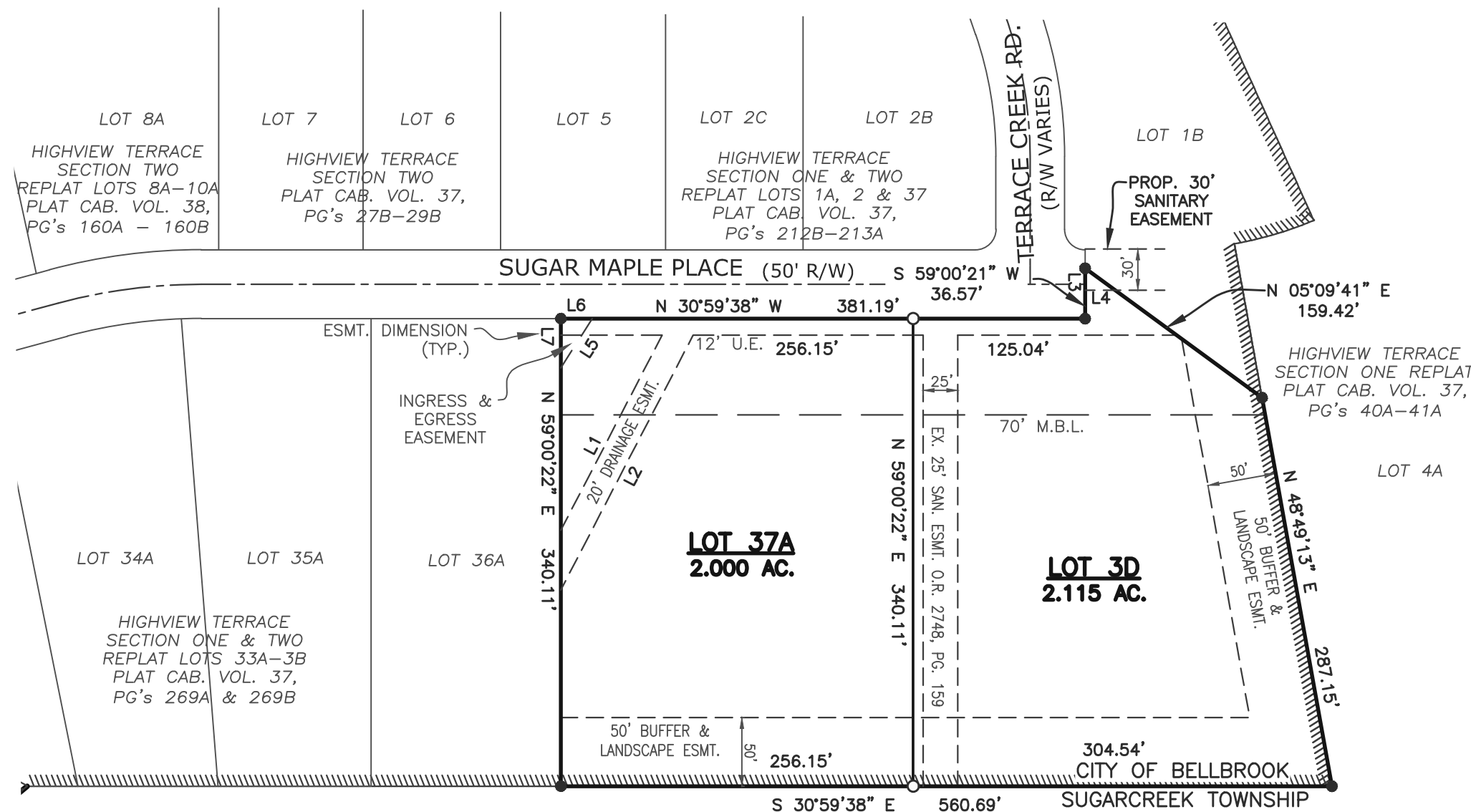
FOR
CLEMENS DEVELOPMENT COMPANY, INC.
LOCATED IN
CITY OF BELLBROOK
SECTION 2, TOWN 2, RANGE 6 M.R.'s.
GREENE COUNTY, OHIO
4.115 ACRES
JULY 17, 2017

"D.E." INDICATES "DRAINAGE EASEMENT"
DRAINAGE EASEMENT SHALL BE SUBJECT TO PERIODIC STORM WATER FLOWS ON THE SURFACE AND WITHIN UNDERGROUND PIPING IN SOME LOCATIONS.



TYPICAL LOT

NO BUILDING OR OTHER STRUCTURE SHALL BE LOCATED IN "DRAINAGE EASEMENT". MAINTENANCE OF SURFACE EROSION IN THE DRAINAGE EASEMENT IS THE RESPONSIBILITY OF THE PROPERTY OWNER. SEE THE "DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS" FOR FURTHER BUILDING RESTRICTIONS.



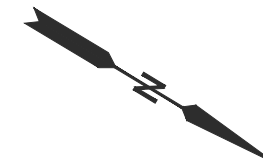
NOTES:

1. NO BUILDING OR OTHER STRUCTURES SHALL BE LOCATED IN "DRAINAGE EASEMENT".
2. ANY LOT AREA RESERVED FOR DRAINAGE PURPOSES, SHALL AT ALL TIMES BE KEPT FREE OF ANY OBSTRUCTIONS TO THE FLOW OF WATER. NO IMPROVEMENTS, STRUCTURES OR MODIFICATIONS WITHIN THE IDENTIFIED DRAINAGE EASEMENT AREA WILL BE ALLOWED WITHOUT THE APPROVAL OF THE CITY ENGINEER. MAINTENANCE OF THE DRAINAGE EASEMENT AREA, STORMWATER MANAGEMENT CONTROL FACILITY(IES), SITE AND DRAINAGE AREAS SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL OWNER(S) OF THE LOT OR HOME OWNERS OR CONDOMINIUM ASSOCIATION, WHICHEVER IS APPLICABLE, ON WHICH THESE FACILITIES AND/OR DRAINAGE AREAS ARE LOCATED.
3. ANY LOT TRANSFERRED WILL HAVE A MINIMUM WIDTH AND AREA SUBSTANTIALLY THE SAME AS THOSE SHOWN ON THE PLAT AND THAT ONLY ONE PRINCIPAL BUILDING WILL BE PERMITTED ON ANY SUCH LOT.

PERTINENT DOCUMENTS:

- IN ADDITION TO THE REFERENCES SHOWN ON FACE OF THIS PLAT THE FOLLOWING DOCUMENTS WERE USED: NONE
- OCCUPATION IN GENERAL FITS THE SURVEYED LINES.
- ALL MONUMENTATION FOUND OR SET IS IN GOOD CONDITION UNLESS OTHERWISE SHOWN.

INVERNESS GROUP, INCORPORATED
O.R. 3596, PG. 931
REMAINDER 147.092 ACRES
S.R. 38, PG. 295



BEARING OF BASIS:
THE NORTH LINE OF CLEMENS
DEVELOPMENT COMPANY, INC.
60.069 ACRE TRACT AS RECORDED
IN O.R. 2372 PAGE 672 BEING N
71°00'45" W

EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	N 86°26'36" E	159.89'
L2	N 86°26'36" E	208.80'
L3	N 59°00'21" E	15.95'
L4	N 30°59'38" W	21.83'
L5	S 88°31'11" E	42.46'
L6	S 30°59'38" E	22.80'
L7	N 59°00'21" E	35.82'

**BRUMBAUGH
ENGINEERING &
SURVEYING, LLC**

1105 SOUTH MIAMI STREET
WEST MILTON, OHIO 45383
PHONE (937) 698-3000
FAX (937) 698-3928