

# RECORD OF RESOLUTIONS

Resolution No. 2018-L

February 12, 2018

## **City of Bellbrook Resolution No. 2018-L**

### **A Resolution Approving the Record Plan for the Highview Terrace Subdivision, Section Three, Phase Three.**

WHEREAS, the City of Bellbrook Planning Board, after a comprehensive review, granted approval on February 6, 2018 for the record plan for Section Three, Phase Three of the Highview Terrace Subdivision; and

WHEREAS, the City of Bellbrook Subdivision Regulations stipulate that the signing of the Record Plan must be approved by City Council.

### **Now, Therefore, the City of Bellbrook Hereby Resolves:**

Section 1. That Section Three, Phase Three of the Highview Terrace Subdivision as shown on the final Record Plan is hereby approved for recording purposes.

Section 2. That the Mayor and Clerk of Council are authorized to affix their signatures to the Record Plan.

Section 3. That the developer shall file a copy of the Record Plan for recording in the office of the County Recorder following the date of final approval by the Planning Board and furnish the City with one print of the final recorded plat.

Section 4. That the approval of said Record Plan for recording purposes does not constitute the final acceptance of the proposed streets shown thereon as public streets or the acceptance of the dedication of any other public lands.

Section 5. That this resolution shall take effect and be in force forthwith.

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Robert L. Baird, Mayor

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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 THE SANITARY SEWERS TO THE GREENE COUNTY BOARD OF COMMISSIONERS FOR 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, PUBLICLY OR PRIVATELY OWNED, 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. STREETS SHOWN ON THE PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER.

SIGNED AND ACKNOWLEDGED PRESENCE OF: OWNER: CLEMENS DEVELOPMENT CO.

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

WITNESS

STATE OF OHIO, S.S.:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS DAY OF 2018, BY CLEMENS DEVELOPMENT CO. BY RICHARD M. CLEMENS, THEIR PRESIDENT, AS OWNER.

NOTARY PUBLIC

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF: LIENHOLDER: MINSTER BANK

WITNESS SIGNATURE

WITNESS (PRINTED NAME)

STATE OF OHIO, S.S.:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF 2018, BY MINSTER BANK

BY IT'S AS LIENHOLDER.

NOTARY PUBLIC

**OWNER / DEVELOPER**

CLEMENS DEVELOPMENT CO. 6730 LITTLE SUGARCREEK RD. DAYTON, OHIO 45440 PHONE: 937-545-3232 ACQUIRED IN O.R. VOLUME 2372, PAGE 672

**AREA SUMMARY**

SITE ACREAGE: 4.990 ACRES LOTS: 4.564 ACRES STREETS & RIGHT OF WAY: 0.444 ACRES

**RECORD PLAN HIGHVIEW TERRACE SECTION THREE PHASE THREE**

CONTAINING 4.990 ACRES LOCATED IN SECTION 2, TOWN 2, RANGE 6 MRs CITY OF BELLBROOK, GREENE COUNTY, OHIO JANUARY 29, 2018

**DESCRIPTION**

THE WITHIN PLAT IS A SUBDIVISION CONTAINING 4.990 ACRES AND BEING ALL OF THE REMAINING LANDS OF A 60.069 ACRE TRACT (ORIGINAL) AS ACQUIRED BY CLEMENS DEVELOPMENT CO. 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., 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 2018.

NOTARY PUBLIC

**COVENANTS, CONDITIONS AND RESTRICTIONS:**

THE WITHIN PLAT IS 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 THREE, PHASE THREE.

**NOTES:**

- 1. ALL LOTS IN THIS SUBDIVISION SHALL BE KNOWN OR DESCRIBED AS RESIDENTIAL LOTS.
- 2. MAINTENANCE OF ALL AREAS DESIGNATED AS DRAINAGE EASEMENTS, WALKING PATH EASEMENTS, AND LANDSCAPE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION. MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE COLLECTIVE HOMEOWNERS IF SAID ASSOCIATION BE DISSOLVED.
- 3. 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 ARE WILL BE ALLOWED WITHOUT THE APPROVAL OF THE CITY OF BELLBROOK'S ENGINEER. MAINTENANCE OF THE DRAINAGE EASEMENT AREA, STORMWATER MANAGEMENT CONTROL FACILITY(IES), AND DRAINAGE AREAS SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL OWNER(S) OF THE LOT OR LAND/HOMEOWNERS ASSOCIATION, WHICHEVER IS APPLICABLE, ON WHICH THESE FACILITIES AND/OR DRAINAGE AREAS ARE LOCATED.

**BOARD OF GREENE COUNTY COMMISSIONERS: (ACCEPTANCE FOR SANITARY SEWERS ONLY)**

COMMISSIONER COMMISSIONER

COMMISSIONER

WE HEREBY APPROVE AND ACCEPT THIS PLAT (FOR SANITARY SEWERS) AND RECOMMEND THAT THE SAME BE RECORDED

THIS DAY OF 2018

**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 2018

TRANSFERRED THIS DAY OF 2018

GREENE COUNTY AUDITOR

**GREENE COUNTY RECORDER:**

FILE NO. PLAT CABINET VOL. PAGES

FEE: RECEIVED FOR RECORD THIS DAY OF

2018 AT .M.

RECORDED THIS DAY OF 2018.

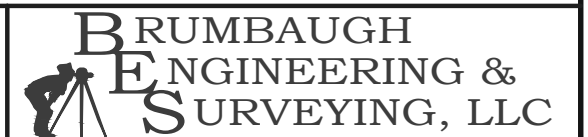
GREENE COUNTY RECORDER

**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.

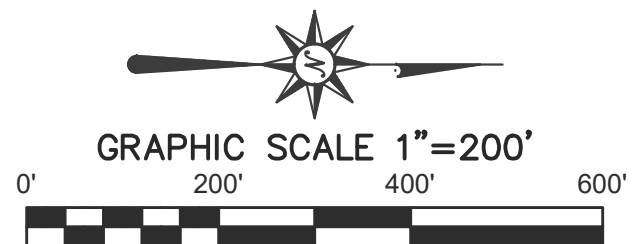
PHILIP C. BRUMBAUGH, P.S. DATE OHIO REGISTERED PROFESSIONAL SURVEYOR NO. 5057

HIGHVIEW TERRACE, SECTION THREE, PHASE THREE RECORD PLAN LOCATED IN CITY OF BELLBROOK, GREENE COUNTY, OH.

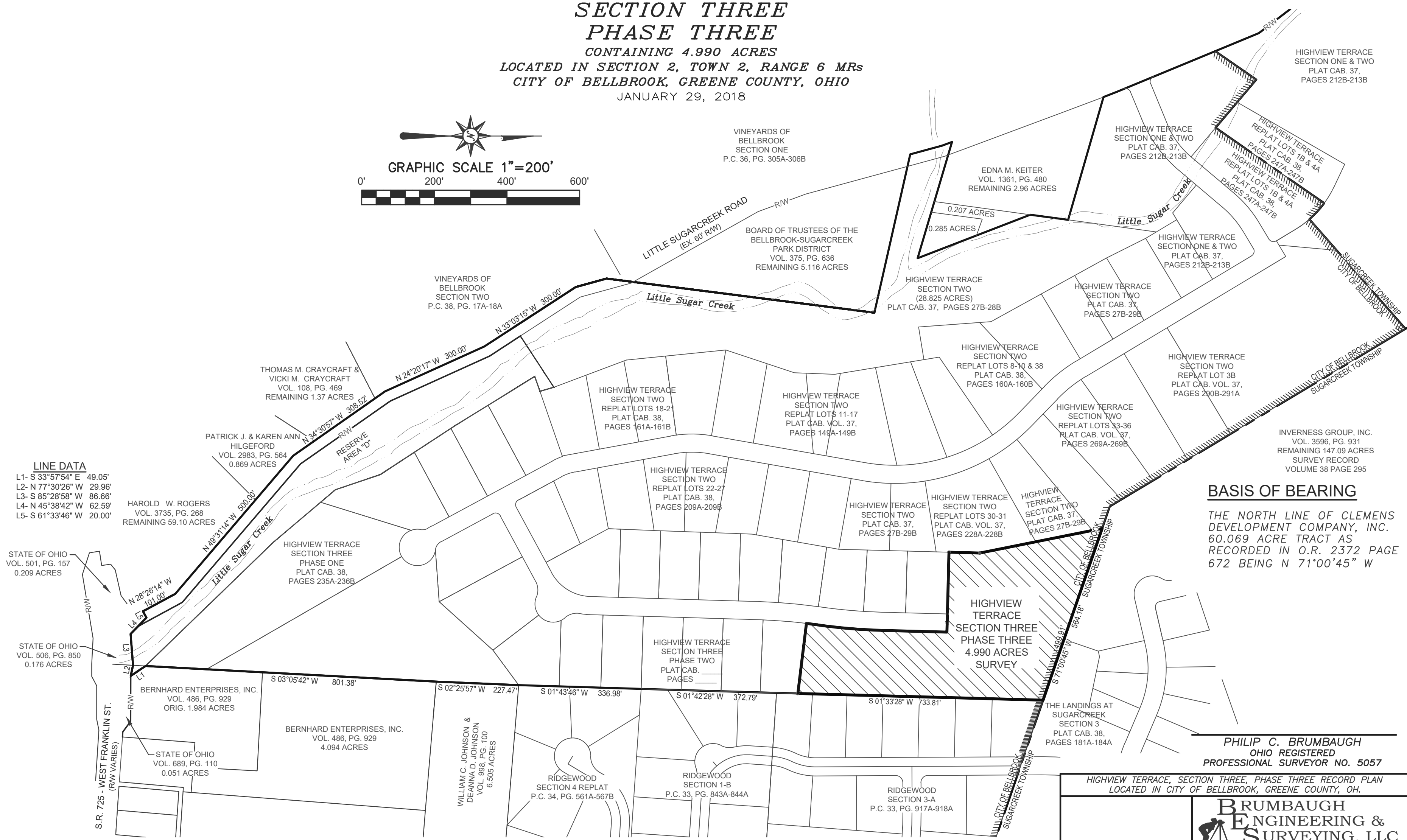


2270 SOUTH MIAMI STREET WEST MILTON, OHIO 45383 PHONE: (937) 698-3000 FAX: (937) 698-3928

**RECORD PLAN  
HIGHVIEW TERRACE  
SECTION THREE  
PHASE THREE**  
CONTAINING 4.990 ACRES  
LOCATED IN SECTION 2, TOWN 2, RANGE 6 MRs  
CITY OF BELLBROOK, GREENE COUNTY, OHIO  
JANUARY 29, 2018



**LINE DATA**  
L1- S 33°57'54" E 49.05'  
L2- N 77°30'26" W 29.96'  
L3- S 85°28'58" W 86.66'  
L4- N 45°38'42" W 62.59'  
L5- S 61°33'46" W 20.00'



**BASIS OF BEARING**  
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

**PHILIP C. BRUMBAUGH**  
OHIO REGISTERED  
PROFESSIONAL SURVEYOR NO. 5057

HIGHVIEW TERRACE, SECTION THREE, PHASE THREE RECORD PLAN LOCATED IN CITY OF BELLBROOK, GREENE COUNTY, OH.

**BRUMBAUGH ENGINEERING & SURVEYING, LLC**

2270 SOUTH MIAMI STREET  
WEST MILTON, OHIO 45383  
PHONE: (937) 698-3000  
FAX: (937) 698-3928  
PAGE 2 OF 3

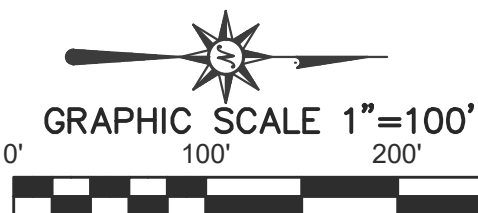
**2 WORKING DAYS BEFORE YOU DIG**  
CALL TOLL FREE 800-362-2764  
OHIO UTILITIES PROTECTION SERVICE

**SUPERIMPOSITION MAP**  
SCALE: 1" = 200'

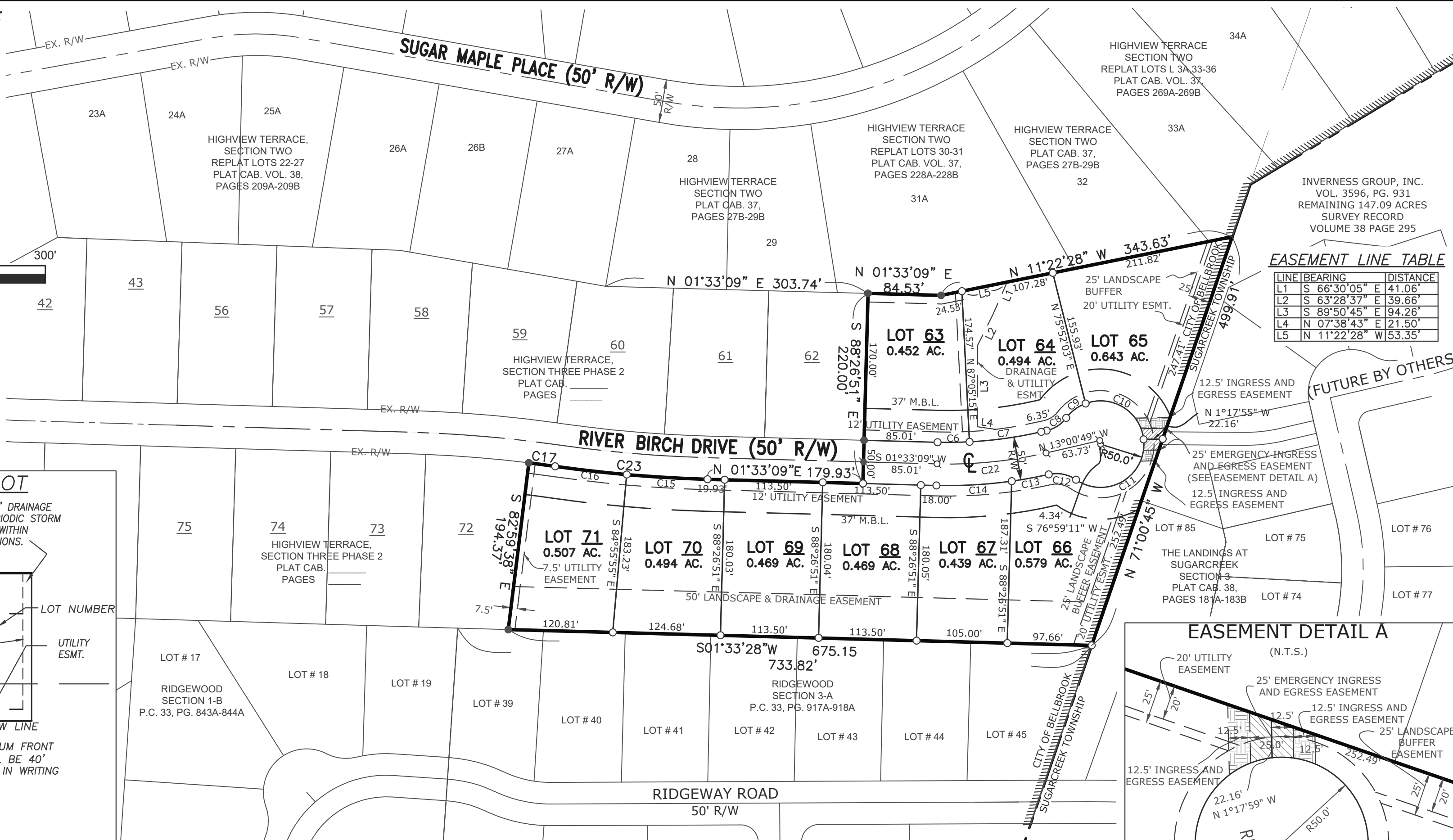
**PERTINENT DOCUMENTS:**

IN ADDITION TO THE REFERENCES SHOWN ON FACE OF THIS PLAT THE FOLLOWING DOCUMENTS WERE USED: NONE

OCCUPATION IN GENERAL FITS THE SURVEYED LINES.



NOTE: THE DEVELOPER'S MINIMUM FRONT YARD BUILDING SETBACK SHALL BE 40' UNLESS OTHERWISE APPROVED IN WRITING BY THE DEVELOPER.



**EASEMENT LINE TABLE**

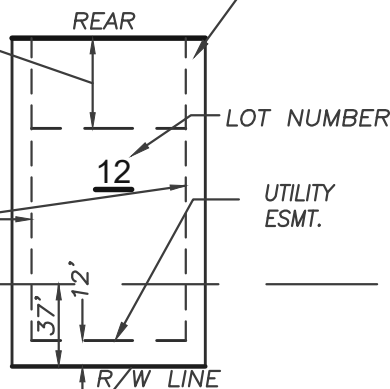
LINE	BEARING	DISTANCE
L1	S 66°30'05" E	41.06'
L2	S 63°28'37" E	39.66'
L3	S 89°50'45" E	94.26'
L4	N 07°38'43" E	21.50'
L5	N 11°22'28" W	53.35'

**TYPICAL LOT**

"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.

30' MINIMUM REAR YARD (M.R.Y.)  
EACH LOT SHALL HAVE A 7.5' MINIMUM SIDE YARD BUILDING SETBACK AND 7.5' DRAINAGE & UTILITY EASEMENT (UNLESS NOTED OTHERWISE) PARALLEL TO BOTH SIDE LOT LINES.

37' MINIMUM FRONT BUILDING LINE (M.B.L.)



NOTE: THE DEVELOPER'S MINIMUM FRONT YARD BUILDING SETBACK SHALL BE 40' UNLESS OTHERWISE APPROVED IN WRITING BY THE DEVELOPER.

**CURVE TABLE**

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C6	37.06'	475.50'	4°27'54"	N 00°40'48" W	37.05'
C7	83.83'	475.50'	10°06'04"	S 07°57'47" E	83.72'
C8	27.65'	40.00'	39°36'27"	N 32°49'03" W	27.10'
C9	28.32'	50.00'	32°27'20"	N 36°23'36" W	27.95'
C10	90.66'	50.00'	103°53'19"	S 31°46'44" W	78.74'
C11	114.22'	50.00'	130°53'29"	N 30°49'52" W	90.96'
C12	33.06'	40.00'	47°20'54"	N 10°56'26" E	32.12'
C13	43.63'	525.50'	4°45'25"	N 10°21'19" W	43.62'
C14	87.40'	525.50'	9°31'46"	N 03°12'44" W	87.30'
C15	93.57'	1525.00'	3°30'55"	N 03°18'37" E	93.55'
C16	83.35'	1525.00'	3°07'54"	N 06°38'02" E	83.34'
C17	30.73'	1475.00'	1°11'37"	S 07°36'11" W	30.73'
C22	127.24'	500.50'	14°33'59"	S 05°43'50" E	126.90'
C23	176.92'	1525.00'	6°38'50"	S 04°52'34" W	176.82'

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SECTION THREE  
PHASE THREE**

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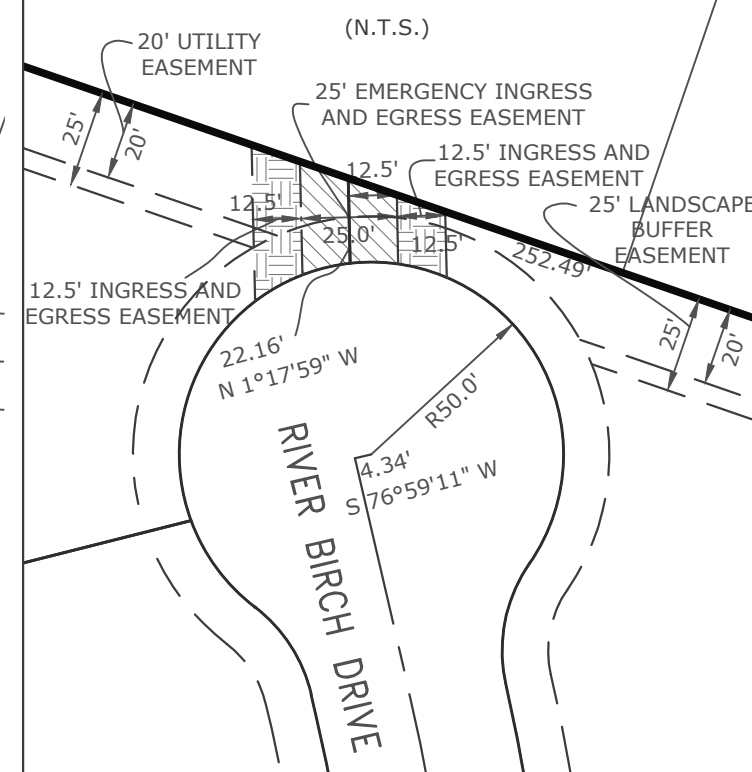
**LEGEND**

- 5/8" x 30" IRON PIN SET WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH E&S"
- ⊗ MAG NAIL SET
- 5/8" IRON PIN FOUND
- ⊗ MAG NAIL FOUND

ALL MONUMENTS FOUND ARE IN GOOD CONDITION UNLESS OTHERWISE NOTED.

PHILIP C. BRUMBAUGH  
OHIO REGISTERED  
PROFESSIONAL SURVEYOR NO. 5057

**EASEMENT DETAIL A**



HIGHVIEW TERRACE, SECTION THREE, PHASE THREE RECORD PLAN  
LOCATED IN CITY OF BELLBROOK, GREENE COUNTY, OH.

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