

ORDINANCE 2003-06

PASSED JANUARY 21, 2003

AN ORDINANCE APPROVING THE PLAT FOR WOODCUTTER DRIVE.

WHEREAS, the Developer for Golf Village has submitted a plat for Woodcutter Drive for approval which is attached hereto and incorporated herein by reference, and

WHEREAS, on December 11 2002, the Powell Planning and Zoning Commission approved said plat for Woodcutter Drive, and

WHEREAS, Council has determined that the plat is in accordance with the Final Development Plan, Comprehensive Plan, Development Regulations, and the Zoning Ordinance for the Municipality of Powell.

NOW THEREFORE BE IT ORDAINED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: That the plat for Woodcutter Drive, which is attached hereto and incorporated herein by reference is approved by the Council for the Municipality of Powell, subject to the following condition:

- 1. That the City Engineer approves of all easements prior to signing the plat.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 3: That this Ordinance shall take effect at the earliest period allowed by law.

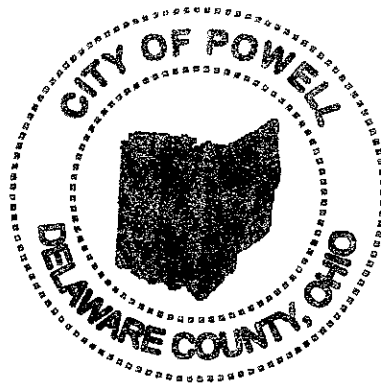
VOTE ON RULE SUSPENSION: Y 7 N 0

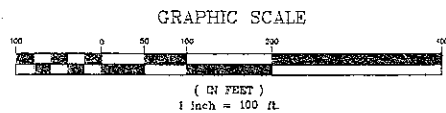
VOTE ON ORDINANCE NO. 2003-06 Y 7 N 0

Art Schultz 2/18/03
Art Schultz Date
Mayor

Dawn Nauman 1/30/03
Dawn Nauman Date
Clerk of Council

This ordinance of the Council shall be published in three (3) public places as defined in Section 1103 on this date 2/11/03
Nauman
Clerk of Council



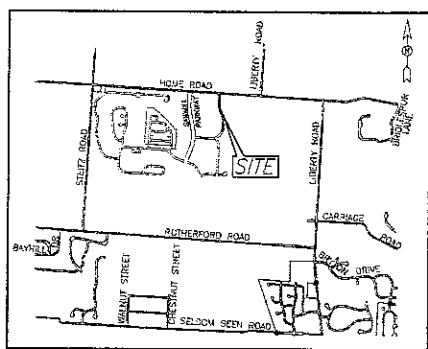


FINAL PLAT

WOODCUTTER DRIVE

DEDICATION OF RIGHT-OF-WAY

CITY OF POWELL, DELAWARE COUNTY, OHIO
FARM LOT 2, SECT. 2, TWP. 3, RN 19, U.S.M.L.



LOCATION MAP
Not to Scale

Situated in the State of Ohio, County of Delaware, City of Powell, being in Farm Lot 2 in Section 2, Township 3, Range 19, United States Military Lands, containing 2.366 acres of land, more or less, said 2.366 acres being out of that 58.215 acre tract of land described in the deed to TRIANGLE PROPERTIES, INC., of record in Official Record 54, Page 1424, Recorder's Office, Delaware County, Ohio.

Easements are reserved, where indicated on this plat, for the construction, operation and maintenance of public and private utilities above and beneath the surface of the ground and, where necessary, for the construction, operation and service connections to all adjacent lots and lands and for storm water drainage and the cable television industry.

Easements are specifically granted unto Del-Co Water Co., Inc., its successors and assigns, for the location of water lines, valves, and appurtenances within dedicated rights-of-way, Easements, and Sanitary Easements. Also granted in the right of Del-Co Water Co., Inc. to install, service, and maintain water meter cracks and appurtenances outside of and adjacent to said dedicated right-of-way for public roads, Easements, or Sanitary Easements.

The undersigned, TRIANGLE PROPERTIES, INC., by DONALD R. KENNEY, Managing Member, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its WOODCUTTER DRIVE DEDICATION OF RIGHT-OF-WAY, a dedication of public right-of-way and does hereby accept this plat of same and dedicates to public use as such the WOODCUTTER DRIVE not heretofore dedicated.

In Witness Whereof Donald R. Kenney, Managing Member, Triangle Properties, Inc., has set his hand this _____ day of _____, 2002.

Signed and Acknowledged in the presence of: _____
By: Donald R. Kenney, Managing Member

State of Ohio: SS
Before me, a notary public in and for said State, personally appeared Donald R. Kenney, Managing Member of Triangle Properties, Inc., who acknowledged the signing of the foregoing instrument to be his free and voluntary act and deed and the free and voluntary act of deed of Triangle Properties, Inc., for the uses and purposes therein expressed.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 2002.

My Commission Expires _____ day of _____, 2002. Notary Public, State of Ohio

Approved this _____ day of _____, 2002. _____ Mayor, City of Powell, Ohio

Approved this _____ day of _____, 2002. _____ City Engineer, City of Powell, Ohio

Approved this _____ day of _____, 2002. _____ Planning and Zoning Commission, City of Powell, Ohio

Approved and accepted this _____ day of _____, 2002, by Ordinance No. _____ wherein all of this WOODCUTTER DRIVE, hereby dedicated to public use is accepted as such by the Council for the City of Powell, Ohio.

Street improvements within said dedicated rights-of-way shall not be accepted for public use and/or maintenance unless and until construction is complete and streets are formally accepted by the City Engineer, City of Powell, Ohio.

In Witness Whereof I have hereunto set my hand and affixed my seal this _____ day of _____, 2002.

Transferred this _____ day of _____, 2002. _____ Delaware County Auditor

Filed for record this _____ day of _____, 2002 at _____ M.

Fee \$ _____ File No. _____

Recorded this _____ day of _____, 2002, in Cabinet _____ Slides _____

Delaware County Recorder

The undersigned, EPCON GOLF VILLAGE II, LLC, by EDWARD BACOME, President, owner of the land platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents the dedication of 2882 square foot Temporary Drainage Easement shown hereon and does hereby accept this plat and dedicates to public use as such the 2882 square foot Temporary Drainage Easement.

In witness thereof, EDWARD BACOME, President of EPCON GOLF VILLAGE II, LLC has set his hand this _____ day of _____, 2002.

Signed and acknowledged in the presence of: _____
By: Edward Bacome, President

State of Ohio: SS
Before me, a notary public in and for said state, personally appeared EDWARD BACOME, President of EPCON GOLF VILLAGE II, LLC, who acknowledged the signing of the foregoing instrument to be his free and voluntary act and deed and the free and voluntary act and deed of EPCON GOLF VILLAGE II, LLC, for the uses and purposes therein expressed.

I Witness Whereof, I have hereunto set my hand and affixed my official seal this _____ day of _____, 2002.

My Commission Expires _____ day of _____, 2002. Notary Public, State of Ohio

NOTE A - DRAINAGE EASEMENT: An easement is hereby reserved for the purpose of constructing, using and maintaining major storm drainage swales and underground public and private utilities and appurtenant works in any part of easement areas designated "Drainage Easement" hereon, including the right to clean, repair and care for said swales, utilities together with the right of access to said areas for said purpose. Except as provided for in the developers overall scheme for the development of Woodcutter Drive, no above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat.

NOTE B - All contractors shall comply with the "Delaware County Urban Sediment Pollution and Water Run-off Control Regulations", adopted by the County Commissioners.

NOTE C - Woodcutter Drive is located in Zone X, (areas determined to be outside the 500-year flood plain) as said Zone is designated and delineated on FEMA Flood Insurance Rate Map, Community Panel 3904/0205 J, for Delaware County, Ohio and Incorporated Areas with effective date of April 21, 1999.

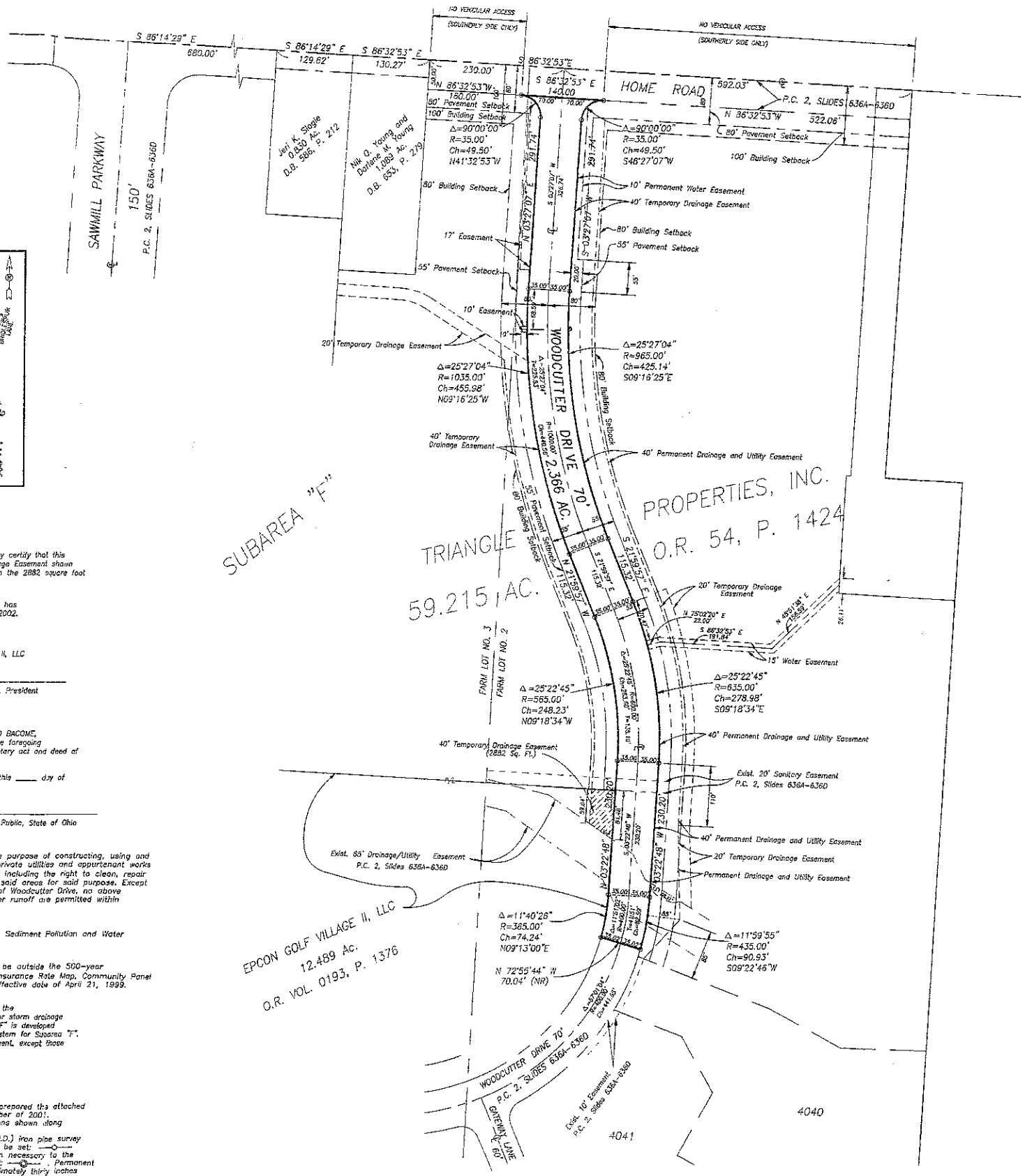
NOTE D - TEMPORARY DRAINAGE EASEMENT: An easement is hereby reserved for the purpose of constructing, using and maintaining the temporary drainage swales for storm drainage from the undeveloped portions of Subarea "F" until such time as the Subarea "F" is developed and storm sewers are constructed as a part of the stormwater management system for Subarea "F". As soon as the storm sewers are constructed and in use, the Temporary Easement, except those portions still needed, shall be null and void.

SURVEYOR'S CERTIFICATE

We do hereby state that we have surveyed the above premises and prepared the attached plat. The field survey on which this plat is based was conducted in November of 2001. All dimensions are shown in feet and decimal parts thereof. Dimensions shown along curved lines are chord measurements. The following symbol, unless otherwise noted, indicates a 3/4-inch (LD) iron pipe survey marker with a plastic plug set in the top and bearing the initials BDM to be set. Permanent survey markers, to be set upon completion of construction necessary to the improvement of the subject premises, are indicated by the following symbol: . Permanent survey markers are to be solid iron pins, one inch in diameter and approximately thirty inches long. The bearings shown on this plat correspond to the bearing of S88°32'53"E as given for the centerline of Home Road, and as shown on SAWMILL PARKWAY DEDICATION OF RIGHT-OF-WAY of record in Plat Cabinet 2, Slides 6364 thru 6360, Recorder's Office, Delaware County, Ohio.

BAUER, DAVIDSON & MERCHANT, INC.
Consulting Engineers

By: Gaila Eranprais
Professional Surveyor No. 5372



SUBAREA "F"
59.215 AC.

EPCON GOLF VILLAGE II, LLC
12.489 AC.
O.R. VOL 0193, P. 1376

TRIANGLE PROPERTIES, INC.
O.R. 54, P. 1424

BAUER, DAVIDSON & MERCHANT, INC.
Consulting Engineers
255 Green Meadows Drive S.
Westerville, Ohio 43081
(614) 846-3393