

ORDINANCE 2004-43
Passed July 6, 2004

AN ORDINANCE APPROVING THE PLAT FOR GOLF VILLAGE COMMERCIAL SECTION 1.

WHEREAS, Triangle Properties, Inc. has submitted a plat for Golf Village Commercial Section 1 for approval which is attached hereto and incorporated herein by reference, and

WHEREAS, on June 9, 2004, the Powell Planning and Zoning Commission approved said plat for Golf Village Commercial Section 1, 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 Golf Village Commercial Section 1, which is attached hereto and incorporated herein by reference is approved by the Council for the Municipality of Powell, subject to the following conditions:

1. That the Plat meets the requirements of the City Engineer for all easements, lot numbers, addresses and any other item that he deems appropriate.
2. That the open space shown on lot 12 be dedicated to the City of Powell.
3. That Staff is permitted to adjust lot lines as necessary as long as such adjustments meet all requirements of the Golf Village Development Plan and the Liberty Township Zoning Resolution.

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 6

N 0

VOTE ON ORDINANCE NO. 2004-43

Y 6

N 0

Dan Wiencek
Dan Wiencek
Mayor

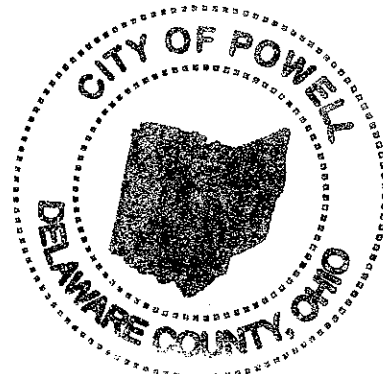
6/20/04
Date

Dawn Nauman
Dawn Nauman
Clerk of Council

7/20/04
Date

This legislation has been posted in accordance with
the City Charter on this date 7/23/04

Nauman
Clerk of Council

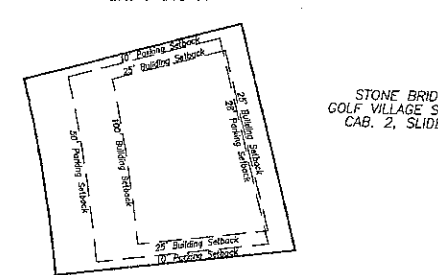
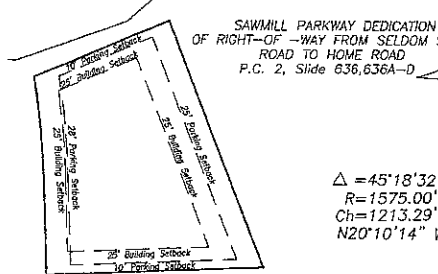
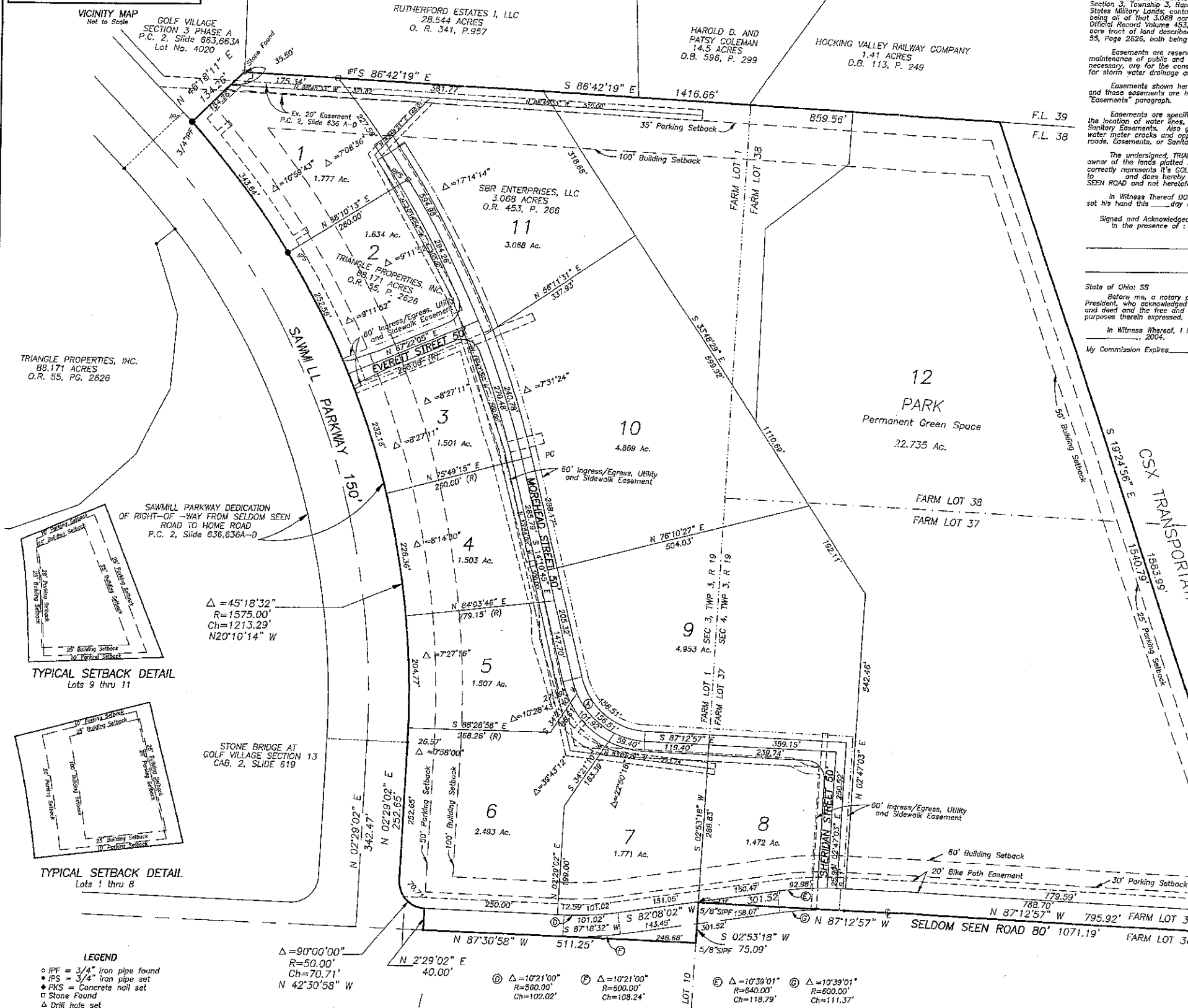
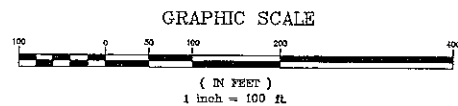
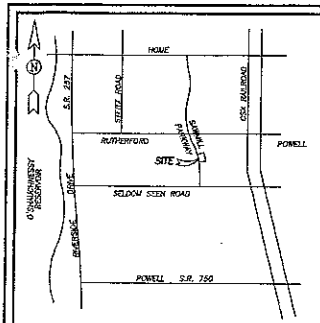


GOLF VILLAGE RETAIL SECTION 1

CITY OF POWELL, DELAWARE COUNTY, OHIO

FARM LOT 1, SECT. 3, TWP. 3, RN 19, U.S.M.L.

FARM LOTS 37 AND 38, SECT. 4, TWP. 3, RN 19, U.S.M.L.



- LEGEND**
- IPF = 3/4" iron pipe found
 - IPS = 3/4" iron pipe set
 - ◆ PMS = Concrete nail set
 - Stone Found
 - △ Drill hole set

9594record plat.dwg 5-12-04 5:00:53 pm EST

Situated in the State of Ohio, County of Delaware, City of Powell, being in Farm Lot 1 of Section 3, Township 3, Range 19 and in Farm Lot 37 and 38 of Section 4, Township 3, Range 19, United States Military Lands, containing 50.718 acres of land, more or less, 3,088 acres of said 50.718 acres being all of that 3,088 acre tract of land described in the deed to SBR Enterprises, LLC of record in Official Record Volume 453, Page 266, and 47,650 acres of said 50.718 acres being part of that 88,171 acre tract of land described in the deed to Triangle Properties, Inc., of record in Official Record Volume 55, Page 2626, both being of record in the 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 shown hereon outside of the platted area are within lands owned by the undersigned and those easements are hereby reserved for the uses and purposes expressed in the herein above "Easements" paragraph.

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 is the right of Del-Co Water Co., Inc. to install, service, and maintain water meter casks 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, President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its GOLF VILLAGE RETAIL SECTION 1, a subdivision of Lots numbered SEEN ROAD and not heretofore dedicated.

In Witness Whereof DONALD R. KENNEY, President, of TRIANGLE PROPERTIES, INC., has set his hand this ___ day of ___, 2004.

Signed and Acknowledged in the presence of: _____
By: Donald R. Kenney, President
TRIANGLE PROPERTIES, INC.

State of Ohio: SS
Before me, a notary public in and for said State, personally appeared, DONALD R. KENNEY, President, 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 ___, 2004.
My Commission Expires: _____
Notary Public, State of Ohio

The undersigned, CELMARK DEVELOPMENT GROUP, INC., by MIKE BALAKRISHNAN, President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its GOLF VILLAGE RETAIL SECTION 1 and does hereby accept this plat of same and dedicates to public use as such for SELDOM SEEN ROAD not heretofore dedicated.

In Witness Whereof MIKE BALAKRISHNAN, President of GOLF VILLAGE RETAIL SECTION 1 has set his hand this ___ day of ___, 2004.

Signed and Acknowledged in the presence of: _____
By: _____
CELMARK DEVELOPMENT GROUP
Mike Balakrishnan, President

State of Ohio: SS
Before me, a notary public in and for said State, personally appeared MIKE BALAKRISHNAN, PRESIDENT, who acknowledged the signing of the foregoing instrument to be his free and voluntary act and deed of CELMARK DEVELOPMENT GROUP, 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 ___, 2004.
My Commission Expires: _____
Notary Public, State of Ohio

Approved this ___ day of ___, 2004
Mayor, City of Powell, Ohio

Approved this ___ day of ___, 2004
City Engineer, City of Powell, Ohio

Approved this ___ day of ___, 2004
Planning and Zoning Commission, City of Powell, Ohio

Approved and accepted this ___ day of ___, 2004, by Ordinance No. _____ wherein all of this SELDOM SEEN ROAD, 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 ___, 2004.
Clerk, City of Powell, Ohio

Transferred this ___ day of ___, 2004
Delaware County Auditor

Filed for record this ___ day of ___, 2004 at 8:02 A.M.
Fee \$ _____
File No. _____

In Cabinet ___ Slides _____
Delaware County Recorder

- NOTES:**
- Note A: Notice is given to any buyer of the lots delineated on this plat that on file with the Building Department of Delaware County, are site improvement plans for the development of said lots showing proposed drainage, recommended finish floor elevations and/or lot grading plans. Said plans as approved by the Department of Delaware County are considered part of the approval of this subdivision and incorporated into the final plat plans required with the building permit.
 - Note B: 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 developer's overall scheme for the development of Seldom Seen 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 C: Roof down spout, sump pump, storm drainage or other clean water connections to sanitary system is prohibited.
 - Note D: All contractors shall comply with the "Delaware County Urban Sediment Pollution and Water Run-Off Control Regulations", adopted by the County Commissioners.
 - Note E: First floor elevations shall not be altered without building department.
 - Note F: Golf Village Retail Section 1 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 3904100205 J, for Delaware County, Ohio and Incorporated Areas with effective date of April 21, 1999.
 - Note G: Approval of this plat by the City of Powell and/or any other governmental authority shall in no way constitute a dedication or acceptance of the private street shown thereon and all such private street(s) shall be and remain a private access way and City of Powell and every other public authority signing this plat shall have no responsibility or liability for or arising out of the construction, improvement, maintenance and/or use of any such private street. The owners of these lots and their successors and assigning access to and shall be bound by the foregoing provision, which provision shall be deemed to be and is a covenant running with the land.

Curve Data

①	Δ=72°02'13"	R=150.00'	Ch=178.52'	S 50°41'51" E
②	Δ=10°21'00"	R=560.00'	Ch=101.02'	S 87°18'32" W
③	Δ=10°39'01"	R=640.00'	Ch=118.79'	N 87°27'32" E

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 April of 2004. 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 (I.D.) iron pipe survey marker with a plastic plug set in the top end 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 S86°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 636A thru 636D, Recorder's Office, Delaware County, Ohio.

BAUER, DAVIDSON & MERCHANT, INC.
Consulting Engineers
By: Gail Erenpreis
Professional Surveyor No. 5572

ZONING AND AREA CALCULATION:

TOTAL AREA = 50.718 ACRES
LOT AREA = 26.548 ACRES
R.O.W. AREA = 1.435 ACRES
NUMBER OF LOTS = 11
DENSITY = 0.41 U/AC. (Net)
OPEN SPACE AREA = 22.735 ACRES
% OPEN SPACE AREA = 44.8 %

AREAS IN RESPECTIVE FARM LOTS

FARM LOT 1 = 24.791 ACRES
FARM LOT 37 = 15.656 ACRES
FARM LOT 38 = 10.311 ACRES
TOTAL = 50.718 ACRES

BAUER, DAVIDSON & MERCHANT, INC.
Consulting Engineers
255 Green Meadows Drive S.
Westerville, Ohio 43081
(614) 646-3393