

ORDINANCE 2004-44
Passed July 6, 2004

AN ORDINANCE APPROVING THE PLAT FOR GOLF VILLAGE COMMERCIAL SECTION 2.

WHEREAS, Triangle Properties, Inc. has submitted a plat for Golf Village Commercial Section 2 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 2, 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 2, 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 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.

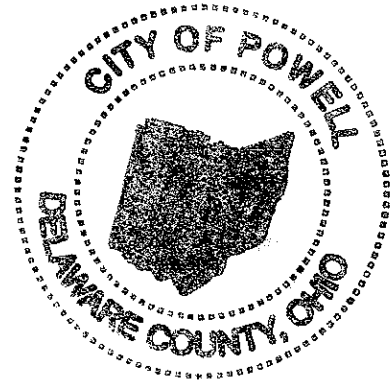
VOTE ON RULE SUSPENSION: Y 6 N 0

VOTE ON ORDINANCE NO. 2004-44 Y 6 N 0

Dan Wiencek 7/20/04
Dan Wiencek Date
Mayor

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

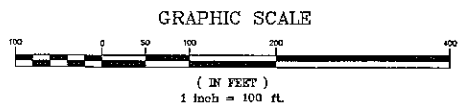
Dawn Nauman 7/20/04
Dawn Nauman Date
Clerk of Council



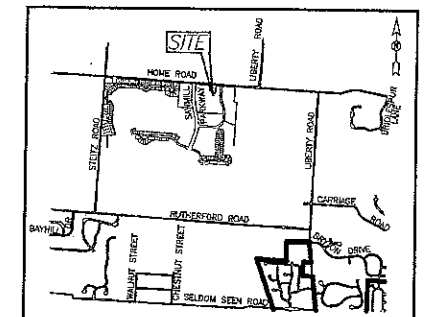
GOLF VILLAGE COMMERCIAL SECTION 2

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

SHEET 1 OF 1



- ▲ No Vehicular Access
- ▲ Right-in Access w/proper deceleration lane
- ▲ Right-in/ right-out/ left-in access



Situated in the State of Ohio, County of Delaware, City of Powell, being in Farm Lots 2 and 3 of Section 2, Township 3, Range 19, United States Military Lands, containing 25,544 acres of land, more or less, 6,335 acres of said 25,544 acres being part of the original 71,759 acre tract of land described in the deed to Triangle Properties, Inc., of record in Official Record Volume 54, Page 1246, 2,553 acres of said 25,544 acres being part of that original 9,996 acre tract of land described in the deed to Triangle Properties, Inc., of record in Official Record Volume 54, Page 1252 and 9,656 acres of said 25,544 acres being part of that original 59,215 acre tract of land described in the deed to Triangle Properties, Inc., of record in Official Record Volume 54, Page 1242, all being of record in the Recorder's Office, Delaware County, Ohio.

Statements are reserved, where indicated on this plot, for the construction, operation and maintenance of public and private utilities above and beneath the surface of the ground and, where necessary, are for the construction, operation and service connections to all adjacent lots and tracts 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 "Easement" 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 to 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, President, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plot correctly represents its GOLF VILLAGE COMMERCIAL SECTION 2, a subdivision of Lots numbered to and does hereby accept this plot of same.

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

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 _____, hereby dedicated to public use to be accepted as such by the Council for the City of Powell, Ohio.

Street Easements within said dedicated right-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 _____ U.

Fee \$ _____ File No. _____

In Cabinet _____ Slides _____

Delaware County Recorder

NOTES:

- Note A Notice is given to any buyer of the lots delineated on this plot 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 governmental agencies are considered part of the approval of this subdivision and incorporated into the final plot 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 developers overall scheme for the development of Seldon Seen Drive, my above grade structures, ditches or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plot.
- Note C Roof down spout, sump pumps, 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 Commission.
- Note E First floor elevations shall not be altered without building department approval.
- Note F Golf Village Commercial Section 2 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 280410229J, for Delaware County, Ohio and incorporated Areas with effective date of April 21, 1999.
- Note G Approval of this plot 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 plot 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.

SURVEYOR'S CERTIFICATE

We do hereby state that we have surveyed the above premises and prepared the attached plot. The field survey, on which this plot is based, was conducted in April of 2004.

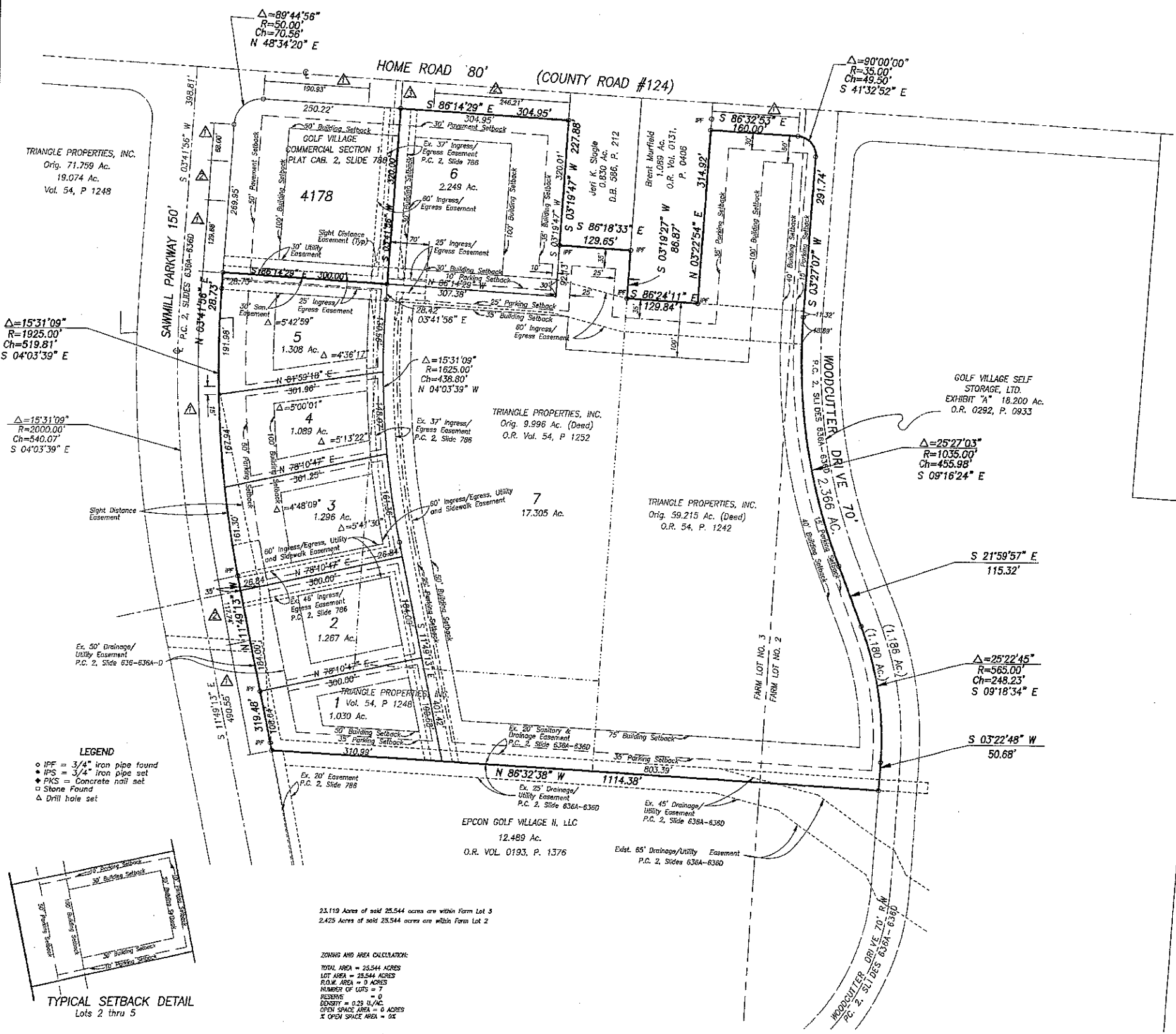
All dimensions are shown in feet and decimal parts thereof. Dimensions shown along curved lines are chord measurements.

The following symbol, unless otherwise noted, indicates a 3/4-inch (1.9) iron pipe survey marker with a plastic plug set in the top end bearing the initials SD & M.

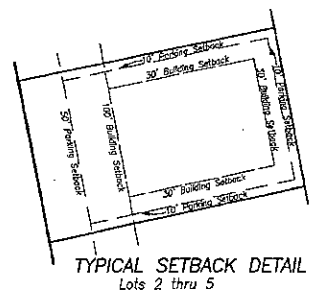
Permanent survey markers, to be placed upon completion of construction necessary to the improvement of the subject premises, are indicated by the following symbol:

The bearings shown on the attached plot are based on the bearing of S 34°15'58" W as given for the nearby boundary line of GOLF VILLAGE COMMERCIAL SECTION 1, of record in Plot Cabinet 2, Slide 785, Recorder's Office, Delaware County, Ohio.

BAUER, DAVIDSON & MERCHANT, INC.
Consulting Engineers
By: _____
Celia Erenpreis
Professional Surveyor No. 5372



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



23,119 Acres of said 25,544 acres are within Farm Lot 3
2,425 Acres of said 25,544 acres are within Farm Lot 2

ZONING AND AREA CALCULATION:
TOTAL AREA = 25,544 ACRES
LOT AREA = 25,544 ACRES
R.O.W. AREA = 0 ACRES
NUMBER OF LOTS = 7
DENSITY = 0.29 U./AC.
OPEN SPACE AREA = 0 ACRES
% OPEN SPACE AREA = 0%

BAUER, DAVIDSON & MERCHANT, INC.
Consulting Engineers
255 Green Meadows Drive S.
Westerville, Ohio 43081
(614) 845-3393
D #17 May 12, 2004 Dwg#D/26024/2604p