

ORDINANCE 2005-28
Passed June 7, 2005

AN ORDINANCE APPROVING THE PLAT FOR THE GOLF VILLAGE, SECTION 6, PHASE B PART III SUBDIVISION.

WHEREAS, Rockford Homes has submitted a plat for the Golf Village, Section 6, Phase B Part III subdivision for approval which is attached hereto and incorporated herein by reference, and

WHEREAS, on February 9, 2005, the Powell Planning and Zoning Commission approved said plat for the Golf Village, Section 6, Phase B Part III, 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, Section 6, Phase B Part III, 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 applicant review with and receive approval by the City Engineer of all addresses, easements and other items necessary for the plat to be consistent with the approved engineering plans.

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 _____

N _____

VOTE ON ORDINANCE NO. 2005-28

Y 7

N 0

Dan Wiencek
Dan Wiencek
Mayor

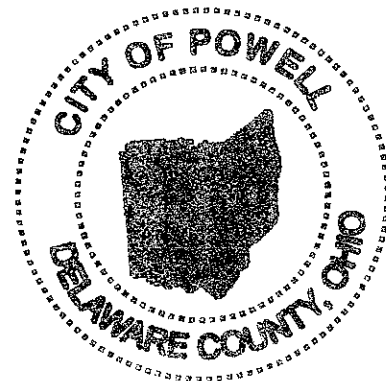
6/9/05
Date

Dawn Nauman
Dawn Nauman
Clerk of Council

6/20/05
Date

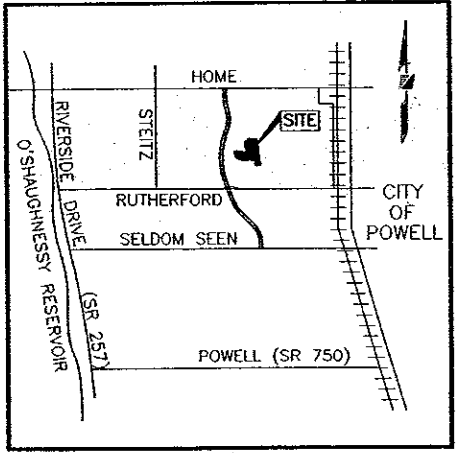
This legislation has been posted in accordance with
the City Charter on this date 6/21/05.

edr
Clerk of Council



GOLF VILLAGE

SECTION 6 PHASE B PART III



VICINITY MAP
NOT TO SCALE

NOTES:
NOTICE IS HEREBY GIVEN TO ANY BUYER OF THE LOTS DELINEATED ON THIS PLAT THAT ON FILE WITH THE BUILDING DEPARTMENT OF THE CITY OF POWELL, 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 ARE TO BE INCORPORATED INTO THE FINAL PLOT PLANS REQUIRED WITH THE BUILDING PERMIT.

EASEMENTS ARE SPECIFICALLY GRANTED UNTO DEL-CO WATER COMPANY, INC., ITS SUCCESSORS OR ASSIGNS FOR THE LOCATION OF WATER LINES, VALVES AND APPURTENANCES WITHIN DEDICATED RIGHTS-OF-WAY AND DESIGNATED "EASEMENTS", "DRAINAGE/UTILITY EASEMENTS", AND "SANITARY EASEMENTS". ALSO GRANTED IS THE RIGHT OF DEL-CO WATER COMPANY, INC., TO INSTALL, SERVICE, AND MAINTAIN WATER METER CROCKS AND APPURTENANCES OUTSIDE OF AND ADJACENT TO SAID DEDICATED RIGHT-OF-WAY FOR PUBLIC ROADS OR "EASEMENTS", "DRAINAGE/UTILITY EASEMENTS" AND "SANITARY EASEMENTS".

STREET IMPROVEMENTS WITHIN DEDICATED RIGHTS-OF-WAY WILL NOT BE FORMALLY ACCEPTED BY THE CITY OF POWELL FOR PUBLIC USE UNTIL CONSTRUCTION IS SATISFACTORILY COMPLETED.

ROOF DOWN SPOUT, SUMP PUMP, STORM DRAINAGE OR OTHER CLEAN WATER CONNECTIONS TO SANITARY SYSTEM ARE PROHIBITED.

FIRST FLOOR ELEVATIONS SHALL NOT BE ALTERED WITHOUT BUILDING DEPARTMENT APPROVAL.

THE SITE LIES IN ZONE X (AREA DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAINS), AS DETERMINED BY GRAPHIC INTERPOLATION FROM THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 39041C 0205J (DELAWARE COUNTY), WITH AN EFFECTIVE DATE OF APRIL 21, 1999, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF S 86°37'11" E FOR THE CENTERLINE OF HOME ROAD (COUNTY ROAD 124) AS ESTABLISHED BY A NETWORK OF GPS OBSERVATIONS PERFORMED IN APRIL, 2000.

WE DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE ATTACHED PREMISES, PREPARED THE ATTACHED PLAT, AND THAT SAID PLAT IS CORRECT. ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF. DIMENSIONS SHOWN ALONG CURVES ARE CHORD MEASUREMENTS. MONUMENTS ARE TO BE PLACED UPON COMPLETION OF CONSTRUCTION NECESSARY TO THE IMPROVEMENT OF THIS LAND AND ARE INDICATED BY THE FOLLOWING SYMBOLS:

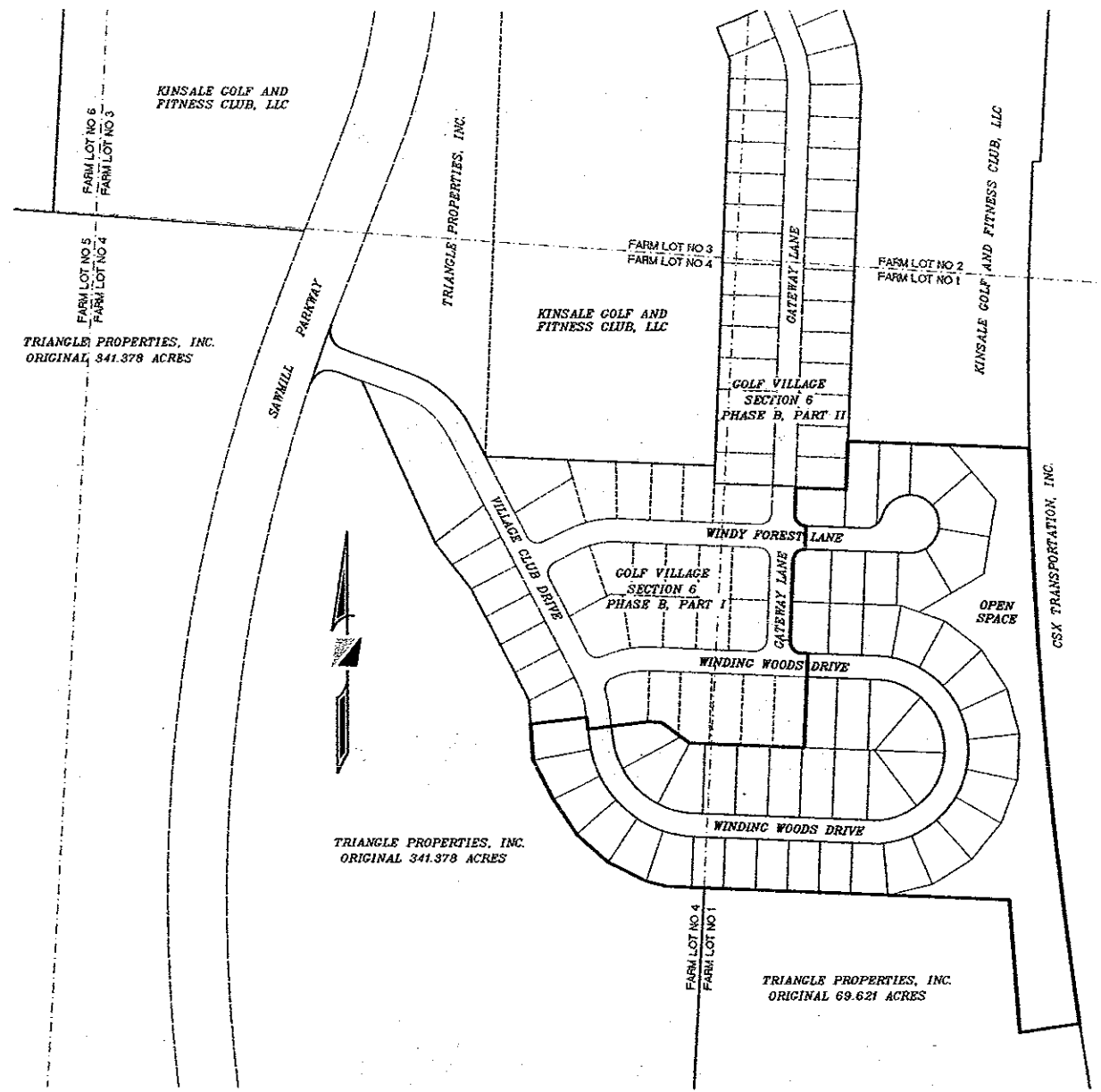
- PERMANENT MONUMENT
- IRON PIN SET
- IRON PIN FOUND
- △ RAILROAD SPIKE SET

PREPARED BY:
R.D.Zande & Associates

1500 LAKE SHORE DRIVE SUITE 100
COLUMBUS, OHIO 43204
(614) 486-4282 1-800-840-2745
FAX (614) 486-4287



BY: *[Signature]*
REGISTERED SURVEYOR NO. 7455
DATE: 02/12/04



BACKGROUND MAP
SCALE: 1"=200'

ZONING AND AREA CALCULATION:
TOTAL AREA = 22.691 ACRES

AREA PART III = 22.691 ACRES
LOT AREA = 14.675 ACRES
R.O.W. AREA = 3.020 ACRES
NUMBER OF BUILDABLE LOTS = 48
DENSITY = 2.15 D.U./AC
OPEN SPACE AREA = 4.596 ACRES
% OPEN SPACE AREA = 22.018 %

YARD SETBACKS:
FRONT YARD SETBACK: 25'
REAR YARD SETBACK: 25'
SIDE YARD SETBACKS:
LOTS LESS THAN 100' WIDE: 20X LOT WIDTH TOTAL/10% MIN. ONE SIDE
100' WIDE LOTS OR GREATER: 12.5' EACH SIDE/ 25' TOTAL

NOTES:
WITHIN SAID AREAS DESIGNATED "EASEMENT" AND "DRAINAGE EASEMENT" HEREON, NO GAS LINE, UNDERGROUND TELEPHONE, ELECTRIC OR TELEPHONE CABLE LINE OR CONDUIT OR ANY OTHER UTILITY LINE SHALL BE INSTALLED OR PLACED ON A COURSE OR ALIGNMENT THAT BOTH (1) IS PARALLEL WITH OR APPROXIMATELY PARALLEL WITH ANY EXISTING (EXISTING AT THE TIME OF SAID ALIGNMENT OR PLACEMENT) SANITARY SEWER LINE IN A SAID EASEMENT AREA AND (2) HAS ANY POINT THEREIN CLOSER THAN TEN FEET TO SAID SANITARY SEWER LINE UNLESS SAID COURSE OR ALIGNMENT IS APPROVED, IN WRITING, BY THE DELAWARE COUNTY SANITARY ENGINEER, RIGHT ANGLE OR NEAR RIGHT ANGLE CROSSINGS OF SAID LINES OR CONDUITS AND SAID SEWER ARE NOT RESTRICTED.

"OPEN SPACE" AS DESIGNATED AND DELINEATED HEREON SHALL BE OWNED AND MAINTAINED BY AN ASSOCIATION COMPRISED OF OWNERS OF THE FEE SIMPLE TITLES TO THE LOTS IN "GOLF VILLAGE SECTION 6, PHASE B PART III" AND ALL PREVIOUS SECTIONS OF THIS DEVELOPMENT. ALL "OPEN SPACE" IS SPECIFICALLY CREATED, IN PART, FOR THE CONSTRUCTION, MAINTENANCE, AND CONTINUED FUNCTION OF DRAINAGE SYSTEMS.

SITUATE IN THE STATE OF OHIO, COUNTY OF DELAWARE, CITY OF POWELL, AND LYING IN FARM LOTS 1 AND 4, SECTION 6, TOWNSHIP 3 NORTH, RANGE 19 WEST, UNITED STATES MILITARY DISTRICT, CONTAINING 22.691 ACRES, MORE OR LESS, INCLUDING 3.020 ACRES OF RIGHT-OF-WAY AREA, 19.302 ACRE IN FARM LOT 1, AND 3.369 ACRE IN FARM LOT 4, AND BEING ALL OF THE 22.691 ACRE TRACT CONVEYED TO ROCKFORD HOMES, INC., BY DEED OF RECORD IN DEED BOOK _____ PAGE _____ RECORDS OF THE RECORDER'S OFFICE, DELAWARE COUNTY, OHIO.

THE UNDERSIGNED, ROCKFORD HOMES, INC., BY ROBERT E. YOAKAM, JR., PRESIDENT, DOES HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS ITS "GOLF VILLAGE, SECTION 6, PHASE B, PART III", A SUBDIVISION OF LOT NUMBERS THROUGH _____ INCLUSIVE, AND "OPEN SPACE" (LOT _____), AND DEDICATES TO PUBLIC USE THE DRIVES AND LANE NOT HERETOFORE DEDICATED.

EASEMENTS ARE DEDICATED WHERE INDICATED ON THE PLAT FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF ALL PUBLIC AND PRIVATE UTILITIES, ABOVE AND BENEATH THE SURFACE OF THE GROUND, AND WHERE NECESSARY FOR THE CONSTRUCTION AND MAINTENANCE OF SERVICE CONNECTIONS TO ALL ADJACENT LOTS AND LANDS FOR STORM WATER DRAINAGE.

IN WITNESS WHEREOF, ROBERT E. YOAKAM, JR., PRESIDENT OF ROCKFORD HOMES, INC., HAS SET HIS HAND THIS 16th DAY OF February, 2004.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:
[Signature] ROCKFORD HOMES, INC.
PRINTED: *[Signature]*
PRINTED: *[Signature]* BY: ROBERT E. YOAKAM, JR. PRESIDENT
STATE OF OHIO SS

THE FOREGOING PLAT WAS ACKNOWLEDGED BEFORE ME THIS 16th DAY OF February, 2004 BY ROBERT E. YOAKAM, JR., PRESIDENT OF ROCKFORD HOMES, INC., ON BEHALF OF THE CORPORATION.

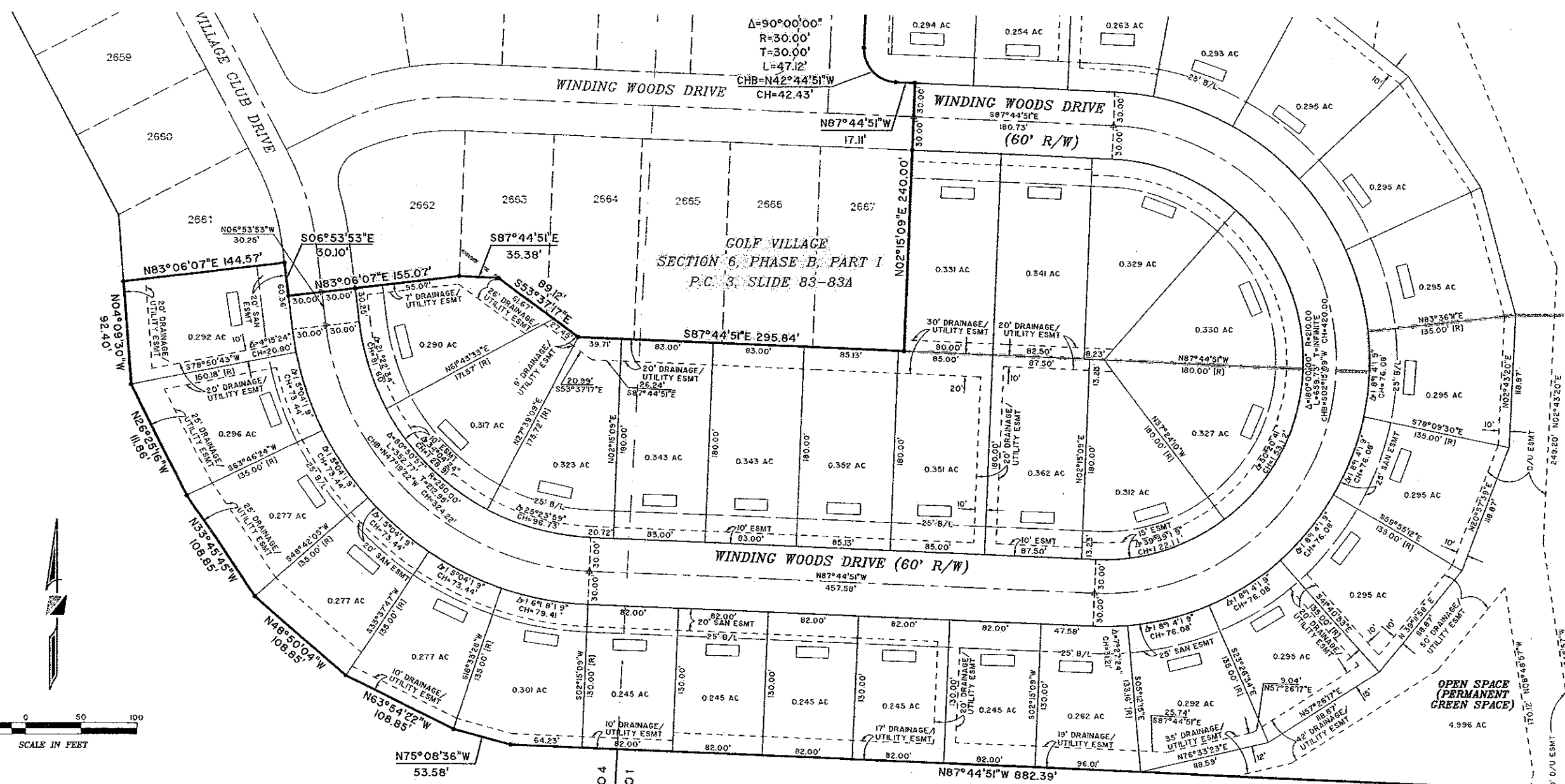
IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS 16th DAY OF February, 2004.
MY COMMISSION EXPIRES 12-6-07
[Signature]
NOTARY PUBLIC, STATE OF OHIO

CITY OF POWELL
APPROVED BY:
MAYOR, CITY OF POWELL, OHIO DATE
CITY ENGINEER, CITY OF POWELL, OHIO DATE
CHAIRMAN, PLANNING COMMISSION CITY OF POWELL, OHIO DATE

THIS _____ DAY OF _____ 2005, ALL RIGHTS-OF-WAY SHOWN HEREIN AND DEDICATED TO PUBLIC USE ARE HEREBY APPROVED FOR THE CITY OF POWELL, STATE OF 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 AS SUCH BY CITY OF POWELL.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS _____ DAY OF _____ 2005.
CLERK, CITY OF POWELL DATE

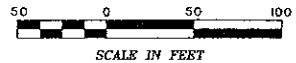
TRANSFERRED THIS _____ DAY OF _____ 2005 AUDITOR, DELAWARE COUNTY, OHIO
FILED FOR RECORD THIS _____ DAY OF _____ 2005 AT _____ M
FEE _____ FILE NO. _____ RECORDER, DELAWARE COUNTY, OHIO
RECORDED THIS _____ DAY OF _____ 2005 PLAT CABINET _____ SLIDE _____



$\Delta=7^{\circ}26'00''$
 $R=1366.76'$
 $T=738.39'$
 $L=1474.70'$
 $CHB=S04^{\circ}56'36''E$
 $CH=1473.67'$

MATCH LINE
 (SEE SHEET 3)

CSX TRANSPORTATION, INC.



- LEGEND**
- 1234 LOT NUMBERS
 - 5678 ADDRESSES
 - PERMANENT MONUMENT
 - IRON PIN SET
 - IRON PIN FOUND
 - ▲ RAILROAD SPIKE SET

TRIANGLE PROPERTIES, INC.,
 AN OHIO CORPORATION
 ORIGINAL 341.378 ACRES
 O.R. 53, PG. 391

TRIANGLE PROPERTIES, INC.,
 AN OHIO CORPORATION
 ORIGINAL 69.621 ACRES
 O.R. 55, PG. 617

OPEN SPACE (PERMANENT GREEN SPACE)

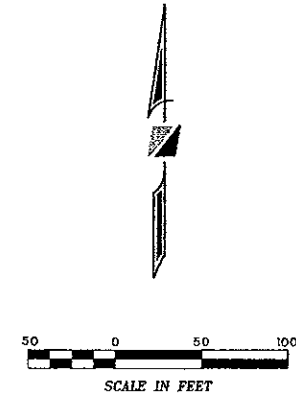
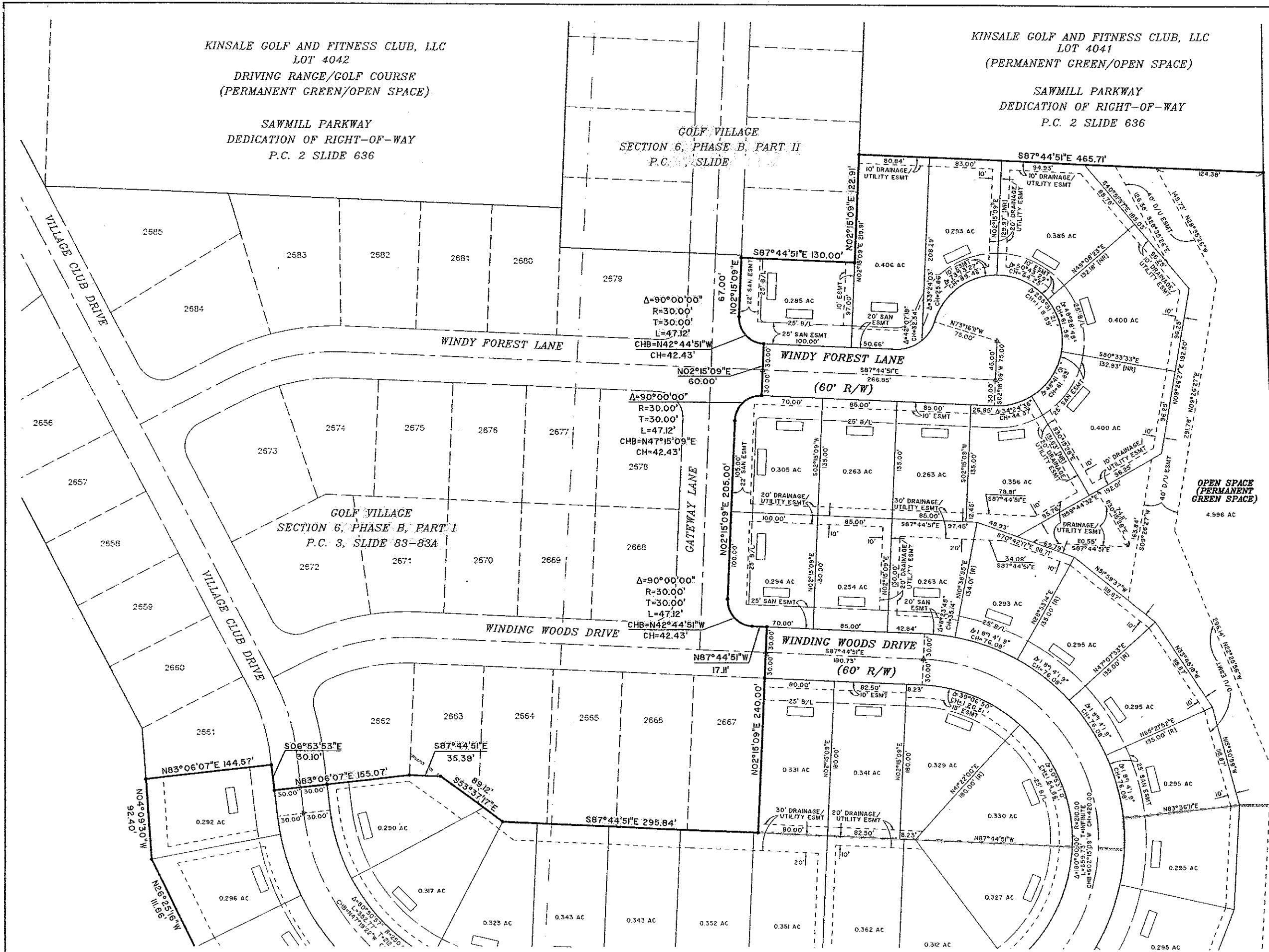
KINSALE GOLF AND FITNESS CLUB, LLC
 LOT 4042
 DRIVING RANGE/GOLF COURSE
 (PERMANENT GREEN/OPEN SPACE)

SAWMILL PARKWAY
 DEDICATION OF RIGHT-OF-WAY
 P.C. 2 SLIDE 636

KINSALE GOLF AND FITNESS CLUB, LLC
 LOT 4041
 (PERMANENT GREEN/OPEN SPACE)

SAWMILL PARKWAY
 DEDICATION OF RIGHT-OF-WAY
 P.C. 2 SLIDE 636

GOLF VILLAGE
 SECTION 6, PHASE B, PART II
 P.C. 2 SLIDE 636



- LEGEND**
- 1234 LOT NUMBERS
 - 5678 ADDRESSES
 - PERMANENT MONUMENT
 - IRON PIN SET
 - ⊙ IRON PIN FOUND
 - ⊖ RAILROAD SPIKE SET

CSX TRANSPORTATION, INC.

$\Delta=7^{\circ}26'00''$
 $R=11366.76'$
 $T=738.39'$
 $L=1474.70'$
 $CHB=S04^{\circ}56'36''E$
 $CH=1473.67'$

MATCH LINE
 (SEE SHEET 2)