

# RECORD OF RESOLUTIONS

Resolution No. 2016-GG

December 12, 2016

## City of Bellbrook

### Resolution No. 2016-GG

#### **A Resolution Approving the Replat of Lots #36A and #3C into Lots #36B, #37A, #38A and #3D, Highview Terrace Subdivision Section I.**

WHEREAS, the Ohio Revised Code requires a re-plat for changes of lot lines or easements in a platted subdivision, and

WHEREAS, the City of Bellbrook's consulting engineer and the Bellbrook Planning Board have recommended approval of a replat of Lots #36A and #3C into Lots #36B, #37A, #38A and #3D, Highview Terrace Subdivision, Section I; and

WHEREAS, the City of Bellbrook Subdivision Regulations stipulate that changes to a recorded plat shall be approved by action of the Bellbrook City Council

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

Section 1. That the replat of Lots #36A and #3C into Lots #36B, #37A, #38A and #3D, Highview Terrace Subdivision, Section I is hereby approved for recording purposes.

Section 2. That the Mayor and Clerk of Council are authorized to affix their signatures to the revised record plan.

Section 3. 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

**HIGHVIEW TERRACE  
SECTION ONE  
RE-PLAT OF LOTS 96A & 9C  
INTO LOTS 96B, 97A, 98A & 9D**

FOR  
CLEMENS DEVELOPMENT COMPANY, INC.  
LOCATED IN  
CITY OF BELLBROOK  
SECTION 2, TOWN 2, RANGE 6 M.R.'s.  
GREENE COUNTY, OHIO  
5.193 ACRES  
NOVEMBER 17, 2016

**DEDICATION**  
DESIGNED, BEING ALL THE OWNERS AND LEIENHOLDERS OF THE LANDS HEREIN PLATED, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AS SHOWN HEREON, AND DO HEREBY VOLUNTARILY CONSENT TO THE PUBLIC USE FOREVER OF THE EASEMENTS, RIGHTS, AND INTERESTS SHOWN HEREON FOR THE PURPOSES OF MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, GAS, SEWER, ELECTRIC, TELEPHONE OR OTHER UTILITIES OR SERVICES, AND FOR THE EXPRESS PURPOSES OF SAID UTILITIES AND FOR THE PROVIDING OF ACCESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES, AND ARE TO BE MAINTAINED AS SUCH FOREVER.

SIGNED AND ACKNOWLEDGED  
IN THE PRESENCE OF:  
OWNER LOT 96A,  
MARK ALFES & STACI ALFES  
BY: MARK ALFES  
BY: STACI ALFES  
STATE OF OHIO, S.S.:  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY MARK ALFES AND STACI ALFES, AS OWNERS.

NOTARY PUBLIC  
SIGNED AND ACKNOWLEDGED  
IN THE PRESENCE OF:  
LEIENHOLDER  
WITNESS  
BY: WITNESS  
ITS: \_\_\_\_\_ (PRINTED NAME)  
STATE OF OHIO, S.S.:  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY \_\_\_\_\_ (PRINTED TITLE)  
BY AS LEIENHOLDER.

NOTARY PUBLIC  
SIGNED AND ACKNOWLEDGED  
IN THE PRESENCE OF:  
OWNER, LOT 9C,  
CLEMENS DEVELOPMENT CO., INC.  
WITNESS  
BY: RICHARD M. CLEMENS  
PRESIDENT, CLEMENS DEVELOPMENT CO., INC.  
WITNESS  
STATE OF OHIO, S.S.:  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
BY RICHARD M. CLEMENS, ITS PRESIDENT, AS OWNER.

NOTARY PUBLIC  
SIGNED AND ACKNOWLEDGED  
IN THE PRESENCE OF:  
LEIENHOLDER,  
MINSTER BANK (WESTERN OHIO)  
WITNESS  
BY: WITNESS  
ITS: \_\_\_\_\_ (PRINTED NAME)  
STATE OF OHIO, S.S.:  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY MINSTER BANK  
BY AS LEIENHOLDER.

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 \_\_\_\_\_, 20\_\_\_\_

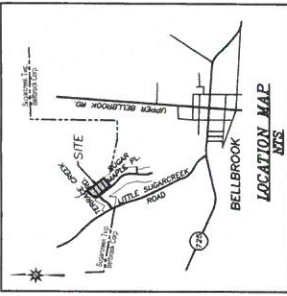
TRANSFERRED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

GREENE COUNTY RECORDER:  
FILE NO. \_\_\_\_\_ PLAT CABINET VOL. \_\_\_\_\_ PAGES \_\_\_\_\_

FEE: \_\_\_\_\_ RECEIVED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

RECORDED THIS \_\_\_\_\_ AT \_\_\_\_\_ M. \_\_\_\_\_, 20\_\_\_\_

GREENE COUNTY RECORDER \_\_\_\_\_



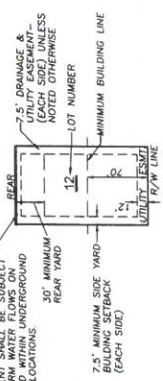
**DESCRIPTION**  
THE WITHIN RE-PLAT IS A SUBDIVISION CONTAINING 5.193 ACRES AND BEING ALL OF CLEMENS DEVELOPMENT COMPANY, INC. LOTS 96A AND 9C AS RECORDED IN HIGHVIEW TERRACE, SECTION ONE, TOWN TWO, RANGE SIX, MERIDIAN SIX, GREENE COUNTY, OHIO, AS ACQUIRED BY CLEMENS DEVELOPMENT COMPANY THROUGH INSTRUMENTS RECORDED IN O.R. 2222, PG. 822 OF THE OFFICIAL RECORDS OF GREENE COUNTY, OHIO AND LOT 97A, 97B, 97C, 97D, 97E, 97F, 97G, 97H, 97I, 97J, 97K, 97L, 97M, 97N, 97O, 97P, 97Q, 97R, 97S, 97T, 97U, 97V, 97W, 97X, 97Y, 97Z, 98A, 98B, 98C, 98D, 98E, 98F, 98G, 98H, 98I, 98J, 98K, 98L, 98M, 98N, 98O, 98P, 98Q, 98R, 98S, 98T, 98U, 98V, 98W, 98X, 98Y, 98Z, 99A, 99B, 99C, 99D, 99E, 99F, 99G, 99H, 99I, 99J, 99K, 99L, 99M, 99N, 99O, 99P, 99Q, 99R, 99S, 99T, 99U, 99V, 99W, 99X, 99Y, 99Z, 100A, 100B, 100C, 100D, 100E, 100F, 100G, 100H, 100I, 100J, 100K, 100L, 100M, 100N, 100O, 100P, 100Q, 100R, 100S, 100T, 100U, 100V, 100W, 100X, 100Y, 100Z, 101A, 101B, 101C, 101D, 101E, 101F, 101G, 101H, 101I, 101J, 101K, 101L, 101M, 101N, 101O, 101P, 101Q, 101R, 101S, 101T, 101U, 101V, 101W, 101X, 101Y, 101Z, 102A, 102B, 102C, 102D, 102E, 102F, 102G, 102H, 102I, 102J, 102K, 102L, 102M, 102N, 102O, 102P, 102Q, 102R, 102S, 102T, 102U, 102V, 102W, 102X, 102Y, 102Z, 103A, 103B, 103C, 103D, 103E, 103F, 103G, 103H, 103I, 103J, 103K, 103L, 103M, 103N, 103O, 103P, 103Q, 103R, 103S, 103T, 103U, 103V, 103W, 103X, 103Y, 103Z, 104A, 104B, 104C, 104D, 104E, 104F, 104G, 104H, 104I, 104J, 104K, 104L, 104M, 104N, 104O, 104P, 104Q, 104R, 104S, 104T, 104U, 104V, 104W, 104X, 104Y, 104Z, 105A, 105B, 105C, 105D, 105E, 105F, 105G, 105H, 105I, 105J, 105K, 105L, 105M, 105N, 105O, 105P, 105Q, 105R, 105S, 105T, 105U, 105V, 105W, 105X, 105Y, 105Z, 106A, 106B, 106C, 106D, 106E, 106F, 106G, 106H, 106I, 106J, 106K, 106L, 106M, 106N, 106O, 106P, 106Q, 106R, 106S, 106T, 106U, 106V, 106W, 106X, 106Y, 106Z, 107A, 107B, 107C, 107D, 107E, 107F, 107G, 107H, 107I, 107J, 107K, 107L, 107M, 107N, 107O, 107P, 107Q, 107R, 107S, 107T, 107U, 107V, 107W, 107X, 107Y, 107Z, 108A, 108B, 108C, 108D, 108E, 108F, 108G, 108H, 108I, 108J, 108K, 108L, 108M, 108N, 108O, 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# HIGHVIEW TERRACE SECTION ONE RE-PLAT OF LOTS 36A & 3C INTO LOTS 36B, 37A, 38A & 3D

FOR  
CLEMENS DEVELOPMENT COMPANY, INC.  
LOCATED IN  
CITY OF BELLBROOK  
SECTION 2, TOWN 2, RANGE 6 M.R.s.  
GREENE COUNTY, OHIO  
5.183 ACRES  
NOVEMBER 17, 2016

LEGEND:  
○ 5/8" x 30" IRON PIN SET WITH YELLOW PLASTIC CAP  
STAMPED "BRUMBAUGH EAS"

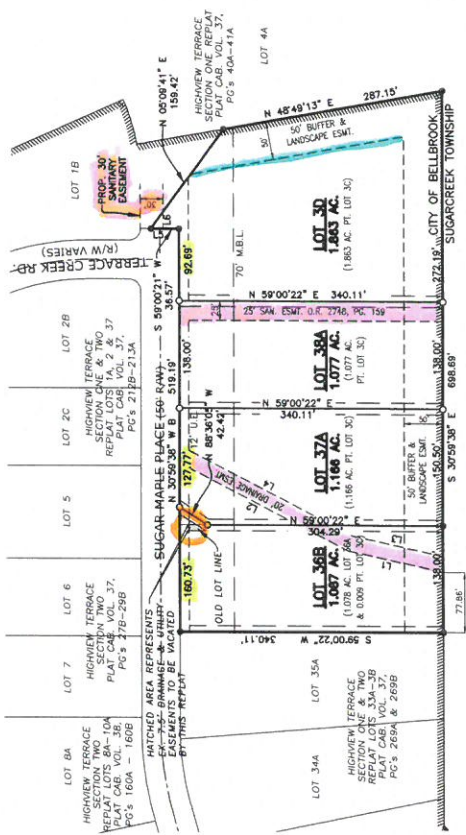
● 5/8" IRON PIN FOUND  
ALL MEASUREMENTS FOUND ARE IN GOOD  
CONDITION UNLESS OTHERWISE NOTED.



**TYPICAL LOT**  
NO BUILDING OR OTHER STRUCTURE SHALL BE LOCATED OR "DRAINAGE EASEMENT" SHALL BE MAINTAINED FOR SURFACE EROSION IN THE REAR YARD. THE RESPONSIBILITY OF THE PROPERTY OWNER, SEE THE "DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS" FOR FURTHER BUILDING RESTRICTIONS.

- NOTES:**
1. NO BUILDING OR OTHER STRUCTURES SHALL BE LOCATED IN "DRAINAGE EASEMENT".
  2. IMPROVEMENTS FOR DRAINAGE PURPOSES, SHALL AT ALL TIMES BE KEPT FREE OF ANY OBSTRUCTIONS TO THE FLOW OF WATER. NO IMPROVEMENTS, STRUCTURES OR OBSTRUCTIONS SHALL BE LOCATED IN THE DRAINAGE EASEMENT AREA WITHOUT THE APPROVAL OF THE CITY ENGINEER. MAINTENANCE OF THE DRAINAGE EASEMENT AREA SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL OWNER(S) OF THE LOT OR HOME OWNERS OR CONDOMINIUM ASSOCIATION, WHICHEVER IS APPLICABLE, ON THESE FACILITIES AND/OR DRAINAGE AREAS ARE LOCATED.
  3. ANY LOT TRANSFERRED WILL HAVE A MINIMUM WIDTH AND AREA AS SHOWN ON THIS PLAT. THE MINIMUM WIDTH AND AREA THAT ONLY ONE PRINCIPAL BUILDING WILL BE PERMITTED ON ANY SUCH LOT.

**PERTINENT DOCUMENTS:**  
- IN ADDITION TO THE REFERENCES SHOWN ON FACE HEREOF, THE FOLLOWING DOCUMENTS HAVE BEEN FILED FOR RECORD IN THE PUBLIC RECORDS OF GREENE COUNTY, OHIO:  
- OCCUPATION AGREEMENT, PG. 25, IN 6600 CONDITION UNLESS OTHERWISE SHOWN.



HORIZONTAL SCALE 1"=100'  
0' 100' 200' 300'

**EASEMENT LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 71°26'34" W	123.15'
L2	N 85°26'35" E	231.86'
L3	S 71°26'34" W	118.11'
L4	N 85°26'35" E	239.61'
L5	N 30°09'58" E	159.83'
L6	N 30°09'58" W	21.83'

BEARING OF BASE:  
THE NORTH LINE OF CLEMENS DEVELOPMENT COMPANY, INC. IS BEING USED IN O.R. 2372 PAGE 672 BEING N 71°00'45" W

INVENESS GROUP, INCORPORATED  
REMAINING 147,092 ACRES  
S.R. 36, PG. 295

BEARING OF BASE:  
THE NORTH LINE OF CLEMENS DEVELOPMENT COMPANY, INC. IS BEING USED IN O.R. 2372 PAGE 672 BEING N 71°00'45" W

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**BRUMBAUGH & BENSURVEYING, LLC**  
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PHONE (937) 698-3000  
FAX (937) 698-3928  
SHEET 2 OF 2