

TEMPORARY ORDINANCE NO. 14-19

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO ACCEPT THE FINAL PLAT FOR MISTY MEADOWS SECTION 4

WHEREAS, the Final Plat was submitted to the Lancaster Planning Commission; and

WHEREAS, on the 12th day of September 2019, the said City Planning Commission gave unanimous approval of the Final Plat; and

WHEREAS, the engineering improvement plans are approved prior to acceptance;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That the Final Plat for Misty Meadows Section 4 be and the same is hereby approved and accepted.

SECTION 2. That the acceptance specified in Section 1 shall be contingent upon the developer providing a performance bond, for completion of the improvements, as provided in Section 1107.02 of the Codified Ordinances of the City of Lancaster, Ohio.

SECTION 3. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Code Enforcement and Zoning Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2019 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council

MISTY MEADOWS SECTION 4

Situated in the State of Ohio, County of Fairfield, City of Lancaster, and in Section 34, Township 15, Range 19, Congress Lands, containing 15.863 acres of land, more or less, said 15.863 acres being part of that tract of land conveyed to D.R. HORTON-INDIANA, LLC by deed of record in Official Record 1795, Page 650, Recorder's Office, Fairfield County, Ohio.

The undersigned, D.R. HORTON-INDIANA, LLC, a Delaware limited liability company, by JACK MAUTINO, Division President, owner of the lands platted herein, duly authorized representatives, do hereby certify that this plat correctly represents the plat of MISTY MEADOWS SECTION 4, a subdivision, containing Lots numbered 124 to 158, both including same, designated as "C" and "E", does hereby accept this plat of same and dedicated to public use, as such, all of Brook Run Drive, Misty Meadows Avenue and Misty Meadows Place, shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Utility Easement" (U/E) or "Drainage Easement" (D/E). Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi public utilities, above, beneath, and on the surface of the ground, and where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, easements are hereby granted for the purpose of constructing, reconstructing, using and maintaining major storm drainage swales, storm water detention and/or retention basins and underground utilities and appurtenant works on any part of easements designated "Drainage Easement" hereon, including the right to clean, repair and care for said swales and utilities with the right of access to the said areas for the said purpose. The costs thereof, both direct and incidental thereto, shall be paid for by the owner or owners of the fee simple title to the lots and land upon which such maintenance is performed. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within drainage easements.

The owner or owners of the fee simple title to each of lots and lands shown hereon that has within it a portion of the area designated herein as "Drainage Easement" shall care for, maintain, and keep open and unobstructed the major storm drainage swale and any detention and/or retention basin within said portion of the drainage easement area. No fence shall be constructed within any portion of the easement and/or major flood routing swale.

In Witness Whereof, JACK MAUTINO, Division President of D.R. HORTON, INC. - MIDWEST, Sole Member of D.R. HORTON - INDIANA, LLC, has heretofore set his hand this ___ day of ___, 20__.

**Signed and Acknowledged
In the presence of:**
By JACK MAUTINO,
Division President
D.R. HORTON - INDIANA, LLC
Sole Member

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared JACK MAUTINO, Division President of D.R. HORTON - MIDWEST, Sole Member of D.R. HORTON - INDIANA, LLC who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said D.R. HORTON - INDIANA, LLC, for the uses and purposes expressed herein.

In Witness Whereof, I have heretofore set my hand and affixed my official seal this ___ day of ___, 20__.

My commission expires _____
Notary Public, _____
State of Ohio

LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE



SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the same meridian as the bearings shown on the subdivision plat entitled "Misty Meadows Section 4" of record in Plat Cabinet 2, Slot 98, Recorder's Office, Fairfield County, Ohio.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Fairfield County, Ohio, Recorder.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are set and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point.

SURVEYED & PLATTED
BY



We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

- = Iron Pin (See Survey Data)
- = MAG Nail to be set
- ⊙ = Permanent Marker (See Survey Data)

Mitch Noland
City Engineer,
City of Lancaster

Paul Martin
Secretary of Planning Commission,
City of Lancaster

Teresa Sandy
Clerk of Council,
City of Lancaster

Jon A. Slater, Jr.
Fairfield County Auditor

Gene Wood
Fairfield County Recorder

A Public Sites and Open Space Fee per Section 1109.12 L.C.O. of \$ _____ was paid on this day _____ of _____, 20__.

Approved and accepted by Planning Commission this _____ day of _____, 20__.

Approved and accepted by City Council this _____ day of _____, 20__ in Ordinance No. _____.

I hereby certify that this plat was filed for recording on _____ am-pm and that it was recorded on _____ in Cabinet _____ Slot _____ of _____ plat records of Fairfield County, Ohio.

Fee \$ _____

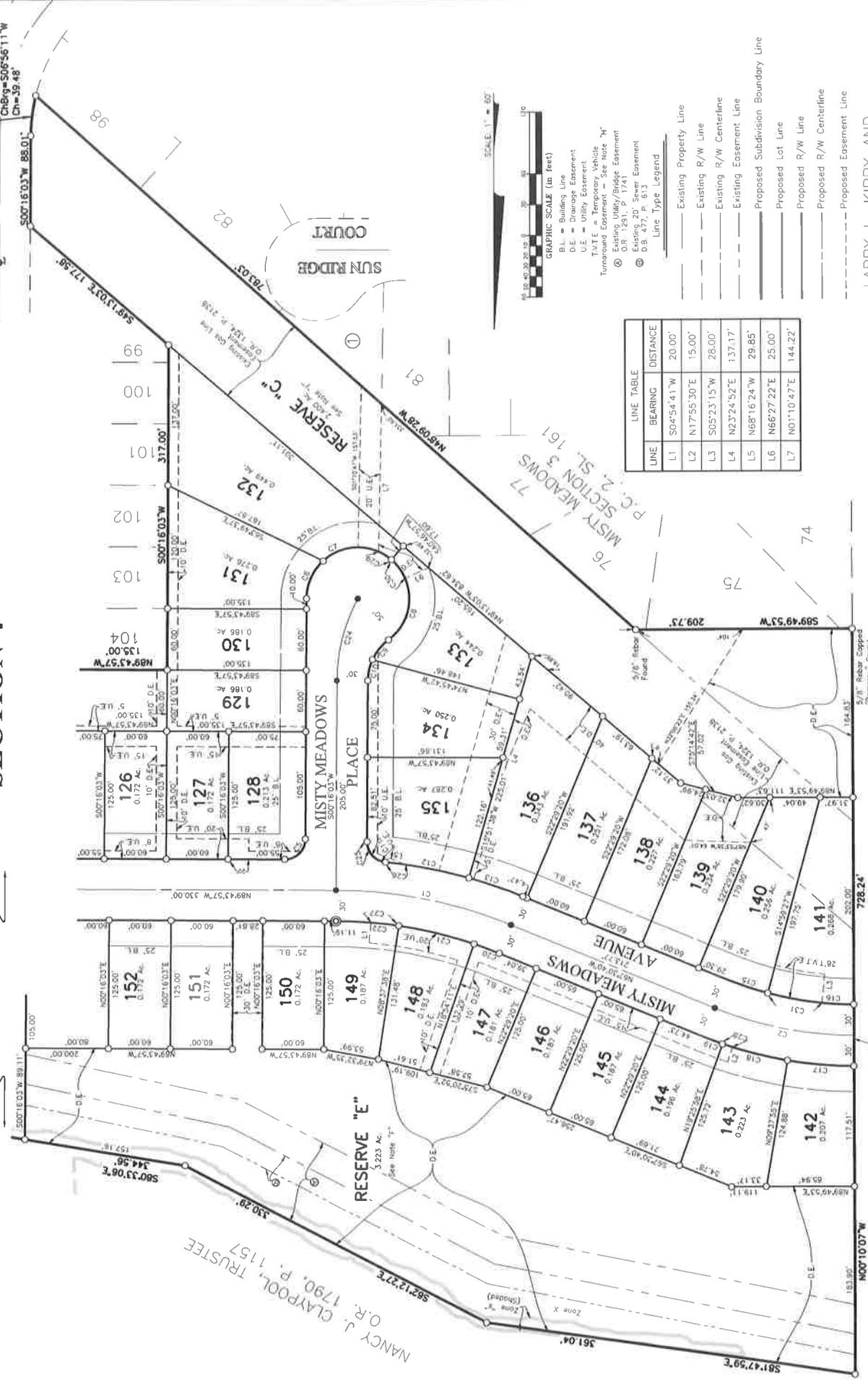
By _____
Matthew A. Kirk
Professional Surveyor No. 7865
Date _____

MISTY MEADOWS

SECTION 4

See Sheet 3

See Sheet 5



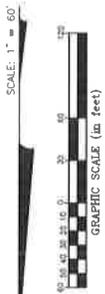
LINE	BEARING	DISTANCE
L1	S04°54'41"W	20.00'
L2	N17°55'30"E	15.00'
L3	S05°23'15"W	28.00'
L4	N2°24'52"E	137.17'
L5	N68°16'24"W	29.85'
L6	N66°27'22"E	25.00'
L7	N07°10'47"E	144.22'

LARRY L. KIRBY AND
 CAROL L. KIRBY, TRUSTEES
 O.R. 1709, P. 3462

MAX M. MILLER, JAMES
 MILLER, AND DAVID MILLER
 O.R. 1756, P. 4211

MISTY MEADOWS SECTION 4

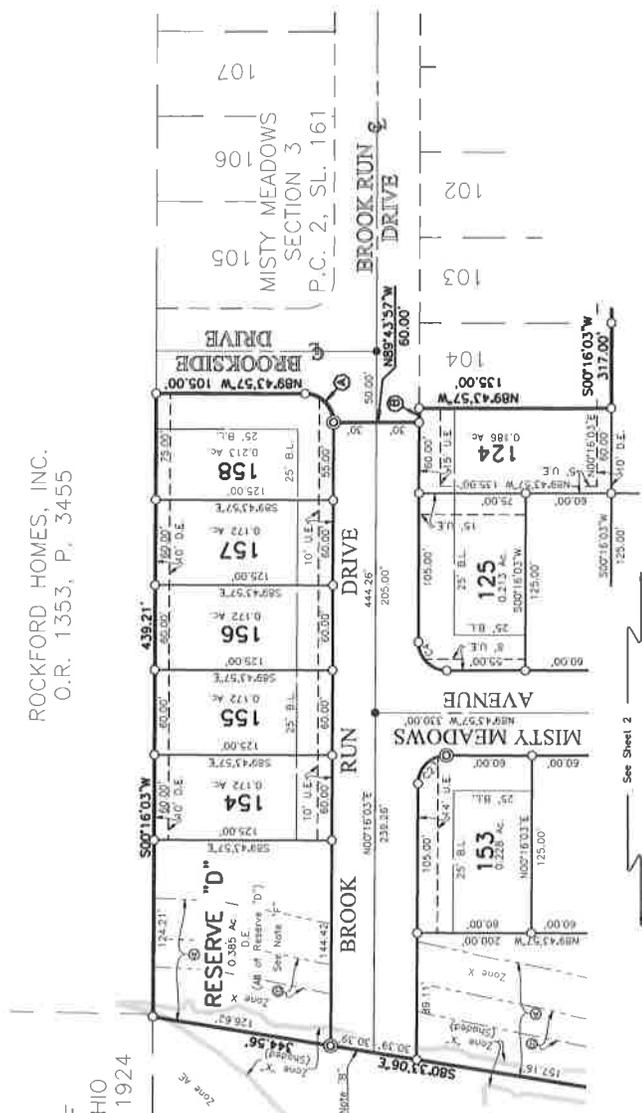
- BL = Building Line
- DE = Drainage Easement
- UE = Utility Easement
- UTL = Utility Trench
- Turnaround Easement = See Note "H"
- Ⓐ Existing Utility/Bridge Easement
- Ⓑ Existing 20' Sewer Easement
- Ⓒ D.B. 477, P. 613
- Ⓓ A=90°00'00" R=20.00'
- Ⓔ Arc=31.42'
- Ⓕ ChBgm=N44°43'57"W
- Ⓖ Ch=28.28'
- Ⓖ S00°16'03"W 10.00'



ROCKFORD HOMES, INC.
O.R. 1353, P. 3455

THE CITY OF
LANCASTER, OHIO
O.R. 1328, P. 1924

NANCY J. CLAYPOOL, TRUSTEE
O.R. 1790, P. 1157



NOTE "A": The purpose of this plat is to show certain property, rights-of-way and planning authorities at the time of platting this plat above some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall apply to this plat. This note should not be construed as creating plat or subdivision restrictions private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "B": No vehicular access until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "C": MINIMUM FRONT, SIDE AND REAR YARD SETBACKS: As required by the zoning code.

Front: 25 feet
Side: 10 feet total
Rear: 20 feet

NOTE "D" - ACREAGE BREAKDOWN:

Total acreage 15.863 Ac.
Acreage in reserves 6.008 Ac.
Acreage in lots 7.619 Ac.
Acreage in right-of-way 2.236 Ac.

NOTE "E": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat, as delineated necessary by these providers, for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about Misty Meadows should not be accepted by competent public officials without an examination of the then current public records, including those in the Fairfield County Recorder's Office.

NOTE "F": RESERVES "C", "D", AND "E": Reserves "C", "D", and "E", as designated and delineated hereon, shall be owned and maintained by an association comprised of the owners of the fee interest in the lots shown on this plat. The proceeds from the sale of the lots for the purpose of open space and storm water retention facilities.

NOTE "G": At the time of platting, part of Reserve "D" is in Zone AE (area of 1% annual chance flood with Base Flood Elevations determined) and part of Reserves "D" and "E" are in Zone "X" (Shaded) (areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depth of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood). The remainder of Misty Meadows Section 4 (floodplains) as said Zones are designated and delineated on the FEMA Flood Insurance rate map for Fairfield County, Ohio, and incorporated areas map number 39045-C0232G, with effective date of January 6, 2012.

NOTE "H": TEMPORARY VEHICLE TURNAROUND EASEMENT (UTL) - MISTY MEADOWS AVENUE: The City of Lancaster, Ohio is hereby granted a nonexclusive easement for vehicular turnaround use by the public in and over the areas of land designated "Temporary Vehicle Turnaround Easement" at the westerly terminus of Misty Meadows Avenue as shown hereon. Temporary easements shall be of no force at such time as the temporary turnaround is removed and the street is extended by dedicated right-of-way or easement in a manner acceptable to the City of Lancaster.

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	27°13'17"	450.00'	174.53'	N 78°37'18" W	173.45'
C2	22°39'27"	350.00'	138.41'	N 79°50'23" W	137.51'
C4	90°00'00"	20.00'	31.42'	N 44°43'57" W	28.28'
C5	90°00'00"	20.00'	31.42'	S 45°16'03" W	28.28'
C6	47°08'23"	50.00'	41.15'	N 23°50'45" E	40.00'
C7	83°21'31"	50.00'	72.74'	N 89°06'12" E	66.50'
C8	102°36'54"	50.00'	89.55'	S 02°05'24" W	78.05'
C10	24°10'30"	50.00'	21.10'	N 12°21'18" E	20.94'
C11	84°15'39"	20.00'	29.41'	S 41°51'46" E	26.83'
C12	95°11'13"	480.00'	82.55'	S 79°03'59" E	82.45'
C13	63°37'42"	480.00'	53.53'	S 70°49'31" E	55.50'
C15	7°29'54"	320.00'	41.88'	S 71°15'37" E	41.85'
C16	15°09'33"	320.00'	84.67'	S 82°35'20" E	84.42'
C17	9°48'02"	380.00'	65.00'	N 85°16'06" W	64.92'
C18	9°48'02"	380.00'	65.00'	N 75°28'03" W	64.92'
C19	3°03'22"	380.00'	20.27'	N 69°02'21" W	20.27'
C20	3°35'09"	420.00'	28.29'	S 69°18'15" E	28.28'
C21	10°16'33"	420.00'	75.32'	S 76°14'05" E	75.22'
C22	8°21'35"	420.00'	61.28'	S 85°33'09" E	61.23'
C23	90°00'00"	20.00'	31.42'	N 45°16'03" E	28.28'
C24	28°04'21"	170.00'	83.29'	S 14°18'14" W	82.46'
C25	23°59'38"	20.00'	8.38'	N 11°45'44" W	8.31'
C26	22°24'42"	480.00'	19.92'	S 82°48'15" E	19.92'
C27	3°42'57"	420.00'	27.24'	S 83°13'50" E	27.21'
C28	1°30'28"	380.00'	10.00'	N 71°19'16" W	10.00'
C29	16°55'40"	50.00'	14.77'	S 57°40'53" E	14.72'
C30	25°40'25"	50.00'	22.00'	S 36°27'50" E	22.22'
C31	9°38'12"	320.00'	53.63'	N 79°48'39" W	53.57'