

TEMPORARY ORDINANCE NO. 14-19

PERMANENT ORDINANCE NO. 14-19

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: 10/14/19 after 2nd reading. Vote: Yeas 8 Nays 0

Approved: 10/14/19

Clerk: Teresa Lee Sandy

Offered by: Mary R. Turner

Second by: [Signature]

Requested by Code Enforcement and Zoning Committee

[Signature]
President of Council
[Signature]
Mayor

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 D.R. HORTON, INC. - MIDWEST, a California corporation, Sole Member, by JACK MAUTINO, Division President, owner of the lands planned herein, duly authorized, do hereby certify that this plat correctly represents MISTY MEADOWS SECTION 4, a subdivision containing lots numbered 124 to 158, both inclusive, and areas designated as Reserves "C", "D", and "E", does hereby accept this plat of same and declares 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" (UE) or "Drainage Easement" (DE). 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 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 ___, 201__.

**Signed and Acknowledged
In the presence of:**
D.R. HORTON - INDIANA, LLC
By D.R. HORTON INC. - MIDWEST
Sole Member

By **JACK MAUTINO,**
Division President

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 ___, 201__.

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 1" 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)

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

MISTY MEADOWS

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