

BELLBROOK CITY COUNCIL AGENDA

October 23, 2017



City of Bellbrook
15 E. Franklin Street
Bellbrook, Ohio 45305

T (937) 848-4666
F (937) 848-5190

www.cityofbellbrook.org

5:45 pm Executive Session-Personnel matters-To consider the employment or discipline of a public employee

6:00 pm Work Session-2018 Budget Review-Service and Administration Departments

7:00 pm-Regular Meeting

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Formal Approval of the City Council Regular Meeting Minutes of October 9, 2017.
5. Mayor's Announcements/Special Guest
6. Public Hearing of Ordinances
7. Introduction of Ordinances

Ordinance 2017-9 An Ordinance Amending Chapter 1224 "Subdivision Regulations" of the Bellbrook Municipal Code. (Middlestetter)

Ordinance 2017-10 An Ordinance Amending Article 19 "Enforcement and Penalties" of the Bellbrook Zoning Code. (Seger-Lawson)

8. Resolutions

Resolution 2017-DD A Resolution Approving the Replat of Lot #1B into Lots #1D and #1E, Highview Terrace Subdivision Section I. (Greenwood)

9. City Manager's Report
10. Committee Reports
 - A. Service
 - B. Safety
 - C. Finance/Audit
 - D. Community Affairs
11. Old Business
12. New Business

- Motion to Authorize the Competitive Bid for the Upper Hillside Water Main Improvement Project

13. Open Discussion

14. Adjourn

RECORD OF PROCEEDINGS
Minutes of Bellbrook City Council Meeting
October 9, 2017

PRESENT: Mr. Nick Edwards
Mr. Forrest Greenwood
Mr. Darryl McGill
Mrs. Elaine Middlestetter
Mrs. Dona Seger-Lawson
Deputy Mayor Mike Schweller
Mayor Bob Baird

This is a summary of the City Council meeting held on Monday, October 9, 2017. Mayor Baird called the meeting to order at 7:00 pm and the Clerk called the roll.

After polling members of City Council, as there were no corrections or additions to the work session meeting minutes and the regular meeting minutes of September 25, 2017, Mayor Baird declared the minutes approved as written.

MAYOR'S ANNOUNCEMENTS/SPECIAL GUEST

Mayor Baird read a Proclamation that declares October "Domestic Violence Awareness Month".

Mayor Baird also read a couple of thank you notes from Mrs. Sargent's third graders. Mayor Baird recently visited the students.

PUBLIC HEARING OF ORDINANCES

INTRODUCTION OF ORDINANCES

RESOLUTIONS

Mr. Schweller **read Resolution 2017-CC** A Resolution Establishing a Blanket Purchase Order Limit as Required by Ohio Revised Code 5705.41(D) (3). Mr. Schlagheck said the City's 2016 financial audit is near completion. One of the recommendations from the audit is the establishment of a limit for blanket purchase orders. City staff recommended a blanket purchase order amount limit not to exceed \$25,000 unless a purchase for a higher amount has been approved by City Council. Mr. Schlagheck said we already have controls in place, but the Ohio Revised Code requires Council approval of a limit for blanket purchase orders. This will not change anything that the City is doing but it will meet the requirements of the Ohio Revised Code.

Mr. Schweller made a motion to **adopt Resolution 2017-CC**. Mrs. Seger-Lawson seconded the motion. The Clerk called the roll: Mr. Schweller, yes; Mrs. Seger-Lawson, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mr. McGill, yes; Mrs. Middlestetter, yes; Mayor Baird, yes. The motion carried 7-0.

CITY MANAGER REPORT

Mr. Schlagheck said the Fire Department Open House is tomorrow evening at Fire Station 2. The Fire Department puts a lot of time and effort into this event. He invited everyone out tomorrow night from 6:00-9:00 pm.

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Mr. Schlagheck said the Planning Board will meet on Wednesday October 18 at 6:00 pm. The meeting will continue the discussion of the Comprehensive Plan update along with a couple of other items of business.

Mr. Schlagheck said the next levy informational meeting will be this Wednesday, October 11 from 3:00-5:00 pm in Council Chambers. The first informational meeting was not very well attended. Mr. Schlagheck also said an informational postcard is being sent to residents starting today. The levy on the ballot in November is a general fund, 3.0 mill, 5-year property tax levy. It will provide funding for public safety services. This proposed levy will generate approximately \$500,000 per year. Mr. Schlagheck said that residents were recently mailed new property tax valuations. For Bellbrook, the total valuation increased about 9%. He said this does not mean a 9% increase in tax revenue for the City. Even though property values will rise, most of the property tax rates will be reduced. In addition, the proposed levy will generate only the amount that was certified by the Greene County Auditor, which is \$500,000. It will cost the property owner no more than \$8.75 per month, \$105 per year for each \$100,000 of property valuation.

The purpose of the levy is to reduce structural deficit caused by the reduction of revenue from the State of Ohio and investment interest. One full time firefighter position will be added to improve staffing. Also, one full time police officer will be added. The school has requested a full-time school resource officer for the schools within the City. Lastly, funds will be earmarked for improvements to the downtown area.

Mr. Schlagheck said other items to consider with the levy include:

- Bellbrook does not have a municipal income tax
- Water rates have not been increased since 2011
- Waste collection rates have decreased from \$17 per month in 2011 to \$13 per month in 2017
- Current property taxes are \$561 per year for all municipal services
- No additional property tax levies have been passed by the City since 2009
- Police and fire dispatch was consolidated with Sugarcreek Township, Xenia and Greene County, saving \$125,000 annually.

Next, Mr. Schlagheck said some accomplishments of the levy would include:

- Keep local safety services to date and high quality
- Invest in safety equipment, personnel and community programs to sustain our low crime rate and emergency response times
- Maintain quality of life for our residents
- Protect property values
- Attract businesses and visitors to downtown Bellbrook.

Mr. Schlagheck said if anyone has any questions regarding the levy, they are encouraged to come to the informational meeting or call him.

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Lastly, Mr. Schlagheck said the budget process will begin soon. A work session to present the Administrative and Service Department budgets will be held prior to the next Council meeting on October 23. The Police and Fire budgets will be presented at a work session on November 13. The five year projections and the introduction of appropriations for 2018 will be presented at the November 27 Council meeting.

COMMITTEE REPORTS

Service: No Report

Safety: Mr. Greenwood encouraged everyone to come to the Fire Department Open House tomorrow at Fire Station 2 from 6:00-9:00 pm

Finance/Audit: Mr. Schweller spoke about the third quarter financial update. He said revenue is up over 12% due to the homestead and rollback increase and tap-in revenue. Expenditures are up over 6% mostly a result of capital outlay. Mr. Schweller said the capital items are budgeted and tracked closely. Mr. Schweller also said that even if a capital item is in the budget but not needed, the item is deferred.

Mr. Schweller said another recommendation of the audit is to formally accept the quarterly unaudited financial report. Mr. Schweller made a motion to **accept the third quarter 2017 Unaudited Financial Report**. Mr. Edwards seconded the motion. The Clerk called the roll: Mr. Schweller, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mr. McGill, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mayor Baird, yes. The motion carried 7-0.

Next, Mr. Schweller spoke of another recommendation of the audit which is an Asset Management Policy. Capital assets are used in operations and have initial useful lives extending beyond one year. The City will capitalize an asset if it cost \$5,000 or more. Mr. Schlagheck said this policy, except for the inclusion of the useful lives, was originally put in place in 2014. This is for the record and will be forwarded to the auditors. Mr. Schweller made a motion to **adopt Asset Management Policy**. Mr. McGill seconded the motion. The Clerk called the roll: Mr. Schweller, yes; Mr. McGill, yes; Mr. Edwards, yes; Mr. Greenwood, yes; Mrs. Middlestetter, yes; Mrs. Seger-Lawson, yes; Mayor Baird, yes. The motion carried 7-0.

Community Affairs: Mrs. Middlestetter said Halloween in the Park will be October 21 from 3:00-5:00pm. Also Trick or Treat will be Wednesday, October 31 from 6-8 pm.

OLD BUSINESS-

NEW BUSINESS

OPEN DISCUSSION:

Mrs. Seger-Lawson recently attended a Greene County Regional Planning meeting. She said Greene County will be coordinating a meeting to use the same GIS system. Mr. Schlagheck said that we are in

RECORD OF PROCEEDINGS

Minutes of Bellbrook City Council Meeting

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the process of putting one in place for the water system, streets and storm water. She also said all members of Council are invited to a meeting on October 17 regarding thoroughfare planning. Lastly, Mr. Seger-Lawson said there was discussion at the meeting about the flooding in Houston and what would happen if there was a major storm in Bellbrook. Mr. Schlagheck said that Greene County EMA develops plans for the area. Mr. Schlagheck said he can get some information and provide it to Council.

Mr. Schweller said the levy on the ballot is a significant amount of money for the city and it is extremely necessary. He asked residents for their support. He said if residents have any questions, please come to the informational meeting on Wednesday from 3:00-5:00 pm or contact a member of Council or the City Manager.

ADJOURN

Being no further business to come before this regular session of the Bellbrook City Council, Mayor Baird declared the meeting adjourned at 7:44 pm.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

RECORD OF ORDINANCES

Ordinance No. 2017-9

November 13, 2017

City of Bellbrook

Ordinance No. 2017-9

An Ordinance Amending Chapter 1224 “Subdivision Regulations” of the Bellbrook Municipal Code.

WHEREAS, the City of Bellbrook has enacted Chapter 1224 of the Bellbrook Municipal Code which is entitled “Subdivision Regulations”; and

WHEREAS, the purpose of Chapter 1224 is to protect the peace, health, safety and welfare of the citizens of Bellbrook; and

WHEREAS, the City desires to amend Chapter 1224 of the Bellbrook Municipal Code to increase the amount of the cash bond provided by subdividers for plan review and inspection costs.

Now, Therefore, The City of Bellbrook Hereby Ordains:

Section 1. That the following amendments to Chapter 1224 “Subdivision Regulations” of the Bellbrook Municipal Code be approved with additions shown by italics and underlined and deletions shown by strikethrough and brackets:

§1224.01. - Fees.

The following fees are required under the Subdivision Regulations for the platting of land in the City:

- (a) Preliminary Filing Fee \$200.00 plus \$25.00 per acre
- (b) Final Filing Fee 250.00 plus \$25.00 per acre
- (c) Lot Split/Lot Combination Fee 50.00
- (d) Inspection fees. Prior to approval by the Planning Board of a final plat and construction plans, the subdivider shall provide a cash bond in the amount of [~~four percent~~] six percent (6%) of the estimated cost of the public improvements (streets, curbs, sidewalks, storm sewers and waterlines) to the Finance Office. The subdivider's engineer of record shall provide an estimate as to quantities and prices and, if a discrepancy exists between the subdivider and the City Engineer's estimates, the inspection deposit will be based on the City Engineer's estimate.
- (e) Inspection costs. Inspection costs and the cost of subdivision plan review performed under contract by the City shall be charged against the [~~four percent~~] six percent (6%) deposit. Any portion of the deposit not used shall be returned to the developer at the time the performance bond or letter of credit is released. However, if funds deposited at the time of filing are not sufficient to cover all inspection costs, additional inspection fees shall be required when needed, at the discretion of the City Manager.

RECORD OF ORDINANCES

Ordinance No. 2017-9

November 13, 2017

(f) Water and sewerage connection fees. All fees for connection to the City water system shall be established in Chapter 1042 of this Code. All fees for connection to the County sanitary sewer system shall be set by the Greene County Department of Sanitary Engineering and paid to that agency.

(g) Failure to pay filing fee. If a filing fee is not paid prior to the initiation of construction, a penalty of 50 percent of the filing fee shall be added to the fees listed in this section if the project is in full compliance with the Zoning Code.

Section 2. This ordinance shall take effect and be in force from and after the earliest period provided by law.

PASSED this ____ day of _____, 2017.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

APPROVED AS TO FORM:
Patricia N. Campbell, Municipal Attorney

RECORD OF ORDINANCES

Ordinance No. 2017-10

November 13, 2017

City of Bellbrook

Ordinance No. 2017-10

An Ordinance Amending Article 19 “Enforcement and Penalties” of the Bellbrook Zoning Code.

WHEREAS, the City of Bellbrook has enacted the Bellbrook Zoning Code; and

WHEREAS, the purpose of the Zoning Code is to protect the peace, health, safety and welfare of the citizens of Bellbrook; and

WHEREAS, the City desires to amend Article 19 “Enforcement and Penalties” of the Bellbrook Zoning Code to allow for the assessment of civil penalties for violations of the Zoning Code; and

WHEREAS, the Bellbrook Planning Board conducted a public hearing on the amendment to the Zoning Code on October 17, 2017; and

WHEREAS, the Bellbrook Planning Board unanimously approved the amendment and recommended adoption by City Council; and

WHEREAS, all amendments to the Zoning Code must be approved by ordinance

Now, Therefore, The City of Bellbrook Hereby Ordains:

Section 1. That the following amendment to Article 19 “Enforcement and Penalties” of the Bellbrook Zoning Code be approved with additions shown by italics and underlined and deletions shown by strikethrough and brackets:

ARTICLE 19 ENFORCEMENT AND PENALTIES

19.12 PENALTIES:

(1) Violation of any provision of this ordinance or any amendment or supplement thereto, or failure to comply with any of the requirements of this [~~ordinance~~] Code may be enforced either through [=] the filing of a misdemeanor complaint or assessment of a civil penalty, or both.

(a) Minor misdemeanor. Except as otherwise provided herein, any person, firm, or corporation violating any of the provisions of this Code, or any amendment or supplement thereto, shall upon conviction of a minor misdemeanor, be fined not more than one hundred dollars (\$100).

(b) Civil penalties. A person who violates any provision set forth in a provision of the Zoning Code has committed a civil offense and is subject to civil penalties. Prior to assessment of a civil penalty, the Zoning Inspector shall issue written notice of the civil violation to the offending person. The notice shall include:

RECORD OF ORDINANCES

Ordinance No. 2017-10

November 13, 2017

~~(1) Filing of a misdemeanor complaint; or~~

~~(2) Assessment of a civil penalty; or~~

~~(3) Both.~~

~~Prior to filing a misdemeanor complaint or assessment of a civil penalty, the Zoning Inspector shall issue a written notice of the violation to the offending person. The notice shall include:]~~

~~(1) (a) The street address of the property subject to the notice of violation;~~

~~(2) (b) A description of the violation and the section(s) of the ordinance violated;~~

~~(3) (c) Corrective action that will eliminate or correct the violations; [and]~~

~~(4) (d) [A] The reasonable time frame required to correct the violation[-];~~

~~(e) Provide information to the property owner of the right to a hearing before the Board of Zoning Appeals if a request for a hearing is made within twenty (20) days of receipt of the notice;~~

~~(f) When applicable, include a statement of the right to file a lien.~~

(2) The written notice of the violation shall be served by one of the following methods:

(a) delivered personally;

(b) sent by certified mail to the last known address and receiving a return receipt showing delivery of the mailing; or

(c) if the notice is returned showing that the letter was "unclaimed," service by regular mail;

(d) if the notice is returned showing that the letter was not delivered for reason other than "unclaimed," a copy of the notice shall be posted in a conspicuous place in or about the structure affected by such notice.

(3) A person served with a notice of civil violation may request a hearing before the Board of Zoning Appeals to contest the commission of a violation, to offer an explanation of the circumstances, or to offer proof of correction. The request shall be made in writing and received by the city within 20 days of the person's receipt of the notice of violation. The hearing shall be conducted in accordance with the provisions of Article 20 of the Zoning Code. If the person desires the presence, at the hearing, of the Zoning Inspector, the person must request the same in their written response to the notice of civil violation.

If the person served fails to remedy the zoning violation within a reasonable time, if the person admits the offense by written response, or if the person fails to attend a requested hearing, the Zoning Inspector may pursue enforcement as set forth in this section. If the person denies the offense by written response, the person must also request a hearing before the Board of Zoning Appeals.

RECORD OF ORDINANCES

Ordinance No. 2017-10

November 13, 2017

In accordance with Section 19.15 of the Zoning Code, when a notice of civil violation has been issued pursuant to this section, the following amounts are hereby assessed upon the violator.

(a) Any violation of the Zoning Code that is a first offense shall be twenty-five dollars (\$25) per day, per offense, or two hundred fifty dollars (\$250) per offense total.

(b) Any violation of the Zoning Code that is a second offense shall be fifty dollars (\$50) per day, per offense, or five hundred dollars (\$500) per offense total.

(c) Any violation of the Zoning Code that is a third offense shall be seventy-five dollars (\$75) per day, per offense, or seven hundred fifty dollars (\$750) per offense total.

~~[If the offending party fails to remedy the zoning violation within a reasonable time, the Zoning Inspector may pursue enforcement as set forth in this section.~~

~~Except as otherwise provided herein, any person, firm or corporation violating any of the provisions of this ordinance, or any amendment or supplement thereto, shall upon conviction of a minor misdemeanor, be fined not more than one hundred dollars (\$100). Except as otherwise provided herein, any person, firm or corporation violating any of the provisions of this ordinance, or any amendment or supplement thereto, may be assessed a civil penalty. The City Council shall establish a schedule of assessed penalties based upon the severity of the violation. The maximum civil penalty shall not exceed fifty dollars (\$50) per day, per offense, or five hundred dollars (\$500) per offense total.]~~

(4) Those who erect signs contrary to the provision of this [~~ordinance~~] Code shall be fined upon conviction or assessed by civil penalty not more than ten dollars (\$10) per offense, up to a maximum of four (4) offenses in any twelve (12) month period. Illegal signs are subject to confiscation by the City and will not be returned to the owners until all penalties are satisfied; unclaimed signs shall be held for thirty (30) days and then disposed of as surplus property. Convictions or civil penalties for sign violations in excess of four (4) offenses in a twelve month period shall be fined, upon conviction, or assessed a civil penalty an amount not to exceed twenty-five dollars (\$25) per offense.

Section 2. This ordinance shall take effect and be in force from and after the earliest period provided by law.

PASSED this ____ day of _____, 2017.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

APPROVED AS TO FORM:
Patricia N. Campbell, Municipal Attorney

RECORD OF RESOLUTIONS

Resolution No. 2017-DD

October 23, 2017

City of Bellbrook

Resolution No. 2017-DD

A Resolution Approving the Replat of Lot #1B into Lots #1D and #1E, 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 Lot #1B into Lots #1D and #1E, 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 That:

Section 1. The replat of Lots #1B into Lots #1D and #1E, Highview Terrace Subdivision, Section I is hereby approved for recording purposes.

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

Section 3. This resolution shall take effect and be in force forthwith.

Robert L. Baird, Mayor

Jami L. Kinion, Clerk of Council

DEDICATION

WE, THE UNDERSIGNED, BEING ALL THE OWNERS AND LIENHOLDERS OF THE LANDS HEREIN PLATTED, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AS SHOWN HEREON, AND DO DEDICATE EASEMENTS AS SHOWN HEREON TO THE PUBLIC USE FOREVER. EASEMENTS SHOWN ON THE WITHIN PLAT ARE RESERVED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, GAS, SEWER, ELECTRIC, TELEPHONE OR OTHER UTILITIES OR SERVICES, AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES AND FOR THE PROVIDING OF INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES, AND ARE TO BE MAINTAINED AS SUCH FOREVER.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF: OWNER LOTS 4A & 1B: 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

THIS DAY OF 201, BY CLEMENS DEVELOPMENT CO., INC. BY RICHARD M. CLEMENS, ITS PRESIDENT, AS OWNER.

NOTARY PUBLIC _____

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF: LIENHOLDER: FIFTH THIRD BANK (WESTERN OHIO)

WITNESS _____

WITNESS BY: (PRINTED NAME) ITS: (PRINTED TITLE)

STATE OF OHIO, S.S.:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS DAY OF 201, BY FIFTH THIRD BANK (WESTERN OHIO)

BY AS LIENHOLDER: ITS

NOTARY PUBLIC _____

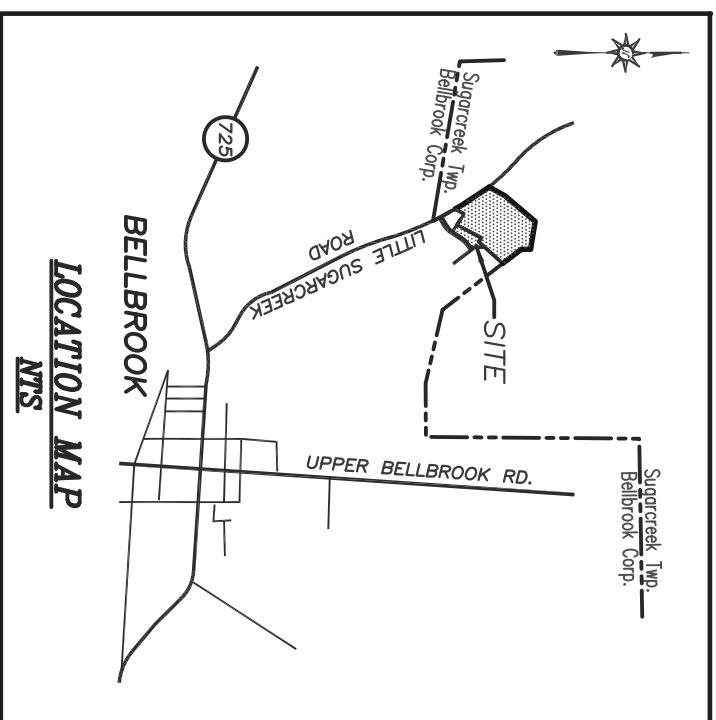
THE LOTS OF THE WITHIN RE-PLAT ARE GOVERNED BY THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, ASSESSMENTS, ARTICLES OF INCORPORATION AND BY-LAWS OF THE "HIGHVIEW TERRACE SUBDIVISION HOMEOWNERS ASSOCIATION", ALL OF WHICH ARE RECORDED ON HIGHVIEW TERRACE SECTION ONE, O.R. VOL. 2782, PGS. 450-483 & O.R. VOL. 2795, PGS. 619-637 OF THE DEED RECORDS OF GREENE COUNTY, OHIO.

COVENANTS, CONDITIONS AND RESTRICTIONS:

HIGHVIEW TERRACE SECTION ONE & TWO RE-PLAT OF LOTS 1B INTO LOTS 1D, & 1E

LOTS 4A INTO LOTS 4B, & 4C

LOCATED IN CITY OF BELLBROOK SECTION 2, TOWN 2, RANGE 6 M.R.S. GREENE COUNTY, OHIO 2.263 ACRES HIGHVIEW TERRACE SECTION ONE LOCATED IN SUGARCREEK TOWNSHIP SECTION 2, TOWN 2, RANGE 6 M.R.S. GREENE COUNTY, OHIO 14.459 ACRES FOR CLEMENS DEVELOPMENT COMPANY, INC. OCTOBER 11, 2017



DESCRIPTION

THE WITHIN RE-PLAT IS A SUBDIVISION CONTAINING 2,263 ACRES AND BEING ALL OF CLEMENS DEVELOPMENT CO., INC. (LOT 1B) AS RECORDED IN HIGHVIEW TERRACE SECTION ONE AND TWO RE-PLAT, PLAT CABINET VOL. 37, PGS. 2128-2138, AS ACQUIRED THROUGH INSTRUMENTS RECORDED IN O.R. 2844, PG. 315, O.R. 2748, PG. 159, O.R. 2601, PG. 416, & O.R. 2372, PG. 672 OF THE DEED RECORDS OF GREENE COUNTY, OHIO.

THE WITHIN RE-PLAT IS A SUBDIVISION CONTAINING 14,459 ACRES AND BEING ALL CLEMENS DEVELOPMENT CO., INC. (LOT 4A) AS RECORDED IN RECORD PLAN HIGHVIEW TERRACE SECTION ONE, PLAT CABINET VOL. 37, PGS. 40A-41A, AS ACQUIRED THROUGH INSTRUMENTS RECORDED IN O.R. 2844, PG. 315, O.R. 2748, PG. 159, O.R. 2601, PG. 416, & O.R. 2372, PG. 672 OF THE DEED RECORDS OF GREENE COUNTY, OHIO.

STATE OF OHIO, S.S.: CLEMENS DEVELOPMENT CO., INC. BY RICHARD M. CLEMENS, ITS PRESIDENT, BEING DULY SWORN, SAYS THAT ALL PERSONS AND CORPORATIONS TO THE BEST OF HIS KNOWLEDGE INTERESTED IN THIS DEDICATION, EITHER AS OWNERS OR LIENHOLDERS, HAVE UNITED IN ITS EXECUTION.

RICHARD M. CLEMENS

SWORN TO AND SIGNED IN MY PRESENCE ON

THIS DAY OF 201.

NOTARY PUBLIC _____

APPROVAL: THE PLAT APPROVED BY THE REGIONAL PLANNING AND COORDINATING COMMISSIONS OF GREENE COUNTY THIS DAY OF 201.

BOARD OF GREENE COUNTY COMMISSIONERS: (ACCEPTANCE FOR SANITARY SEWERS ONLY)

COMMISSIONER COMMISSIONER

COMMISSIONER

WE HEREBY APPROVE AND ACCEPT THIS PLAT (FOR SANITARY SEWERS) AND RECOMMEND THAT THE SAME BE RECORDED

THIS DAY OF 201.

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 201, TRANSFERRED THIS DAY OF 201.

GREENE COUNTY AUDITOR

GREENE COUNTY RECORDER:

FILE NO. PLAT CABINET VOL. PAGES

RECEIVED FOR RECORD THIS DAY OF 201, AT M.

RECORDED THIS DAY OF 201.

GREENE COUNTY RECORDER

CERTIFICATION

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, THAT THIS PLAT REPRESENTS A FIELD SURVEY OF JUNE, 2007 PERFORMED UNDER THE DIRECT SUPERVISION OF PHILIP C. BRUMBAUGH AND THE MONUMENTS, THEIR LOCATION, SIZE & MATERIAL SHOWN HEREON EXIST AS LOCATED OR WILL BE SET AS INDICATED. ALL DIMENSIONAL DETAILS ARE BELIEVED CORRECT AND THAT THE SUBDIVISION RULES FOR THE CITY OF BELLBROOK, OHIO HAVE BEEN COMPLIED WITH.

PHILIP C. BRUMBAUGH, P.S. DATE OHIO LICENSE NO. 5057

DEVELOPER CLEMENS DEVELOPMENT CO. P.O. BOX 266 BELLBROOK, OH 45305 PHONE: 937-848-4515

BRUMBAUGH ENGINEERING & SURVEYING, LLC

1105 SOUTH MIAMI STREET WEST MILTON, OHIO 45383 PHONE (937) 698-3000 FAX (937) 698-3928

NEW LOT NUMBERS BY PRIOR SECTIONS

NEW LOT NUMBER & SECTION	PREVIOUS LOT NUMBER & SECTION
LOT 4B	PART LOT 4A OF HIGHVIEW TERRACE SECTION ONE P.C. VOL. 37, PG'S 40A-41A.
LOT 4C	PART LOT 4A OF HIGHVIEW TERRACE SECTION ONE P.C. VOL. 37, PG'S 40A-41A.
LOT 1D	PART LOT 1B OF HIGHVIEW TERRACE SECTION ONE & TWO REPLAT P.C. VOL. 37, PG'S 212B-212B.
LOT 1E	PART LOT 1B OF HIGHVIEW TERRACE SECTION ONE & TWO REPLAT P.C. VOL. 37, PG'S 212B-212B.

NOTE:
TERRACE CREEK ROAD & PART OF SUGAR MAPLE PLACE WAS DEDICATED IN HIGHVIEW TERRACE SECTION ONE AS RECORDED IN HIGHVIEW TERRACE SECTION ONE P.C. VOL. 36, PG'S 388A-390A.

HIGHVIEW TERRACE
SECTION ONE & TWO
RE-PLAT OF
LOTS 1B INTO LOTS 1D, & 1E

LOCATED IN
CITY OF BELLBROOK
SECTION 2, TOWN 2, RANGE 6 M.R.'S.
GREENE COUNTY, OHIO
2.268 ACRES

HIGHVIEW TERRACE
SECTION ONE
LOTS 4A INTO LOTS 4B, & 4C

LOCATED IN
SUGARCREEK TOWNSHIP
SECTION 2, TOWN 2, RANGE 6 M.R.'S.
GREENE COUNTY, OHIO
14.469 ACRES

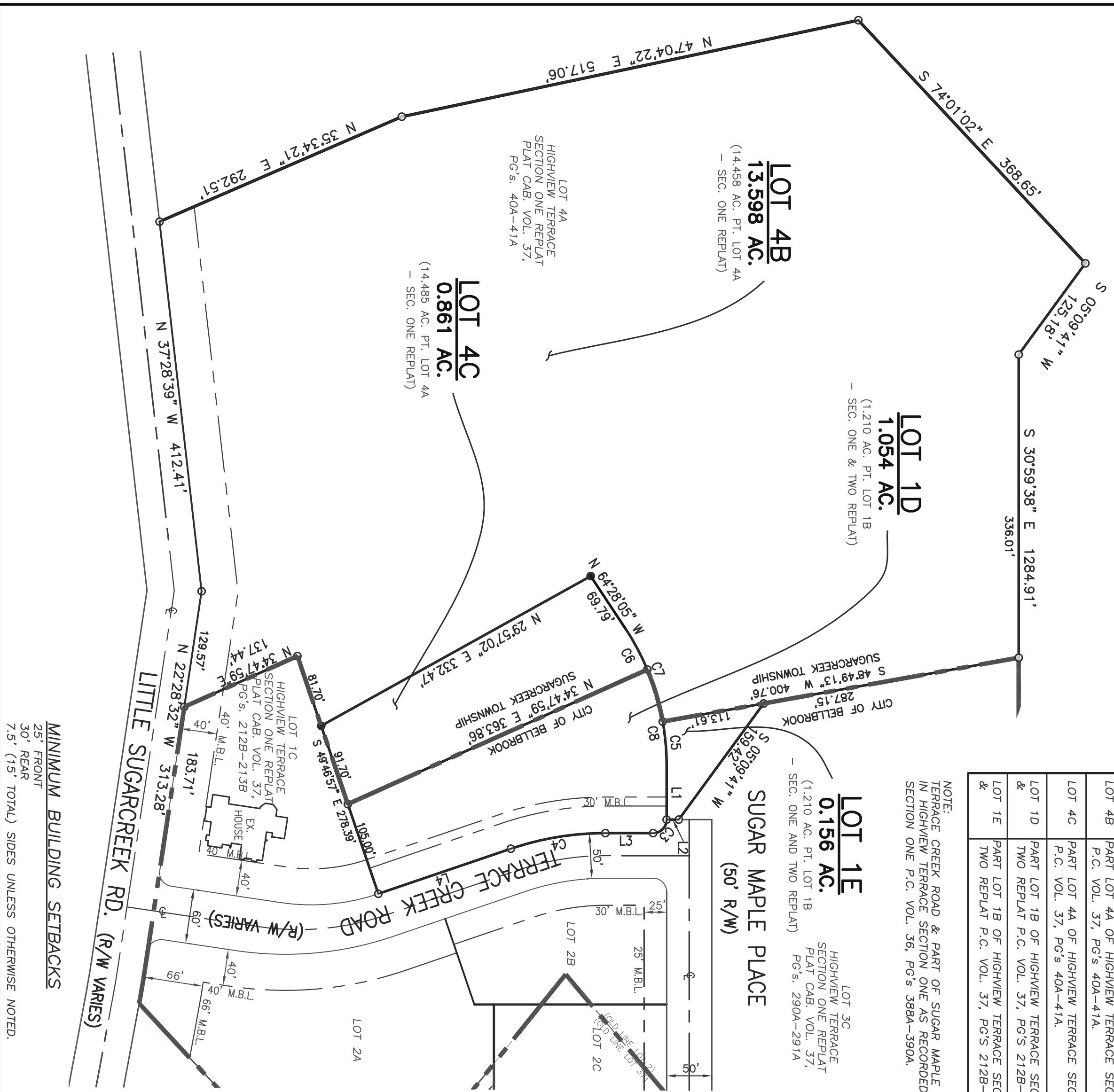
FOR
CLEMENS DEVELOPMENT COMPANY, INC.
OCTOBER 11, 2017

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C3	15.00'	23.56'	21.21'	S 14°00'22" W	90°00'00"	15.00'
C4	325.00'	106.57'	106.10'	S 49°36'42" W	18°47'19"	53.77'
C5	275.00'	48.89'	48.82'	N 36°05'12" W	10°11'08"	24.51'
C6	275.00'	51.48'	51.41'	N 59°06'18" W	10°43'35"	25.82'
C7	275.00'	111.78'	111.01'	N 52°49'26" W	23°17'19"	56.67'
C8	275.00'	109.18'	108.47'	S 42°22'04" E	22°44'52"	55.32'

LINE	BEARING	DISTANCE
L1	S 30°59'38" E	60.00'
L2	S 59°00'22" W	13.43'
L3	S 59°00'22" W	52.96'
L4	S 40°13'03" W	155.07'

- NOTES:
- ADDITIONAL EASEMENTS AND FLOOD PLAIN INFORMATION SHOWN ON SHT. 3 OF 3.
 - DRAINAGE EASEMENTS SHALL BE SUBJECT TO PERIODIC STORM WATER FLOWS ON THE SURFACE AND WITHIN UNDERGROUND PIPING IN SOME LOCATIONS.
 - NO BUILDING OR OTHER STRUCTURES SHALL BE LOCATED IN "DRAINAGE EASEMENT".
 - MAINTENANCE OF ALL AREAS DESIGNATED AS DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION, EXCEPT FOR SURFACE EROSION, WHICH SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNER. MAINTENANCE SHALL BECOME THE RESPONSIBILITY OF THE COLLECTIVE HOMEOWNERS IF SAID ASSOCIATION BE DISSOLVED.
 - ANY LOT TRANSFERRED WILL HAVE A MINIMUM WIDTH AND AREA SUBSTANTIALLY THE SAME AS THOSE SHOWN ON THE PLAT AND THAT ONLY ONE PRINCIPAL BUILDING WILL BE PERMITTED ON ANY SUCH LOT.

PERTINENT DOCUMENTS:
-IN ADDITION TO THE REFERENCES SHOWN ON FACE OF THIS PLAT THE FOLLOWING DOCUMENTS WERE USED: ANNEXATION PLAT TO THE CITY OF BELLBROOK PLAT BK 37, PG. 44A
-OCCUPATION IN GENERAL FITS THE SURVEYED LINES.
-ALL MONUMENTATION FOUND OR SET IS IN GOOD CONDITION UNLESS OTHERWISE SHOWN.



BEARING OF BASIS:
THE NORTH LINE OF CLEMENS DEVELOPMENT COMPANY, INC. 60.069 ACRE TRACT AS RECORDED IN O.R. 2372 PAGE 672 BEING N 71°00'45" W

HORIZONTAL SCALE 1"=100'

LEGEND:
○ 5/8" IRON PIN SET WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH E&S"
⚡ MAG NAIL SET
● 5/8" IRON PIN FOUND

ALL MONUMENTS FOUND ARE IN GOOD CONDITION UNLESS OTHERWISE NOTED.

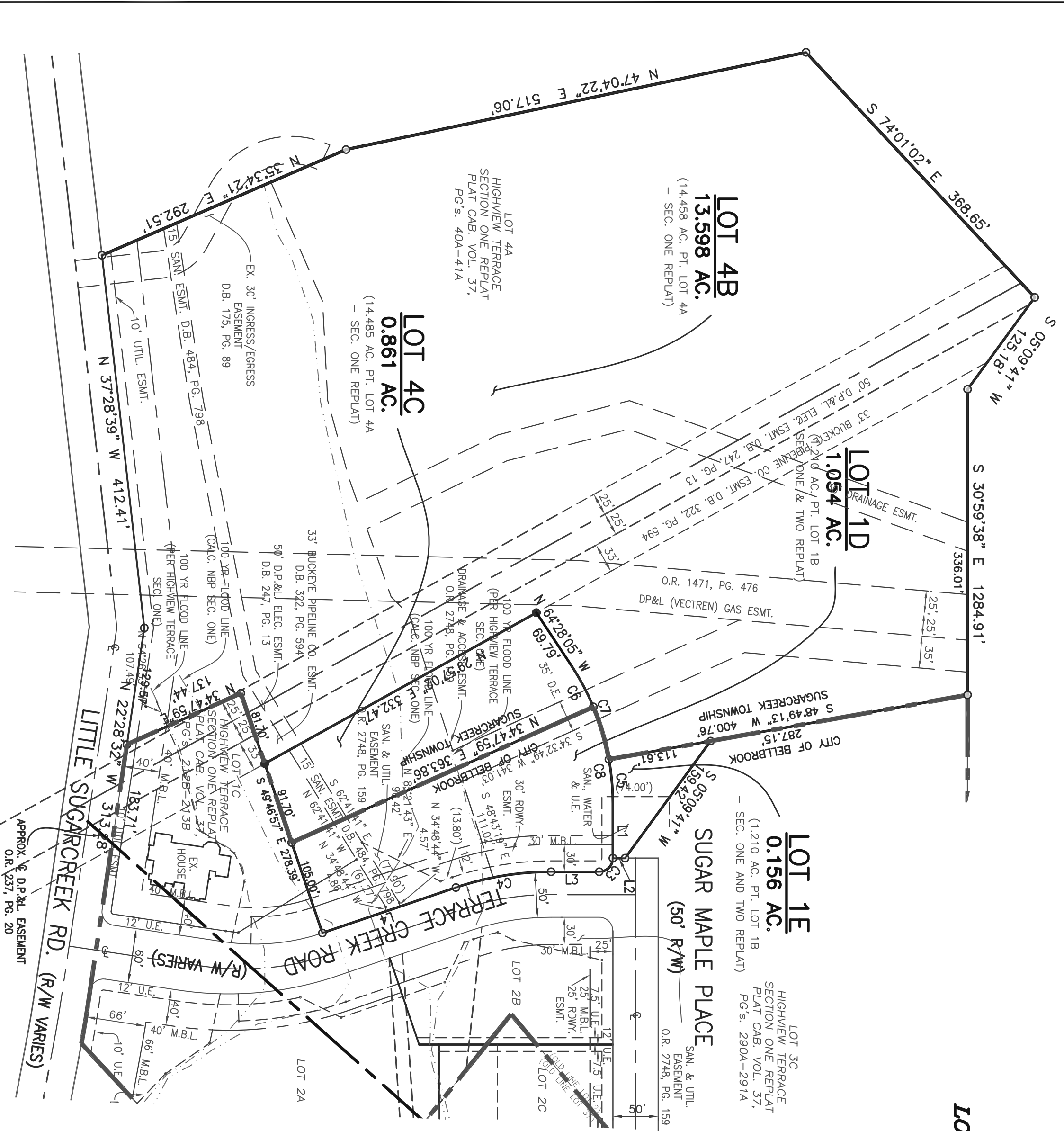
BRUMBAUGH ENGINEERING & SURVEYING, LLC

1105 SOUTH MIAMI STREET
WEST MILTON, OHIO 45383
PHONE (937) 698-3000
FAX (937) 698-3928

SHEET 2 OF 3

- LEGEND**
- 5/8" IRON PIN SET WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH E&S"
 - ⊕ MAG NAIL SET
 - 5/8" IRON PIN FOUND

ALL MONUMENTS FOUND ARE IN GOOD CONDITION UNLESS OTHERWISE NOTED.



**HIGHVIEW TERRACE
SECTION ONE & TWO
RE-PLAT OF
LOTS 1B INTO LOTS 1D, & 1E**

LOCATED IN
CITY OF BELLBROOK
SECTION 2, TOWN 2, RANGE 6 M.R.S.
GREENE COUNTY, OHIO
2.263 ACRES
**HIGHVIEW TERRACE
SECTION ONE
LOTS 4A INTO LOTS 4B, & 4C**

LOCATED IN
SUGARCREEK TOWNSHIP
SECTION 2, TOWN 2, RANGE 6 M.R.S.
GREENE COUNTY, OHIO
14.469 ACRES
FOR
CLEMENS DEVELOPMENT COMPANY, INC.
OCTOBER 11, 2017



BEARING OF BASIS:
THE NORTH LINE OF CLEMENS
DEVELOPMENT COMPANY, INC. 60.069
ACRE TRACT AS RECORDED IN O.R. 2372
PAGE 672 BEING N 71°00'45" W
HORIZONTAL SCALE 1"=100'

**OPERATION AND MAINTENANCE AGREEMENT FOR
LITTLE SUGAR CREEK STREAM BED**

THE LITTLE SUGAR CREEK STREAM BED ELEVATION SHALL BE MAINTAINED AS DESCRIBED IN THE MAINTENANCE AGREEMENT AS RECORDED IN O.R. 2782, PAGE 443

FLOOD PLAN NOTES:

1. PART OF LOTS 1B, 1C, & 4B OF THIS PLAT LIE WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN ON FEMA PANEL NO. 390193 0070B.
2. DEVELOPMENT OR MODIFICATION OF ANY LOT WITHIN THE 100 YEAR FLOOD PLAIN SHALL REQUIRE COMPLIANCE WITH THE CITY OF BELLBROOK FLOOD DAMAGE PREVENTION ORDINANCE.
3. ANY AREA DESIGNATED FOR THE NATURAL FLOW OF SURFACE WATER SHALL BE AT ALL TIMES KEPT FREE AND CLEAR FROM ANY OBSTRUCTION, TO SUCH NATURAL FLOW. IN NO CASE SHALL ANY IMPROVEMENT, ALTERATION, OR CONSTRUCTION UPON SUCH DESIGNATED AREA BE MADE WITHOUT THE APPROVAL OF THE CITY OF BELLBROOK.

HOMEOWNER'S ASSOCIATION DOCUMENTS

THE LOTS OF THE WITHIN SUBDIVISION ARE GOVERNED BY THE HOMEOWNERS ASSOCIATION DOCUMENTS FOR HIGHVIEW TERRACE SECTION ONE AS RECORDED IN O.R. 2782, PAGE 450, & O.R. 2795, PAGE 619 IN THE DEED RECORDS OF GREENE COUNTY, OHIO. EASEMENTS SHOWN ARE OF RECORD PROVIDED BY OWNER.

TITLE COMMITMENT DOCUMENTS

TITLE EVIDENCE IS FREE AND CLEAR OF ANY EASEMENTS OTHER THAN SHOWN HEREON BASED ON COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NO.: 1496510-N-E
EFFECTIVE DATE: NOVEMBER 20, 2008 AT 7:30 A.M.

**BRUMBAUGH
ENGINEERING &
SURVEYING, LLC**

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