

# RECORD OF RESOLUTIONS

Resolution No. 2017-K

February 13, 2017

## **City of Bellbrook Resolution No. 2017-K**

### **A Resolution Approving the Recording of the Highview Terrace Subdivision, Section Three, Phase One.**

WHEREAS, the City of Bellbrook Planning Board, after a comprehensive review, granted approval on February 8, 2017 for the final construction plans and the record plan for Section Three, Phase One of the Highview Terrace Subdivision; and

WHEREAS, the City reviewed the record plan, bonds, letters of credit and subdivider's agreement for the project; and

WHEREAS, said bonds or letters of credit shall be held by the City until all public improvements are installed by the developer and accepted by the City; and

WHEREAS, the City of Bellbrook Subdivision Regulations stipulate that the signing of the record plan must be approved by City Council.

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

Section 1. That Section Three, Phase One of the Highview Terrace Subdivision as shown on the final record plan is hereby approved for recording purposes.

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

Section 3. That the City Manager/Finance Director is hereby authorized to accept the bonds or letters of credit and inspection fees and to sign the City subdivider's agreement with the developer.

Section 4. That the developer shall file a copy of the record plan for recording in the office of the County Recorder following the date of final approval by the Planning Board and furnish the City with one print of the final recorded plat.

Section 5. That the approval of said plat for recording purposes does not constitute the final acceptance of the proposed streets shown thereon as public streets or the acceptance of the dedication of any other public lands.

Section 6. 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

**OWNER / DEVELOPER**

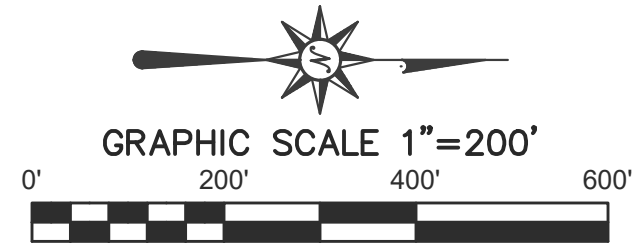
CLEMENS DEVELOPMENT CO.  
6730 LITTLE SUGARCREEK RD.  
DAYTON, OHIO 45440  
PHONE: 937-545-3232  
ACQUIRED IN  
O.R. VOLUME 2372, PAGE 672

**AREA SUMMARY**

SITE ACREAGE: 19.683 ACRES  
LOTS: 13.929 ACRES  
STREETS & RIGHT OF WAY: 2.310 ACRES  
RESERVE AREA "D": 3.444 ACRES

**RECORD PLAN  
HIGHVIEW TERRACE  
SECTION THREE  
PHASE ONE**

CONTAINING 19.683 ACRES  
LOCATED IN SECTION 2, TOWN 2, RANGE 6 MRs  
CITY OF BELLBROOK, GREENE COUNTY, OHIO  
SEPTEMBER 30, 2016



**LINE DATA**

- L1- S 33°57'54" E 49.05'
- L2- N 77°30'26" W 29.96'
- L3- S 85°28'58" W 86.66'
- L4- N 45°38'42" W 62.59'
- L5- S 61°33'46" W 20.00'

STATE OF OHIO  
VOL. 501, PG. 157  
0.209 ACRES

STATE OF OHIO  
VOL. 506, PG. 850  
0.176 ACRES

SHIRLEY MAE &  
HAROLD W. ROGERS  
VOL. 2821, PG. 63  
REMAINING 59.10 ACRES

PATRICK J. & KAREN ANN  
HILGEFORD  
VOL. 2983, PG. 564  
0.869 ACRES

THOMAS M. CRAYCRAFT &  
VICKI M. CRAYCRAFT  
VOL. 108, PG. 469  
REMAINING 1.37 ACRES

VINEYARDS OF  
BELLBROOK  
SECTION TWO  
P.C. 38, PG. 17A-18A

VINEYARDS OF  
BELLBROOK  
SECTION ONE  
P.C. 36, PG. 305A-306B

BOARD OF TRUSTEES OF THE  
BELLBROOK-SUGARCREEK  
PARK DISTRICT  
VOL. 375, PG. 636  
REMAINING 5.116 ACRES

EDNA M. KEITER  
VOL. 1361, PG. 480  
REMAINING 2.96 ACRES

HIGHVIEW TERRACE  
SECTION ONE & TWO  
PLAT CAB. 37,  
PAGES 212B-213B

HIGHVIEW TERRACE  
SECTION TWO  
(28.825 ACRES)  
PLAT CAB. 37, PAGES 27B-28B

HIGHVIEW TERRACE  
SECTION TWO  
PLAT CAB. 37,  
PAGES 27B-28B

HIGHVIEW TERRACE  
SECTION TWO  
REPLAT LOT 3B  
PLAT CAB. VOL. 37,  
PAGES 290B-291A

HIGHVIEW TERRACE  
SECTION TWO  
REPLAT LOTS 18-21  
PLAT CAB. \_\_\_\_,  
PAGES \_\_\_\_

HIGHVIEW TERRACE  
SECTION TWO  
REPLAT LOTS 11-17  
PLAT CAB. VOL. 37,  
PAGES 149A-149B

HIGHVIEW TERRACE  
SECTION TWO  
REPLAT LOTS 33-36  
PLAT CAB. VOL. 37,  
PAGES 269A-269B

HIGHVIEW TERRACE  
SECTION TWO  
REPLAT LOTS 22-27  
PLAT CAB. \_\_\_\_,  
PAGES \_\_\_\_

HIGHVIEW TERRACE  
SECTION TWO  
REPLAT LOTS 30-31  
PLAT CAB. VOL. 37,  
PAGES 228A-228B

INVERNESS GROUP, INC.  
VOL. 3596, PG. 931  
REMAINING 147.09 ACRES

HIGHVIEW TERRACE  
SECTION THREE  
PHASE ONE  
(19.683 ACRES)

CLEMENS DEVELOPMENT COMPANY  
OFFICIAL RECORD 2372, PAGE 672  
60.069 ACRES (ORIG.)  
- 28.825 ACRES (SECTION TWO)  
- 19.683 ACRES (SECTION THREE, PH. ONE)  
11.561 ACRES REMAIN

SECTION THREE  
PHASE TWO  
(FUTURE)

BERNHARD ENTERPRISES, INC.  
VOL. 486, PG. 929  
1.933 ACRES

BERNHARD ENTERPRISES, INC.  
VOL. 486, PG. 929  
4.094 ACRES

WILLIAM C. JOHNSON &  
DEANNA D. JOHNSON  
VOL. 988, PG. 100  
6.505 ACRES

RIDGEWOOD  
SECTION 4 REPLAT  
P.C. 34, PG. 551A-567B

RIDGEWOOD  
SECTION 1-B  
P.C. 33, PG. 843A-844A

RIDGEWOOD  
SECTION 3-A  
P.C. 33, PG. 917A-918A

**BASIS OF BEARING**

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

PHILIP C. BRUMBAUGH  
OHIO REGISTERED  
PROFESSIONAL SURVEYOR NO. 5057

HIGHVIEW TERRACE, SECTION THREE, PHASE ONE RECORD PLAN  
LOCATED IN CITY OF BELLBROOK, GREENE COUNTY, OH.

**BRUMBAUGH  
ENGINEERING &  
SURVEYING, LLC**

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

2 WORKING DAYS  
BEFORE YOU DIG  
CALL TOLL FREE 800-362-2764  
OHIO UTILITIES PROTECTION SERVICE

**SUPERIMPOSITION MAP**  
SCALE: 1"= 200'

CLEMENS DEVELOPMENT Co., Inc.  
O.R. 2601, PG. 416  
19.165 ACRES

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 THE SANITARY SEWERS TO THE GREENE COUNTY BOARD OF COMMISSIONERS FOR 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, PUBLICLY OR PRIVATELY OWNED, 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. STREETS SHOWN ON THE PLAT ARE HEREBY DEDICATED TO THE PUBLIC FOREVER. LOT 55 (RESERVE "D") SHALL BE DEDICATED TO THE CITY OF BELLBROOK AS OPEN SPACE.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

OWNER: CLEMENS DEVELOPMENT CO. & R M CLEMENS, CO.

WITNESS

BY: RICHARD M. CLEMENS PRESIDENT, CLEMENS DEVELOPMENT CO. & OWNER, R M CLEMENS, CO.

WITNESS

STATE OF OHIO, S.S.: THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF 20 BY CLEMENS DEVELOPMENT CO., BY RICHARD M. CLEMENS, ITS PRESIDENT, & AS OWNER BY R. M. CLEMENS, CO., BY RICHARD M. CLEMENS.

NOTARY PUBLIC

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

LIENHOLDER: MINSTER BANK

WITNESS

SIGNATURE

WITNESS

(PRINTED NAME)

STATE OF OHIO, S.S.: THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF 20 BY MINSTER BANK

BY AS LIENHOLDER, IT'S

NOTARY PUBLIC

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

OWNER 0.735 ACRE TRACT: LINDSAY HOFACKER

WITNESS

BY: LINDSAY HOFACKER

STATE OF OHIO, S.S.: THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF 20 BY LINDSAY HOFACKER, AS OWNER.

NOTARY PUBLIC

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

LIENHOLDER:

WITNESS

BY: (PRINTED NAME)

BY: (PRINTED TITLE)

STATE OF OHIO, S.S.: THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF 20 BY

BY AS LIENHOLDER, IT'S

NOTARY PUBLIC

RECORD PLAN HIGHVIEW TERRACE SECTION THREE PHASE ONE

CONTAINING 19.683 ACRES LOCATED IN SECTION 2, TOWN 2, RANGE 6 MRs CITY OF BELLBROOK, GREENE COUNTY, OHIO SEPTEMBER 30, 2016

DESCRIPTION

THE WITHIN PLAT IS A SUBDIVISION CONTAINING 19.683 ACRES AND BEING PART OF CLEMENS DEVELOPMENT COMPANY LAND AS ACQUIRED THROUGH INSTRUMENT RECORDED IN O.R. 2372, PG. 672, ALSO BEING PART OF LOT 22, AS ACQUIRED BY R M CLEMENS, COMPANY IN OFFICIAL RECORD VOLUME 3700, PAGE 877, ALSO BEING ALL OF A 0.735 ACRE TRACT, AS ACQUIRED BY LINDSAY HOFACKER IN OFFICIAL RECORD VOLUME 3431, PAGE 89, ALSO BEING ALL OF A 0.693 ACRE TRACT, AS ACQUIRED BY CLEMENS DEVELOPMENT, COMPANY IN OFFICIAL RECORD VOLUME 3031, PAGE 541, ALSO BEING PART OF LOT 10, BELLBROOK SHOPPING PLAZA VACATED PLAT CABINET VOLUME 31, PAGE 183B, AND THE PART OF THE RIGHT-OF-WAY OF SUGAR MAPLE PLACE VACATED BY THIS PLAT AS RECORDED IN RECORD PLAN HIGHVIEW TERRACE SECTION TWO, PLAT CABINET VOLUME 37, PAGES 27B-28B OF THE OFFICIAL RECORDS OF GREENE COUNTY OHIO.

STATE OF OHIO, S.S.: CLEMENS DEVELOPMENT CO., 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 20

NOTARY PUBLIC

FLOOD PLAIN NOTE

PARTS OF LOTS #50, #51, #53, AND #54 LIE WITHIN THE 100 YEAR FLOODPLAIN AS SHOWN ON FEMA MAP PANEL 39057C00114D. DEVELOPMENT OR MODIFICATION OF ANY LOT WITHIN THE 100 YEAR FLOODPLAIN SHALL REQUIRE COMPLIANCE WITH THE FLOOD DAMAGE PROTECTION ORDINANCE. ANY AREA DESIGNATED FOR THE NATURAL FLOW OF SURFACE WATER SHALL BE AT ALL TIMES BE 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.

COVENANTS, CONDITIONS AND RESTRICTIONS:

THE WITHIN PLAT IS 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, PG'S 450-483 & O.R. VOL. 2795, PG'S 619-637 OF THE DEED RECORDS OF GREENE COUNTY, OHIO AND SHALL BE IN EFFECT FOR HIGHVIEW TERRACE, SECTION THREE, PHASE ONE.

NOTES:

- 1. ALL LOTS IN THIS SUBDIVISION EXCEPT LOT 55 SHALL BE KNOWN OR DESCRIBED AS RESIDENTIAL LOTS.
2. MAINTENANCE OF ALL AREAS DESIGNATED AS DRAINAGE EASEMENTS, WALKING PATH EASEMENTS, AND LANDSCAPE EASMENTS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION. MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE COLLECTIVE HOMEOWNERS IF SAID ASSOCIATION BE DISSOLVED.
3. ANY LOT AREA RESERVED FOR DRAINAGE PURPOSES, SHALL AT ALL TIMES BE KEPT FREE OF ANY OBSTRUCTIONS TO THE FLOW OF WATER. NO IMPROVEMENTS, STRUCTURES OR MODIFICATIONS WITHIN THE IDENTIFIED DRAINAGE EASEMENT ARE WILL BE ALLOWED WITHOUT THE APPROVAL OF THE CITY OF BELLBROOK'S ENGINEER. MAINTENANCE OF THE DRAINAGE EASEMENT AREA, STORMWATER MANAGEMENT CONTROL FACILITY(IES), AND DRAINAGE AREAS SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL OWNER(S) OF THE LOT OR LAND/HOMEOWNERS ASSOCIATION, WHICHEVER IS APPLICABLE, ON WHICH THESE FACILITIES AND/OR DRAINAGE AREAS ARE LOCATED.

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 20

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 AUDITOR

GREENE COUNTY RECORDER:

FILE NO. PLAT CABINET VOL. PAGES

FEES: RECEIVED FOR RECORD THIS DAY OF

20 AT M.

RECORDED THIS DAY OF 20

GREENE COUNTY RECORDER

CERTIFICATION

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, THAT THIS PLAT REPRESENTS A FIELD SURVEY OF JANUARY, 2016 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.

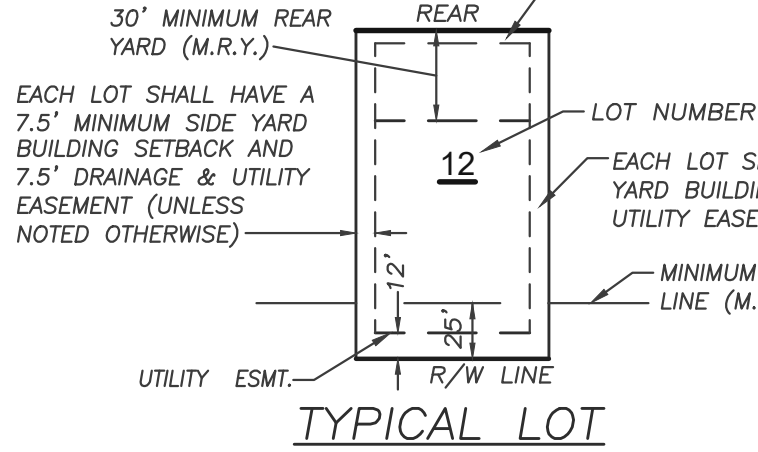
PHILIP C. BRUMBAUGH, P.S. DATE OHIO REGISTERED PROFESSIONAL SURVEYOR NO. 5057

HIGHVIEW TERRACE, SECTION THREE, PHASE ONE RECORD PLAN LOCATED IN CITY OF BELLBROOK, GREENE COUNTY, OH.

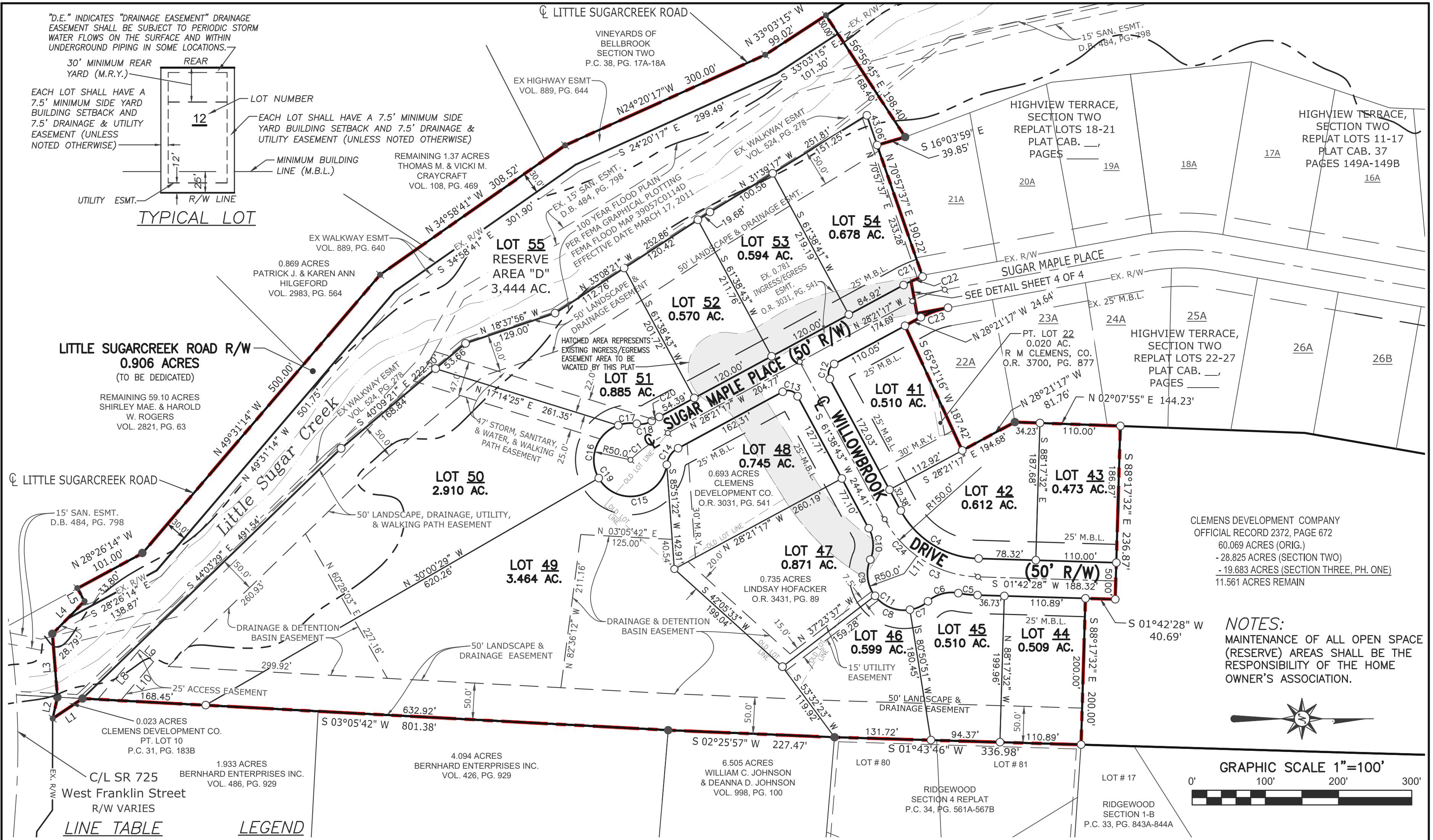


1105 SOUTH MIAMI STREET WEST MILTON, OHIO 45383 PHONE: (937) 698-3000 FAX: (937) 698-3928

"D.E." INDICATES "DRAINAGE EASEMENT" DRAINAGE EASEMENT SHALL BE SUBJECT TO PERIODIC STORM WATER FLOWS ON THE SURFACE AND WITHIN UNDERGROUND PIPING IN SOME LOCATIONS.



TYPICAL LOT



CLEMENS DEVELOPMENT COMPANY  
OFFICIAL RECORD 2372, PAGE 672  
60.069 ACRES (ORIG.)  
- 28.825 ACRES (SECTION TWO)  
- 19.883 ACRES (SECTION THREE, PH. ONE)  
11.561 ACRES REMAIN

NOTES:  
MAINTENANCE OF ALL OPEN SPACE (RESERVE) AREAS SHALL BE THE RESPONSIBILITY OF THE HOME OWNER'S ASSOCIATION.



**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 33°57'54" E	49.05'
L2	N 77°30'26" W	29.96'
L3	S 85°28'58" W	86.66'
L4	N 45°38'42" W	62.59'
L5	S 61°33'46" W	20.00'
L8	S 49°42'18" E	88.60'
L9	N 40°17'42" E	25.00'
L10	N 49°42'18" W	69.62'
L11	N 54°04'28" W	29.71'

- LEGEND**
- 5/8" x 30" IRON PIN SET WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH E&S"
  - ⊗ MAG NAIL SET
  - 5/8" IRON PIN FOUND
  - ⊗ MAG NAIL FOUND

ALL MONUMENTS FOUND ARE IN GOOD CONDITION UNLESS OTHERWISE NOTED.

**PERTINENT DOCUMENTS:**

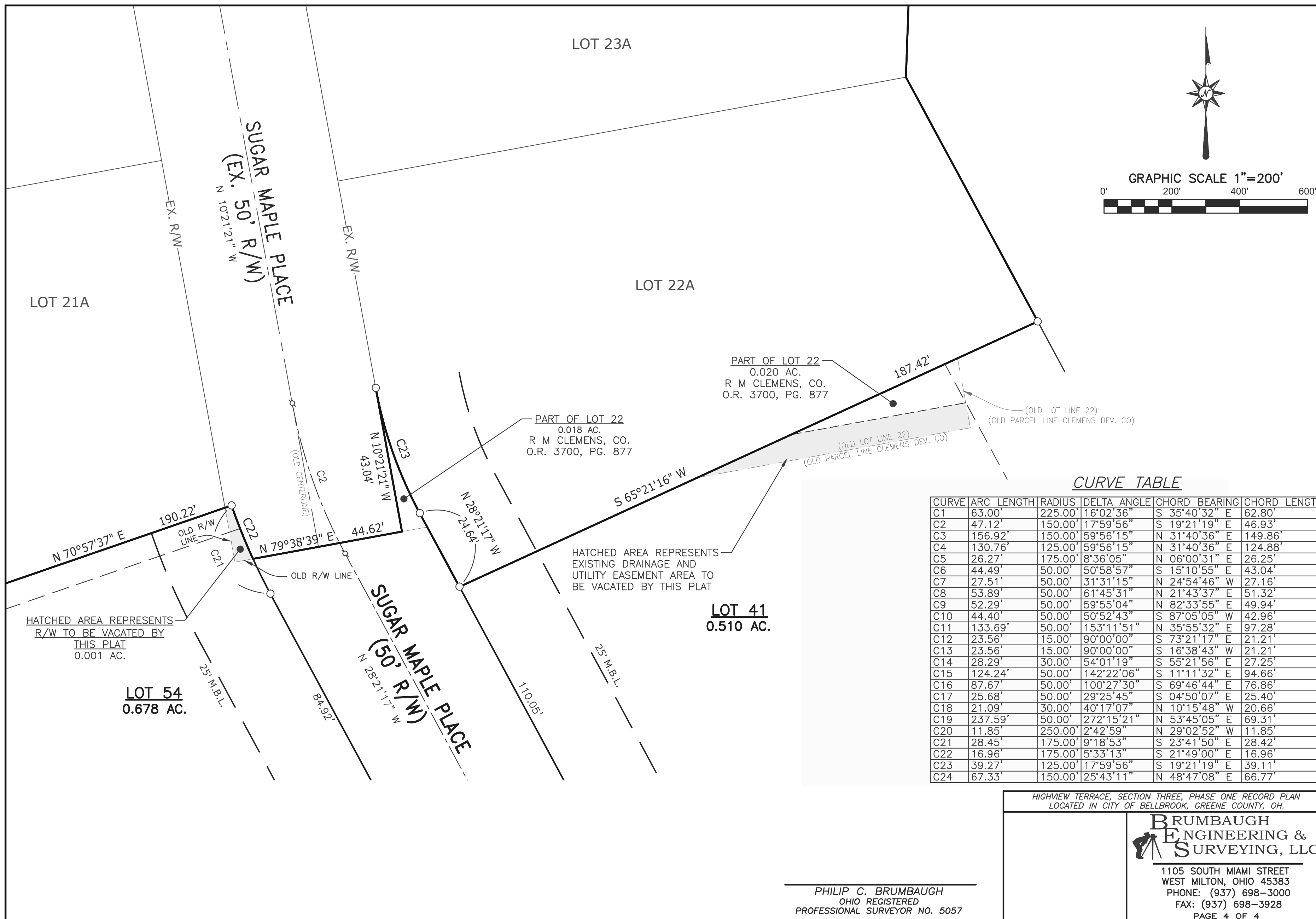
- IN ADDITION TO THE REFERENCES SHOWN ON FACE OF THIS PLAT THE FOLLOWING DOCUMENTS WERE USED: NONE
- OCCUPATION IN GENERAL FITS THE SURVEYED LINES.
- ALL MONUMENTATION FOUND OR SET ARE IN GOOD CONDITION UNLESS OTHERWISE SHOWN.

PHILIP C. BRUMBAUGH  
OHIO REGISTERED  
PROFESSIONAL SURVEYOR NO. 5057

HIGHVIEW TERRACE, SECTION THREE, PHASE ONE RECORD PLAN LOCATED IN CITY OF BELLBROOK, GREENE COUNTY, OH.

**BRUMBAUGH ENGINEERING & SURVEYING, LLC**

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



CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	63.00'	225.00'	16°02'36"	S 35°40'32" E	62.80'
C2	47.12'	150.00'	17°59'56"	S 19°21'19" E	46.93'
C3	156.92'	150.00'	59°56'15"	N 31°40'36" E	149.86'
C4	130.76'	125.00'	59°56'15"	N 31°40'36" E	124.88'
C5	26.27'	175.00'	8°36'05"	N 06°00'31" E	26.25'
C6	44.49'	50.00'	50°58'57"	S 15°10'55" E	43.04'
C7	27.51'	50.00'	31°31'15"	N 24°54'46" W	27.16'
C8	53.89'	50.00'	61°45'31"	N 21°43'37" E	51.32'
C9	52.29'	50.00'	59°55'04"	N 82°33'55" E	49.94'
C10	44.40'	50.00'	50°52'43"	S 87°05'05" W	42.96'
C11	133.69'	50.00'	153°11'51"	N 35°55'32" E	97.28'
C12	23.56'	15.00'	90°00'00"	S 73°21'17" E	21.21'
C13	23.56'	15.00'	90°00'00"	S 16°38'43" W	21.21'
C14	28.29'	30.00'	54°01'19"	S 55°21'56" E	27.25'
C15	124.24'	50.00'	142°22'06"	S 11°11'32" E	94.66'
C16	87.67'	50.00'	100°27'30"	S 69°46'44" E	76.86'
C17	25.68'	50.00'	29°25'45"	S 04°50'07" E	25.40'
C18	21.09'	30.00'	40°17'07"	N 10°15'48" W	20.66'
C19	237.59'	50.00'	272°15'21"	N 53°45'05" E	69.31'
C20	11.85'	250.00'	2°42'59"	N 29°02'52" W	11.85'
C21	28.45'	175.00'	9°18'53"	S 23°41'50" E	28.42'
C22	16.96'	175.00'	5°33'13"	S 21°49'00" E	16.96'
C23	39.27'	125.00'	17°59'56"	S 19°21'19" E	39.11'
C24	67.33'	150.00'	25°43'11"	N 48°47'08" E	66.77'

HIGHVIEW TERRACE, SECTION THREE, PHASE ONE RECORD PLAN  
LOCATED IN CITY OF BELLBROOK, GREENE COUNTY, OH.

**BRUMBAUGH**  
**ENGINEERING &**  
**SURVEYING, LLC**

1105 SOUTH MIAMI STREET  
WEST MILTON, OHIO 45383  
PHONE: (937) 698-3000  
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PAGE 4 OF 4

PHILIP C. BRUMBAUGH  
OHIO REGISTERED  
PROFESSIONAL SURVEYOR NO. 5057