



ORDINANCE 2024-03

AN ORDINANCE TO GRANT FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS OF SHELLY'S RETREAT AT CARPENTER'S MILL, SECTION 1, PART A AND PART B, AS THE SAME NUMBERED AND DELINEATED UPON THE PLATS, THEREOF RECORDED IN OFFICIAL RECORD 1577, PAGES 586-587, AND OFFICIAL RECORD 1614, PAGES 2517-2520, DELAWARE COUNTY, RECORDER'S OFFICE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Powell has previously approved the plats for Shelly's Retreat at Carpenter's Mill, Section 1, Part A and Part B which have been duly recorded in official record 1577, pages 586-5878, and official record 1614, pages 2517-2520, Delaware County, Ohio, Recorder's Office; and


WHEREAS, all major components of the public construction of the development are completed, satisfactorily maintained, all defects or deficiencies have been corrected, and all expenses incurred by the City pursuant to the development have been paid in full.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF POWELL, COUNTY OF DELAWARE, STATE OF OHIO, AS FOLLOWS:

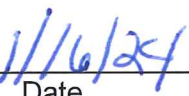
Section 1: That, pursuant to Section 1115.07 of the Codified Ordinances, all major components of the public improvements noted upon the plat of Shelly's Retreat at Carpenter's Mill, Section 1, Part A and Part B which have been duly recorded in official record 1577, pages 586-5878, and official record 1614, pages 2517-2520, Delaware County, Ohio, Recorder's Office are hereby granted final acceptance by the City of Powell.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.


Section 3: That this Ordinance shall take effect on the earliest period allowed by law.




Tom Counts
Mayor



Date

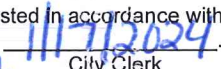


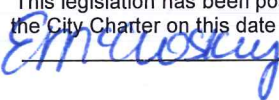
Elaine McCloskey
City Clerk



Date

EFFECTIVE DATE: January 16, 2024

This legislation has been posted in accordance with
the City Charter on this date 


City Clerk

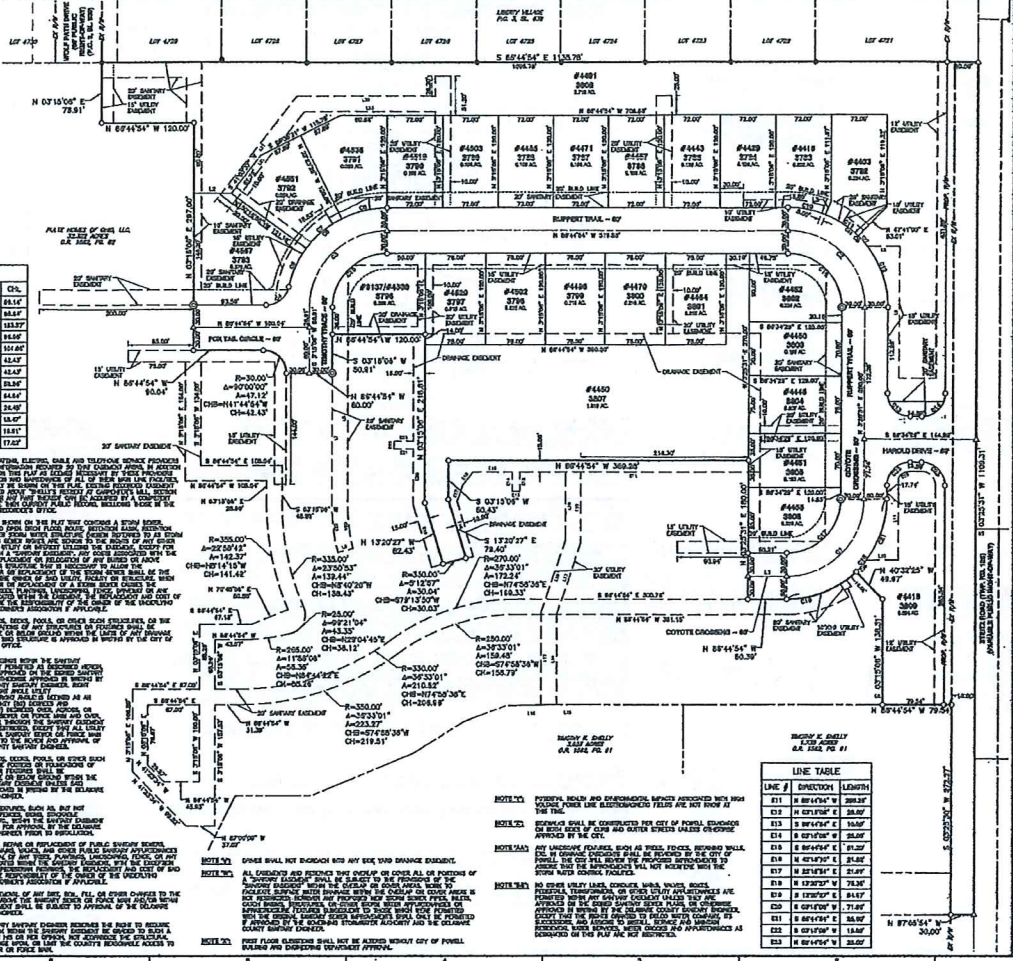


LEGEND

- BORN PER SET (SEE SURVEY BOOK)
- PROPERTY MARKER (SEE SURVEY BOOK)
- ▲ 1/4 SECTION CORNER
- ▲ BORN PER PLAT
- BORN PER PLAT
- COUNTY MARKER POINT
- BORN ACCORD TO RECORD
- BORN PER PLAT

LINE TABLE				LINE TABLE				LINE TABLE			
LINE #	DIRECTION	LENGTH	CHG	LINE #	DIRECTION	LENGTH	CHG	LINE #	DIRECTION	LENGTH	CHG
11	N 89°45'44" W	130.00		118	N 89°45'44" W	130.00		125	N 89°45'44" W	130.00	
12	N 89°45'44" W	130.00		119	N 89°45'44" W	130.00		126	N 89°45'44" W	130.00	
13	N 89°45'44" W	130.00		120	N 89°45'44" W	130.00		127	N 89°45'44" W	130.00	
14	N 89°45'44" W	130.00		121	N 89°45'44" W	130.00		128	N 89°45'44" W	130.00	
15	N 89°45'44" W	130.00		122	N 89°45'44" W	130.00		129	N 89°45'44" W	130.00	
16	N 89°45'44" W	130.00		123	N 89°45'44" W	130.00		130	N 89°45'44" W	130.00	
17	N 89°45'44" W	130.00		124	N 89°45'44" W	130.00					

CURVE TABLE					CURVE TABLE				
CURVE #	BEARING	CHG	CHG	CHG	CURVE #	BEARING	CHG	CHG	CHG
C1	N 89°45'44" W	130.00			C1	N 89°45'44" W	130.00		
C2	N 89°45'44" W	130.00			C2	N 89°45'44" W	130.00		
C3	N 89°45'44" W	130.00			C3	N 89°45'44" W	130.00		
C4	N 89°45'44" W	130.00			C4	N 89°45'44" W	130.00		
C5	N 89°45'44" W	130.00			C5	N 89°45'44" W	130.00		
C6	N 89°45'44" W	130.00			C6	N 89°45'44" W	130.00		
C7	N 89°45'44" W	130.00			C7	N 89°45'44" W	130.00		
C8	N 89°45'44" W	130.00			C8	N 89°45'44" W	130.00		
C9	N 89°45'44" W	130.00			C9	N 89°45'44" W	130.00		
C10	N 89°45'44" W	130.00			C10	N 89°45'44" W	130.00		
C11	N 89°45'44" W	130.00			C11	N 89°45'44" W	130.00		
C12	N 89°45'44" W	130.00			C12	N 89°45'44" W	130.00		
C13	N 89°45'44" W	130.00			C13	N 89°45'44" W	130.00		
C14	N 89°45'44" W	130.00			C14	N 89°45'44" W	130.00		
C15	N 89°45'44" W	130.00			C15	N 89°45'44" W	130.00		



NOTES:

NOTE 1: THIS PLAT IS A REVISION OF PLAT # 1577, DATED 10/15/2014, AND IS SUBJECT TO THE TERMS AND CONDITIONS OF SAID PLAT.

NOTE 2: THE CITY OF POWELL HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE DELAWARE COUNTY ZONING ORDINANCES.

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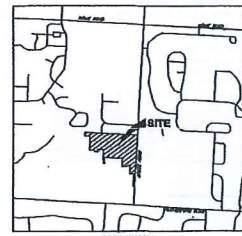
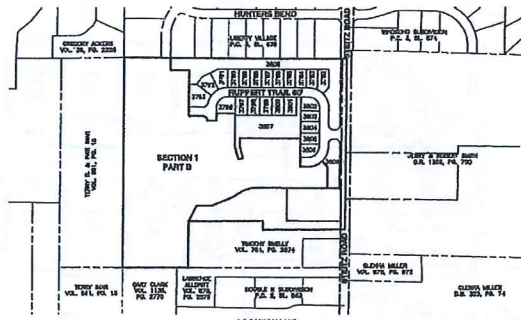
SHIELDS ENGINEERING & ARCHITECTURE, INC.
 SECTION 1, PART A
 CITY OF POWELL, DELAWARE COUNTY, OHIO
 PLAT

SHELLY'S RETREAT AT CARPENTER'S MILL

SECTION 1, PART A

EXHIBIT A

STATE OF OHIO, COUNTY OF DELAWARE, CITY OF POWELL,
TOWN LOT 10, TOWNSHIP 3, SECTION 2, RANGE 19
UNDIVIDED STATE RIGHTS LANDS



APPROVED THIS 10th DAY OF May 2018
 APPROVED THIS 10th DAY OF May 2018
 APPROVED THIS 5th DAY OF June 2018
 APPROVED THIS 8th DAY OF June 2018
 APPROVED THIS 10th DAY OF May 2018
 APPROVED THIS 10th DAY OF May 2018

Donna (unc)
 DEPT. CLERK, MUNICIPAL
 CITY OF POWELL, OHIO

David (unc)
 DEPT. CLERK, MUNICIPAL
 CITY OF POWELL, OHIO

John J. (unc)
 DELAWARE COUNTY WATER CO., INC.

M.P.A.
 DELAWARE COUNTY SANITARY ENGINEER

City Engineer
 CITY ENGINEER, CITY OF POWELL, OHIO

DM (unc)
 DELAWARE COUNTY PLANNING COMMISSION
 CITY OF POWELL, OHIO

THIS 12th DAY OF FEB 2018 POINTS-OF-WAY FOR PUBLIC
 UTILITIES AND ROADS HEREIN DESIGNATED TO PUBLIC USE ARE HEREBY
 APPROVED FOR THE CITY OF POWELL, STATE OF OHIO. STREET
 IMPROVEMENTS SHALL BE COMPLETED PRIOR TO THE DATE THAT THIS
 APPROVAL IS ISSUED AND ALL NECESSARY PERMITS SHALL NOT BE
 ACCEPTED FOR PUBLIC USE AND/OR MAINTENANCE UNLESS AND UNTIL
 CONSTRUCTION IS COMPLETED AND STREETS ARE FORMALLY ACCEPTED
 BY THE CITY OF POWELL.

Karen Mitchell
 CLERK, CITY OF POWELL, OHIO
 01-18-2018

TRANSFERRED THIS 15th DAY OF June 2018

George Katsaris
 ALORGE, DELAWARE COUNTY, OHIO

Melissa Jordan (RD)
 RECORDS, DELAWARE COUNTY, OHIO

Doc ID: 012804410002 Type: OFF
 Kind: PLAT
 Recorded: 06/15/2018 at 09:36:03 AM
 Fee Amt: \$80.00 Page 1 of 2
 Workflow# 0000164905-0001
 Delaware County, OH
 Melissa Jordan County Recorder
 Files# 2018-00015767
 BK 1577 PG 586-587

PC 4 sl. 55-55A

SITUATED IN THE STATE OF OHIO, COUNTY OF DELAWARE, CITY OF POWELL, TOWN LOT 10, TOWNSHIP 3, SECTION 2, RANGE 19, UNITED STATES MERIDIAN, BEING 13.163 ACRES OF LAND ALL OUT OF 23.884 ACRES CONVEYED TO PLATE HOMES OF OHIO, LLC, A MICHIGAN LIMITED LIABILITY COMPANY, BY DEED OF RECORD IN OFFICIAL RECORD BOOK PAGE 82, BEING OF RECORD IN THE RECORDER'S OFFICE, DELAWARE COUNTY, OHIO.

THE UNDERSIGNED, PLATE HOMES OF OHIO, LLC, A MICHIGAN LIMITED LIABILITY COMPANY, BY MATTHEW J. CALLAHAN, VICE PRESIDENT, OWNER OF THE LAND PLATTED HEREIN, DO hereby acknowledge in the presence of the undersigned witnesses that the PLAT CORRECTLY REPRESENTS THE LAND PLATTED HEREIN AT CARPENTER'S MILL, SECTION 1, PART A, A SUBDIVISION CONTAINING LOTS NUMBERED 3782-3783 & 3784-3804, INCLUDING, AND DOES HEREBY ACCEPT THIS PLAT OF SAME.

EASEMENTS ARE HEREBY RESERVED IN OVER AND UNDER AREAS DESIGNATED ON THIS PLAT AS "EASEMENT, OR EGRESS EASEMENT". EASEMENTS DESIGNATED AS "UTILITY EASEMENT" OR "TOWNSHIP EASEMENT" FROM THE CONSTRUCTION, OPERATION AND MAINTENANCE OF ALL PIPES AND CULVERTS, UTILITIES ABOVE, BELOW AND ON THE SURFACE OF THE EASEMENT ARE NECESSARY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF SERVICE CONNECTIONS TO ALL ADJACENT LOTS AND LOTS AND FOR STORM WATER DRAINAGE.

EASEMENTS DESIGNATED AS "SANITARY EASEMENT" SHALL BE AN EXCLUSIVE SANITARY EASEMENT OVER, THROUGH, UNDER, WITHIN, UNDER AND ABOVE THE AREA DESCRIBED ON THE PLAT, TOGETHER WITH BRIDGES AND OTHER OVER OR UNDER STRUCTURES, STORM WATER DRAINAGE FACILITIES, AND ABOVE GROUND STRUCTURES, BARRS, OR OTHER SANITARY EASEMENT SERVICE CONNECTIONS, MANHOLES, FORCE MAINS, VALVES, AND OTHER SANITARY APPURTENANCES. SANITARY EASEMENTS MAY BE CROSSED BY OTHER UTILITIES AS EXPRESSED HEREIN.

WHERE THERE ARE AREAS OF LAND DESIGNATED AS "EASEMENT" ON THIS PLAT, AN ADDITIONAL EASEMENT IS HEREBY RESERVED FOR THE PURPOSE OF CONSTRUCTION, OPERATION, AND MAINTENANCE OF STORM WATER DRAINAGE SHALL AND/OR OTHER ABOVE GROUND STORM WATER DRAINAGE FACILITIES, AND ABOVE GROUND STRUCTURES, BARRS, OR OTHER SANITARY EASEMENT SERVICE CONNECTIONS, MANHOLES, FORCE MAINS, VALVES, AND OTHER SANITARY APPURTENANCES. OBTAINING THE FLOW OF STORM WATER HEREBY ARE PERMITTED WITHIN DRAINAGE EASEMENT AREAS AS DELINEATED ON THIS PLAT. EASEMENT AREAS SHOWN HEREON OUTSIDE OF THE PLATTED AREA ARE BEING LAIN OWNED BY THE UNDERSIGNED AND EASEMENTS ARE HEREBY RESERVED FOR THE USES AND PURPOSES EXPRESSED HEREIN.

A NON-EXCLUSIVE EASEMENT IS HEREBY SPECIFICALLY GRANTED TO DELAWARE COUNTY WATER COMPANY, INC. ITS SUCCESSORS AND ASSIGNS, FOR THE LOCATION OF WATER LINES, VALVES, AND APPURTENANCES WITHIN THE POINTS-OF-WAY HEREBY DESIGNATED AND WITHIN AREAS DESIGNATED HEREIN AS "UTILITY EASEMENT" OR "TOWNSHIP EASEMENT" THAT ARE LOCATED ALONGSIDE THE POINTS-OF-WAY HEREBY DESIGNATED. ALSO GRANTED IS THE RIGHT OF DELAWARE COUNTY, OHIO, TO INSTALL, SERVICE, AND MAINTAIN WATER LINES AND APPURTENANCES IN SAID EASEMENT AREAS ALONGSIDE SAID POINTS-OF-WAY. THE EASEMENT AREA SHALL BE FOR THE UNRESTRICTED USE OF DELAWARE COUNTY AND PLACEMENT OF FENCES, WALLS, FENCES, TREES, GARDENS, SPRINGHOUSES, AND OTHER SURFACE FEATURES IS STRICTLY PROHIBITED.

THE EASEMENTS SHOWN HEREON OUTSIDE OF THE PLATTED AREA AND WITHIN SAID 23.884 ACRE TRACT OF LAND OWNED BY PLATE HOMES OF OHIO, LLC, A MICHIGAN LIMITED LIABILITY COMPANY, ARE RESERVED FOR THE PURPOSES STATED IN THE FOREGOING "EASEMENT" PARAGRAPHS.

SURVEY DATA:
 BEARING SHOWN ON THIS SURVEY AND BASED ON THE MONUMENT OF "3 02/21" IS FOR A PORTION OF THE CENTERLINE OF STREET ROAD AS ESTABLISHED BY GPS OBSERVATION AND PROVIDED "OPEN" AT THE POINT OF SURVEY.

BOUNDARY DATA:
 NATIONAL GEODETIC SURVEY & OHIO DEPARTMENT OF TRANSPORTATION CONTINUOUSLY OPERATING REFERENCE STATION (CORS) "TOLSON", THE SOURCE OF SURVEY DATA PROVIDED IN THIS PLAT WERE OBTAINED FROM THE DELAWARE COUNTY RECORDER'S OFFICE.

IRON PIPES:
 THESE INDICATED HEREIN, UNLESS OTHERWISE NOTED, ARE TO BE SET AND ARE 6" DIA. IRON, THIRTY FEET LONG WITH A YELLOW PLASTIC CAP BEARING THE DETAILS "CCC".

PERMANENT MARKERS:
 WHERE INDICATED HEREON, ARE TO BE SOLID BROWN PINS, 1" DIAMETER, 30" LONG, SOLID BROWN PINS ARE TO BE SET TO MONUMENT POINTS INDICATED AND ARE TO BE SET WITH TO THE TOP END FLUSH WITH THE SURFACE OF THE GROUND AND THEN CAPPED WITH AN ALUMINUM FLAG BEARING THE DETAILS "CCC".

IN WITNESS WHEREOF, MATTHEW J. CALLAHAN, VICE PRESIDENT OF PLATE HOMES OF OHIO, LLC, A MICHIGAN LIMITED LIABILITY COMPANY HAS CAUSED THIS PLAT TO BE EXECUTED BY THIS AUTHORIZED OFFICE.

THIS 12th DAY OF FEB 2018
 MATTHEW J. CALLAHAN
 VICE PRESIDENT OF LAND ACQUISITION

STATE OF OHIO
 COUNTY OF DELAWARE

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED MATTHEW J. CALLAHAN, VICE PRESIDENT OF SAID PLATE HOMES OF OHIO, LLC, A MICHIGAN LIMITED LIABILITY COMPANY, WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED AND THE VOLUNTARY ACT AND DEED OF SAID PLATE HOMES OF OHIO, LLC, A MICHIGAN LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSES EXPRESSED THEREIN.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS 12th DAY OF FEB 2018

MY COMMISSION EXPIRES
 07-16-2025
 STEPHEN PECK
 NOTARY PUBLIC
 STATE OF OHIO
 Comm. Exp. 07-16-2025

CERTIFICATION:
 BE IT CERTIFIED THAT WE HAVE SURVEYED THE ATTACHED PREMISES, PREPARED THE ATTACHED PLAT, AND THAT SAID PLAT IS CORRECT. ALL EASEMENTS ARE SHOWN IN FULL AND SEPARATE PARTS THEREOF. DIMENSIONS SHOWN ALSO GIVES PLAT OWNERS NECESSARY INFORMATION REGARDING MARKING PINS AND IRON PINS ARE TO BE PLACED AS SHOWN UPON COMPLETION OF CONSTRUCTION NECESSARY TO THE IMPROVEMENTS OF THIS LAND. FIELD WORK COMPLETED IN

Me (unc) 01/24/2018
 SURVEYOR
 PROFESSIONAL LAND SURVEYOR NO. 5-6232

AREA
 ALMA
 BALTH
 8 2323
 2018

RECORDS INDEXED
 01/24/2018

City & Environmental Consultants, Inc.
 250 One Main Street, Columbus, OH 43215
 Tel: 614.221.4400 Fax: 614.221.4401

CITY OF POWELL
 DELAWARE COUNTY, OHIO

SHELLY'S RETREAT AT CARPENTER'S MILL
 SECTION 1, PART A

PLAT