CITY OF POWELL
ORDINANCE 2016-03
ATTACHMENT A

POWELL GRAND

Situated in the State of Ohio, County of Delaware, City of Powell, and in Farm Lot 10 (1.300 acres), Quarter Township 4, Township 5, Range 19, United States Military Lands, containing 39.038 acres of land, more or less, said 39.038 acres being comprised of a consolidation of Lots 3414, 3415, 3416 and 3417 of the subdivision entitled "Indian Run Acres" of record in Plat Cabinet 2, Slide 345, and lots being conveyed to SAWMILL SELDOM SEEN LLC by deeds of record in Official Record 1122, Page 1522 and Official Record 1122, Page 1525, and the right of way of Revere Court (1.123 acres), Recorder's Office, Delaware County, Ohio.

The undersigned, SAWMILL SELDOM SEEN LLC, an Ohio limited liability company, by MARK EBNER, Member, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents an "POWELL GRAND", a subdivision containing Lots numbered 0000 to 0000, both inclusive, does hereby accept this plat of same and dedicates to public use, as such, all of Hunker Lane (1.131 acres of land, more or less) shown hereon and not heretofore dedicated.

Easements are hereby reserved, in, over, and under areas designated on this plat as Easements, Del-Co Water Easement, Drainage Easement and Sanitary Sewer Easement. Easements designated as Utility Easement and Drainage Easement permit the construction, operation, and maintenance of all public and quasi-public utilities above, beneath, and on the surface of the designated land, whose purpose is, but the construction, operation, and maintenance of service connections to all adjacent lots and lands and for storm water drainage.

Easements designated as Sanitary Sewer Easement shall mean an exclusive sanitary easement over, through, under, within, upon, and across the area described on the plat, together with ingress and egress over reasonable routes across Grantor's tracts that adjoin the easement area when exercising the purposes of this easement, exclusively for construction, operation and maintenance of public and or private sanitary sewers, service connections, manholes, force mains, valves, and other sanitary appurtenances. Sanitary easements may be created by other utilities as expressed herein.

Within those areas of land designated Drainage Easement on this plat, an additional easement is hereby reserved for the purpose of constructing, operating, and maintaining natural storm water drainage swales and/or other drainage facilities. No above grade structures, dams, or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat. Easement areas shared between parcels of the platted area are within lands owned by the undersigned and easements are hereby reserved for the uses and purposes expressed herein.

All covenants and Reserves that overlap or cover all or portions of a Sanitary Sewer Easement shall be subject to the provisions of the Sanitary Sewer Easement within the overlap or cover areas. Work to facilitate surface water drainage within the overlap or cover areas is not restricted; however, any proposed new storm sewer pipes, inlets, catch basins, structures, or other storm water appurtenances or infrastructure features subsequent to those which were permitted with the original sanitary sewer improvements shall only be permitted of approved by the governing stormwater authority and the Delaware County Sanitary Engineer.

For any easement shown on this plat that contains a storm sewer, culvert, over land open ditch flood routes, detention basin, retention basin and/or other storm water structure (herein referred to as storm sewer), the storm sewer rights are senior to the rights of any other public or private utility or interest utilizing the easement, except for overlap areas with a Sanitary Sewer Easement. Any costs associated with the damage, repair, replacement or relocations of any buried or above ground facility or structure that is necessary to allow the maintenance, repair or replacement of the storm sewer shall be the responsibility of the owner of said utility, facility or structure. When maintenance, repair or replacement of a storm sewer causes the removal of any trees, plantings, landscaping, fences, driveways or any other feature located within the easement, the replacement and cost of said items shall be the responsibility of the owner of the underlying property or homeowner's association if applicable.

Any landscape features, such as trees, fences, screening walls, etc. in drainage easements shall be reviewed by the Delaware Soil and Water Conservation District (DSWCD) and the Delaware County Engineer's Office (DCEO) prior to installation. The DSWCD and DCEO will review the proposed improvements to assure that the improvements will not interfere with the storm water control facilities.

No buildings, sheds, decks, pools, or other such structures, or the footers or foundations of any structures or features shall be constructed above or below ground within the limits of any drainage easements unless said structure is approved in writing by the Delaware County Engineer's Office.

No other utility lines, conduits, mains, valves, boxes, pedestals, transformers, or other utility appurtenances are permitted within any Sanitary Easement unless they are approved on the signed sanitary sewer plans, or subsequent approved in writing by the Delaware County Sanitary Engineer, except that the rights granted to Del-Co Water Company, its successors, and assigns to install, service and maintain residential water services, meter cracks and appurtenances as designated on this plat are not restricted.

Other utility crossings within the Sanitary Sewer Easements are only permitted as described herein, unless they are approved on the signed sanitary sewer plans or otherwise approved in writing by the Delaware County Sanitary Engineer. Right angle or near right angle utility crossings ("near right angle" is defined as an angle between eighty (80) degrees and one-hundred (100) degrees) over, across, or under the sanitary sewer line and asset, mains, under, or through this sanitary easement are not restricted, except that all utility crossings under the sanitary shall be subject to the review and approval of the Delaware County Sanitary Engineer.

No buildings, sheds, decks, pools, or other such structures, or the footers or foundations of any structures or features shall be constructed above or below ground within the limits of the sanitary easement unless said structure is approved in writing by the Delaware County Sanitary Engineer.

Any landscaping features, such as, but not limited to, trees, fences, signs, stockade, screening walls, etc., within the Sanitary Easement area shall be reviewed for approval by the Delaware County Sanitary Engineer prior to installation.

When maintenance, repair or replacement of public sanitary sewers, manholes, force mains, valves and other public sanitary appurtenances causes the removal of any trees, plantings, landscaping, fences or any other feature located within the Sanitary Easement, with the exception of driveways and pedestrian pathways, the replacement cost of said items shall be the responsibility of the owner of the underlying property or homeowner's association is applicable.

The addition or removal of any dirt, soil, fill, or other changes in the ground elevation above the sanitary sewer or force main and or within the Sanitary Easement shall be subject to approval of the Delaware County Sanitary Engineer.

The Delaware County Sanitary Engineer reserves the right to require that all earthwork within the Sanitary Easement be graded to such a level that will, in his or her opinion, not jeopardize the structural integrity of, infringe upon, or limit the County's reasonable access to the sanitary sewer or force main.

A non-exclusive easement is hereby specifically granted unto Del-Co Water Company Inc., its successors and assigns, for the location of water lines, valves and appurtenances within the rights-of-way hereby dedicated and within areas designated hereon as Del-Co Water Easement, Utility Easement or Drainage Easement that are located alongside the rights-of-way hereby dedicated. Also granted is the right of Del-Co Water Company Inc., to install services and maintain water meter cracks and appurtenances to said easement areas alongside said rights-of-way.

In Witness Whereof, MARK EBNER, Member of SAWMILL SELDOM SEEN LLC has hereunto set his hand this ___ day of _____, 20___.

Signed and Acknowledged
In the presence of:

SAWMILL SELDOM SEEN LLC

_____

By _____
MARK EBNER,
Member

_____

STATE OF OHIO
COUNTY OF DELAWARE ss:

Before me, a Notary Public in and for said State, personally appeared MARK EBNER, Member of SAWMILL SELDOM SEEN LLC, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of SAWMILL SELDOM SEEN LLC, for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this ___ day of _____, 20___.

My commission expires _____

_____
Notary Public, State of Ohio

Approved this ___ Day of _____, 20__

_____
Mayor, City of Powell, Ohio

Approved this ___ Day of _____, 20__

_____
Delaware County Sanitary Engineer

Approved this ___ Day of _____, 20__

_____
General Manager,
Del-Co Water Co INC.

Approved this ___ Day of _____, 20__

_____
City Engineer, City of Powell, Ohio

Approved this ___ Day of _____, 20__

_____
Director of Development,
City of Powell, Ohio

Approved and accepted this ___ day of _____, 20___, by Ordinance No. _____, wherein all of Hunker Lane (1.131 acres of land, more or less), shown dedicated hereon is accepted as such by the Council for the City of Powell, Ohio. Street improvements within said dedicated rights-of-way shall not be accepted for public use and or maintained unless and until construction is complete and streets are formally accepted as such by the City of Powell.

In Witness Thereof I have Hereunto set my hand and affixed my seal this ___ day of _____, 20___.

_____
Clerk, City of Powell, Ohio

Transferred this ___ day of _____, 20___

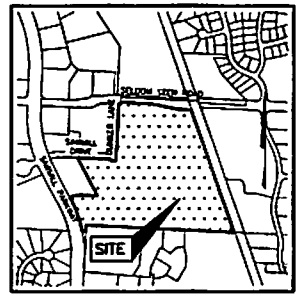
_____
Auditor, Delaware County, Ohio

Filed for record this ___ day of _____, 20___, at _____M
Fee $_____

_____
Recorder, Delaware County, Ohio

File No. _____

Official Record _____, Pages _____



LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE

SURVEY DATA

BASIS OF BEARINGS: The bearings shown on the plat are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Hunker Lane, having a bearing of North 02° 44' 39" East and monumented as shown hereon, is designated the "basis of bearing" for this plat.

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

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

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be cross-mark diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top and 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

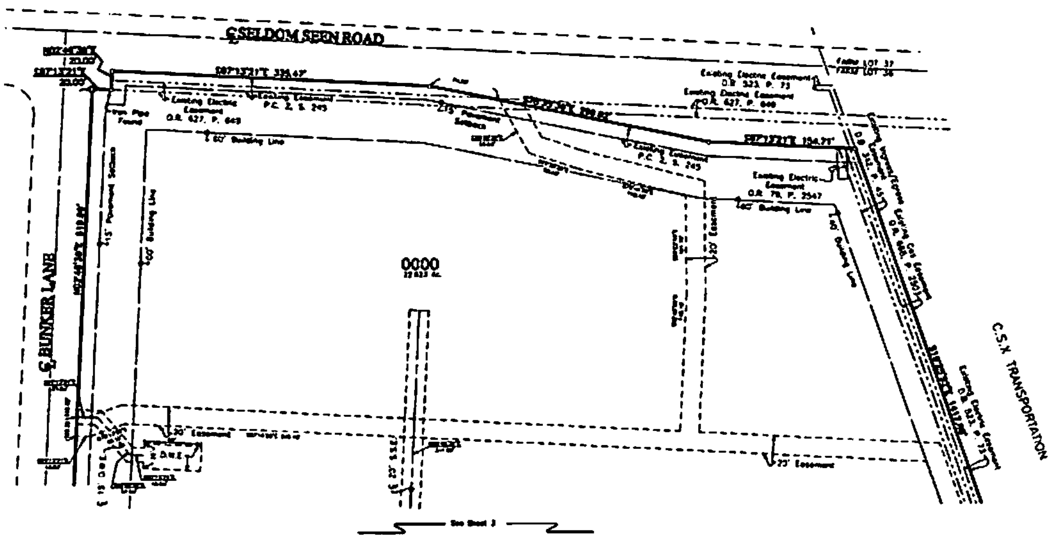
EMHT

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 _____ _____
Professional Surveyor No. 7865 Date

POWELL GRAND

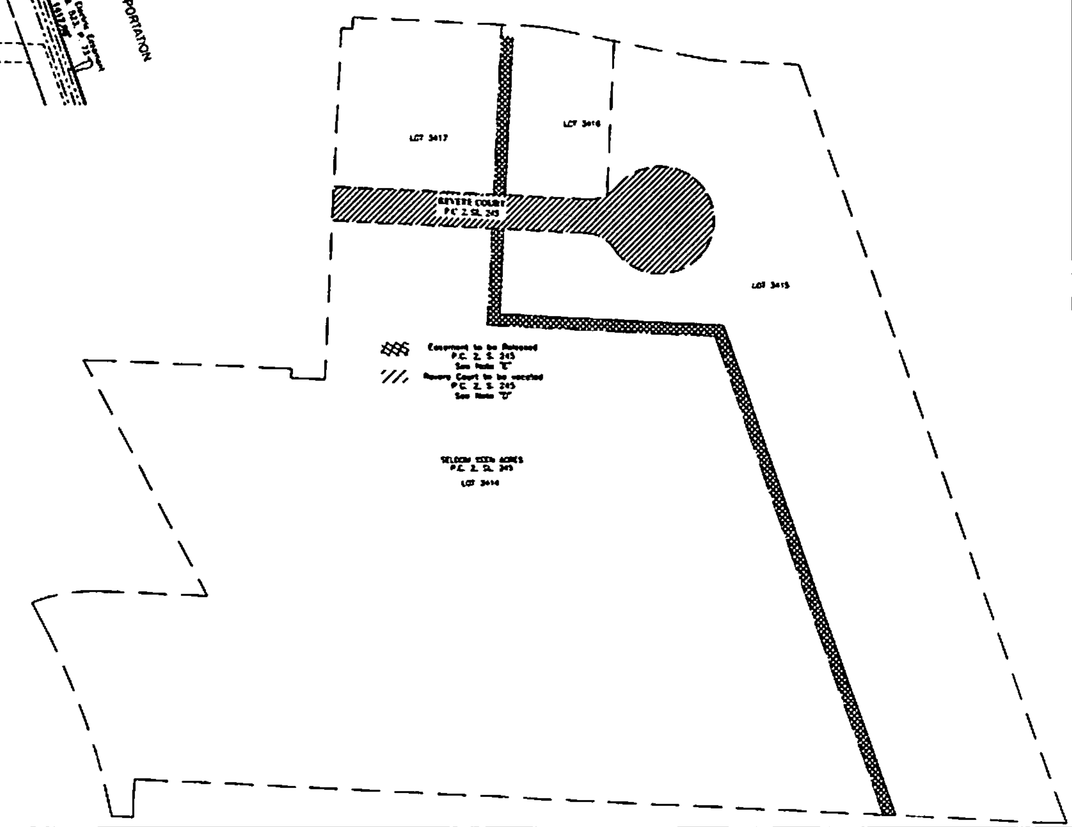


CURVE TABLE					
CURVE NO	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	89°43'35"	125.00'	187.80'	N 47°27'23" E	169.27'
C2	30°22'50"	293.00'	155.20'	S 77°17'30" W	151.77'
C3	22°11'40"	230.00'	89.05'	S 69°57'20" W	88.47'
C4	89°43'35"	150.00'	234.25'	N 47°27'52" E	211.16'
C5	89°43'35"	90.00'	140.94'	N 47°27'52" E	126.96'
C6	0°56'13"	1375.00'	23.11'	S 27°27'43" W	23.11'
C7	8°32'31"	200.00'	29.82'	S 65°12'15" W	29.85'

LEGEND

0000 = Lot Number
D.W.E. = Del-Co Water Easement
S.S.E. = Sanitary Sewer Easement

INDEX OF LOTS IN SELDOM SEEN ACRES SUBDIVISION TO BE RESUBDIVIDED AND RIGHT-OF-WAY AND EASEMENTS TO BE VACATED



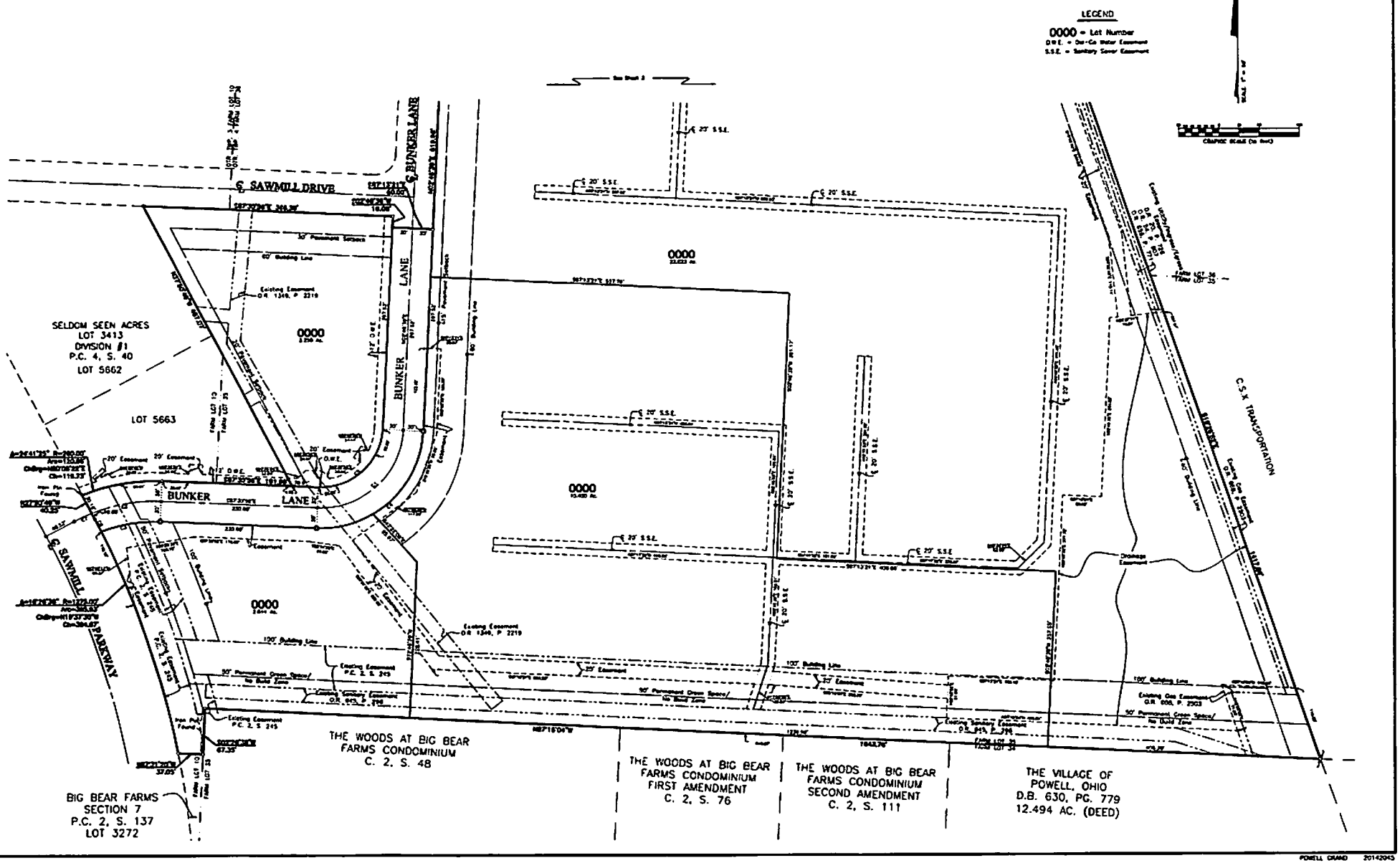
NOTE "A": The purpose of this plat is to show certain property, rights of way, and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date 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 have control over conflicting limitations and requirements that may be shown as on 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" - ACREAGE BREAKDOWN:

Total acreage:	39.018 Ac.
Acreage in rights-of-way:	1.131 Ac.
Acreage in lots:	37.887 Ac.

NOTE "C": 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 deemed 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 Powell Grand or any part thereof can be acquired by a competent examination of the then current public records, including those in the Delaware County Recorder's Office.

NOTE "D" - VACATION OF PUBLIC STREETS: All of Revere Court dedicated by the subdivision plat entitled "Seldom Seen Acres", of record in Plat Cabinet 2, Slide 245, as annexed to the City of Powell in Official Record 1383, Page 922, shown hereon by hatching (see hatch legend) on this final plat of Powell Grand, is hereby vacated.

NOTE "E" - RELEASE OF CERTAIN EASEMENT: All rights and easements granted by the subdivision plat entitled "Seldom Seen Acres", of record in Plat Cabinet 2, Slide 245, as annexed to the City of Powell in Official Record 1383, Page 922, in, over and under the areas indicated hereon by hatching are hereby released and rendered null and void.

POWELL GRAND