

**VILLAGE OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2017-53**

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE A RECORD PLAT FOR WYNSTEAD SECTION 4 PHASE A SUBDIVISION, AND DECLARING AN EMERGENCY

WHEREAS, the Village Planning Commission met on October 11, 2017, and conditionally approved the final plat for the Wynstead Section 4 Phase A Subdivision; and,

WHEREAS, the developer has met the conditions required by the Planning Commission; and,

WHEREAS, immediate action is required to preserve the Village's authority to review and approve said subdivision record plat, and such action is necessary in order to preserve the public peace, health, safety or welfare of the Village.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of South Lebanon, Ohio, at least two-thirds of all members elected thereto concurring:

Section 1. That the Council approves and authorizes the Mayor and Fiscal Officer to execute the Wynstead Section 4 Phase A Subdivision Record Plat, a copy of which is attached hereto.

Section 2. That the Council is acting in its administrative capacity in adopting this Resolution.

Section 3. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 4. That this Resolution is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare; and, this Resolution shall be in full force and effective immediately upon its passage.

Section 5. That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

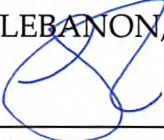
Adopted this 26th day of October, 2017.

Attest: Nicole Armstrong James D. Smith
Nicole Armstrong, Fiscal Officer/Clerk James D. Smith, Mayor

Rules Suspended: <u>10/26</u> /2017 (if applicable)	Effective Date - / /2017
Vote - <u>5</u> Yeas ___ Nays	
First Reading - / /2017	Effective Date - / /2017
Second Reading - / /2017	
Third Reading - / /2017	
Vote - ___ Yeas ___ Nays	

Prepared by and approved as to form:

PAUL R. REVELSON
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By: 
Date: 10/26/2017

DEED REFERENCE: THE SURVEY AND SUBDIVISION OF THIS VILLAGE OF SOUTH LEBANON, HAMLET TOWNSHIP, WARREN COUNTY, OHIO, BEING ALL THEREIN, WAS RECORDED IN THE DEED RECORDS OF WARREN COUNTY, OHIO, ON 10/17/2017.

THE WITHIN SUBDIVISION IS SUBJECT TO THE DECLARATIONS OF THE VILLAGE OF SOUTH LEBANON, HAMLET TOWNSHIP, WARREN COUNTY, OHIO, AS SET FORTH IN THE DEED RECORDS OF WARREN COUNTY, OHIO, ON 10/17/2017.

DEDICATION: THE UNDERSIGNED, BEING ALL THE OWNERS OF THE LANDS HEREIN PLATTED, DO HEREBY VOLUNTARILY CONSENT TO THE DEDICATION OF THIS LAND TO THE VILLAGE OF SOUTH LEBANON, HAMLET TOWNSHIP, WARREN COUNTY, OHIO, FOR PUBLIC PURPOSES AS SHOWN HEREON TO THE PUBLIC USE FOREVER.

ANY PUBLIC UTILITY EASEMENTS AS SHOWN ON THIS PLAN ARE HEREBY PLATTED TO BE CONVEYED TO THE VILLAGE OF SOUTH LEBANON, HAMLET TOWNSHIP, WARREN COUNTY, OHIO, FOR THE MAINTENANCE AND REPAIR OF SAID UTILITIES. THIS DEDICATION IS NOT A CONDITION TO THE PROCEEDING WITH THE DEDICATION OF SAID UTILITIES TO THE VILLAGE OF SOUTH LEBANON, HAMLET TOWNSHIP, WARREN COUNTY, OHIO, FOR THE MAINTENANCE AND REPAIR OF SAID UTILITIES.

CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT AND OCCUPATION OF SAID UTILITIES, INCLUDING TELEPHONE, CABLE TELEVISION, OR OTHER UTILITY LINES OR SERVICES, SHALL BE CONSIDERED TO BE A PUBLIC USE UNDER THE PROVISIONS OF CUTTING, TRIMMING OR REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS WITHIN SAID EASEMENT OR RIGHTS-OF-WAY EASEMENTS OR ADJACENT STREETS AND/OR PROVIDING INGRESS TO SAID UTILITIES, INCLUDING TELEPHONE, CABLE TELEVISION, OR OTHER UTILITY LINES OR SERVICES, SHALL BE MAINTAINED AS SUCH FOREVER, NO BUILDING OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENT OR RIGHTS-OF-WAY EASEMENTS, INCLUDING TELEPHONE, CABLE TELEVISION, OR OTHER UTILITY LINES OR SERVICES, UNLESS SUCH BUILDING OR OTHER STRUCTURES ARE NECESSARY TO REDUCE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES OR TO MAINTAIN SAID FACILITIES OR TO CREATE A HAZARD.

THE ABOVE PUBLIC UTILITY EASEMENTS ARE FOR THE BENEFIT OF THE VILLAGE OF SOUTH LEBANON, HAMLET TOWNSHIP, WARREN COUNTY, OHIO, FOR THE MAINTENANCE AND REPAIR OF SAID UTILITIES, INCLUDING TELEPHONE, CABLE TELEVISION, OR OTHER UTILITY LINES OR SERVICES, AND NO OTHER PERSONS INTERESTED IN THIS PLAT AS OWNERS HAVE INTERESTED IN THE EXECUTION, ISSUANCE AND ACKNOWLEDGEMENT OF THIS INSTRUMENT.

DRAINAGE STATEMENT

THE DEVELOPER HEREBY WARRANTS THAT THE PROPOSED DRAINAGE SYSTEM SHALL BE MAINTAINED CONTINUOUSLY BY THE LOT OWNERS, WITHIN THE EASEMENTS, NO COMMON SIDE LOT LINES, WITH THE COMMON LINE BEING THE CENTERLINE OF SAID EASEMENT, WHICH MAY OBTAIN, RETAIN, OR ADJUST THE FLOW THROUGH THE WATERCOURSE.

THE VILLAGE OF SOUTH LEBANON ASSUMES NO LEGAL OBLIGATION TO MAINTAIN OR REPAIR ANY OPEN DRAIN, DITCHES OR WATERCOURSES WITHIN THE EASEMENT AREA UNLESS NOTED OTHERWISE ON THIS PLAT; HOWEVER, THE DEVELOPER, BY ACCEPTING THIS PLAT, WARRANTS THAT THE PROPOSED DRAINAGE SYSTEM SHALL BE MAINTAINED AS SUCH FOREVER, NO BUILDING OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENT OR RIGHTS-OF-WAY EASEMENTS, INCLUDING TELEPHONE, CABLE TELEVISION, OR OTHER UTILITY LINES OR SERVICES, UNLESS SUCH BUILDING OR OTHER STRUCTURES ARE NECESSARY TO REDUCE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES OR TO MAINTAIN SAID FACILITIES OR TO CREATE A HAZARD.

UNTIL THE EXPIRATION OF THE DEVELOPER'S PUBLIC IMPROVEMENT MAINTENANCE BONDING PERIOD, THE DEVELOPER OR THEIR AGENTS SHALL MAINTAIN AND BE RESPONSIBLE FOR THE MAINTENANCE OF THE PROPOSED DRAINAGE SYSTEM TO COLLECT FACILITIES OR DRAINAGE CHANNELS.

THE PUBLIC MAINTAINED PORTION OF THE STORM SEWER SYSTEM WILL INCLUDE STORM DRAINAGE, CULTIVETS, AND/OR DITCHES LOCATED WITHIN THE EASEMENT AREA, WITH THE EXCEPTION OF SWAMP MANS AND CULTIVETS FOR PRIVATE DRIVEWAYS, THEREIN, IN LIEU OF AN OPEN DITCH. A DEVELOPER, BUILDER OR LOT OWNER INSTALLS A STORM DRAIN SYSTEM WITHIN THE EASEMENT AREA, WHICH IS NOT NOTED OTHERWISE ON THIS PLAT, THE DEVELOPER OR LOT OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID STORM DRAIN SYSTEM AND SHALL BE RESPONSIBLE FOR MAINTAINING THE STORM DRAIN UNLESS NOTED OTHERWISE ON THIS PLAT.

NOTE THAT THEY ARE RESPONSIBLE FOR MAINTAINING THE STORM DRAIN UNLESS NOTED OTHERWISE ON THIS PLAT.

THE HOME OWNERS ASSOCIATION IS RESPONSIBLE FOR MAINTAINING ALL STORM WATER FACILITIES LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY INCLUDING BENCH STRUCTURES, DETENTION/RETENTION BASINS, AND SWAMP MANS.

GRANT OF UTILITY EASEMENT

FOR VALUABLE CONSIDERATION, WE, THE UNDERSIGNED, DO HEREBY PERMANENTLY GRANT TO THE VILLAGE OF SOUTH LEBANON, HAMLET TOWNSHIP, WARREN COUNTY, OHIO, ALL RIGHTS, TITLE AND INTEREST IN THE PUBLIC RIGHT-OF-WAY INCLUDING BENCH STRUCTURES, DETENTION/RETENTION BASINS, AND SWAMP MANS.

THE VILLAGE OF SOUTH LEBANON ASSUMES NO LEGAL OBLIGATION TO MAINTAIN OR REPAIR ANY OPEN DRAIN, DITCHES OR WATERCOURSES WITHIN THE EASEMENT AREA UNLESS NOTED OTHERWISE ON THIS PLAT; HOWEVER, THE DEVELOPER, BY ACCEPTING THIS PLAT, WARRANTS THAT THE PROPOSED DRAINAGE SYSTEM SHALL BE MAINTAINED AS SUCH FOREVER, NO BUILDING OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENT OR RIGHTS-OF-WAY EASEMENTS, INCLUDING TELEPHONE, CABLE TELEVISION, OR OTHER UTILITY LINES OR SERVICES, UNLESS SUCH BUILDING OR OTHER STRUCTURES ARE NECESSARY TO REDUCE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES OR TO MAINTAIN SAID FACILITIES OR TO CREATE A HAZARD.

SURVEYORS CERTIFICATION

WE HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE ACCOMPANYING PLAT IS A CORRECT RETURN OF A SURVEY MADE UNDER THE AUTHORITY OF MY COMMISSION AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE PUBLIC LANDS ACT OF 1820 AND THE PUBLIC LANDS ACT OF 1842.

DATE: _____

STATE OF OHIO

WYNSTEAD SECTION FOUR, PHASE A

MILITARY SURVEY NO. 1546
VILLAGE OF SOUTH LEBANON
HAMLET TOWNSHIP
WARREN COUNTY, OHIO
OCTOBER, 2017

VICINITY MAP
1:10,000

LINE	DIRECTION	DISTANCE
L-1	S89°49'23" W	109.45'
L-2	S17°20'44" N	51.35'
L-3	S17°56'47" N	50.73'
L-4	S04°29'47" W	50.00'
L-5	S00°39'32" W	250.48'
L-6	S00°00'21" W	50.11'
L-7	S27°10'09" W	33.88'
L-8	S48°31'10" W	40.06'
L-9	S62°1'23" W	39.49'
L-10	N79°48'59" W	50.00'
L-11	N89°48'05" W	110.07'
L-12	N0°30'30" E	117.41'
L-13	N0°23'08" E	83.62'
L-14	N0°23'30" W	50.44'
L-15	N11°13'30" W	96.89'
L-16	N04°11'52" E	156.32'
L-17	N19°30'07" E	133.81'
L-18	S89°48'05" E	290.00'

KEY MAP

LINE	DIRECTION	DISTANCE
L-1	S89°49'23" W	109.45'
L-2	S17°20'44" N	51.35'
L-3	S17°56'47" N	50.73'
L-4	S04°29'47" W	50.00'
L-5	S00°39'32" W	250.48'
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L-7	S27°10'09" W	33.88'
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OWNER: GRAND COMMUNITIES, LTD.
A KENTUCKY LIMITED PARTNERSHIP

NAME: _____
PRINTED NAME: TERRY E. HARRIS, PRESIDENT
STATE OF KENTUCKY
COUNTY OF BOONE

NOTARY PUBLIC: _____
MY COMMISSION EXPIRES: _____

COUNTY RECORDER

FILE NO. _____
RECORDED ON THIS DAY OF _____, 2017, AT _____ M.
RECORDED IN PLAT BOOK NO. _____ PAGE NO. _____
FEE: _____

COUNTY RECORDER: _____
DEPUTY: _____
PRINTED NAME: _____

COUNTY AUDITOR

TRANSFERRED ON THIS DAY OF _____, 2017, AT _____ M.
COUNTY AUDITOR: _____
DEPUTY: _____
PRINTED NAME: _____

THESE PLATS WERE APPROVED BY THE VILLAGE OF SOUTH LEBANON PLANNING COMMISSION ON THIS DAY OF _____, 2017.

VILLAGE OF SOUTH LEBANON
JAMES D. SMITH, MAYOR
ATTEST: NICOLE AMSTRONG, FISCAL OFFICER

NOTES

1. PRIOR DEED REFERENCE D.N. 8971-011491.
2. BASIS OF REFERENCE SURVEY RECORD 146-89.
3. 6 FT. X 30' LONG IRON PINS WILL BE SET ON ALL LOT CORNERS, UNLESS OTHERWISE NOTED.
4. OCCUPATION IN GENERAL MATCHES SURVEY, UNLESS OTHERWISE NOTED.
5. ALL EXISTING MONUMENTS ARE IN GOOD CONDITION.
6. MINIMUM PERMISSIBLE FLOOR ELEVATION (INCLUDING BASEMENT), IF A FLOOR IS DESIRED BELOW THE FLOOR ELEVATION SHOWN, SHALL BE A MINIMUM OF 2.0 FEET BELOW THE FINISHED FLOOR ELEVATION SHOWN, WITH AN MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION BELOW THE FINISHED FLOOR ELEVATION SHOWN. STAINLESS STEEL FOUNDATION BARRIERS SHALL BE PROVIDED FOR ALL EXISTING OR PROPOSED WATERCOURSE BELOW THE ABOVE ELEVATION. FOUNDATION BARRIERS SHALL BE PROVIDED FOR ALL EXISTING OR PROPOSED WATERCOURSE BELOW THE ABOVE ELEVATION. FOUNDATION BARRIERS SHALL BE PROVIDED FOR ALL EXISTING OR PROPOSED WATERCOURSE BELOW THE ABOVE ELEVATION. FOUNDATION BARRIERS SHALL BE PROVIDED FOR ALL EXISTING OR PROPOSED WATERCOURSE BELOW THE ABOVE ELEVATION.

SETBACKS:
FRONT YARD - 25'
REAR YARD - 25'
SIDE YARD - 5' MINIMUM

MINIMUM LOT AREAS:
BY LOTS 4000 SQ. FT.

ROAD WAY DATA
CATTLE DRIVE 66.69 L.F.

ACCREAGE TABLE
RIGHT OF WAY 3.487 ACRES
TOTAL SECTION THREE 42.887 ACRES

bayer

1/2

RECORD PLAT
WYNSTEAD SECTION FOUR, PHASE A
VILLAGE OF SOUTH LEBANON
HAMLET TOWNSHIP
WARREN COUNTY, OHIO

ITEM	REVISION DESCRIPTION
1	AS SHOWN
2	REVISION PER COMMENTS
3	REVISION PER COMMENTS
4	REVISION PER COMMENTS

DATE: 10/17/2017
BY: [Signature]
TITLE: [Signature]

