## THE NEW ALBANY COUNTRY CLUB 13 SECTION 17 PLAT BOOK 105 PG 49

Situated in the State of Ohio, County of Franklin, Village of New Albany and in Quarter Township 3, Township 2, Range 16, United States Military Lands, containing 33.062 acres of land, more or less, part of said 33.062 acres being comprised of a part each of Lot No. 4, Lot No. 7 and Lot No. 8 as the same are numbered and delineated on the subdivision plat entitled "Plat of Subdivision of Estate of Ruben Baughman Decd" and shown of record in Plat Book 5, Pages 162 and 163, said 33.062 acres also being comprised of 1) part of Sleepy Hollow Drive as the same is designated and delineated on the plat entitled "Dedication of Sleepy Hollow Drive" and shown of record in Plat Book 32, Page 56, said part of Sleepy Hollow Drive being part of that portion of Sleepy Hollow Drive vacated by the Village of New Albany, Ohio, by Ordinance No. 0-14-98, 2) a part each of those tracts of land conveyed to THE NEW ALBANY COMPANY by deeds of record in Official Records 12850I04 (PARCEL TWO and PARCEL THREE), 14548107, 15769106 and 15938106, 3) a part each of those tracts of land conveyed to THE NEW ALBANY COMPANY LIMITED PARTNERSHIP by deeds of record in Official Records 23001B18, 23016G11, 24749D15, (PARCEL TWO), 27320A16, 27934I19, 30123I09 and 31211E05 (PARCEL NO. 1) and all of those

tracts of land conveyed to THE NEW ALBANY COMPANY LIMITED PARTNERSHIP by deeds of record in Official Records 30030D01 (TRACT 1 and TRACT 2), 30578F20, 31211E05 (PARCEL NO. 2), 34214D03 and 34693E14 and 4) all of that tract of land conveyed to THE NEW ALBANY COMPANY LLC by deed of record in Instrument Number 200001100006823, all record references, except as noted otherwise, being to records of the Recorder's Office, Franklin County, Ohio.

The undersigned, THE NEW ALBANY COMPANY LLC, a Delaware limited liability company, successor to THE NEW ALBANY LIMITED PARTNERSHIP, a Delaware limited partnership, successor to THE NEW ALBANY COMPANY, an Ohio general partnership (see deed of record in Official Record 21256E01 and Affidavit in Aid of Title of record in Instrument Number 199811120289607, both being of record in the Recorder's Office, Franklin County, Ohio), by BRENT B. BRADBURY, Chief Financial Officer, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "THE NEW ALBANY COUNTRY CLUB SECTION 17", a subdivision containing Lots numbered 1 to 39, both inclusive, does hereby accept this plat of same and dedicates to public use, as such, all of Croan, Johnstown Road, Stannage Close, Stannage Pass and Waterston shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement", "Drainage Easement" or "Sidewalk Easement" for the construction, operation and maintenance of all public and quasi-public utilities above and beneath the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are approved by the New Albany Municipal Engineer. Within those areas designated "Sidewalk Easement" on this plat, an additional easement is hereby reserved for the construction and maintenance of a sidewalk for use by the public. The owner of the fee simple title to each lot shall maintain, in a manner consistent with public policy regarding maintenance of sidewalks in the public right-of-way, the sidewalk, all or part of which is within said sidewalk easement area, that adjoins his lot. No building shall be constructed in any area over which easements are hereby reserved.

\* Manting Islands "A" to "C" both inclusive, and Reserve "A",

Signed and acknowledged in the presence of:

THE NEW ALBANY COMPANY LLC

Spelley & Vewell

BY BRENT B. BRADBURY,
Chief Financial Officer

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY LLC, who acknowledged the signing of the foregoing instrument to be his free and voluntary act and deed and the free and voluntary act and deed of said THE NEW ALBANY COMPANY LLC for the uses and purposes expressed therein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this day of \_\_\_\_\_\_, 2004.

My commission expires 9/34/37

Notary Public, State of Ohio

Approved this 5 day of OCT,

Approved this 5 day of OCT,

Approved this 5 day of OCT,

Approved this 2 day of OCCT,

Council Representative to Planning Commission, New Allany, Ohio

Approved this 5th day of CTOBER Finance Inc.

Approved and accepted by Resolution No. R-24-2004, passed April G+h, 2004, wherein all of Croan, Johnstown Road, Stannage Close, Stannage Pass and Waterston shown dedicated hereon are accepted, as such, by the Council for the Village of New Albany, Ohio. Approval of this plat

shall become null and void unless recorded prior to April 6+h

Transferred this 29 day of Doi

Auditor, Franklin County, Ohio

Drouty Auditor, Franklin County Ohio

Filed for record this 29TH day of October, 2004 at 3:23 P.M. Fee \$ 259.20

File No. <u>2004/0290250396</u>

Recorded this 29TH day of DCT 2004

ACOST DOWNAM eputy Recorder, Franklin County, Ohio

Plat Book <u>105</u>, Pages <u>49-5</u>

TRANSFERRED

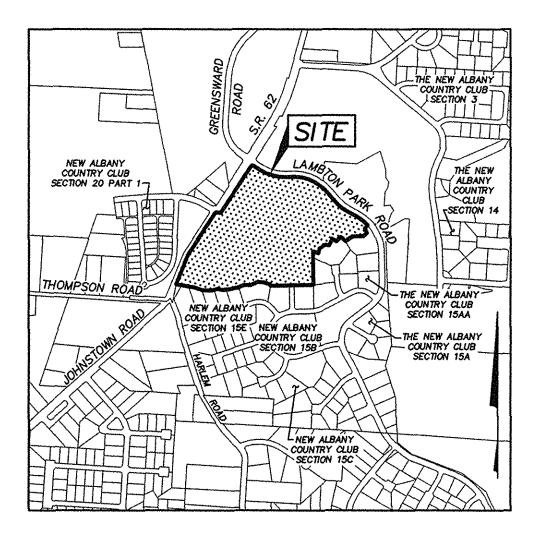
OCT 29 2004

JOSEPH W. TESTA

AUDITOR

FRANKLIN COUNTY, OHIO

200410290250396
Pas: 3 \$259.20 T20040093819
10/29/2004 3:23PM HAC
Robert G. Montgomery
Franklin County Recorder



LOCATION MAP AND BACKGROUND DRAWING

SCALE: 1" = 1000'

## SURVEY DATA:

BASIS OF BEARINGS: The bearings shown on this plat were transferred from a field traverse originating from and tying to Franklin County Survey Control Monuments, including Frank 78 and Frank 178, and is based on the Ohio State Plane Coordinate System, South Zone as per NAD 83, in which a portion of Johnstown Road has a bearing of North 32 degrees 50 minutes 32 seconds East.

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

IRON PINS, where indicated hereon, unless otherwise noted, and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top end 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. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the Village of New Albany, Ohio's acceptance of these subdivision improvements. The New Albany, Ohio, Municipal Engineer shall be notified when the markers are in place.

SURVEYED & PLATTED



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.

- o = Iron Pin (See Survey Data)
- = MAG Nail to be set
- © = Permanent Marker (See Survey Data)

  Metric Conversion 1 ft. = 0.30480m

Professional Surveyor No. 7211

9-28-04 Date

## THE NEW ALBANY COUNTRY CLUB 1/2/3 SECTION 17

PLAT BOOK 105 PG 50

NOTE "A" - MAINTENANCE OF THE PLANTING ISLANDS IN THE PAVEMENT AREAS IN CROAN. STANNAGE CLOSE AND WATERSTON: The three planting islands in the cul-de-sac pavement areas, one in Croan, one in Stannage Close and one in Waterston and all in The New Albany Country Club Section 17, shall be maintained by The New Albany Country Club Community Homeowners Association, Inc. Said islands shall be maintained by said association at its cost and at its risk and said association shall hold the Village of New Albany, Ohio, harmless from actions resulting from said maintenance. Said planting islands shall be designed and maintained so as not to obstruct the view of persons operating motor vehicles in, entering or exiting the public streets adjacent to said islands.

NOTE "B" - DEPRESSED DRIVEWAYS: Depressed driveways are hereby prohibited on all lots in The New Albany Country Club Section 17. Nothing herein, however, shall prohibit the construction and use of, if otherwise permitted, a driveway alongside or to the rear of a residential structure.

NOTE "C" - 100-YEAR DESIGN FLOOD IN LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 AND 13: The boundaries of the 100-year design flood in Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, which boundaries are designated "100-year flood limit" hereon, are intended to be coincident with the elevations of the 100-year design flood. In Lots 1, 2 and 3 the elevations are the elevations of the design flood of a storm water detention basin, part of which is located in said Lots 1, 2 and 3. In Lots 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 the elevations are the elevations of the design flood of the watercourse, part of which is in said lots. Portions of these boundaries are in locations that anticipate the filling and grading of certain areas in said lots being in accordance with the grading plan for The New Albany Country Club Section 17. Further, the boundaries of the Drainage Easement areas shown hereon were also set in anticipation of the filling and grading being in accordance with said grading plan. The watercourse referred to hereinabove shall remain open and enclosure by pipe structure or any other structure in the future is hereby prohibited unless otherwise approved by the New Albany, Ohio, Municipal

NOTE "D" - LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12. 13, 14, 15, 22, 23, 34, 35, 36, and 37: On each of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 22, 23, 34, 35, 36, and 37 no building shall be constructed which has an opening, unprotected from flooding, in its foundation wall, the lowest point of which opening is lower than the flood protection elevation for that lot given in the following table:

	Flood Protection Eleva
Lot No.	(NGVD 1929)
1	976.8
	<i>976.8</i>
2 3 4	<i>977.6</i>
4	972.0
5	<i>973.8</i>
6	972.2
7	971.2
8	969.9
9	969.1
10	<i>969.6</i>
11	970.0
12	970.7
13	<i>970.7</i>
14	972.0
15	972.0
22	974.5
23	<i>974.5</i>
34	977.0
<i>35</i>	977.0
36	976.3
37	976.3

The foregoing flood protection elevations are approximately 2.0 feet above the 100-year design flood elevations as calculated by EMH&T.

NOTE "E" - FOUNDATION WALLS, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13: The foundation walls of the buildings to be constructed on Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 shall be designed by a Registered Engineer and that design shall be submitted to the Village of New Albany, Ohio, Municipal Engineer for

NOTE "F": No determination has been made by the Village of New Albany, Ohio, as to whether the area proposed to be platted contains area(s) that could be classified as Wetlands by the Army Corps of Engineers. It is the developer's responsibility to determine whether Wetlands exist on the site. The Village of New Albany, Ohio, approval of the final plat of The New Albany Country Club Section 17 subdivision does not imply any approval for the development of the site as it may pertain

NOTE "G": All of The New Albany Country Club Section 17 is within Zone X (area determined to be outside 500year floodplain) as shown on Federal Emergency Management Agency Flood Insurance Rate Map for Franklin County, Ohio and Incorporated Areas, map number 39049C0180 G with effective date of August 2,

NOTE "H" - MAJOR STORM WATER DRAINAGE SWALES IN LOTS 12, 13, 14, 15, 22, 23, 34, 35, 36 AND 37: A major storm water drainage swale is to be constructed within the limits of the Drainage Easement area shown hereon along the line between Lots 12 and 13, within the limits of the drainage easement area shown hereon along the line between Lots 14 and 15, within the limits of the Drainage Easement area shown hereon along the line between Lots 22 and 23, within the limits of the Drainage Easement area shown hereon along the line between Lots 34 and 35 and within the limits of the Drainage Easement area shown hereon along the line between Lots 36 and 37. These Drainage Easement area limits are in locations that anticipate the finished ground surface in certain areas in said lots being in accordance with the grading plan for said areas as shown on the approved master grading plan for The New Albany Country Club Section 17. The swales referred to hereinabove shall remain open and enclosure by pipe structure or any other structure in the future is hereby prohibited unless otherwise approved by the Village of New Albany, Ohio, Municipal Engineer.

**NOTE "I" – BUFFER ZONE:** No structure or building shall be constructed or placed upon, in or under the area in Lots 13, 14, 19, 20, 28, 29 and 39 designated "Buffer Zone" hereon, nor shall any work be performed thereon which would damage any of the existing trees thereon provided, however, that there shall be such construction areas as may be required for the installation, operation and maintenance of utility and drainage facilities for the development as the developer may deem necessary for efficient development. Such maintenance within said Buffer Zone shall occur only in easement areas designated on this plat. Areas disturbed by such maintenance shall be restored as nearly as practical to their original condition. Not withstanding the foregoing, trees which are dead or diseased may be removed

The Buffer Zone shall be improved, by the developer of The New Albany Country Club Section 17, with mounding, landscaping, and landscaping features. After said improvement, the Buffer Zone and the mounding, landscaping and landscaping features therein shall be cared for, maintained, enhanced and replaced by The New Albany Country Club Community Homeowners Association, Inc. The New Albany Country Club Community Homeowners Association, Inc., its successors and assigns, shall have and is hereby granted a nonexclusive easement in and over said Buffer Zone for said purposes. Nothing herein shall prohibit the installation of signage, if otherwise permitted, within said Buffer Zone.

NOTE "J" - TREE PRESERVATION AREA: No structure or building shall be constructed or placed upon, in or under the area in Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 designated "Tree Preservation Area" hereon, nor shall any work be performed thereon which would damage any of the existing trees thereon. Not withstanding the foregoing, trees which are dead or diseased may be removed therefrom. The owner of the fee simple title to each lot in which a portion of said Tree Preservation Area is located shall care for and maintain the portion of said Tree Preservation Area that is located within the limits of said owner's lot.

NOTE "K": The paved hiking/biking trail located in Stannage Pass and in the portion of Waterston between Stannage Pass and Lambton Park Road shall be open for the use of the general public. Said trail shall be maintained by The New Albany Country Club Community Association, Inc. and said association shall hold the Village of New Albany, Ohio, harmless from actions resulting from said maintenance.

NOTE "L" - LANDSCAPE EASEMENT: Within, over and under the area of land in Lots 1 and 36 designated hereon as "Landscape Easement", a nonexclusive easement is hereby reserved for the purpose of installing/constructing, operating, using and maintaining landscaping, landscaping features and subdivision entrance features therein. Such landscaping, landscaping features and subdivision entrance features shall be installed/constructed by the developer of The New Albany Country Club subdivisions and operated, used and maintained by The New Albany Country Club Community Homeowners Association, Inc. Thereafter, said association shall have the right and the obligation to operate, use and maintain said landscaping, landscaping features and subdivision entrance features and said association shall have and is hereby granted a nonexclusive right to use said easement areas for said purpose. No developer-installed landscaping, landscaping features and subdivision entrance features shall be removed from said easement areas without the approval of said developer or said developer's designee.

NOTE "M": LOT 3, LOT 4, RESERVE A AND SLEEPY **HOLLOW DRIVE:** 

Upon the vacation, by the Village of New Albany, Ohio, of the 0.105 acre and 0.187 acre portions of Sleepy Hollow Drive shown by hatching hereon (Sleepy Hollow Drive was delineated and dedicated on the plat entitled "Sleepy Hollow Drive Dedication and shown of record in Plat Book 19, Page 169, Recorder's Office, Franklin County, Ohio), the portion of said Sleepy Hollow Drive (0.105 acre) located west of the westerly right-of-way line of Stannage Pass shown hereon shall be vacated to Lot 4 which it adjoins and foreverafter be deemed to be an inseparable part of Lot 4 and, as such, shall be one building site.

Upon said vacation, the portion of said Sleepy Hollow Drive (0.187 acre) located east of the easterly right-ofway line of Stannage Pass shown hereon, shall be vacated to Lot 3 and Reserve A which it adjoins and foreverafter, together with Reserve A, be deemed to be inseparable parts of Lot 3 and as such, shall be one building site.

NOTE "N": EASEMENTS IN SLEEPY HOLLOW DRIVE:

The Village of New Albany, Ohio hereby reserves easements, in over and under those 0.105 and 0.187 acre portions of Sleepy Hollow Drive identified in Note "M" above, for the uses and purposes identified on this plat. It is the intention herein that such easements shall survive and continue in full force and effect as such upon any vacation of said 0.105 and 0.187 acre portions of said Sleepy Hollow Drive by the Village of New Albany,

