

ORDINANCE NO. 2014- 3738

**AN ORDINANCE ACCEPTING THE PLAT AND SURVEY,
MAINTENANCE AGREEMENT, AND DEDICATION OF KAYLEE
DRIVE AND DECLARING AN EMERGENCY**

WHEREAS, an application for the acceptance of the Plat and Survey (attached as Exhibit A), Maintenance Agreement (attached as Exhibit B), and dedication of Kaylee Drive were duly filed by KF Construction, the owner, and

WHEREAS, the application was duly considered by the Planning Commission on July 8, 2014, and

WHEREAS, the City Council considers the approval and acceptance of said Plat, Maintenance Agreement, and dedication of Kaylee Drive to be in the best interest of the City and its citizens,

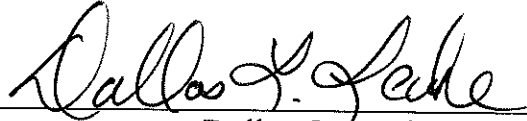
**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
FREMONT, STATE OF OHIO:**

SECTION 1. That the Plat and Survey (attached as Exhibit A), Maintenance Agreement (attached as Exhibit B), and dedication of Kaylee Drive are hereby accepted.

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 this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

SECTION 3. The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Fremont. Said emergency being the need for construction to commence without delay.

This ordinance, provided it receives a two-thirds yea or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this ordinance shall be in full force and effect from and after its passage by the Council of the City of Fremont, approval by the Mayor, and publication and posting as required by law.



Dallas L. Leake
President of Council

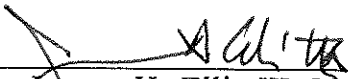
PASSED: 10-16-14

Effective date: 10-16-14

YEAS: 7 NAYS: 0



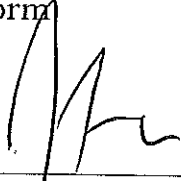
Stephanie L. Martin, City Council Clerk



James H. Ellis III, Mayor

ORD1893

Approved as to form

A handwritten signature in black ink, appearing to read 'J. Melle', written over a horizontal line.

James F. Melle, Director of Law
City of Fremont, Ohio

KAYLEE DRIVE DEDICATION PLAT

PART OF THE CITY OF FREMONT, SANDUSKY COUNTY, OHIO

SANDUSKY COUNTY AUDITOR'S CERTIFICATION
 I HEREBY CERTIFY THAT THIS PLAT WAS PRESENTED TO ME AND TRANSFERRED
 THIS 20 DAY OF June, 2014

SANDUSKY COUNTY RECORDER'S CERTIFICATION
 I HEREBY CERTIFY THIS PLAT WAS RECEIVED FOR RECORD THIS
 DAY OF 20 AND FEES OF 20 WERE COLLECTED
 RECORDED THIS 20 DAY OF June, 2014 IN PLAT VOLUME
 PAGE 20

FREMONT CITY PLANNING COMMISSION
 SANDUSKY COUNTY RECORDER

I HEREBY CERTIFY THAT THIS PLAT HAS BEEN APPROVED AND ACCEPTED BY
 THE CITY OF FREMONT PLANNING COMMISSION IN ACCORDANCE WITH THE RULES
 AND REGULATIONS FOR THE CITY OF FREMONT, OHIO THIS 20 DAY OF
June, 2014

OWNERS CERTIFICATE
 CHAIRMAN

I, THE UNDERSIGNED, OWNER OF THE PROPERTY HERON
 DESCRIBED, DO HEREBY DEDICATE TO PUBLIC USE THE
 RIGHT-OF-WAY AS SHOWN ON THE ATTACHED.

BY OWNER:
 KF VENTURES CO.
 TOM KERN

Robert A. Williams
 WITNESS (SIGN)
Michelle A. Bishop
 WITNESS (SIGN)
Thomas L. Kern
 OWNER (PRINT)

STATE OF OHIO
 COUNTY OF SANDUSKY
 ON THIS 27 DAY OF June, 2014, BEFORE ME
 PERSONALLY APPEARED THE ABOVE OWNER.
 WITNESS MY HAND AND SEAL THE DAY ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR SANDUSKY COUNTY,
Robert A. Williams
 MY COMMISSION EXPIRES May 17, 2016
 CITY OF FREMONT, OHIO - ENGINEER
 I HEREBY APPROVE THIS PLAT THAT WAS PRESENTED TO ME THIS 27
 DAY OF June, 2014

Andra Steinfeld
 CITY ENGINEER



Legal Description for Kaylee Drive 0.4385 Acre Parcel

Being part of Ord. 430 the city of Fremont, Sandusky County, Ohio and being more particularly described as follows:

BEGINNING at a 5/8" iron bar found marking the Southwest corner of Lot 6528 and the East Right-of-Way line of Smith Road (60' R/W),

1) thence, thence, South 89 degrees 50 minutes 30 seconds East, along the southerly line of said lot 6528 and said South line extended, a distance of 318.33 feet, to 5/8" iron bar set;

2) thence, South 00 degrees 00 minutes 00 seconds West, a distance of 60.00 feet, along a line parallel with the centerline of said Smith Road, to a 5/8" iron bar set;

3) thence, North 89 degrees 50 minutes 30 seconds West, in the northerly line of a parcel of land, now or formerly owned by Phyllis J. Staughton-Deck, as described in Official Record Book 51, Page 1802 of the records of Sandusky County, a distance of 318.33 feet, to a 5/8" iron bar found marking the Northwest corner of said Staughton-Deck lands,

4) thence, North 00 degrees 00 minutes 00 seconds East, in and along the East Right-of-Way line of said Smith Road of 60.00 feet to the POINT OF BEGINNING;

Containing in all 0.4385 acres of land (19,100 square feet), more or less, subject to all legal highways, easements and restrictions of record.

Bearings in the above description are based on a meridian assumed for the purpose of indicating angles only.

Prior Reference: Official Record Book 28, Page 1526.

I hereby certify this legal description to be a true representation of a survey done by me in June 2014 and that it is accurate to the best of my knowledge and belief.

CONCIL'S CERTIFICATE

CLERK OF THE COUNCIL OF THE CITY OF FREMONT,
 HEREBY CERTIFY THAT THE HEREIN PLAT HAS BEEN APPROVED FOR SAID
 PURPOSE BY COUNCIL OF THE CITY OF FREMONT, OHIO BY ORDINANCE NO. 20
 PASSED BY COUNCIL ON THE 20 DAY OF June, 2014



CLERK



R.E. YEAGER SURVEYING CO.
 401 N. OHIO AVE. SUITE E, FREMONT, OHIO 43420
 419.334.8348 (P) 419.332.0768 (F)

LEGEND

REBAR	BL	BUILDING LINE
CEM TOP	CL	CENTERLINE
CONC TOP	ED	EDGE OF PAVEMENT
MONUMENT BOX	R/W	RIGHT OF WAY
NAIL & CAP	MD	MEASURED DISTANCE
SOLID ROD	SD	SURVEYED DISTANCE
MAG NAIL	CD	CALCULATED DISTANCE
MAG	PD	PLATTED DISTANCE
DEEDED DISTANCE		

DEDICATION PLAT
 FOR KAYLEE DRIVE,
 FREMONT
 SANDUSKY COUNTY, OHIO

1/2
 FRE-B-492

REFERENCES:

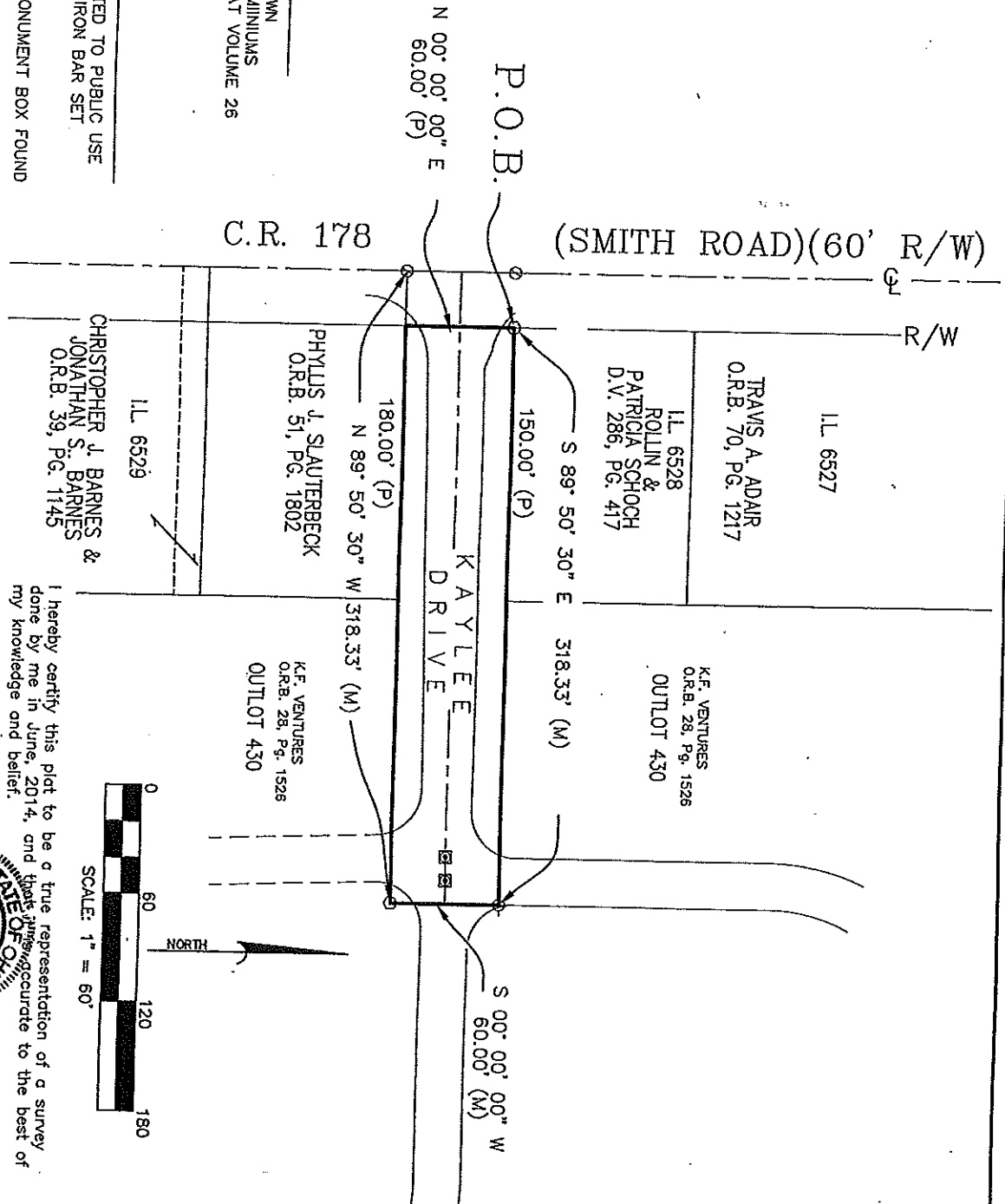
DEED VOLUMES AS SHOWN
MEADOW CREEK CONDOMINIUMS
AND AMENDMENTS PLAT VOLUME 26
PAGE 76

LEGEND

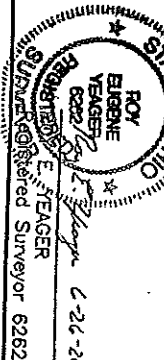
- AREA TO BE DEDICATED TO PUBLIC USE
- PERSONALIZED 5/8" IRON BAR SET
- MAG NAIL FOUND
- MAG NAIL SET
- ⊗ 5/8" IRON BAR IN MONUMENT BOX FOUND

ACREAGE DATA

19,100 SQUARE FEET (0.4385 ACRES) IN PROPOSED RIGHT-OF-WAY



I hereby certify this plat to be a true representation of a survey done by me in June, 2014, and that it is accurate to the best of my knowledge and belief.



<p>DEDICATION PLAT</p> <p>FOR KAYLEE DRIVE, K.F. VENTURES, FREMONT, SANDUSKY COUNTY, OHIO</p> <p>2/2</p> <p>FRE-B-492</p>	<p>LEGEND</p> <table style="width: 100%; border: none;"> <tr> <td>RB REBAR</td> <td>BL BUILDING LINE</td> </tr> <tr> <td>OT OPEN TOP</td> <td>CL CENTERLINE</td> </tr> <tr> <td>CT CRIMP TOP PIPE</td> <td>EP EDGE OF PAVEMENT</td> </tr> <tr> <td>MON MONUMENT BOX</td> <td>R/W RIGHT OF WAY</td> </tr> <tr> <td>N&C NAIL & CAP</td> <td>MSD MEASURED DISTANCE</td> </tr> <tr> <td>SR SOLID ROD</td> <td>SD SURVEYED DISTANCE</td> </tr> <tr> <td>M&O MAG NAIL</td> <td>CD CALCULATED DISTANCE</td> </tr> <tr> <td>D DEEDED DISTANCE</td> <td>PL PLATTED DISTANCE</td> </tr> </table>	RB REBAR	BL BUILDING LINE	OT OPEN TOP	CL CENTERLINE	CT CRIMP TOP PIPE	EP EDGE OF PAVEMENT	MON MONUMENT BOX	R/W RIGHT OF WAY	N&C NAIL & CAP	MSD MEASURED DISTANCE	SR SOLID ROD	SD SURVEYED DISTANCE	M&O MAG NAIL	CD CALCULATED DISTANCE	D DEEDED DISTANCE	PL PLATTED DISTANCE	<div style="text-align: center;"> <p>R.E. YEAGER SURVEYING CO.</p> <p>401 N. OHIO AVE. SUITE E, FREMONT, OHIO 43420 419.334.8348 (P) 419.332.0768 (F)</p> </div> <table style="width: 100%; border: none;"> <tr> <td style="font-size: small;">DRAWN BY: JDB</td> <td style="font-size: small;">DATE: 6/2014</td> </tr> <tr> <td style="font-size: small;">REVISION:</td> <td style="font-size: small;">DATE:</td> </tr> </table>	DRAWN BY: JDB	DATE: 6/2014	REVISION:	DATE:
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KAYLEE DRIVE MAINTENANCE AGREEMENT

Meadow Creek Condominium Association and/or KF Ventures, LTD. hereinafter referred to as the Association agree to maintain in good repair and working condition all of Kaylee Drive and its components as they exist upon the dedication plat to the City of Fremont and as illustrated on the attached drawings which are made a part of this agreement.

This property maintenance agreement as entered into with the City of Fremont shall include maintaining in perpetuity of the roadway, curbs, storm drainage and replacement of those components as required to keep the improvements in good working condition. The association sign and the underground utility lines that serve the Meadow Creek Condominium Association and the adjoining rental property with-in the Kaylee Drive right-of-way shall be maintained by the Association. The Association is also responsible for all grass mowing and snow removal within the Kaylee Drive right-of-way as shown on the attached drawings.

The City of Fremont hereby grants and authorizes the Association or its assigned contractor(s) the right to perform any and all required maintenance including underground utility work deemed necessary by the Association within the dedicated area and requires the Association to accept full financial responsibility and liability for said work including restoration of the pavement as needed by the Association or its contractor(s).

By signing below it is evident that all parties have agreed to the above terms.
Meadow Creek Condominium Association

_____ Date _____
By: (print name) _____

KF Ventures, LTD.

_____ Date _____
By: (print name) _____

City of Fremont

_____ Date _____
By: (print name) _____

_____ Date _____
By: (print name) _____

_____ Date _____
By: (print name) _____