

ORDINANCE NO. 2024-04

AN ORDINANCE ACCEPTING THE FINAL PLAT OF THE MAUMEE LANDING SUBDIVISION - PHASE 12 (LOT 25 and Lot 32) TO THE ADDITION TO THE VILLAGE OF ANTWERP, PAULDING COUNTY, OHIO, PURSUANT TO ORDINANCE NO. 94-17, AND DECLARING THE SAME AN EMERGENCY

WHEREAS, the Village of Antwerp approved the preliminary plat of the Maumee Landing Subdivision submitted by Olen McMichael, the developer for the Maumee Landing Subdivision. Said preliminary plat was discussed, approved and accepted by the council at its regular meeting on May 8, 2006; however, the minutes from that meeting failed to reflect council's action on the preliminary plat. At the special meeting of the council on July 30, 2008, the council renewed its motion to accept the preliminary plat for the Maumee Landing Subdivision, which motion was passed by a unanimous vote of the council members present.

WHEREAS, Olen McMichael has submitted the final plat of the Maumee Landing Subdivision - Phase 12 (Lot 25 and Lot 32) to the Village of Antwerp Planning Commission, n/k/a Planning and Zoning Commission (the "Commission"), as well as to the Village of Antwerp Council, as required by Ordinance No. 94-17, the Village Subdivision Ordinance.

WHEREAS, the Commission recommended that the final plat for Phase 12 (Lot 25 and Lot 32) of the Maumee Landing Subdivision and the infrastructure improvements provided thereon be accepted.

WHEREAS, the final plat has been prepared by a licensed land surveyor, and in accordance with the Subdivision Ordinance, Ordinance No. 94-17, action will be taken by the Village Council within thirty (30) days after the submission of the final plat.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. That the recommendation of the Commission as to the final plat of the Maumee Landing Subdivision - Phase 12 (Lot 25 and Lot 32) to the addition to the Village of Antwerp, Paulding County, Ohio, described in **Exhibit A**, which is attached hereto and made a part hereof, is hereby approved, and that the final plat of the Maumee Landing Subdivision - Phase 12 (Lot 25 and Lot 32) is hereby accepted.

Section 2. That the Village's engineer shall, upon the written request by the developer herein, inspect the construction of the streets, sewers, water mains, fire hydrants, and other infrastructure improvements identified in the plat and make a determination whether those improvements have been constructed in accordance with the specifications set forth in the approved plat and that such improvements are in good repair, which such findings shall be endorsed on the approved plat, and such endorsement shall constitute an acceptance of the improvements for public use by the Village.

Section 3. That all or parts of drives, roads and avenues as shown on the plat and not heretofore dedicated are hereby dedicated to public use as such, and easements shown

on the plat are for the construction, operation and maintenance of all public and private utility purposes above and beneath the surface of the ground and, where necessary, are for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage, said streets identified by the developer on **Exhibit A**.

Section 4. That none of the lots as proposed on the plat be sold to any third party until all infrastructure improvements, as shown on the attached plat, have been completed and accepted by the Village of Antwerp, Paulding County, Ohio.

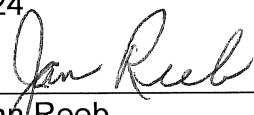
Section 5. That all requirements for the final plat have been provided as set forth in Ordinance No. 94-17, including, but not limited to, a notarized certification of the owners of the adoption of the plat, the dedication of the streets and other public areas, the approval and the signature of Village officials concerned with the specifications and inspection of utility installations and improvements, and certification by the County Auditor that there are no unpaid taxes on the property involved.

Section 6. That the Fiscal Officer for the Village of Antwerp, Ohio, is hereby authorized to record the final plat with the Paulding County Recorder and to obtain the certification of the Paulding County Recorder that the plat has been recorded. The payment of the recording fees are the responsibility of the developer.

Section 7. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

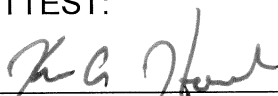
Section 8. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Village and for the further reason that the final plat for Phase 12 (Lot 25 and Lot 32) of the Maumee Landing Subdivision must be approved in order to comply with the Village's Subdivision Ordinance and this Ordinance shall be in full force and effect immediately after its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed this 13 day of March, 2024



Jan Reeb,
Mayor of the Village of Antwerp

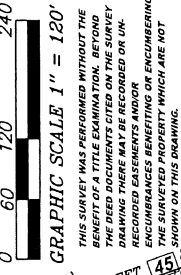
ATTEST:



Kevin A Hornish, Fiscal Officer

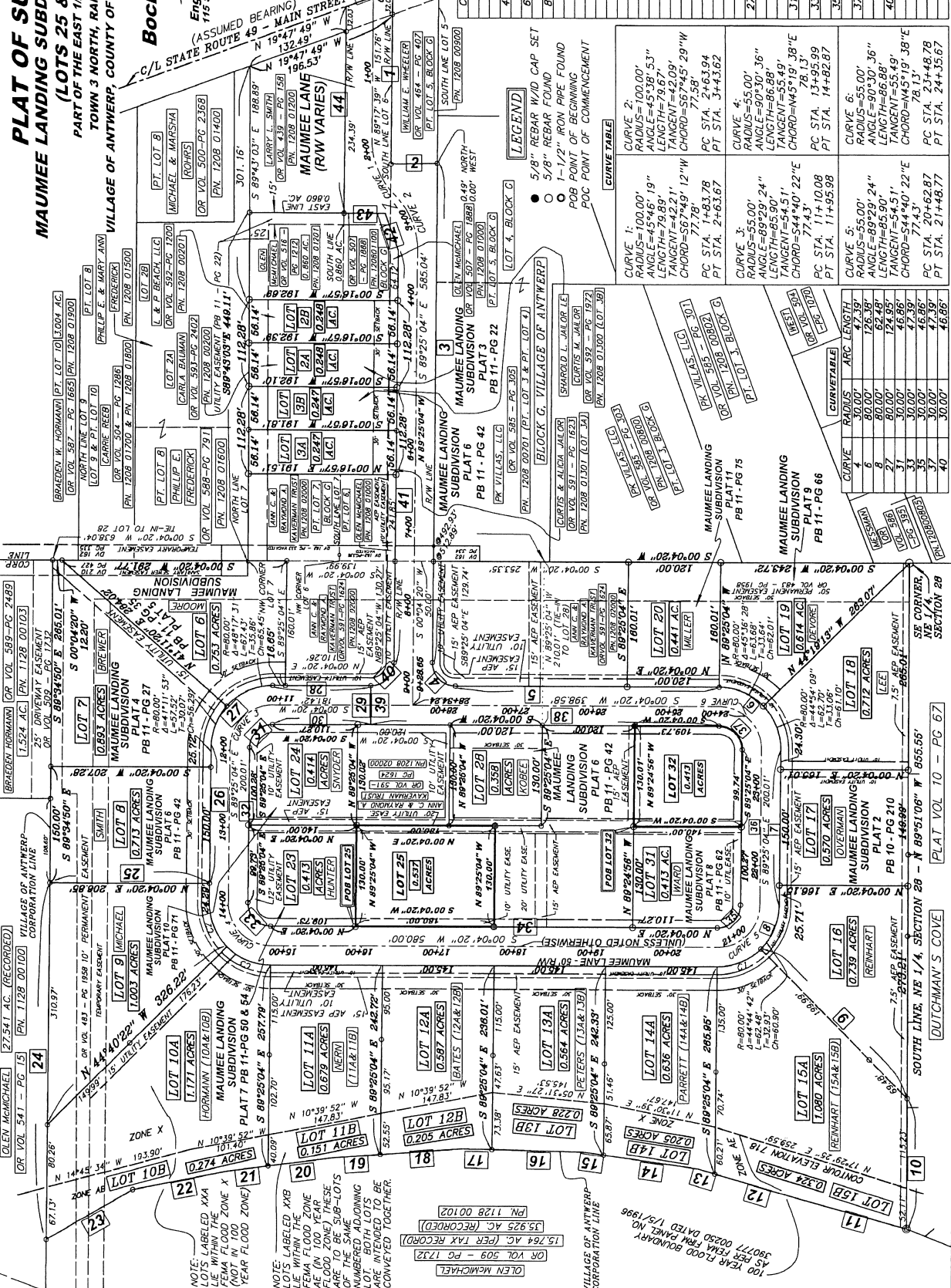
**PLAT OF SURVEY
MAUMEE LANDING SUBDIVISION - PHASE 12
(LOTS 25 & 32)
PART OF THE EAST 1/2 OF SEC. 28,
TOWN 3 NORTH, RANGE 1 EAST
VILLAGE OF ANTWERP, COUNTY OF PAULding, STATE OF OHIO**

Bockrath & Associates
Engineering and Surveying, LLC
115 S. Fair Avenue, Suite A, Ottawa, Ohio
Phone: 419.523.5789



THIS SURVEY WAS PERFORMED WITHOUT THE NEED FOR RECORDING THIS SURVEY DRAWING THERE MAY BE RECORDS OR UNRECORDED EASEMENTS AND/OR ENCUMBRANCES BENEFITING OR ENCUMBERING THE SURVEYED PROPERTY WHICH ARE NOT SHOWN ON THIS DRAWING.

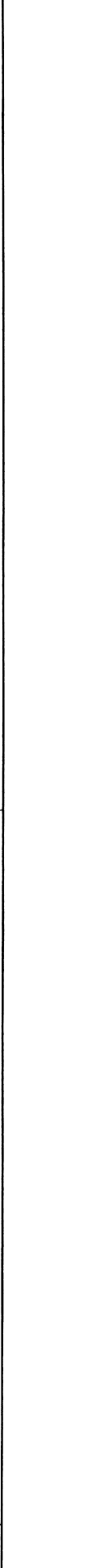
SHEET 1/4



LINE TABLE	BEARING	DISTANCE
1	N 89°25'04" E	188.89'
2	N 89°25'04" E	15.00'
3	S 89°25'04" E	152.14'
4	S 89°25'04" E	642.62'
5	S 00°04'20" W	343.08'
6	N 45°19'38" E	113.64'
7	S 89°25'04" E	200.00'
8	S 00°04'20" W	60.90'
9	N 89°25'04" E	167.34'
10	N 89°25'04" E	167.34'
11	N 89°25'04" E	140.89'
12	N 89°25'04" E	116.86'
13	N 89°25'04" E	22.80'
14	N 09°03'39" E	124.10'
15	N 09°03'39" E	26.46'
16	N 01°20'48" E	19.34'
17	N 04°01'55" W	106.00'
18	N 04°01'55" W	61.65'
19	N 07°11'13" W	84.32'
20	N 07°11'13" W	54.21'
21	N 19°19'38" E	123.81'
22	N 19°19'38" E	123.81'
23	S 00°04'20" W	126.91'
24	N 89°25'04" E	206.65'
25	N 89°25'04" E	206.65'
26	S 89°25'04" E	175.72'
27	N 44°40'22" W	112.63'
28	N 44°40'22" W	126.91'
29	N 09°03'39" E	50.00'
30	N 09°03'39" E	50.00'
31	N 09°03'39" E	126.91'
32	N 09°03'39" E	200.00'
33	N 45°19'38" W	560.00'
34	N 45°19'38" W	560.00'
35	S 89°25'04" E	42.24'
36	S 89°25'04" E	200.00'
37	N 45°19'38" E	42.00'
38	S 89°25'04" E	42.00'
39	S 89°25'04" E	42.24'
40	N 45°19'38" E	510.53'
41	S 89°25'04" E	510.53'
42	S 89°25'04" E	51.39'
43	S 89°25'04" E	286.42'
44	N 19°47'49" W	64.01'

LEGEND
5/8" REBAR W/ID CAP SET
1-1/2" IRON PIPE FOUND
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT

CURVE TABLE	CURVE 1:	CURVE 2:	CURVE 3:	CURVE 4:	CURVE 5:	CURVE 6:
RADIUS	100.00'	100.00'	55.00'	55.00'	55.00'	55.00'
ANGLE	45°46' 19"	45°38' 53"	89°29' 24"	90°30' 36"	90°30' 36"	90°30' 36"
LENGTH	79.89'	79.67'	86.88'	86.88'	86.88'	86.88'
TANGENT	42.21'	42.09'	54.51'	54.51'	54.51'	54.51'
CHORD	57.64' @ 122°12' W	57.64' @ 122°12' W	54.40' @ 22° E	54.40' @ 22° E	54.40' @ 22° E	54.40' @ 22° E
PC STA.	216.33	216.33	216.33	216.33	216.33	216.33
PT STA.	216.33 + 43.62	216.33 + 43.62	216.33 + 43.62	216.33 + 43.62	216.33 + 43.62	216.33 + 43.62
PY STA.	216.33 + 43.62	216.33 + 43.62	216.33 + 43.62	216.33 + 43.62	216.33 + 43.62	216.33 + 43.62
RADIUS	30.00'	30.00'	30.00'	30.00'	30.00'	30.00'
ANGLE	90°30' 36"	90°30' 36"	90°30' 36"	90°30' 36"	90°30' 36"	90°30' 36"
LENGTH	47.39'	47.39'	47.39'	47.39'	47.39'	47.39'
TANGENT	47.39'	47.39'	47.39'	47.39'	47.39'	47.39'
CHORD	47.39' @ 90°30' 36"	47.39' @ 90°30' 36"	47.39' @ 90°30' 36"	47.39' @ 90°30' 36"	47.39' @ 90°30' 36"	47.39' @ 90°30' 36"
PC STA.	216.33 + 43.62	216.33 + 43.62	216.33 + 43.62	216.33 + 43.62	216.33 + 43.62	216.33 + 43.62
PT STA.	216.33 + 43.62 + 47.39	216.33 + 43.62 + 47.39	216.33 + 43.62 + 47.39	216.33 + 43.62 + 47.39	216.33 + 43.62 + 47.39	216.33 + 43.62 + 47.39
PY STA.	216.33 + 43.62 + 47.39	216.33 + 43.62 + 47.39	216.33 + 43.62 + 47.39	216.33 + 43.62 + 47.39	216.33 + 43.62 + 47.39	216.33 + 43.62 + 47.39



NOTE: Labeled X's within the FEMA Flood Zone AE (in 100 Year Flood Zone) these are the same numbered adjoining lots. BOTH LOTS ARE INTENDED TO BE CONVERTED TOGETHER.

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CERTIFICATION

I, THE PAULDING COUNTY AUDITOR, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT TAXES ON THE PROPERTY HEREIN DESCRIBED AND APPROVE THIS PLAT FOR TRANSFER ON THIS DAY _____, 2024

PAULDING COUNTY AUDITOR

CERTIFICATION

I, THE PAULDING COUNTY RECORDER, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN RECORDED IN VOL. _____, PAGE _____ OF THE PLAT RECORDS OF THE COUNTY OF PAULDING, OHIO.

ON THIS DAY _____, 2024 FEE: _____

PAULDING COUNTY RECORDER

ACCEPTANCE

WE, THE COUNCIL OF THE VILLAGE OF ANTIWERP, OHIO DO HEREBY APPROVE THIS PLAT AND ACCEPT THE DEDICATED STREETS AND UTILITY EASEMENTS TO THE VILLAGE OF ANTIWERP, OHIO.

BY ORDINANCE NO. _____ THIS _____ DAY OF _____ BY: _____

I, THE UNDERSIGNED OWNER OF THE PROPERTY HEREIN DESCRIBED DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THIS PLAT AND DEDICATE THE ROAD RIGHT-OF-WAY AND UTILITY EASEMENTS FOR PUBLIC USE. THE EASEMENTS SHOWN ON THIS PLAT ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, STORM SEWER, SANITARY SEWER, GAS, ELECTRIC, TELEPHONE OR OTHER UTILITY LINES OR SERVICES AND FOR PROVIDING INGRESS AND EGRESS TO THE UTILITIES.

DATE: _____

ANN C. KAVERMAN, TRUSTEE OF THE ANN C. KAVERMAN LIVING TRUST

THIS IS AN ACKNOWLEDGEMENT CLAUSE; NO OATH OR AFFIRMATION WAS ADMINISTERED TO THE SIGNER.

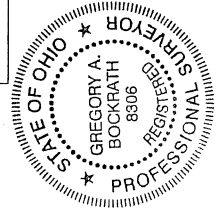
STATE OF OHIO: PUTNAM COUNTY, SS PERSONALLY APPEARED BEFORE ME THE AFORESAID WHO DID ACKNOWLEDGE THAT SHE DID SIGN THIS PLAT AND THAT THE SAME IS HER FREE ACT AND DEED.

SUBSCRIBED IN MY PRESENCE THIS _____ DAY OF _____, 2024

NOTARY PUBLIC

I, THE UNDERSIGNED SURVEYOR HEREBY CERTIFIES THAT THIS IS A TRUE COPY OF A SURVEY MADE UNDER MY DIRECT SUPERVISION AND THAT ALL BOUNDARIES, LOT CORNERS AND ROAD CENTERLINES ARE MONUMENTED AS SHOWN ON THE ACCOMPANYING PLAT.

Bockrath & Associates
Engineering and Surveying, LLC
Gregory A. Bockrath P.S.
Registered Land Surveyor No. 8306
115 S. Fair Avenue, Suite A
Ottawa, Ohio 43075
Phone: (419) 523-5789



Date: 2-20-24

Bockrath & Associates
Engineering and Surveying, LLC
115 S. Fair Avenue, Suite A - Ottawa - Ohio
Phone: 419.523.5789

MAUMEE LANDING SUBDIVISION PLAT 12 (LOT 32)
Situating as being part of the East Half of Section 28, Town 3 North,
Range 1 East, Village of Antwerp, Paulding County, Ohio, also being
part of a 5.935 acre tract of land as recorded in Official Record Volume
591, Page 1624 as recorded in the Paulding County Deed Records, Ohio
and more particularly described as follows:

Beginning at a 5/8 inch rebar with ID cap found marking the Northeast
corner of Lot 31 in Maumee Landing Subdivision Plat 8 as recorded in
Plat Book 11, Page 62 of the Paulding County Record of Plats and the
POINT OF BEGINNING;

Thence South 89°24'56" East along a new division a distance of 130.01
feet to a 5/8 inch rebar with ID cap set on the inner perimeter of the
right-of-way of Maumee Lane dedicated in Maumee Landing
Subdivision Plat 1 as recorded in Plat Book 10, Page 203 of the Paulding
County Record of Plats;

Thence along the perimeter of said right-of-way the following
three (3) courses:

South 00°04'20" West a distance of 109.73 feet to a 5/8 inch rebar
with ID cap found and the point of curvature;

Along a curve to the right having a radius of 30.00 feet, a delta of
90°30'36", an arc length of 47.39 feet, and a chord which bears
South 45°19'38" West, having a chord distance of 42.61 feet to a 5/8
inch rebar with ID cap found and a point of tangency;

North 89°25'04" West a distance of 99.74 feet to a 5/8 inch rebar
with ID cap found marking the Southeast corner of said Lot 31;

Thence North 00°04'20" East along the East line of said Lot 31 a
distance of 140.00 feet to the POINT OF BEGINNING, said tract
containing 0.413 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether
apparent and/or of record and is from an actual field survey performed in
February, 2024, under the supervision of Ohio Professional Surveyor
Gregory A. Bockrath, Ohio Surveyor No. 8306.

Note: The bearings used in this description are on an assumed meridian
assuming the Centerline of Main Street (State Route 49) to be South
19°47'49" East and are for the purpose of angle determination only.

MAUMEE LANDING SUBDIVISION PLAT 12 (LOT 25)
Situating as being part of the East Half of Section 28, Town 3
North, Range 1 East, Village of Antwerp, Paulding County, Ohio, also being
part of a 5.935 acre tract of land as recorded in Official Record Volume
591, Page 1624 as recorded in the Paulding County Deed Records, Ohio
and more particularly described as follows:

Beginning at a 5/8 inch rebar with ID cap found marking the
Southwest corner of Lot 23 in Maumee Landing Subdivision Plat 7
as recorded in Plat Book 11, Page 50 of the Paulding County
Record of Plats and the POINT OF BEGINNING;

Thence South 89°25'04" East along the South line of said Lot 23 a
distance of 130.00 feet to a 5/8 inch rebar with ID cap found
marking the Southeast corner of said Lot 23;

Thence South 00°04'20" West along a new division and along the
West line of Lot 28 in Maumee Landing Subdivision Plat 6 as
recorded in Plat Book 11, Page 42 of the Paulding County Record
of Plats, a distance of 180.00 feet to a 5/8 inch rebar with ID cap
set along the West line of said Lot 28;

Thence North 89°25'04" West along a new division a distance of
130.00 feet to a 5/8 inch rebar with ID cap set on the inner
perimeter of the right-of-way of Maumee Lane dedicated in
Maumee Landing Subdivision Plat 1 as recorded in Plat Book 10,
Page 203 of the Paulding County Record of Plats;

Thence North 00°04'20" East along said right-of-way a distance of
180.00 feet to the POINT OF BEGINNING, said tract containing
0.537 acres of land, more or less.

Subject to all legal highways, easements, and restrictions of use whether
apparent and/or of record and is from an actual field survey performed in
February, 2024, under the supervision of Ohio Professional Surveyor
Gregory A. Bockrath, Ohio Surveyor No. 8306.

Note: The bearings used in this description are on an assumed meridian
assuming the Centerline of Main Street (State Route 49) to be South
19°47'49" East and are for the purpose of angle determination only.

RESTRICTIONS FOR MAUMEE LANDING SUBDIVISION ANTWERP, OHIO

The purpose of the restrictions herein is to enhance and protect the value, attractiveness and desirability of the above described real estate by placing restrictive covenants on the above lots whereby each lot shall be held, sold, and conveyed only subject to the following easements, covenants conditions, and restrictions, which shall constitute covenants running with the land and shall be binding on all parties having any right, title, or interest in the above described property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof. The restrictive covenants are as follows:

1. The premises shall not be used for other than a single family dwelling. The ground floor area of the main structure, exclusive of carports, open porches and garages, shall not be less than sixteen hundred (1600) square feet for a one story dwelling, and one thousand square feet for a one and one half story dwelling or a two story dwelling except for lots 1, 2, 3, and 4 which may be either a single or double family dwelling.
2. No buildings shall be erected, placed or altered on any building plot in the subdivision until the building plans, specifications, and plot plan showing the location of such building have been approved in writing as to conformity in design with other structures in the subdivision, by the sub-divisor or his representative.
3. Any dwelling erected on these premises shall be constructed of new materials. All construction of any kind shall be new material. No log style structures shall be permitted. Any storage building shall be constructed of some material as home.
4. Any variance must be approved by the grantor, Oley McMichael, Ray Kaverman, his successors or assigns.
5. When construction of any building has been commenced, work thereon must be continued diligently. Exterior construction must be completed within twelve (12) months from the date of commencement. This includes the driveway, which must be concrete or blacktop pavement and sidewalks where required.
6. The finish grade (top of the garage floor) is to be 18 to 24 above the top of curb at the 30 setback line. The finish grade of the public sidewalks shall be 6 to 8 above the top of curb and sloped 1 toward the street. The finish grades (foundation and sidewalk) must be approved by the developer or his representative prior to performing the work. The finish (final) grading of site must be approved by the developer or his representative (prior to seeding grass and/or plantings). Excess soil (in excess of lot owners landscaping needs) to remain in the development and moved to site/s within the development approved by the developer.
7. No residence shall be occupied until the exterior of said structure has been completed.
8. No outbuilding, garage, shed, tent, trailer, or temporary building of any kind shall be erected, constructed, permitted or maintained prior to commencement of the erection of a residence, as is permitted hereby, and no outbuilding, garage, shed, tent, trailer, basement or temporary building shall be used for a permanent or temporary residence purposes; provided, however, that this paragraph shall not be deemed or construed to prevent the use of temporary construction shed during this period of actual construction of any structure on such property, nor shall the use of adequate sanitary toilet facilities for workmen which shall be provided during such construction. A garage may be constructed of the same exterior materials as residence following completion of residence.
9. No house trailer, mobile home, double wide side by side mobile home, modular home or recreational vehicle shall be used as a permanent residence. All structures must be built upon a permanent foundation and have roofs constructed with 2 x 6 rafters or comparable trusses; provided however, that this paragraph shall not be deemed or construed to prevent the use of pre-fabricated housing of standard construction.
10. A minimum building setback of thirty (30) feet shall be required on all lots.
11. No nuisance, advertising sign, billboard, or other advertising device shall be permitted, erected, placed or suffered to remain upon said premises, nor shall the premises be used in any way or for any purpose which may endanger the health or unreasonably disturb the quiet of any holder of adjoining land. This provision shall not be construed to prevent the grantor or grantee, their respective successors and assigns, from maintaining on the premises an advertising sign or device relating to the sale or rental of the above relating premises.
12. No animals, birds or fowl shall be kept or maintained on any part of the property, except dogs, cats, and pet birds, which may be kept thereon in reasonable numbers as pets for the pleasure and use of the occupants but not for any commercial use or purpose. Birds shall be confined in cages. There shall be no dog runs or kennels.
13. No commercial truck, vehicles, camper trailers, boats, boat trailers or recreational vehicles shall be kept or stored on premises except in an enclosed garage. No licensed vehicle shall be permitted to sit on the roadway or in a driveway for more than fourteen (14) days.

14. No portion of the within described premises which would be considered front yard or front lawn, shall be used for any purpose other than that of a lawn. Nothing herein contained, however, shall be construed as preventing the use of such portion of said premises for walks and drives, and planting of trees or shrubbery, the growing of flowers or ornamental plants, or for statutory fountains and similar ornamentalities for the purpose of beautifying said premises, but no vegetables or so called, nor grains of the ordinary garden or field variety shall be grown upon such portion of premises and no weeds, underbrush, or other unsightly growths shall be permitted to grow or remain anywhere upon said premises, and no unsightly objects shall be allowed to be placed or suffered to remain anywhere thereon.

15. If the grantee, or its successors and assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any person or persons owning any real property situated in said subdivision to prosecute any proceedings in law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent it or then from so doing, or to recover damages or other dues for such violation.

16. The herein enumerated restrictions, rights, reservations, limitations, agreements, covenants and conditions shall be deemed as covenants and not as conditions hereof and shall run with the land and shall bind the grantee, its successors and assigns, until the 11th day of January, 2015, at which time said covenants shall automatically extend for successive periods of five (5) years, unless by a vote of majority or then owners of the lots in said subdivision, it is agreed to change deed covenants in whole or part.

17. Invalidation of any one of these covenants by judgment or court order shall in no ways affect any of the other provisions which shall in full force and effect.

18. The above covenants, reservations and restrictions shall be incorporated verbatim or by reference in every deed hereafter issued conveying any part of the premises above described.

19. These restrictions, covenants and conditions shall run with the land and shall binding on all future owners of all building sites, and all person claiming under them until January, 2015 after which time said covenants, conditions, and restrictions shall be automatically extended for successive periods of ten years each; provided that the owners of a three-fourths (3/4) majority of the building sites may, in writing, change, modify, alter, amend or annul any of the other restrictions, reservations or conditions at any time.

Bockrath &

Associates
Engineering and Surveying, LLC
115 S. Fair Avenue, Suite A - Ottawa - Ohio
Phone: 419.523.5789

SHEET 4/4