



**ORDINANCE O-08-2024**

**AN ORDINANCE TO AMEND CHAPTERS 1111.05, 1111.07, and 1113.05 OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES TO UPDATE PUBLICATION REQUIREMENTS AS REQUESTED BY THE CITY OF NEW ALBANY**

**WHEREAS**, under the non-appropriations provisions of House Bill 33, effective October 3, 2023, the state legislature made changes to Ohio Revised Code (R.C.) Section 731.21 Publication of ordinances and resolutions; and

**WHEREAS**, the new version of R.C. 731.21 authorizes publication of a succinct summary of each municipal ordinance or resolution and all statements, orders, proclamations, notices and reports required by law or ordinance by selecting 1 or more of the 3 following methods: (1) in a newspaper of general circulation in the municipal corporation, (2) the state's public notice website established under R.C. 125.182, (3) the municipal corporation's website and social media account; and

**WHEREAS**, R.C. 731.21 also contains provisions for proof of publication by affidavit, notice of where to obtain or view a complete text, review by the law director to ensure legal accuracy and sufficiency of text summary, and supplying a complete text upon request; and

**WHEREAS**, current New Albany Codified Ordinance Sections 1111.05, 1111.07, and 1113.05 require newspaper publication of certain council, planning commission, and board of zoning appeals public hearings related to amending the zoning map, zoning appeals, and zoning variances; and

**WHEREAS**, newspaper circulation numbers are smaller, the internet has supplanted newspapers as a primary source of information for the public, publication in a newspaper can be expensive, and the City of New Albany and State of Ohio both maintain websites that can make posted information easier to find; and

**WHEREAS**, the city will continue implementing the required additional modes of informing the public, including on-site signage and neighbor notice letters; and

**WHEREAS**, the city wishes to update its code to make legally published information more accessible to the public.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

**Section 1.** Council hereby amends New Albany Codified Ordinance Sections 1111.05, 1111.07, and 1113.05 to allow for publication by city website and social media, state website, or newspaper of general circulation as set forth in the attached red-lined Exhibit A.

**Section 2.** It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

**Section 3.** Pursuant to Article VI, Section 6.07(A) of the Charter of the City of New Albany, this ordinance shall be in effect immediately upon adoption.

**CERTIFIED AS ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**Attest:**

\_\_\_\_\_  
Sloan T. Spalding  
Mayor

\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

\_\_\_\_\_  
Benjamin S. Albrecht  
Law Director

**Legislation dates:**

Prepared: 01/04/2024

Introduced: 03/05/2024

Revised:

Adopted:

Effective:

## 1111.05 - RECOMMENDATION BY THE PLANNING COMMISSION.

(A) Within sixty (60) days after the first regular meeting of the Planning Commission after the receipt of the proposed amendment or unless extended by majority vote of the Commission, the Commission shall recommend to Council that the amendment be approved as requested; recommend the application be granted with modifications; or recommend denial of the request for amendment consideration.

(B) A public hearing shall be held by the Planning Commission for consideration of the proposed amendment to the Zoning Ordinance or Map. In accordance with the Ohio Revised Code, notice of the time, place and purpose of such hearing shall be published once at least seven (7) days before the hearing in ~~a newspaper of general circulation in the Municipality. In addition, advertisement of the public hearing shall also be published in a local community publication that is issued weekly.~~ one or more of the following methods:

(1) on the Municipality's website and social media account;

(2) on the state's public notice website established under R.C. 125.182;

(3) in a newspaper of general circulation in the Municipality. ~~In addition, advertisement of the public hearing shall also be published in a local community publication that is issued weekly.~~

(C) In addition to the publication of notice required by this section, the Zoning Officer shall notify the applicants, all owners of the parcel or parcels proposed to be rezoned and all owners of neighboring properties as set out in the applicant's affidavit, of the time and place of the public meeting at which such application will be considered. Such notices, which shall include the additional information required in the published notice hereinabove provided for, shall be served by first class mail posted at least ten (10) days before the date of the proposed hearing.

(D) In addition to the written and published notification above, the Municipality shall post one sign per public street frontage of the parcel proposed for a zoning change. The sign shall be installed at least ten (10) days before the public hearing at which the Planning Commission hears the rezoning change application. New zoning at the time of annexation shall not be required to be posted. The sign shall be consistent with diagram in Figure 1, attached to original Ordinance 23-98. The exact design and content of the sign shall be determined and approved by the Zoning Officer in accordance with the intent and spirit of this section.

(Ord. 23-98. Passed 9-1-98.)

## 1111.07 - ACTION BY COUNCIL.

(a) Public Hearing. Upon receipt of the recommendation from the Planning Commission, Council shall schedule a public hearing that may be held as part of the second reading of the ordinance.

(b) Public Notice. Notice of the public hearing shall be given by the Clerk of ~~Council~~ to at least one newspaper of general circulation in the Municipality for publication by one or more of the following methods:

- (1) on the Municipality's website and social media account;
- (2) on the state's public notice website established under R.C. 125.82;
- (3) in at least one newspaper of general circulation in the Municipality.

Proof of publication shall be made by affidavit of the proprietor of the newspaper or operator of the state's public notice website, as applicable, and shall be filed with the office of the Clerk of Council.

The notice shall be published at least seven (7) days before the date of the hearing. The published notice shall set the time and place of the public hearing and shall include a succinct summary of the proposed amendment. The publication shall contain notice that the complete text of each ordinance or resolution may be obtained or viewed at the Clerk of Council's office, and may be viewed at any other location designated by Council. The Municipality Law Director shall review the summary of an ordinance or resolution published under this section before forwarding it to the Clerk of Council for publication, to ensure the summary is legally accurate and sufficient. If the proposed ordinance intends to rezone or redistrict ten (10) or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be made to all applicants, all owners of the parcel or parcels proposed to be rezoned and all owners of neighboring properties as set out in the applicant's affidavit, by the Clerk of Council by first class mail at least seven (7) days before the date of the public hearing. The failure of delivery of such notice shall not invalidate such proposed ordinance.

(c) Display of Relevant Materials . Prior to the public hearing, the text or copy of the text of the proposed ordinance, together with maps, plans and reports submitted by the Planning Commission shall be on file, for public examination, in the office of the Clerk of Council.

(Ord. 21-2003. Passed 9-16-03; Ord. 53-2009. Passed 12-1-09; Ord. [O-12-2014](#) . Passed 6-3-14.)

### **1113.05 - PUBLIC HEARINGS AND NOTICE.**

(a) Public Hearing . The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after receipt of an application for an appeal or variance from staff.

(b) Notice . Before conducting the required public hearing, notice of the hearing shall be given ~~in one or more newspapers of general circulation in the Municipality~~ at least seven (7) days before the date of said hearing in one or more of the following methods:

- (1) on the Municipality's website and social media account;
- (2) on the state's public notice website as established under R.C. 125.182;
- (3) in one or more newspapers of general circulation in the Municipality.

The notice shall set forth the time and place of the public hearing and the nature of the proposed appeal or variance.

Written notice of the required public hearing shall be mailed by first class mail, at least ten (10) days before the day of the hearing to owners of property within two hundred (200) feet from, contiguous to, and directly across the street from the property being considered.

(Ord. 30-93. Passed 5-18-93; Ord. O-08-2011. Passed 5-17-11.)

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**ORDINANCE O-10-2024**

**AN ORDINANCE TO APPROVE THE FINAL PLAT FOR 42 AGE RESTRICTED SINGLE-FAMILY LOTS ON 9.001 +/- ACRES AND ACCEPT RESERVES "H" AND "I" FOR PHASE 5 OF THE "NOTTINGHAM TRACE" SUBDIVISION GENERALLY LOCATED WEST OF STATE ROUTE 605, EAST OF SCHLEPPI ROAD, AND SOUTH OF WALNUT STREET, AS REQUESTED BY PULTE HOMES**

**WHEREAS**, an application to approve the Nottingham Trace subdivision phase 5 final plat has been submitted; and

**WHEREAS**, Codified Ordinance chapter 1187 requires approval of the final plat by council; and

**WHEREAS**, the New Albany Planning Commission, after review during a public meeting on December 4, 2023, recommended approval of this final plat (FP-114-2023); and

**WHEREAS**, the final plat includes 9.001 +/- acres of land to be subdivided into 42 residential lots in addition to the public streets; and

**WHEREAS**, the final plat includes approximately 1.13 +/- acres of parkland; and

**WHEREAS**, New Albany city council has agreed to the terms and conditions by which this parkland will be donated; and

**WHEREAS**, the city engineer certifies that the Nottingham Trace phase 5 final plat meets all the requirements of Chapter 1187 of the Codified Ordinances, stormwater management, design requirements, and will meet all other requirements of the city.

**NOW, THEREFORE, BE IT ORDAINED** by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

**Section 1:** The final plat is attached to this ordinance as Exhibit A and made a part herein approved.

**Section 2:** Council hereby accepts the lands shown on the map attached hereto as Exhibit A, under the terms and conditions outlined and the covenants and restrictions stipulated in the deed and final plat.

**Section 3:** It is hereby found and determined that all formal actions of council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all

deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

**Section 4:** Pursuant to Article VI, Section 6.07(B) of the City of New Albany Charter, this ordinance shall take effect on and after the earliest period allowed by law.

**CERTIFIED AS ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**Attest:**

\_\_\_\_\_  
Sloan T. Spalding  
Mayor

\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

\_\_\_\_\_  
Benjamin S. Albrecht  
Law Director

**Legislation dates:**

Prepared: 02/23/2024

Introduced: 03/05/2024

Revised:

Adopted:

Effective:

# NOTTINGHAM TRACE PHASE 5

Situated in the State of Ohio, County of Franklin, City of New Albany, and in Section 8, Quarter Township 2, Township 2, Range 16, Tabled State Military Lands, containing 9.001 acres of land, more or less, said 9.001 acres being all of that tract of land conveyed to PULTE HOMES OF OHIO LLC by deed of record in Instrument Number 20230300011174, Recorder's Office, Franklin County, Ohio.

The undersigned, PULTE HOMES OF OHIO LLC, a Michigan limited liability company, by MATTHEW J. CALLAHAN, Division Vice President of Land Acquisitions, does hereby certify that this plan correctly represents the "NOTTINGHAM TRACE PHASE 5", a subdivision consisting of Lots numbered 136 to 191, both inclusive, and areas designated as Reserve "R" and Reserve "Y", does hereby accept this plan of some and dedicate to public use, as such, all of Bailey Walk, Brinsley Lane and DeLoock Lane shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plan as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath, and on 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 plan, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water 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 plan unless approved by the New Albany Municipal Engineer.

### RESERVATION OF EASEMENTS OUTSIDE OF THE PLATTED AREA ACROSS DESIGNATED AREAS ON THE NEW ALBANY COMPANY, LLC LAND

Certain areas designated D.E.(Drainage Easement) and shown hereon outside of the 9.001 acres of land being platted as "Nottingham Trace Phase 5" are within lands located adjacent to "Nottingham Trace Phase 5" that are owned by THE NEW ALBANY COMPANY, LLC, a Delaware limited liability company, by deed of record in Instrument Number 20180300030574, Recorder's Office, Franklin County, Ohio.

Easements are hereby reserved in, over and under areas designated on this plan as "D.E.". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath and on 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 plan, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water 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 plan unless approved by the New Albany Municipal Engineer.

In Witness Whereof, MATTHEW J. CALLAHAN, Division Vice President of Land Acquisitions of PULTE HOMES OF OHIO LLC, has executed his hand this day of \_\_\_\_\_, 20\_\_\_\_.

Signed and Acknowledged in the presence of PULTE HOMES OF OHIO LLC

By MATTHEW J. CALLAHAN, Division Vice President of Land Acquisitions

STATE OF OHIO COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared MATTHEW J. CALLAHAN, Division Vice President of Land Acquisitions of PULTE HOMES OF OHIO LLC, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said PULTE HOMES OF OHIO LLC, for the uses and purposes expressed herein.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this day of \_\_\_\_\_, 20\_\_\_\_.

My commission expires \_\_\_\_\_ Notary Public, State of Ohio

Signed and Acknowledged in the presence of THE NEW ALBANY COMPANY LLC

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 voluntary act and deed and the voluntary act and deed of said THE NEW ALBANY COMPANY LLC for the uses and purposes expressed herein.

In Witness Whereof, 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, New Albany, Ohio

Approved this \_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_ City Engineer, New Albany, Ohio

Approved this \_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_ Council Representative to Planning Commission, New Albany, Ohio

Approved this \_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_ Chairperson, Planning Commission, New Albany, Ohio

Approved this \_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_ Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. \_\_\_\_\_ passed \_\_\_\_\_, 20\_\_\_\_, wherein all of Bailey Walk, Brinsley Lane, and DeLoock Lane shown delineated hereon are accepted, as such, by the Council for the City of New Albany, Ohio.

Transferred this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ Auditor, Franklin County, Ohio

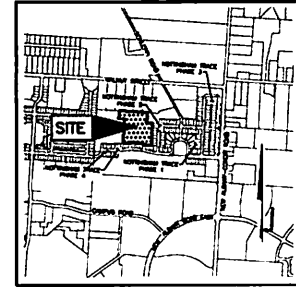
Deputy Auditor, Franklin County, Ohio

Filed for record this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ M. For \$ \_\_\_\_\_ Recorder, Franklin County, Ohio

File No. \_\_\_\_\_

Recorded this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ Deputy Recorder, Franklin County, Ohio

Plat Book \_\_\_\_\_, Page \_\_\_\_\_



LOCATION MAP AND BACKGROUND DRAWING NOT TO SCALE

### SURVEY DATA:

**BASES OF BEARINGS:** The bearings shown hereon are based on the survey meridian as shown on the plat entitled "Nottingham Trace Phase 1", of record in Plat Book 124, Page 15. The bearing of South 89° 13' 47" East, assigned to the westerly right of way line of Walnut Street, is designated the basis of bearings for this plat.

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

**IRON PINS:** Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pins, three-eighths inch inside diameter, thirty inches long with a plastic plug placed in the top and bearing the initials EMHIT 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 and flush with the surface of the ground and then capped with an aluminum cap stamped EMHIT INC. One inch thick, the top of the cap shall be marked (punch-marked) to record the actual location of the point. These markers shall be set following the completion of the construction/finish of the street pavement and utilities and prior to the City of New Albany, Ohio's acceptance of these infrastructure improvements. The New Albany, Ohio, Municipal Engineer shall be notified in writing when the markers are in place.

SURVEYED & PLATTED BY



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. 7885 Date \_\_\_\_\_



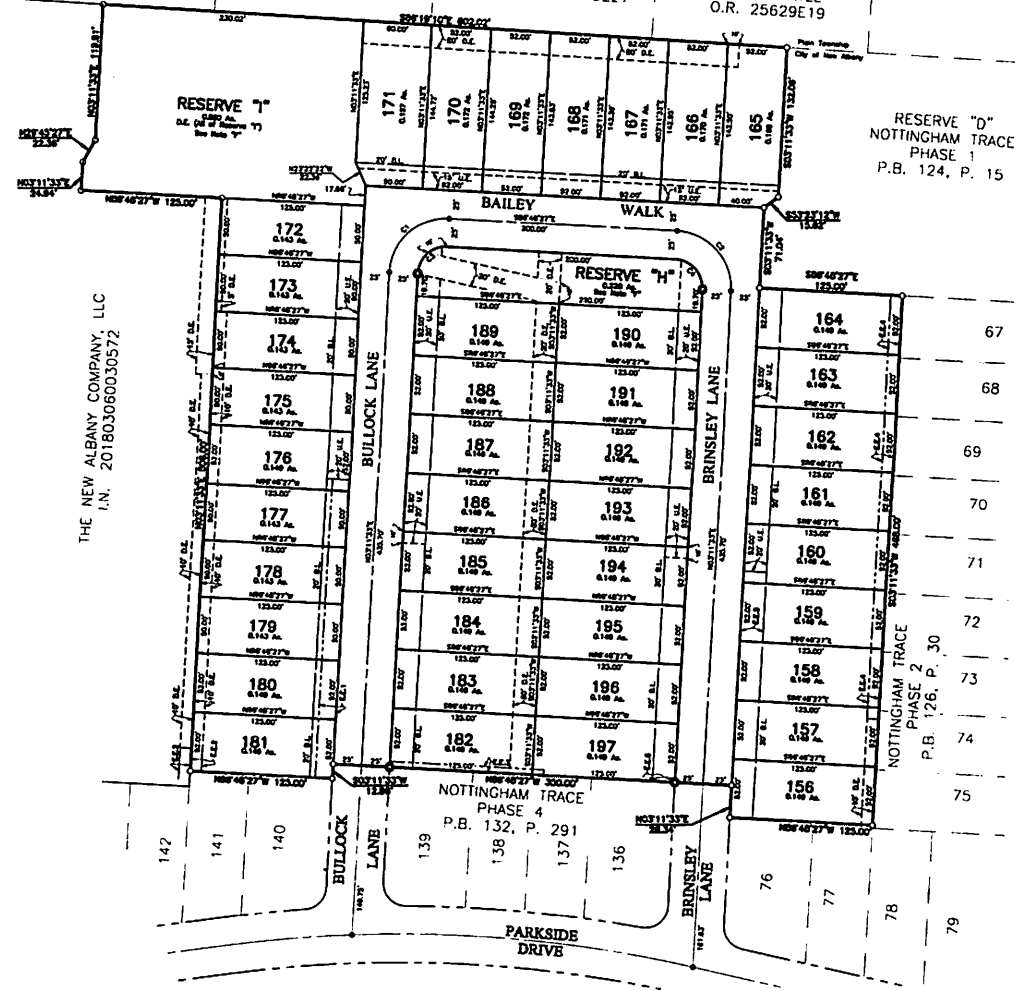
# NOTTINGHAM TRACE PHASE 5

ISAAC E. KOON  
KELLI M. KOON  
I.N. 201806120077518

JUDITH A. METCALF  
D.B. 3027, P. 451  
I.N. 201009140119303

RAYMOND K. SCHUCHTER  
MEGAN K. DORAN  
I.N. 201608260113227

JOEL M. AND  
LEE E. HIRTLE  
O.R. 25629E19



THE NEW ALBANY COMPANY, LLC  
I.N. 201803060030572

RESERVE "D"  
NOTTINGHAM TRACE  
PHASE 1  
P.B. 124, P. 15

NOTTINGHAM TRACE  
PHASE 4  
P.B. 132, P. 291

NOTTINGHAM TRACE  
PHASE 2  
P.B. 126, P. 30

- Line Type Legend
- Existing Property Line
  - - - Existing R/W Line
  - Existing R/W Centerline
  - Existing Easement Line
  - - - Subdivision Boundary Line
  - Lot Line
  - R/W Line
  - - - R/W Centerline
  - Easement Line

NOTE "A": At the time of platting, the land being platted as Nottingham Trace Phase 5 is in Zone X (area determined to be outside of the 0.2% annual chance floodplain), as said Zone is designated and delineated on the FEMA Flood Insurance rate map for Franklin County, Ohio, and incorporated into map number 200400022, with effective date of June 17, 2004.

NOTE "B" - AGRICULTURAL RECOUPMENT: Grantor, being the duly authorized representative of the developer dedicating the property described in this plat, hereby agrees to indemnify the City of New Albany for, and hold it harmless from, any agricultural reconquest movement or trend in the future against the property dedicated herein, which result from grantor's conversion of the property from agricultural use.

NOTE "C" - ACREAGE BREAKDOWN:

|                          |           |
|--------------------------|-----------|
| Total acreage:           | 9,001 Ac. |
| Acres in right-of-way:   | 1,466 Ac. |
| Acres in Reserves:       | 1,130 Ac. |
| Acres in remaining lots: | 6,405 Ac. |

NOTE "D" - ACREAGE BREAKDOWN: Nottingham Trace Phase 5 is comprised of all of the following Franklin County Parcel Numbers:

222-005245 9,001 Ac.

NOTE "E" - DEPRESSED DRIVEWAYS: Depressed driveways are hereby prohibited on all lots in Nottingham Trace Phase 5. Nothing herein, however, shall prohibit the construction and use of a driveway alongside or to the rear of a residential structure (if otherwise permitted by the City of New Albany).

NOTE "F" - RESERVES: Reserves, as designated and delineated herein, shall be owned by the City of New Albany and maintained by an association comprised of the owners of the fee simple titles to the lots in the Nottingham Trace subdivisions for the purpose of open space.

NOTE "G": At the time of platting, electric, cable, and telephone service providers have not issued information required to final easement maps, 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 Nottingham Trace Phase 5 or any part thereof can be acquired by a competent examination of the same current public records, including those in the Recorder's Office, Franklin County, Ohio.

NOTE "H": Where residential lots abut parkland and/or open space, wood bollards shall be placed and maintained along the shared property lines between said lots and said reserves in order to provide a clear delineation between public and private spaces.

- BL = Building Line
- CE = Centerline
- CE = Utility Easement
- E1 = Easement 15' D.E.
- E2 = Easement 10' D.E.
- E3 = Easement 10' D.E.
- E4 = Easement 15' D.E.
- E5 = Easement 10' D.E.
- E6 = Easement 10' D.E.
- E7 = Easement 15' D.E.
- E8 = Easement 10' D.E.

CURVE TABLE

| CURVE NO. | DELTA     | RADIUS | LENGTH | CHORD BEARING | CHORD DISTANCE |
|-----------|-----------|--------|--------|---------------|----------------|
| C1        | 90°00'00" | 30.00' | 76.34' | N 48°11'33" E | 70.71'         |
| C2        | 90°00'00" | 30.00' | 76.34' | N 41°48'27" W | 70.71'         |
| C3        | 90°00'00" | 33.00' | 38.37' | S 48°11'33" W | 33.38'         |
| C4        | 90°00'00" | 33.00' | 38.37' | N 41°48'27" W | 33.38'         |





**ORDINANCE O-11-2024**

**AN ORDINANCE TO APPROVE THE FINAL PLAT FOR 44 AGE RESTRICTED SINGLE-FAMILY LOTS ON 9.430 +/- ACRES AND ACCEPT RESERVES "J" AND "K" FOR PHASE 6 OF THE "NOTTINGHAM TRACE" SUBDIVISION GENERALLY LOCATED WEST OF STATE ROUTE 605, EAST OF SCHLEPPI ROAD, AND SOUTH OF WALNUT STREET, AS REQUESTED BY PULTE HOMES**

**WHEREAS**, an application to approve the Nottingham Trace subdivision phase 6 final plat has been submitted; and

**WHEREAS**, Codified Ordinance chapter 1187 requires approval of the final plat by council; and

**WHEREAS**, the New Albany Planning Commission, after review during a public meeting on December 4, 2023, recommended approval of this final plat (FP-115-2023); and

**WHEREAS**, the final plat includes 9.430 +/- acres of land to be subdivided into 44 residential lots in addition to the public streets; and

**WHEREAS**, the final plat includes approximately 0.995 +/- acres of parkland; and

**WHEREAS**, New Albany city council has agreed to the terms and conditions by which this parkland will be donated; and

**WHEREAS**, the city engineer certifies that the Nottingham Trace phase 6 final plat meets all the requirements of Chapter 1187 of the Codified Ordinances, stormwater management, design requirements, and will meet all other requirements of the city.

**NOW, THEREFORE, BE IT ORDAINED** by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

**Section 1:** The final plat is attached to this ordinance as Exhibit A and made a part herein approved.

**Section 2:** Council hereby accepts the lands shown on the map attached hereto as Exhibit A, under the terms and conditions outlined and the covenants and restrictions stipulated in the deed and final plat.

**Section 3:** It is hereby found and determined that all formal actions of council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all

deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

**Section 4:** Pursuant to Article VI, Section 6.07(B) of the City of New Albany Charter, this ordinance shall take effect on and after the earliest period allowed by law.

**CERTIFIED AS ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**Attest:**

\_\_\_\_\_  
Sloan T. Spalding  
Mayor

\_\_\_\_\_  
Jennifer H. Mason  
Clerk of Council

**Approved as to form:**

\_\_\_\_\_  
Benjamin S. Albrecht  
Law Director

**Legislation dates:**

|             |            |
|-------------|------------|
| Prepared:   | 02/23/2024 |
| Introduced: | 03/05/2024 |
| Revised:    |            |
| Adopted:    |            |
| Effective:  |            |

# NOTTINGHAM TRACE PHASE 6

Situated in the State of Ohio, County of Franklin, City of New Albany, and in Section 8, Quarter Township 2, Township 2, Range 16, United States Military Lands, containing 9.430 acres of land, more or less, said 9.430 acres being all of that tract of land conveyed to PULTE HOMES OF OHIO LLC by deed of record in Instrument Number \_\_\_\_\_, Recorder's Office, Franklin County, Ohio.

The undersigned, PULTE HOMES OF OHIO LLC, a Michigan limited liability company, by MATTHEW J. CALLAHAN, Division Vice President of Land Acquisition, does hereby certify that this plat correctly represents to "NOTTINGHAM TRACE PHASE 6", a subdivision containing Lots numbered 198 to 241, both inclusive, and areas designated as Reserve "J" and Reserve "K", done hereby accept this plat of same and dedicates to public use, as such, all of Linden Lane, Upper Albany Drive and Waterlock Avenue North shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath, and on 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 above ground storm water 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 unless approved by the New Albany Municipal Engineer.

In Witness Whereof, MATTHEW J. CALLAHAN, Division Vice President of Land Acquisition of PULTE HOMES OF OHIO LLC, has hereunto set his hand this day of \_\_\_\_\_, 20\_\_.

Signed and Acknowledged PULTE HOMES OF OHIO LLC  
In the presence of:

By MATTHEW J. CALLAHAN,  
Division Vice President of  
Land Acquisition

STATE OF OHIO  
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared MATTHEW J. CALLAHAN, Division Vice President of Land Acquisition of PULTE HOMES OF OHIO LLC, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said PULTE HOMES OF OHIO LLC, for the uses and purposes expressed herein.

In Witness Whereof, 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, New Albany, Ohio

Approved this \_\_\_ Day of \_\_\_\_\_  
20\_\_ City Engineer, New Albany, Ohio

Approved this \_\_\_ Day of \_\_\_\_\_  
20\_\_ Council Representative to Planning Commission, New Albany, Ohio

Approved this \_\_\_ Day of \_\_\_\_\_  
20\_\_ Chairperson, Planning Commission, New Albany, Ohio

Approved this \_\_\_ Day of \_\_\_\_\_  
20\_\_ Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. \_\_\_\_\_, passed \_\_\_\_\_, 20\_\_, wherein all of Linden Lane, Upper Albany Drive and Waterlock Avenue North shown dedicated hereon are accepted, as such, by the Council for the City of New Albany, Ohio.

Transferred this \_\_\_ day of \_\_\_\_\_, 20\_\_ Auditor, Franklin County, Ohio

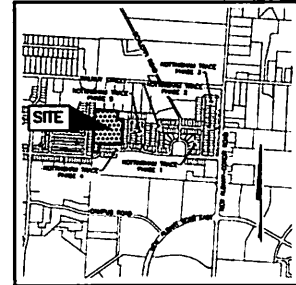
Deputy Auditor, Franklin County, Ohio

Filed for record this \_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ M. Fee \$ \_\_\_\_\_ Recorder, Franklin County, Ohio

File No. \_\_\_\_\_

Recorded this \_\_\_ day of \_\_\_\_\_, 20\_\_ Deputy Recorder, Franklin County, Ohio

Plat Book \_\_\_\_\_, Page \_\_\_\_\_



LOCATION MAP AND BACKGROUND DRAWING  
NOT TO SCALE

### SURVEY DATA:

**BASES OF BEARINGS:** The bearings shown hereon are based on the same meridian as those shown on the plat entitled "Nottingham Trace Phase 1", of record in Plat Book 124, Page 15. The bearing of South 66° 13' 47" East, assigned to the southerly right of way line of Walnut Street, is designated the basis of bearings for this plat.

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

**IRON PINS:** Iron pins, where indicated hereon, unless otherwise noted, are to be one-inch diameter, thirty-inch long, soft 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 EMHIT INC. Once installed, the top of the cap shall be marked (punches) 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 City of New Albany, Ohio's acceptance of these infrastructure improvements. The New Albany, Ohio, Municipal Engineer shall be notified in writing when the markers are in place.

**PERMANENT MARKERS:** Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, soft 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 EMHIT INC. Once installed, the top of the cap shall be marked (punches) 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 City of New Albany, Ohio's acceptance of these infrastructure improvements. The New Albany, Ohio, Municipal Engineer shall be notified in writing when the markers are in place.

### SURVEYED & PLATTED BY

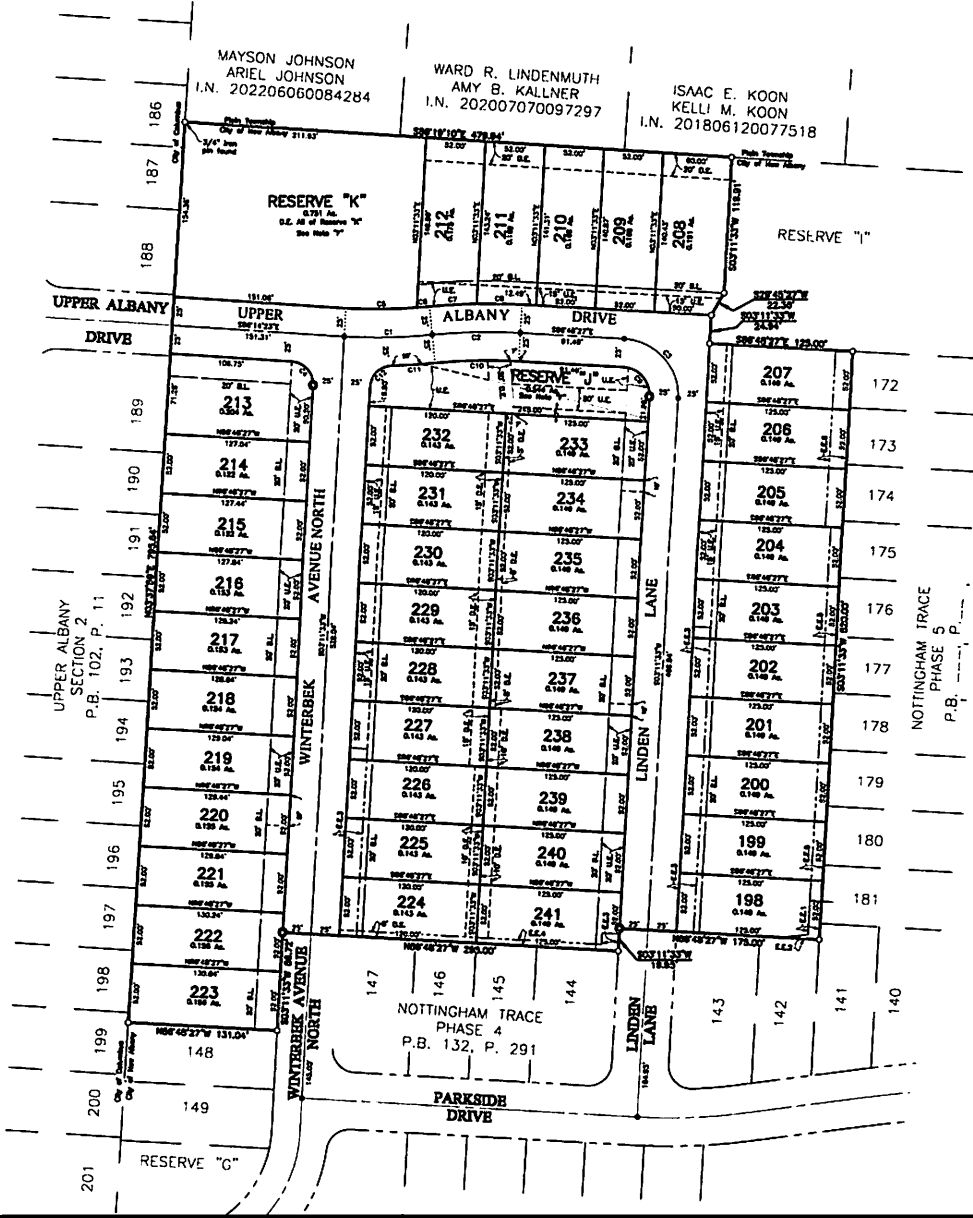


We do hereby certify that we have surveyed the above grounds, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

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

By \_\_\_\_\_ Date  
Professional Surveyor No. 7885

# NOTTINGHAM TRACE PHASE 6



**NOTE "A":** At the time of platting, the land being platted as Nottingham Trace Phase 6 is in Zone X (areas determined to be outside of the 0.2% annual chance floodline), as said Zone is designated and delineated on the FEMA Flood Insurance rate map for Franklin County, Ohio, and incorporated into map number 35049C0302K, with effective date of June 17, 2008.

**NOTE "B" - AGRICULTURAL RECOUPMENT:** Grantor, being the duly authorized representative of the developer dedicating the property described in this plat, hereby agrees to indemnify the City of New Albany for, and hold it harmless from, any agricultural recoupments assessed or levied in the future against the property dedicated herein, which result from grantor's conversion of the property from agricultural use.

**NOTE "C" - ACREAGE BREAKDOWN:**  
 Total acreage: 9,430 Ac.  
 Acreage in right-of-way: 1,694 Ac.  
 Acreage in Reserve: 0,995 Ac.  
 Acreage in remaining lots: 6,741 Ac.

**NOTE "D" - ACREAGE BREAKDOWN:** Nottingham Trace Phase 6 is out of the following Franklin County Parcel Number:  
 222-04443 9,430 Ac.

**NOTE "E" - DEPRESSED DRIVEWAYS:** Depressed driveways are hereby prohibited on all lots in Nottingham Trace Phase 6. Nothing herein, however, shall prohibit the construction and use of a driveway alongside or to the rear of a residential structure if otherwise permitted by the City of New Albany.

**NOTE "F" - RESERVES:** Reserves, as designated and delineated herein, shall be owned by the City of New Albany and maintained by an association comprised of the owners of the fee simple lots in the lots in the Nottingham Trace subdivisions for the purpose of open space.

**NOTE "G":** 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 those providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information shown Nottingham Trace Phase 6 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Recorder's Office, Franklin County, Ohio.

**NOTE "H":** Where residential lots shall be parked and/or open space, wood decks shall be placed and maintained along the shared property lines between said lots and said reserve in order to provide a clear delineation between public and private spaces.

- E.L. = Easement Line
- E.C.L. = Easement Contour
- U.L. = Utility Line
- D.L. = Delineation Line
- E.L. = Easement Line
- E.C.L. = Easement Contour
- U.L. = Utility Line
- D.L. = Delineation Line
- E.L. = Easement Line
- E.C.L. = Easement Contour
- U.L. = Utility Line
- D.L. = Delineation Line

| CURVE NO. | DEG.      | PIVOT   | LENGTH | CHORD BEARING | CHORD DISTANCE |
|-----------|-----------|---------|--------|---------------|----------------|
| C1        | 84°50'    | 500.00' | 77.00' | N 86°42'27" E | 76.80'         |
| C2        | 84°50'    | 500.00' | 77.00' | S 86°42'27" E | 76.80'         |
| C3        | 80°00'    | 30.00'  | 76.84' | N 41°48'27" W | 76.91'         |
| C4        | 80°00'    | 30.00'  | 31.23' | N 41°31'28" W | 28.14'         |
| C5        | 72°00'    | 478.00' | 63.18' | N 86°42'27" E | 63.18'         |
| C6        | 114°50'   | 478.00' | 11.03' | N 89°17'27" E | 11.03'         |
| C7        | 72°00'    | 625.00' | 41.26' | S 87°37'06" W | 41.26'         |
| C8        | 41°00'    | 225.00' | 28.25' | N 87°37'06" W | 28.24'         |
| C9        | 90°00'    | 53.00'  | 28.27' | N 41°48'27" W | 28.26'         |
| C10       | 84°50'    | 478.00' | 73.31' | S 86°42'27" E | 73.31'         |
| C11       | 42°00'    | 625.00' | 27.02' | N 87°37'06" E | 27.02'         |
| C12       | 89°18'00" | 30.00'  | 28.78' | S 48°48'27" W | 27.00'         |

- Line Type Legend**
- Existing Property Line
  - Existing R/W Line
  - Existing R/W Contour
  - Existing Easement Line
  - Subdivision Boundary Line
  - Lot Line
  - R/W Line
  - R/W Contour
  - Easement Line

