

**CITY OF XENIA, OHIO  
RESOLUTION 2023 – 023**

**APPROVING THE FINAL PLAT AND AUTHORIZING THE EXECUTION OF  
A SUBDIVIDER’S AGREEMENT WITH ARNOLD DEVELOPMENT, INC., FOR  
THE SUMMER BROOKE SOUTH SUBDIVISION, SECTION FIVE**

**WHEREAS**, the Xenia Planning and Zoning Commission, at its March 8, 2023, regular meeting, voted to recommend this Council approve the proposed final plat of Summer Brooke South Subdivision, Section 5, as submitted by Arnold Development Company, Inc., in Case PZC2023-04;

**WHEREAS**, the procedures with regard to major subdivisions in the City’s Land Development Code, as set forth in Section 1220.07, have been followed; and

**WHEREAS**, this Council finds it to be in the best interests of the health, safety and welfare of the City and its inhabitants to accept the recommendation of the Planning and Zoning Commission and approve the proposed final plat.

**NOW, THEREFORE, THE CITY OF XENIA HEREBY RESOLVES**, a majority of the members of Council present concurring, that:

**Section 1.** The Final Plat for the Summer Brooke South Subdivision, Section Five, consisting of 19.29 acres, more or less, and including fifty-nine (59) single-family home lots and one (1) open space lot, as submitted by the Arnold Development Company, Inc., in Case PZC2023-04, is hereby approved.

**Section 2.** The dedication to the public use of the public right-of-ways and easements, as shown on the Final Plat, are hereby accepted; provided, however, that the streets shown on said Plat shall not become public streets under the care and control of the City until formally accepted by this Council, by ordinance specially passed for such purpose.

**Section 3.** The President of City Council, on behalf of Council, the City Clerk, the Chair of the Planning and Zoning Commission, and the City Planner are hereby authorized to endorse the Final Plat and any other documentation necessary to record this subdivision approval with the Greene County Recorder.

**Section 4.** The City Manager is authorized to execute, on behalf of the City, a Subdivider’s Agreement with Arnold Development Company, Inc., for the purpose of ensuring completion of required public improvements.

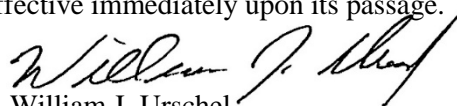
**Section 5.** It is hereby found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC 121.22.

**Section 6.** This Resolution shall become effective immediately upon its passage.

Passed: April 13, 2023

Attest:

  
Michelle D. Johnson  
City Clerk

  
William J. Urschel  
President, Xenia City Council

**HOME OWNERS ASSOCIATION RESTRICTIONS**

ALL OF THE LOTS IN THIS SUBDIVISION ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSIGNMENTS AND ARTICLES OF INCORPORATION OR BY-LAWS OF SUMMER BROOKE HOME OWNERS ASSOCIATION, WHICH WILL BE RESPONSIBLE FOR THE MAINTENANCE AND UPKEEP OF ALL OPEN SPACE LOTS AND RETENTION/DETENTION PONDS, ALL OF WHICH IS RECORDED IN OFFICIAL RECORD \_\_\_\_\_ OF THE GREENE COUNTY RECORDER'S RECORDS.

**DEDICATION FOR PUBLIC USE AND ACKNOWLEDGEMENT**

WE, THE UNDERSIGNED, BEING ALL THE OWNERS AND LIEN HOLDERS OF THE LAND HEREON PLATTED, DO HEREBY ACKNOWLEDGE THE SIGNING AND EXECUTION OF THIS PLAT TO BE OUR VOLUNTARY ACT AND DEED AND DO HEREBY DEDICATE ALL STREETS, RIGHT-OF-WAYS AND RESERVE ANY EASEMENTS SHOWN ON THE WITHIN PLAT TO THE PUBLIC USE FOREVER. EASEMENTS SHOWN ON THIS PLAT ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, OR REMOVAL OF WATER LINES, GAS LINES, STORM SEWER DRAINAGE, SANITARY SEWER, ELECTRIC, TELEPHONE OR OTHER UTILITIES OR SERVICES, AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES AND FOR PROVIDING OF INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSE, AND ARE TO BE MAINTAINED AS SUCH FOREVER.

OWNER: ARNOLD DEVELOPMENT COMPANY

NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ 20\_\_ BY \_\_\_\_\_ OF ARNOLD DEVELOPMENT COMPANY AN OHIO CORPORATION COMPANY, ON BEHALF OF THE CORPORATION COMPANY.

NOTARY PUBLIC \_\_\_\_\_

**LIEN HOLDER**

NVR, INC., HOLDER OF THAT CERTAIN OPEN-END MORTGAGE, ASSIGNMENT OF LEASES AND PROFITS, SECURITY AGREEMENT AND FUTURE FILING EXECUTED AND FILED FOR RECORD ON \_\_\_\_\_ IN \_\_\_\_\_ PAGE \_\_\_\_\_ OF THE GREENE COUNTY, OHIO RECORDER'S OFFICE RECORDS, HEREBY CONSENTS TO THE RECORDING OF THIS PLAT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

NVR, INC.

SIGNATURE: \_\_\_\_\_

PAUL WISHNOK VICE PRESIDENT AND REGIONAL MANAGER  
PRINTED NAME TITLE

STATE OF OHIO, COUNTY OF \_\_\_\_\_, S.S.

BE IT REMEMBERED THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME PAUL WISHNOK WHO IS THE VICE PRESIDENT AND REGIONAL MANAGER OF NVR, INC., WHO ON BEHALF OF SAID NVR, INC., ACKNOWLEDGED THE SIGNING AND EXECUTION OF THIS PLAT TO BE HER VOLUNTARY ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND AFFIXED MY NOTARIAL SEAL ON THE DAY AND YEAR LAST FORESAID.

NOTARY PUBLIC \_\_\_\_\_

**CITY OF XENIA - PLANNING AND ZONING COMMISSION**

THIS PLAT WAS APPROVED BY THE PLANNING COMMISSION OF THE CITY OF XENIA ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

CODY BRANNUM, CHAIRMAN

MICHELLE D. JOHNSON, CLERK OF XENIA  
PLANNING AND ZONING COMMISSION

BRIAN R. FORSCHNER, CITY PLANNER

**CITY OF XENIA - CITY COUNCIL**

THIS PLAT WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF XENIA ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

WILLIAM URSCHEL, PRESIDENT OF COUNCIL

MICHELLE D. JOHNSON, CLERK OF XENIA  
PLANNING AND ZONING COMMISSION



VICINITY MAP

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CH DIST	CH BEARING
C1	200.00'	39.55'	11°19'45"	39.48'	S30°44'17"E
C2	975.00'	24.05'	01°24'47"	24.04'	S25°46'48"E
C3	525.00'	14.83'	01°37'06"	14.83'	S56°57'38"W
C4	475.00'	32.30'	03°53'46"	32.29'	S55°49'18"W
C5	300.00'	274.65'	52°27'13"	265.15'	S60°03'15"E
C6	200.00'	89.91'	25°45'25"	89.15'	S73°24'08"E
C7	175.00'	34.60'	11°19'45"	34.55'	S30°44'16"E
C8	225.00'	44.49'	11°19'45"	44.42'	S30°44'17"E
C9	25.00'	39.27'	90°00'00"	35.36'	S19°55'36"W
C10	25.00'	39.27'	90°00'00"	35.36'	N70°04'24"W
C11	25.00'	11.28'	25°51'12"	11.19'	S77°51'12"W
C12	25.00'	9.75'	22°20'11"	9.68'	N78°03'07"W
C13	50.00'	58.43'	66°57'22"	55.16'	S79°38'18"W
C14	50.00'	66.60'	76°19'12"	61.79'	S08°00'01"W
C15	50.00'	50.54'	57°54'40"	48.41'	N59°06'55"W
C16	50.00'	59.83'	68°33'50"	56.33'	S57°38'50"W
C17	50.00'	5.78'	06°37'42"	5.78'	S20°03'04"W
C18	25.00'	21.03'	48°11'23"	20.41'	S40°49'54"W
C19	1000.00'	19.70'	01°07'43"	19.70'	S25°55'20"E
C20	950.00'	17.27'	01°02'31"	17.27'	S25°57'56"E
C21	25.00'	42.48'	97°21'44"	37.55'	S75°10'03"E
C22	25.00'	36.06'	82°38'16"	33.01'	S14°49'57"W
C23	550.00'	15.53'	01°37'06"	15.53'	S56°57'38"W
C24	500.00'	14.12'	01°37'06"	14.12'	S56°57'38"W
C25	500.00'	34.09'	03°54'25"	34.09'	S55°48'59"W
C26	450.00'	30.51'	03°53'03"	30.50'	S55°49'40"W
C27	25.00'	38.57'	88°24'11"	34.86'	S78°01'44"E
C28	25.00'	39.97'	91°35'49"	35.84'	S11°58'16"W
C29	325.00'	71.35'	12°34'40"	71.20'	S40°06'59"E
C30	275.00'	71.90'	14°58'46"	71.69'	S41°19'02"E
C31	275.00'	141.44'	29°28'05"	139.88'	S63°32'27"E
C32	325.00'	54.81'	09°39'45"	54.74'	S51°14'11"E
C33	325.00'	60.79'	10°43'01"	60.70'	S61°25'34"E
C34	325.00'	60.55'	10°40'28"	60.46'	S72°07'19"E
C35	325.00'	50.04'	08°49'18"	49.99'	S81°52'12"E
C36	275.00'	38.43'	08°00'21"	38.39'	S82°16'40"E
C37	225.00'	2.27'	00°34'40"	2.27'	S85°59'31"E
C38	225.00'	59.09'	15°02'47"	58.92'	S78°10'48"E
C39	225.00'	39.79'	10°07'58"	39.74'	S65°35'25"E
C40	175.00'	78.67'	25°45'25"	78.01'	S73°24'08"E
C41	225.00'	18.89'	04°48'39"	18.89'	N58°07'06"W
C42	500.00'	28.10'	03°13'14"	28.10'	S52°15'10"W
C43	175.00'	35.53'	11°38'02"	35.47'	S42°13'10"E
C44	950.00'	6.15'	00°22'16"	6.15'	S25°15'32"E
C45	1000.00'	4.96'	00°17'04"	4.96'	S25°12'56"E

**REFERENCES**

- SURVEY RECORD 15 PG. 33
- SURVEY RECORD 29 PG. 105
- SURVEY RECORD 37 PG. 122
- SURVEY RECORD 44 PG. 89
- SUMMER BROOKE SECTION ONE  
PLAT CABINET 30 PG. 141A-143B
- SUMMER BROOKE SECTION TWO  
PLAT CABINET 30 PG. 279B-282A
- SUMMER BROOKE SECTION THREE-A  
PLAT CABINET 30 PG. 398A-399B
- SUMMER BROOKE SECTION THREE-B  
PLAT CABINET 30 PG. 400A-402A
- SUMMER BROOKE SECTION THREE-A  
PLAT CABINET 30 PG. 398A-399B
- AMLIN HEIGHTS No 6  
PLAT CABINET 32 PG. 291B & 292A
- AMLIN HEIGHTS No 9  
PLAT CABINET 33 PG. 84A & 84B
- SUMMER BROOKE SOUTH-SECTION FOUR  
PLAT CABINET 39 PG. 191B-192B

**OWNER**

ARNOLD DEVELOPMENT COMPANY  
2498 COMMONS BLVD.  
BEAVERCREEK, OHIO 45431

**DEVELOPER**

ARNOLD ENTERPRISES INC.  
630 ORCHARD LANE  
PO BOX 218  
BEAVERCREEK, OHIO 45434  
PH: (937) 426-5031

**RECORD PLAN**  
**SUMMER BROOKE SOUTH - SECTION FIVE**

MILITARY SURVEY No. 548  
CITY OF XENIA, GREENE COUNTY, OHIO  
PART OF A 52.309 ACRE TRACT-ARNOLD DEVELOPMENT COMPANY  
PART OF A 36.322 ACRE TRACT-ARNOLD DEVELOPMENT COMPANY  
CONTAINING 19.290 ACRES  
FEBRUARY 2023

**STORM WATER DRAINAGE NOTES:**

THE HOMEOWNERS ASSOCIATION SHALL MAINTAIN DRAINAGE EASEMENTS, SWALES, DITCHES, AND DETENTION AND RETENTION BASINS OUTSIDE OF PUBLIC RIGHT-OF-WAY. EASEMENTS SHALL REMAIN FREE AND CLEAR OF ANY OBSTRUCTIONS THAT COULD PREVENT MAINTENANCE OF DRAINAGE FACILITIES. WITHIN THE EASEMENTS, NO STRUCTURE, PLANTING, FENCING, CULVERT, OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR DIVERT THE FLOW THROUGH THE WATERCOURSE. EASEMENTS SHOWN ON THIS PLAT AND DESIGNATED AS "DRAINAGE EASEMENTS" ARE DEDICATED TO SUMMER BROOKE SECTION FIVE HOMEOWNERS ASSOCIATION. THE CITY OF XENIA, GREENE COUNTY COMMISSIONERS, AND THE BOARD OF TRUSTEES OF XENIA TOWNSHIP ASSUME NO LEGAL OBLIGATION TO MAINTAIN OR REPAIR ANY OPEN DRAINAGE DITCHES OR WATERCOURSE OUTSIDE OF THE PUBLIC RIGHT OF WAY.

**DESCRIPTION**

THE WITHIN PLAT IS A SUBDIVISION OF 19.290 ACRES, BEING 16.024 ACRES OUT OF 52.309 ACRE TRACT OF LAND, BEING PARCEL M40000200270000200, AS CONVEYED TO ARNOLD DEVELOPMENT COMPANY BY THE DEED RECORDED IN DEED BOOK 2560 PAGE 853 OF THE DEED RECORDS OF GREENE COUNTY, OHIO AND BEING 3.266 ACRES OUT OF 36.322 ACRE TRACT OF LAND, BEING PARCEL M40000200280000100, AS CONVEYED TO ARNOLD DEVELOPMENT COMPANY BY THE DEED RECORDED IN DEED BOOK 2501 PAGE 577 OF THE DEED RECORDS OF GREENE COUNTY, OHIO.

**CONSERVATION EASEMENT**

THE CONSERVATION EASEMENT FOR LOT 152 OF SUMMER BROOKE SOUTH-SECTION FIVE ARE RECORDED IN DEED 2023-\_\_\_\_\_.

**AREA SUMMARY**

59 BUILDING LOTS (126-151 & 153-172)	15.245 ACRES
1 OPEN AREA (152)	0.980 ACRES
DEDICATED STREET R/W	3.065 ACRES
<b>TOTAL</b>	<b>19.290 ACRES</b>

**GREENE COUNTY AUDITOR**

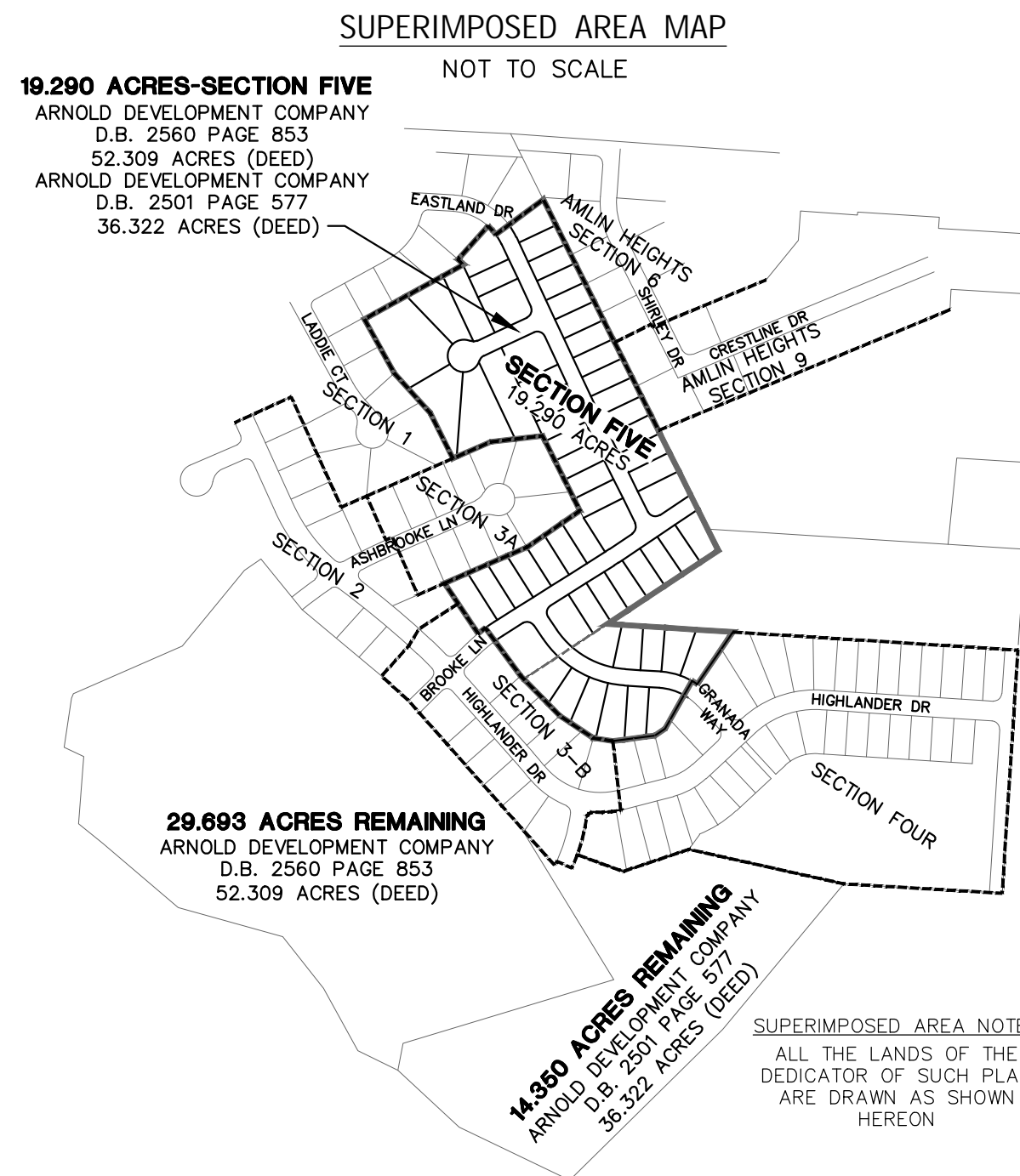
I HEREBY CERTIFY THIS SUBDIVISION WAS TRANSFERRED ON \_\_\_\_\_, 20\_\_ .APPROVED

GREENE COUNTY AUDITOR

**GREENE COUNTY RECORDER**

FILE NO. \_\_\_\_\_  
RECEIVED: \_\_\_\_\_  
RECORDED ON: \_\_\_\_\_  
TIME: \_\_\_\_\_  
PLAT CABINET VOLUME \_\_\_\_\_, PAGES \_\_\_\_\_  
FEE: \_\_\_\_\_

GREENE COUNTY RECORDER



**29.693 ACRES REMAINING**  
ARNOLD DEVELOPMENT COMPANY  
D.B. 2560 PAGE 853  
52.309 ACRES (DEED)

**14.960 ACRES REMAINING**  
ARNOLD DEVELOPMENT COMPANY  
D.B. 2501 PAGE 577  
36.322 ACRES (DEED)

**ARNOLD DEVELOPMENT COMPANY--88.631 ACRES (DEED)**  
ORIGINAL BY SURVEY 52.309 ACRES (DEED)  
ORIGINAL BY SURVEY 36.322 ACRES (DEED)

SUMMER BROOKE SECTION 3A 4.215 ACRES  
SUMMER BROOKE SECTION 3B 2.377 ACRES  
SUMMER BROOKE SECTION 4 18.706 ACRES  
THIS PLAT - SUMMER BROOKE SECTION 5 19.290 ACRES  
REMAINING NOT PLATTED (29.693 + 14.350) 44.043 ACRES  
**88.631 ACRES**

**SUPERIMPOSED AREA NOTE:**  
ALL THE LANDS OF THE DEDICATOR OF SUCH PLAT ARE DRAWN AS SHOWN HEREON

**CERTIFICATION**

I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT IS A TRUE, COMPLETE SURVEY MADE UNDER MY SUPERVISION, AND THAT ALL MONUMENTS WILL BE SET AT ALL LOT CORNERS AFTER CONSTRUCTION OF STREETS AND UTILITIES. THIS SUBDIVISION WAS PREPARED IN ACCORDANCE WITH THE OHIO ADMINISTRATIVE CODE CHAPTER 4733.37 AND CONFORMS TO OHIO REVISED CODE CHAPTER 711 FOR PLATS.

ALLEN J. BERTKE, P.S. #8629 \_\_\_\_\_ DATE \_\_\_\_\_

PREPARED BY:

**Choice One Engineering**

Summit, Ohio 937.497.0200  
Cleveland, Ohio 513.239.8554  
www.CHOICEONEENGINEERING.com

DATE: 03-29-2023

DRAWN BY: MPL

JOB NUMBER: GREXEN2202

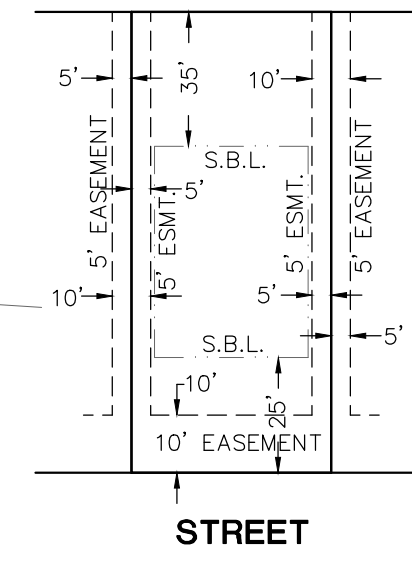
SHEET NUMBER: 1 OF 3

# RECORD PLAN SUMMER BROOKE SOUTH- SECTION FIVE

MILITARY SURVEY No. 548  
CITY OF XENIA, GREENE COUNTY, OHIO  
PART OF A 52.309 ACRE TRACT-ARNOLD DEVELOPMENT COMPANY  
PART OF A 36.322 ACRE TRACT-ARNOLD DEVELOPMENT COMPANY  
CONTAINING 19.290 ACRES  
MARCH 2023

JEFFERY J. AND  
KRISTEN A. EYRICH  
12.990 AC.  
DEED 2017019136  
SURVEY VOLUME 44, PG. 89

TYPICAL LOT DETAIL  
NOT TO SCALE



### EASEMENTS

EASEMENTS ARE AS SHOWN (TYPICAL LOT DETAIL) UNLESS OTHERWISE NOTED ON PLAT.

ALL EASEMENTS SHOWN ON THE INTERIOR LOTS SHALL BE RESERVED FOR THE PUBLIC USE.

THE OPEN AREAS ARE DESIGNATED AS DRAINAGE EASEMENTS FOR THE CONSTRUCTION OF STORM WATER RETENTION & DETENTION BASINS, STORM SEWERS, DRAINAGE WAYS AND OUTDOOR ACTIVITY AREAS.

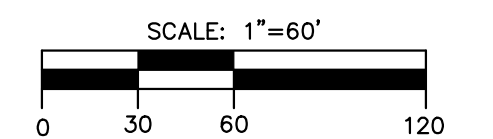
### SETBACKS

FRONT YARD - 25'  
REAR YARD - 35'  
SIDE YARD - 6' MIN

### LEGEND

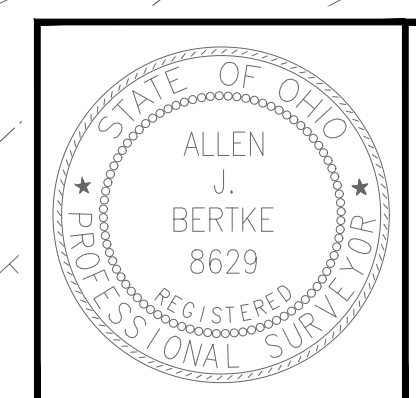
- I.P.S. 5/8" X 30" REBAR W/CAP SET
- I.P.F. IRON PIN FOUND
- M.N.S. MAG NAIL SET
- M.N.F. MAG NAIL FOUND
- ⊗ RAILROAD SPIKE FOUND
- SUBDIVISION BOUNDARY
- - - EASEMENT LINE
- SETBACK LINE
- (XX) PRELIM. PLAT NO.

THE BEARINGS ARE BASED ON NAD 83, OHIO SOUTH ZONE, ODOT VRS CORRS NETWORK



ZACHARY S. AND  
CRIS J. KIDWELL  
7.600 AC.  
DEED 2020021848  
SURVEY VOLUME 15, PG. 33

OHIO STATE PLANE-SOUTH  
N: 625685.521  
E: 1572664.395



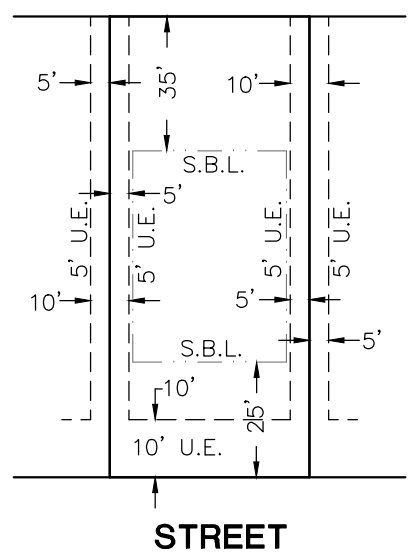
PREPARED BY:  
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COLUMBIANA, OHIO 513.239.8554  
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DATE: 03-29-2023  
DRAWN BY: MPL  
JOB NUMBER: GREXEN2202  
SHEET NUMBER: 3 OF 3

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TYPICAL LOT DETAIL  
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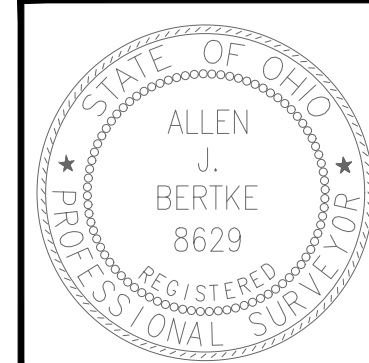
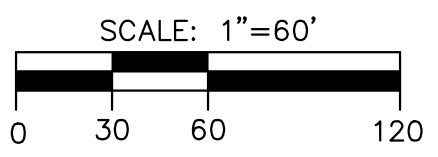
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JOB NUMBER: GREXEN2202  
SHEET NUMBER: 2 OF 3