

**CITY OF XENIA, OHIO
RESOLUTION 2023 – 024**

**APPROVING THE FINAL PLAT AND AUTHORIZING THE EXECUTION OF A
SUBDIVIDER’S AGREEMENT WITH ROBINWOOD DEVELOPMENT, LLC, FOR THE
WRIGHT CYCLE ESTATES SUBDIVISION, SECTION FOURTEEN**

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 the Wright Cycle Estates Subdivision, Section Fourteen, submitted by Wright Cycle Estates Holdings, LLC, in Case PZC2023-02;

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 Wright Cycle Estates Subdivision, Section Fourteen, consisting of 10.8546 acres, more or less, and including thirty-three (33) single-family home lots and one (1) open space lot, as submitted by Wright Cycle Estates Holdings, LLC, in Case PZC2023-02, 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.

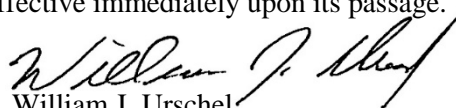
Section 3. The President of City Council, on behalf of Council, the City Clerk, the Chair of the Planning and Zoning Commission, and the City Planner are hereby authorized to endorse the Final Plat and any other documentation necessary to record this subdivision approval with the Greene County Recorder.

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

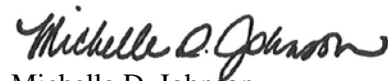
Section 5. It is hereby found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance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

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

Passed: April 13, 2023


William J. Urschel
President, Xenia City Council

Attest:


Michelle D. Johnson
City Clerk

DEDICATION AND EASEMENTS

WE THE UNDERSIGNED, BEING ALL THE OWNERS AND LIENHOLDERS OF THE LAND HEREIN PLATTED DO HEREBY ACKNOWLEDGE THE MAKING AND SIGNING OF THE SAME TO BE OUR VOLUNTARY ACT AND DEED, AND DO HEREBY DEDICATE THE 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 THEIR APPURTENANCES 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 MAINTAINED AS SUCH FOREVER.

WE ALSO DEDICATE TO THE CITY OF XENIA, GREENE COUNTY, OHIO THE SANITARY SEWER MAINS, STORM SEWERS AND WATER MAINS UPON COMPLETION OF CONSTRUCTION OF SAID ITEMS; AND TO DEDICATE LANDS SHOWN ON THE PLAT FOR THE PURPOSE OF SANITARY SEWER MAINS AND WATER MAINS TO THE PUBLIC USE FOREVER.

OWNER:
WRIGHT CYCLE ESTATES HOLDINGS I LLC

BY: BERNARD NIEDERMAN
ITS: OWNER

STATE OF OHIO, COUNTY OF GREENE, SS:

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2023. BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME WRIGHT CYCLE ESTATES HOLDINGS I, LLC, BY BERNARD NIEDERMAN, ITS OWNER, WHO DID ACKNOWLEDGE THAT HE DID SIGN THIS PLAT BY HIS FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC

MY COMMISSION EXPIRES
ON DATE ABOVE

OWNER:
WRIGHT CYCLE ESTATES HOLDINGS III LLC

BY: BERNARD NIEDERMAN
ITS: OWNER

STATE OF OHIO, COUNTY OF GREENE, SS:

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2023. BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME WRIGHT CYCLE ESTATES HOLDINGS III, LLC, BY BERNARD NIEDERMAN, ITS OWNER, WHO DID ACKNOWLEDGE THAT HE DID SIGN THIS PLAT BY HIS FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC

MY COMMISSION EXPIRES
ON DATE ABOVE

MORTGAGEE:
RED FOX CAPITAL MORTGAGE FUND, LP

BY: RICK ABRAMS
ITS: MANAGING PARTNER

STATE OF OHIO, COUNTY OF GREENE, SS:

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2023. BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME RED FOX CAPITAL MORTGAGE FUND, LP, BY RICK ABRAMS, ITS MANAGING PARTNER, WHO DID ACKNOWLEDGE THAT HE DID SIGN THIS PLAT BY HIS FREE AND VOLUNTARY ACT AND DEED.

NOTARY PUBLIC

MY COMMISSION EXPIRES
ON DATE ABOVE

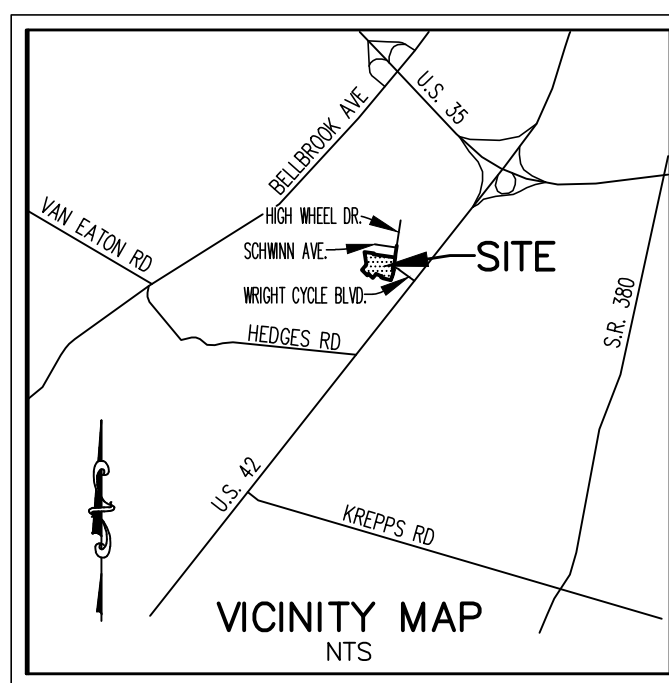
RECORD PLAN
WRIGHT CYCLE ESTATES
SECTION 14

MILITARY SURVEYS #2263 & #2264
CITY OF XENIA, GREENE COUNTY, OHIO
CONTAINING: 10.8615 ACRES
FEBRUARY, 2023

PREPARED BY:



VANATTAENGINEERINGINC
570 Congress Park Dr • Dayton, OH 45459
Phone: 937.438.5650
Fax: 937.438.5645



AREA SUMMARY:

33 LOTS = 8.6636 ACRES
COMMON AREA "A" = 0.1025 ACRES
RIGHT-OF-WAY = 2.0885 ACRES
TOTAL = 10.8546 ACRES

LINEAR FEET OF ROADS:

WRIGHT CYCLE BLVD. = 530 L.F.
TANDEM DRIVE = 663 L.F.
UNNAMED DRIVE = 343 L.F.
TOTAL = 1,536 L.F.

DESCRIPTION:

THE WITHIN PLAT IS A SUBDIVISION OF 10.8615 ACRES BEING 1.3039 ACRES OF LOT 133 AS RECORDED IN WRIGHT CYCLE ESTATES SECTION SEVEN RECORDED BY P.C. 35, PGS. 233B-234B AND AS CONVEYED TO WRIGHT CYCLE HOLDINGS I, LLC BY I.R. 2021029799 AND 8.5897 OUT OF A 186.6118 ACRE TRACT AS CONVEYED TO WRIGHT CYCLE ESTATES HOLDINGS III LLC BY THE DEED RECORDED IN I.R. 2022005080 OF THE DEED RECORDS OF GREENE COUNTY, OHIO.

OWNER'S STATEMENT

DATE: _____
STATE OF _____

BERNARD NIEDERMAN, BEING DULY SWORN, SAYS THAT ALL PERSONS OR CORPORATIONS OR PARTNERSHIPS TO THE BEST OF HIS KNOWLEDGE, INTERESTED IN THIS DEDICATION, EITHER AS OWNERS OR LIENHOLDERS, HAVE UNITED IN IT'S EXECUTION.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND NOTARY SEAL ON THE DAY AND DATE WRITTEN ABOVE.

NOTARY PUBLIC

MY COMMISSION EXPIRES
ON DATE ABOVE

APPROVALS:

ACCEPTANCE AND APPROVAL:

APPROVAL IS MADE BY THE CITY PLANNER OF THE CITY OF XENIA, OHIO

BRIAN R. FORSCHNER DATE
CITY PLANNER

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF XENIA, OHIO THIS _____ DAY OF _____, 2023

WESLEY SMITH
CHAIRPERSON OF THE XENIA PLANNING & ZONING COMMISSION

MICHELLE JOHNSON
CLERK OF THE XENIA PLANNING & ZONING COMMISSION

THIS PLAT WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF XENIA, OHIO THIS _____ DAY OF _____, 2023

WILLIAM URSCHEL, PRESIDENT OF COUNCIL

MICHELLE JOHNSON,
CLERK OF THE XENIA PLANNING & ZONING COMMISSION

TRANSFERRED ON THIS _____ DAY OF _____ 2023.

GREENE COUNTY AUDITOR

FILE NO: _____

FEE: _____ PLAT CABINET VOLUME _____ PG. _____

RECEIVED FOR RECORD THIS _____ DAY OF _____ 2023.

AT _____ RECORDED THIS _____ DAY OF _____ 2023

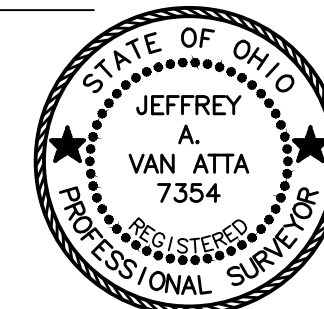
GREENE COUNTY RECORDER DATE

CERTIFICATION:

I HEREBY CERTIFY THAT THIS SUBDIVISION WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733.37 STANDARDS FOR SURVEYS AND ALSO CONFORMS TO THE OHIO REVISED CODE CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION, BASED ON FIELDWORK IN APRIL 20, 2022. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC. IRON PINS TO BE SET AT ALL LOT CORNERS.
VAN ATTA ENGINEERING, INC.

JEFFREY A. VAN ATTA
OHIO REGISTERED SURVEYOR NO. 7354

DATE



RECORD PLAN WRIGHT CYCLE ESTATES SECTION 14

MILITARY SURVEYS #2263 & #2264
CITY OF XENIA
GREENE COUNTY, OHIO
CONTAINING: 10.8615 ACRES
FEBRUARY, 2023

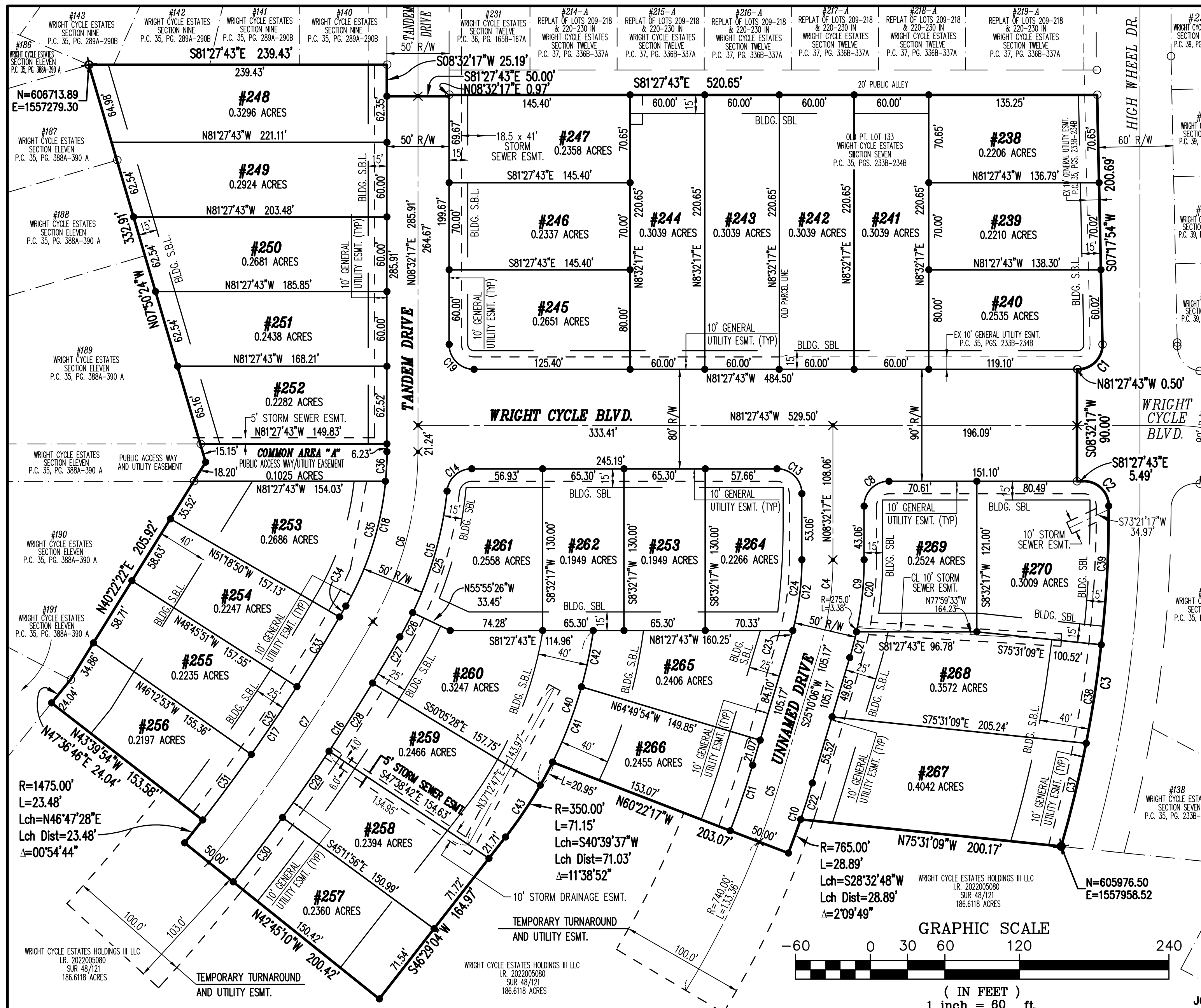
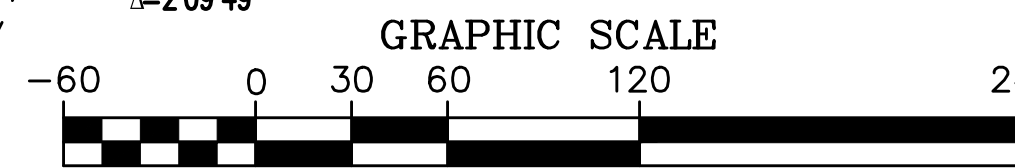
BASIS OF BEARINGS:
BEARINGS ARE BASED ON THE NAD
83 OHIO STATE PLANE COORDINATE
SYSTEM, GRID SOUTH ZONE 3402,
GEOID 2012A.

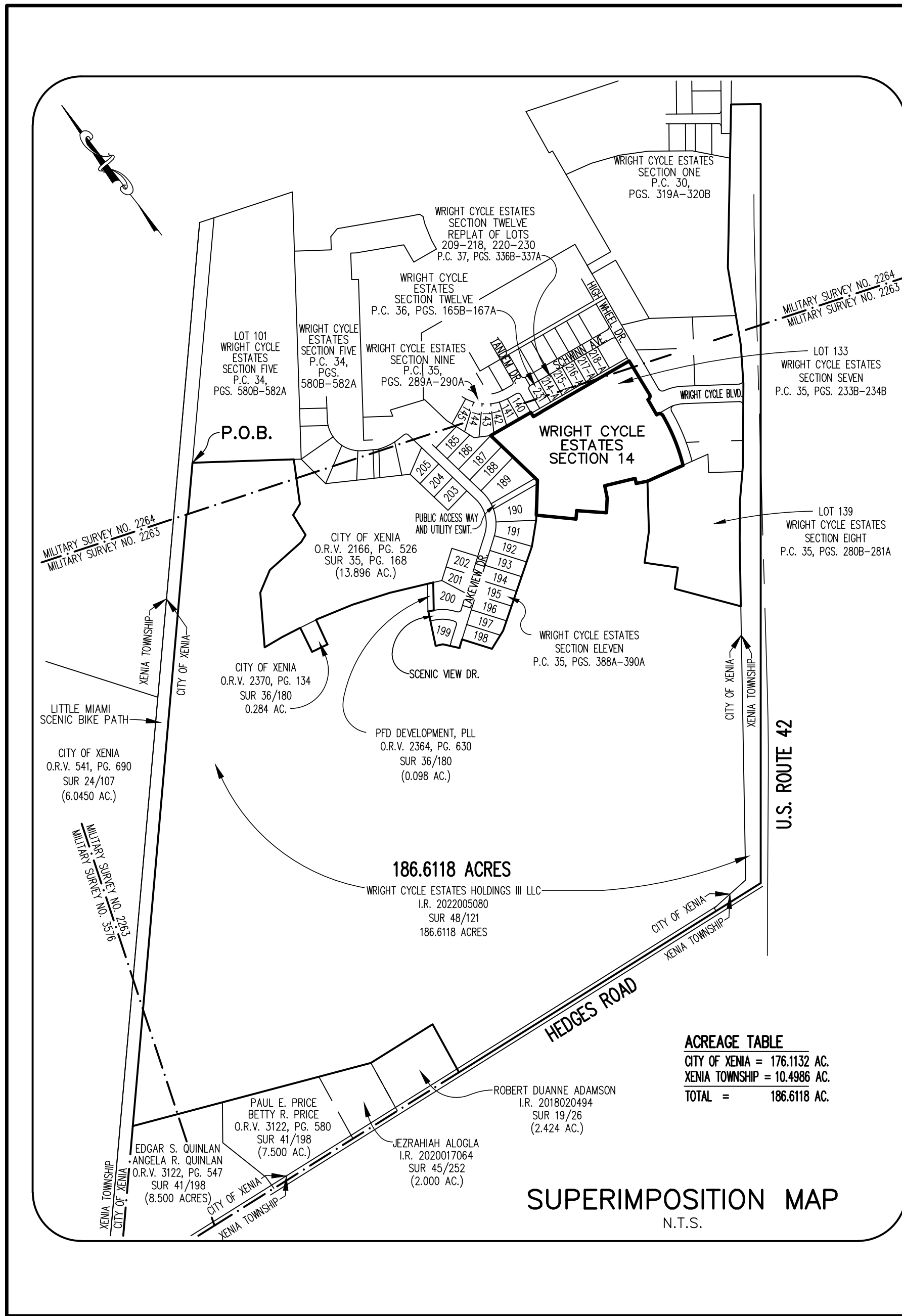
- C1 R=20.00'
L=31.41'
Lch=S53°32'17"W
Lch Dist=28.28'
Δ=89°58'58"
- C2 R=20.00'
L=31.34'
Lch=S36°34'13"E
Lch Dist=28.23'
Δ=89°46'49"
- C3 R=971.20'
L=277.20'
Lch=S16°29'52"W
Lch Dist=276.26'
Δ=16°21'12"

SURVEY SYMBOLS LEGEND:

- ⊕ EX CROSS NOTCH FOUND
- ⊙ EX 5/8" IRON PIN FOUND
- EX 1" IRON PIPE FOUND
- EX CONCRETE MONUMENT FOUND
- × EX PK NAIL FOUND
- △ EX RAILROAD SPIKE FOUND
- IRON PIN SET (5/8" DIA, 30" LONG)
- ⊙ MONUMENT TO BE SET (1" DIA IRON PIN MONUMENT)
- × PK NAIL SET
- ⊕ CROSS NOTCH SET
- ▲ RAILROAD SPIKE SET

ALL MONUMENTS TO BE SET AT COMPLETION OF CONSTRUCTION





ACREAGE TABLE

CITY OF XENIA =	176.1132 AC.
XENIA TOWNSHIP =	10.4986 AC.
TOTAL =	186.6118 AC.

SUPERIMPOSITION MAP
N.T.S.

CURVE TABLE					
Curve	Radius	Delta	Length	Chd Direction	Chd Length
C4	250.00'	16°37'49"	72.56'	S16°51'12"W	72.31'
C5	740.00'	04°27'37"	57.61'	S27°23'54"W	57.59'
C6	275.00'	29°45'15"	142.81'	S23°24'55"W	141.21'
C7	1500.00'	08°57'18"	234.44'	S42°46'11"W	234.20'
C8	20.00'	90°00'00"	31.42'	S53°32'17"W	28.28'
C9	275.00'	16°37'49"	79.82'	S16°51'12"W	79.54'
C10	765.00'	04°27'37"	59.55'	N27°23'54"E	59.54'
C11	715.00'	04°27'37"	55.66'	N27°23'54"E	55.65'
C12	225.00'	16°37'49"	65.31'	N16°51'12"E	65.08'
C13	20.00'	90°00'00"	31.42'	N36°27'43"W	28.28'
C14	20.00'	83°56'40"	29.30'	S56°33'58"W	26.75'
C15	300.00'	23°41'54"	124.08'	S26°26'35"W	123.20'
C16	1525.00'	08°57'18"	238.35'	S42°46'11"W	238.10'
C17	1475.00'	08°57'18"	230.53'	N42°46'11"E	230.30'
C18	250.00'	29°45'15"	129.83'	N23°24'55"E	128.37'
C19	20.00'	90°00'00"	31.42'	S36°27'43"E	28.28'
C20	275.00'	12°09'43"	58.37'	N14°37'09"E	58.26'
C21	275.00'	04°28'06"	21.45'	N22°56'03"E	21.44'
C22	765.00'	02°17'48"	30.66'	N26°19'00"E	30.66'
C23	225.00'	01°58'23"	7.75'	S24°10'55"W	7.75'
C24	225.00'	14°39'26"	57.56'	S15°52'00"W	57.40'
C25	300.00'	19°28'57"	102.01'	N24°20'06"E	101.52'
C26	300.00'	04°12'58"	22.07'	N36°11'03"E	22.07'
C27	1525.00'	01°37'00"	43.03'	N39°06'02"E	43.03'
C28	1525.00'	02°26'46"	65.11'	N41°07'55"E	65.10'
C29	1525.00'	02°26'46"	65.11'	N43°34'41"E	65.10'
C30	1525.00'	02°26'46"	65.11'	N46°01'27"E	65.10'
C31	1475.00'	02°32'59"	65.64'	S45°03'37"W	65.63'
C32	1475.00'	02°32'59"	65.64'	S42°30'38"W	65.63'
C33	1475.00'	02°32'59"	65.64'	S39°57'40"W	65.63'
C34	1475.00'	00°23'38"	10.14'	S38°29'21"W	10.14'
C35	250.00'	24°17'57"	106.02'	S26°08'34"W	105.23'
C36	250.00'	05°27'18"	23.80'	S11°15'56"W	23.79'
C37	971.20'	05°02'08"	85.35'	S22°09'24"W	85.33'
C38	971.20'	04°43'40"	80.14'	S17°16'31"W	80.12'
C39	971.20'	06°35'25"	111.71'	S11°36'58"W	111.65'
C40	350.00'	21°38'14"	132.17'	S27°26'50"W	131.39'
C41	350.00'	10°38'58"	65.05'	N29°30'42"E	64.96'
C42	350.00'	07°33'30"	46.17'	N20°24'29"E	46.14'
C43	350.00'	08°13'06"	50.20'	S42°22'30"W	50.16'

RECORD PLAN WRIGHT CYCLE ESTATES SECTION 14

MILITARY SURVEYS #2263 & #2264
CITY OF XENIA
GREENE COUNTY, OHIO
CONTAINING: 10.8615 ACRES
FEBRUARY, 2023



NOTES:
THERE SHALL BE NO LANDSCAPING IN STORM SEWER EASEMENTS.
THERE SHALL BE NO OTHER UTILITIES IN STORM SEWER EASEMENTS, UNLESS CROSSING AS CLOSE TO PERPENDICULAR AS POSSIBLE.

SURVEY REFERENCES:
O.R.V. 1858, PG. 672
I.R. 2022005080
P.C. 35, PG. 233B-234B
P.C. 35, PG. 289A-290B
P.C. 35, PG. 388A-390 A
P.C. 37, PG. 336B-337A
SUR 48/121
TAX MAP

BASIS OF BEARINGS:
BEARINGS ARE BASED ON THE NAD 83 OHIO STATE PLANE COORDINATE SYSTEM, GRID NORTH ZONE 3401, GEOID 2012A

OCCUPATION STATEMENT
LINES OF OCCUPATION AGREE GENERALLY WITH THE BOUNDARY AS SHOWN.

***** EASEMENT NOTE:**
TURNAROUND EASEMENTS WILL BE EXTINGUISHED AS STATED IN THE "DEDICATION AND EASEMENT" STATEMENT.

***** EASEMENT NOTE:**
TEMP. INGRESS/EGRESS EASEMENTS WILL BE EXTINGUISHED AS STATED IN THE "DEDICATION AND EASEMENT" STATEMENT.

PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTION:
THIS PLAT SHALL BE SUBJECT TO ALL COVENANTS AND RESTRICTIONS OF WRIGHT CYCLE ESTATES, SECTION SEVEN AS RECORDED IN PLAT CABINET 35, PAGES 233B-234B IN THE PLAT RECORDS OF GREENE COUNTY, OHIO.