

# NEW ALBANY COUNTRY CLUB SECTION 22 EALY CROSSING

Situated in the State of Ohio, County of Franklin, Village of New Albany, and in Quarter Township 3, Township 2, Range 16, United States Military Lands, containing 17.948 acres of land, more or less, said 17.948 acres being that tract of land conveyed to THE NEW ALBANY COMPANY LLC by deed of record in Instrument Number 200201180017374 and that tract of land conveyed to EALY CROSSING, LLC by deed of record in Instrument Number 200512150264553, Recorder's Office, Franklin County, Ohio.

The undersigned, THE NEW ALBANY COMPANY LLC, a Delaware limited liability company by BRENT B. BRADBURY, Chief Financial Officer, and EALY CROSSING, LLC, an Ohio limited liability company, by DUFFY HOMES, INC., an Ohio corporation, Sole Member, by VINCENT J. KOLLAR, President, owners of the lands platted herein, duly authorized in the premises, do hereby certify that this plat correctly represents their "NEW ALBANY COUNTRY CLUB SECTION 22 EALY CROSSING", a subdivision containing Lots 1 to 35, both inclusive, and an area designated as "Reserve 'A'", do hereby accept this plat of same and dedicate to public use, as such, all of Ealy Crossing North, Ealy Crossing South and Hays Town shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement", "Drainage Easement", or "Sidewalk Easement". Each of the aforementioned designated easements and reserves permit the construction, operation and maintenance of 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 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. Within those areas designated "Sidewalk Easement" on this plat, an additional easement is hereby reserved for the construction and maintenance of a sidewalk for use by the public.

In Witness Whereof, BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY LLC, has hereunto set his hand this 28<sup>th</sup> day of August, 2006.

Signed and acknowledged  
In the presence of:

THE NEW ALBANY COMPANY, LLC

*[Signature]*  
Lisa G. Pingard  
*[Signature]*  
Thomas H. Roney

By *[Signature]*  
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, an Ohio limited liability company, who acknowledged the signing of the foregoing instrument to be his free and voluntary act and deed and the free and voluntary act and deed of THE NEW ALBANY COMPANY, LLC, for the uses and purposes expressed therein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 28<sup>th</sup> day of August, 2006.  
My commission expires 9-26-2006  
*[Signature]*  
Notary Public, State of Ohio

In Witness Whereof, VINCENT J. KOLLAR, President of DUFFY HOMES, INC., the Sole Member of EALY CROSSING, LLC, has hereunto set his hand this 22 day of AUGUST, 2006.

Signed and acknowledged  
In the presence of:

EALY CROSSING, LLC  
By: DUFFY HOMES, INC.  
Sole Member

*[Signature]*  
By *[Signature]*  
VINCENT J. KOLLAR, President

STATE OF OHIO  
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared VINCENT J. KOLLAR, President of DUFFY HOMES, INC., an Ohio corporation, the Sole Member of EALY CROSSING, LLC, an Ohio limited liability company, who acknowledged the signing of the foregoing instrument to be his free and voluntary act and deed and the free and voluntary act and deed of the Corporation and the Company, for the uses and purposes expressed therein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 22 day of August, 2006.

My commission expires May 13, 2008

*[Signature]*  
Kim Millington, Notary Public  
Notary Public, State of Ohio  
Kim Millington, Notary Public



KIM MILLINGTON  
Notary Public, State of Ohio  
My Commission Expires 05-18-08

Approved this 29 day of Sept, 2006

*[Signature]*  
Mayor, New Albany, Ohio

Approved this 26 day of Sept, 2006

*[Signature]*  
Municipal Engineer, New Albany, Ohio

Approved this 2 day of OCT, 2006

*[Signature]*  
Council Representative to Planning Commission, New Albany, Ohio

Approved this 27 day of Sept, 2006

*[Signature]*  
Chairperson, Planning Commission, New Albany, Ohio

Approved this 26 day of Sept, 2006

*[Signature]*  
Finance Director, New Albany, Ohio

5 Approved and accepted by Resolution No. R-71-2005, passed 10-18, 2006, wherein all of Ealy Crossing North, Ealy Crossing South and Hays Town shown dedicated hereon are accepted, as such, by the Council for the Village of New Albany, Ohio. Approval of this plat shall become null and void unless recorded prior to 10-18, 2006.

Transferred this 24<sup>th</sup> day of Oct, 2006

*[Signature]*  
Auditor, Franklin County, Ohio

Filed for record this 24<sup>th</sup> day of October, 2006 at 3:06 P. M.  
Fee \$ 259.20

*[Signature]*  
Deputy Auditor, Franklin County, Ohio

*[Signature]*  
Recorder, Franklin County, Ohio

File No. 200610240213498

Recorded this 24<sup>th</sup> day of Oct, 2006

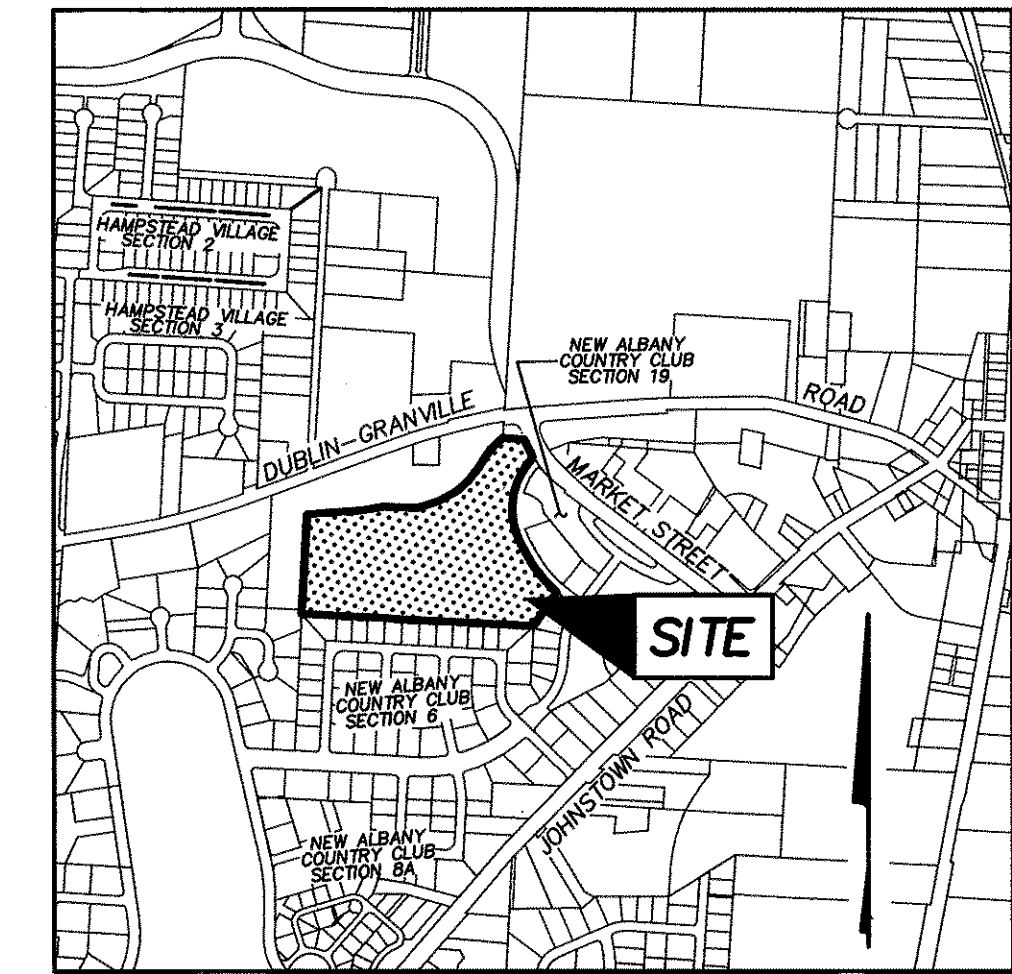
*[Signature]*  
Deputy Recorder, Franklin County, Ohio

Plat Book 110, Pages 23-25

TRANSFERRED

OCT 24 2006

JOSEPH W. TESTA  
AUDITOR  
FRANKLIN COUNTY, OHIO



LOCATION MAP AND BACKGROUND DRAWING

SCALE: 1" = 1000'

### SURVEY DATA:

**BASIS OF BEARINGS:** The bearings shown hereon are based on the same meridian as the bearings shown on the subdivision plat entitled "The New Albany Country Club Section 6", of record in Plat Book 76, Pages 54 and 55, Recorder's Office, Franklin County, Ohio. On said plat of record a portion of the centerline of Alpath Road has a bearing of South 86°58'22" East.

**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, unless otherwise noted, are to be set and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

**PERMANENT MARKERS:** Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins. 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 EMHT INC. Once installed, the top of the cap shall be marked (punched) 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 Village of New Albany, Ohio's acceptance of these subdivision improvements. The New Albany, Ohio, Municipal Engineer shall be notified when the markers are in place.

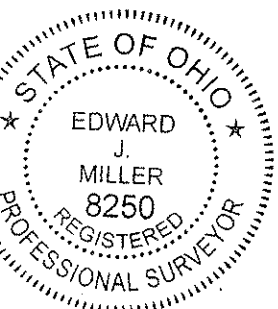
SURVEYED & PLATTED  
BY



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.

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

By *[Signature]* Professional Surveyor No. 8250  
Date 6/6/06



# NEW ALBANY COUNTRY CLUB SECTION 22 EALY CROSSING

**NOTE "A":** No determination has been made by the Village of New Albany, Ohio as to whether the area proposed to be platted contains areas that could be classified as wetlands by the Army Corps of Engineers. It is the developer's responsibility to determine whether wetlands exist on the area hereby platted. The Village of New Albany, Ohio approval of this plat of New Albany Country Club Section 22 Ealy Crossing does not imply any approval of the site as it may pertain to wetlands.

**NOTE "F":** At the time of platting, all of the area of land being platted as New Albany Country Club Section 22 Ealy Crossing is in Zone X (areas determined to be outside 500-year floodplain), as designated and delineated on the FEMA Flood insurance rate map for Franklin County, Ohio, and incorporated areas map number 39049C0180G with effective date of August 2, 1995.

**NOTE "C" - DEPRESSED DRIVEWAYS:** Depressed driveways are hereby prohibited on all lots in The New Albany Country Club Section 22 Ealy Crossing. Nothing herein, however, shall prohibit the construction and use of, if otherwise permitted, a driveway alongside or to the rear of a residential structure.

**NOTE "D" - RESERVE "A":** Reserve "A", as designated and delineated hereon, shall be owned by the Village of New Albany, Ohio, and maintained by the New Albany Country Club Association. Said association shall maintain said reserve after the date of recordation of this plat of the New Albany Country Club Section 22 in the plat records of the Franklin County, Ohio, Recorder and shall maintain said reserve area at its cost and its risk and shall hold the Village of New Albany, Ohio, harmless for actions resulting from said maintenance.

**NOTE "E" - PRIVATE UTILITY EASEMENT:** Private utility Easement as designated and delineated hereon, contains a storm water retention basin and retaining walls which shall be maintained by The Ealy Crossing Home Owner's Association. In the event said association fails to maintain said basin, the Village of New Albany, Ohio has the right to enter said Private Utility Easement to maintain said basin, and has the right to assess said association for the cost of the maintenance.

**NOTE "F" - LEISURE TRAIL EASEMENT:** Within Reserve "A" shown designated "Leisure Trail Easement", a nonexclusive easement is hereby reserved for constructing/installing and maintaining a paved bicycle and pedestrian path for use by the public. Said easement to be centered on the bicycle and pedestrian path as installed. Centerline of said easement to be recorded upon completion of construction of said bicycle and pedestrian path.

**NOTE "G" - WOODLAND GARDEN / PRESERVATION ZONE:** Within those areas designated "Woodland Garden / Preservation Zone" on this plat (hereinafter Easement Premises), New Albany Company, LLC, and Ealy Crossing, LLC, (together the grantors) hereby grant unto the Village of New Albany, Ohio, the perpetual right and easement to hold and protect, for open space and conservation purposes, as permanent woodland and open green space for the protection of unspoiled natural beauty in, over and upon the Easement Premises, subject, however, to all easements of previous record and subject to the conditions hereinafter set forth (The Easement).

- The Easement herein granted shall run with the land in perpetuity so that Easement Premises shall forever be restricted from development with commercial or residential buildings, structures, and uses, and it is the intent and purpose of both parties to this Easement to restrict and forbid any activity or use which would, as a natural consequence of such, impede or make more difficult the accomplishment of the purpose for which the Easement is granted as outlined herein.
- No dumping or burning of refuse shall be permitted on the Easement Premises.
- No hunting or trapping shall be permitted on the Easement Premises.
- The Easement Premises shall be maintained in a natural state, but additional plantings shall be permitted, and shall remain free from all utilities, with the exception of the extension of storm and sanitary lines shown hereon. Additionally, the grantors and/or the homeowners' association (or their designees) may enter the Easement Premises to perform general clean-up. Dead or diseased trees may be removed in keeping with good forestry management practices.
- No roadway, nor any facility of any public utility other than existing roadways and public utility facilities shall be permitted to be constructed or installed on the Easement Premises, and no existing roadway or public utility facility shall be enlarged or extended on the Easement Premises.
- Grantors accept no liability for accidents or damages resulting from such public use of the Easement Premises as may result from the Village's ownership of Reserve "A".
- This Easement, however, is not intended to interfere with or detract from the use of the Easement Premises by the Grantors and their successors and assigns for all purposes, present and future, not inconsistent with this grant, including such forest management practices envisaged by and consistent with the provisions of Ohio Revised Code Section 5713.22 et seq.

Special permanent markers shall be placed on each lot line marking the edge of the "Woodland Garden/Preservation Zone". A temporary construction fence will be installed by the individual homebuilder 20 feet from the rear foundation wall of his house during construction and will be removed after all construction activity has been completed on the lot. The owner or owners of the fee simple titles to each lot that has within it a portion of said "Woodland Garden/Preservation Zone" shall care for and maintain said portion of the "Woodland Garden/Preservation Zone" that falls within the limits of their lot.

**NOTE "H" - LOT 13:** On Lot 13, No building shall be constructed which has an opening, unprotected from flooding, in its foundation wall, the lowest point of which opening is lower than the flood protection elevation for that lot given in the following table.

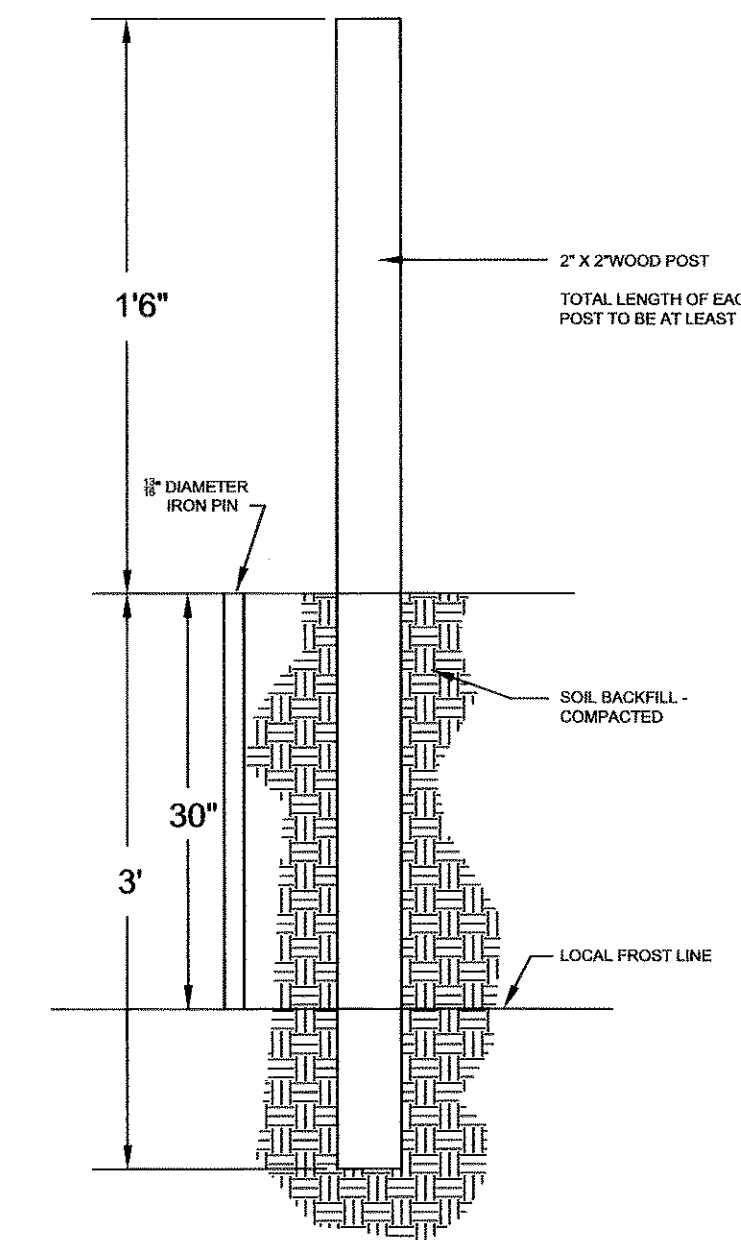
Lot No.	Flood Protection Elevation (NGVD 1929)
13	992.0

The foregoing flood elevations is approximately 2.0 feet above the 100-year flood elevation as calculated by an EMH&T flood study performed on October 24, 2005.

**NOTE "I" - FENCES:** The owners of Lots 1 through 32 shall be permitted to construct or cause to be constructed wooden or metal fences on the portion of such lots within the utility easements or setback areas adjacent to the public rights-of-way abutting the owners lot. The owners of Lots 33 through 35 shall be permitted to construct or cause to be constructed metal fences on the portion of such lots within the rights-of-way of Keswick Drive abutting such lots. Such fences shall conform to a design and be located only at such locations as may be approved by The Village of New Albany and the Design Review Committee of the New Albany Country Club Association, Inc. The Village of New Albany or their designee shall have the right to remove such fences as necessary to perform any maintenance, repair or replacement of utilities or roadway within such rights-of-way. The Village of New Albany or their designee shall have no liability to the owners of such lots for such removal. If The Village of New Albany or their designee, so removes any such fences, the homeowner's association of Ealy Crossing shall, promptly after completion of work by the Village of New Albany or their designee, replace such fences.

**NOTE "J":** 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 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 New Albany Country Club Section 22 Ealy Crossing 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.

● = WOODLAND GARDEN/PRESERVATION ZONE DEMARCATION POST



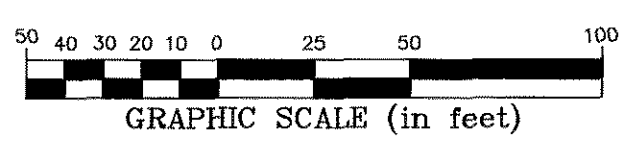
WOODLAND GARDEN/PRESERVATION ZONE DEMARCATION POST DETAIL  
N.T.S.

# NEW ALBANY COUNTRY CLUB SECTION 22 EALY CROSSING

THE VILLAGE OF NEW ALBANY  
I.N. 199911050278774

THE VILLAGE OF NEW ALBANY  
I.N. 200311200372935

\*\* The information used to show the 100-year  
floodplain limit line was taken from a flood study  
performed by EM&T, Inc. dated October 24, 2003.



Legend

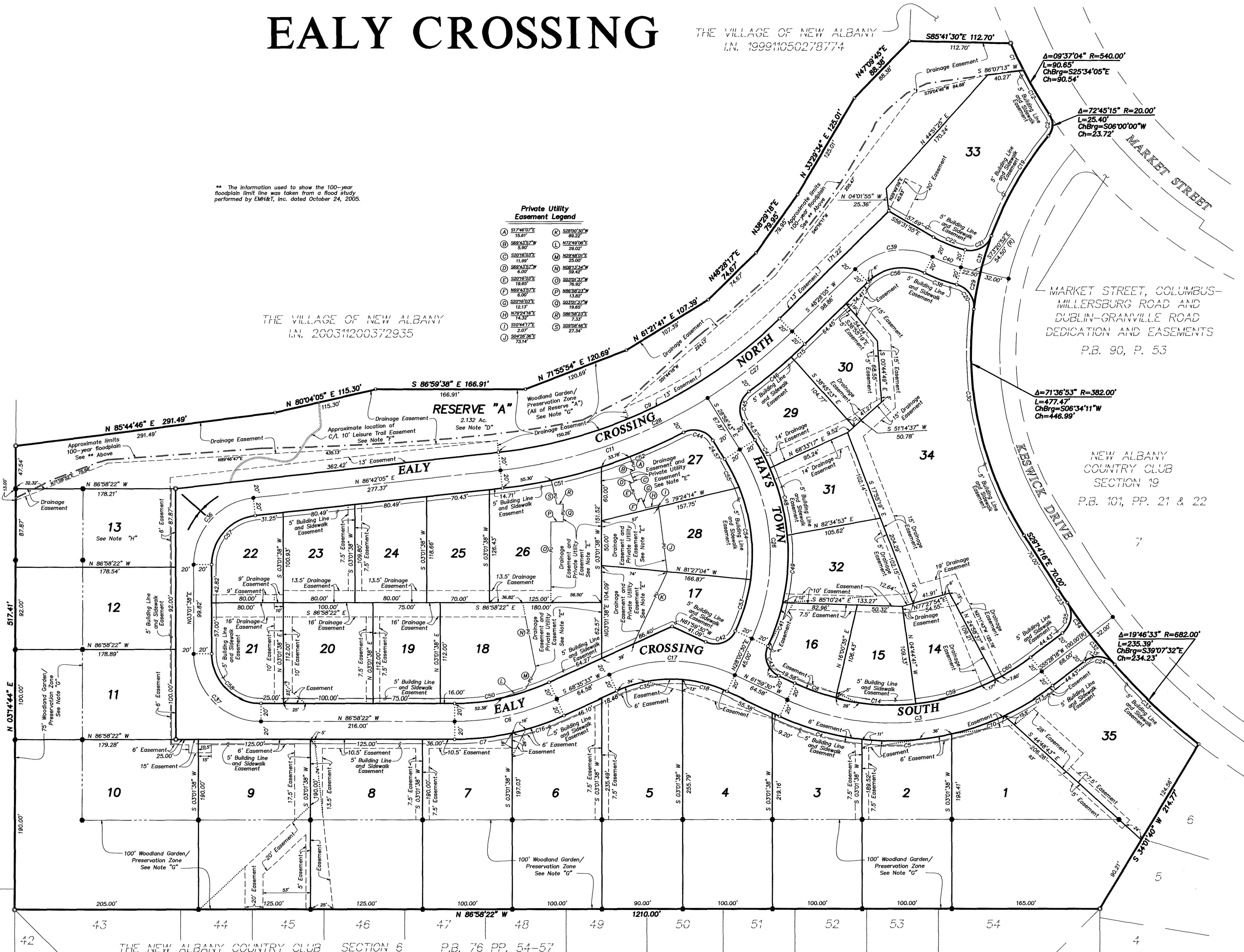
PU Easement = Private Utility Easement

### Private Utility Easement Legend

- A 31746°07' W 15.61'
- B 589435°27' W 5.90'
- C 52016°03' E 11.99'
- D 589435°27' W 6.00'
- E 52016°03' E 18.45'
- F 589435°27' W 12.11'
- G 52016°03' E 14.32'
- H 52016°03' E 7.33'
- I 52016°03' E 27.34'
- J 52016°03' E 73.14'
- K 52810°30' W 82.22'
- L 52810°30' W 23.00'
- M 52810°30' W 23.00'
- N 52810°30' W 94.43'
- O 52810°30' W 13.82'
- P 52810°30' W 13.82'
- Q 52810°30' W 7.53'
- R 52810°30' W 27.34'
- S 52810°30' W 73.14'

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD DISTANCE
C1	03°34'00"	540.00'	33.62'	S 22°32'33" E	33.61'
C2	72°45'15"	20.00'	25.40'	N 06°00'00" E	23.72'
C3	62°32'12"	275.00'	300.15'	N 86°44'24" E	285.48'
C4	18°34'23"	295.00'	95.63'	S 71°16'42" E	95.21'
C5	19°33'02"	295.00'	100.66'	N 89°39'36" E	100.17'
C6	24°28'05"	275.00'	117.28'	N 80°48'36" E	116.39'
C7	12°31'48"	295.00'	64.51'	N 86°45'44" E	64.38'
C8	10°55'45"	255.00'	48.64'	S 67°27'22" E	48.57'
C9	38°13'59"	530.00'	353.67'	N 67°35'05" E	347.14'
C10	12°03'57"	295.00'	62.12'	N 73°51'06" E	62.01'
C11	25°40'48"	550.00'	246.51'	N 73°51'41" E	244.45'
C12	06°03'04"	540.00'	57.03'	S 27°21'05" E	57.00'
C13	12°20'50"	295.00'	63.57'	N 81°38'43" E	63.45'
C14	20°08'48"	255.00'	89.66'	S 82°59'38" E	89.20'
C15	02°05'47"	570.00'	20.85'	N 49°30'59" E	20.85'
C16	11°54'17"	295.00'	61.29'	N 74°32'42" E	61.18'
C17	49°24'57"	167.11'	144.12'	N 86°41'59" W	139.70'
C18	20°10'31"	147.11'	51.80'	N 72°04'45" W	51.53'
C19	19°22'38"	382.00'	129.19'	S 32°41'19" W	128.58'
C20	83°39'08"	25.00'	36.50'	N 31°31'19" W	33.34'
C21	83°39'08"	25.00'	36.50'	N 64°49'34" E	33.34'
C22	16°48'58"	130.00'	38.15'	S 64°56'24" E	38.02'
C23	01°38'29"	682.00'	19.54'	S 80°03'30" E	19.54'
C24	86°21'03"	25.00'	37.68'	N 81°21'11" W	34.21'
C25	86°21'03"	25.00'	37.68'	N 12°17'47" E	34.21'
C26	56°59'13"	221.73'	220.54'	N 00°29'07" W	211.96'
C27	12°33'11"	550.00'	120.50'	N 54°44'11" E	120.26'
C28	38°13'59"	530.00'	367.01'	N 67°35'05" E	360.24'
C29	06°20'52"	382.00'	42.32'	S 13°28'41" W	42.30'
C30	39°32'31"	382.00'	263.63'	S 09°28'00" E	258.43'
C31	06°20'52"	382.00'	42.32'	S 19°49'34" W	42.30'
C32	03°38'57"	682.00'	43.44'	S 36°21'11" E	43.43'
C33	10°50'09"	682.00'	128.98'	S 43°35'44" E	128.79'
C34	03°38'57"	682.00'	43.44'	S 32°42'13" E	43.43'
C35	29°14'26"	147.11'	75.08'	S 83°12'46" W	74.26'
C36	83°40'26"	75.00'	109.53'	S 44°51'51" W	100.05'
C37	90°00'00"	75.00'	117.81'	S 41°58'22" E	106.07'
C38	12°54'15"	170.00'	38.29'	S 66°53'45" E	38.21'
C39	71°05'17"	75.00'	93.05'	S 84°00'44" W	87.20'
C40	12°54'15"	150.00'	33.78'	S 66°53'45" E	33.71'
C41	12°11'53"	241.73'	51.46'	N 21°54'33" E	51.37'
C42	90°00'00"	25.00'	39.27'	N 73°00'30" E	35.36'
C43	90°00'00"	25.00'	39.27'	S 16°59'30" E	35.36'
C44	85°39'45"	25.00'	37.38'	N 71°48'36" W	33.99'
C45	85°39'45"	25.00'	37.38'	S 13°51'09" W	33.99'
C46	06°07'10"	570.00'	60.88'	N 53°37'27" E	60.85'
C47	08°20'08"	241.73'	35.17'	N 24°48'39" W	35.14'
C48	18°27'24"	241.73'	77.87'	N 11°24'33" W	77.53'
C49	17°59'48"	241.73'	75.93'	N 06°48'43" E	75.62'
C50	24°26'05"	255.00'	108.75'	N 80°48'36" E	107.93'
C51	11°21'43"	570.00'	113.03'	N 81°01'13" E	112.86'
C52	09°58'51"	570.00'	99.29'	N 70°20'57" E	99.17'
C53	17°06'17"	201.73'	60.22'	N 19°27'22" E	60.00'
C54	28°52'32"	201.73'	105.19'	N 04°02'03" W	104.00'
C55	10°20'25"	201.73'	35.23'	N 23°58'31" W	35.19'
C56	71°05'17"	55.00'	68.24'	S 84°00'44" W	63.95'
C57	83°40'26"	55.00'	80.32'	S 44°51'51" W	73.37'
C58	90°00'00"	55.00'	86.39'	S 41°58'22" E	77.78'
C59	20°59'37"	255.00'	93.43'	N 76°26'11" E	92.91'
C60	10°28'05"	255.00'	46.59'	N 80°42'20" E	46.52'

MARK R. POULIN AND LISA A. POULIN  
I.N. 199912060300376



THE NEW ALBANY COUNTRY CLUB SECTION 6 P.B. 76 PP. 54-57