

# THE LINDA MILLER SUBDIVISION

**(A) DEED REFERENCE - FOR LOT 1 OF THE LINDA MILLER SUBDIVISION**

LOT 1 OF THE LINDA MILLER SUBDIVISION IS SITUATED IN SECTION 3, LEE TOWNSHIP, TOWN 10, RANGE 15, ATHENS COUNTY, OHIO AND SAID LOT 1 CONSISTS OF 2.000 ACRES OUT OF A 7.304 ACRE TRACT DESCRIBED IN VOLUME 325 PAGE 581 OF THE ATHENS COUNTY OFFICIAL RECORDS.

**DEED REFERENCES - FOR THE EASEMENT FOR THE LINDA MILLER 1 LOT SUBDIVISION**

THE EASEMENT FOR THE LINDA MILLER SUBDIVISION IS SITUATED IN SECTION 3, LEE TOWNSHIP, TOWN 10, RANGE 15, ATHENS COUNTY, OHIO AND SAID EASEMENT CONSISTS OF 0.946 ACRES OUT OF THE FIRST TRACT DESCRIBED IN VOLUME 222 PAGE 66 OF THE ATHENS COUNTY OFFICIAL RECORDS.

**(B) CERTIFICATE OF OWNERSHIP (REF. (A) ABOVE)**

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTIES DESCRIBED IN THE ABOVE CAPTIONS AND THAT ALL LEGALLY DUE TAXES HAVE BEEN PAID, AND THAT AS SUCH OWNERS, WE HAVE CAUSED THE SAID ABOVE DESCRIBED PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN AND DO ASSENT TO THE NEW EASEMENT AS PLATTED.

Linda K Miller SIGNATURE  
COUNTY Athens }  
STATE OF OHIO } SS LINDA K. MILLER

Allen G. Sheets SIGNATURE  
ALLEN GREGG SHEETS

**(C) OWNER'S CONSENT AND DEDICATION (REF. (A) ABOVE)**

WE, THE UNDERSIGNED, BEING THE OWNERS AND LIEN HOLDERS OF THE LANDS HEREIN PLATTED, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THE SAID PLAT AND DO DEDICATE THE STREETS, PARKS OR OPEN SPACE AS SHOWN HEREON TO THE PUBLIC USE FOREVER, UNLESS SUCH AREAS ARE SPECIFICALLY MARKED "PRIVATE" ON THE FINAL PLAT. EASEMENTS SHOWN ON THIS PLAT, UNLESS DESIGNATED FOR A SPECIFIC PURPOSE, ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, SEWER, GAS, ELECTRIC, TELEPHONE, CABLE TELEVISION, OR OTHER UTILITY LINES OR SERVICES, STORMWATER DISPOSAL AND TO THE FREE USE OF SAID EASEMENTS OR ADJACENT STREETS AND FOR PROVIDING INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES AND ARE TO BE MAINTAINED AS SUCH FOREVER. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID "EASEMENTS", NOR MAY THE EASEMENT AREA BE PHYSICALLY ALTERED SO AS TO 1) REDUCE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; 2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; 3) IMPAIR ABILITY TO MAINTAIN THE FACILITIES OR 4) CREATE A HAZARD.

THE UNDERSIGNED FURTHER AGREE THAT ANY USE OF IMPROVEMENTS MADE ON THIS LAND SHALL BE IN CONFORMITY WITH ALL EXISTING, VALID ZONING, PLATTING, HEALTH OR OTHER LAWFUL RULES AND REGULATIONS FOR THE BENEFIT OF HIMSELF OR HERSELF AND ALL OTHER SUBSEQUENT OWNERS OR ASSIGNS TAKING TITLE FROM, UNDER OR THROUGH THE UNDERSIGNED.

WITNESS: Laura Payne SIGNED: Linda K Miller  
LINDA K. MILLER

WITNESS: Laura Payne SIGNED: Allen G. Sheets  
ALLEN GREGG SHEETS

**(D) ATHENS COUNTY COMMISSIONERS APPROVAL**  
RIGHT OF WAY APPROVAL FOR PRIVATE USE. ACCEPTANCE OF THE DEDICATION OF THE RIGHT OF WAY DOES NOT CONSTITUTE AN OBLIGATION ON THE PART OF ANY GOVERNMENT ENTITY TO MAINTAIN AND/OR IMPROVE SAID PRIVATE RIGHT OF WAY. APPROVAL OF THIS PLAT FOR RECORDING DOES NOT CONSTITUTE AN ACCEPTANCE OF THE DEDICATION OF ANY PUBLIC STREET, ROAD, OR HIGHWAY DEDICATED ON SUCH PLAT. (SECTION 711 O.R.C.)

ATHENS COUNTY COMMISSIONERS  
WE HEREBY APPROVE THIS PLAT THIS 14 DAY OF Nov., 2006  
Mark Sullivan  
ATHENS COUNTY COMMISSIONERS (PRESIDENT)  
William A. (Bill) Archer

**(M) ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR MAINTENANCE**

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, THAT SUBDIVISION ROADWAY IMPROVEMENTS HAVE BEEN INSPECTED AND APPROVED FOR PERMANENT MAINTENANCE BY LOCAL GOVERNMENT ON THIS 14 DAY OF Nov., 2006.

ATHENS COUNTY COMMISSIONERS (PRESIDENT)

**SPECIAL SIGNATORY APPROVAL BY AN INTERESTED PARTY TO THE PRIVATE INGRESS-EGRESS EASEMENT**

I, JAMES R. FERGUSON, AN INTERESTED PARTY TO THE PRIVATE INGRESS-EGRESS EASEMENT FOR THE LINDA MILLER SUBDIVISION DO CONSENT TO THE SET CONDITIONS ENUMERATED BELOW AND ALSO ASSENT TO MAKE THESE CONDITIONS BINDING UPON THE FUTURE HEIRS, ASSIGNS AND SUCCESSORS OF LOT 1 OF THE KELLEY SUBDIVISION.  
James R. Ferguson SIGNATURE  
COUNTY Athens }  
STATE OF OHIO } SS JAMES R. FERGUSON

**(1) PRIVATE RIGHT-OF-WAY MAINTENANCE AGREEMENT FOR THE LINDA MILLER SUBDIVISION**

THE OWNER(S) OF THE 17.7432 ACRE TRACT, THE OWNER(S) OF LOT 1 OF THE LINDA MILLER 1 LOT SUBDIVISION AND THE OWNER(S) OF LOT 1 OF THE KELLEY SUBDIVISION SHALL EACH BE RESPONSIBLE FOR 33% OF THE TOTAL MAINTENANCE COST OF THE DRIVEWAY IN THE PRIVATE RIGHT OF WAY WITHIN THE 60 FOOT EASEMENT LEADING TO THE KELLEY ONE LOT SUBDIVISION AND THE OWNER(S) OF THE 17.7432 ACRE TRACT AND THE OWNER(S) OF THE LINDA MILLER 1 LOT SUBDIVISION SHALL BE RESPONSIBLE FOR 50% OF THE TOTAL MAINTENANCE COST OF THE DRIVEWAY IN THE REMAINDER OF THE PRIVATE RIGHT OF WAY TERMINATING IN THE CUL-DE-SAC  
**\* WITHIN THE 50 FOOT PUBLIC USE RIGHT OF WAY AND**

**(2) PRIVATE RIGHT-OF-WAY MAINTENANCE AGREEMENT FOR THE LINDA MILLER SUBDIVISION**

MAINTENANCE WILL BE CONSIDERED EVERY SPRING AS TO WHETHER THERE ARE STILL FOUR INCHES OF AGGREGATE ON THE DRIVEWAY, THAT THE DRIVEWAY IS A MINIMUM OF 10 FEET IN WIDTH, THAT THE DRAINAGE IS ADEQUATE, AND WHETHER ADDITIONAL REPAIRS NEED TO BE MADE ON DRIVEWAY.

IN THE EVENT OF A DISPUTE, ALL PARTIES\* AGREE TO HAVE THE DISPUTE SETTLED EITHER IN A COURT OF PROPER JURISDICTION OR BY A DISPUTE RESOLUTION UTILIZING ATHENS AREA MEDIATION SERVICE OR A SIMILAR IMPARTIAL ORGANIZATION.

ALL PARTIES\* AGREE THAT THERE SHALL BE A MINIMUM DEPTH OF 4 INCHES\*\* OF AGGREGATE FOR THE DRIVEWAY, AND THAT THERE SHALL BE A MINIMUM OF 10 FEET IN WIDTH OF SAID AGGREGATE FOR THE DRIVEWAY.

FOR FURTHER REGULATIONS CONCERNING THE PRIVATE RIGHT-OF-WAYS, REFERENCE IS MADE TO THE SUBDIVISION REGULATIONS BOOK IN THE ATHENS COUNTY RECORDER'S OFFICE.

\*THEIR HEIRS AND ASSIGNS \*\*DEPTH TO INCLUDE COMPACTED GRAVEL

ANY PROPOSED UPGRADE OF DRIVEWAY SURFACE FROM GRAVEL TO PAVEMENT MUST BE APPROVED BY ALL INTERESTED PARTIES TO THIS AGREEMENT.

ATHENS COUNTY WILL ONLY ACCEPT A DEDICATED PUBLIC ROADWAY AFTER IT HAS BEEN BUILT TO COUNTY STANDARDS EFFECTIVE AT THE TIME A PETITION BY THE ADJOINING PROPERTY OWNERS OR THE DEVELOPER IS PRESENTED TO THE ATHENS COUNTY COMMISSIONERS. ACCEPTANCE OF THE ROADWAY BY THE COUNTY COMMISSIONERS WILL TAKE PLACE ONLY AFTER THE ATHENS COUNTY ENGINEER HAS APPROVED THE CONSTRUCTION. THE DEDICATION OF THIS PRIVATE RIGHT OF WAY DOES NOT CONSTITUTE AN OBLIGATION ON THE PART OF ANY GOVERNMENT ENTITY TO MAINTAIN OR IMPROVE SAID PRIVATE RIGHT OF WAY.

MISCELLANEOUS NOTES:  
PLEASE NOTE THAT 10' WIDE SIDE AND REAR LOT BUILDING SET BACK RESTRICTIONS ARE IN EFFECT FOR LOT 1 OF THE LINDA MILLER SUBDIVISION. THE FRONT SET BACK IS 30'.

FOR LINDA MILLER 1 LOT SUBDIVISION:  
OWNER: LINDA MILLER SHEETS, P.O. BOX 297, ALBANY, OH. 45710  
PHONE: 740/591-3654  
DEVELOPER: LINDA MILLER SHEETS (SAME AS ABOVE)  
INTERESTED PARTIES TO EASEMENT:  
(17.7432 AC. TRACT): ALLEN SHEETS, 5620 WASHINGTON RD., ALBANY, OH. 45710 (UNLISTED)  
(BUYER-LOT 1): JEAN LAMBERT, 5624 WASHINGTON RD., ALBANY, OH. 45710 PH: 740/698-0075  
(KELLEY SUBDIV.): JAMES FERGUSON, 5632 WASHINGTON RD., ALBANY, OH. 45710 740/698-6155  
SURVEYOR: TOM TRANTINA - RM 1 SCCA BLDG. 2380 OLD RT 33, SHADE, OH 45776  
PHONE: 740/593-8701

**(N) CERTIFICATE OF NOTARY PUBLIC**

STATE OF OHIO, S.S.  
BE IT REMEMBERED THAT ON THIS 10 DAY OF NOVEMBER, 2006, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME Allen G. Sheets WHO ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE FOREGOING PLAT TO BE THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSES THEREIN EXPRESSED. IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND NOTARY SEAL ON THE DAY AND DATE ABOVE WRITTEN.

BY: William Peterson NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES: September 24, 2007  
NOTARY PUBLIC, STATE OF OHIO  
My Commission Expires October 24, 2007  
Commission Recorded in Athens County

MATHEMATICALLY APPROVED THIS 7<sup>th</sup> DAY OF November, 2006.  
J. Blawie  
ATHENS COUNTY ENGINEER'S OFFICE

**(O) TOWNSHIP TRUSTEES APPROVAL**  
TOWNSHIP TRUSTEES  
WE HEREBY APPROVE THIS PLAT ON THIS 14 DAY OF Nov., 2006.  
Harvey Davis  
(PRESIDENT)  
Barry Davis  
Stacy Davis

**(P) CERTIFICATE OF SURVEYOR**

I HEREBY CERTIFY THAT THIS MAP IS A TRUE AND COMPLETE SURVEY MADE BY ME (UNDER MY SUPERVISION) ON November 6, 2006 AND THAT ALL MONUMENTS AND LOT CORNER PINS ARE (OR WILL BE) SET AS SHOWN.

BY: Thomas C. Trantina  
THOMAS C. TRANTINA P.S. 8320

**(Q) REGIONAL PLANNING COMMISSION APPROVAL**

REGIONAL PLANNING COMMISSION  
THIS PLAT WAS APPROVED BY THE REGIONAL PLANNING COMMISSION ON THIS 9<sup>th</sup> DAY OF November, 2006.  
Robert Goldberger, Planning Director  
REPRESENTATIVE, TITLE

**(R) COUNTY HEALTH DEPARTMENT**

ATHENS COUNTY HEALTH DISTRICT  
I HEREBY APPROVE THIS PLAT ON THIS 9<sup>th</sup> DAY OF Nov., 2006.  
Andrew A. S.  
ATHENS COUNTY BOARD OF HEALTH

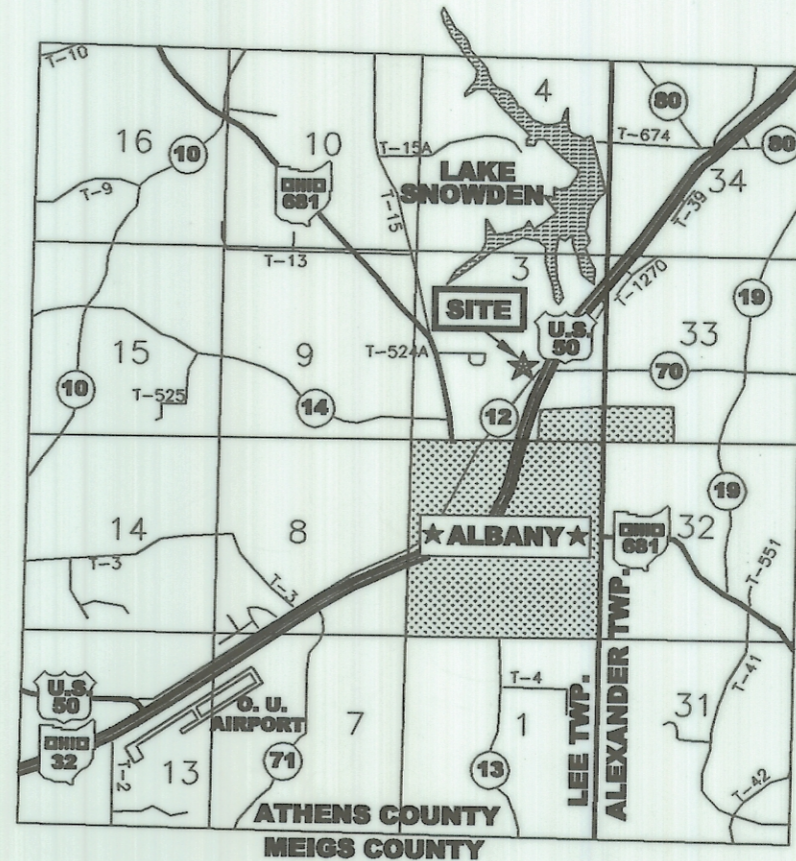
**(S) COUNTY AUDITOR'S TRANSFER**

COUNTY AUDITOR  
TRANSFERRED ON THIS 15 DAY OF Nov., 2006.  
BY: Jill A. Thompson  
COUNTY AUDITOR

**(T) COUNTY RECORDER**

COUNTY RECORDER  
FILE NO. 06-7747 + 06-7748  
RECEIVED ON THIS 15 DAY OF November, 2006 AT 10:02 a.m.  
RECORDED ON THIS 15 DAY OF November, 2006 AT 10:07 a.m.  
IN PLAT BOOK NO. 11-15-2006 PAGE 66 FEE \$192.50  
BY: Julia Michael Scott ENR. 552 A-L-B  
COUNTY RECORDER

**\* SITE LOCATION MAP \***



SCALE: 1" = 1 MILE



**SOUTHEASTERN LAND SURVEYS**  
THOMAS C. TRANTINA  
REGISTERED PROFESSIONAL LAND SURVEYOR

RM 301, SCCA BLDG., 2380 OLD RT. 33  
SHADE, OH 45776  
740/593-8701



THE LINDA MILLER ONE LOT SUBDIVISION		
DRAWN T.T.	DATE 10-26-06	REVISED:
APPROVED T.T.	DATE 10-26-06	
SCALE 1" = 100'	SHEET 1 OF 2	PROJECT No. 10022206

200600007747  
Filed for Record in  
ATHENS COUNTY, OHIO  
JULIA MICHAEL SCOTT  
11-15-2006 At 10:07 a.m.  
PLAT 66-40

ENR. 556 A-L-B