

RESOLUTION NO. 33-A-96

BE IT RESOLVED by the Township Trustees of Union Township, Butler County, Ohio that:

WHEREAS, by advertisement, a public hearing to amend the Union Township Zoning Resolution was held on September 24, 1996 on the application of David J. Clinton, Inc. (05-96) to redistrict from R-1A (Suburban Residence District) to R- PUD (Residential Planned Unit Development District), for the following described property:

Property to be redistricted by the proposed amendment situated and being in Sections 11 and 12, Town 2, Range 2, Union Township, Butler County, Ohio and being more particularly described as follows:

Beginning at the southwest corner of said Section 12, Town 2, Range 2,
Thence from said beginning point North 2°23'18" East along the west line of said Section 12 a distance of 726.05 feet to a point in the centerline of Tylersville Road;
Thence South 78°00'00" East along the centerline of Tylersville Road a distance of 883.79 feet;
Thence South 3°26'31" West 358.58 feet to a point in the south line of said Section 12;
Thence South 78°07'03" West 892.32 feet to the point of beginning, containing 10.804 acres of land and being subject to the legal right-of-way of Tylersville Road, a right-of-way 12 feet in width taken evenly off the easterly side of the above described tract conveyed by George and Margaretta Elizabeth Pfeifer to Jesse T. James by deed dated May 31, 1924 and recorded in Deed Book 252, Page 436, of the Butler County Deed Records, and all other easements and covenants of record.

Beginning at the northwest corner of said Section 11,
Thence from said beginning point North 78°07'03" East along the north line of said Section 11 a distance of 892.32 feet;
Thence South 3°26'31" west 2683.81 feet to a point in the south line of the northwest quarter of said Section 11;
Thence South 78°07'52" West along the south line of said northwest quarter of said Section 11 a distance of 836.91 feet to an old stone at the southwest corner of the northwest quarter of said Section 11;
Thence North 2°17'45" East along the west line of said Section 11 a distance of 2669.50 feet to the point of beginning, containing 51.3764 acres of land and being subject to a 12 foot right-of-way taken evenly off the easterly side of the above described tract conveyed by George and Margaretta Elizabeth Pfeifer to Jesse T. James by deed dated May 31, 1924 and recorded in Deed Book 252, Page 436 of the Butler County Deed Records, and all other easements and covenants of record.

Beginning at a point in the north line of said Section 11 (the same being in the south line of Section 12) which lies North 74°13'03" East 887.08 feet from the northwest corner of said Section 11;
Thence from said beginning point, going into said Section 12, North 00°28'52" West 358.50 feet to a point in the centerline of Tylersville Road;
Thence South 80°19'59" East along the centerline of Tylersville Road a distance of 276.58 feet;
Thence South 09°40'01" West 209.84 feet;
Thence South 80°19'59" East, passing the Section line at 87.19 feet going into the said Section 11 a distance of 329.12 feet;
Thence North 09°40'01" East, passing the Section line at 115.13 feet going into Section 12 a distance of 209.84 feet to a point in the centerline of Tylersville Road;
Thence South 80°19'59" East along the centerline of Tylersville Road a distance of 199.03 feet to a point in the north line of said Section 11;
Thence going into said Section 11, South 01°29'14" East 2163.86 feet;
Thence South 73°03'57" West 326.55 feet;
Thence South 01°37'35" East 499.89 feet to an iron pin;

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BE IT RESOLVED by the Township Trustees of Union Township, Butler County, Ohio that:

Thence South 74°11'59" West 546.37 feet to an iron pin;
Thence North 00°28'52" West 2683.44 feet to the point of beginning.
Containing 48.284 acres of land, 46.290 acres being in Section 11, Town 2, Range 2 and 1.994 acres of land in Section 12, Town 2, Range 2 of Union Township, Butler County, Ohio. The above described tract is subject to the right-of-way of Tylersville Road and all easements and restrictions of record.

Beginning at a point which lies in the north line of said Section 11 and the centerline of Tylersville Road, said point lying North 74°13'03" East 1708.33 feet from the northwest corner of said Section 11;

Thence from the beginning point North 74°13'13" East along the centerline of Tylersville Road and north line of said Section 11 a distance of 1036.00 feet to the Grantor's northeast corner;

Thence South 01°29'06" East along the Grantor's east line a distance of 2142.23 feet;

Thence South 73°03'57" West 1041.47 feet;

Thence North 01°29'14" West 2163.86 feet to the point of beginning.
Containing 49.621 acres of land and being subject to the right-of-way of Tylersville Road and all easements and restrictions of record.

Beginning at the northeast corner of the southeast quarter of said Section 11 and going

Thence South 01°52'43" East along the Grantor's east line a distance of 2711.22 feet to an iron pin;

Thence South 74°55'43" West along the Grantor's south line a distance of 1367.60 feet;

Thence North 01°37'35" West along the Grantor's westerly line a distance 2696.23 feet to an iron pin in the northerly line of said southeast quarter section;

Thence North 01°37'35" West 499.89 feet;

Thence North 73°03'57" East 1368.02 feet to a point in the Grantor's east line;

Thence South 01°29'06" East along the Grantor's east line a distance of 528.10 feet to the point of beginning. Containing 97.905 acres of land.

WHEREAS, all those present for the hearing who wished to be heard voiced their opinions with respect thereto; and

WHEREAS, the Union Township Zoning Commission recommended approval with conditions (Resolution 96-24) of this district change from R-1A to R-PUD Districts; and

WHEREAS, said application was reviewed by the Board of Township Trustees and determined to be inconsistent with the Union Township Land Use Plan; however, based on the current zoning, the Board of Trustees concurred that approval of the Preliminary Development Plan was in the best interest of the community.

THEREFORE BE IT RESOLVED, that by unanimous vote, the Board of Trustees, with additional conditions, does hereby uphold the decision of the Union Township Zoning Commission and approve the district change from R-1A to R-PUD, for the aforesaid application.

-All Final Development Plan submittals shall include a detailed drainage plan prepared and stamped by a professional engineer.

-The applicant shall construct and pay for all road improvements to Tylersville Road. Said improvements are subject to the approval of the Butler County Engineer's Office. No Final Development Plan shall be approved until detailed construction plans are reviewed and approved by the Engineer's Office and the Engineer's Office has indicated in writing to the Planning and Zoning Department the approval of said construction plans.

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BE IT RESOLVED by the Township Trustees of Union Township, Butler County, Ohio that:

-No Final Development Plan shall be approved until the proposed "recreation areas/open space park" have been recorded as such and deeded to the appropriate Homeowner's Association.

-Unless approved on the Final Development Plan, all single-family homes shall have two (2) car garages.

-Unless approved on the Final Development Plan, sidewalks shall be required on both sides of every public street.

-Unless otherwise indicated and approved by Zoning Commission, all proposed streets shall be dedicated as public streets. Said streets shall meet all Butler County Engineer's Office's typical standards for public streets throughout the construction and maintenance period.

-At Final Development Plan approval the applicant shall be required to present to the Zoning Commission a development plan for the approximate 25 acre park. The park's development plan shall include a method in determining the demographics of the proposed residential community.

-At Final Development Plan approval, all road improvements and signalization shall be determined as required by the Butler County Engineer's Office. All improvements shall be paid for by the applicant/developer.

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Adopted the 8th day of October, 19 96

Thomas I. Hayden
Thomas I. Hayden, Yes

Jose Alvarez
Jose Alvarez, Yes

Catherine Stoker
Township Trustees
Catherine Stoker, Yes

Attest: Patricia Williams
Township Clerk