

ORDINANCE NO. 71 -02

By: Jeffrey L. McClelland

An Ordinance to approve a lot split of Lot 141 of Bexley Highlands Amended Subdivision, which is located on Fair Avenue, so that the eastern one-half shall be added to Lot 140 on Fair Avenue and the western one-half shall be added to Lot 108 on Brentwood Road on the condition that certain restrictions on use be set forth in the deed transferring such property, which restrictions shall not be changed without the prior written consent of the City.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the splitting of Lot 141 of Bexley Highlands Amended Subdivision adding the eastern one-half (~~approximately~~ 140.87 35 feet wide by ~~109.32~~ feet deep) to Lot 140, the abutting property to the east on Fair Avenue, and the western one-half (~~approximately~~ 141.11 35 feet wide by ~~109.32~~ feet deep) to Lot 108, the abutting property to the south on Brentwood Road, is hereby approved on the condition that the restrictions on use set forth in Exhibit A to this Ordinance and incorporated herein by this reference shall be set forth in the deed transferring such property, which restrictions shall not be changed without the prior written consent of the City.

Section 2. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 9-24, 2002

Joe Morris  
President of Council

Attest: David H. Madison  
Clerk of Council

Approved: 9/24, 2002

David H. Madison  
David H. Madison, Mayor

7-23-02 First reading  
9-10-02 Second reading  
9-24-02 Third Reading  
Passed

USE RESTRICTION

No house, building, fixture, pool, antenna, wall, fence, driveway or other means of entering and exiting, curbcut or any structure of any kind or nature whatsoever shall be installed, created, constructed, placed or maintained on the property for any reason. This restriction is for the sole benefit of the owners of Lots 140 and 108 of Bexley Highlands Amended Subdivision and may not be removed or terminated without the consent of the owners of both of those properties and the City of Bexley. However, if the owners of both of those properties agree that this restriction should be removed or terminated and the City of Bexley consents, they may do so by a properly executed and recorded document.

Restriction for Lot 141 of Bexley Highlands Amended Subdivision proposed to be split between Kumler and Ziegler.