

ORDINANCE NO. 38 - 06

By: John Rohyans

An Ordinance to approve a lot split for 2743 Bellwood Avenue, in the City of Bexley, Ohio, as shown in the legal description and survey attached to this Ordinance.

WHEREAS, the owner of 2743 Bellwood Avenue, Justin Burton has requested parcel No.020-003044, which is made up of lots 545 and 546 of the Bellwood Addition, Plat Book 6, Page 16, be split into two equal parcels with 40' widths.

WHEREAS, the created lots are nonconforming as they do not meet current zoning requirements for area or width; and

WHEREAS, the existing non conforming principal structure will not meet the required side yard setback on the west side; and

WHEREAS, property owners in the neighborhood shall receive notice of a public hearing on the proposed lot split, have the opportunity to appear and comment on the proposed lot split;

WHEREAS, the lot split will take the lots back to their original lot size, which does not affect other properties in the neighborhood;

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

Section 1. That a lot split of 2743 Bellwood Avenue in the City of Bexley, Ohio, as shown in the legal description and survey, which are attached to and incorporated in this Ordinance, should be and hereby is approved subject to the following condition: lot 546 shall have constructed thereon 2 off-street parking spaces.

Section 2. That this Ordinance shall go into effect upon the earliest date permitted by law.

Passed: 7-25, 2006

Helen MacMurray
President of Council

Attest: [Signature]
Clerk of Council

5-09-06 First Reading
5-23-06 Second Reading
6-13-06 Third Reading Tabled
7-25-06 Removed from table. Passed.

Approved: 8/05, 2006

[Signature]
David H. Madison, Mayor

(M) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(N) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(O) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(P) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. Section 2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(Q) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

TRANSFER OF RIGHTS IN THE PROPERTY

This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower does hereby mortgage, grant and convey to MERS (solely as nominee for Lender and Lender's successors and assigns) and to the successors and assigns of MERS the following described property located in the

COUNTY of FRANKLIN :
[Type of Recording Jurisdiction] [Name of Recording Jurisdiction]

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, AND IN THE CITY OF BEXLEY: BEING LOT NUMBER FIVE HUNDRED FORTY-FIVE (545) AND LOT NUMBER FIVE HUNDRED FORTY-SIX (546), IN BELLWOOD ADDITION, AS THE SAME ARE NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 6, PAGE 16, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

Parcel ID Number: 020-003044-00 which currently has the address of
2743 BELLWOOD AVE, COLUMBUS
[Street/City]
Ohio 43209-1017 ("Property Address"):
[Zip Code]

After Recording Return To:
COUNTRYWIDE HOME LOANS, INC.
MS SV-79 DOCUMENT PROCESSING
P.O.Box 10423
Van Nuys, CA 91410-0423

[Space Above This Line For Recording Data]

00013242144903006

[Doc ID #]

MORTGAGE

MIN 1000157-0006402428-0

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated MARCH 09, 2006, together with all Riders to this document.

(B) "Borrower" is

JUSTIN A BURTON, AND MICHELLE WARD-BURTON, HUSBAND AND WIFE

OHIO-Single Family-Fannie Mae/Freddie Mac UNIFORM INSTRUMENT WITH MERS



-6A(OH) (0405)

CHL (08/05)(d)

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VMP Mortgage Solutions, Inc. (800)521-7291

Form 3036 1/01



* 2 3 9 9 1 *



* 1 3 2 4 2 1 4 4 9 0 0 0 0 1 0 0 6 A *

EXHIBIT "A"

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, AND IN THE CITY OF BEXLEY:

BEING LOT NUMBER FIVE HUNDRED FORTY-FIVE (545) AND LOT NUMBER FIVE HUNDRED FORTY-SIX (546), IN BELLWOOD ADDITION, AS THE SAME ARE NUMBERED AND DELINEATED UPON THE RECORDED PLAT THEREOF, OF RECORD IN PLAT BOOK 6, PAGE 16, RECORDER'S OFFICE, FRANKLIN COUNTY, OHIO.

Borrower is the mortgagor under this Security Instrument.

(C) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is the mortgagee under this Security Instrument. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS.

(D) "Lender" is COUNTRYWIDE HOME LOANS, INC.

Lender is a CORPORATION organized and existing under the laws of NEW YORK

Lender's address is 4500 Park Granada MSN# SVB-314, Calabasas, CA 91302-1613

(E) "Note" means the promissory note signed by Borrower and dated MARCH 09, 2006. The Note states that Borrower owes Lender ONE HUNDRED NINE THOUSAND SIX HUNDRED and 00/100

Dollars (U.S. \$ 109,600.00) plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than APRIL 01, 2036

(F) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(G) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(H) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

- | | | |
|--|---|---|
| <input type="checkbox"/> Adjustable Rate Rider | <input type="checkbox"/> Condominium Rider | <input type="checkbox"/> Second Home Rider |
| <input type="checkbox"/> Balloon Rider | <input type="checkbox"/> Planned Unit Development Rider | <input type="checkbox"/> 1-4 Family Rider |
| <input type="checkbox"/> VA Rider | <input type="checkbox"/> Biweekly Payment Rider | <input type="checkbox"/> Other(s) [specify] |

(I) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(J) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(K) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(L) "Escrow Items" means those items that are described in Section 3.

Myers Surveying Company, Inc.

2740 East Main Street, Columbus 43209 (Bexley), Ohio
 614-235-8677 FAX:614-235-4559

A Mortgage Location Survey prepared for and certified to:

Chicago Title Insurance Company and/or Countrywide Home Loans

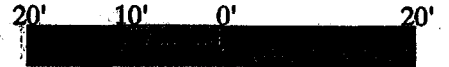
Legal Description: Situated in The State of Ohio, County of Franklin, City of Bexley Being Lots 545 and 546 Bellwood Addition, Plat Book 6, Page 16

Applicant: Burton, Justin 26120173

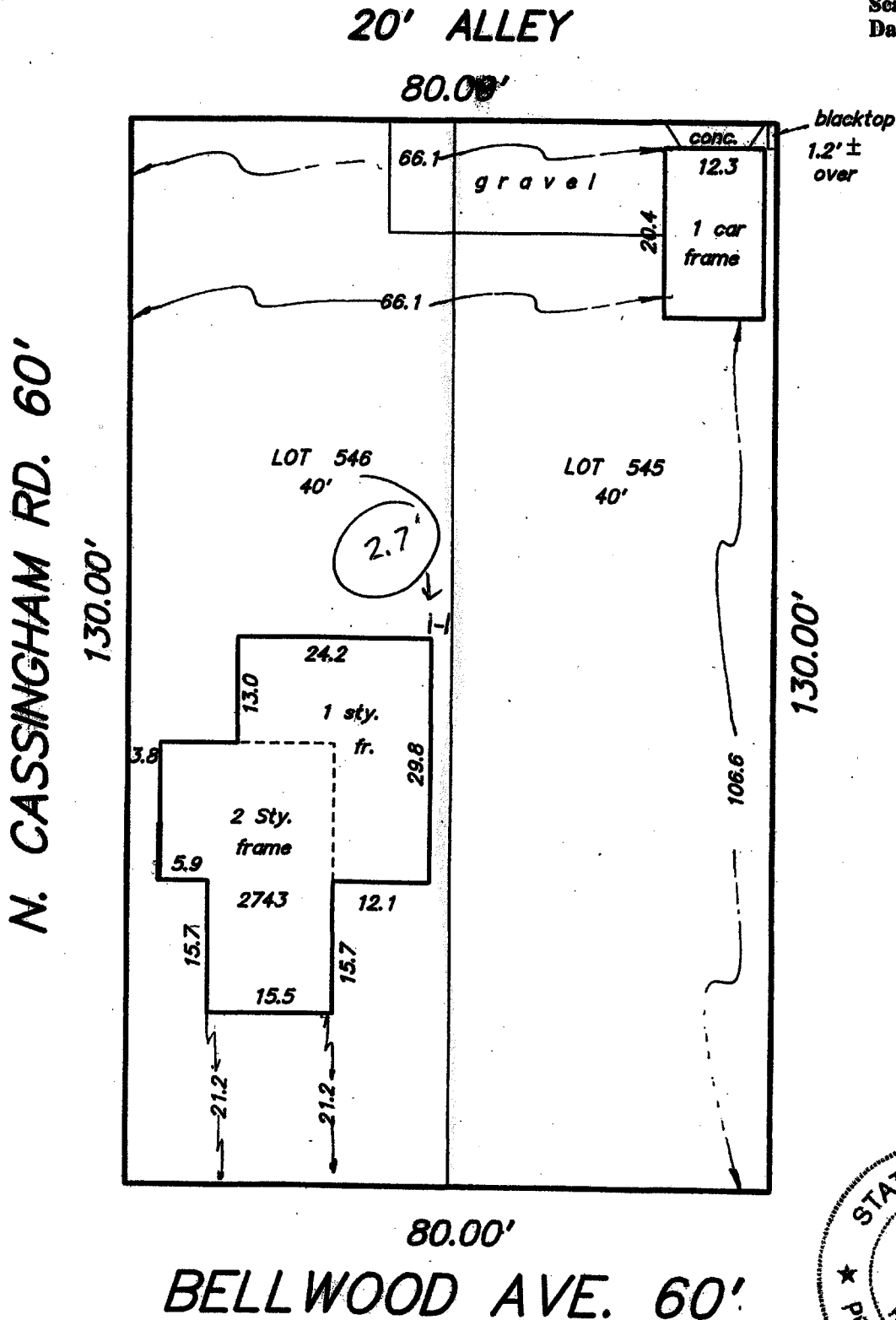
Posted Address: 2743 Bellwood Ave, Bexley, Ohio

F.E.M.A. Flood Zone Designation: Flood Zone "X" as per F.I.R.M. 390168 0260 G

Apparent Encroachments: 1) Blacktop Over Property Line.



Scale 1" = 20'
 Date: 03-04-2006



Myers Surveying Co., Inc.

By *Joseph P. Myers*

Professional Surveyor

We hereby certify that the foregoing Mortgage Location survey was prepared from actual field measurements in accordance with Chapter 4733-38 Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said code.

THE INFORMATION SHOWN HEREON IS NOT TO BE UTILIZED FOR THE INSTALLATION OF BUILDINGS, FENCES, LANDSCAPING OR OTHER PERMANENT IMPROVEMENTS.

Order No. - 21-03-03-2006 2006030321	Rec. <i>DO</i>	Field <i>MA</i>	DWG <i>MA</i>	Ltr. <i>MA</i>	Ck. <i>Ben</i>
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