

BALLINGER ESTATES

PHASE II

SITUATED IN THE CITY OF MASSILLON, COUNTY OF STARK,
STATE OF OHIO AND BEING OUTLOT 303.

EASEMENTS

AN EASEMENT TWELVE (12) FEET WIDE ON THE FRONT OF ALL LOTS IN THIS ALLOTMENT IS HEREBY RESERVED AND DEDICATED TO EAST OHIO GAS COMPANY, OHIO EDISON COMPANY, AT&T, MASSILLON CABLE COMPANY, AND ANY P.U.C.O. REGULATED UTILITY FOR THE PURPOSES OF CONSTRUCTION, ERECTION, USE, AND/OR MAINTENANCE OF ANY TRANSMISSION LINES, PIPES, CABLES, CONDUITS, BURIED WIRES, SWALES, OR OTHER APPURTENANCES FOR THE TRANSMISSION OF POWER, ELECTRIC, COMMUNICATIONS, GAS, WATER, AND/OR ANY FUTURE DEVELOPED PUBLIC UTILITY. THIS EASEMENT GIVES ALL THE UTILITIES THE RIGHT TO EXCAVATE AND USE THE GROUND, REMOVE TREES AND LANDSCAPING WITHOUT LIABILITY AS REQUIRED USE, MAINTAIN, OPERATE OR CONSTRUCT SAID FACILITIES.

THE SAME TWELVE (12) FOOT WIDE EASEMENT IS RESERVED AND DEDICATED TO THE CITY OF MASSILLON, COUNTY OF STARK, AND AQUA OHIO WATER CO. TO USE, CONSTRUCT, ERECT AND/OR MAINTAIN CROSS-OVERS ACROSS THE 12-FOOT EASEMENT FOR STORM AND SANITARY SEWER LINES AND WATER LINES; AND TO USE AND EXCAVATE THE GROUND FOR REPAIR AND MAINTENANCE OF ALL STORM AND SANITARY SEWER LINES AND WATER LINES TO THIS SUBDIVISION OR ADJACENT THERETO. THIS EASEMENT GIVES TO THE CITY OF MASSILLON, STARK COUNTY, AND AQUA OHIO WATER CO. THE RIGHT TO EXCAVATE AND USE THE GROUND, REMOVE TREES AND LANDSCAPING WITHOUT LIABILITY FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING CROSS-OVER STORM AND SANITARY SEWERS AND WATER LINES AND FOR MAINTENANCE AND REPAIR OF STORM AND SANITARY SEWERS AND WATER LINES.

AN EASEMENT FIVE (5) FEET WIDE ON THE SIDES AND BACK OF ALL LOTS AND TEN (10) FEET ON THE EXTERIOR BOUNDARY OF THIS ALLOTMENT IS RESERVED AND DEDICATED TO THE COUNTY OF STARK, CITY OF MASSILLON, AQUA OHIO WATER COMPANY, EAST OHIO GAS COMPANY, AT&T, MASSILLON CABLE COMPANY, AND ANY P.U.C.O. REGULATED UTILITY FOR THE PURPOSES OF CONSTRUCTION, ERECTION, USE, AND/OR MAINTENANCE OF ANY TRANSMISSION LINES, PIPES, CABLES, CONDUITS, BURIED WIRES, SWALES, OR OTHER APPURTENANCES FOR THE TRANSMISSION OF POWER, ELECTRIC, COMMUNICATIONS, GAS, STORM WATER, SANITARY SEWER WASTES, WATER, AND/OR ANY FUTURE DEVELOPED PUBLIC UTILITY. THIS EASEMENT GIVES ALL THE UTILITIES THE RIGHT TO EXCAVATE AND USE THE GROUND, REMOVE TREES AND LANDSCAPING WITHOUT LIABILITY AS REQUIRED TO USE, MAINTAIN, OPERATE OR CONSTRUCT FACILITIES.

SUBJECT ALL EASEMENTS AND OTHER MATTERS SPECIFICALLY DRAWN ON THE PLAT.

STORM DETENTION BASIN EASEMENT TO THE CITY OF MASSILLON

BY MEANS OF THIS PLAT - THE OWNERS OF LOTS 13 AND 14 ON WHICH THE STORM WATER RETENTION BASIN EASEMENT IS LOCATED, GRANTS AND ASSIGNS THE FOLLOWING RIGHTS, RESPONSIBILITIES AND RESTRICTIONS:

- MAINTENANCE AND REPAIR OF THE SIDE EMBANKMENTS WITHIN SAID LOT OWNER PROPERTY LINES INCLUDING (BUT NOT LIMITED TO), REPAIR/FILLING WITH TOPSOIL OF RILLS & OPERATION, CAPACITY AND GEOMETRY OF THE BASIN PER THE DESIGN FILED WITH THE CITY OF MASSILLON ENGINEER.
- ALL COSTS ASSOCIATED WITH MAINTENANCE AND REPAIR SHALL BE BORNE BY MASSILLON HOMES II, L.L.C.
- NO PLAY OR WORK EQUIPMENT, MULCHED LANDSCAPE BED OR STRUCTURES OF ANY KIND WILL BE PERMITTED WITHIN THE DEFINED RETENTION BASIN AREA.
- ALL PIPE INLETS/OUTLETS SHALL BE KEPT FREE OF DEBRIS/BLOCKAGE AS NECESSARY TO FUNCTION PROPERLY.

WETLAND PROTECTION RESTRICTION

MASSILLON HOMES II, L.L.C. DEVELOPER OF THE LANDS SHOWN AND DESCRIBED HEREON DO HEREBY CREATE AND ESTABLISH PERMANENT WETLAND PROTECTION RESTRICTION AS SHOWN HEREON FOR THE PRESERVATION OF THE CHARACTER OF THE LANDS CONTAINED THEREIN. NO OWNER OF ANY SUBLOT OR PARCEL OF LAND SHALL CAUSE OR PERMIT ANY OF THE FOLLOWING TO OCCUR IN THE AREAS IDENTIFIED HEREON AS "WETLAND CONSERVATION RESTRICTION AREA".

A) REMOVAL OF VEGETATION (TREES, BRUSH, ETC.)

B) ALTERATION OF GRADE THROUGH THE PLACEMENT OF FILL MATERIAL OR REMOVAL OF MATERIAL AND/OR

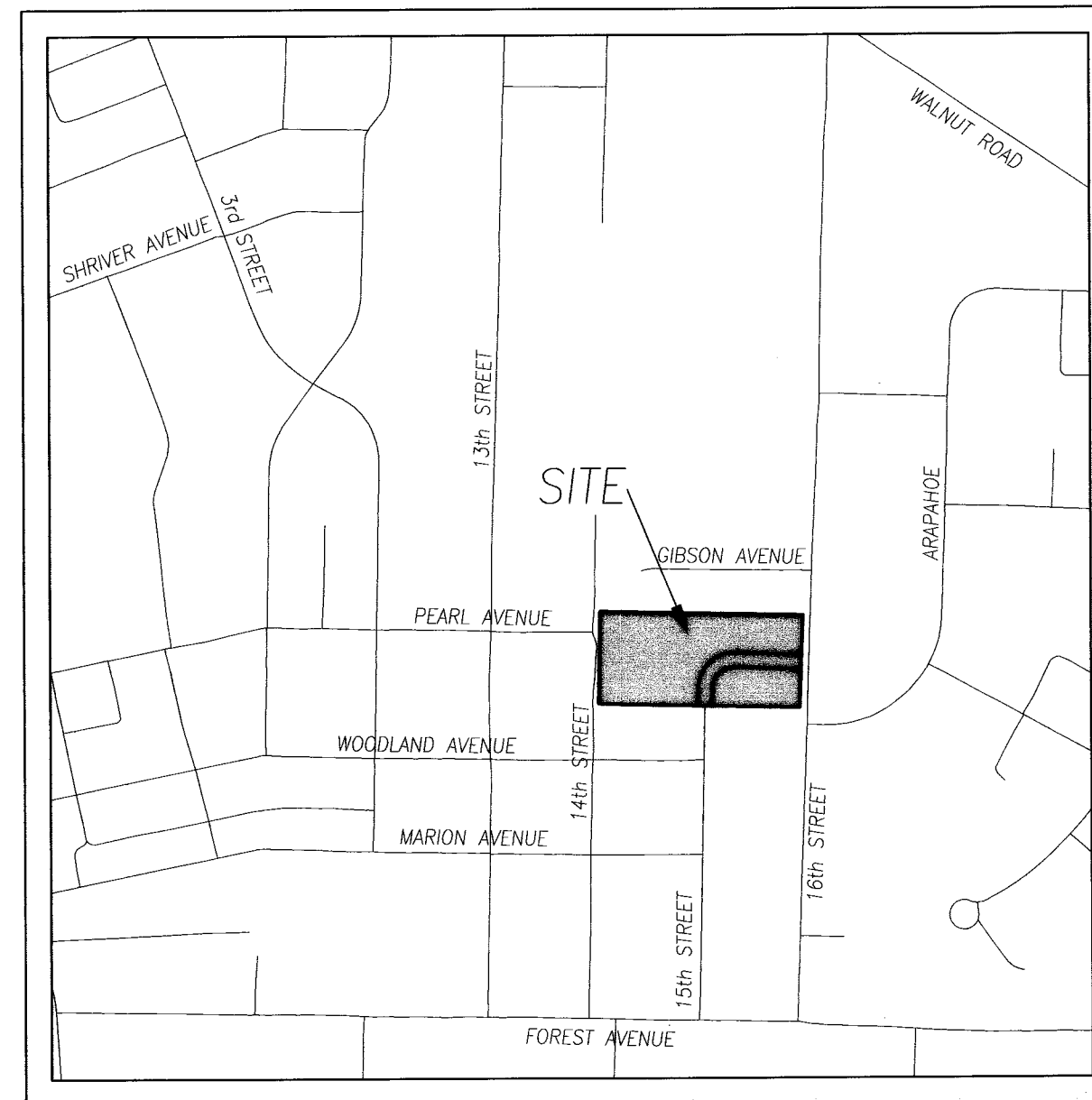
C) PLACEMENT OF GRASS SEED OR SOD FOR THE PURPOSE OF ESTABLISHING LAWN AREA.

NO TOUCH ZONE

WITHIN THE AREA DEPICTED ON THIS PLAT AS THE NO TOUCH ZONE, NO BUILDINGS, SHEDS, FENCES, STRUCTURES, OR OTHER ARTIFICIALLY MADE ITEM SHALL BE PLACED THEREIN WITHOUT THE EXPRESS WRITTEN APPROVAL OF THE CITY OF MASSILLON. IN ADDITION, NO TREES OR OTHER VEGETATION SHALL BE DISTURBED NOR SHALL THE GRADE OF ANY LAND LOCATED WITHIN SUCH NO TOUCH ZONE BE CHANGED OR ALTERED WITHOUT THE EXPRESS WRITTEN APPROVAL OF THE CITY OF MASSILLON.

EPHEMERAL STREAM PROTECTION AREA

THE AREA SHOWN WITHIN THE EPHEMERAL STREAM PROTECTION AREA CONTAINS A JURISDICTIONAL STREAM AND WAS ESTABLISHED FOR STREAM AND RIPARIAN ZONE PROTECTION. THERE WILL BE NO FILLING, GRADING, OR BUILDING WITHIN THE LIMITS OF THIS PROTECTED AREA WITHOUT WRITTEN PERMISSION FROM THE U.S. ARMY CORPS OF ENGINEERS. TREE REMOVAL OR CUTTING SHOULD BE LIMITED TO THOSE THAT PRESENT A SAFETY HAZARD.



VICINITY MAP
SCALE: 1" = 600'

COUNTY AUDITOR

ENTERED FOR TRANSFER THIS 7th DAY OF JUNE, 2007.

Kim R. Perez COUNTY AUDITOR Jason J. Frost

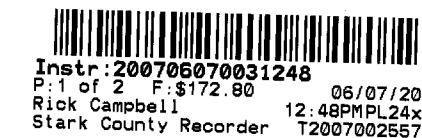
RECEIVED FOR RECORD THIS 7 DAY OF JUNE, 2007.

RECORDED AT INSTRUMENT NO. 200706070031248, FEE 172.80

Rich Campbell
COUNTY RECORDER

OWNER/DEVELOPER:

MASSILLON HOMES II, L.L.C.
550 SOUTH ARLINGTON STREET
AKRON, OHIO 44306
TEL: (330) 773-6838



SURVEYOR CERTIFICATION

I, HEREBY STATE THIS MAP IS BASED ON AN ACTUAL FIELD SURVEY PREPARED BY ME. THE SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. PERMANENT MONUMENTS WERE FOUND OR SET AT ALL LOCATIONS SHOWN HEREON.

ALL DIMENSIONS GIVEN ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF. BEARINGS ARE TO AN ASSUMED MERIDIAN AND ARE SHOWN TO INDICATE ANGLES ONLY.

Matthew C. Neff
MATTHEW C. NEFF
PROFESSIONAL SURVEYOR #7315
DECEMBER 20, 2006



OWNERS ACCEPTANCE

KNOW ALL MEN BY THESE PRESENTS, THAT MASSILLON HOMES II, L.L.C., THE OWNERS OF THE LAND SHOWN ON THIS PLAT DO HEREBY ACKNOWLEDGE THE MAKING OF THE SAME TO BE THEIR FREE ACT AND DEED, AND DO HEREBY DEDICATE THE STREETS, SANITARY SEWER, STORM SEWER, DRAINAGE, WATERLINE AND EASEMENTS SHOWN HEREON TO PUBLIC USE FOREVER.

MASSILLON HOMES II LLC.
AN OHIO LIMITED LIABILITY COMPANY

BY: Grady Appleton
AN OHIO CORPORATION
A MANAGING MEMBER

BY: Grady Appleton
GRADY APPLETON, VICE PRESIDENT

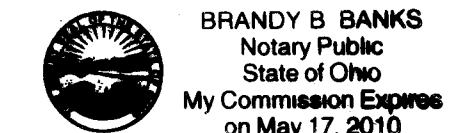
Brandy B. Banks WITNESS

Audrey A. Rountree WITNESS

EXECUTED BEFORE ME BY MASSILLON HOMES II LLC, AN OHIO LIMITED LIABILITY COMPANY, BY ITS MANAGING MEMBER, MASSILLON HOMES II CORPORATION, AN OHIO CORPORATION, AND VICE PRESIDENT GRADY APPLETON, OWNER OF THE LANDS SHOWN HEREON, THIS 17th DAY OF May, 2007.

WHO, UNDER PENALTY OF PERJURY IN VIOLATION OF SECTION 2921.11 OF THE OHIO REVISED CODE, REPRESENTED TO ME BY SAID PERSON.

Brandy B. Banks
NOTARY PUBLIC
State of Ohio
MY COMMISSION EXPIRES May 17, 2010



APPROVALS

APPROVED BY THE MASSILLON CITY PLANNING COMMISSION THIS 21st DAY OF February, 2007.

Richard D. Adams
CHAIRMAN

K.A. BG
SECRETARY

APPROVED BY THE MASSILLON CITY ENGINEER THIS 23rd DAY OF MAY, 2007 AND ASSIGNED THE LOT NUMBERS SHOWN HEREON.

K.A. BG
CITY ENGINEER

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE THAT NO ENCUMBRANCES EXIST ON THE LANDS HEREIN OFFERED FOR PUBLIC USE THIS 23 DAY OF MAY, 2007.

Paul E. Sturgeon
LAW DIRECTOR

APPROVED BY THE COUNCIL OF THE CITY OF MASSILLON BY ORDINANCE NO. 31-2007 PASSED THIS 19th DAY OF March, 2007.

Glenn Gamber
PRESIDENT

Mary Beth Bailey
CLERK OF COUNCIL

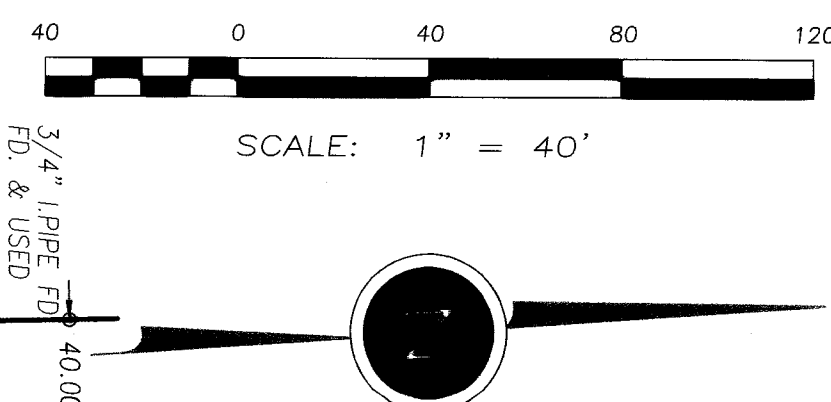
Mary Beth Bailey

SUBDIVISION PLAT FOR
BALLINGER ESTATES PHASE II
SITUATED IN THE CITY OF MASSILLON, COUNTY OF STARK, AND STATE OF OHIO
AND KNOWN AS BEING OUTLOT 303



PLANNERS | ENGINEERS | SURVEYORS
mNEFFdesign group
DESIGNING LAND FOR YOUR WORLD
5422 East 96th Street, Suite 120 • Cleveland OH 44125
tel: 216.663.8820 • fax: 216.663.8821

Scale 1" = 40'	Last Plot Date May 11, 2007
Drawn By DLN	Checked By
Project Number 7323	Field Crew FS & BH
Sheet 1 of 2	



BASIS OF BEARING:
CENTERLINE OF GIBSON AVENUE SE, N86°58'43"W
PER RECORD PLAT OF SINCLAIR VILLAGE, AS
RECORDED IN PLAT BOOK 65, PAGE 17.

- ABBREVIATIONS**
- Dd. - DEED
 - MSD. - MEASURED
 - ACT. - ACTUAL
 - CALC. - CALCULATED
 - OBS. - OBSERVED
 - TD. - TURNED
 - FD. - FOUND
 - ENCR. - ENCROACHES
 - CLRS. - CLEARS
 - ASPH. - ASPHALT
 - CONC. - CONCRETE
 - SUBJ. - SUBJECT
 - CONT. - CONTIGUOUS
- DENOTES 5/8" IRON PIN SET WITH "M NEFF 7315" CAP (UNLESS OTHERWISE NOTED)
- MONUMENT SET
- SHADED AREA TO BE DEDICATED
- * LINE OF NEW PROPERTY DIVISION

EPHEMERAL STREAM PROTECTION AREA LINE TABLE

L1	S 45°40'59" E	50.36'
L2	S 44°36'40" W	39.03'
L3	N 85°59'23" W	16.86'
L4	N 45°53'05" W	29.89'
L5	N 57°03'42" W	85.23'

SUBDIVISION AREA TABULATION

OUTLOT 303	222,882 SF	5.1166 ACRES
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R.O.W. DEDICATION: 24,343 SF 0.5588 ACRES
SUBLOTS 1 - 14: 198,539 SF 4.5578 ACRES
TOTAL: 222,882 SF 5.1166 ACRES

NOTE:
ACCESS TO SUBLOTS 4 AND 5 SHALL BE RESTRICTED TO
BALLINGER AVENUE SE

NOTE:
AT DATE OF RECORDING, THE LOT IS VACANT.

NUMBER	RADIUS	DELTA ANGLE	TANGENT	ARC LENGTH	CHORD LENGTH	CHORD DIRECTION
C1	100.00'	90°56'50"	101.67'	158.73'	142.59'	S 48°32'13" W
C2	75.00'	90°56'50"	76.25'	119.05'	106.94'	N 48°32'13" E
C3	125.00'	90°56'50"	127.08'	198.43'	178.23'	S 48°32'13" W
C4	125.00'	00°53'07"	0.97'	1.93'	1.93'	S 03°30'22" W
C5	125.00'	24°22'26"	27.00'	53.18'	52.78'	N 16°08'08" E
C6	125.00'	24°22'26"	27.00'	53.18'	52.78'	N 40°30'33" E
C7	125.00'	24°22'26"	27.00'	53.18'	52.78'	N 64°52'59" E
C8	125.00'	16°56'25"	18.62'	36.96'	36.82'	S 85°32'25" W
C9	25.00'	90°00'00"	25.00'	39.27'	35.36'	S 40°59'22" E
C10	25.00'	90°00'00"	25.00'	39.27'	35.36'	N 49°00'38" E

**SUBDIVISION PLAT FOR
BALLINGER ESTATES PHASE II**

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AND KNOWN AS BEING OUTLOT 303

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