

# Highgate Bluff Subdivision

## CITY OF WILLOUGHBY - LAKE COUNTY - OHIO BEING PART OF ORIGINAL LOT 113 IN WILLOUGHBY VILLAGE, TOWNSHIP 10 NORTH, RANGE X WEST OF THE CONNECTICUT WESTERN RESERVE

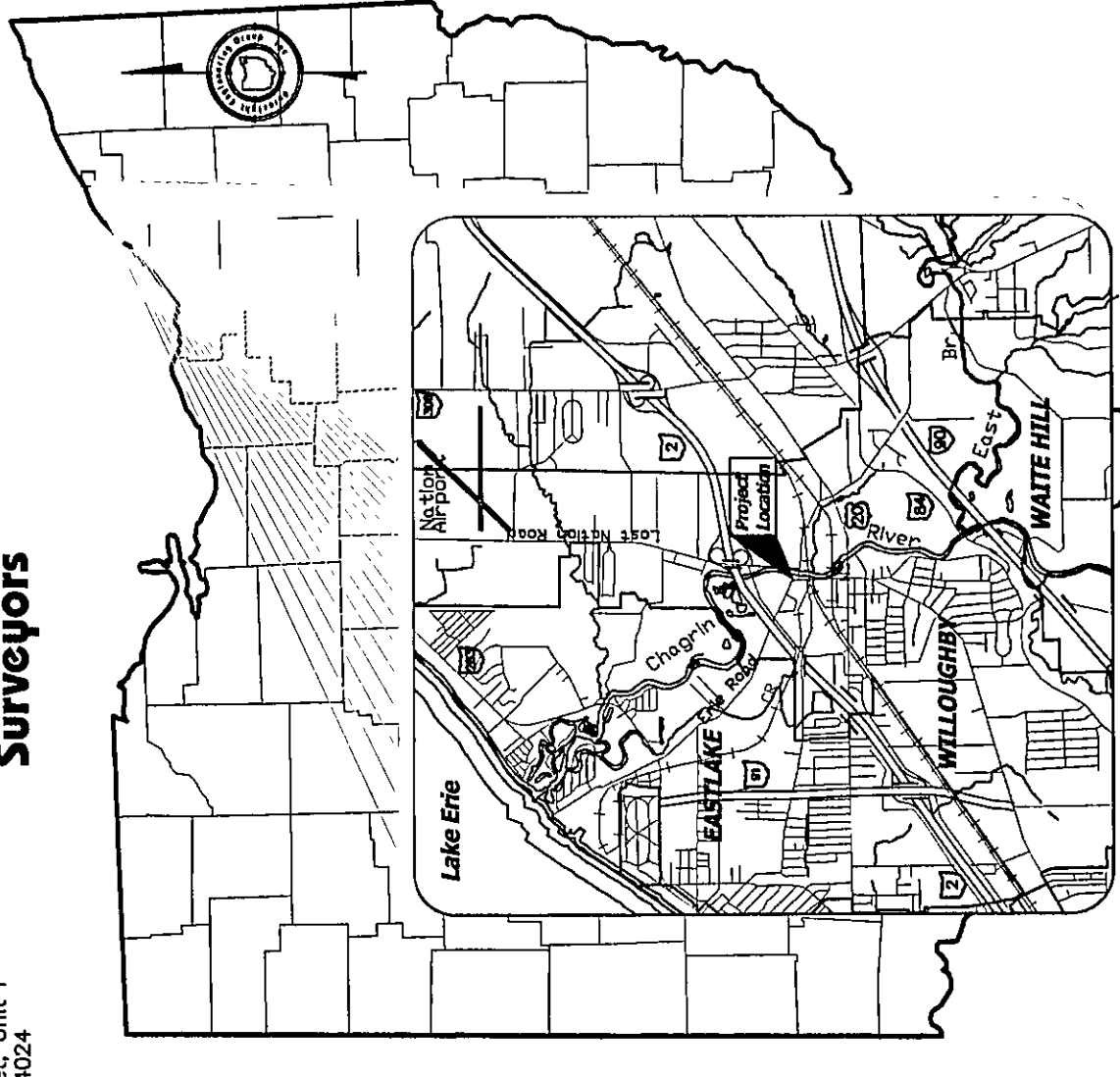
# 2006 8019536  
RECEIVED FOR RECORD  
3/21/2006

AT 3:15 AM (M)  
RECORDERS FEE \$108.00  
Vol. 52 Page 2  
FRANK A. SUPONCIC  
Lake County Recorder

**TRANSFERRED**  
3-31-06 8:50  
Edward H. Zupancic  
Auditor, Lake County, Ohio

**Foresight Engineering Group**  
Engineers & Surveyors  
440 286-1010  
440 286-1034 fax  
320 Center Street, Unit F  
Chardon, Ohio 44024

Area in R/W 0.6534 Acres  
Area in Sublots 4.3529 Acres  
TOTAL AREA 5.0163 Acres



### ACCEPTANCE AND DEDICATION

Be it known that Beldon Hill, LLC, a Limited Liability Company hereby certifies that this plat correctly represents its Highgate Bluff, a Subdivision of Sublots numbered One (1) through seventeen (17) and does also hereby accept plot of some and dedicate to public use, as such, Highgate Bluff Lane (60').

And does hereby grant unto the Board of the Lake County Commissioners, its Agencies and Assigns ("Grantee Board"), an easement located within the bounds of all the rights of way dedicated herein, for the purpose of installing and maintaining utilities, sewers, but not limited to, sewer and water lines and their appurtenances. The Board shall have the right to install, maintain, repair or operate said utilities. Grantee Board shall be responsible to restore lawns, walks and driveways within easement area to as reasonable condition as possible to the condition prior to any operations contemplated by this easement.

We, the owners of the within platted land, do hereby grant unto The Illuminating Company, SBC Ameritech, Comcast, and CRAWLEL NATURAL GAS Company, their successors and assigns, (hereinafter referred to as the Grantees), a permanent right of way and easement twelve (12) feet in width under, over and through all sublots and all lands shown hereon and contiguous to all street lines to construct, place, operate, maintain, repair, reconstruct and relocate such underground electric and communications, cables, ducts, conduits, surface or below ground mounted transformers and pedestals, concrete pads and other facilities as are deemed necessary or convenient by the Grantees for distributing and transmitting electricity and communication signals. Such easement rights shall include the location of any easements, poles and all facilities not contemplated in the rights conveyed to Grantees by this easement grant, with liability therefor. The easement shall include the right to install, maintain, repair or operate said utilities, including lawns, flowers or shrubbery and landscape lighting within and without said easement premises which may interfere with the installation, maintenance, repair or operation of said electric and communication facilities, the right to install, repair, augment and maintain service cables outside the above described easement premises, and with the right of access, ingress and egress to and from any of the within described premises for exercising any of the purposes of this right of way and easement grant. All sublots and all lands shall be restricted to underground utility service.

And does also grant unto the Highgate Bluff Subdivision Homeowners Association, as referenced in Lake County Document No. \_\_\_\_\_, "Storm Drainage Easement" as shown hereon to lay, maintain, augment, repair, replace, or remove sewer pipe, and/or other appurtenances, and to maintain stormwater retention facilities, in accordance with the Declaration of Covenants, Conditions and Restrictions as recorded in Document No. \_\_\_\_\_ of the Lake County Records ("Declaration") and the bylaws of said Association.

And does also grant unto the adjoining homeowners of each easemented area equal rights and responsibilities for "LOCAL SERVICE DRAINAGE EASEMENTS" as shown hereon and labeled as "L.S.D. Easement" within Highgate Bluff Subdivision to access, lay, maintain, replace, or remove, storm sewer pipe, manholes, ditches, swales, and/or appurtenances. As referred to in declaration of restrictions and easements for storm drainage purposes filed for record under Lake County Document No. \_\_\_\_\_

The Grantee shall have the right without liability to remove trees, landscaping and lawns within the easement area as may be required to install, maintain, repair or operate said electric, gas, drainage and communication systems.

The Grantee shall be responsible to restore lawns, walks, and drives within the easement area to as reasonable a condition as possible to the condition prior to any operations contemplated by this easement.

Where easements are not parallel to a public road right of way, the Grantee shall have the right to cross over and utilize platted land adjacent to such an easement area in order to accomplish any of the purposes set forth above. The Grantee shall restore all disturbed areas outside the easement area to as reasonable a condition as possible to the condition prior to any operations contemplated by this easement.

In witness whereof, Beldon Hill, LLC, a Limited Liability Company has caused this instrument to be subscribed at the City of Willowoughby, Ohio, this 21<sup>st</sup> day of July, 2006.

Beldon Hill, LLC, a Limited Liability Company

Signed in the presence of: Chad Gruber  
By: Jeffrey W. Whitaker, President  
MEMBER  
Witness: Name Printed

Signed in the presence of: Laura K. Schwickerath  
Witness: Name Printed

(Witnesses' names must be either typed or printed below their signatures)

STATE OF OHIO )  
COUNTY OF LAKE )  
Before me a Notary Public in and for said county and state, personally appeared the above named Willowoughby Development Co., Ltd. a Limited Liability Company in the State of Ohio, William R. Martin and Joseph R. Kelly, its president and vice president, respectively, duly authorized to execute this instrument, and they acknowledged to me that they are the members of said Limited Liability Company. In testimony whereof, I hereunto set my hand and official seal at Willowoughby, Ohio, this 21<sup>st</sup> day of July, 2006.

William R. Martin  
NOTARY PUBLIC

### ACCEPTANCE AND APPROVALS

Approved this 13 day of SEPT, 2005 by The Lake County Commissioners.  
Robert E. Aufburgh  
Robert E. Aufburgh  
Daniel P. Troy  
Raymond E. Shies

Approved this 14 day of September, 2005 by The Lake County Prosecutor.  
Charles E. Blubaugh

Approved this 16<sup>th</sup> day of Sept., 2005 by The City of Willowoughby Clerk of Council by Ordinance No. 2005-126  
Charita Radabaugh

Approved this 16<sup>th</sup> day of August, 2005 by The City of Willowoughby Engineer  
GTJ

Approved this 16<sup>th</sup> day of MAY, 2009 by The City of Willowoughby Planning Commission  
Beth A. Marulli

Approved this 29 day of MARCH, 2008 by The City of Willowoughby Law Director  
John W. Wiland

Utility Easement Accepted this 127 day of JULY, 2005 by SBC AMERITECH  
Orin J. Smith Jr.  
SBC Ameritech  
Name Printed: ORIN J. SMITH JR.

Utility Easement Accepted this 22 day of JULY, 2005 by The First Energy Corp.  
Roy Delaney  
The First Energy Corp.  
Name Printed: ROY DELANEY

Utility Easement Accepted this 22 day of JULY, 2005 by Comcast.  
Emil S. Swartz  
Comcast  
Name Printed: EMIL SWARTZ

Utility Easement Accepted this 26 day of JULY, 2005 by CRAWLEL NATURAL GAS CO.  
Orwell C. Cramer  
CRAWLEL NATURAL GAS CO.  
Name Printed: ORWELL C. CRAMER

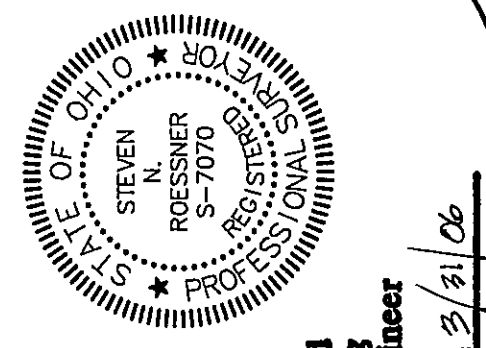
Subdivision Approved this 29<sup>th</sup> day of August, 2005 by The Lake County Utilities Department.  
Albert J. Saari, P.E.  
Albert J. Saari, P.E.

### Surveyors' Certification

This is to certify that at the request of the Owner, I have surveyed Highgate Bluff Subdivision containing 5.0163 Acres of land. All plat points monuments were either found or set. Distances shown are in feet and decimal parts thereof.

This is to certify that this plat represents a survey in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code, and all required monuments are correctly shown hereon and those monuments are duly authorized in the premises. I have placed in the field with any remaining monuments to be properly placed upon completion of construction.

Steven N. Roessner  
Steven N. Roessner, P.S. Ohio #7070  
Foresight Engineering Group, Inc.



### MORTGAGE RELEASE

Be it known that Horn Swans Mortgage of the land indicated on the annexed plat does hereby join in the above dedication and release from operation and lien of the mortgage held by it, on said premises as recorded in Document No. 2005014377 of the Lake County Records of Mortgages - Highgate Bluff Lane (60') and the easements herein granted and reserved.

In witness whereof Horn Swans has caused instrument to be subscribed in its name by Scott Swanson thereunto duly authorized and its seal hereunto affixed at WILLOUGHBY, Ohio, this 21<sup>st</sup> day of July, 2006.

Signed and Acknowledged in the presence of:  
Scott Swanson By: \_\_\_\_\_  
Scott Swanson By: \_\_\_\_\_  
Witness \_\_\_\_\_  
Witness \_\_\_\_\_

STATE OF OHIO )  
COUNTY OF LAKE )  
Before me a Notary Public in and for said county and state, personally appeared the above named Horn Swans, its duly authorized officer, and they acknowledged to me that they are duly authorized in the premises to execute this instrument and that the same was their voluntary act and deed of their own free will and understanding. In testimony whereof, I hereunto set my hand and official seal at \_\_\_\_\_, Ohio, this 21<sup>st</sup> day of July, 2006.

Scott Swanson  
NOTARY PUBLIC

