

GENERAL WARRANTY DEED

(O.R.C. §5302.05)

KNOW ALL MEN BY THESE PRESENTS that **THE NEW ALBANY COMPANY, LLC**, "Grantor", a Delaware limited liability company, for One Dollar (\$1.00) and other good and valuable consideration, (the receipt of which is hereby acknowledged), given by the **CITY OF COLUMBUS, OHIO**, "Grantee", a municipal corporation, whose tax mailing address is Mortgage Code 9000 (90 West Broad Street, Columbus, Ohio 43215), does, subject to restrictions contained herein and easements, conditions, and restrictions of record, hereby grant in fee simple, with general warranty covenants (O.R.C.§5302.06), to the Grantee, its successors and assigns forever, the following described real property (the "Property"):

70.774 Acres

(SEE LEGAL DESCRIPTION ATTACHED HERETO
AS EXHIBIT "A" AND MADE A PART HEREOF)

Franklin County Tax Parcel Nos. 010-212435, 010-212436, 010-220083.

Prior Instrument Reference: O.R. Vol. 12772, Pg. J-15; O.R. Vol. 15680, Pg. H-04;
Instrument Number 199811120289607;
Recorder's Office, Franklin County, Ohio.

The Grantee, for itself and its successors and assigns, by acceptance and recordation of this deed, shall be deemed to have agreed to and accepted all of the following conditions, restrictions, and limitations upon Grantee's use of the Property, which conditions, restrictions, and limitations shall run with the land:

a. Grantee shall not cause or allow any development of the Property, or placement or construction of any man-made items thereon including, but not limited to, roads, parking areas, and structures of any kind, except that Grantee may install pervious walking paths and trails and boardwalks thereon. In addition, Grantee may install black metal chain link fencing with a maximum height of six (6) feet (the "Security Fencing") to control pedestrian and vehicular access to the Property. If the Security Fencing is installed in a location that allows it to be visible from the rights-of-way of either Hamilton Road or the State Route 161 Expressway, then Grantor (or its successors or assigns in interest), upon reasonable written notice to Grantee, shall have the right to enter the Property to install and periodically maintain (at its own cost and expense) a four-board fence on the Property between the Security Fencing and the affected right-of-way. The four-board fence shall be located no further than a distance of ten (10) feet in front of the Security Fencing, shall be painted or stained white, and shall be a minimum of four (4) feet in height. Grantor shall maintain such fencing with a neat and orderly appearance and shall repaint or re-stain it as Grantor deems necessary.

b. Grantee shall not cause or allow the use of pesticides on the Property, and shall not remove plants, shrubs, ground cover, or trees, except that Grantee may remove dead or diseased plant life, and plants, shrubs, ground cover, and trees necessary for the purposes of conservation, erosion, public safety, and/or for the construction, installation, maintenance, repair, and replacement of the pervious walking paths, trails, boardwalks and fences.

c. It is the intent and purpose of the foregoing to restrict and forbid, except as allowed above, any activity or use which would, as a natural consequence of such, impede or make more difficult the maintenance of erosion control and conservation objectives for the floodway/wetlands within the Property.

d. Grantor hereby grants to Grantee, for the benefit of the Property, a temporary easement on, over, and through all of the real property that is described in EXHIBIT "B" attached hereto and made a part hereof (the "Grantor's Property") for the limited purpose of allowing vehicular and pedestrian access between the Property and the Hamilton Road right-of-way. At the time that Grantor, or its successors or assigns, make any improvements or undertake any development on Grantor's Property, it shall provide to Grantee a perpetual vehicular/pedestrian ingress/egress access easement, a minimum of thirty feet wide, through Grantor's Property and connecting the Property to a public road. The Grantor, or its successors and assigns, in its sole reasonable discretion, shall designate the location of said easement and provide to Grantee the legal description and plat of same.

The Grantor, by its duly authorized officer, has caused this instrument to be executed and subscribed this _____ day of _____ 2008.

THE NEW ALBANY COMPANY, LLC
a Delaware limited liability company

Brent Bradbury, Chief Financial Officer

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

BE IT REMEMBERED that on this _____ day of _____ 2008 the foregoing instrument was acknowledged before me by Brent Bradbury, Chief Financial Officer, on behalf of The New Albany Company, LLC, a Delaware limited liability company.

(seal)

Notary Public

This instrument prepared by:
CITY OF COLUMBUS, DEPARTMENT OF LAW
BY: David E. Peterson (11-12-08)
Real Estate Attorney
Real Estate Division
For: Department of Recreation & Parks
Re: Hamilton Road Wetlands-Donation

70.774 ACRES

EXHIBIT

tabular

A
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Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of the original 78.37 acre tract conveyed to The New Albany Company LLC by deeds of record in Official Record 12772 J15 and Instrument Number 199811120289607, and part of the original 89.603 acre tract conveyed to The New Albany Company LLC by deeds of record in Official Record 15680 H04 and Instrument Number 199811120289607, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the westerly line of said original 78.37 acre tract, being the westerly line of said Range 16, and the northerly right-of-way line of Relocated State Route 161, being a common corner of Lot 99 of "Preston Commons Section 2", a subdivision of record in Plat Book 84, Page 66, and the 31.729 acre tract conveyed to State of Ohio by deed of record in Official Record 25998 B20;

Thence North $03^{\circ} 41' 35''$ East, a distance of 2226.70 feet, with the westerly line of said original 78.37 acre tract, being the westerly line of said Range 16, and the easterly lines of said "Preston Commons Section 2", "Blendon Chase Condominium 7th Amendment", a condominium of record in Condominium Plat Book 91, Page 42, "Blendon Chase Condominium 6th Amendment", a condominium of record in Condominium Plat Book 90, Page 43, "Blendon Chase Condominium 8th Amendment", a condominium of record in Condominium Plat Book 94, Page 69, and the 63.551 acre tract conveyed to McCorkle Soaring Eagles LLC by deed of record in Instrument Number 200602150030059, to an iron pin set at a common corner of said original 78.37 acre tract and the 32.245 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200507060131302;

Thence South $86^{\circ} 24' 01''$ East, a distance of 750.94 feet, with the line common to said original 78.37 and said 32.245 acre tracts, to an iron pin set;

Thence North $03^{\circ} 28' 31''$ East, a distance of 526.96 feet, continuing with said common line, to an iron pin set at the common corner of said original 78.37 and 32.245 acre tracts, and the 11.809 acre tract conveyed to Dominion Homes, Inc. by deed of record in Instrument Number 200506070109304;

Thence South $86^{\circ} 00' 49''$ East, a distance of 481.31 feet, with the northerly lines of said original 78.37 and 89.603 acre tracts, and the southerly line of said 11.809 acre tract, to an iron pin set;

Thence across said original 89.603 acre tract, the following courses and distances

South $03^{\circ} 59' 11''$ West, a distance of 102.56 feet, to an iron pin set;

South $46^{\circ} 14' 47''$ West, a distance of 33.62 feet, to an iron pin set;

South $01^{\circ} 03' 40''$ West, a distance of 54.03 feet, to an iron pin set;

South $12^{\circ} 30' 00''$ East, a distance of 69.83 feet, to an iron pin set;

South $40^{\circ} 17' 51''$ East, a distance of 64.82 feet, to an iron pin set;

South $10^{\circ} 58' 44''$ West, a distance of 102.81 feet, to an iron pin set;

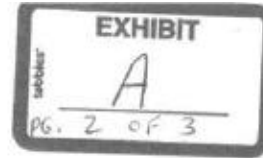
North $88^{\circ} 32' 18''$ East, a distance of 103.02 feet, to an iron pin set;

South $31^{\circ} 22' 00''$ East, a distance of 278.26 feet, to an iron pin set;

South $88^{\circ} 46' 34''$ East, a distance of 42.79 feet, to an iron pin set;

South $00^{\circ} 59' 10''$ East, a distance of 409.26 feet, to an iron pin set;

70.774 ACRES
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- North 89° 42' 42" East, a distance of 66.89 feet, to an iron pin set;
- South 52° 02' 40" East, a distance of 36.91 feet, to an iron pin set;
- South 85° 44' 10" East, a distance of 29.52 feet, to an iron pin set;
- South 15° 01' 39" East, a distance of 70.66 feet, to an iron pin set;
- South 73° 32' 18" East, a distance of 16.94 feet, to an iron pin set;

South 86° 24' 01" East, a distance of 92.33 feet, to an iron pin set at a common corner of the remainder of said original 89.603 acre tract and said 31.729 acre tract, being the intersection of the westerly right-of-way line of Hamilton Road and the northerly right-of-way line of said relocated State Route 161;

Thence with the southerly lines of the remainders of said original 89.603 and 78.37 acre tracts, and said northerly right-of-way line, the following courses and distances:

- South 06° 57' 24" West, a distance of 152.57 feet, to an iron pin set;
- South 60° 54' 22" West, a distance of 207.81 feet, to an iron pin set;
- South 40° 13' 56" West, a distance of 229.05 feet, to an iron pin set;
- South 35° 05' 47" West, a distance of 407.01 feet, to an iron pin set;
- South 49° 24' 01" West, a distance of 249.18 feet, to an iron pin set;

South 63° 16' 47" West, a distance of 1330.71 feet, to the POINT OF BEGINNING, containing 70.774 acres, more or less, of which 46.009 acres are in Parcel Number 010-212436, 21.169 acres are in Parcel Number 010-220083, and 3.596 acres are in Parcel Number 010-212435.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on North 64° 59' 53" East for a portion of the centerline of Relocated State Route 161, as shown on the centerline survey plat of FRA-161-16.75/LIC-161-0.00, of record in Plat Book 78, Page 28.

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EVANS, MECHWART, HAMBLETON, & TILTON, INC.

HEATHER L. KING
REGISTERED PROFESSIONAL SURVEYOR
S-8307

Heather L. King 6/27/07
Heather L. King Date
Professional Surveyor No. 8307

0-75-A	Split	All of
split	Split	(010)
46.009 ac	21.169 ac	212435
out of	out of	
(010)	(010)	
212436	22083	



EXHIBIT
A
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SURVEY OF ACREAGE PARCEL
QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 16
UNITED STATES MILITARY LANDS
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO



LINE	BEARING	DISTANCE
1.1	S84°20'12\"	136.00'
1.2	S84°20'12\"	136.00'
1.3	S84°20'12\"	136.00'
1.4	S84°20'12\"	136.00'
1.5	S84°20'12\"	136.00'
1.6	S84°20'12\"	136.00'
1.7	S84°20'12\"	136.00'
1.8	S84°20'12\"	136.00'
1.9	S84°20'12\"	136.00'
2.0	S84°20'12\"	136.00'
2.1	S84°20'12\"	136.00'
2.2	S84°20'12\"	136.00'
2.3	S84°20'12\"	136.00'
2.4	S84°20'12\"	136.00'
2.5	S84°20'12\"	136.00'
2.6	S84°20'12\"	136.00'
2.7	S84°20'12\"	136.00'
2.8	S84°20'12\"	136.00'
2.9	S84°20'12\"	136.00'
3.0	S84°20'12\"	136.00'

- = STONE FND.
 - = IRON FND.
 - = U/I FND.
 - = U/I SET.
 - = MAG. NAIL FND.
 - = MAG. NAIL SET.
 - ▲ = P.I. SIGN FND.
 - △ = R.R. SIGN SET.
 - = P.C. NAIL FND.
- I.P. Set are 1/2\"



NOTE: BEARINGS & DISTANCES HEREON ARE BASED ON NORTH 84° 50' 51\"

EMHT
 State of Ohio
 Heather King
 S-4303
 Professional Surveyor

Date: June 27, 2017
 Book: 174-1557
 Page: 2007-020
 Sheet: 1 of 1

REVISIONS

NO.	DATE	DESCRIPTION

"GRANTOR'S PROPERTY"

EXHIBIT B
PAGE 1 OF 3

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of the original 89.603 acre tract conveyed to The New Albany Company LLC by deeds of record in Official Record 15680304 and Instrument Number 199811120289607, all of the 0.190 acre tract conveyed to The New Albany Company LLC by deed of record in Instrument Number 200408190194830, and all of the 0.397 and 0.173 acre tracts conveyed to The New Albany Company LLC by deed of record in Instrument Number 200410280249132, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Relocated State Route 161 and Hamilton Road;

Thence North $25^{\circ} 00' 07''$ West, a distance of 99.61 feet, with the centerline of said Hamilton Road, to a point of curvature;

Thence with said curve to the right, having a central angle of $15^{\circ} 45' 39''$, a radius of 2083.48 feet, an arc length of 573.12 feet, and a chord which bears North $17^{\circ} 01' 18''$ West, a chord distance of 571.31 feet, continuing with the centerline of said Hamilton Road, to a point;

Thence South $80^{\circ} 45' 32''$ West, a distance of 90.80 feet, across said Hamilton Road, to the intersection of the northerly right-of-way line of said Relocated State Route 161 and the westerly right-of-way line of said Hamilton Road;

Thence with said westerly right-of-way line, the following courses and distances:

North $00^{\circ} 20' 45''$ East, a distance of 234.79 feet, to a point;

North $02^{\circ} 07' 52''$ West, a distance of 277.65 feet, to a point of curvature;

With a curve to the right, having a central angle of $00^{\circ} 53' 49''$, a radius of 2560.00 feet, an arc length of 40.08 feet, and a chord which bears North $01^{\circ} 05' 58''$ East, a chord distance of 40.08 feet, to the TRUE POINT OF BEGINNING;

Thence across said original 89.603 acre tract, the following courses and distances:

South $86^{\circ} 52' 13''$ West, a distance of 307.71 feet to a point;

North $31^{\circ} 21' 59''$ West, a distance of 252.50 feet to a point;

South $88^{\circ} 32' 18''$ West, a distance of 101.02 feet to a point;

North $10^{\circ} 38' 44''$ East, a distance of 102.81 feet to a point;

North $40^{\circ} 17' 51''$ West, a distance of 64.82 feet to a point;

North $12^{\circ} 30' 00''$ West, a distance of 69.83 feet to a point;

North $01^{\circ} 03' 40''$ East, a distance of 54.03 feet to a point;

North $48^{\circ} 14' 17''$ East, a distance of 33.62 feet to a point;

North $03^{\circ} 59' 11''$ East, a distance of 102.56 feet to a point in the northerly line of said original 89.603 acre tract;

Thence South $86^{\circ} 00' 49''$ East, a distance of 745.17 feet, with said northerly line, to a point;

Thence with a curve to the left, having a central angle of $04^{\circ} 26' 57''$, a radius of 2440.00 feet, an arc length of 189.47 feet, and a chord which bears South $12^{\circ} 17' 31''$ West, a chord distance of 189.42 feet, with the easterly line of the remainder of said original 89.603 acre tract, to the northerly corner of said 0.190 acre tract;

Thence South $41^{\circ} 14' 45''$ East, a distance of 134.04 feet, with the northeasterly line of said 0.190 acre tract, to a point in the westerly right-of-way line of said Hamilton Road;

Thence with said westerly right-of-way line, the following courses and distances:

South $48^{\circ} 45' 15''$ West, a distance of 62521 feet, to a point;

South $43^{\circ} 43' 17''$ West, a distance of 286.35 feet, to a point;

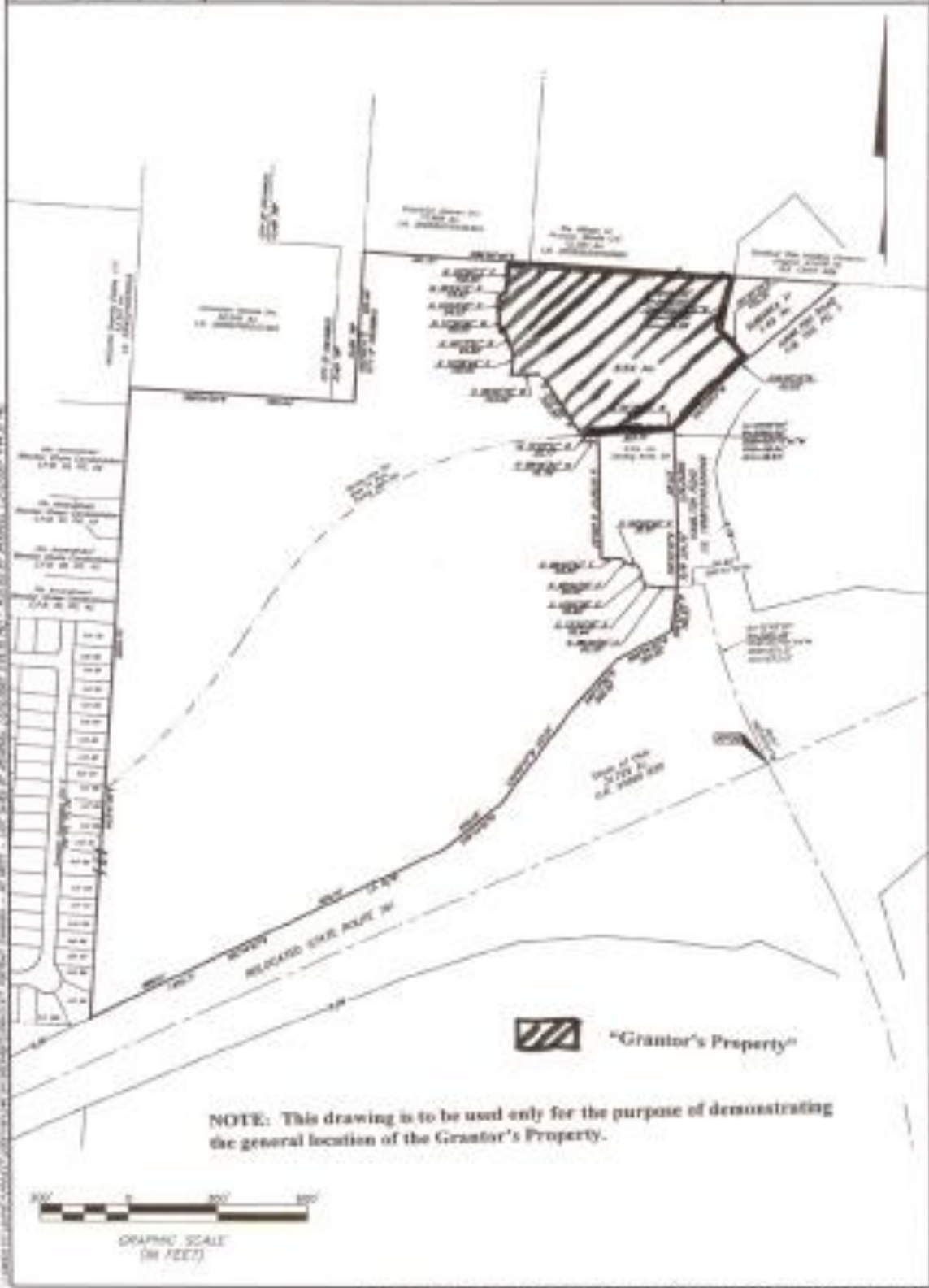
With a curve to the left, having a central angle of $09^{\circ} 11' 30''$, a radius of 2560 feet, an arc length of 8.57 feet, and a chord which bears South $01^{\circ} 38' 38''$ West, a chord distance of 8.57 feet, to the TRUE POINT OF BEGINNING, containing 8.5 acres of land, more or less.

EMHT

Engineering, Mapping, Information & Surveying
Engineering & Surveying • Planning • Design
2500 New Albany Road, Columbus, OH 43224
Phone: 614.277.8888 Fax: 614.277.8889

EXHIBIT
QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 16
UNITED STATES MILITARY LANDS
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

EXHIBIT B
PAGE 3 OF 3



NOTE: This drawing is to be used only for the purpose of demonstrating the general location of the Grantor's Property.