

BEFORE THE BOARD OF THE COUNTY COMMISSIONERS OF DELAWARE COUNTY,  
OHIO

PETITION FOR THE ESTABLISHMENT OF THE  
LIBERTY GRAND NEW COMMUNITY  
AUTHORITY AS A NEW COMMUNITY  
AUTHORITY UNDER OHIO REVISED CODE  
CHAPTER 349

Submitted by:

Liberty Grand, LLC; and  
M/I Homes of Central Ohio, LLC

As the Developers

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**PETITION FOR ESTABLISHMENT OF  
THE LIBERTY GRAND NEW COMMUNITY AUTHORITY  
AS A NEW COMMUNITY AUTHORITY  
UNDER OHIO REVISED CODE CHAPTER 349**

Pursuant to Ohio Revised Code (“R.C.”) Chapter 349 (the “Act”), M/I Homes of Central Ohio, LLC (“M/I”) and Liberty Grand, LLC (“Liberty Grand,” with M/I and Liberty Grand collectively referred to herein as the “Developer,” as that term is defined in R.C. Section 349.01(E)) hereby submit this petition (the “Petition”) to the Clerk of Board of County Commissioners of Delaware County, Ohio (the “County”) as the “organizational board of commissioners” under R.C. Section 349.01(F), in order to initiate proceedings for the establishment of a new community authority (the “Authority”) and for the new community district described in Section 3 below (the “District”). The following information is provided pursuant to R.C. Section 349.03:

**Section 1.**     Name.     The proposed Authority shall be named the Liberty Grand New Community Authority.

**Section 2.**     Address.     The Authority’s address is c/o Schottenstein Real Estate Group, LLC, 2 Easton Oval, Suite 510, Columbus, Ohio 43219 until such time as the Board of Trustees of the Authority (the “Board”) determines another location for the principal office of the Authority.

**Section 3.**     Map and Description of Boundaries.     See Exhibit A attached hereto and incorporated herein by this reference. The total acreage of the District is approximately 288 +/- acres, and is wholly contained within the boundaries of the County and Liberty Township (Delaware County), Ohio (the “Township”). The District is comprised of Subareas A through G and the Primary Road (defined below). As indicated on the attached map, all of the real property comprising the District is developable as one functionally interrelated community and is owned or controlled, through leases of at least seventy-five years’ duration, options, or contracts to purchase, by the Developer.

**Section 4.**     Zoning Regulations.     The zoning regulations are attached hereto as Exhibit B attached hereto and incorporated herein by this reference. The POD 18(B) area described in Exhibit B contains the zoning regulations for all of Subareas A-G which, as noted in Section 3 above, is coextensive with the boundaries of the District.

**Section 5.**     Development Plan.

- (a)     Private Development Plan.     The current plans for the development of the proposed District, indicating the proposed “new community development program,” as defined in the Act, are provided below and in certain Exhibits attached to this Petition. The Developer plans to construct or cause the construction of the following private development (collectively, the “Private Development”) as depicted on Exhibit A.

Subarea A – consisting of approximately 120 single-family homes.

Subarea B – consisting of approximately 126 single-family homes.

Subarea C – consisting of approximately 39 single-family homes.

Subarea D – consisting of approximately 204 single-family homes.

Subarea E – Subarea E is not included in the Chargeable Property (as defined in Exhibit C) as of the date of this Petition.

Subarea F – Subarea F is not included in the Chargeable Property as of the date of this Petition.

Subarea G – Subarea G is not included in the Chargeable Property as of the date of this Petition.

(b) Projected Total Population and Employment. Once Subareas A through G are constructed, the Developer estimates that the total population of the District will be approximately 3,000 and there will be approximately 20 employees working within the District.

(c) Plan for Community Facilities, Land Acquisition and Land Development. In connection with the Private Development, Liberty Grand, on behalf of the Developer, plans to construct or cause the construction of various public infrastructure improvements and related improvements within the District, all of which are “Community facilities” as defined in R.C. Section 349.01(I), related to “land acquisition” as defined in R.C. Section 349.01(G), or “Land development” as defined in R.C. Section 349.01(H) (collectively, the “Community Facilities”). The Community Facilities shall include all real property, buildings, structures, or other facilities, including related fixtures, equipment, and furnishings, to be owned, operated, financed, constructed, or maintained under the Act. As provided in the Act, the Community Facilities consist generally of (i) any real property, buildings, structures, or other facilities, including related fixtures, equipment, and furnishings, to be owned, operated, financed, constructed, and maintained, including public, community, village, neighborhood, or town buildings, centers and plazas, auditoriums, recreation halls, educational facilities, recreational facilities, natural resource facilities, including parks and other open space land, lakes and streams, cultural facilities, entrance signage and features, community streets, pathway and bikeway systems, pedestrian underpasses and overpasses, lighting facilities, design amenities, or other community facilities, and buildings needed in connection with water supply or sewage disposal installations or steam, gas, or electric lines or installation; and (ii) any community facilities that are owned, operated, financed, constructed, or maintained for, relating to, or in furtherance of community activities, including, but not limited to, town buildings or other facilities, and off-street parking facilities.

Specifically, it is presently anticipated that the Community Facilities will include, but not be limited to, the following:

(i) Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing signage (including traffic

signage and informational/promotional signage), lighting systems, signalization, and traffic controls, and all other appurtenances thereto.

(ii) The “Primary Road” consisting of public roadway system for circulation and connectivity purposes which will connect the Private Development to Sawmill Parkway, Hyatts Road, and Steitz Road; as depicted on the Primary Road Map, such Primary Road to include Segments 1, 2 and 3. The Primary Road Map is incorporated herein to Exhibit A. As depicted on the Primary Roadway Map, Segment 1 is expected to include the construction of approximately 5800 linear foot boulevard roadway, roundabout(s), 20-foot lanes, a 12-foot median and an 80 foot public right of way (subject to modification). In addition, the construction of the Primary Road is expected to include, but not be limited to, curbs and gutters, sidewalks/multi-use paths, storm sewers, sanitary sewers, watermains and appurtenances, gas facilities, electric facilities, communication facilities, lighting, stormwater management facilities, landscaping, street trees, signage, artwork, sculptures and/or other streetscape improvements, and traffic signalization. The specifications, design and final configuration of the Primary Road are subject to change and modification in whole, or in part.

(iii) Signage, artwork, sculpture and other related items that enhance, complement and beautify the District and the Community Facilities located in the public right-of-way or within public easements.

(iv) Construction, reconstruction, extension, opening, improving, widening, grading, draining or curbing of walking and/or multipurpose paths that connect the District to any public-school facility, including improvements to the District and any public-school property.

(v) Construction, reconstruction or installation of public utility improvements (including any underground municipally owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all appurtenances thereto.

(vi) Construction, reconstruction or installation of gas, electric and communication service facilities (including any underground lines or other facilities), and all appurtenances thereto.

(vii) Construction, reconstruction and installation of stormwater and flood remediation projects and facilities, including such projects and facilities on private property when determined to be necessary for public health, safety and welfare.

(viii) Continued and ongoing maintenance, paving, repaving, striping, grading and related work on roads, highways, streets, water and sewer lines constructed as part of the Community Facilities.

(ix) Construction or installation of streetscape and landscape improvements including trees, tree grates, signage, curbs, sidewalks, scenic fencing, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto, including, but not limited

to streetscape improvements in conjunction with and along the roadway improvements described above.

(x) Parks and gathering spaces including, but not limited to, sidewalks and multipurpose paths.

(xi) Acquisition of real estate or interests in real estate (including easements) (a) necessary to accomplish any of the foregoing Community Facilities or (b) in aid of industry, commerce, distribution or research.

(xii) Any other community facilities, pursuant only to a written request by Liberty Grand, constructed or maintained by or on behalf of the Board that are determined by the Board to directly benefit the District.

(xiii) Various related hard and soft costs.

(d) Method of Financing. The financing for the Community Facilities constructed by Liberty Grand will be provided, in part, by the receipt of a “community development charge” as defined in Section 349.01(L) of the Act and levied by the Board pursuant to Section 349.06(Q) of the Act. Liberty Grand will advance funding for construction of the Community Facilities, to be reimbursed by this community development charge, through one or more financing methods to be determined by Liberty Grand at its sole and absolute discretion, including, but not limited to, (i) bonds issued by the Delaware County Finance Authority (the “DCFA”) and/or by another Ohio port authority or other Ohio issuer (collectively, the “Bonds”); (ii) reimbursement agreements between Liberty Grand, its affiliates, successors and/or assigns and the Authority or other governmental entities; (iii) conventional bank financing; and/or (iv) Liberty Grand equity. Upon establishment of the Authority and the Board, the Board will pass a resolution committing the Authority to reimburse Liberty Grand for the projected costs of constructing the Community Facilities. Upon completion of construction of the Community Facilities, Liberty Grand will certify the costs of constructing those facilities to the Authority, which costs shall then be eligible for reimbursement from revenue produced by the community facilities charge, all as further described herein.

(i) The Charge. The community facilities charge (the “Charge”) shall initially be equal to three-and-one half (3.5) mills multiplied by the assessed value of each chargeable parcel in the District, which shall initially include Subareas A through D. With regard to Subareas A through D, and as described further in the Declaration, the Charge shall not at any time exceed three-and-one half (3.5) mills. Under the Declaration, in the event that the assessed valuation is not available, the Authority may alternatively calculate the value of a chargeable parcel for purposes of calculating the Charge based on the purchase price. At the sole discretion and request of Liberty Grand, as further described in the Declaration, the Charge may also be levied on Subareas E, F and G in an amount between zero (0) mills and ten (10) mills multiplied by the assessed value of parcels in those Subareas. See the financial plan on Exhibit C attached hereto and incorporated herein by this reference.

(ii) Charge Covenant Filing. The Charge will be a lien against the property pursuant to the Declaration of Covenants and Restrictions for the Liberty Grand New Community

Authority (the “Declaration”) to be filed with the Delaware County Recorder by the Developer or a successor entity to the Developer and by one or more owners of real property within the District, and the Charge will be submitted to the Delaware County Auditor to be placed on the tax list and duplicate as permitted under R.C. Section 349.07 or, at the option of the Authority, directly collected. The Authority will join the Declaration by means of resolution and will be bound by the restrictions and covenants contained within the Declaration.

(iii) The Reimbursement Obligation. Not later than 12 months after completion of any and all capital improvements constituting Community Facilities hereunder constructed by or on behalf of Liberty Grand, its affiliates, successors and/or assigns (the “Liberty Grand Community Facilities”), Liberty Grand shall certify to the Board the amount of the total costs incurred by Liberty Grand in connection with such Liberty Grand Community Facilities (collectively, “Liberty Grand’s Community Facilities Costs”) that Liberty Grand shall be reimbursed for from Charge revenues or that shall be made available to pay costs of debt issued to reimburse Liberty Grand for such purpose. The certification shall be substantially in the form attached hereto as Exhibit F, or such other form as determined by Liberty Grand and reasonably acceptable to the Authority. Upon receipt of a completed certification, the Board shall reimburse Liberty Grand from Charge revenues, as further described in the Declaration. This obligation to reimburse Liberty Grand for Liberty Grand’s Community Facilities Costs shall be an Obligation of the Authority, as defined in the Declaration and as authorized in Section 349.06(I) of the Act (the “Reimbursement Obligation”).

Liberty Grand’s Community Facilities Costs will include, but will not be limited to, the items of “costs of permanent improvements” contained in Revised Code Section 133.15, including, but not limited to, financing costs (e.g., principal and all types of interest). For purposes of this Petition, and as required by the Declaration and subject to any applicable limitations on the interest rate chargeable for public obligations, the interest rate to be charged by Liberty Grand and reimbursed as Liberty Grand’s Community Facilities Costs shall be equal to the prime rate plus 625 basis points or as otherwise agreed upon by Liberty Grand, the Developer, and the Board. If the prime rate is no longer published or available, as determined by the Developer and Liberty Grand, then upon such occurrence the interest rate shall be based upon a successor or alternative index agreed upon by the Developer and Liberty Grand. Interest on Liberty Grand’s Community Facilities Costs will begin to accrue on the date that Liberty Grand certifies Liberty Grand’s Community Facilities Costs to the Board, and shall be compounded monthly on the basis of a 360-day year consisting of twelve 30-day months based on the average interest rate for each month, which calculation shall be performed by Liberty Grand on behalf of the Board, subject to confirmation by the Board. Notwithstanding anything to the contrary in this Petition or in the Declaration, M/I will have no claim for reimbursement now or in the future of any costs from Charge revenues, and waives any and all claims now and in the future to reimbursement from Charge revenues.

(e) Provision of District Services. The Authority shall not have any maintenance responsibilities and shall not be responsible for any of the cost of maintenance activities for either the Community Facilities or any other facilities within the District. All maintenance activities

within the District shall be performed and paid for pursuant to either (a) the Master Declarations of Covenants, Easements, Restrictions, Conditions, Assessments and Easements Liens as recorded in Book 1705 pages 1381 through 1451 of the Delaware County Recorder, the “Master Declarations,” as applicable under terms of the Master Declarations, as the Master Declarations may be amended from time to time, and/or (b) any other declarations, covenants or other agreements that may be applicable to subareas on an individual or collective basis.

**Section 6.**     Board Members.

Pursuant to the provisions of Section 349.04 of the Act, the Board will consist of seven members. The County Commissioners will appoint three citizen members of the Board and one Board member as a representative of local government, and (ii) Liberty Grand, on behalf of the Developer, will appoint three members of the Board as representatives of the Developer. No later than ten (10) days after this petition is filed with the Organizational Board of Commissioners, Liberty Grand, on behalf of the Developer, shall provide the Organizational Board of Commissioners with a list of proposed appointees for the initial citizen member positions on the Board.

While any Bonds or other Liberty Grand-secured financing for Community Facilities are outstanding, including without limitation the Reimbursement Obligation, the County Commissioners, as the organizational board of commissioners under R.C. Section 349.01(F), will continue to appoint replacement citizen members of the Board and the representative of local government upon the expiration of that member’s term or resignation by that member, and Liberty Grand, on behalf of the Developer, will continue to appoint replacement representatives of Liberty Grand to the Board upon the expiration of that member’s term or resignation by that member. After the Bonds or other Liberty Grand-secured financing for Community Facilities are no longer outstanding, the procedure for selection of Board members shall be determined by the County pursuant to Section 349.04 of the Ohio Revised Code.

**Section 7.**     Preliminary Economic Feasibility Analysis.

The preliminary economic feasibility analysis is provided below and in Exhibits C, D and E attached to this Petition. The preliminary economic feasibility analysis examines (a) development patterns and demand factors of the area including the District, (b) the location and size of the proposed District, (c) the present and future socio-economic conditions of the area including the District, (d) a description of the public services to be provided with respect to the area including the District, (e) a financial plan with respect to the area including the District, and (f) a description of the Developer’s management capability.

(a)     Development Patterns and Demand Factors of District. The current land use of the area within and without the District is vacant land and farm land. The proposed future land use of the District will be a multi-use development consisting of new residential facilities. Demographic and development information related to certain areas within and without the District are attached hereto as Exhibit D and incorporated herein by this reference.

(b)     Location and Size of Proposed District. The District is located in the Township as more fully shown on Exhibit A. The size of the proposed District is approximately 288 +/- acres.



(c) Public Services. All law enforcement services within the District shall be provided by the County. All fire and emergency medical services shall be provided by the Township. Roadways and utilities will be provided by the applicable public or utility entities. All primary and secondary public education services shall be provided by the Olentangy Local School District and the Delaware Area Career Center.

(d) Preliminary Economic Feasibility Analysis. A preliminary economic feasibility analysis for development of the District, including the area development pattern and demand, and present and future socio-economic conditions of the area including the District is included in Exhibit D.

(e) Financial Plan. A preliminary financial plan for the development of the District is attached hereto as Exhibit C.

(f) Developer's Management Capacity. A description of the management capacity of the Developer is attached hereto as Exhibit E and incorporated herein by this reference.

**Section 8.** Environmental Laws. The Developer will comply with all applicable environmental laws and regulations.

**Section 9.** Provisions Regarding This Petition.

The Developer, Liberty Grand, and M/I each hereby acknowledges and agrees, and the undersigned do hereby consent, that at any time following the creation of the Authority, M/I may assign in full its rights and obligations hereunder and under R.C. Chapter 349 as a “developer,” as such term is defined in R.C. Section 349.01(E), to Liberty Grand. The Board of County Commissioners, upon approving this Petition, agrees to such assignment. The Board of County Commissioners, upon approving this Petition and presentation of an instrument or agreement evidencing such assignment executed by M/I, as assignor, and Liberty Grand, as assignee, agrees to cause the execution of an instrument or agreement acknowledging such assignment and confirming its consent to such assignment. Further, the Developer, Liberty Grand, and M/I each hereby acknowledges and agrees, and the undersigned do hereby consent, that at any time following the creation of the Authority, Liberty Grand may assign in full its rights and obligations hereunder and under R.C. Chapter 349 as a “developer,” as such term is defined in R.C. Section 349.01(E), to another entity owned or managed by Schottenstein Real Estate Group, LLC. The Board of County Commissioners, upon approving this Petition, agrees to such assignment. The Board of County Commissioners, upon approving this Petition and presentation of an instrument or agreement evidencing such assignment executed by Liberty Grand, as assignor, and another entity owned or managed by Schottenstein Real Estate Group, LLC, as assignee, agrees to cause the execution of an instrument or agreement acknowledging such assignment and confirming its consent to such assignment.

For the purposes of the establishment of the Authority, the City of Delaware and City of Columbus are each a “proximate city” as that term is defined in R.C. Section 349.01(M). The duly authorized signature of each such proximate city appears attached hereto.

The Developer hereby requests the Board of County Commissioners, as the organizational board of commissioners under R.C. Section 349.01(F), determine that this Petition complies as to

form and substance with the requirements of R.C. Section 349.03 and further requests that the members of the County Commissioners fix the time and place of a hearing on this Petition for the establishment of the Authority. Pursuant to R.C. Section 349.03(A), such hearing must be held not less than thirty (30) nor more than forty-five (45) days after the filing of this Petition with the Clerk of the County Commissioners.

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This Petition is filed with the Clerk of the Board of County Commissioners of Delaware County, Ohio on this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Respectfully submitted,

**M/I HOMES OF CENTRAL OHIO, LLC**

By: \_\_\_\_\_  


Name: ZALMAN M. SULAMNOV

Its: VP + ASST. GENERAL COUNSEL

**LIBERTY GRAND, LLC**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

This Petition is filed with the Clerk of the Board of County Commissioners of Delaware County, Ohio on this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Respectfully submitted,

**M/I HOMES OF CENTRAL OHIO, LLC**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

**LIBERTY GRAND, LLC**

By: George M. Harvanis

Name: GEORGE M. HARVANIS

Its: SVP, Treasurer, Secretary & CFO

**PROXIMATE CITY APPROVAL**

The City of Delaware, Ohio, by Ordinance No. \_\_\_\_\_, passed by City Council of the City of Delaware , Ohio on \_\_\_\_\_, 2020, has authorized \_\_\_\_\_, as the \_\_\_\_\_ for the City of Delaware, to sign this Petition on behalf of the City of Delaware, and the Petition is herewith signed, as evidence of that approval.

City of Delaware, Ohio

By:\_\_\_\_\_

**PROXIMATE CITY APPROVAL**

The City of Columbus, Ohio, by Ordinance No. \_\_\_\_\_, passed by City Council of the City of Columbus, Ohio on \_\_\_\_\_, 2020, has authorized \_\_\_\_\_, as the \_\_\_\_\_ for the City of Columbus, to sign this Petition on behalf of the City of Columbus, and the Petition is herewith signed, as evidence of that approval.

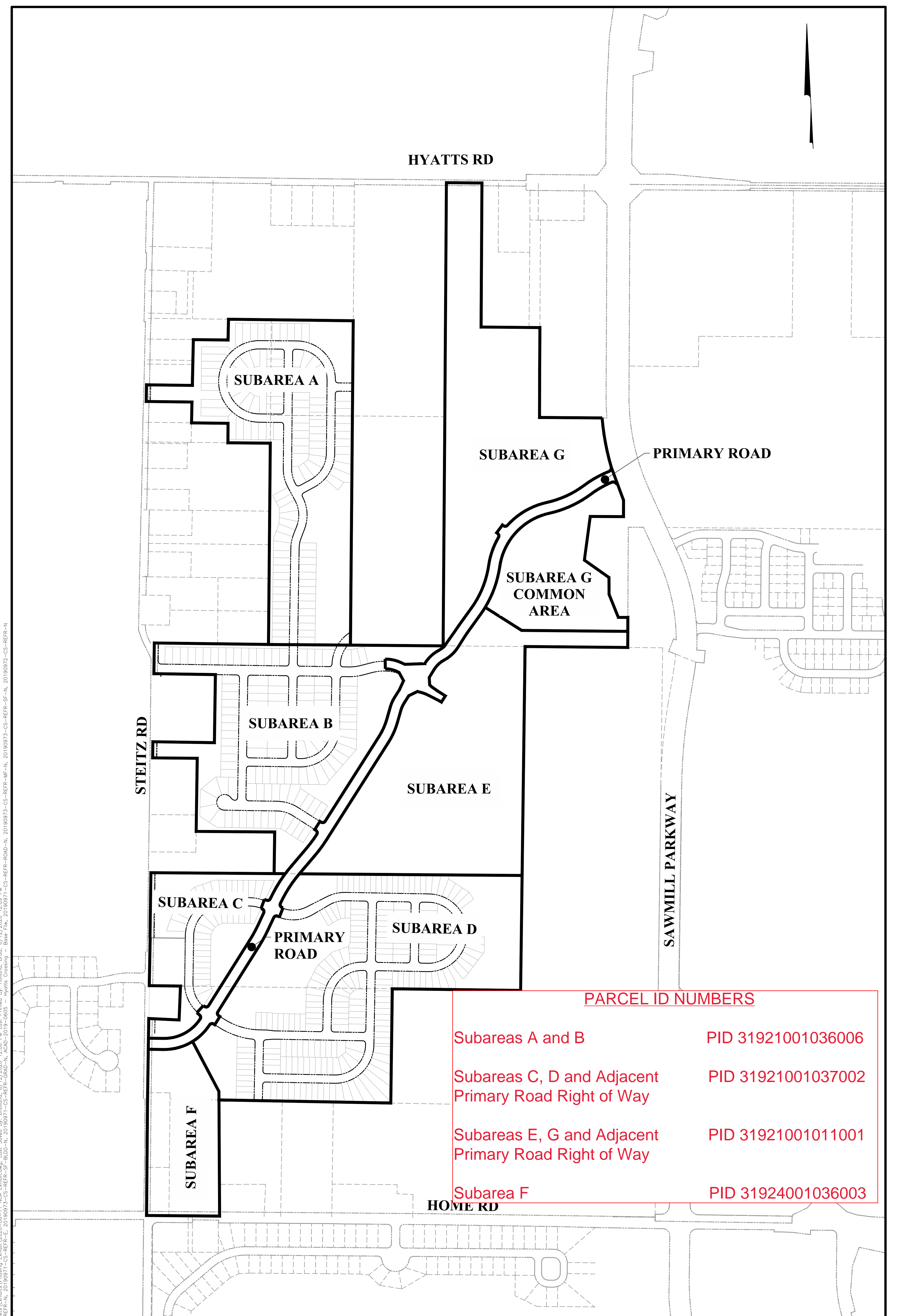
City of Columbus, Ohio

By:\_\_\_\_\_

## **EXHIBIT A**

### **Map and Description of District Boundaries**

The District is comprised of the property identified and described on the attached map.



**PARCEL ID NUMBERS**

- Subareas A and B PID 31921001036006
- Subareas C, D and Adjacent Primary Road Right of Way PID 31921001037002
- Subareas E, G and Adjacent Primary Road Right of Way PID 31921001011001
- Subarea F PID 31924001036003

A:\2019\09\71\Drawings\Sheet\Exhibit\2020-06-11\_NCA\_Exhibit.dwg - Last Saved By: bholland, 6/12/2020 12:06 PM Last Printed By: Holland, 6/12/2020 12:09 PM  
 Job No: 20190971 - CS - REFR - N, Job Name: 20190971 - CS - REFR - N, User: bholland, Date: 6/12/2020 12:09 PM  
 Scale: AS NOTED, Date: JUNE 2020

SHEET	JOB NO.	SCALE	DATE
1/1	2019-0971	AS NOTED	JUNE 2020

**EMHT**  
 Evans, Mechwart, Hambleton & Tilton, Inc.  
 Engineers • Surveyors • Planners • Scientists  
 5500 New Albany Road, Columbus, OH 43054  
 Phone: 614.775.4500 Toll Free: 888.775.3648  
 emht.com

LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO  
**LIBERTY GRAND COMMUNITIES**

**SCHOTTENSTEIN REAL ESTATE GROUP**  
*Live Your Dream*

REVISIONS		
MARK	DATE	DESCRIPTION



# SURVEY OF ACREAGE PARCEL

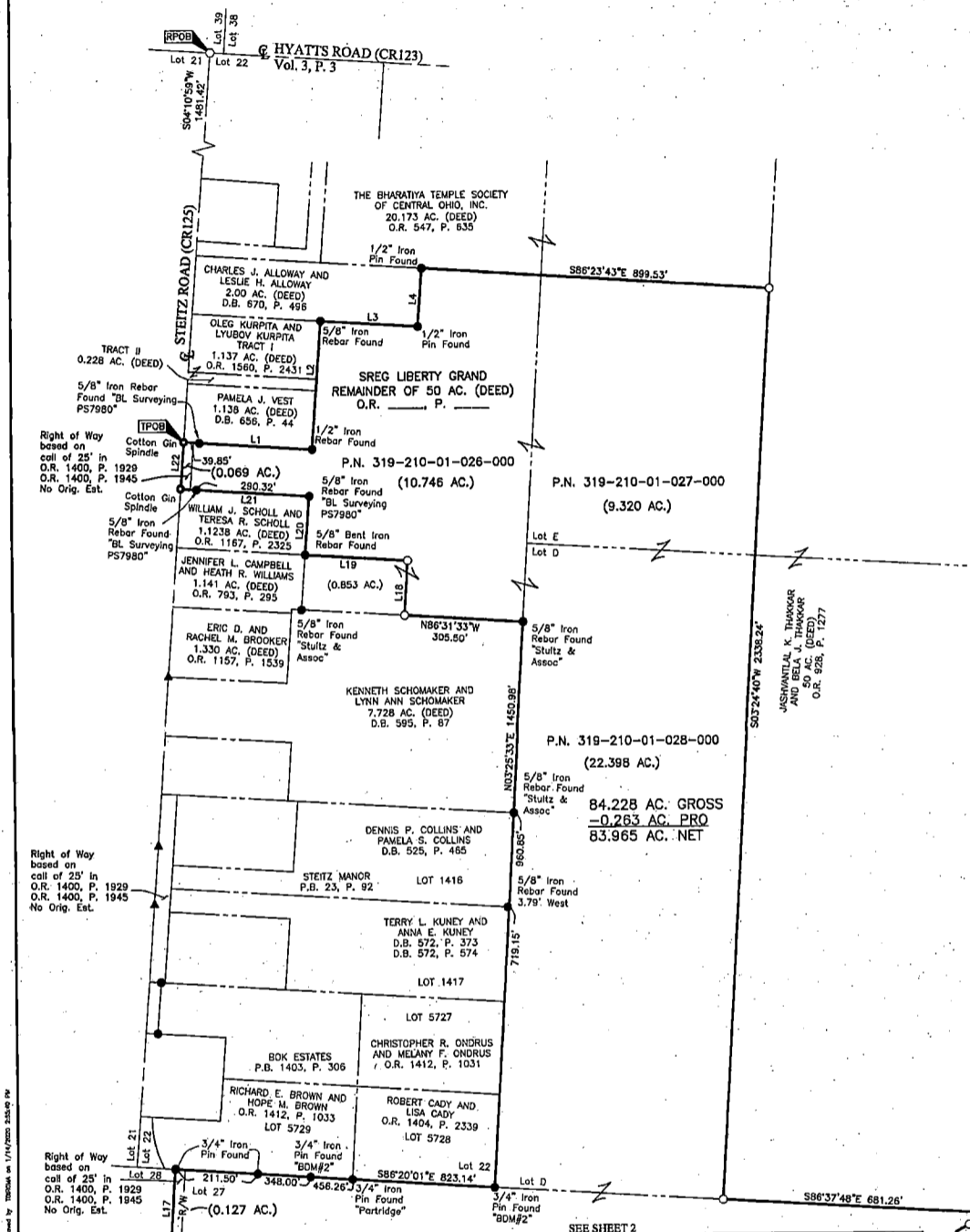
## LOTS 22, 27, D AND E, QUARTER TOWNSHIP 2, TOWNSHIP 3, RANGE 19

### UNITED STATES MILITARY DISTRICT

### TOWNSHIP OF LIBERTY, COUNTY OF DELAWARE, STATE OF OHIO

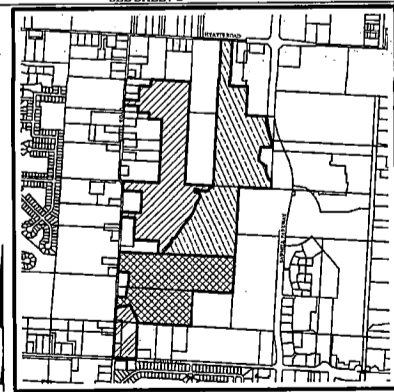
CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
C1	16°52'20"	185.00'	54.48'	S56°35'07"W	54.28'
C2	30°38'45"	265.00'	141.74'	S49°41'55"W	140.06'
C3	25°15'43"	260.00'	114.84'	N75°04'55"W	113.71'
C4	31°20'57"	190.00'	103.96'	S72°02'18"E	102.67'
C5	16°19'20"	265.00'	75.49'	S27°08'15"W	75.24'
C6	16°22'54"	460.00'	131.52'	S27°10'02"W	131.07'
C7	90°00'00"	30.00'	47.12'	S80°21'28"W	42.43'
C8	90°54'52"	30.00'	47.60'	S09°11'05"E	42.76'
C9	7°03'51"	970.00'	119.59'	S39°48'16"W	119.52'
C10	3°43'28"	1030.00'	66.95'	S41°28'28"W	66.94'

LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S86°22'24"E	330.33'	L18	N03°24'40"E	140.20'
L2	N04°10'15"E	330.11'	L19	N86°22'24"W	263.54'
L3	S86°24'50"E	250.30'	L20	N04°10'15"E	150.13'
L4	N04°04'53"E	149.84'	L21	N86°22'24"W	330.36'
L5	N89°02'21"W	143.50'	L22	N04°10'59"E	119.94'
L6	N62°27'03"W	33.15'			
L7	S02°17'14"W	70.00'			
L8	S26°05'09"E	67.17'			
L9	S27°28'00"W	72.28'			
L10	S35°17'54"W	64.12'			
L11	S16°58'35"W	95.63'			
L12	N54°38'31"W	5.12'			
L13	S35°21'29"W	70.00'			
L14	S54°38'31"E	5.00'			
L15	S43°20'12"W	167.61'			
L16	N86°39'31"W	80.61'			
L17	N03°45'48"E	221.19'			



HYATTS STEITZ FARM, LLC  
REMAINDER OF 66.516 AC. (DEED)  
O.R. 1152, P. 1749  
P.N. 319-210-01-011-000

- = STONE FND.
  - = MON. FND.
  - = I.P. FND.
  - = I.P. SET
  - = MAG. NAIL FND.
  - = MAG. NAIL SET
  - = R.R. SPK. FND.
  - = P.K. NAIL FND.
- I.P. Set are 13/16" I.D. iron pipes  
30" long with cap inscribed EMHT INC.
- 200 0 200 400  
GRAPHIC SCALE (in feet)



STATE OF OHIO  
JOHN C. DODDSON  
Professional Surveyor No. 8069

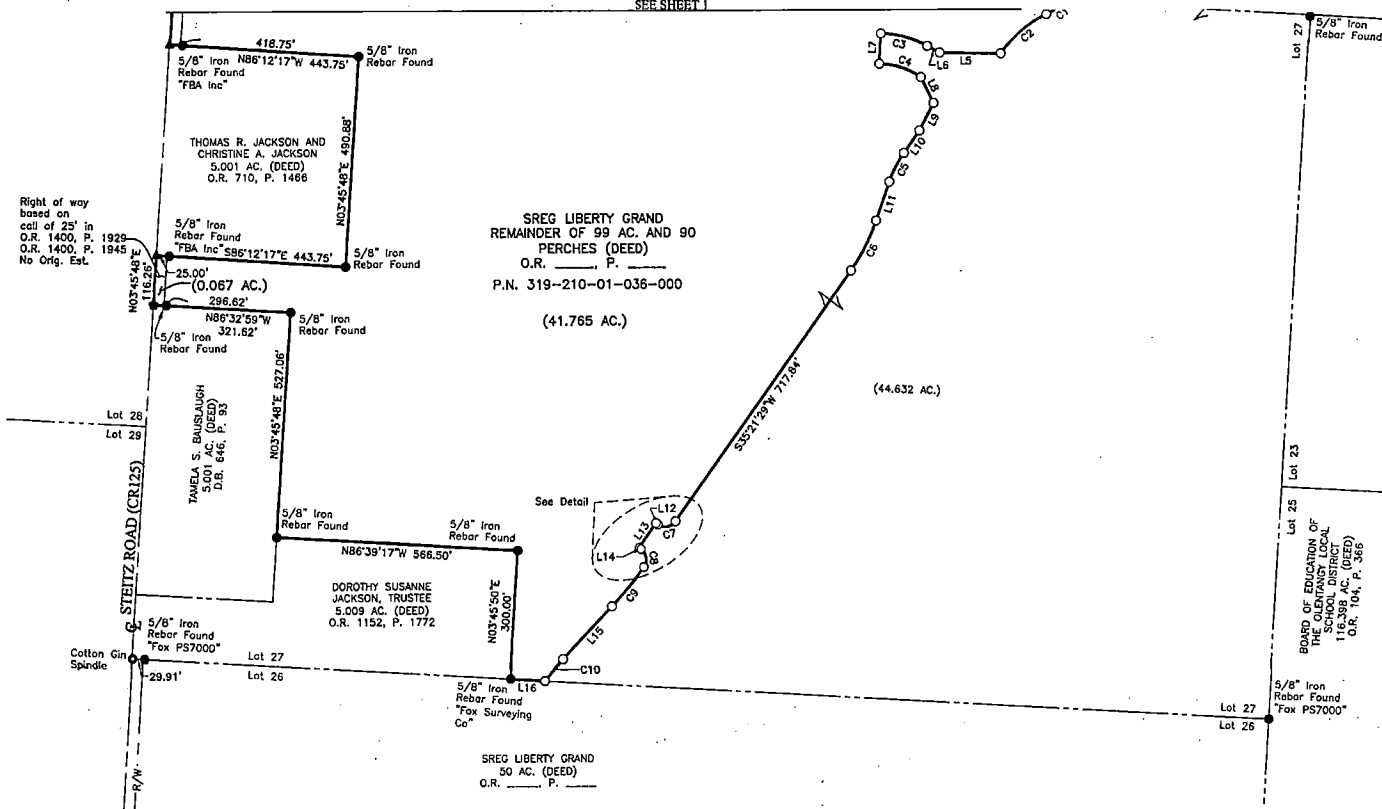
By: *[Signature]* Date: \_\_\_\_\_  
John C. Doddson, Professional Surveyor No. 8069

<b>EMHT</b> Evans, Mechwart, Hambleton & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 5500 New Albany Road, Columbus, OH 43254 Phone: 614.775.4500 Toll Free: 888.775.2448 emht.com	Date: January 2, 2020
	Scale: 1" = 200'
	Job No: 2018-1337
	Sheet: 1 of 2
REVISIONS	
MARK	DATE DESCRIPTION

# SURVEY OF ACREAGE PARCEL

## LOTS 22, 27, D AND E, QUARTER TOWNSHIP 2, TOWNSHIP 3, RANGE 19 UNITED STATES MILITARY DISTRICT TOWNSHIP OF LIBERTY, COUNTY OF DELAWARE, STATE OF OHIO

SEE SHEET 1

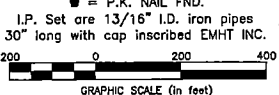


CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
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C8	80°54'52"	30.00'	47.60'	S09°11'05"E	42.76'
C9	7°03'51"	970.00'	119.59'	S39°48'16"W	119.52'
C10	3°43'28"	1030.00'	66.95'	S41°28'28"W	66.84'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S86°22'24"E	330.33'
L2	N04°10'15"E	330.11'
L3	S86°24'50"E	250.30'
L4	N04°04'53"E	149.84'
L5	N89°02'21"W	143.50'
L6	N62°27'03"W	33.15'
L7	S02°17'14"W	70.00'
L8	S26°05'09"E	67.17'
L9	S27°28'00"W	72.28'
L10	S35°17'54"W	64.12'
L11	S18°58'35"W	85.63'
L12	N54°38'31"W	5.12'
L13	S35°21'29"W	70.00'
L14	S54°38'31"E	5.00'
L15	S43°20'12"W	167.61'
L16	N86°39'31"W	80.61'
L17	N03°45'48"E	221.19'

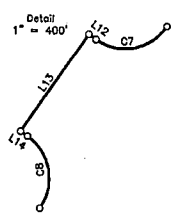
LINE TABLE		
LINE	BEARING	DISTANCE
L18	N03°24'40"E	140.20'
L19	N86°22'24"W	263.54'
L20	N04°10'15"E	150.13'
L21	N86°22'24"W	330.36'
L22	N04°10'59"E	-118.94'

- = STONE FND.
- = MON. FND.
- = I.P. FND.
- = I.P. SET
- = MAG. NAIL FND.
- = MAG. NAIL SET
- ▲ = R.R. SPK. FND.
- = P.K. NAIL FND.



**BASIS OF BEARING:**  
The bearings shown hereon are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

**SURVEY NOTE:**  
This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.



**EMHT**  
Evans, Mechwart, Hambleton & Titon, Inc.  
Engineers • Surveyors • Planners • Scientists  
5300 New Albany Road, Columbus, OH 43254  
Phone: 614.775.4500 Tel Fax: 688.775.3445  
emht.com

Date: January 2, 2020  
Scale: 1" = 200'  
Job No: 2018-1337  
Sheet: 2 of 2

REVISIONS		
MARK	DATE	DESCRIPTION

**DESCRIPTION OF A 84.228 ACRE TRACT**  
As shown on the plat recorded in Volume 15, Page 99  
Of the SURVEY RECORDS of the DELAWARE COUNTY ENGINEER  
As found in the DELAWARE COUNTY MAP DEPARTMENT  
DELAWARE COUNTY, OHIO

Situated in the State of Ohio, County of Delaware, Township of Liberty, located in Lots 22, 26, 27, D and E, Quarter Township 2, Township 3, Range 19, United States Military District, being out of the remainder of that 50 acre tract and part of the remainder of that 99 acre and 90 perches tract as conveyed to SREG Liberty Grand by deed of record in Official Record \_\_\_\_, Page \_\_\_\_ and all of that 50 acre tract as conveyed to SREG Liberty Grand by deed of record in Official Record \_\_\_\_, Page \_\_\_\_ and out of that 30.924 acre tract conveyed as Tract No: 1 to SREG Liberty Grand by deed of record in Official Record \_\_\_\_, Page \_\_\_\_ (all references refer to the records of the Recorder's Office, Delaware County, Ohio) and being described as follows:

Beginning, for reference, at a magnail set at the centerline intersection of Steitz Road (County Road 125) and Hyatts Road (County Road 125), at the northwesterly corner of Lot 22, and the northeasterly corner of Lot 21, in the southerly line of Lot 39;

Thence South 04° 10' 59" East, with the centerline of said Steitz Road, with the westerly line of said Lot 22, a distance of 1481.42 feet to a cotton gin spindle found at a northwesterly corner of said 50 acre tract and at the southwesterly corner of that 1.138 acre tract as conveyed to Panela J. Vest by deed of record in Deed Book 656, Page 44, being the TRUE POINT OF BEGINNING;

Thence South 86° 22' 24" East, with the northerly line of the remainder of said 50 acre tract and with the southerly line of said 1.138 acre tract, (passing a 5/8" iron rebar found capped "BL Surveying PS7980"), for a distance of 330.33 feet to a 1/2" iron rebar found at the southeasterly corner of said 1.138 acre tract;

Thence North 04° 10' 15" East, with a westerly line of the remainder of said 50 acre tract, with the easterly line of said 1.138 acre tract, with the easterly line of that 1.137 acre tract conveyed as tract I and that 0.228 acre tract conveyed as Tract II to Oleg Kurpita and Lyubov Kurpita by deed of record in Official Record 1560, Page 2431, a distance of 330.11 feet to a 5/8" iron rebar found at a northwesterly corner of the remainder of said 50 acre tract, at the northeasterly corner of said 1.137 acre tract and in the southerly line of that 2.00 acre tract as conveyed to Charles J. Alloway and Leslie H. Alloway by deed of record in Deed Book 670, Page 496;

Thence South 86° 24' 50" East, with a northerly line of said 50 acre tract and with the southerly line of said 2.00 acre tract, a distance of 250.30 feet to a 1/2" iron pin found at the southeasterly corner of said 2.00 acre tract;

Thence North 04° 04' 53" East, with a westerly line of said 50 acre tract and with the easterly line of said 2.00 acre tract, a distance of 149.84 feet to a 1/2" iron pin found at a northwesterly corner of said 50 acre tract, and the northeasterly corner of said 2.00 acre tract and in the southerly line of that 20.173 acre tract as conveyed to The Bharatiya Temple Society of Central Ohio, Inc. by deed of record in Official Record 547, Page 635;

Thence South 86° 23' 43" East, with a northerly line of said 50 acre tract and with the southerly line of said 20.173 acre tract, a distance of 899.53 feet to an iron pin set at a northeasterly corner of said 50 acre tract, at a southeasterly corner of said 20.173 acre tract and in the westerly line of that 50 acre tract as conveyed to Jasvantlal K. Thakkar and Bela J. Thakkar by deed of record in Official Record 928, Page 1277;

Thence South 03° 24' 40" West, with the easterly line of the remainder of said 50 acre tract and with the westerly line of said 50 acre tract, a distance of 2338.24 feet to an iron pin set in a northerly line of said 99 acre and 90 perch tract and at the southwesterly corner of said 50 acre tract;

Thence South 86° 37' 48" East, with the northerly line of said 99 acre and 90 perch tract and the southerly line of said Lot D and in the northerly line of said Lot 27 and in a southerly line of said 50 acre tract, a distance of 681.26 feet to an iron pin set in the southerly line of the remainder of that 66.516 acre tract as conveyed to Hyatts Steitz Farm, LLC, by deed of record in Official Record 1152, Page 1749;

Thence across said 99 acre and 90 perch tract, the following courses and distances:

With the arc of a curve to the right, having a central angle of 16° 52' 20", a radius of 185.00 feet, an arc length of 54.48 feet, a chord bearing of South 56° 35' 07" West and chord distance of 54.28 feet to an iron pin set;

DESCRIPTION FOR CLOSING ONLY  
 RPC Approval Required  
 Municipal Approval Required  
Delaware County Engineer

2-3-2020

DESCRIPTION APPROVED FOR TRANSFER  
Chris Bauseman  
Delaware County Engineer

2/3/20

## 84.228 ACRES

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With the arc of a curve to the left, having a central angle of  $30^{\circ} 38' 45''$ , a radius of 265.00 feet, an arc length of 141.74 feet, a chord bearing of South  $49^{\circ} 41' 55''$  West and chord distance of 140.06 feet to an iron pin set;

North  $89^{\circ} 02' 21''$  West, a distance of 143.50 feet to an iron pin set;

North  $62^{\circ} 27' 03''$  West, a distance of 33.15 feet to an iron pin set;

With the arc of a curve to the left, having a central angle of  $25^{\circ} 15' 43''$ , a radius of 260.00 feet, an arc length of 114.64 feet, a chord bearing of North  $75^{\circ} 04' 55''$  West and chord distance of 113.71 feet to an iron pin set;

South  $02^{\circ} 17' 14''$  West, a distance of 70.00 feet to an iron pin set;

With the arc of a curve to the right, having a central angle of  $31^{\circ} 20' 57''$ , a radius of 190.00 feet, an arc length of 103.96 feet, a chord bearing of South  $72^{\circ} 02' 18''$  East and chord distance of 102.67 feet to an iron pin set;

South  $26^{\circ} 05' 09''$  East, a distance of 67.17 feet to an iron pin set;

South  $27^{\circ} 28' 00''$  West, a distance of 72.28 feet to an iron pin set;

South  $35^{\circ} 17' 54''$  West, a distance of 64.12 feet to an iron pin set;

With the arc of a curve to the left, having a central angle of  $16^{\circ} 19' 20''$ , a radius of 265.00 feet, an arc length of 75.49 feet, a chord bearing of South  $27^{\circ} 08' 15''$  West and chord distance of 75.24 feet to an iron pin set;

South  $18^{\circ} 58' 35''$  West, a distance of 95.63 feet to an iron pin set;

With the arc of a curve to the right, having a central angle of  $16^{\circ} 22' 54''$ , a radius of 460.00 feet, an arc length of 131.52 feet, a chord bearing of South  $27^{\circ} 10' 02''$  West and chord distance of 131.07 feet to an iron pin set;

South  $35^{\circ} 21' 29''$  West, a distance of 717.84 feet to an iron pin set;

With the arc of a curve to the right, having a central angle of  $90^{\circ} 00' 00''$ , a radius of 30.00 feet, an arc length of 47.12 feet, a chord bearing of South  $80^{\circ} 21' 29''$  West and chord distance of 42.43 feet to an iron pin set;

North  $54^{\circ} 38' 31''$  West, a distance of 5.12 feet to an iron pin set;

South  $35^{\circ} 21' 29''$  West, a distance of 70.00 feet to an iron pin set;

South  $54^{\circ} 38' 31''$  East, a distance of 5.00 feet to an iron pin set;

With the arc of a curve to the right, having a central angle of  $90^{\circ} 54' 52''$ , a radius of 30.00 feet, an arc length of 47.60 feet, a chord bearing of South  $09^{\circ} 11' 05''$  East and chord distance of 42.76 feet to an iron pin set;

With the arc of a curve to the right, having a central angle of  $07^{\circ} 03' 51''$ , a radius of 970.00 feet, an arc length of 119.59 feet, a chord bearing of South  $39^{\circ} 48' 16''$  West and chord distance of 119.52 feet to an iron pin set;

South  $43^{\circ} 20' 12''$  West, a distance of 167.61 feet to an iron pin set; and

With the arc of a curve to the left, having a central angle of  $03^{\circ} 43' 28''$ , a radius of 1030.00 feet, an arc length of 66.95 feet, a chord bearing of South  $41^{\circ} 28' 28''$  West and chord distance of 66.94 feet to an iron pin set in the southerly line of said 99 acre and 90 perch tract and in the northerly line of said 50 acre tract;

Thence North  $86^{\circ} 39' 31''$  West, with the southerly line of said 99 acre and 90 perch tract, with the northerly line of said 50 acre tract, in the southerly line of said Lot 27 and in the northerly line of said Lot 26, a distance of 80.61 feet to a 5/8" iron rebar found capped "Fox PS7000" at the northeasterly corner of said 50 acre tract, at the southeasterly corner of that 5.009 acre tract as conveyed to Dorothy Susanne Jackson, Trustee by deed of record in Official Record 1152, Page 1772;

## 84.228 ACRES

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Thence North 03° 45' 50" East, with the easterly line of said 5.009 acre tract and with the westerly line of said 99 acre and 90 perch tract, a distance of 300.00 feet to a 5/8" iron rebar found at the northeasterly corner of said 5.009 acre tract;

Thence North 86° 39' 17" West, with the southerly line of said 99 acre and 90 perch tract and with the northerly line of said 5.009 acre tract, a distance of 566.50 feet to a 5/8" iron rebar found at a southwesterly corner of said 99 acre and 90 perch tract, at a northwesterly corner of said 5.009 acre tract and in the easterly line of that 5.001 acre tract as conveyed to Tamela S. Bauslaugh by deed of record in Deed Book 646, Page 93;

Thence North 03° 45' 48" East, with the westerly line of said 99 acre and 90 perch tract and with the easterly line of said 5.001 acre tract, a distance of 527.06 feet to a 5/8" iron rebar found at the northeasterly corner of said 5.001 acre tract;

Thence North 86° 32' 59" West, with the southerly line of said 99 acre and 90 perch tract and with the northerly line of said 5.001 acre tract, (passing a 5/8" iron rebar found at 296.62 feet), for a distance of 321.62 feet to a magnail found at the southwesterly corner of said 99 acre and 90 perch tract, at the northwesterly corner of said 5.001 acre tract and in the centerline of said Steitz Road;

Thence North 03° 45' 48" East, with the westerly line of said 99 acre and 90 perch tract and with the centerline of said Steitz Road, a distance of 116.26 feet to a railroad spike found at a northwesterly corner of said 99 acre and 90 perch tract at the southwesterly corner of that 5.001 acre tract as conveyed to Thomas R. Jackson and Christine A. Jackson by deed of record in Official Record 710, Page 1466;

Thence South 86° 12' 17" East, with the northerly line of said 99 acre and 90 perch tract and with the southerly line of said 5.001 acre tract, (passing a 5/8" iron rebar found capped "FBA Inc" at 25.00 feet), for a distance of 443.75 feet to a 5/8" iron rebar found at the southeasterly corner of said 5.001 acre tract;

Thence North 03° 45' 48" East, with the westerly line of said 99 acre and 90 perch tract and with the easterly line of said 5.001 acre tract, a distance of 490.88 feet to a 5/8" iron rebar found at the northeasterly corner of said 5.001 acre tract;

Thence North 86° 12' 17" West, with the southerly line of said 99 acre and 90 perch tract and with the northerly line of said 5.001 acre tract, (passing a 5/8" iron rebar found capped "FBA Inc." at 418.75 feet), for a distance of 443.75 feet to a railroad spike found in the centerline of said Steitz Road, at a southwesterly corner of said 99 acre and 90 perch and at the northwesterly corner of said 5.001 acre tract;

Thence North 03° 45' 48" East, with the westerly line of said 99 acre and 90 perch tract and with the centerline of said Steitz Road, a distance of 221.19 feet to a 3/4" iron pin found at a northwesterly corner of said 99 acre and 90 perch tract and in the southerly line of said Lot 5729 of that subdivision entitled "Bok Estates" of record in Plat Book 1403, Page 306 as conveyed to Richard E. Brown and Hope M. Brown by deed of record in Official Record 1412, Page 1033;

Thence South 86° 20' 01" East, with the northerly line of said 99 acre and 90 perch tract, with the southerly line of said Lot 5729, with the southerly line of Lot 5728 of said "Bok Estates" as conveyed to Robert Cady and Lisa Cady by deed of record in Official Record 1404, Page 2339, with the northerly line of said Lot 27 and with the southerly line of Lot 22, (passing a 3/4" iron pin found at 211.50 feet, a 3/4" iron pin found capped "BDM#2" at 248.00 feet and a 3/4" iron pin found capped "Partridge" at 456.26 feet), for a distance of 823.14 feet to a 3/4" iron pin found "BDM#2" at a southwesterly corner of the remainder of said 50 acre tract, at a southeasterly corner of said Lot 5728 and at the southwesterly corner of said Lot D;

Thence North 03° 25' 33" East, with the westerly line of said remainder of that 50 acre tract, with the easterly line of said Lot 5728, with the easterly line of Lot 5727 of said "Bok Estates" as conveyed to Christopher R. Ondrus and Melany F. Ondrus by deed of record in Official Record 1412, Page 1031, with the easterly line of Lot 1417 of that subdivision entitled "Steitz Manor" by deed of record in Plat Book 23, Page 92 as conveyed to Terry L. Kuney and Anna E. Kuney by deeds of record in Deed Book 572, Page 373 and Deed Book 572, Page 574, with the easterly line of Lot 1416 of said "Steitz Manor" as conveyed to Dennis P. Collins and Pamela S. Collins by deed of record in Deed Book 525, Page 465 and with the easterly line of that 7.728 acre tract as conveyed to Kenneth Schomaker and Lynn Ann Schomaker by deed of record in Deed Book 595, Page 87, (passing a 5/8" iron rebar found at 719.15 feet and 3.79' West, a 5/8" iron rebar capped "Stultz & Assoc" at 960.85 feet), for a distance of 1450.98 feet to a 5/8" iron rebar found capped "Shultz & Assoc" at the northeasterly corner of said 7.728 acre tract;

Thence North 86° 31' 33" West, with the southerly line of said 50 acre tract and with the northerly line of said 7.728 acre tract, a distance of 305.50 feet to an iron pin set;

84.228 ACRES

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Thence North 03° 24' 40" East, across said 50 acre tract, a distance of 140.20 feet to an iron pin set;

Thence North 86° 22' 24" West, continuing across said 50 acre tract, a distance of 263.54 feet to 5/8" bent iron rebar found in the westerly line of said 50 acre tract, at the northeasterly corner of that 1.141 acre tract as conveyed to Jennifer L. Campbell and Heath R. Williams by deed of record in Official Record 793, Page 295 and at the southeasterly corner of that 1.1238 acre tract as conveyed to William J. Scholl and Teresa R. Scholl by deed of record in Official Record 1167, Page 2325;

Thence North 04° 10' 15" East, with the westerly line of said 50 acre tract and with the easterly line of said 1.1238 acre tract, a distance of 150.13 feet to a 5/8" iron rebar found capped "BL Surveying PS7980" at the northeasterly corner of said 1.1238 acre tract;

Thence North 86° 22' 24" West, with the southerly line of said 50 acre tract and with the northerly line of said 1.1238 acre tract, (passing a 5/8" iron rebar found capped "BL Surveying PS7980" at 290.32 feet), for a distance of 330.36 feet to cotton gin spindle found at a southwesterly corner of said 50 acre tract, at the northwesterly corner of said 1.1238 acre tract and in the centerline of said Steitz Road;

Thence North 04° 10' 59" East, with the westerly line of said 50 acre tract and with the centerline of said Steitz Road, in the westerly line of Lot 22 and in the easterly line of Lot 21, a distance of 119.94 feet to the TRUE POINT OF BEGINNING, containing 84.228 acres, more or less, of which 0.263 acre is in the present right of way.

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

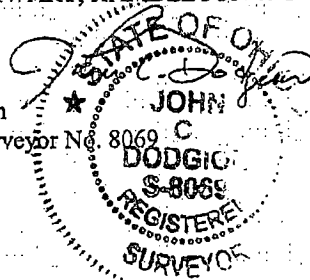
Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, North zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

John C. Dodgion  
Professional Surveyor No. 8069 C



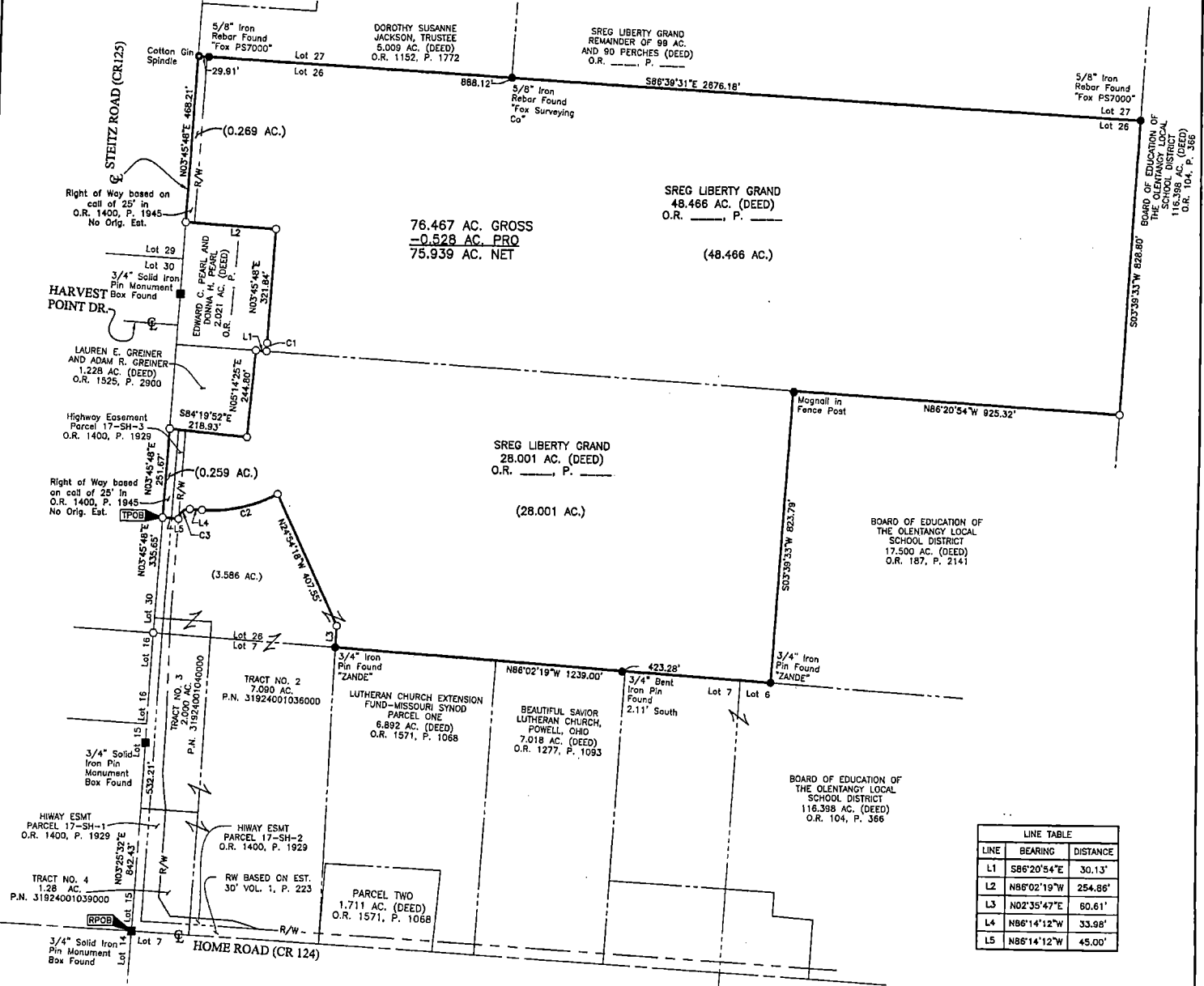
JCD:td  
84\_228 ac 20181337-VS-BNDY-08

# SURVEY OF ACREAGE PARCEL

## LOT 26, QUARTER TOWNSHIP 2, TOWNSHIP 3, RANGE 19

### UNITED STATES MILITARY DISTRICT

### TOWNSHIP OF LIBERTY, COUNTY OF DELAWARE, STATE OF OHIO



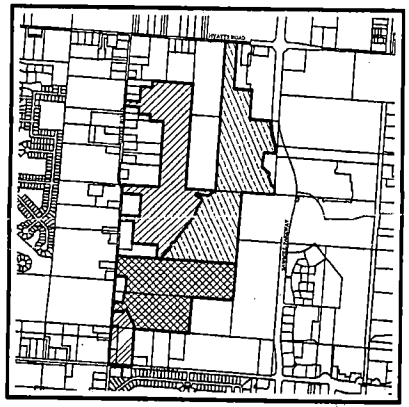
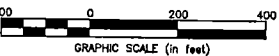
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S86°20'54"E	30.13'
L2	N86°02'19"W	254.86'
L3	N02°35'47"E	60.61'
L4	N86°14'12"W	33.98'
L5	N86°14'12"W	45.00'

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
C1	4°41'06"	280.00'	22.89'	N02°46'54"E	22.89'
C2	32°24'53"	390.00'	220.64'	S77°33'22"W	217.71'
C3	90°00'00"	30.00'	47.12'	S48°45'48"W	42.43'

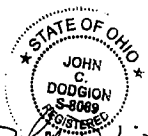
**BASIS OF BEARING:**  
The bearings shown hereon are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

**SURVEY NOTE:**  
This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

- STONE FND.
  - MON. FND.
  - I.P. FND.
  - I.P. SET
  - MAG. NAIL FND.
  - MAG. NAIL SET
  - ▲ R.R. SPK. FND.
  - P.K. NAIL FND.
- I.P. Set are 13/16" I.D. iron pipes 30" long with cap inscribed EMHT INC.



LOCATION MAP AND BACKGROUND DRAWING  
NOT TO SCALE



By John C. Dodgion 02/15/2020  
John C. Dodgion Professional Surveyor No. 8069 Date

<b>EMHT</b> Evans, Mechwart, Hambleton & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 5500 New Albany Road, Columbus, OH 43054 Phone: 614.775.4500 Fax: 614.775.2643 emht.com	Date: January 2, 2020	
	Scale: 1" = 200'	
	Job No: 2018-1337	
	Sheet: 1 of 1	
REVISIONS		
MARK	DATE	DESCRIPTION

EXHIBIT A

DESCRIPTION OF A 76.467 ACRE TRACT  
As shown on the plat recorded in Volume 15, Page 102  
Of the SURVEY RECORDS of the DELAWARE COUNTY ENGINEER  
As found in the DELAWARE COUNTY MAP DEPARTMENT  
DELAWARE COUNTY, OHIO

Situated in the State of Ohio, County of Delaware, Township of Liberty, located in Lot 26, Quarter Township 2, Township 3, Range 19, United States Military District, being all of the 28.001 acre tract and 48.466 acre tract conveyed to SREG Liberty Grand by deed of record in Official Record 1704, Page 254 and 2532 (all references refer to the records of the Recorder's Office, Delaware County, Ohio) and described as follows:

Beginning, for reference, at a 3/4" solid iron pin found in a monument box at the centerline intersection of Steitz Road (County Road 125) and Home Road (County Road 124), in the westerly line of Lot 7 and at the southeasterly corner of Lot 15, the northeasterly corner of Lot 14;

Thence North 03° 25' 32" East, with the centerline of said Steitz Road, the westerly line of said Lot 7 and the easterly line of said Lot 15 and Lot 16, (passing a 3/4" solid iron pin found in a monument box at 532.21 feet) for a distance of 842.43 feet to a magnail set at the northwesterly corner of said Lot 7, the southwest corner of said Lot 26, the southeasterly corner of Lot 30 and the northeasterly corner of Lot 16;

Thence North 03° 45' 48" East, with the centerline of said Steitz Road, the westerly line of said Lot 26 and the easterly line of said Lot 30, a distance of 335.65 feet to a magnetic nail set at a southwest corner of said 28.001 acre tract, being the TRUE POINT OF BEGINNING;

Thence North 03° 45' 48" East, with said centerline, the westerly line of said Lot 26 and the easterly line of said Lot 30, a distance of 251.67 feet to a magnail set at a northwesterly corner of said 28.001 acre tract, the southwest corner of that 1.228 acre tract conveyed to Lauren E. Greiner and Adam R. Greiner by deed of record in Official Record 1525, Page 2900;

Thence South 84° 19' 52" East, with a northerly line of said 28.001 acre tract, the southerly line of said 1.228 acre tract, a distance of 218.93 feet to an iron pin set at the southeasterly corner of said 1.228 acre tract;

Thence North 05° 14' 25" East, with a westerly line of said 28.001 acre tract, the easterly line of said 1.228 acre tract, a distance of 244.80 feet to an iron pin set at the northeasterly corner of said 1.228 acre tract and in the southerly line of that 2.021 acre tract conveyed to Edward C. Pearl and Donna H. Pearl by deed of record in Official Record \_\_\_\_\_, Page \_\_\_\_\_;

Thence South 86° 20' 54" East, with the southerly line of said 2.021 acre tract and with the northerly line of said 28.001 acre tract, a distance of 30.13 feet to an iron pin set at the southeasterly corner of said 2.021 acre tract;

Thence with an easterly line of said 2.021 acre tract, with the arc of a curve to the right, having a central angle of 04° 41' 06"; a radius of 280.00 feet; an arc length of 22.89 feet, a chord bearing of North 02° 46' 54" East and chord distance of 22.89 feet to an iron pin set;

Thence North 03° 45' 48" East, with an easterly line of said 2.021 acre tract, a distance of 321.84 feet to an iron pin set at the northeasterly corner thereof;

Thence North 86° 02' 19" West, with the northerly line of said 2.021 acre tract, a distance of 254.86 feet to a magnail set at the northwesterly corner thereof, in the centerline of said Steitz Road;

Thence North 03° 45' 48" East, with the centerline of said Steitz Road, the easterly line of Lot 29 and the westerly line of said Lot 26, a distance of 468.21 feet to cotton gin spindle found at the northwesterly corner of said 48.466 acre tract, the southwest corner of that 5.009 acre tract conveyed to Dorothy Susanne Jackson, Trustee by deed of record in Official Record 1152, Page 1772;

Thence South 86° 39' 31" East, with the southerly line of said 5.009 acre tract, the southerly line of that 99 acre and 90 perch tract conveyed to SREG Liberty Grand by deed of record in O.R. 1704, Pg. 2691, the northerly line of said 48.466 acre tract, the southerly line of said Lot 27 and the northerly line of said Lot 26, (passing a 5/8" iron rebar found capped "Fox PS7000" at 29.91 feet, a 5/8" iron rebar found capped "Fox Surveying Co." at 888.12 feet), for a distance of 2676.18 feet to a 5/8" iron rebar found capped "Fox PS7000" at the northeasterly corner of said 48.466 acre tract, the southeasterly corner of said 99 acre and 90 perch tract and in the westerly line of that 116.398 acre tract conveyed to Board of Education of The Olentangy Local School District by deed of record in Official Record 104, Page 366;

DESCRIPTION FOR CLOSING ONLY  
RPC Approval Required  
Municipal Approval Required  
Delaware County Engineer

2-27-2020

DESCRIPTION APPROVED FOR TRANSFER  
Chris Bauserman  
Delaware County Engineer



## 76.467 ACRES

-2-

Thence South 03° 39' 33" West, with the easterly line of said 48.466 acre tract, the westerly line of said 116.398 acre tract, the easterly line of said Lot 26 and the westerly line of Lot 25, a distance of 828.80 feet to an iron pin set at the southeasterly corner of said 48.466 acre tract, the northeasterly corner of that 17.500 acre tract conveyed to Board of Education of the Olentangy Local School District by deed of record in Official Record 187, Page 2141;

Thence North 86° 20' 54" West, with the southerly line of said 48.466 acre tract, the northerly line of said 17.500 acre tract, a distance of 925.32 feet to a magnail found in fence post at the northeasterly corner of said 28.001 acre tract, the northwesterly corner of said 17.500 acre tract;

Thence South 03° 39' 33" West, with the easterly line of said 28.001 acre tract, the westerly line of said 17.500 acre tract, a distance of 823.79 feet to a 3/4" inch iron pin found capped "Zande" in the southerly line of said Lot 26, the northerly line of Lot 6 and at the southeasterly corner of said 28.001 acre tract, the southwesterly corner of said 17.500 acre tract;

Thence North 86° 02' 19" West, with the southerly line of said 28.001 acre tract, a northerly line of said 116.398 acre tract, the northerly line of that 7.018 acre tract conveyed to Beautiful Savior Lutheran Church, Powell, Ohio by deed of record in Official Record 1277, Page 1093, the northerly line of that 6.892 acre tract conveyed as Parcel One to Lutheran Church Extension Fund-Missouri Synod by deed of record in Official Record 1571, Page 1068, the southerly line of said Lot 26 and the northerly line of said Lot 6 and Lot 7, (passing a 3/4" bent iron pin found at 423.28 feet and 2.11 feet south), for a distance of 1239.00 feet to a 3/4" iron pin found capped "Zande" at the northwesterly corner of said 6.892 acre tract and the northeasterly corner of that 7.090 acre tract conveyed to SREG Liberty Grand by deed of record in O.R. ~~1704~~ Pg. ~~2532~~

Thence with the westerly perimeter of said 28.001 acre tract, the following courses and distances:

North 02° 35' 47" East, a distance of 60.61 feet to an iron pin set;

North 24° 54' 18" West, a distance of 407.55 feet to an iron pin set;

With the arc of a curve to the right, having a central angle of 32° 24' 53", a radius of 390.00 feet, an arc length of 220.64 feet, a chord bearing of South 77° 33' 22" West and chord distance of 217.71 feet to an iron pin set;

North 86° 14' 12" West, a distance of 33.98 feet to an iron pin set;

With the arc of a curve to the left, having a central angle of 90° 00' 00", a radius of 30.00 feet, an arc length of 47.12 feet, a chord bearing of South 48° 45' 48" West and chord distance of 42.43 feet to an iron pin set; and

North 86° 14' 12" West, a distance of 45.00 feet to the TRUE POINT OF BEGINNING, and containing 76.467 acres, more or less, of which 0.528 acre is located in the present right of way.

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

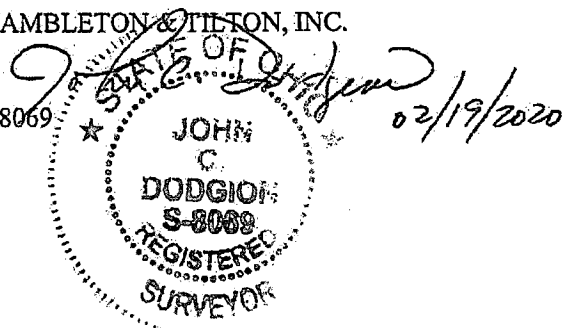
Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, North zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

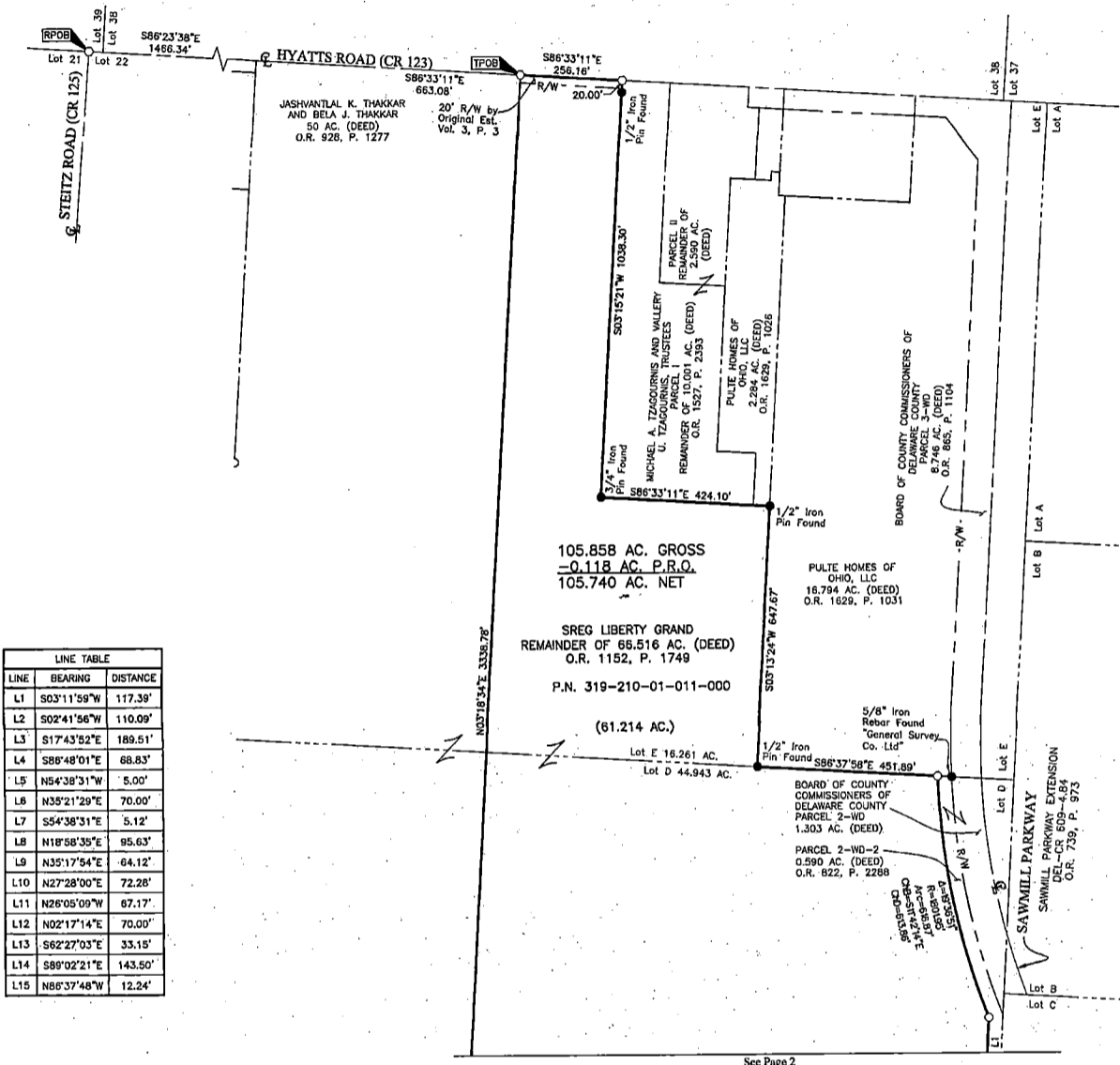
John C. Dodgion  
Professional Surveyor No. 8069



JCD:td  
76\_467 ac 20181337-VS-BNDY-09

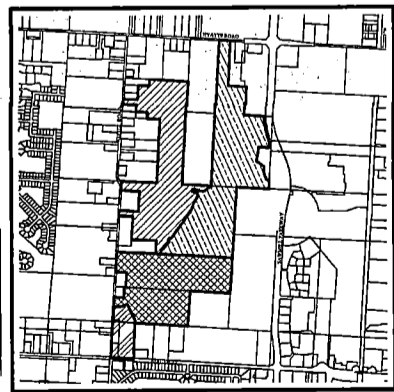
# SURVEY OF ACREAGE PARCEL

## LOTS 26, 27, D AND E, QUARTER TOWNSHIP 2, TOWNSHIP 3, RANGE 19 UNITED STATES MILITARY DISTRICT TOWNSHIP OF LIBERTY, COUNTY OF DELAWARE, STATE OF OHIO



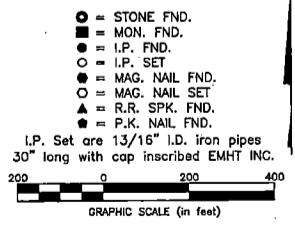
LINE	BEARING	DISTANCE
L1	S03°11'59"W	117.39'
L2	S02°41'56"W	110.09'
L3	S17°43'52"E	189.51'
L4	S86°48'01"E	68.83'
L5	N54°38'31"W	5.00'
L6	N35°21'29"E	70.00'
L7	S54°38'31"E	5.12'
L8	N18°58'35"E	95.63'
L9	N35°17'54"E	64.12'
L10	N27°28'00"E	72.28'
L11	N26°05'09"W	67.17'
L12	N02°17'14"E	70.00'
L13	S62°27'03"E	33.15'
L14	S89°02'21"E	143.50'
L15	N86°37'48"W	12.24'

CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
C1	3°43'28"	1030.00'	66.95'	N41°28'28"E	66.94'
C2	7°03'51"	870.00'	119.59'	N39°46'16"E	119.52'
C3	89°54'52"	30.00'	47.60'	N09°11'05"W	42.76'
C4	90°00'00"	30.00'	47.12'	N80°21'29"E	42.43'
C5	16°22'54"	460.00'	131.52'	N27°10'02"E	131.07'
C6	15°19'20"	265.00'	75.49'	N27°08'15"E	75.24'
C7	31°20'57"	190.00'	103.96'	N72°02'18"W	102.67'
C8	25°15'43"	260.00'	114.64'	S75°04'55"E	113.71'
C9	30°38'45"	265.00'	141.74'	N49°41'55"E	140.06'
C10	16°52'20"	185.00'	54.48'	N56°35'07"E	54.28'



By John C. Dodgion, Professional Surveyor No. 8069  
 Date 01/21/2020

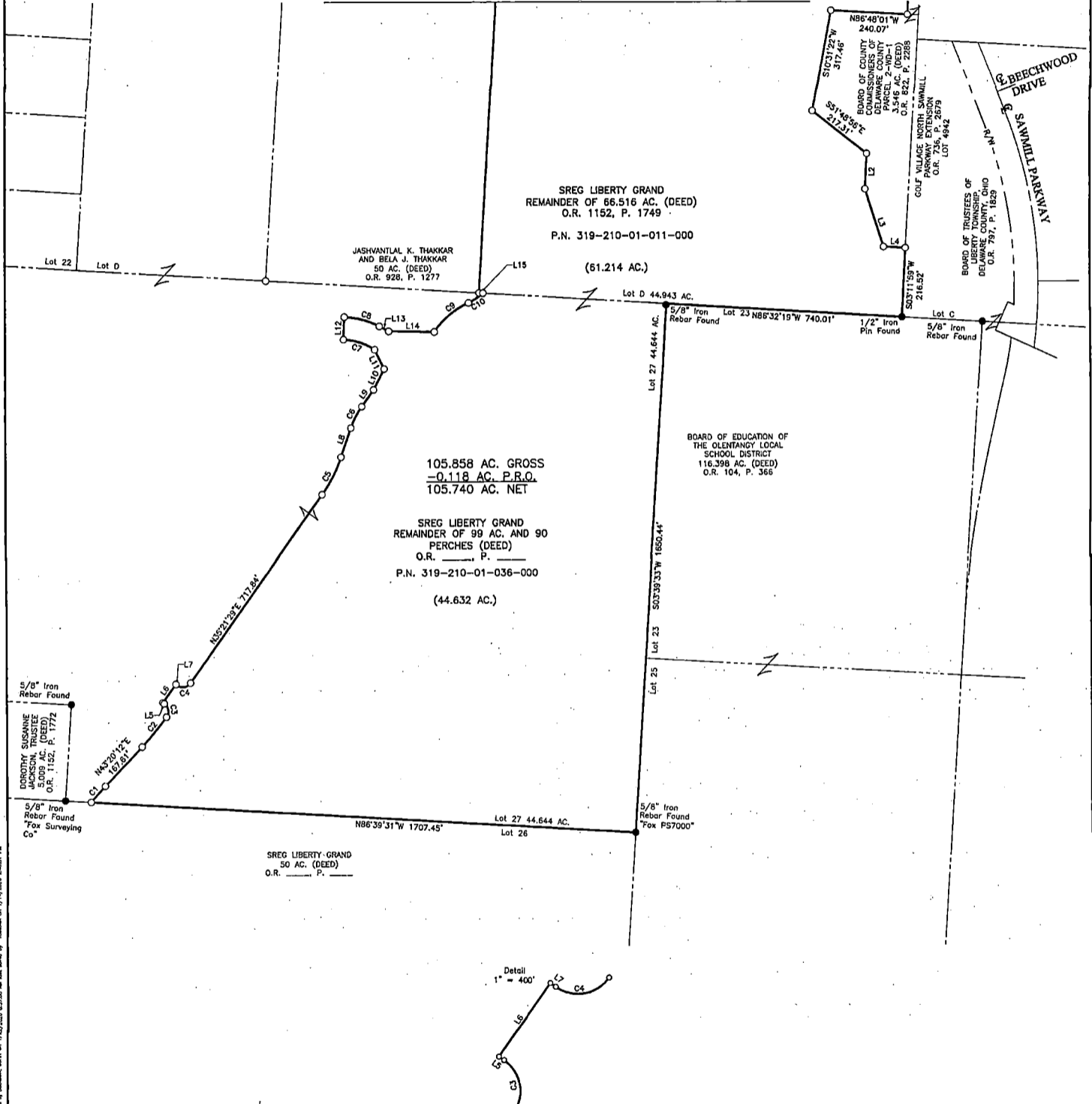
 Evans, Mechwart, Hambleton & Thon, Inc. Engineers • Surveyors • Planners • Scientists 3500 New Albany Road, Columbus, OH 43254 Phone: 614.775.4350 1st. Fax: 614.775.5444 emht.com	Date: January 9, 2019	
	Scale: 1" = 200'	
	Job No: 2018-1337	
	Sheet: 1 of 2	
REVISIONS		
MARK	DATE	DESCRIPTION



# SURVEY OF ACREAGE PARCEL

## LOTS 26, 27, D AND E, QUARTER TOWNSHIP 2, TOWNSHIP 3, RANGE 19 UNITED STATES MILITARY DISTRICT TOWNSHIP OF LIBERTY, COUNTY OF DELAWARE, STATE OF OHIO

See Page 1



105.858 AC. GROSS  
- 0.118 AC. P.R.O.  
105.740 AC. NET

SREG LIBERTY GRAND  
REMAINDER OF 90 AC. AND 90  
PERCHES (DEED)  
O.R. \_\_\_\_\_ P. \_\_\_\_\_  
P.N. 319-210-01-036-000  
(44.632 AC.)



- = STONE FND.
  - = MON. FND.
  - = I.P. FND.
  - = I.P. SET
  - = MAG. NAIL FND.
  - = MAG. NAIL SET
  - ▲ = R.R. SPK. FND.
  - = P.K. NAIL FND.
- I.P. Set are 13/16" I.D. iron pipes  
30" long with cap inscribed EMHT INC.
- 200 0 200 400  
GRAPHIC SCALE (in feet)

**BASIS OF BEARING:**  
The bearings shown hereon are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

**SURVEY NOTE:**  
This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

<b>EMHT</b> <small>Evans, Machwarf, Hamilton &amp; Tilton, Inc. Engineers • Surveyors • Planners • Scientists 3500 New Albany Road, Columbus, OH 43254 Phone: 614.275.4500    toll free: 888.773.2648 emht.com</small>		Date: January 9, 2019
		Scale: 1" = 200'
		Job No: 2018-1337
		Sheet: 2 of 2
REVISIONS		
MARK	DATE	DESCRIPTION

**DESCRIPTION OF A 105.858 ACRE TRACT**  
As shown on the plat recorded in Volume 15, Page 100  
Of the SURVEY RECORDS of the DELAWARE COUNTY ENGINEER  
As found in the DELAWARE COUNTY MAP DEPARTMENT  
DELAWARE COUNTY, OHIO

Situated in the State of Ohio, County of Delaware, Township of Liberty, located in Lots 26, 27, D and E, Quarter Township 2, Township 3, Range 19, United States Military District, being all of the remainder of that 66.516 acre tract as conveyed to Hyatts Steitz Farm, LLC by deed of record in Official Record 1152, Page 1749 and part of the remainder of that 99 acre tract as conveyed to Hyatts Steitz Farm, LLC by deed of record in Official Record 1152, Page 1749 (all references refer to the records of the Recorder's Office, Delaware County, Ohio) and being described as follows:

Beginning, for reference, at a magnetic nail set in the centerline intersection of Steitz Road (County Road 125) and Hyatts Road (County Road 123), at the northwesterly corner of Lot 22, with the northeasterly corner of Lot 21 and in the southerly line of Lot 39;

Thence South 86° 23' 38" East, with the centerline of said Hyatts Road, with the northerly line of said Lot 22, Lot 39 and with the southerly line of Lot 38, a distance of 1466.34 feet to a point;

Thence South 86° 33' 11" East, continuing with the centerline of said Hyatts Road, a distance of 663.08 feet to a magnail set at a northwesterly corner of said 66.516 acre tract and at the northeasterly corner of that 50 acre tract as conveyed to Jashvantlal K. Thakkar and Bela J. Thakkar by deed of record in Official Record 928, Page 1277 the TRUE POINT OF BEGINNING;

Thence South 86° 33' 11" East, with the northerly line of said 66.516 acre tract and continuing with the centerline of said Hyatts Road, a distance of 256.16 feet to a magnail set at a northeasterly corner of said 66.516 acre tract and at the northwesterly corner of the remainder of that 10.001 acre tract conveyed as Parcel 1 to Michael A. Tzagournis and Vallery U. Tzagournis by deed of record in Official Record 1527, Page 2393;

Thence South 03° 15' 21" West, with the easterly line of said 66.516 acre tract and with the westerly line of said 10.001 acre tract, (passing a 1/2" iron pin found at 20.00 feet), for a distance of 1038.30 feet to a 3/4" iron pin found at a southwesterly corner of said 10.001 acre tract;

Thence South 86° 33' 11" East, with a northerly line of said 66.516 acre tract and with the southerly line of said 10.001 acre tract, a distance of 424.10 feet to a 1/2" iron pin found at a northeasterly corner of said 66.516 acre tract, at the southeasterly corner of said 10.001 acre tract and in the westerly line of that 16.794 acre tract as conveyed to Columbus & Southern Electric Company by deed of record in Deed Book 375, Page 211;

Thence South 03° 13' 24" West, with the easterly line of said 66.516 acre tract and the westerly line of said 16.794 acre tract, a distance of 647.67 feet to a 1/2" iron pin found at the southwesterly corner of said 16.794 acre tract;

Thence South 86° 37' 58" East, with the southerly line of said 16.794 acre tract and with the northerly line of said 66.516 acre tract, a distance of 451.89 feet to an iron pin set at the northwesterly corner of that 0.590 acre tract as conveyed as Parcel 2-WD-2 by deed of record in Official Record 822, Page 2288;

Thence with the easterly line of said 66.516 acre tract and with the westerly line of said 0.590 acre tract, with the arc of a curve to the left, having a central angle of 19° 36' 51", a radius of 1801.95 feet, an arc length of 616.87 feet, a chord bearing of South 11° 42' 14" East and chord distance of 613.86 feet to an iron pin set;

Thence South 03° 11' 59" West, continuing with the easterly line of said 66.516 acre tract and with the westerly line of said 0.590 acre tract, a distance of 117.39 feet to an iron pin set at the southeasterly corner of said 66.516 acre tract and in the northerly line of that 3.546 acre tract conveyed as Parcel 2-WD-1 to Board of County Commissioners of Delaware County by deed of record in Official Record 822, Page 2288;

DESCRIPTION FOR CLOSING ONLY  
 RPC Approval Required  
 Municipal Approval Required  
Delaware County Engineer

23-2020

DESCRIPTION APPROVED  
FOR TRANSFER  
Chris Bauserman  
Delaware County Engineer

## 105.858 ACRES

-2-

Thence North  $86^{\circ} 48' 01''$  West, with the southerly line of said 66.516 acre tract and with the northerly line of said 3.546 acre tract, a distance of 240.07 feet to an iron pin set;

Thence South  $10^{\circ} 31' 22''$  West, with the easterly line of said 66.516 acre tract, and with the westerly line of said 3.546 acre tract, a distance of 317.46 feet to an iron pin set;

Thence South  $51^{\circ} 48' 56''$  East, with the northeasterly line of said 66.516 acre tract and with the southwesterly line of said 3.546 acre tract, a distance of 217.31 feet to an iron pin set;

Thence South  $02^{\circ} 41' 56''$  West, with the easterly line of said 66.516 acre tract and with the westerly line of said 3.546 acre tract, a distance of 110.09 feet to an iron pin set;

Thence South  $17^{\circ} 43' 52''$  East, continuing with the westerly line of said 66.516 acre tract and with the westerly line of said 3.546 acre tract, a distance of 189.51 feet to an iron pin set at the southwesterly corner of said 3.546 acre tract;

Thence South  $86^{\circ} 48' 01''$  East, with the northerly line of said 66.516 acre tract and with the southerly line of said 3.546 acre tract, a distance of 68.83 feet to an iron pin set at the northeasterly corner of said 66.516 acre tract, at the southeasterly corner of said 3.546 acre tract and in the westerly line of said Lot 4942 of that subdivision entitled "Golf Village North Sawmill Parkway Extension by deed of record in Official Record 736, Page 2679;

Thence South  $03^{\circ} 11' 59''$  West, with the easterly line of said 66.516 acre tract and with the westerly line of said Lot 4942, a distance of 216.52 feet to a  $1/2''$  iron pin found at the southeasterly corner of said 66.516 acre tract, at the southwesterly corner of said Lot 4942, at the southeasterly corner of Lot D and with the southwesterly corner of Lot C, and in the northerly line of that 116.398 acre tract as conveyed to Board of Olentangy Local School District by deed of record in Official Record 104, Page 366;

Thence North  $86^{\circ} 32' 19''$  West, with the southerly line of said 66.516 acre tract and with the northerly line of said 116.398 acre tract, a distance of 740.01 feet to a  $5/8''$  iron rebar found at a northwesterly corner of said 116.398 acre tract, at a northeasterly corner of said 99 acre tract, at an northeasterly corner of Lot 27 and the northwesterly corner of Lot 23;

Thence South  $03^{\circ} 39' 33''$  West, with the easterly line of said 99 acre tract and with the easterly line of said 116.398 acre tract, a distance of 1650.44 feet to a  $5/8''$  iron rebar found capped "Fox PS7000" at a southeasterly corner of said 99 acre tract and at the northeasterly corner of that 50 acre tract as conveyed to Edward C. Pearl and Donna H. Pearl by deed of record in Official Record 232, Page 2284;

Thence North  $86^{\circ} 39' 31''$  West, with the southerly line of said 99 acre tract and with the northerly line of said 50 acre tract, a distance of 1707.46 feet to an iron pin set;

Thence across said 99 acre tract, the following courses and distances:

with the arc of a curve to the right, having a central angle of  $03^{\circ} 43' 28''$ , a radius of 1030.00 feet, an arc length of 66.95 feet, a chord bearing of North  $41^{\circ} 28' 28''$  East and chord distance of 66.94 feet to an iron pin set;

North  $43^{\circ} 20' 12''$  East, a distance of 167.61 feet to an iron pin set;

with the arc of a curve to the left, having a central angle of  $07^{\circ} 03' 51''$ , a radius of 970.00 feet, an arc length of 119.59 feet, a chord bearing of North  $39^{\circ} 48' 16''$  East and chord distance of 119.52 feet to an iron pin set;

with the arc of a curve to the left, having a central angle of  $90^{\circ} 54' 52''$ , a radius of 30.00 feet, an arc length of 47.60 feet, a chord bearing of North  $09^{\circ} 11' 05''$  West and chord distance of 42.76 feet to an iron pin set;

105.858 ACRES

-3-

North 54° 38' 31" West, a distance of 5.00 feet to an iron pin set;

North 35° 21' 29" East, a distance of 70.00 feet to an iron pin set;

South 54° 38' 31" East, a distance of 5.12 feet to an iron pin set;

with the arc of a curve to the left, having a central angle of 90° 00' 00", a radius of 30.00 feet, an arc length of 47.12 feet, a chord bearing of North 80° 21' 29" East and chord distance of 42.43 feet to an iron pin set;

North 35° 21' 29" East, a distance of 717.84 feet to an iron pin set;

with the arc of a curve to the left, having a central angle of 16° 22' 54", a radius of 460.00 feet, an arc length of 131.52 feet, a chord bearing of North 27° 10' 02" East and chord distance of 131.07 feet to an iron pin set;

North 18° 58' 35" East, a distance of 95.63 feet to an iron pin set;

with the arc of a curve to the right, having a central angle of 16° 19' 20", a radius of 265.00 feet, an arc length of 75.49 feet, a chord bearing of North 27° 08' 15" East and chord distance of 75.24 feet to an iron pin set;

North 35° 17' 54" East, a distance of 64.12 feet to an iron pin set;

North 27° 28' 00" East, a distance of 72.28 feet to an iron pin set;

North 26° 05' 09" West, a distance of 67.17 feet to an iron pin set;

with the arc of a curve to the left, having a central angle of 31° 20' 57", a radius of 190.00 feet, an arc length of 103.96 feet, a chord bearing of North 72° 02' 18" West and chord distance of 102.67 feet to an iron pin set;

North 02° 17' 14" East, a distance of 70.00 feet to an iron pin set;

with the arc of a curve to the right, having a central angle of 25° 15' 43", a radius of 260.00 feet, an arc length of 114.64 feet, a chord bearing of South 75° 04' 55" East and chord distance of 113.71 feet to an iron pin set;

South 62° 27' 03" East, a distance of 33.15 feet to an iron pin set;

South 89° 02' 21" East, a distance of 143.50 feet to an iron pin set;

with the arc of a curve to the right, having a central angle of 30° 38' 45", a radius of 265.00 feet, an arc length of 141.74 feet, a chord bearing of North 49° 41' 55" East and chord distance of 140.06 feet to an iron pin set; and

with the arc of a curve to the left, having a central angle of 16° 52' 20", a radius of 185.00 feet, an arc length of 54.48 feet, a chord bearing of North 56° 35' 07" East and chord distance of 54.28 feet to the southerly line of said 66.516 acre tract;

thence North 86° 37' 48" West, with the northerly line of said 99 acre tract and with the southerly line of said 66.516 acre tract, a distance of 12.24 feet to a southwesterly corner of said 66.516 acre tract, in the northerly line of said 99 acre tract and at a southeasterly corner of said 50 acre tract;

thence North 03° 18' 34" East, with the westerly line of said 66.516 acre tract and with the easterly line of said 50 acre tract, a distance of 3338.78 feet to the TRUE POINT OF BEGINNING, containing 105.846 acres, more or less, of which 0.118 acre is in the current right of way.

105.858 ACRES

-4-

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 shown hereon are based on the Ohio State Plane Coordinate System, North zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

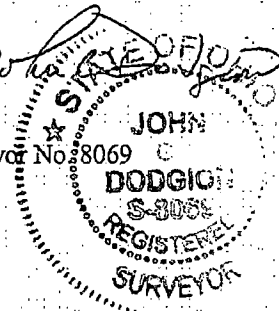
This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

EVANS, MECHWART, HAMBLETON & TILTON, INC.



01/21/2020

John C. Dodgion  
Professional Surveyor No. 8069



JCD:td  
105\_846 ac 20181337-VS-BNDY-02

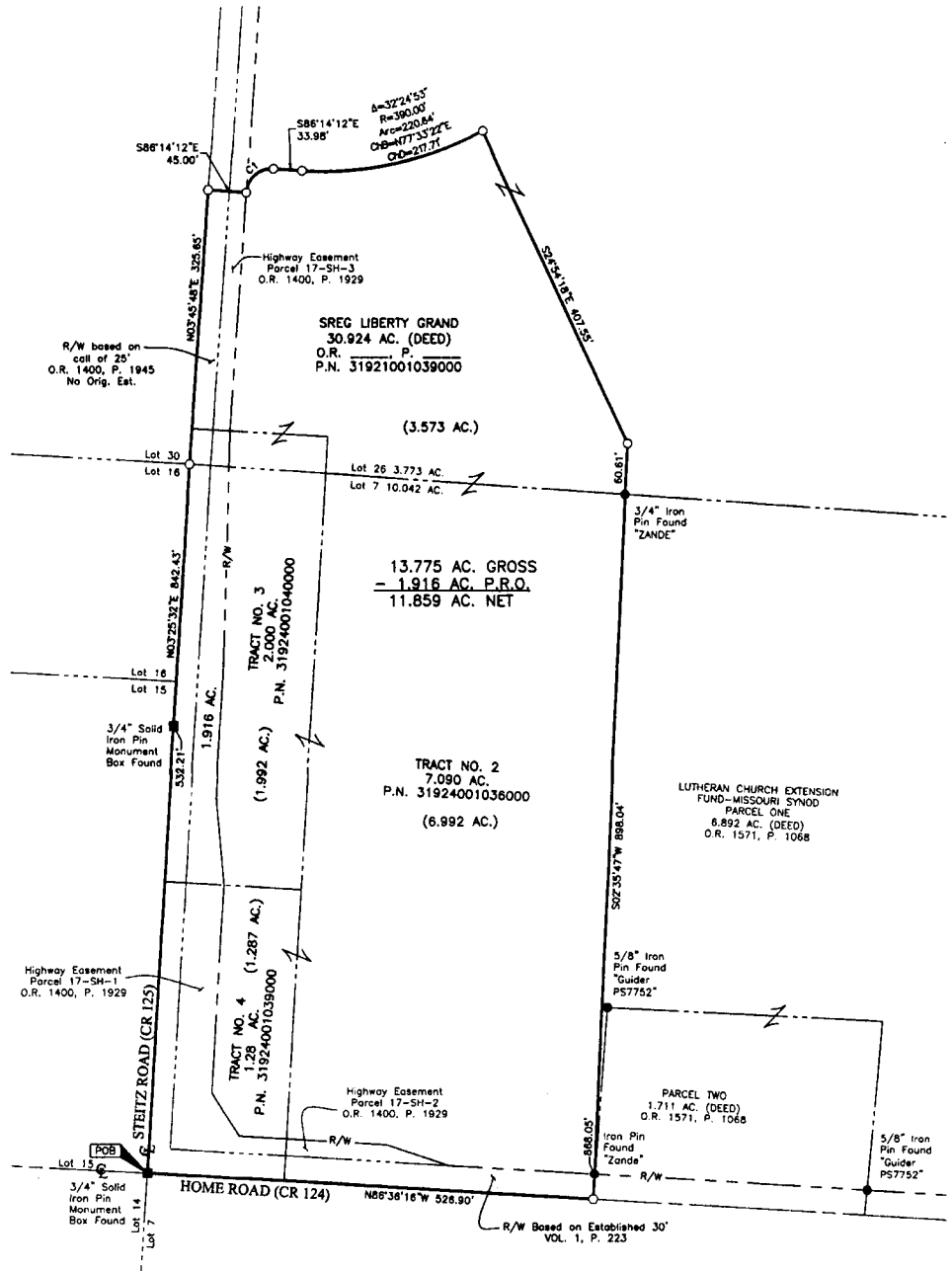
# SURVEY OF ACREAGE PARCEL

## LOTS 7 AND 26, QUARTER TOWNSHIP 2, TOWNSHIP 3, RANGE 19

### UNITED STATES MILITARY DISTRICT

### TOWNSHIP OF LIBERTY, COUNTY OF DELAWARE, STATE OF OHIO

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
C1	90°00'00"	30.00'	47.12'	N48°45'48"E	42.43'



**BASIS OF BEARING:**

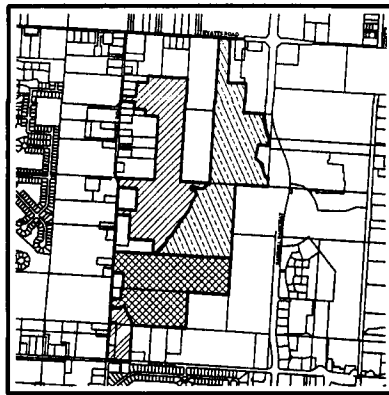
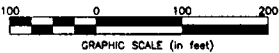
The bearings shown hereon are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

**SURVEY NOTE:**

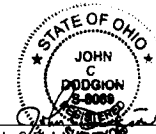
This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

- = STONE FND.
- = MON. FND.
- = I.P. FND.
- = I.P. SET
- = MAG. NAIL FND.
- = MAG. NAIL SET
- ▲ = R.R. SPK. FND.
- = P.K. NAIL FND.

I.P. Set are 13/16" I.D. iron pipes 30" long with cap inscribed EMHT INC.



LOCATION MAP AND BACKGROUND DRAWING  
NOT TO SCALE



By John C. Dodgion Date 1/17/2020  
Professional Surveyor No. 8069

<p><b>EMHT</b> Evanis, Merschwert, Hamilton &amp; Tiron, Inc. Engineers &amp; Surveyors &amp; Planners &amp; Scientists 5500 New Albany Road, Columbus, OH 43054 Phone: 614.775.4300 Toll Free: 888.775.3448 emht.com</p>	Date: January 17, 2020	
	Scale: 1" = 100'	
	Job No: 2018-1337	
	Sheet: 1 of 1	
REVISIONS		
MARK	DATE	DESCRIPTION



**EXHIBIT A**  
**DESCRIPTION OF A 13.775 ACRE TRACT**  
 As shown on the plat recorded in Volume 15, Page 97  
**Of the SURVEY RECORDS of the DELAWARE COUNTY ENGINEER**  
 As found in the DELAWARE COUNTY MAP DEPARTMENT  
 DELAWARE COUNTY, OHIO

Situated in the State of Ohio, County of Delaware, Township of Liberty, located in Lots 7 and 26, Quarter Township 2, Township 3, Range 19, United States Military District, out of that 30.924 acre tract (Tract No. 1), all of that 7.090 acre tract (Tract No. 2), 2.000 acre tract (Tract No. 3) and that 1.28 acre tract (Tract No. 4) as conveyed to Edward C. Pearl, R. David Pearl and Annette P. Lockwood by deed of record in Official Record 1589, Page 542 (all references refer to the records of the Recorder's Office, Delaware County, Ohio) and being described as follows:

BEGINNING at a 3/4" solid iron pin monument box found at the centerline intersection of Steitz Road (County Road 125) and Home Road (County Road 124), at the southwesterly corner of said 1.28 acre tract, in the westerly line of said Lot 7, at a northeasterly corner of Lot 14 and at a southeasterly corner of Lot 15;

Thence North 03° 25' 32" East, with the westerly line of said 1.28 acre, and 2.000 acre tracts, with the westerly line of said Lot 7, with the easterly line of said Lot 15 and with the centerline of said Steitz Road, (passing a 3/4" solid iron pin monument box found at 532.21 feet), for a distance of 842.43 feet to a magnail set in the northwesterly corner of said Lot 7, in the southwesterly corner of said Lot 26, in the southeasterly corner of Lot 30 and in the northeasterly corner of Lot 16;

Thence North 03° 45' 48" East, with the westerly line of said 30.924 acre tract, with the westerly line of said Lot 7 and with the easterly line of said Lot 15 and continuing with the centerline of said Steitz Road, a distance of 335.65 feet to a magnetic nail set;

Thence South 86° 14' 12" East, across said Steitz Road, a distance of 45.00 feet to an iron pin set;

Thence across said 30.924 acre tract, the following courses and distances:

with the arc of a curve to the right, having a central angle of 89° 59' 57", a radius of 20.00 feet, an arc length of 31.42 feet, a chord bearing of North 48° 45' 50" East and chord distance of 28.28 feet to an iron pin set;

Thence South 86° 14' 12" East, a distance of 43.98 feet to an iron pin set;

with the arc of a curve to the left, having a central angle of 32° 24' 53", a radius of 390.00 feet, an arc length of 220.64 feet, a chord bearing of North 77° 33' 22" East and chord distance of 217.71 feet to an iron pin set;

Thence South 24° 54' 18" East, a distance of 407.55 feet to an iron pin set;

Thence South 02° 35' 47" West, partly across said 30.924 acre tract, and partly with the easterly line of said 7.090 acre tract and with the westerly line of that 6.892 acre tract conveyed as Parcel One to Lutheran Church Extension Fund-Missouri Synod by deed of record in Official Record 1571, Page 1068, (passing a 3/4" iron pin found capped "Zande" at 60.60 feet, and an iron pin found capped "Zande" at 868.05 feet) for a distance of 898.04 feet to a magnetic nail set at a southeasterly corner of said 7.090 acre tract and the southwesterly corner of said 6.892 acre tract and in the centerline of Home Road;

Thence North 86° 36' 16" West, with the southerly line of said 7.090 acre and 1.28 acre tracts and with the centerline of said Home Road, a distance of 526.90 feet to the POINT OF BEGINNING, containing 13.788 acres, more or less of which 1.916 acre is located within the current rights of way.

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

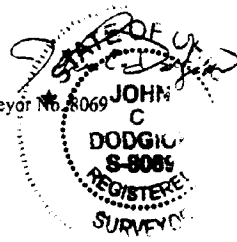
Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, North zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System.

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

John C. Dodgion  
 Professional Surveyor No. 8069



01/21/2020

JCD:ld  
 13.775 ac 20181337-VS-BNDY-03

DESCRIPTION FOR CLOSING ONLY  
 RPC Approval Required  
 Municipal Approval Required  
 Delaware County Engineer

2/3/20

DESCRIPTION APPROVED  
 FOR TRANSFER  
 Chris Bausman  
 Delaware County Engineer

3/3/20

**EXHIBIT B**  
**Zoning Regulations**  
**(attached hereto)**

## **ARTICLE 18B – PLANNED OVERLAY DISTRICT**

### **Section 18B.01- NATURE OF THE DISTRICT**

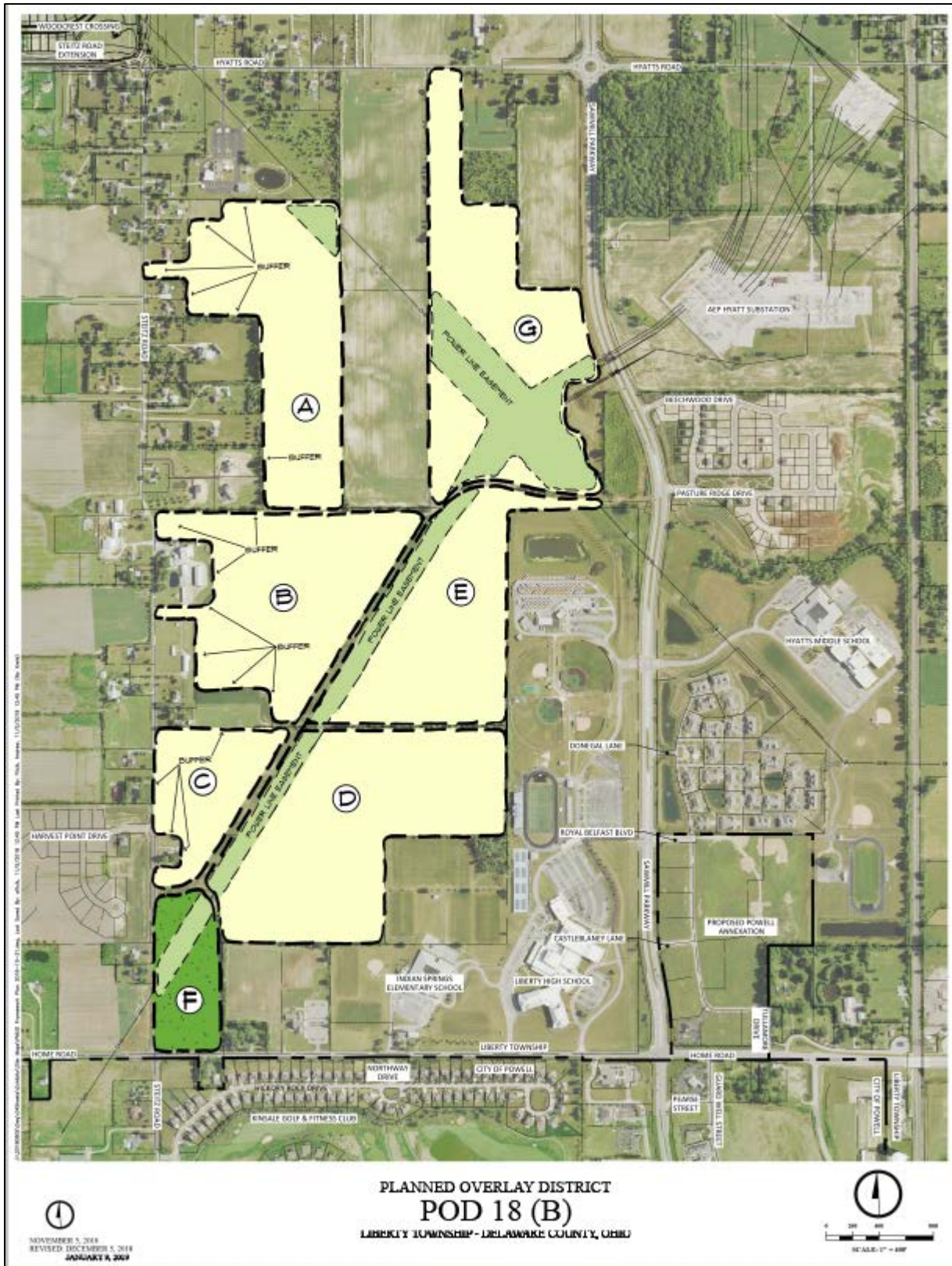
This Planned Overlay District (POD) is created pursuant to Section 519.021(C) of the Ohio Revised Code to further the purpose of promoting the general public welfare, encouraging the efficient use of land and resources, promoting public and utility services, and encouraging innovation in the planning and building of appropriate types of retail, office and residential development. The POD achieves this purpose by permitting flexibility of design in order to promote and accommodate environmentally sensitive and efficient use of the land, thereby allowing for a unified development that:

- Permanently preserves unique or sensitive natural resources and integrates Open Space within developments.
- Reduces the amount of infrastructure, including paved surfaces and utility easements, necessary for development.
- Reduces erosion and sedimentation by minimizing land disturbance and removal of vegetation.
- Provides an opportunity for an appropriate mix of residential uses.
- Enables more extensive review of design characteristics to ensure that the development project is properly integrated into its surroundings and is compatible with adjacent development.
- Assures compatibility between proposed land uses within and around the POD through appropriate development controls.
- Encourages unified development projects that exhibit creative planning and design in ways that cannot be achieved through a standard zoning district, yet are imaginative in architectural design and are consistent with applicable public plans for the area and are compatible with surrounding land uses.

### **Section 18B.02 - OVERLAY DISTRICT AREA ESTABLISHED**

The POD is created pursuant to Section 519.021(C) of the Ohio Revised Code and encompasses, includes, overlays and rezones the POD area shown on the POD Overlay Development Plan (Map), which map is attached hereto and incorporated herein as Attachment 1 and is hereby adopted as the official zoning district map for the POD as part of this amendment. A roadway network will be developed as part of future Final Development Plan(s) and shall be subject to final approval by the Delaware County Engineer, and final site/sub-area engineering. Properties within the POD shall make Application in accordance with the provisions of this POD and Section 10.06 of the Liberty Township Zoning Resolution for Final Development Plan approval, in compliance with the provisions of this POD. The approval of an Application for Final Development Plan following the Liberty Township Trustees' approval of this POD is a ministerial act and shall not be considered an amendment to the Liberty Township Zoning Resolution.

### Attachment 1



**Section 18B.03 - PERMITTED USES**

- 18B.03.1** Residential Uses as provided for by subareas identified herein. Specifically: (1) Single Family Homes, single family detached residential or Patio Homes (Single Family including homeowner or condominium associations); (2) Attached Homes, residential of 2, 3 and 4 unit buildings includes Townhomes and/or Condominiums), and (3) Multi-family, attached residential of 5+ units (Multi-family).
- 18B.03.2** Additional uses related to Healthcare Services including: 446 Health and Personal Care Stores; 561 Administrative and Support Services; 621 Ambulatory Health Care Services; 622 Hospitals; 623 Nursing and Residential Care Facilities; 62412 Service for elderly and persons with disabilities; 6244 Child day care. The development standards of Liberty Township Zoning Resolution Article 15, Planned Commercial District shall supplement this POD for those uses only, where this POD 18B is silent. Conflicts shall be resolved in favour of the development standards of this POD 18B.
- 18B.03.3** All uses of Article 12, Planned Elderly or Retirement Community uses. The development standards of Liberty Township Zoning Resolution Article 12 Planned Elderly or Retirement District shall supplement this POD for those uses only, and only where this POD 18B is silent. Conflicts shall be resolved in favour of the development standards of this POD 18B.
- 18B.03.4** Temporary Structures. Temporary structures such as manufactured/mobile home offices and temporary buildings of a non-residential character may be used incidental to construction work on the premises or on adjacent public projects or during a period while the permanent structure is being constructed. A Zoning Permit shall be obtained for such temporary use, which permit shall be valid for twelve (12) months and renewable for up to 3 years total. Renewal of the permit shall be at the discretion of the Zoning Inspector on finding of reasonable progress toward completion of the permanent structure or project. Renewal shall not be unreasonably denied. The Zoning Inspector may require provisions for sanitary waste disposal, solid waste disposal and water supply, as the Zoning Inspector deems necessary. The fees for such permit and renewals thereof shall be established by the Board of Township Trustees. No such structure shall be occupied as a dwelling.
- 18B.03.5** Existing Uses/Zoning To Remain. Until such time as a Final Development Plan is approved for area(s) within the POD, within the requirements of the POD, the existing legal uses and zoning for all areas within the POD shall be permitted. Legal uses established prior to this POD shall be permitted to exist as legal non-conforming.

**Section 18B.04 - ACCESSORY USES, BUILDINGS, AND STRUCTURES**

- 18B.04.1** Accessory Uses. Any sub area located within the POD shall be permitted to include the following accessory uses, so long as those uses are either contained within the buildings of a permitted use, or within separate buildings or structures that are architecturally and/or operationally integrated into the sub area development:

  - 18B.04.1.a** Clubhouses, recreational and entertainment facilities, indoor or outdoor, and may include but not limited to tennis courts, basketball courts, pools, bocce court, etc.
  - 18B.04.1.b** Sheds, play structures, pools and pool fencing.
  - 18B.04.1.c** Private Garages.

- 18B.04.1.d** Exercise and Fitness Facilities.
- 18B.04.1.e** Personal and Laundry Services (except 812332 Industrial Launderers).
- 18B.04.1.f** Mail collection facilities.
- 18B.04.1.f** Storage facilities for bicycles, as well as individual storage facilities for the keeping of personal property owned by the residents, and only accessory to such ownership. Bicycle and individual storage facilities may be located wholly in a separate accessory structure, so long as that structure(s) is architecturally integrated into the Development Plan. Commercial storage facilities are not permitted.
- 18B.04.1.g** Home Occupations: professional or business activities shall be considered permitted as " Home Occupations," provided that such activities are carried on solely within the confines of the dwelling, do not occupy more than twenty percent (20%) of the dwelling, retain no non-residential employees (whether paid or voluntary), generate no greater traffic, parking or deliveries than would normally be expected in a residential neighborhood, do not create a nuisance to the neighborhood or general public, and are imperceptible from the exterior of the dwelling and display no sign.
- 18B.04.1.h** General park and recreational uses, activities or small scale agricultural activities such as a non-permanent farmers' market or seasonal egg hunts.

The above uses are not intended as separate, independent or principal commercial uses, but rather only accessory in nature, so as to complement the permitted principal use(s).

**Section 18B.05 - PROHIBITED USES**

Uses not specifically authorized by the express terms of this Article of the Zoning Resolution shall be prohibited. The following uses shall be prohibited:

- 18B.05.A** Uses not specifically approved by the Zoning Commission as part of the Development Plan.
- 18B.05.B** Outdoor storage of inoperable, unlicensed or unused motor vehicles for a period exceeding seven (7) days. Said vehicles, if stored on the premises, shall be enclosed within a building so as not to be visible from any adjoining property or public road. This prohibition shall not apply to a legal sales or repair activity if such activities are carried out in compliance with an approved Final Development Plan.
- 18B.05.C** Except as provided in a Final Development Plan, no trailers, no boats, no motor homes, no campers and no equipment of any type shall be parked in front of the principal structure line on any non-residential parcel within this district, and may only be parked for not more than eight (8) hours in a twenty-four period if located on a residential parcel. If a structure is located on the property, the principal structure line shall be considered to be the front wall of the structure, even if said structure is located behind the minimum building line established by the Development Plan.

**18B.05.D** No manufactured home, temporary mobile home, motor home or camper shall be occupied in this district for residential purposes. Mobile office structures may be permitted in the approved Final Development Plan in accordance with Section 18B.02.

**18B.05.E** No trash, debris, discarded materials, junk vehicles, vehicle parts, rags, lumber, building materials, equipment and/or parts thereof, or any garbage, refuse, or junk shall be permitted to accumulate on any lot or portion thereof. All trash, debris, discarded materials, vehicle parts, rags, lumber, building materials, and other garbage, refuse or junk shall be contained in solid sided containers during construction phases and thereafter. No wire or cage-type containers shall be permitted, and no such materials shall be above the sides of the container.

**Section 18B.06 - PROCESS FOR PLAN APPROVAL**

All Applications for Final Development Plan approval of area within the POD shall follow the procedures hereinafter set forth:

**18B.06.A** Pre-Application Meeting. The Applicant is encouraged to engage in informal consultations with staff from the Township and the Delaware County Regional Planning Commission prior to formal submission of an Application for approval of a Final Development Plan for any tract or property within the POD. No statement or action by Township or County officials in the course of informal consultations shall be construed to be a waiver of any legal obligation of the Applicant or of any procedure or formal approval required by Township or County statutes or rules. Ohio's Open Meetings Law (Section 121.22 of the Ohio Revised Code) is required to be observed at pre-Application meetings involving a quorum of members of the Liberty Township Zoning Commission.

**18B.06.B** Application and Final Development Plan. The Applicant shall prepare and submit ten (10) copies of an Application and Final Development Plan, along with an electronic copy and all applicable fees to the Liberty Township Zoning Commission. The Application shall be signed by the Applicant and all owners of property, or their designee, included in the Application and Final Development Plan. The Application shall include a list of property owners, by mailing address appearing on the Delaware County Auditor's current tax list, within, contiguous to, directly across the street from, and within two hundred feet (200') of the perimeter boundaries of such area subject of the Application for Final Development Plan. The Liberty Township Zoning Commission may request that any County agency and/or any committee of the Delaware County Regional Planning Commission submit comments for consideration at the meeting.

The Application shall be accompanied by a Final Development Plan and the following supporting information and documentation in text and map form:

**18B.06.B.1** A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed development.

**18B.06.B.2** A grading plan drawn to scale, showing all information pertaining to surface drainage.

**18B.06.B.3** A detailed Landscape Plan shall be submitted with the Final Development Plan and shall be subject to approval as part of the Final Development Plan. It shall depict and identify all proposed landscaping features.

- 18B.06.B.4** A detailed Signage and Exterior Lighting Plan shall be submitted with the Final Development Plan and shall be subject to approval as part of the Final Development Plan.
- 18B.06.B.5** A detailed Parking Plan shall be submitted with the Final Development Plan and shall be subject to approval as part of the Final Development Plan.
- 18B.06.B.6** An explanation of the method/structure and proposed documentation and instruments to be used in order to perpetually own, maintain and preserve the Open Space, as required, that is unified and permanently protected. The location, size and proposed use(s) of all Open Space areas shall be detailed.
- 18B.06.C** Final Development Plan Contents. The Final Development Plan shall include in text and map form the following:
- 18B.06.C.1** Proposed name of the development and its location.
- 18B.06.C.2** Names and addresses of applicant, owners and developers. Also, the names and mailing addresses of all owners of property within and contiguous to and directly across the street from the area proposed for POD approval shall be provided.
- 18B.06.C.3** Date, north arrow and plan scale. Scale shall be one inch equals one hundred feet 1" = 100 feet or larger scale.
- 18B.06.C.4** A description and location of the precise uses proposed for the development and phases for construction, if any. If the proposed development includes developing the property in phases, all phases to be developed after the first shall be fully described in textual form in a manner calculated to give Township officials definitive guidelines for approval of future phases.
- 18B.06.C.5** Locations, widths and names of all existing public streets or other public or private roads/ways, railroad and utility rights of way or easements, parks and other public open spaces, permanent structures, and corporation lines within or adjacent to the tract.
- 18B.06.C.6** Existing sewers, water mains, culverts and other underground facilities within the tract, adjacent to the tract or that will be used or are proposed to be used in developing the tract, indicating pipe sizes, grades and locations.
- 18B.06.C.7** The adjoining lines of adjacent tracts, parcels or lots.
- 18B.06.C.8** Additional restrictions and deed restrictions, if any.
- 18B.06.C.9** Existing topography, drainage channels, wooded areas, watercourses, wetlands and other significant physical features.
- 18B.06.C.10** Layout of proposed streets, private or public, including their names and rights of way, easements, sewers, water lines, culverts and other major improvements.



- 18B.06.C.11** Layout, numbering and dimensions of lots if more than one.
- 18B.06.C.12** The total amount of Lot Coverage and density to confirm with the POD, as that term is defined in this POD as gross acreage.
- 18B.06.C.13** Parcels of land intended to be dedicated or temporarily reserved for public use or reserved by deed covenant with the condition proposed for such covenant or dedication.
- 18B.06.C.14** Building setback lines with dimensions.
- 18B.06.C.15** Building locations depicting the bulk, height and spatial relationships of building masses with adjacent development.
- 18B.06.C.16** Layout, location, dimensions and architectural features of proposed structures including preliminary floor plans and exterior elevations.
- 18B.06.C.17** Location and dimensions of all paths, sidewalks, multi-use trails and connections thereof to facilitate connectivity among areas within the POD.
- 18B.06.C.18** Color rendering of buildings(s), complete with a listing of all colors, including current Pantone Reference Numbers or, if Pantone is not available, the manufacturer's reference/serial number with samples and materials to be used.
- 18B.06.C.19** A Detailed Parking and Loading Plan showing layout, location and design of parking and loading areas for all proposed uses, including proposed number of parking and loading spaces, traffic circulation, curb cuts, pedestrian walks and lane improvements on existing public roads.
- 18B.06.C.20** Engineering feasibility studies of any anticipated problems which may arise due to the proposed development as required by the Zoning Commission.
- 18B.06.C.21** Intended measures to screen the development from adjacent residentially zoned property as well as measures to screen rooftop mechanical equipment, production areas, service areas, storage areas, trash containers and loading zones from view.
- 18B.06.C.22** Accommodations and access for emergency and fire-fighting apparatus.
- 18B.06.C.23** Location, type, dimensions and features of all signage and exterior lighting through a detailed Signage and Exterior Lighting Plan.
- 18B.06.C.24** The plan or mechanism to provide for the perpetual maintenance of all landscaping, buffers and shared parking areas by the ultimate owner and/or user.
- 18B.06.C.25** Projected schedule of site development.
- 18B.06.C.26** The ability of the applicant to carry forth the Final Development Plan by control of the land and the engineering feasibility of the Final Development Plan.

- 18B.06.C.27** Other supplemental information, as may be reasonably required by the Liberty Township Zoning Commission, to determine compliance with this POD.
- 18B.06.C.28** The Final Development Plan (and the various accompanying plans) shall bear the seal of a registered engineer or surveyor and an architect or landscape architect, each of whom shall be licensed to practice in the State of Ohio.
- 18B.06.C.29** The applicant may request a divergence from the development standards set forth in this Article 18B or otherwise to the Liberty Township Zoning Resolution. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the Final Development Plan submittals, with a request that the proposed divergence be approved as part of and as shown on the Final Development Plan. Unless specifically supplemented by the standards contained in the Final Development Plan, the development shall comply with the requirements contained in Article 18B and the General Development Standards most closely comparable to the use/zoning district(s), as contained in the Liberty Township Zoning Resolution.
- 18B.06.D** Zoning Commission Action. After receipt of the completed Application materials and required fees, the Zoning Commission shall schedule a public hearing within forty-five (45) days after the filing of the complete Application. Notice shall be sent by regular, first class mail to the applicant and to all owners of property within, contiguous to, directly across the street from, and within two hundred feet (200') of the perimeter boundaries of such area subject of the Application for Final Development Plan. Mailing by the Zoning Commission shall be to the addresses of such owners appearing on the Delaware County Auditor's current tax list. The failure of delivery of that notice shall not invalidate any action the Zoning Commission may take on the Application. The Zoning Commission shall render a decision on the Application and Final Development Plan within thirty (30) days after the conclusion of the hearing.
- 18B.06.E** Basis of Approval. The Zoning Commission, shall consider and approve a Final Development Plan upon a finding of substantial compliance based upon the following:
- 18B.06.E.1** Whether the proposed Application and Final Development Plan are consistent with the uses, and standards of this POD Zoning Resolution as set forth and defined in Section(s) 18.07 and 18.08 of this POD; and, If applicable, determine if divergence(s) are reasonably related to or that facilitate the use(s), criteria and/or standards of this POD.
- 18B.06.E.2** Whether the proposed Application and Final Development Plan meet the design features as set forth and defined in Section(s) 18.07 and 18.08 of this POD.
- 18B.06.E.3** Whether the proposed development will be adequately served in a manner consistent with other residential communities located within Liberty Township, by essential public facilities and services including, without limitation, roads, walkways, police and fire protection, drainage structures, potable water and centralized sanitary sewers or other approved sewage disposal systems.

**18B.06.E.4** Whether the proposed development has adequately addressed traffic considerations in the immediate vicinity of the proposed development or elsewhere in the Township, as evidenced by a traffic study approved by the Delaware County Engineer.

**18B.06.F** Effect of Approval.

**18B.06.F.1** The Zoning Commission's determination shall not be considered an amendment to the Township Zoning Resolution for purposes of Section 519.12 of the Revised Code. A negative decision of the Zoning Commission may be appealed by the Applicant first to the Township Trustees within thirty (30) days of the date of the Zoning Commission Decision, and thereafter from the decision of the Township Trustees pursuant to Chapter 2506 of the Revised Code. The approval of an applicant's Application for Final Development Plan approval pursuant to this POD is a ministerial act and shall not be considered a rezoning amendment to the Township Zoning Resolution for the purposes of Section 519.12 of the Revised Code and may not be appealed pursuant to Chapter 2506 of the Revised Code.

**18B.06.F.2** The approval of a Final Development Plan shall be effective for a period of five (5) years (or for such other time period as may be approved as part of the Final Development Plan) in order to allow for the preparation and recording of a subdivision plat (if required under applicable law) and the commencement of construction following the issuance of a zoning permit(s). If no plat has been recorded within this approval period or, if platting is not required, if construction or other affirmative actions, efforts or planning has not commenced, and unless the Zoning Commission approves an extension of this time limit, a Development Plan shall expire. Extensions of an approved Final Development Plan shall not be unreasonably denied. Upon the expiration of the Final Development Plan, the subject parcel(s) shall remain zoned POD, but no use shall be established or changed and no building, structure or improvement shall be constructed until an Application for a new Final Development Plan, accompanied by a new Final Development Plan, has been filed with and approved by the Township using the procedures and process then established for the approval of an initial Development Plan.

**18B.06.F.3** An extension of the time limit for either recording the approved subdivision plat or the commencement of construction may be granted by the Zoning Commission upon Application of the owner(s), provided the Zoning Commission determines that such an extension is not in conflict with the public interest, that there is a legitimate purpose and necessity for such extension, and that the applicant shows evidence of a reasonable effort toward the accomplishment of the recordation of the plat or the completion of the development of the project. The length of time permitted for an extension shall be determined based upon the Application submitted. A request for extension shall be filed prior to the expiration of the established approval period.

**18B.06.F.4** Following the approval of a Final Development Plan, proposed variations from the approved Final Development Plan that involve only one (1) lot may be considered by the Board of Zoning Appeals under its hearing process pursuant to Article 25 of the Zoning Resolution. All other modifications to the Final Development Plan shall be

presented to the Zoning Commission for its consideration pursuant to Section 18.06(F)(5), hereof.

**18B.06.F.5** Upon application, the Zoning Commission may, at a duly held hearing, modify an approved Final Development Plan pursuant to the same procedures as the original Application in Section 18.06B. The request for modification may be approved upon a showing of a compelling reason and practical necessity for the same. Such modification is administrative in nature and not in conflict with the intent and purpose of the POD Planned Overlay District.

**18B.06.G Fees.** A fee as established by the Board of Trustees shall accompany an Application requesting approval of the Final Development Plan, as well as any request for extension or modification. In addition, the applicant shall also be responsible for all reasonable and necessary expenses incurred by Liberty Township in using professional consulting services to review the Final Development Plan. These expenses may include, without limitation, the actual costs for professional consultants such as attorneys, architects, landscape architects, planners and/or. As soon as reasonably practicable following the submission of an Application for approval of a Final Development Plan, the Zoning Commission shall decide if it needs a professional consultant(s) to assist with reviewing the application.

### **Section 18B.07 - GENERAL DESIGN STANDARDS**

All proposed developments within the POD shall be designed in accordance with generally accepted planning principles, including the design standards included in this Section, to ensure that the use of land, buildings and other structures; the building location, bulk, layout, arrangement, design, and height; the percentages of lot areas that may be occupied; the setback of buildings; and the sizes of yards and other spaces are in compliance with the purposes and standards of this Section. The Final Development Plan shall comply with the following design standards. Conflicts between this POD and the Liberty Township Zoning Resolution shall be resolved first in favour of this POD and all variances considered to accommodate or implement these POD standards, definitions and the general land uses as set forth herein. Items unaddressed or otherwise not listed within this Article 18B shall default to the Liberty Township Zoning Resolution.

**18B.07.A Access.** Any POD development sub area shall have direct access to one or more improved roads (public or private in nature) of sufficient capacity to accommodate traffic generated by the proposed development. Provision for future connections to other public roads as required by the Township, or other applicable governmental authorities, shall be provided. Unless otherwise provided by an approved Final Development Plan, emergency vehicular connectivity shall be provided. Private roads and drives shall be maintained by the sub area owner or property owners' association.

**18B.07.B Setbacks and Yard Areas.** The location and arrangements of buildings and structures within the POD shall be set per sub area as set forth on the POD Standards chart incorporated herein.

**18B.07.C Lighting.** Lighting shall be coordinated for style and practicality given the particular use or design of each sub area.

**18B.07.D Signage.** All signs and graphics within the POD shall be coordinated to be generally compatible in size, location, material, height, shape, color, and illumination. The Signage Plan for each sub area of the POD shall set forth the design parameters for the entire project to ensure a consistent and comprehensive character throughout the project. The Signage Plan shall include the design, layout,

and dimensions of all ground, monument, window and wall signs as well as distances from right-of-ways and the type and intensity of illumination. Signs should contribute to an overall cohesive design, reflect simplicity, and avoid visual clutter. The overall design and placement of buildings should take into account the general placement of signs so that all permanent signs and associated lighting fixtures complement the appearance and architecture of the buildings and the POD and do not contribute to environmental degradation. Ground signs shall be designed to relate to and share common design elements with the building. The materials and colors of the sign, sign background and sign frame shall be compatible with the sub area buildings' materials and colors.

**18B.07.E Landscaping.**

- 18B.07.E.i** All yards (front, side and rear) and all Open Space not covered by structure, asphalt or concrete and the like, shall be landscaped with grass and shrubbery/plantings and the like. All landscaping shall be maintained and kept in accordance with the Landscape Plan as submitted and approved. All vacant areas shall be kept seeded and maintained in such a manner as to prevent erosion of the property and excess drainage on adjoining land. A Landscape Plan shall show the caliper, height, numbers, name and placement of all materials. The pattern of landscaping shall be coordinated in design and type of materials, mounding and fencing used. Landscaping may vary in density, spacing and other treatments to reflect variations of topography, existing landscape or land uses. The landscape treatment proposed to be provided shall emphasize a pedestrian environment, separate pedestrian ways from parking areas, enhance architectural features, provide shade and strengthen vistas and serve as an important axis between the development and other locations.
  
- 18B.07.E.ii** The Landscape Plan shall preserve and be sensitive to the natural characteristics of the site and shall provide screening from adjacent Residential Uses and districts. Where natural or existing topographic patterns positively contribute to the appearance and utility of a development, they shall be preserved. Any proposed landscape mounds shall be designed with such slope, plant and other landscape materials to minimize maintenance requirements and maximize the health and durability of the chosen plants and landscape materials. Overall unity of design shall be encouraged through landscape treatment. Plants that are indigenous to the area and others that are hearty, harmonious to the design, consistent with adjacent land uses, and, where applicable, of good appearance, shall be used.
  
- 18B.07.E.iii** An enhanced landscape buffer shall be provided within the fifty (50) foot setback in sub areas A, B and C where adjacent to the existing (westerly) residential homes along Steitz Road. An undulating earth mound, with an average height of 3 feet, shall be provided 5 feet off the adjacent property boundary line, and shall be planted with grass, 4 evergreen trees (6' height at install ) and 3 deciduous trees (2 1/2" caliper at install) per 100 linear feet of buffer. If the 50 foot setback area is included within a residential building lot, the development shall provide for maintenance of the fifty (50) foot setback area by a property owners' association, as evidenced by deed restrictions or covenants that memorialize the obligation for such common maintenance.

**18B.07.F** Environmentally Sensitive Areas. All proposed development within the POD shall consider and to the greatest extent practicable, sensitive areas, wetlands, streams, etc. Encroachments for infrastructure shall be permitted. All development within the POD shall comply with the rules of the Ohio EPA and US Army Corps of Engineers, as may apply.

**18B.07.G** Commercial and Healthcare Uses. If the uses set forth in Section 18B.03.2 above are proposed in Sub-Areas permitted for such uses as proscribed by Section 18B.08 below, the development standards of Liberty Township Zoning Resolution Article 15 shall apply this POD for those uses only.

**18B.07.H** Elderly/Retirement Uses. If the uses set forth in Section 18B.03.3 above are proposed in Sub-Areas permitted for such uses as proscribed by Section 18B.08 below, the development standards of Liberty Township Zoning Resolution Article 12 shall apply this POD for those uses only.

**Section 18B.08 - DEVELOPMENT STANDARDS**

The Final Development Plan shall comply with the following development standards:

**18B.08.A** Tract Size. The gross area of a tract of land (i.e., sub area) proposed to be developed in the POD shall consist of a minimum of three (3) acres, exclusive of right-of-way. No minimum lot size is required. However, all lots shall be of sufficient area to comply with the required yard areas, setbacks and other design and development standards as set forth in this POD.

**18B.08.B** Intensity of Use. All buildings shall be erected on permanent foundations and shall be constructed of conventional building materials of a quality equal to or better than those used in existing buildings in nearby areas or as specified herein.

**18B.08.C** Development by Sub Area. Development of the POD is planned on a sub area basis:

**Sub Area A:**

Acreage: 43.4 +/- ac  
Use: Single Family Residential  
Units/Density: 120 du; 2.76 u/ac

**Sub Area B:**

Acreage: 44.8 +/- ac  
Use: Single Family Residential and/or Attached Homes  
Units/Density: 180 du/ 4.02 u/ac

**Sub Area C:**

Acreage: 17.5 +/- ac  
Use: Single Family Residential and/or Attached Homes  
Units/Density: 52 du; 2.99 u/ac

**Sub Area D:**

Acreage: 60 +/-ac  
Use: Single Family Residential and/or Attached Homes  
Units/Density: 210 du; 3.5 u/ac

**Sub Area E:**

Acreage: 46.1 +/-

Use(s): Single Family Residential, Attached Homes and/or Multi Family Residential  
Units/Density: 308 du; 6.68 u/ac

**Use(s):** Commercial uses related to 446 Health and Personal Care Stores; 561 Administrative and Support Services; 621 Ambulatory Health Care Services; 622 Hospitals; 623 Nursing and Residential Care Facilities 62412; Service for elderly and persons with disabilities; 6244 Child day care.

Density: maximum 17,000 square feet per acre.

**Use(s):** All planned elderly or retirement community uses of Article 12

Units/Density: 25 beds/ac.

**Sub Area F:**

Acreage: 14.1 +/- u/a

Use: Parks

Units/Density: n/a

**Sub Area G:**

Acreage: 57.1 +/- ac

Use(s): Single Family, Attached homes and/or Multi-family residential

Units/Density: 190 du; 3.33 u/ac

**Use(s):** Commercial uses related to 446 Health and Personal Care Stores; 561 Administrative and Support Services; 621 Ambulatory Health Care Services; 622 Hospitals; 623 Nursing and Residential Care Facilities 62412; Service for elderly and persons with disabilities; 6244 Child day care.

Density: maximum 17,000 square feet per acre.

**Use(s):** All planned elderly or retirement community uses of Article 12

Units/Density; 25 beds/ac.

The above total number of units shall be the maximum number of units within this POD. Sub Areas E and G may be developed with either Single Family Residential, Attached Homes, Multi-family residential uses, the identified commercial or senior uses, or a combination thereof, with the densities aggregated by acre, or portion thereof, for each use. Example: If Sub-Area G is developed with 2 or 3 of the permitted uses, the density for each use shall be determined on a per acre basis of that use density applied to acres. In no event shall the total number of units as set forth for either sub areas be increased.

**18B.08.D** Frontage, Setbacks and Yard Areas. Setbacks, frontage and yard areas shown on POD Standards Chart incorporated by reference herein. Roadways and access drives/curb cuts may extend into setback areas. No accessory structures shall be closer than 10' from rear property line or 5' from the side property line.

**18B.08.E** Lot Coverage and Building Height.

**18B.08.E.1** Lot Coverage. The ground area occupied by all the buildings, structures, driveways, traffic circulation areas, parking areas, sidewalks and all other impervious Surfaces shall not exceed in the aggregate eighty-five percent (85%) of the total area of the tract.

**18B.08.E.2** Building Height.

**a.)** Multi-Family Dwellings: No building or structure for any permitted use shall exceed three (3) stories in height. Chimneys, flagpoles, parapets, cupolas and other similar architectural elements may exceed this height limitation by no more than eight (8) feet.

**b.)** All Other Principal Structures: No building or structure for any single, two, three or four family residential use shall exceed forty (40) feet in height. Chimneys, flagpoles, parapets, cupolas and other similar architectural elements may exceed this height limitation by no more than ten (10) feet.

**18B.08.F** Architectural Standards.

**18B.08.F.1** Design Elements. The architectural style and design of structures shall create harmony, creativity and complimentary visuals throughout the site. All materials used to construct buildings within the POD shall be utilized in such a manner as to be architecturally and aesthetically compatible, so long as the proposal utilizes the permitted materials as specified by Section 18B.08(F)(2) below. Creativity in design is encouraged; however, that creativity shall be consistent with the goals and requirements established for the POD by this Article 18B.

**18B.08.F.2** Materials. The exterior elevations of all proposed buildings and screening structures shall only consist of any or any combination of the following:

- a.)** Wood;
- b.)** Red or earth tone brick or brick veneer;
- c.)** Native or cultured stone or stone veneer;
- d.)** Upscale Vinyl with thickness 0.044" (nominal)
- e.)** Stucco/EIFS;
- f.)** Pre-cast concrete where used as an accent;
- g.)** Cementitious siding (such as HardiPlank' or similar) and/or composite siding (such as SmartSide or similar);
- h.)** Metal and glass (except for multi-family uses);
- i.)** Any materials deemed by the Zoning Commission to be acceptable substitutions for the above natural materials.

The above material requirements shall not be applicable to soffits, fascia windows, downspouts, gutters, window glazing, trims and reveals, as well as hardware and similar accents.

**18B.08.F.3** Roofing. All residential pitched roofs shall be of dimensional shingles, standing seam metal, slate or simulated slate, unless otherwise approved in the Final Development Plan.



Roof pitches for primary residential buildings that are visible shall be minimum 6:12.

**18B.08.G** Exterior Lighting. The Exterior Lighting Plan is subject to the following requirements:

- 18B.08.G.1** Traffic signals shall be in accordance with any applicable county or state regulations.
- 18B.08.G.2** Site lighting shall be required for each sub area, designed to sufficiently illuminate the site and minimize spillover from the property.
- 18B.08.G.3** Light poles shall not exceed twenty (20) feet in height and should be in harmony with the parcel, building, and parking lot size as well as the surrounding area. Parking lot lighting shall be of a standard light source and type. The style shall reflect a traditional design, ideally consistent throughout the corridor.
- 18B.08.G.4** Building, pedestrian and landscape lighting may be incandescent, metal halide or other sustainable lighting as determined by the Zoning Commission.
- 18B.08.G.5** All parking lot areas exclusive of driveways to garages shall have a maximum light intensity of twenty (20) foot candles and an average light intensity between one half (0.5) foot candle and three (3) foot candles.
- 18B.08.G.6** All external lighting shall be decorative, cut-off type fixtures and downcast to reduce spillover. Outdoor lighting shall be directed, reflected, or shielded so as not to be of excessive brightness or cause glare hazardous to pedestrians or drivers, create a nuisance or unreasonably interfere with a neighboring property owner's right to enjoy his property. Light spillover shall not exceed one tenth (0.1) foot candles when adjacent to a residential zoning district or an existing Residential use.
- 18B.08.G.7** Luminaries should have a minimum cut-off of forty-five (45) degrees, so as to provide glare control to pedestrian and vehicular traffic, as well as distinct beam cut-off on the outer perimeter of the setback areas.
- 18B.08.G.8** All Landscape Up-light Fixtures shall be screened by landscaping and cut-off in design. This type of lighting shall be equipped with automatic timing devices and shielded and focused to minimize light pollution.
- 18B.08.G.9** No permanent colored lights or neon lights shall be used on the exterior of the buildings. Flashing lights shall be prohibited.
- 18B.08.G.10** External building lighting shall be limited to wall-mounted sconces and wall pack fixtures.

**18B.08.H** Signage. Graphics and Signage in the POD shall conform to Section 18B.07(D) and Article 20 of the Zoning Resolution or as approved by the Zoning Commission.

**18B.08.I** Landscaping. All yard areas and Open Spaces shall be landscaped in accordance with an approved landscape plan. Natural foliage shall be retained as buffers where practicable. The Landscape Plan shall comply with the following requirements:

- 18B.08.I.1** Right-of-Way. The primary road through the POD area shall be boulevard style, with trees in the center median; shade trees having a minimum caliper of two and a half (2 1/2) inches, or ornamental and evergreen trees 6 feet in height; one tree for every sixty (60) lineal feet. Trees may be evenly spaced or grouped.
- 18B.08.I.2** Exterior Areas. Grass (seed or sod), shrubs, trees, garden planting areas or other appropriate landscape materials shall be planted in all exterior areas. Other groundcover, such as ivy, may be planted in exterior areas which are not occupied by required landscaping material or required for drainage. All vacant areas shall be kept seeded and maintained in such a manner as to prevent erosion of the property and excess drainage.
- 18B.08.I.3** Plants. All plants shall meet or exceed the American Standard for Nursery Stock as set forth by the American Association of Nurserymen.
- 18B.08.I.4** Maintenance. All trees and landscaping shall be well maintained. All maintenance and upkeep of landscaping shall be the responsibility of the owner of such yard, space or area where the landscaping is located. Dead trees, shrubs and other landscaping material shall be promptly removed and shall be replaced within six (6) months or the next planting season, whichever is sooner.
- 18B.08.I.5** Street Trees. Trees along all internal public streets, shall be planted at a minimum distance of forty (40) feet or 1 per 50 feet for a per lot development. Trees shall be of deciduous species normally attaining full-grown height in excess of fifty (50) feet and shall be of two (2) to two and a half (2 1/2) caliper or greater at the time of planting. Street trees (not located within the boulevard) shall be located outside the right of way, on both sides of the street. This requirement does not apply in the areas of ingress and egress, or to existing trees which are undisturbed by the project.
- 18B.08.I.6** Tree Preservation. Reasonable and good faith efforts will be made to preserve existing trees. Consideration shall be given to laying out service roads, lots, structures and parking areas to avoid the unnecessary destruction of wooded areas and individual trees. Additionally, standard tree preservation practices shall be used to preserve and protect trees during all phases of construction, including the installation of snow as necessary to protect existing trees.
- 18B.08.I.7** Since 6355 Steitz Road, the "6355 Property", has livestock operations, the Developer of Subarea A, at Developer's sole cost and expense, will install on the Subarea A property, a fence along the 6355 Property east boundary and along that portion of the 6355 Property southern boundary shared with Subarea A. During the final development plan application process for Subarea A, the Developer and owner of the 6355 Property will work cooperatively on the design and placement of the fence. The fence will be installed prior to the commencement of construction on the first single family home located in Subarea A.
- 18B.08.J** Parking and Loading. Parking shall be paved prior to receipt of a final Certificate of Compliance, with adequate provisions for ingress and egress according to the approved Development Plan,

unless a phasing schedule is approved as part of a Development Plan. All parking shall conform with the following provisions:

- 18B.08.J.1** Minimum Number of Parking Spaces Required. For Multi-family residential, a minimum of two and one-fourth (2 1/4) parking spaces for each Dwelling Unit is required. The minimum number of parking spaces required for Single Family and Attached Homes shall be 2 spaces per dwelling unit. Parking for any on site amenities or recreational facilities/activities, accessory uses/facilities may be reduced ninety percent (90%) by right and reduced to zero by the Zoning Commission upon Development Plan approval. Parking spaces shall be 10' x 20', except that parking spaces may be reduced to 8'x18' for garage spaces, parking spaces in front of garages, and/or additional parking areas that exceed the aggregate minimum number. Surface parking spaces, driveway spaces and garages spaces may count toward required parking. Driveways shall be permitted to be 8 feet wide (minimum). Driveways shall not be required to have maximum slopes. Driveways may be located 5 feet from intersections.
  
- 18B.08.J.2** On-Street Parking in Multifamily Proposals. On street parking shall be permitted on both sides of the street, upon final approval of the fire department. In Multi-Family Dwelling proposals in the POD, an applicant may be allowed to count parallel or angled On-Street Parking spaces located along private streets towards the minimum parking requirements of this POD, so long as those parking spaces are within a three hundred foot radius of any entryway to the proposed Multi-Family Dwelling structure(s).
  
- 18B.08.J.3** No driveway shall be located so that it enters a public road within twenty (20) feet of the intersection of any two (2) public road rights of way. This requirement shall not apply to and there shall be no restriction for a driveway entering into the opposing right of way of a "T" intersection.
  
- 18B.08.K** Open Space. A minimum of twenty percent (20%) of the total POD acreage shall remain and be utilized as Open Space, the "POD Total Open Space Requirement." A minimum of ten percent (10%) of the total POD acreage shall be organized within each Sub-Area, except Sub-Area C, as Open Space, the "Sub-Area Open Space Requirement." Open Spaces may include features such as, but not limited to, bike paths, walking paths, existing bodies of water, water impoundments, public and private utility easement areas, forested and landscaped areas not included in a single-family yard requirement, and similar features. Open Space may include the enhanced landscape buffer area provided within the fifty (50) foot setback in sub areas A, B and C where adjacent to the existing (westerly) residential homes along Steitz Road. Open Space may be used for the disposal of storm water drainage. No features shall be designed which are likely to cause erosion or flooding. The applicant for each Final Development Plan shall have the responsibility for updating the documentation showing compliance with the POD Total Open Space Requirement. The responsibility for maintenance of Open Space within each sub area shall be specified by the applicant in writing within a Final Development Plan. Open Space may be proposed to be owned by an Association, the Township or other governmental entity, a land trust or other conservation organization recognized by the Township, or by a similar entity, or may remain in private ownership if appropriately restricted.

**18B.08.L** Multi-Use Paths and Pedestrian Access. Interconnectivity shall be provided for pedestrians and non-motorized uses. Sidewalks shall be located along internal streets and roads with additional facilities through open spaces and connections at logical locations. Wider bike paths shall be provided on at least one side of larger arterial roads and where connections to regional systems are warranted. Larger proposals should include a master bikeway/pedestrian plan.

**18B.08.M** Trash and Garbage Control (Attached Homes or Multi Family Residential). All trash and garbage shall be stored in container systems (dumpsters or compactors) which are located at the rear of the building or at the side of the building if the side is not oriented towards an existing or planned right of-way(s) and must be enclosed on all four (4) sides with either a masonry enclosure or wood fencing at a minimum of six (6) feet in height.

**18B.08.N** Utilities. All utility lines constructed to service the proposed development shall be located underground. Mechanicals, whether roof mounted or on the ground, shall be screened with architectural features and/or landscaping. Notwithstanding anything to the contrary, this provision shall not apply to the existing high tension electric transmission lines that are located on the property.

Developer, subject to engineering approvals, will install the sanitary sewer service line, within Sub-Area A along the western boundary line of Sub-Area A. In addition, for those homes along the east side of Steitz Road that are adjacent to Sub-Area A, the Developer will provide, at no cost, easements for those homes to connect individual sanitary sewer service lines to the Sub-Area sanitary sewer line. Each homeowner shall be responsible for all cost, including tap fees, to connect into the Sub-Area A sanitary sewer service line.

**18B.08.O** Storm water Basins. Bio-retention basins, or rain gardens, may be used when approved by the Zoning Commission as part of a Development Plan and upon approval from Delaware County. Storm water basins, drains, impoundments and appurtenances of any kind may be located in the front, side or rear yard(s) of any lot. All storm water basins shall be constructed per the requirements adopted by Delaware County Soil and Water, and shall have no minimum or maximum size.

**18B.08.P** Other Requirements. Conflicts between this POD and the Liberty Township Zoning Resolution shall be resolved first in favour of this POD and all variances considered to accommodate or implement these POD standards, definitions and the general land uses as set forth herein. Unless specifically set forth by the standards contained in this Article 18B or those standards approved by divergence, the general development standards found in Article 7 of the Liberty Township Zoning Resolution shall apply.

**18B.08.Q** Miscellaneous. No roadway access will be permitted from Sub-Area A to Steitz Road; however, emergency access will be permitted.

**Section 18B.09 — STANDARDS**

<b>POD 18B STANDARDS</b>							
<b>SUBAREA</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
<b>USE</b>	Single Family Residential	Single Family Residential or Attached Homes	Single Family Residential or Attached Homes	Single Family Residential or Attached Homes	Single Family, Attached Homes and/or Multi Family Residential	Park	Single Family, Attached Homes and/or Multi Family Residential
<b>SETBACK STANDARDS - Note: Streets are permitted within setbacks.</b>							
Steitz Rd Building + Parking	50' from ROW	50' from ROW	50' from ROW	N/A	N/A	50' from ROW	N/A
Home Rd Building + Parking	N/A	N/A	N/A	N/A	N/A	50' from ROW	N/A
Sawmill Pkwy Building + Parking	N/A	N/A	N/A	N/A	N/A	50' from ROW	50' from ROW
Hyatts Rd Building + Parking	N/A	N/A	N/A	N/A	N/A	N/A	50' from ROW
Primary Roadway (Blvd) Building	N/A	30' from ROW	30' from ROW	30' from ROW	30' from ROW	30' from ROW	30' from ROW
Perimeter Adjacent to Existing Residential Use along Steitz	50'	50'	50'	N/A	N/A	25'	N/A
Perimeter Adjacent to Existing Residential Uses along Sawmill/Hyatts	N/A	N/A	N/A	N/A	N/A	25'	25'
Perimeter Adjacent to Existing Non-Residential or Undeveloped Property	25'	N/A	N/A	25'	25'	25'	25'
Internal Subarea	10'	10'	10'	10'	10'	10'	10'
Minimum Building Separation	10'	10'	10'	10'	10'	10'	15'
<b>SINGLE FAMILY LOT STANDARDS</b>							
Minimum Lot Width (at Front Setback)	50'	50'	50'	50'	50'	N/A	50'
Minimum Front Yard Setback	20'	20'	20'	20'	20'	N/A	20'
Minimum Side Yard Setback (per side)* may allow 2 feet of encroachments for eaves, mansard roofs, bay windows	5'	5'	5'	5'	5'	N/A	5'

Minimum Rear Yard Setback (or Perimeter setback if greater)	20'	20'	20'	20'	20'	N/A	20'
<b>ATTACHED HOME STANDARDS**</b>							
Minimum Lot Width (at Front Setback)	N/A	20'	20'	20'	20'	N/A	20'
Minimum Front Yard Setback (From ROW or Edge of Pavement)	N/A	20'	20'	20'	20'	N/A	20'
Minimum Side Yard Setback (per side)**	N/A	5' or zero	5' or zero	5' or zero	5' or zero	N/A	5' or zero
Minimum Rear Yard Setback (or Perimeter Setback if greater)	N/A	10'	10'	10'	10'	N/A	N/A
* may allow 2 feet of encroachments for eaves, mansard roofs, bay windows							
** attached units shall have zero setback/zero lot line. Single family dwellings where exterior lots conform to the lot lines, zero setback shall apply.							

**Section 18B.09 — DEFINITIONS**

The following definitions shall apply to terms that are used specifically in this POD. Otherwise, the definitions in Article 4 shall apply.

**Attached Home:** multiple-unit dwelling of 2, 3 or 4 units per building.

**Density:** the ratio of units per acre, calculated on a total gross acre basis.

**Impervious Surfaces:** areas that have been, or are proposed to be, paved and/or covered with buildings and materials that do not readily and freely absorb and/or allow water to penetrate, including, but not limited to, concrete, asphalt, rooftop, blacktop, brick, blocks, and pavers.

**Landscape Uplight Fixture:** a light fixture sitting on the ground that is incorporated into landscaping that shines upward and is typically utilized to illuminate certain architectural or landscaped features.

**Multi-Family Dwelling:** for the purposes of this POD only, Multi-family Dwelling is defined as a residential building arranged or designed for more than four (4) dwelling units as separate and complete housekeeping units.

**Non-Residential use:** any use of land that is permitted by the Liberty Township Zoning Resolution and does not include the human habitation of a structure or any use incidental or accessory to such habitation.

**On-Street Parking:** striped, angled, or parallel parking spaces that are permitted within the right-of-way or along a private street.

**Parking Aisle:** the traveled path through an off-street parking lot or facility between one or two rows of parked vehicles.

**Parking Bay:** a row of parking spaces typically separated by a parking island or some other feature used to break up large expanses of asphalt used for surface parking.

**Patio Home:** a stand alone, single dwelling unit.

**Private Road:** a road or driveway on privately-owned property, limited to the use of the owner or a group of owners who share the use and maintain the road without help from a government agency.

**Public Road:** any road or street under the jurisdiction of and maintained by a public authority and open to public travel.

**Residential Use:** any permitted use of land where a dwelling has been constructed with the intent of human habitation of that structure. Structures may be detached single family dwelling, two, three or four family dwelling(s), or Multi-Family Dwelling. Residential Uses also include all uses that are incidental to or accessory to the human habitation of a structure.

**Road or Roadway:** each road is defined by its classification as those classifications are delineated in the Liberty Township Zoning Resolution.

**Side Yard:** An open space extending from the front yard to the rear yard between a building or structure and the nearest side lot line unoccupied and unobstructed from the ground upward.

## **EXHIBIT C**

### **Preliminary Financial Analysis**

The Developer seeks to create the Authority to promote and coordinate the financing, construction, operation and maintenance of Community Facilities. These Community Facilities include the construction of the Primary Road and related improvements, grading and site work, sanitary and storm sewer improvements, signage, artwork and lighting and various other related hard and soft costs, as more specifically defined in the body of this Petition.

The Bonds, if issued, may be secured by the Charge as the primary source of repayment and TIF service payments as a secondary source of repayment. If the Bonds are issued, the Charge and TIF revenues will be used to finance all “costs of permanent improvements” associated with the Community Facilities pursuant to R.C. Section 133.15. It is anticipated that the costs of Community Facilities will be between \$3,000,000 and \$10,000,000.

### **Determination and Calculation of Charge**

As further described in the Declaration, the Charge shall initially be equal to three-and-one half (3.5) mills multiplied by the assessed value of each chargeable parcel in the District, which shall initially include Subareas A through D (the “Chargeable Property”). With regard to Subareas A through D, and as described further in the Declaration, the Charge shall not at any time exceed three-and-one half (3.5) mills. At the sole discretion and request of Liberty Grand, as further described in the Declaration, or any supplemental declaration as may be necessary, the Charge may also be levied on Subareas E, F and G in an amount between zero (0) mills and ten (10) mills multiplied by the assessed value of parcels in those Subareas.

Other Charges may be levied and collected pursuant only to a written agreement by and between the Authority and any affected property owner(s). If agreed to, the Other Charges may be levied and collected, during the Development Period (as defined in the Declaration), Liberty Grand, provided, however, that in all instances the Charge will remain in place while the Reimbursement Obligation is outstanding.

### **Allocation of Charges**

The Charges shall be allocated and applied in accordance with the terms of the Declaration, which shall be a covenant binding on the Authority, the Developer, and any other owners of Property.

### **Timing and Collection of the Charges**

The Charge will be imposed on Chargeable Property, which will be further defined in the Declaration, but generally means all or any portion of a parcel in Subareas A through D of the District for which the Commencement Date has occurred. The “Commencement Date” means, with respect to a single-family structure located on a parcel, the earlier of (a) the date that a certificate of occupancy is issued for such structure, (b) the date that the owner of such parcel requests, in writing, that the Authority impose the Charge at a level consistent with the development of such parcel, or (c) such other date specified in the Declaration. Notwithstanding



anything to the contrary in this Petition or in the Declaration, Subareas E, F and G are not Chargeable Property as of the date of this Petition, but may later become Chargeable Property at the sole and absolute discretion of Liberty Grand upon written notice from Liberty Grand to the Board, as described in and required by the Declaration.

As permitted by Section 349.07 of the Ohio Revised Code, the Authority is expected to certify the Charges to the Delaware County Auditor, who will enter the Charges on the tax list and duplicate of real property and certify the Charge to the Delaware County Treasurer for collection with the tax bills. The Authority at its option and to the extent permitted by Chapter 349 of the Ohio Revised Code and the Declaration to directly collect, on its own or through a collection agent, the Charge.

## **EXHIBIT D**

### **Preliminary Economic Feasibility Analysis**

#### **Overview**

The Developer seeks to utilize the Act to facilitate the creation of the Authority, in order to finance, construct, operate and maintain the Community Facilities, which will support the Private Development subject to market adjustments and other normal development feasibility considerations. Over the past three years, the Developer has conducted extensive financial analysis of the Private Development, utilizing multiple sources, including the Developer's history with similar projects in other Central Ohio communities. As a result of this analysis, the Developer has completed a development plan for the Private Development that is generating strong interest from both private equity and the construction lending community.

#### **Area Development Pattern and Demand**

The subject property is located in Liberty Township (Delaware County), Ohio, which is part of the Columbus Metropolitan Statistical Area ("MSA"). The Township is located entirely within Delaware County.

More specifically, the property is bounded by Hyatts Road to the north, Steitz Road to the West, Home Road to the South and Sawmill Parkway to the east. The property is currently used as farm land and vacant land, and is adjacent to Olentangy Liberty High School. Delaware County is the fastest growing county in Ohio (source: U.S. Census Bureau), and as a result, the demand for housing in the County is high. This particular area is in even greater demand given its proximity to Olentangy Liberty High School, which is the 10<sup>th</sup> ranked high school in Ohio and the 337<sup>th</sup> ranked high school in the country (source: U.S. News Best High School Rankings).

The proposed development would attempt to capitalize on the current need for additional housing in the Township. It is anticipated that the price points and location of the housing will be extremely attractive and competitive with other local developments.

#### **Present and Future Socio-Economic Conditions**

a. Employment Centers

Employment in Liberty Township is focused on retail, office and light industrial uses. Liberty Township, like Delaware County in general, is a "bedroom community," with the majority of its residents commuting into Columbus and/or other surrounding areas to work. With the commercial development of the 23 corridors in neighboring Orange Township, however, it is likely that Liberty Township will see additional commercial/industrial development, most likely along the Sawmill Parkway corridor as it approaches U.S. 42 in the City of Delaware.

(b) Area Amenities

As noted above, the proposed District is located directly adjacent to highly-ranked Olentangy Liberty High School. The site is also located close to desirable retail sites and restaurants, as well as Kinsale Golf and Fitness club to the north along Sawmill Parkway.

(c) Economic Patterns

Insight 2050, a study led by Calthorpe and Associates, and sponsored by Columbus 2020, MORPC, and the Urban Land Institute, projects that total population growth in Central Ohio will total over 500,000 people and will create nearly 300,000 new jobs by 2040. This study further projects that a significant portion of the individuals creating the demand for new housing associated with this Private Development will be seeking the type and price point of the housing planned for the District. The unemployment rate for the Columbus MSA was 3.9% as of July 2017, compared to the rate of Ohio (4.0%) and the national average (3.7%). These trends are expected to continue in the near future.

(d) Census Data

Recent census data for the County is attached.

**QuickFacts**

**Delaware County, Ohio**

QuickFacts provides statistics for all states and counties, and for cities and towns with a *population of 5,000 or more*.

**Table**

All Topics		Delaware County, Ohio
Population estimates, July 1, 2019, (V2019)		NA
<b>PEOPLE</b>		
<b>Population</b>		
Population estimates, July 1, 2019, (V2019)		NA
Population estimates, July 1, 2018, (V2018)		204,826
Population estimates base, April 1, 2010, (V2019)		NA
Population estimates base, April 1, 2010, (V2018)		174,172
Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)		NA
Population, percent change - April 1, 2010 (estimates base) to July 1, 2018, (V2018)		17.6%
Population, Census, April 1, 2010		174,214
<b>Age and Sex</b>		
Persons under 5 years, percent		▲ 6.1%
Persons under 18 years, percent		▲ 26.3%
Persons 65 years and over, percent		▲ 13.7%
Female persons, percent		▲ 50.4%
<b>Race and Hispanic Origin</b>		
White alone, percent		▲ 86.8%
Black or African American alone, percent (a)		▲ 3.8%
American Indian and Alaska Native alone, percent (a)		▲ 0.2%
Asian alone, percent (a)		▲ 7.1%
Native Hawaiian and Other Pacific Islander alone, percent (a)		▲ 0.1%
Two or More Races, percent		▲ 2.0%
Hispanic or Latino, percent (b)		▲ 2.7%
White alone, not Hispanic or Latino, percent		▲ 84.5%
<b>Population Characteristics</b>		
Veterans, 2014-2018		9,619
Foreign born persons, percent, 2014-2018		7.3%
<b>Housing</b>		
Housing units, July 1, 2018, (V2018)		74,520
Owner-occupied housing unit rate, 2014-2018		81.3%
Median value of owner-occupied housing units, 2014-2018		\$293,900
Median selected monthly owner costs -with a mortgage, 2014-2018		\$2,066
Median selected monthly owner costs -without a mortgage, 2014-2018		\$754
Median gross rent, 2014-2018		\$1,040
Building permits, 2018		1,629
<b>Families &amp; Living Arrangements</b>		
Households, 2014-2018		68,649
Persons per household, 2014-2018		2.83
Living in same house 1 year ago, percent of persons age 1 year+, 2014-2018		87.7%
Language other than English spoken at home, percent of persons age 5 years+, 2014-2018		8.2%
<b>Computer and Internet Use</b>		
Households with a computer, percent, 2014-2018		95.8%
Households with a broadband Internet subscription, percent, 2014-2018		92.1%
<b>Education</b>		
High school graduate or higher, percent of persons age 25 years+, 2014-2018		96.7%
Bachelor's degree or higher, percent of persons age 25 years+, 2014-2018		54.4%
<b>Health</b>		
With a disability, under age 65 years, percent, 2014-2018		5.2%
Persons without health insurance, under age 65 years, percent		▲ 4.4%
<b>Economy</b>		
In civilian labor force, total, percent of population age 16 years+, 2014-2018		69.7%
		63.1%

In civilian labor force, female, percent of population age 16 years+, 2014-2018

Total accommodation and food services sales, 2012 (\$1,000) (c)	460,183
Total health care and social assistance receipts/revenue, 2012 (\$1,000) (c)	541,558
Total manufacturers shipments, 2012 (\$1,000) (c)	3,012,008
Total merchant wholesaler sales, 2012 (\$1,000) (c)	D
Total retail sales, 2012 (\$1,000) (c)	3,178,620
Total retail sales per capita, 2012 (c)	\$17,556

#### Transportation

Mean travel time to work (minutes), workers age 16 years+, 2014-2018	26.0
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#### Income & Poverty

Median household income (in 2018 dollars), 2014-2018	\$104,322
Per capita income in past 12 months (in 2018 dollars), 2014-2018	\$47,183
Persons in poverty, percent	▲ 4.1%

### BUSINESSES

#### Businesses

Total employer establishments, 2017	4,602
Total employment, 2017	80,543
Total annual payroll, 2017 (\$1,000)	4,221,930
Total employment, percent change, 2016-2017	1.9%
Total nonemployer establishments, 2017	17,615
All firms, 2012	16,809
Men-owned firms, 2012	9,704
Women-owned firms, 2012	5,113
Minority-owned firms, 2012	1,659
Nonminority-owned firms, 2012	14,596
Veteran-owned firms, 2012	1,692
Nonveteran-owned firms, 2012	14,361

### GEOGRAPHY

#### Geography

Population per square mile, 2010	393.2
Land area in square miles, 2010	443.10
FIPS Code	39041

About datasets used in this table

Value Notes

▲ Estimates are not comparable to other geographic levels due to methodology differences that may exist between different data sources.

Some estimates presented here come from sample data, and thus have sampling errors that may render some apparent differences between geographies statistically indistinguishable. Click the Quick Info icon to the row in TABLE view to learn about sampling error.

The vintage year (e.g., V2019) refers to the final year of the series (2010 thru 2019). Different vintage years of estimates are not comparable.

Fact Notes

- (a) Includes persons reporting only one race
- (b) Hispanics may be of any race, so also are included in applicable race categories
- (c) Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data

Value Flags

- Either no or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest or upper in open ended distribution.
- D Suppressed to avoid disclosure of confidential information
- F Fewer than 25 firms
- FN Footnote on this item in place of data
- N Data for this geographic area cannot be displayed because the number of sample cases is too small.
- NA Not available
- S Suppressed; does not meet publication standards
- X Not applicable
- Z Value greater than zero but less than half unit of measure shown

QuickFacts data are derived from: Population Estimates, American Community Survey, Census of Population and Housing, Current Population Survey, Small Area Health Insurance Estimates, Small Area Income and Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

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- Survey of Business Owners

PEOPLE & HOUSEHOLDS

- 2020 Census
- 2010 Census
- American Community Survey
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- Population Estimates
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- Health Insurance
- Housing
- International
- Genealogy

SPECIAL TOPICS

- Advisors, Centers and Research Programs
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- Statistical Abstract
- Special Census Program
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## EXHIBIT E

### Developer Management Capacity

Brian Schottenstein: Brian Schottenstein graduated from the University of Miami, FL in 2009 with a BBA in Entrepreneurship and was one of the founding members of the University's Entrepreneurs Club. Brian was recently named one of the Smartest 50 executives by Smart Business Magazine and is currently a columnist for that magazine. Brian now oversees Schottenstein Real Estate Group as president of the company. He is on the board of several organizations including the President Elect of the Columbus Apartment Association, Columbus Jewish Federation Treasurer, Urban Land Institute young leaders' advisor, and the Ohio State University Hillel Treasurer. He is also active with OSU Fisher School of Business, Lifetown, and the Memorial Golf Tournament, which proceeds benefit the Nationwide Children's Hospital. Brian was an Ohio Electoral College Member, Judge of Miss Ohio USA '12 and '17 as well as Miss Michigan USA in 2014 and a scorer for the 2013 Presidents Cup.

George M. Harmanis: George has over 30 years of experience with both public and private organizations including Premier Properties USA, Inc., Glimcher Realty Trust (NYSE: GRT) and Ernst & Young, LLP. He is an Ohio State University graduate with a B.S. in Business Administration, a licensed CPA and a member of the OSCP and AICPA. George serves on several civic boards in the community.

Don Hunter: Don has over 25 years of experience in the commercial real estate industry including senior management positions with Duke Realty Corporation and OhioHealth. Don has extensive development and asset management experience having led teams in the development and management of \$2.5 billion in office, industrial and medical properties. Don graduated from Miami University, Oxford, Ohio. He is active in the community having served as a volunteer for a number of community organizations.

Robert H. Schottenstein: Chairman of M/I Homes of Central Ohio since March 2004, Chief Executive Officer of the company since January 2004 and President of the company since May 1996. Mr. Schottenstein currently serves as a director of L Brands, Inc. and served as a director of Installed Building Products, Inc. from April 2014 until March 2020. Mr. Schottenstein also serves on the Board of Trustees of The Ohio State University Wexner Medical Center and on the Board of Directors of The Ohio State University Foundation. In addition, Mr. Schottenstein serves on the Executive Committee of The Harvard University Joint Center for Housing. Mr. Schottenstein served as a Trustee of The Ohio State University from 2005 to 2014 and as the Chair of the Board of Trustees of OSU from 2012 to 2014.

Josh Barkan: Vice President of M/I Homes of Central Ohio, LLC since November 2018. Mr. Barkan served as Land Acquisition Manager from June 2017 until October 2018. Prior to joining M/I Homes of Central Ohio in 2017, Mr. Barkan spent 5 years as an associate with the Kayne Law Group practicing real estate related law.

**EXHIBIT F**

**Form of Certification of Community Facilities Costs**

No.\_\_\_\_

(For Community Facilities Costs)

To: Board of Directors of the Liberty Grand New Community Authority

Attention: \_\_\_\_\_, \_\_\_\_\_

Subject: Written Requisition for Community Facilities Costs pursuant to the terms of the New Community Authority Petition filed on \_\_\_\_\_, 2020 and the New Community Authority Declaration of Covenants recorded on \_\_\_\_\_, 2020 (collectively, the “NCA Documents”).

Pursuant to the terms of the NCA Documents, approval of this requisition (the “Written Requisition”) certifies the total of Community Facilities Costs for reimbursement to Liberty Grand in the amount of \$\_\_\_\_\_ for the purposes set forth in Item I attached hereto. Unless otherwise defined herein, all capitalized terms set forth but not defined in this Written Requisition have the respective meanings assigned to them in the NCA Documents.

The undersigned authorized representative of Liberty Grand, LLC (the “Liberty Grand”) does hereby certify on behalf of Liberty Grand that:



(i) I have read the NCA Documents and definitions relating thereto and have reviewed appropriate records and documents relating to the matters covered by this Written Requisition;

(ii) The disbursement herein requested is for an obligation properly incurred, is a proper charge as Liberty Grand's Community Facilities Costs (as defined in the NCA Documents), and has not been the basis of any previous reimbursement request;

(iii) Liberty Grand is in material compliance with all provisions and requirements of the NCA Documents;

(iv) The reimbursement requested hereby does not include any amount which is being retained under any holdbacks or retainages provided for in any applicable agreement;

(v) Liberty Grand has, or the appropriate parties on Liberty Grand's behalf have, asserted or their its entitlement to all available manufacturer's warranties to date upon acquisition of possession of or title to the Community Facilities or any part thereof which warranties have vested in Liberty Grand;

(vi) Liberty Grand is either (i) not aware of any attested account claim from any subcontractor, material supplier or laborer who has performed labor or work or has furnished materials for the Community Facilities for which reimbursement is requested pursuant to this Written Requisition; or (ii) has provided security discharging any known attested account claims.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 2020.

By: \_\_\_\_\_

Printed: \_\_\_\_\_

Title:

ITEM I

Requisition No. \_\_\_\_\_ for the Community Facilities

Pay to \_\_\_\_\_

Amount \$ \_\_\_\_\_

For Account of:

Account Number:

Wiring Instructions:

For the purpose of reimbursing the following payments previously paid by Liberty Grand for the Community Facilities:

Name of Vendor	Service Rendered	Time Period	Cost of Service Rendered
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1.

2.