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January 29, 2004

VIA FACSIMILE & REGULAR U.S. MAIL:

Mr. Dana Hitt
City of Columbus
757 Carolyn Avenue
Columbus, OH 43224

VIA REGULAR U.S. MAIL SERVICE:

Mr. Richard Makley
City of Columbus
757 Carolyn Avenue
Columbus, OH 43224.000

RE: Rezoning Application Z03-101, 7765 Brianna Drive, Columbus, Ohio 43004

Dear Dana and Dick:

I am writing regarding our recent discussion of the referenced rezoning application and some specific commitments regarding platting of the site. The plan titled "Concept Plan for Blacklick Estates" was submitted with the rezoning application to depict the anticipated street and lot layout for the area being rezoned. Pursuant to our discussion, you will note that the lots on the north side of the street parallel to the railroad tracks are approximately 140 to 150 feet deep on the concept plan. The code required minimum building line is 25 feet. Rockford Homes, Inc. may have some desire to set homes back slightly deeper or to vary setback lines slightly but, pursuant to our discussion we would not anticipate any home being placed deeper than a 35-foot setback line. You requested that I respond in writing concerning specific conditions of plat approval so, therefore:

1. No lot fronting on the north side of the public street parallel to the north property line shall be less than 130 feet in depth. Subject to final engineering and plat preparation of final plats, the lots along the

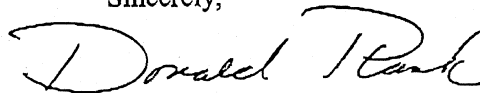
north side of the public street parallel to the north property line may in fact be deeper.

2. The final plat for the lots on the north side of the street parallel to the north property line shall reflect a minimum building line of 25 feet and a build-to building setback line of no greater than 35 feet.

It is our intention in making the commitments outlined in #1 and # 2 that these shall be specific commitments applicable to platting of the site. If the conditions are not satisfied, on the plat, the City of Columbus may deny approval of the plat.

Thank you for taking the time to meet with me on this application.

Sincerely,

A handwritten signature in black ink that reads "Donald T. Plank". The signature is written in a cursive style with a large, sweeping initial "D".

Donald T. Plank, Esq.

DTP/sld

cc: Corey Theuerkauf