



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

MAY 3 1 2019

Eric Wagenbrenner
Member
810 Grandview LLC
842 North 4th Street, Suite 200
Columbus, OH 43215

**Re: Howard J Texas Org Columbus, Dublin Rd.
Covenant
Approvals
Voluntary Action Program
Franklin County
125000408020**

91 7199 9991 7030 4726 4397

CERTIFIED MAIL

**Subject: Grandview Crossing / Former Dublin Road Landfill - Issuance of
Director's Authorization Orders Under OAC 3745-27-13, and Request
to Record Environmental Covenant**

Dear Mr. Wagenbrenner:

I am pleased to inform you that on **MAY 3 1 2019**, the Director of the Ohio Environmental Protection Agency (EPA) signed the director's authorization orders entered into by 810 Grandview LLC for Grandview Crossing Property / Former Dublin Road Landfill located at 810 Grandview Avenue, Columbus and Grandview, Franklin County, Ohio. The orders were entered into the director's journal on that date. The orders were issued pursuant to Ohio Revised Code (ORC) 3734.02, 3734.13 and 3745.01 and Ohio Administrative Code (OAC) 3745-27-13. Enclosed is a copy of the orders for the company's use and records.

The orders authorize the 810 Grandview LLC to perform activities on the Rule 13 Area as set forth in the orders and 810 Grandview LLC's Rule 13 request. In general, the orders require that 810 Grandview LLC use construction methods and controls to prevent accumulation of methane and other landfill gases, control odor, use water management practices to prevent leachate generation, and submit monthly progress and certification reports. The orders limit building occupancy until 810 Grandview LLC documents that the building controls are installed and operations are verified in a certification report that receives Ohio EPA concurrence. The orders require implementation of the Landfill Gas Management Plan and provide site access for Ohio EPA oversight. The orders contain an environmental covenant that establishes long-term controls in support of the development.

Enclosed is a fully-executed original of the environmental covenant for 810 Grandview LLC to record in the same manner as a deed for the property pursuant to ORC 317.08 and environmental covenant paragraph 15. The enclosed letter to the Franklin County

Recorder's Office may be presented to the county recorder's staff to explain the required recording.

Remember to distribute a copy of the recorded environmental covenant as directed by paragraph 17 of the environmental covenant. Please send Ohio EPA's copy using the contact information given by paragraph 18. Lastly, in case of questions on the recording or distribution, feel free to contact Sue Kroeger at the Ohio EPA Legal Office at (614) 644-2849.

Thank you for 810 Grandview LLC's collaboration with Ohio EPA in the development of these orders and the environmental covenant. If you have any questions or concerns, feel free to contact me at (614) 644-2295 or via e-mail at lisa.shook@epa.ohio.gov.

Sincerely,



Lisa Shook
Manager, Voluntary Action Program
Division of Environmental Response and Revitalization

Enclosure

ec: Joe Reidy, General Counsel, Wagenbrenner Development
Bruce Savage, Certified Professional, GCI, Inc.
Brad Mitchell, DERR-CO
Doug Crandall, DERR-CDO
Deborah Strayton, DERR-CDO
Phil Farnlacher, DMWM-CDO
Allan Hurtt, DMWM-CDO
Sue Kroeger, Legal Office
records@epa.ohio.gov



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

**RE: Recording of Environmental Covenant for Grandview Crossing Development /
Former Dublin Road Landfill**

Dear Franklin County Recorder's Office personnel:

Attached is an environmental covenant entered into by 810 Grandview LLC and the Ohio Environmental Protection Agency pursuant to Ohio Revised Code (ORC) §§ 5301.80 to 5301.92. The environmental covenant must be recorded in the same manner as a deed to the property pursuant to ORC §§ 317.08 and 5301.88. The legal description of the property is provided in Attachment 1.

When logging the recorded environmental covenant in the County Recorder's Office official records please refer to the property owner 810 Grandview LLC, and parcel numbers 030-002559, 010-129562, 030-002595, 030-002564, and 030-003345.

Thank you in advance for your assistance. Should you have any questions in this matter, please feel free to contact me at the Ohio EPA, Office of Legal Office, by phone at (614) 644-3037 or by email at susan.kroeger@epa.ohio.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sue Kroeger".

Sue Kroeger, Attorney
Office of Legal Services

and consultants retained to perform construction or any other activities or work pursuant to these Orders. 810 Grandview LLC shall ensure that all contractors, subcontractors, and consultants retained to perform construction or any other activities or work pursuant to these Orders also comply with all applicable provisions of these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as used in ORC Chapter 3734 and the rules promulgated thereunder. Unless otherwise stated, all OAC citations shall refer to rules in effect on the date of these Orders. Whenever the terms listed below are used in these Orders or in any exhibits, attached hereto and incorporated herein, the following definitions shall apply:

1. "Rule 13 Request" shall mean the OAC 3745-27-13 Request initially submitted on September 16, 2016 by 810 Grandview LLC for the Grandview Crossing Property (Former Dublin Road Landfill), Columbus, Franklin County, Ohio, but as amended on January 4, 2017, November 20, 2017 and April 16, 2019, including appendices. The Rule 13 Request includes a landfill gas management plan ("LGMP") dated April 11, 2019. The Rule 13 Request is incorporated by reference as if fully rewritten herein.
2. "Rule 13 Area" shall mean the Former Dublin Road Landfill AKA the J. Texas Howard Organization Landfill and associated property located at the north side of Dublin Road and east side of Grandview Avenue, in Columbus and Grandview Heights, Franklin County, Ohio, as designated on the approximate limits of waste placement map included in Exhibit 1 of these Orders. The Rule 13 Area consists of an approximately 36-acre tract owned by 810 Grandview LLC. The current parcel numbers associated with the approximate limits of waste placement are: 030-002559 and 010-129562, which are depicted in Exhibit 1. The Rule 13 Area is fully encompassed by an approximately 55.707-acre tract given by the legal description included with the proposed environmental covenant in Exhibit 2 of these Orders and incorporated by reference as if fully rewritten herein.

IV. FINDINGS OF FACT

The Director of Ohio EPA ("Director") has determined the following findings:

1. The approximately 36-acre former municipal solid waste disposal facility ceased accepting waste prior to 1969. J. Texas Howard Organization operated the landfill from approximately the 1950s until 1967. The landfill was used as a municipal landfill by Columbus and other local communities.

2. The Rule 13 Request and Ohio EPA records indicate that the landfill contains a mixture of putrescible waste, construction and demolition debris, and industrial waste. Landfill gases include methane and hydrogen sulfide.
3. From 2012 to 2016, Wagenbrenner Development performed deep dynamic compaction of the landfill and placed clean soil fill over the 36-acre waste placement area as depicted on the property boundary drawing in Exhibit 1 of these Orders. Based on surveyor elevation readings, the clean soil thickness ranges from four (4) to ten (10) feet over the area of waste placement. The minimum separation distance is four (4) feet from the ground surface to the waste.
4. From 2015 to 2016, numerous vapor monitoring points, ground water monitoring wells, gas venting wells and cut-off trenches were installed at several locations along the Rule 13 Area perimeter.
5. 810 Grandview LLC intends to further prepare the Rule 13 Area for development of multi-family residential housing, offices, retail shops, parking lots and ancillary support facilities.
6. ORC 3734.02(H) provides, in part, that “[n]o person shall engage in filling, grading, excavating, building, drilling, or mining on land where a hazardous waste facility, or a solid waste facility, was operated without prior authorization from the director, who shall establish a procedure for granting such authorization by rules adopted in accordance with Chapter 119 of the Revised Code.”
7. OAC 3745-27-13(A) provides, in part, that “[n]o person shall, without authorization from the director, engage in filling, grading, excavating, building, drilling, or mining on land where a hazardous waste or solid waste facility was operated.”
8. On September 16, 2016, 810 Grandview LLC initially submitted its Rule 13 Request as required by OAC 3745-27-13(F) to Ohio EPA.
9. The Rule 13 Request describes, in part, 810 Grandview LLC’s proposed construction activities on the Rule 13 Area in support of the multi-family residential housing, offices, retail shops and related structures including landfill gas monitoring systems, passive gas extraction systems, above-waste utilities installations, surface water controls, and other ancillary support structures.
10. The Rule 13 Request seeks authorization for 810 Grandview LLC to conduct the construction activities and related work in the Rule 13 Area.
11. In accordance with OAC 3745-27-13(K), 810 Grandview LLC has agreed to execute and record an environmental covenant to establish activity and use limitations as set forth in Exhibit 2 of these Orders for the Rule 13 Area. The

Environmental Covenant attached hereto as Exhibit 2 will be recorded in the same manner as a deed to the property with Franklin County as described in the Environmental Covenant and the "Environmental Covenant and Conveyance of Title" Section of these Orders. The Environmental Covenant upon recording will require oversight by a central management entity; landfill gas management and plan implementation; landfill cover maintenance; and authorization pursuant to OAC 3745-27-13 for any future construction.

12. The Director finds that approval of these Orders under ORC 3734.02(H) and OAC 3745-27-13 to 810 Grandview LLC, in order to perform the activities described in the Rule 13 Request, will not result in violation of applicable laws and regulations administered by the Director, will not create a nuisance, and will not adversely affect the public safety or health or the environment, provided that 810 Grandview LLC strictly complies with all terms and conditions of these Orders, including the Rule 13 Request.

V. ORDERS

ORC 3734.02(H) and OAC 3745-27-13 Authorization

General terms

1. As the Owner of the Rule 13 Area and a signatory to these Orders, 810 Grandview LLC has consented to perform the proposed activities on the Rule 13 Area as set forth in these Orders and the Rule 13 Request incorporated herein as if fully rewritten.
2. 810 Grandview LLC shall perform all construction activities and shall operate and maintain all constructed engineered components or other installed structures, including subsurface structures, in a manner that prevents the accumulation of explosive gas in structures (including subsurface structures) at or above the action level of 25 percent of the lower explosive limit (i.e., 1.25 percent CH₄ v/v) and prevents the accumulation of other landfill gases in structures (including subsurface structures) and prevents landfill gas migration to structures at levels that are harmful or inimical to human health.
3. 810 Grandview LLC shall implement odor controls and shall not allow conditions at the Rule 13 Area to create a nuisance in violation of these Orders and OAC 3745-27-13(J).
4. 810 Grandview LLC shall perform all construction activities and shall operate and maintain all constructed engineered components under these Orders in a manner that does not cause or allow the creation or migration of any leachate from the Rule 13 Area. When certifying completion of construction, 810 Grandview LLC

shall demonstrate the means by which the construction performed complies with this provision. Examples include demonstrating that permanent surface or subsurface storm water structures constructed in the Rule 13 Area are either a) watertight or b) adequately lined, to reliably prevent concentrated infiltration of water into the waste to prevent the creation of leachate and protect ground water.

5. 810 Grandview LLC shall perform all activities under these Orders in a manner that does not create a nuisance or adversely affect the public safety or health or the environment.
6. 810 Grandview LLC shall conduct all activities at the Rule 13 Area in compliance with all applicable state and federal laws and regulations pertaining to environmental protection, including but not limited to, the control of air pollution, leachate, and surface water run-on and run-off, and the protection of ground water.

Prior notice of construction schedule

7. 810 Grandview LLC shall submit to Ohio EPA Central District Office (“CDO”) and the Franklin County Public Health District or City of Columbus Public Health, as applicable, a construction schedule at least seven (7) days prior to commencing construction or any other activities authorized under these Orders.

Progress reports

8. 810 Grandview LLC shall submit periodic progress reports to Ohio EPA CDO, and the Franklin County Public Health District or City of Columbus Public Health, as applicable, while conducting the activities authorized pursuant to these Orders. The progress reports may be submitted by e-mail. Unless the parties determine an alternate reporting schedule, the reports shall be submitted monthly. The progress reports shall provide a detailed description of activities undertaken during the previous period, including, but not limited to, the following information:
 - a. A description of the activities performed during the reporting period.
 - b. A description of the engineered components or other structures installed during the construction activities, if any.
 - c. Figures showing the location of and type of structures and associated engineered components, such as piping, trenching, and venting, undergoing construction.
 - d. A description of all problems or potential problems encountered during the reporting period.

- e. A description of actions taken or being taken to rectify problems.
- f. The implementation, if any, of any contingency plans to address leachate, odors, gas, erosion, suspected hazardous waste or infectious waste, fires, fugitive dust, or surface water management.
- g. Complaints received about odors, leachate, and surface water run-on or run-off, and the response action taken to address the complaints.
- h. Work expected to be completed during the upcoming reporting period.
- i. Copies of daily reports, inspection reports, sampling data, monitoring data, photographs, etc.

Certification reports

- 9. 810 Grandview LLC shall submit, for concurrence, certification reports to Ohio EPA CDO, which shall be prepared under the supervision of, signed by, and sealed by a professional engineer registered in the state of Ohio. The certification report shall at a minimum be submitted for the engineered components listed in the subparagraph d. ii. below, and shall contain the following information:
 - a. A narrative section that identifies the engineered component or other structure that was constructed or installed and includes the following:
 - i. A summary of the design and construction specifications provided for in the Rule 13 Request and a comparison with the engineered component or other structure that was constructed or installed.
 - ii. A summary of how construction or installation was impacted by equipment limitations and a description of other difficulties encountered.
 - b. All alterations or other changes that relate to the construction or installation of the engineered components or structures to be certified, presented as follows:
 - i. A list of all alterations that were previously concurred with by Ohio EPA.
 - ii. A list of any other changes made by 810 Grandview LLC that do not require Ohio EPA concurrence, but which affected construction, installation, or the record drawings.
 - c. Results of all testing required in the Rule 13 Request for the construction or installation of the engineered components or other structures. If the results

of pre-construction testing of borrow soils are submitted in a format that is acceptable to Ohio EPA, then only summary tables of data need to be included in the construction certification report.

- d. Record drawings of the constructed or installed engineered components or other structures showing the following:
 - i. Plan views with topographic representation showing the elevations of the following:
 - a) Top of waste grades
 - b) Top of protective cover
 - ii. Detail plan drawings of engineered components and other structures as needed to comply with these Orders or included in the Rule 13 Request, including, at a minimum:
 - a) Off-site methane/other gas migration controls
 - b) On-site open space methane/other gas venting network
 - c) Under-slab building methane/other gas venting network
 - d) Building methane/other gas sensors
 - e) Utility trenching and improvements
 - f) Utility lateral tie-ins
 - g) Surface water controls
 - h) Gas monitoring probes
 - i) Monitoring wells, if any
- e. Upon completion of construction activities under these Orders, 810 Grandview LLC shall submit to Ohio EPA:
 - i. As-built drawings of all engineered components and other structures.
 - ii. An updated LGMP that accounts for additional explosive gas pathways, if any, and any potential migration toward occupied structures occurring within one thousand feet of the Rule 13 Area. The updated LGMP should include additional gas monitoring that is consistent with OAC 3745-27-12 criteria (as if the rule were legally applicable).
- f. Qualifications of testing personnel. A description of the experience, training, responsibilities in decision-making, and other qualifications of the personnel that provided construction oversight and conducted all the testing on the engineered components or other structures for which the certification report is submitted.

10. 810 Grandview LLC shall submit the certification report required by these Orders and OAC 3745-27-13(H)(10) no later than sixty (60) days after the completion of all construction required under the Rule 13 Request. Consistent with OAC 3745-27-13(K), Ohio EPA may ask for additional information as necessary to evaluate compliance with these Orders, compliance with applicable laws and rules, or protection of public health and safety and the environment. 810 Grandview LLC shall respond with the additional information within thirty (30) days of receiving such request.
11. 810 Grandview LLC shall provide in each certification report submitted under these Orders a notarized statement that states, "To the best of the knowledge of the 810 Grandview LLC and its contractors and representatives, the certification report is true and accurate and contains all information required in accordance with the Authorization Orders."

Building occupancy

12. 810 Grandview LLC is not authorized to occupy new structures within the limits of the Rule 13 Area until the construction certification report for installation of the off-site migration controls, building-specific gas controls and corresponding on-site open space methane/other gas venting network, as specified in the Rule 13 Request, are submitted by 810 Grandview LLC and written concurrence is issued by Ohio EPA for said report.

Landfill gas monitoring

13. While conducting work within the Rule 13 Area, 810 Grandview LLC shall implement landfill gas monitoring activities as necessary to address changing conditions at the Rule 13 Area, which result in a threat to human health or safety from explosive gas, and in response to requests by Ohio EPA or the Franklin County Health District or Columbus Public Health, as applicable, based on such situations. Upon completion of construction and before occupancy of any structure, 810 Grandview LLC shall implement the updated LGMP or any modification approved by Ohio EPA, in place of the prior approved LGMP.

Preventive measures for construction, site development and investigational activities

14. Construction activities implemented within the Rule 13 Area shall comply with the applicable requirements of Ohio EPA's General Storm Water Permit for Construction Activities. Construction activities shall also prevent or control dust emissions from construction activities in a manner consistent with OAC 3745-15-05 and 3745-17-08.

15. Site development and investigation activities shall apply standard practices that prevent infiltration of surface water or fluids into waste and protect ground water, as specified below unless otherwise directed by Ohio EPA:
 - a. Prior to initiating an activity likely to damage permanent landfill gas monitoring probes, the probes shall be properly sealed in a manner consistent with Chapter 9 of Ohio EPA's "Technical Guidance Manual for Hydrogeologic Investigations and Ground Water Monitoring." Replacement probes shall be installed upon completion of the activities and before the next monitoring event.
 - b. Damaged or inaccessible permanent landfill gas monitoring probes shall be replaced in accordance with the approved LGMP and before the next monitoring event.
 - c. Damaged wells, unused wells, and boreholes shall be properly sealed in a manner consistent with Chapter 9 of Ohio EPA's "Technical Guidance Manual for Hydrogeologic Investigations and Ground Water Monitoring."
 - d. Subsurface investigation activities consisting of drilling or boring through the landfill cap or waste may be conducted, provided they are performed in a manner that protects against vertical migration of fluids through the borehole or well to prevent the creation of leachate and provide protection to ground water. Wells shall be constructed following the guidance provided in "Ohio EPA's Technical Guidance Manual for Hydrogeologic Investigations and Ground Water Monitoring."

Scope of authorization

16. These Orders provide authorization for 810 Grandview LLC to conduct only those activities included in the Rule 13 Request, and the subsequent revisions as authorized herein. 810 Grandview LLC shall conduct no other filling, grading, excavating, building, drilling, or mining at the Rule 13 Area without prior written approval from Ohio EPA in accordance with ORC 3734.02 and OAC 3745-27-13.
17. The parties agree that with respect to any conflict that may arise between the language of these Orders and the Rule 13 Request, that the language of these Orders shall prevail unless otherwise expressly provided by Ohio EPA in writing.
18. These Orders do not authorize acceptance of hazardous, solid, or liquid wastes for disposal or for construction purposes at the Rule 13 Area.
19. Once construction activities commence under these Orders, 810 Grandview LLC shall perform all activities authorized in the Rule 13 Request no later than five (5) years after the effective date of these Orders, except as otherwise provided under

these Orders. In accordance with OAC 3745-27-13(M), authorization to commence the activities specified above shall terminate three (3) years after the effective date of these Orders if 810 Grandview LLC has not begun the activities authorized herein.

20. Nothing in these Orders shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations in accordance with OAC 3745-27-13(H)(5), except as provided herein. This approval shall not be interpreted to release 810 Grandview LLC or its contractors, subcontractors, consultants, or others retained to perform the construction or any other activities or work pursuant to these Orders from responsibility under ORC Chapters 3704., 3714., 3734., or 6111.; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, the Toxic Substances Control Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.
21. The Director may revoke these Orders if 810 Grandview LLC violates, or is likely to violate, any applicable law related to the Rule 13 Area or these Orders, or if the continued implementation of the work provided for in the Rule 13 Request causes or may cause a threat to human health or safety or the environment, or if 810 Grandview LLC fails to comply with any applicable term or condition of these Orders.

VI. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be taken in accordance with the requirements of all applicable federal, state, and local laws and regulations. Nothing in these Orders shall be construed as waiving or compromising in any way the applicability and enforcement of any other statutes or regulations applicable to 810 Grandview LLC's activities, and/or the Rule 13 Area.

VII. MODIFICATIONS AND ALTERATIONS

These Orders may be modified or altered by agreement of the parties hereto. Modifications to these Orders shall be by agreement of the parties in the form of Director's Final Findings and Orders, and shall be effective on the date entered in the journal of the Director of Ohio EPA. A "modification" for purposes of this Section shall be defined to mean a change to the language of these Orders but shall not include changes to the language of the Rule 13 Request. For purposes of this Section, any change to the language of the Rule 13 Request shall be defined to be an "alteration." All alterations to the Rule 13 Request shall be made by agreement of the parties in the form of a letter signed by representatives from Ohio EPA authorizing the alteration or through other means authorized by Ohio EPA.

VIII. NOTICE

All documents required to be submitted by 810 Grandview LLC pursuant to these Orders shall be addressed as follows, or as otherwise specified in writing by Ohio EPA:

Ohio EPA - Central District Office
Division of Environmental Response and Revitalization
50 West Town Street
P.O. Box 1049
Columbus, OH 43216-1049
Attn.: DERR Site Coordinator for Grandview Crossing 27-13 Authorization

With an e-copy of submissions also provided to: records@epa.ohio.gov

All documents required to be issued by Ohio EPA, pursuant to these Orders or the Activities authorized shall be addressed to:

810 Grandview LLC
842 North 4th Street, Suite 200
Columbus, OH 43215
Attn. Project Coordinator for Grandview Crossing
Email: ewags@wagco.com

IX. ENVIRONMENTAL COVENANT AND CONVEYANCE OF TITLE

1. Within thirty (30) days of the effective date of these Orders, 810 Grandview LLC shall enter into and record the Environmental Covenant for the property in the same manner as a deed to the property with the Franklin County Recorder's Office.
2. A copy of the recorded Environmental Covenant shall be submitted to Ohio EPA not later than seven (7) days after its recording. The submission shall include a cover letter that identifies "Recorded – Grandview Crossing Rule 13 Environmental Covenant."
3. If 810 Grandview LLC conveys any interest in property comprising the Rule 13 Area, each deed or other conveyance instrument shall contain a notice of the recorded location of the Environmental Covenant as described by paragraph 10 of the Environmental Covenant.

X. RESERVATION OF RIGHTS

Nothing in these Orders shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against 810 Grandview LLC for noncompliance with these Orders.

Nothing in these Orders shall be construed to prevent Ohio EPA from exercising its lawful authority to require 810 Grandview LLC to perform additional activities pursuant to ORC Chapters 3734, 6111, or any other applicable law in the future. Nothing in these Orders shall restrict the right of 810 Grandview LLC to raise any administrative, legal, or equitable claim or defense with respect to such further actions that Ohio EPA may seek to require of 810 Grandview LLC. Nothing in these Orders shall be construed to limit the authority of Ohio EPA to seek relief for violations that may occur at the Rule 13 Area and/or the property.

XI. AGREEMENT NOT TO SUE

810 Grandview LLC agrees not to sue the State of Ohio for any and all claims or causes of action arising from, or related to, any work performed pursuant to these Orders.

XII. WAIVER

810 Grandview LLC consents to the issuance of these Orders and agrees to comply with their respective obligations under these Orders. Compliance with these Orders shall be a full accord and satisfaction of 810 Grandview LLC's liability for matters described in paragraph 1 of the "Findings of Fact" Section of these Orders. 810 Grandview LLC waives the right to appeal the issuance, terms and conditions, and service of these Orders, and 810 Grandview LLC waives any and all rights it may have to seek administrative or judicial review of these Orders either in law or equity. Notwithstanding the preceding, Ohio EPA and 810 Grandview LLC agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, 810 Grandview LLC retains its right to intervene and participate in such appeal. In such an event, 810 Grandview LLC shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated, or modified.

XIII. TERMINATION

Except for the requirements of the "Agreement Not to Sue" Section of these Orders, which shall survive the termination of the requirements of these Orders, 810 Grandview LLC's obligations under these Orders shall terminate when 810 Grandview LLC has certified in writing and demonstrated to the satisfaction of Ohio EPA that it has performed all obligations under these Orders and Ohio EPA has acknowledged in writing the termination of 810 Grandview LLC's obligations under these Orders. If Ohio EPA does

not agree that all obligations have been performed, then Ohio EPA will notify 810 Grandview LLC of the obligations that have not been performed, in which case 810 Grandview LLC shall have an opportunity to address any such deficiencies and seek termination as described above. 810 Grandview LLC's certification shall contain the following attestation, "To the best of the knowledge of 810 Grandview LLC and its contractors and representatives, the certification report is true and accurate and contains all information required in accordance with the Authorization Orders." The certification shall be signed by an authorized representative of 810 Grandview LLC.

XIV. ACCESS

Ohio EPA or its authorized representatives shall have access at all reasonable times, including during business hours, to the Rule 13 Area and any other property to which access is required for the implementation of these Orders, to the extent access to the property is controlled by 810 Grandview LLC. Access under these Orders shall be for the purposes of conducting any activity related to these Orders including but not limited to the following:

1. Monitoring the Work.
2. Conducting sampling.
3. Inspecting and copying records, operating logs, contracts, and/or other documents related to the implementation of these Orders.
4. Monitoring compliance with activity and use limitations.
5. Conducting investigations and tests related to the implementation of these Orders.
6. Verifying any data and/or other information submitted to Ohio EPA.

To the extent that the Rule 13 Area or any other property to which access is required for the implementation of these Orders is owned or controlled by persons other than 810 Grandview LLC, 810 Grandview LLC shall use its best efforts to secure from such persons access for 810 Grandview LLC and Ohio EPA as necessary to effectuate these Orders. Copies of all access agreements obtained by 810 Grandview LLC shall be provided to Ohio EPA upon request. If any access required to implement these Orders is not obtained within thirty (30) days of the effective date of these Orders, or within thirty (30) days of the date Ohio EPA notifies 810 Grandview LLC, in writing, that additional access beyond that previously secured is necessary, 810 Grandview LLC, as applicable, shall promptly notify Ohio EPA in writing of the steps 810 Grandview LLC has taken to attempt to obtain access. Ohio EPA may, as it deems appropriate, assist 810 Grandview LLC in obtaining access.

Notwithstanding any provision of these Orders, the State of Ohio retains its access rights and authorities, including enforcement authorities related thereto, under any applicable statute or regulations, including but not limited to ORC 3734.20.

XV. EFFECTIVE DATE

The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's Journal.

XVI. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

IT IS SO ORDERED AND AGREED:

Ohio Environmental Protection Agency




Laurie A. Stevenson
Director

5/30/19

Date

IT IS SO AGREED:

810 Grandview LLC

By: 

Eric Wagenaar
Name

4/22/2019

Date

Manager

Title

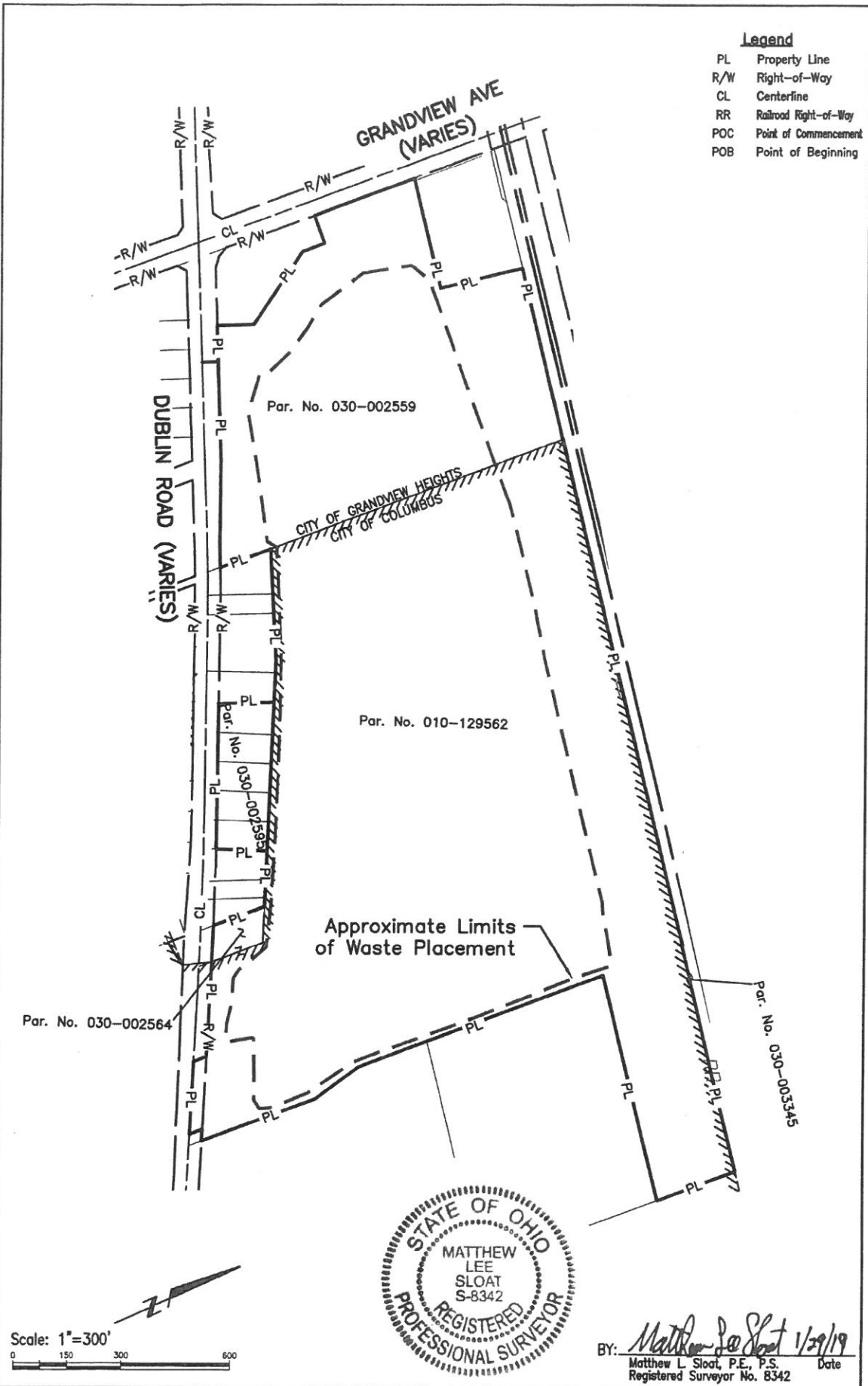
Director's Authorization Orders – Grandview Crossing

Exhibit 1

Rule 13 Area Limits of Waste Placement Figure

Legend

- PL Property Line
- R/W Right-of-Way
- CL Centerline
- RR Railroad Right-of-Way
- POC Point of Commencement
- POB Point of Beginning



BY: *Matthew Lee Sloat* 1/29/19
 Matthew L. Sloat, P.E., P.S. Date
 Registered Surveyor No. 8342

E. P. FERRIS
 AND ASSOCIATES
 INC.
 Consulting Civil Engineers and Surveyors

CONTACT:
 880 KING AVENUE
 COLUMBUS, OHIO 43212
 (614) 299-2999
 (614) 299-2992 (Fax)
 www.EPFERRIS.com

**GRANDVIEW CROSSING
 APPROXIMATE LIMITS OF
 WASTE PLACEMENT**
 CITY OF GRANDVIEW HEIGHTS, OHIO
 CITY OF COLUMBUS, OHIO

JOB NO.	1005.009
DRAWN BY:	CK
CHECKED BY:	MLS
APPROVED BY:	MLS
DATE:	1-25-19

Director's Authorization Orders – Grandview Crossing

Exhibit 2

Rule 13 Environmental Covenant

To be recorded with Deed
Records - ORC § 317.08

ENVIRONMENTAL COVENANT
Grandview Crossing Development / Former Dublin Road Landfill

This Environmental Covenant is entered into by 810 Grandview LLC ("Owner") and the Ohio Environmental Protection Agency ("Ohio EPA") pursuant to Ohio Revised Code ("ORC") §§ 5301.80 to 5301.92 for the purpose of subjecting the property described herein ("Property") to the activity and use limitations set forth herein.

This Environmental Covenant requires current and future property owners to meet certain requirements, including, but not limited to:

- Complying with the activity and use limitations given by paragraph 5, that require oversight by a central management entity; landfill gas management and plan implementation; landfill cover maintenance; and authorization pursuant to OAC 3745-27-13 for any future construction.
- Providing an annual compliance report to Ohio EPA by May 1 of each year, as required by paragraph 9, describing that the Property continues to be used in compliance with the activity and use limitations.
- Giving notice to new property owners (also known as "Transferees") upon conveyance, as required by paragraph 10, of the activity and use limitations and the recorded location of this Environmental Covenant.
- Notifying Ohio EPA within fourteen (14) days of each conveyance, as required by paragraph 10, after each conveyance of an interest in the Property or any portion thereof and the new owner's contact information.

WHEREAS, 810 Grandview LLC owns the approximately 55.707-acre Property, which is defined in paragraph 2 of this Environmental Covenant.

WHEREAS, the Property encompasses an approximately 36-acre former municipal solid waste disposal facility that ceased accepting waste prior to 1976, which is known as the former J. Texas Howard Organization Landfill, or Dublin Road Landfill. The landfill waste placement limits are wholly-contained within the Property.

WHEREAS, the Director of Ohio EPA has authorized landfill property development activities pursuant to Ohio Administrative Code ("OAC") 3745-27-13 under Final Findings and Orders ("Authorization Orders") dated _____ to 810 Grandview LLC. The Authorization Orders include terms for landfill gas management and coordination of corrective responses in case of any potential public health concerns arising during or post construction on or from the landfill at the Property. The Authorization Orders also call for establishment of activity and use limitations under an environmental covenant for comprehensive site-wide landfill control oversight and long-term maintenance.

WHEREAS, the activity and use limitations support the Authorization Orders and the redevelopment of the Property.

WHEREAS, the limitations prevent human exposure to landfill gases, wastes and debris on or from the landfill at the Property.

WHEREAS, a central management entity will oversee landfill-related activities and controls to ensure long-term site protectiveness.

WHEREAS, the Authorization Orders and other public records regarding the Property may be reviewed by contacting the Records Management Officer for the Division of Environmental Response and Revitalization at Ohio EPA's Central Office, 50 West Town Street, P.O. Box 1049, Columbus, OH 43216-1049, 614-644-2924, or at Ohio EPA's Central District Office at 50 West Town Street, P.O. Box 1049, Columbus, OH 43216-1049, (614) 728-3778, or by contacting the Owner at 842 N. 4th Street, Suite 200, Columbus, Ohio, 43215, (614) 545-3664.

Now therefore, the Owner and Ohio EPA agree to the following:

1. Environmental Covenant. This instrument is an environmental covenant developed and executed pursuant to ORC §§ 5301.80 to 5301.92.

2. Property. This Environmental Covenant concerns an approximately 55.707-acre tract of real property located at 984 Dublin Road, Columbus, in Franklin County, Ohio, and more particularly described in **Attachment 1** attached hereto and incorporated by reference herein ("Property"). The approximate limits of fill and clean soil cover placed on the landfill are shown on **Attachment 2** attached hereto and incorporated by reference herein.

3. Owner. This Property is owned by 810 Grandview LLC ("Owner"), with a place of business located at 842 N. 4th Street, Suite 200, Columbus, Ohio 43215.

4. Holder. Pursuant to ORC § 5301.81, the holder of this Environmental Covenant ("Holder") is the Owner listed above.

5. Activity and Use Limitations. As part of the requirements described in the Authorization Orders, the Owner hereby imposes for the Property and agrees to comply with the following activity and use limitations:

- a. **Oversight by central management entity.** The Owner or its named assign, as applicable, shall serve as the central management entity. The central management entity shall oversee and coordinate the long-term maintenance and performance of any corrective measures necessary for continued landfill gas management, including at occupied structures on and off the Property where landfill gas may migrate. The central management entity shall oversee and coordinate the long-term maintenance and performance of surface cover and other measures to sustain protectiveness from on-landfill construction. Such central management entity shall also oversee compliance with the activity and use limitations set forth in this Environmental Covenant. The central management entity shall retain responsibility for compliance for the entire Property described by this Environmental Covenant even after the Property is sub-parceled, sold, leased or transferred.

Written notice of any assignment or other change in contact information for the central management entity shall be provided to Ohio EPA as needed so that Ohio EPA remains informed of current central management entity contact information.

- b. **Landfill gas management and plan implementation.** The Property shall be used in compliance with an Ohio EPA-approved landfill gas management plan or plan modification. Activities conducted shall include routine inspection and maintenance of gas monitors, building alarm systems, gas vents and cut-off trenches for landfill gas management. Measures shall be taken that prevent landfill gas migration to buildings or other structures where it may present risk of explosion or imminent hazard (including occupied structures that are located more than 200 feet of the Property). Monitoring to evaluate for landfill gas and identify any explosive gas risk

shall occur at sufficient locations on and off the Property. Corrective actions shall be taken in accordance with an Ohio EPA-approved plan or as needed to address identified landfill explosive gas risk to public health or safety. Landfill gas management shall also prevent and control odor.

- c. **Landfill cover maintenance.** Property construction and post development use shall retain sufficient cover (minimum of 2 feet of clean soil) on the landfill that prevents exposure to landfill wastes, debris or materials. No landfill settlement or movement shall occur or remain unaddressed such that it adversely affects the integrity of the landfill gas controls or cover at the Property.
- d. **Future construction requiring 27-13 authorization.** No person shall engage in any filling, grading, excavating, building, drilling or mining in the landfill at the Property without prior authorization from Ohio EPA, if required, in accordance with OAC 3745-27-13 or other applicable law. This provision does not apply to activities governed by the Authorization Orders issued prior to the recording date of this Environmental Covenant and governing initial development plans for the Property.

6. Running with the Land. This Environmental Covenant shall be binding upon the Owner, during the time that the Owner owns the Property or any portion thereof, and upon all assigns and successors in interest, including any Transferee, and shall run with the land, pursuant to ORC § 5301.85, subject to amendment or termination as set forth herein. The term "Transferee," as used in this Environmental Covenant, shall mean any future owner of any interest in the Property or any portion thereof, including, but not limited to, owners of an interest in fee simple, mortgagees, easement holders, and/or lessees.

7. Compliance Enforcement. Compliance with this Environmental Covenant may be enforced pursuant to ORC § 5301.91 and other applicable law. Failure to timely enforce compliance with this Environmental Covenant or the activity and use limitations contained herein by any party shall not bar subsequent enforcement by such party and shall not be deemed a waiver of the party's right to take action to enforce against any non-compliance. Nothing in this Environmental Covenant shall restrict the Director of Ohio EPA from exercising any authority under applicable law.

8. Rights of Access. The Owner hereby grants to Ohio EPA's authorized representatives the right of access to the Property for implementation or enforcement of

this Environmental Covenant and shall require such access as a condition of any transfer of the Property or any portion thereof.

9. Compliance Reporting. The Owner or Transferee, if applicable, shall annually submit to Ohio EPA written documentation verifying that the activity and use limitations set forth herein remain in place and are being complied with. Documentation shall be due to Ohio EPA on May 1 of each year beginning the year after the effective date of this Environmental Covenant, unless otherwise directed by Ohio EPA.

10. Notice upon Conveyance. Each instrument hereafter conveying any interest in the Property or any portion thereof shall contain a notice of the activity and use limitations set forth in this Environmental Covenant, and provide the recorded location of this Environmental Covenant. The notice shall be substantially in the following form:

THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL COVENANT, RECORDED IN THE DEED OR OFFICIAL RECORDS OF FRANKLIN COUNTY RECORDER'S OFFICE ON _____, 201__, IN [DOCUMENT ____, or BOOK ____, PAGE ____]. THE ENVIRONMENTAL COVENANT CONTAINS THE FOLLOWING ACTIVITY AND USE LIMITATIONS:

- a. **Oversight by central management entity**
- b. **Landfill gas management and plan implementation**
- c. **Landfill cover maintenance**
- d. **Future construction requiring 27-13 authorization**

The Owner or Transferee, if applicable, shall notify Ohio EPA within fourteen (14) days after each conveyance of an interest in the Property or any portion thereof. The notice shall include the name, address, and telephone number of the Transferee, a copy of the deed or other documentation evidencing the conveyance, and a survey plat that shows the boundaries of the property being transferred.

11. Representations and Warranties. Owner hereby represents and warrants to the other signatories hereto that:

- a. The Owner is the sole owner of the Property.
- b. The Owner holds fee simple title to the Property and that the Owner conducted a current title search that shows that the Property is not subject

to any interests or encumbrances that conflict with the activity and use limitations set forth in this Environmental Covenant.

- c. The Owner has the power and authority to enter into this Environmental Covenant, to grant the rights and interests herein provided and to carry out all obligations hereunder.
- d. This Environmental Covenant will not materially violate or contravene or constitute a material default under any other agreement, document or instrument to which Owner is a party or by which Owner may be bound or affected.
- e. The Owner has identified all other persons that own an interest in or hold an encumbrance on the Property, and, if applicable, notified such persons of the Owner's intention to enter into this Environmental Covenant.

12. Amendment or Termination. This Environmental Covenant may be amended or terminated by consent of all of the following: the Owner or a Transferee, if applicable, and the Director of the Ohio EPA, pursuant to ORC §§ 5301.82 and 5301.90 and other applicable law. The term, "Amendment," as used in this Environmental Covenant, shall mean any changes to the Environmental Covenant, including the activity and use limitations set forth herein, or the elimination of one or more activity and use limitations so long as there is at least one limitation remaining. The term, "Termination," as used in this Environmental Covenant, shall mean the elimination of all activity and use limitations set forth herein and all other obligations under this Environmental Covenant.

This Environmental Covenant may be amended or terminated only by a written instrument duly executed by the Director of Ohio EPA and by the Owner or Transferee, if applicable, of the Property or any portion. Within thirty (30) days of signature by all requisite parties on any amendment or termination of this Environmental Covenant, the Owner or Transferee, if applicable, shall file such instrument for recording with the Franklin County Recorder's Office, and shall provide a file- and date-stamped copy of the recorded instrument to Ohio EPA.

13. Severability. If any provision of this Environmental Covenant is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.

14. Governing Law. This Environmental Covenant shall be governed by and interpreted in accordance with the laws of the State of Ohio.

15. Recordation. Within thirty (30) days after the date of the final required signature, the Owner shall file this Environmental Covenant for recording, in the same manner as a deed to the Property, with the Franklin County Recorder's Office.

16. Effective Date. The effective date of this Environmental Covenant shall be the date upon which the fully executed Environmental Covenant has been recorded as a deed record for the Property with the Franklin County Recorder's Office.

17. Distribution of Environmental Covenant. The Owner shall distribute a file- and date-stamped copy of the recorded Environmental Covenant to Ohio EPA, the City of Columbus, the City of Grandview Heights and Franklin County.

18. Notice. Unless otherwise notified in writing by any party hereto or Ohio EPA, any document or communication required by this Environmental Covenant shall be submitted to:

As to Ohio EPA:

Ohio EPA – Central Office
Division of Environmental Response and Revitalization
50 West Town Street
P.O. Box 1049
Columbus, Ohio 43216-1049
Attn.: DERR Records Management Officer, regarding Grandview Crossing 27-13
Authorization

Or, send electronically to: records@epa.ohio.gov

And

Ohio EPA – Central District Office
50 West Town Street
P.O. Box 1046
Columbus, Ohio 43216-1049
Attn.: DERR Site Coordinator for Grandview Crossing 27-13 Authorization

As to Owner:

810 Grandview LLC
Attn: Eric Wagenbrenner
842 N. 4th Street, Suite 200
Columbus, Ohio, 43215

[Remainder of page left intentionally blank]

The undersigned represents and certifies that the undersigned is authorized to execute this Environmental Covenant.

IT IS SO AGREED:

810 GRANDVIEW LLC



Signature of Owner

Eric Wagenbrenner, Manager

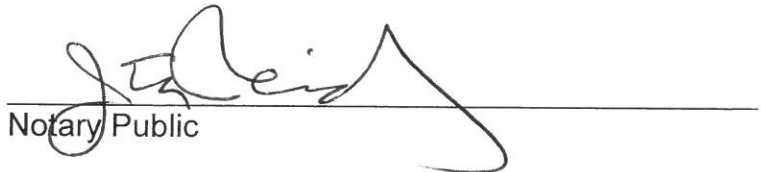
Printed Name and Title

State of Ohio)
) ss:
County of Franklin)

Before me, a notary public, in and for said county and state, personally appeared Eric Wagenbrenner, a duly authorized representative of the Owner, who acknowledged to me the execution of the foregoing instrument on behalf of the Owner.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 22d day of April, 2019.

JOSEPH M. REIDY
ATTORNEY AT LAW
NOTARY PUBLIC - STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
SECTION 147.03 R. C.



Notary Public

OHIO ENVIRONMENTAL PROTECTION AGENCY



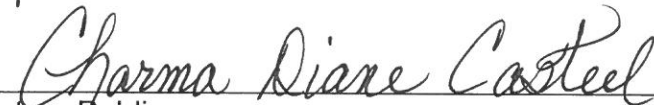
Laurie A. Stevenson, Director

State of Ohio)
) ss:
County of Franklin)

Before me, a notary public, in and for Franklin County, Ohio, personally appeared Laurie A. Stevenson, the Director of Ohio EPA, who acknowledged to me that she did execute the foregoing instrument on behalf of Ohio EPA.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 30th day of MAY, 2019.





Notary Public

CHARMA DIANE CASTEEL
NOTARY PUBLIC
STATE OF OHIO
MY COMMISSION EXPIRES

May 10, 2024

This instrument was prepared by:

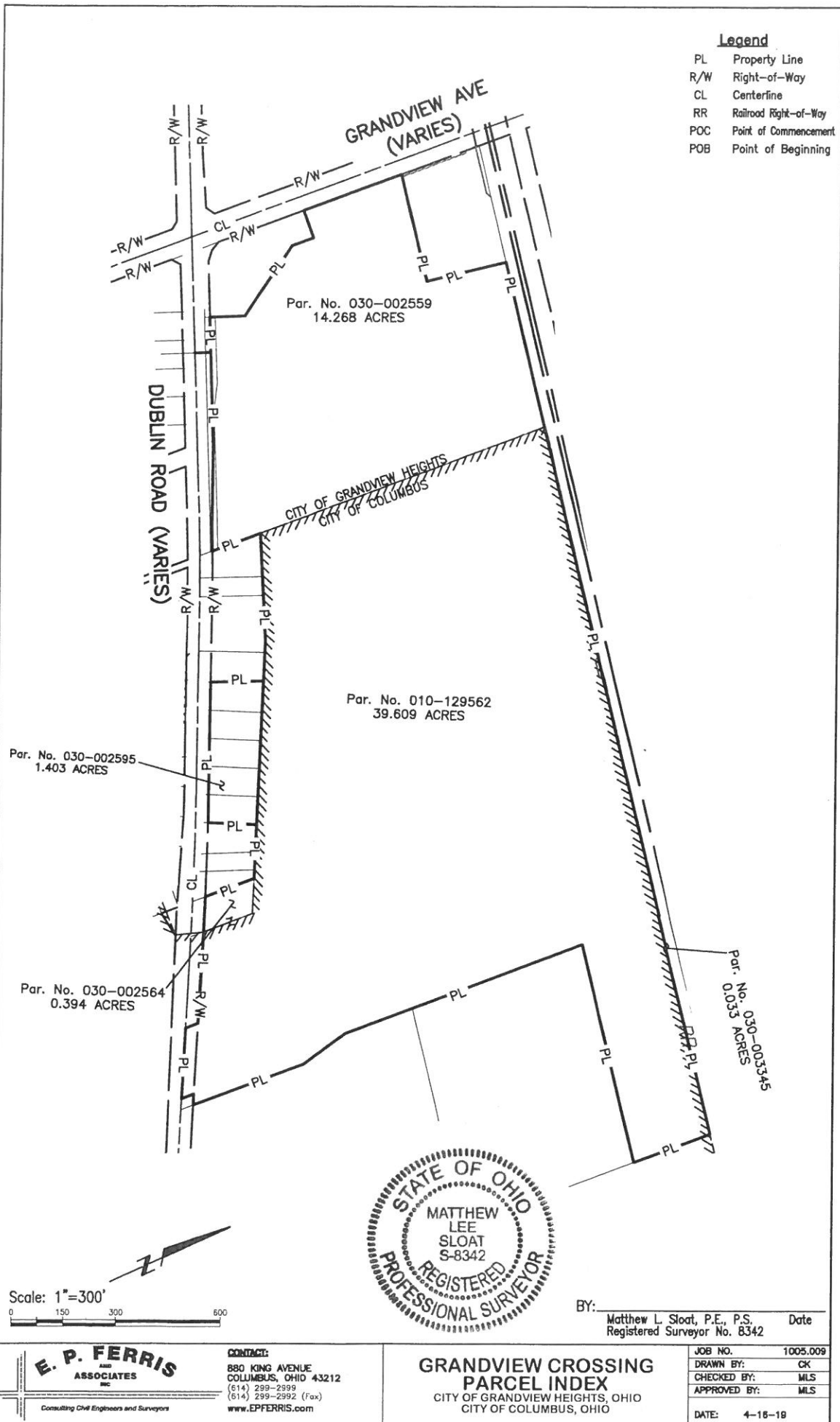
Joseph M. Reidy, Esq.
842 N. 4th Street, Suite 200
Columbus, OH 43215

Sue Kroeger, Esq.
Ohio EPA-Legal Office
50 West Town Street
Columbus, OH 43215

Attachment 1 – Legal Description and Survey Plat

Legend

- PL Property Line
- R/W Right-of-Way
- CL Centerline
- RR Railroad Right-of-Way
- POC Point of Commencement
- POB Point of Beginning



Scale: 1"=300'
 0 150 300 600



BY: Matthew L. Sloat, P.E., P.S. Date
 Registered Surveyor No. 8342

E. P. FERRIS
 AND ASSOCIATES
 INC.
 Consulting Civil Engineers and Surveyors

CONTACT:
 880 KING AVENUE
 COLUMBUS, OHIO 43212
 (614) 299-2999
 (614) 299-2992 (Fax)
 www.EPFERRIS.com

**GRANDVIEW CROSSING
 PARCEL INDEX**
 CITY OF GRANDVIEW HEIGHTS, OHIO
 CITY OF COLUMBUS, OHIO

JOB NO.	1005.009
DRAWN BY:	CK
CHECKED BY:	MLS
APPROVED BY:	MLS
DATE:	4-16-19

LEGAL DESCRIPTION
0.033 ACRES

Situated in the State of Ohio, County of Franklin, in the City of Grandview Heights, being in Section 7, Township 5 North, Range 22 West, Refugee Lands, being part of Lots 1 & 2 of the Plat of Jefferson Zollinger's Heir's Farm as recorded in Plat Book 8 Page 1, being all of a 0.033 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201812270174222, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Commencing at a set mag nail at the intersection of the centerlines of Grandview Avenue(80'), and Dublin Road(Width Varies), as dedicated in Plat Book 4 Page 346. Thence, along the centerline of Grandview Avenue, North 04 degrees 04 minutes 58 seconds East, 859.58 feet to a point on said centerline.

Thence leaving said centerline of Grandview Avenue and along the southerly line of a Norfolk Southern Railway Company tract, as conveyed to Pennsylvania Lines LLC, as recorded in Instrument No. 200212180325195, now known as Norfolk Southern Railway Company by an affidavit of merger as recorded in Instrument No. 200710260186473, being 30.00 feet south of and parallel to the centerline of the eastbound track, South 79 degrees 12 minutes 44 seconds East, 2296.65 feet to a 5/8" rebar set, 30" in length with a 2 inch diameter aluminum cap with "RAILROAD PROPERTY CORNER PS8342" inscribed on top, being 30.00 feet southerly from the centerline of railroad tracks, and said pin also being the **TRUE POINT OF BEGINNING** for the parcel herein described;

Thence continuing along the southerly line of said Norfolk Southern Railway Company tract, and the northerly line of said 0.033 acre tract, being 30.00 feet south of and parallel to the said centerline, South 79 degrees 12 minutes 44 seconds East, 639.27 feet to a 5/8" rebar set, 30" in length with a 2 inch diameter aluminum cap with "RAILROAD PROPERTY CORNER PS8342" inscribed on top;

Thence along the westerly line of a 77.80 acre tract as conveyed to the City of Columbus in Deed Book 401 Page 53 and the easterly line of said 0.033 acre tract, South 03 degrees 53 minutes 41 seconds West, 2.24 feet to a 5/8" rebar, being 30" in length with a 2 inch diameter aluminum cap with "RAILROAD PROPERTY CORNER PS8342" inscribed on top, being 32.22 feet southerly from the centerline of railroad tracks, also being the northeasterly corner of a 3.380 acre tract as conveyed to 810 Grandview, LLC in Instrument Number 201812270174222;

Thence along the southerly line of said 0.033 acre tract and the northerly line of said 3.380 acre tract, being 32.22 feet south of and parallel to the said centerline, North 79 degrees 12 minutes 44 seconds West, 639.27 feet to a 5/8" rebar, being 30" in length with a 2 inch diameter aluminum cap with "RAILROAD PROPERTY CORNER PS8342" inscribed on top, being at the northeasterly corner of a 7.628 acre tract, and at the southeasterly corner of a 0.026 acre tract, both as conveyed to 810 Grandview LLC in Instrument No. 201712220180678;

Thence continuing along the easterly line of said 0.026 acre tract and the westerly line of said 0.033 acre tract, North 03 degrees 53 minutes 41 seconds East, 2.24 feet to a 5/8" rebar set, 30" in length with a 2 inch diameter aluminum cap with "RAILROAD PROPERTY CORNER PS8342" inscribed on top, being 30.00 feet southerly from the centerline of railroad tracks, and said pin also being the **POINT OF BEGINNING**, containing 0.033 acres (1,419 Sq. Ft.), more or less.

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

The total acreage of the boundary described herein contains 0.033 acres (1437 Sq. Ft.) out of PID 030-003345-00, in which there is no P.R.O.

The preceding description is based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station network. The portion of the centerline of right of way of Dublin Road, from the intersection with Grandview Ave. bearing easterly 778.98 feet and having a bearing of S67°32'30"E and monumented as shown hereon, is designated the "basis of bearing" for this description.

All monuments found are in good condition unless otherwise noted.

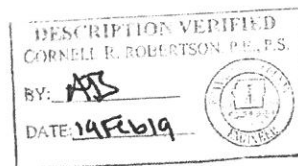
This description was prepared by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342 on September 18, 2018 and is based on field surveys conducted by E. P. Ferris & Associates, Inc. from June 2010 through August 2016 under the direct supervision of Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342. Iron pins set, unless otherwise noted, are 5/8" rebar, 30" in length with a yellow plastic cap with "EP FERRIS SURVEYOR 8342" inscribed on top.



Matthew Lee Sloat 2/19/19
Matthew Lee Sloat, PS Date
Registered Surveyor No. 8342

All of
(030)

3375



LEGAL DESCRIPTION
1.403 ACRES

Situated in the State of Ohio, County of Franklin, in the City of Grandview Heights, being in Section 12, Township 1, Range 23, Congress Lands, being all of Lots 3 through 7 of Waterman's Riverview Subdivision as recorded in Plat Book 10 Page 192, as conveyed to 810 Grandview, LLC in Instrument Numbers 201504170049624, 201201180007648, 201603100028814, 201706020073357, 201808280115964, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Commencing at a set mag nail at the intersection of the centerlines of Grandview Avenue(80'), and Dublin Road(Width Varies), as dedicated in Plat Book 4 Page 346. Thence, along the centerline of Dublin Road, South 67 degrees 32 minutes 30 seconds East, 778.98 feet to a point on said centerline. Thence, continuing along said centerline, along a curve to the right with a radius of 5729.58 feet, a central angle of 02 degrees 37 minutes 04 seconds, an arc length of 261.78 feet, and a chord which bears South 66 degrees 13 minutes 58 seconds East, a distance of 261.76 feet to a point. Thence, continuing along said Dublin Road centerline, as dedicated in Plat Book 7 Page 332, and Plat Book 10 Page 192, South 64 degrees 55 minutes 26 seconds East, 509.60 feet to a point. Thence, continuing along said centerline, along a curve to the right with a radius of 11459.16 feet, a central angle of 00 degrees 35 minutes 02 seconds, an arc length of 116.77 feet, and a chord which bears South 64 degrees 37 minutes 55 seconds East, a distance of 116.77 feet to a point. Thence North 26 degrees 46 minutes 26 seconds East, 23.41 feet to an iron pin set at the southeast corner of said Lot 3, being the southwesterly corner of Lot 2 of said Waterman's Riverview Subdivision, said iron pin being the **TRUE POINT OF BEGINNING** for the parcel herein described;

Thence along the southerly line of said Lot 3 and part of Lot 4, and the northerly line of Dublin Road (60') as shown on said Waterman's Riverview Subdivision, North 61 degrees 35 minutes 08 seconds West, 123.59 feet to an iron pin set;

Thence along the southerly line of said Lot 5 through 7 and part of Lot 4, and the northerly line of said Dublin Road, North 64 degrees 55 minutes 26 seconds West, 276.57 feet to an iron pin set at the southwesterly corner of said Lot 7 and the southeasterly corner of Lot 8 of said Waterman's Riverview Subdivision;

Thence along the westerly line of said Lot 7, and the easterly line of said Lot 8, North 23 degrees 05 minutes 08 seconds East, 155.96 feet to an iron pin set at the northwesterly corner of said Lot 7 and the northeasterly corner of said Lot 8, and being on the southerly line of a 10.187 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201702060017928;

Thence along the northerly line of said Lots 3 through 7, and the southerly line of said 10.187 acre tract, South 63 degrees 13 minutes 26 seconds East, 410.02 feet to an iron pin set at the northwesterly corner of said Lot 2 and the northeasterly corner of said Lot 3;

Thence along the westerly line of said Lot 2, and the easterly line of said Lot 3, South 26 degrees 46 minutes 26 seconds West, 150.96 feet to an iron pin set, said iron pin being the **POINT OF BEGINNING**, containing 1.403 acres (61,101 Sq. Ft.), more or less.

The above described parcel contains 1.403 acres (61,101 Sq. Ft.) out of PID 030-002595-00, in which 0.056 acres lie within the P.R.O.

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

The basis of bearing is the centerline of Dublin Road being South 67° 32' 30" East from the intersection of Grandview Ave for 778.98 feet east.

All monuments found are in good condition unless otherwise noted.

This description was prepared by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8230 and is based on field surveys conducted by E. P. Ferris & Associates, Inc. from June 2010 through August 2016 under the direct supervision of Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342. Iron pins set are 5/8" rebar, 30" in length with a yellow plastic cap with "EP FERRIS SURVEYOR 8342" inscribed on top.



Matthew Lee Sloat 2/19/19
Matthew Lee Sloat, PS Date
Registered Surveyor No. 8342

A1106
(030)
2595

DESCRIPTION VERIFIED	
CORNELL R. ROBERTSON, P.E., P.S.	
BY: <u>ARS</u>	
DATE: <u>19 Feb 19</u>	

LEGAL DESCRIPTION
39.609 ACRES

Situated in the State of Ohio, County of Franklin, in the City of Columbus, being in Section 7, Township 5 North, Range 22 West, Refugee Lands, being part of Lot 1 & 2 of the Plat of Jefferson Zollinger's Heirs Farm as recorded in Plat Book 8 Page 1, and being part of Lot 2 of the Plat of Waterman's Farm as recorded in Plat Book 8 Page 2-B, and being all of a 10.187 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201702060017928, and being all of a 18.388 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201702060017927, and being all of a 7.628 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201712220180678, and being all of a 0.026 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201702060017928, and being all of a 3.380 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201812270174222, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Commencing at a set mag nail at the intersection of the centerlines of Grandview Avenue(80'), and Dublin Road(Width Varies), as dedicated in Plat Book 4 Page 346. Thence, along the centerline of Grandview Avenue, North 04 degrees 04 minutes 58 seconds East, 859.58 feet to a point on said centerline.

Thence leaving said centerline of Grandview Avenue, and across Grandview Avenue and along the southerly line of the remainder of a tract of Railroad Right-of-Way as shown on the Plat of Jefferson Zollinger's Heir's Farm as recorded in Plat Book 8 Page 1, declared as used in operations, as conveyed to Pennsylvania Lines LLC, as recorded in Instrument No. 200212180325195, now known as Norfolk Southern Railway Company by an affidavit of merger as recorded in Instrument No. 200710260186473, and the northerly line of a 0.421 acre tract conveyed to West Hill Realty, LLC in Instrument Number 201812310175659, and the northerly line of the remainder of a 2.2233 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201712220180678, and being 30.00 feet south of and parallel to the centerline of the eastbound track, South 79 degrees 12 minutes 44 seconds East, 863.36 feet to a 5/8" rebar set, 30" in length with a 2 inch diameter aluminum cap with "RAILROAD PROPERTY CORNER PS8342" inscribed on top, said rebar also being the **TRUE POINT OF BEGINNING** for the parcel herein described;

Thence continuing along the southerly of said Norfolk Southern Railway Company tract, being 30.00 feet south of and parallel to the said centerline, and the northerly line of said 7.628 and 0.026 acre tracts, South 79 degrees 12 minutes 44 seconds East, 1433.30 feet to a 5/8" rebar set, 30" in length with a 2 inch diameter aluminum cap with "RAILROAD PROPERTY CORNER PS8342" inscribed on top, also being the northwesterly corner of a 0.033 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201812270174222;

Thence along the westerly line of said 0.033 acre tract and the easterly line of said 0.026 acre tract, South 03 degrees 53 minutes 41 seconds West, 2.24 feet to a 5/8" rebar set, 30" in length with a 2 inch diameter aluminum cap with "RAILROAD PROPERTY CORNER PS8342" inscribed on top, and being the southwesterly corner of said 0.033 acre tract and the southeasterly corner of said 0.026 acre tract, and the northwesterly corner of said 3.380 acre tract, and the northeasterly corner of said 7.628 acre tract;

Thence along the southerly line of said 0.033 acre tract and along the northerly line of said 3.380 acre tract, South 79 degrees 12 minutes 44 seconds East, 639.27 feet to a 5/8" rebar set, 30" in length with a 2 inch diameter aluminum cap with "RAILROAD PROPERTY CORNER PS8342" inscribed on top, said rebar being the northwesterly corner of a 77.80 acre tract as conveyed to the City of Columbus in Deed Book 401 Page 53, and being the southeasterly corner of said 0.033 acre tract, and northeasterly corner of said 3.380 acre tract;

Thence along the westerly line of said 77.80 acre tract and the easterly line of said 3.380 acre tract, South 03 degrees 53 minutes 41 seconds West, passing an iron pin set at 120.87 feet, being 5/8" rebar 30" in length with a 2 inch diameter aluminum cap with "RAILROAD PROPERTY CORNER PS8342" inscribed on top, and passing a 5/8" rebar found capped "Dynotec" at 151.15 feet, a total distance of 231.96 feet to an iron pin set, said iron pin being on the northeasterly corner of a 7.005 acre tract as conveyed to the Board of County Commissioners of Franklin County, Ohio in Deed Book 1176 Page 90, and being the southeasterly corner of said 3.380 acre tract;

Thence along the southerly line of said 3.380 acre tract and along the northerly line of said 7.005 acre tract, North 79 degrees 12 minutes 44 seconds West, 639.27 feet to a 5/8" rebar set, 30" in length with a 2 inch diameter aluminum cap with "RAILROAD PROPERTY CORNER PS8342" inscribed on top, said rebar being on the northwest corner of said 7.005 acre tract and being the southeasterly corner of said 7.628 acre tract, and being the northeast corner of said 18.388 acre tract, and being the southwesterly corner of said 3.380 acre tract;

Thence along the easterly line of said 18.388 acre tract and the westerly line of said 7.005 acre tract and the westerly line of a 10.129 acre tract as conveyed to the Board of County Commissioners of Franklin County, Ohio, as recorded in DB 1084, PG 300, South 03 degrees 53 minutes 41 seconds West, 724.38 feet to an iron pin set;

Thence continuing along the easterly line of said 18.388 acre tract, and the westerly line of said 10.129 acre tract, South 12 degrees 07 minutes 19 seconds East, 145.81 feet to an iron pin set;

Thence continuing along the easterly line of said 18.388 acre tract, and the westerly line of said 10.129 acre tract, South 04 degrees 00 minutes 41 seconds West, 334.19 feet to an iron pin found capped "Franklin Co. Engineer" at the southeasterly corner of said 18.388 acre tract, also being the northeasterly corner of a tract as conveyed to Thomas L. Kaplin (now deceased), as recorded in DB 2182, PG 205, also being on the northerly right of way line of Dublin Road;

Thence along the southerly line of said 18.388 acre tract, and the northerly line of said Kaplin tract, and said northerly right of way, North 62 degrees 27 minutes 53 seconds West, 31.62 feet to a point, referenced by a 3/4" iron pipe found 1.17 feet North, 0.00 feet East;

Thence along the easterly line of said 18.388 acre tract, and the westerly line of said Kaplin tract, and crossing said right of way, South 03 degrees 53 minutes 34 seconds West, 38.21 feet to an mag nail set, also being at the southeasterly corner of said 18.388 acre tract, and a southwest corner of said Kaplin tract, and on the northerly line of a tract as conveyed to the American Aggregates Corporation, as recorded in DB 896, PG 373, and also on the centerline of Dublin Road as established in 1940;

Thence continuing along said 1940 centerline and along the southerly line of said 18.388 acre tract, and the northerly line of said American Aggregates Corporation tract, North 62 degrees 27 minutes 53 seconds West, 201.13 feet to a mag nail set, also being at the southwest corner of said 18.388 acre tract, and a southeasterly corner of said Kaplin tract, and on the northerly line of said American Aggregates Corporation tract;

Thence leaving said centerline along the westerly line of said 18.388 acre tract, and the easterly line of said Kaplin tract, North 03 degrees 53 minutes 34 seconds East,

38.21 feet to a point, referenced by a ¾" iron pipe capped found capped "EMH&T" 1.17 feet North, 0.00 feet East, also being at a southeasterly corner of said 18.388 acre tract, and a northeasterly corner of said Kaplin tract, and on the said northerly right of way line;

Thence continuing along the southerly line of said 18.388 acre tract, and the northerly line of said Kaplin tract, and said northerly right of way, North 62 degrees 27 minutes 53 seconds West, a distance of 197.25 feet to an iron pin set;

Thence continuing along the southerly line of said 18.388 acre tract, and the northerly line of said Kaplin tract, and said northerly right of way, along a curve to the left with a radius of 11494.16 feet, a central angle of 00 degrees 19 minutes 07 seconds, an arc length of 63.89 feet, and a chord which bears North 62 degrees 37 minutes 26 seconds West, a distance of 63.89 feet to an iron pin set;

Thence along a westerly line of said 18.388 acre tract, and the easterly line of a 0.395 acre tract conveyed to 810 Grandview LLC in Instrument No. 201606060070351, North 03 degrees 53 minutes 34 seconds East, 148.78 feet to a point, referenced by a ¾" iron pipe found 0.74 feet North, 0.23 feet East;

Thence along a southerly line of said 18.388 acre tract, and the northerly line of said 0.395 acre tract, North 62 degrees 57 minutes 28 seconds West, 100.00 feet to a point, referenced by a 5/8" rebar found 0.63 feet North, 0.94 feet East;

Thence along the southerly line of said 10.187 acre tract and the northerly line of Lots 1 through 8 of Waterman's Riverview Subdivision, as recorded in Plat Book 10 Page 192, and the northerly line of a 0.677 acre tract, as conveyed to OGSTUTZ, LTD. in Instrument No. 199703100049797, North 63 degrees 13 minutes 26 seconds West, 678.78 feet to a point, referenced by a ¾" iron pipe found capped "EMH&T" 0.29 feet South, 0.70 feet West at a northerly corner of said Waterman's Riverview Subdivision and a northerly corner of said 0.677 acre tract;

Thence continuing along the southerly line of said 10.187 acre tract and the northerly line of said 0.677 acre tract, the northerly line of 0.22 and 0.32 acre tracts, as conveyed to S-C Dublin Associates, Inc in Official Record 7186 H19, North 68 degrees 32 minutes 15 seconds West, 306.40 feet to a point, referenced by a 5/8" rebar found capped "Geo Graphics" 0.76 feet North, 0.27 feet East, and being on the easterly line of the remainder of a 30.06 acre tract, as conveyed to 810 Grandview LLC in Instrument Number 201201180007648, and being the northwesterly corner of said 0.32 acre tract;

Thence along the westerly line of said 10.187 and 7.628 acre tracts, and the easterly line of said 2.2233 acre tract, and said 30.06 acre tract, and a 1.296 acre tract, as conveyed to 810 Grandview LLC in Instrument Number 201310300182977, and a 6.08 acre tract, as conveyed to 810 Grandview LLC in Instrument Number 201201180007648, North 03 degrees 51 minutes 32 seconds East, passing an iron pin set at 404.07 feet and 521.41 feet on the northerly line of said 6.08 acre tract, and an iron pin set at 628.06 feet on the southwesterly corner of said 7.628 acre tract, a total distance of 862.54 feet to an iron pin set, said pin also being the **POINT OF BEGINNING**, containing 39.609 acres (1,725,368 Sq. Ft.), more or less.

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

The total acreage of the boundary described herein contains 39.609 acres (1,725,368 Sq. Ft.) out of PID 010-129562-00, in which there is 0.162 acres P.R.O.

The preceding description is based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station network. The portion of the centerline of right of way of Dublin Road, from the intersection with Grandview Ave. bearing easterly 778.98 feet and having a bearing of S67°32'30"E and monumented as shown hereon, is designated the "basis of bearing" for this description.

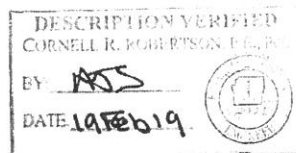
All monuments found are in good condition unless otherwise noted.

This description was prepared by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342 on September 18, 2018 and is based on field surveys conducted by E. P. Ferris & Associates, Inc. from June 2010 through August 2016 under the direct supervision of Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342. Iron pins set, unless otherwise noted, are 5/8" rebar, 30" in length with a yellow plastic cap with "EP FERRIS SURVEYOR 8342" inscribed on top.



Matthew Lee Sloat 2/19/19
Matthew Lee Sloat, PS Date
Registered Surveyor No. 8342

A1104
C0109
129562



LEGAL DESCRIPTION

14.268 ACRES

Situated in the State of Ohio, County of Franklin, in the City of Grandview Heights, being in Section 12, Township 1, Range 23, Congress Lands, being part of Lots 96, 97, 102, 103, 110, 117, 119, 120, and 125, and all of Lots 98-101, 104-109, 111-116, 118, and 121-124, Avondale Avenue Reserve(see Franklin County Court of Common Pleas Case No. 172266 as recorded in Deed Book 1426 page 387), and Glendale Avenue(vacated by the Franklin County Commissioners in Road Record 13 Page 168), and 30' X 346.32' of Station Street, as vacated by City of Grandview Heights Ordinance No. 2018-27, as recorded in an Affidavit of Facts Relating to Title in Instrument No. 201902140017908 of Grand View Croughton, Denmead and Pope's Suburban Subdivision as recorded in Plat Book 4 Page 346, and being all of a 1.296 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201310300182977, and being all of the remainder of a 30.06 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201201180007648, and being all of a 6.08 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201201180007648, and being all of a 0.613 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201812310175660, and being all of a 1.499 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201712220180611, and being all of the remainder of a 2.2233 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201712220180678, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Commencing at a set mag nail at the intersection of the centerlines of Grandview Avenue(80'), and Dublin Road(Width Varies), as dedicated in Plat Book 4 Page 346. Thence, along the centerline of Grandview Avenue, North 04 degrees 04 minutes 58 seconds East, 323.80 feet to a point on said centerline;

Thence leaving said centerline of Grandview Avenue, and across Grandview Avenue, South 85 degrees 55 minutes 02 seconds East, 40.00 feet to mag nail found on the easterly line of Grandview Avenue and the southwesterly corner of said 1.499 acre tract, and the northwesterly corner of a 1.104 acre tract as conveyed to 828 Grandview, LLC in Instrument Number 201709010122257, said mag nail also being the **TRUE POINT OF BEGINNING** for the parcel herein described;

Thence along the easterly line of Grandview Avenue and the westerly lines of said 1.499 and 6.08 acre tracts, North 04 degrees 04 minutes 58 seconds East, 296.38 feet to a point, referenced by a iron pin found 0.03 feet South, 0.21 feet East at the southwesterly corner of a 0.947 acre tract conveyed to West Hill Realty, LLC in Instrument Number 200904270058763;

Thence along the southerly line of said 0.947 acre tract, and the northerly line of said 6.08 acre tract, South 79 degrees 13 minutes 23 seconds East, 312.94 feet to an iron pin set at the southwesterly corner of said 0.613 acre tract and the southeasterly corner of the remainder of said 0.947 acre tract;

Thence along the westerly line of the remainder of said 2.2233 acre tract and said 0.613 acre tract, and the easterly lines of the remainder of the 0.378, 0.617, and 0.947 acre tracts as conveyed to West Hill Realty, LLC in Instrument Number 200904270058763, and a 0.421 acre tract as conveyed to West Hill Realty, LLC in Instrument Number 201812310175659, North 10 degrees 55 minutes 37 seconds East, passing an iron pin set at 132.20 feet, a total distance of 232.87 feet to an iron pin set, being on the southerly line of the railroad Right-of-Way, declared as used in operations, as conveyed to Pennsylvania Lines LLC, as recorded in Instrument No. 200212180325195, now known as Norfolk Southern Railway Company by an affidavit of merger as recorded in Instrument No. 200710260186473, and being at the northwesterly corner of the remainder of said 2.2233 acre tract, and the northeasterly corner of said 0.421 acre tract;

Thence along the southerly line of said Norfolk Southern Railway Company tract, being 30.00 feet south of and parallel to the centerline of the eastbound tracks, and the northerly line of said 2.2233 acre tract, South 79 degrees 12 minutes 44 seconds East, 482.19 feet to a 5/8" rebar set, 30" in length with a 2 inch diameter aluminum cap with "RAILROAD PROPERTY CORNER PS8342" inscribed on top, being the northwesterly corner of a 7.628 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201712220180678;

Thence along the westerly line of said 7.628 acre tract, and a 10.187 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201702060017928, and the easterly lines of said 2.2233 acre tract, and said 1.296 acre tract, and the remainder of said 30.06 acre tract, and said 6.08 acre tract, South 03 degrees 51 minutes 32 seconds West, passing an iron pins set at 234.48 feet, 341.13 feet, and 458.47 feet, a total distance of 862.54 feet to a point, referenced by a iron pin found capped "Geo Graphics" 0.76 feet North, 0.27 feet East at the northwesterly corner of a 0.32 acre tract, as conveyed to S-C Dublin Associates, Inc in Official Record 7186 H19;

Thence along the westerly line of said 0.32 acre tract, and the easterly line of the remainder of said 30.06 acre tract, South 04 degrees 10 minutes 22 seconds West, 146.47 feet to the southeasterly corner of said 30.06 acre tract, and being on the northeasterly corner of a tract conveyed to American Aggregates Corporation in Deed Book 896 Page 373;

Thence along the northerly line of said American Aggregates Corporation tract, being 35.00 feet northerly of and parallel to the centerline of Dublin Road as established in 1940, and the southerly line of the remainder of said 30.06 acre tract, along a curve to the left with a radius of 5764.62 feet, a central angle of 01 degrees 09 minutes 33 seconds, an arc length of 116.62 feet, and a chord which bears North 66 degrees 57 minutes 44 seconds West, a distance of 116.62 feet to an iron pin set;

Thence continuing along the northerly line of said American Aggregates Corporation tract, being 35.00 feet northerly of and parallel to the centerline of Dublin Road as established in 1940, and the southerly line of the remainder of said 30.06 acre tract, North 67 degrees 32 minutes 30 seconds West, 348.34 feet to an mag nail set at the northwesterly corner of said American Aggregates Corporation tract and being on the easterly line of said 1.296 acre tract;

Thence along the easterly line of said 1.296 acre tract and the westerly line of said American Aggregates Corporation tract, along a curve to the left with a radius of 595.20 feet, a central angle of 00 degrees 28 minutes 53 seconds, an arc length of 5.00 feet, and a chord which bears South 23 degrees 51 minutes 55 seconds West, a distance of 5.00 feet to a mag nail set on the northerly line of Dublin Road as shown on said Grand View Croughton, Denmead and Pope's Suburban Subdivision, and being the southwestly corner of said American Aggregates Corporation tract;

Thence along the northerly line of said Dublin Road as shown on said Grand View Croughton, Denmead and Pope's Suburban Subdivision, and the southerly line of said 1.296 acre tract, North 67 degrees 32 minutes 30 seconds West, 24.00 feet to a mag nail set at the southeasterly corner of said American Aggregates Corporation tract and being at the southwestly corner of said 1.296 acre tract;

Thence along the westerly line of said 1.296 acre tract and the easterly line of said American Aggregates Corporation tract, along a curve to the right with a radius of 619.18 feet, a central angle of 00 degrees 27 minutes 46 seconds, an arc length of

5.00 feet, and a chord which bears North 23 degrees 48 minutes 38 seconds East, a distance of 5.00 feet to a mag nail set at northeasterly corner of said American Aggregates Corporation tract, and being the southeasterly corner of said 6.08 acre tract;

Thence along the southerly line of said 6.08 acre tract and the northerly line of said American Aggregates Corporation tract, North 67 degrees 32 minutes 30 seconds West, 76.43 feet to a mag nail set at the southeasterly corner of a tract conveyed to Thomas P. Zelkoff (now deceased) in Deed Book 2099 Page 188, and being at the southwesterly corner of said 6.08 acre tract;

Thence along the westerly line of said 6.08 acre tract and the easterly line of said Zelkoff tract, North 22 degrees 23 minutes 51 seconds East, a distance of 10.00 feet to a ¾" iron pipe found at northeasterly corner of said Zelkoff tract, and being the southeasterly corner of said 1.499 acre tract;

Thence along the southerly line of said 1.499 acre tract and the northerly line of said Zelkoff tract, North 67 degrees 32 minutes 30 seconds West, 99.99 feet to an iron pin set at the southeasterly corner of said 1.104 acre tract, and being at the southwesterly corner of said 1.499 acre tract;

Thence along the easterly line of said 1.104 acre tract and the westerly line of said 1.499 acre tract, North 22 degrees 19 minutes 29 seconds East, 99.49 feet to a ¾" iron pipe found;

Thence continuing along the easterly line of said 1.104 acre tract and the westerly line of said 1.499 acre tract, North 31 degrees 46 minutes 02 seconds West, 241.44 feet to a found ¾" iron pipe capped "Meyers";

Thence continuing along the easterly line of said 1.104 acre tract and the westerly line of said 1.499 acre tract, North 04 degrees 01 minutes 03 seconds East, 63.98 feet to a found railroad spike;

Thence continuing along the northerly line of said 1.104 acre tract and the southerly line of said 1.499 acre tract, North 86 degrees 09 minutes 15 seconds West, 82.33 feet to a found mag nail, said mag nail also being the **POINT OF BEGINNING**, containing 14.268 acres (621,509 Sq. Ft.), more or less.

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

The total acreage of the boundary described herein contains 14.268 acres (621,509 Sq. Ft.) out of PID 030-002559-00, in which there is 0.085 P.R.O.

The preceding description is based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station network. The portion of the centerline of right of way of Dublin Road, from the intersection with Grandview Ave. bearing easterly 778.98 feet and having a bearing of S67°32'30"E and monumented as shown hereon, is designated the "basis of bearing" for this description.

All monuments found are in good condition unless otherwise noted.

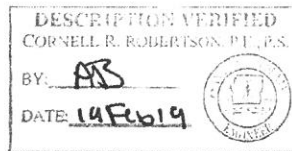
This description was prepared by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342 on September 18, 2018 and is based on field surveys conducted by E. P. Ferris & Associates, Inc. from June 2010 through August 2016 under the direct supervision of

Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342. Iron pins set, unless otherwise noted, are 5/8" rebar, 30" in length with a yellow plastic cap with "EP FERRIS SURVEYOR 8342" inscribed on top.



Matthew Lee Sloat 2/19/19
Matthew Lee Sloat, PS Date
Registered Surveyor No. 8342

Allot
(030)
2559



LEGAL DESCRIPTION
0.394 ACRES

Situated in the State of Ohio, County of Franklin, in the City of Grandview Heights, being in Section 12, Township 1, Range 23, Congress Lands, being part of Lot 1 of the Plat of Jefferson Zollinger's Heir's Farm as recorded in Plat Book 8 Page 1 and being all of a 0.395 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201606060070351, all records being of the Recorder's Office, Franklin County, Ohio and being more particularly bounded and described as follows:

Commencing at a set mag nail at the intersection of the centerlines of Grandview Avenue(80'), and Dublin Road(Width Varies), as dedicated in Plat Book 4 Page 346. Thence, along the centerline of Dublin Road, South 67 degrees 32 minutes 30 seconds East, 778.98 feet to a point on said centerline. Thence, continuing along said centerline, along a curve to the right with a radius of 5729.58 feet, a central angle of 02 degrees 37 minutes 04 seconds, an arc length of 261.78 feet, and a chord which bears South 66 degrees 13 minutes 58 seconds East, a distance of 261.76 feet to a point. Thence, continuing along said Dublin Road centerline, as dedicated in Plat Book 7 Page 332, and Plat Book 10 Page 192, South 64 degrees 55 minutes 26 seconds East, 509.60 feet to a point. Thence, continuing along said centerline, along a curve to the right with a radius of 11459.16 feet, a central angle of 01 degrees 42 minutes 59 seconds, an arc length of 343.26 feet, and a chord which bears South 64 degrees 03 minutes 57 seconds East, a distance of 343.25 feet to a mag nail set, being the southwesterly corner of said 0.395 acre tract, said mag nail being the **TRUE POINT OF BEGINNING** for the parcel herein described;

Thence along the westerly line of said 0.395 acre tract, and the easterly line of Waterman's Riverview Subdivision recorded in Plat Book 10 Page 192 and Lot 1 of said subdivision, North 03 degrees 53 minutes 34 seconds East, passing the northerly line of Dublin Road and an iron pin set at 38.13 feet, a total distance of 186.91 to point, being referenced by an 5/8" rebar found 0.63 feet North and 0.94 feet East, being the northeasterly corner of said Lot 1 and the northwesterly corner of said 0.395 acre tract, and the southeasterly corner of a 10.187 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201702060017928, and a southwesterly corner of a 18.388 acre tract conveyed to 810 Grandview, LLC in Instrument Number 201702060017927;

Thence along the southerly line of said 18.388 acre tract, and the northerly line of said 0.395 acre tract, South 62 degrees 57 minutes 28 seconds East, a distance of 100.00 feet to point, being referenced by an 3/4" iron pipe capped "EMH&T" found 0.75 feet North and 0.23 feet East, being the northeasterly corner of said 0.395 acre tract and a southwesterly corner of said 18.388 acre tract;

Thence continuing along the easterly line of said 0.395 acre tract, and the westerly line of said 18.388 acre tract and a tract as conveyed to Thomas L. Kaplin (now deceased) in Deed Book 2182 Page 205, South 03 degrees 53 minutes 34 seconds West, passing the northerly line of Dublin Road and an iron pin set at 148.78 feet, a total distance of 186.91 feet to a mag nail set, also being the southwesterly corner of said Kaplin tract, and on the northerly line of a tract as conveyed to the American Aggregates Corporation, as recorded in DB 896, PG 373, and also on the centerline of Dublin Road as established in 1940;

Thence continuing along said 1940 centerline and along the southerly line of said 0.395 acre tract, and the northerly line of said American Aggregates Corporation tract, along a curve to the left with a radius of 11459.16 feet, a central angle of 00 degrees 30 minutes 00 seconds, an arc length of 100.00 feet, and a chord which bears North 62 degrees 57 minutes 28 seconds West, a distance of 100.00 feet to a mag nail set, said

mag nail being the **POINT OF BEGINNING**, containing 0.394 acres (17,178 Sq. Ft.), more or less.

The above described parcel contains 0.394 acres (17,178 Sq. Ft.) out of PID 030-002564-00, in which 0.080 acres lie within the P.R.O.

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

The basis of bearing is the centerline of Dublin Road being South 67° 32' 30" East from the intersection of Grandview Ave for 778.98 feet east.

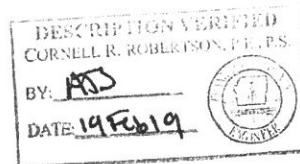
All monuments found are in good condition unless otherwise noted.

This description was prepared by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8230 and is based on field surveys conducted by E. P. Ferris & Associates, Inc. from June 2010 through August 2016 under the direct supervision of Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342. Iron pins set are 5/8" rebar, 30" in length with a yellow plastic cap with "EP FERRIS SURVEYOR 8342" inscribed on top.



Matthew Lee Sloat 2/19/19
Matthew Lee Sloat, PS Date
Registered Surveyor No. 8342

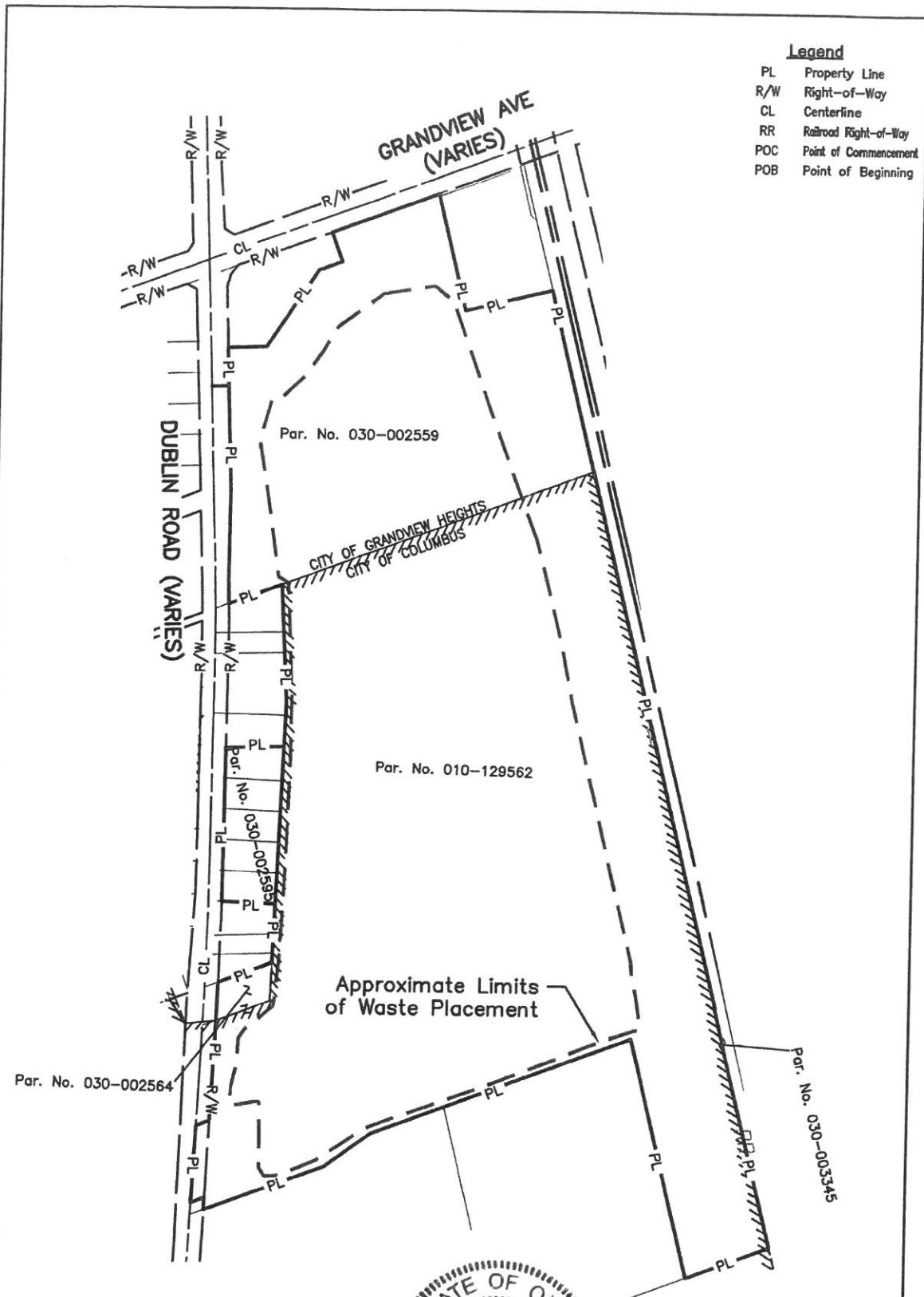
Allot
(030)
2564



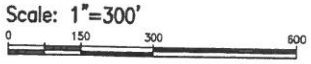
Attachment 2 – Limits of Waste Placement / Fill and Clean Soil Cover

Legend

- PL Property Line
- R/W Right-of-Way
- CL Centerline
- RR Railroad Right-of-Way
- POC Point of Commencement
- POB Point of Beginning



Approximate Limits of Waste Placement



BY: *Matthew Lee Sloat* 1/29/19
 Matthew L. Sloat, P.E., P.S. Date
 Registered Surveyor No. 8342

E. P. FERRIS
 AND ASSOCIATES
 INC.
 Consulting Civil Engineers and Surveyors

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 www.EPFERRIS.com

**GRANDVIEW CROSSING
 APPROXIMATE LIMITS OF
 WASTE PLACEMENT**
 CITY OF GRANDVIEW HEIGHTS, OHIO
 CITY OF COLUMBUS, OHIO

JOB NO.	1005.009
DRAWN BY:	CK
CHECKED BY:	MLS
APPROVED BY:	MLS
DATE:	1-25-19