

To be recorded with Deed – ORC §317.08

First Amendment of the Environmental Covenant Entered into with the Ohio Environmental Protection Agency and Recorded July 11, 2012

This document (“First Amendment”) is an amendment of the “Environmental Covenant, Ohio Water Pollution Control Loan Fund, Water Resource Restoration Sponsor Program, Lower Olentangy River Watershed, Columbus 5th Avenue Dam Removal and Riparian Restoration Project, WPCLF WR390274-0150” recorded July 11, 2012, in the Franklin County Recorder’s Office as Instrument No. 201207110098679 (“Original Covenant”).

This First Amendment is entered into as of the last date of signature below by and among the CITY OF COLUMBUS, OHIO, a municipal corporation (“City”) an Owner and a Holder, and the STATE OF OHIO, acting by and through the Ohio Environmental Protection Agency (“Ohio EPA”), a non-holding party.

This First Amendment corrects the ownership of the Property subject to the Original Covenant.

RECITALS

- A. The Original Covenant with the First Amendment is collectively referred to as the “Covenant”.
- B. The Covenant is tied to Water Pollution Control Loan Fund #WR390274-0150.
- C. The Original Covenant affected an approximately 10.677-acre tract of real property (the “Property” as defined in the Original Covenant).
- D. When the Original Covenant was entered in 2012, paragraph 2 of the Original Covenant incorrectly identified the area owned by the City. Specifically, the Original Covenant excluded approximately 1.102 acres of real property located in the area of the Lane

Avenue Bridge which the City had acquired in 2008 via Instrument No. 200805090072140 recorded on May 9, 2008, in the Franklin County Recorder's Office.

E. This First Amendment addresses paragraph D above.

NOW THEREFORE, the parties to this First Amendment hereby agree to amend the Covenant as follows:

1. The language in Paragraph 2 of the Original Covenant is deleted and replaced as follows to redefine the "Property":

This Covenant concerns approximately 10.677 acres of real property (the "Property") located in Franklin County, Ohio, owned by the City of Columbus, as defined in Exhibit A attached to the Original Covenant. The Property also includes an additional approximately 1.102 acres described in the attached Exhibit X (comprising 36.578 acres and 1.723 acres), less and excepting out the area described in the attached Exhibits A-1 and A-2 (comprising 35.746 acres and 1.453 acres).

2. Miscellaneous. The recitals portion of this First Amendment is hereby incorporated by reference. Other than the above, no other terms of the Covenant are amended herein.

(The remainder of this page is intentionally blank.)

IN WITNESS WHEREOF, the parties to this First Amendment hereby agree to the foregoing as of the last date written below:

CITY OF COLUMBUS, Ohio, a municipal corporation

By: _____

Print Name: _____

Date: _____

ACKNOWLEDGMENT

This is an acknowledgement certificate; no oath or affirmation was administered to the signor with regard to this notarial act.

State of Ohio
ss:
Franklin County

The foregoing instrument was acknowledged before me this _____ day of _____, 2026, by _____ of the City of Columbus, Ohio, on behalf of the City of Columbus, Ohio.

Notary Public, State of Ohio
My Commission Expires: _____

[The remainder of this page intentionally blank]

“Ohio EPA”
STATE OF OHIO, acting by and through the Ohio
Environmental Protection Agency

By: _____
John Logue, Director of the Ohio
Environmental Protection Agency

Date: _____

ACKNOWLEDGMENT

This is an acknowledgement certificate; no oath or affirmation was administered to the signor with regard to this notarial act.

State of Ohio
ss:
Franklin County

The foregoing instrument was acknowledged before me this ____ day of _____, 2026, by John Logue, Director of the Ohio Environmental Protection Agency, on behalf of the Ohio Environmental Protection Agency.

Notary Public, State of Ohio
My Commission Expires: _____

This Instrument Prepared By:
David E. Peterson
Columbus City Attorney
77 N. Front Steet, 4th Floor
Columbus, Ohio 43215

EXHIBIT X

EXHIBIT "A-1"

LEGAL DESCRIPTION AND SURVEY OF PROPERTY

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Section 3, Township 1, Range 18, United States Military Lands, lying on, over and across that 12.11 acre tract conveyed to the State of Ohio "OSU" by deed of record in Deed Book 959, Page 186, 6.549 acre tract conveyed to the State of Ohio "OSU" by deed of record in Deed Book 2160, Page 644, 335.948 acre tract conveyed to the State of Ohio "OSU" by deeds of record in Deed Book 428, Page 192, Deed Book 515, Page 574, Deed Book 1206, Page 371 and Deed Book 1593, Page 566, that tract conveyed to the State of Ohio "OSU" by deed of record in Deed Book 641, Page 242, 324.26 acre tract conveyed to the State of Ohio "OSU" by deed of record in Deed Book 103, Page 547 and that tract conveyed to the State of Ohio "OSU" by deed of record in Deed Book 602, Page 561 (all records herein of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning at the southwesterly corner of said 12.11 acre tract on the centerline of King Avenue (60 feet in width);

Thence the following courses and distances along the easterly right-of-way line of State Route 315;

North 06°46'08" East, a distance of 54.12 feet, to a point;

North 56°38'06" East, a distance of 46.38 feet, to a point;

North 08°47'05" East, a distance of 99.66 feet, to a point;

North 26°28'36" East, a distance of 69.35 feet, to a point;

North 21°03'52" East, a distance of 218.02 feet, to a point;

North 09°41'16" West, a distance of 241.57 feet, to a point;

Thence North 03°33'56" East, a distance of 1171.57 feet, over and across said 12.11 acre tract, to a point on the line common to said 12.11 acre and 6.549 acre tracts;

Thence the following courses and distances along the existing easterly low water mark of the Olentangy River and the meanders thereof;

North 23°30'12" East, a distance of 155.23 feet, to a point;

North 02°37'07" West, a distance of 398.34 feet, to a point;

North 19°49'56" West, a distance of 489.50 feet, to a point;

North 04°37'47" West, a distance of 159.06 feet, to a point;

North 07°58'18" West, a distance of 146.64 feet, to a point;

EXHIBIT "A-1"

LEGAL DESCRIPTION AND SURVEY OF PROPERTY - Continued

North 12°35'54" East, a distance of 223.00 feet, to a point;

North 16°03'09" East, a distance of 278.35 feet, to a point;

North 14°21'48" East, a distance of 39.51 feet, to a point;

Thence the following courses and distances over and across said 335.948 acre tract and continuing along the existing easterly low water mark of the Olentangy River and the meanders thereof;

North 32°11'00" East, a distance of 116.03 feet, to a point;

North 23°51'16" East, a distance of 485.14 feet, to a point;

North 04°45'26" East, a distance of 810.29 feet, to a point;

North 07°27'50" East, a distance of 454.95 feet, to a point;

North 12°45'38" East, a distance of 129.00 feet, to a point;

North 17°46'51" East, a distance of 10.32 feet, to a point on the southerly line of that 2.443 acre tract as conveyed to the City of Columbus by deed of record in Instrument Number 200805090072140;

Thence South 86°03'33" East, a distance of 330.69 feet, along the southerly line of said 2.443 acre tract to a point;

Thence the following courses and distances over and across that tract conveyed to the State of Ohio "OSU" by deed of record in Deed Book 641, Page 242;

South 09°17' 11" West, a distance of 38.10 feet, to a point;

South 03°58'59" West, a distance of 250.51 feet, to a point;

South 11°48'47" West, a distance of 386.85 feet, to a point on the northerly line of said 324.26 acre tract;

Thence the following seven (7) courses and distances over and across said 324.26 acre tract;

South 03°01'04" West, a distance of 651.14 feet, to a point;

South 17°50'09" West, a distance of 331.92 feet, to a point;

South 29°25'03" West, a distance of 693.90 feet to a point;

EXHIBIT "A-1"

LEGAL DESCRIPTION AND SURVEY OF PROPERTY - Continued

South 12°04'45" West, a distance of 338.59 feet, to a point;

South 16°54'51" East, a distance of 581 .33 feet, to a point;

South 02°53'00" West, a distance of 248.85 feet, to a point;

South 08°09'52" West, a distance of 797.83 feet, to a point on the southerly line of said 324.26 acre tract;

Thence the following courses and distances over and across that tract conveyed to the State of Ohio "OSU" by deed of record in Deed Book 602, Page 561;

South 07°57'09" West, a distance of 145.25 feet, to a point;

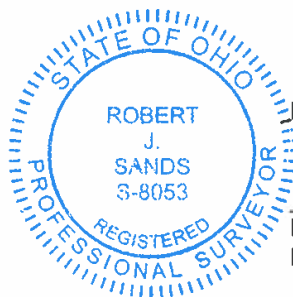
South 02°38'09" East, a distance of 1093.76 feet, to a point;

South 07°18'22" West, a distance of 210.91 feet. to a point on the centerline of King Avenue;

Thence South 87°29'10" East, a distance of 364.90 feet, along the centerline of said King Avenue to the **Point of Beginning**, containing 35.746 acres, more or less, and being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the assumed bearing of North 87°29'10" West, for the northerly right-of-way line of King Avenue.

Information in the above description is based on record information from the Franklin County Recorder's Office and Franklin County Auditor's Office and not from an actual field survey.

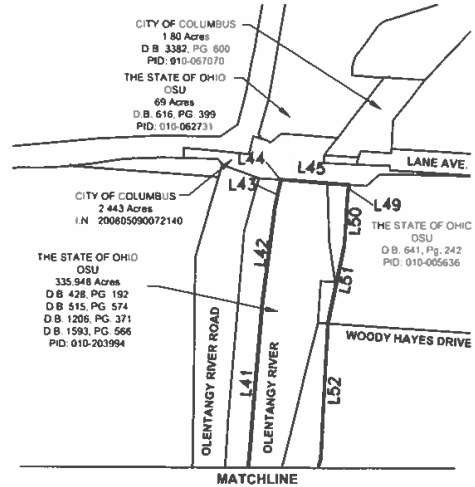
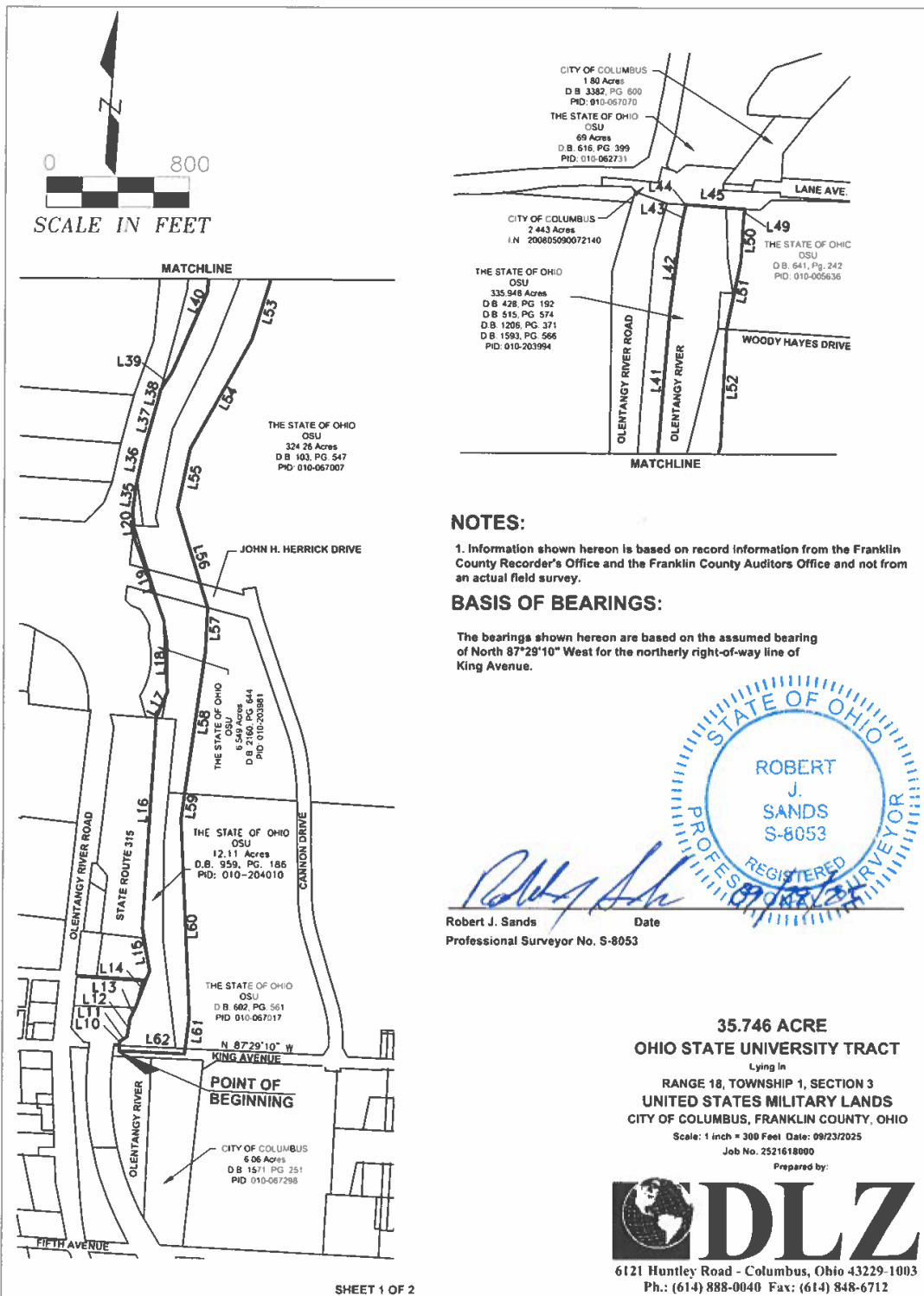


DLZ Ohio, Inc.

Robert J. Sands 09/29/25
Robert J. Sands Date
Professional Surveyor No. S-8053

EXHIBIT "A-1"

LEGAL DESCRIPTION AND SURVEY OF PROPERTY - Continued

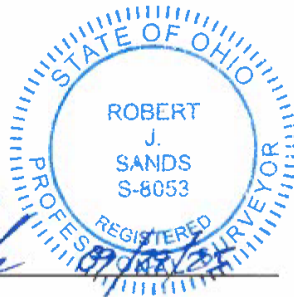


NOTES:

1. Information shown hereon is based on record information from the Franklin County Recorder's Office and the Franklin County Auditors Office and not from an actual field survey.

BASIS OF BEARINGS:

The bearings shown hereon are based on the assumed bearing of North 87°29'10" West for the northerly right-of-way line of King Avenue.



Robert J. Sands Date
Professional Surveyor No. S-8053

35.746 ACRE
OHIO STATE UNIVERSITY TRACT
 Lying in
 RANGE 18, TOWNSHIP 1, SECTION 3
 UNITED STATES MILITARY LANDS
 CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO
 Scale: 1 inch = 300 Feet Date: 09/23/2025
 Job No. 2521618000
 Prepared by:

6121 Huntley Road - Columbus, Ohio 43229-1003
 Ph.: (614) 888-0040 Fax: (614) 848-6712

EXHIBIT "A-1"

LEGAL DESCRIPTION AND SURVEY OF PROPERTY - Continued

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L10	N 06°46'08" E	54.12'	L35	N 07°58'18" E	146.64'
L11	N 56°38'06" E	46.38'	L36	N 12°35'54" E	223.00'
L12	N 08°47'05" E	99.66'	L37	N 16°03'09" E	278.35'
L13	N 26°28'36" E	69.35'	L38	N 14°21'48" E	39.51'
L14	N 21°03'52" E	218.02'	L39	N 32°11'00" E	116.03'
L15	N 09°41'16" W	241.57'	L40	N 23°51'16" E	485.14'
L16	N 03°33'56" E	1171.57'	L41	N 04°45'26" E	810.29'
L17	N 23°30'12" E	155.23'	L42	N 07°27'50" E	454.95'
L18	N 02°37'07" W	398.34'	L43	N 12°45'38" E	129.00'
L19	N 19°49'56" W	489.50'	L44	N 17°46'51" E	10.32'
L20	N 04°37'47" W	159.06'	L45	S 86°03'33" E	330.69'
			L49	S 09°17'11" W	38.10'
			L50	S 03°58'59" W	250.51'
			L51	S 11°48'47" W	386.85'
			L52	S 03°01'04" W	651.14'
			L53	S 17°50'09" W	331.92'
			L54	S 29°25'03" W	693.90'
			L55	S 12°04'45" W	338.59'
			L56	S 16°54'51" E	581.33'
			L57	S 02°53'00" W	248.85'
			L58	S 08°09'52" W	797.83'
			L59	S 07°57'09" W	145.25'
			L60	S 02°38'09" E	1093.76'
			L61	S 07°18'22" W	210.91'
			L62	N 87°29'10" W	364.90'

**35.746 ACRE
ENVIRONMENTAL COVENANT**

Across
OHIO STATE UNIVERSITY TRACT

Lying in
**RANGE 18, TOWNSHIP 1, SECTION 3
UNITED STATES MILITARY LANDS
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO**

Scale: 1 inch = 800 Feet Date: 11/23/2025

Job No. 2521618000

Prepared by:



6121 Huntley Road - Columbus, Ohio 43229-1003
Ph.: (614) 888-0040 Fax: (614) 848-6712

EXHIBIT "A-2"

LEGAL DESCRIPTION AND SURVEY OF PROPERTY

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Section 3, Township 1, Range 18, United States Military Lands, lying on, over and across that 69 acre tract conveyed to the State of Ohio "OSU" by deed of record in Deed Book 616, Page 399, (all records herein of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning at the northeasterly corner of a 1.80 acre tract conveyed to the City of Columbus by deed of record in Deed Book 3382, Page 600 on the southerly line of C.O. Hunter's Marvine Addition, a subdivision of record in Plat Book 5, Page 232;

Thence South 38°00'27" West, a distance of 364.77 feet, along the westerly line of said 1.80 acre tract to a point on the northerly line of that 2.443 acre tract as conveyed to the City of Columbus by deed of record in Instrument Number 200805090072140;

Thence North 86°03'33" West, a distance of 218.80 feet, along the northerly line of said 2.443 acre tract to a point;

Thence the following courses and distances across said 69 acre tract:

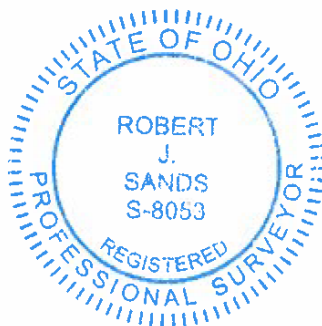
North 24°34'37" East, a distance of 129.81 feet, to a point;

North 58°07'24" East, a distance of 308.00 feet, to a point on the southerly line of said C.O. Hunter's Marvine Addition;

Thence South 86°15'28" East, a distance of 127.62 feet, along the southerly line of said C.O. Hunter's Marvine Addition to the **Point of Beginning**, containing 1.453 acres, more or less, and being subject to all easements, restrictions and rights-of-way of record.

The bearings in the above description are based on the assumed bearing of North 86°31'35" West, for the northerly right-of-way line of Lane Avenue.

Information in the above description is based on record information from the Franklin County Recorder's Office and Franklin County Auditor's Office and not from an actual field survey.

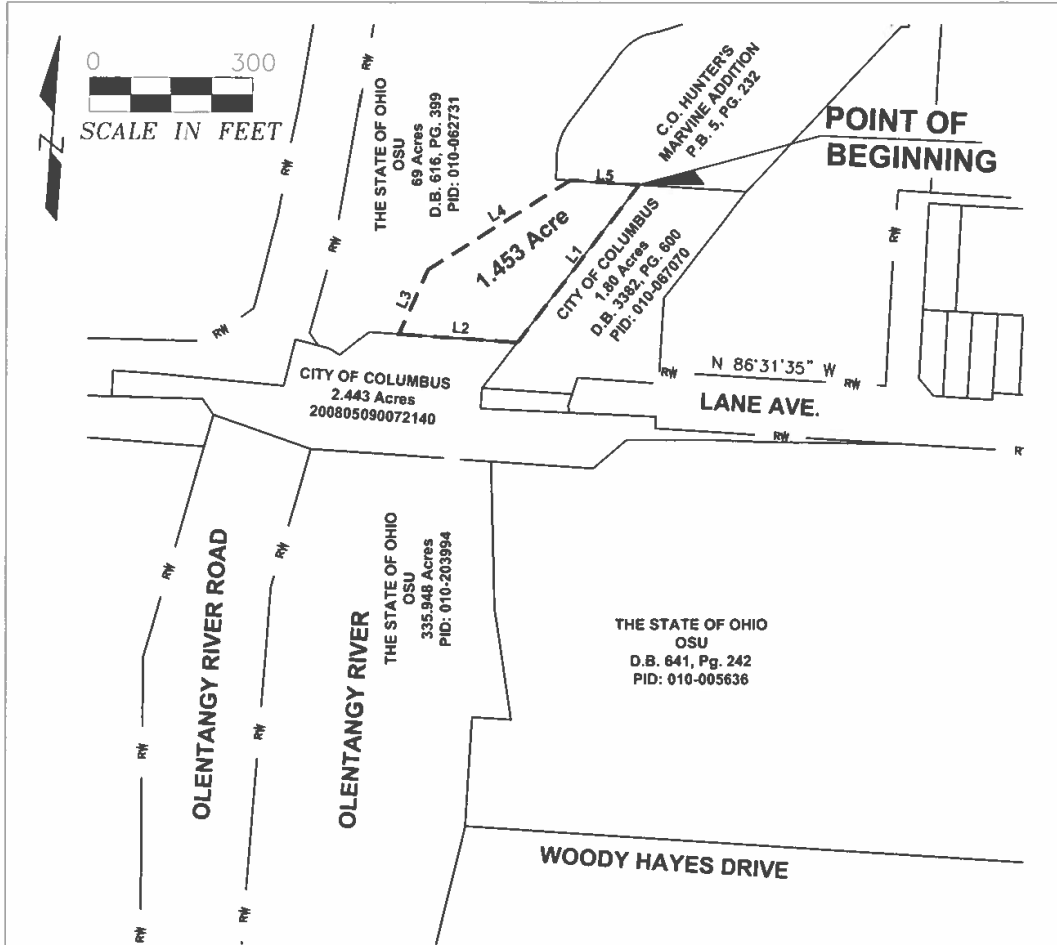


DLZ Ohio, Inc.

Robert J. Sands 09/29/25
Robert J. Sands Date
Professional Surveyor No. S-8053

EXHIBIT "A-2"

LEGAL DESCRIPTION AND SURVEY OF PROPERTY - Continued



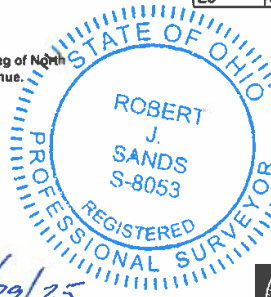
NOTES:

1. Information shown hereon is based on record information from the Franklin County Recorder's Office and the Franklin County Auditors Office and not from an actual field survey.

LINE	BEARING	DISTANCE
L1	S 38°00'27" W	364.77'
L2	N 86°03'33" W	218.80'
L3	N 24°34'37" E	129.81'
L4	N 58°07'24" E	308.00'
L5	S 86°15'28" E	127.62'

BASIS OF BEARINGS:

The bearings shown hereon are based on the assumed bearing of North 86°31'35" West for the northerly right-of-way line of Lane Avenue.



1.453 ACRE ENVIRONMENTAL COVENANT

Across
OHIO STATE UNIVERSITY TRACT
Lying in
RANGE 18, TOWNSHIP 1, SECTION 3
UNITED STATES MILITARY LANDS
CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

Scale: 1 Inch = 300 Feet Date: 09/23/2025
Job No. 2521618000

Prepared by:

Robert J. Sands
Robert J. Sands Date 09/29/25
Professional Surveyor No. S-8053



6121 Huntley Road - Columbus, Ohio 43229-1003
Ph.: (614) 888-0040 Fax: (614) 848-6712