



CITY OF PATASKALA BOARD OF ZONING APPEALS

City Hall, Council Chambers
621 West Broad Street
Pataskala, Ohio 43062

STAFF REPORT

March 9, 2021

Variance Application VA-21-013

Applicant:	Red Rock Investment Partners, LLC
Owner:	Amanda Reeves, Red Chip Farms, Inc. and Howard P Emswiler, Trustee
Location:	7409 Mink Street, 0 Mink Street (PID 063-140508-00.000), 0 Mink Street (PID 063-140724-00.000) and 0 Etna Parkway (PID 064-152898-00.001).
Acreage:	179.2-acres total
Zoning:	PM – Planned Manufacturing
Request:	Requesting approval of a variance from Section 1253.05(B) of the Pataskala Code to allow for the creation of a lot that will fail to meet the minimum lot width.

Description of the Request:

Requesting approval of a variance to allow the creation of a lot with a reduction of lot width from 500 feet to 100 feet.

Staff Summary:

The project site is comprised of four (4) properties totaling 179.2 acres. The first property, owned by Amanda Reeves, is 1.62 acres in size and contains a 1,694 square foot single-family home and a 1,260 square foot garage both constructed in 1919. The second and third properties, both owned by Red Chip Farms, Inc., are 108.24 acres and 43.29 acres respectively and are currently being used for agriculture. The fourth parcel, owned by Howard P. Emswiler, Trustee, is 26.05 acres and is also being used for agriculture.

The Applicant is planning on construction two warehouse/distribution buildings and associated site improvements. Building A, which would be constructed first, is 1,092,000 square feet and is located on the eastern portion of the site. Building B, which would be constructed second, is 982,000 square feet and is located on the western portion of the site along Mink Street. Additionally, the proposed North Access Road, which could be public or private, would run along the northern portion of the site connecting Mink Street and Etna Parkway. As shown on the site plan, the connection to Etna Parkway is crossing the property owned by AEP. Negotiations are ongoing to acquire property along Etna Parkway; however, it does not appear likely that AEP is willing to sell the required 500 feet due to their future plans for the property. Therefore, the applicant is requesting the variance to reduce the lot width requirement from 500 feet to 100 feet.

As stated in the Applicant's Narrative Statement, the reduction in lot width would allow the project to move forward while negotiations continue. The connection would direct heavy truck traffic to Etna Parkway and keep minimal passenger vehicle traffic on Mink Street. The roadway, regardless of being public or private, will be constructed to meet, if not exceed, city standards.

Staff Review:

The following review does not constitute recommendations but merely conclusions and suggestions from the Staff Summary.

Planning and Zoning Staff:

While the Code requires a minimum of 500 feet of lot width, staff feels that the reduction to 100 feet is appropriate in this instance. The connection to Etna Parkway is imperative for a project of this type as it directs heavy truck traffic to Etna Parkway, which was designed for this purpose. Should the road be dedicated as public, the 100 feet will allow adequate room for the road, sidewalks and right-of-way. Additionally, the reduction will allow AEP to better utilize their property for potential expansion of facilities.

SWLCWSD

The Water and Sewer has indicated that utility access will need to be considered if a connection is made to Etna Parkway. Full comments are attached.

West Licking Joint Fire District

The Fire District Fire District has outlined a number of items that will be required as part of the engineering/construction plans. Full comments are attached.

Other Departments and Agencies

No other comments received.

Surrounding Area:

Direction	Zoning	Land Use
North	PM – Planned Manufacturing	Fire Station Agriculture AEP Lay Down Yard
East	R-87 – Medium-Low Density Residential PM – Planned Manufacturing	Single-Family Home Agriculture
South	PDD – Planned Development District R-87 – Medium-Low Density Residential PM – Planned Manufacturing	Single-Family Homes Agriculture
West	GB – General Business	Single-Family Homes Agriculture

Variance Requirements:

According to Section 1211.07(1) of the Pataskala Code, the Board of Zoning appeals shall consider the following factors when determining if an area variance is warranted:

- Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property;*
- Whether there are unique physical circumstances or conditions that prohibit the property being developed in strict conformity with the zoning regulation such that a variance is necessary to enable the reasonable use of the property;*
- Whether the variance requested is substantial;*

- d. Whether the essential character of the neighborhood would be substantially altered or the adjoining properties would suffer a substantial detriment as a result of the variance;*
- e. Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property;*
- f. Whether the variance, if granted, will be detrimental to the public welfare;*
- g. Whether the variance, if granted, would adversely affect the delivery of government services;*
- h. Whether the property owner purchased the subject property with knowledge of the zoning restriction;*
- i. Whether the property owner's predicament can be obviated through some other method than variance;*
- j. Whether the variance, if granted, will represent the minimum variance that will afford relief and represent the least modification possible of the requirement at issue; and,*
- k. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.*

Furthermore, Section 1211.07(2) allows other factors to be considered, including comments from City staff, when determining if an area variance is warranted. The following factors from Section 1211.07(2) are applicable to Variance Application VA-21-013:

- None

Department and Agency Review

- Zoning Inspector – No comments
- Public Service – No comments
- City Engineer – No comments
- SWLCWSD – See attached
- Police Department – No comments
- West Licking Joint Fire District – See attached
- Licking Heights School District – No comments
- Southwest Licking School District – No comments

Conditions:

Should the Board choose to approve the applicant's request, the following conditions may be considered:

- None

Resolution:

For your convenience, the following resolution may be considered by the Board of Zoning Appeals when making a motion:

"I move to approve a variance from Section 1253.05(B) of the Pataskala Code for Variance Application VA-21-013 ("with the following conditions" if conditions are to be placed on the approval)."

From: [Chris Gilcher](#)
To: [Jack Kuntzman](#); [Scott Fulton](#); [Steven Blake](#); [Jim Roberts](#); [Scott Haines](#); [Bruce Brooks](#); [Doug White](#); [Philip Wagner](#); [Perkins, Kasey \(Southwest Licking Local Schools\)](#); [Chad Brown](#); [Alan Haines](#); [Chris Sharrock](#)
Subject: RE: BZA Review Memo for 03-09-2021
Date: Thursday, February 18, 2021 8:27:14 AM
Attachments: [image001.png](#)

CAUTION: This email message came from an external (non-city) email account. Do not click on any links within the message or attachments to the message unless you recognize the sender's email account and trust the content.

Jack,

Please see the District's comments below:

VA-21-006: No comments.

VA-21-011: No comments.

VA-21-012: No comments.

***VA-21-013:** Utility access from Etna Parkway needs to be considered if the variance is allowed at 100 LF of frontage.

***VA-21-014:** No comments.

***VA-21-015:** No comments.

If you have any questions, please feel free to contact me at any time.

Thanks,

CJ Gilcher
Utilities Superintendent
8718 Gale Road
Hebron, Ohio 43025
Ph: 740-928-2178 Cell: 614-348-6627



From: Jack Kuntzman <jkuntzman@ci.pataskala.oh.us>

Sent: Wednesday, February 17, 2021 1:42 PM

To: Scott Fulton <sfulton@ci.pataskala.oh.us>; Steven Blake <sblake@ci.pataskala.oh.us>; Jim Roberts <jroberts@hullinc.com>; Scott Haines <shaines@hullinc.com>; Bruce Brooks <bbrooks@pataskalapolicy.net>; Doug White <DWhite@westlickingfire.org>; Philip Wagner <pwagner@lhschools.org>; Perkins, Kasey (Southwest Licking Local Schools) <kperkins@laca.org>; Chris Gilcher <cgilcher@swlcws.com>; Chad Brown <cbrown@lickingcohealth.org>; Alan Haines <ahaines@ci.pataskala.oh.us>; Chris Sharrock <csharrock@ci.pataskala.oh.us>

Subject: BZA Review Memo for 03-09-2021

Importance: High

Good Afternoon Everyone,

You are receiving this email because one or more of the Applications submitted for the March 9, 2021 Board of Zoning Appeals is within your jurisdiction. Please see the list below for which Applications are being submitted for your review.

VA-21-006: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, CJ Gilcher, Alan Haines

VA-21-007: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, Chad Brown, Alan Haines

VA-21-008: Steven Blake, Jim Roberts, Chris Sharrock, Bruce Brooks, Doug White, Kasey Perkins, Alan Haines

VA-21-009: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, Chad Brown, Alan Haines

VA-21-010: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, Chad Brown, Alan Haines

VA-21-011: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, Kasey Perkins, CJ Gilcher, Alan Haines

VA-21-012: Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, CJ Gilcher, Alan Haines

***VA-21-013:** Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, Kasey Perkins, CJ Gilcher, Alan Haines

***VA-21-014:** Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, Kasey Perkins, CJ Gilcher, Alan Haines

***VA-21-015:** Steven Blake, Jim Roberts, Bruce Brooks, Doug White, Philip Wagner, Kasey Perkins, CJ

Gilcher, Alan Haines

If you have any comments or concerns regarding these applications, please have them submitted to me by at least February 26th. They will be included in the Staff Report that is given to the Board members.

Note: '*' Applications in reference to same project, Applicant chose to submit a single application per Variance request. Scott and Jim, you won't be reviewing these ones.

Here is a link to download the review memo:

https://pataskala-my.sharepoint.com/:f:/g/personal/jkuntzman_ci_pataskala_oh_us/EqsOkCYgx_BDILmsULBzHGQB6ilyzIFp-v78_dptiXdzSA?e=aiGP19

JACK R. KUNTZMAN

City Planner

City of Pataskala

621 West Broad Street, Suite 2-A

Pataskala, Ohio 43062



WEST LICKING JOINT FIRE DISTRICT

www.westlickingfire.org

District Headquarters

851 East Broad Street
Pataskala, Ohio 43062
740-927-8600 [Office]
740-964-6621 [Fax]
www.westlickingfire.org

February 22, 2021

Subject: Plan review for Buckeye Farms

Jack,

The West Licking Fire District has reviewed the plans for Buckeye Farms I-70 at Etna Parkway and we have the following comments.

- 1) All fire hydrants on a private system shall have the bonnet of the hydrant painted blue. **This comment shall be added to the detail page of the construction plans.**
- 2) Each project shall provide 1 spare "screw on" type Stortz fitting for every (5) fire hydrants installed on the water line to be used at the discretion of the Fire District. They shall be delivered to the Fire District prior to the final acceptance of the project. **This comment shall be added to the detail page of the construction plans.**
- 3) All fire hydrants shall have: One (1) 5" Stortz connection / Two (2) 2.5" hose connections. **This comment shall be added to the detail page of the construction plans.**
- 4) All private fire hydrants shall be installed every 300' and out of the collapse zone. i.e. 1 ½ times the height of the building.
- 5) The FDC's shall be located in a remote location determined by the Fire Code Official within 40' of a hydrant.
- 6) All threads provided for the FDC's shall be a 5" Stortz fitting with a 30 degree angle towards the ground and at a height of 36" off of finish grade. **This comment shall be added to the detail page of the construction plans.**
- 7) The FDC shall be marked with a red aluminum sign, 18" in height and 24" wide. The sign shall have white letters reading "FDC" that are 6" in height and 1" stroke width. **This comment shall be added to the detail page of the construction plans.**
- 8) The water line shall be a minimum of 6" diameter line from the 5" Stortz fitting to the sprinkler riser. **This comment shall be added to the detail page of the construction plans.**
- 9) All fire hydrants, PIV's and FDC's that are in areas subject to vehicular traffic, impact bollards shall be installed per the 2017 edition of the Ohio Fire Code section 312 guidelines. **This comment shall be added to the detail page of the construction plans.**
- 10) FDC's shall be painted fire protection red. **This comment shall be added to the detail page of the construction plans.**
- 11) The following requirements are in addition to NFPA 24, and the Water Department jurisdiction that work is to be performed. Installation requirements: All clamps, rods, rod couplings or turnbuckles, bolts, washers and straps used below ground level shall

WEST LICKING JOINT FIRE DISTRICT

www.westlickingfire.org

be stainless steel. **This comment shall be added to the detail page of the construction plans.**

12) The Fire District requires a 48 hour notice for any inspections and testing.

13) The Fire District's regulations can be found on our website at westlickingfire.org

This concludes our comments at this time. If you have any questions please feel free to contact me.

Regards,

Doug White

dwhite@westlickingfire.org

Fire Marshal

West Licking Fire District

851 E. Broad St.

Pataskala Oh 43062

Office Phone # 740-927-3046 Opt. 2

Westlickingfire.org





CITY OF PATASKALA PLANNING & ZONING DEPARTMENT

621 West Broad Street, Suite 2A
Pataskala, Ohio 43062

VARIANCE APPLICATION

(Pataskala Codified Ordinances Chapter 1211)

Property Information	
Address: 7409 Mink Street	
Parcel Number: 063-140724-00.001; 063-140724-00.000; 063-140508-00.000; 064-152898-00.001	
Zoning: PM - Planned Manufacturing District	Acres: 1.62, 26.05, 108.24, 43.29
Water Supply:	
<input type="checkbox"/> City of Pataskala	<input checked="" type="checkbox"/> South West Licking <input type="checkbox"/> On Site
Wastewater Treatment:	
<input type="checkbox"/> City of Pataskala	<input checked="" type="checkbox"/> South West Licking <input type="checkbox"/> On Site

Applicant Information		
Name: Red Rock Investment Partners, LLC		
Address: PO Box 11747		
City: Columbia	State: SC	Zip: 29211
Phone: (803) 779-3025	Email: jbarker@redrockdevelopments.com	

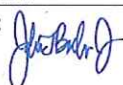


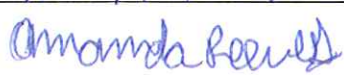
Property Owner Information		
Name: Reeves, Amanda; Emswiler, Howard P Trustee; Red Chip Farms Inc;		
Address: 7409 Mink Street; 13167 Morse Road		
City: Pataskala	State: OH	Zip: 43062
Phone:	Email:	

Staff Use
Application Number: VA-21-013
Fee: \$300.00
Filing Date: 02/12/2021
Hearing Date: 03/09/2021
Receipt Number: 21688

Documents
<input type="checkbox"/> Application
<input type="checkbox"/> Fee
<input type="checkbox"/> Narrative
<input type="checkbox"/> Site Plan
<input type="checkbox"/> Deed
<input type="checkbox"/> Area Map

Variance Information	1253.05(B)
Request (Include Section of Code): Chapter 1253.05 General Requirements of the PM District B Lot Area and Width: Every lot shall have a minimum width of 500 feet throughout, and the lot area of not less than five acres (217,800 square feet) in area, exclusive of road right-of-way.	
Describe the Project: The proposed development will construct two (2) industrial buildings, onsite access drives, parking facilities; onsite utilities and stormwater retention ponds.	

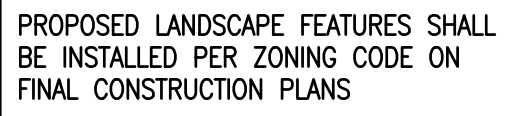
Documents to Submit
Variance Application: Submit 1 copy of the variance application.
Narrative Statement: Submit 1 copy of a narrative statement explaining the following: <ul style="list-style-type: none"> The reason the variance is necessary The specific reasons why the variance is justified as it pertains to Section 1211.07 of the Pataskala Code: <ol style="list-style-type: none"> Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property without the variance; Whether there are unique physical circumstances or conditions that prohibit the property from being developed in strict conformity with the zoning regulation such that a variance is necessary to enable the reasonable use of the property; Whether the variance requested is substantial; Whether the essential character of the neighborhood would be substantially altered or adjoining properties would suffer a substantial detriment as a result of the variance; Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property; Whether the variance, if granted, will be detrimental to the public welfare; Whether the variance, if granted, would adversely affect the delivery of governmental services; Whether the property owner purchased the subject property with knowledge of the zoning restriction; Whether the property owner's predicament can be obviated through some other method than variance; Whether the variance, if granted, will represent the minimum variance that will afford relief and represent the least modification possible of the requirement at issue; and, Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. A use variance must also meet the requirements described in Section 1211.07(B) of the Pataskala Code.
Site Plan: Submit 1 copy (unless otherwise directed by staff) of a site plan to scale of the subject property indicating the following: <ul style="list-style-type: none"> All property lines and dimensions Location and dimensions of all existing and proposed buildings and structures. Setbacks from property lines for all existing and proposed buildings, structures and additions Easements and rights-of-way Driveways Floodplain areas Location of existing wells and septic/aerator systems. Any other information deemed necessary for the variance request
Deed: Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained from the Licking County Recorder's website here: https://apps.lcounty.com/recorder/recording-search/
Area Map: Submit 1 copy of an area map showing the property and the surrounding area. Area maps can be obtained from the Licking County Auditor's website here: https://www.lickingcountyohio.us/

Signatures	
I certify the facts, statements and information provided on and attached to this application are true and correct to the best of my knowledge. Also, I authorize City of Pataskala staff to conduct site visits and photograph the property as necessary as it pertains to this variance request.	
Applicant (Required): 	Date: Feb. 12, 2021
Property Owner (Required):   	Date: Feb. 13-2021 Feb. 13-2021

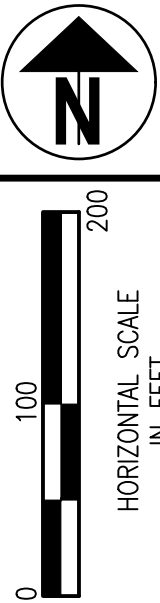
1253.05B Lot Area and Width

The proposed development relies heavily on connectivity to Etna Parkway as the major throughfare for industrial traffic in the area. This connectivity allows the heavy truck traffic to be directed to Etna Parkway and keep minimal passenger vehicle traffic on Mink Street. As the properties under contract do not have frontage on Etna Parkway, the developer is negotiating with American Electric Power (AEP) to acquire frontage along Etna Parkway which will allow the connection to be constructed. Until negotiations are completed with AEP, the roadway could be either public or private. However, based upon preliminary discussions and future plans shared by AEP, obtaining 500LF of frontage for this development to meet the code required frontage is not a likely possibility. The developer is requesting the variance to reduce the frontage and width requirement from 500LF to 100LF which will allow the development to move forward while negotiations continue. Regardless of the roadway being private or public, the roadway will be built to a minimum of the city standards, if not exceeding those standards.

- (a) Based upon the condition of Mink Street and the volume and type of traffic this development will generate the connection to Etna Parkway is a requirement to allow the development to move forward. Also, the limitation of what is available for purchase from AEP based on their future plans, makes this variance a necessity.
- (b) The lack of connectivity and condition of Mink Street would prevent the development from moving forward.
- (c) The lot can not be developed without the variance.
- (d) The area is planned/zoned as industrial and therefore the neighborhood would not be substantially altered.
- (e) The variance will allow the property to be developed as intended, to not grant the variance will impair the ability to develop as intended.
- (f) The variance will not be detrimental to the public welfare
- (g) The variance will not adversely affect the delivery of governmental services
- (h) The developer does not currently own the property but is under a due diligence contract with the property owner.
- (i) The alternate option would be to construct a public roadway through the site and turn that roadway over to the city for ownership and maintenance.
- (j) The variance is the minimum variance needed to allow the building construction.
- (k) The landscaping will be in place and therefore provide some screening for the dock while allowing the property to be developed as originally intended.

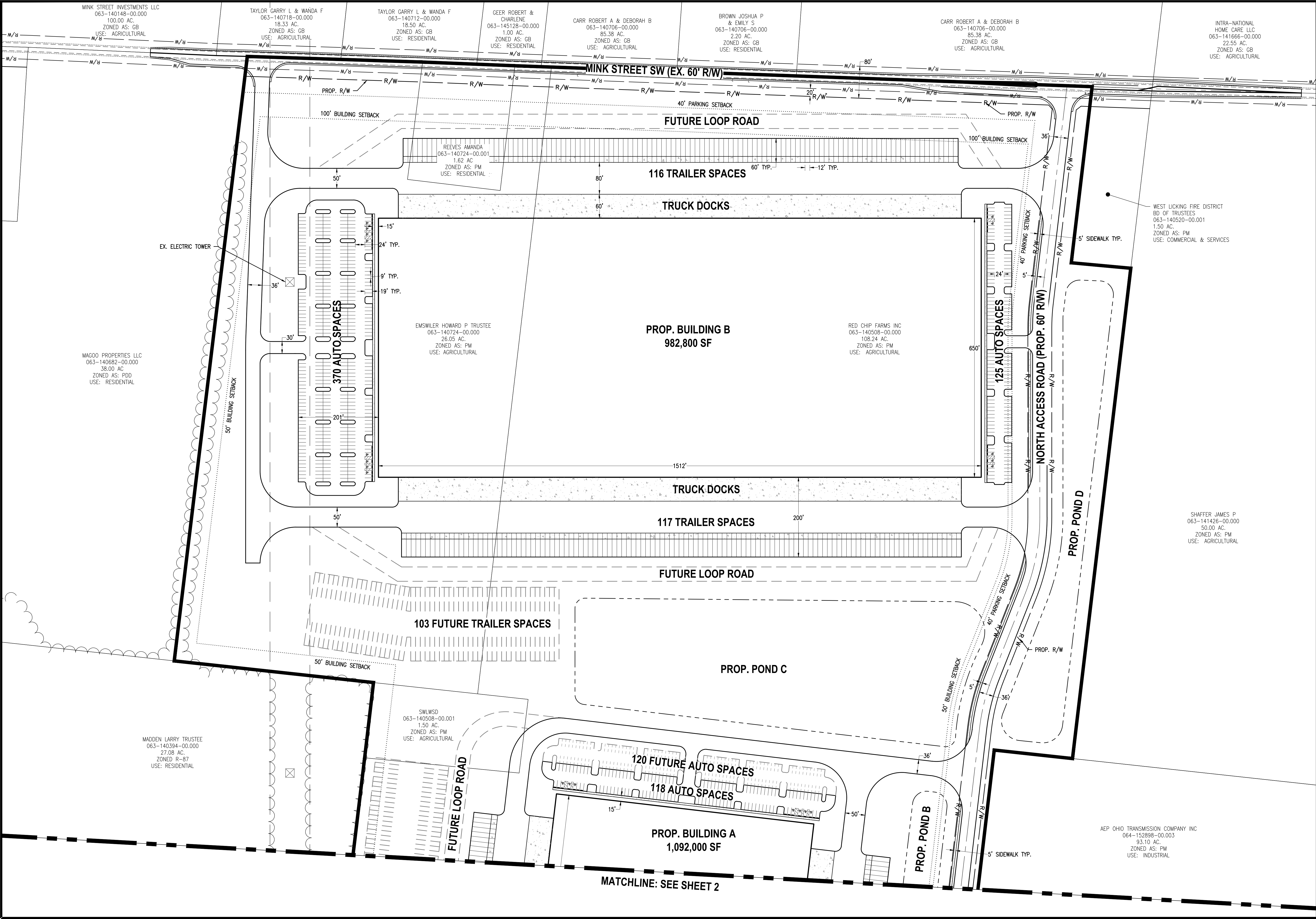


EMSWILER HOWARD P & ROSEMARY A TRUSTEE
064-152898-00.000
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ZONED AS: PM
USE: AGRICULTURAL

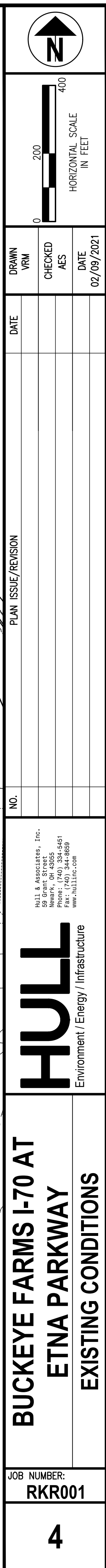


<div><div>JOB NUMBER:</div><div>RKR001</div><div>2</div></div>	<div><div>BUCKEYE FARMS I-70 AT</div><div>ETNA PARKWAY</div><div>BUILDING A SITE LAYOUT</div></div>	<div><div>HULL</div><div>Environment / Energy / Infrastructure</div></div>	<div><div>HULL & Associates, Inc.</div><div>59 Grant Street,</div><div>Provo, UT 84601</div><div>Phone : (740) 334-5451</div><div>Fax : (740) 334-5599</div><div>www.hullinc.com</div></div>				NO.	PLAN / ISSUE / REVISION	DRAWN VRM	DATE
					CHECKED AES					
						DATE 02/09/2021				

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HORIZONTAL SCALE IN FEET		
DRAWN	CHECKED	DATE
VRM	ACS	02/09/2021
DATE		
PLAN	ISSUE/REVISION	
NO.		
<p>HULL & ASSOCIATES, Inc. 98 Grant Street Phone: (760) 334-5451 www.hullinc.com</p> <p>HULL Environment/Energy/Infrastructure</p>		
<p>BUCKEYE FARMS I-70 AT ETNA PARKWAY BUILDING B SITE LAYOUT</p>		
JOB NUMBER: RKR001		
3		





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Pgs: 9 \$104.00 T20090014297
07/10/2009 4:03PM BXGAVE BACK T
Bryan A. Long
Licking County Recorder

FIDUCIARY DEED

**HOWARD P. EMSWILER, TRUSTEE OF THE HOWARD P. EMSWILER
REVOCABLE TRUST U/A DATED DECEMBER 27, 1978, AS AMENDED**, of Jersey
Township, Licking County, Ohio, for valuable consideration paid, grants, with fiduciary
covenants, to **RED CHIP FARMS, INC.**, an Ohio corporation, the following **REAL
PROPERTY**:

A one-half undivided interest in the property described in the legal
description and survey attached hereto respectively as Exhibits A
and B.

Excepting conditions, easements, restrictions, rights of way and
zoning and other governmental regulations of record and taxes and
assessments not yet due and payable which Grantee assumes and
agrees to pay as a part of the consideration herein.

Subject to: (1) An Open End Mortgage given by Howard P. Emswiler
and Rosemary A. Emswiler to Farm Credit Services of Mid-America,
ACA, dated January 6, 1997, which was recorded for record at
Volume 866, Page 725, of the Official Records of the Licking County
Recorder's Office; and, (2) An Assignment of Mortgage from Farm
Credit Services of Mid-America, ACA, to Farm Credit Services of Mid-
America, PCA, dated January 5, 2000, which was recorded for record
at Instrument No. 200001180001850 of the Licking County Recorder's
Office.

Also subject to the deed restrictions attached as Exhibit C.

Prior Instrument References: Instrument Numbers 199911100046323, 199911100046335, 199911100046325, and 200903020004064 of the Official Records of Licking County, Ohio.

Being all or part of the following tax parcel numbers: 064-152898-00.000, 063-144312-00.000, 063-144300-00.000, 063-144294-00.000, 063-144318-00.000, 063-144306-00.000, 063-140508-00.000, 063-140520-00.000, 063-140514-00.000, 063-144672-00.000, and 063-140724-00.000.

Witness my hand this 10th day of July, 2009.

Howard P. Emswiler, Trustee
Howard P. Emswiler, Trustee of the Howard P.
Emswiler Revocable Trust U/A Dated
December 27, 1978, as amended

State of Ohio

County of Licking

ss:

BE IT REMEMBERED, That on this 10th day of July, 2009,
before me, the subscriber, a Notary Public in and for said county, personally came,
Howard P. Emswiler, Trustee of the Howard P. Emswiler Revocable Trust U/A Dated
December 27, 1978, as amended, the Grantor in the forgoing Fiduciary Deed, who
acknowledged the signing thereof to be his voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed and affixed my seal on the
day and year aforesaid.



Notary Public

This instrument was prepared by:

Arnold E. Shaheen, Jr.
Attorney at Law
P. O. Box 49
Pataskala, OH 43062

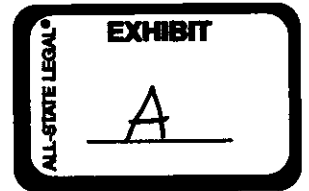


Lori A. Manges
Notary Public, State of Ohio
My Commission Expires 04-10-2012

E:\Shares\FILES\CLIENTS\Emswiler\08-45\howard deed rev 2.wpd

Tel: 740.344.5451
Fax: 740.344.5746

59 Grant Street
Newark, Ohio 43055



DESCRIPTION FOR A 296.544 ACRE TRACT.

Situated in the State of Ohio, County of Licking, City of Pataskala, being a part of Township-1, Range-15, United States Military Lands. Also being part of the following tracts: that 125 acre-Tract 2 as conveyed to the Howard P. Emswiler Trust by deed of record in Instrument Number 199911100046323, and as conveyed to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 19991110004624; that 67.65 acre-Parcel 1 parcel as conveyed to the Howard P. Emswiler Trust by deed of record in Instrument Number 199911100046335, and to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 199911100046336; that 55.85 acre- Parcel 4 as conveyed to the Howard P. Emswiler Trust by deed of record in Instrument Number 199911100046335, and to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 199911100046336; that 32.75 acre-Parcel 3 as conveyed to the Howard P. Emswiler Trust by deed of record in Instrument Number 199911100046335, and to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 199911100046336; that 22 acre-Parcel 2 as conveyed to the Howard P. Emswiler Trust by deed of record in Instrument Number 199911100046335, and to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 199911100046336; that 27.679 acre as conveyed to the Howard P. Emswiler Trust and to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 200903020004064; and part of Lots 4,5,6,7, and 8 of the Ijam's East Broad Street Parcels as conveyed to the Howard P. Emswiler Trust by deed of record in Instrument Number 19991110004625, and to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 199911100046326, all references being to those of record in the Recorder's Office, Licking County, Ohio, said 296.544 acre tract being more particularly bounded and described as follows:

Commencing at a point being the northwest corner Lot 4 of the Ijam's East Broad Street Parcels;

Thence along the westerly line of said Lot 4, **South 02°49'54" West**, a distance of **561.39 feet** to an iron pin set, said point being the Point of Beginning for the **296.544** acre tract herein to be described;

Thence passing through the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's Lots 4,5,6,7, and 8 of the Ijam's East Broad Street Parcels, the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's 55.85 acre-Parcel 4, the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's 125 acre-Tract 2, and the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's 91 acre-Tract 1 the following five (5) courses and distances:

South 44°45'34" East, 4134.71 feet to an iron pin set;

¹The term, "the Howard P. Emswiler Trust," as used herein, shall mean "the Howard P. Emswiler Revocable Trust U/A Dated December 27, 1978, as Amended." The term, "the Rosemary A. Emswiler Trust," as used herein, shall mean "the Rosemary A. Emswiler Revocable Trust U/A Dated December 27, 1978, as Amended."

DESCRIPTION FOR A 296.544 ACRE TRACT

Page 2

Southeasterly along the arc of a curve to the right (**Radius = 1000.00'**, **Delta = 30°57'11"**) a chord bearing and distance of **South 29°16'59" East, 533.69 feet** to an iron pin set;

South 13°48'23" East, 275.90 feet to an iron pin set;

Southeasterly along the arc of a curve to the left (**Radius = 1150.00'**, **Delta = 30°57'11"**) a chord bearing and distance of **South 29°16'59" East, 613.74 feet** to an iron pin set;

South 44°45'34" East, 81.58 feet to an iron pin set; and...

South 04°04'01" West, 10.09 feet to an iron pin set being the southeasterly corner of the Howard P. Emswiler Trust's and Rosemary A. Emswiler Trust's 91 acre-Tract 1;

Thence passing along the southerly line of the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's 125 acre-Tract 2, the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's 91 acre-Tract 1, and the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's 67.65 acre-Parcel 1 **North 86°48'18" West, 4143.69 feet** to an iron pin found at the southeasterly corner of the that 1.5 acre parcel as conveyed to SW Licking Community Water and Sewer by deed of record in Instrument Number 200503030006280;

Thence **North 03°00'54" East, 340.34 feet** to an iron pin found being the northeasterly corner of the SW Licking Community Water and Sewer 1.5 acre parcel;

Thence **North 86°58'44" West, 192.14 feet** to an iron pin found being the northwesterly corner of the SW Licking Community Water and Sewer 1.5 acre parcel;

Thence **South 03°01'40" West, 127.42 feet** to an iron pin set on the easterly line of the 27.679 acre parcel as conveyed to the Howard P. Emswiler Trust and the Rosemary A. Emswiler Trust by deed of record in Instrument Number 200903020004064, passing an iron pin found at 34.25 feet, being the southeasterly corner of the 32.75 acre-Parcel 3 as conveyed to the Howard P. Emswiler Trust and the Rosemary A. Emswiler Trust;

Thence across said 27.679 acre parcel **North 86°29'06" West, 1592.85 feet** to a point in the centerline of Mink Street (Co. Rd. 41), passing an iron pin set at **1562.85 feet**;

Thence passing along the centerline of Mink Street (Co. Rd. 41) **North 01°02'16" West, 93.46 feet** to a point being the southwesterly corner of the 32.75 acre-Parcel 3 as conveyed to the Howard P. Emswiler Trust and Rosemary A. Emswiler Trust;

Thence continuing along the centerline of Mink Street (Co. Rd. 41) **North 01°04'40" West, 1355.88 feet** to a point being the southwesterly corner of the Bd. Of Trust of West Licking Joint Fire 1.5 acre parcel as conveyed by deed of record in Deed Book 89, Page 296;

DESCRIPTION FOR A 296.544 ACRE TRACT

Page 3

Thence leaving the centerline of Mink Street (Co. Rd. 41) **South 86°24'21" East, 437.78 feet** to an iron pin set being the southeasterly corner of the The Board of Trustees of the West Licking Joint Fire District 1.5 acre parcel, passing an iron pin set at **30.00 feet**;

Thence **North 00°50'21" West, 150.00 feet** to an iron pin set being the northeasterly corner of The Board of Trustees of the West Licking Joint Fire District 1.5 acre parcel;

Thence along the northerly line of that 22 acre-Parcel 2 as conveyed to the Howard P. Emswiler Trust and the Rosemary A. Emswiler Trust **South 86°24'21" East, 1263.18 feet** to an iron pin set being the northeasterly corner of said 22 acre-Parcel 2;

Thence along the westerly line of that 67.65 acre-Parcel 1, and that 55.85 acre-Parcel 4 as conveyed to the Howard P. Emswiler Trust and the Rosemary A. Emswiler Trust **North 02°48'13" East, 1522.92 feet** to an iron pin set being the northwesterly corner of said 55.85 acre-Parcel 4;

Thence along the northerly line of said 55.85 acre-Parcel 4 **South 86°38'56" East, 534.28 feet** to an iron pin set being the southwesterly corner Lot 4 of the Ijam's East Broad Street Parcels;

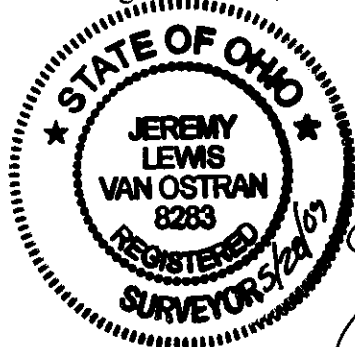
Thence along the westerly line of said Lot 4 **North 02°49'54" East, 739.89 feet** to **Point of Beginning** and containing **296.544 acres**, more or less, according to a survey conducted by Jobes Henderson and Associates, Inc. in December of 2008.

The bearings in the above description are based on the Ohio State Coordinates System, South Zone, NAD83, NAVD 88, Geoid03.

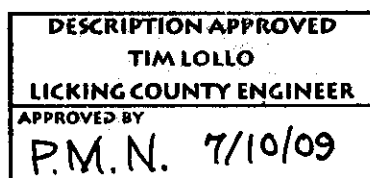
All iron pins set are 5/8" in diameter rebar by 30" in length with red identification caps marked "J&H, PS 8283".

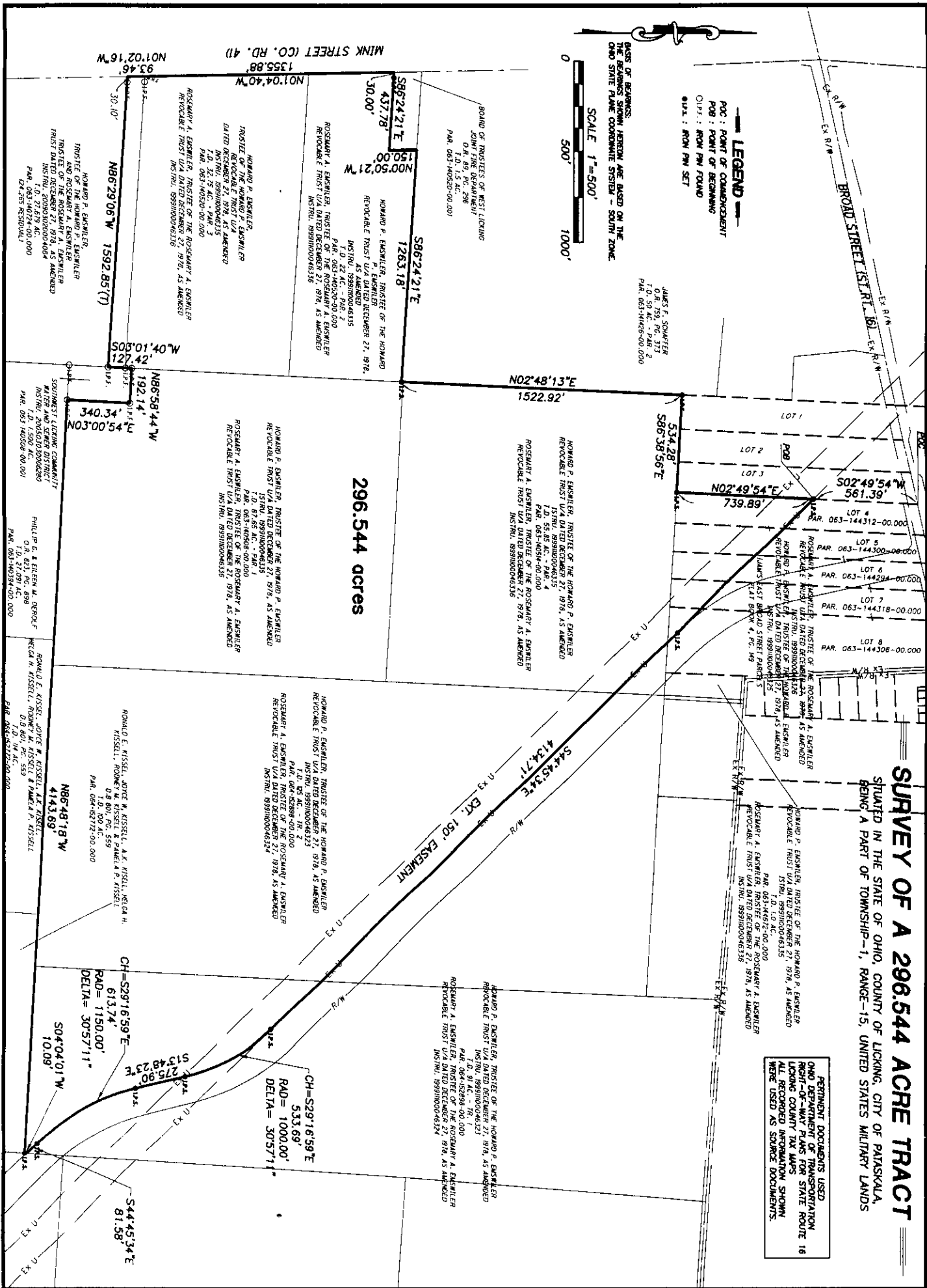
Subject to all valid and existing easements, restrictions and conditions of record.

December 24, 2008



TRANSFERRED
Date July 10, 2009
[Signature]
Licking County Auditor TH
[Signature]
Jeremy L. Van Ostran, P.S.
Surveyor No. 8283
SEC. 319.202 COMPLIED WITH
J. TERRY EVANS, AUDITOR
BY TH EXM.





The Corporation shall own and have the right to sell, lease, or transfer the JRS Site with the following Restrictions, which shall run with the land:

(i). Licking County, a political subdivision of the State of Ohio, through its Board of County Commissioners, the JRS Grantee, shall hold the power of enforcement over these Restrictions in accordance with the terms hereof ("County hold of JRS Site").

(ii) The Term of these Restrictions shall run from the date of the Job Ready Site ("JRS") Controlling Board approval to the earlier of: seven (7) years after the Project Completion Date; or the date following the Project Completion Date on which a proportion of the property equal to at least eighty-five percent (85%) of the property has been purchased by, leased by, or otherwise put to use for the purposes as provided under the Program ("Term of these Restrictions"). (See JRS Grant Agreement, as amended, on file with the Licking County Commissioners' Office, for definitions of terms and titles used herein), unless otherwise released by the Licking County Commissioners and the Ohio Department of Development ("ODOD") as provided for below.

(iii) The owner of the herein described "property", its successors and assigns, shall market and attempt to lease or sell the property for manufacturing uses under such requirements as are provided for in the Planned Manufacturing District ("PM") zoning regulations of the City of Pataskala, as amended or varied from time to time, during the Term of these Restrictions.

(iv) Not more than ten percent (10%) of the property can be used for educational, retail, residential, or governmental uses during the Term of these Restrictions.

(v) During the Term of these Restrictions, the purchase price of the property shall not exceed the following:

\$30,000 per gross acre until one year after the date the Project commences. Beginning one year after the date the Project commences, and annually thereafter, the purchase price may be increased at a rate of five percent (5 %) per annum (For example, property sold within one year after the date the Project commences may be sold for no more than \$30,000 per gross acre. Property sold after the first and before the second anniversary of the Project commencement date may be sold for \$31,500 per gross acre.)

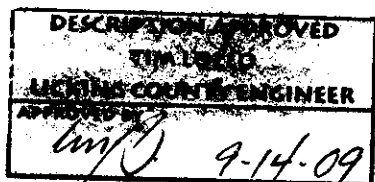
(vi) During the Term of these Restrictions, if requested by ODOD, the Grantor of the JRS Grant, and/or the County, the owner of the property will make its records available to ODOD and/or the County with respect to obligations delineated in these restrictions.

(vii) During the Term of these Restrictions, if the County determines in its sole discretion that the owner of the property has violated these Restrictions, the County shall provide written notice to the owner of its violation. The notice shall provide the owner with a thirty (30) day period to cure any and all violations. If the owner fails to remedy the stated violation(s) within said thirty (30) day period, the County may enforce these Restrictive Covenants by injunction and shall have the remedy of specific performance. Invalidation

by the judgment or decree of any Court of any of these provisions shall not invalidate the remainder of these covenants.

(viii) During the Term of these Restrictions if all or a part of the JRS Site (if permission is granted by ODOD for less than all) is sold or leased for manufacturing purposes in compliance with the terms of the JRS Grant Agreement and the Planned Manufacturing District zoning regulations of the City of Pataskala, as such document and such regulations may be amended, the Licking County Commissioners and ODOD shall provide a release of these Restrictions in recordable format to the owner that is sufficient in scope to allow the passage of marketable title, in accordance with the title standards of the Ohio State Bar Association, from the owner to the purchaser or lessee of the portion of the JRS Site that is either purchased or leased.

(ix) At the end of the Term of these Restrictions, if all or some portion of the JRS Site has not been purchased, leased, or used for manufacturing purposes, the Licking County Commissioners shall provide a release of these restrictions in recordable format in the same manner as provided for in the preceding paragraph in order that their natural termination, as provided for in paragraph (ii), above, may be formally recorded as a matter of public record.



200909140020157
Pgs: 4 \$48.00 T20090018906
09/14/2009 4:16PM BXHAYES TITLE
Bryan A. Long
Licking County Recorder



0115PA00600000012100

TRANSFERRED
Date September 14 2009
[Signature]
Licking County Auditor

SEC.319.202 COMPLIED WITH
J. TERRY EVANS, AUDITOR
BY LM 180.00

GENERAL WARRANTY DEED

Howard P Emswiler, Trustee of the Howard P. Emswiler Revocable Trust U/A dated December 27, 1978, as amended, and Rosemary A. Emswiler, Trustee of the Rosemary A. Emswiler Revocable Trust U/A dated December 27, 1978, as amended, of Licking County, Ohio, for valuable consideration paid, grant with general warranty covenants to **Amanda Reeves**, unmarried, whose tax mailing address is 7409 Mink Street, Pataskala, Ohio 43062, the following real property:

Situated in the County of Licking, in the State of Ohio and in the former Township of Lima, now by merger in the City of Pataskala, and being more fully described and delineated in the attached Exhibit "A", incorporated herein by reference.

Prior Deed Reference: Instrument Number 200903020004064, Licking County Recorder's Office, Licking County, Ohio.

Also known as: 7409 Mink Street, Pataskala, Ohio, 43062.
Auditor's Parcel #063-140724-00.000 (Parent Parcel)

Excepting conditions, easements, restrictions, rights of way and zoning and other governmental regulations of record and taxes and assessments not yet due and payable which Grantees assume and agree to pay as a part of the consideration herein, **but subject to the following restrictions which shall run with the land:**

1. Grantee, her successors and assigns, acknowledge that the 1.624 acres and contiguous acreage is zoned for industrial development and shall hold harmless such industrial uses on the contiguous acreage as permitted and maintained in accordance with the applicable zoning standards of the City of Pataskala.
2. Grantee, her successors and assigns, shall hold harmless said industrial uses from nuisance complaints as a result of the permitted industrial uses on the contiguous property including production of light, smoke, dust, noise, and/or odor and for provisions for traffic, storm water drainage, and hours of operation that are in accordance with the applicable zoning standards, but which may impact the quiet enjoyment of the 1.624 acres by Grantee, her successors and assigns.
3. Grantee, her successors and assigns, agrees that the maximum buffer required by and on contiguous property developed for industrial uses shall be fifty (50) feet or such distance permitted between contiguous industrial uses at the time of development under the applicable zoning code.

Grantors, to the extent necessary, hereby release all rights of dower therein.

Grantee and Grantors acknowledge this Deed constitutes a termination by merger of the lease memorialized in the document recorded as Instrument Number 200905190010632, Licking County Recorder's Office.

Executed this 22nd day of August, 2009.

Howard P Emswiler, Trustee

Howard P Emswiler, Trustee of the Howard P. Emswiler Revocable Trust U/A dated December 27, 1978, as amended

Rosemary A. Emswiler, Trustee

Rosemary A. Emswiler, Trustee of the Rosemary A. Emswiler Revocable Trust U/A dated December 27, 1978, as amended

State of Ohio
County of Licking SS:

Executed before me this 22nd day of August, 2009 by Howard P Emswiler, Trustee of the Howard P. Emswiler Revocable Trust U/A dated December 27, 1978, as amended, and Rosemary A. Emswiler, Trustee of the Rosemary A. Emswiler Revocable Trust U/A dated December 27, 1978, as amended, who, under penalty of perjury in violation of section 2921.11 of the Revised Code, represented to me to be said persons.

[Signature]
NOTARY

Recorder: Please cross-reference to Instrument No. 200905190010632, Licking County Recorder's Office, Licking County, Ohio.

This document prepared by: William C. Hayes, Pataskala, Ohio



LAURIE WELLS, ATTORNEY AT LAW
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date
Section 147.03 R.C.



www.jobeshenderson.com

Tel: 740.344.5451
Fax: 740.344.5746

59 Grant Street
Newark, Ohio 43055

LEGAL DESCRIPTION FOR 1.624 ACRE PARCEL

Situated in the State of Ohio, County of Licking, City of Pataskala (formerly the Township of Lima), and being a part of Lot 3 of the Third Quarter, Township 1N, Range 15W, of the United States Military Lands, and being 1.624 acres of that 27.679 acre tracts as conveyed to Howard P. Emswiler, Trustee of the Howard P. Emswiler Trust and Rosemary A. Emswiler, Trustee of the Rosemary A. Emswiler Trust Dated December 27, 1978, as Amended, by deeds of record in Instrument 200903020004064, all references being to those of record in the Recorder's Office, Licking County, Ohio, said 1.624 acre tract being more particularly bounded and described as follows:

Commencing for reference at mag nail found marking the intersection of the North line of Lot 3 and the centerline of Mink Street, also being the Northwest corner of that 1.50 acre tract of land as conveyed to The Board of Trustees of the West Licking Joint Fire District by deed of record in Official Record Volume 89, Page 296;

Thence along the centerline of Mink Street, **South 01°04'40" East, 1505.93 feet** to a mag nail found marking the northwest corner of said 27.679 acre tract;

Thence continuing along said centerline, **South 01°02'16" East, 93.46 feet** to the **Point of Beginning** of the herein described 1.624 acre tract;

Thence across said 27.679 acre tract, the following three (3) courses and distances:

South 86°29'06" East, passing an iron pin set at **30.10 feet**, a total distance of **315.25 feet** to an iron pin set;

South 03°30'54" West, 231.09 feet to an iron pin set, and ...

North 86°29'06" West, passing an iron pin set at **266.75 feet**, a total distance of **296.85 feet** to a point on the centerline of Mink Street;

Thence along the said centerline, **North 01°02'16" West, 231.82 feet** to the **Point of Beginning** and containing **1.624 acres** more or less, according to a survey conducted by Jobes Henderson & Associates, Inc. in April of 2009.

LEGAL DESCRIPTION FOR 1.624 ACRE PARCEL

Page 2

The bearings in the above description are based on the Ohio State Plane Coordinate System.

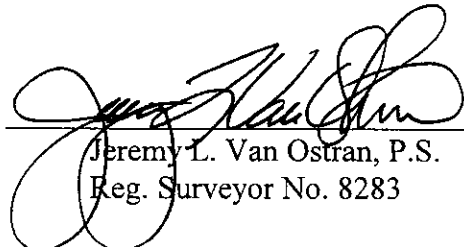
All iron pins set are 5/8" in diameter rebar by 30" in length with red surveyors identification caps marked "J&H, 8283".

Subject to all valid and existing easements, restrictions and conditions of record.

June 11, 2009

MAL01-26\Legals\1.624 Tract.doc





Jeremy L. Van Ostran, P.S.
Reg. Surveyor No. 8283



200903020004064

Pgs: 4 \$44.00 T20090004072
03/02/2009 2:58PM BXHAYES BOX
Bryan A. Long
Licking County Recorder

GENERAL WARRANTY DEED

^(AKA BONNER C. LINN II)
^(AKA OLA D. LINN)
Bonner Linn II and Ola Linn, husband and wife, for valuable consideration paid, grant with general warranty covenants to **Howard P. Emswiler, Trustee of the Howard P. Emswiler Trust dated December 27, 1978, as amended**, or assigns, of Licking County, Ohio, and **Rosemary A. Emswiler, Trustee of the Rosemary A. Emswiler Trust dated December 27, 1978, as amended**, or assigns, of Licking County, Ohio, whose tax mailing address is 13167 Morse Road SW, Pataskala OH 43062, the following real property:

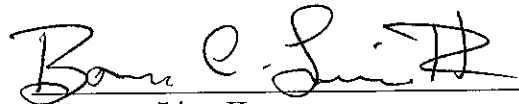
Situated in the State of Ohio, County of Licking, and City of Pataskala, and being further bounded and described on the attached exhibit "A", incorporated herein by reference.

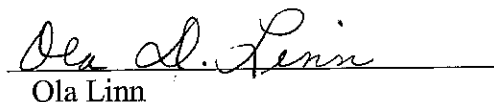
Prior Deed Reference: *Instrument Numbers 200104120012014; 200105150016696; 200106040019381; 200203060008747; and, 200208260031824, Licking County Recorder's Office, Licking County, Ohio.*

Also known as: 7409 Mink Street, Pataskala, Ohio 43062
Auditor's Parcel # 63-140724-00.000

Excepting conditions, easements, restrictions, rights of way and zoning and other governmental regulations of record and taxes and assessments not yet due and payable which Grantees assume and agree to pay as a part of the consideration herein.

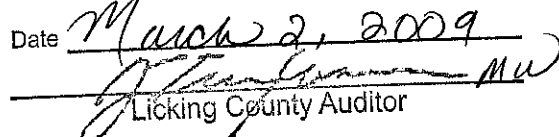
Executed this 20th day of February, 2009.


Bonner Linn II

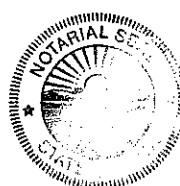

Ola Linn

State of Ohio
County of Licking SS:

Executed before me this 20th day of February, 2009 by Bonner Linn II and Ola Linn, who, under penalty of perjury in violation of section 2921.11 of the Revised Code, represented to me to be said persons.

TRANSFERRED
Date March 2, 2009

Licking County Auditor


NOTARY



LAURIE WELLS, ATTORNEY AT LAW
NOTARY PUBLIC, STATE OF OHIO
(My Commission has no expiration date.)
Section 147.03 R.C.

SEC.319.202 COMPLIED WITH
J. TERRY EVANS, AUDITOR
BY MW 52000

This Document Has Been Prepared By:
Laurie R. Wells

195 E. Broad Street*PO Box 958*Pataskala, Ohio 43062-0958*(740) 927-2927*(800) 536-8678*Fax:(740) 927-3060
www.hayesoffices.com

Exhibit "A"
Legal Description
27.679 Acres
all of Ola D. Linn parcel: Instrument No. 2001-04120012014

Situated in the City of Pataskala (formerly the Township of Lima), County of Licking, State of Ohio, and being a part of Lots 2 & 3 of the Third Quarter, Township 1N, Range 15W, of the United States Military Lands, and being more particularly described as follows;

Being a Survey of all of a parcel conveyed to Ola D. Linn, as recorded in Instrument No. 2001-04120012014, in the Licking County Deed Records, and being all of Auditor's Parcel No. 63-140724-00.000, and further described as follows;

Commencing at a mag nail found marking the intersection of the North line of Lot 3 and the centerline of Mink Street, also being the Northwest corner of a parcel conveyed to The Board of Trustees of the West Licking Joint Fire District, as recorded in O.R. Volume 89, Page 296;

Thence, S 00°49'31" E 1504.15 feet with the centerline of Mink Street, to a mag nail found marking the Southwest corner of a parcel conveyed to Howard P. Emswiler, Trustee of the Howard P. Emswiler Revocable Trust, as recorded in Instrument No. 1999-11100046335, and being the PRINCIPLE PLACE OF BEGINNING of the 27.679 acre parcel herein to be described;

Thence, S 86°11'19" E 1599.48 feet to an iron pin set on the West line of a parcel conveyed to Southwest Licking Community Sewer and Water District, as recorded in Instrument No. 2005-03030006280, and passing over an iron pin set at 30.00 feet;

Thence, S 03°15'12" W 771.99 feet with the West line of said parcel conveyed to Southwest Licking Community Sewer and Water District, and extending along part of the West line of a parcel conveyed to Phillip G. & Eileen M. Derolf, as recorded in Deed Volume 823, Page 898, to an iron pin set marking the Northeast corner of a parcel conveyed to Sean & Barbara Brogan, as recorded in Instrument No. 1997-11060006101;

Thence, N 85°53'51" W 1545.24 feet with the North line of said parcel conveyed to Brogan, to a mag nail set in the centerline of Mink Street, and passing over an iron pin set at 1515.24 feet;

Thence, N 00°49'31" W 764.27 feet with the centerline of Mink Street, to the PRINCIPLE PLACE OF BEGINNING, and containing 27.679 Acres, more or less, and is subject to all legal easements, right of ways, restrictions, and zoning ordinances of record.

Bearings of the above description are based on the centerline of Mink Street (Co. Road 41), as being S 00°49'31" E, and is an assumed Meridian used to denote angles only.

Subject to a 100 foot wide overhead electric transmission line easement.

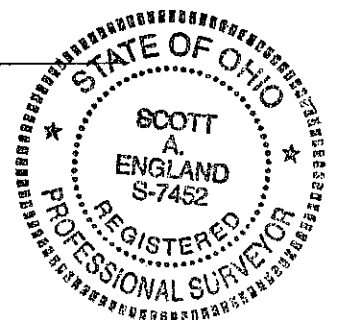
All iron pins set are 5/8" o.d. iron pins 30" long with red caps labeled "S.A. ENGLAND #S-7452".

The above description was prepared by S.A. England & Associates, under the direct supervision of Scott A. England, Ohio Registered Surveyor #S-7452 in February of 2009.

Dated

2/9/09

Scott A. England, P.S.
Ohio Registered Surveyor #7452



2310-09LI

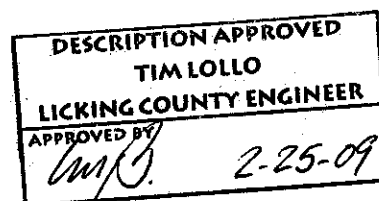


Exhibit "A"
Legal Description
27.679 Acres

all of Ola D. Linn parcel: Instrument No. 2001-04120012014

Situated in the City of Pataskala (formerly the Township of Lima), County of Licking, State of Ohio, and being a part of Lots 2 & 3 of the Third Quarter, Township 1N, Range 15W, of the United States Military Lands, and being more particularly described as follows;

Being a Survey of all of a parcel conveyed to Ola D. Linn, as recorded in Instrument No. 2001-04120012014, in the Licking County Deed Records, and being all of Auditor's Parcel No. 63-140724-00.000, and further described as follows;

Commencing at a mag nail found marking the intersection of the North line of Lot 3 and the centerline of Mink Street, also being the Northwest corner of a parcel conveyed to The Board of Trustees of the West Licking Joint Fire District, as recorded in O.R. Volume 89, Page 296;

Thence, S 00°49'31" E 1504.15 feet with the centerline of Mink Street, to a mag nail found marking the Southwest corner of a parcel conveyed to Howard P. Emswiler, Trustee of the Howard P. Emswiler Revocable Trust, as recorded in Instrument No. 1999-11100046335, and being the PRINCIPLE PLACE OF BEGINNING of the 27.679 acre parcel herein to be described;

Thence, S 86°11'19" E 1599.48 feet to an iron pin set on the West line of a parcel conveyed to Southwest Licking Community Sewer and Water District, as recorded in Instrument No. 2005-03030006280, and passing over an iron pin set at 30.00 feet;

Thence, S 03°15'12" W 771.99 feet with the West line of said parcel conveyed to Southwest Licking Community Sewer and Water District, and extending along part of the West line of a parcel conveyed to Phillip G. & Eileen M. Derolf, as recorded in Deed Volume 823, Page 898, to an iron pin set marking the Northeast corner of a parcel conveyed to Sean & Barbara Brogan, as recorded in Instrument No. 1997-11060006101;

Thence, N 85°53'51" W 1545.24 feet with the North line of said parcel conveyed to Brogan, to a mag nail set in the centerline of Mink Street, and passing over an iron pin set at 1515.24 feet;

Thence, N 00°49'31" W 764.27 feet with the centerline of Mink Street, to the PRINCIPLE PLACE OF BEGINNING, and containing 27.679 Acres, more or less, and is subject to all legal easements, right of ways, restrictions, and zoning ordinances of record.

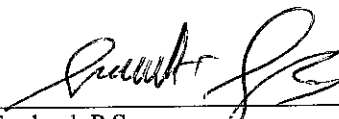
Bearings of the above description are based on the centerline of Mink Street (Co. Road 41), as being S 00°49'31" E, and is an assumed Meridian used to denote angles only.

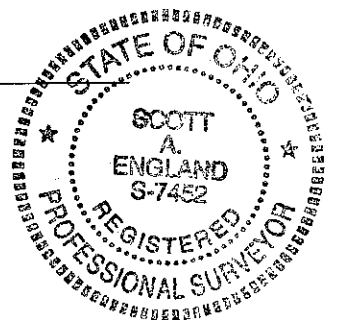
Subject to a 100 foot wide overhead electric transmission line easement.

All iron pins set are 5/8" o.d. iron pins 30" long with red caps labeled "S.A. ENGLAND #S-7452".

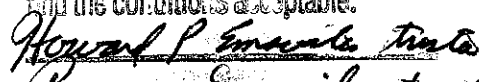
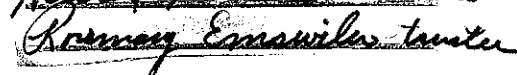
The above description was prepared by S.A. England & Associates, under the direct supervision of Scott A. England, Ohio Registered Surveyor #S-7452 in February of 2009.

Dated 2/9/09


Scott A. England, P.S.
Ohio Registered Surveyor #7452



2310-09LI

(We have reviewed the survey and
find the conditions acceptable.)



POINT OF COMMENCEMENT:
Intersection of North Line Lot 3
& centerline Mink Street

Plat of Survey

City of Pataskala, County of Licking, State of Ohio, part
Lots 2 & 3 in the Third Quarter, Township 1N, Range 15W,
of the United States Military Lands.

PROPERTY LOCATION:

Situated in the City of Pataskala, County of Licking, State of Ohio, and being a part of Lots 2 & 3 in the Third Quarter, Township 1N, Range 15W, of the United States Military Lands.

Being a Survey of a parcel conveyed to Ola D. Linn, as recorded in Instrument No. 2001-04120012014, in the Licking County Deed Records, and being all of Auditor's P.P.N. 63-140724-00.000.

PREPARED FOR:

Hayes Title Agency

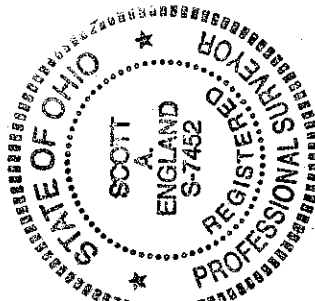
Howard P. Emswiler, Trustee of the Howard P. Emswiler Revocable Trust
Instrument No. 1999-11100046336

S 86°16'19" E

1599.48'

27.679 Acres

Ola D. Linn
Instrument No. 2001-04120012014
Auditor's P.P.N. 63-140724-00.000



PLACE OF
BEGINNING

S 00°49'31" E
1504.15'

30.00'

N 00°49'31" W
Mink Street (Co. Road 41)
centerline
R/W Line
764.27'

overhead electric transmission line easement (100 feet wide)

N 85°53'51" W

I hereby certify that an actual survey of the
premises was made, and that this plat is
correct to the best of my knowledge

2/6/19

Date
Scott A. England, P.S.
Ohio Registered Surveyor #S-7452

1515.24'
Sean & Barbara Brogan
Instrument No. 1997-11060006101

Graphic Scale
0 100 200 400
1 Inch = 200 Feet

1545.24'

S 03°15'12" W
771.99'
305.51'

Phillip G. & Eileen M. Derolf
Deed Volume 823, Page 898

P1
Southwest Licking Community
Water & Sewer District
Instrument No. 2005-03030006280

BASIS OF BEARING

The bearings of this plat are based on the centerline of Mink Street (Co. Road 41), as being S 00°49'31" E, and is an assumed Meridian used to denote angles only.

PREPARED BY:

S.A. ENGLAND & ASSOCIATES
Professional Land Surveying
P.O. Box 1770, 5179 Walnut Road
Buckeye Lake, Ohio 43008
740-928-8680 FAX 740-928-9565
WWW.SURVEYOHIO.COM

LEGEND

- 5/8" o.d. Iron Pin Found
- 1/2" o.d. Iron Pipe Found
- Iron Pin Set
- 5/8" Rebar 30" long with/red cap
Labeled S.A. England #7452
- Mag Nail Found
- Mag Nail Set

FIDUCIARY DEED

HOWARD P. EMSWILER, TRUSTEE OF THE HOWARD P. EMSWILER
REVOCABLE TRUST U/A DATED DECEMBER 27, 1978, AS AMENDED, of Jersey
Township, Licking County, Ohio, for valuable consideration paid, grants, with fiduciary
covenants, to **SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT**,
a regional water and sewer district established under Ohio Revised Code 6119, whose tax-
mailing address is P.O. Box 215, Etna, Ohio 43018, the following **REAL PROPERTY**:

See Exhibit "A" attached hereto.

Excepting conditions, easements, restrictions, rights of way and
zoning and other governmental regulations of record and taxes and
assessments not yet due and payable which Grantee assumes and
agrees to pay as a part of the consideration herein.

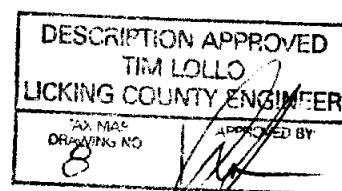
Prior Instrument Reference: Instrument No. 199911100046335 of the Official
Records of Licking County, Ohio.

Witness my hand this 1st day of March, 2005.

TRANSFERRED
Date MARCH 3, 2005
J. Terry Evans
Licking County Auditor TH

SEC. 319.202 COMPLIED WITH
J. TERRY EVANS, AUDITOR-
BY TH See previous
DEED

Howard P. Emswiler, Trustee
Howard P. Emswiler, Trustee of the Howard P.
Emswiler Revocable Trust U/A Dated December
27, 1978, as amended



1689001

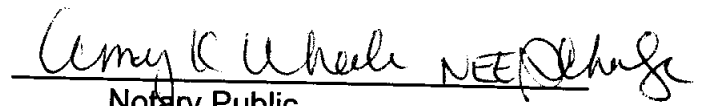
State of Ohio

County of Licking

ss:

BE IT REMEMBERED, That on this 1st day of March, 2005, before me, the subscriber, a Notary Public in and for said county, personally came, Howard P. Emswiler, Trustee of the Howard P. Emswiler Revocable Trust U/A Dated December 27, 1978, as amended, the Grantor in the forgoing Fiduciary Deed, who acknowledged the signing thereof to be his voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed and affixed my seal on the day and year aforesaid.


Notary Public

This instrument was prepared by:

Arnold E. Shaheen, Jr., Esq.
P. O. Box 49
Pataskala, Ohio 43062-0049



AMY K. SCHULZE
Notary Public, State of Ohio
My Commission Expires May 29, 2008

Exhibit A

**1.500 Acre Tract
&
Ingress / Egress Easement
of Utility Easement**

Situated in the State of Ohio, County of Licking, City of Pataskala, being in Lot 3, Quarter 3 and Quarter 4, Township 1, Range 15, U.S. Military Lands and being a part of a 32.75 acre tract (Parcel 3), parcel # 44-140520-00.000, conveyed to *Howard P. Emswiler Trustee* in instrument 199911100046335 and *Rosemary A Emswiler Trustee* in instrument 199911100046336, all records being of the Recorder's Office, Licking County, Ohio unless otherwise noted and being more particularly described as follows:

Beginning for reference at the intersection of the northerly line of said Lot 3 and the centerline of *County Road 41 (Mink Street)* and being the northwesterly corner of a 1.5 acre tract conveyed to the *Board of Trust of West Licking Joint Fire District* in Official Record Volume 89, page 296;

Thence, with the center of said *County Road 41*, *South 05 degrees 00 minutes 00 seconds East, 1504.15 feet* to a Mag nail set at a southwesterly corner of said 32.75 acre tract, the northwesterly corner of a 27.75 acre tract, parcel # 63-140724-00.000, conveyed to *Ola D. Linn et. al.* in instrument 200100640019381;

Thence, with a southerly line of said 32.75 acre tract, the northerly line of said 27.75 acre tract, *North 89 degrees 33 minutes 12 seconds east, 1599.37 feet* to the northeasterly corner of said 27.75 acre tract and an angle point in said 32.75 acre tract and being on the dividing line between said Quarter 3 and said Quarter 4 and being **THE PRINCIPAL PLACE OF BEGINNING** of herein described tract;

Thence, crossing said 32.75 acre tract with the following three (3) new courses;

- 1) **North 00 degrees 56 minutes 28 seconds West, 34.49 feet** to a 5/8" rebar set;
- 2) **North 89 degrees 03 minutes 32 seconds East, 192.09 feet** to a 5/8" rebar set;
- 3) **South 00 degrees 56 minutes 28 seconds East, 340.31 feet** to a 5/8" rebar set on a southerly line of said 32.75 acre tract and on the northerly line of a 27.091 acre tract, parcel # 63-140394-00.000, conveyed to *Phillip G. and Eileen M. Derolf* in Deed Volume 823, page 898;

Thence, with a southerly line of said 32.75 acre tract, the northerly line of said 27.091 acre tract, **South 89 degrees 09 minutes 03 seconds West, 192.09 feet** to a 5/8" rebar set at the base of a wood fence post and being the northwesterly corner of said 27.091 acre tract and being on the easterly line of said 27.75 acre tract and on the dividing line between said Quarter 3 and said Quarter 4;

Thence, with the easterly line of said 27.75 acre tract and the dividing line between said Quarter 3 and said Quarter 4, **North 00 degrees 56 minutes 28 seconds West, 305.51 feet to THE PLACE OF BEGINNING CONTAINING 1.500 ACRES** more or less, subject however to all legal easements, restrictions and rights-of-way of record and records in their respective utility offices and in particular the following 25 foot wide ingress / egress easement form the westerly line of said 1.500 acre tract to the center of said County Road 41 and being more fully described as follows:

Beginning for reference at a 5/8" rebar set at the northwesterly corner of the previously described 1.500 acre tract;

Thence, with the westerly line of said 1.500 acre tract, South 00 degrees 56 minutes 28 seconds East, 9.49 feet to **THE PRINCIPAL PLACE OF BEGINNING** of herein described easement;

Thence, continuing with the westerly line of said 1.500 acre tract, *South 00 degrees 56 minutes 28 seconds East, 25.00 feet* to the northeasterly corner of said 27.75 acre tract and an angle point in said 32.75 acre tract;

Thence, with the northerly line of said 27.75 acre tract, the southerly line of said 32.75 acre tract *South 89 degrees 33 minutes 12 seconds West, 1599.37 feet* to a Mag nail set in the center of said *County Road 41* and being the northwesterly corner of said 27.75 acre tract, the southwesterly corner of said 32.75 acre tract;

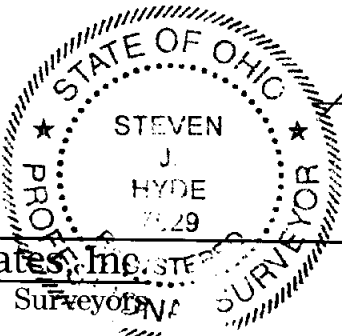
Thence, with the center of said *County Road 41*, the westerly line of said 32.75 acre tract, *North 05 degrees 00 minutes 00 seconds West, 25.08 feet* to a Mag nail set;

Thence, leaving the center of said *County Road 41* and crossing said 32.75 acre tract with a new course, *North 89 degrees 33 minutes 12 seconds East, 1601.14 feet* to **THE PLACE OF BEGINNING** of herein described easement containing 0.918 acres more or less;

This description was based on an actual field survey done on August 23, 2004 and in accordance with the Ohio Administrative Code 4733-37. Unless otherwise noted iron pins set are 30" x 5/8" rebar with orange plastic caps inscribed "**HYDE P.S. 7529**". *Unless otherwise noted all iron pins found are 1" O.D. pipe. Basis of bearings is the centerline of County Road 41 (Mink Street) as South 05 degrees 00 minutes 00 seconds East per Official Record Volume 420, page 958 and are for angular purposes only.*

**Feller,
Finch**

& Associates, Inc.
Engineers • Surveyors



Steven J. Hyde
STEVEN J. HYDE P.S.

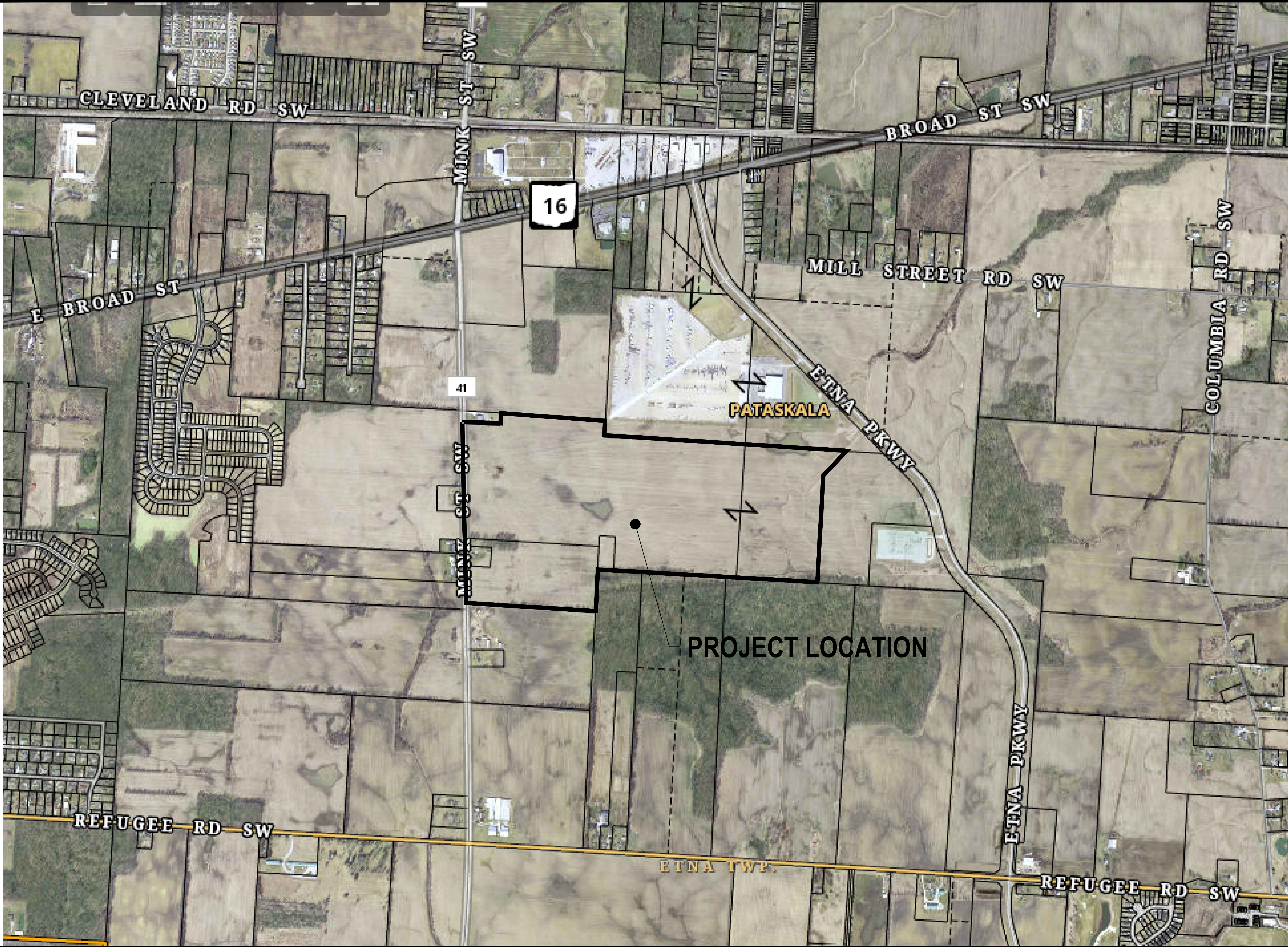
mink.doc

250 E. Wilson Bridge Road, Suite 190 • Worthington, Ohio 43085

Also offices in Delphos and Maumee, Ohio, and Jackson, Michigan (614) 430-8612

Fax (614) 430-8614

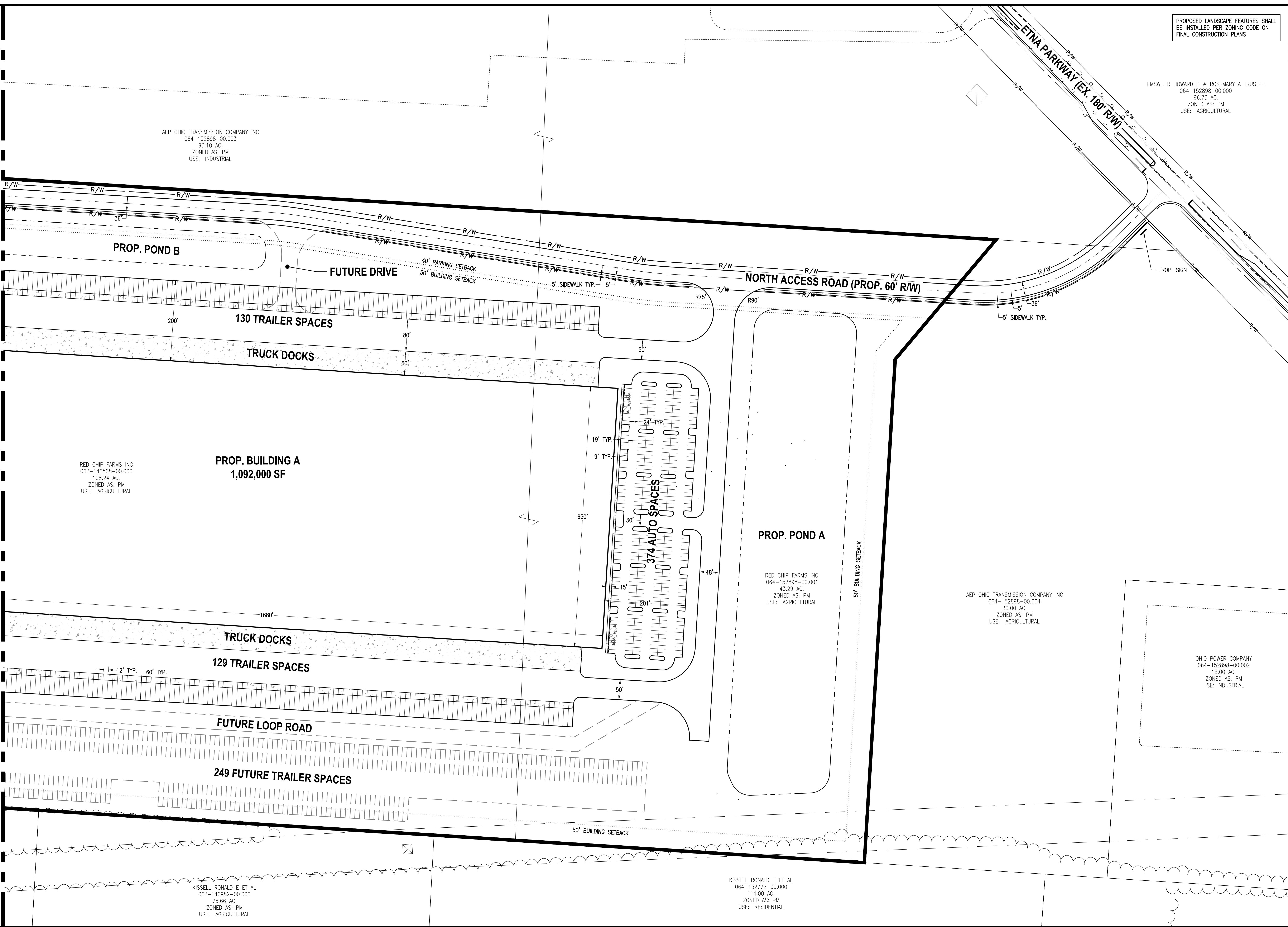
www.fellerfinch.com



JOB NUMBER: RKR001		5	
BUCKEYE FARMS I-70 AT ETNA PARKWAY		AREA MAP	
HULL & ASSOCIATES, INC. 58 Grant Street Phone: (703) 334-5451 www.hullinc.com		NO.	
PLAN ISSUE/REVISION		DATE	DATE
DRAWN VRM		CHECKED AES	DATE 02/09/2021

2/9/2021 10:08 AM P:\clients\active\14\14001\design\drawing\entire\14r001_sitc_layout_exhibit.dwg vncollum

MATCHLINE: SEE SHEET 3



PROPOSED LANDSCAPE FEATURES SHALL
BE INSTALLED PER ZONING CODE ON
FINAL CONSTRUCTION PLANS

EMSWILER HOWARD P & ROSEMARY A TRUSTEE
064-152898-00.000
96.73 AC.
ZONED AS: PM
USE: AGRICULTURAL

AEP OHIO TRANSMISSION COMPANY INC
064-152898-00.003
93.10 AC.
ZONED AS: PM
USE: INDUSTRIAL

RED CHIP FARMS INC
063-140508-00.000
108.24 AC.
ZONED AS: PM
USE: AGRICULTURAL

PROP. BUILDING A
1,092,000 SF

PROP. POND A

RED CHIP FARMS INC
064-152898-00.001
43.29 AC.
ZONED AS: PM
USE: AGRICULTURAL

AEP OHIO TRANSMISSION COMPANY INC
064-152898-00.004
30.00 AC.
ZONED AS: PM
USE: AGRICULTURAL

OHIO POWER COMPANY
064-152898-00.002
15.00 AC.
ZONED AS: PM
USE: INDUSTRIAL

KISSELL RONALD E ET AL
063-140982-00.000
76.66 AC.
ZONED AS: PM
USE: AGRICULTURAL

KISSELL RONALD E ET AL
064-152772-00.000
114.00 AC.
ZONED AS: PM
USE: RESIDENTIAL



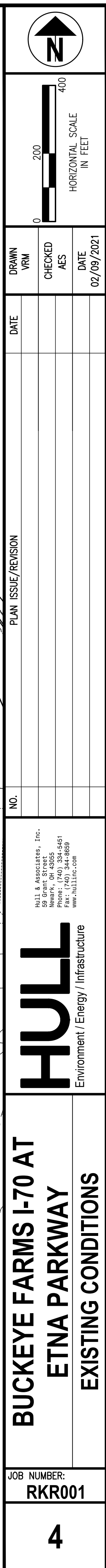
NO.	DATE	PLAN ISSUE/REVISION	DRAWN VRM	CHECKED AES	DATE 02/09/2021

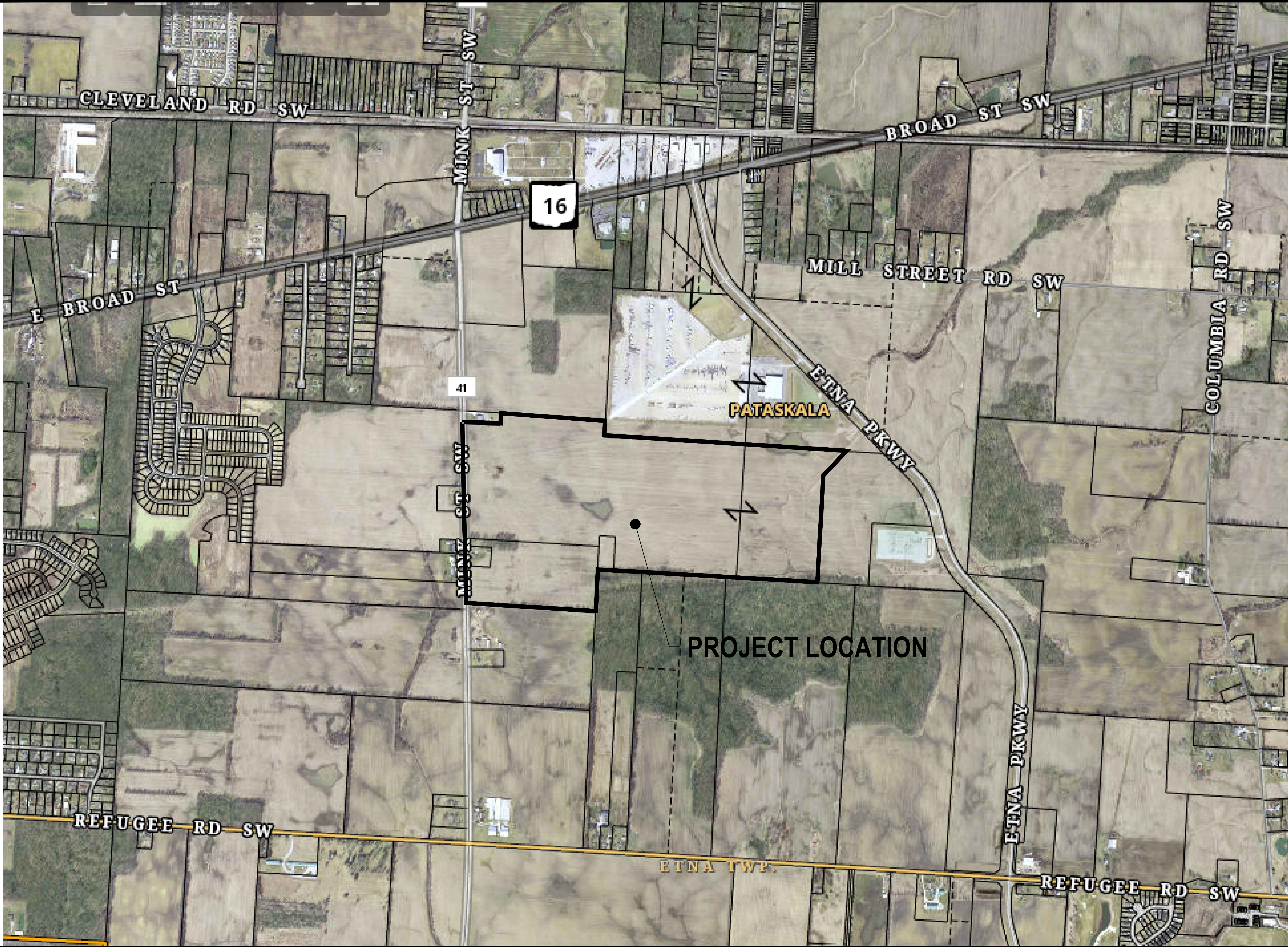
HULL & ASSOCIATES, Inc.
58 Grant Street
Cincinnati, OH 45202
Phone: (703) 334-5451
Fax: (703) 334-5450
www.hullinc.com

HULL
Environment/Energy/Infrastructure

**BUCKEYE FARMS I-70 AT
ETNA PARKWAY
BUILDING A SITE LAYOUT**

JOB NUMBER:
RKR001





JOB NUMBER: RKR001		HULL & ASSOCIATES, Inc. 58 Grant Street Phone: (703) 334-5451 www.hullinc.com		NO.		PLAN ISSUE/REVISION		DATE		DRAWN VRM		CHECKED AES		DATE 02/09/2021	
5		BUCKEYE FARMS I-70 AT ETNA PARKWAY		AREA MAP		HULL		Environment / Energy / Infrastructure							



200907100015352

Pgs: 9 \$104.00 T20090014297
07/10/2009 4:03PM BXGAVE BACK T
Bryan A. Long
Licking County Recorder

FIDUCIARY DEED

**HOWARD P. EMSWILER, TRUSTEE OF THE HOWARD P. EMSWILER
REVOCABLE TRUST U/A DATED DECEMBER 27, 1978, AS AMENDED**, of Jersey
Township, Licking County, Ohio, for valuable consideration paid, grants, with fiduciary
covenants, to **RED CHIP FARMS, INC.**, an Ohio corporation, the following **REAL
PROPERTY**:

A one-half undivided interest in the property described in the legal
description and survey attached hereto respectively as Exhibits A
and B.

Excepting conditions, easements, restrictions, rights of way and
zoning and other governmental regulations of record and taxes and
assessments not yet due and payable which Grantee assumes and
agrees to pay as a part of the consideration herein.

Subject to: (1) An Open End Mortgage given by Howard P. Emswiler
and Rosemary A. Emswiler to Farm Credit Services of Mid-America,
ACA, dated January 6, 1997, which was recorded for record at
Volume 866, Page 725, of the Official Records of the Licking County
Recorder's Office; and, (2) An Assignment of Mortgage from Farm
Credit Services of Mid-America, ACA, to Farm Credit Services of Mid-
America, PCA, dated January 5, 2000, which was recorded for record
at Instrument No. 200001180001850 of the Licking County Recorder's
Office.

Also subject to the deed restrictions attached as Exhibit C.

Prior Instrument References: Instrument Numbers 199911100046323, 199911100046335, 199911100046325, and 200903020004064 of the Official Records of Licking County, Ohio.

Being all or part of the following tax parcel numbers: 064-152898-00.000, 063-144312-00.000, 063-144300-00.000, 063-144294-00.000, 063-144318-00.000, 063-144306-00.000, 063-140508-00.000, 063-140520-00.000, 063-140514-00.000, 063-144672-00.000, and 063-140724-00.000.

Witness my hand this 10th day of July, 2009.

Howard P. Emswiler, Trustee
Howard P. Emswiler, Trustee of the Howard P.
Emswiler Revocable Trust U/A Dated
December 27, 1978, as amended

State of Ohio

County of Licking

ss:

BE IT REMEMBERED, That on this 10th day of July, 2009,
before me, the subscriber, a Notary Public in and for said county, personally came,
Howard P. Emswiler, Trustee of the Howard P. Emswiler Revocable Trust U/A Dated
December 27, 1978, as amended, the Grantor in the forgoing Fiduciary Deed, who
acknowledged the signing thereof to be his voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed and affixed my seal on the
day and year aforesaid.



Notary Public

This instrument was prepared by:

Arnold E. Shaheen, Jr.
Attorney at Law
P. O. Box 49
Pataskala, OH 43062

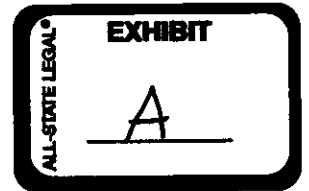


Lori A. Manges
Notary Public, State of Ohio
My Commission Expires 04-10-2012

E:\Shares\FILES\CLIENTS\Emswiler\08-45\howard deed rev 2.wpd

Tel: 740.344.5451
Fax: 740.344.5746

59 Grant Street
Newark, Ohio 43055



DESCRIPTION FOR A 296.544 ACRE TRACT.

Situated in the State of Ohio, County of Licking, City of Pataskala, being a part of Township-1, Range-15, United States Military Lands. Also being part of the following tracts: that 125 acre-Tract 2 as conveyed to the Howard P. Emswiler Trust by deed of record in Instrument Number 199911100046323, and as conveyed to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 19991110004624; that 67.65 acre-Parcel 1 parcel as conveyed to the Howard P. Emswiler Trust by deed of record in Instrument Number 199911100046335, and to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 199911100046336; that 55.85 acre- Parcel 4 as conveyed to the Howard P. Emswiler Trust by deed of record in Instrument Number 199911100046335, and to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 199911100046336; that 32.75 acre-Parcel 3 as conveyed to the Howard P. Emswiler Trust by deed of record in Instrument Number 199911100046335, and to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 199911100046336; that 22 acre-Parcel 2 as conveyed to the Howard P. Emswiler Trust by deed of record in Instrument Number 199911100046335, and to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 199911100046336; that 27.679 acre as conveyed to the Howard P. Emswiler Trust and to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 200903020004064; and part of Lots 4,5,6,7, and 8 of the Ijam's East Broad Street Parcels as conveyed to the Howard P. Emswiler Trust by deed of record in Instrument Number 19991110004625, and to the Rosemary A. Emswiler Trust by deed of record in Instrument Number 199911100046326, all references being to those of record in the Recorder's Office, Licking County, Ohio, said 296.544 acre tract being more particularly bounded and described as follows:

Commencing at a point being the northwest corner Lot 4 of the Ijam's East Broad Street Parcels;

Thence along the westerly line of said Lot 4, **South 02°49'54" West**, a distance of **561.39 feet** to an iron pin set, said point being the Point of Beginning for the **296.544** acre tract herein to be described;

Thence passing through the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's Lots 4,5,6,7, and 8 of the Ijam's East Broad Street Parcels, the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's 55.85 acre-Parcel 4, the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's 125 acre-Tract 2, and the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's 91 acre-Tract 1 the following five (5) courses and distances:

South 44°45'34" East, 4134.71 feet to an iron pin set;

¹The term, "the Howard P. Emswiler Trust," as used herein, shall mean "the Howard P. Emswiler Revocable Trust U/A Dated December 27, 1978, as Amended." The term, "the Rosemary A. Emswiler Trust," as used herein, shall mean "the Rosemary A. Emswiler Revocable Trust U/A Dated December 27, 1978, as Amended."

DESCRIPTION FOR A 296.544 ACRE TRACT

Page 2

Southeasterly along the arc of a curve to the right (**Radius = 1000.00'**, **Delta = 30°57'11"**) a chord bearing and distance of **South 29°16'59" East, 533.69 feet** to an iron pin set;

South 13°48'23" East, 275.90 feet to an iron pin set;

Southeasterly along the arc of a curve to the left (**Radius = 1150.00'**, **Delta = 30°57'11"**) a chord bearing and distance of **South 29°16'59" East, 613.74 feet** to an iron pin set;

South 44°45'34" East, 81.58 feet to an iron pin set; and...

South 04°04'01" West, 10.09 feet to an iron pin set being the southeasterly corner of the Howard P. Emswiler Trust's and Rosemary A. Emswiler Trust's 91 acre-Tract 1;

Thence passing along the southerly line of the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's 125 acre-Tract 2, the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's 91 acre-Tract 1, and the Howard P. Emswiler Trust's and the Rosemary A. Emswiler Trust's 67.65 acre-Parcel 1 **North 86°48'18" West, 4143.69 feet** to an iron pin found at the southeasterly corner of the that 1.5 acre parcel as conveyed to SW Licking Community Water and Sewer by deed of record in Instrument Number 200503030006280;

Thence **North 03°00'54" East, 340.34 feet** to an iron pin found being the northeasterly corner of the SW Licking Community Water and Sewer 1.5 acre parcel;

Thence **North 86°58'44" West, 192.14 feet** to an iron pin found being the northwesterly corner of the SW Licking Community Water and Sewer 1.5 acre parcel;

Thence **South 03°01'40" West, 127.42 feet** to an iron pin set on the easterly line of the 27.679 acre parcel as conveyed to the Howard P. Emswiler Trust and the Rosemary A. Emswiler Trust by deed of record in Instrument Number 200903020004064, passing an iron pin found at 34.25 feet, being the southeasterly corner of the 32.75 acre-Parcel 3 as conveyed to the Howard P. Emswiler Trust and the Rosemary A. Emswiler Trust;

Thence across said 27.679 acre parcel **North 86°29'06" West, 1592.85 feet** to a point in the centerline of Mink Street (Co. Rd. 41), passing an iron pin set at **1562.85 feet**;

Thence passing along the centerline of Mink Street (Co. Rd. 41) **North 01°02'16" West, 93.46 feet** to a point being the southwesterly corner of the 32.75 acre-Parcel 3 as conveyed to the Howard P. Emswiler Trust and Rosemary A. Emswiler Trust;

Thence continuing along the centerline of Mink Street (Co. Rd. 41) **North 01°04'40" West, 1355.88 feet** to a point being the southwesterly corner of the Bd. Of Trust of West Licking Joint Fire 1.5 acre parcel as conveyed by deed of record in Deed Book 89, Page 296;

DESCRIPTION FOR A 296.544 ACRE TRACT

Page 3

Thence leaving the centerline of Mink Street (Co. Rd. 41) **South 86°24'21" East, 437.78 feet** to an iron pin set being the southeasterly corner of the The Board of Trustees of the West Licking Joint Fire District 1.5 acre parcel, passing an iron pin set at **30.00 feet**;

Thence **North 00°50'21" West, 150.00 feet** to an iron pin set being the northeasterly corner of The Board of Trustees of the West Licking Joint Fire District 1.5 acre parcel;

Thence along the northerly line of that 22 acre-Parcel 2 as conveyed to the Howard P. Emswiler Trust and the Rosemary A. Emswiler Trust **South 86°24'21" East, 1263.18 feet** to an iron pin set being the northeasterly corner of said 22 acre-Parcel 2;

Thence along the westerly line of that 67.65 acre-Parcel 1, and that 55.85 acre-Parcel 4 as conveyed to the Howard P. Emswiler Trust and the Rosemary A. Emswiler Trust **North 02°48'13" East, 1522.92 feet** to an iron pin set being the northwesterly corner of said 55.85 acre-Parcel 4;

Thence along the northerly line of said 55.85 acre-Parcel 4 **South 86°38'56" East, 534.28 feet** to an iron pin set being the southwesterly corner Lot 4 of the Ijam's East Broad Street Parcels;

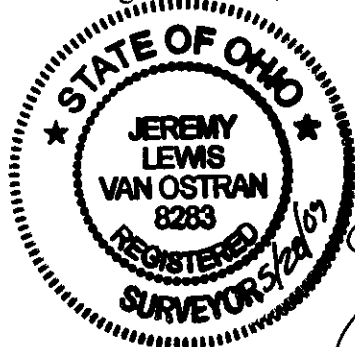
Thence along the westerly line of said Lot 4 **North 02°49'54" East, 739.89 feet** to **Point of Beginning** and containing **296.544 acres**, more or less, according to a survey conducted by Jobes Henderson and Associates, Inc. in December of 2008.

The bearings in the above description are based on the Ohio State Coordinates System, South Zone, NAD83, NAVD 88, Geoid03.

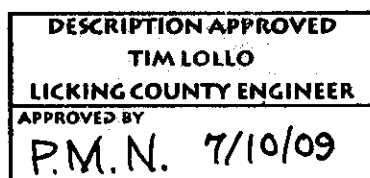
All iron pins set are 5/8" in diameter rebar by 30" in length with red identification caps marked "J&H, PS 8283".

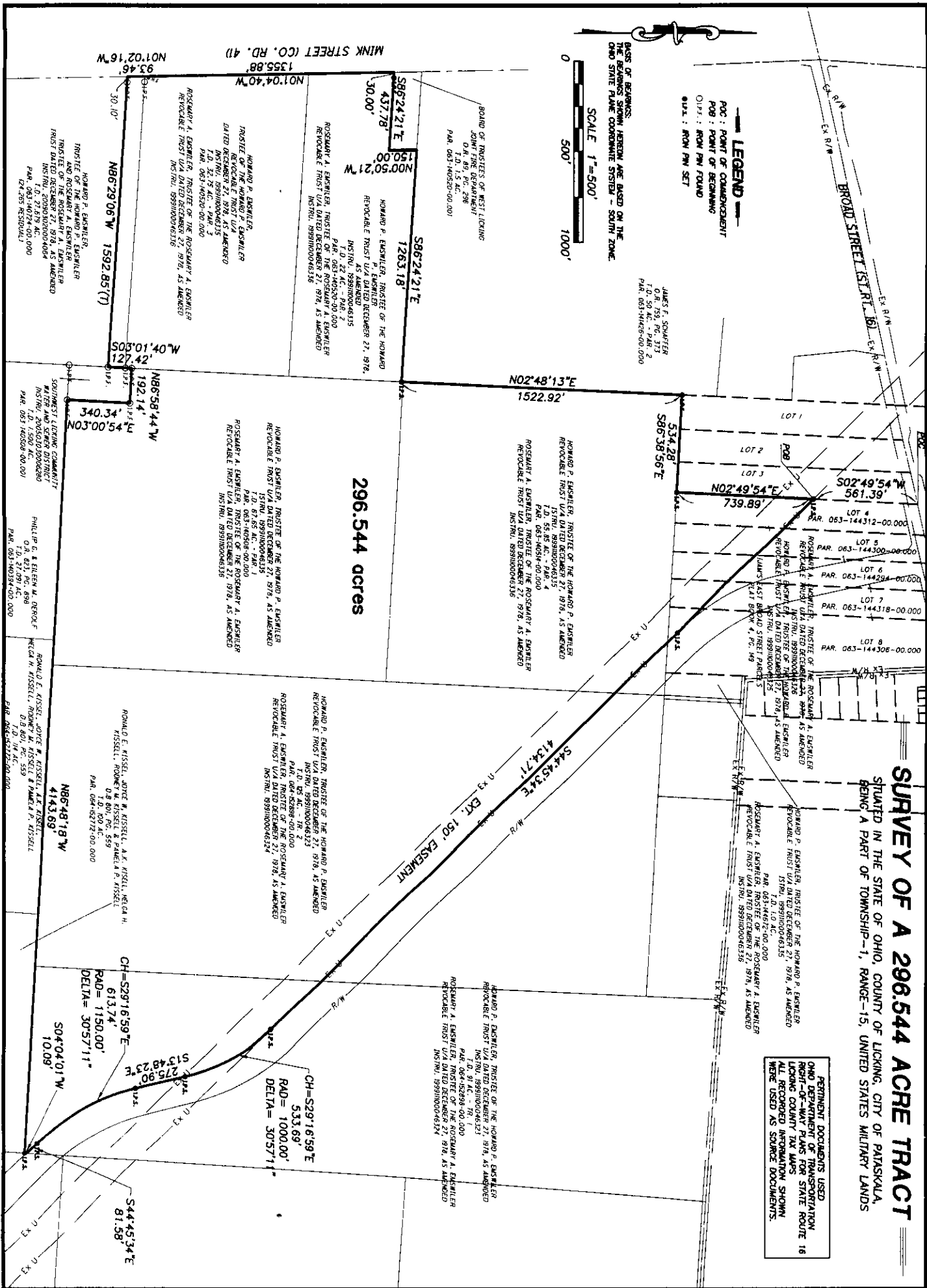
Subject to all valid and existing easements, restrictions and conditions of record.

December 24, 2008



TRANSFERRED
Date July 10, 2009
[Signature]
Licking County Auditor TH
[Signature]
Jeremy L. Van Ostran, P.S.
Surveyor No. 8283
SEC. 319.202 COMPLIED WITH
J. TERRY EVANS, AUDITOR
BY TH EXM.





This Survey Prepared For: **JRS SITE**

RECERTIFIED

Foundation Survey	Final Survey
Ord. No.	Ord. No.
Date:	Date:
Drawing	
M/L01-26/SURVEY/JRS SITE.dwg	
REVISED	
DRAWN: JLK	
CHECKED: JLV	
F.B.	

Jobes Henderson & Associates

Breaking Ground | Breaking Boundaries

DATE: 6-15-09 ORDER NO. L 01-26

Tel: 74 .344.5451 Fax: 74 .344.5746

55 Grant Street Newark, Chi 43 55

www.jobeshenderson.com

OHIO DEPARTMENT OF TRANSPORTATION

RIGHT-OF-WAY PLANS FOR STATE ROUTE 16

ALL REQUIRED INFORMATION SHOWN

WAS USED AS SOURCE DOCUMENTS.

STATE OF OHIO

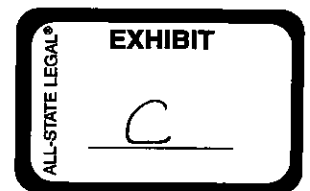
JEREMY LEWIS

VAN OSTRAN

REGISTERED

SURVEYOR

JEREMY L. VAN OSTRAN



The Corporation shall own and have the right to sell, lease, or transfer the JRS Site with the following Restrictions, which shall run with the land:

(i). Licking County, a political subdivision of the State of Ohio, through its Board of County Commissioners, the JRS Grantee, shall hold the power of enforcement over these Restrictions in accordance with the terms hereof ("County hold of JRS Site").

(ii) The Term of these Restrictions shall run from the date of the Job Ready Site ("JRS") Controlling Board approval to the earlier of: seven (7) years after the Project Completion Date; or the date following the Project Completion Date on which a proportion of the property equal to at least eighty-five percent (85%) of the property has been purchased by, leased by, or otherwise put to use for the purposes as provided under the Program ("Term of these Restrictions"). (See JRS Grant Agreement, as amended, on file with the Licking County Commissioners' Office, for definitions of terms and titles used herein), unless otherwise released by the Licking County Commissioners and the Ohio Department of Development ("ODOD") as provided for below.

(iii) The owner of the herein described "property", its successors and assigns, shall market and attempt to lease or sell the property for manufacturing uses under such requirements as are provided for in the Planned Manufacturing District ("PM") zoning regulations of the City of Pataskala, as amended or varied from time to time, during the Term of these Restrictions.

(iv) Not more than ten percent (10%) of the property can be used for educational, retail, residential, or governmental uses during the Term of these Restrictions.

(v) During the Term of these Restrictions, the purchase price of the property shall not exceed the following:

\$30,000 per gross acre until one year after the date the Project commences. Beginning one year after the date the Project commences, and annually thereafter, the purchase price may be increased at a rate of five percent (5 %) per annum (For example, property sold within one year after the date the Project commences may be sold for no more than \$30,000 per gross acre. Property sold after the first and before the second anniversary of the Project commencement date may be sold for \$31,500 per gross acre.)

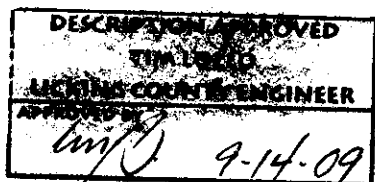
(vi) During the Term of these Restrictions, if requested by ODOD, the Grantor of the JRS Grant, and/or the County, the owner of the property will make its records available to ODOD and/or the County with respect to obligations delineated in these restrictions.

(vii) During the Term of these Restrictions, if the County determines in its sole discretion that the owner of the property has violated these Restrictions, the County shall provide written notice to the owner of its violation. The notice shall provide the owner with a thirty (30) day period to cure any and all violations. If the owner fails to remedy the stated violation(s) within said thirty (30) day period, the County may enforce these Restrictive Covenants by injunction and shall have the remedy of specific performance. Invalidation

by the judgment or decree of any Court of any of these provisions shall not invalidate the remainder of these covenants.

(viii) During the Term of these Restrictions if all or a part of the JRS Site (if permission is granted by ODOD for less than all) is sold or leased for manufacturing purposes in compliance with the terms of the JRS Grant Agreement and the Planned Manufacturing District zoning regulations of the City of Pataskala, as such document and such regulations may be amended, the Licking County Commissioners and ODOD shall provide a release of these Restrictions in recordable format to the owner that is sufficient in scope to allow the passage of marketable title, in accordance with the title standards of the Ohio State Bar Association, from the owner to the purchaser or lessee of the portion of the JRS Site that is either purchased or leased.

(ix) At the end of the Term of these Restrictions, if all or some portion of the JRS Site has not been purchased, leased, or used for manufacturing purposes, the Licking County Commissioners shall provide a release of these restrictions in recordable format in the same manner as provided for in the preceding paragraph in order that their natural termination, as provided for in paragraph (ii), above, may be formally recorded as a matter of public record.



200909140020157
Pgs: 4 \$48.00 T20090018906
09/14/2009 4:16PM BXHAYES TITLE
Bryan A. Long
Licking County Recorder



0115PA00600000012100

TRANSFERRED
Date September 14 2009
[Signature]
Licking County Auditor

SEC.319.202 COMPLIED WITH
J. TERRY EVANS, AUDITOR
BY LM 180.00

GENERAL WARRANTY DEED

Howard P Emswiler, Trustee of the Howard P. Emswiler Revocable Trust U/A dated December 27, 1978, as amended, and Rosemary A. Emswiler, Trustee of the Rosemary A. Emswiler Revocable Trust U/A dated December 27, 1978, as amended, of Licking County, Ohio, for valuable consideration paid, grant with general warranty covenants to **Amanda Reeves**, unmarried, whose tax mailing address is 7409 Mink Street, Pataskala, Ohio 43062, the following real property:

Situated in the County of Licking, in the State of Ohio and in the former Township of Lima, now by merger in the City of Pataskala, and being more fully described and delineated in the attached Exhibit "A", incorporated herein by reference.

Prior Deed Reference: Instrument Number 200903020004064, Licking County Recorder's Office, Licking County, Ohio.

Also known as: 7409 Mink Street, Pataskala, Ohio, 43062.
Auditor's Parcel #063-140724-00.000 (Parent Parcel)

Excepting conditions, easements, restrictions, rights of way and zoning and other governmental regulations of record and taxes and assessments not yet due and payable which Grantees assume and agree to pay as a part of the consideration herein, **but subject to the following restrictions which shall run with the land:**

1. Grantee, her successors and assigns, acknowledge that the 1.624 acres and contiguous acreage is zoned for industrial development and shall hold harmless such industrial uses on the contiguous acreage as permitted and maintained in accordance with the applicable zoning standards of the City of Pataskala.
2. Grantee, her successors and assigns, shall hold harmless said industrial uses from nuisance complaints as a result of the permitted industrial uses on the contiguous property including production of light, smoke, dust, noise, and/or odor and for provisions for traffic, storm water drainage, and hours of operation that are in accordance with the applicable zoning standards, but which may impact the quiet enjoyment of the 1.624 acres by Grantee, her successors and assigns.
3. Grantee, her successors and assigns, agrees that the maximum buffer required by and on contiguous property developed for industrial uses shall be fifty (50) feet or such distance permitted between contiguous industrial uses at the time of development under the applicable zoning code.

Grantors, to the extent necessary, hereby release all rights of dower therein.

Grantee and Grantors acknowledge this Deed constitutes a termination by merger of the lease memorialized in the document recorded as Instrument Number 200905190010632, Licking County Recorder's Office.

Executed this 22nd day of August, 2009.

Howard P Emswiler, Trustee

Howard P Emswiler, Trustee of the Howard P. Emswiler Revocable Trust U/A dated December 27, 1978, as amended

Rosemary A. Emswiler, Trustee

Rosemary A. Emswiler, Trustee of the Rosemary A. Emswiler Revocable Trust U/A dated December 27, 1978, as amended

State of Ohio
County of Licking SS:

Executed before me this 22nd day of August, 2009 by Howard P Emswiler, Trustee of the Howard P. Emswiler Revocable Trust U/A dated December 27, 1978, as amended, and Rosemary A. Emswiler, Trustee of the Rosemary A. Emswiler Revocable Trust U/A dated December 27, 1978, as amended, who, under penalty of perjury in violation of section 2921.11 of the Revised Code, represented to me to be said persons.

[Signature]
NOTARY

Recorder: Please cross-reference to Instrument No. 200905190010632, Licking County Recorder's Office, Licking County, Ohio.

This document prepared by: William C. Hayes, Pataskala, Ohio



LAURIE WELLS, ATTORNEY AT LAW
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date
Section 147.03 R.C.



www.jobeshenderson.com

Tel: 740.344.5451
Fax: 740.344.5746

59 Grant Street
Newark, Ohio 43055

LEGAL DESCRIPTION FOR 1.624 ACRE PARCEL

Situated in the State of Ohio, County of Licking, City of Pataskala (formerly the Township of Lima), and being a part of Lot 3 of the Third Quarter, Township 1N, Range 15W, of the United States Military Lands, and being 1.624 acres of that 27.679 acre tracts as conveyed to Howard P. Emswiler, Trustee of the Howard P. Emswiler Trust and Rosemary A. Emswiler, Trustee of the Rosemary A. Emswiler Trust Dated December 27, 1978, as Amended, by deeds of record in Instrument 200903020004064, all references being to those of record in the Recorder's Office, Licking County, Ohio, said 1.624 acre tract being more particularly bounded and described as follows:

Commencing for reference at mag nail found marking the intersection of the North line of Lot 3 and the centerline of Mink Street, also being the Northwest corner of that 1.50 acre tract of land as conveyed to The Board of Trustees of the West Licking Joint Fire District by deed of record in Official Record Volume 89, Page 296;

Thence along the centerline of Mink Street, **South 01°04'40" East, 1505.93 feet** to a mag nail found marking the northwest corner of said 27.679 acre tract;

Thence continuing along said centerline, **South 01°02'16" East, 93.46 feet** to the **Point of Beginning** of the herein described 1.624 acre tract;

Thence across said 27.679 acre tract, the following three (3) courses and distances:

South 86°29'06" East, passing an iron pin set at **30.10 feet**, a total distance of **315.25 feet** to an iron pin set;

South 03°30'54" West, 231.09 feet to an iron pin set, and ...

North 86°29'06" West, passing an iron pin set at **266.75 feet**, a total distance of **296.85 feet** to a point on the centerline of Mink Street;

Thence along the said centerline, **North 01°02'16" West, 231.82 feet** to the **Point of Beginning** and containing **1.624 acres** more or less, according to a survey conducted by Jobes Henderson & Associates, Inc. in April of 2009.

LEGAL DESCRIPTION FOR 1.624 ACRE PARCEL

Page 2

The bearings in the above description are based on the Ohio State Plane Coordinate System.

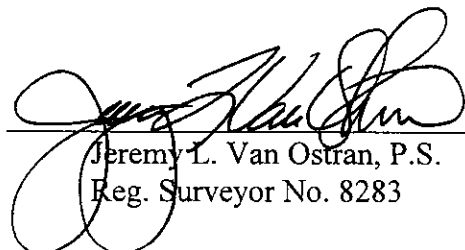
All iron pins set are 5/8" in diameter rebar by 30" in length with red surveyors identification caps marked "J&H, 8283".

Subject to all valid and existing easements, restrictions and conditions of record.

June 11, 2009

MAL01-26\Legals\1.624 Tract.doc




Jeremy L. Van Ostran, P.S.
Reg. Surveyor No. 8283



200903020004064
Pgs: 4 \$44.00 T20090004072
03/02/2009 2:58PM BXHAYES BOX
Bryan A. Long
Licking County Recorder

GENERAL WARRANTY DEED

^(AKA BONNER C. LINN II)
^(AKA OLA D. LINN)
Bonner Linn II and Ola Linn, husband and wife, for valuable consideration paid, grant with general warranty covenants to **Howard P. Emswiler, Trustee of the Howard P. Emswiler Trust dated December 27, 1978, as amended**, or assigns, of Licking County, Ohio, and **Rosemary A. Emswiler, Trustee of the Rosemary A. Emswiler Trust dated December 27, 1978, as amended**, or assigns, of Licking County, Ohio, whose tax mailing address is 13167 Morse Road SW, Pataskala OH 43062, the following real property:

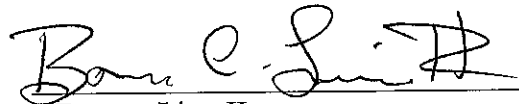
*Situated in the State of Ohio, County of Licking, and City of Pataskala,
and being further bounded and described on the attached exhibit "A",
incorporated herein by reference.*

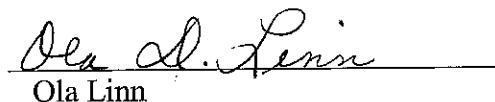
Prior Deed Reference: *Instrument Numbers 200104120012014; 200105150016696;
200106040019381; 200203060008747; and, 200208260031824, Licking County
Recorder's Office, Licking County, Ohio.*

Also known as: 7409 Mink Street, Pataskala, Ohio 43062
Auditor's Parcel # 63-140724-00.000

Excepting conditions, easements, restrictions, rights of way and zoning and other governmental regulations of record and taxes and assessments not yet due and payable which Grantees assume and agree to pay as a part of the consideration herein.

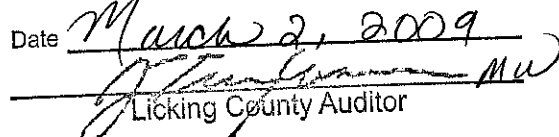
Executed this 20th day of February, 2009.


Bonner Linn II

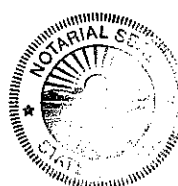

Ola Linn

State of Ohio
County of Licking SS:

Executed before me this 20th day of February, 2009 by Bonner Linn II and Ola Linn, who, under penalty of perjury in violation of section 2921.11 of the Revised Code, represented to me to be said persons.

TRANSFERRED
Date March 2, 2009

Licking County Auditor


NOTARY



LAURIE WELLS, ATTORNEY AT LAW
NOTARY PUBLIC, STATE OF OHIO
(My Commission has no expiration date.)
Section 147.03 R.C.

SEC.319.202 COMPLIED WITH
J. TERRY EVANS, AUDITOR
BY MW 52000

This Document Has Been Prepared By:
Laurie R. Wells

195 E. Broad Street*PO Box 958*Pataskala, Ohio 43062-0958*(740) 927-2927*(800) 536-8678*Fax:(740) 927-3060
www.hayesoffices.com

Exhibit "A"
Legal Description
27.679 Acres
all of Ola D. Linn parcel: Instrument No. 2001-04120012014

Situated in the City of Pataskala (formerly the Township of Lima), County of Licking, State of Ohio, and being a part of Lots 2 & 3 of the Third Quarter, Township 1N, Range 15W, of the United States Military Lands, and being more particularly described as follows;

Being a Survey of all of a parcel conveyed to Ola D. Linn, as recorded in Instrument No. 2001-04120012014, in the Licking County Deed Records, and being all of Auditor's Parcel No. 63-140724-00.000, and further described as follows;

Commencing at a mag nail found marking the intersection of the North line of Lot 3 and the centerline of Mink Street, also being the Northwest corner of a parcel conveyed to The Board of Trustees of the West Licking Joint Fire District, as recorded in O.R. Volume 89, Page 296;

Thence, S 00°49'31" E 1504.15 feet with the centerline of Mink Street, to a mag nail found marking the Southwest corner of a parcel conveyed to Howard P. Emswiler, Trustee of the Howard P. Emswiler Revocable Trust, as recorded in Instrument No. 1999-11100046335, and being the PRINCIPLE PLACE OF BEGINNING of the 27.679 acre parcel herein to be described;

Thence, S 86°11'19" E 1599.48 feet to an iron pin set on the West line of a parcel conveyed to Southwest Licking Community Sewer and Water District, as recorded in Instrument No. 2005-03030006280, and passing over an iron pin set at 30.00 feet;

Thence, S 03°15'12" W 771.99 feet with the West line of said parcel conveyed to Southwest Licking Community Sewer and Water District, and extending along part of the West line of a parcel conveyed to Phillip G. & Eileen M. Derolf, as recorded in Deed Volume 823, Page 898, to an iron pin set marking the Northeast corner of a parcel conveyed to Sean & Barbara Brogan, as recorded in Instrument No. 1997-11060006101;

Thence, N 85°53'51" W 1545.24 feet with the North line of said parcel conveyed to Brogan, to a mag nail set in the centerline of Mink Street, and passing over an iron pin set at 1515.24 feet;

Thence, N 00°49'31" W 764.27 feet with the centerline of Mink Street, to the PRINCIPLE PLACE OF BEGINNING, and containing 27.679 Acres, more or less, and is subject to all legal easements, right of ways, restrictions, and zoning ordinances of record.

Bearings of the above description are based on the centerline of Mink Street (Co. Road 41), as being S 00°49'31" E, and is an assumed Meridian used to denote angles only.

Subject to a 100 foot wide overhead electric transmission line easement.

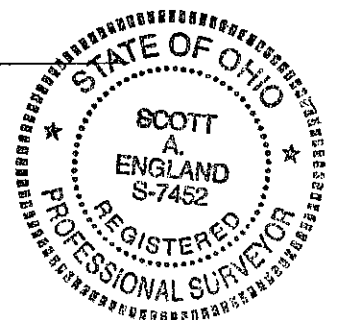
All iron pins set are 5/8" o.d. iron pins 30" long with red caps labeled "S.A. ENGLAND #S-7452".

The above description was prepared by S.A. England & Associates, under the direct supervision of Scott A. England, Ohio Registered Surveyor #S-7452 in February of 2009.

Dated

2/9/09

Scott A. England, P.S.
Ohio Registered Surveyor #7452



2310-09LI

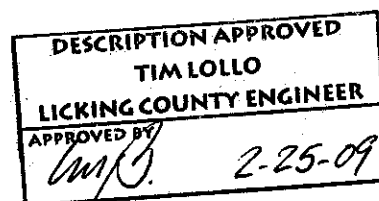


Exhibit "A"
Legal Description
27.679 Acres

all of Ola D. Linn parcel: Instrument No. 2001-04120012014

Situated in the City of Pataskala (formerly the Township of Lima), County of Licking, State of Ohio, and being a part of Lots 2 & 3 of the Third Quarter, Township 1N, Range 15W, of the United States Military Lands, and being more particularly described as follows;

Being a Survey of all of a parcel conveyed to Ola D. Linn, as recorded in Instrument No. 2001-04120012014, in the Licking County Deed Records, and being all of Auditor's Parcel No. 63-140724-00.000, and further described as follows;

Commencing at a mag nail found marking the intersection of the North line of Lot 3 and the centerline of Mink Street, also being the Northwest corner of a parcel conveyed to The Board of Trustees of the West Licking Joint Fire District, as recorded in O.R. Volume 89, Page 296;

Thence, S 00°49'31" E 1504.15 feet with the centerline of Mink Street, to a mag nail found marking the Southwest corner of a parcel conveyed to Howard P. Emswiler, Trustee of the Howard P. Emswiler Revocable Trust, as recorded in Instrument No. 1999-11100046335, and being the PRINCIPLE PLACE OF BEGINNING of the 27.679 acre parcel herein to be described;

Thence, S 86°11'19" E 1599.48 feet to an iron pin set on the West line of a parcel conveyed to Southwest Licking Community Sewer and Water District, as recorded in Instrument No. 2005-03030006280, and passing over an iron pin set at 30.00 feet;

Thence, S 03°15'12" W 771.99 feet with the West line of said parcel conveyed to Southwest Licking Community Sewer and Water District, and extending along part of the West line of a parcel conveyed to Phillip G. & Eileen M. Derolf, as recorded in Deed Volume 823, Page 898, to an iron pin set marking the Northeast corner of a parcel conveyed to Sean & Barbara Brogan, as recorded in Instrument No. 1997-11060006101;

Thence, N 85°53'51" W 1545.24 feet with the North line of said parcel conveyed to Brogan, to a mag nail set in the centerline of Mink Street, and passing over an iron pin set at 1515.24 feet;

Thence, N 00°49'31" W 764.27 feet with the centerline of Mink Street, to the PRINCIPLE PLACE OF BEGINNING, and containing 27.679 Acres, more or less, and is subject to all legal easements, right of ways, restrictions, and zoning ordinances of record.

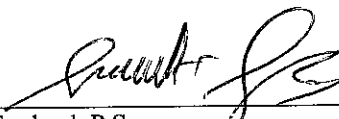
Bearings of the above description are based on the centerline of Mink Street (Co. Road 41), as being S 00°49'31" E, and is an assumed Meridian used to denote angles only.

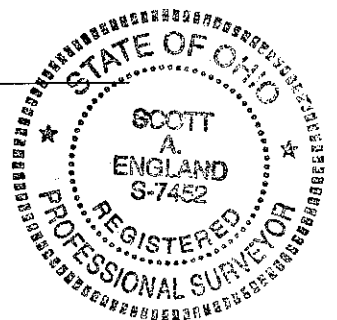
Subject to a 100 foot wide overhead electric transmission line easement.

All iron pins set are 5/8" o.d. iron pins 30" long with red caps labeled "S.A. ENGLAND #S-7452".

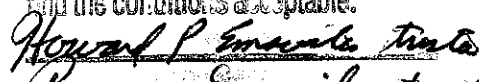
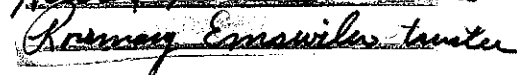
The above description was prepared by S.A. England & Associates, under the direct supervision of Scott A. England, Ohio Registered Surveyor #S-7452 in February of 2009.

Dated 2/9/09


Scott A. England, P.S.
Ohio Registered Surveyor #7452



2310-09LI

(We have reviewed the survey and
find the conditions acceptable.)



POINT OF COMMENCEMENT:
Intersection of North Line Lot 3
& centerline Mink Street

Plat of Survey

City of Pataskala, County of Licking, State of Ohio, part
Lots 2 & 3 in the Third Quarter, Township 1N, Range 15W,
of the United States Military Lands.

PROPERTY LOCATION:

Situated in the City of Pataskala, County of Licking, State of Ohio, and being a part of Lots 2 & 3 in the Third Quarter, Township 1N, Range 15W, of the United States Military Lands.

Being a Survey of a parcel conveyed to Ola D. Linn, as recorded in Instrument No. 2001-04120012014, in the Licking County Deed Records, and being all of Auditor's P.P.N. 63-140724-00.000.

PREPARED FOR:

Hayes Title Agency

Howard P. Emswiler, Trustee of the Howard P. Emswiler Revocable Trust
Instrument No. 1999-11100046336

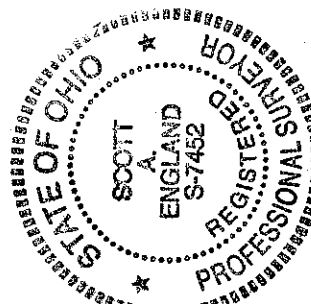
S 86°16'19" E 1599.48'

PLACE OF BEGINNING

S 00°49'31" E 1504.15'

Mink Street (Co. Road 41)

N 00°49'31" W 764.27'



27.679 Acres

Ola D. Linn
Instrument No. 2001-04120012014
Auditor's P.P.N. 63-140724-00.000

overhead electric transmission line easement (100 feet wide)

N 85°53'51" W

I hereby certify that an actual survey of the premises was made, and that this plat is correct to the best of my knowledge

2/6/19

Date

Scott A. England, P.S.

Ohio Registered Surveyor #S-7452

Sean & Barbara Brogan
Instrument No. 1997-11060006101

1515.24'

Graphic Scale

0 100 200 400



1 Inch = 200 Feet

LEGEND

- - 5/8" o.d. Iron Pin Found
- - 1/2" o.d. Iron Pipe Found
- ⊙ - Iron Pin Set
- △ - 5/8" Rebar 30" long with/red cap Labeled S.A. England #7452
- ▲ - Mag Nail Found
- ⊕ - Mag Nail Set

Southwest Licking Community
P1 Water & Sewer District

Instrument No. 2005-03030006280

BASIS OF BEARING

The bearings of this plat are based on the centerline of Mink Street (Co. Road 41), as being S 00°49'31" E, and is an assumed Meridian used to denote angles only.

PREPARED BY:

S.A. ENGLAND & ASSOCIATES
Professional Land Surveying
P.O. Box 1770, 5179 Walnut Road
Buckeye Lake, Ohio 43008
740-928-8680 FAX 740-928-9565
WWW.SURVEYOHIO.COM

Phillip G. & Eileen M. Derolf
Deed Volume 823, Page 898

771.99'

305.51'

P1

FIDUCIARY DEED

HOWARD P. EMSWILER, TRUSTEE OF THE HOWARD P. EMSWILER
REVOCABLE TRUST U/A DATED DECEMBER 27, 1978, AS AMENDED, of Jersey
Township, Licking County, Ohio, for valuable consideration paid, grants, with fiduciary
covenants, to **SOUTHWEST LICKING COMMUNITY WATER AND SEWER DISTRICT**,
a regional water and sewer district established under Ohio Revised Code 6119, whose tax-
mailing address is P.O. Box 215, Etna, Ohio 43018, the following **REAL PROPERTY**:

See Exhibit "A" attached hereto.

Excepting conditions, easements, restrictions, rights of way and
zoning and other governmental regulations of record and taxes and
assessments not yet due and payable which Grantee assumes and
agrees to pay as a part of the consideration herein.

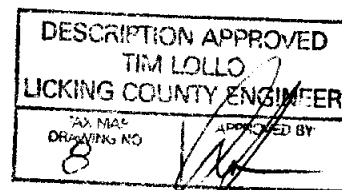
Prior Instrument Reference: Instrument No. 199911100046335 of the Official
Records of Licking County, Ohio.

Witness my hand this 1st day of March, 2005.

TRANSFERRED
Date MARCH 3, 2005
J. Terry Evans
Licking County Auditor TH

SEC. 319.202 COMPLIED WITH
J. TERRY EVANS, AUDITOR-
BY TH See previous
DEED

Howard P. Emswiler, Trustee
Howard P. Emswiler, Trustee of the Howard P.
Emswiler Revocable Trust U/A Dated December
27, 1978, as amended



1689001

State of Ohio

County of Licking

ss:

BE IT REMEMBERED, That on this 1st day of March, 2005, before me, the subscriber, a Notary Public in and for said county, personally came, Howard P. Emswiler, Trustee of the Howard P. Emswiler Revocable Trust U/A Dated December 27, 1978, as amended, the Grantor in the forgoing Fiduciary Deed, who acknowledged the signing thereof to be his voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed and affixed my seal on the day and year aforesaid.

Amy K. Schulze ~~NEED change~~
Notary Public

This instrument was prepared by:

Arnold E. Shaheen, Jr., Esq.
P. O. Box 49
Pataskala, Ohio 43062-0049



AMY K. SCHULZE
Notary Public, State of Ohio
My Commission Expires May 29, 2008

Exhibit A

**1.500 Acre Tract
&
Ingress / Egress Easement
of Utility Easement**

Situated in the State of Ohio, County of Licking, City of Pataskala, being in Lot 3, Quarter 3 and Quarter 4, Township 1, Range 15, U.S. Military Lands and being a part of a 32.75 acre tract (Parcel 3), parcel # 44-140520-00.000, conveyed to *Howard P. Emswiler Trustee* in instrument 199911100046335 and *Rosemary A Emswiler Trustee* in instrument 199911100046336, all records being of the Recorder's Office, Licking County, Ohio unless otherwise noted and being more particularly described as follows:

Beginning for reference at the intersection of the northerly line of said Lot 3 and the centerline of *County Road 41 (Mink Street)* and being the northwesterly corner of a 1.5 acre tract conveyed to the *Board of Trust of West Licking Joint Fire District* in Official Record Volume 89, page 296;

Thence, with the center of said *County Road 41*, *South 05 degrees 00 minutes 00 seconds East, 1504.15 feet* to a Mag nail set at a southwesterly corner of said 32.75 acre tract, the northwesterly corner of a 27.75 acre tract, parcel # 63-140724-00.000, conveyed to *Ola D. Linn et. al.* in instrument 200100640019381;

Thence, with a southerly line of said 32.75 acre tract, the northerly line of said 27.75 acre tract, *North 89 degrees 33 minutes 12 seconds east, 1599.37 feet* to the northeasterly corner of said 27.75 acre tract and an angle point in said 32.75 acre tract and being on the dividing line between said Quarter 3 and said Quarter 4 and being **THE PRINCIPAL PLACE OF BEGINNING** of herein described tract;

Thence, crossing said 32.75 acre tract with the following three (3) new courses;

- 1) **North 00 degrees 56 minutes 28 seconds West, 34.49 feet** to a 5/8" rebar set;
- 2) **North 89 degrees 03 minutes 32 seconds East, 192.09 feet** to a 5/8" rebar set;
- 3) **South 00 degrees 56 minutes 28 seconds East, 340.31 feet** to a 5/8" rebar set on a southerly line of said 32.75 acre tract and on the northerly line of a 27.091 acre tract, parcel # 63-140394-00.000, conveyed to *Phillip G. and Eileen M. Derolf* in Deed Volume 823, page 898;

Thence, with a southerly line of said 32.75 acre tract, the northerly line of said 27.091 acre tract, **South 89 degrees 09 minutes 03 seconds West, 192.09 feet** to a 5/8" rebar set at the base of a wood fence post and being the northwesterly corner of said 27.091 acre tract and being on the easterly line of said 27.75 acre tract and on the dividing line between said Quarter 3 and said Quarter 4;

Thence, with the easterly line of said 27.75 acre tract and the dividing line between said Quarter 3 and said Quarter 4, **North 00 degrees 56 minutes 28 seconds West, 305.51 feet to THE PLACE OF BEGINNING CONTAINING 1.500 ACRES** more or less, subject however to all legal easements, restrictions and rights-of-way of record and records in their respective utility offices and in particular the following 25 foot wide ingress / egress easement form the westerly line of said 1.500 acre tract to the center of said County Road 41 and being more fully described as follows:

Beginning for reference at a 5/8" rebar set at the northwesterly corner of the previously described 1.500 acre tract;

Thence, with the westerly line of said 1.500 acre tract, South 00 degrees 56 minutes 28 seconds East, 9.49 feet to **THE PRINCIPAL PLACE OF BEGINNING** of herein described easement;

Thence, continuing with the westerly line of said 1.500 acre tract, *South 00 degrees 56 minutes 28 seconds East, 25.00 feet* to the northeasterly corner of said 27.75 acre tract and an angle point in said 32.75 acre tract;

Thence, with the northerly line of said 27.75 acre tract, the southerly line of said 32.75 acre tract *South 89 degrees 33 minutes 12 seconds West, 1599.37 feet* to a Mag nail set in the center of said *County Road 41* and being the northwesterly corner of said 27.75 acre tract, the southwesterly corner of said 32.75 acre tract;

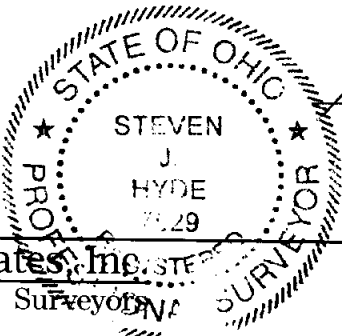
Thence, with the center of said *County Road 41*, the westerly line of said 32.75 acre tract, *North 05 degrees 00 minutes 00 seconds West, 25.08 feet* to a Mag nail set;

Thence, leaving the center of said *County Road 41* and crossing said 32.75 acre tract with a new course, *North 89 degrees 33 minutes 12 seconds East, 1601.14 feet* to **THE PLACE OF BEGINNING** of herein described easement containing 0.918 acres more or less;

This description was based on an actual field survey done on August 23, 2004 and in accordance with the Ohio Administrative Code 4733-37. Unless otherwise noted iron pins set are 30" x 5/8" rebar with orange plastic caps inscribed "**HYDE P.S. 7529**". *Unless otherwise noted all iron pins found are 1" O.D. pipe. Basis of bearings is the centerline of County Road 41 (Mink Street) as South 05 degrees 00 minutes 00 seconds East per Official Record Volume 420, page 958 and are for angular purposes only.*

**Feller,
Finch**

& Associates, Inc.
Engineers • Surveyors



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