



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

May 11, 2021

Variance Application VA-21-019

Applicant:	Donald Walaszek
Owner:	George & Harriet Igel
Location:	3671 Headleys Mill Road SW, Pataskala, OH 43062
Acreage:	9.37-acres
Zoning:	AG – Agricultural
Request:	Requesting approval of a Variance from Section 1225.05(C)(3) to allow for the construction of a Single-Family Home that will not meet the required rear yard setback and Section 1221.05(D)(1) for an existing Accessory Building to be in front of the primary structure.

Description of the Request:

Requesting approval of two (2) Variances. The first, from Section 1225.05(C)(3) of the Pataskala Code to allow for the construction of a Primary Structure that will not meet the required rear yard setback. The second, from Section 1221.05(D)(1) of the Pataskala Code to allow for an existing Accessory Building to be located in front of the Primary Structure.

Staff Summary:

The 9.37-acre property located at 3671 Headleys Mill Road SW is currently occupied by a 1,800-square foot barn built in 1970, a 448-square foot shed built in 1975. It is an existing non-conforming lot, as it does not meet the minimum requirements of the AG – Agricultural zoning district in which it is located. That being, a minimum lot size of 10-acres. The parcel is an “L” shaped lot, with the widest part being the frontage along Headleys Mill Road SW. Access to the property is via one (1) gravel driveway onto Headleys Mill Road SW, running to the barn and then around to the rear of the property.

As proposed, the Property Owner would like to construct a new single-family residence on the lot. The proposed home will be in the eastern portion of the property, set back from the front property line 100.2-feet, 143-feet from the east side property line, 428.6-feet from the west side property line, and 75.7-feet from the rear property line. The Property Owner would like to retain the existing barn on the property. The proposed home would utilize a well for water, and a septic system for wastewater. The existing gravel driveway will be extended to the proposed home, and a secondary access added at the southeastern part of the property onto Headleys Mill Road SW.

Per the Narrative Statement submitted the Property Owner, they have stated that the variance is necessary because this part of the property is not deep enough to meet the required setback of the AG – Agricultural zoning district. The other end of the property, as stated by the Property Owner, would place the proposed home behind the barn. They also believe the requested variance is not substantial, will not permanently impair the use or development of adjacent property. They stated that they could tear the barn down and build the house on the side of the property, however, they would like to keep the barn. Further stated, they believe the spirit and intent of the Zoning Code would be observed.

Staff Review:

The following summary does not constitute recommendations but merely conclusions and suggestions from the Staff Review, the full text of which follows the summary.

Planning and Zoning Staff:

Section 1225.05(C)(3) of the Pataskala Code states that there shall be a rear yard setback of not less than 100-feet for dwelling structures within the AG – Agricultural zoning district. As proposed, the rear yard setback of the home is 75.7-feet; therefore, the requested variance is for a reduction of the rear yard setback by 24.3-feet, or a 24.3% decrease from the requirement.

Section 1221.05(D)(1) of the Pataskala Code further states that any accessory buildings shall be located even with or behind the front of a principal structure within the side or rear yard. Although the existing barn is existing non-conforming and allowed to remain as-is, any new structures on the property must conform to the zoning code. Therefore, the Applicant is requesting a variance in order for the proposed primary structure to be behind the existing barn on the property.

A Right-of-Way work permit will be required from the Public Service Department prior to construction commencing on the secondary driveway access point. Staff has no further concerns with the proposal.

Licking County Health Department

The Health Department has already approved the septic design system for the property, and has no objections at this time.

Other Departments and Agencies

No other comments received.

Surrounding Area:

Direction	Zoning	Land Use
North	AG - Agricultural	Vacant (Forested) Single-Family Home
East	AG - Agricultural	Single-Family Home
South	AG - Agricultural	Single-Family Home Agricultural
West	AG - Agricultural	Agricultural

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-21-019:

- a) 1211.07(2)(a): To permit any yard or setback less than the yard or setback required by the applicable regulation.

Department and Agency Review

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

Conditions:

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

- 1. The Applicant shall obtain all necessary permits from the City of Pataskala and the Licking County Building Department within one (1) year of the date of approval.

Resolution:

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

"I move to approve variances from Section 1225.05(C)(3), and Section 1221.05(D)(1) of the Pataskala Code for Variance Application VA-21-019 ("with the following conditions" if conditions are to be placed on the approval)."

From: [Chad Brown](#)
To: [Jack Kuntzman](#)
Subject: RE: Pataskala BZA Review Memo for 05-11-2021
Date: Tuesday, April 20, 2021 2:27:15 PM
Attachments: [image003.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.

Good afternoon Jack. Our office approved the septic system design for the property included in VA-21-019 earlier today, and we do not have any objections to the variance application at this time.

Thanks
Chad

Chad Brown, REHS, MPH
Health Commissioner
Licking County Health Department
675 Price Road | Newark, OH | 43055
Office: (740) 349-6487
www.lickingcohealth.org



Find LCHD on Social Media:



From: Jack Kuntzman <jkuntzman@ci.pataskala.oh.us>
Sent: Tuesday, April 20, 2021 1:57 PM
To: Steven Blake <sblake@ci.pataskala.oh.us>; Jim Roberts <jroberts@hullinc.com>; Scott Haines <shaines@hullinc.com>; Bruce Brooks <bbrooks@pataskalapolice.net>; Doug White <DWhite@westlickingfire.org>; Philip Wagner <pwagner@lhschools.org>; Perkins, Kasey (Southwest Licking Local Schools) <kperkins@laca.org>; Chris Sharrock <csharrock@ci.pataskala.oh.us>; Chris Gilcher <cgilcher@swlcws.com>; Alan Haines <ahaines@ci.pataskala.oh.us>; Chad Brown <cbrown@lickingcohealth.org>
Cc: Scott Fulton <sfulton@ci.pataskala.oh.us>; Lisa Paxton <lpaxton@ci.pataskala.oh.us>
Subject: Pataskala BZA Review Memo for 05-11-2021
Importance: High

Good Afternoon Everyone,



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: 3671 HEADLEYS MILL SW-	
Parcel Number: 063-140274-01.000	
Zoning: AG.	Acres: 9.37
Water Supply:	
<input type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input checked="" type="checkbox"/> On Site
Wastewater Treatment:	
<input type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input checked="" type="checkbox"/> On Site

Staff Use
Application Number:
VA-21-019
Fee:
300.00
Filing Date:
4/19/2021
Hearing Date:
5/11/2021
Receipt Number:
21824

Applicant Information		
Name: DONALD WALDSZEK		
Address: 54 ORGARD DR.		
City: GRANVILLE	State: OH	Zip: 43023
Phone: 614-554-3455	Email: D.WALZAK42@AOL.COM	

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

Property Owner Information		
Name: GEORGE & MARILEE ISEL		
Address: 1951 HAVERTON DR.		
City: KEYHOLDSBURG	State: OHIO	Zip: 43068
Phone: 614-361-9836	Email: NP NOSIS AT SBG LABEL.NET	

Variance Information
Request (Include Section of Code): 1211.05(C)(3) (C)(3)
(225.05(C)(3))
Describe the Project: NEW CONSTRUCTION WILL NOT MEET SETBACK OF 100'

Documents to Submit

Variance Application: Submit 1 copy of the variance application.

Narrative Statement: Submit 1 copy of a narrative statement explaining the following:

- 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:
 - a) *Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property without the variance;*
 - b) *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;*
 - c) *Whether the variance requested is substantial;*
 - d) *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;*
 - 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 governmental 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.*
- 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:

- 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:

4-19-21

Property Owner (Required):

see attached

Date:

From: [Igel, George V](#)
To: [Jack Kuntzman](#)
Cc: dwalzak42@aol.com; [Harriet Igel](#)
Subject: RE: 3671 Headleys Mill Road SW - Pataskala Variance
Date: Tuesday, April 20, 2021 11:56:42 AM

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,

My wife Harriet and I have a trust that owns this property. I hereby consent to the Variance Application VA-21-019 submitted. If you need this email approval from Harriet, she is copied here and can also reply. Just let us know.

Thank you,
George



George Igel V

Vice President, George J. Igel & Co., Inc.

(w) 614.246.2309 | **(f)** 614.445.8205 | buildwithigel.com

Site Development | Earthwork | Utilities | Concrete | Stabilization | Earth Retention Systems | Roller Compacted Concrete

From: Jack Kuntzman <jkuntzman@ci.pataskala.oh.us>
Sent: Tuesday, April 20, 2021 10:06 AM
To: Igel, George V <George.Igel@igelco.com>
Cc: dwalzak42@aol.com; Harriet Igel <hp-nosis@sbcglobal.net>
Subject: RE: 3671 Headleys Mill Road SW - Pataskala Variance

Good Morning, George.

No need to stop by and sign off the application, your can simply reply 'yes' to this email.

Do you confirm that you, George Igel, own the property located at 3671 Headleys Mill Road and consent to the Variance Application VA-21-019 submitted for the May 11, 2021 Board of Zoning Appeals hearing?

JACK R. KUNTZMAN

City Planner

City of Pataskala

621 West Broad Street, Suite 2-A

Pataskala, Ohio 43062

Phone: 740-964-1316

From: Igel, George V <George.Igel@igelco.com>
Sent: Monday, April 19, 2021 4:13 PM
To: Jack Kuntzman <jkuntzman@ci.pataskala.oh.us>
Cc: dwalzak42@aol.com; Harriet Igel <hp-nosis@sbcglobal.net>
Subject: RE: 3671 Headleys Mill Road SW - Pataskala Variance

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,
See the answers to your questions below, highlighted in yellow.....
If you need our signatures on the application, I can sign tomorrow, and my wife Harriet can complete later this week.
We plan to attend the variance meeting on May 11. Please advise the time and location.
Thank you,
George



George Igel V
Vice President, George J. Igel & Co., Inc.
(w) 614.246.2309 | (f) 614.445.8205 | buildwithigel.com

Site Development | Earthwork | Utilities | Concrete | Stabilization | Earth Retention Systems | Roller Compacted Concrete

From: Jack Kuntzman <jkuntzman@ci.pataskala.oh.us>
Sent: Monday, April 19, 2021 1:36 PM
To: Igel, George V <George.Igel@igelco.com>
Subject: 3671 Headleys Mill Road SW - Pataskala Variance

Good Afternoon, George.

Don met with me this morning to go over the plans for the proposed new home at 3671 Headleys Mill Road. As the proposed new home did not meet the required rear yard setback of the AG District, a variance application was filed on your behalf. As part of this process we require the property owner to sign the application. We just need confirmation from you that this application is being filed with your knowledge and consent.

Also, as a part of the variance process we require that a 'Narrative Statement' be submitted which is a short explanation of what you are proposing, and responses to several questions that are set by the Pataskala Code as the criteria the Board of Zoning Appeals must consider when determining whether or not to approve a variance request. They are:

- a. Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property without the variance; **No, not likely**
- b. 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; **Yes. The property is not deep enough with the house plan proposed unless it is moved to the other end of the property, in which case it would be partially behind the old 100+/- year old barn, which is not in the current set back and would block the view of the house and restrict access to the house by fire and medical vehicles.**

- c. Whether the variance requested is substantial; **Regulations require 100 ft from back of house to the lot line, and proposal is for approx. 75ft**
- d. 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; **No**
- e. Whether the variance, if granted, will substantially or permanently impair the appropriate use or development of adjacent property; **No**
- f. Whether the variance, if granted, will be detrimental to the public welfare; **No**
- g. Whether the variance, if granted, would adversely affect the delivery of governmental services; **No. It should help since the house won't be behind the barn**
- h. Whether the property owner purchased the subject property with knowledge of the zoning restriction; **I assumed there was a setback from the street, but was not aware of required 100ft from back of property**
- i. Whether the property owner's predicament can be obviated through some other method than variance; **not unless I tear down old barn**
- 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, **Yes, this is the best and simplest solution**

Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. **Yes. There are woods that would obstruct the new house from the view of property owner in rear. The intent to keep neighbors from having clear view and short distance from neighbors house would still apply.**

So, in your own opinion, we would need some short responses to these questions. Generally, the more detail the better, but simple 'yes' and 'no' responses will suffice. I would need a response by tomorrow morning so these can be sent out for review.

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

Respectfully,

JACK R. KUNTZMAN

City Planner

City of Pataskala

621 West Broad Street, Suite 2-A

Pataskala, Ohio 43062

Phone: 740-964-1316

SITE MAP
N.T.S.

ZONING: AG

NOTES :

- (PS)** = Area to be top-soiled, seeded and mulched by owner at completion of construction.

**SITE PLAN and
EROSION & SEDIMENT CONTROL PLAN**

Lisa & Sapehr Rajaie
201906040010801

Bearings are based on the Ohio State Plane Coordinate System, Ohio South Zone, NAD83 (CORS), as established using GPS Observations processed against the Ohio CORS network.

● = Existing Iron Pin or Pipe as noted

0 25 50 100

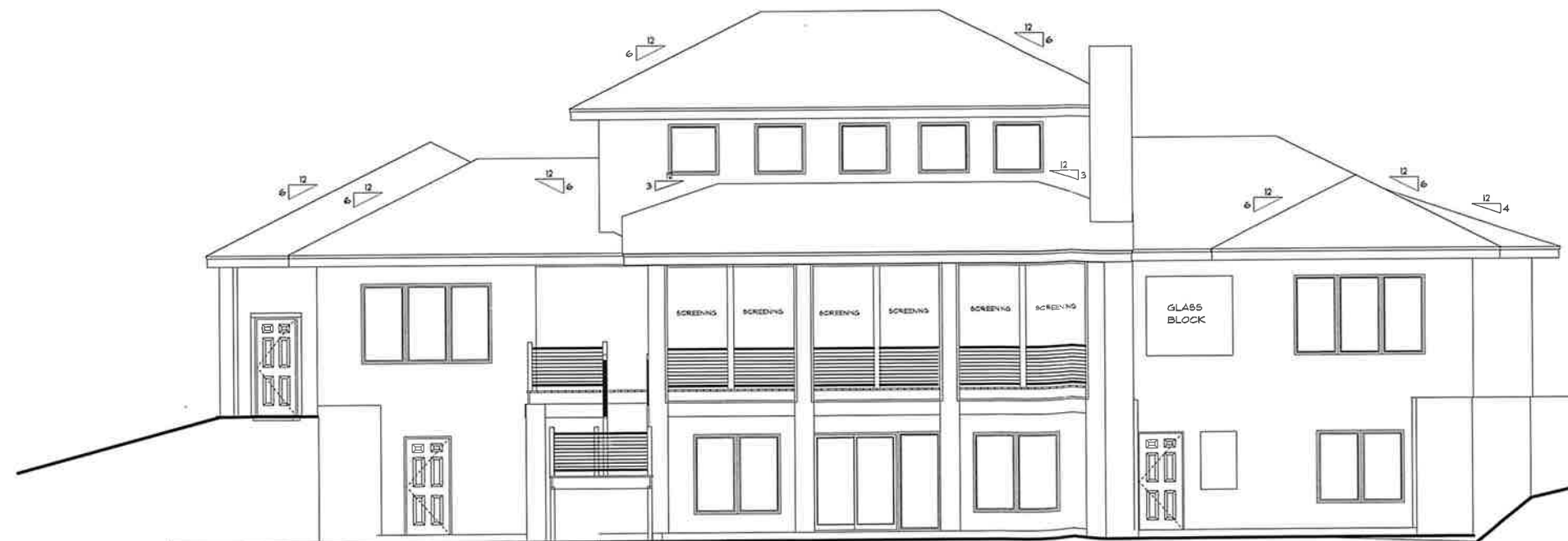
Scale: 1" = 50'

Dwg. No. 20-6553
Date: March 25, 2021



FRONT ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

BID PLANS
NOT FOR CONSTRUCTION

Building
services &
associates
ROCHELL, OHIO 43085
PAV
444-441-3440
WWW.BSASOCIATES.COM



IGEL RESIDENCE
HEADLEY'S MILL RD.
PATASKALA, OHIO 43062-8679

REVISIONS:

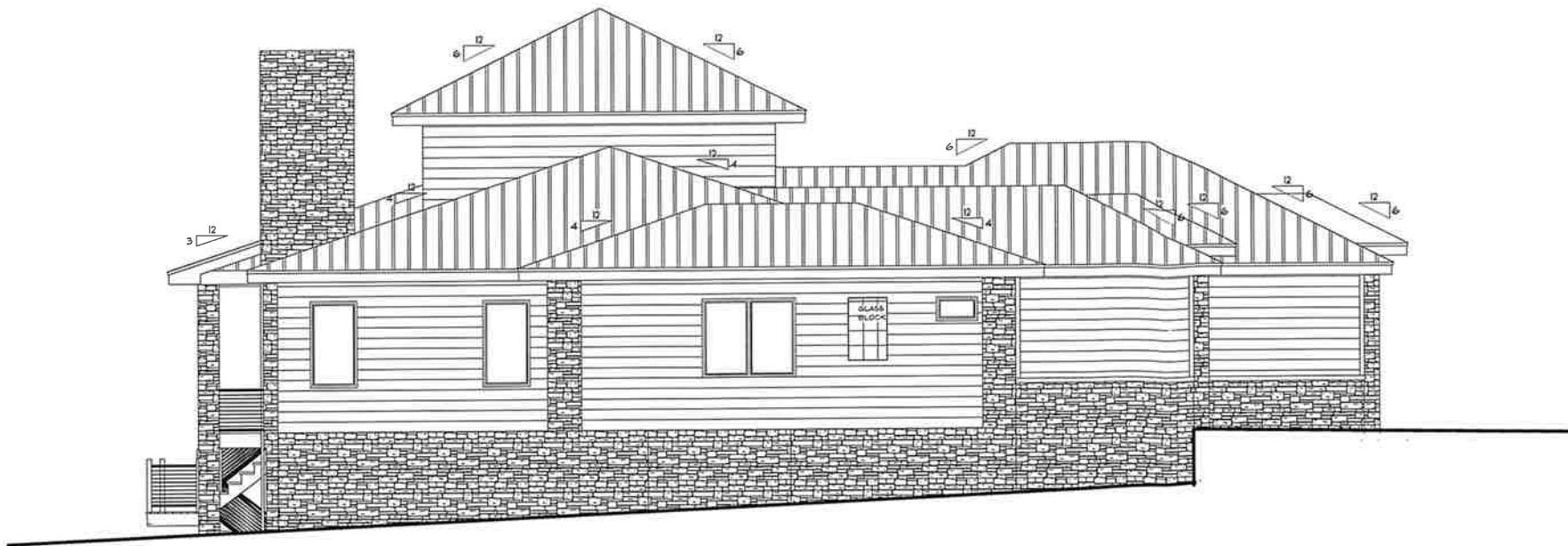
REVISION	DATE	REVISION NOTE
1	2/9/21	OWNER REVISION
2	2/21/21	BID PLANS
3	2/22/21	BID PLANS REV.
4	2/28/21	BID PLANS REV.
5	3/17/21	BID PLANS REV.

DATE: 2/22/21

DRAWN BY: JP

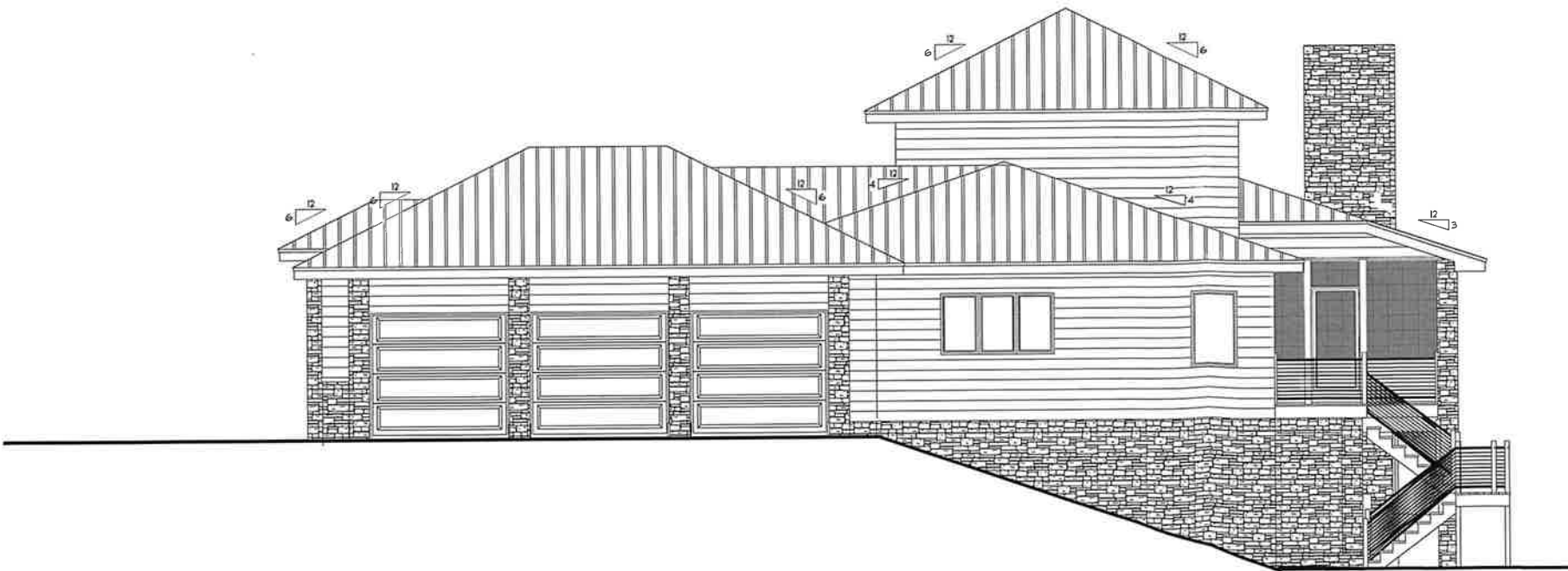
SHEET

4 OF 8



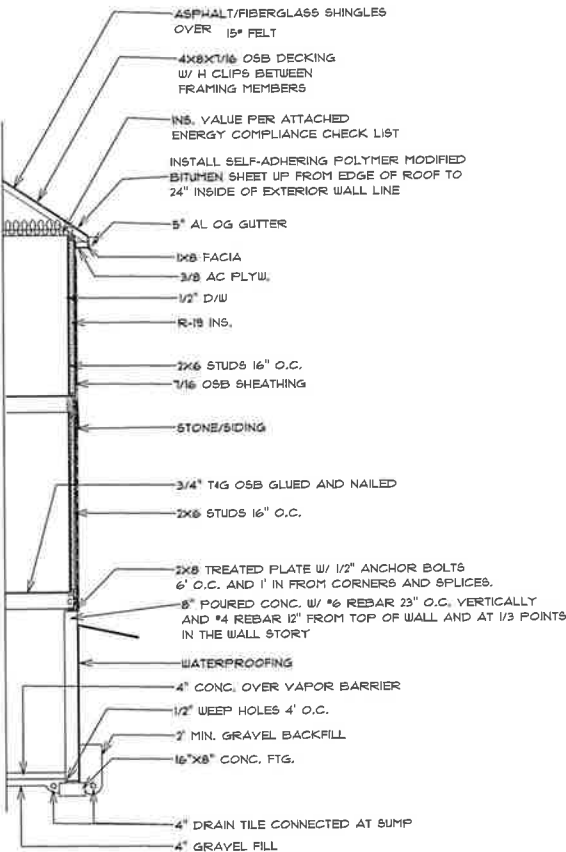
LEFT ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



TYP. WALL SECTION

NO SCALE

**BID PLANS
NOT FOR CONSTRUCTION**

Building
service &
B3A
associates
P.O. BOX 1000
PATASKALA, OHIO 43062-0100
TEL: 614-444-5440
FAX: 614-444-5440
WWW.B3A-ASSOCIATES.COM



IGEL RESIDENCE
HEADLEY'S MILL RD.
PATASKALA, OHIO 43062-8679

REVISIONS:

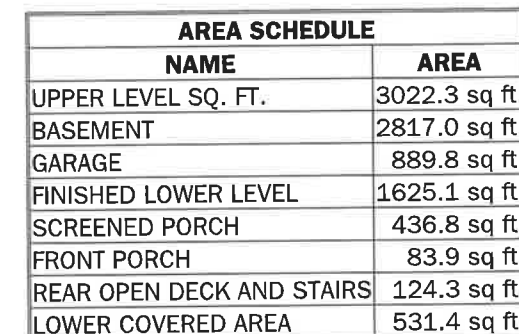
REVISION SCHEDULE	
DATE	REVISION NOTE
2/9/21	OWNER REVISIONS
2/21/21	BID PLANS
2/22/21	BID PLAN REV.
2/28/21	BID PLAN REV.
3/21/21	BID PLAN REV.

DATE: 2/22/21

DRAWN BY: JP

SHEET

5 OF 8

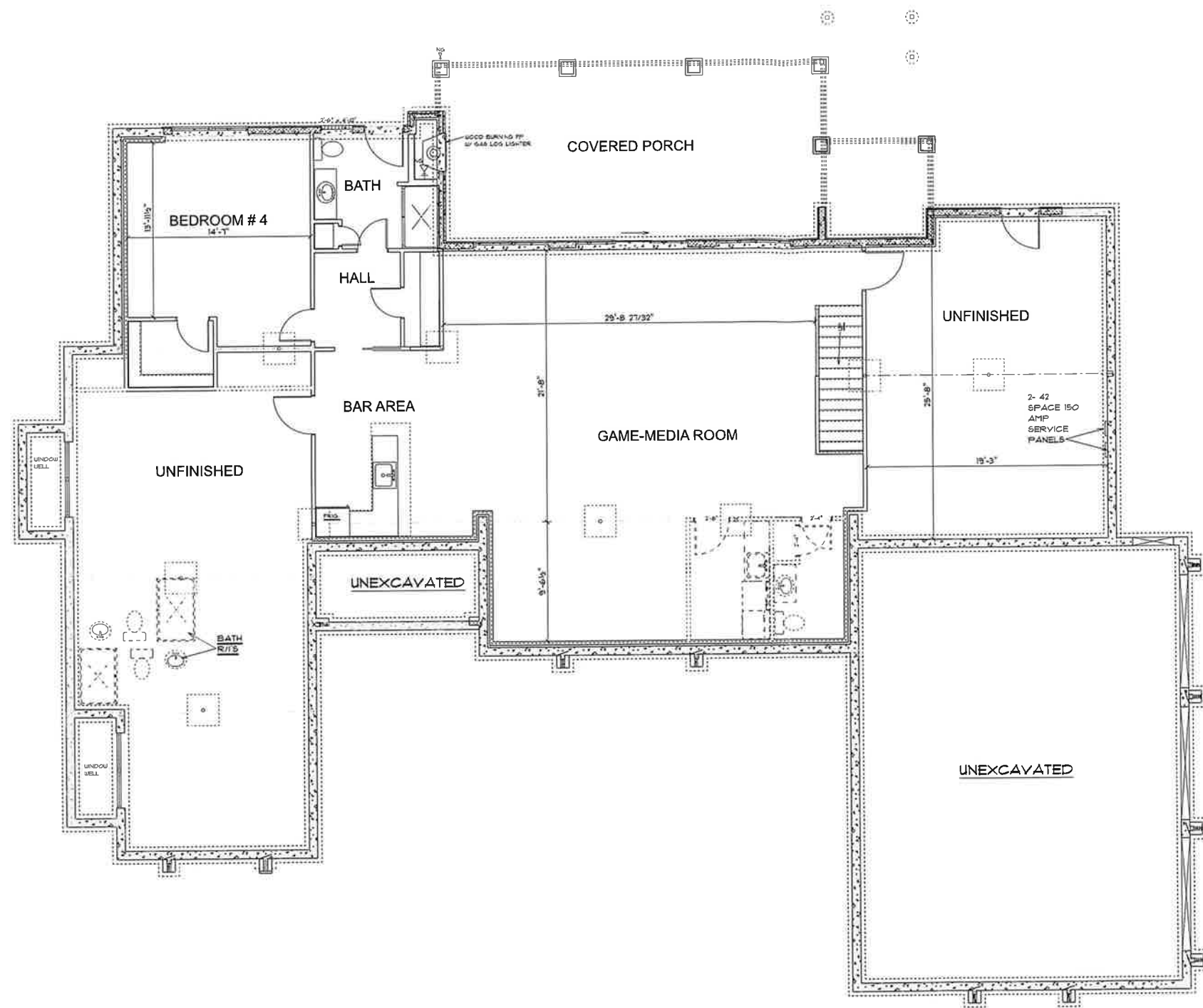


**BID PLANS
NOT FOR CONSTRUCTION**

SCALE: 1/4" = 1'-0"

DRAWING SCHEDULE	
FOUNDATION PLAN_____	1
FINISHED LOWER LEVEL _____	2
1ST FLOOR _____	3
EXTERIOR ELEVATIONS _____	4
EXTERIOR ELEVATIONS II _____	5
ROOF PLAN _____	6
MAIN LEVEL ELECTRICAL PLAN _____	7
LOWER LEVEL ELECTRICAL PLAN _____	8

REVISION SCHEDULE	
DATE	REVISION NOT
2/29/21	DAIRY REVISION
3/24/21	BID PLANS
2/22/21	BID PLAN REV
2/26/21	BID PLAN REV
3/17/21	BID PLAN REV



FINISHED LOWER LEVEL PLAN

SCALE: 1/4" = 1'-0"

**BID PLANS
NOT FOR CONSTRUCTION**

Building
service &
residential
MSA
ROBERT C. OGDEN
P.O. BOX 1340
PATASKALA, OHIO 43062-8679
TEL: 614.441.1340
FAX: 614.441.1340
EMAIL: RESIDENTIAL@MSAONLINE.COM



IGEL RESIDENCE
HEADLEY'S MILL RD.
PATASKALA, OHIO 43062-8679

REVISIONS:

REVISION SCHEDULE	
DATE	REVISION NOTE
2/16/21	OWNER REVISIONS
2/21/21	BID PLANS
2/22/21	BID PLAN REV.
2/25/21	BID PLAN REV.
3/17/21	BID PLAN REV.

DATE: 2/22/21

DRAWN BY: JP

SHEET

2 OF 8

DESCRIPTION APPROVED
JARED N. KNERR
LICKING COUNTY ENGINEER

Approved By JR Nov 13, 2020
0115PA0010000033000

TRANSFERRED

Nov 13, 2020
Michael L. Smith
LICKING COUNTY AUDITOR
SEC 319.902 COMPLIED WITH
MICHAEL L. SMITH
By: SAS 720.00

InstrID:202011130030908	11/13/2020
Pages:3	F: \$42.00 12:45 PM
Bryan A. Long	T20200027562
Licking County Recorder	

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENT: That **Coleman R. Simeral, a married man** ("Grantor"), for valuable consideration paid, grants with general warranty covenants to **George J. Igel V and Harriet P. Igel, or Successor, Co-Trustees of The Igel Family Trust dated January 3, 2019** ("Grantee"), whose tax mailing address is: 1951 Haverton Drive, Reynoldsburg, OH 43068, the following described Real Property:

SEE EXHIBIT "A" ATTACHED HERETO

Prior Instrument Reference: 201711290026233, Licking County Recorder's Office

Parcel Number: 063-140274-01.000

Property Address: 0 Headleys Mill Road, Pataskala, OH 43062


This conveyance, and Grantor's covenants, are subject to the following: The lien of any taxes and assessments not now due and payable; zoning ordinances and regulations; legal highways; and restrictions, conditions, reservations and easements of record.

Grantor hereby releases all rights of dower therein.

Signed and acknowledged by **Coleman R. Simeral**, the Grantor of and to the foregoing Deed, as of this 10 day of November 2020.


Coleman R. Simeral

IN WITNESS WHEREOF, **Abbey P. Knight, Wife of Coleman R. Simeral**, the Grantor on the foregoing Deed, has caused the signing of this instrument solely to release dower, and has caused their name to be subscribed on this 10 day of November 2020.


Abbey P. Knight

STATE OF Ohio) SS:
COUNTY OF Franklin)

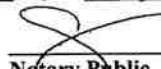
This is an acknowledgment clause. No oath or affirmation was administered to the signer.

Before me, a Notary Public in and for said County and State, personally appeared **Coleman R. Simeral**, the Grantor on the foregoing Deed, and **Abbey P. Knight, Wife of Coleman R. Simeral**, the Grantor on the foregoing Deed, whose identity was known or proven to me and who did sign the foregoing instrument and acknowledged the signing hereof to be their voluntary act and deed.

In testimony thereof, I have hereunto set my hand and official seal at Columbus, Ohio, this 10 day of November 2020.



SHELLY BARKER
Notary Public, State of Ohio
My Comm. Expires Aug. 18, 2024


Notary Public
SHELLY BARKER
Printed Name
My Commission expires: Aug. 18, 2024

This instrument prepared by:
Brian K. Duncan, Esq.
BKD LEGAL LLC
119 E. Granville St.
Sunbury, OH 43074

EXHIBIT "A"**LEGAL DESCRIPTION****DESCRIPTION FOR A 9.376 ACRE TRACT**

Situated in the State of Ohio, County of Licking, City of Pataskala, being a part of Lots 4 and 7 in the First Quarter, Township-I, Range-15, of the United States Military Lands, and being a 9.39 acre (tax duplicate) tract of land, Parcel Number 063-140274-01.000 , as conveyed to Ruth Ann and Robert G. Caldwell, Trustees under the Ruth Ann Caldwell Living Trust by Instrument Number 200607240021469, all references being to those of record in the Recorder's Office. Licking County, Ohio, and being more particularly bounded and described as follows:

Commencing at an $\frac{3}{4}$ " iron pipe found marking the intersection of the centerline of Hollow Road SW with the centerline of Headley's Mill Road SW;

Thence along said centerline of Headley's Mill Road SW, North $44^{\circ} 38' 37''$ West, 338.78 feet to a point at a southwesterly corner of a 0.684 acre tract as conveyed to William C. and Patricia A. Schuller by Deed Volume 673, Page 583, said point being the Point of Beginning of the tract herein described;

Thence continuing along said centerline the following two (2) courses and distances:

North $41^{\circ} 29' 26''$ West, 147.87 feet to a point; and ...

North $50^{\circ} 32' 26''$ West, 452.39 feet to a point at a southeasterly corner of a 33.02 acre tract as conveyed to Oaktree Holdings LLC by Instrument Number 200910190022702;

Thence with an easterly line of said 33.02 acre tract, North $29^{\circ} 33' 22''$ East, passing an $\frac{5}{8}$ " iron pin found at 24.77 feet, a total distance of 1194.85 feet to an $\frac{5}{8}$ " iron pin found marking a northeasterly corner of said 33.02 acre tract, a southeasterly corner of a 50 acre tract (tax duplicate) as conveyed to Oaktree Holdings LLC by Instrument Number 200910190022702, and a northwesterly corner of a 22.92 acre tract as conveyed to Jason E. Dunn by Instrument Number 201612020026749;

Thence along the westerly lines of said 22.92 acre tract the following three (3) courses and distances:

South $02^{\circ} 14' 38''$ East, 553.04 feet to a $\frac{5}{8}$ " iron pin set;

South $26^{\circ} 16' 22''$ West, 355.04 feet to a $\frac{5}{8}$ " iron pin set; and ...

South $21^{\circ} 19' 10''$ East, 494.64 feet to an $\frac{3}{4}$ " iron pipe found at a southwesterly corner of said 22.92 acre tract and a northwesterly corner of said 0.684 acre tract;

Thence along a westerly line of said 0.684 acre tract, South $60^{\circ} 30' 35''$ West, passing an $\frac{3}{4}$ " iron pipe found at 189.54 feet, a total distance of 214.25 feet to the Point of Beginning and containing 9.376 acres according to a survey conducted by Jobes Henderson and Associates, Inc. in June of 2017.

The bearings in the above description are based on the Ohio State Plane Coordinate System, South Zone, NAD83, GEOID 12A.

All iron pins set are $\frac{5}{8}$ " 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.

Parcel Number: 063-140274-01.000

