



CITY OF PATASKALA BOARD OF ZONING APPEALS

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

STAFF REPORT

September 12, 2023

Variance Application VA-23-020

Applicant:	PVL Investments, LLC.
Owner:	P&G Pataskala, LTD.
Location:	200 W Broad Street, Pataskala, OH 43062 (PID: 064-307692-00.000)
Acreage:	+/- 53.3-acres
Zoning:	GB – General Business / R-10 – High Density Residential
Request:	Requesting approval of a variance from Section 1249.05(A) to allow for a 4-11/32" increase in allowable building height.

Description of the Request:

The Applicant is seeking approval of a variance from Section 1249.05(A) of the Pataskala Code, which limits building height within the GB – General Business zoning district to 35-feet, for an increase in allowable height by 4-11/32"

Staff Summary:

The 53.30-acre property located at 200 W Broad Street is currently unoccupied and is split-zoned. The main frontage of Broad Street is zoned GB – General Business, while a small portion of the overall property, mostly corresponding to the existing detention pond at the rear (north) is zoned R-10 – High Density Residential. The property itself is also not entirely contiguous. The largest section, 46.767-acres has frontage on Broad Street to the south, Heron Avenue to the west, and John Reese Parkway to the east. There is also a 2.815-acre area on the west side of Heron Avenue, also with frontage on Broad Street, and then a 3.402-acre area to the east, with frontage on John Reese Parkway and Richard Connie Street. As mentioned before, there is a large detention pond area in the north of the property.

On November 8, 2022, the Board of Zoning Appeals approved a conditional use to allow for the property to be used as an Assisted Living Facility, with Independent Living Villas, and associated site improvements. The Applicant then went before the Planning and Zoning Commission for approval of a Transportation Corridor Overlay District (TCOD) application, which was approved on June 7, 2023.

The Planning and Zoning Commission approved the layout, site landscaping, parking, and signage. The main Assisted Living & Memory Care building was approved as a two-story, 66,000-square foot structure. It will be set back from the front property line 82.22-feet, 178.22-feet from the east proposed property line, and 84.56-feet from the west property line. The height of the main building is 35'-4 11/32". Pursuant to Section 1249.05(A) of the Pataskala Code, the maximum building height in the GB – General Business zoning district is 35'. As such, the Applicant has requested this variance.

According to the Narrative Statement as submitted by the Applicant, the specific reasons for the variance include the need for a two-story structure to meet market demand, and a two-story structure allows for shorter hallways, minimizing the walking distance the senior residents would need to take. The Applicant believes that the requested variance is not substantial, will not be a detriment to the surrounding

neighborhood, and will not substantially or permanently impair the use or development of adjacent properties. Further stated, the Applicant believes the need for a Variance could be obviated by lowering the roof pitch, however, they believe that this would negatively impact the architectural appearance of the structure.

Staff Review: *The following review does not constitute recommendations but merely conclusions and suggestions from staff.*

As mentioned above, Section 1249.05(A) of the Pataskala Code states that the maximum building height in the GB – General Business zoning district is 35'. The proposed building height is 35'-4 11/32".

Therefore, the variance request is for an increase in the allowable building height by 4 11/32", or a 1.034% increase.

Staff has no additional comments on the proposal.

Other Departments or Agencies

No other comments from applicable Departments or Agencies were received.

Surrounding Area:

Direction	Zoning	Land Use
North	R-10 – High Density Residential	Heron Manor
East	GB – General Business R-10 – High Density Residential	Vacant Settlement at Pataskala
South	GB – General Business M-1 – Light Manufacturing	Misc. Commercial Misc. Industrial
West	R-10 – High Density Residential GB – General Business	Heron Manor Vacant

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:

- a) *Whether the property in question will yield a reasonable return or if there can be a beneficial use of the property;*
- b) *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;*
- c) *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-23-020:

- None

Department and Agency Review

- Zoning Inspector – No comments.
- Public Service – No comments.
- City Engineer – No comments.
- Pataskala Utilities – No comments.
- Police Department – No comments.
- West Licking Joint Fire 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:

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 a variance from Section 1249.05(A) of the Pataskala Code for variance application VA-23-020 ("with the following conditions" if conditions are to be placed on the approval)."



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: <input checked="" type="checkbox"/> Broad Street, Pataskala, OH 43062 <i>200 W. Broad St</i>	
Parcel Number: 064-307692-00.000	
Zoning: GB + R10	Acres: 53.3
Water Supply:	
<input checked="" type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site
Wastewater Treatment:	
<input checked="" type="checkbox"/> City of Pataskala	<input type="checkbox"/> South West Licking <input type="checkbox"/> On Site

Applicant Information		
Name: PVL Investments, LLC		
Address: 9450 Manchester Rd. Suite 207		
City: St. Louis	State: MO	Zip: 63131
Phone: 314-783-6532	Email: dbaylis@rangecap.com	



Property Owner Information		
Name: P&G Pataskala LTD		
Address: P.O. Box 3500		
City: Newark	State: OH	Zip: 43058
Phone: 740-349-3798	Email: thomas.cummiskey@parknationalbank.com	

Variance Information
Request (Include Section of Code): Requesting a variance per Section 1211.07(A)(2)(g) for building height that exceeds the 35' maximum height permitted by Section 1249.05(A); building exceeds maximum height by 4-11/32 inches.
Describe the Project: Construction of an Assisted Living Facility with additional Independent Living Villas

Staff Use
Application Number: <i>VA 23-020</i>
Fee: <i>300</i>
Filing Date: <i>8-10-23</i>
Hearing Date: <i>9-12-23</i>
Receipt Number: <i>001280</i>

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

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/

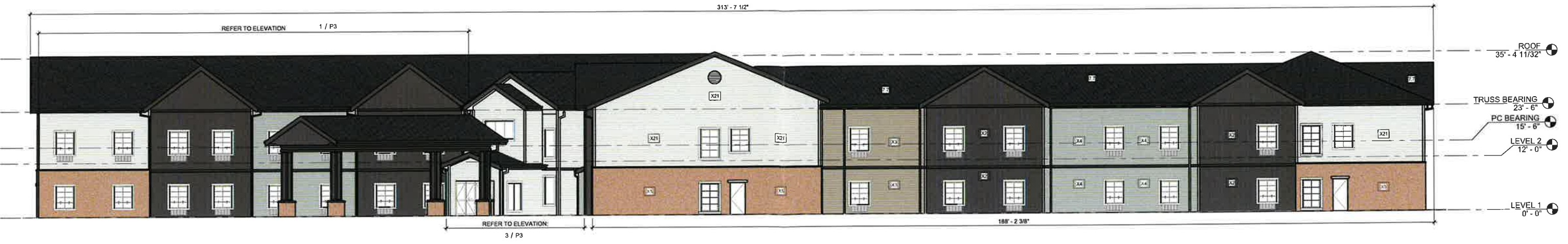
Signatures	
I certify the facts, statements and information provided on and attached to this application are true and correct to the best of my knowledge. Also, I authorize City of Pataskala staff to conduct site visits and photograph the property as necessary as it pertains to this variance request.	
Applicant (Required): 	Date: 8/2/23
Property Owner (Required): Park National Bank, Agent By:  CTO	Date: 8/3/23

PVL Pataskala Variance Application Narrative Statement

- Requesting a variance per Section 1211.07(A)(7)(g) for building height that exceeds the 35' maximum height permitted by Section 1249.05(A); building exceeds maximum height by 4-11/32 inches.
- Specific Reasons
 - a) The property in question will yield a return as there are currently no assisted living communities in the city of Pataskala. The Pataskala 2021 Comprehensive Plan references large growth of the senior population, a need to support senior housing, and a need for senior housing. The BZA and Planning Commission both recognize a need for senior housing in Pataskala, approving the conditional use and application to allow for the construction of the assisted living community.
 - b) Conditions that prohibit the property from being developed in strict conformity with the zoning regulation relate to the operational efficiencies for the community and quality of life and care for the residents that occupy the community. Provision Living is an experienced senior housing owner/operator that has continued to refine the senior housing operational model over the past 17 years. PVL has evaluated the size of its buildings, unit mix, and layout of the communities to provide the best possible living conditions for residents. PVL currently has a building template that has been designed for these operational efficiencies. The height of the building exceeds the maximum 35' height by 4-11/32 inches. Our community was designed with the ideal unit mix to meet market demand. Given layout of the site, in order to maintain the ideal unit mix, the building must be two stories tall. Most importantly, the two-story layout is for the benefit of our senior residents. The two-story layout allows for shorter hallways, minimizing the amount of walking distance from resident room to the common areas of the community. Minimizing the walking distance for seniors provides easier access to the elevator and dining room and encourages our residents to engage in social activities in the common areas, which are centrally located within the community.
 - c) The requested variance is not substantial, at 4-11/32 inches.
 - d) The senior housing community was designed so as to be harmonious with the surrounding neighborhood and the height variance will not alter or cause detriment the neighborhood or adjoining properties.
 - e) The variance will not substantially or permanently impair the use or development of adjacent properties.
 - f) The variance will not be a detriment to the public welfare.
 - g) The variance would not adversely affect the delivery of government services.
 - h) The current property owner has owned the property for multiple years, and the developer and future purchaser of the property is aware of the zoning restriction prior to purchase.
 - i) The predicament could be obviated by lowering the pitch of the roof and reducing the height of the building; however, we believe that this would negatively impact the architectural residential appearance of the building. The

Planning Commission indicated that the proposed roof pitch was appropriate and desirable to maintain the residential character of the building.

- j) The 4-11/32 inch variance is the minimum variance that will provide relief and represent the least modification possible of the requirement at issue.
- k) The spirit and intent behind the zoning requirement would be maintained and observed and substantial justice will be done by granting the variance.



2 EXTERIOR ELEVATION - SOUTH
1" = 10'-0"

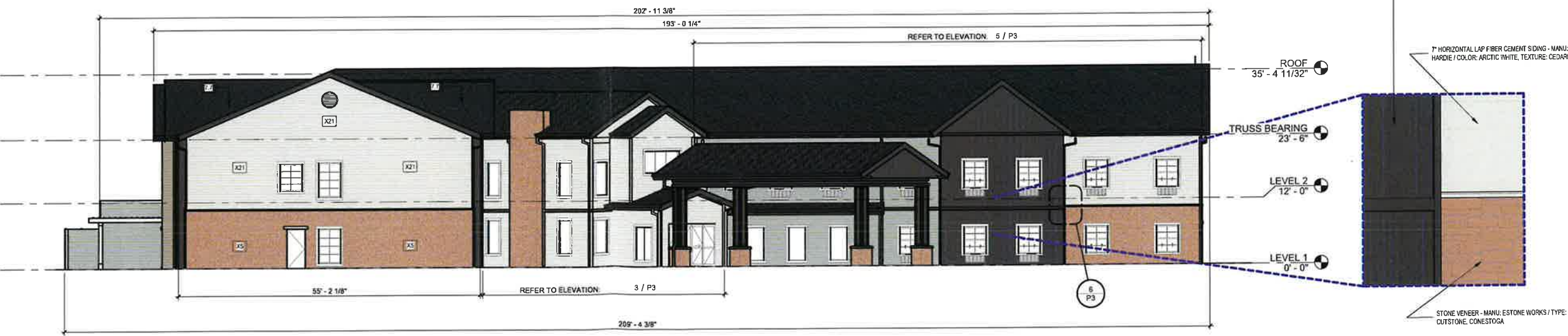


1 EXTERIOR ELEVATION - WING 'B'
1" = 10'-0"

3 EXT. ELEV. @ ENTRY
1" = 10'-0"

5 EXT. ELEV. @ WING 'C'
1" = 10'-0"

#	KEY NOTES
7.7	ARCHITECTURAL ASPHALT SHINGLES OVER ROOFING UNDERLAYMENT ON ROOF SHEATHING
X2	BOARD AND BATTEN 12" O.C. (DARK) - MANU: JAMES HARDIE / COLOR: IRON GRAY, TEXTURE: SMOOTH
X3	7" HORIZONTAL LAP FIBER CEMENT SIDING - MANU: JAMES HARDIE / COLOR: MONTEREY TAUPE, TEXTURE: CEDARMILL
X4	7" HORIZONTAL LAP FIBER CEMENT SIDING (LIGHT) - MANU: JAMES HARDIE / COLOR: LIGHT MIST, TEXTURE: CEDARMILL
X5	STONE VENEER - MANU: ESTONE WORKS / TYPE: CUTSTONE, CONESTOGA
X21	7" HORIZONTAL LAP FIBER CEMENT SIDING - MANU: JAMES HARDIE / COLOR: ARCTIC WHITE, TEXTURE: CEDARMILL

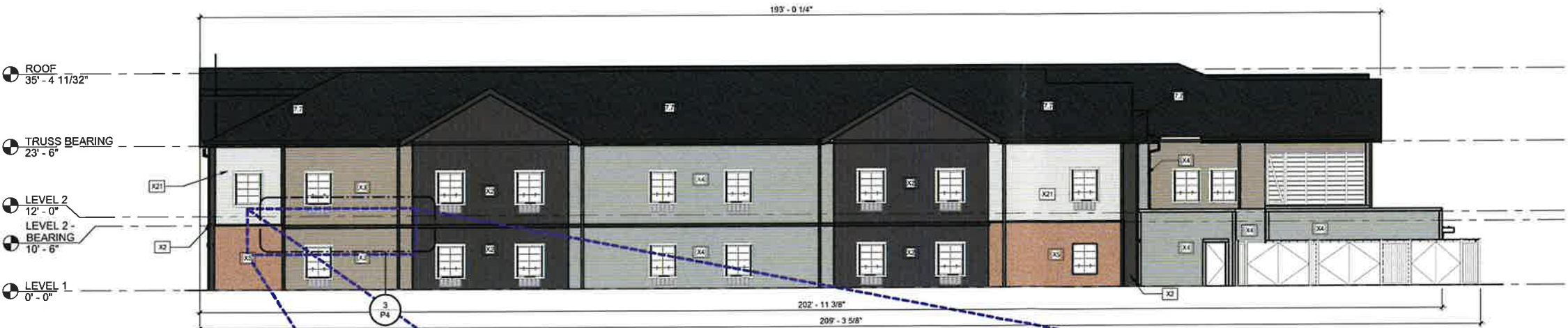


4 EXTERIOR ELEVATION - WEST
1" = 10'-0"

6 ENLARGED MATERIAL
1/2" = 1'-0"

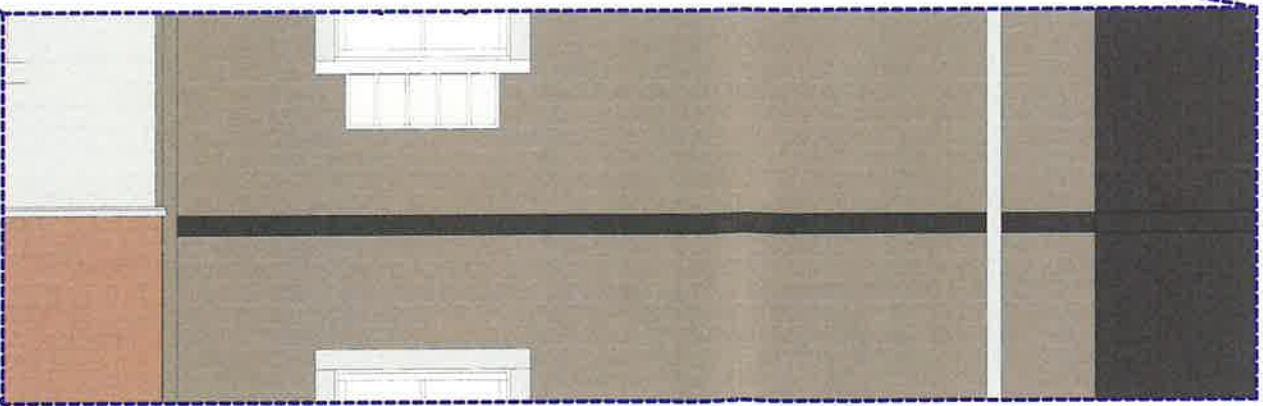


2 EXTERIOR ELEVATION - NORTH
P4 1" = 10'-0"



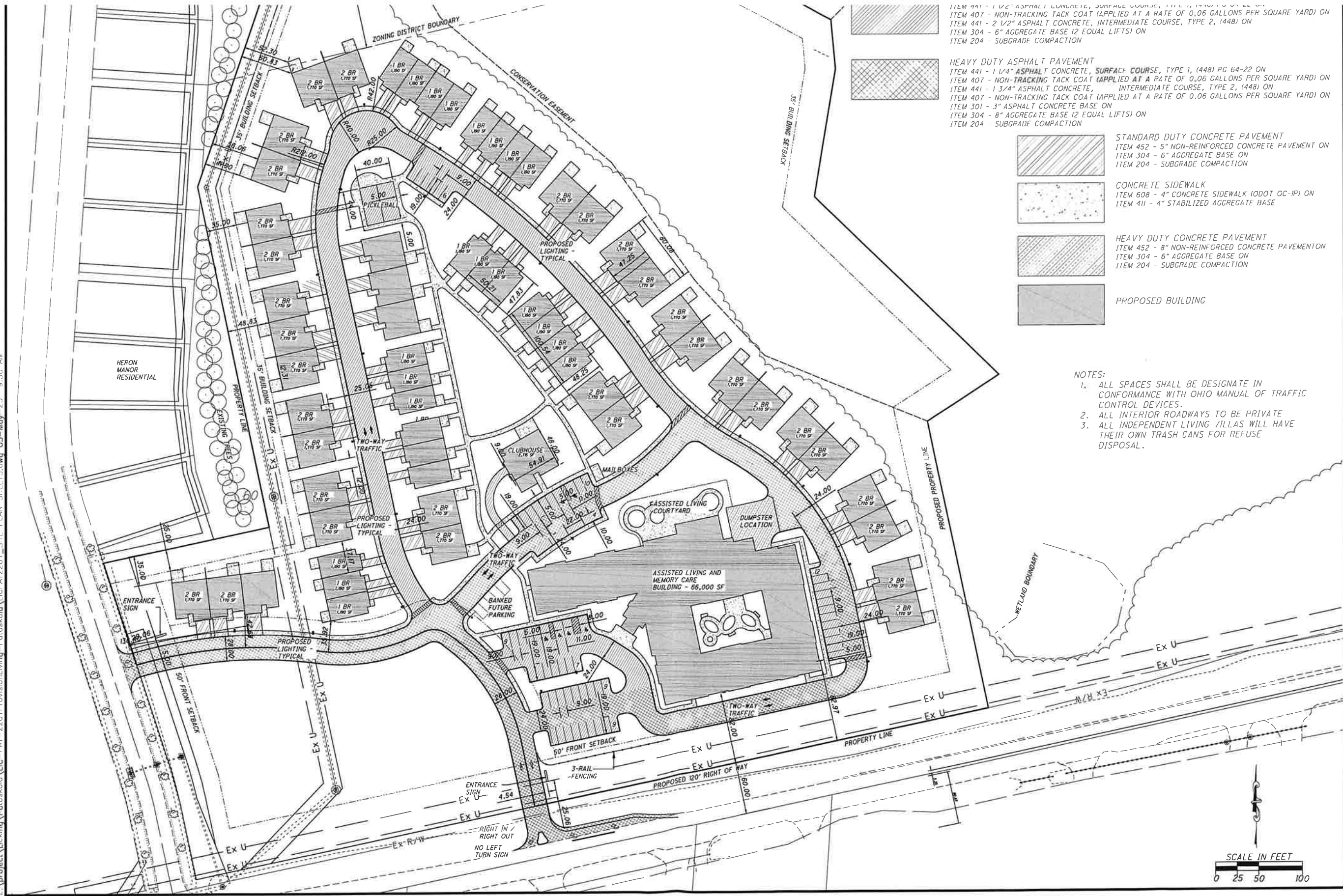
1 EXTERIOR ELEVATION - EAST
P4 1" = 10'-0"

KEY NOTES	
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3 ENLARGED MATERIAL
P4 1/2" = 1'-0"

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ITEM 441 - 1 1/2" ASPHALT CONCRETE, SURFACE COURSE, TYPE 1, (448) PG 64-22 ON
ITEM 407 - NON-TRACKING TACK COAT (APPLIED AT A RATE OF 0.06 GALLONS PER SQUARE YARD) ON
ITEM 441 - 2 1/2" ASPHALT CONCRETE, INTERMEDIATE COURSE, TYPE 2, (448) ON
ITEM 304 - 6" AGGREGATE BASE (2 EQUAL LIFTS) ON
ITEM 204 - SUBGRADE COMPACTION

HEAVY DUTY ASPHALT PAVEMENT
ITEM 441 - 1 1/4" ASPHALT CONCRETE, SURFACE COURSE, TYPE 1, (448) PG 64-22 ON
ITEM 407 - NON-TRACKING TACK COAT (APPLIED AT A RATE OF 0.06 GALLONS PER SQUARE YARD) ON
ITEM 441 - 1 3/4" ASPHALT CONCRETE, INTERMEDIATE COURSE, TYPE 2, (448) ON
ITEM 407 - NON-TRACKING TACK COAT (APPLIED AT A RATE OF 0.06 GALLONS PER SQUARE YARD) ON
ITEM 301 - 3" ASPHALT CONCRETE BASE ON
ITEM 304 - 8" AGGREGATE BASE (2 EQUAL LIFTS) ON
ITEM 204 - SUBGRADE COMPACTION

STANDARD DUTY CONCRETE PAVEMENT
ITEM 452 - 5" NON-REINFORCED CONCRETE PAVEMENT ON
ITEM 304 - 6" AGGREGATE BASE ON
ITEM 204 - SUBGRADE COMPACTION

CONCRETE SIDEWALK
ITEM 608 - 4" CONCRETE SIDEWALK (ODOT OC-IP) ON
ITEM 411 - 4" STABILIZED AGGREGATE BASE

HEAVY DUTY CONCRETE PAVEMENT
ITEM 452 - 8" NON-REINFORCED CONCRETE PAVEMENT ON
ITEM 304 - 6" AGGREGATE BASE ON
ITEM 204 - SUBGRADE COMPACTION

PROPOSED BUILDING

NOTES:
1. ALL SPACES SHALL BE DESIGNATE IN CONFORMANCE WITH OHIO MANUAL OF TRAFFIC CONTROL DEVICES.
2. ALL INTERIOR ROADWAYS TO BE PRIVATE
3. ALL INDEPENDENT LIVING VILLAS WILL HAVE THEIR OWN TRASH CANS FOR REFUSE DISPOSAL.

PROVISION LIVING
CITY OF PATASKALA
DEVELOPMENT PLAN

REVISIONS:	
FILE NAME	DIMENSION
DRAWN BY	JLH
CHECKED BY	MLS
PROJECT No.	LICPAT2201
DATE	05/05/2023
SHEET NUMBER	2 OF 2

[illegible]

A horizontal scale bar with a vertical line at the left end labeled '0'. The bar is divided into 10 equal segments by vertical tick marks. The right end of the bar is labeled '500 Feet' and '0.09 Miles' stacked vertically.

LICKING COUNTY TAX MAP

Property Report

Address		
N/A P & G PATASKALA LTD -- E BROAD ST		
Engineer's Pin	Owner	Auditor's PIN
0115PA007/000000001000	N/A P & G PATASKALA LTD	064-307692-00.000
Tax Acreage	Deed Acreage	Official Record
140.906	183.658	764-644

Know All By These Presents

That J. Gilbert Reese and Louella H. Reese, Husband and Wife, and John D. Lewis and Phoebe R. Lewis, Husband and Wife, for valuable consideration paid, do Remise, Release and Forever Quit-Claim to P & G Pataskala, Ltd., an Ohio Limited Liability Company the following real property:

Situated in the State of Ohio, County of Licking and Township of Lima:

Being part of the 4th Quarter of the 1st Township, 15th Range, U.S. Military Lands, being part of the William Hollar and Eva L. Hollar tracts as described in two deeds of record in Deed Book 456, pages 505 and 507, in the Licking County Recorder's Office, and being more particularly described as follows:

Beginning at a point in the southeasterly corner of the said William Hollar and Eva L. Hollar tract of land, the southwesterly corner of the Nellie S. Glichrist tract of land as described in Deed Book 478, page 566, Licking County Recorder's Office, said point being also in the centerline of State Route 16; thence S. 78 degrees 09' W. and with the said centerline of State Route 16, the southerly line of the said Hollar tract, a distance of 299.47 feet to a point (PK nail); thence N. 11 degrees 51' W. leaving the centerline of said State Route 16, a distance of 208.71 feet to an iron pin; thence S. 78 degrees 09' W. a distance of 208.71 feet to an iron pin; thence S. 11 degrees 51' E. a distance of 208.71 feet to a spike in the centerline of said State Route 16, the southerly line of the said Hollar tract; thence S. 78 degrees 09' W. with the centerline of said State Route 16, the southerly line of the said Hollar tract, a distance of 2592.10 feet to an angle point in the centerline of said State Route 16; thence S. 78 degrees 04'30" W. continuing with the centerline of said State Route 16, the southerly line of the said Hollar tract of land, a distance of 215.67 feet to a point (PK nail) in the southwesterly corner of said William Hollar and Eva L. Hollar tract of land; thence N. 4 degrees 04'30" E. with the westerly line of the said Hollar tract, a distance of 3347.82 feet to an iron pin in the northwesterly corner of said Hollar tract; thence S. 86 degrees 24'15" E. with the northerly line of the said Hollar tract of land, a distance of 2180.05 feet to an iron pin in the northeasterly corner of said Hollar tract, the northwesterly corner of said Nellie S. Glichrist tract of land, passing an iron pin at 907.49 feet on the northerly line of said Hollar tract; thence S. 18 degrees 55'45" E. with the easterly line of the said Hollar tract, the westerly line of said Glichrist tract, a distance of 1309.89 feet to an iron pin in an angle point in the said easterly line of the Hollar tract; thence S. 17 degrees 35'45" E. continuing with the easterly line of said Hollar tract, a distance of 1345.00 feet to the place of beginning and containing 183.658 acres of land, more or less.

EXCEPTING THEREFROM the following described real estate:

Situated in the State of Ohio, County of Licking and Village of Pataskala:

Beginning at a point in the centerline of State Route No. 16, said point being South 78 degrees 09'00" West 198.87 feet from the southwest corner of the James M. Kennedy property, (Deed References: Deed Book 665, Page 501 and Deed Book 810, Page 481 of the Licking County Deed Records); thence, continuing along the said centerline of State Route No. 16, South 78 degrees 09'00" W., 150.00 feet to a point; thence, leaving the said centerline of State Route No. 16, North 11 degrees 51'00" West, passing an iron pin set in the northerly right-of-way line of State Route No. 16 at 41.51 feet, a total distance of 215.19 feet to an iron pin set; thence, North 78 degrees 09'00" East, 150.00 feet to an iron pin set; thence, South 11 degrees 51'00" East, passing an iron pin set in the northerly right-of-way line of State Route No. 16 at a distance of 170.00 feet, a total distance of 215.19 feet to the point of beginning. Containing 0.74 acres of land, more or less, of which the present road occupies 0.15 of an acre.

Being the same premises conveyed to Grantor(s) by documents recorded in Deed Volume 769 at page 765 and Official Record Volume 140 at page 383, Licking County Recorder's Office.

IN WITNESS WHEREOF, the grantor who releases all right and expectancy of dower in said premises has executed this instrument this 13th day of December, in the year Nineteen Hundred and Ninety-five.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:

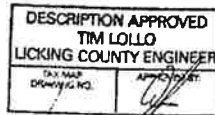
Joyce H. McCreary
witness signature (As to 1 and 2)
JOYCE H. MCCREARY
print witness name

Margaret A. Hallam
witness signature (As to 1 and 2)
Margaret A. Hallam
print witness name

SEC.319.202 COMPLIED WITH
GEORGE D. BUCHANAN, AUDITOR
12/13/95

J. Gilbert Reese
1. J. Gilbert Reese

Louella H. Reese
2. Louella H. Reese



TRANSFERRED

THIS INSTRUMENT PREPARED BY

Date January 2 19 96
George D. Buchanan
Licking County Auditor
LAW OFFICES
REESE, PYLE, DRAKE & MEYER
36 NORTH SECOND STREET - P.O. BOX 919
NEWARK, OHIO 43058-0919

Judith K. Hesloff
witness signature (As to 3 and 4)
Judith K. Hesloff
print witness name
Nicole Gardner
witness signature (As to 3 and 4)
NICOLE GARDNER
print witness name

John D. Lewis 645
3. John D. Lewis
Phoebe R. Lewis
4. Phoebe R. Lewis

STATE OF OHIO, COUNTY OF LICKING: SS:

The foregoing instrument was acknowledged before me this 13th day of December, 1995, by
John D. Lewis and Louella H. Reese.



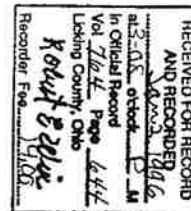
Joyce H. McCreary
Notary Public
JOYCE H. MCCREARY
Notary Public, State of Ohio
My Commission Exp. 9-27-97

STATE OF Wisconsin, COUNTY OF Milwaukee: SS:

The foregoing instrument was acknowledged before me this 15 day of December, 1995, by
John D. Lewis and Phoebe R. Lewis.



Donita Seibert
Notary Public



53373

Know All By These Presents

That J. Gilbert Reese and Louella H. Reese, Husband and Wife, and John D. Lewis and Phoebe R. Lewis, Husband and Wife, for valuable consideration paid, do Remise, Release and Forever Quit-Claim to P & G Pataskala, Ltd., an Ohio Limited Liability Company the following real property:

Situated in the State of Ohio, County of Licking and Township of Lima:

Being part of the 4th Quarter of the 1st Township, 15th Range, U.S. Military Lands, being part of the William Hollar and Eva L. Hollar tracts as described in two deeds of record in Deed Book 456, pages 505 and 507, in the Licking County Recorder's Office, and being more particularly described as follows:

Beginning at a point in the southeasterly corner of the said William Hollar and Eva L. Hollar tract of land, the southwesterly corner of the Nellie S. Gilchrist tract of land as described in Deed Book 478, page 566, Licking County Recorder's Office, said point being also in the centerline of State Route 16; thence S. 78 degrees 09' W. and with the said centerline of State Route 16, the southerly line of the said Hollar tract, a distance of 299.47 feet to a point (PK nail); thence N. 11 degrees 51' W. leaving the centerline of said State Route 16, a distance of 208.71 feet to an iron pin; thence S. 78 degrees 09' W. a distance of 208.71 feet to an iron pin; thence S. 11 degrees 51' E. a distance of 208.71 feet to a spike in the centerline of said State Route 16, the southerly line of the said Hollar tract; thence S. 78 degrees 09' W. with the centerline of said State Route 16, the southerly line of the said Hollar tract, a distance of 2592.10 feet to an angle point in the centerline of said State Route 16; thence S. 78 degrees 04'30" W. continuing with the centerline of said State Route 16, the southerly line of the said Hollar tract of land, a distance of 215.67 feet to a point (PK nail) in the southwesterly corner of said William Hollar and Eva L. Hollar tract of land; thence N. 4 degrees 04'30" E. with the westerly line of the said Hollar tract, a distance of 3347.82 feet to an iron pin in the northwesterly corner of said Hollar tract; thence S. 86 degrees 24'15" E. with the northerly line of the said Hollar tract of land, a distance of 2180.05 feet to an iron pin in the northeasterly corner of said Hollar tract, the northwesterly corner of said Nellie S. Gilchrist tract of land, passing an iron pin at 907.49 feet on the northerly line of said Hollar tract; thence S. 18 degrees 55'45" E. with the easterly line of the said Hollar tract, the westerly line of said Gilchrist tract, a distance of 1309.89 feet to an iron pin in an angle point in the said easterly line of the Hollar tract; thence S. 17 degrees 35'45" E. continuing with the easterly line of said Hollar tract, a distance of 1345.00 feet to the place of beginning and containing 183.658 acres of land, more or less.

EXCEPTING THEREFROM the following described real estate:

Situated in the State of Ohio, County of Licking and Village of Pataskala:

Beginning at a point in the centerline of State Route No. 16, said point being South 78 degrees 09'00" West 198.87 feet from the southwest corner of the James M. Kennedy property, (Deed References: Deed Book 665, Page 501 and Deed Book 810, Page 481 of the Licking County Deed Records); thence, continuing along the said centerline of State Route No. 16, South 78 degrees 09'00" W., 150.00 feet to a point; thence, leaving the said centerline of State Route No. 16, North 11 degrees 51'00" West, passing an iron pin set in the northerly right-of-way line of State Route No. 16 at 41.51 feet, a total distance of 215.19 feet to an iron pin set; thence, North 78 degrees 09'00" East, 150.00 feet to an iron pin set; thence, South 11 degrees 51'00" East, passing an iron pin set in the northerly right-of-way line of State Route No. 16 at a distance of 170.00 feet, a total distance of 215.19 feet to the point of beginning. Containing 0.74 acres of land, more or less, of which the present road occupies 0.15 of an acre.

Being the same premises conveyed to Grantor(s) by documents recorded in Deed Volume 769 at page 785 and Official Record Volume 140 at page 383, Licking County Recorder's Office.

IN WITNESS WHEREOF, the grantor who releases all right and expectancy of dower in said premises has executed this instrument this 13th day of December, in the year Nineteen Hundred and Ninety-five.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:

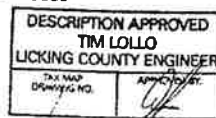
Joyce H. McCreary
witness signature (As to 1 and 2)
JOYCE H. MCCREARY
print witness name

Margaret A. Hallam
witness signature (As to 1 and 2)
Margaret A. Hallam
print witness name

SEC.319.202 COMPLIED WITH
GEORGE D. BUCHANAN, AUDITOR
GM EBM

J. Gilbert Reese
1. J. Gilbert Reese

Louella H. Reese
2. Louella H. Reese



TRANSFERRED

THIS INSTRUMENT PREPARED BY

Date January 2 1996
George D. Buchanan
Licking County Auditor
LAW OFFICES
REESE, PYLE, DRAKE & MEYER
36 NORTH SECOND STREET - P.O. BOX 919
NEWARK, OHIO 43058-0919

Judith K. Hestoff
witness signature (As to 3 and 4)
Judith K. Hestoff
print witness name
Nicole Gardner
witness signature (As to 3 and 4)
NICOLE GARDNER
print witness name

John D. Lewis 645
3. John D. Lewis
Phoebe R. Lewis
4. Phoebe R. Lewis

STATE OF OHIO, COUNTY OF LICKING: SS:

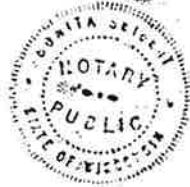
The foregoing instrument was acknowledged before me this 13th day of December, 1995, by
John D. Lewis and Louella H. Reese.



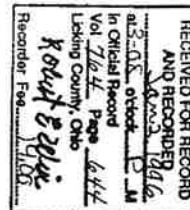
Joyce H. McCreary
Notary Public
JOYCE H. McCREARY
Notary Public, State of Ohio
My Commission Exp. 9-27-97

STATE OF Wisconsin, COUNTY OF Milwaukee: SS:

The foregoing instrument was acknowledged before me this 15 day of December, 1995, by
John D. Lewis and Phoebe R. Lewis.



Robert E. Seibert
Notary Public



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