

CITY OF PATASKALA PLANNING AND ZONING COMMISSION

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

STAFF REPORT

January 3, 2023

Final Plan Application FP-23-003

Applicants: M/I Homes

Owner: M/I Homes of Central Ohio, LLC.
Location: 5081 Hazelton-Etna Road SW

Acreage: +/- 8.23-acres out of 128.12-acres total.

Zoning: R-15 – Medium-High Density Residential

Request: Requesting approval of a Final Plan pursuant to Section 1113.40 of the Pataskala

Code for Section 2 of the Forest Ridge Subdivision. Section 2 will contain 30 single-family lots, the construction of one (1) street, and the extension of two

(2) existing streets.

Description of the Request:

The applicant is seeking approval of the Final Development Plan for Section 2 of the Forest Ridge Subdivision, consisting of 30 single-family lots, pursuant to Section 1113.28 of the Pataskala Code.

Staff Summary:

The Amended Preliminary Plan for Forest Ridge was approved by the Planning and Zoning Commission on September 7, 2022, which included a total of 254 single-family lots spread across potentially seven (7) phases of development and a total site area of 128.1-acres for a gross density of 1.98 units per acre. A total of three (3) Variances were also approved by the Board of Zoning Appeals in relation to the Preliminary Plan, those being:

Variance VA-23-004 from Section 1117.10 of the Pataskala Code to allow for four (4) intersections within the development to deviate from the angle of intersection requirements.

Variance VA-23-005 from Section 1117.10 of the Pataskala Code to allow for reduced intersection separation between the intersections of the proposed Fannin Drive (now Pioneer Way) and Ruby Road, and Waterlily Way and Ruby Road.

Variance VA-23-006 from Section 1117.07 of the Pataskala Code to allow for three (3) sections of road to have less than the minimum of 100-feet spacing between reverse curves.

A fourth Variance, VA-21-005, was approved on February 9, 2021, to allow for the developer to submit the Preliminary Plan without a Tree Survey and Replacement Plan, instead delaying it until the Construction Plans submission, per phase of Development. However, pursuant to F.P. Development, LLC. V. Charter Township of Canton, Michigan (Case No. 20-1447/1466), the City's current tree replacement code is unenforceable. As such, the need for this Variance was nullified, and the Applicant is not required to provide any on-site replacements or fee-in-lieu for any trees removed in the course of development but may do so at their sole discretion.

In addition to the Variances approved by the Board of Zoning Appeals named above, the Applicant also received three (3) Variances, approved by City Council, from Chapter 1296 – Residential Appearance Standards. A summary of the approved Variances is below.

Variance from Section 1296.07 to allow for a reduction in the number of driveways that must be grouped. City Administrator or Designee shall approve deviations from this requirement if it is determined that the grouping of driveways is not possible or would negatively affect the functionality of the subdivision.

Variance from section 1296.14(B) to allow for a reduction in the minimum width of shutters to 15-inches.

Variance from Section 1296.15(A) to allow for a reduction in the minimum width of three-dimensional door surround to a minimum of five (5) inches.

The Construction Plans for Section 2 were approved on December 26, 2023. Section 2 will consist of 30 single-family lots on +/- 8.23-acres, with no reserve areas in the second phase. Per the Approved Preliminary Plan, setbacks are a minimum of 30-feet from the front, 5-feet minimum from the sides, and 30-feet minimum from the rear. Construction of Section 2 will include the lengthening of Ruby Road and Pioneer Way, as well as the creation of Reign Way.

Section	FDP Approval Date	# of Lots	Status
1	July 5, 2023	29	Under Construction
2	Pending	30	Pending
3	n/a	n/a	Future Development
4	n/a	n/a	Future Development
5	n/a	n/a	Future Development
6	n/a	n/a	Future Development
7	n/a	n/a	Future Development

• The name of "Fannin Drive" has been changed to "Pioneer Way".

The Forest Ridge Preliminary Plan (PP-22-002) was approved with the following conditions:

- 1. The applicant shall address all comments of the Planning and Zoning Department, City Engineer, Pataskala Utilities, and the West Licking Joint Fire District.
- After all comments and questions have been addressed the Applicant shall submit a revised Development Text and a mylar copy of the revised Preliminary Plan to the Planning and Zoning Department for signatures and records.

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

Planning and Zoning Staff:

All conditions placed upon the approval of Preliminary Plan PP-22-002, and the Construction Plans for Section 1 have been approved and signed.

Staff has reviewed the proposed Final Development Plan, and has the following comments:

- The adjacent subdivision of Scenic View Estates is erroneously identified as R-10, should be PDD.
- There is a 3-board fence being installed along the north property lines of lots 1-33, would recommend including maintenance provisions in the Declaration of Covenants for the Homeowner's Association if not already included.

Staff, including Planning and Zoning, Pataskala Utilities, Public Service Department, and the City Engineer have reviewed the proposed driveway layouts and have determined that those not meeting the grouping standards (12 out of 30), because they would either conflict with the location of street lights, stormwater devices, or would cause a driveway slope in excess of 10% (maximum per Code); are acceptable under the conditions of the Council Variance from Section 1296.07 of the Pataskala Code.

Public Service Department (Full comments attached)

Relief joints on sheet 4 do not match what is shown in the construction plans. The relief joint locations for Reign Way should be 0+50, 4+25, and 8+50.

Other Departments or Agencies

No other comments received.

Surrounding Area:

Direction	Zoning	Land Use
North	B-1 Business District (Harrison Twp.) AG – Agricultural (Harrison Twp.)	Single-Family Home
East	R-15 – Medium-High Density Residential	Future Development
South	R-10 – High Density Residential	Ravines at Hazelwood
West	AG – Agricultural (Harrison Twp.) R-15 – Medium-High Density Residential	Single-Family Homes Section 1

Final Development Plan Approval:

According to Section 1255.20 of the Pataskala Code, the Planning and Zoning Commission shall consider approval of a final development plan if the proposal:

- a. The Final Development Plan conforms in all pertinent respects to the approved Preliminary Development Plan, provided that the Planning and Zoning Commission may authorize plans amended as specified in Section 1255.14.
- b. That the proposed development advances the general health and safety of the City of Pataskala.
- c. That the Planning and Zoning Commission is satisfied that the developer has provided sufficient guarantees or demonstrates possession of the requisite financial resources to complete the project.
- d. That the interior road system, proposed parking, and any off-site improvements are suitable, safe, and adequate to carry anticipated vehicular and pedestrian traffic generated by and within the proposed development and to adjacent property.
- e. The development has adequate public services and open spaces.
- f. The development preserves and is sensitive to the natural characteristics of the site in a manner that complies with any applicable regulations.
- g. The development provides adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity.
- h. Signs, as shown on the submitted sign plan, will be of a coordinated effect throughout the planned district, and with adjacent development; are of appropriate size, scale, design, and relationship with principal buildings the site and surroundings, so as to maintain safe and orderly pedestrian and vehicular circulation.
- i. The landscape plan adequately enhances the principal buildings and site; maintains existing trees to the extent possible; buffers adjacent incompatible uses; breaks up large expanses of pavement with natural materials; and utilizes appropriate plant selections of the buildings, site and climate.
- j. That the existing and proposed utilities, including water and sewer service, and drainage will be adequate for the population densities and nonresidential uses proposed in the Planned Development District and complies with applicable regulations established by the City or any other governmental entity which may have jurisdiction over such matters.
- k. Phases of projects are planned so that these conditions are complied with to meet the needs of that phase upon its completion.
- I. That any other items shown in the final development plan or in the accompanying text be addressed to the Planning and Zoning Commission's satisfaction.

Department and Agency Review

- Zoning Inspector No comments.
- City Engineer No comments.
- Public Service See attached.
- Pataskala Utilities No comments.
- Police Department No Comments.
- West Licking Joint Fire District No comments.
- Southwest Licking School District No Comments.

Modifications:

Should the Planning and Zoning Commission choose to approve the applicant's request, the following modifications may be considered:

- 1. The Applicant shall address all comments from the Public Service Department and Planning and Zoning Staff.
- 2. After all comments and questions have been addressed the Applicant shall submit a mylar copy of the revised Final Development Plan to the Planning and Zoning Department for signatures and records.

Resolution:

For your convenience, the following resolution may be considered by the Planning and Zoning Commission when making a motion:

"I move to approve Application number FP-23-003 pursuant to Section 1225.13 of the Pataskala Code. ("with the following modifications" if modifications are to be placed on the approval)."

From: Antonio Anzalone

To: Jack Kuntzman; Felix Dellibovi; Trent Howell; Scott Haines; Sam Eppley; abrown@verdantas.com; Bruce Brooks;

Doug White; kperkins@laca.org; Alan Haines

Cc: <u>Lisa Paxton</u>; <u>Scott Fulton</u>

Subject: RE: Pataskala PZC Review Memo for 01-03-2024

Date: Tuesday, December 26, 2023 12:02:55 PM

Good afternoon,

Please see Public Service Department's comments below, in red.

Thank you,

Antonio Anzalone

Assistant City Engineer City of Pataskala 621 W. Broad Street, Suite 2B

Pataskala, Ohio 43062 Office: 740.927.3873 Cell: 740.652.0685

Email: aanzalone@ci.pataskala.oh.us

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

Sent: Wednesday, December 13, 2023 2:08 PM

Cc: Lisa Paxton ci.pataskala.oh.us>; Scott Fulton <sfulton@ci.pataskala.oh.us>

Subject: Pataskala PZC Review Memo for 01-03-2024

Good Morning Everyone,

You are receiving this email because one or more of the Application(s) submitted for the **January 3, 2024,** Planning and Zoning Commission are within your jurisdiction. Please see the list below for which Applications are being submitted for your review.

Final Plan Application FP-23-003: Felix Dellibovi, Trent Howell, Verdantas, Bruce Brooks, Doug White, Kasey Perkins, Public Service Department

Relief joints on sheet 4 does not match what is shown in the construction plans. The relief joint locations for Reign Way should be 0+50, 4+25, and 8+50.

Please review the applications, and if you have any comments or concerns regarding them they may



CITY OF PATASKALA PLANNING AND ZONING COMMISSION

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

FINAL PLAN APPLICATION

(Pataskala Codified Ordinances Chapter 1113)

Property Information		Staff Use			
Address: Hazelton - Etna Road, Pata	Application Number:				
Parcel Number: 255-067746					
Zoning: R-15 (Cluster)	Acres: 8.23		Fee:		
Water Supply:					
	☐ City of Pataskala ☐ South West Licking ☐ On Site		Filing Date:		
Wastewater Treatment:					
☑ City of Pataskala ☐ South West Licking ☐ On Site			Hearing Date:		
Applicant Information					
Name: M/I Homes		Documents			
Address: 4131 Worth Avenue, Suite 310			☐ Application		
City: Columbus	State: OH	^{Zip:} 43219	☐ Fee		
Phone: (614) 379-4044	Email: jwest@mih		☐ Final Plan		
			☐ Deed		
Owner Information			☐ Address List		
Name: M/I Homes of Central Ohio LLC			☐ Area Map		
Address: 4131 Worth Avenue, Suite	310				
City: Columbus	State: OH	Zip: 43219			
Phone: (614) 379-4044	Email: jwest@mih	omes.com			
Final Plan Information					
Describe the Project:					
This Final Development Plan is	s for Forest Ridge	e Section 2.			
It includes 30 lots on 8.23 acr	es. No Reserve A	Areas or open spa	ace areas		
are part of this section.					

Documents to Submit

Final Plan Application: Submit 14 copies of the final plan application.

Final Plan: Submit 14 copies of the final plan on sheets 24 x 36 inches in size containing the following:

- a) Proposed name of the subdivision, location by section, range, township or other officially recognized survey number, date, north arrow, scale and acreage.
- b) Name and address of the owner and subdivider, State of Ohio registered professional engineer, and/or surveyor who prepared the plan, and their appropriate registration numbers and seals.
- c) Plan boundaries, based on accurate traverse, with angular and lineal dimensions. All dimensions, both linear and angular shall be determined by an accurate control survey in the field which must balance close, within the limit of one (1) in 10,000.
- d) Bearing and distances to nearest established street lines, or other recorded permanent monuments.
- e) Exact locations, right-of-way, names of all streets within and adjoining the plat, and the building setback lines.
- f) Radii, internal angles, points of curvature, tangent bearings, lengths of arcs, and lengths of bearings and chords of all applicable streets within the plat area.
- g) All easements and right-of-way provided for public or private services and/or utilities.
- h) All lot numbers and lines with accurate dimensions in feet and hundredths. When lots are located on a curve, the lot width at the building setback line shall be shown.
- i) Accurate location and description of all monuments.
- j) Accurate outlines of areas to be dedicated or reserved for public use, or any area to be reserved for the common use of all property owners. The use and accurate boundary locations shall be shown for each parcel of land to be dedicated.
- k) A copy of any restrictions and covenants the subdivider intends to include in the deeds to the lots in the subdivision.
- Certification by a State of Ohio registered surveyor to the effect that the plan represents a survey made by him, that the monuments shown thereon exist as located, and that all dimensional details are correct.
- m) Typical sections and complete profiles of streets and other related improvements to be constructed in the proposed subdivision.
- n) The location of, and a description of all monuments and pins as specified in Section 1121.04.
- o) If a zoning change is involved, certification from the City Zoning Inspector shall be required indicating that the change has been approved and is in effect.
- p) Certification shall be required showing that all required improvements have been installed and approved by the proper City officials and/or other agencies, or the required bond or other surety is in effect assuring installation and initial one (1) year minimum maintenance of the required improvements (Section 1113.18(d)).

Deed: Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained at www.lcounty.com/rec.

Address List: Submit one copy of a list of all property owners and addresses of those owning property within 200 feet or two parcels from any point on the subject property line, whichever creates more property owners. This list must be in accordance with the Licking County Auditor's current tax list and must be submitted on mailing labels.

Area Map: Submit 14 copies of an area map from the Licking County Engineer's office showing the area encompassed by the address list. Area maps can be obtained at www.lcounty.com/taxparcelviewer/default.

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 final plan request.		
Applicant:	Date:	
Owner:	Date:	

NOTES:

NOTE "A": ALL OF FOREST RIDGE SECTION 2 IS IN THE FLOOD HAZARD ZONE X AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NUMBER 39089C0293J, EFFECTIVE DATE MARCH 16, 2015.

NOTE "B": NO VEHICULAR ACCESS TO BE IN EFFECT UNTIL SUCH TIME AS THE PUBLIC RIGHT-OF-WAY IS EXTENDED BY PLAT OR DEED.

NOTE "C": ALL CONTOURS SHOWN HEREON ARE SET AT ONE FOOT INTERVALS.

NOTE "D": 'NO PARKING' SIGNS SHALL BE POSTED ON THE SAME SIDE OF THE STREETS AS THE FIRE HYDRANTS FOR ROADWAYS 33 FEET IN WIDTH OR LESS.

NOTE "E": A 3 BOARD SPLIT RAIL FENCE (4' HIGH) SHALL BE INSTALLED AT THE REAR OF LOTS 1-4 IN SECTION 1, 30-33 IN SECTION 2, 60-63 IN SECTION 3, TO SERVE AS A VISUAL BARRIER TO THE ADJACENT TOWNSHIP PROPERTY

FINAL DEVELOPMENT PLAN

LOCATED IN:

SITUATED IN THE STATE OF OHIO, COUNTY OF LICKING, CITY OF PATASKALA,

LOT 31, QUARTER TOWNSHIP 2, TOWNSHIP 1, RANGE 14,

UNITED STATES MILITARY LANDS

VARIANCES:

VA-23-004 – VARIANCE FROM SECTION 1117.10 OF THE PATASKALA CODE TO ALLOW FOR FOUR (4) INTERSECTIONS TO NOT MEET THE REQUIREMENT THAT THEY REMAIN IN THE ANGLE OF INTERSECTION FOR 100-FEET BEYOND THE POINT OF INTERSECTION.

VA-23-005 – VARIANCE FROM SECTION 1117.10 OF THE PATASKALA CODE TO ALLOW FOR REDUCED INTERSECTION SEPARATION BETWEEN THE INTERSECTIONS OF FANNIN DRIVE AND RUBY ROAD, AND WATERLILY WAY AND RUBY ROAD.

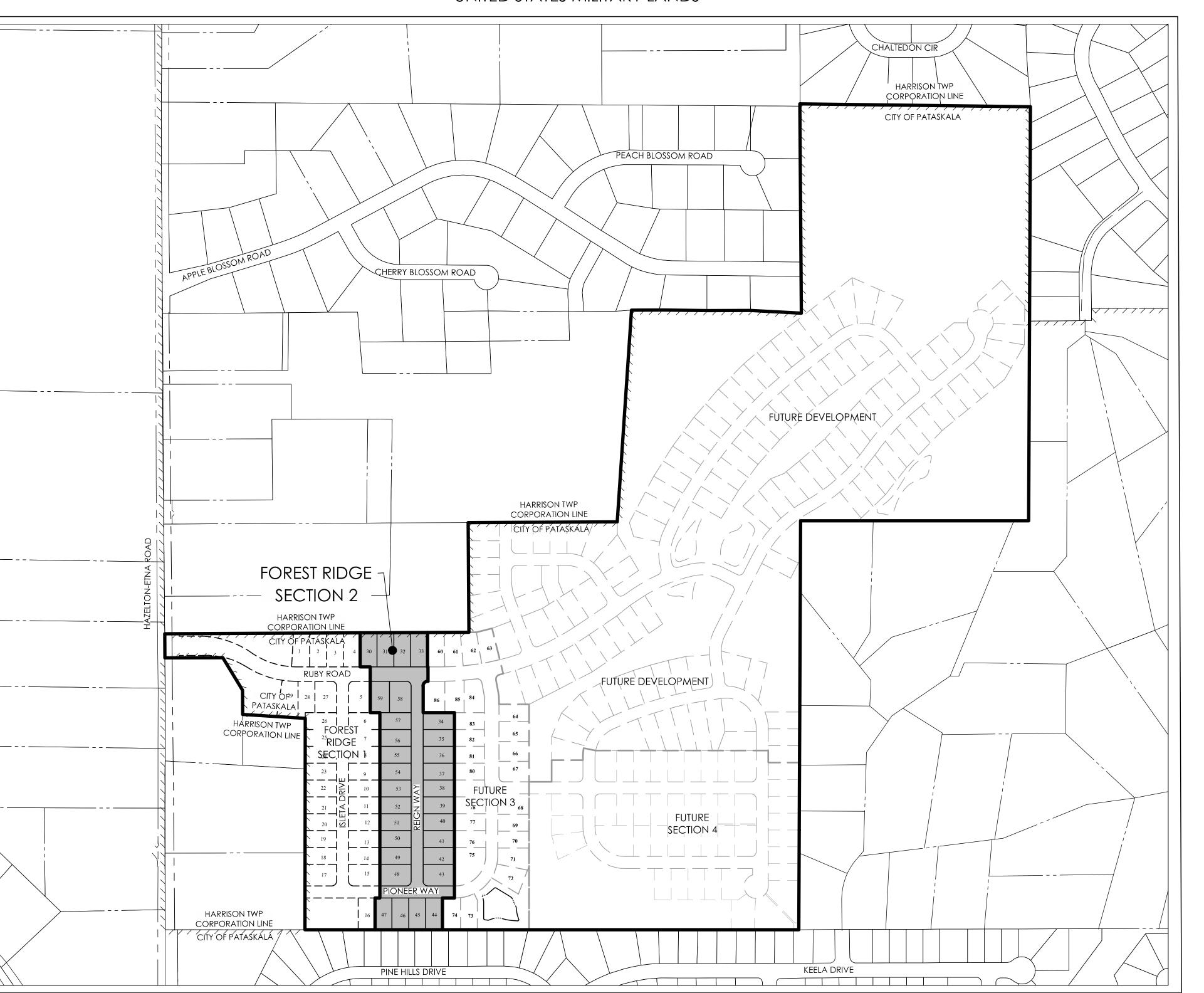
VA-23-006 – VARIANCE FROM SECTION 1117.07 OF THE PATASKALA CODE TO ALLOW FOR LESS THAN THE MINIMUM OF 100-FEET SEPARATION `BETWEEN REVERSE CURVES.

COUNCIL VARIANCES – 03-20-2023

- 1.) VARIANCE FROM SECTION 1296.07 TO ALLOW FOR A REDUCTION IN THE NUMBER OF DRIVEWAYS THAT MUST BE GROUPED. THE CITY ADMINISTRATOR OR DESIGNEE SHALL APPROVE DEVIATIONS FROM THE REQUIREMENTS THIS SECTION IF IT IS DETERMINED THAT THE GROUPING OF DRIVEWAYS IS NOT POSSIBLE OR WOULD NEGATIVELY AFFECT THE FUNCTIONALITY OF THE SUBDIVISION.
- 2.) VARIANCE FROM SECTION 1296.14(B) TO ALLOW FOR A REDUCTION IN THE MINIMUM WIDTH OF SHUTTERS TO 15-INCHES. ALL SHUTTERS SHALL BE INSTALLED WITH HARDWARE THAT GIVES THE APPEARANCE THAT THE SHUTTER IS FUNCTIONAL.
- 3.) VARIANCE FROM SECTION 1296.15(A) TO ALLOW FOR A REDUCTION IN THE MINIMUM WIDTH OF THE THREE-DIMENSIONAL DOOR SURROUND TO A MINIMUM OF FIVE (5) INCHES.

GRAPHIC SCALE

1 inch = 250' feet



INDEX OF DRAWINGS

VICINITY MAP & REGIONAL CONTEXT MAP: 1 of 6 SITE PLAN: 2 of 6 UTILITY PLAN: 3 of 6 TYPICAL SECTIONS: 4 of 6 LANDSCAPE PLAN: 5 of 6 ILLUSTRATIVE SITE PLAN: 6 of 6 FINAL PLAT: SECTION 2: 1 - 2 of 2 ENGINEERING PLANS:

STREET, STORM SEWER & WATERLINE IMPROVEMENTS: 1-11 of 11

SITE STATISTICS:

TOTAL ACREAGE: ±8.23 ACRES
RIGHT-OF-WAY AREA: ±1.67 ACRES
NET ACREAGE (EXCLUDING R/W): ±6.56 ACRES

TOTAL NUMBER OF UNITS: 30

SANITARY SEWER IMPROVEMENT PLANS:

GROSS DENSITY: ±3.65 LOTS/ACRE
NET DENSITY (EXCLUDING R/W): ±4.57 LOTS/ACRE

ZONING: R-15 (CLUSTER)

AFCIONI CTANIDA DDC.

TOTAL OPEN SPACE SECT. 2:

DESIGN STANDARDS:

BUILDING LINE / FRONT SETBACK:

SIDE YARD SETBACK:

REAR YARD SETBACK:

REAR YARD SETBACK: 30' MINIMUM

MIN. LOT SIZE: 70' x 125' (8,750 SF)

Applicant: M/I Homes of Central Ohio

±0.0 ACRES

30' MINIMUM

5' MINIMUM (TOTAL OF 10')

oved this ____ day of _____, 20___ Director of Public Utilities, Pataskala, Ohio

roved this ____ day of _____, 20___ Director of Public Services, Pataskala, Ohio

proved this ____ day of _____, 20___ City Administrator, Pataskala, Ohio

Approved this ____ day of _____, 20___ City Engineer, Pataskala, Ohio

Approved this ____ day of _____, 20__ ___ Chairman, Planning and Zoning Commission, Pataskala Ohio

Director of Planning, Pataskala, Ohio

Approved this ____ day of _____, 20___

Professional Engineer: EMH&T

The plan as shown hereon is for planning purposes only. Not to be used for construction.

OWNER / DEVELOPER:



mihomes.com

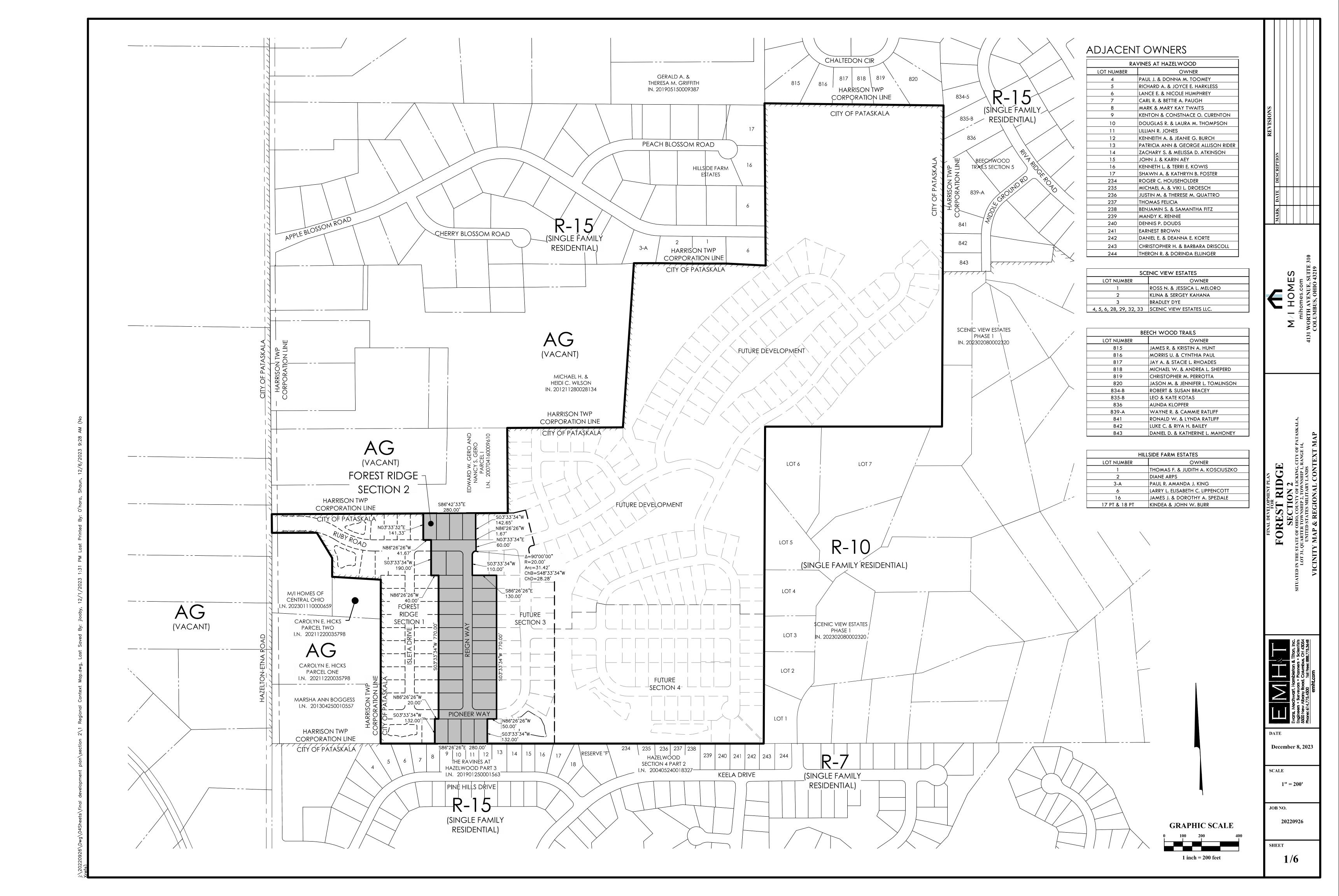
4131 WORTH AVENUE, SUITE 310 COLUMBUS, OHIO 43219

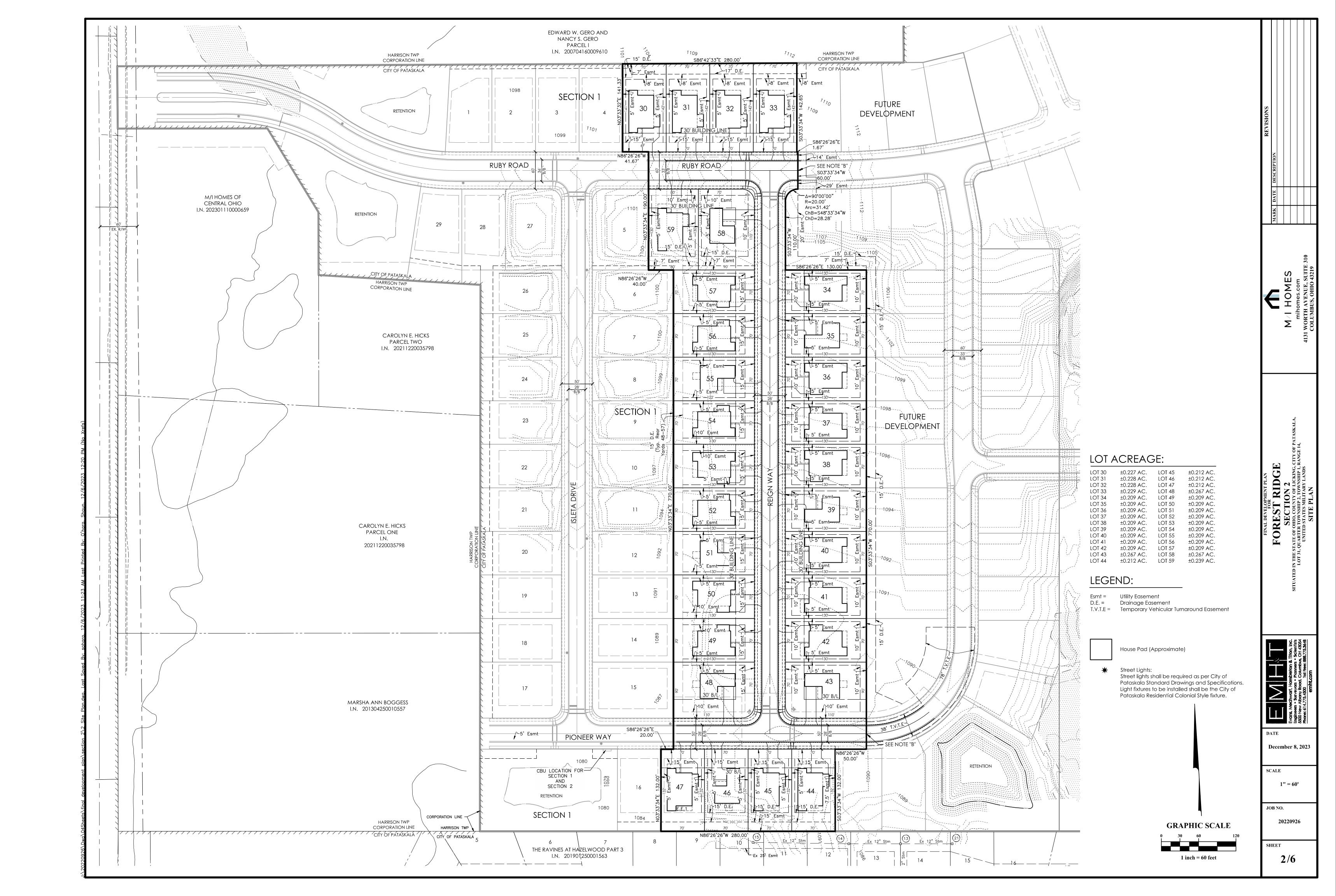
SUBMITTAL: DECEMBER 8, 2023

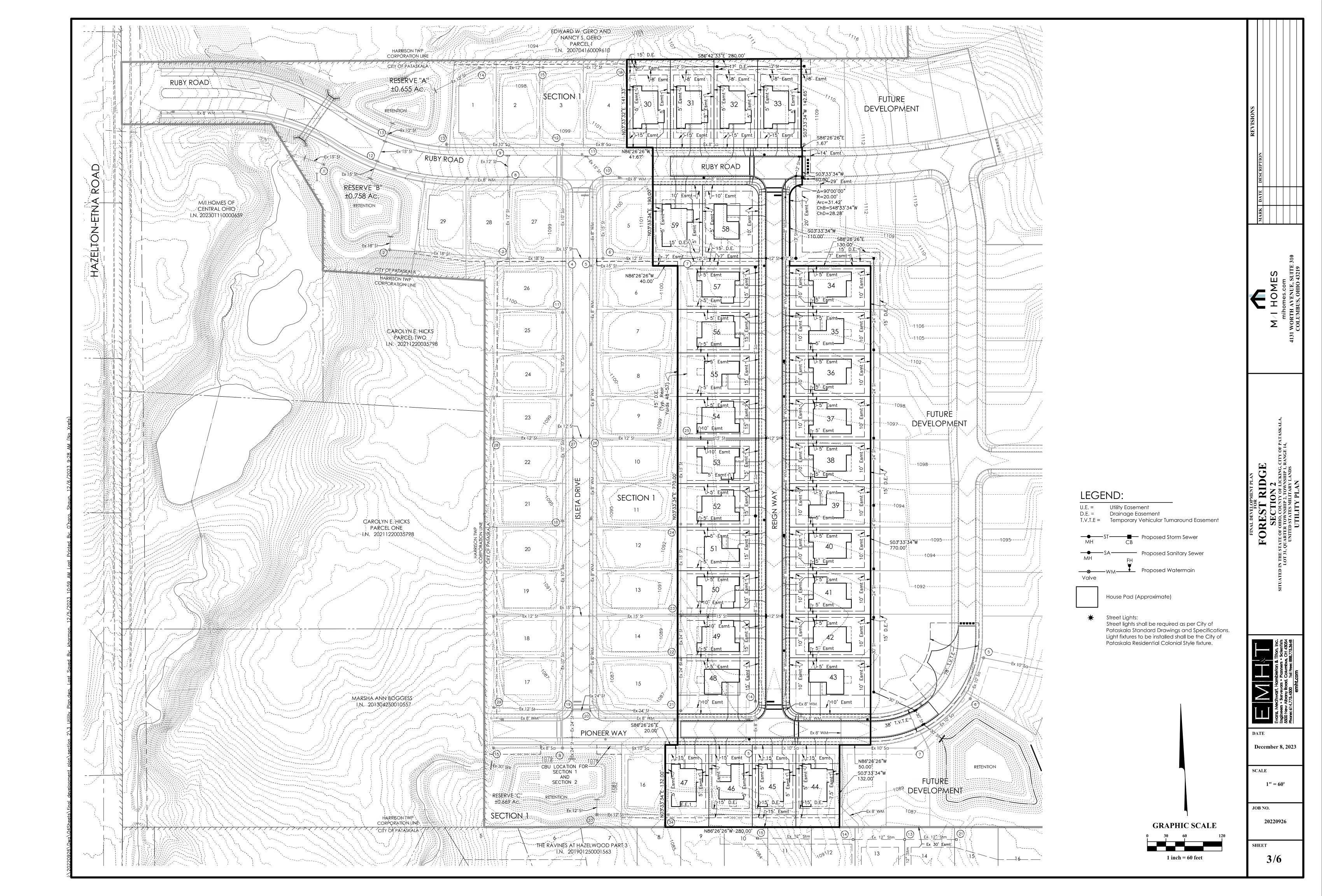
CIVIL ENGINEER & LANDSCAPE ARCHITECT

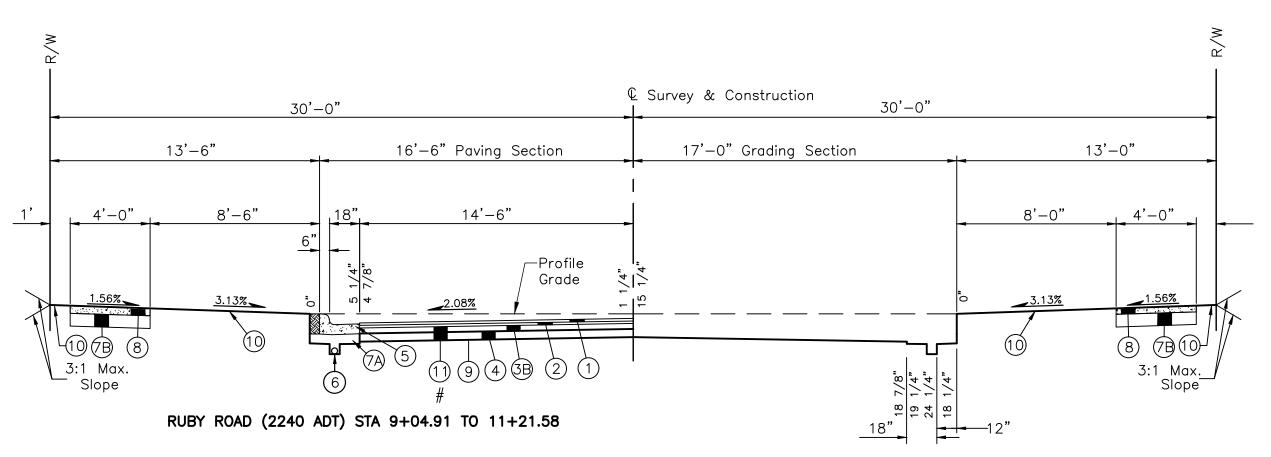


SUBAREA MAP



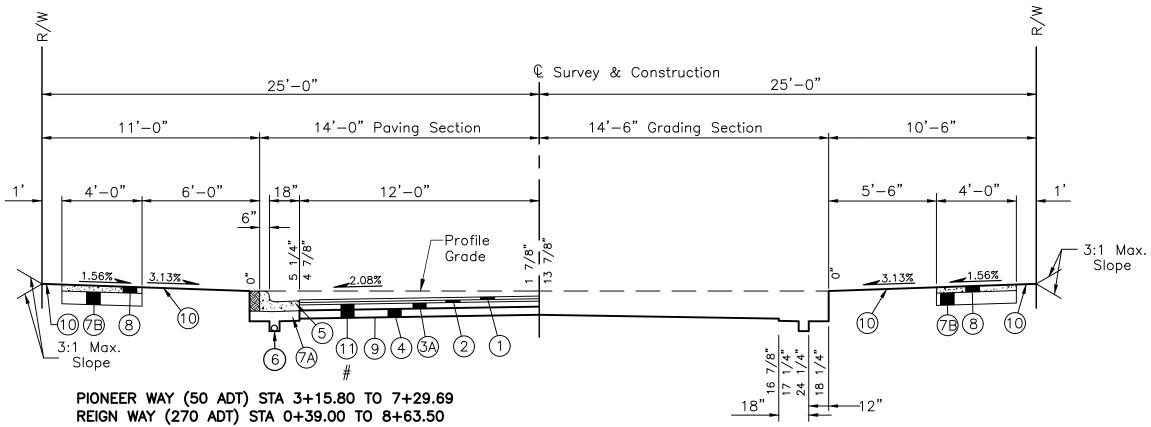






TYPICAL 33' SECTION (60' R/W) STANDARD CURB & GUTTER

Not to Scale



TYPICAL 28' SECTION (50' R/W) STANDARD CURB & GUTTER

Not to Scale

PAVEMENT ALTERNATE NOTES (#)

If alternate is selected, pavement relief joints per City of Columbus Std Dwg 2175 shall be installed at the following roadway stations:

Ruby Road: 9+04.91 (29') Reign Way: 5+35.00 (24') Pioneer Way: 3+15.80 (24')

Additional locations may be requested by the City of Pataskala. Contractor to coordinate with the City prior to installation.

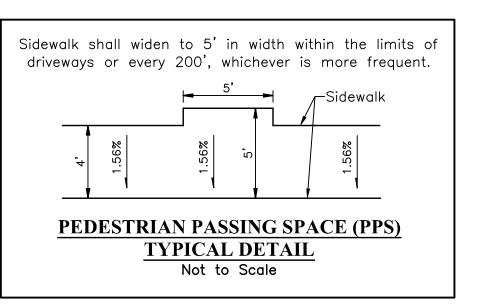
Contractor to contact engineer to verify boxout depths prior to construction.

PAVEMENT LEGEND (STANDARD COMPOSITE PAVEMENT)

(Per City of Columbus Residential Street Pavement Design)

- 1 Item 441 1 1/2" Asphalt Concrete Surface Course, Type 1, (448), PG64-22

 (2) Item 441 1 1/2" Asphalt Concrete Intermediate Course, Type 2, (448)
- (3A) Item 301 3" Bituminous Aggregate Base
- (3B) Item 301 5" Bituminous Aggregate Base
- (4) Item 304 6" Aggregate Base
- 5) Item 609 City of Columbus Standard Concrete Curb & Gutter, Std. Dwg. 2010
- 6 Item 605 4" Pipe Underdrain
- (7A) No. 8 or No. 57 Aggregate (Included in cost of Item 609)
- (7B) 3" No. 57 Aggregate (Included in cost of Item 608)
- 8 ltem 608 4" Concrete Sidewalk
- 9) Item 204 Subgrade Compaction
- (10) Item 659 Seeding and Mulching
- (11) Item 307 7" Roller Compacted Concrete Base Residential (Alternate) #



M/I HOMES
mihomes.com
strong very AVENUE, SUITE 310

FOREST RIDGE
SECTION 2

STATE OF OHIO, COUNTY OF LICKING, CITY OF PATAS
31, QUARTER TOWNSHIP 2, TOWNSHIP 1, RANGE 14,
UNITED STATES MILYARY LANDS

Mechwart, Hambleton & Tilton, Inc. rs • Surveyors • Planners • Scientists w Albarry Road, Columbus, OH 43054 14.775.4500 Toll Prec. 888.775.3648

DATE

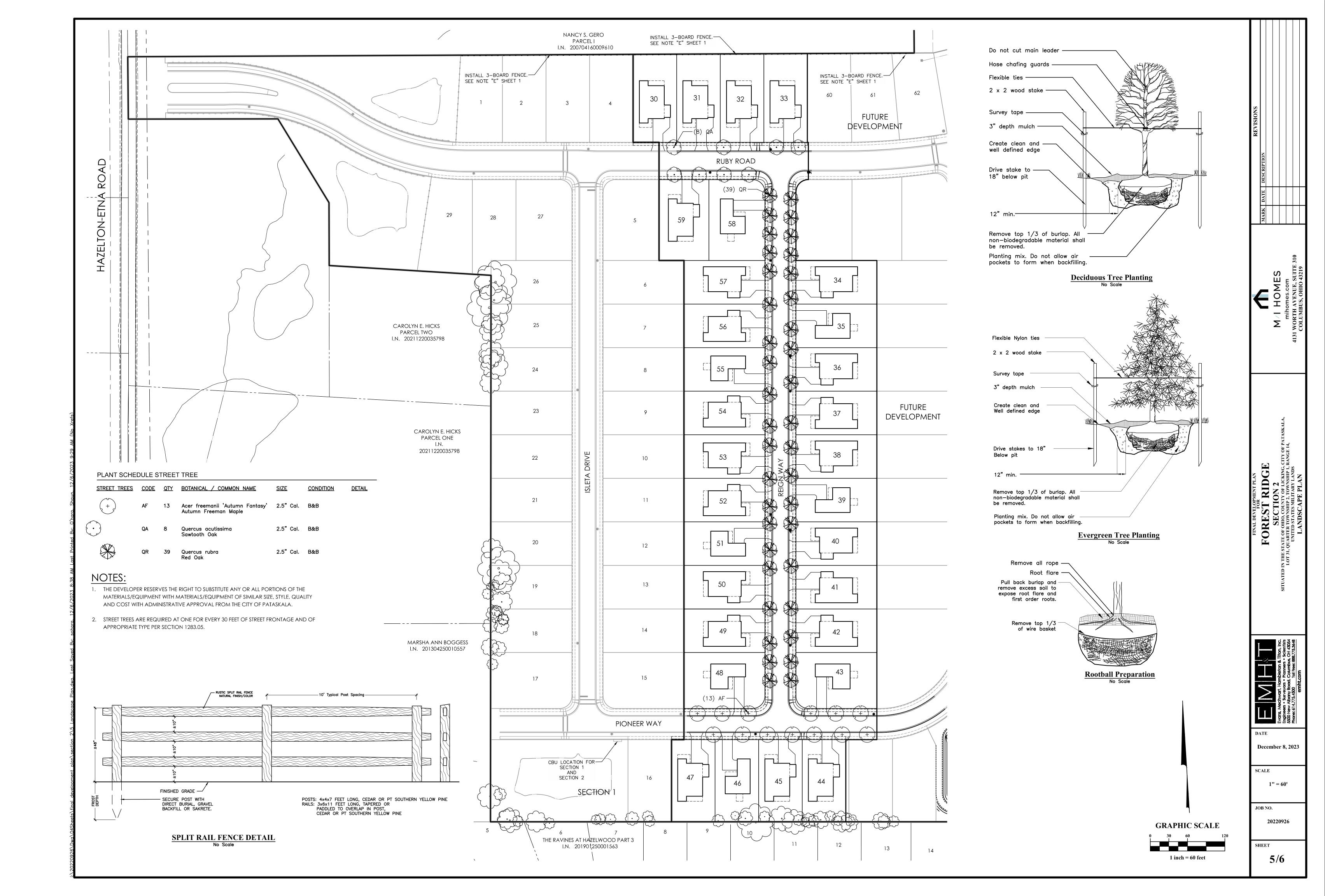
December 8, 2023

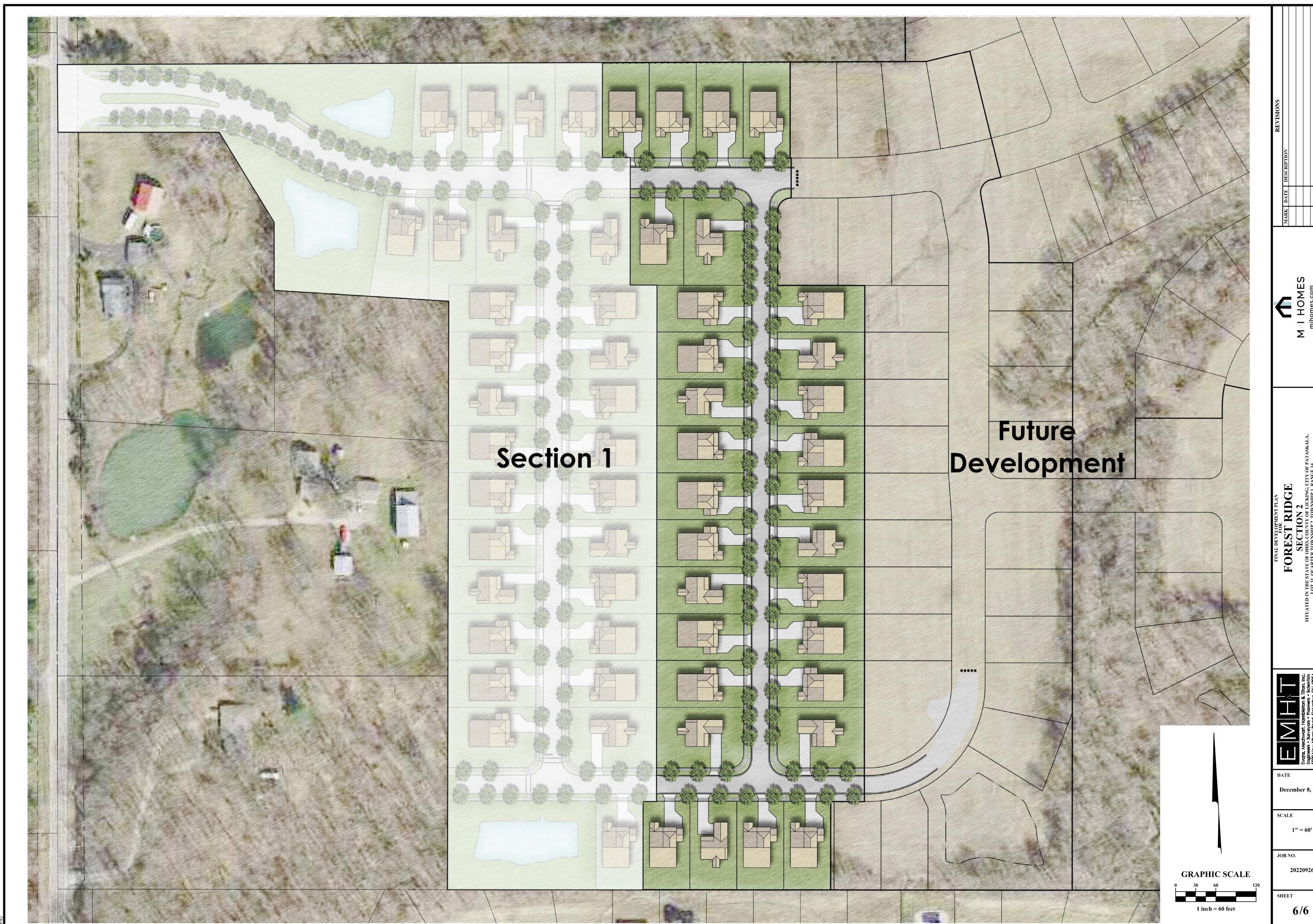
SCALE None

JOB NO. 20220926

SHEET

4/6





December 8, 2023

DESCRIPTION APPROVED JARED N. KNERR LICKING COUNTY ENGINEER

Approved By JW Oct 06, 2022 01140000400000036000

TRANSFERRED

Oct 06, 2022
Michael L. Smith
LICKING COUNTY AUDITOR
SEC 319.902 COMPLIED WITH
MICHAEL L. SMITH
By: TG 3803.40

| InstrID:202210060024273 | 10/6/2022 | Pages:5 | F: \$58.00 | 10:52 AM | Bryan A. Long | T20220026030 | Licking County Recorder

11125W03-CO

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That

Fannin Limited Partnership, an Ohio Limited Partnership, of the city of Pataskala, County of Licking, State of Ohio for valuable consideration paid, grants with general warranty covenants, to

M/I Homes of Central Ohio, LLC, an Ohio Limited Liability Company

Whose tax-mailing address is: 4131 Worth Avenue, 3rd Floor Columbus, OH 43219

The following REAL PROPERTY:

See attached Exhibit "A"

Property Address: Apple Blossom Road, Pataskala, Ohio 43062 Parcel Numbers: 255-069072-00.000 and 255-069066-00.005

Subject to: a) Those certain matters reflected on Exhibit "B"; b) Legal highways; c) Taxes and Assessments from the date of closing.

Prior Instrument Reference: 199908190035031

Executed this 30th day of September, 2022

Fannin Limited Partnership, an Ohio Limited Partnership By: The Fannin Company, LLC, General Partner

by. The Familin Company, LLC, General Partne

STATE OF OHIO, COUNTY OF DELAWARE, ss:

The foregoing instrument was acknowledged before me this 30th day of September, 2022, by William S. Fannin, Jr., Managing Member of The Fannin Company, LLC, General Partner of Fannin Limited Partnership, an Ohio Limited Partnership.

LISA MAHLERWEIN
Notary Public, State of Ohio
My Comm. Expires Jan. 23, 2024

Notary Public

This instrument was prepared by: Griffith Law Offices 522 North State Street, Westerville, Ohio 43082

202210060024273 Page 3 of 5

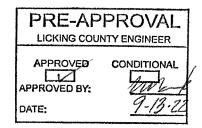


Exhibit "A"

Situated in the State of Ohio, County of Licking, City of Pataskala, and being a part of farm Lots 29 and 30, in the 2nd Quarter, Township-1, Range-14, United States Military Lands, and being a survey of that 21.304 acre tract (Tax Duplicate) and 37.57 acre tract (Tax Duplicate, Parcel 2) as conveyed to Columbus Builders Supply Inc., by deed of record in Official Record Volume 335, Page 364, all references being to those of record in the Recorder's Office, Licking County, Ohio, said 52.399 acre parcel being more particularly bounded and described as follows:

Beginning at an existing iron pin (3/4" pipe) marking the Northwest corner of said farm Lot 29, the same being the northeasterly corner of that Subdivision entitled "Hillside Farm Estates", as recorded in Plat Book 11, Page 104, also being the southwesterly corner of Lot 815 in that subdivision entitled "Beech Wood Trails Section 5, as recorded in Plat Book 11, Page 94, and being the Point of Beginning of the hereon described 52,399 acre parcel:

thence southeasterly along the southerly line of Beech Wood Trails Section 5, South 88°24'49" East, 958.34 feet to an existing iron pin (3/4" pipe in the base of a tree) marking the southeasterly corner of Lot 820 in said subdivision, passing existing iron pins (3/4" pipes) at 183.97 feet, 469.82 feet, 587.93 feet and 785.87 feet;

thence southwesterly along the westerly line of said subdivision, South 01°08'47" West, 882.00 feet to an existing iron pin (3/4" pipe) marking the southwesterly corner of Lot 843, the same being the northwesterly corner of that 136.305 acre tract (Tax Duplicate) as conveyed to Evans Investment Company, by deeds of record in Deed Volume 728, Page 808 and Deed Volume 826, Page 86, this parcel was originally plated as Beech Wood Trails Section 6, and recorded in Plat Book 12, Page 30, and was vacated by the Licking County Auditor's Office and recorded in Deed Volume 826, Page 86, passing existing iron pins (3/4" pipes) at, 65.23 feet, 177.77, 301.59 feet, 443.46 feet, 526.32 feet, 681.25 feet, and 781.11 feet;

thence southwesterly along the westerly line of said 136.305 acre tract, South 01°08'05" West, 838.32 feet to an existing iron pin (1" pipe) on the southerly line of farm Lot 29; thence northwesterly along the southerly line of farm Lot 29, North 89°08'23" West, 947.04 feet to an iron pin set marking the northeasterly corner of that 80.791 acre tract (Tax Duplicate) as conveyed to Ruth L. Angevine, et.al., by deeds of record in Deed Volume 560, Page 579, Official Record Volume 235, Page 519, and Official Record Volume 315, Page 701, said iron pin also being the Northeast corner of farm Lot 31;

thence northwesterly along the northerly line of said farm Lot 31, North 89°22'18" West, 761.75 feet to an existing iron pin marking the southeasterly corner of that 21.656 acre tract (Tax Duplicate) as conveyed to Robert L. and Gail E. McPherson, by deed of record in Official Record Volume 160, Page 30;

thence northeasterly along the easterly line of said 21.656 acre McPherson tract, North 04°43'21" East, 881.28 feet to an existing iron pin marking the northeasterly corner of said 21.656 acre McPherson tract, said iron pin being on the southerly line of Lot 4 in that subdivision entitled Hillside Farm Estates, and recorded in Plat Book 11, Page 104;

thence southeasterly along the southerly line of said Hillside Farm Estates the following four (4) courses and distances:

South 89°13'27" East, 131.16 feet to an iron pin set, passing an existing iron pin (1/2" rebar) at 116.69 feet:

South 88°24'25" East, 183.40 feet to an existing iron pin (1/2" rebar);

South 89°12'58" East, 180.00 feet to an iron pin set; and...

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South 86°10'52" East, 211.22 feet to an existing iron pin (1/2" rebar) marking the southeasterly corner of said subdivision and being on the westerly line of farm Lot 29;

thence northeasterly along the westerly line of said farm Lot 29, the same being the easterly line of Hillside Farm Estates subdivision, North 00°28'17" East, 869.08 feet to the Point of Beginning, and containing 52.399 acres more or less according to a survey performed by Jobes Henderson & Associates in March, 1999.

The bearings in the above description are based on the North line of farm Lot 29, the same being the southerly line of Beech Wood Trails Section 5, recorded in Plat Book 11, Page 94 (Sheet 5) as being North 88°24'49" West.

All iron pins set are 5/8" in diameter rebar by 30" in length with red surveyors identification caps marked "J&H PS 6878".

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

EXHIBIT "B"

- 1. Subject to the Easement of Columbia Gas of Ohio, Inc., recorded in Official Record Volume 417, Page 565 in the official records of the Licking County Recording Office.
- 2. Subject to the Easement of Southwest Licking Community Water and Sewer District, recorded in Official Record Volume 619, Page 126 in the official records of the Licking County Recording Office.

