



## CITY OF PATASKALA BOARD OF ZONING APPEALS

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

### STAFF REPORT

August 13, 2024

#### Conditional Use Application CU-24-005

<b>Applicant:</b>	Yadu Kuikel
<b>Owner:</b>	Broad Street Investment Co.
<b>Location:</b>	89 E Broad Street, Pataskala, OH 43062 (PID: 064-307812-00.000)
<b>Acreage:</b>	+/- 2.7-acres
<b>Zoning:</b>	GB – General Business
<b>Request:</b>	Requesting approval of a Conditional Use pursuant to Section 1215.08 of the Pataskala Code to allow for the establishment of a Karate Studio (NAICS – 611620) within a separate business unit on the property.

#### Description of the Request:

The applicant is seeking approval of a Conditional Use pursuant to Section 1215.08 of the Pataskala Code to allow for the establishment of the use, Karate Studio (NAICS – 611620), within a separate business unit on the property.

#### Staff Summary:

The 2.70-acre property is located at the southeast corner of the intersection of E Broad Street and Township Road, comprising the addresses of 87, 89, and 91 E Broad Street as well at 24 Township Road. There is frontage to the north onto E Broad Street, west onto Township Road, and a smaller access road to the south onto International Drive. Currently, the property is occupied by an approximately 12,000-square foot commercial building (currently partly occupied by a gas station and convenience store), a approximately 2,200-square foot commercial outbuilding occupied by Capuano's Pizza, with about 48,000-square feet of paved asphalt parking throughout the lot.

As proposed, the Applicant is requesting approval of a Conditional Use to allow for a unit within the main commercial building, previously occupied by No BS Liquidators, to be used as a karate and kickboxing studio. The North American Industry Classification Systems (NAICS 2007) classifies this use as 611620 – Sports and Recreation Instruction, which is a Conditional Use in the GB zoning district, pursuant to Section 1249.04(19) of the Pataskala Code.

Per the submitted site plan, the Applicant will be making no external changes to the site. In the Narrative Statement as submitted by the Applicant, they stated they are looking to establish a space to learn and practice Shito-Ryu Karate, a traditional form of martial arts. The academy would have classes from 8:30AM to 8:30PM, Monday through Sunday, and have three (3) instructors. The Applicant estimated between 30-50 students throughout an entire day split between different schedules. Further stated, the Applicant believes that the proposed use would not be hazardous or disturbing to existing or future uses, would be harmonious with and in accordance with the general objectives of City Code, is served adequately by essential public facilities, and will not involve uses or activities that will be detrimental to any persons, property, or the general welfare.

**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:

The Future Land Use Map recommends this property as “Neighborhood Commercial”, which the Comprehensive Plan (2021) describes as being intended for small-scale retail and office uses that complement and support nearby residential uses. The proposed use would be in line with the recommendations of the Comprehensive Plan.

As mentioned above, pursuant to Section 1249.04(19) of the Pataskala Code, NAICS (2007) Code 611620 – Sports and Recreation Instruction is a Conditional Use in the GB – General Business district.

Section 1291.16 of the Pataskala Code requires that all personal services uses shall provide one (1) parking space for each 200-square-feet of gross floor area. Per the Licking County Auditor’s website, the unit is 4,104-square-feet in area. Therefore, 21 on-site parking spaces are required. Currently there are 55 parking spaces shared between the three (3) exiting uses on-site, which will provide enough parking for the existing and proposed uses to meet Pataskala Code.

Pursuant to Section 1215.09 of the Pataskala Code, Conditional Uses must be carried out within six (6) months of the date of approval. The Applicant may apply for a one-time, six (6) month extension if additional time is needed. The Conditional Use shall automatically expire if, for any reason, such use ceases for a period of more than one (1) year.

Any signage is subject to Chapter 1295 of the Pataskala Code and would require a Sign Permit prior to installation.

West Licking Joint Fire District

Please contact the Fire Marshal Bureau for a new business inspection.

Other Departments and Agencies

No other comments were received.

**Surrounding Area:**

Direction	Zoning	Land Use
North	PRO – Professional Research-Office	Single-Family Home Nursing Home Facility
East	GB – General Business	Drive-Through Restaurants
South	GB – General Business R-20 – Medium-Low Density Residential	Single-Family Homes Misc. Commercial
West	GB – General Business	Restaurant

**Conditional Use Requirements:**

According to Section 1215.04 of the Pataskala Code, the Board of Zoning appeals shall consider whether the conditional use at the proposed location:

1. *Is in fact a conditional use as established under the provisions of Title Three of the Planning and Zoning Code for the specific zoning district of the parcel(s) listed on the application.*
2. *Will be harmonious with and in accordance with the general objectives or with any specific objective of the City comprehensive plan and/or this Code.*
3. *Will be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
4. *Will not be hazardous or disturbing to existing or future neighboring uses.*
5. *Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
6. *Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.*
7. *Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare, including but limited to excessive production of traffic, noise, smoke, fumes, glare, odor, potential for explosion, and air or water pollution.*
8. *Will have vehicular approaches to the property which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.*
9. *Will not result in destruction, loss or damage of a natural, scenic, or historic feature of major importance.*

Furthermore, Section 1215.05 allows other factors to be considered when determining if a conditional use is appropriate. In Staff's opinion the following factors from Section 1215.05 are applicable to Conditional Use Application CU-24-005:

- 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 – See attached.
- 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 carry out the Conditional Use within six months from the date of approval pursuant to Section 1215.09 of the Pataskala Code.

**Motion:**

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

"I move to approve a Conditional Use pursuant to Section 1215.08 of the Pataskala Code for application CU-24-005 ("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

## CONDITIONAL USE APPLICATION

(Pataskala Codified Ordinances Chapter 1215)

<b>Property Information</b>		<b>Staff Use</b>	
Address: 89 E. BROAD ST. Pataskala, Ohio 43062		Application Number:	
Parcel Number: 064-307812-00.000		CU-24-005	
Zoning: GENERAL BUSINESS	Acres: 2.70	Fee:	300
Water Supply:		Filing Date:	
<input checked="" type="checkbox"/> City of Pataskala <input type="checkbox"/> South West Licking <input type="checkbox"/> On Site		7-11-24	
Wastewater Treatment:		Hearing Date:	
<input checked="" type="checkbox"/> City of Pataskala <input type="checkbox"/> South West Licking <input type="checkbox"/> On Site		8-13-24	
<b>Applicant Information</b>			
Name: YADU KUIKEL			
Address: 2184 BFILTERE DRIVE			
City: REYNOLDSBURG	State: OHIO	Zip: 43068	
Phone: 704-805-0121	Email: yadukuike120@gmail.com		Receipt Number:
<b>Property Owner Information</b>			
Name: BROAD STREET INVESTMENT CO.			
Address: 4775 COLUMBUS RD.			
City: GRANVILLE	State: Ohio	Zip: 43023	
Phone: (740) 321-3367	Email: ELLINGERCB@GMX.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			

### Conditional Use Information

Request (Include Section of Code): All section of code are attached behind.  
Schedule are as follows:- Monday to Sunday  
8:30am to 8:30pm.

Describe the Project: Project name is Transamerican Association of Shito-Ryu Karate And kickboxing LLC. we teach Martial- art through training and fighting techniques. It mainly helps in self-defense and also keeps an individual disciplined. Our project will promote community wellness, provide a safe recreational outlet for residents of all ages and support educational initiative through physical fitness, education and personal development.

Additional Information on Back of Page

## Documents to Submit

**Conditional Use Application:** Submit 1 copy of the conditional use application.

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

- The reason the conditional use has been requested.
- The specific reasons why the conditional use is appropriate as it pertains to Section 1215.04 of the Pataskala Code:
  1. *Is in fact a conditional use as established under the provisions of Title Three of the Planning and Zoning Code for the specific zoning district of the parcel(s) listed on this application.*
  2. *Will be harmonious with and in accordance with the general objectives, or with any specific objective of the City comprehensive plan and/or this Code.*
  3. *Will be designed, constructed, operated and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.*
  4. *Will not be hazardous or disturbing to existing or future neighboring uses.*
  5. *Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.*
  6. *Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.*
  7. *Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare, including but not limited to excessive production of traffic, noise, smoke, fumes, glare, odor, potential for explosion, and air or water pollution.*
  8. *Will have vehicular approaches to the property which shall be so designed as to not create interference with traffic on surrounding public thoroughfares.*
  9. *Will not result in destruction, loss, or damage of a natural, scenic, or historical feature of major importance.*
- Specific standards for conditional uses can be found in Section 1215.05 of the Pataskala Code.
- Wireless Telecommunication Facilities must also meet the requirements outlined in Section 1293.06(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. – *None*
- Any other information deemed necessary for the conditional use request

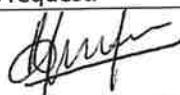
**Deed:** Provide a copy of the deed for the property with any deed restrictions. Deeds can be obtained from the Licking County Recorder's website here: <https://apps.lcounty.com/recorder/paxworld/>

**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

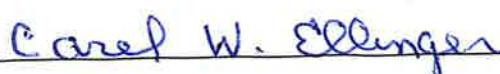
I certify the facts, statements and information provided on and attached to this application are true and correct to the best of my knowledge. Also, I authorize City of Pataskala staff to conduct site visits and photograph the property as necessary as it pertains to this conditional use request.

Applicant (Required):



Date: 07/06/24

Property Owner: (Required):



Date:

7-8-24

**Applicant:** Yadu Kuikel (TransAmerican Association of Shito-Ryu Karate and Kickboxing LLC)

**Property Address:** 89 East Broad St, Pataskala, Ohio, 43062

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### **Reason for Conditional Use Request**

We are requesting conditional use approval to establish a Karate Academy (specializing in Shito-Ryu) at 89 East Broad St, Pataskala, Ohio, 43062. Our goal is to create a dedicated space for the community to learn and practice Shito-Ryu Karate, a traditional form of martial arts that promotes physical fitness, self-discipline, and mental well-being. Given the nature of our proposed use and the benefits it offers, we believe a conditional use is the appropriate pathway to establish our academy within this zoning district. (1) Hours of operation or schedule : Monday to Sunday (8:30 am to 8:30 pm: 12 hours per day) (2) Estimate clients : 30 to 50 students in different schedules. (3) number of employees or instructors: 3 instructors.

### **Justification Based on Section 1215.04 of the Pataskala Code**

- 1. Compliance with Title Three Provisions:** The proposed Karate Academy is indeed a conditional use as established under Title Three of the Planning and Zoning Code for the designated zoning district. Our application complies with all stipulated requirements for conditional uses within this district, ensuring that the proposed use aligns with the existing regulatory framework.
- 2. Harmony with City Comprehensive Plan Objectives:** The establishment of the Shito-Ryu Karate Academy is in harmony with the general objectives of the City's comprehensive plan. Our academy will promote community wellness, provide a safe recreational outlet for residents of all ages, and support educational initiatives through physical education and personal development. This use aligns with the city's goals of enhancing the quality of life and fostering a healthy, active community.
- 3. Compatibility with the Character of the Vicinity:** The academy will be designed to blend with the existing character of the neighborhood. The architectural style will be consistent with surrounding buildings, and the operational aspects of the academy, including noise levels and hours of operation, will be managed to ensure they do not disrupt the tranquility of the area. Our design prioritizes aesthetics and functional harmony with the existing community environment.
- 4. Non-Hazardous and Non-Disturbing Use:** The proposed academy will not pose any hazards or disturbances to neighboring properties. Martial arts training is conducted indoors, ensuring noise is contained within the facility. We will implement safety measures and adhere to all necessary regulations to prevent any disturbances or risks to neighboring uses, ensuring a safe and peaceful coexistence with nearby properties.
- 5. Adequate Service by Public Facilities:** The location of the Karate Academy is well-served by existing public facilities and services. The site has easy access to major roads and is in proximity to essential services such as police and fire protection.







# Michael L. Smith

## Auditor, Licking County, Ohio

### BROAD STREET INVESTMENT CO LTD

#### 87 E BROAD ST

Tax District: 064 - PATASKALA SW-LK LSD-WLJFD  
 School District: SOUTHWEST LICKING LSD  
 Neighborhood: 07900 Pataskala - Old Pataskala Village  
 Classification: 429 Other retail structures  
 Acreage:  
 Property Desc: LOT 34 PT ELLINGER SUB

Parcel #: 064-307812-00.000

Rt #: 064-058.46-011.000

1 of 2



#### ATTRIBUTES

Story Height:

Exterior Wall:

Heating:

Cooling:

Basement:

Attic:

Total Rooms:

Bedrooms:

Family Rooms:

Dining Rooms:

Full Baths:

Half Baths:

Other Fixtures:

Year Built:

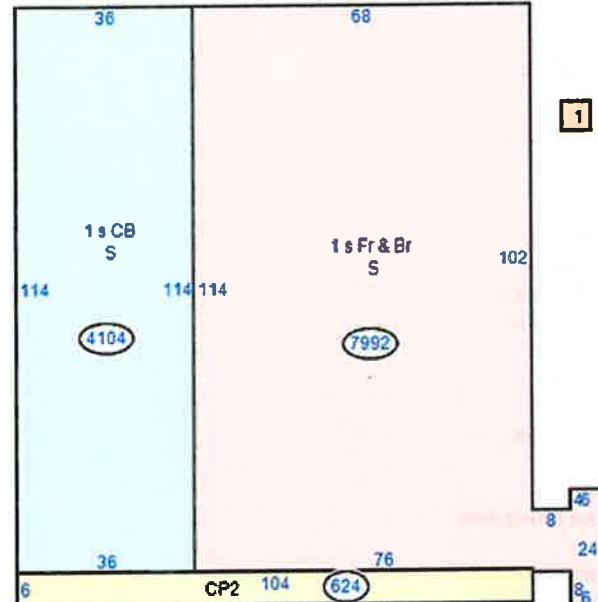
Finished Living Area:

Fireplace Openings:

Fireplace Stacks:

Basement Garage(s):

Basement Finished: No



#### AREA

First Floor:

Upper Floor:

Attic:

Half Story:

Crawl:

Basement:

	VALUES (by tax year)		Land	Improvement	Total
2023	Market	567,000	512,900	1,079,900	0
	CAUV	0	0		0
2022	Market	433,600	286,400	720,000	0
	CAUV	0	0		0
2021	Market	433,600	286,400	720,000	0
	CAUV	0	0		0

#### SALES HISTORY

Pcl # Instrument Type Sale Price Conv # V LO Previous Owner

#### IMPROVEMENTS

Description	Yr Built	SqFt	Value
1 PV1 - Paving Asphalt	1976	48,000	52,300
CP6 - Canopy - Personal Property	2021	1,008	0

#### TAXES

	Prior	1st Half	2nd Half	Total
Taxes/Reductions	0.00	8408.18	8408.18	16816.36
Pen/Int/Adj	0.00	0.00	0.00	0.00
Recoupment	0.00	0.00	0.00	0.00
Specials	0.00	16.00	16.00	32.00
Gross Due	0.00	8424.18	8424.18	16848.36
Payments	0.00	8424.18	8424.18	16848.36
Net Due	0.00	0.00	0.00	0.00

Public information data is furnished by this office, and must be accepted and used by the recipient with the understanding that this office makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of this data. Furthermore, this office assumes no liability whatsoever associated with the use or misuse of such data.

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that **Broad Street Investment Co. Limited Partnership**, an Ohio limited partnership, Grantor, in consideration of the sum of One Dollar and other good and valuable considerations to it paid by **Broad Street Investment Co. Ltd.**, an Ohio limited liability company, Grantee, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE AND FOREVER QUIT-CLAIM, to said Grantee, its successors and assigns forever, all of Grantor's right, title and interest in and to the REAL ESTATE described on attached Exhibit A.

This property is being transferred pursuant to a reorganization of the limited partnership into a limited liability company. Broad Street Investment Co. Limited Partnership will be terminated following the reorganization.

TO HAVE AND TO HOLD said premises, with all the privileges and appurtenances thereunto belonging, to the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF the said Grantor has caused this Deed to be executed and delivered on this 26<sup>th</sup> day of December, 1995.

Signed and Acknowledged in the presence of

Robert T. Pappas  
ROBERT T. PAPPAS  
(Print Name)

BROAD STREET INVESTMENT CO.  
LIMITED PARTNERSHIP

By: Carel W. Ellinger  
Carel W. Ellinger,  
General Partner

Ginger F. Early  
Ginger F. Early  
(Print Name)

By: Bonnie Lou Ellinger  
Bonnie Lou Ellinger,  
General Partner

THE STATE OF OHIO  
COUNTY OF FRANKLIN, SS:

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of December, 1995, by Carel W. Ellinger and Bonnie Lou Ellinger, who are the General Partners of Broad Street Investment Co. Limited Partnership, on behalf of Broad Street Investment Co. Limited Partnership.



GINGER F. EARLY  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES DEC. 24, 1999

Ginger F. Early  
Notary Public

This instrument was prepared by Robert T. Pappas, JONES, TROYAN, PAPPAS & PERKINS, A Legal Professional Association, 130 East Wilson Bridge Road, Worthington, Ohio 43085.

TRANSFERRED  
Date DECEMBER 29 1995  
George D. Buchanan  
Licking County Auditor

SEC. 319.202 COMPLIED WITH  
GEORGE D. BUCHANAN, AUDITOR  
BY TH EXM

Certificate of Partnership Filed  
Partnership Record Vol. 10 Pg 719  
as required in Sec. 1777.02 O.R.C.

ROBERT E. WISE  
Licking County  
Recorder

## EXHIBIT A

PARCEL ONE

## TRACT ONE:

Situated in the State of Ohio, County of Licking, Village of Pataskala and bounded and described as follows:

Being part of the 4th Quarter, Township 1, Range 15 of the United States Military Lands and more particularly bounded and described as follows:

Commencing at a point in the intersection of State Route 16 and County Road 27 (Willow Street);

Thence South 78° 08' 39" West, along the said centerline of State Route 16, 213.23 feet to a point;

Thence South 2° 57' 21" West, 130.94 feet to an iron pin found; said iron pin being the true place of beginning for the following described parcel of land;

Thence continuing South 2° 57' 21" West, passing an iron pin set at 173.02 feet in the northwest corner of the George A. & Danusia Yakubesin property (as recorded in Volume 798, Page 562, in the Deed Records of Licking County, Ohio), a total distance of 282.88 feet to an iron pin found in the southwest corner of the said Yakubesin property;

Thence South 88° 09' 23" West, along the northerly line of the Vincent G. & Nancy L. Jungkunz property (as recorded in Volume 839, Page 555, in the Deed Records of Licking County, Ohio), 265.70 feet to an iron pin set;

Thence North 2° 28' 03" West, along the easterly line of the Pearl Beeson property (as recorded in Volume 367, Page 556, in the Deed Records of Licking County, Ohio), 294.91 feet to an iron pin set;

Thence North 74° 21' 52" East, along the southerly right-of-way line of State Route 16, 119.66 feet to an iron pin set;

Thence North 77° 19' 17" East, continuing along the said southerly right-of-way line, 123.81 feet to an iron pin set;

Thence South 2° 57' 21" West, 60.00 feet to an iron pin found;

Thence South 87° 02' 39" East, 60.00 feet to the true place of beginning.

Contains 2.027 acres, more or less.

This survey prepared by William B. Henderson, Registered Surveyor No. 5242, October 14, 1985.

Being a part of the same premises conveyed to Raymond H. Ellinger by 3 deeds of record: Carrie Hawley Hubbard, et al. to Raymond H. Ellinger et al. by deed dated December 14, 1960, recorded January 12, 1961, in Deed Book 538, Page 120; deed from James A. Lamp, et al. to Raymond H. Ellinger, et al. by deed dated June 20, 1963, recorded June 22, 1963 in Deed Book 567, page 537; Certificate of Transfer from the estate of Oza N. Ellinger to Raymond H. Ellinger, dated December 21, 1972, recorded March 24, 1975, in Volume 731, Page 774, Deed Records, Licking County, Ohio.

## TRACT TWO:

Being a part of the 4th Quarter, Township 1, (Lima), Range 15, U.S.M.L., Licking County, Ohio, and further described and bounded as follows:

Beginning at a PK spike found at the intersection of the centerline of Township Road 27 and SR-16; thence South  $3^{\circ} 46' 48''$  West 341.58 feet to a PK spike in the centerline of Township Road 27, the true place of beginning of the herein described tract; thence South  $88^{\circ} 09' 23''$  West 20.10 feet to an iron pin in the existing West right-of-way line; thence over this pin on the same bearing 181.65 feet to an iron pin; thence North  $2^{\circ} 57' 21''$  East 249.83 feet to a point in the South right-of-way line of SR-16, said point also being 54.13 feet South  $2^{\circ} 57' 21''$  West of a PK spike in the centerline of Station 284+50 of SR-16; thence North  $77^{\circ} 18' 34''$  East along said SR-16 right-of-way line 163.60 feet to a point; thence South  $29^{\circ} 55' 38''$  East 31.57 feet along SR-16 right-of-way line to a point; thence South  $3^{\circ} 46' 48''$  West 33.63 feet along SR-16 right-of-way line; thence South  $86^{\circ} 22' 00''$  East 29.98 feet along SR-16 right-of-way line to a point in the centerline of Township Road 27; thence South  $3^{\circ} 46' 48''$  West 216.60 feet along the centerline of Township Road 27 to a PK spike, the place of beginning.

Containing 1.204 acres, by D.M.D. calculation, and subject to all highway rights-of-way, public utility easements, easements of record, if any, and the State of Ohio Department of Health regulations.

This survey prepared by J.W. Kincaid & Associates, 19 Forry Ave., Newark, Ohio 43055, on June 21, 1969.

Being a part of the same premises conveyed to Raymond H. Ellinger by 3 deeds of record: Carrie Hawley Hubbard, et al. to Raymond H. Ellinger et al. by deed dated December 14, 1960, recorded January 12, 1961, in Deed Book 538, Page 120; deed from James A. Lamp, et al. to Raymond H. Ellinger, et al. by deed dated June 20, 1963, recorded June 22, 1963 in Deed Book 567, page 537; Certificate of Transfer from the estate of Oza N. Ellinger to Raymond H. Ellinger, dated December 21, 1972, recorded March 24, 1975, in Volume 731, page 774, Deed Records, Licking County, Ohio.

## TRACT THREE:

Situated in the State of Ohio, County of Licking, Village of Pataskala and bounded and described as follows:

Being part of the 4th Quarter, Township 1, Range 15 of the United States Military Lands and more particularly bounded and described as follows:

Commencing at a point in the intersection of State Route 16 and County Road 27 (Willow Street); thence South  $78^{\circ} 08' 39''$  West, along the centerline of State Route 16, 213.23 feet to a point; thence South  $2^{\circ} 57' 21''$  West, 54.13 feet to an iron pin found, being the true place of beginning for the following described parcel of land; thence continuing South  $2^{\circ} 57' 21''$  West, 76.81 feet to an iron pin found; thence North  $87^{\circ} 02' 39''$  West, 60.00 feet to an iron pin found; thence North  $2^{\circ} 57' 21''$  East, 60.00 feet to an iron pin set; thence North  $77^{\circ} 18' 36''$  East, along the southerly right-of-way line of State Route 16, 62.31 feet to the true place of beginning. Contains 0.094 Acre, more or less.

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

This description is based on a survey by William B. Henderson, Registered Surveyor #5242, January 26, 1987.

Being a part of the same premises conveyed to Raymond H. Ellinger by 3 deeds of record: Carrie Hawley Hubbard, et al. to Raymond H. Ellinger et al. by deed dated December 14, 1960, recorded January 12, 1961, in Deed Book 538, Page 120; deed from James A. Lamp, et al. to Raymond H. Ellinger, et al by deed dated June 20, 1963, recorded June 22, 1963 in Deed Book 567, page 537; Certificate of Transfer from the estate of Oza N. Ellinger to Raymond H. Ellinger, dated December 21, 1972, recorded March 24, 1975, in Volume 731, Page 774, Deed Records, Licking County, Ohio.

PARCEL TWO

Situated in the State of Ohio, County of Licking, Village of Pataskala and bounded and described as follows:

Being Lot 35 & part of Lots 34, 36, 37 & 25 of the "Ellinger Subdivision" (as recorded in Plat Book 5, Page 154 in the Plat Records of Licking County, Ohio), in the 3rd Quarter of Township 1, Range 14 of the United States Military Lands and more particularly bounded and described as follows:

Commencing at a point in the intersection of the easterly right-of-way line of County Road 27 (Willow Street) and the northerly right-of-way line of International Road and the Southwest corner of the Joseph H. & Ona M. Orr property (as recorded in Volume 810, Page 636 in the Deed Records of Licking County, Ohio) and the southwest corner of said Lot 34 of said plat thereof;

Thence North  $0^\circ 13' 19''$  West, along the said easterly right-of-way line of County Road 27, 213.80 feet to an iron pin set;

Thence North  $73^\circ 52' 43''$  East, along the southerly right-of-way line of State Route 16, 740.19 feet to an iron pin set;

Thence North  $73^\circ 18' 00''$  East, continuing along the said southerly right-of-way line of State Route 16, 121.44 feet to an existing iron pin;

Thence South  $8^\circ 36' 41''$  East, along the westerly line of the Raymond H. Ellinger property, (as recorded in Volume 787, Page 3 in the Deed Records of Licking County, Ohio), 141.98 feet to an existing iron pin;

Thence North  $81^\circ 53' 38''$  East, along the southerly line of the aforesaid Ellinger property, 262.05 feet to an existing iron pin;

Thence South  $0^\circ 14' 52''$  East, along the westerly line of the Burl A. & Betty J. Whaley property, (as recorded in Volume 819, Page 497 in the Deed Records of Licking County, Ohio) and the westerly line of the Robert E. & Patricia I. Snider property, (as recorded in Volume 477, Page 135 in the Deed Records of Licking County, Ohio), 266.36 feet to an existing iron pin;

Thence South  $89^\circ 57' 17''$  West, along the northerly line of the 0.033 and 0.028 acre parcels of the Bruce J. & Judith Yvonne Baird property, (as recorded in Volume 617, Page 403 in the Deed Records of Licking County, Ohio, 100.00 feet to an iron pin set;

Thence South  $0^\circ 02' 45''$  West, along the westerly line of the said Baird property, 27.00 feet to an iron pin set;

Thence South  $89^\circ 57' 17''$  West, along the northerly line of Lots 31, 30, 29, 28, 27, 26 and 25 of the said plat thereof and the southerly line of the said Lots 36 and 35, 700.84 feet to an iron pin set;

Thence South  $0^{\circ} 02' 43''$  East, passing through Lot 25 and along the westerly line of the Patrick L. & Wilma J. Rose property, (as recorded in Volume 747, Page 547 in the Deed Records of Licking County, Ohio), 175.00 feet to an iron pin set;

Thence South  $89^{\circ} 56' 00''$  West, along the northerly right-of-way line of International Road, 25.19 feet to an existing iron pin;

Thence North  $8^{\circ} 34' 13''$  West, passing along the easterly line of the Linda D. Lahmon property, (as recorded in Book 55, Page 808 of the Official Records of Licking County, Ohio), 99.41 feet to an existing iron pin;

Thence North  $89^{\circ} 44' 41''$  West, along the northerly line of the said Linda D. Lahmon property, 111.95 feet to an existing iron pin;

Thence South  $25^{\circ} 34' 24''$  East, along the westerly line of the said Lahmon property, 109.42 feet to an existing iron pin;

Thence South  $89^{\circ} 56' 00''$  West, along the said northerly right-of-way line of International Road, 47.56 feet to an iron pin set;

Thence North  $22^{\circ} 08' 36''$  West, along the easterly line of the said Orr property, 164.72 feet to an iron pin set;

Thence South  $69^{\circ} 47' 55''$  West, along the northerly line of the said Orr property, 99.45 feet to the true place of beginning.

Contains 7.61 acres, more or less.

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

DESCRIPTION APPROVED	
TIM LOLLO	
LICKING COUNTY ENGINEER	
TAX MAP DRAWING NO. 58-46	APPROVED BY: <i>TL</i>

RECEIVED FOR RECORD	
AND RECORDED	
<i>Book 29, page 95</i>	
at 3:25 o'clock P.M.	
in Official Record	
Vol <u>764</u>	Page <u>268</u>
Licking County, Ohio	
<i>Kathy E. DeWitt</i>	
Recorder Fee <u>2.00</u>	

53259  
COMPARED

