

Rezoning Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: 216-006 Date Received: 1-28-16
Application Accepted by: SP + TD Fee: \$4,160
Comments: Assigned to Tim Dietrich; 645-6665; tedietrich@columbus.gov
Shannon Pine; 614-645-2208; spine@columbus.gov

LOCATION AND ZONING REQUEST:

Certified Address (for zoning purposes only): 3647 Gender Road, Canal Winchester, OH Zip: 43110

Is this application being annexed into the City of Columbus? Select one: YES NO

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 530-225024

Check here if listing additional parcel numbers on a separate page.

Current Zoning District(s): CPD Requested Zoning District(s): CPD

Area Commission or Civic Association: Greater South East Area Commission

Proposed Use or reason for rezoning request (continue on separate page if necessary):

Desire to erect a wireless tower and related facilities

Proposed Height District: H-35 [per Columbus City Code Section 3309.14] Acreage: 3.96

APPLICANT:

Name: SBA Towers VI, LLC Phone Number: (561) 226-9457 Ext.: _____

Address: 8051 Congress Avenue City/State: Boca Raton, FL Zip: 33487

Email Address: rkasser@sbsite.com Fax Number: (561) 226-3572

PROPERTY OWNER(S) Check here if listing additional property owners on a separate page

Name: T&R Development, Inc. Phone Number: (614) 923-4052 Ext.: _____

Address: 3895 Stoneridge Lane City/State: Dublin, OH Zip: 43017

Email Address: _____ Fax Number: _____

ATTORNEY / AGENT (Check one if applicable): Attorney Agent

Name: Stephen V. Cheatham Phone Number: (216) 685-4743 Ext.: _____

Address: c/o Buckley King, 600 Superior Ave., E., 1400 City/State: Cleveland, OH Zip: 44114

Email Address: cheatham@buckleyking.com Fax Number: (216) 579-1020

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE [Signature]

PROPERTY OWNER SIGNATURE [Signature]

ATTORNEY / AGENT SIGNATURE Stephen V. Cheatham

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make checks payable to the Columbus City Treasurer

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PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # 216-006

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Kevin Gallagher, VP of New Tower Development
of (COMPLETE ADDRESS) 8051 Congress Ave., Boca Raton, FL 33487

deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

<p>1. SBA Towers V, LLC 8051 Congress Ave. Boca Raton, FL 88487 Kevin Gallagher - (561) 226-9457</p>	<p>2. T&R Development, Inc. 3895 Stoneridge Lane Dublin, OH 43017 D. Ronald Sabatino - (614) 923-4052</p>
<p>3.</p>	<p>4.</p>

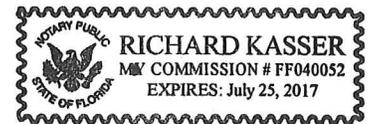
SIGNATURE OF AFFIANT K.S. W. J.

Sworn to before me and signed in my presence this 14th day of DECEMBER, in the year 2015

Richard Kasser
SIGNATURE OF NOTARY PUBLIC

July 25, 2017
My Commission Expires

Notary Seal Here



This Project Disclosure expires six (6) months after the date of notarization.

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Rezoning Application

DEPARTMENT OF BUILDING
AND ZONING SERVICES

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

AFFIDAVIT (See instruction sheet)

Application Number: 216-006

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Kevin Gallagher, VP of New Tower Development
of (1) MAILING ADDRESS 8051 Congress Avenue., Boca Raton, FL 33487

deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 3647 Gender Rd., Canal Winchester, OH 43110

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) 1-28-16

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) T&R Development, Inc.
3595 Stoneridge Lane
Dublin, OH 43017

APPLICANT'S NAME AND PHONE #
(same as listed on front application)

SBA Towers VI, LLC (561) 226-9457
8051 Congress Ave., Boca Raton, FL 33487

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS

(5) Greater South East Area Commission
c/o Ava Johnson - (614) 805-6213
5569 Templer St., Columbus, OH 43232

and that the attached document (6) is a list of the **names** and **complete mailing addresses**, including **zip codes**, as shown on the **County Auditor's Current Tax List or the County Treasurer's Mailing List**, of all the **owners of record of property within 125 feet** of the exterior boundaries of the property for which the application was filed, **and** all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property (7)

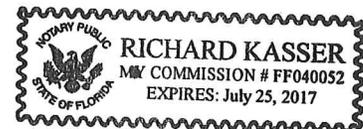
(8) SIGNATURE OF AFFIANT KY. Ugh

Sworn to before me and signed in my presence this 14th day of DECEMBER, in the year 2015

Richard Kasser
(8) SIGNATURE OF NOTARY PUBLIC

July 25, 2015
My Commission Expires

Notary Seal Here



This Affidavit expires six (6) months after the date of notarization.

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Please make checks payable to the Columbus City Treasurer



City of Columbus Address Plat



CERTIFIED HOUSE NUMBERS

The House Numbers Contained on This Form
are Herein Certified for Securing
of Building & Utility Permits

Parcel ID: 530-225024

Project Name: CELL TOWER

House Number: 3647

Street Name: GENDER RD

Lot Number: N/A

Subdivision: N/A

Work Done: NEW

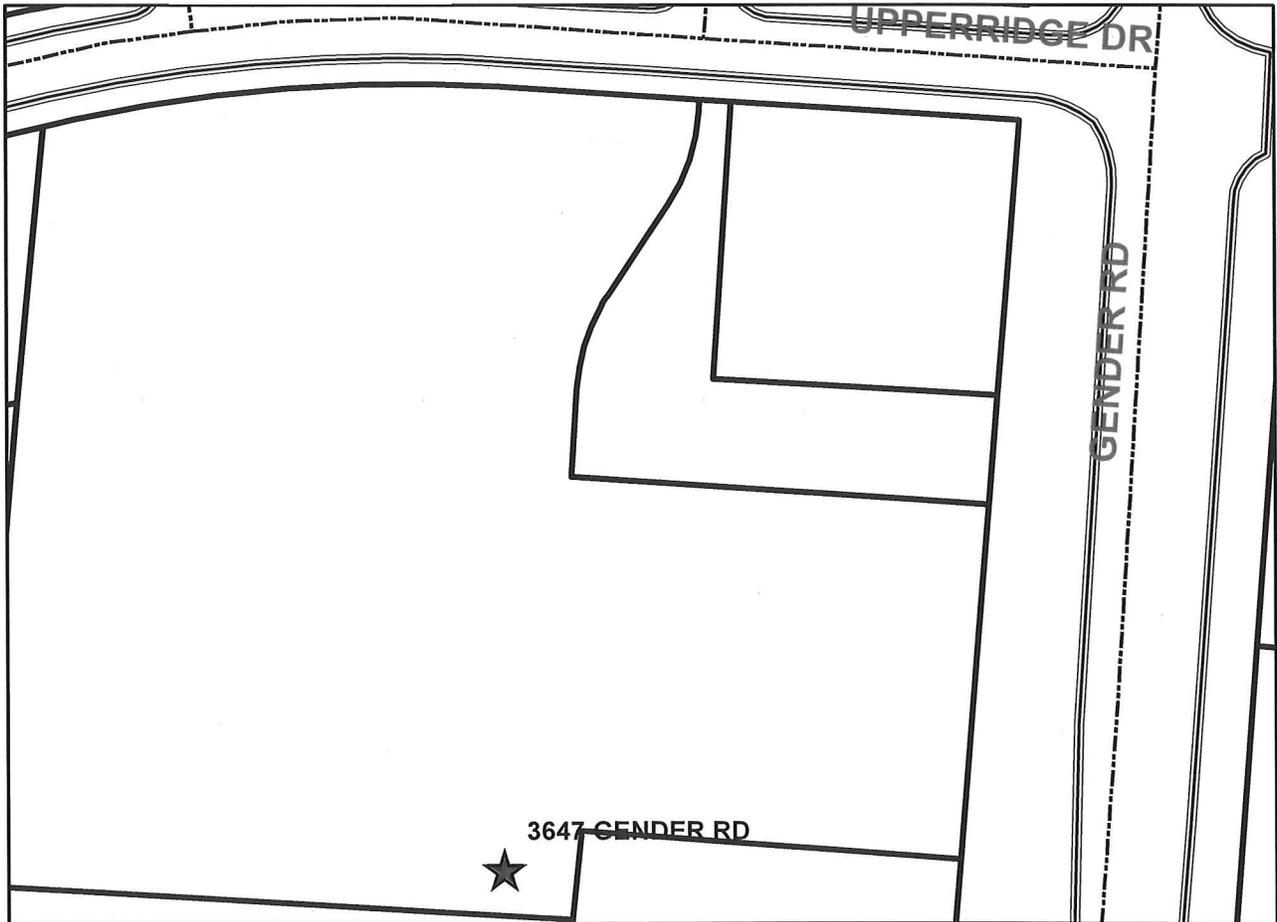
Complex: N/A

Owner: N/A

Requested By: BUCKLEY KING, LPA (STEPHEN CHEATHAM)

Printed By: *Amwoldemariam*

Date: 5/14/2015



JAMES D. YOUNG, P.E., ADMINISTRATOR
DIVISION OF INFRASTRUCTURE MANAGEMENT
COLUMBUS, OHIO

SCALE: 1 inch = 100 feet

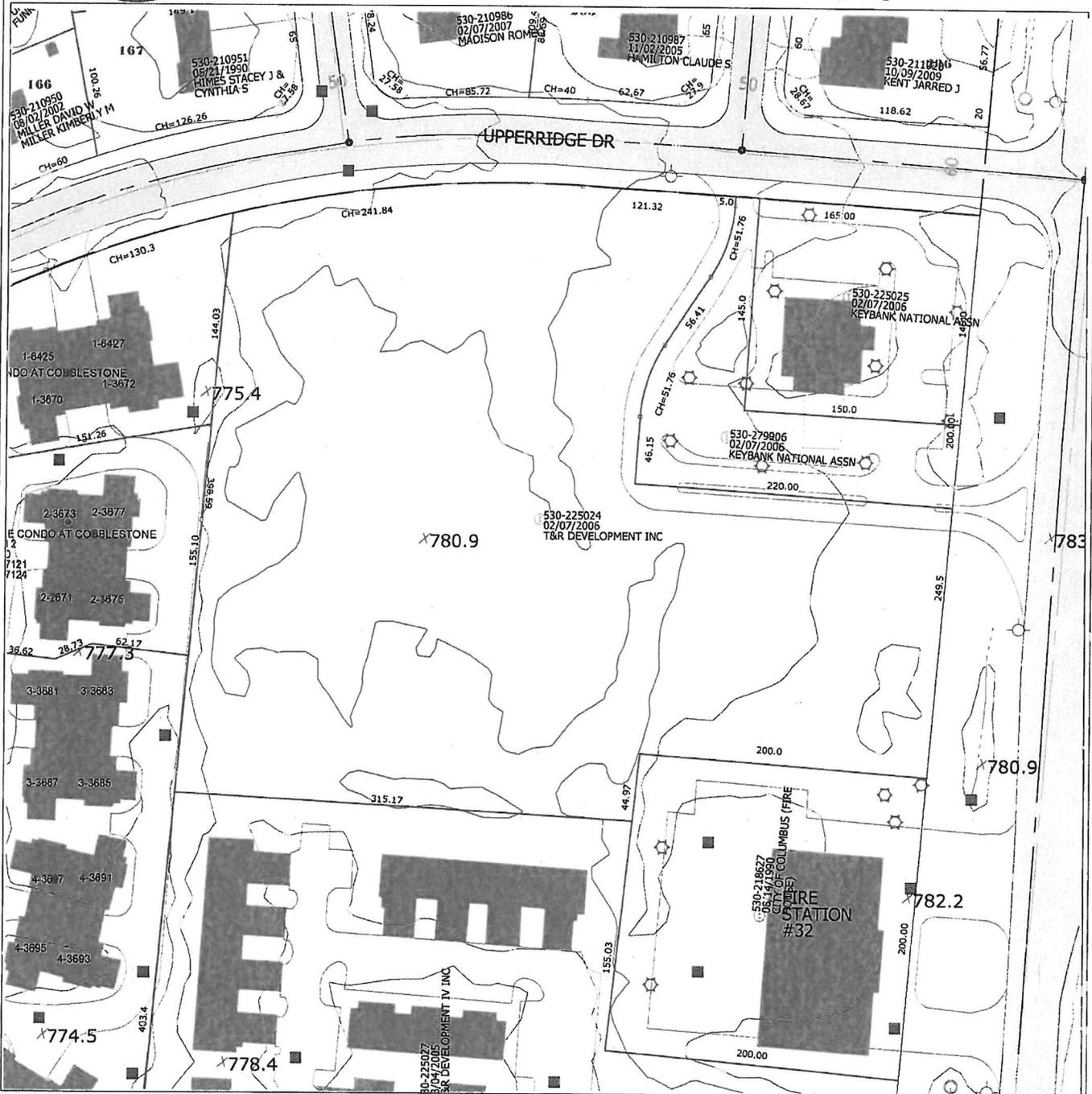
GIS FILE NUMBER: 1631077



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: c

DATE: 9/2/15



Disclaimer

Scale = 100



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

Legal Description

Parcel 530-225024-00

Situate in the State of Ohio, County of Franklin, City of Columbus, being in the Northwest Quarter of Section 1, Township 11, Range 21, Congress Lands, and being part of the original 124.050 acre tract conveyed to Martha J. Lamp and Joan Kotz, by deed of record in O.R. 2893G19, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows;

Beginning for reference at an iron pin at the point of intersection of the westerly limited access right-of-way line of Gender Road (as established by a deed to the County of Franklin, of record in Deed Book 3206, page 1) with the southerly right-of-way line of Upperridge Drive;

Thence N 86° 09' 13" W, a distance of 150.00 feet along the southerly right-of-way line of Upperridge Drive to the point of true beginning;

Thence the following two (2) courses and distances across the said original 124.050 acre tract:

1. Thence S 3° 50' 47", a distance of 145.00 feet to a point;
2. Thence S 86° 09' 13" E, a distance of 150.00 feet to a point in the said westerly limited access right-of-way line at Gender Road;

Thence S 3° 50' 47", a distance of 249.00 feet, along the said westerly limited access right-of-way line of Gender Road to a point;

Thence the following four (4) courses and distances across the said original 124.050 acre tract:

1. Thence N 85° 30' 90" W, a distance of 200.00 feet, to a point;
2. Thence S 3° 50' 47" W, a distance of 44.97 feet, to a point;
3. Thence N 85° 30' 90" W, a distance of 315.17 feet to a point;
4. Thence N 4° 29' 51" E, a distance of 398.59 feet, to a point in the southerly right-of-way line of Upperridge Drive;

Thence the following two (2) courses and distances along the southerly right-of-way line of Upperridge Drive:

1. Thence along a curve to the right having a radius of 830.00 feet, a central angle of N 16° 45' 15" the chord to which bears N 85° 30' 47" E, a chord distance of 241.84 feet, to a point of tangency;
2. Thence S 86° 09' 13" E, a distance of 121.32 feet, to the point of true beginning containing 4.370 acres, more or less, and being subject to all easements, restrictions and right-of-ways of record.

The bearings for the above description were based on the bearing datum for Countryview Village Section 2, of record in Plat Book 67, page 89.

DESCRIPTION OF 0.058 ACRE LAND SPACE AREA
FOR NEW PAR, DBA VERIZON WIRELESS
FROM LANDS OWNED BY T&R DEVELOPMENT INC.
CITY OF COULUMBUS, FRANKLIN COUNTY, OHIO

This is a description for New Par, dba Verizon Wireless, of a 0.058 acre Land Space Area, part of that original 4.370 acres of land conveyed to T&R Development Inc. in Official Record Volume 23511 A17, all references to records on file in the Recorder's Office, Franklin County, Ohio.

Situate in the State of Ohio, Franklin County, City of Columbus, Northwest Quarter of Section 1, Township 11 North, Range 21 West, Congress Lands, and being part of that original 4.370 acres of land conveyed to T&R Development Inc. in Official Record Volume 23511 A17, said 0.058 acre Land Space Area being more particularly described as follows:

The **Point of Reference** being a southeasterly corner of said 4.370 acre tract of land, being the northeast corner of a 4.338 acre tract conveyed to T&R Development IV Inc. of record in Instrument 200503040040425, and in the west line of that 0.918 acre tract conveyed to the City of Columbus in Official Record 15650 J10, said point being referenced by an iron pin found South 03°54'42" West, 155.93 feet at the southwest corner of said 0.918 acre City of Columbus tract; Thence North 85°51'06" West, along the south line of said 4.370 acre tract, 15.00 feet to an iron pin set and the **True Place of Beginning**.

Thence North 85°51'06" West, continuing with said south line of said 4.370 acre tract, a distance of 50.00 feet to an iron pin set;

Thence North 03°54'42" East, into said 4.370 acre tract, a distance of 50.00 feet to an iron pin set;

Thence South 86°05'18" East, a distance of 50.00 feet to an iron pin set;

Thence South 03°54'42" West, a distance of 50.21 feet to the True Place of Beginning.

Containing 0.058 acres of land.

For the purpose of this description, a bearing of North 85°56'23" West was used for the centerline of Upperridge Drive of record in Plat Book 67, Page 89. Said bearing being determined by GPS observations and values as provided by the Government of the United States of America, through the Department of National Geodetic Survey.

DESCRIPTION OF A 0.183 ACRE RIGHTS OF WAY
FOR NEW PAR, DBA VERIZON WIRELESS
FROM LANDS OWNED BY T&R DEVELOPMENT INC.
CITY OF COULUMBUS, FRANKLIN COUNTY, OHIO

This is a description for New Par, dba Verizon Wireless, of a 0.183 acre Rights of Way, part of that original 4.370 acres of land conveyed to T&R Development Inc. in Official Record Volume 23511 A17, all references to records on file in the Recorder's Office, Franklin County, Ohio.

Situate in the State of Ohio, Franklin County, City of Columbus, Northwest Quarter of Section 1, Township 11 North, Range 21 West, Congress Lands, and being a 0.183 acre Rights of Way, part of that original 4.370 acres of land conveyed to T&R Development Inc. in Official Record Volume 23511 A17, said 0.183 acre Rights of Way being more particularly described as follows:

The **True Place of Beginning** being a point in the westerly limited access right of way of Gender Road as conveyed to the City of Columbus in Deed Book 3206, Page 1, said point being at the southeasterly corner of said 4.370 acre tract of land, being the northeasterly corner of that 0.918 acre tract conveyed to the City of Columbus in Official Record 15650 J10;

Thence North 85°26'14" West, along a south line of said 4.370 acre tract, the north line of the 0.918 acre tract, a distance of 200.00 feet to the northwest corner of said 0.918 acre tract;

Thence South 03°54'42" West, along the west line of said 0.918 acre tract, 44.97 feet to a southeast corner of said 4.370 acre tract, being the northeast corner of a 4.338 acre tract conveyed to T&R Developments IV, Inc. of record in Instrument Number 200503040040425, said point being referenced by an iron pin found South 3°54'42" West 155.93 feet at the southwest corner of said 0.918 acre City of Columbus tract;

Thence North 85°51'06" West along the north line of said 4.338 acre T&R Developments IV, Inc. tract, a distance of 15.00 feet to an iron pin set;

Thence North 03°54'42" East, into the 4.370 acre tract, a distance of 50.21 feet to an iron pin set;

Thence North 86°05'18" West, a distance of 50.00 feet to an iron pin set;

Thence North 03°54'42" East, a distance of 20.16 feet to a point;

Thence South 86°05'18" East, a distance of 25.07 feet to a point;

Thence North 04°33'46" East, a distance of 144.53 feet to a point in the south line of that existing joint access easement between T&R Development Inc. and KeyBank National Association in Instrument 200602070024843;

Thence South 86°17'40" East, along the south line of said joint access easement, a distance of 20.00 feet to a point;

Thence South 04°33'46" West, a distance of 144.60 feet to a point;

Thence South 86°05'18" East, a distance of 20.22 feet to a point;

Thence South 04°33'46" West, a distance of 10.46 feet to a point;

Thence South 85°26'14" East, parallel and 15 feet perpendicular to the north line of said 0.918 acre City of Columbus tract, a distance of 199.83 feet to a point in the west limited access line of Gender Road;

Thence South 03°54'47" West, along the west limited access line of Gender Road, a distance of 15.00 feet to **True Place of Beginning**. Containing 0.183 acres.

For the purpose of this description, a bearing of North 85°56'23" West was used for the centerline of Upperridge Drive of record in Plat Book 67, Page 89. Said bearing being

determined by GPS observations and values as provided by the Government of the United States of America, through the Department of National Geodetic Survey.

LIMITATION TEXT

Proposed Zoning District: CPD, Commercial Planned District
Property Address: 3647 Gender Road (43110)
Property Owner: T&R Development, Inc.
Applicant: SBA Towers VI, LLC
Application Number: 216-006
Date: 1/28/16

INTRODUCTION: Applicant SBA Towers VI, LLC seeks to rezone 3647 Gender Road, Canal Winchester, for those uses permitted below. The proposed CPD text herein provides applicable limitations for 3647 Gender Road. The purpose of this rezoning and development is the construction of a wireless communications facility, as permitted in a CPD district and meeting a public necessity. Please see the Property Owner's October 12, 2015, letter attached hereto as Exhibit 1, the content of which is incorporated herein. The Property Owner has contracted with Applicant SBA Towers VI, LLC to develop a cell phone tower on the property that is the subject of this Gender-Refugee Rezoning Application. The Property Owner owns the multifamily apartments adjacent to the site known as the Moors Apartments as well as the retail center directly east of Gender Road known as the Gender Towne Center. Both Applicant SBA Towers VI, LLC and the Property Owner believe the ideal location for the erection of a cell phone tower in the area is the southeast corner of the property as shown on Exhibit 2 referred to below. This location provides the least amount of visual impact to the community by partially concealing the cell tower in a corner of the property behind a fire station. Moreover, the residential buildings located directly to the south are owned by a related entity to the Property Owner. Additionally, by locating the cell tower in the corner of the property, the free space available on the remaining balance of the site is maximized. Although the future use of the remaining balance of the site is undetermined at this point, the property is zoned for commercial use so any future use would not conflict with a cell phone tower.

PERMITTED USES: Those uses contained in Sections 3351, 3353, 3355, 3357 (a drive-thru carryout per restrictions is the only C-5 use permitted under this Columbus City Code provision) and 3361 of the Columbus City Code, with the following exceptions: Garage Repair; Poultry Shop; Facilities that utilize gasoline sales or pumps; Car Wash; Sale of Mobile Homes; Automobile Sales; Freestanding Fast Food; Sale, maintenance, and servicing of motor vehicles, off-premise graphics, and billboards.

A. Density, Height, Lot and/or Setback Commitments:

SETBACKS: Front setbacks shall be in accordance with the C-4 District. Side and rear setbacks, however, shall be ten feet (10').

B. Access, Loading, Parking and/or Other Traffic-Related Commitment: Applicant SBA Towers VI, LLC shall maintain one full-service access point along Gender Road.

C. Buffering, Landscaping, Open Space and/or Screening Commitments:

Applicant SBA Towers VI, LLC proposes that the entire site as shown on Exhibit 2, which is attached hereto as a Preliminary Land Space Survey, shall be landscaped in accordance with the following standards applicable:

1. A buffer on the west side of the property line will be maintained with evergreen trees.
2. When any development occurs, except for the erection of a cell phone tower, a buffer on the west side of the property line will be maintained and extended to the south side of the property line.

D. Building Design and/or Interior-Exterior Treatment Commitments:

The building shall be constructed of the following materials only: glass and associated metal work, brick and brick paving, split-faced concrete block, wood siding, asphalt shingles, wood shingles, stone, asphalt parking lot, stucco, metal canopies, precast concrete, fabric awnings, concrete paving and curbs, ceramic tile and porcelain tile, as accent points.

The materials which are not approved and shall not be used in the construction of this development are as follows: concrete block (facing streets), aluminum siding, gravel parking lots and plywood on vertical surfaces.

E. Dumpster, Lighting, Outdoor Display Areas and/or Other Environmental Commitments:

N/A

F. Graphic and Signage Commitments:

All signage and graphics shall conform to Article 15 of the City of Columbus Graphics Code as it applies to C-4, Commercial District.

G. Miscellaneous:

The development of a wireless telecommunications facility shall be permitted, including a monopole tower of a height not to exceed 135 feet and associated support structures and facilities as depicted on Exhibit 3 attached hereto and titled "Location Plan," "Enlarged Site Plan," "Fence Details," and "Site Elevation." Collectively, the "Location Plan," "Enlarged Site Plan," "Fence Details," and "Site Elevation" are the Site Plan.

The wireless telecommunications facility shall be developed in accordance with the Site Plan. The Site Plan may be slightly adjusted to reflect engineering, topographical or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the Site Plan shall be reviewed and may be approved by the Director of the Department of Building and Zoning Services or his or her designee upon submission of the

appropriate data regarding the proposed adjustment. Applicant SBA Towers VI, LLC requests that variances to the following apply to it:

1. Under City of Columbus Zoning Code 3353.05-C-2 (D)(2), “[t]he base of all monopole telecommunication antenna sites and associated support structures shall be screened and buffered and may be enclosed by a security fence. The buffer shall contain hedges or other plants that provide a five-foot high, 75 percent opaque screen. Existing vegetation and topography can be used as part of this screening.”
2. Under City of Columbus Zoning Code 3353.05-C-2 (D)(4), “[t]he base of all monopole telecommunication antenna sites and associated support structures shall be set back 200 percent of the total height of the antenna from all residentially zoned districts. All support structures shall meet district setbacks.”

Sufficient grounds for this request for variances to the foregoing City of Columbus Zoning Code provisions are that (i) the owner of the commercial property affected by the erection of the cell tower is also the owner of the residential property located on the southside of the property line and (ii) Applicant SBA Towers VI, LLC will use a fence which meets landscaping requirements and there are already existing trees located on the southside of the property line where residences exist.

3. CPD CRITERIA:

1. Natural Environment:

The property is not flat (significant grade elevation changes currently exist) with no natural features and no vegetation other than grass in some areas. The Developer (previous Applicant) intended to regrade site so that grade elevation changes were minimized and the site became functional. That proposed development added landscaping in the form of trees and low shrubs to meet city standards and to improve the curb appeal of the property. The site disposed of rain through absorption into the soil and through runoff to the adjacent streets. Drainage was installed.

2. Existing Land Use:

The existing land use is presently zoned CPD, Commercial Planned Development. To the north is a single family residential development. To the west and to the south are AR-12 developments. The Developer (previous Applicant)/Owner is the developer for both the single family residential and the AR-12 developments, as well as the development immediately across the street at 3550 Gender Road.

3. Transportation and Circulation:

Curb cuts and the internal circulation patterns are shown on the Site Plan.

4. View and Visibility:

The development of the subject site and the location of the building and access point considerations will not adversely impact on the visibility and safety of the motorists and pedestrians.

5. Emissions:

No adverse effect from the proposed development.

6. Behavior Patterns:

The proposed development will enhance the commercial and residential development which already exists in this area.

Applicant SBA Towers VI, LLC agrees for itself, successors, and assigns to abide by the above restrictions, conditions, and commitments regarding the development of the subject property and for such purpose states that it fully understands and acknowledges that none of the foregoing restrictions, conditions, or commitments shall in any manner act to negate, nullify, alter or modify any more restrictive provisions of the Columbus City Code.

SBA Towers VI, LLC

By: K Gallagher
Kevin Gallagher

Title: VP New Tower Development

Date: 12/18/15

1847272_3

EXHIBIT 1



3895 Stoneridge Lane • Dublin, OH 43017 • 614.923.4000 • Fax: 614.923.8700

October 12, 2015

City of Columbus Zoning Dept C/O Richard Kasser
SBA Communications Corporation
8051 Congress Ave
Boca Raton, FL 33487

Subject: Zoning Support for Cell Phone Tower Site Franklin County Parcel # 530-225024

Dear City of Columbus Zoning Dept.,

Please be advised, my name is Steven W. Hicks. I am the Chief Development Officer for T & R Development, Inc. who owns the subject parcel of land located near Refugee Road and Gender Road in the City of Columbus Ohio, also known as Franklin County Parcel # 530-225024.

The subject vacant land is approximately 3.96 acres and is zoned commercial. The adjacent lands are mostly also commercial, retail, multifamily, and single family. T & R is currently in contract with SBA Communications to develop a cell phone tower on the property. T & R worked very closely with SBA to find the ideal location for a cell phone tower in the area. T & R also owns the multifamily apartments adjacent to the site the "Moors Apartments" as well as the retail center directly east of Gender Road the "Gender Towne Center."

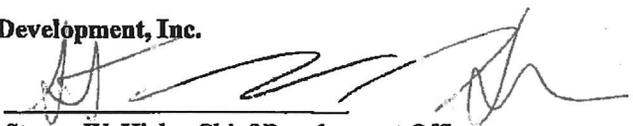
T & R and SBA believe the ideal location for a cell phone tower in the area is the south east corner of the property as indicated in SBA's zoning submittal. This location provides the least amount of visual impact to the community by partially concealing the tower in a corner of the property behind the fire station. Further, the residential buildings located directly to the south are owned by Moors Apartments, Inc. which is also a T & R related entity. Locating the tower in the corner of the property also maximizes the free space available on the remaining balance of the 3.96 acres. The exact future use or function of the property is not yet known. However, the parcel is commercial and the future use would not be in conflict with such integral infrastructure uses like a cell phone tower.

Both T & R and SBA believe the proposed cell tower location is the best location in the area and will provide the best service and support to users while creating the least amount of community visual impact. Please feel free to contact me if you have any further questions or comments about the proposed cell tower location

Thank you,

T & R Development, Inc.

By:


Steven W. Hicks, Chief Development Officer

NOTES PERTAINING TO SCHEDULE "B" SECTION 2
"FIDELITY NATIONAL TITLE INSURANCE COMPANY"
EFFECTIVE DATE: NOVEMBER 04, 2015 AT 8:00 A.M
COMMITMENT NUMBER: 18505730

SCHEDULE B - SECTION 2 EXCEPTIONS

ITEMS #1-5 Are General Statements and Not Specific Encumbrances.

ITEMS #6, #7 Tax Information.
PIN: 530-225024-00

ITEM #8 Roadside Right of Way in favor of The Ohio Fuel Gas Company, set forth in instrument recorded on 11/03/1959 in Deed Book 2217, Page 355. Said Roadside Right of Way does not affect the Subject Land Space, and does not affect the Subject Rights of Way. Said Roadside Right of Way is located within the public right of ways surrounding Grantors lands which are plotted hereon.

ITEM #9 Deed of Easement in favor of The City of Columbus, Ohio, a municipal corporation, set forth in instrument recorded on 11/05/1981 in Instrument No. 01336C12. Said Easement does not affect the Subject Land Space, and does not affect the Subject Rights of Way. Said Easement is not located upon Grantors lands, and is not plotted hereon.

ITEM #10 Easement in favor of The Ohio Bell Telephone Company, set forth in instrument recorded on 05/28/1991 in Instrument No. 17001I11. Said Easement does not affect the Subject Land Space, and does not affect the Subject Rights of Way. Said Easement is not located upon Grantors lands, and is not plotted hereon.

ITEM #11 Deed of Easements for the purpose of constructing, using and maintaining sanitary sewers and appurtenant works recorded on 11/12/1987 in Instrument No. 10761F03. Said Easement does not affect the Subject Land Space, and does not affect the Subject Rights of Way. Said Easement is not located upon Grantors lands, and is not plotted hereon.

ITEM #12 Deed of Easement for the purpose of a storm water channel recorded on 11/12/1987 in Instrument No. 10761F09. Said Easement does not affect the Subject Land Space, and does not affect the Subject Rights of Way. Said Easement is not located upon Grantors lands, and is not plotted hereon.

ITEM #13 Deed of Easements for the purpose of constructing, using and maintaining sanitary sewers and appurtenant works recorded on 11/12/1987 in Instrument No. 10761E20. Said Easement does not affect the Subject Land Space, and does not affect the Subject Rights of Way. Said Easement is not located upon Grantors lands, and is not plotted hereon.

ITEM #14 Deed of Easement in favor of City of Columbus, Ohio, set forth in instrument recorded on 04/27/1990 in Instrument No. 15102I12. Said Easement does not affect the Subject Land Space, and does affect the Subject Rights of Way. Said Easement is located upon Grantors lands, and is plotted hereon.

ITEM #15 Right of Way and Easement in favor of Columbus Southern Power Company, set forth in instrument recorded on 07/24/1990 in Instrument No. 15529H16. Said Easement does affect the Subject Land Space, and does affect the Subject Rights of Way. Said Easement is blanket in nature

upon Grantors lands which are plotted hereon. Said easement is 10' wide, for electric lines over the Grantors property. Location of easement is centered on the lines as constructed which is unknown, and is not plotted hereon.

ITEM #16 Blanket Easement in favor of The Ohio Bell Telephone Company, set forth in instrument recorded on 09/06/1990 in Instrument No. 15770C09. Said Easement does affect the Subject Land Space, and does affect the Subject Rights of Way. Said Easement is blanket in nature upon Grantors lands which are plotted hereon. Said easement is 10' wide, for telephone lines over the Grantors property. Location of easement is centered on the lines as constructed which is unknown, and is not plotted hereon.

ITEM #17 Easement in favor of The Ohio Bell Telephone Company, set forth in instrument recorded on 02/04/1991 in Instrument No. 16458B15. Said Easement does not affect the Subject Land Space, and does affect the Subject Rights of Way. Said Easement is located upon Grantors lands, and is plotted hereon.

ITEM #18 Easement in favor of The Ohio Bell Telephone Company, set forth in instrument recorded on 06/06/1991 in Instrument No. 17074B15. Said Easement does not affect the Subject Land Space, and does not affect the Subject Rights of Way. Said Easement is not located upon Grantors lands, and is not plotted hereon.

ITEM #19 Deed of Easement in favor of City of Columbus, Ohio, set forth in instrument recorded on 05/05/1993 in Instrument No. 22533J04. Said Easement does not affect the Subject Land Space, and does not affect the Subject Rights of Way. Said Easement is not located upon Grantors lands, and is not plotted hereon.

ITEM #20 Right of Way and Easement in favor of Columbus Southern Power Company, set forth in instrument recorded on 07/29/1993 in Instrument No. 23395C09. Said Easement does affect the Subject Land Space, and does affect the Subject Rights of Way. Said Easement is blanket in nature upon Grantors lands which are plotted hereon. Said easement is 10' wide, for electric lines over the Grantors property. Location of easement is centered on the lines as constructed which is unknown, and is not plotted hereon.

ITEM #21 Easement in favor of T&R Development IV, Inc., an Ohio corporation, set forth in instrument recorded on 05/09/1995 in Instrument No. 29039G07. Said Easements do not affect the Subject Land Space, and do not affect the Subject Rights of Way. Said Easements are located upon Grantors lands, and are plotted hereon.

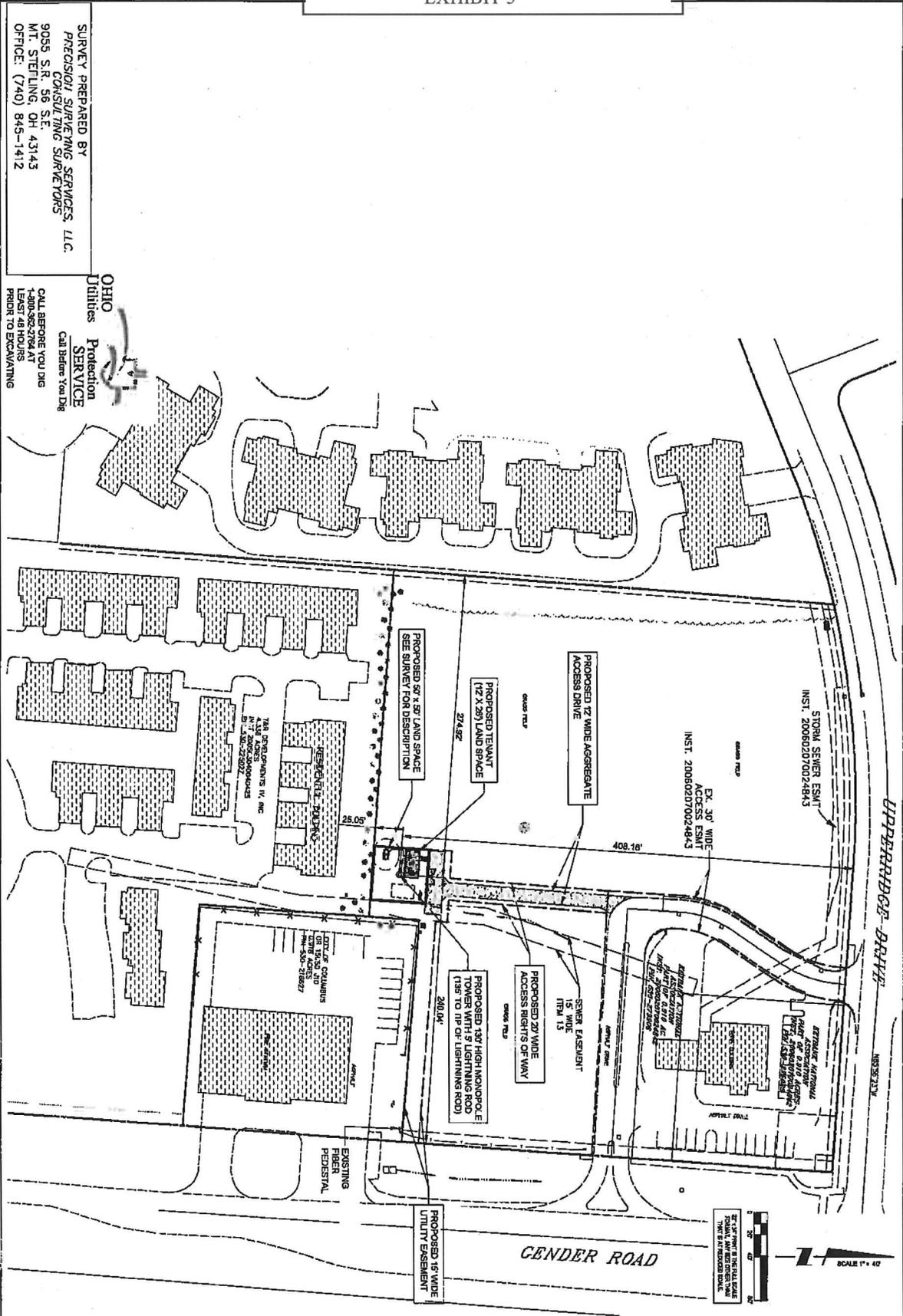
ITEM #22 Joint Access Easement, Cost Sharing Agreement and Restrictive Covenants recorded on 02/07/2006 in Instrument No. 200602070024843. Said Joint Access Easement and other contained Easements do not affect the Subject Land Space, and do not affect the Subject Rights of Way. Said Easements are located upon Grantors lands, and are plotted hereon.

ITEM #23 Temporary Construction Easement in favor of City of Columbus, Ohio, set forth in instrument recorded on 04/10/2015 in Instrument No. 201504100045902. Said Easement does not affect the Subject Land Space, and does not affect the Subject Rights of Way. Said Easement is located upon Grantors lands, and is plotted hereon.

ITEM #24 Quit Claim Deed & Assignment of Rights and Easements dated 03/19/2015, by and between T&R Development, Inc., an Ohio corporation, recorded on 04/24/2015 in Instrument No. 201504240052946. Said Quit Claim Deed & Assignment of Rights and Easements does affect the Subject Land Space, and does affect the Subject Rights of Way, and is blanket in nature upon Grantors lands which are plotted hereon.

ITEM #25 Terms and conditions of Amendment and Reinstatement to Option and Land Lease and Memorandum of Option and Land Lease dated 04/03/2015 by and between T&R Development, Inc., an Ohio corporation, and SBA Towers V, LLC, a Florida limited liability company, recorded on 04/02/2015 in Instrument No. 201506020071945. Said Terms and conditions does affect the Subject Land Space, and does affect the Subject Rights of Way, and is blanket in nature upon Grantors lands which are plotted hereon.

EXHIBIT 3



SURVEY PREPARED BY
PRECISION SURVEYING SERVICES, LLC
 CONSULTING SURVEYORS
 9055 S.R. 56 S.E.
 MT. STEPLING, OH 43143
 OFFICE: (740) 845-1412

OHIO
 Utilities
Protection
 SERVICE
 Call Before You Dig
 CALL BEFORE YOU DIG
 1-800-862-7924 AT
 LEAST 48 HOURS
 PRIOR TO EXCAVATING

OH-16-258
GENDER
REFUGEE
 GENDER ROAD
 CANAL, WINCHESTER, OH 43071

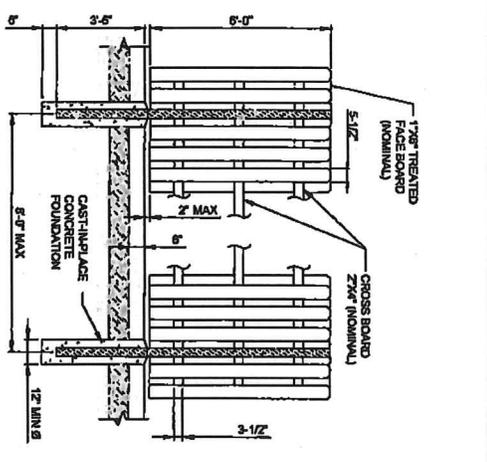
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW/UPDATE TO CABINET DERON	11/24/15	JAY
2	CLIENT COMMENTS	11/26/15	JAY
3	ISSUED FOR FINAL	12/11/15	JAY
4	UPDATE LANGUAGE	12/21/15	JAY

TERRA
 12400 E. 114th Ave, Suite 202
 Columbus, OH 43242
 PH: 614-764-1111

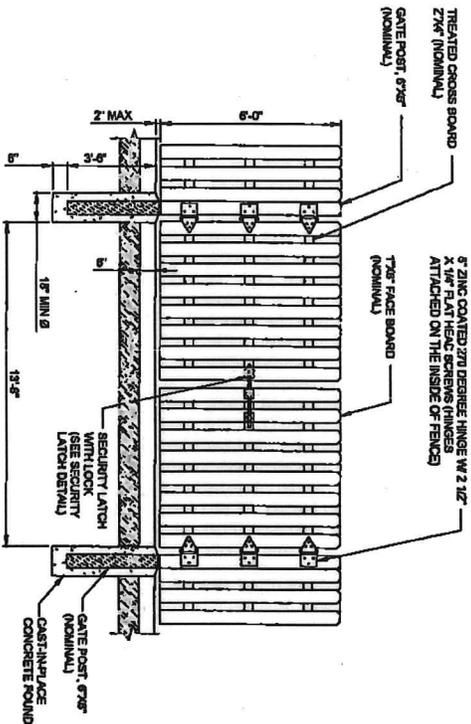
SBA
 SBA TOWERS V, LLC
 1155 BUSHWICK BLVD
 BOCA RATON, FL 33487
 PHONE: 1-800-487-7493

LP
 LOCATION PLAN
 SHEET TITLE

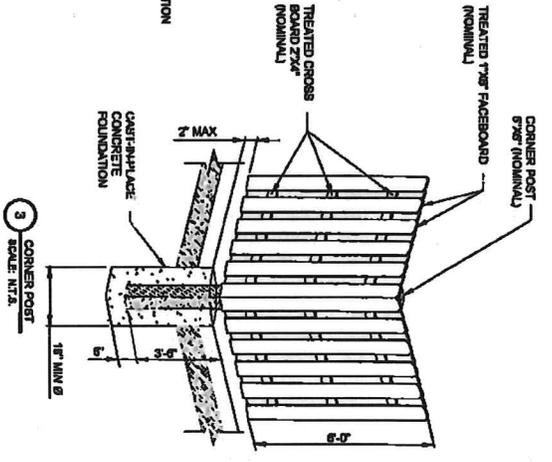
216-006



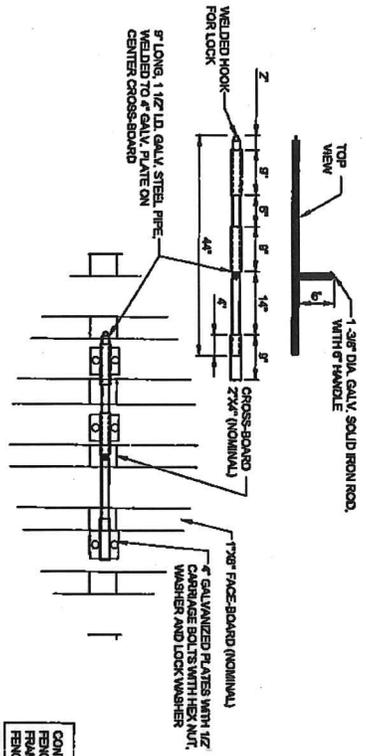
1 WOOD POST
SCALE: A1.2



2 14'0\"/>



3 CORNER POST
SCALE: N.T.S.



4 SECURITY LATCH
SCALE: N.T.S.

NOTES:
FACE BOARDS CAN BE NAILLED OR SCREENED TO CROSS BOARDS.
ALL CROSS BOARDS WILL BE SCREENED TO POSTS. ALL CONCRETE FOOTINGS SHALL BE 6:1 BAC MIX 2500 PSI CONCRETE.

GENERAL NOTES:

- 1) REFER TO THE PROJECT MANUAL FOR ADDITIONAL INFORMATION AND TO THE CONTRACT DOCUMENTS FOR THE CONTRACTOR'S OBLIGATIONS AT THE SITE.
- 2) THE OWNER HAS OBTAINED A GEOTECHNICAL EXPLORATION TO BE PERFORMED AT THE SITE.
- 3) THE CONTRACTOR SHALL NOTIFY THE CLIENT'S GEOTECHNICAL ENGINEER TO COORDINATE HAVING A FIELD REPRESENTATIVE ON SITE FOR TESTING AND INSPECTION.

CONTRACTOR SHALL BE RESPONSIBLE TO THE CONTRACTOR FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

CONTRACTOR TO PROVIDE A 2x4x6 CUT-OUT IN THE TREATED FENCING OPPOSITE THE METER LOCATION FOR METER READING. FRAME OUT THE CUT-OUT WITH TREATED 2x4s ON INSIDE OF FENCE PRIOR TO MAKING PENETRATION.

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PROPERTY	MINIMUM VALUE (s)	TEST METHOD
GRAVITY	140 LBS	ASTM D-4233-01
MINIMUM STRENGTH	70 LBS	ASTM D-4233-01
MINIMUM STRENGTH	50 LBS	ASTM D-3958-00
THEORETICAL TENS	50 LBS	ASTM D-3958-00

(4) ALL VALUES REPRESENT MINIMUM ALLOWABLE VALUES.

REVISIONS	DATE	BY
ISSUED FOR REVIEW/UPDATE TO CABINET DESIGN	1/24/15	JAY

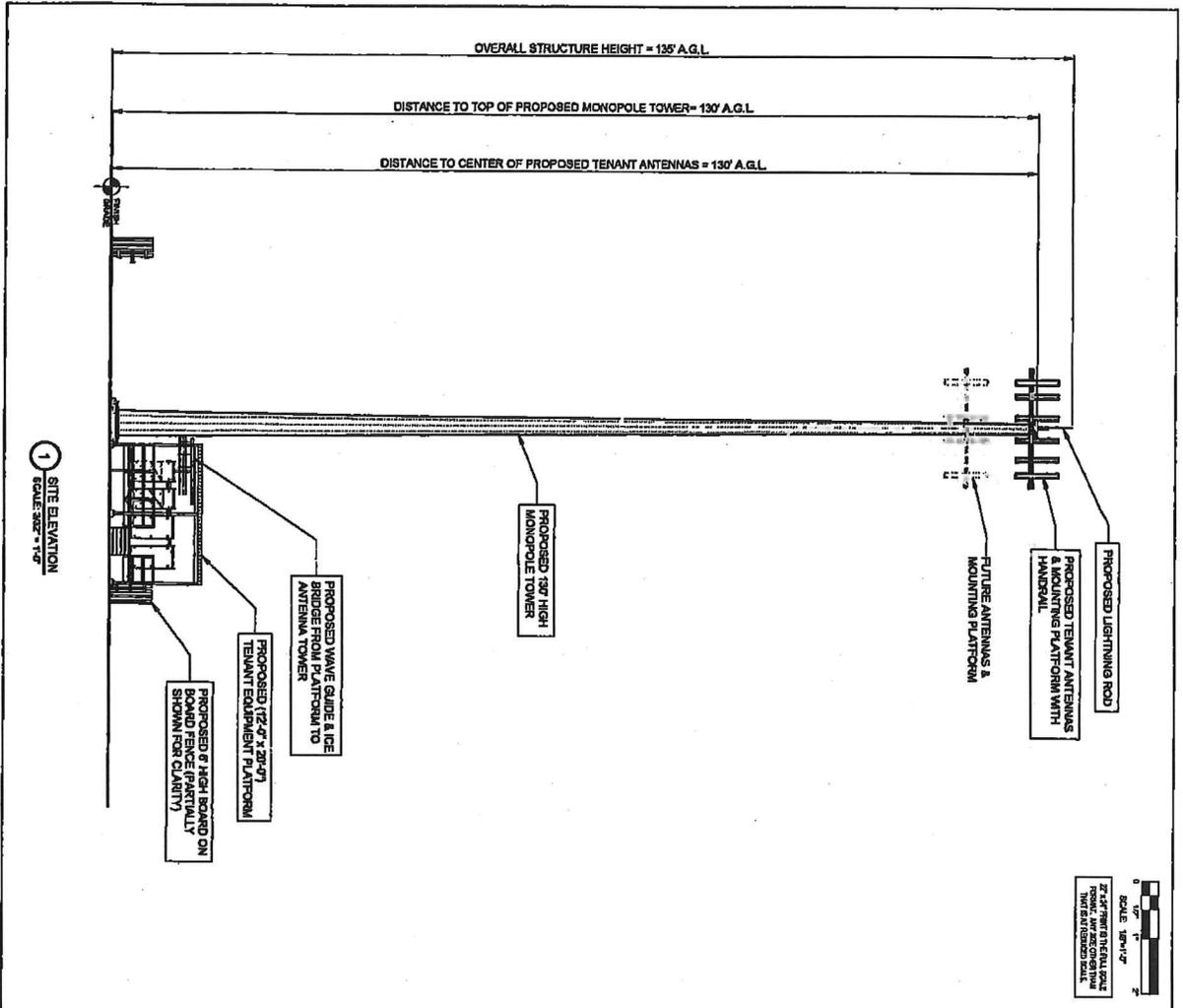
TERRA
188 N. S. 2480 N.W. CORNER
COLUMBUS, OH 43214
P: 614.794.0100

SBA

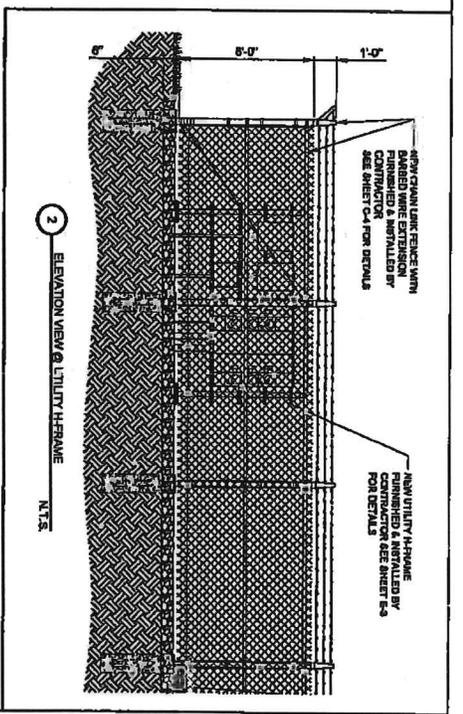
SBA TOWERS V, LLC
8031 CONGRESS AVE
BOCA RATON, FL 33497
PHONE: 1-800-487-7483

OH-16-258
GENDER
REFUGEE
GENDER ROAD
CAVAL WINCHESTER, OH 43011

DATE: 1/24/15
DRAWN BY: JAY
CHECKED BY: JAY
PROJECT: 2500
SHEET NO: C-4



1 SITE ELEVATION
SCALE: 1/8" = 1'-0"



2 ELEVATION VIEW OF UTILITY FRAME
N.T.S.

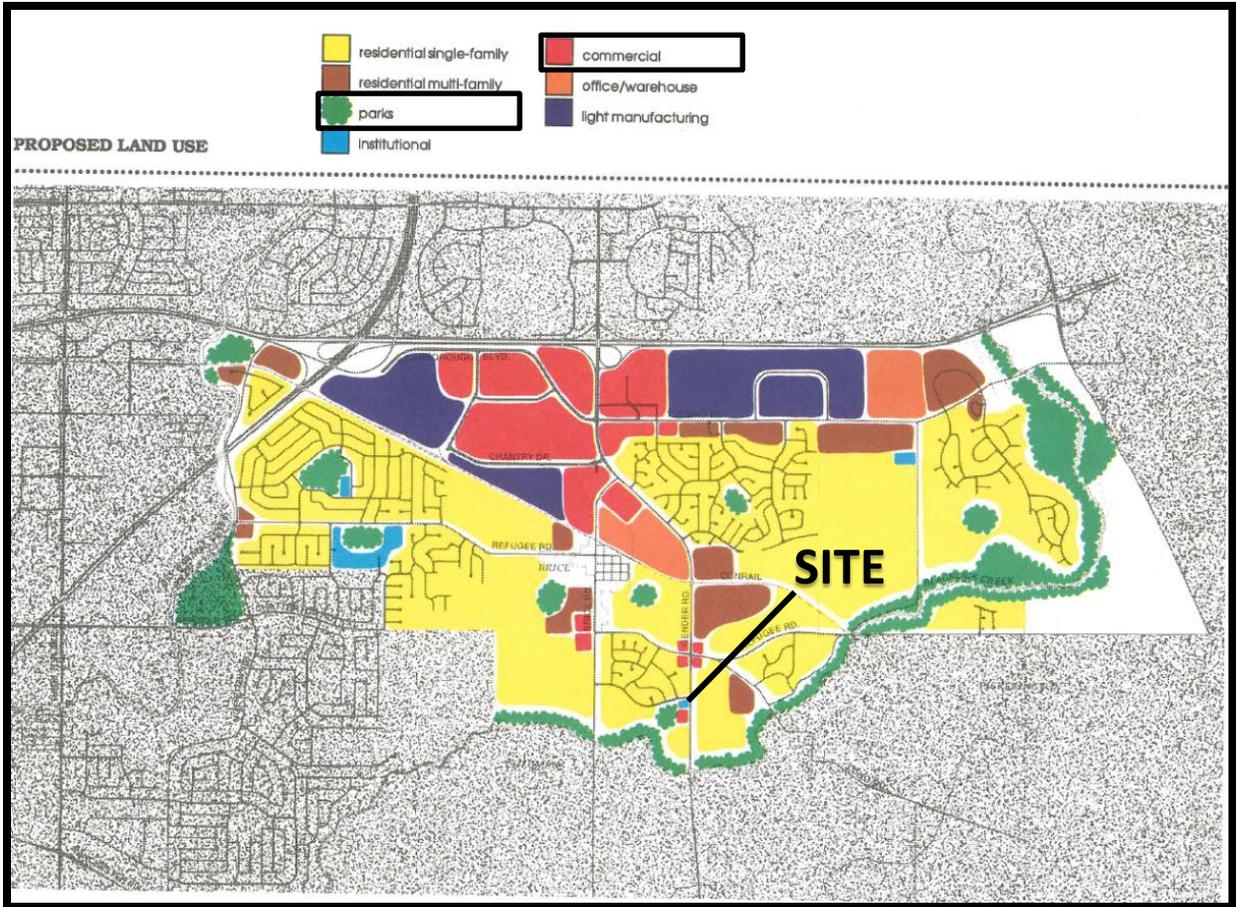
NOTE:

1. VERIFY EACH CORNER, CABLE LENGTH, ROUTING AND ALL MOUNTING APPURTENANCES WITH OWNER PRIOR TO ORDERING.
2. ACTUAL ANTENNA SIZE & LENGTH MAY VARY FROM ESTIMATED.
3. TAG ALL MAIN CABLES LABELED 1-1/2" TYPICAL, VERIFY WITH TENANT PROJECT MANAGERS AT 90 LOCATIONS:

 - A. TOP OF TOWER ANTENNAS
 - B. NEAR ENTRY POINT
 - C. OUTSIDE EQUIPMENT SHELTER NEAR ENTRY POINT
 - D. AT EQUIPMENT SHELTER ON PLATFORM
 - E. AT EQUIPMENT SHELTER ENTRY POINT
 - F. ON TOWER WITH STAINLESS STEEL MARKER.
 - G. TOWER CABLES TO BE SUPPORTED EVERY 2'-0" ON PLATFORM.
 - H. TOWER CABLES TO BE SUPPORTED EVERY 10' WITH STAINLESS STEEL MARKERS.

<p>ANT-1</p>	<p>OH-16-258 GENDER REFUGEE</p>	<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>ISSUED FOR REVIEW/UPDATE TO CHIMNEY DESIGN</td> <td>11/04/15</td> <td>JAY</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DESCRIPTION	DATE	BY	1	ISSUED FOR REVIEW/UPDATE TO CHIMNEY DESIGN	11/04/15	JAY													<p>TERRA 181 W. TERRY AVE. SUITE 201 COLUMBUS, OH 43218 PH: 614.754-9166</p>	<p>SBA</p> <p>SBA TOWERS V, LLC 8061 CONGRESS AVE BOCA RATON, FL 33497 PHONE: 1-800-497-7483</p>
NO.	DESCRIPTION	DATE	BY																					
1	ISSUED FOR REVIEW/UPDATE TO CHIMNEY DESIGN	11/04/15	JAY																					
<p>OWNER: OH-16-258 GENDER REFUGEE PROJECT NO: 16201 DATE: 10/14/15 DRAWN BY: JAY CHECKED BY: TAZ SCALE: 1/8" = 1'-0"</p>		<p>PROJECT NO: 16201 DATE: 10/14/15 DRAWN BY: JAY CHECKED BY: TAZ SCALE: 1/8" = 1'-0"</p>																						

216-006



Z16-006
 3647 Gender Road
 Approximately 3.96 acres
 CPD to CPD



Z16-006
3647 Gender Road
Approximately 3.96 acres
CPD to CPD