

**COUNCIL VARIANCE APPLICATION**

Department of Building & Zoning Services  
Scott Messer, Director  
757 Carolyn Avenue, Columbus, Ohio 43224-3218  
Phone: 614-645-7433 www.columbus.gov

OFFICE USE ONLY

Application Number: CW15-034 Date Received: 5/22/15

Fee: \$1920 (conjunction with rezoning) Application Accepted by: SP

Comments: Assigned to Shannon Pine; 645-2208; spine@columbus.gov

**LOCATION AND ZONING REQUEST**  
Certified Address (for Zoning Purposes)

5074 E. DUBLIN - GRANVILLE ROAD Zip 43054

Is this property currently being annexed into the City of Columbus ☐ Yes ☒ No  
If the site is pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address: 010-220083; 010-273255; 010-273256; 010-272141; 010-175658; and 010-292039

☐ Check here if listing additional property owners on a separate page.

Current Zoning District(s): CPD and L-C-4 (Pending zoning application for L-ARLD)

Civic Association or Area Commission: Rocky Fork Blacklick Accord

Proposed use or reason for Council Variance request: To permit the encroachment of steps, stoops, sidewalks, balconies, and porches for a maximum of 5 feet into the minimum perimeter yard setback.  
Acreage: 14.52 +/-

**APPLICANT:** Name DNC Hamilton Crossing, LLC

Address, City, State & Zip c/o The Daimler Group, 1533 Lake Shore Drive, Columbus, Ohio 43204

Phone # 614.545.7402 Fax # 614.488.0603 Email paulg@daimlergroup.com

☒ Additional property owner listed on separate page

**PROPERTY OWNER(S):** Name The New Albany Company LLC

Address, City, State & Zip 8000 Walton Parkway, Suite 120, New Albany, Ohio 43054

Phone # 614.939.8000 Fax #  Email

**ATTORNEY/AGENT** (CHECK ONE IF APPLICABLE) ☒ Attorney ☐ Agent

Name Aaron L. Underhill, Underhill Yaross LLC

Address, City, State & Zip 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

Phone # 614.335.9320 Fax # 614.335.9329 Email aaron@underhillyaross.com

**SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)**

By: Aaron L. Underhill, attorney for applicant Aaron L. Underhill

By: Aaron L. Underhill, attorney for owner Aaron L. Underhill

Attorney/Agent Signature Aaron L. Underhill

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 all checks payable to the Columbus City Treasurer

## STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code  
Section 3307.10 Variances by City Council

- A. Permit a variance in the yard, height, or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B. Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

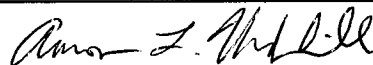
Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of Public Streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

**I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance requested as detailed below:**

This application requests a variance to permit the encroachment of steps, stoops, sidewalks, balconies, and porches associated with multi-family dwellings for a maximum of 5 feet into the minimum northern perimeter yard setback of 25 feet as provided in Section 3333.255 of the City Code. This variance request accompanies a zoning application for the subject property, which will change the permitted uses thereon from heavy commercial to multi-family residential. The encroachment is necessary in order to provide pedestrian access to the front doors of residences that face the northern boundary of the property. The need for the variance is driven by the applicant's desire to orient the fronts of buildings to existing residential uses to the north. The property owner previously dedicated nearly 71 acres of property to the City as preservation area/parkland and the remaining developable acreage has an irregular shape. This variance will provide an improved aesthetic for neighboring property owners. It will not impair an adequate supply of air or light to surrounding properties nor will the variance impact traffic or endanger property or public safety. This variance will not diminish or impair the public health, safety, or welfare.

By:



Signature of Applicant Aaron L. Underhill, attorney for applicant

Date 5/21/15

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**COUNCIL VARIANCE APPLICATION**

**Department of Building & Zoning Services**

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

**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 # CV15-034

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Aaron L. Underhill, Esq.

Of [COMPLETE ADDRESS] Underhill Yaross LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054  
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 formats:

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

1. DNC Hamilton Crossing, LLC c/o The Daimler Group 1533 Lake Shore Drive Columbus, Ohio 43204 Paul Ghidotti 614.545.7402	2. Casto Communities 250 Civic Center Drive, Suite 500 Columbus, Ohio 43215
3.	4.

☐ Check here if listing additional parties on a separate page.

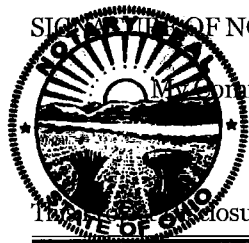
SIGNATURE OF AFFIANT

Aaron L. Underhill

Subscribed to me in my presence and before this 21<sup>st</sup> day of MAY, in the year 2015

SIGNATURE OF NOTARY PUBLIC

Melissa D. Bickford



MELISSA D. BICKFORD  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES MAY 17, 2017

Disclosure Statement expires six months after date of notarization.

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**COUNCIL VARIANCE APPLICATION**

**Department of Building & Zoning Services**

Scott Messer, Director

757 Carolyn Avenue, Columbus, Ohio 43224-3218

Phone: 614-645-7433 www.columbus.gov

**AFFIDAVIT**

(See next page for instructions)

APPLICATION # C115-034

STATE OF OHIO  
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Aaron L. Underhill, Esq.

of (1) MAILING ADDRESS Underhill Yaross LLC, 8000 Walton Parkway, Suite 260, New Albany, Ohio 43054

deposed 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 CERTIFIED ADDRESS FOR ZONING PURPOSES 5074 E. Dublin - Granville Road  
for which the application for a rezoning, variance, special permit or graphics plan was filed with the

Department of Building and Zoning Services, on (3) 5/22/15

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME

(4) The New Albany Company LLC Cardinal Title Holding Co.

AND MAILING ADDRESS

8000 Walton Parkway, Suite 120 250 Civic Center Drive, Suite 500  
New Albany, Ohio 43054 Columbus, Ohio 43215

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

DNC Hamilton Crossing, LLC 614.545.7402

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

(5) Rocky Fork Blacklick Accord, Kim Burton, Chair

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)

☐ (7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

(8) Aaron L. Underhill

Subscribed to me in my presence and before this 21<sup>st</sup> day of MAY, in the year 2015

SIGNATURE OF NOTARY PUBLIC

(8) Melissa D. Bickford

My Commission Expires: 5/17/17



**MELISSA D. BICKFORD**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES MAY 17, 2017

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**Please make all checks payable to the Columbus City Treasurer**

**APPLICANT/OWNER:  
(BELOW)**

**AGENT  
(BELOW)**

**AREA COMMISSION OR  
NEIGHBORHOOD GROUP(S):  
(BELOW)**

DNC Hamilton Crossing LLC  
c/o The Daimler Group  
1533 Lake Shore Drive  
Columbus, Ohio 43204

Aaron L. Underhill, Esq.  
Underhill Yaross LLC  
8000 Walton Parkway, Suite 260  
New Albany, Ohio 43054

Rocky Fork Blacklick Accord  
c/o Christine Leed, Planner  
City of Columbus Planning Division  
50 West Gay Street, 4<sup>th</sup> Floor  
Columbus, Ohio 43215

**SURROUNDING PROPERTY  
OWNERS:**

Robert and Carol Indian  
5347 Rufford Street  
Westerville, Ohio 43081

Stone Meadow Enterprises, LLC  
2549 Abbey Knoll Drive  
Lewis Center, Ohio 43035

City of Columbus  
(No Address Listed)

Preston Woods Master Association  
470 Olde Worthington Road, Suite 100  
Westerville, Ohio 43082

Neil E. Billman, Tr.  
5345 Rufford Street  
Westerville, Ohio 43081

Joyce J. H Thomas  
5334 Nottinghamshire Lane  
Westerville, Ohio 43081

Seve Properties, LLC  
5332 Nottinghamshire Lane  
Westerville, Ohio 43081

Betty L. Ulbrich  
5318 Nottinghamshire Lane  
Westerville, Ohio 43081

The Village at Preston Woods, LLC  
470 Olde Worthington Road, #470  
Westerville, Ohio 43081

Julia Mars  
5336 Nottinghamshire Lane  
Westerville, Ohio 43081

Patrick and Judith McCarthy, Tr.  
5349 Rufford Street  
Westerville, Ohio 43081

Vince and Bernadette Esposito  
5358 Nottinghamshire Lane  
Westerville, Ohio 43081

Larry and Linda Hartman  
5351 Rufford Street  
Westerville, Ohio 43081

Robert and Edith Smith  
5356 Nottinghamshire Lane  
Westerville, Ohio 43081

Gerald and Joanne Petz  
5362 Nottinghamshire Lane  
Westerville, Ohio 43081

Robert and Donna Shipka  
5324 Nottinghamshire Lane  
Westerville, Ohio 43081

Phillip R. Wiley, Jr.  
5320 Nottinghamshire Lane  
Westerville, Ohio 43081

Anita Swan  
13339 Calhoun Court  
Pickerington, Ohio 43147

ZONING  
SUBAREA E  
11.389 ACRES - Property 1 of 3

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 3, Township 2, Range 16, United States Military Lands, being part of the remainder of that 89.603 acre tract as conveyed to The New Albany Company, LLC by deed of record in Official Record 15680H04 and Instrument Number 199811120289607, all of those 0.173 and 0.397 acre tracts as conveyed to The New Albany Company, LLC by deed of record in Instrument Number 200410280249132, and all of that 0.190 acre tract as conveyed to The New Albany Company, LLC by deed of record in Instrument Number 200408190194830 (all references refer to the records of the Recorder's Office, Franklin County, Ohio, unless otherwise noted), and described as follows:

BEGINNING at the common corner of that 31.739 acre tract as conveyed to State of Ohio by deed of record in Official Record 25998B20 and that 2.329 acre tract as conveyed to State of Ohio by deed of record in Instrument Number 199812160324049, that 70.744 acre tract as conveyed to City of Columbus, Ohio by deed of record in Instrument Number 200812300185523, and said 89.603 acre tract, also being a common corner to the northerly Limited Access Right-of-Way of State Route 161 and the westerly right-of-way line of Hamilton Road as shown on the right-of-way plans for FRA-161-16.73/LIC-161-0.00 on file with the Ohio Department of Transportation;

thence with the line common to said 89.603 acre tract and said 70.744 acre tract, the following courses and distances:

North 86° 24' 01" West, a distance of 92.33 feet to an iron pin set;  
North 73° 32' 18" West, a distance of 16.94 feet to an iron pin set;  
North 15° 01' 39" West, a distance of 70.66 feet to an iron pin set;  
North 85° 44' 10" West, a distance of 29.52 feet to an iron pin set;  
North 52° 02' 40" West, a distance of 36.91 feet to an iron pin set;  
South 89° 42' 42" West, a distance of 66.89 feet to an iron pin set;  
North 00° 59' 10" West, a distance of 409.26 feet to an iron pin set;  
North 88° 46' 34" West, a distance of 42.79 feet to an iron pin set;  
North 31° 22' 00" West, a distance of 278.26 feet to an iron pin set;  
South 88° 32' 18" West, a distance of 103.02 feet to an iron pin set;  
North 10° 58' 44" East, a distance of 102.81 feet to an iron pin set;  
North 40° 17' 51" West, a distance of 64.82 feet to an iron pin set;  
North 12° 30' 00" West, a distance of 69.83 feet to an iron pin set;  
North 01° 03' 40" East, a distance of 54.03 feet to an iron pin set;  
North 46° 14' 17" East, a distance of 33.62 feet to an iron pin set;

North 03° 59' 11" East, a distance of 102.56 feet to an iron pin set at a common corner thereof, in the original northerly line of said 89.603 acre tract and in the southerly line of that 11.809 acre tract as conveyed to Albany Landings, LLC by deed of record in Instrument Number 200612180250327;

thence South 86° 00' 49" East, with the line common to said 89.603 acre tract and said 11.809 acre tract, the remainder of that 12.393 acre tract as conveyed to The Village at Preston Woods, LLC by deed of record in Instrument Number 200509200195889, "The Village at Preston Woods Condominium 4th Amendment" of record in Condominium Plat Book 172, Page 90, "The Village at Preston Woods Condominium 3rd Amendment" of record in Condominium Plat Book 172, Page 86, and "The Village at Preston Woods Condominium 1st Amendment" of record in Condominium Plat Book 169, Page 12, a distance of 745.48 feet to an iron pin set at the common corner of said 89.603 acre tract, said "The Village at Preston Woods Condominium 1st

C115-034

Amendment", the remainder of that 33.918 acre tract as conveyed to Cardinal Title Holding Company by deed of record in Official Record 12417G06, and the remainder of that 1.556 acre tract as conveyed to Stephen L. Harper, Trustee by deed of record in Instrument Number 200404290096691;

thence with a line common to said 89.603 and 1.556 acre tracts, with the arc of a curve to the left, having a central angle of  $04^{\circ} 26' 57''$ , a radius of 2440.00 feet, an arc length of 189.47 feet, a chord bearing and distance of South  $12^{\circ} 17' 31''$  West, 189.42 feet to an iron pin set at a northerly corner of said 0.190 acre tract;

thence South  $41^{\circ} 14' 45''$  East, with the line common to said 0.190 and 1.556 acre tracts, a distance of 134.04 feet to an iron pin set at a common corner thereof and in the northwesterly right-of-way line of Hamilton Road of record in Plat Book 100, Page 3;

thence South  $48^{\circ} 45' 15''$  West, with said northwesterly right-of-way line and a southeasterly line of said 0.190 acre tract, a distance of 62.31 feet to an iron pin set;

thence South  $43^{\circ} 43' 17''$  West, with said northwesterly right-of-way line, the northwesterly of said 2.329 acre tract, and a southeasterly line of said 0.397 and 0.173 acre tracts, a distance of 286.35 feet to an iron pin set at a southerly corner of said 0.173 acre tract, a easterly corner of said 89.603 acre tract, and in the westerly right-of-way line of said Hamilton Road;

thence with the easterly line of said 89.603 acre tract and said westerly right-of-way line, the following courses and distances:

with the arc of a curve to the left, having a central angle of  $01^{\circ} 05' 19''$ , a radius of 2560.00 feet, an arc length of 48.64 feet, a chord bearing and distance of South  $01^{\circ} 11' 44''$  West, of 48.64 feet to an iron pin set;

South  $02^{\circ} 07' 52''$  East, a distance of 277.65 feet to an iron pin set;

South  $00^{\circ} 20' 45''$  West, a distance of 234.79 feet to an iron pin set, being the POINT OF BEGINNING and containing 11.389 acres of land, more or less

Of the above described 11.389 acres, 0.190 acre is from Auditor's Parcel Number 010-272141, 0.397 acre is from Auditor's Parcel Number 010-273256, 0.173 acre is from Auditor's Parcel Number 010-273255, and 10.629 acres is from Auditor's Parcel Number 010-220083.

Subject, however, to all legal rights-of-ways and/or easements, if any, of previous record.

The bearings shown hereon are based on the North  $64^{\circ} 39' 53''$  East for a portion of the centerline of Relocated State Route 161, as shown on the centerline survey plat of FRA-161-16.75/LIC-161-0.00 of record in Plat Book 78, Page 28.

Iron pins, where indicated, unless otherwise noted, are to be set and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials E.M.H.T. INC.



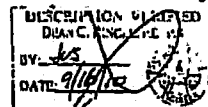
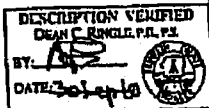
EVANS, MECHWART, HAMBLETON & TILTON, INC.

Edward J. Miller  
Registered Surveyor No. 8250

Date

3/31/04

EDM per March 23, 2009  
11.389 ac 010000 b.c.d.



0.75-A  
All of  
(010)  
220083  
272 M,  
273252  
1  
273255

ZONING  
SUBAREA E - PROPERTY 2 OF 3  
1.363 Acres

Page 1 of 2

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2, Range 16 and being 1.164 acres of land out of a 1.810 acre tract of land as conveyed to Daniel J. Kerscher, Trustee of record in Instrument Number 199903030054237 and being 0.199 acres out of a 143.579 acre tract of land as conveyed to Daniel J. Kerscher, Trustee of record in Instrument Number 199806100142753 (all records being of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows;

Beginning for reference at the northeasterly corner of State Route 161, Station 984+88.64, 690.12 feet left as measured at right angles to the centerline of said State route 161 and as shown on the Centerline Survey Plat FRA-161-16 75, Lic-161-0.00 as recorded in Plat Book 78, Page 28 and being a point on the easterly line of an original 89.603 acre tract of land as conveyed to New Albany Company of record in Official Record Volume 15680H-04;

Thence with the westerly line of a 2.329 acre tract as conveyed to the State of Ohio Department of Transportation, Parcel Number 1 WL of record in Instrument Number 199812160324049 together with the easterly line of said 89.603 acre tract and with the westerly and northerly line of a 0.702 acre tract of land as conveyed to the State of Ohio Department of Transportation, Parcel Number 1 WD of record in Instrument Number 199812160324044, the following four (4) courses;

- 1) North 00°20'45" East, a distance of 234.78 feet to a point of non tangent curve;
- 2) With a curve northerly and to the right having a radius of 2860.00 feet, a central angle of 05°33'52", a chord bearing of North 02°07'52" West, and a chord distance of 277.65 feet to a point of compound curvature;
- 3) With a curve northerly and to the right having a radius of 2560.00 feet, a central angle of 06°52'36", a chord bearing of North 04°05'22" East, and a chord distance of 307.07 feet to a point;
- 4) South 82°28'24" East, a distance of 120.00 feet to a point of curvature on the westerly line of said 1.810 acre tract;

Thence with a curve northerly and to the right having a radius of 2440.00 feet, a central angle of 02°32'23", a chord bearing of North 08°47'51" East, and a chord distance of 108.16 feet to a 1" iron pipe set with an EDG cap and being a point on said curve and being the true point of beginning;

Thence with a curve northerly and to the right having a radius of 2440.00 feet, a central angle of 04°26'57", a chord bearing North 12°17'32" East, and a chord distance of 189.43 feet to a 1" iron pipe set with an EDG cap and being the northwesterly corner of said 1.810 acre tract and also being a point on the southerly line of a 33.918 acre tract of land as conveyed to Cardinal Title Holding Company of record in Official Record Volume 12417G-06;

Thence South 86°00'49" East with the northerly line of said 1.810 acre tract and with the northerly line of said 143.579 acre tract together with the southerly line of said 33.918 acre tract, a distance of 347.36 feet to a 1" iron pipe set with an EDG cap and being a point on the westerly right of way line of Hamilton Road (100.00 feet wide) as recorded in Plat Book 100, Page 3;

Thence South 48°45'15" West with the westerly right of way line of said Hamilton Road, a distance of 396.97 feet to a 1" iron pipe set with an EDG cap;



2015 Antares Avenue Tel 614-433-9013  
Columbus, Ohio 43240 Fax 614-433-9013

Date: 03-12-04  
100-175658 combine 0.199 acre out of  
-010-248060  
04930-0-00024 L  
\\s02\survey\Legal\1\_363.doc  
Modified: March 21, 2003



Thence North 41°14'45" West through said 1.810 acre tract, a distance of 134.04 feet to the true point of beginning and containing 1.363 acres of land more or less.

This description was prepared by Environmental Design Group Inc., Columbus, Ohio from an actual field survey. The basis of bearing is South 79°29'18" West for the northerly limited access right of way line of State Route 161.

*Maynard H. Thompson* 3/24/03  
Maynard H. Thompson, P.S. 7128 Date

03-12-04 WMR/hades  
combine 0.199 acre off  
of 010-175658 with balance of  
010-248060.

04330-D-000242

075A  
ALL THE  
BALANCE  
OF  
(010)  
175658

0.75 A  
split  
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out of  
(010)  
248060  
and  
split  
0.199 Acres  
out of  
(010)  
175658

BB  
8/17/04  
BB  
7/12/04  
14 Jan 04  
DESCRIPTION VERIFIED  
DEAN C. SINGLE, P.E., P.S.  
BY: *AS*  
DATE: 2/24/03



2015 Antares Avenue Tel 614-433-2015  
Columbus, Ohio 43240 Fax 614-433-2513

S:\Kelley\25302\survey\Legal\11\_363.doc  
Modified: March 21, 2003



## ZONING

SUBAREA E - PROPERTY 3 OF 3

1.769 Acres

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Quarter Township 3, Township 2, Range 16, United States Military Lands, being 1.769 acres out of an original 33.918 acre tract as conveyed to Cardinal Title Holding Company as shown of record in Official Record Volume 12417 Page G-06, and being more particularly described as follows:

Commencing for reference at a 1" solid iron bar found at the intersection of the centerlines of Warner Road and Hamilton Road of record in the Dedication Plat of Hamilton Road and Easements as recorded in Plat Book 100, Page 3;

Thence South 03°42'30" West with the centerline of said Hamilton Road, a distance of 64.11 feet to a Mag nail found at the point of curvature of a curve to the right;

Thence with said curve to the right having a radius of 1000.00 feet, a central angle of 45°02'45", a chord bearing of South 28°13'52" West, a chord distance of 786.10 feet, and an arc length of 786.20 feet to a Mag nail found at a point of tangency;

Thence South 48°45'15" West with said centerline, a distance of 847.57 feet to a point;

Thence North 41°14'45" West crossing said right of way, a distance of 50.00 feet to an iron pin set at the westerly right of way line and the TRUE POINT OF BEGINNING of the tract to be described;

Thence South 48°45'15" West with said right of way line, a distance of 92.64 feet to a 5/8" iron pin found 0.26 feet west and 0.10 feet south at the northeasterly corner of a 1.556 acre tract as conveyed to Stephen L. Harper Tr. of record in Inst. No. 200404290096691;

Thence North 86°00'39" West with the northerly line of said 1.556 acre tract, a distance of 347.52 feet to a point in a tree referenced by two 1" iron pipes found with CEC caps 4.85 feet north and 5.00 feet west of the southeasterly corner of a 0.674 acre Phase II First Amendment of The Village at Preston Woods Condominium as recorded in Inst. No. 200606130114393;

Thence North 03°59' 26" East with the easterly line of said 0.674 acre tract, a distance of 115.00 feet to an iron pin set;

Thence North 48°45'15" East with the southeasterly line of said 0.674 acre tract and the southeasterly line of a 0.631 acre Phase VII Sixth Amendment of The Village at Preston Woods Condominium as recorded in Inst. No. 200611210235274, a distance of 255.71 feet to a 5/8" iron pin found;

Thence South 41°14'45" East with the southwesterly line of the entrance tract to The Reserve at Preston Woods Condominium as recorded in Inst. No. 200507080134441, a distance of 327.72 feet to the true point of beginning containing 1.769 acres of land, more or less.

Subject however to all easements, restrictions and rights-of-way of record, if any.

Basis of bearings is South 48°45'15" West for the centerline of Hamilton Road as shown on Plat Book 100, Page 3.

All iron pins set are 5/8" solid iron pins 30" in length with an orange plastic cap stamped "Floyd Browne Group".

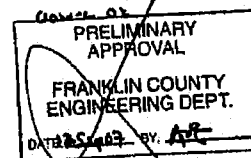
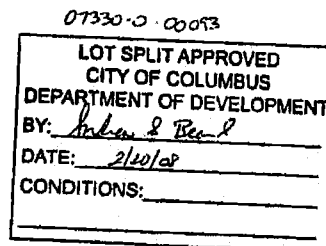
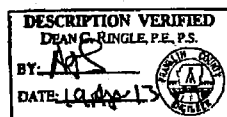
The above description is based on and referenced to a plat of survey prepared by Floyd Browne Group dated May 08, 2007, attached hereto and made a part hereof.

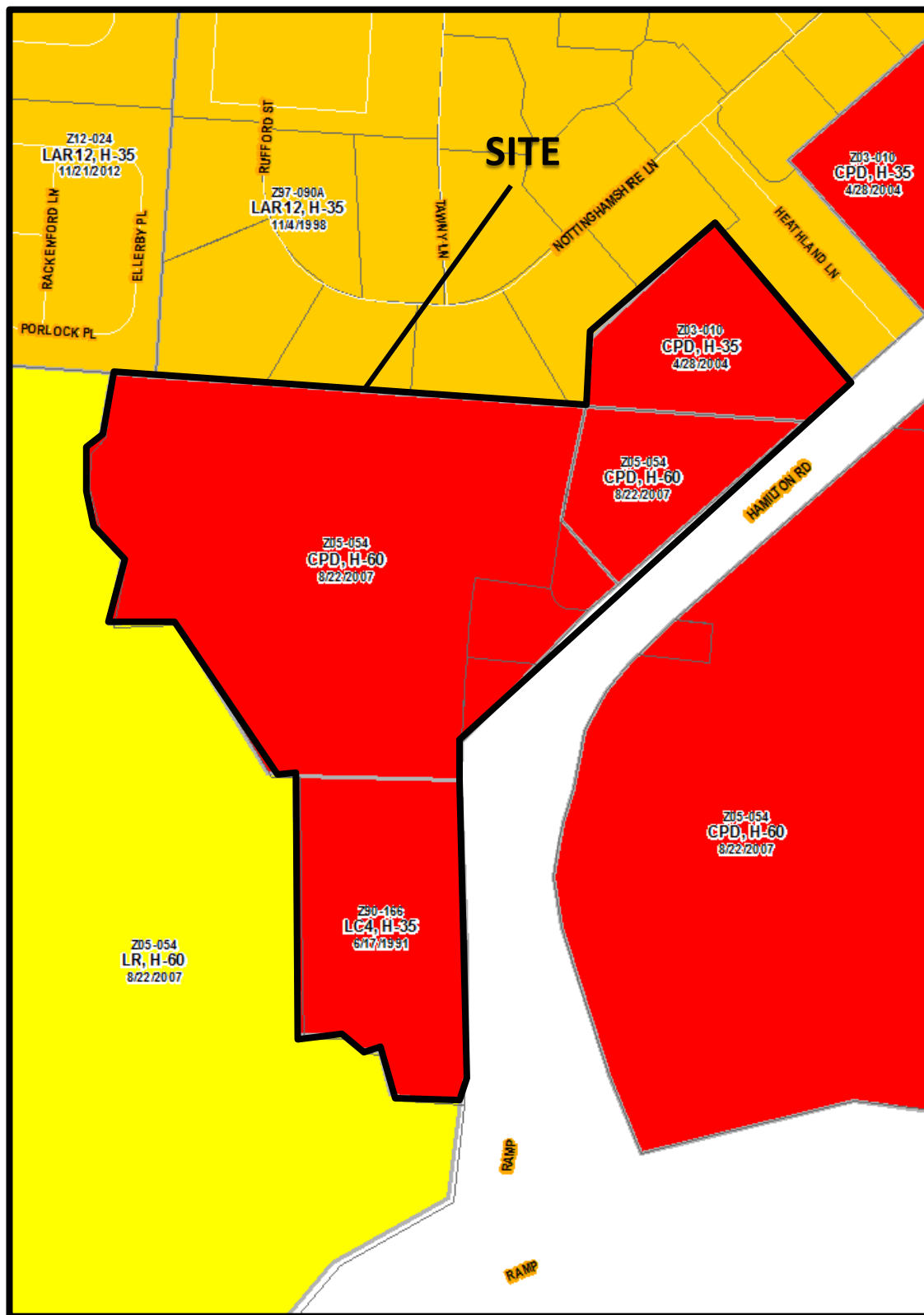
All references are to the records of the Recorder's Office, Franklin County, Ohio.

*Maynard H. Thompson* 9/10/07  
 Maynard H. Thompson, P.S. Date  
 Professional Surveyor No. 7128

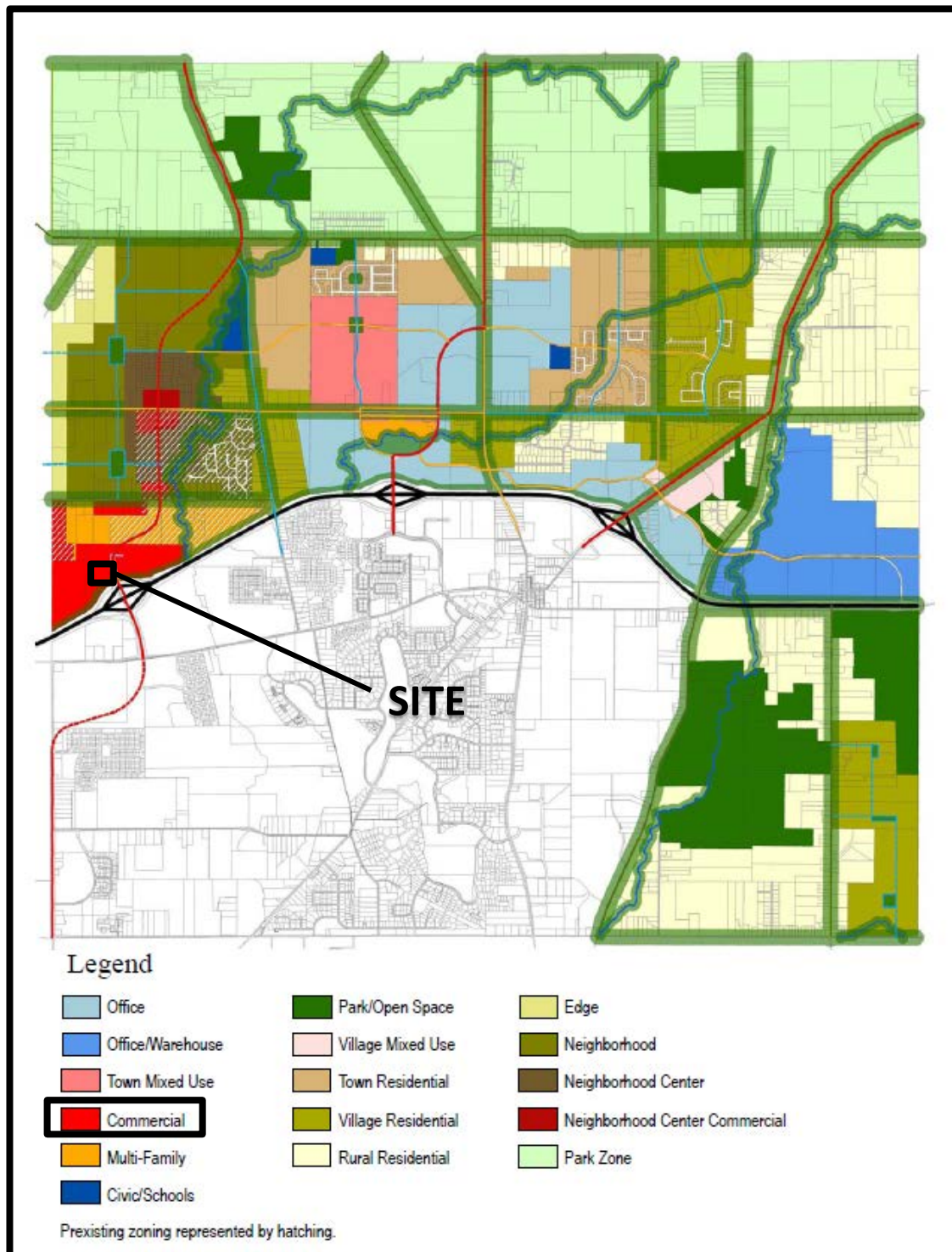


O-75-A  
 On Split  
 1.769 Acre  
 out of  
 (010)  
 207682



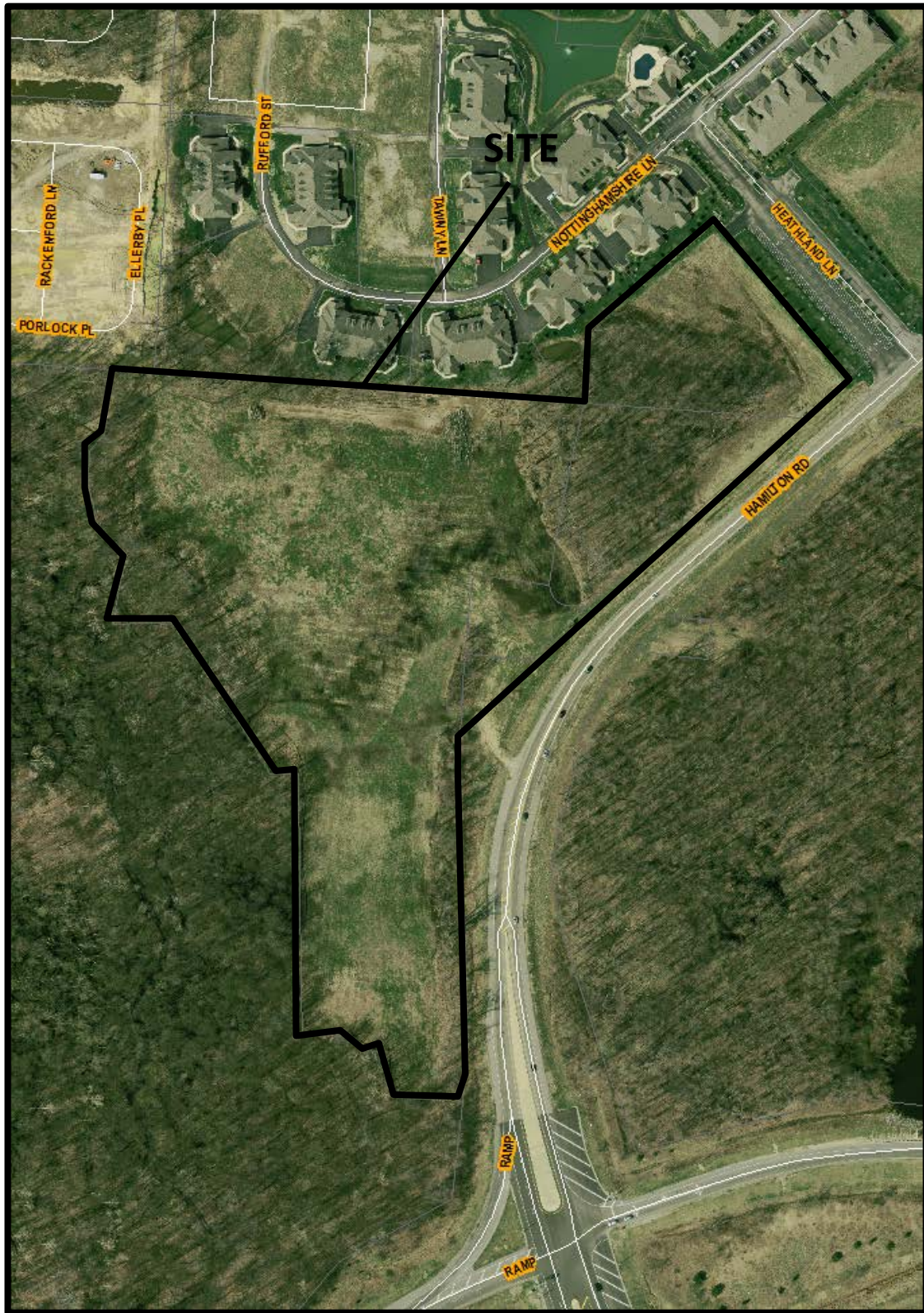


CV15-034  
5074 E. Dublin Granville Road  
Approximately 14.52 acres



CV15-034  
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*Rocky Fork Blacklick Accord Plan (2003)*





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