

City of Columbus, Ohio • Department of Building & Zoning Services 757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433• <u>www.columbus.gov</u>

OFFICE USE ONLY	Application Number: $(V13-033)/(133)5-0000-00(030)$ Date Received: $9 30 13$ Application Accepted By: $5P+TP$ Fee: $4 600$ Comments: ASSIGNOD TOYI PYOCH, $(145-2749)$, Vjproch/10(0)11mb/ds.gov						
)	LOCATION AND ZONING REQUEST:						
	Certified Address (for Zoning Purposes) 1131 Dublin Road, Columbus, OH Zip 43215 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: 010-258109						
	Check here if listing additional parcel numbers on a separate page.						
	Current Zoning District(s): ARLD						
	Civic Association or Area Commission: N/A						
	Proposed use or reason for Council Variance request: See Statement of Hardship						
	Acreage: 0.772						
	APPLICANT: Name Wayne A. Garland, Jr., c/o Donald Plank, Plank Law Firm, LPA						
	Address 145 E. Rich St., FL 3 City/State Columbus, OH Zip 43215						
	Phone # (614) 947-8600 Fax # (614) 228-1790 Email: dplank@planklaw.com						
	PROPERTY OWNER(S): Name Clydeco, Ltd., c/o Donald Plank, Plank Law Firm, LPA						
	Address 145 E. Rich St., FL 3 City/State Columbus, OH Zip 43215						
	Phone # (614) 947-8600 Fax # (614) 228-1790 Email: dplank@planklaw.com						
	Check here if listing additional property owners on a separate page.						
C	ATTORNEY AGENT Attorney Agent Name Donald Plank, Plank Law Firm, LPA						
	Address 145 E. Rich St., FL 3 City/State Columbus, OH Zip 43215						
	Phone # (614) 947-8600 Fax # (614) 228-1790 Email: dplank@planklaw.com						
	SIGNATURES (ALL SIGNATURES MUST BE SIGNED IN BYLE INK) APPLICANT SIGNATURE PROPERTY OWNER SIGNATURE ATTORNEY / AGENT SIGNATURE 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



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AFFIDAVIT

(See next page for instructions)

STATE OF OHIO _________

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 1131 Dublin Road, Columbus, OH 43215

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)

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME	(4) Clydeco, Ltd., c/o Donald Plank		
AND MAILING ADDRESS	Plank Law Firm, LPA		
	145 E. Rich St., FL 3	_	
	Columbus, OH 43215-5240		
APPLICANT'S NAME AND PHONE #	Wayne A. Garland, Jr., c/o Donald Plank		
(same as listed on front of application)	(614) 947-8600		
AREA COMMISSION OR CIVIC GROUP AREA COMMISSION ZONING CHAIR OR CONTACT PERSON AND ADDRESS	(5) <u>N/A</u>	-	

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

My Commission Expires:

(8) day of AUGUS in the year 20/3(8)

Notary Seal Here

(113-033

Exhibit A Public Notice 1131 Dublin Road CV13-, 08/20/13

APPLICANT:

Wayne A Garland, Jr. c/o Donald Plank, Attorney Plank Law Firm, LPA 145 East Rich Street, Flr. 3 Columbus, OH 43215

PROPERTY OWNER:

Clydeco, LTD c/o Donald Plank, Attorney Plank Law Firm, LPA 145 East Rich Street, Flr. 3 Columbus, OH 43215

ATTORNEY FOR APPLICANT:

Donald Plank, Attorney Plank Law Firm, LPA 145 East Rich Street, Flr. 3 Columbus, OH 43215

COMMUNITY GROUP

N/A

Airport Plaza-Green Acres LLC 275 Battery St. San Francisco, CA 94111

Community Housing Network Title Holding LLC 1680 Watermark Dr. Columbus, OH 43215

Bristol Land Company Ltd 330 W. Spring St., Ste. 500 Columbus, OH 43215

ALSO NOTIFY:-----

Bob Mickley 48 East 15th Avenue Columbus, OH 43201

SURROUNDING PROPERTY OWNERS (125 Feet)

Knisley Family Partnership 1111 Dublin Rd. Columbus, OH 43215

Girls Scouts of Ohio's Heartland Council Inc. 1700 Watermark Dr. Columbus, OH 43215

Tim Donut US Limited 4150 Tuller Rd., Ste. 236 Dublin, OH 43017

Wayne A. Garland, Jr. 48 East 15th Avenue Columbus, OH 43201

Clydeco, Ltd 48 East 15th Avenue Columbus, OH 43201 Guild Athletic Club 1114 Ridge St. Columbus, OH 43215

Scioto Darby Investments Inc. 2300 E. Fifth Ave. Columbus, OH 43216

1114 Dublin Road LLC Ste. 450 3650 Olentangy River Rd. Columbus, OH 43214

David B. Perry David Perry Co., Inc. 145 East Rich Street, FL 3 Columbus, OH 43215

SHEET 1 of 1 1131 Dublin Road <u>CV13-, 08/20/13</u>



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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 # (13-093

STATE OF OHIO

COUNTY OF FRANKLIN

Being first duly cautioned and sworn [NAME] Donald Plank -----

Of [COMPLETE ADDRESS] Plank Law Firm, LPA, 145 E. Rich St., FL 3, Columbus, OH 43215-5240

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, Sate, Zip Number of Columbus based employees Contact name and number

· · · · · · · · · · · · · · · · · · ·					
1.	2.				
Clydeco, Ltd.	Wayne A. Garland, Jr.				
48 E. 15th Avenue	48 E. 15th Avenue				
Columbus, OH 43201 Contact: Wayne A. Garland, Jr. (614) 294-5511	Columbus, OH 43201 Contact: Wayne A. Garland, Jr. (614) 294-5511				
# of Columbus Based Employees: 0	# of Columbus Based Employees: 0				
3.	4.				
5.	+.				
Check here if listing additional parties on a separate page. SIGNATURE OF AFFIANT Subscribed to me in my presence and before me this 25th day of <u>AUGUST</u> , in the year <u>ZO13</u> SIGNATURE OF NOTARY PUBLIC <u>Base</u> (2) <u>Cauce</u> (2) <u>Polymeter</u>					
My Commission Expires:	JGUST 3, 2015				
Notary Seal Here	BARBARA A. PAINTER Notary Public, State of Onio y Commission Explose AUGUST 3, 2015				
This Project Disclosure Statement of six m	iontins after date of notarization.				

113-033



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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:

See Exhibit B Chri <u>8/2E/13</u> Signature of Applicant Date Attorney for Applicant and Property Owner

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**

EXHIBIT B

Statement of Hardship

1131 Dublin Road, Columbus, OH 43215

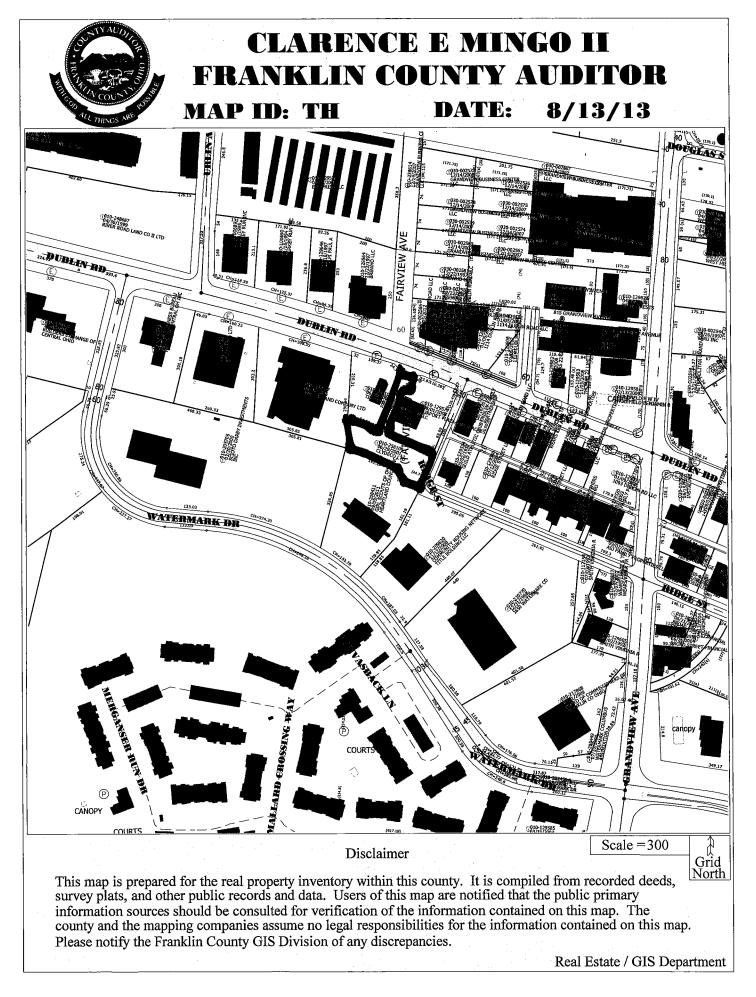
Council Variance # CV13-<u>133</u>

The 0.772 acre site located on the south side of Dublin Road, abutting the west side of Ridge Street and 800' +/- feet west of Grandview Avenue is zoned C-4, Commercial. The area is characterized by older commercial development zoned C-4, the Watermark Business Park zoned M but developed with large office uses and the Arbors of Watermark apartment complex zoned ARLD. This application is a companion variance application to rezoning application Z13-

______, 1131 Dublin Road, by which applicant proposes to rezone the site from C-4 to ARLD for construction of a twelve (12) dwelling unit apartment building. While the C-4, Commercial District permits dwelling units located above a ground floor commercial use, the ground floor of the apartment building will be accessory parking for the residents. Staff requested that the C-4 parcel be rezoned to a multi-family district. Certain variances are needed due to the residential zoning to be established. The location is desirable for housing due to its close proximity to many employment options and easy vehicular access by Dublin Road and I-670. The Mckinley-Dublin Road Area Plan, while not adopted yet, supports the development of housing and recognizes the need for more residents in the area to support the community. Applicant requests the following variances:

- 3333.02 AR-12, ARLD and AR-1 Apartment Residential District Use, to permit the continued use of the Dublin Road curbcut and driveway for commercial vehicular access to two (2) adjacent commercially developed parcels that share the curbcut/driveway and vehicular residential use related to the apartment building.
- 2) 3333.18, Building Lines, to permit a dumpster and bulk item pad in the 25 foot building setback of at the terminus of Ridge Street.
- 3) 3333.24, Rear Yard, to reduce rear yard from 25% of the parcel area (8,407 sq. ft.) to 6% and to permit a dumpster box and bulk refuse pad in the rear yard adjacent to the terminus of Ridge Street.
- 4) 3312.21, Landscaping and Screening, which Section requires tree planting on the interior of the parking lot, while applicant will provide all required trees but adjacent to the parking and circulation areas rather than with interior islands.
- 5) 3312.25, Maneuvering, to permit the dumpster and bulk refuse pad to be accessed from the terminus of Ridge Street with box/pad located on-site but accessed only from Ridge Street with maneuvering in Ridge Street.

(N13-033





City of Columbus Zoning Plat



ZONING NUMBER

The Zoning Number Contained on This Form is Herein Certified to Obtain Zoning, Rezoning, and Variances, and is NOT to be Used for the Securing of Building & Utility Permits

Parcel ID: 010258109

Zoning Number: 1131

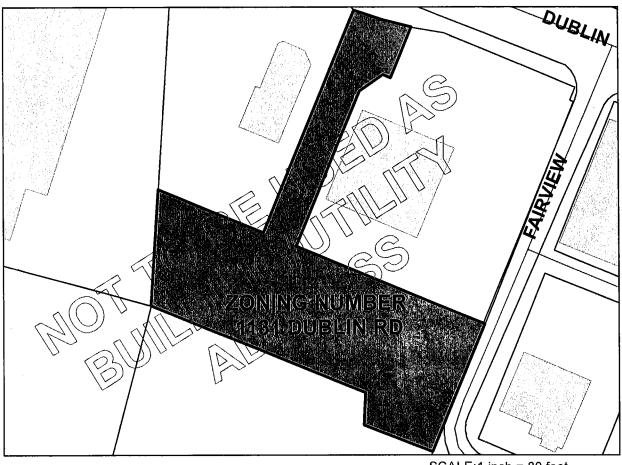
Street Name: DUBLIN RD

Lot Number: N/A

Subdivision: N/A

Requested By: DAVID PERRY CO (DAVE PERRY)

Issued By: Castandra Campun _____ Date: 8/15/2013





PATRICIA A. AUSTIN, P.E., ADMINISTRATOR DIVISION OF PLANNING AND OPERATIONS COLUMBUS, OHIO SCALE:1 inch = 80 feet

Legal Description

0.772 Acre

(N13-033

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Section 12, Township 1, Range 23, Congress Lands and containing 0.772 acre of land more or less, being all out of that 2.168 acre tract of land as conveyed to Grandview Building of record in Official Record 04999, Page H16, 0.470 acre of said 0.772 acre tract being out of Parcel # 010-129577 comprised partly of Lot "K" of Croughton, Denmead and W.A. Pope, Second Suburban Subdivision of record in Plat Book 4, Page 441, and part of vacated Fairview Avenue of record in Vacation Record 19, Page 5, 0.070 acre of said 0.772 acre tract being out of Parcel # 010-129525 comprised partly of that 0.23 acre tract referred to as "Parcel 2" of record in Deed Book 1261, Page 561, 0.017 acre of said 0.772 acre tract being out of Parcel # 010-129589 comprised partly of said vacated Fairview Avenue, and 0.215 acre of said 0.772 acre tract being out of Parcel # 010-129590 comprised partly of Lot 14 of said Croughton, Denmead and W.A. Pope, Second Suburban Subdivision and part of said vacated Fairview Avenue (all references used in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 0.772 acre being more particularly described as follows:

Beginning for reference at a ³/₄-inch I.D. iron pipe found at the northwest corner of said 2.168 acre Grandview Building tract, also being in the southerly right-of-way line of Dublin Road (State Route 33);

Thence South 70°39'22" East, with said southerly right-of-way line, also being the northerly line of said 2.168 acre Grandview Building tract, a distance of 141.37 feet to an iron pipe set, an angle point;

Thence South 35°45'36" East, continuing with said southerly right-of-way line, also being the northerly line of said 2.168 acre Grandview Building tract, a distance of 24.55 feet to a P.K. nail set, being the true point of beginning of the herein described tract;

Thence from said true point of beginning, South 70°37'40" East, with said southerly right-of-way line, also being the northerly line of said 2.168 acre Grandview Building tract, a distance of 50.23 feet to a P.K. nail set;

Thence with a new division line across and through said 2.168 acre tract the following (5) five bearings and distances:

South 24°49'44" West, a distance of 45.00 feet to a P.K. nail set;

North 65°10'16" West, a distance of 7.00 feet to a P.K. nail set;

South 57°51'43" West, a distance of 23.85 feet to a P.K. nail set;

South 24°49'44" West, a distance of 140.00 feet to an iron pipe set;

South 65°18'46" East, a distance of 167.68 feet to an iron pipe set in the east line of said 2.168 acre Grandview Building tract, also being a west right-of-way line of a 30 foot public alley;

Thence South 24°49'44" West, with the west line of said 30 foot public alley, a distance of 115.01 feet to an iron pipe set, the southeast corner of said 2.168 acre Grandview Building tract, also being the northeast corner of a 1.692 acre tract of land as conveyed to Seal of Ohio Girl Scout Council, Inc. of record in Official Record 12262, Page C06;

Thence North 65°15'07" West, with a southerly line of said 2.168 acre Grandview Building tract, also being a northerly line of said 1.692 acre Ohio Girl Scout Council tract, a distance of 61.68 feet to a 3/4-inch I.D. iron pipe found;

Thence north 5°47'04" East, continuing with a southerly line of said 2.168 acre Grandview Building tract, also being the northerly line of said 1.692 acre Ohio Girl Scout Council tract, a distance of 26.37 feet to a $\frac{3}{4}$ -inch I.D. iron pipe found;

Thence North 65°18'46" West, continuing with the southerly line of said 2.168 acre Grandview Building tract, also being the northerly line of said 1.692 acre Ohio Girl Scout Council tract, a distance of 191.03 feet to a 3/4-inch I.D. iron pipe found, the northwesterly corner of said 1.692 acre Ohio Girl Scout Council tract, the northeasterly corner of a 5.289 acre tract of land as conveyed to Scioto Darby Investments Inc., of record in Instrument No. 200003200053887, the southeasterly corner of a 2.055 acre tract of land as conveyed to Bristol Land Company, Ltd. of record in Official Record 29860, Page B15;

Thence North 6°00'46" East, with the westerly line of said 2.168 acre Grandview Building tract, also being the easterly line of said 2.055 acre tract, a distance of 95.00 feet to an iron pipe set;

Thence with a new division line across and through said 2.168 acre Grandview Building tract the following (2) two bearings and distances:

- 1) South 65°18'46" East, a distance of 94.28 feet to an iron pipe set;
- 2) North 24°49'44" East, a distance of 200.29 feet to the true point of beginning and containing 0.772 acre of land, more or less.

Subject to all restrictions, easements and rights-of-way of previous record, or otherwise legally established.

All iron pipes set are ³/₄-inch inside diameter by 30 inches in length with an orange cap marked "Geo Graphics."

A bearing of South 65°44'46" East was used on the centerline of Dublin Road (State Route 33) as shown on Franklin County Plans FRA-33-12.31, page 64.

The above description was prepared by Robert E. Blackburn, Ohio Surveyor No. 6305 of Geo Graphics, Inc., Land Surveying and Civil Engineering, Columbus, Ohio, from information obtained from an actual field survey of the premises in February 2001.



20160251 DCN13-033

GENERAL WARRANTY DEED (Sections 5302.05 and 5302.06 Ohio Revised Code)

GRANDVIEW BUILDING, an Ohio general partnership, Grantor, of Franklin County, Ohio, for valuable consideration paid, grant(s), with general warranty covenants, to CLYDECO., Ltd. an Ohio limited liability company, Grantee, whose tax mailing address is P.O. Box 8310, Columbus, Ohio 43201, the following REAL PROPERTY: Situated in the State of Ohio, County of Franklin and City of Columbus:

Being the 0.772-Acre Tract more fully described on the attached EXHIBIT "A"

Split from Parcel No. 010-129577-00

Subject to real estate taxes and assessments; zoning ordinances; public right-of-way; and restrictions, conditions, and easements of record.

Prior Instrument Reference: Instrument No. 200106250142643, Franklin County Recorder's Office.

Witness the hand of Grantor's duly authorized partner this $\frac{\mathcal{A}}{\mathcal{A}}$ day of $\frac{\mathcal{J}_{\mathcal{A}}\mathcal{A}}{\mathcal{A}}$, 2001.

Witnessed and Acknowledged in

the presence of: Witness Printed:

107 tn.

STATE OF OHIO,

COUNTY OF FRANKLIN, ss:

GRANDVIEW BUILDING, an Ohio

general partnarship

Paul M. Loper General Partner

MAINARALLUTA

On this the 22° day of 32° , 2001, before me a Notary Public in and for said county and state, personally appeared Paul M. Loper, General Partner of and on behalf of Grandyiew Building, an experimentary partnership, Grantor in the foregoing deed, who acknowledged the signing thereof an experimentary partnership. Grantor in the foregoing deed, who acknowledged the signing thereof an experimentary partnership.

100 T KINE OK W.	FFREY A, AUNER, ATTOM NOTARY PUBLIC, STATE O My commission has no expir Section 147.03 R.C	auon date. Neptary Public	1 (1111)
HAVENS		TRANSFERRED	CONVEYANCE TAL
141 East Town Street Suite 200 Columbus, Ohio 43215		JUN 2 9 2001	• 150.00 Q
E-May Documento-CardinghTrille Files/Files 376	an T 3729/Updated OWD-doc	JOSEPH W, TESTA AUDITOR FRANKLIN COUNTY, OHIO	JOBEPH W. TESTA- MANKLIN CORPET AND THE

0.772 Acre

1/13-133

Legal Description

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Section 12, Township 1, Range 23, Congress Lands and containing 0.772 acre of land more or less, being all out of that 2.168 acre tract of land as conveyed to Grandview Building of record in Official Record 04999, Page H16, <u>0.470</u> acre of said 0.772 acre tract being out of <u>Parcel # 010-129577</u> comprised partly of Lot "K" of Croughton, Denmead and W.A. Pope, Second Suburban Subdivision of record in Plat Book 4, Page 441, and part of vacated Fairview Avenue of record in Vacation Record 19, Page 5, <u>0.070</u> acre of said 0.772 acre tract being out of <u>Parcel # 010-129575</u> comprised partly of that 0.23 acre tract referred to as "Parcel 2" of record in Deed Book 1261, Page 561, <u>0.017</u> acre of said 0.772 acre tract being out of <u>Parcel # 010-129589</u> comprised partly of said vacated Pairview Avenue, and <u>0.215</u> acre of said 0.772 acre tract being out of <u>Parcel.# 010-129590</u> comprised partly of Lot 14 of said Croughton, Denmead and W.A. Pope, Second Suburban Subdivision and part of said vacated Fairview Avenue (all references used in this description refer to the records of the Recorder's Office, Franklin County, Ohio), said 0.772 acre being more particularly described as follows:

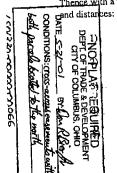
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Thence South 35°45'36" East, continuing with said southerly right-of-way line, also being the northerly line of said 2.168 acre Grandview Building tract, a distance of 24.55 feet to a P.K. nail set, being the true point of beginning of the herein described tract;

Thence from said true point of beginning, South $70^{\circ}37' 40''$ East, with said southerly right-of-way line, also being the northerly line of said 2.168 acre Grandview Building tract, a distance of 50.23 feet to a P.K. nail set;

Thence with a new division line across and through said 2.168 acre tract the following (5) five bearings



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South 65°18'46" East, a distance of 167.68 feet to an iron pipe set in the east line of said 2.168 acre Grandview Building tract, also being a west right-of-way line of a 30 foot public alley;

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Thence North 5°47'04" East, continuing with a southerly line of said 2.168 acre Grandview Building tract, also being the northerly line of said 1.692 acre Ohio Girl Scout Council tract, a distance of 26.37

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feet to a 3/4-inch I.D. iron pipe found;

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The above description was prepared by Robert E. Blackburn, Ohio Surveyor No. 6305 of Geo-Graphics, Inc., Land Surveying and Civil Engineering, Columbus, Ohio, from information obtained from an actual field survey of the premises in February 2001.

Dailitur

Robert E. Blackburn Ohio Surveyor No. 6305



Description Ventied

Engine

M-60 ALLOF 0.772AL GNUSP/12 FROM 129577 (019) Description Voritied Dean Ringle, P.E., P.S Franklin County Engineer Date: 🕼

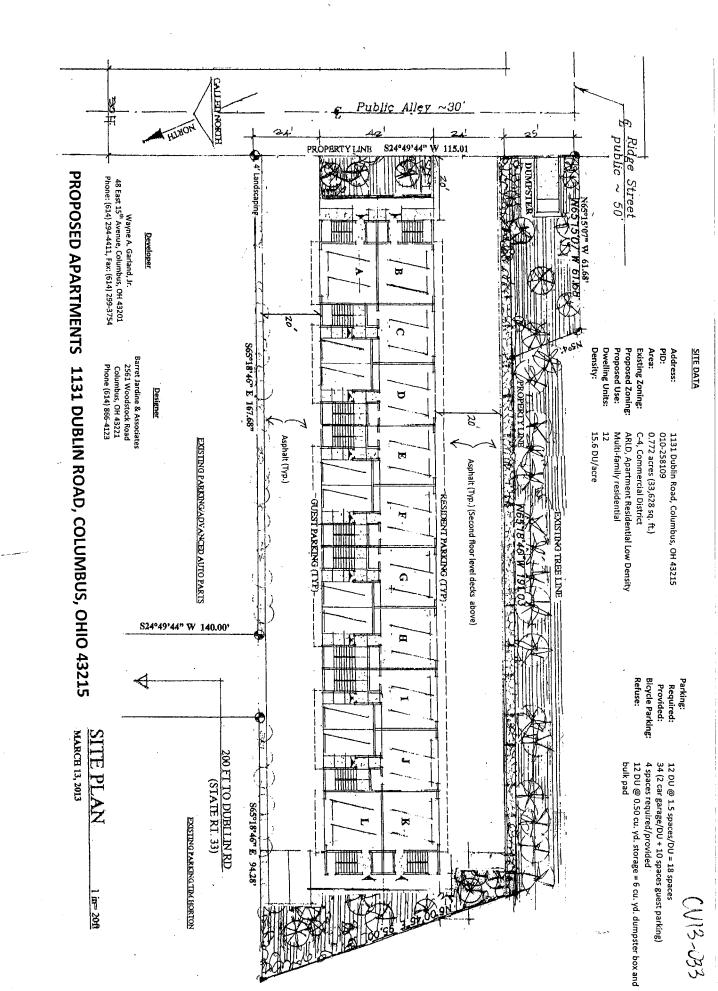
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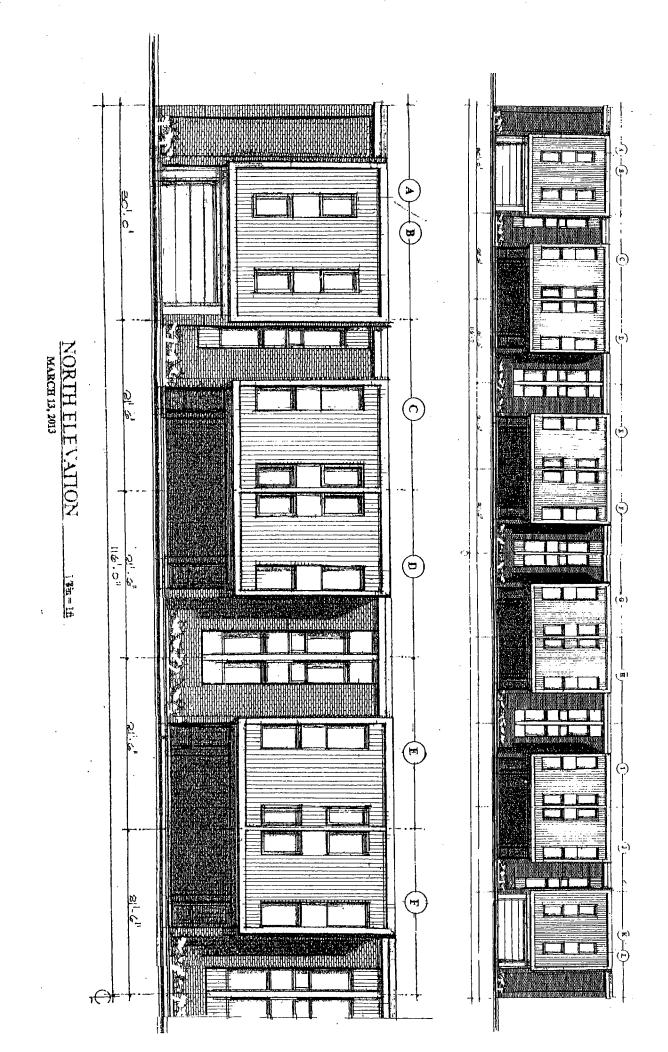
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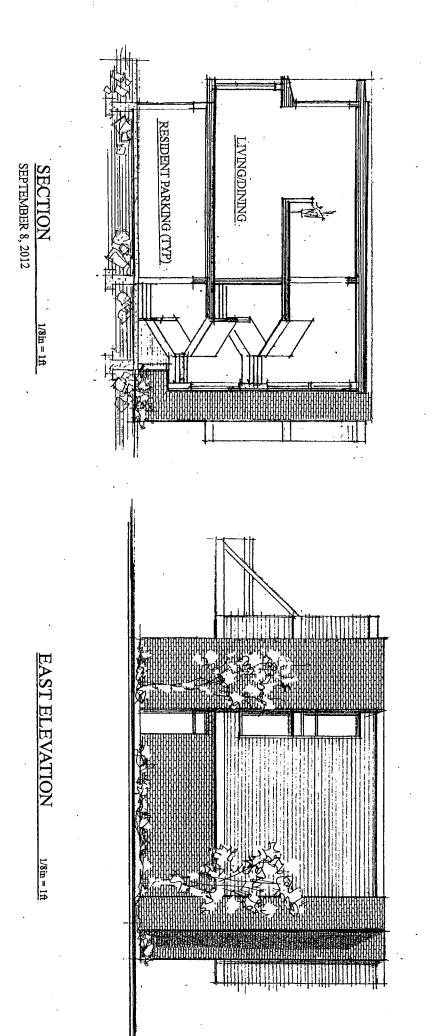
M-68 portions of Lot K, Lot4. acrease and Vacuted R.O.W. Totaling 0.772 Acres out of (010) 129577 Dean Ringla, P.E., P.S. Franklin County

(V13-1)33

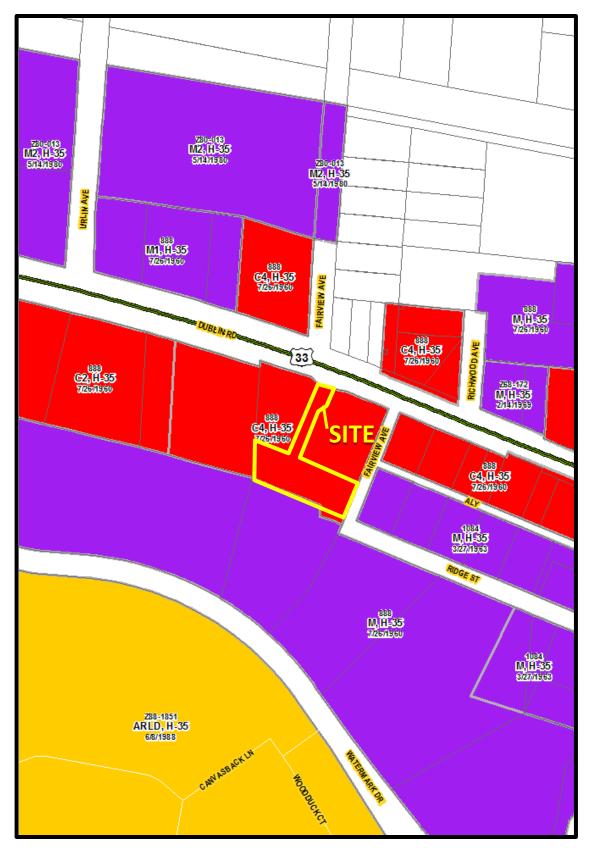




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CV13-033 1131 Dublin Road 010-258109 Approximately 0.772 acres Request: Multi-Family Residential



CV13-033 1131 Dublin Road 010-258109 Approximately 0.772 acres Request: Multi-Family Residential