

TEMPORARY ORDINANCE NO. 20-19\*\*

PERMANENT ORDINANCE NO. 4-20

AN ORDINANCE AMENDING THE ZONING MAP SUBJECT TO PASSAGE OF THE ANNEXATION OF 76.877 +/- ACRES IN GREENFIELD TOWNSHIP, AND TO DECLARE AN EMERGENCY

WHEREAS, the City of Lancaster has received a copy of the petition to annex 76.877 +/- acres from Greenfield Township to the City of Lancaster; and

WHEREAS, the City of Lancaster on **March 23, 2020**, consented to the annexation; and

WHEREAS, the ordinance to accept the annexation has been introduced as Temporary Ordinance 19-19; and

WHEREAS, the City must pass an ordinance to establish the zoning for newly annexed territory; and

WHEREAS, the Pre-Annexation Agreement commits the City to zoning; and

WHEREAS, City Planning Commission granted the Annexation Petitioner's application for rezoning of the above referenced property as set forth in the Planning Commission's report and recommendations letter dated November 14, 2019 and attached hereto as Exhibit A; **and**

**WHEREAS, pursuant to Ohio Revised Code § 713.12, City Council may amend or modify the recommendation of Planning Commission as set forth in Exhibit B attached hereto;**

BE IT ORDAINED by the Council of the City of Lancaster, State of Ohio

SECTION 1. That the zoning ordinance and map of the City of Lancaster, Ohio be and the same is hereby revised upon successful passage of the Ordinance to Accept the Annexation to establish the City Boundaries and to establish zoning for the 76.877 +/- acres, pursuant to Exhibit ~~A~~ **B** as follows:

- ~~a. Commercial General (CG)~~
- a. Commercial Neighborhood (CN)
- b. Residential Multi-Family (RM-2)
- c. Residential Single Family (RS-3)

SECTION 2. The City Engineer is directed to make the changes on the zoning map.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare by allowing for expansion of critical services of the City. Therefore, this ordinance shall go into immediate effect.

Passed: 3/23/2020 after 3rd reading. Vote: Yeas 8 Nays 1

Approved: 3/23/2020

Clerk: Jessica Lee Sandy

Offered by: A Hall

Second by: Cony Johnson

Requested by Law Committee

[Signature]  
President of Council  
[Signature]  
Mayor



**CITY OF LANCASTER**  
**Engineer's Office**

November 15, 2019

**RE: Timbertop (2200 N. Columbus Street) Change of Zoning Request**

Dear Teresa:

As the Clerk of City Council, this letter is being provided to you to note that, on Thursday, November 14, 2019, the City Planning Commission voted 6-1 in favor of recommending to the City Council that the change of zoning request application submitted for the Timbertop property be approved as submitted. The application that was submitted by the petitioner has been attached, as has the report that our office prepared for the Planning Commission meeting. Minutes from the meeting will also be forwarded once they have been completed.

Additionally, we will also share the excel spreadsheet of the adjoining property owners so that City Council can prepare letters for another public hearing regarding this petition. I would also please ask that you inform my office, at the appropriate time, so that signs can be erected for the public hearing held at council chambers.

Thank you,



Mitch Noland, P.E., S.I.  
City Engineer  
Department of Engineering

**CHANGE OF ZONING REQUEST  
Timbertop (2200 N. Columbus St.)  
City Planning Commission Meeting  
November 14, 2019**

**CASE No.:** 2019.002

**REQUEST:** Change of zoning from R-1 (Rural Residential) in Greenfield Township to various residential and commercial zoning districts in City of Lancaster

**PETITIONER:** Mithoff Companies, Ltd  
4805 Scooby Lane NW  
Carroll, OH 43112

**PETITIONER'S AGENT:** Lemmon Development, LLC  
1201 S. Main St.  
Suite 200  
North Canton, OH 44720

**PETITIONER'S ATTORNEY:** Thomas W. Winkhart, Esq.  
825 S. Main St.  
North Canton, Ohio 44720  
(330) 433-6700

**PREVIOUS ACTION:** None

**SITE LOCATION:** 76.877 acre tract currently addressed as 2200 N. Columbus Street and located along N. Columbus Street, between Whittier Drive and Woodland Heights Lane (see Exhibit #2)

**PROJECT & SITE DESCRIPTION:**

The petitioner hopes to allow the development of its property, which is known as Timbertop, for both commercial and residential uses. The petitioner is proposing commercial development generally on the south end of the property nearest to Columbus Street and residential development generally on the north side of the property. A map of the petitioner's proposed zoning for this property has been attached as Exhibit #1.

Surrounding land use is primarily single family residential. Along its northeast end, the property abuts vacant land that has been preliminarily platted for residential use, as well as one property occupied by a school. Near the southwest corner of the property, on the other side of Columbus Street, is a commercial property currently occupied by Lowe's Home Improvement. All other abutting properties are single family residences. The Land Use Plan recommends this area for residential use.

The property is currently zoned R-1 (Rural Residential) within Greenfield Township. Surrounding zoning is R-1 (Rural Residential) and RS-3 (Residential Single Family) to the west, RS-3 to the north, CN (Commercial Neighborhood) and RS-2 to the east, and CG (Commercial General) and RS-1 to the south. A map showing the existing zoning districts surrounding this property has been attached as Exhibit #3. An explanation of the purposes of and allowable uses within all of the proposed zoning districts for this property has been attached in Exhibit #4.

The primary access into the site will occur with construction of a new public street off of N. Columbus Street. There will also be an access point into the site via an extension of Hawthorne Avenue. The layout shows no extension to Coldsprings Drive, however, the subdivision code requires a city approved turnaround be constructed. The new public street through the site will terminate at the north end of the property to allow a connection into the River Valley Highlands subdivision once Olde Ridge Avenue is extended to the east. This planned street stub lines up with the street stub that is depicted in River Valley Highlands Preliminary Plat Area 5, which has been attached as Exhibit #5.

A city approved Traffic Impact Study (TIS) is currently being created for the developer to analyze traffic at various locations in the surrounding area. The TIS will analyze what impacts this development is making on various intersections in the localized area.

Water, gas, and sanitary sewer services are available to the site from Columbus Street and other adjacent areas. Utilities will be extended through the site in accordance with the Pre-Annexation Agreement approved by the City.

The site currently drains into three different tributary areas that discharge to various tributaries of the Hocking River. The site does not contain any FEMA regulated floodplain areas. When developed, the site will need to include a storm sewer system and stormwater detention that complies with the City's requirements.

This site is outside the Wellhead Protection Area and outside the Historic Preservation District.

Soils on the site consist of Amanda Silt Loam, Amanda-Loudonville Complex, Bennington Silt Loam, and Centerburg Silt Loam. All of these soils have moderate limitations for buildings, parking lots, and roadways due to soft soils and a seasonal high water table. Some of these soils have further limitations due to high slopes.

**ISSUES FOR PLANNING COMMISSION CONSIDERATION:**

1. This rezoning is being done under LCO 1159.04(a) as a rezoning at the request of the petitioner.
2. The Land Use Plan recommends this area for residential use. With that said, there is adjacent property on the south side of Columbus Street that is currently zoned commercial, and all of the properties on the south side of Columbus Street to the west of this property are also zoned commercial. Therefore, a deviation from the Land Use Plan may be acceptable if the intention is to promote commercial development in this area of Columbus Street.
3. The Planning Commission may recommend that the application be approved as submitted, approved as amended, approved subject to modification, or denied. If denied, the petition is not to be considered by City Council unless the petitioner files a written request with the Clerk of City Council within 15 days from the date of the Planning Commission action for a hearing by the City Council.

**RECOMMENDATION:**

The staff has a no recommendation as it relates to the zoning districts being proposed.

**EXHIBITS:**

- Exhibit 1 – Proposed Change of Zoning Map
- Exhibit 2 – Location Map
- Exhibit 3 – Existing Zoning Map
- Exhibit 4 – Zoning District Purposes and Permitted Uses
- Exhibit 5 – River Valley Highlands Preliminary Platy Area 5





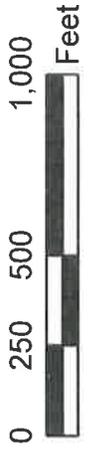
**Legend**

- Parcels
- Corporation Boundary
- Property Requesting Rezoning



**DISCLAIMER**  
 All data created has been developed to meet National Map Accuracy Standards. All GIS data layers are referenced in the Ohio State Plane Coordinate System.  
 Horizontal - North American Datum (NAD) 83 (95)  
 Vertical - Ohio State Plane Vertical Datum (NAVVD) 88  
 All data has been developed from public records that are constantly undergoing change and is not warranted for content, completeness or accuracy. The City of Lancaster does not warrant, guarantee or represent the data to be fit for a particular use or purpose. If detailed information is required for data layers shown, please contact the City of Lancaster, Department of Information Technology. Please notify the City of Lancaster, Department of Information Technology with any discrepancies.

**Exhibit #2  
 Location Map**





Woodland Heights Subdivision  
is zoned R-1 Rural Residential  
District within Greenfield Township



- Legend**
- Parcels
  - Corporation Boundary
  - Property Requesting Rezoning
  - Zoning
  - <all other values>
- | Zoning Code | Color        |
|-------------|--------------|
| AG          | Light Green  |
| CH          | Light Blue   |
| CG          | Orange       |
| CG/PUD      | Light Orange |
| CN          | Light Green  |
| IB          | Light Green  |
| IL          | Light Green  |
| IM          | Light Green  |
| OM          | Light Green  |
| RE          | Light Green  |
| RE/PUD      | Light Green  |
| RM-0        | Light Green  |
| RM-0/PUD    | Light Green  |
| RM-1        | Light Green  |
| RM-2        | Light Green  |
| RM-2/PUD    | Light Green  |
| RM-3        | Light Green  |
| RM-3/PUD    | Light Green  |
| RS-1        | Purple       |
| RS-2        | Purple       |
| RS-3        | Purple       |
| RS-4        | Purple       |
| IH          | Yellow       |

**DISCLAIMER**

All data created has been developed to meet National Map Accuracy Standards. All GIS data layers are referenced to the Ohio State Plane Coordinate System. Horizontal datum: North American Datum (NAD) 83 (85). Vertical datum: North American Datum (NAD) 88. Units - Spheroids Feet.

All data has been developed from public records that are constantly undergoing change and is not warranted for content, completeness or accuracy. The City of Lancaster does not warrant, guarantee or represent the data to be fit for a particular use or purpose. If detailed information is required for data layers shown, please contact the City of Lancaster, Department of Information Technology. Please notify the City of Lancaster, Department of Information Technology with any discrepancies.



## Exhibit #3 Zoning Map



## Exhibit #4

### CG – Commercial General

This zoning is designed to provide a broad range of business activity oriented toward community and/or regional markets. Such business uses, by their nature, rely on higher volumes of customer traffic and generally have higher impact levels on adjacent uses. It is intended to encourage the most compatible relationship between permitted uses and overall traffic movement, while minimizing negative impacts on adjacent land uses.

Uses allowed in a CG district include:

1. Public or private open land uses (parks, playgrounds, reservoirs, etc.)
2. Churches and similar places of public assembly
3. Public/private schools
4. Colleges/Universities
5. Community Service Facilities (museums, libraries, etc.)
6. Public protection facilities (police, fire, etc.)
7. Off-street parking areas/garages
8. Administrative, business, or professional offices (insurance agents, real estate agents, medical professionals, lawyers, accountants, etc.)
9. Retail stores which engage in merchandise or services for personal or household consumption (grocery, hardware, apparel, drug stores, etc.)
10. Personal services involving the care of the person and his/her personal effects (restaurants, banks, barber/beauty shops, funeral homes, etc.)
11. Businesses engaged in providing services to other businesses on a fee or contract basis
12. Recreational facilities (bowling alleys, skating rinks, swimming pools, etc.)
13. Lumber and home improvement sales
14. Automobile sales and service establishments, including gasoline service stations
15. Theaters and similar public assembly facilities
16. Hotels/Motels
17. Garden centers

CG zoning would require 50 feet of frontage, a 25 foot setback from the right-of-way, and a minimum 10 foot setback from all abutting R districts. Uses in the CG district would be subject to screening, parking, signage, and other zoning requirements.

## CN – Commercial Neighborhood

This zoning is designed to provide for the orderly development of neighborhood oriented businesses serving the regular day-to-day convenience and personal service needs of nearby residents. Because such commercial establishments are more closely associated with residential land uses, more restrictive requirements related to size and scale, traffic control, and landscaping are needed than in other commercial districts.

Uses allowed in a CN district include:

1. Single-family dwellings and permanently sited manufactured homes
2. Group residential facilities
3. Public or private open land uses (parks, playgrounds, reservoirs, etc.)
4. Multi-family dwellings (townhouses, apartments, assisted living facilities, etc.)
5. Family child care homes
6. Churches and similar places of public assembly
7. Public/private schools
8. Colleges/Universities
9. Community Service Facilities (museums, libraries, etc.)
10. Public protection facilities (police, fire, etc.)
11. Off-street parking areas/garages
12. Administrative, business, or professional offices (insurance agents, real estate agents, medical professionals, lawyers, accountants, etc.)
13. Retail stores which engage in merchandise or services for personal or household consumption (grocery, hardware, apparel, drug stores, etc.)
14. Personal services involving the care of the person and his/her personal effects (restaurants, banks, barber/beauty shops, funeral homes, etc.)

CN zoning would require 50 feet of frontage, a 25 foot setback from the right-of-way, and a minimum 10 foot setback from all abutting R districts. Uses in the CN district would be subject to screening, parking, signage, and other zoning requirements.

### RM-2 – Residential Multi-Family

This zoning is designed to permit the development and continuance of multiple family dwellings in suitable environments in a variety of densities to meet the varying requirements of families.

Uses allowed in an RM-2 district include:

1. Single-family dwellings
2. Two-family dwellings (i.e. duplex)
3. Public or private open land uses (parks, playgrounds, reservoirs, etc.)
4. Permanently sited manufactured homes
5. Group residential facilities
6. Townhouses
7. Apartments
8. Assisted living facilities
9. Convents or Monasteries
10. Rooming or Boarding Homes
11. Elderly/Retirement Homes
12. Life Care Retirement Centers

RM-2 zoning would require at least 50 feet of frontage, a 10 foot setback from the right-of-way, and a minimum 25 foot setback from all abutting RE or RS districts. Uses in the RM-2 district would be subject to building height restrictions and other zoning requirements.

### RS-3 – Residential Single-Family

This zoning is designed to permit the development and conservation of single-family detached dwellings in suitable environments in a variety of densities to meet the varying requirements of families.

Uses allowed in an RS-3 district include:

1. Single-family dwellings
2. Public or private open land uses (parks, playgrounds, reservoirs, etc.)
3. Permanently sited manufactured homes
4. Group residential facilities

RS-3 zoning would require at least 60 feet of frontage and a 25 foot setback from the right-of-way. Uses in the RS-3 district would be subject to building height restrictions and other zoning requirements.



VICINITY MAP  
NOT TO SCALE



**SITE DATA:**

TOTAL SITE 40.337 AC  
 TOTAL OPEN SPACE 2.82 AC  
 NET AREA 37.517 AC  
 PROPOSED ZONING: A  
 SETBACKS:  
 FRONT YARD 30'  
 REAR 10'  
 SIDE 10'  
 MIN. LOT WIDTH 50' (AT B/A)  
 MIN. LOT AREA 1500 S.F.

- NOTES:**
- THE OWNER OR OWNERS OF THE SUBDIVISION AGREE THAT ANY LOT TRANSFERRED AS PART OF THE FINAL PLAT WILL HAVE A MINIMUM WIDTH AND AREA THE SAME AS THOSE SHOWN THEREON.
  - ALL CONSTRUCTION WORK AND MATERIALS USED IN CONNECTION WITH PUBLIC UTILITIES SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF LANCASTER AND THE COUNTY ENGINEER. THESE DATES SHALL BE RECORDED PRIOR TO THE SALE OF ANY LOT. IF THIS COMPACT IS VIOLATED, THE CITY ENGINEER SHALL BE NOTIFIED AND INSPECTION MAY BE REQUIRED.
  - THE OWNER OR OWNERS OF THE SUBDIVISION ARE AWARE THAT:
    - ALL DIMENSIONS OF THE SUBDIVISION ARE AS SHOWN ON THIS PRELIMINARY PLAT AND SHALL BE CONSIDERED AS SUCH UNLESS OTHERWISE SPECIFIED.
    - ALL DIMENSIONS ON CURVES ARE CHORD LENGTHS.
    - PROPOSED PAVEMENT WIDTHS ARE 31' BACK OF CURB (TYPICAL) WITH STANDARD CURB AND RETURN RADIUS AT 25.5'.
    - GREENCREST WAY FROM THE WEST PROPERTY LINE TO ROLLING HILLS STREET INTERSECTION PAVEMENT WIDTHS ARE 37' BACK OF CURB.
    - NO PARKING NORTH SIDE OF GREENCREST WAY.

ALL DIMENSIONS AND SPACES SHOWN ON THIS PRELIMINARY PLAT ARE SCHEMATIC AND MAY BE ALTERED IN THE PROCESS OF FINAL RECORDATION.

NO DIMENSIONS ARE +/-

DIMENSIONS ON CURVES ARE CHORD LENGTHS

PROPOSED PAVEMENT WIDTHS ARE 31' BACK OF CURB (TYPICAL) WITH STANDARD CURB AND RETURN RADIUS AT 25.5'

GREENCREST WAY FROM THE WEST PROPERTY LINE TO ROLLING HILLS STREET INTERSECTION PAVEMENT WIDTHS ARE 37' BACK OF CURB

NO PARKING NORTH SIDE OF GREENCREST WAY

WALKER & BERKEC A. ANDERSON  
 ENGINEERS  
 1000 W. 12TH ST.  
 LANCASTER, OHIO 43084



DEVELOPER / OWNER  
**PULTE HOMES OF OHIO, LLC**  
 4900 TUTTLE CROSSING BLDG  
 DUBLIN, OHIO 43016-5555  
 (614) 356-5000

REVISED FIFTH PRELIMINARY PLAT  
 RIVER VALLEY HIGHLANDS



APRIL 2016

Filed: October 3rd, 2019  
Planning Commission Review Date: Nov. 14, 2019  
Rezoning Fee Paid (\$150+\$10/parcel): ✓  
Sign Posting Fee (\$50): ✓

## APPLICATION FOR DISTRICT CHANGE

Lancaster, Ohio

NOTE: Applications for any change of district boundaries or classifications of property as shown on the Zoning Map, and for regulation amendments, shall be submitted to the Planning Commission, at the City Engineer's Office upon such forms, and all shall be accompanied by such data and information, as may be prescribed for that purpose by the Planning Commission, so as to assure the fullest practicable presentation of facts for the permanent record. Such data shall include a plan or map drawn to the required specifications. Each such application shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the application. Applications for amendments or district changes initiated by the Planning Commission itself shall be accompanied by its own motion pertaining to such proposed amendment.

NOTE: List of Property Owners: Any person or persons desiring a change in the zoning shall file with the application for such change a statement giving the names and addresses of the owners of all properties contiguous to, directly across the street and/or alley from any part of the exterior boundaries of the parcel which is proposed to be changed, and all landowners of property within the proposed parcel to be rezoned. This list is to be obtained from records in the County Auditor's Office or the County Treasurer's Office.

1. **Name of Petitioner:** The Mithoff Companies, Ltd.
2. **Address & Phone Number:** 4805 Scooby Lane NW, Carroll, Ohio 43112
3. **Petitioner's Attorney or Agent's Name, Address and Phone Number:** Thomas W. Winkhart, Esq., 825 South Main Street, North Canton, Ohio 44720, 330-433-6700
4. **General Area and Location of Request:** Fairfield County Auditor's Parcel Numbers 014-00966.00, 014-01129.00, 014-00970.00, 014-00973.00, 014-00969.00, 014-00972.00, and 014-00968.00, containing 76.877 acres, more or less.
5. **Present Zoning Districts:** R-1 Rural Residential (Greenfield Township)

6. **Requested Zoning District:** See attached Zoning Plan (Exhibit A)
7. **Reason for this Application:** Petitioner requests the within zoning classification change as part of its annexation of the property into the City of Lancaster for its development of the property for residential and senior living purposes pursuant to its comprehensive development plan.
8. **Legal Description of the Property:**

Situated in the State of Ohio, County of Fairfield, Township of Greenfield, Township 15, Range 19, Sections 26 & 35.

Being all of the 30.03 acre tract, the 6.87 acre tract, the 6.963 acre tract, the 1.311 acre tract, the 9.25 acre tract, the 8.38 acre tract, and 13.902 acres of the 14.83 acre tract as described in Official Record 1766, Page 2224, and being more fully described as follows:

Beginning at a stone found at the northeast corner of the Woodland Heights Subdivision as recorded in Plat Book 6, Page 18;

Thence North 88°42'18" West a distance of 863.88 feet to a one inch iron pipe found at the southwest corner of the aforementioned 6.963 acre tract, the southeast corner of Lot 39 in River Valley Highlands Section 1 as recorded in Plat Cabinet 1, Slot 158, and being the northwest corner of the Woodland Heights Subdivision;

Thence North 00°54'56" East a distance of 903.71 feet to a 5/8 inch rebar previously set at the northwest corner of the aforementioned 9.25 acre tract and being a corner of Lot 664 in River Valley Highlands Section 9, Phase 2 as recorded in Plat Cabinet 2, Slot 110;

Thence South 88°43'32" East a distance of 758.34 feet to a 1/2 inch iron pipe found at the northeast corner of the 9.25 acre tract and being a corner of Lot 672 in River Valley Highlands Section 9, Phase 2;

Thence South 88°36'07" East a distance of 106.99 feet to a 5/8 inch rebar previously set at the northeast corner of the aforementioned 1.311 acre tract and being a corner of Lot 1115 in River Valley Highlands Section 13, Phase 1 as recorded in Plat Cabinet 3, Slot 14;

Thence S 83°26'09" E a distance of 399.84 feet to a 3/4 inch iron pipe found at the northeast corner of the aforementioned 6.87 acre tract;

Thence South 89°15'48" East a distance of 525.00 feet to a 5/8 inch rebar previously set at the northeast corner of the aforementioned 8.38 acre tract;

Thence South 00°31'03" West, passing a 3/4 inch iron pipe found at 232.77 feet, a total distance of 681.43 feet to a 5/8 inch rebar previously set on the north line of the aforementioned 30.03 acre tract and being a corner of the 15.66 acre tract described in Deed Volume 353, Page 180;

Thence South 88°57'32" East a distance of 371.84 feet to a 3/4 inch iron pipe found at the northeast corner of the 30.03 acre tract and at a corner of the aforementioned 15.66 acre tract;

Thence with the east line of the 30.03 acre tract South 00°28'00" West a distance of 1595.76 feet to a 5/8 inch rebar previously set at the southwest corner of Lot 18 in The Brookdale Addition as recorded in Plat Book 7, Page 70, and on the north line of Columbus Street;

Thence the following five (5) courses with the north line of Columbus Street:

(1) North 79°56'59" West a distance of 226.54 feet to a 5/8 inch rebar previously set;

(2) With a curve to the right having a radius of 5699.60 feet, a central angle of 01°54'26", an arc length of 189.73 feet and a chord bearing North 78°59'45" West a distance of 189.72 feet to a 5/8 inch rebar previously set;

- (3) North 78°02'33" West a distance of 432.79 feet to a point;
- (4) North 78°15'43" West a distance of 474.69 feet to a point;
- (5) North 63°00'43" West a distance of 9.97 feet to a point on the west line of the aforementioned 14.83 acre tract;

Thence North 00°46'05" East, passing a 5/8 inch rebar previously set at 22.43 feet, a total distance of 1166.28 feet to the point of beginning, containing **76.877 acres** (62.975 acres in Section 26 and 13.902 acres in Section 35) and being subject to all legal easements, restrictions and rights of way of record.

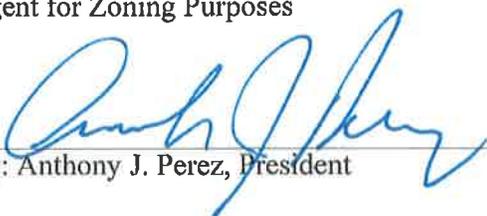
Bearings are based on the survey filed in Survey Book 89, Page 19257. Rebars set are 5/8 inch by 30 inches and have a yellow plastic identification cap stamped "Tobin-McFarland." For additional information see plat of survey made in conjunction with and considered an integral part of this description.

This description is based on a survey made in December of 2016 by Tobin-McFarland Surveying, Inc., and was prepared by Thomas M. Tobin, Registered Professional Surveyor No. 7674.

- 9. **Has there been a previous application for district change of the above parcels?** No
- 10. **If so, give date:** N/A
- 11. **Does the notice go to petitioner or agent?** Agent
- 12. **The above statements and the statements contained in all exhibits transmitted herewith are true.**

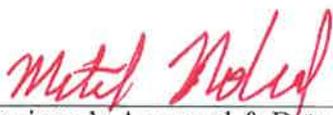
**THE MITHOFF COMPANIES, LTD.**

By: Lemmon Development, LLC, its  
Agent for Zoning Purposes

  
By: Anthony J. Perez, President

Sworn to before me a Notary Public in and for said Stark County and State of Ohio, on the 2nd day of October, 2019.

  
Notary Public

 10-3-19  
Engineer's Approval & Date  
Mitch Noland  
City Engineer



THOMAS W. WINKHART  
Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Under Section 147.03 ORC

**LIMITED POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS that **THE MITHOFF COMPANIES, LTD.**, an Ohio limited liability company, by and through its Authorized Member, Brad Hutchinson, hereby makes, constitutes, and appoints **LEMMON DEVELOPMENT, LLC**, an Ohio limited liability company, by and through its Authorized Member, Anthony J. Perez, its true and lawful attorney-in-fact, for it, in its name, place, and stead for any and all purposes associated with the annexation and rezoning of the real property described in "Exhibit A" attached hereto and made a part hereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 7<sup>th</sup> day of October, 2019.

**THE MITHOFF COMPANIES, LTD.**, an Ohio limited liability company

By: [Signature]  
Brad Hutchinson, Member

STATE OF OHIO  
Fairfield COUNTY, SS:

Before me, a Notary Public in and for said County and State, personally appeared the above-named **THE MITHOFF COMPANIES, LTD.**, an Ohio limited liability company, by Brad Hutchinson, its Member, who acknowledged that he did sign the foregoing instrument on behalf of said limited liability company, and that the same is his free act and deed both personally and as said Member.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at North Canton, Ohio, this 7<sup>th</sup> day of October, 2019.

[Signature]  
Notary Public



Lindy K. Wesney  
NOTARY PUBLIC  
STATE OF OHIO  
My Commission Expires  
June 12, 2024

This instrument prepared by:  
Winkhart & Minor, Attorneys at Law  
825 South Main Street  
North Canton, Ohio 44720

Phone: (330) 433-6700

**"EXHIBIT A"**

Legal Description

Situated in the State of Ohio, County of Fairfield, Township of Greenfield, Township 15, Range 19, Sections 26 & 35.

Being all of the 30.03 acre tract, the 6.87 acre tract, the 6.963 acre tract, the 1.311 acre tract, the 9.25 acre tract, the 8.38 acre tract, and 13.902 acres of the 14.83 acre tract as described in Official Record 1766, Page 2224, and being more fully described as follows:

Beginning at a stone found at the northeast corner of the Woodland Heights Subdivision as recorded in Plat Book 6, Page 18;

Thence North 88°42'18" West a distance of 863.88 feet to a one inch iron pipe found at the southwest corner of the aforementioned 6.963 acre tract, the southeast corner of Lot 39 in River Valley Highlands Section 1 as recorded in Plat Cabinet 1, Slot 158, and being the northwest corner of the Woodland Heights Subdivision;

Thence North 00°54'56" East a distance of 903.71 feet to a 5/8 inch rebar previously set at the northwest corner of the aforementioned 9.25 acre tract and being a corner of Lot 664 in River Valley Highlands Section 9, Phase 2 as recorded in Plat Cabinet 2, Slot 110;

Thence South 88°43'32" East a distance of 758.34 feet to a ½ inch iron pipe found at the northeast corner of the 9.25 acre tract and being a corner of Lot 672 in River Valley Highlands Section 9, Phase 2;

Thence South 88°36'07" East a distance of 106.99 feet to a 5/8 inch rebar previously set at the northeast corner of the aforementioned 1.311 acre tract and being a corner of Lot 1115 in River Valley Highlands Section 13, Phase 1 as recorded in Plat Cabinet 3, Slot 14;

Thence South 83°26'09" East a distance of 399.84 feet to a ¾ inch iron pipe found at the northeast corner of the aforementioned 6.87 acre tract;

Thence South 89°15'48" East a distance of 525.00 feet to a 5/8 inch rebar previously set at the northeast corner of the aforementioned 8.38 acre tract;

Thence South 00°31'03" West, passing a ¼ inch iron pipe found at 232.77 feet, a total distance of 681.43 feet to a 5/8 inch rebar previously set on the north line of the aforementioned 30.03 acre tract and being a corner of the 15.66 acre tract described in Deed Volume 353, Page 180;

Thence South 88°57'32" East a distance of 371.84 feet to a ¼ inch iron pipe found at the northeast corner of the 30.03 acre tract and at a corner of the aforementioned 15.66 acre tract;

Thence with the east line of the 30.03 acre tract South 00°28'00" West a distance of 1595.76 feet to a 5/8 inch rebar previously set at the southwest corner of Lot 18 in The Brookdale Addition as recorded in Plat Book 7, Page 70, and on the north line of Columbus Street;

Thence the following five (5) courses with the north line of Columbus Street:

- (1) North 79°56'59" West a distance of 226.54 feet to a 5/8 inch rebar previously set;
- (2) With a curve to the right having a radius of 5699.60 feet, a central angle of 01°54'26", an arc length of 189.73 feet and a chord bearing North 78°59'46" West a distance of 189.72 feet to a 5/8 inch rebar previously set;
- (3) North 78°02'33" West a distance of 432.79 feet to a point;
- (4) North 78°15'43" West a distance of 474.69 feet to a point;
- (5) North 63°00'43" West a distance of 9.97 feet to a point on the west line of the aforementioned 14.83 acre tract;

Thence North 00°46'05" East, passing a 5/8 inch rebar previously set at 22.49 feet, a total distance of 1166.28 feet to the point of beginning, containing 76.877 acres (62.975 acres in Section 26 and 13.902 acres in Section 35) and being subject to all legal easements, restrictions and rights-of-way of record.

Bearings are based on the survey filed in Survey Book 89, Page 19257. Rebars set are 5/8 inch by 30 inches and have a yellow plastic identification cap stamped "Tobin-McFarland." For additional information see plat of survey made in conjunction with and considered an integral part of this description.

This description is based on a survey made in December of 2016 by Tobin-McFarland Surveying, Inc., and was prepared by Thomas M. Tobin, Registered Professional Surveyor No. 7674.

# PLAT OF TERRITORY FOR ANNEXATION TO THE CITY OF LANCASTER

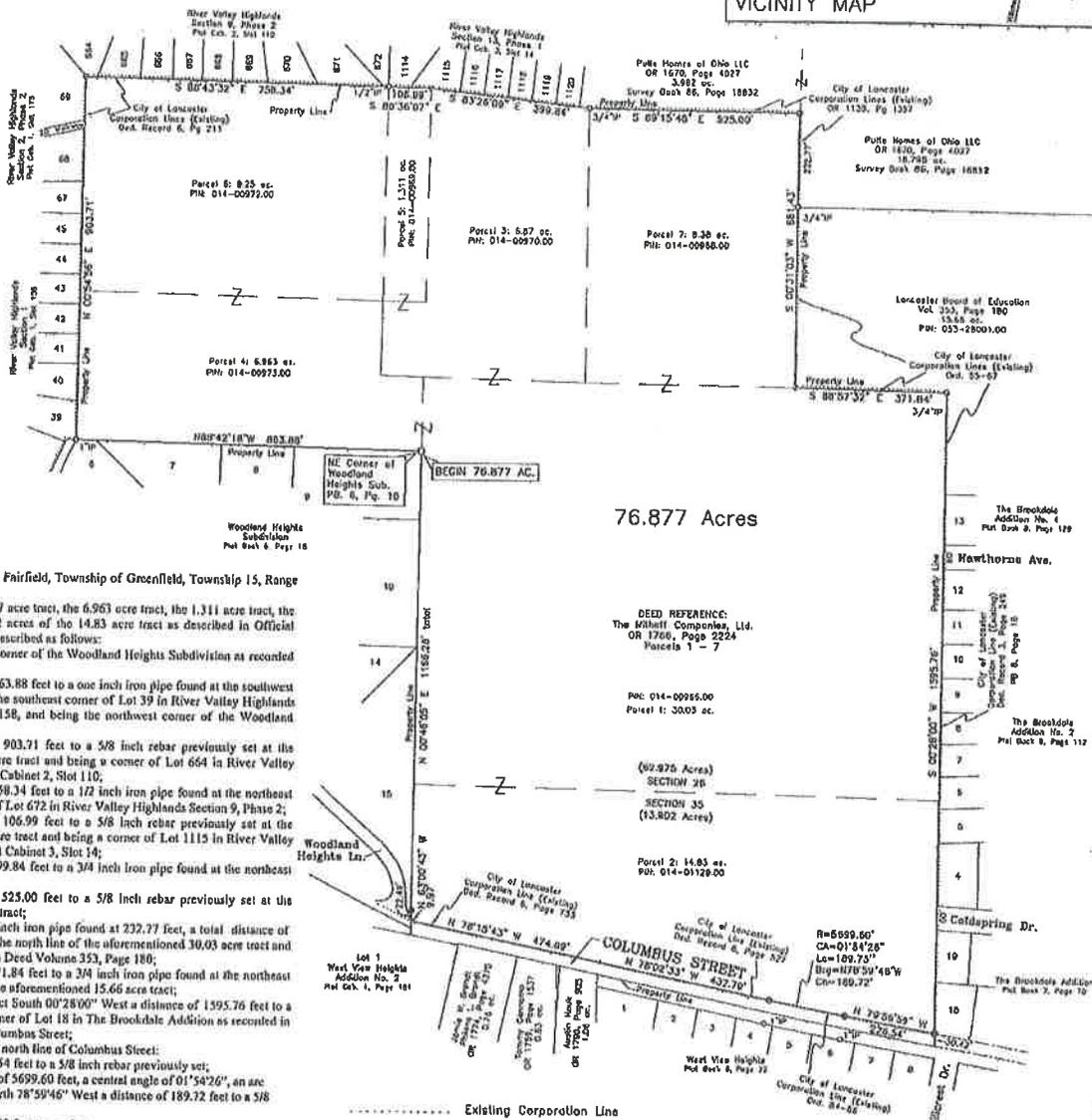
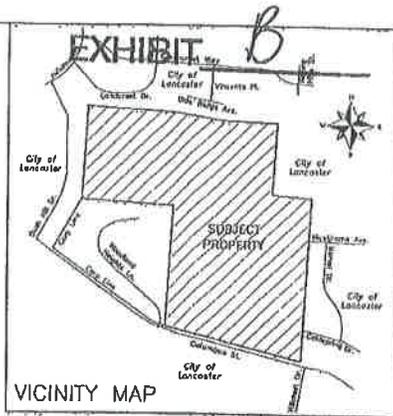
STATE OF OHIO, FAIRFIELD COUNTY, GREENFIELD TOWNSHIP  
TOWNSHIP 15, RANGE 19, SECTIONS 26 & 35



### LEGEND

- 5/8" X 30" rebar set with a "Tobin-McFarland" ID cap
- 6/8" X 30" rebar previously set with a "Tobin-McFarland" ID cap
- 5/8" X 30" rebar previously set with a "Tobin-McFarland" ID cap
- Iron pipe (or other) found, as labeled
- Stone found

The territory to be annexed has a total perimeter boundary of 8706.78 feet, a minimum of which 5076.62 feet (76.7%) is contiguous to the City of Lancaster's existing corporation line.



76.877 Acres

DEED REFERENCE:  
The Milliet Companies, Ltd.  
OR 1766, Page 2224  
Vocals 1 - 7

Parcel 1: 3.003 ac.  
Parcel 2: 14.83 ac.  
Parcel 3: 5.27 ac.  
Parcel 4: 6.863 ac.  
Parcel 5: 8.25 ac.  
Parcel 6: 1.311 ac.  
Parcel 7: 8.38 ac.

Situated in the State of Ohio, County of Fairfield, Township of Greenfield, Township 15, Range 19, Sections 26 & 35.

Being all of the 30.03 acre tract, the 6.87 acre tract, the 6.963 acre tract, the 1.311 acre tract, the 9.25 acre tract, the 8.38 acre tract, and 13.902 acres of the 14.83 acre tract as described in Official Record 1766, Page 2224, and being more fully described as follows:

Beginning at a stone found at the northeast corner of the Woodland Heights Subdivision as recorded in Plat Book 6, Page 18;

thence North 88°42'18" West a distance of 863.88 feet to a one inch iron pipe found at the southwest corner of the aforementioned 6.963 acre tract, the southeast corner of Lot 39 in River Valley Highlands Section 1 as recorded in Plat Cabinet 1, Slot 158, and being the northwest corner of the Woodland Heights Subdivision;

thence North 00°59'54" East a distance of 903.71 feet to a 5/8 inch rebar previously set at the northwest corner of the aforementioned 9.25 acre tract and being a corner of Lot 664 in River Valley Highlands Section 9, Phase 2 as recorded in Plat Cabinet 2, Slot 110;

thence South 88°43'32" East a distance of 759.34 feet to a 1/2 inch iron pipe found at the northeast corner of the 9.25 acre tract and being a corner of Lot 672 in River Valley Highlands Section 9, Phase 2;

thence South 88°36'07" East a distance of 106.99 feet to a 5/8 inch rebar previously set at the northeast corner of the aforementioned 1.311 acre tract and being a corner of Lot 1115 in River Valley Highlands Section 13, Phase 1 as recorded in Plat Cabinet 3, Slot 14;

thence South 83°26'09" East a distance of 399.84 feet to a 3/4 inch iron pipe found at the northeast corner of the aforementioned 6.87 acre tract;

thence South 89°15'48" East a distance of 525.00 feet to a 5/8 inch rebar previously set at the northeast corner of the aforementioned 8.38 acre tract;

thence South 00°31'03" West, passing a 3/4 inch iron pipe found at 232.77 feet, a total distance of 681.43 feet to a 5/8 inch rebar previously set on the north line of the aforementioned 30.03 acre tract and being a corner of the 15.66 acre tract described in Deed Volume 353, Page 180;

thence South 88°57'32" East a distance of 371.84 feet to a 3/4 inch iron pipe found at the northeast corner of the 30.03 acre tract and at a corner of the aforementioned 15.66 acre tract;

thence with the east line of the 30.03 acre tract South 00°28'00" West a distance of 1595.76 feet to a 5/8 inch rebar previously set at the southwest corner of Lot 18 in The Brookdale Addition as recorded in Plat Book 7, Page 70, and on the north line of Columbus Street;

thence the following five (5) courses with the north line of Columbus Street:

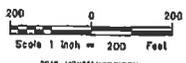
- (1) North 79°56'59" West a distance of 226.54 feet to a 5/8 inch rebar previously set;
- (2) with a curve to the right having a radius of 5699.60 feet, a central angle of 01°54'26", an arc length of 189.73 feet and a chord bearing North 78°59'46" West a distance of 189.72 feet to a 5/8 inch rebar previously set;
- (3) North 78°02'33" West a distance of 432.79 feet to a point;
- (4) North 78°15'43" West a distance of 474.69 feet to a point;
- (5) North 67°00'43" West a distance of 9.97 feet to a point on the west line of the aforementioned 14.83 acre tract;

thence North 00°46'03" East, passing a 5/8 inch rebar previously set at 22.49 feet, a total distance of 1166.28 feet to the point of beginning, containing 76.877 acres (62.975 acres in Section 26 and 13.902 acres in Section 35) and being subject to all legal easements, restrictions and rights-of-way of record.

Bearings are based on the survey filed in Survey Book 89, Page 19257. Rebars set are 5/8 inch by 30 inches and have a yellow plastic identification cap stamped "Tobin-McFarland". For additional information see plat of survey made in conjunction with and considered an integral part of this description.

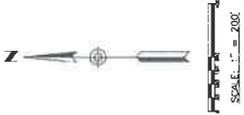
This description is based on a survey made in December of 2016 by Tobin-McFarland Surveying, Inc., and was prepared by Thomas M. Tobin, Registered Professional Surveyor No. 7674.

Resources used that are pertinent to this survey are shown on this plat.  
Bearings are based on the survey filed in Survey Book 00, Page 10287.  
FBMA Community Parcel No. 30046020282 & 00046020102, Zone "X".



Surveyed For: John Walsh, CBC Design  
Date: March 27, 2019  
Updated: September 25, 2019

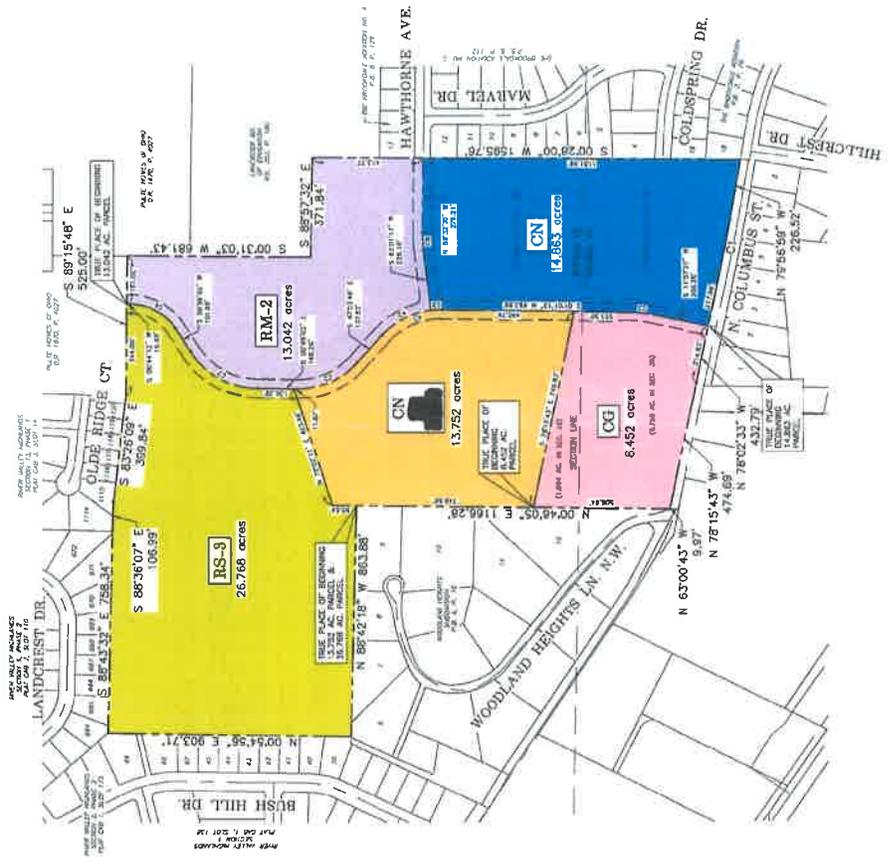
BY: Thomas M. Tobin, Date Registered Surveyor No. 7674  
TOBIN-McFARLAND SURVEYING INC.  
111 West Wheeling Street  
Lancaster, Ohio 43130  
Ph: 740-687-1710 Fax: 740-687-0377



STRUTED IN THE STATE OF OHIO,  
 FAIRFIELD COUNTY, GREENFIELD  
 TOWNSHIP, SECTION 15, RANGE  
 19, SECTION 26 & 35

CURVE	LENGTH	BEARING	DELTA	TANGENT	CHORD	ARC LENGTH	CHORD BEARING
C1	188.47	S 88°57'32" E	188.47	188.47	188.47	188.47	S 88°57'32" E
C2	45.47	S 88°57'32" E	45.47	45.47	45.47	45.47	S 88°57'32" E
C3	228.47	S 88°57'32" E	228.47	228.47	228.47	228.47	S 88°57'32" E
C4	41.48	S 88°57'32" E	41.48	41.48	41.48	41.48	S 88°57'32" E
C5	188.47	S 88°57'32" E	188.47	188.47	188.47	188.47	S 88°57'32" E
C6	45.47	S 88°57'32" E	45.47	45.47	45.47	45.47	S 88°57'32" E
C7	228.47	S 88°57'32" E	228.47	228.47	228.47	228.47	S 88°57'32" E
C8	41.48	S 88°57'32" E	41.48	41.48	41.48	41.48	S 88°57'32" E
C9	188.47	S 88°57'32" E	188.47	188.47	188.47	188.47	S 88°57'32" E
C10	45.47	S 88°57'32" E	45.47	45.47	45.47	45.47	S 88°57'32" E
C11	228.47	S 88°57'32" E	228.47	228.47	228.47	228.47	S 88°57'32" E
C12	41.48	S 88°57'32" E	41.48	41.48	41.48	41.48	S 88°57'32" E

OWNER INFORMATION  
 LEMNON DEVELOPMENT  
 1201 SOUTH MAIN ST., SUITE 200  
 NORTH CANTON, OHIO 44720  
 PHONE: 330.856.7818  
 FAX: 330.856.7818  
 PARCEL 1: 2009030100  
 PARCEL 2: 2009030101  
 PARCEL 3: 2009030102  
 PARCEL 4: 2009030103  
 PARCEL 5: 2009030104  
 PARCEL 6: 2009030105



LOCATION MAP  
 SCALE: 1" = 500'

October 8, 2019

LEGAL DESCRIPTION  
REZONING PARCEL CG  
8.452 Acres

Situated in the State of Ohio, County of Fairfield, Township of Greenfield, Township 15, Range 19, and known as being part of Section 26 and part of Section 35 of said Township of Greenfield, and also known as being a part of a 76.877 Acre tract of lands now or formerly owned by The Mithoff Companies, Ltd. as recorded in Official Record 1766, Page 2224 of the Fairfield County Records, and being more fully described as follows;

Beginning at the northeasterly corner of The Woodland Heights Subdivision as recorded in Plat Book 6, Page 18 of the Fairfield County Records;

Thence S 00°46'05" W, along the easterly line of said Woodland Heights Subdivision, a distance of 659.64 feet to a point, said point being The True Place of Beginning for the parcel of land herein described in the following eight (8) courses:

1. Thence S 78°15'43" E, along a new line of zoning, a distance of 749.83 feet to a point;
2. Thence S 01°01'13" W, along a new line of zoning, a distance of 203.20 feet to a point of curvature;
3. Thence, along a new line of zoning, along the arc of a circle curving to the right, having a central angle of 10°56'14", a radius of 500.00 feet, a tangent of 47.87 feet, a chord of 95.30 feet, a chord bearing of S 06°29'20" W, and an arc length of 95.45 feet to a point of tangency;
4. Thence S 11°57'27" W, along a new line of zoning, a distance of 206.26 feet to a point;
5. Thence N 78°02'33" W, along the northerly right-of-way line of North Columbus Street, as recorded in Dedication Record 6, Page 527 of the Fairfield County Records, a distance of 214.83 feet to a point;
6. Thence N 78°15'43" W, continuing along the northerly right-of-way line said North Columbus Street, as recorded in Dedication Record 6, Page 733 of the Fairfield County Records, a distance of 474.69 feet to a point;
7. Thence N 63°00'43" W, along the said easterly line of said Woodland Heights Subdivision, a distance of 9.97 feet to a point;
8. Thence N 00°46'05" E, continuing along said easterly line of said Woodland Heights Subdivision, a distance of 506.64 feet to The True Place of Beginning and containing 8.452 Acres of land more or less, (1.694 Ac. in Section 26; 6.758 Ac. in Section 35) as determined in October, 2019 by Louis J. Giffels, Registered Surveyor No. 7790, with GBC Design, Inc., but subject to all legal highways and any restrictions, reservations or easements of record.

Legal Description  
Rezoning Parcel CG  
8.452 Acres  
Page 2 of 2

\*Basis of Bearing for this legal description are based on a survey made in December of 2016 by Tobin-McFarland Surveying that was prepared by Thomas M. Tobin, Registered Professional Surveyor No. 7674 and filed in Survey Book 89, Page 19257.

  
\_\_\_\_\_  
Louis J. Giffels, P.S., Reg. No. 7790



October 8, 2019

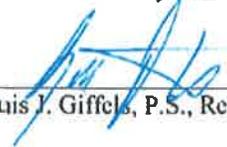
LEGAL DESCRIPTION  
REZONING PARCEL CN [REDACTED]  
13.752 Acres

Situated in the State of Ohio, County of Fairfield, Township of Greenfield, Township 15, Range 19, and known as being part of Section 26 of said Township of Greenfield, and also known as being a part of a 76.877 Acre tract of lands now or formerly owned by The Mithoff Companies, Ltd. as recorded in Official Record 1766, Page 2224 of the Fairfield County Records, and being more fully described as follows;

Beginning at the northeasterly corner of The Woodland Heights Subdivision as recorded in Plat Book 6, Page 18 of the Fairfield County Records, said point being The True Place of Beginning for the parcel of land herein described in the following nine (9) courses:

1. Thence N 00°46'05" E, along a new line of zoning, a distance of 90.04 feet to a point;
2. Thence N 72°02'11" E, along a new line of zoning, a distance of 463.48 feet to a point;
3. Thence S 00°46'05" W, along a new line of zoning, a distance of 11.87 feet to a point of curvature;
4. Thence, along a new line of zoning, along the arc of a circle curving to the left, having a central angle of 47°49'53", a radius of 300.00 feet, a tangent of 133.04 feet, a chord of 243.24 feet, a chord bearing of S 23°08'52" E, and an arc length of 250.44 feet to a point of tangency;
5. Thence S 47°03'48" E, along a new line of zoning, a distance of 137.83 feet to a point of curvature;
6. Thence, along a new line of zoning, along the arc of a circle curving to the right, having a central angle of 48°05'01", a radius of 300.00 feet, a tangent of 133.83 feet, a chord of 244.44 feet, a chord bearing of S 23°01'17" E, and an arc length of 251.77 feet to a point of tangency;
7. Thence S 01°01'13" W, along a new line of zoning, a distance of 490.79 feet to a point;
8. Thence N 78°15'43" W, along a new line of zoning, a distance of 749.83 feet to a point;
9. Thence N 00°06'05" E, along the easterly line of said Woodland Heights Subdivision, a distance of 659.64 feet to the True Place of Beginning and containing 13.752 Acres of land more or less, as determined in October, 2019 by Louis J. Giffels, Registered Surveyor No. 7790, with GBC Design, Inc., but subject to all legal highways and any restrictions, reservations or easements of record.

\*Basis of Bearing for this legal description are based on a survey made in December of 2016 by Tobin-McFarland Surveying that was prepared by Thomas M. Tobin, Registered Professional Surveyor No. 7674 and filed in Survey Book 89, Page 19257.

  
Louis J. Giffels, P.S., Reg. No. 7790



October 8, 2019

LEGAL DESCRIPTION  
REZONING PARCEL CN  
14.863 Acres

Situated in the State of Ohio, County of Fairfield, Township of Greenfield, Township 15, Range 19, and known as being part of Section 26 and part of Section 35 of said Township of Greenfield, and also known as being a part of a 76.877 Acre tract of lands now or formerly owned by The Mithoff Companies, Ltd. as recorded in Official Record 1766, Page 2224 of the Fairfield County Records, and being more fully described as follows;

Beginning at the northeasterly corner of The Woodland Heights Subdivision as recorded in Plat Book 6, Page 18 of the Fairfield County Records;

Thence S 00°46'05" W, along the easterly line of said Woodland Heights Subdivision, a distance of 1166.28 feet to a point;

Thence S 63°00'43" E, continuing along the said easterly line of said Woodland Heights Subdivision, a distance of 9.97 feet to a point;

Thence S 78°15'43" E, along the northerly right-of-way line of North Columbus Street, as recorded in Dedication Record 6, Page 733 of the Fairfield County Records, a distance of 474.69 feet to a point;

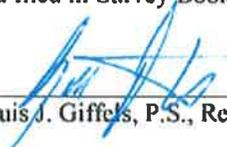
Thence S 78°02'33" E, continuing along the northerly right-of-way line of said North Columbus Street, as recorded in Dedication Record 6, Page 527 of the Fairfield County Records, a distance of 214.83 feet to a point, said point being The True Place of Beginning for the parcel of land herein described in the following eleven (11) courses:

1. Thence N 11°57'27" E, along a new line of zoning, a distance of 206.26 feet to a point of curvature;
2. Thence, along a new line of zoning, along an arc of a circle curving to the left, having a central angle of 10°56'14", a radius of 500.00 feet, a tangent of 47.87 feet, a chord of 95.30 feet, a chord bearing of N 06°29'20" E, and an arc length of 95.45 feet to a point of tangency;
3. Thence N 01°01'13" E, along a new line of zoning, a distance of 693.99 feet to a point of curvature;
4. Thence, along a new line of zoning, along the arc of a circle curving to the left, having a central angle of 07°59'56", a radius of 300.00 feet, a tangent of 20.98 feet, a chord of 41.85 feet, a chord bearing of N 02°58'45" W, and an arc length of 41.88 feet to a point of tangency;
5. Thence N 83°01'17" E, along a new line of zoning, a distance of 226.10 feet to a point of curvature;
6. Thence, along a new line of zoning, along the arc of a circle curving to the right, having a central angle of 07°26'43", a radius of 500.00 feet, a tangent of 32.53 feet, a chord of 64.93 feet, a chord bearing of N 86°44'38" E, and an arc length of 64.97 feet to a point of tangency;
7. Thence S 89°32'00" E, along a new line of zoning, a distance of 279.21 feet to a point;

Legal Description  
Rezoning Parcel CN  
14.863 Acres  
Page 2 of 2

8. Thence S 00°28'00" W, along the westerly line of The Brookdale Addition No. 2 as recorded in Plat Book 8, Page 112 of the Fairfield County Records, also along the westerly line of The Brookdale Addition as recorded in Plat Book 7, Page 70 of the Fairfield County Records, a distance of 1811.99 feet to a point;
9. Thence N 79°56'59" W, along the northerly right-of-way line of North Columbus Street, as recorded in Ordinance 84-66 of the Lancaster City Records, a distance of 226.52 feet to a point of curvature;
10. Thence continuing along the said northerly right-of-way line of said North Columbus Street, along the arc of a circle curving to the right, having a central angle of 01°54'26", a radius of 5699.60 feet, a tangent of 94.87 feet, a chord of 189.72 feet, a chord bearing of N 78°59'46" W, and an arc length of 189.72 feet to a point of tangency;
11. Thence N 78°02'33" W, continuing along the said northerly right-of-way line of North Columbus Street as recorded in Dedication Record 6, Page 527 of the Fairfield County Records, a distance of 217.96 feet to The True Place of Beginning and containing 14.863 Acres of land more or less, (7.719 Ac. in Section 26; 7.144 Ac. in Section 35) as determined in October, 2019 by Louis J. Giffels, Registered Surveyor No. 7790, with GBC Design, Inc., but subject to all legal highways and any restrictions, reservations or easements of record.

\*Basis of Bearing for this legal description are based on a survey made in December of 2016 by Tobin-McFarland Surveying that was prepared by Thomas M. Tobin, Registered Professional Surveyor No. 7674 and filed in Survey Book 89, Page 19257.

  
Louis J. Giffels, P.S., Reg. No. 7790



October 8, 2019

LEGAL DESCRIPTION  
REZONING PARCEL RM-2  
13.042 Acres

Situated in the State of Ohio, County of Fairfield, Township of Greenfield, Township 15, Range 19, and known as being part of Section 26 of said Township of Greenfield, and also known as being a part of a 76.877 Acre tract of lands now or formerly owned by The Mithoff Companies, Ltd. as recorded in Official Record 1766, Page 2224 of the Fairfield County Records, and being more fully described as follows;

Beginning at the northeasterly corner of The Woodland Heights Subdivision as recorded in Plat Book 6, Page 18 of the Fairfield County Records;

Thence N 88°42'18" W, along the northerly line of said Woodland Height Subdivision, a distance of 863.88 feet to a point;

Thence N 00°54'56" E, along an easterly line of River Valley Highlands Section 1 as recorded in Plat Cabinet 1, Slot 158 of the Fairfield County Records, also along an easterly line of River Valley Highlands Section 2, Phase 2 lands, as recorded in Plat Cabinet 1, Slot 175 of the Fairfield County Records, a distance of 903.71 feet to a point;

Thence S 88°43'32" E, along a southerly line of River Valley Highlands Section 9, Phase 2, as recorded in Plat Cabinet 2, Slot 110 of the Fairfield County Records, a distance of 758.34 feet to a point;

Thence S 88°36'07" E, along a southerly line of River Valley Highlands Section 13, Phase 1, as recorded in Plat Cabinet 3, Slot 14 of the Fairfield County Records, a distance of 106.99 feet to a point;

Thence S 83°26'09" E, continuing along the southerly line of said River Valley Highlands Section 13, Phase 1, also along the southerly line of lands now or formerly owned by Pulte Homes of Ohio, LLC., as recorded in O.R. 1670, Page 4027 of the Fairfield County Records, a distance of 399.84 feet to a point;

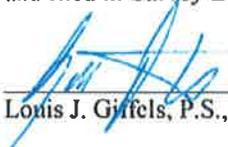
Thence S 89°15'48" E, continuing along said southerly line of said Pulte Homes of Ohio, LLC. lands, a distance of 344.00 feet to a point, said point being The True Place of Beginning for the parcel of land herein described in the following fifteen (15) courses:

1. Thence S 89°15'48" E, along said southerly line of said Pulte Homes of Ohio, LLC. lands, a distance of 181.00 feet to a point;
2. Thence S 00°31'03" W, along a westerly line of said Pulte Homes of Ohio, LLC. lands, also along a westerly line of lands now or formerly owned by The Lancaster Board of Education as recorded in Volume 353, Page 180 of the Fairfield County Records, a distance of 681.43 feet to a point;
3. Thence S 88°57'32" E, along a southerly line of said Lancaster Board of Education lands, a distance of 371.84 feet to a point;

Legal Description  
Rezoning Parcel RM-2  
13.042 Acres  
Page 2 of 2

4. Thence S 00°28'00" W, along a westerly line of said Lancaster Board of Education lands, also along the westerly line of The Brookdale Addition No. 4, as recorded in Plat Book 8, Page 129 of the Fairfield County Records;
5. Thence N 89°32'00" W, along a new line of zoning, a distance of 279.21 feet to a point of curvature;
6. Thence, along a new line of zoning, along the arc of a circle curving to the left, having a central angle of 07°26'43", a radius of 500.00 feet, a tangent of 32.53 feet, a chord of 64.93 feet, a chord bearing of S 86°44'38" W, and an arc length of 64.97 feet to a point of tangency;
7. Thence S 83°01'17" W, along a new line of zoning, a distance of 226.10 feet to a point of curvature;
8. Thence, along a new line of zoning, along the arc of a circle curving to the left, having a central angle of 40°05'05", a radius of 300.00 feet, a tangent of 109.44 feet, a chord of 205.63 feet, a chord bearing of N 27°01'16" W, and an arc length of 209.88 feet to a point of tangency;
9. Thence N 47°03'48" W, along a new line of zoning, a distance of 137.83 feet to a point of curvature;
10. Thence, along a new line of zoning, along the arc of a circle curving to the right, having a central angle of 47°49'53", a radius of 300.00 feet, a tangent of 133.04 feet, a chord of 243.24 feet, a chord bearing of N 23°08'52" W, and an arc length of 250.44 feet to a point of tangency;
11. Thence N 00°46'05" E, along a new line of zoning, a distance of 148.26 feet to a point of curvature;
12. Thence, along a new line of zoning, along the arc of a circle curving to the right, having a central angle of 56°13'00", a radius of 300.00 feet, a tangent of 160.24 feet, a chord of 282.68 feet, a chord bearing of N 28°52'35" E, and an arc length of 294.35 feet to a point of tangency;
13. Thence N 56°59'05" E, along a new line of zoning, a distance of 101.89 feet to a point of curvature;
14. Thence, along a new line of zoning, along the arc of a circle curving to the left, having a central angle of 56°14'53", a radius of 200.00 feet, a tangent of 106.90 feet, a chord of 188.55 feet, a chord bearing of N 28°51'38" E, and an arc length of 196.34 feet to a point of tangency;
15. Thence N 00°44'12" E, along a new line of zoning, a distance of 15.98 feet to The True Place of Beginning and containing 13.042 Acres of land more or less, as determined in October, 2019 by Louis J. Giffels, Registered Surveyor No. 7790, with GBC Design, Inc., but subject to all legal highways and any restrictions, reservations or easements of record.

\*Basis of Bearing for this legal description are based on a survey made in December of 2016 by Tobin-McFarland Surveying that was prepared by Thomas M. Tobin, Registered Professional Surveyor No. 7674 and filed in Survey Book 89, Page 19257.

  
Louis J. Giffels, P.S., Reg. No. 7790



October 8, 2019

LEGAL DESCRIPTION  
REZONING PARCEL RS-3  
26.768 Acres

Situated in the State of Ohio, County of Fairfield, Township of Greenfield, Township 15, Range 19, and known as being part of Section 26 of said Township of Greenfield, and also known as being a part of a 760877 Acre tract of lands now or formerly owned by The Mithoff Companies, Ltd. as recorded in Official Record 1766, Page 2224 of the Fairfield County Records, and being more fully described as follows;

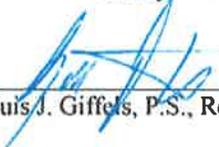
Beginning at the northeasterly corner of The Woodland Heights Subdivision as recorded in Plat Book 6, Page 18 of the Fairfield County Records, said point being The True Place of Beginning for the parcel of land herein described in the following thirteen (13) courses:

1. Thence N 88°42'18" W, along the northerly line of said Woodland Height Subdivision a distance of 863.88 feet to a point;
2. Thence N 00°54'56" E, along an easterly line of River Valley Highlands Section 1 as recorded in Plat Cabinet 1, Slot 158 of the Fairfield County Records, also along an easterly line of River Valley Highlands Section 2, Phase 2 lands, as recorded in Plat Cabinet 1, Slot 175 of the Fairfield County Records, a distance of 903.71 feet to a point;
3. Thence S 88°43'32" E, along a southerly line of River Valley Highlands Section 9, Phase 2, as recorded in Plat Cabinet 2, Slot 110 of the Fairfield County Records, a distance of 758.34 feet to a point;
4. Thence S 88°36'07" E, along a southerly line of River Valley Highlands Section 13, Phase 1, as recorded in Plat Cabinet 3, Slot 14 of the Fairfield County Records, a distance of 106.99 feet to a point;
5. Thence S 83°26'09" E, continuing along the southerly line of said River Valley Highlands Section 13, Phase 1, also along the southerly line of lands now or formerly owned by Pulte Homes of Ohio, LLC, as recorded in O.R. 1670, Page 4027 of the Fairfield County Records, a distance of 399.84 feet to a point;
6. Thence S 89°15'48" E, continuing along said southerly line of said Pulte Homes of Ohio, LLC lands, a distance of 344.00 feet to a point;
7. Thence S 00°44'12" W, along a new line of zoning, a distance of 15.98 feet to a point of curvature;
8. Thence, along a new line of zoning, along the arc of a circle curving to the right, having a central angle of 56°14'53", a radius of 200.00 feet, a tangent of 106.90 feet, a chord of 188.55 feet, a chord bearing of S 28°51'38" W, and an arc length of 196.34 feet to a point of tangency;
9. Thence S 56°59'05" W, along a new line of zoning, a distance of 101.89 feet to a point of curvature;

Legal Description  
Rezoning Parcel RS-3  
26.768 Acres  
Page 2 of 2

10. Thence, along a new line of zoning, along the arc of a circle curving to the left, having a central angle of  $56^{\circ}13'00''$ , a radius of 300.00 feet, a tangent of 160.24 feet, a chord of 282.68 feet, a chord bearing of  $S\ 28^{\circ}52'35''\ W$ , and an arc length of 294.35 feet to a point of tangency;
11. Thence  $S\ 00^{\circ}46'05''\ W$ , along a new line of zoning, a distance of 136.39 feet to a point;
12. Thence  $S\ 72^{\circ}02'11''\ W$ , along a new line of zoning, a distance of 463.48 feet to a point;
13. Thence  $S\ 00^{\circ}46'05''\ W$ , along a new line of zoning, a distance of 90.04 feet to The True Place of Beginning and containing 26.768 Acres of land more or less, as determined in October, 2019 by Louis J. Giffels, Registered Surveyor No. 7790, with GBC Design, Inc., but subject to all legal highways and any restrictions, reservations or easements of record.

\*Basis of Bearing for this legal description are based on a survey made in December of 2016 by Tobin-McFarland Surveying that was prepared by Thomas M. Tobin, Registered Professional Surveyor No. 7674 and filed in Survey Book 89, Page 19257.

  
\_\_\_\_\_  
Louis J. Giffels, P.S., Reg. No. 7790



### Contiguous Landowners

Owner Name	Mailing Address	Parcel Number
Victor A. Lucas & Jill A. Lucas	1765 Woodland Heights Lane NW Lancaster, OH 43130	0140115800
Jeffrey K. Slicer & Tamara K. Gregio	1755 Woodland Heights Lane NW Lancaster, OH 43130	0140115700
Ronald G. Smith	1725 Woodland Heights Lane NW Lancaster, OH 43130	0140115600
Marshall R. Thompson & Katherine A. Thompson	1705 Woodland Heights Lane NW Lancaster, OH 43130	0140115500
Edward W. Hock & Margaret A. Hock	1550 Bush Hill Drive Lancaster, OH 43130	0532214100
Christopher J. Tencza	1558 Bush Hill Drive Lancaster, OH 43130	0532214200
Edward Kiser & Dee Ann Martin	1564 Bush Hill Drive Lancaster, OH 43130	0532214300
Richard Allen Brothers Diana L. Brothers	1572 Bush Hill Drive Lancaster, OH 43130	0532214400
Hunter C. Meo	1580 Bush Hill Drive Lancaster, OH 43130	0532214500
Joyce Kirkwood, Trustee	1484 N Altadena Dr Pasadena, CA 91107	0532214600
Gary Hughes & Rebecca Hughes	1594 Bush Hill Drive Lancaster, OH 43130	0532214700
Jack R. Sarbaugh, Trustee Faye L. Sarbaugh, Trustee	1604 Bush Hill Drive Lancaster, OH 43130	0532223600
Gregory Allan Schmalfeldt Deborah Rae Schmalfeldt	1612 Bush Hill Drive Lancaster, OH 43130	0532223700
Robert G. Connolly Dora M. Connolly	1624 Bush Hill Drive Lancaster, OH 43130	0532223800
William C. Whitlatch III Keren R. Whitlatch	2262 Landcrest Drive Lancaster, OH 43130	0532299400
William J. McCarthy, Trustee	2256 Landcrest Drive Lancaster, OH 43130	0532299500
David Shiflet	2248 Landcrest Drive Lancaster, OH 43130	0532299600
Brenda S. Hammond	2240 Landcrest Drive Lancaster, OH 43130	0532299700
David Tolbert & Carol A. Tolbert	2234 Landcrest Drive Lancaster, OH 43130	0532299800
Rowena Hartman	2228 Landcrest Drive Lancaster, OH 43130	0532299900
Howard M. Blaisdell & Julie S. Blaisdell	2220 Landcrest Drive Lancaster, OH 43130	0532300000
George W. Gerken Connie L. Gerken	2214 Landcrest Drive Lancaster, OH 43130	0532300100

Thomas Delpozzo Linda Suzanne Delpozzo	2208 Landcrest Drive Lancaster, OH 43130	0532300200
Doris Penava Sisson & Tyler J. Sisson	2194 Olde Ridge Court Lancaster, OH 43130	0532322400
Andrea R. Conley	2192 Olde Ridge Court Lancaster, OH 43130	0532322500
Wayne T. Papageorge Jill R. Papageorge	2190 Olde Ridge Court Lancaster, OH 43130	0532322600
August H. Meyer, Jr. & Tara N. Meyer	2184 Olde Ridge Court Lancaster, OH 43130	0532322700
Jennifer N. Lehman & Shaun Lehman	2178 Olde Ridge Court Lancaster, OH 43130	0532322800
David L. Rings & Carol A. Rings	2172 Olde Ridge Ave Lancaster, OH 43130	0532322900
Ethan Ray Duell Brittney N. Schooley	2166 Olde Ridge Ave Lancaster, OH 43130	0532323000
Pulte Homes of Ohio LLC	475 Metro Place South, Suite 200 Dublin, OH 43017	0532274820
Pulte Homes of Ohio LLC	475 Metro Place South, Suite 200 Dublin, OH 43017	0532274700
Lancaster Board of Education	345 East Mulberry Street Lancaster, OH 43130	0532800100
Cindy Smith	446 Hawthorne Avenue Lancaster, OH 43130	0532191100
Clifford R. Asher & Miriam J. Asher	289 Marvel Drive Lancaster, OH 43130	0532188300
Phyllis E. Heister & Carl C. Heister	1084 Amanda Northern Rd W. Canal Winchester, OH 43110	0532188200
John H. Hansley	271 Marvel Drive Lancaster, OH 43130	0532188100
Jacqueline R. Woltz	1931 Coldspring Dr. Lancaster, OH 43130	0532188000
Kirby A. Storts & Jayne L. Storts	253 Marvel Drive Lancaster, OH 43130	0532187900
Johanna Vandenoever	249 Marvel Drive Lancaster, OH 43130	0532187800
Brenda Sue Forshee	239 Marvel Drive Lancaster, OH 43130	0532187700
Wendell H. Carpenter, Sharon D. Lucas, & David A. Carpenter	229 Marvel Drive Lancaster, OH 43130	0532187600
Rebecca S. Berens	2082 Coldspring Drive Lancaster, OH 43130	0532187500
James E. Baker & Deborah J. Baker	2085 Coldspring Drive Lancaster, OH 43130	0532185300
Glenda Nell Dyball	2072 N. Columbus Street Lancaster, OH 43130	0532185200

Thomas W. Moore, Trustee	Thomas W. Moore, Trustee 1430 Collins Rd. NW Lancaster, Ohio 43130	0140116400
Robert S. Huffman, Jr. Elizabeth M. Huffman	1580 Woodland Heights Lane Lancaster, OH 43130	0140116300
Hattie E. Bellmer	1760 Woodland Heights Lane Lancaster, OH 43130	0140115900
David R. Meuse & Mary Beth Meuse	101 E Columbus St Columbus, OH 43206	0140096610

**Landowners directly across the street and/or alley**

<b>Owner Name</b>	<b>Mailing Address</b>	<b>Parcel Number</b>
Charles L. Hayes & Dorothy C. Hayes	2101 N. Columbus Street Lancaster, OH 43130	0532197000
Silas Wilson	2115 N. Columbus Street Lancaster, OH 43130	0532196900
Kenneth R. Baker & Joan M. Baker	2125 N. Columbus Street Lancaster, OH 43130	0532196800
Martha P. Beach	Martha P. Beach c/o Mary Kay Beach 5329 Acevedo Ct Columbus, Ohio 43235	0532196700
Brian G. Cathey & Erica Cathey	2143 N. Columbus Street Lancaster, OH 43130	0532222300
Timothy Kozar	2157 N. Columbus Street Lancaster, OH 43130	0532222200
Ruth L. Hoisington	2165 N. Columbus Street Lancaster, OH 43130	0532240000
Thomas J. Cooney & Julia M. Cooney	2185 N. Columbus Street Lancaster, OH 43130	0532239900
Austin Houk	2195 N. Columbus Street Lancaster, OH 43130	0532239800
Tammy Cennamo	2199 N. Columbus Street Lancaster, OH 43130	0532239600
Jamie W. Brandt & Philena L. Brandt	2211 N. Columbus Street Lancaster, OH 43130	0532239500
Lowes Home Centers, Inc.	1000 Lowes Boulevard Mooresville, NC 28117	0532240100

**Owners of property within the proposed parcels to be rezoned**

<b>Owner Name</b>	<b>Mailing Address</b>	<b>Parcel Number</b>	<b>Acres</b>
The Mithoff Companies, Ltd.	4805 Scooby Lane NW Carroll, Ohio 43112	0140096600	30.03
The Mithoff Companies, Ltd.	4805 Scooby Lane NW Carroll, Ohio 43112	0140112900	14.83
The Mithoff Companies, Ltd.	4805 Scooby Lane NW Carroll, Ohio 43112	0140097000	6.87
The Mithoff Companies, Ltd.	4805 Scooby Lane NW Carroll, Ohio 43112	0140097300	6.963
The Mithoff Companies, Ltd.	4805 Scooby Lane NW Carroll, Ohio 43112	0140096900	1.311
The Mithoff Companies, Ltd.	4805 Scooby Lane NW Carroll, Ohio 43112	0140097200	9.25
The Mithoff Companies, Ltd.	4805 Scooby Lane NW Carroll, Ohio 43112	0140096800	8.38

