

TEMPORARY ORDINANCE NO. 23-22

PERMANENT ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE CITY OF LANCASTER ZONING MAP TO CHANGE THE ZONING OF 4.083 +/- ACRES IDENTIFIED AS FAIRFIELD COUNTY AUDITOR TAX PARCEL NUMBER 0535027600 FROM INDUSTRIAL HEAVY TO COMMERCIAL GENERAL, AND TO DECLARE AN EMERGENCY

WHEREAS, an application to Amend the Zoning Map for Fairfield County Tax Parcel No. 0535027600 (see Exhibit A attached) from Industrial Heavy (“IH”) to Commercial General (“CG”) for the purpose of retail development was filed by the property owner on April 7, 2022, with the City of Lancaster Planning Commission (“Planning Commission”) pursuant to Lancaster Codified Ordinance (“LCO”) 1159.04(a); and

WHEREAS, that application was first addressed at the May 12, 2022, Planning Commission meeting at which time a public hearing was held, but later tabled at the request of the applicant due to on-going negotiations with the retail developer; and

WHEREAS, the applicant and developer were able to reach an agreement and asked Planning Commission to proceed with a decision on the application at its July 14, 2022 meeting, where the application was approved to change the zoning from IH to CG subject to modifications; and

WHEREAS, those modifications include the dedication of additional right of way (“ROW”) along S. Broad Street, the construction of a ten (10) foot wide sidewalk or finished path along S. Broad Street, and the construction of a five (5) foot wide sidewalk along Canal Street which will connect to S. Columbus Street; and

WHEREAS, pursuant to LCO 1159.04(e) Lancaster City Council must hold a public hearing, which is currently scheduled for Monday, August 8, 2022, and take action on the application to approve or deny the to the Zoning Map;

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

SECTION 1. That the Zoning Map of the City of Lancaster, Ohio is hereby amended to change the zoning for Tax Parcel No. 0535027600, which consists of approximately 4.083 acres, pursuant to Exhibit A, as follows:

a. Commercial General (CG)

SECTION 2. The City Engineer is directed to make this change 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 in the City. Therefore, this ordinance shall go into immediate effect.

Passed: \_\_\_\_\_ after \_\_\_\_\_ reading. Vote: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Approved: \_\_\_\_\_

Clerk: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Offered by: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Second by: \_\_\_\_\_

Requested by Code Enforcement & Zoning Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on \_\_\_\_\_, 2022 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

\_\_\_\_\_  
Clerk of Council



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

July 14, 2022

Teresa Sandy  
Clerk of Council

RE: Planning Commission Meeting – Zoning Change Request [IH to CG]  
(544 S. Broad St. near intersection of S. Broad St. and Canal Street – Singer Property)

Dear Clerk of Council:

The letter is being provided to you to note that, on Thursday, July 14, 2022, the City Planning Commission voted 6-1 in favor of recommending to the City Council that the change of zoning request application be approved as re-submitted for the July 14, 2022 meeting.

Planning Commission approved the rezone requested based items that the developer offered to perform:

- Dedicated ROW along S. Broad Street
- Construct a 10' wide side/path along S. Broad
- Construct a 5' wide sidewalk along Canal Street (connecting to S. Columbus St.)

I will send all the accompanying documentation from the Planning Commission meeting. I would also ask that you please 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

**CHANGE OF ZONING REQUEST**  
**544 South Broad St. (Intersection of Broad and Canal)**  
**Planning Commission**  
**May 12, 2022**

**CASE NO.:** 2022.003

**PETITIONER:** 222 South Broad Street Corporation  
Dan Singer  
222 South Broad Street  
Lancaster, Ohio 43130

**AGENT:** CGP Acquisition & Development/BL Companies  
361 Summit Blvd.  
Suite 110  
Birmingham, AL 65243

**SURVEYOR:** BL Companies  
Attn: Ryan Tucker  
3755 Boetter Oaks Drive  
Uniontown, Ohio 44685

**PREVIOUS ACTION:** None Found

**REQUEST:** The petitioner/agent wish to rezone the property (Parcel #0535027600 – Intersection of Broad Street and Canal Street) from Industrial Heavy (IH) to Commercial General (CG). The agent states that they desire to develop a Dollar General Store.

**ISSUES FOR PLANNING COMMISSION CONSIDERATION:**

1. This rezoning request is being completed under LCO 1159.04(a) as a rezoning at the request of the petitioner.
2. Adjoining zoning districts include: Residential Single Family – 3 (RS-3), Central Business District (CBD), and Industrial Heavy (IH). Please refer to the attached map (Exhibit – A).
3. FEMA revised the Flood Insurance Rate Map on July 19, 2018. Map Number 39045C0253H. This area was removed from the 100-year flood hazard area during that flood re-mapping in July of 2018. (Reference Exhibits B)

## **STAFF RECOMMENDATION:**

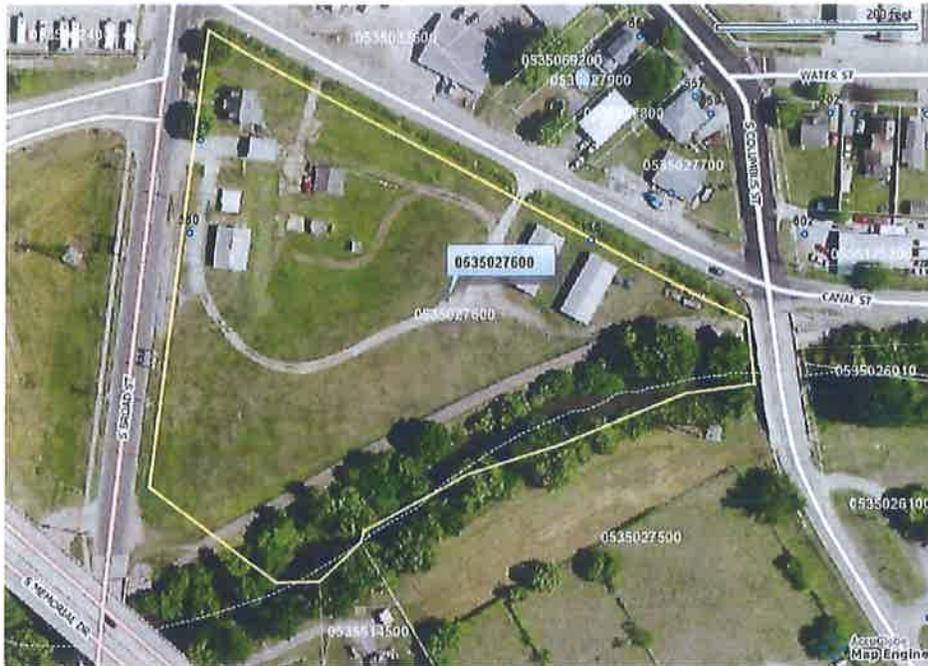
1. The staff recommends approval of this rezone request under two conditions.
  - a. Any new development on this site shall elevate the lowest floor to any new structures to elevation 813.9 or above (North American Vertical Datum 1988 – NAVD88). (See Exhibit B)
  - b. The mechanicals (HVAC) shall also be elevated to elevation 813.9 or above.

The City realizes that this may not be required by FEMA standards, but good engineering judgement based on specific site conditions should be applied to any new development(s) on this parcel.

## **ITEMS THAT PLANNING COMMISSION MAY CONSIDER**

1. If this were part of a major and/or minor subdivision, right-of-way (ROW) dedication would be required as per the thoroughfare plan. Broad Street is considered a collector street. Minimum ROW width required is 80 feet (half width of 40 feet). Staff is not making this a recommendation, but rather an item for Planning Commission to consider. This item may also be helpful with item #2 below.
2. Again, staff does not make this a recommendation, but it may be a consideration that Planning Commission wishes to discuss during the May 12, 2022 meeting. The City of Lancaster bike trail adjoins this subject property. The City of Lancaster is currently working to create a multi-modal corridor towards the downtown area. (Reference the CORPO funds for re-paving and new design of pavement markings from Main Street to S. Columbus Street). Planning Commission may wish to request a modification to require an extra wide sidewalk/pathway for pedestrian's/bikes from the City of Lancaster Bike Path up to the intersection of S. Broad and Canal Streets. Consideration should be given to curb lawn separation from Broad Street, width of concrete walk/path along this alignment, and right-of-way dedication if necessary. The width of this multi-modal trail are 8' minimum with 10' width recommended.
3. Another item that Planning Commission may want to consider as part of the rezone request would be the requirement of sidewalks along Canal Street and South Columbus Street. (This area is currently not part of a major subdivision or a minor subdivision, therefore, sidewalks cannot be required through the Lancaster's Codified Ordinances).

### Fairfield County GIS



Notes

Zoning Change Request:  
Current Zoning - Industrial Heavy  
Requested Zoning - Commercial General

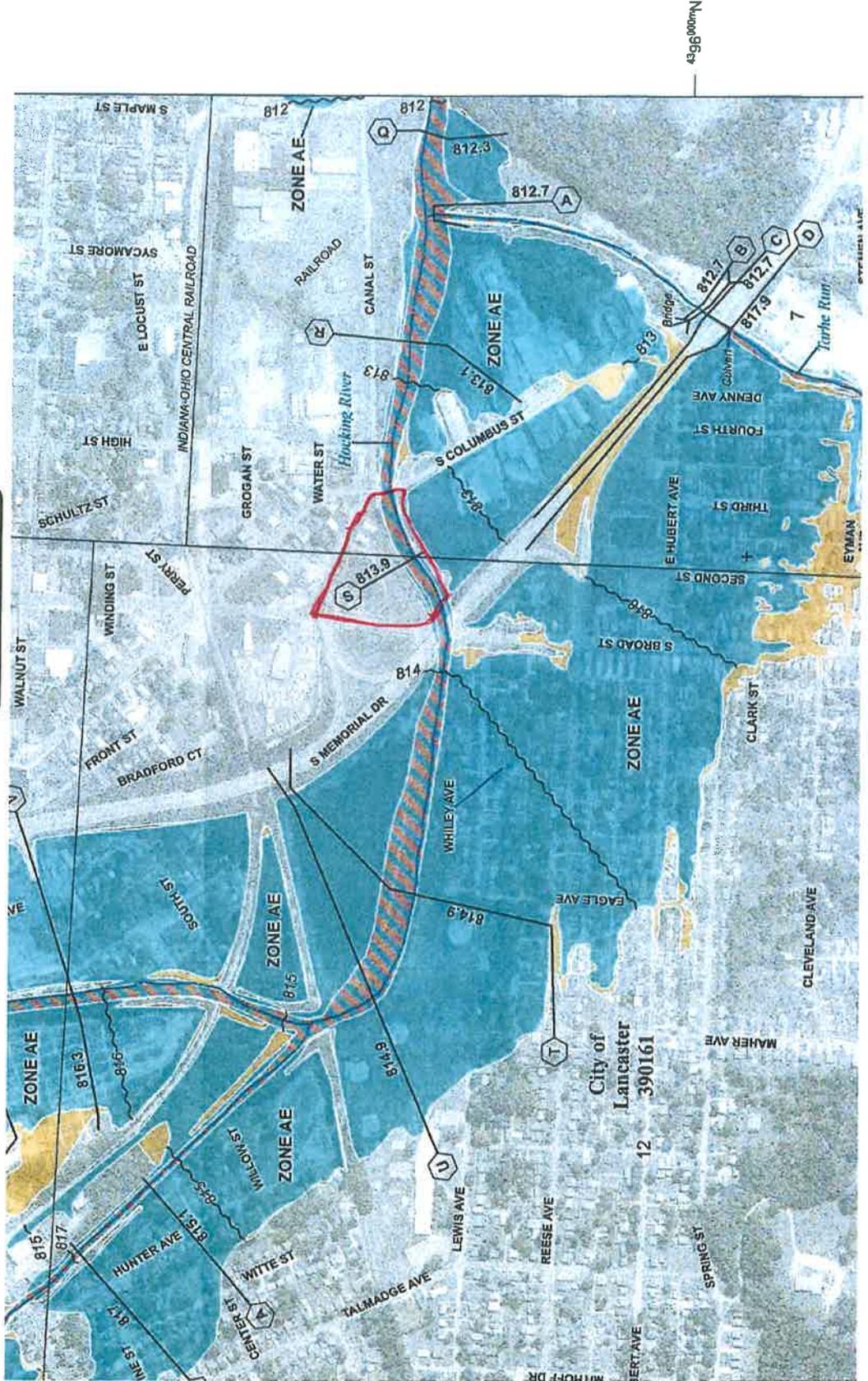
**PLANNING COMMISSION ACTION:**

The Planning Commission may recommend the rezoning requested be approved as submitted, or as amended, or be approved subject to modifications, or be denied.

**EXHIBITS:**

- Exhibit A – Zoning Map of Area
- Exhibit B – FEMA Map of Area
- Exhibit C – City of Lancaster GIS Map with Contours







**CHANGE OF ZONING REQUEST**  
**544 South Broad St. (Intersection of Broad and Canal)**  
**Planning Commission**  
**July 14, 2022**

**CASE NO.:** 2022.003

**PETITIONER:** 222 South Broad Street Corporation  
Dan Singer  
222 South Broad Street  
Lancaster, Ohio 43130

**AGENT:** CGP Acquisition & Development/BL Companies  
361 Summit Blvd.  
Suite 110  
Birmingham, AL 65243

**SURVEYOR:** BL Companies  
Attn: Ryan Tucker  
3755 Boetter Oaks Drive  
Uniontown, Ohio 44685

**PREVIOUS ACTION:** Tabled on May 12, 2022

**REQUEST:** The petitioner/agent wish to rezone the property (Parcel #0535027600 – Intersection of Broad Street and Canal Street) from Industrial Heavy (IH) to Commercial General (CG). The agent states that they desire to develop a Dollar General Store.

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The City realizes that this may not be required by FEMA standards, but good engineering judgement based on specific site conditions should be applied to any new development(s) on this parcel.

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**PLANNING COMMISSION ACTION:**

The Planning Commission may recommend the rezoning requested be approved as submitted, or as amended, or be approved subject to modifications, or be denied.

**EXHIBITS:**

Exhibit A – Zoning Map of Area

Exhibit B – FEMA Map of Area

Exhibit C – City of Lancaster GIS Map with Contours

Exhibit D1 – Proposed Sidewalk Improvements (Aerial View)

Exhibit D2 – Proposed Sidewalk Improvements (Plan View)

# Lancaster GIS Web Map Export

tabbles<sup>®</sup>

EXHIBIT

**A**



## Zoning

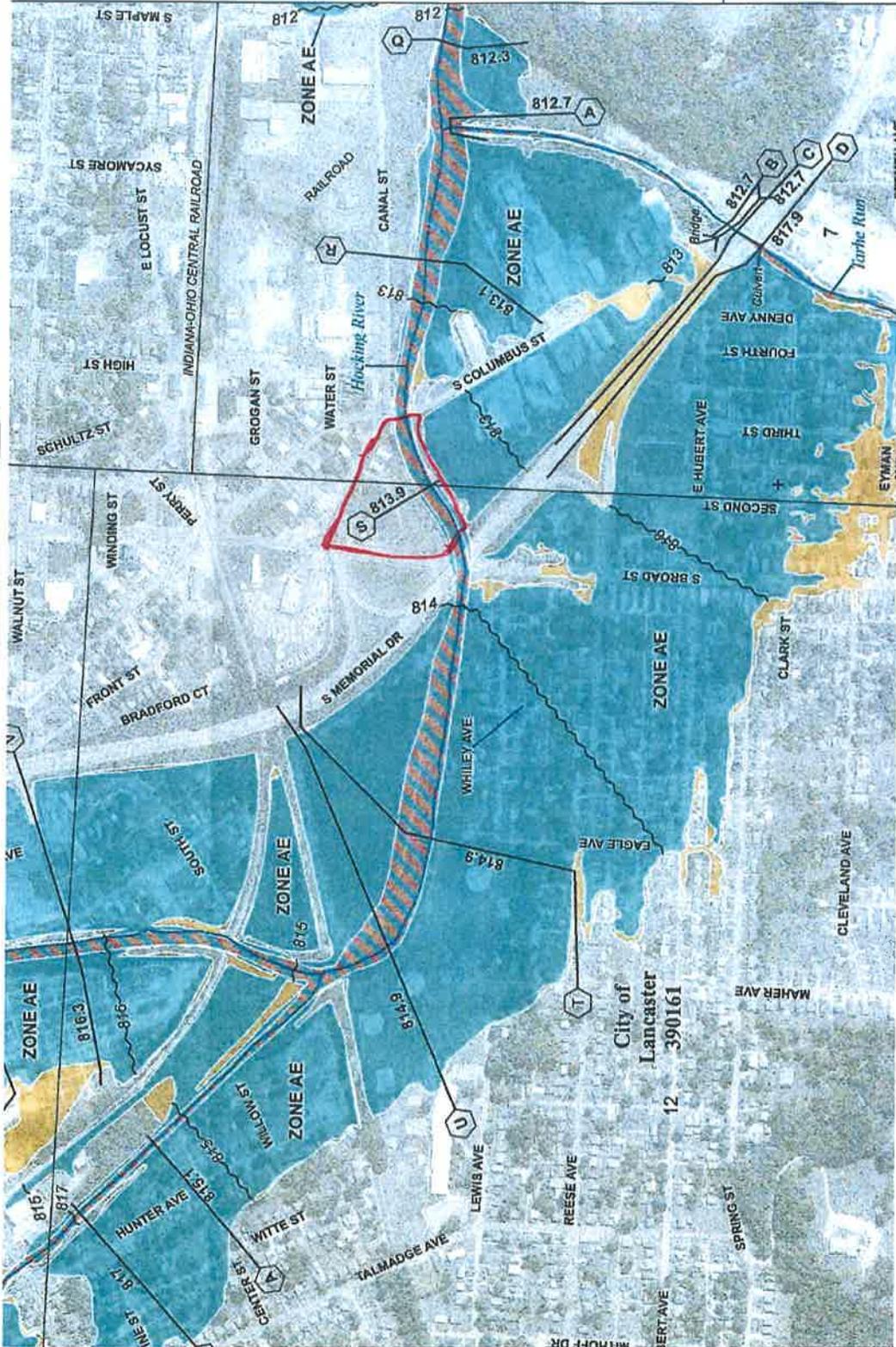
- Zoning\_Code
- AG
  - CBD
  - CG
  - CG/PUD
  - CH
  - CN
  - IH
  - IL
  - IM
  - OM
  - RE
  - RE/PUD
  - RM-0
  - RM-0/PUD
  - RM-1
  - RM-2
  - RM-2/PUD
  - RM-3
  - RM-3/PUD
  - RS-1
  - RS-2
  - RS-3
  - RS-3/PUD
  - RS-4
  - Corp Lines



Map Printed on 4/11/2022 3:32 PM



City of Lancaster, Esri Community Maps Contributors, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA



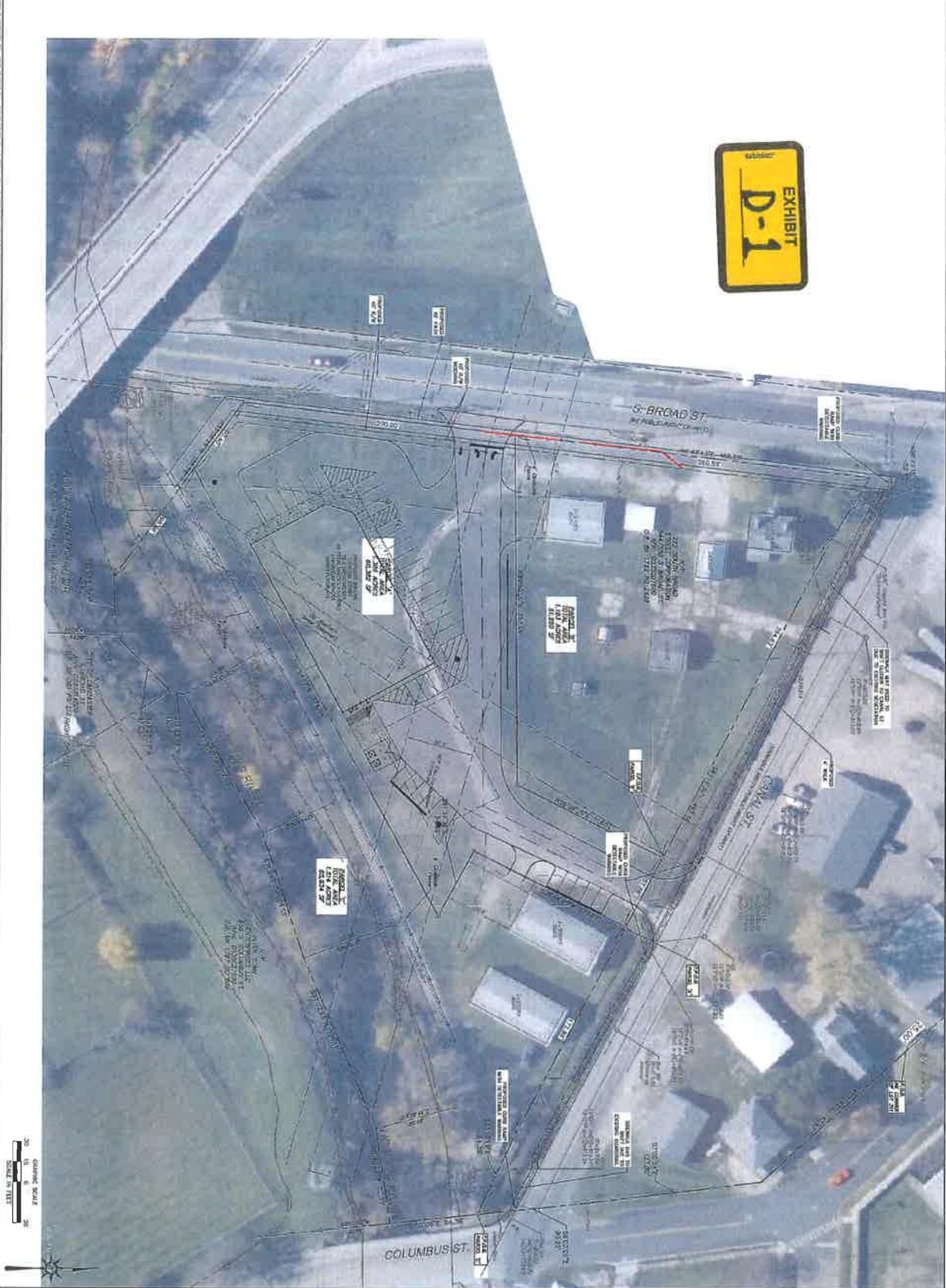
4396000 96'







DATE: 08/14/2014 10:45:00 AM



Sheet No. **SP-01**

**SITE PLAN**

DATE: 08/14/2014

PROJECT: DOLLAR GENERAL STORE #XXXXX

LOCATION: LANCASTER, OHIO

SCALE: AS SHOWN

DATE: 08/14/2014

BY: [Signature]

REVISIONS

NO.	DATE	DESCRIPTION
1	08/14/2014	ISSUED FOR PERMITTING

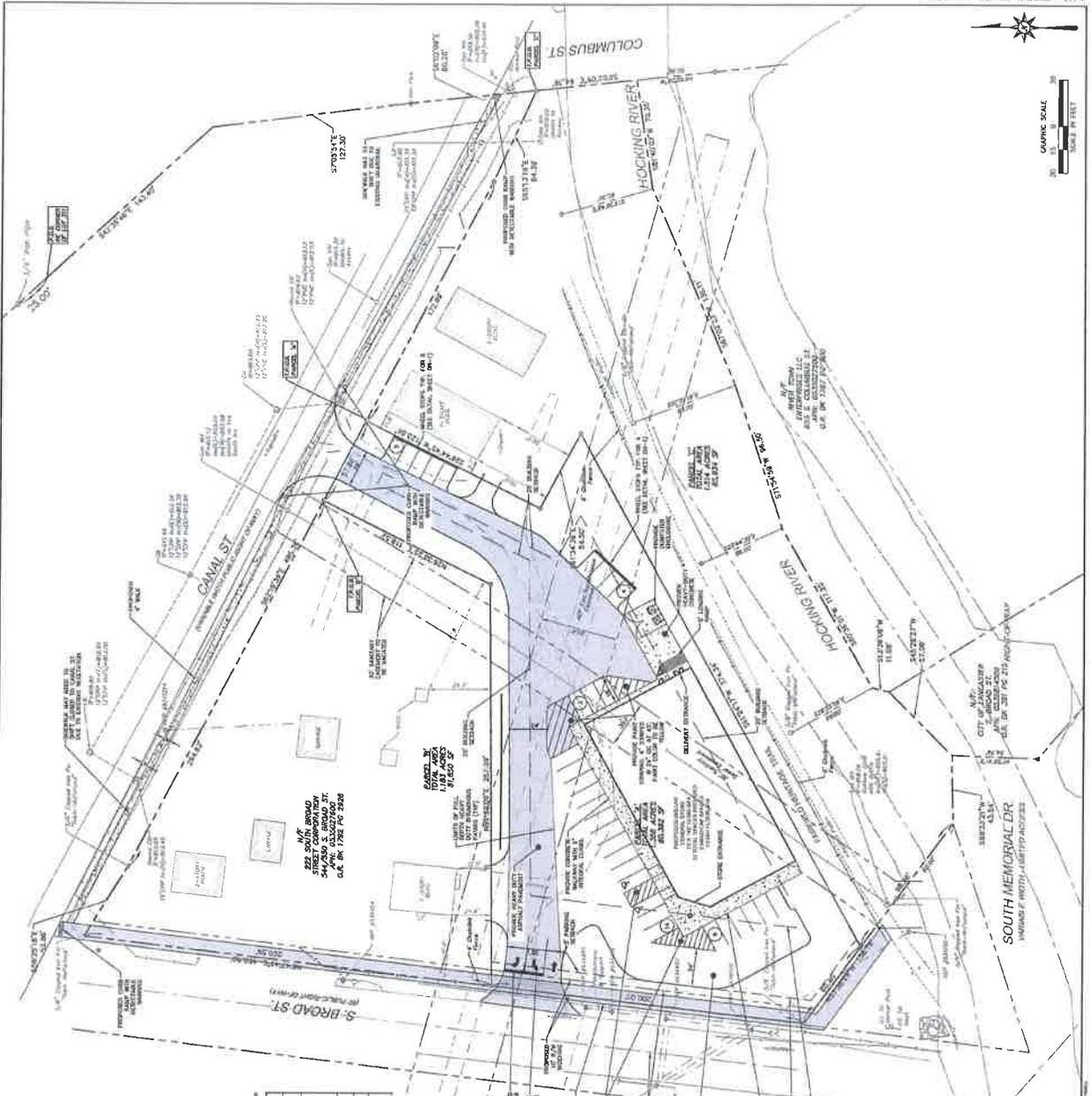
**DOLLAR GENERAL**

STORE NUMBER #XXXXX

XXXX

LANCASTER, FAIRFIELD COUNTY, OHIO





**ZONING INFORMATION**

ITEM #	ITEM	REQUIREMENTS	PROPOSED	VARIANCE
1	MINIMUM LOT AREA	MIN 10,000 SQ FT	N/A	NO
2	MINIMUM LOT WIDTH	MIN 100 FT	100 FT	NO
3	MINIMUM FRONT SETBACK	MIN 10 FT	10 FT	NO
4	MINIMUM SIDE SETBACK	MIN 5 FT	5 FT	YES
5	MINIMUM REAR SETBACK	MIN 5 FT	5 FT	NO
6	MINIMUM BUILDING HEIGHT	MIN 10 FT	10 FT	NO
7	MINIMUM BUILDING COVERAGE	MIN 10%	10%	NO

**PARKING INFORMATION**

ITEM #	ITEM	REQUIREMENTS	PROPOSED	VARIANCE
1	BUILDING SITE	MIN 10,000 SQ FT	10,000 SQ FT	NO
2	PARKING SPACES	MIN 20 SPACES	20 SPACES	YES
3	MINIMUM UNOCCUPIED PARKING SPACE WIDTH	MIN 10 FT	10 FT	NO
4	MINIMUM PARKING DRIVEWAY WIDTH	MIN 10 FT	10 FT	NO
5	MINIMUM PARKING DRIVEWAY SPACING	MIN 10 FT	10 FT	NO



THIS PLAN IS THE PROPERTY OF THE ENGINEER AND ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THIS PLAN WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT IS STRICTLY PROHIBITED.

Date Filed: April 7, 2022  
Planning Commission Review Date: May 12, 2022  
Application Fee (\$150 + \$10/parcel): \$ 160  
Sign Posting Fee (\$50): \$ 50  
Publication Fee (\$100): \$ 100  
Total Fee: \$ 310 CHK # 5247

## 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 leasees 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: 222 South Broad Street Corporation
2. Address & Phone Number: 222 S Broad St
3. Petitioner's Attorney or Agent's Name, Address and Phone Number: \_\_\_\_\_  
CGP Acquisition & Development, 361 Summit Blvd, Suite 110, Birmingham, AL 65243
4. General Area and Location of Request: Parcel #: 0535027600 located at corner of S Broad St  
and Canal St.
5. Present Zoning District: IH - Industrial Heavy

6. Requested Zoning District: CG - Commercial General

7. Reason for this Application: Retail is not a permitted use in an IH district. A change to CG is required in order to continue with the development.

8. Legal Description of the Property: See attached Legal Description.

NOTE: LEGAL DESCRIPTION MUST BE REVIEWED AND APPROVED BY THE CITY ENGINEER'S OFFICE BEFORE SUBMITTING AN APPLICATION TO THE PLANNING COMMISSION.

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.

[Handwritten Signature]

Applicant (Property Owner's Signature)

Sworn to before me a Notary Public in and for said Jefferson County and State of Alabama, on the 7 day of April, 2022.

[Handwritten Signature]  
Notary

[Handwritten Signature]  
Engineer's Approval & Date  
April 7, 2022

**ELIZABETH PILGRIM**  
NOTARY PUBLIC, ALABAMA STATE AT LARGE  
MY COMMISSION EXPIRES NOV. 12, 2024

Exhibit "C"

NOTICE AND AFFIDAVIT TO LANCASTER CLERK OF COUNCIL

Date: 4/1/2022

RE: Rezoning Hearing for property located at: 544 S Broad St

Dear Lancaster Clerk of Council:

We are requesting a hearing concerning the property located at the above-captioned address. Please set the hearing at the soonest available date to be held before City Council at the Educational Services Building, 111 S. Broad Street, Lancaster, Ohio.

The proposed zoning change recommended by the Lancaster City Planning Commission for City Council approval seeks to rezone the above property from a IH - Industrial Heavy zoning district to a CG - Commercial General zoning district.

I understand that a public hearing cannot occur until the notice for public hearing can be placed in the Lancaster Eagle Gazette at least thirty (30) days in advance of such hearing. I further understand that the public hearing will likely be held on a regularly scheduled City Council meeting date.

I, the petitioner or agent of the petitioner, hereby swear and affirm that I am providing to you a complete list of landowners that are: (1.) The owners of property within the proposed parcel to be rezoned; (2.) The owners of property contiguous to the parcel to be rezoned; and (3.) The owners of property directly across the street and/or alley from the parcels to be rezoned. I fully understand that if I should fail to notify the Clerk of Council of each and every such landowner that the rezoning approval will likely be reversed.

As the petitioner or agent of the petitioner, I also swear and affirm that the addresses of the below-listed names of landowners I am providing you have been confirmed by me as being correct by the county auditor's current tax list or the county treasurer's mailing list. The names and addresses of all landowners (including spouses) described in the preceding paragraph are as follows:

1. Parcel #: 0535027600 - 222 South Broad Street Corporation - 222 S Broad St, Lancaster, OH 43130
2. Parcel #: 0535027700 - Mark E Woods - 559 S Columbus St, Lancaster, OH 43130
3. Parcel #: 0535032600, 0535069300, 0535069200, 0535027900, 0535027800 - Brian Scott Holschuh - 553 S Columbus St, Lancaster, OH 43130
4. Parcel #: 0535032500 - ~~Speedway SuperAmerica LLC - O/O Property Tax Records 539 S Main St, Findlay, OH 45840~~ *The Mithoff Companies LTD 4805 Scooby Ln, Carroll, Ohio 43112*
5. Parcel #: 0535032400 - CFDT Enterprises LLC - 1343 Pleasant Run Dr., Canal Winchester, OH 43110
6. Parcel #: 0535814500 - The City of Lancaster - 104 E Main St Room 107, Lancaster, OH 43130
7. Parcel #: 0535027500 - River Town Enterprises LLC - 1750 5th St., Portsmouth, OH 45662

- 10. Bayer Home Services LLC, 602 S. Columbus St. Lancaster, OH 43130
8. Parcel #: 0536028010 - The City of Lancaster - 104 E Main St., Lancaster, OH 43130
9. Parcel #: 0536028100 - Renkas Properties LLC - 664 S Columbus St., Lancaster, OH 43130

I also fully understand that once I have provided this notice to the Lancaster Clerk of Council that the Clerk will send such notice, as provided in Exhibit D, by first class mail, at least twenty days before the date of the public hearing to the above-listed landowners.

FURTHER AFFIANT SAYETH NAUGHT.

[Signature]  
Signature of petitioner or agent

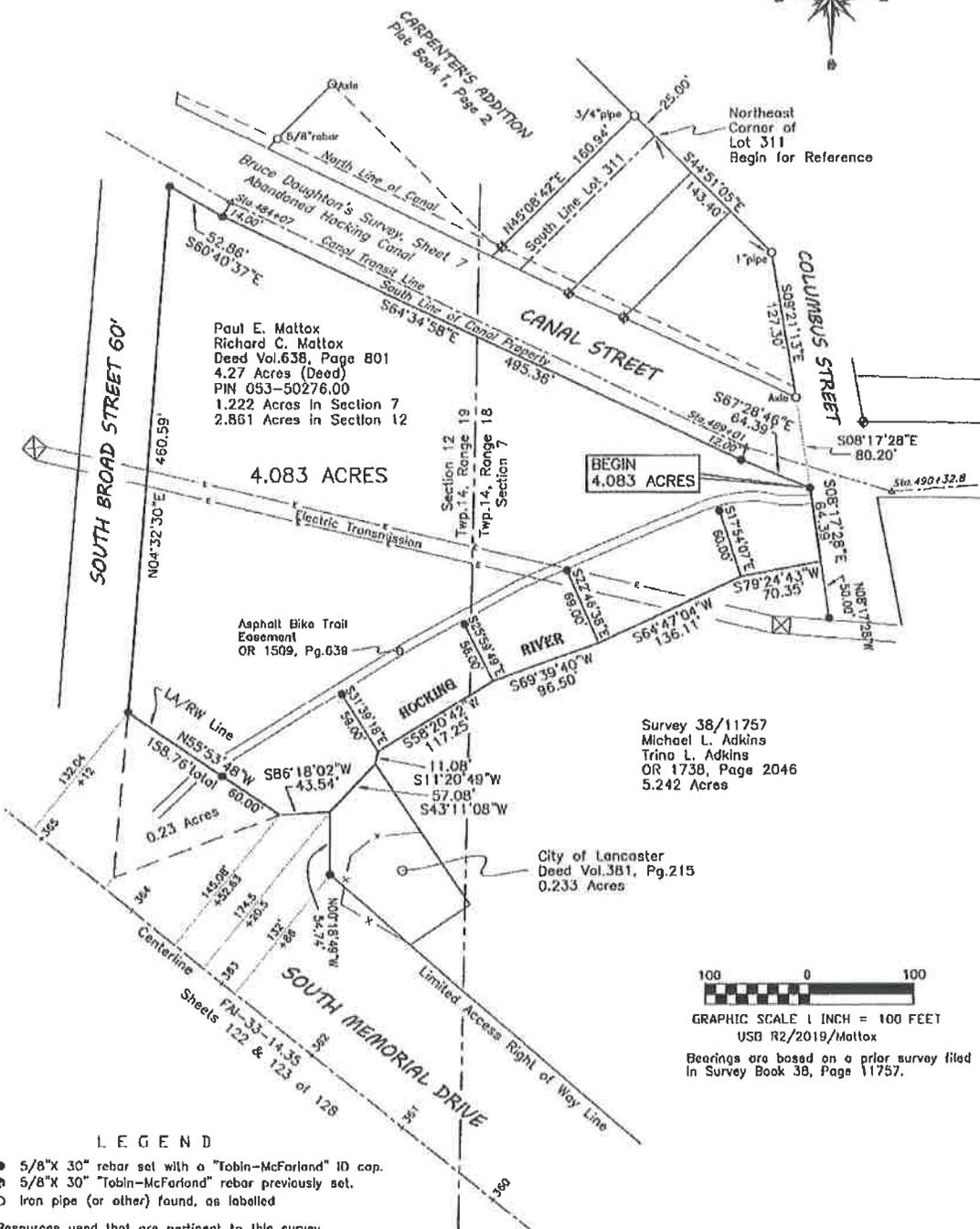
Sworn to before me a Notary Public in and for said County and State on the 7 day of April, 2022

**ELIZABETH PILGRIM**  
**NOTARY PUBLIC, ALABAMA STATE AT LARGE**  
**MY COMMISSION EXPIRES NOV. 12, 2024**

[Signature]  
Notary

# PLAT OF SURVEY

93/1777-1



Paul E. Mattox  
Richard C. Mattox  
Deed Vol. 638, Page 801  
4.27 Acres (Dead)  
PIN 093-50276.00  
1.222 Acres in Section 7  
2.861 Acres in Section 12

4.083 ACRES

BEGIN  
4.083 ACRES

Survey 38/11757  
Michael L. Adkins  
Trina L. Adkins  
OR 1738, Page 2046  
5.242 Acres

City of Lancaster  
Deed Vol. 381, Pg. 215  
0.233 Acres



GRAPHIC SCALE 1 INCH = 100 FEET  
USD R2/2019/Mattox

Bearings are based on a prior survey filed in Survey Book 38, Page 11757.

### LEGEND

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

Resources used that are pertinent to this survey are shown on this plat.  
Flood Zones X, AE and Floodway Panel 39045C 0253H

STATE OF OHIO  
FAIRFIELD COUNTY  
CITY OF LANCASTER  
TOWNSHIP 14, RANGE 18  
SECTION 7  
TOWNSHIP 14, RANGE 19  
SECTION 12



For: Richard Mattox  
Date of Drawing: May 8, 2019

BY: *Rodney McFarland* 9/19  
Registered Surveyor No. 6416 Date  
TOBIN-MCFARLAND SURVEYING INC.  
111 West Wheeling Street  
Lancaster, Ohio 43130  
Ph. 740-687-1710 Fax 740-687-0877

APRIL 7, 2022

RE: DESIGNATION OF AUTHORIZED AGENTS - LETTER OF AUTHORIZATION

To Whom It May Concern:

This letter shall constitute a letter of authorization for (i) CGP Acquisition & Development, LLC and/or (ii) BL Companies to act as authorized agent on behalf of 222 South Broad Street Corporation ("Owners"), with regard to the property identified in Exhibit A (the "Property"), for the purpose of making applications and representing Owner at meetings for rezoning and permits for the Property.

Sincerely,

*[Handwritten Signature]*  
Dan Singer

State of OHIO  
County of FAIRFIELD ss

APRIL 7, 2022

The foregoing instrument was acknowledged before me this \_\_\_\_\_, 2022, by

DAN SINGER

*[Handwritten Signature]*  
Signature of Notary Public

Deborah Paskins  
Printed Name of Notary





**TOBIN-McFARLAND SURVEYING, INC.**

Professional Land Surveyors

111 West Wheeling Street  
Lancaster, Ohio 43130  
Phone (740) 687-1710  
Fax (740) 687-0877

*Description of 4.083 Acres*

Situated in the State of Ohio, Fairfield County, City of Lancaster, Township 14, Range 19, Section 12 and Township 14, Range 18, Section 7.

Being a re-survey of the property described in a deed to Paul E. Mattox and Richard C. Mattox as recorded in Deed Volume 638, Page 801 and being more fully described as follows:

Beginning for reference at the northeast corner of Lot 311 in Carpenter's Addition to the City of Lancaster as recorded in Plat Book 1, Page 2, said point being South 44 degrees 51'05" East a distance of 25.00 feet from a 3/4 inch iron pipe found;

Thence South 44 degrees 51'05" East a distance of 143.40 feet to a one inch iron pipe found;

Thence South 09 degrees 21'13" East a distance of 127.30 feet to an axle found;

Thence South 08 degrees 17'28" East a distance of 80.20 feet to a 5/8 inch rebar set on the south line of the abandoned Hocking Canal and the west line of Columbus Street, said rebar being the TRUE POINT OF BEGINNING;

Thence South 08 degrees 17'28" East a distance of 64.39 feet to a point in the Hocking River and on the north line of a 5.242 acre tract recorded in Official Record 1738, Page 2046, said point also being North 08 degrees 17'28" West a distance of 50.00 feet from a 5/8 inch rebar set;

Thence with the lines of said 5.242 acre the following five (5) courses:

- (1) South 79 degrees 24'43" West a distance of 70.35 feet to a point in the river, said point being South 17 degrees 54'07" East a distance of 60.00 feet from a 5/8 inch rebar set;
- (2) South 64 degrees 47'04" West a distance of 136.11 feet to a point in the river, said point being South 22 degrees 46'38" East a distance of 69.00 feet from a 5/8 inch rebar set;
- (3) South 69 degrees 39'40" West a distance of 96.50 feet to a point in the river, said point being South 25 degrees 59'49" East a distance of 56.00 feet from a 5/8 inch rebar set;
- (4) South 58 degrees 20'42" West a distance of 117.25 feet to a point in the river, said point being South 31 degrees 39'18" East a distance of 59.00 feet from a 5/8 inch rebar set;
- (5) South 11 degrees 20'49" West a distance of 11.08 feet to a point in the river and at a corner of a 0.233 acre tract recorded in Deed Volume 381, Page 215;

Thence South 43 degrees 11'08" West a distance of 57.08 feet to a corner of said 0.233 acres, said point being North 00 degrees 18'49" West a distance of 54.74 feet from a 5/8 inch rebar set at a corner of said 0.233 acres;

Thence South 86 degrees 18'02" West a distance of 43.54 feet to a point in the river and being 145.08 feet right of station 363+52.63 (by plan FAI 33-14.35) in the centerline of South Memorial Drive;

Thence North 55 degrees 53'48" West, passing a 5/8 inch rebar set at 60.00 feet, a distance of 158.76 feet to a 5/8 inch rebar set on the east line of South Broad Street and being 132.04 feet right of station 365+12 (by plan) in the centerline of South Memorial Drive;

Thence with the east line of South Broad Street North 04 degrees 32'30" East a distance of 460.59 feet to a 5/8 inch rebar set on the south line of the abandoned Hocking Canal;

Thence with the south line of said canal the following three (3) courses:

- (1) South 60 degrees 40'37" East a distance of 52.86 feet to a 5/8 inch rebar set;
- (2) South 64 degrees 34'58" East a distance of 495.36 feet to a 5/8 inch rebar set;
- (3) South 67 degrees 28'46" East a distance of 64.39 feet to the TRUE POINT OF BEGINNING, **Containing 4.083 Acres** (1.222 Acres in Township 14, Range 18, Section 7 and 2.861 Acres in Township 14, Range 19, Section 12).

Bearings are based on a prior survey filed in Survey Book 38, Page 11757 and are used to denote angles only. 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 May of 2019 by Tobin-McFarland Surveying, Inc., and was prepared by Rodney McFarland, Registered Professional Surveyor No. 6416.

USB R2/2019  
Mattox 4.083



*Rodney McFarland* 5/8/19  
 Rodney McFarland, P.S. Date  
 May 8, 2019 originals are signed in blue ink

LEGAL DESCRIPTION AND PLAT  
MEETS MINIMUM STANDARDS FOR  
BOUNDARY SURVEYS. FAIRFIELD  
COUNTY ENGINEER.

BY: *[Signature]* DATE 5/20/19

DESCRIPTION REVIEWED AND APPROVED  
FOR TRANSFER ONLY, FAIRFIELD COUNTY  
AUDITOR/ENGINEER TAX MAPS.

BY: *AG* DATE 5/21/19

93/19794  
053-50276.00

**EXHIBIT A**  
**(Property Description)**

SITUATED IN THE STATE OF OHIO, FAIRFIELD COUNTY, CITY OF LANCASTER, TOWNSHIP 14, RANGE 19, SECTION 12 AND TOWNSHIP 14, RANGE 18, SECTION 7.

BEING A RE-SURVEY OF THE PROPERTY DESCRIBED IN A DEED TO PAUL E. MATTOX AND RICHARD C. MATTOX AS RECORDED IN DEED VOLUME 638, PAGE 801 AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING FOR REFERENCE AT THE NORTHEAST CORNER OF LOT 311 IN CARPENTER'S ADDITION TO THE CITY OF LANCASTER AS RECORDED IN PLAT BOOK 1, PAGE 2, SAID POINT BEING SOUTH 44 DEGREES 51'05" EAST A DISTANCE OF 25.00 FEET FROM A 3/4 INCH IRON PIPE FOUND;

THENCE SOUTH 44 DEGREES 51'05" EAST A DISTANCE OF 143.40 FEET TO A ONE INCH IRON PIPE FOUND;

THENCE SOUTH 09 DEGREES 21'13" EAST A DISTANCE OF 127.30 FEET TO AN AXLE FOUND;

THENCE SOUTH 08 DEGREES 17'28" EAST A DISTANCE OF 80.20 FEET TO A 5/8 INCH REBAR SET ON THE SOUTH LINE OF THE ABANDONED HOCKING CANAL AND THE WEST LINE OF COLUMBUS STREET, SAID REBAR BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 08 DEGREES 17'28" EAST A DISTANCE OF 64.39 FEET TO A POINT IN THE HOCKING RIVER AND ON THE NORTH LINE OF A 5.242 ACRE TRACT RECORDED IN OFFICIAL RECORD 1738, PAGE 2046, SAID POINT ALSO BEING NORTH 08 DEGREES 17'28" WEST A DISTANCE OF 50.00 FEET FROM A 5/8 INCH REBAR SET;

THENCE WITH THE LINES OF SAID 5.242 ACRE THE FOLLOWING FIVE (5) COURSES:

(1) SOUTH 79 DEGREES 24'43" WEST A DISTANCE OF 70.35 FEET TO A POINT IN THE RIVER, SAID POINT BEING SOUTH 17 DEGREES 54'07" EAST A DISTANCE OF 60.00 FEET FROM A 5/8 INCH REBAR SET;

(2) SOUTH 64 DEGREES 47'04" WEST A DISTANCE OF 136.11 FEET TO A POINT IN THE RIVER, SAID POINT BEING SOUTH 22 DEGREES 46'38" EAST A DISTANCE OF 69.00 FEET FROM A 5/8 INCH REBAR SET;

(3) SOUTH 69 DEGREES 39'40" WEST A DISTANCE OF 96.50 FEET TO A POINT IN THE RIVER, SAID POINT BEING SOUTH 25 DEGREES 59'49" EAST A DISTANCE OF 56.00 FEET FROM A 5/8 INCH REBAR SET;

(4) SOUTH 58 DEGREES 20'42" WEST A DISTANCE OF 117.25 FEET TO A POINT IN THE RIVER, SAID POINT BEING SOUTH 31 DEGREES 39'18" EAST A DISTANCE OF 69.00 FEET FROM A 5/8 INCH REBAR SET;

(5) SOUTH 11 DEGREES 20'49" WEST A DISTANCE OF 11.08 FEET TO A POINT IN THE RIVER AND AT A CORNER OF A 0.233 ACRE TRACT RECORDED IN DEED VOLUME 381, PAGE 215;

THENCE SOUTH 43 DEGREES 11'08" WEST A DISTANCE OF 57.08 FEET TO A CORNER OF SAID 0.233 ACRES, SAID POINT BEING NORTH 00 DEGREES 18'49" WEST A DISTANCE OF 54.74 FEET FROM A 5/8 INCH REBAR SET AT A CORNER OF SAID 0.233 ACRES;

THENCE SOUTH 86 DEGREES 18'02" WEST A DISTANCE OF 43.54 FEET TO A POINT IN THE RIVER AND BEING 145.08 FEET RIGHT OF STATION 363+52.63 (BY PLAN FAI 33-14.35) IN THE CENTERLINE OF SOUTH MEMORIAL DRIVE;

THENCE NORTH 55 DEGREES 53'48" WEST, PASSING A 5/8 INCH REBAR SET AT 60.00 FEET, A DISTANCE OF 158.76 FEET TO A 5/8 INCH REBAR SET ON THE EAST LINE OF SOUTH BROAD STREET AND BEING 132.04 FEET RIGHT OF STATION 365+12 (BY PLAN) IN THE CENTERLINE OF SOUTH MEMORIAL DRIVE;

THENCE WITH THE EAST LINE OF SOUTH BROAD STREET NORTH 04 DEGREES 32'30" EAST A DISTANCE

OF 460.59 FEET TO A 5/8 INCH REBAR SET ON THE SOUTH LINE OF THE ABANDONED HOCKING CANAL;

THENCE WITH THE SOUTH LINE OF SAID CANAL THE FOLLOWING THREE (3) COURSES:

- (1) SOUTH 60 DEGREES 40'37" EAST A DISTANCE OF 52.86 FEET TO A 5/8 INCH REBAR SET;
- (2) SOUTH 64 DEGREES 34'58" EAST A DISTANCE OF 495.36 FEET TO A 5/8 INCH REBAR SET;
- (3) SOUTH 67 DEGREES 28'46" EAST A DISTANCE OF 64.39 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 4.083 ACRES (1.222 ACRES IN TOWNSHIP 14, RANGE 18, SECTION 7 AND 2.861 ACRES IN TOWNSHIP 14, RANGE 19, SECTION 12).

BEARINGS ARE BASED ON A PRIOR SURVEY FILED IN SURVEY BOOK 38, PAGE 11757 AND ARE USED TO DENOTE ANGLES ONLY. 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 MAY OF 2019 BY TOBIN-MCFARLAND SURVEYING, INC., AND WAS PREPARED BY RODNEY MCFARLAND, REGISTERED PROFESSIONAL SURVEYOR NO. 6416.

TAX ID: 053-50276.00

BEING THE SAME PROPERTY CONVEYED TO 222 SOUTH BROAD STREET CORPORATION, GRANTEE, FROM RICHARD C. MATTOX, UNMARRIED AND PAUL E. MATTOX, UNMARRIED, GRANTOR, BY WARRANTY DEED RECORDED 06/05/2019, IN BOOK 1792, PAGE 2926, OF THE FAIRFIELD COUNTY RECORDS.

OWNER	MAILING ADDRESS	CITY	STATE	ZIP
222 South Broad Street	222 South Broad Street	Lancaster	Ohio	43130
Bayer Home Services LLC	602 South Columbus Street	Lancaster	Ohio	43130
Brian Scott Holschuh	533 S. Columbus Street	Lancaster	Ohio	43130
CFDT Enterprises LLC	1343 Pleasant Run Dr.	Canal Winc	Ohio	43110
Mark E. Woods	559 S. Columbus St.	Lancaster	Ohio	43130
Renkas Properties LLC	664 South Columbus Street	Lancaster	Ohio	43130
River Town Enterprises LLC	1750 5th Street	Portsmouth	Ohio	43130
The Mithoff Companies LTD	4805 Scooby Lane	Carroll	Ohio	43112