

TEMPORARY RESOLUTION NO. 109-23

PERMANENT RESOLUTION NO. 107-23

A RESOLUTION TO AUTHORIZE THE CITY OF LANCASTER TO APPROVE THE VIOLET TOWNSHIP NEW COMMUNITY AUTHORITY AND TO DECLARE AN EMERGENCY

WHEREAS, pursuant to Chapter 349 of the Ohio Revised Code, Rockford Homes, Inc. will petition the Board of Commissioners of Fairfield County ("BCC") to create The Violet Township New Community Authority ("Authority"); and

WHEREAS, for the purposes of establishing the Authority, the City of Lancaster is the "proximate city" as defined in Section 349.01(M)(1), since it is the city with the greatest population located in the county in which the proposed new community district is located; and

WHEREAS, as the proximate city, Lancaster City Council is required to approve the petition, attached hereto as Exhibit A, before it can be submitted to the BCC; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LANCASTER, OHIO

SECTION 1. That Lancaster City Council President is hereby authorized to execute the "Proximate City Approval" portion of the petition, attached hereto as Exhibit A, as required to establish the Authority on behalf of Lancaster City Council.

SECTION 2. That all formal actions of this Council concerning and relating to the adoption of this resolution, and all deliberations of this Council and of any of its committees that resulted in such formal action, were taken in meetings open to the public in compliance with the law.

SECTION 3. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and for the further reason that this resolution must be enacted for the petition for The Violet Township New Community Authority to proceed; wherefore, this resolution shall take effect and be in force immediately upon its adoption and approval by the Mayor.

Passed: 10/23/23 after 2nd reading. Vote: Yeas 9 Nays 0

Date Approved: 10/23/23

Clerk: Jessie Lee Bondy

Offered by: Don H. McDaniel

Second by: Don H. McDaniel

Requested by Economic Development Committee

David A. Ull
President of Council
David L. Chapple
Mayor



**PETITION FOR ESTABLISHMENT OF
THE VIOLET TOWNSHIP
NEW COMMUNITY AUTHORITY
AS A NEW COMMUNITY AUTHORITY
UNDER OHIO REVISED CODE CHAPTER 349**

Pursuant to Chapter 349 of the Ohio Revised Code, Rockford Homes, Inc., an Ohio corporation (the “Developer”), hereby petitions the Board of Commissioners of Fairfield County, Ohio (the “Commissioners”) as the “organizational board of commissioners” within the meaning for Section 349.01(F) of the Ohio Revised Code for the creation of a new community authority (the “Authority”). The Developer is the “developer” within the meaning of Section 349.01(E) of the Ohio Revised Code for the new community district described in paragraph 3 below. Capitalized terms used in the Petition have the meanings give in Section 349.01 of the Ohio Revised Code unless otherwise defined or the context requires a different meaning.

The following information is provided pursuant to R.C. Section 349.03:

Section 1. **Name.** The proposed Authority shall be named the “Violet Township New Community Authority.”

Section 2. **Address.** The principal office of the Authority shall be 10190 Blacklick Eastern Road, Pickerington, Ohio 43147 or such other location as may hereafter be determined by the Board of Trustees of the Authority.

Section 3. **Map and Description of Boundaries.** Attached to this Petition as Exhibit A-1 are maps of all the land comprising the Violet Township New Community District (the “District”). Legal descriptions of each of the parcels in the District (collectively, the “Property”) are contained in the deeds attached as Exhibit A-2, which include a full and accurate description of the boundaries of the District. All properties within those boundaries will be included in the District. The total acreage to be included in the District will be approximately 137.50 acres, all of which acreage is owned or controlled (within the meaning of Section 349.01(E) of the Ohio Revised Code) by the Developer. All of the Property located within the District is wholly within the boundaries of Fairfield County. The Property to be included in the District is developable, taking into account the existing community, so that, taken together they will be a community characterized by well-balanced and diversified land use patterns, supported by the land acquisition and land development, and the community facilities acquired, constructed, operated and maintained by, the Authority.

Section 4. **Zoning Regulations.** The zoning regulations are attached hereto as Exhibit B attached hereto and incorporated herein by this reference.

Section 5. **Development Plan.** Attached to this Petition as Exhibit C is a current plan indicating the proposed development program (the “Program”) for the District and Land Acquisition and Land Development activities, Community Facilities, Community Activities, and services which it is proposed that the Authority will undertake under the Program; the proposed method of financing these activities and services (including a description of the bases, timing,

and manner of collecting any proposed community development charges); and the projected total residential population of, and employment within, the new community.

Section 6. Board Members. Pursuant to Section 349.04 of the Ohio Revised Code, the board of trustees (the “Board”) governing the Authority shall consist of seven members, with three of those members to be citizen members appointed by the Commissioners, three members to be appointed by the Developer, and one member to be appointed by the Commissioners to serve as a representative of local government. The Developer shall utilize its three Board appointments as follows: (i) until the Developer has been fully reimbursed for the costs of its Roadway Infrastructure Improvements up to the Reimbursement Cap (as those terms are defined in Exhibit C hereof), the Developer shall select two Board members, and the Board of Trustees for Violet Township (Fairfield County), Ohio (the “Township”) shall select the remaining one Board member; and (ii) after the Developer has been fully reimbursed for the costs of its Roadway Infrastructure Improvements up to the Reimbursement Cap, all three Developer Board members shall be selected by the Board of Trustees of the Township. Board members shall be subject to periodic re-appointment by the Developer, the Township and the Commissioners, respectively, with the Commissioners’ re-appointments to be made in accordance with the resolution adopted by the Commissioners under Section 349.04 of the Revised Code.

Section 7. Preliminary Economic Feasibility Analysis. Attached to this Petition as Exhibit D is a preliminary economic feasibility analysis for development in the District, including the (a) area development pattern and demand, (b) location and proposed District size, (c) present and future socio-economic conditions, (d) public services provision, (e) financial plan, and (f) a statement of the Developer’s management capability.

Section 8. Environmental Laws. The Developer will comply with all applicable environmental laws and regulations.

9. For purposes of the establishment of the Authority, the City of Lancaster, Ohio, is the “proximate city” as that term is defined in Section 349.01(M) of the Ohio Revised Code.

Attached Exhibits A, B, C, D, E and F are part of this Petition.

The Developer hereby requests that the Commissioners, as the organizational board of commissioners under Section 349.03 of the Ohio Revised Code, determine that this Petition complies as to form and substance with the requirements of Section 349.03 of the Ohio Revised Code, and further requests that the Commissioners fix the time and place of a hearing on this Petition for the establishment of the Authority. Pursuant to Section 349.03(A) of the Ohio Revised Code, pending determination by the Fairfield County Commissioners that this Petition complies with Section 349.03 of the Ohio Revised Code that hearing must be held not less than thirty nor more than forty-five (45) days after the filing of this Petition pursuant to Section 349.03 of the Ohio Revised Code on this ____ day of _____, 2023.

This Petition is filed with the Clerk of the Board of County Commissioners of Fairfield County, Ohio on this ___ day of _____, 2023.

Respectfully submitted,

ROCKFORD HOMES, INC., as Developer

By: _____

Name: Robert Yoakam

Title: President/CEO

Proximate City Approval

The City of Lancaster, Fairfield County, Ohio, by its Resolution No. _____ passed by its City Council on _____, 2023, has authorized the undersigned, the City Council of the City of Lancaster, to sign this Petition, and the Petition is herewith signed, as evidence of that approval.

City of Lancaster, Ohio

By: _____

Date: _____ 2023

EXHIBIT A-1

MAP OF VIOLET TOWNSHIP NEW COMMUNITY DISTRICT

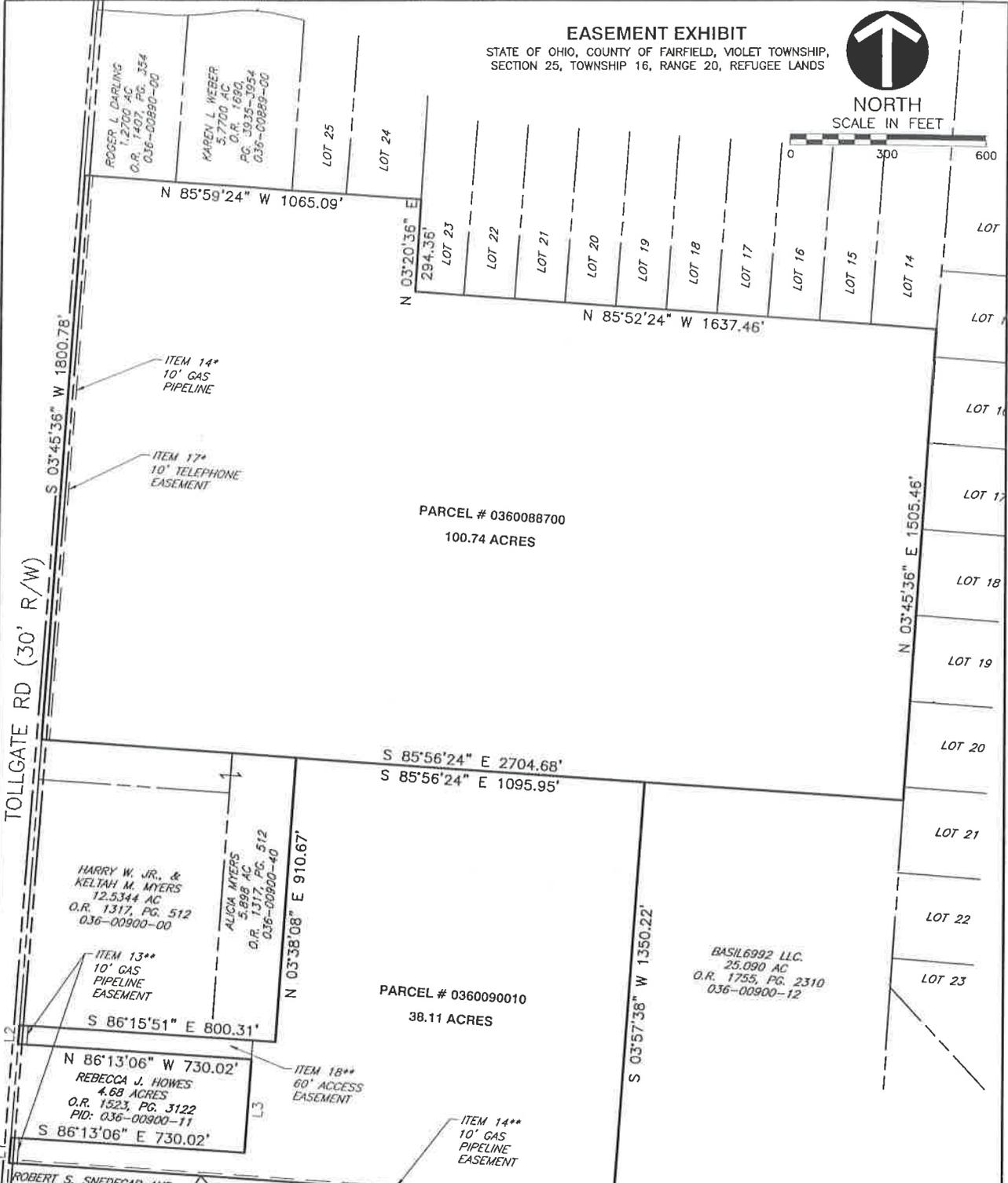
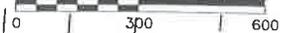
The District is comprised of the property identified and depicted on the attached maps.

EASEMENT EXHIBIT

STATE OF OHIO, COUNTY OF FAIRFIELD, VIOLET TOWNSHIP,
SECTION 25, TOWNSHIP 16, RANGE 20, REFUGEE LANDS



NORTH
SCALE IN FEET



TOLLGATE RD (30' R/W)

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N 03°40'28" E	80.91'
L2	N 03°38'54" E	60.00'
L3	N 03°38'54" E	298.95'

- NOTES:**
- ONLY THE PLOTTABLE EASEMENTS ARE SHOWN ON THIS DRAWING.
 - **--IN REFERENCE TO FIRST AMERICAN TITLE COMPANY DOCUMENT # 18599825--TCM
 - * --IN REFERENCE TO FIRST AMERICAN TITLE COMPANY DOCUMENT # 18599807--TCM


Civil & Environmental Consultants, Inc.
 250 Old Wilson Bridge Road - Suite 250 - Worthington, OH 43085
 614-540-6633 - 888-598-6808
www.cecinc.com

RECORD SURVEY
FOR TOLLGATE ROAD DEVELOPMENT
 Situate In
VIOLET TOWNSHIP
FAIRFIELD COUNTY, OHIO
 Made For
KEVIN BRAUN

DATE:	AUGUST 2018	SCALE:	1"=300'	EXHIBIT	
DRAWN BY:	DSC	CHECKED BY:	DBP		
PROJECT NO:	183-037	APPROVED BY:	RAH		1

SHEET 1 OF 1

EXHIBIT A-2

LEGAL DESCRIPTION OF
VIOLET TOWNSHIP NEW COMMUNITY DISTRICT

[Legal Description Attached]



DocId:8045775
Tx:4033289

202100033438

FILED FOR RECORD IN
FAIRFIELD COUNTY, OH
LISA MCKENZIE, COUNTY RECORDER
12/21/2021 09:22 AM
DEED 74.00

TRANSFERRED

DEC 21 2021 *JB*

Cathy L. Brown
County Auditor, Fairfield County, Ohio

REAL ESTATE CONVEYANCE

FEE \$ 3800.00

EXEMPT #.....

Cathy L. Brown
County Auditor, Fairfield County, Ohio

GENERAL WARRANTY DEED
(O.R.C. §5302.05)

Talon Title - C 18599825-TM

Tollgate Road, Ltd., an Ohio limited liability company ("GRANTOR"), for valuable consideration, grants, with general warranty covenants, to Rockford Homes, Inc., an Ohio corporation, whose tax mailing address is 999 Polaris Parkway, Suite 200, Columbus, Ohio 43240, the following REAL PROPERTY:

See Exhibit A attached hereto and incorporated by reference herein.

Parcel Number: 036-00900-10
Also Known As: 12330 Tollgate Road NW, Pickerington, Ohio 43147
Prior Instrument Ref: Volume 1729, Page 2137, Official Records of Fairfield County, Ohio.

Signed this 15th day of December, 2021.

GRANTOR:

Tollgate Road, Ltd.

By: *Richard T. Ricketts*
Richard T. Ricketts, Authorized Representative

STATE OF OHIO,
COUNTY OF FAIRFIELD, SS:

The foregoing instrument was acknowledged before me this 15th day of December, 2021, by Richard T. Ricketts, as authorized representative of Tollgate Road, Ltd., Grantor.



ELIZABETH HUFFMAN
Notary Public, State of Ohio
My Commission Expires Never Expires

Elizabeth Huffman
Notary Public

This instrument was prepared by:
Richard T. Ricketts, Esq.
Ricketts & Clark Co., LPA
50 Hill Road South
Pickerington, OH 43147

Exhibit "A"

Situated in the Township of Violet, County of Fairfield, and in the State of Ohio and bounded and described as follows:

Being a part of the Southeast Quarter of Section 25, Township 16, Range 20 of the Refugee Lands and also being a part of the Richard A. and Patricia A. Feucht property as described in Vol. 305 Pg. 588 of the Fairfield County Deed Records and being more particularly bounded and described as follows:

Beginning at an iron pin on the line between Violet and Liberty Township, said iron pin also being the Southwest corner of the "Executive Estates" Subdivision as shown in Plat Book 10, Pg. 59 (Fairfield County Plat Records).

Thence N. 1 deg. 06' 52" E. along the line between Violet and Liberty Townships, 600.00 feet to an iron pin marking the Northeast corner of the aforementioned Feucht property.

Thence N. 89 deg. 17' 46" W. along the North line of the aforementioned Feucht property, 2148.49 feet to an iron pin.

Thence S. 0 deg. 01' 50" W. 910.00 feet to an iron pin.

Thence N. 89 deg. 51' 36" W., passing an iron pin at 570.00 feet, a total distance of 600.00 feet to a railroad spike in the centerline of Toll Gate Road.

Thence S. 0 deg. 01' 50" W. along the center line of Toll Gate Road, 440.00 feet to a railroad spike.

Thence S. 89 deg. 25' 09" E., passing an iron pin at 30.00 feet and 600.00 feet, a total distance of 2722.93 feet to an iron pin on the line between Violet and Liberty Township.

Thence N. 1 deg. 06' 52" E., along the line between Violet and Liberty Township, 750.00 feet to the place of beginning, containing 72.3914 acres.

Subject to all legal and existing right of ways, easements, leases, conditions and regulations of record.

The above description was prepared by Malcolm A. Grove, Registered Surveyor S6547, in Dec., 1986.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

Situated in Violet Township, Fairfield County, Ohio and being a part of Section 25, Township 16, Range 20, Refugee Lands and being a 4.1754 acre tract of land out of a 72.3914 acre original tract of land conveyed to Mark A. Wentworth and Melody L. Wentworth by Deed of record In Deed Book 547, page 686, said 4.1754 acre tract being more particularly described as follows:

All references to documents are to those documents of record in the Fairfield County Recorder's Office;

Beginning, for reference, at the intersection of the centerlines of Toll Gate Road with Refugee Road (County Road 7);

Thence, North 00 deg. 01' 50" East, a distance of 1775.25 feet, along the centerline of Toll Gate Road, passing a spike found at a distance of 1335.25 feet, to a spike found at the southwesterly corner of that 12.53 acre tract of and conveyed to R. and P. Feucht in Deed Book 547, page 813;

Thence, South 89 deg. 52' 41" East, a distance of 600.31 feet, along the southerly line of said 12.53 acre tract, passing an iron pin found at a distance of 30.00 feet, to an iron pin found at the southeasterly corner of said 12.53 acre tract, the true point of beginning;

Thence, North 00 deg. 01' 04" East, a distance of 909.84 feet, along the easterly line of said 12.53 acre tract, to an iron pin found at the northeasterly corner of said 12.53 acre tract and being in the South line of a 100.47 acre tract of land conveyed to B. Lemon, et al by a Deed of Record in Deed Book 479, page 330;

Thence, South 89 deg. 38' 14" East, a distance of 200.00 feet, along said South line, to a set iron pin;

Thence, South 00 deg. 01' 03" West, a distance of 909.00 feet, across said 72.3914 acre original tract with a new division line, to a set iron pin;

Thence, North 89 deg. 52' 41" West, a distance of 200.00 feet, across said 72.3914 acre original tract with a new division line, to the true point of beginning, containing 4.1754 acres of land, more or less, subject of all legal easements and rights-of-way. AS RECORDED IN DEED BOOK 579, PAGE 802.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

DESCRIPTION OF 3.9976 ACRES:

Situated in Violet Township, Fairfield County, Ohio and being a part of Section 25, Township 16, Range 20, Refugee Lands and being a 3.9976 acre tract of land out of a 72.3914 acre tract of land conveyed to Mark A. Wentworth and Melody L. Wentworth by Deed of record in Deed Book 547, page 686, said 3.9976 acre tract being more particularly described as follows:

All references to documents are to those documents of record in the Fairfield County Recorder's Office;

Beginning, for reference, at a found spike in the centerline of Toll Gate Road (Township Road 225) at the Southwest corner of the above-mentioned 72.3914 acre tract, said spike being located North 00 deg. 01' 50" East, a distance of 1335.25 feet from the intersection of the centerlines of Toll Gate Road and Refugee Road (County Road 7);

Thence, with the South line of said 72.3914 acre tract South 89 deg. 42' 35" East, a distance of 2082.40 feet to a set iron pin, the true place of beginning and Southwest corner of the herein described 3.9976 acre tract;

Thence, crossing said 72.3914 acre tract, North 00 deg. 20' 33" East a distance of 1350.00 feet to a set iron pin in a North line of said 72.3914 acre tract, also being a South line of a 100.47 acre tract of land conveyed to E. Lemon et al. By Deed of Record in Deed Book 479, page 330;

Thence, with said line, South 89 deg. 38' 14" East, a distance of 129.00 feet to a set iron pin;

Thence, again crossing said 72.3914 acre tract, South 00 deg. 20' 33" West, a distance of 1349.79 feet to a set iron pin in the South line of said 72.3914 acre tract also being the North line of a 48.60 acre tract of land conveyed to L. & M. Goldasich by Deed of record in Deed Book 547, page 688;

Thence, with the South line of said 72.3914 acre tract and the North line of said 48.60 acre tract, North 89 deg. 42' 35" West, a distance of 129.00 feet to the true place of beginning, containing 3.9976 acres, more or less, subject to all legal easements and right-of-ways. AS RECORDED IN DEED BOOK 679, PAGE 40.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

DESCRIPTION OF 6.0042 ACRES:

Situated in Violet Township, Fairfield County, Ohio and being a part of Section 25, Township 16, Range 20, Refugee Lands and being a 6.0042 acre tract of land out of a 72.3914 acre tract of land conveyed to Mark A. Wentworth and

Melody L. Wentworth by Deed of Record in Deed Book 547, page 686, said 6.0042 acre tract being more particularly described as follows:

All references to documents are to those documents of record in the Fairfield County Recorders Office;

Beginning, for reference, at a found spike in the centerline of Toll Gate Road (Township Road 225) at the Southwest corner of the above-mentioned 72.3914 acre tract, said spike being located North 00 deg. 01' 50" East, a distance of 1335.25 feet from the centerlines of Toll Gate Road and Refugee Road (County Road 7);

Thence, with the South line of said 72.3914 acre tract South 89 deg. 42' 35" East, a distance of 1888.69 feet to a set iron pin, the true place of beginning and Southwest corner of the herein described 6.0042 acre tract;

Thence, crossing said 72.3914 acre tract, North 00 deg. 20' 33" East, a distance of 1350.32 feet to a set iron pin in a North line of said 72.3914 acre tract, also being a South line of a 100.47 acre tract of land conveyed to E. Lemon et.al. by Deed of Record In Deed Book 479, page 330;

Thence, with said line, South 89 deg. 38' 14" East, a distance of 193.71 feet to a set iron pin;

Thence, again crossing said 72.3914 acre tract, South 00 deg. 20' 33" West, a distance of 1350.00 feet to a set iron pin in the South line of said 72.3914 acre tract also being the North line of a 48.60 acre tract of land conveyed to L. & M. Goldasich by Deed of Record in Deed Book 547, page 688;

Thence, with the South line of said 72.3914 acre tract and the North line of said 48.60 acre tract, North 89 deg. 42' 35" West, a distance of 193.71 feet to the true place of beginning, containing 6.0042 acres, more or less, subject to all legal easements and right-of-ways. AS RECORDED IN DEED BOOK 579, PAGE 40.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

DESCRIPTION OF 5.0101 ACRES:

Situated in Violet Township, Fairfield County, Ohio, and being a part of the Southeast quarter of Section 25, Township 16, Range 20, Refugee Lands, and being a 5.0101 acre tract of land out of a 72.3914 acre tract of land conveyed to Mark A. and Melody L. Wentworth by Deed of Record in Deed Book 547, page 686, Fairfield County Recorder's Office, said 5.0101 acre tract being more particularly described as follows:

Beginning at a set spike in the centerline of Toll Gate Road, said spike being located North 00 deg. 01' 50" East, a distance of 1416.3 feet from the intersection of the centerlines of Toll Gate Road and Refugee Road, said spike also being in a West line of the above-mentioned 72.3914 acre tract;

Thence, with the centerline of Toll Gate Road and said West line of said 72.3914 acre tract, North 00 deg. 01' 50" East, a distance of 298.95 feet to a set spike;

Thence, crossing said 72.3914 acre tract, the following three (3) courses and distances:

South 89 deg. 51' 36" East, a distance of 730.02 feet to a set iron pin, passing an iron pin set for reference at a distance of 30.00 feet;

South 00 deg. 01' 50" West, a distance of 298.95 feet to a set iron pin;

North 89 deg. 51' 36" West, a distance of 730.02 feet (passing an iron pin set for reference at a distance of 700.02 feet) to the place of beginning;

The above described tract contains 5.0101 acres, more or less, subject to all legal easements and rights of ways. AS RECORDED IN DEED BOOK 567, PAGE 599.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

DESCRIPTION OF 15.0928 ACRES:

Situated in Violet Township, Fairfield County, Ohio and being a part of Section 25, Township 16, Range 20, Refugee Lands, and being a 15.0928 acre tract of land out of a 72.3914 acre tract of land conveyed to Mark A. Wentworth and Melody L. Wentworth by Deed of Record in Deed Book 547, page 686, said 15.0928 acre tract being more particularly described as follows:

All references to documents are to those documents of record in the Fairfield County Recorder's Office;

Beginning, for reference, at a found spike in the centerline of Toll Gate Road (Township Road 225) at the Southwest corner of the above-mentioned 72.3914 acre tract, said spike being located North 00 deg. 01' 50" East, a distance of 1335.25 feet from the intersection of the centerlines of Toll Gate Road and Refugee Road (County Road 7);

Thence, with the South line of said 72.3914 acre tract South 89 deg. 42' 35" East, a distance of 2211.40 feet to a set iron pin, the true place of beginning and Southwest corner of the herein described 15.0928 acre tract;

Thence, crossing said 72.3914 acre tract, North 00 deg. 20' 33" East, a distance of 1349.79 feet to a set iron pin in a North line of said 72.3914 acre tract, also being a South line of a 100.47 acre tract of land conveyed to E. Lemon et. al. By Deed of Record in Deed Book 479, page 330;

Thence, with said line, South 89 deg. 38' 14" East, a distance of 485.00 feet to a found iron pin at the Northeast corner of said 72.3914 acre tract, said iron pin being in the East line of Section 25, said section line also being the West line of Executive Estates Subdivision as shown on the recorded plat thereof in Plat Book 10, page 59;

Thence, with an East line of said 72.3914 acre tract and the West line of said Executive Estates Subdivision, South 00 deg. 09' 20" West, a distance of 599.91 feet to a found iron pin at the Southwest corner of said subdivision also being a corner of said 72.3914 acre tract, said iron pin also being the Northwest corner of an 11.78 acre tract of land conveyed to J. & E. Clark by Deed of Record in Deed Book 503, page 334;

Thence, with another East line of said 72.3914 acre tract, and the West line of said 11.78 acre tract, South 00 deg. 09' 08" West, a distance of 749.08 feet to a found iron pin at the Southeast corner of said 72.3914 acre tract also being the Northeast corner of a 48.60 acre tract of land conveyed to L. & M. Goldasich by Deed of Record in Deed Book 547, page 688;

Thence, with the South line of said 72.3914 acre tract and the North line of said 48.60 acre tract, North 89 deg. 42' 35" West, a distance of 489.45 feet to the true place of beginning, containing 15.0928 acres, more or less, subject to all legal easements and right-of-ways. AS RECORDED IN DEED BOOR 567, PAGE 729.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

DESCRIPTION OF 0.082 ACRES:

Situated in the State of Ohio, Fairfield County, Violet Township, also being a part of the southeast quarter of Section 25, Township 16, Range 20 Refugee Lands, and being a portion of a 38.11 acre tract as conveyed to Michael D. & Mandy S. Stenson as described in Official Record 692, Page 852, and being more particularly described as follows:

Commencing at the intersection of Refugee Road (right-of-way varies) and Toll Gate Road NW (30' wide right-of-way),

said point also being the southwest corner of the southeast quarter of Section 25, thence,

Along the centerline of Toll Gate Road NW, also being along the north-south half section line of Section 25, North 00° 29' 10" West, for a distance of one thousand three hundred thirty-four and fifty-one one-hundredths feet (1,334.51') to a point; said point being along the centerline of Toll Gate Road NW, said point also being along the north-south half section line of Section 25, said point also being a southwesterly corner of said 38.11 acre tract, said point also being the northwesterly corner of a 3.447 acre tract as conveyed to Robert S. & Michele M. Snedegar as described in Official Record 1364, Page 250, Tract One: said point also being the TRUE POINT OF BEGINNING, and from said beginning point running thence,

Continuing along the centerline of Toll Gate Road NW, also being along the north-south half section of Section 25, North 00° 29' 10" West, for a distance of eighty and eighty-five one-hundredths feet (80.85') to a point, said point being a northwesterly corner of said 38.11 acre, said point also being a southwesterly corner of a 5.010 acre tract as conveyed to H. Michael Howes and Rebecca Doll-Howes as described in Deed Book 567, Page 599; thence,

Along a portion of a northerly line of said 38.11 acre tract, also being along a portion of the southerly line of said 5.0101 acre tract, North 89° 37' 28" East, for a distance of forty-five and six one-hundredths feet (45.06') to an iron pin set; thence,

Along a new division line through said 38.11 acre tract, South 01° 00' 50" West, for a distance of eighty-one and one one-hundredths feet (81.01') to an iron pin set, said point being along a southerly line of said 38.11 acre tract, said point also being along the northerly line of said 3.447 acre tract; thence,

Along a portion of a southerly line of said 38.11 acre tract, also being along a portion of the northerly line of said 3.447 acre tract, South 89° 47' 55" West, for a distance of forty-two and ninety-four one-hundredths feet (42.94') to the point of beginning, containing 0.082 acres of land, more or less, as determined by Michael L. Keller, Professional Surveyor, Ohio License No. 7978, based on a survey performed by Kleingers & Associates in June, 2006.

Iron pins are to be set after final construction of roadway improvements, and are to be 5/8" diameter rebar 30" long with yellow plastic identification caps stamped "Kleingers & Assoc".

Basis of bearings for the above-described courses is the centerline of Refugee Road being North 90° 00' 00" West as shown on "Huntington Hills" subdivision plat as recorded in Plat Book 10, Page 91.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

DESCRIPTION OF 0.069 ACRES:

Situated in State of Ohio, Fairfield County, Violet Township, also being a part of the southeast quarter of Section 25, Township 16, Range 20 Refugee Lands, and being a portion of a 38.11 acre tract as conveyed to Michael D. & Mindy S. Stenson as described in Official Record 692, Page 852, and being more particularly described as follows:

Commencing at the intersection of Refugee Road (right-of-way varies) and Toll Gate Road NW (30' wide right-of-way), said point also being the southwest corner of the southeast quarter of Section 25; thence,

Along the centerline of Toll Gate Road NW, also being along the north-south half section line of Section 25, North 00° 29' 10" West, for a distance of one thousand seven hundred fourteen and eighty-one-hundredths feet (1,714.81') to a point; said point being along the centerline of Toll Gate Road NW, said point also being along the north-south half section line of Section 25, said point also being a southwesterly corner of said 38.11 acre tract, said point also being the northwesterly corner of a 5.0101 acre tract as conveyed to H. Michael Howes & Rebecca Doll-Howes as described in Deed Book 567, Page 599; said point also being the TRUE POINT OF BEGINNING, and from said beginning point running thence,

Continuing along the centerline of Toll Gate Road NW, also being along the north-south half section line of Section 25, North 00° 29' 10" West, for a distance of sixty and twenty one-hundredths feet (60.20') to a point, said point being a

northwesterly corner of said 38.11 acre tract, said point also being the southwesterly corner of a 12.5344 acre tract as conveyed to Harry W. Myers Jr. & Keltah M. Myers as described in Official Record 1317 Page 512; thence,

Along a portion of a northerly line of said 38.11 acre tract, also being along a portion of the southerly line of said 12.5344 acre tract, North 89° 37' 20" East, for a distance of fifty and zero one-hundredths feet (50.00') to an iron pin set; thence,

Along a new line through said 38.11 acre tract, said line being parallel and 50.00' distant to the centerline of Toll Gate Road NW, South 00° 29' 10" East, for a distance of sixty and twenty one-hundredths feet (60.20') to an iron pin set, said point being along a southerly line of said 38.11 acre tract, said point also being along the northerly line of said 5.0101 acre tract; thence,

Along a portion of a southerly line of said 38.11 acre tract, also being along a portion of the northerly line of said 5.0101 acre tract, South 89° 37' 28" West, for a distance of fifty and zero one-hundredths feet (50.00') to the point of beginning, containing 0.069 acres of land, more or less, as determined by Michael L. Keller, Professional Surveyor, Ohio License NO. 7978, based on a survey performed by Kleingers & Associates in June, 2006.

Iron pins are to be set after final construction of roadway improvements, and are to be 5/8" diameter rebar 30" long with yellow plastic identification caps stamped "Kleingers & Assoc".

Basis of bearings for the above-described courses is the centerline of Refugee Road being North 90° 00' 00" West as shown on "Huntington Hills" subdivision plat as recorded in Plat Book 10, Page 91.

Commonly Known As: 12330 Toll Gate Road Northwest, Pickerington, OH 43147

The property address and tax parcel identification number listed herein are provided solely for informational purposes.

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

BY SAK DATE 12/20/21

036-00900.10



RECORDS SECTION
FILED FOR PUBLIC USE
FAIRFIELD COUNTY, OH
COUNTY ENGINEER'S OFFICE
300 S. MAIN ST.
COLUMBUS, OH 43260

TRANSFERRED
APR 14 2021
REAL ESTATE CONVEYANCE
FEE \$ 6580.00
EXEMPT # _____
County Auditor Fairfield County, Ohio
County Auditor Fairfield County, Ohio

Return Documents To: Midwest Home Title Agency, LLC, 495 Executive Campus Drive, Westerville, Ohio 43082
Order No.: 2098261

GENERAL WARRANTY DEED By a Limited Liability Company

KNOW ALL MEN BY THESE PRESENTS; That **Mason Family, Ltd.**, the grantor, a limited liability company organized and existing under the laws of the State of Ohio for Ten Dollars (\$10.00) and other good and valuable consideration paid, grants with general warranty covenants, to **Rockford Homes, Inc.**, the following Real Property:

Situated in the State of Ohio, County of Fairfield and Township of Violet and being situated in the northeast quarter of Section No. 25, Township No. 16, Range No. 20 Refugee Lands and bounded and described as follows:

Beginning at a point 13.47 chains south of a stone at the northwest corner of the northeast quarter of section No. 25; thence from said beginning point south on the half section line 27.32 chains to the southwest corner of said quarter section; thence south 89° 42' east 40.98 chains to a stone at the southeast corner of said quarter section; thence north on the Section line 22.81 chains to a point; thence north 89° 38' west 24.81 chains to a point; thence north 25' west 4.46 chains to a stone; thence North 89° 45' west 16.15 chains to the place of beginning containing 100.74 acres more or less as surveyed by T. R. Schopp December 6 and 7, 1911

Reference being had to Volume 10 Survey 3625 Records Fairfield County Engineer's Office and to Volume 225, Page 453 of the Deed Records of Fairfield County, Ohio.

DESCRIPTION REVIEWED AND APPROVED
FOR TRANSFER ONLY FAIRFIELD COUNTY
AUDITOR/ENGINEER TAX MAPS.
BY AA DATE 4/13/21
036-00287-00

Parcel No: **0360088700**
Known As: **12648-12650 NorthWest Toll Gate Road, Pickerington, OH 43147**
Tax Mailing Address: 999 Polaris Parkway
Suite 200
Columbus, Ohio 43240

Except for the following and subject to all of which this conveyance is made: legal highways; zoning ordinances; real estate taxes and assessments which are now or may hereafter become a lien on said premises; covenants, conditions, restrictions and easements of record.

Prior Instrument Reference: Book 687, Page 475 of the Deed Records of Fairfield County, OH.

Signature(s) and Notary Acknowledgment on Next Page

Executed this 9th day of April, 2021.

Mason Family Ltd.

By: Gary Armentrout
Its: Manager

State of, Ohio
County of, Franklin SS:

The foregoing instrument was acknowledged before me this 9th day of April, 2021 by Gary Armentrout of Mason Family Ltd. on behalf of said limited liability company.

Johnna Evans
Notary Public



JOHNNA EVANS
Attorney At Law
NOTARY PUBLIC
STATE OF OHIO
My Commission Has
No Expiration Date
Section 147.03 O.R.C.

This instrument prepared by:
Paul C. Thompson, Esq., 4040 Embassy Parkway, Suite 310
Return Documents To: Midwest Home Title Agency, LLC, 495 Executive Campus Drive, Westerville,
Ohio 43082

EXHIBIT B

**ZONING REGULATIONS APPLICABLE TO
VIOLET TOWNSHIP NEW COMMUNITY DISTRICT**

[Township Zoning Code Attached]

**DEVELOPMENT TEXT FOR SYCAMORE GROVE PLANNED RESIDENTIAL
DISTRICT, TOLLGATE ROAD
VIOLET TOWNSHIP, FAIRFIELD COUNTY, OHIO**

Revised December 2020 – Trustees Consideration

Applicant: Rockford Homes, Inc.

Developer: Rockford Homes, Inc. 990 Polaris Parkway, Ste. 200
Columbus, OH 43240

Engineer/Planner: Todd Faris, Landscape Architect, Faris Planning and Design
Michael Reeves, PE, Kimley-Horn Engineering

Property: 100.685 acres, 12648 Tollgate Road NW, Pickerington, Ohio
Mason Family Ltd. (current property owner)

36.814 acres, 12330 Tollgate Road NW, Pickerington, Ohio
Tollgate Road, Ltd. (current property owner)

Tax Parcel Nos.: 0360088700 (100.65 ac); 0360090010 (36.81 ac)

Notes: In the event a standard, use, provision or requirement is not provided under this planned district text, the standards, use, provisions and requirements set forth in the Violet Township Zoning Resolution as applicable shall apply.

The applicant reserves the right to alter the name of the community from “Sycamore Grove” based on further market analysis.

Exhibit Table:

- I. Engineering Plan Exhibits
 - Subarea A (+/-100.685 acres) Engineering Plan Exhibits
 - A-1 Existing Conditions and Demolition Plan
 - A-2 Record Survey
 - A-3 Site Plan and Phasing
 - A-4 Utility Plans
 - A-5 and A-6 Sight Distance
 - Subarea B (+/-36.814 acres) Engineering Plan Exhibits
 - A-1 Existing Conditions and Demolition Plan
 - A-2 Record Survey
 - A-3 Site Plan and Phasing
 - A-4 Utility Plan

II. Development, Illustrative and Landscape Plan Exhibits

A-1.1 – Development and Illustrative Plan, including data table, reserves, typical lot and wetlands.

Exhibit B - Tollgate Frontage and Landscape Concept Plan

Exhibit C – Tot Lot Concept Plan

Exhibit D – Tollgate South Gathering Space Concept Plan

Exhibit E – Entry Feature Enlargement

Exhibit F – CBU Locations and Details

III. Miscellaneous Text Exhibits

Exhibit G – Pool Fence and Yard Fence Specifications

Exhibit H – Open Space areas to be fined mowed and succeeding to natural.

Exhibit I - Morrison Sign Company – Model Home Signage Exhibit

Exhibit J – Bollard Location Exhibit

Exhibit K – Conservation Education Plaque Location Exhibit

Project Narrative:

The Sycamore Grove Planned Residential District consists of approximately 137.50+/- acres located east of Tollgate Road NW, south of Mamie Drive and west of Saylor Road to be developed under this uniform zoning text and the accompanying development plans. The northern most parcel (PN 0360088700) consists of 100.685 acres and is herein referred to as Subarea A. The southern-most parcel consists of 36.814 acres (PN 0360090010) and is herein referred to as Subarea B. It is planned that both Subareas are to be developed by Rockford Homes and are subject to this zoning application and the development standards specified herein and on the attached plans. Both parcels are currently zoned R-2, Single Family Residential and are currently farmed, with existing residences and accessory buildings. A stream corridor, woods, wetlands and topographical changes are the natural conditions that characterize the existing site. Plan Exhibit sheet A-1 documents existing conditions and shows existing buildings to be removed, current farmed areas, the stream corridor, wooded areas to be removed and expected to remain and topographical changes on site.

Currently located adjacent to the proposed development are the following:

- To the West – Tollgate Road borders the property, along with existing large lot single-family homes, which are zoned R-2.
- To the North – Large lot single-family homes developed with Mamie Road as the Tollgate Estates subdivision, which is zoned R-2.
- To the South – Undeveloped, wooded acreage, agricultural lands, along with large lot, single-family homes, which are zoned R-2.
- To the East – Subdivision style development across the Liberty Township line named the Executive Estates, which is zoned R-2.

Applicant Rockford Homes is requesting to rezone the property to Planned District-Residential, with a uniform and consistent development plan, text and standards that shall apply to the entire 137.50+/- acre tract and both subareas. The proposed development will consist of 239 detached single-family homes on fee simple lots. The lots will be a minimum of 65' x 130' in Subarea A and 65' x 120' in Subarea B to provide a variety of lots and home sizes. The development will have a gross density of +/-1.74 du/ac and a net density of +/- 1.99 du/ac. All homes shall have a minimum two-car garage. The homes and lot sizes are designed to meet changing demands in the housing market for updated and amenitized homes on more manageable lot sizes with greater common Open Space. Such lot sizes and quality homes equate to value in the market, while allowing the community to structure Open Spaces in larger configurations for more common enjoyment, to preserve natural areas and to buffer neighboring properties. With such lot sizes and development pattern, the percentage of Open Space that is preserved significantly exceeds more traditional large lot development and typical single-family code standards.

As the Subareas are in different ownership currently, they could be developed and built by different developers. However, regardless of the final developer of record for each Subarea, the standards of this development text shall apply uniformly to this planned residential district.

Acreage	137.50
Number of Lots	239
Gross Open Space Areas/Percentage	70.23+/- acres (51.07%) (Includes ponds E and F, wetlands, buffers and stream corridor.)
Right-of-Way Acres	17.54+/- acres
Net Density	1.99+/- du/ac
Gross Density	1.74+/- du/ac

Permitted Uses:

All lots in the development (both Subareas A and B) shall be used for single-family residential purposes and related features and amenities depicted on development plans and shall meet the requirements set forth in this text. Not more than one home is

permitted on each lot. No building shall be erected, altered, placed or permitted to remain in any lot that would exceed two and one-half (2-1/2) stories in height or thirty-eight (38) feet from the finish grade of the building. Permitted improvements on lots shall consist of room additions and structures which include an attached garage, an uncovered, covered and/or enclosed patio, pergolas and yard fences both as specified for individual lots and to protect in-ground swimming pools as needed and as further described herein and in the Declaration of Covenants, Conditions, Easements and Restrictions (the "Homeowners' Association Documents").

The development will consist of development areas, Open Spaces, the natural stream corridor, wooded reserves/No Build Zones, buffers, entrance way amenities and other features screening the development from the public roadway, paths, mounding and screening, a playground, a community gathering area, and stormwater facilities (ponds) to be owned and maintained by the homeowners' association. The Open Spaces shall be improved as depicted on plans to promote active and passive uses and the enjoyment of natural areas. Open Spaces are further described herein.

Cluster mailbox (CBU) locations are permitted subject to USPS regulations, local Postmaster approval and subject to review by the zoning officer at the time of final development plan. Preliminary cluster mailbox (CBU) locations and details are shown on Exhibit F.

Home occupation uses may be permitted in accordance with the provisions of the Violet Township Zoning Resolution.

Well-maintained, on-lot vegetable gardens for personal, household consumption are permitted under standards described herein.

Model Homes:

Up to two model homes per subarea (four total model homes with two each in both Subareas A and B) shall be permitted as uses during the development and sales periods in the Sycamore Grove Planned District. Usage of the model homes in the respective subareas shall terminate when the zoning certificates of compliance have been issued for ninety percent (90%) of the lots within each subarea. In addition to the construction of model homes within the development, the applicant will limit the associated signage for model homes to one sign per model home not to exceed twelve (12) square feet. The sign shall not be located closer than ten (10) feet from the edge of the right-of-way and landscaped at the base. Permitted model home signage specifications are included in Morrison Sign Company Text Exhibit I under this text as provided.

Prohibited Uses:

No other structure including detached accessory buildings with the exception of those listed as permitted uses herein shall be constructed, erected, placed or permitted to remain upon any lot or in any common area, Open Space, buffer area or No Build Zone, as defined herein, that are owned by the Homeowners' Association and regulated under

community covenants and deed restrictions. The word "structure" as used herein includes anything on a lot which may affect the appearance of such lot, including but not limited to, an above-ground swimming pool, barn, greenhouse, coop, cage, animal run, storage shed, outbuilding, house trailer, or any other temporary or permanent improvement on such lot. No temporary storage unit shall be allowed on any lot, except that temporary portable storage units that are related to home remodeling shall be allowed for a period not to exceed two weeks to facilitate such remodeling. However, notwithstanding the foregoing, above ground yard fences or those safety fences associated with in-ground pools are specifically defined as permitted uses within this text.

No building shall be located on any lot outside the established front building setback line under this text or nearer to a side yard line than the minimum building setback lines shown on the recorded plat; provided however, if the appropriate governmental authority shall grant a variance to such setback lines, then the requirements hereof may be modified. No portion of any lot nearer to any street than the building setback lines shown on the recorded plat shall be used for any purposes other than that of a lawn. Nothing herein contained, however, shall be construed as preventing the use of such portion of the lots for walks, drives, planting of trees or shrubbery, growing of flowers or other ornamental plants, or for small statuary, entrance ways, fountains or similar ornamentations for the purpose of beautifying said lots.

No trade or commercial activity shall be conducted upon any lot except for permitted Home Occupations with a Conditional Use Permit, nor shall anything be done thereon which may become an annoyance or nuisance to any of the owners to any of said lots in the Subdivision.

Notwithstanding the foregoing, the developer, its successors and assigns, may perform its development activities within the subdivision and the developer may maintain a home sale model within the subdivision and may conduct sales activities from such model in accordance with the requirements and provisions of the Violet Township Zoning Resolution Section 3AA8(E)(1).

Commercial agricultural production and uses are prohibited on any lot or Open Space area in developed phases and after the overall site is fully developed. Ongoing crop planting and harvesting operations may continue within undeveloped phases as the site transitions from current farming to final development in phases. However, well maintained gardens for personal consumption are permitted but must be located in the rear yard at least ten feet from an adjoining lot line. Agricultural uses such as raising of chickens, poultry, or any other livestock shall be prohibited.

Utilities/Public Service

Utilities:

All utilities shall be underground except for telephone and cable pedestal and electric transformers. All utilities shall be constructed in accordance with the engineering drawings approved by Fairfield County Engineer.

Waterline:

An existing water line is in place on the east side of Tollgate Road maintained by Fairfield County Utilities that will provide service to the site.

Sanitary Sewer:

The proposed sanitary sewer to serve the Sycamore Grove planned district is located adjacent to Sycamore Creek on Fairfield County Parcel 0360090033 owned by Ignacio Castellanos adjacent to Refugee Road. An existing 18-inch sewer was extended to the north side of Refugee Road. A proposed 15-inch sewer will connect to the existing manhole and route through an easement to the southwest corner of Subarea B. The sewer will extend through the development to serve Subareas A and B. (See utility plan Exhibits A-4)

Storm Water Facilities, Controls and Drainage:

Existing drainage generally flows from northeast to southwest on the northern parcel (Subarea A) and from the north to the southeast and southwest on the southern parcel (Subarea B). Four retention ponds are proposed in the western portion of Subarea A, with one additional pond incorporated into the large central Open Space. Two ponds are located at the southern portion of Subarea B. Preliminary storm water calculations, sizing and design are depicted in plan Exhibits, and are subject to adjustment based on the outcome of the zoning process and final regulatory and engineering approval by the Fairfield County Engineer's office. (See utility plan Exhibits A-4)

All storm water retention ponds shall be constructed by the developer and shall include the installation of a safety ledge within the ponds as approved by the Fairfield County Engineer's Office and/or in compliance with any adopted subdivision regulations. All storm water sewer structures and storm water retention ponds shall be a part of the drainage maintenance district per the Fairfield County Subdivision Regulations. Every storm water retention pond shall have a minimum of one (1) fountain or bubbler located within each pond for aeration. Plan Exhibits detail which ponds will include fountains or bubblers. (See illustrative site plan, A-1.1) The storm water retention ponds, facilities, lines, structures and fountains/bubblers shall be maintained by the HOA.

Note on utility locations and No Build Zones: The No Build Zone designations in this text and on development plans are subject to adjustment with final engineering plans, and the allowance for the placement of utilities, street and utility crossings, storm water facilities, positive drainage needs and tree plantings, along with ongoing maintenance as necessary but no build areas shall

be restored after such placement and otherwise be kept in a natural or appropriately programmed state.

Safety Services:

Fire and EMS service shall be provided by Violet Township Fire Department and law enforcement shall be provided by the Fairfield County Sheriff.

Design Standards for the Development:

- Subarea A 100.685 ac; 174 Total Lots
65' x 130' (minimum)
- Subarea B 36.814 ac; 65 Total Lots
65' x 120' (minimum)
- Lot Size
 - Minimum Lot Width (at the Building Line) Sixty-Five (65)
 - Minimum Lot Areas 8,450 square feet (Subarea A)
7,800 square feet (Subarea B)
- Building Setbacks
 - Front (Building Line) 30 feet
 - Minimum Side Yard 7.5 feet each side
 - Minimum Rear Yard 25 feet
- Minimum Home Size
 - One-story 1,550 square feet (excluding garage)
 - Two-story 1,800 square feet (excluding garage)
- Maximum Lot Coverage 45%
- Maximum Building Height 38 feet
- Driveway Setback 2 feet minimum

Architectural Standards:

- Exterior Finishes for all Homes: All homes shall have exterior finishes consisting of brick, stone, cultured stone, wood, stucco, cementitious fiber siding, Hardie

Plank and vinyl siding with a nominal thickness of 0.42 gauge or foam backed "Crane Board" or similar materials. Model homes shall include 25% natural and/or masonry treatments on front elevations in order to demonstrate the mix of materials expected in the community.

- Exterior Paint Colors: Earth tones and neutral colors shall predominate as the overall color scheme for the homes, and on exteriors for the siding, doors, shutters, fascias, cornices, soffits and miscellaneous trim, however, accent colors that are complementary and/or are part of an overall architectural style shall also be permissible.
- Porches: Front porches shall be encouraged, but not required, on the homes based on their architectural style. Garages may extend up to two feet forward from the front plane of the living space of the homes, but this shall only be allowed in cases where a porch is also utilized that is at least two-thirds as wide as the home measured against the width of the front living space of the home. When a porch is included that is less than at least two-thirds as wide as the front living space of the home, or no porch is utilized, the garages shall be even with the front plane of the home or recessed behind the front plane of the home.
- Chimneys: Direct vent and cantilevered chimneys are permitted as well as wood burning fireplaces with a foundation. All chimneys shall be constructed of exterior finishes allowed by the home.
- Windows: Windows located on all four sides of the house must be treated in the same manner as the windows at the front of the house. All windows shall be traditional single, fixed, double hung or casement style.
- Shutters: Shutters shall be used judiciously and not on every window. Exterior shutters shall be painted and may be solid paneled (raised panel) or louvered.
- Garages and Driveways: All homes shall have a minimum of two (2) car attached garage. All homes will have a minimum of four (4) parking spaces on each lot, two (2) within the garage and two (2) in front of the garage on driveways. Driveways shall have a minimum depth of 20 feet from the face of the garage to the public right-of-way.
- Shingles: All homes shall have dimensional type shingles.
- Skylights and Roof-top Solar Panels: Skylights in the roof and roof-top solar panels are permitted provided they are not located at the front façade of the home and are not visible from the street.

- Gutters and Downspouts: Gutters and downspouts may be constructed of extruded aluminum. All drainage from the gutters and downspouts shall be underground and either taken to the street or other drainage facilities subject to the approval of Fairfield County. Walkouts may have rear downspouts which drain to the rear yard swales.
- Mailboxes: Central mailbox locations shall be incorporated into the development plan in available Open Space as generally depicted on development plans, (see Exhibit F) subject to postal regulations and review at the final development plan stage with the township zoning officer.
- House Numbers: House numbers shall be located consistently throughout the development, clearly on the front of the homes (or on attached garages) and in a location readily visible from the street.
- Note: The home elevation examples submitted with this PRD application are meant to be illustrative of the type and style of homes that comply with the standards of the zoning text and could be built at Sycamore Grove. However, such home elevations are examples only, and are subject to change, refinement, customization, substitution and/or upgrading as customer and market demands evolve. Whether the home elevations are built as shown, or other models and elevations are chosen and built, all homes constructed shall meet the standards of and comply with this PRD development text.

Miscellaneous Standards:

- Homeowners' Association: Every owner of a lot shall be required to become a member in a forced funded homeowners' association. (HOA) The homeowners' association responsibilities are set forth in general terms in this text and shall be further detailed within the Declaration of Covenants and Restrictions at the time of the final development plan approval when development and engineering details are finalized. The HOA duties include but shall not be limited to: enforcing deed restrictions; collecting and budgeting fees to carry on its responsibilities; ownership, maintenance and protection of Open Spaces, including all common and community areas, wooded areas, wetlands, and stream corridors; enforcing "No Build Zones"; maintaining playground and community amenities, storm water ponds, entry features and related foliage, and to maintain street trees when the responsible homeowner fails to do so. Sample declarations and deed restrictions are attached to this application and are meant to be illustrative of the HOA's duties, and scope of authority. The final Declaration of Covenants and Restrictions shall be revised as necessary and reviewed by the Violet Township Trustees upon zoning approval, and at the time of final development plan approval, and prior to their recording at the Fairfield County Recorder's Office.

- Utility Meters/HVAC: All utility meters shall not be located in the front of the lot but shall be located at the side or rear of the structure, and shall be located a minimum of 5 feet from the front façade. HVAC condensers and similar mechanical fixtures shall be located at the rear of the home and shielded from the street.
- Trash Containers: Trash containers shall be stored within the garage or outside in an area that is screened. In no case shall they be stored or located within the front of the house.
- Fencing on Lots: Pool fencing shall be permitted on lots, which is required by law to surround an in-ground swimming pool. Such fencing shall be in accordance with the Violet Township Zoning Resolution. Such pool fencing is specified in deed restrictions, and generally shall enclose an area not in excess of two (2) times the water surface of an in-ground swimming pool. Pool fences shall be constructed of metal or aluminum with a black finish. Other backyard fencing is permitted on lots as yard and security fencing not to exceed forty two (42) inches in height and designed as equestrian style, wood smooth board, (one inch by six inch boards), with three rails as specified in deed restrictions, with optional wire mesh back, left natural or stained black. Fences may not extend closer to the street line than the front yard building setback line. On corner lots, fences shall not extend closer to the street than the building line. Any pool fencing and on-lot fencing shall be constructed of the style in accordance with the homeowners' association documents and specifications, and shall be the same as specified in Text Exhibit G, attached hereto.) No chain link fences are permitted. Fencing shall not obstruct or impede the drainage and/or flood routing on the lot. Fencing on lots is subject to further regulations, requirements and restrictions by the Fairfield County Engineer with regard to platted easements and/or the prohibition of structures including fencing within such easements.
- Swimming Pools and Spas/Hot Tubs: Above ground swimming pools shall be prohibited. All swimming pools must be in-ground construction and fenced in accordance with the requirements and provisions of the Violet Township Zoning Resolution. No spa/hot tub measuring more than fifty (50) square feet shall be constructed or maintained above the finished grade of the Subdivision. Spas/hot tubs maybe permitted as long as they are fenced and screened from the adjoining property owners. All swimming pools and spas/hot tubs shall be located in the rear yard and no closer than fifteen (15) feet from the rear and side yard property lines in accordance with the requirements and provisions of the Violet Township Zoning Resolution. Swimming pools and spas shall be drained, refilled and maintained in accordance with the requirements and provisions of the Violet Township Zoning Resolution.

- Pergolas on individual lots: A pergola is a garden feature detached from the house forming a shaded walkway, passageway, or sitting area of vertical posts or pillars that usually support cross-beams and a sturdy open lattice, and is defined as a permitted use on lots within this planned district. Pergolas may be constructed in the rear of the lot, but not within the applicable side and rear yard setbacks. Pergolas are prohibited in the front or side of the house. Pergolas may be constructed within six (6) inches of the house.
- Antennas: Television and radio antennas including dish-type satellite signal receiving earth station over twenty-four (24) inches in diameter shall be prohibited on the exterior of any house or building, except as otherwise governed and/or provided under federal regulations. No towers of any kind, including, but not limited to, television, radio and/or microwave towers, shall be erected, placed or maintained on any lot in the Subdivision. Any antennas not prohibited above shall none the less be placed in such a manner so as to be hidden from sight from ground level.
- Recreational Equipment: Recreation equipment, including but not limited to swing sets, slides, jungle gyms and other similar equipment shall be permitted on lots only if such equipment is not located within the front, side or rear yard setbacks.
- Vehicles Not in Use: Inoperable vehicles shall be stored within an enclosed structure and not outside.
- Pleasure and Utility Vehicle and Equipment Parking and Storage: No truck, trailer, boat, camper, or other recreational vehicles, commercial vehicles (including commercial vehicles used for daily commuting) or utility vehicles and equipment, including mowers, tractors, and other lawn or garden equipment, shall be parked or stored on any lot unless it is in a garage; provided, however, that nothing herein shall prohibit the occasional nonrecurring temporary parking of such truck, trailer, boat, camper, recreational vehicle or commercial vehicle on the premises for a period not to exceed seventy-two (72) hours in any period of thirty (30) days. The word "truck" shall include and mean every type of motor vehicle other than passenger cars and other than any pickup truck which is used as an automobile vehicle by an owner of a lot and his/her family. Parking in mowed, grassed or other unimproved or undesignated parking areas is prohibited.
- Waste Disposal: No lot shall be used or maintained as dumping ground for rubbish, trash, scrap or used materials, debris and similar items. Trash, garbage or other waste shall not be kept except for composting of organic material/waste or in a sanitary container. All composting areas or equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition and

screened from view from the street and abutting properties. Composting of organic material/waste shall be limited to an area no larger than thirty (30) square feet, shall be restricted to covered containers/enclosed compost structures and not located any closer than within (ten) 10 feet of any adjoining property line.

- Outside Storage: No open storage of trash, debris, scrap or used materials, equipment, building materials or similar materials shall be stored or maintained on any lot in the Subdivision.
- Tree Lawns: Tree lawns located within the street right-of-way between the edge of pavement of the street and the street right-of-way shall be maintained by the contiguous lot owner. Tree lawns will be planted with grass.
- Street Trees:
 - a. Street trees shall be required on both sides of internal streets spaced at the average rate of one (1) tree per thirty-five (35) feet. At least one (1) tree shall be planted and maintained between the front façade of each home and the public sidewalk, uniformly located not less than five (5) feet from the edge of right-of-way to meet street tree commitments.
 - b. All street trees shall be 2.5 inches in caliper measured six (6) inches above the grade at installation.
 - c. Street trees/front yard trees shall be maintained by the contiguous lot owner or the HOA when there is not a contiguous lot owner. In the event a tree is removed, dies or is damaged, the lot owner shall replace such tree during the current planting season or, if such removal or damage occurs during winter months, during the next planting season, with tree(s) of a like number and variety. The HOA shall be secondarily responsible for this maintenance standard should the homeowner with the initial responsibility not perform this function. After providing written notice, the HOA may replace such removed, dead or damaged trees and charge the homeowner a reasonable fee for such services.

Lot owners shall be responsible for all maintenance and clean up associated with such street trees, which maintenance and clean up shall be completed within a reasonable time.

- Multi-Purpose Asphalt Paths: All asphalt paths within the Open Spaces shall be maintained by the HOA.

- Sidewalks: All sidewalks in the front or the side of the homes shall be maintained by the individual lot owners. Sidewalks that are adjacent to Open Spaces shall be maintained by the homeowners' association. Sidewalks within rights-of-way or to be used in public spaces shall be five (5) feet in width or otherwise shall meet county development standards and subdivision design specifications.

A private sidewalk will be connected from the front door or porch of the home to either the driveway or public sidewalk within the road right-of-way. These sidewalk connections from the front door or porch to the driveway or public sidewalk are to be maintained by the lot owner.

- Driveways: Driveways shall be eighteen (18) feet or less in width at right-of-way line. Sideloaded driveways shall be setback at least two (2) feet from the property line.
- Wetland Buffers: Wetlands buffers shall be provided for all wetlands required to be retained under the U.S. Army Corps of Engineers or OEPA permits. The buffer areas shall have a width not less than 25 feet, measured from the edge of the designated wetland, once established. The buffer area shall not be disturbed other than as is necessary to establish a natural landscape. During the development process, wetlands may be altered as allowed and in compliance with federal and state permitting regulations. Final wetlands delineation shall be subject to U.S. Army Corps of Engineers or the OEPA permitting. Wetland buffers are shown with this rezoning application (engineering Exhibit A-1.1 and A-3), but are meant only to demonstrate a preliminary evaluation at this stage and are subject to further wetlands delineation and permitting requirements at the final engineering stage of development, prior to final platting. Similarly, wetlands or wetlands buffers shown on lots only represent preliminary evaluations, and current location, as well as the intent is to preserve all wetlands, subject to final delineation and exact location determinations. Lots may be shifted with final engineering plans to protect wetlands or wetland buffers once exact locations are surveyed. No wetland buffer shall be located within any lot area within this planned district.
- Stream Buffer/Stream Corridor Protection: A riparian buffer shall be provided along the entire length and on both sides of the perennial stream channel identified on development plans. The buffer area shall have a width not less than fifty (50) feet, measured from the stream bank: The identified stream is located within areas designated as Open Space and the No Build Zone as shown on development plans.(Exhibit A-3) This buffer area shall be restricted from development, subject to permissible street crossing and utility placement, and managed to promote growth of vegetation indigenous to the area and capable of maintaining the structural integrity of the stream banks. The stream buffer is

placed in designated Open Space accessible for public use for passive and active recreation and is a preserved natural site amenity as defined in code sections 3V3-02 (C)(1) and (2). No buildable portion of any lots will include the stream corridor protection zone. The stream corridor protection zone will be designated on the final plat as a no build and no disturb zone.

- No Build Zones - In general, “No Build Zones” and/or “No Disturb Zones” mean that most perimeter and other Open Space areas, (the perimeter portions of reserves A, I, the perimeter portions of reserve G, and most of reserve C away from Tollgate Road) and the stream corridor protection setback of fifty (50) feet on either side of the stream as shown on development plans (engineering Exhibit A-3) in portions of reserves A, C and D are to be left in a natural state and/or allowed to revert to a natural state after the development period. Within No Build Zones no structures and no alterations of any kind may be permitted, except those necessary for the development process as specifically provided for herein. Healthy trees in these areas are to be undisturbed, with the allowance for the removal of dead, dying or hazard trees in keeping with good forestry practices. The No Build Zone designations in this text and on development plans are subject to the allowance for the placement of utilities, street, pedestrian and utility crossings, storm water facilities, and tree plantings, along with ongoing maintenance as necessary but no build areas shall be restored after such placement and otherwise be kept in a natural state. (See engineering Exhibit A-3 for No Build Zone areas.) No Build Zones are to be owned and maintained by the HOA.
- During the sales process, the applicant and/or developer of record for each Subarea will disclose via a Notification Addendum that certain lots border or are near the designated Stream Corridor Protection Zone, that this is a no-disturb and no-build zone, encroachments and alterations are prohibited and violations of this area are subject to enforcement under the HOA documents and the approved zoning for the property.
- Lighting:
 - a. Street Lights: The developer shall install street lights within the development that complies with the requirements of the Fairfield County Subdivision Regulations. The cost of the electricity shall be paid for and the street lights shall be maintained by the HOA.
 - b. Entry lighting: Low-voltage shielded up-lighting may be located within entry reserves as accent lighting for the entry sign and landscaping.

- c. Exterior Home Lighting: Low-voltage shielded up-lighting may be used on the exterior of the home and landscaping as accent lighting. Outdoor lighting for safety, security and walkways to and from the home shall be cut-off shielded down-lighting.
- Vacant Lots: All unplatted, undeveloped and/or vacant lots that have been platted shall be mowed and maintained during the development period prior to their being developed, unless used as agricultural in case of unplatted areas. Such lots and areas shall be kept free of debris and no construction materials shall be stored on the vacant lots, provided however, these construction materials may be staged within proximity to the construction trailer provided such area is not visible from public view. Agricultural uses of the areas of the property that are not yet subject to a final plat may continue to be used for such agricultural activity. No platted lot may be used for agricultural purposes other than the exception herein for gardens for household consumption.
- Easements: Structures including fences and pergolas are not permitted within platted easements.
- Phasing: The developers anticipate moving forward with the first phase in early 2021. The subdivision will generally develop in five (5) separate phases of approximately 45 to 60 homes on average built and sold per year for approximately six (6) years. The number of homes built per year and the total development period may change due to market conditions. The subdivision will generally be constructed beginning from the west to east as phases are added. (See engineering Exhibit A-3 for proposed phase lines). Agricultural uses of the areas of the property that are not yet subject to a final plat may continue to be used for such agricultural activity. Any existing structures, including houses or barns and their associated improvements, such as walkways and driveways, shall be removed in their entirety as development proceeds. All existing septic and wells will be abandoned per the regulations of the Fairfield County Department of Health.

Circulation/Vehicular and Pedestrian:

- Vehicular Access: The development will have two (2) vehicular access street connections, both to/from the west from Tollgate Road. The northern access is limited to a Right-in/Right-out design. Internal street connections connect the northern and southern development subareas and future stub streets are provided to the south and east.
- Pedestrian: The development consists of sidewalks on both sides of the street installed per county development standards where placed in rights-of-way or unless otherwise noted on the development plan. All sidewalks in the public right-of-way shall meet county subdivision regulations and standard designs. A five (5)

foot wide multi-purpose asphalt path is depicted on development plans and shall be installed as generally depicted along Tollgate Road for future connection. Paths connect the playground and central Open Space to the sidewalk system in Subarea A in four directions. A concrete path connects the community gathering area in Subarea B and the central Open Space to the sidewalk system in four directions. All sidewalks in the front or side of homes shall be maintained by the individual lot owners. Sidewalks and paths that are adjacent to or located within Open Spaces shall be maintained by the homeowners' association.

Open Spaces:

The development includes Open Spaces consisting of 70.23+/- acres and 51.07+/-% of the site on a gross basis. As noted on engineering cover sheet site statistics Exhibits, acreages for stormwater basins E and F, and the stream corridor are included in this Open Space calculation. All Open Spaces, including all Open Space reserves, facilities within Open Spaces, ponds, storm water facilities, playground equipment, entry features, natural areas, community amenities and anything within such reserves and areas are to be owned and maintained by the HOA after the development period and conveyed by the developer to the HOA at such time when ninety percent (90%) of the homes are transferred to lot owners. The Open Spaces, and areas such as the stream corridor, are intended for passive and active recreational uses and enjoyment of preserved natural features, as well as to establish and protect trees, wooded areas, wetlands, stream corridors, other natural features. The main purpose of perimeter Open Space is to provide buffers for neighboring properties and preserve trees and other natural features. Much of the perimeter areas and stream corridor are to be enforced as No Build Zones as detailed above and on engineering plan Exhibit A-3.

Prior to the Open Spaces being transferred to the HOA they will be maintained by the developer. The Open Spaces will remain as Open Space in perpetuity with effective protections and enforcement rights as reflected in covenants and deed restrictions, this text and/or included on plat commitments.

The improvements/amenities located within the Open Spaces shall be constructed at such time as the phase or section that includes each Open Space is developed and platted. These shall include the entry features and improvements along Tollgate Road and other enhancements to buffer areas depicted as plan commitments, the playground area depicted in Subarea A, Reserve E and the community gathering patio and green space depicted in Subarea B, Reserve G.

To the extent possible the developer intends to maintain the existing tree rows and woods located along the perimeter of the entire development and property, within the stream corridor setback, and other areas, subject to final engineering, street and utility locations, grading and storm and sanitary sewer placement and maintenance. Outside of the areas designated for removal as depicted on engineering Exhibit A-1, wooded areas are expected to remain subject to the allowances noted in this text. Exact tree stands, trees

and natural locations to be preserved within No Build Zones are to be delineated on final development plans as they are subject to such utility installation and crossings determined at the time of final engineering.

In Subarea A, trees are also to be maintained along the eastern and portions of the southern and northern property lines as buffers to neighboring owners and subject to "No Build Zone" provisions as identified in development plans, on final plats and within deed restrictions. Installations along Tollgate Road and the western border area of Subarea B against the existing Myers property, which are more managed and "manicured" in appearance, are not included in the No Build Zone designation. The commitments for both the Tollgate Road improvements and Subarea B western property buffer are detailed within this text and depicted on development plans. (See Plan Exhibits B, E, D and A-1.1 the illustrative plan Exhibit.) In general, internal Open Spaces and portions of the entry and Tollgate Road areas are to be fine mowed to allow turf areas for active recreation and in some cases to allow access.

Text Exhibit H an overall Development Plan exhibit as color-shaded and attached to this text depicts the different maintenance plans and treatment for different Open Space areas and shows areas to be: a) fine mowed; b) "bush-hog" mowed twice per year to establish meadow areas; and c) left in a natural state.

After the completion of the development infrastructure, and subject to ongoing utility maintenance needs, the existing trees, shrubs and plantings in common areas and all reserves shall be maintained by the HOA and shall not be disturbed or removed except for dead or decayed trees that pose a danger to the health, safety and welfare to the public and homeowners.

The placement of structures by homeowners, temporary or permanent of any kind, or other installations such as bridges, paths, recreational equipment, gardens, sheds, or storage, or any other alterations, changes in grading, tree removal, the dumping of yard waste or anything else, shall be prohibited in any common area, Open Space, wetlands, the stream corridor, established buffer areas and No Build Zones, as defined herein. This provision is not meant to include the committed improvements of paths, bridges or recreational structures to be installed by the developer.

Wood bollards, un-painted and in their natural color and of at least 36" in height and 4"x4" in width shall be placed at the rear lot corners of the lots and areas depicted on Text Exhibit J, an overall Development Plan exhibit as marked and attached to this text. In general terms, such bollard placement is meant to delineate private lot lines from common open spaces, No Build Zones and protected natural areas and is shown at roughly one in every three to one in every two lots, with greater frequency where private lots border protected natural areas.

During the sales process, the applicant and/or developer of record for each Subarea will disclose via a Notification Addendum that certain lots border or are near the designated Stream Corridor Protection Zone, that this is a no-disturb and no-build zone,

encroachments and alterations are prohibited and violations of this area are subject to enforcement under the HOA documents and the approved zoning for the property

Such prohibitions shall be enforced by the Homeowners' Association and regulated under community covenants and deed restrictions.

Perimeter Property Buffers

Subarea A:

100-foot perimeter buffer and No Build Zone along the northern property line.

100-foot buffer along the eastern and the eastern most portion of the southern property line, where existing tree buffers are to be maintained as No Build Zones.

The Tollgate Road frontage treatment as depicted on landscape plan Exhibits B and E.

Subarea B:

50-foot perimeter buffer and No Build Zone along the southern property line.

A minimum 75-foot perimeter buffer and No Build Zone along the eastern property line. The buffer widens to greater than 75 feet outside of Lots 52 through 57.

A uniform 75-foot buffer, which includes mounding, fencing and plantings as depicted on detail plan Exhibits, established along the western property line with the existing Myers property. (See Exhibits A-1.1 and D)

Note: The No Build Zone designations in this text and on development plans are subject to the allowance for the placement of utilities, street, pedestrian and utility crossings, storm water facilities, and tree plantings, along with ongoing maintenance as necessary but no build areas shall be restored after such placement and/or otherwise be kept in a natural state. (See engineering Exhibit A-1-.1 and site plan sheet A-3 for No Build Zone areas.)

General Commitments within Open Spaces:

Tollgate Road Rural Character: Along Tollgate Road, several commitments are made to increase interest, screen the homes from the road and maintain a rural character. An asphalt path shall be installed in a meandering pattern between undulating serpentine mounds averaging two to three feet in height. A black cross-buck fence with a double bottom rail is to be installed with lengths as depicted on plan Exhibits. The fence run is broken every 100 feet with stone columns installed with real stone and not pre-cast concrete elements. The mounds are to be planted with ornamental flowering shrubs and trees to provide a mix of colors for both fall and spring seasonal interest. Buffering techniques and drifts of evergreen and deciduous trees, along with mound placement are utilized to screen the backs and sides of homes from the public view from Tollgate Road. From the road view Lots 1, 4, 15, 16, 17, 18, 19, 20 and 21 are substantially screened with this approach. Flowering ornamental trees and shrubs frame an opening in the rail

fence between entry streets to provide views of the featured pond along the road. (See Exhibits B and E, as well A-1.1)

Entry Features: Community entry features include yard arm signage on stylized stone columns with cupolas (four total, two each at both entry streets) connecting to the cross-buck fence and stone columns treatment running the length of Tollgate Road. Mass plantings of flowering shrubs and perennials frame the entry areas at both entries to provide seasonal color. The entry features are reminiscent of earlier, rural community designs. (See Exhibits B, E)

Playground description: Subarea A, Reserve E is designed with playground equipment for younger children and mowed green spaces for more active recreation. In addition to the playground equipment, the area includes tree and shrub plantings, privacy mounds, benches, and paths connecting in four (4) directions as depicted on plan Exhibits A-1.1, and C.

Community Gathering Area: Subarea B, Reserve G features a concrete patio with seat walls and views to both an active recreational green space and a large pond with a fountain. Butterfly gardens, mounding and trees and other plantings provide interest and privacy to frame the gathering area. Connecting paths to the community's sidewalk system are provided. (See Exhibit D)

Conservation Education Signage/Plaques: Text Exhibit K, an overall Development Plan exhibit attached hereto, depicts potential locations, written examples and the general design of conservation education signage that is to be placed at the site to promote the protection and understanding of such features as the stream corridor, wetlands, woods, historic sites, natural themed play areas, and/or wildlife areas. The applicant commits that between 6 to 8 of such conservation education plaques of comparable type and design as those identified in Text Exhibit K will be placed on the site, consistent with the intent of this section, with the exact numbers of plaques, locations and messaging on the plaques to be determined by the applicant in consultation with the zoning officer as part of the final development plan.

Open Space Descriptions and Purposes:

Subarea A includes Reserves A through F amounting to +/- 49.76 acres gross Open Space (49.40%) as depicted on development plan Exhibits and engineering site statistics cover sheets. The reserves include passive and active Open Spaces for recreational uses, ponds, entry features, natural areas, preserved buffer areas and active play areas to be enjoyed by the residents and permanently owned and maintained by the HOA.

Reserve Details and Purposes:

Reserve A +/-24.59 acres – Includes a portion of the stream corridor and 100-foot wide stream setback, a 100-foot perimeter buffer on the northern eastern and southern property lines controlled as a No Build Zone, three existing wetlands protected and enhanced with buffering, and a turf grass area between lots off roads E and C, all within

Subarea A. The portion of Reserve A along Tollgate Road includes a walking path, mounding, trees and other plantings and entry feature details, as depicted on development plan Exhibits (See Exhibits A-1.1, A-3, B and E). Reserve A shall also include a 10-foot wide by 130-foot long grass strip between lots 44 and 45, generally located across from the multi-use path in Reserve E, that is to be owned and fine mowed by the HOA. This strip shall be delineated from adjacent lots by the wood bollards as specified herein, along each bordering lot line. The purpose of this 10-foot by 130-foot grass strip is to provide for both emergency, utility easement and maintenance access from the street system to the balance of Reserve A.

Reserve B: +/- 2.02 acres – Includes Tollgate Road entry features, a pond feature framed by mounding and plantings, and accessible from the walking path along Tollgate Road and between the two (2) entry streets. (See Exhibits A-1.1, A-3 and B)

Reserve C: +/- 8.13 acres – This area includes Tollgate Road mounding, path, fencing and plantings, a 100-foot stream corridor buffer, ponds B and C, an existing wetlands with buffering, as well as a 100-foot perimeter buffer maintained as a wooded and natural no build/disturb zone against the neighboring property. (See Exhibits A-1.1 and A-3.)

Reserve D: +/- 6.24 acres – This area includes large pond D with a fountain, and a 100-foot stream corridor protection zone, an existing wetland with buffering and natural no build/no disturb zone behind lots. (See Exhibits A-1.1 and A-3.)

Reserve E: +/-8.71 acres – This area includes the playground described above and depicted in plans (Exhibit C), benches, mounds, connecting paths in four (4) directions and mowed active recreation turf areas. The path system surrounds two-thirds of the large basin.

Reserve F: +/-0.07 acres – This Open Space area is to be maintained as mowed turf to provide space between lot lines and active recreation area. (See Exhibit A-3)

Subarea B:

Reserves G, H and I amount to +/-20.47 acres gross Open Space (55.6%) as depicted on development plan Exhibits that includes passive and active Open Spaces to be enjoyed by residents, ponds with fountains or bubbler features, significant perimeter buffers and fencing for neighboring owners and a community gathering area, all to be permanently owned and maintained by the HOA.

Reserves Details and Purposes:

Reserve G: +/-8.91 acres – Includes the community gathering space with features described above and large pond F, which includes a fountain, as well as a 50-foot perimeter and tree preservation buffer along the neighboring property to the south. (See landscape Exhibit D.) There are significant street views to the features of this Open Space area from the street system.

The reserve also includes a 75-foot buffer for the neighboring property to the west (existing Myers parcels). This buffer includes a high mound of an average of eight (8) feet, significant tree and shrub plantings incorporated into the mounding and a three-rail wood fence of rural character extending along the entire Myers parcel property line from north to south. Breaks in this mounding system shall be allowed for storm water facilities, and to ensure positive drainage, including but not limited to the placement of storm water catch basins in location as needed. In addition, a separate open space easement area between lot 3 and lot 4 of approximately thirty (30) feet in width and one hundred and twenty feet (120) feet in depth, shall be utilized to provide a sanitary sewer easement, lines and facilities to service the neighboring Myers property parcels. This easement area shall be owned and maintained by the HOA, fine mowed and kept free of obstructions or any other use with the exception of the sanitary sewer easement and use by the HOA to access the established buffer area for ongoing maintenance. The fence continues to partially extend to the west along the southern Myers property line toward Tollgate Road until existing topography creates a physical barrier. (See A-1.1.)

Reserve H: +/-4.18 acres – This area includes mowed Open Space between rear lot lines that is designed for active play with a pedestrian path connecting in four) directions. The turfed area is accessible from sidewalks on road D. (See engineering Exhibit A-3)

Reserve I: +/- 7.38 acres – This area includes pond G, along with a protected wetlands and 75-foot (minimum) and 50-foot buffer areas between lot lines and the eastern and southern neighboring properties, respectively. (See Exhibit A-3)

Open Space Notes:

Trees, shrubs and plantings in landscaped areas installed during the development period, including along Tollgate Road, within entry features or all internal common and reserve areas, and along the perimeter buffer with the Myers property in Subarea B shall be replaced with a like number and variety and maintained as needed by the HOA to address dead or diseased plant material.

Several stormwater ponds are accessible via paths or sidewalks and/or accessible based on turf grass treatment around them in conjunction with path or walk access. Ponds A and B are path and/or sidewalk accessible in Subarea A. Pond E is surrounded on two-thirds of its border by an adjacent pedestrian path. Pond F includes path access and significant aesthetic treatments to incorporate pond views as a water feature into programmed community Open Space. Only ponds E and F are included in Open Space calculations in this text or as shown on engineering or landscape cover sheets under site statistics.

Flood plains, and floodway areas are limited on this site, but excluded from Open Space calculations. The stream corridor protection setback that is established with a 50-foot buffer on either side of the on-site stream, is located in designated Open Space, is restricted from development as a No Build Zone per 3V3-02 (2), and is to be preserved

as a natural site amenity after the development period for both active and passive recreation, and public use.

Outside of the stream corridor and other protected natural areas such as tree rows, woods and wetlands that are to be in a natural state, other perimeter and buffer areas are to be "bush-hog" mowed twice per year during the development period in order to control invasive plants and establish naturalized meadow areas. Such areas are delineated on Text Exhibit H, as it is attached and made part of this development text.

All Open Space and reserve areas have been measured preliminarily and are subject to minor adjustment based on final engineering and surveying required for plat creation.

Divergences from District Standards:

I. Divergence from 3V3-02 (D)(1): Arrangement of Areas:

This section calls for perimeter lots within the planned district to conform to the dimensions of lots previously developed or platted in a neighboring, contiguous property or existing subdivision [3V3-02 (D)(1)]. The properties contiguous to the subject property generally conform to R-2 zoning standards. Where a 100-foot landscape buffer is provided, along with a No Build Zone deed restriction over such perimeter buffer as noted on the recorded plat, the requirements of section 3V3 02 (D)(1) are relaxed as specified under 3V3 02 (D)(4). Outside of the 100-foot perimeter buffer areas, the applicant is requesting divergences from the requirements of 3V3-02 (D)(1) to allow the lot arrangement and dimensions specified below and on plan Exhibits for the following lots:

- For the eastern property perimeter of Subarea B (Lots 52 to 57 inclusive: A total of six (6) lots on the eastern perimeter of Subarea B.) A minimum perimeter buffer of 75 feet is maintained between property lines in this area, with the nearest off-site dwelling located at a significant distance.
- For the southern property perimeter of Subarea B (Lots 17 and 65; A total of two (2) lots on the southern perimeter of Subarea B.) A minimum perimeter buffer of 50 feet is maintained between property lines in this area, with the nearest off-site dwelling located at a significant distance.
- For the western property perimeter of Subarea B (Lots 1 to 13 inclusive; Thirteen (13) total lots on the western perimeter of Subarea B.) A minimum perimeter buffer of 75 feet is maintained between property lines in this area, with a substantial buffer of mounds, trees, landscaping and fencing to be installed based on conversations with the neighboring property owner.

Justification: The overall perimeter buffers of the proposed community are substantial and compare favorably with other recent township development approvals. Where subdivision development pre-exists, the most substantial buffers

are provided. On the northern perimeter border of Subarea A, the development plan calls for a 100-foot landscape buffer and No Build Zone, which meets code – 3V3-02 (D)(4). The 100-foot buffer creates substantial distances between the proposed homes and the existing Mamie Drive homes. The closest home is approximately 240 feet from the Sycamore Grove rear lot lines, with most homes being more than 350 feet or more in distance. In addition, the committed Open Space buffer is restricted as a No Build Zone within Sycamore Grove, so the distance and natural areas between the Sycamore Grove lot lines and the perimeter property line are to be maintained. 100 foot or greater buffers are maintained with the other property perimeter borders on the balance of Subarea A.

In Subarea B, on the eastern and southern property perimeters, where a 75-foot buffer and a 50-foot buffer are provided respectively any existing residences are substantial distances from the property line and existing woods screen much of those properties from the site. On the western property perimeter, the developer has committed to substantial mounding of 8 feet in height, as well as tree screening as depicted in plan Exhibits and the installation of three-rail, 42-inch wood fencing to buffer the current neighboring property on the Sycamore Grove side of the property line. Overall, in Subarea B, utilizing a combination of adequate buffers and screening techniques allows the site plan to deliver significant internal Open Spaces and a community gathering area, while still providing for the necessary storm water ponds areas and protecting existing high-quality woods.

II. Lot Dimensions Divergence:

Divergences are requested from the provisions of the Zoning Resolution standards from the current underlying R-2 lot dimensions as follows:

- Minimum front setback of fifty (50) feet diverged to minimum of thirty (30) feet
- Minimum rear setback of fifty (50) feet diverged to a minimum of twenty-five (25) feet
- Minimum side yard setback of fifteen (15) feet for all lots is diverged to seven and a half (7-1/2) feet each side yard for a total of fifteen (15) feet.
- Minimum lot width of one hundred twenty (120) feet is diverged to a minimum of sixty-five (65) feet as depicted.
- Minimum lot size of 30,000 square feet is diverged to a minimum of 8,450 square feet in Subarea A (130-foot depths) and minimum of 7,800 square feet in Subarea B (120-foot depths).
- Maximum lot coverage is permitted up to 45% for buildings to allow deeper ranch footprints for morning rooms and garage bump-out options.

Justification: The lot width standards, setbacks, yard requirements, and lot coverage under this development plan and text interrelate and are written consistent with the

inherent flexibility of planned district law to enable this community to concentrate development in specific areas in order to allow the maximization of perimeter Open Space, the preservation of natural and greater than typical common areas on this unique site.

Section 3V1-01, the Objectives for Planned Residential Districts under the Township Zoning Resolution supports this approach by encouraging a reduction in lot dimensions, yards and setbacks when specific goals are met:

- a.) "a maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and a reduction in lot dimensions, yards and building setbacks and acre requirements"
- b.) "a more useful pattern of Open Space and recreation areas..."
- c.) "a development pattern, which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation and prevents the disruption of natural drainage patterns."
- d.) "a more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utility lines and streets."

The plan for Sycamore Grove achieves all these planned district code objectives, and thus justifies adjustments in base lot standards. The lot sizes offered provide an alternative to traditional large lot development that meets market demand, while still maintaining and exceeding area home values. Much greater Open Space is provided (over three times greater) compared with traditional large lot sites and code specified Open Space of 15%. Natural tree stands and existing vegetation, woods, wetlands, sloped topography and the existing stream corridor are preserved and protected off private lots in keeping with section 3V1-01(c). It is significantly more efficient and cost effective over time to maintain and service the development of lots that are clustered, with shorter street, sewer and storm water lines and other utility runs than what it takes to manage the equivalent number of homes in the large lot development that drives inefficient maintenance costs.

The Sycamore Grove plan is also contemplated under section **3V3-02(E) Yards**, which states, "Unless otherwise provided on Development Plan and the Subdivision Plat...", meaning planned district plans and texts may specify other than typical code district standards as have been proposed under this text and the development plan. This approach to lot and yard dimensions meets the goals of creating appropriate buffers for neighboring properties, conserving and protecting existing natural areas and providing a passive and active recreation system for the common enjoyment of residents. The preservation of perimeter and common Open Space in this manner benefits existing neighboring properties and community residents alike. This approach also benefits the

community in providing a unique site plan that far exceeds the code required 15% Open Space by providing 51% Open Space and a total of 70+/- Open Space acres on a gross basis. Such Open Space percentages above code requirements can only be achieved with smaller lot sizes that are also consistent with changing market demands and the needs of today's homebuyers whose most precious commodity is time. These buyers seek to trade large yard spaces and required maintenance effort and cost for other endeavors and the enjoyment of common and natural areas.

Section 3V1-01 has been utilized and lot standards different than base code have been approved previously in such township developments as Meadowmoore Reserve, the Estates at Lake Forest, Heron Crossing West and Heron Crossing. In the case of Meadowmoore Reserve, 30-foot front setbacks and 7-1/2 foot side yards were approved for a substantial portion of that development, the same as is being requested at Sycamore Grove. Meadowmoore saw the approval of divergences in lot width and rear yard setbacks as well. In comparison, the Meadowmoore plan committed to 20% Open Space. The Estates at Lake Forest included many of the same or comparable lot standards as Sycamore Grove but produced approximately 11% Open Space on site. Lot areas at Sycamore Grove range from 8,450 sf to 7,800 sf, which is similar to lot areas approved for the Heron Crossing sites of between 9,100 sf and 7,150 sf.

The significant Open Space, which substantially exceeds the code standard, is the main reason and rationale for the lot dimension divergences as proposed. Substantial perimeter Open Space buffering for neighbors and significant internal Open Spaces can be set aside under the Sycamore Grove plan by allowing lot sizes that the market supports and home buyers desire to limit their maintenance time and costs. Such an approach does not sacrifice property value. The developer projects average starting price points at \$350,000 and higher, which exceeds the current township average home value, as well as average home and property values on the perimeter of this subject site.

Additional PRD Development Text Commitments by the Applicant/Developer Rockford Homes

Traffic Mitigation

Applicant/Developer (Rockford Homes) traffic improvements and commitments from site designs and the completed 12648 Toll Gate Road Traffic Impact Study, prepared for Rockford Homes by Smart Services, Incorporated (The "TIS") as submitted to Fairfield County Engineer's Office and the Ohio Department of Transportation, January 2020, first revision April 2020, and second revision December 2020.

Developer Design Commitment:

At Toll Gate Road and the north site development access, this access shall be limited to right-in, right-out movements only, with designs, plans and construction as approved by the Fairfield County Engineer's Office.

April 2020 revisions:

On Toll Gate Road at the south site development access, a 285-foot southbound left turn lane is to be installed by the developer with designs, plans and construction as approved by the Fairfield County Engineer's Office.

December 2020 revisions:

Regarding the SR 204 and Toll Gate Road intersection, at the direction of and as approved by the Fairfield County Engineer's Office and ODOT, the Applicant shall perform additional signal warrant analysis and signalized capacity analysis to be added when accepted and approved to the TIS findings.

- These two additional analyses will be utilized to identify an overall, global solution to the SR 204 and Toll Gate intersection that will comply with ODOT design and safety standards and will be constructed by ODOT or third parties.
- The Sycamore Grove developer(s) will make a fair share contribution to the Fairfield County Engineer based on the outcome of the two analyses and the developer's proportionate responsibility related to site traffic generated and flow to the intersection at full build out as documented by the TIS. (+/-11.7% of traffic flow at 2030 "Build" at AM and PM Peak)
- Such contribution is to be held in an escrow by the County and under agreement with ODOT until ODOT or a third party acts on and commences intersection improvements at SR 204 and Toll Gate Road.
- Under this PRD Development Text, the Applicant Rockford Homes stipulates to this proportionate contribution based on attributable traffic flow to the SR 204 and Toll Gate intersection as documented by the TIS as a

condition to zoning approval and its ongoing responsibility for a proportionate share of traffic improvements related to approval of the related development plan at 239 single-family units and applicable traffic safety regulations.

- The Applicant acknowledges that the TIS review by the Fairfield County Engineer and ODOT remains open beyond Township zoning approval and applicable and additional findings may be included and current findings revised by those regulatory agencies. All defined commitments and contribution amounts shall be included and specified as part of the Final Development Plan, if known and the TIS is finalized and concluded at the time of Final Development Plan approval.

Commitments to Property Owner at 12361 Toll Gate Road NW

Applicant Rockford Homes makes the following commitments to Mr. Aaron Graves in relation to the property owned by Roger A Graves, Trustee and Patricia A Graves, Trustee, located at 12361 Toll Gate Road NW (Parcel Number 0360089510)(“the Graves Property”):

- **Verification of Sanitary Sewer Location and Sizing:** Rockford to provide Mr. Aaron Graves with engineering information on the location and elevation of the most likely sanitary sewer manhole that the Graves Property could tap into in the future and Rockford to verify that the elevation of such sanitary sewer is adequate to service the Graves Property, should the Graves decide to access the sanitary sewer system in the future. Initial preliminary engineering estimates to be verified, finalized and communicated to Mr. Graves with the final development plan filing.
- **Screening behind lots 16 through 23, SW side Subarea A:** Per Mr. Aaron Graves request, Rockford agrees to specify and install spruce trees in its landscape plan to screen the rear of the referenced lots not already screened by the existing wooded area on the development plan. Details and exact tree placement are to be provided on the landscape plan with final development plan filing.

EXHIBIT C

PROPOSED CURRENT DEVELOPMENT PROGRAM AND PLAN

A. Proposed New Community Development Plan

(i) Site Description

The District of the Authority is located within the boundaries of the Township all within Fairfield County. As proposed, the District will include approximately 137.499 +/- acres in the Township located on the property bounded as described by the information supplied in Section 3 above and Exhibits A-1 and A-2.

(ii) The New Community Development Plan

The primary goal of the District's Program is to provide for a residential single family development and other mixed uses as may be approved by the Township in the future and associated Community Facilities (defined below), Community Activities and infrastructure necessary to fulfill the desired and future needs of the community. The Program currently provides for the development of single family residential uses (the "Development"). In addition, the District will include public spaces, road infrastructure improvements, sanitary infrastructure improvements and varying uses of parkland within the Program.

The Authority is expected to fund Community Facilities, as defined herein, which may include but not be limited to roads, curbs, gutters, sidewalks, lighting, landscaping, and storm-water retention and recreation basins and related improvements in or adjacent to the District according to the Program for the District.

B. Proposed Land Acquisition and Land Development Activities

The Developer has acquired control, by deed, purchase contract or option to purchase agreement, of all the land in the District. A map of the land is attached to this Petition as Exhibit A-1 and a full and accurate description of the boundaries of the District is attached to this Petition as Exhibit A-2. Zoning approvals for development within the District have been obtained in accordance with the zoning regulations adopted for the area within the boundaries of the District, including the zoning regulations of the Township, for comprehensive development as a new community, as documented in Exhibit C to this Petition.

(i) Existing Resources

There currently exists an 8 inch and 15 inch sanitary main on Refugee Road with sufficient capacity to service the District once extended. Water also currently exists along the Tollgate Road directly adjacent to the District's entry. All necessary utilities services required to support the District can be provided by existing agencies and utilities once necessary upgrades and expansion are implemented in accordance with the Program. Emergency services for fire, police and EMS will be provided pursuant to agreements contemplated by the Authority, Township and County.

(ii) Development

The Development within the District is currently expected to include single family residential units to be constructed in multiple phases, as dictated by market forces at the time of development of such phases. Throughout the District, public roadways will be structured so they may be available for uses that benefit the community, creating an environment that will be attractive to visitors and to members of surrounding communities.

(iii) Public Space, Open Space and Park Space

The District will be an integrated new community authority environment with a number of public improvements within the District or spaces that benefit the District pursuant to the Plan. The allocation of public space, open space and park space within the District will establish an underlying fabric that will connect the area together and maintain a functionally interrelated and integrated development and add a sense of community within the District.

C. Proposed Community Facilities

In connection with the Development, certain public improvements will be made to support the private improvements, which public improvements may include but are not limited to streets, roads, curbs, gutters, lighting, traffic signals, sidewalks, utilities, open park space, recreation facilities, parking facilities, off-site improvements, storm water management and site preparation for those improvements and the operation and maintenance of the aforementioned improvements, together with all other necessary and appropriate appurtenances or such other community facilities, including both public and private facilities, that may be permitted under Chapter 349 of the Revised Code (collectively, the "Community Facilities").

Subject to change based upon market conditions, feasibility, and the desires of the Developer, working together cooperatively, the initial anticipated Community Facilities include Roadway Projects, including but not limited to, roadway construction of (i) **Project R-1:** Tollgate Road improvements including a widening of Tollgate Road and culvert bridge improvements in accordance with the approved Township and County development plans, and (ii) **Project R-2:** a contribution from the Developer to the Ohio Department of Transportation for the traffic impact to State Route 104 and Tollgate Road (the "Roadway Infrastructure Improvements"). Project R-1 is depicted in Attachment I to this Exhibit C.

Additional improvements not included within the definition of "Community Facilities, anticipated to be paid for by the Developer include:

(1) Sanitary Sewer Projects, including but not limited to, construction of (i) the extension of the sanitary main line from Refugee Road to the Program site at the approved County depth to service additional acreage to the North of the Program, (ii) all of the internal sanitary lines to service the individual residential lots in phases as dictated by the Final Development and Engineering Plans.

(2) Water Main Projects, including but not limited to, construction of (i) the extension of the water main from Tollgate Road through the Program, (ii) all of the internal water lines to

service the individual residential lots in phases as dictated by the Final Development and Engineering Plans.

Notwithstanding anything to the contrary in this Petition, neither the Developer nor its successors, assigns or affiliates shall be entitled to reimbursement for any costs associated with the water and sewer improvements described in (1) and (2) above from revenues derived from the Charge (defined below), and those water and sewer improvements are not included within the definition of "Community Facilities."

D. Proposed Community Services

In connection with the Development, the District may provide certain services in the future to support its purposes and the Community Facilities (collectively, the "Community Services"). Such services may include, but are not limited to maintenance, landscaping and other community improvement services for the benefit of the District's residents.

E. Proposed Method of Financing the Community Facilities and Services

As mutually agreed upon by the Developer, Township and District, all or a portion of the Land Development Activities, Community Facilities and Community Activities, as allowed and appropriate under Ohio law, is expected be financed using revenues and receipts from one or more of the following sources, including but not limited to: (i)(a) "community development charge," as defined in Section 349.01(L) of the Ohio Revised Code and levied by the Board pursuant to Section 349.06(Q) of the Ohio Revised Code, based on the assessed valuation of each parcel in the District and (ii) any other revenues or funds received by the Authority and used as determined by the Authority.

(i) The Charge. The community facilities charge (the "Charge") shall initially be equal to four-and-one half (4.5) mills multiplied by the assessed value of each chargeable parcel in the District. The Charge shall be used to finance Community Facilities (as described below), and to provide the Board with an annual amount equal to ten thousand dollars \$10,000 to fund maintenance and operational expenses associated with the Community Services (the "Annual Board Allowance"). The Annual Board Allowance shall be used for maintenance, landscaping and other community improvement services that are not provided by the Township in its ordinary operations, as well as legal and other professional fees incurred by the Authority. Nothing herein shall obligate the Township to provide any services within the District that are outside the scope of the services that the Township provides to areas located outside of the District.

Until the Developer is reimbursed for its actual Roadway Infrastructure Improvement costs up to one million dollars (\$1,000,000) (the "Reimbursement Cap"), and after the payment of the Annual Board Allowance, (i) 0.50 mills shall be made available to the Township for general maintenance of the District and adjacent areas, including but not limited to, road repair, snow removal, and general District improvements; provided, however, that nothing herein shall obligate the Township to provide any services within the District that are outside the scope of the services that the Township provides to areas

located outside of the District; and (ii) the remaining 4.0 mills shall be made available to the Developer to reimburse the Developer up to the Reimbursement Cap for the Roadway Infrastructure Improvement costs. Subject only to (i) the funds from the Charge used for the administration of the District, (ii) the Annual Board Allowance, and (iii) the 0.50 mills made available to the Township as noted above, the Developer shall have a priority right to all funds generated from the Charge, up to the Reimbursement Cap. Further, the amount of the Charge shall not be increased or decreased until the Developer has been fully reimbursed up to the Reimbursement Cap, unless agreed upon in writing by the Developer.

After the Developer is fully reimbursed the amount of the Reimbursement Cap, the Board shall pass a resolution to lower the Charge to three (3.0) mills, with 2.0 mills made available to the Township for general maintenance and improvements within the District, and 1.0 mills used for the Annual Board Allowance; provided, however, that nothing herein shall obligate the Township to provide any services within the District that are outside the scope of the services that the Township provides to areas located outside of the District. The Charge shall not be increased above three (3.0) mills unless at least seventy-five percent (75%) of property owners within the District vote in favor of an increase.

(ii) Charge Covenant Filing. The Charge will be a lien against the property pursuant to the Declaration of Covenants and Restrictions for the Violet Township New Community Authority (the "Declaration") to be filed with the Fairfield County Recorder by the Developer or a successor entity to the Developer and by one or more owners of real property within the District, and the Charge will be submitted to the Fairfield County Auditor to be placed on the tax list and duplicate as permitted under R.C. Section 349.07 or, at the option of the Authority, directly collected. The Authority will join the Declaration by means of resolution and will be bound by the restrictions and covenants contained within the Declaration. The Declaration shall include references to the Developer reimbursement limitations described in (C) above.

(iii) The Reimbursement Obligation. Upon establishment of the Authority and the Board, the Board will pass a resolution committing the Authority to reimburse the Developer for the projected costs of constructing the Roadway Infrastructure Improvements, up to the Reimbursement Cap. Not later than 12 months after completion of construction of the Roadway Infrastructure Improvements by or on behalf of the Developer, its affiliates, successors and/or assigns, the Developer shall certify to the Board the amount of the total costs incurred by the Developer in connection with such Roadway Infrastructure Improvements that the Developer shall be reimbursed for from Charge revenues or that shall be made available to pay costs of debt issued to reimburse the Developer for such purpose. The certification shall be substantially in the form attached hereto as Exhibit F, or such other form as determined by the Developer and reasonably acceptable to the Authority. Upon receipt of a completed certification, the Board shall reimburse the Developer from Charge revenues, as further described in the Declaration. This obligation to reimburse the Developer for the Developer's Roadway Infrastructure Improvements shall be an Obligation of the Authority, as defined in the Declaration and as authorized in Section 349.06(I) of the Act.

F. Projected Total Population and Employment within the District

Upon completion of the Project, the District is projected to include approximately 239 residential units. The Developer anticipates a total population of 478 or 2 residents per unit within the District. Because the District will consist of residential units, total employment within the District is anticipated to be zero.

ATTACHMENT 1 TO EXHIBIT C

Project R-1

(see attached)

ORIGINAL ISSUE:
 DATE: 02/22/2012
 VHS PROJECT NO:
 SHEET NUMBER:

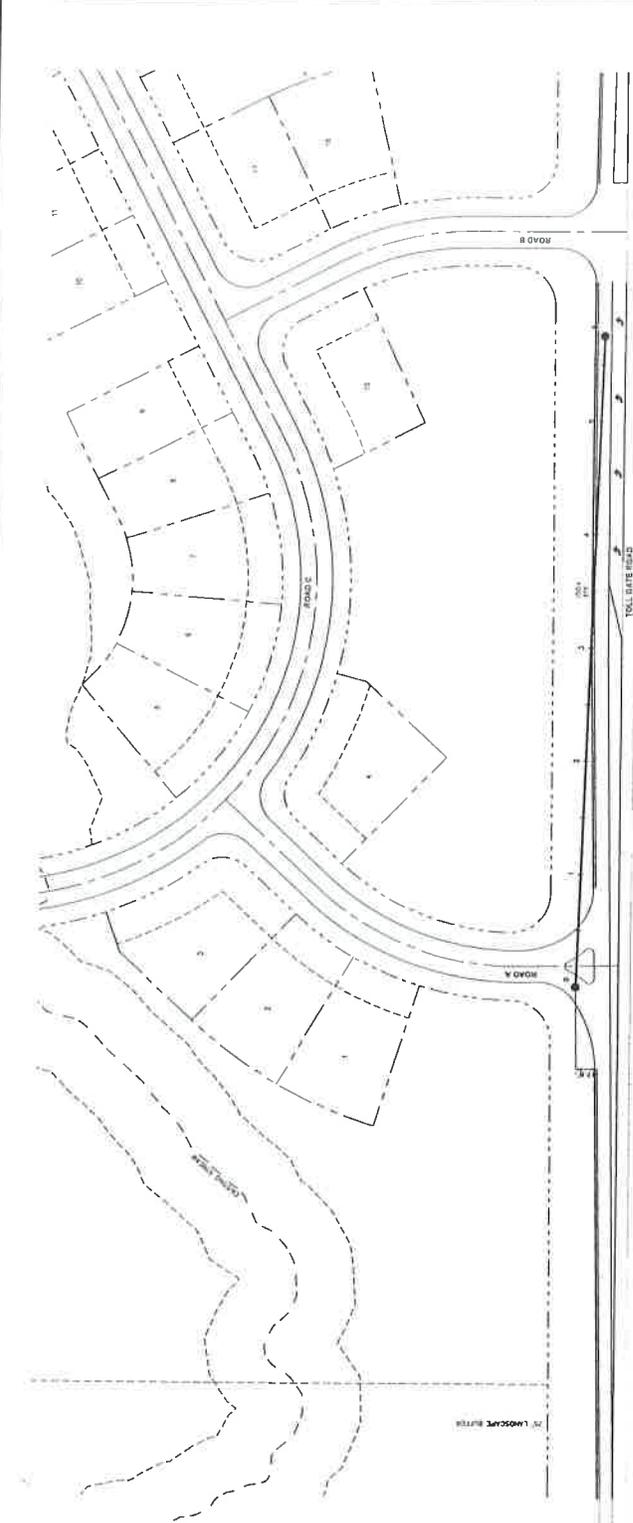
DEVELOPMENT PLAN
 SUABORE GROVE
 MOBILE HOME/ FARMHOUSING COMM. 040
 DEVELOPER: FARMHOUSING PLAN

SIGHT DISTANCE
 EXHIBIT "A-5"

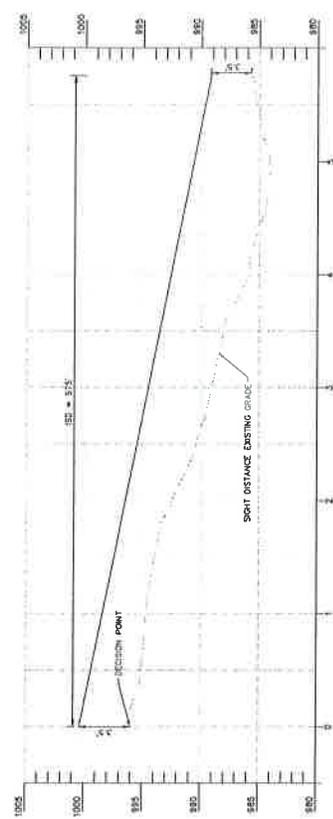
ROCKFORD HOMES
 222 PARKWAY, SUITE 200
 COLLEGE PARK, MD 20740

SCALE: AS SHOWN
 DRAWN BY: JSA
 CHECKED BY: JSA
 DATE: 02/22/12
 PROJECT NO: 040
 SHEET NO: 5 OF 9
Kimley»Horn
 2019 WALKER DRIVE AND ASSOCIATES, INC.
 1200 GARDNER DRIVE
 COLLEGE PARK, MD 20740
 PHONE: 410-321-8888
 FAX: 410-321-8888
 WWW.KIMLEY-HORN.COM

NO.	REVISIONS	DATE	BY



SIGHT DISTANCE PLAN
 TOLL GATE ROAD
 SCALE: 1" = 50'
 NORTH ARROW



LEGEND

- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- EXISTING HIGHWAY
- EXISTING ROAD
- EXISTING DRIVE
- EXISTING ALLEY
- EXISTING SIDEWALK
- EXISTING CURB
- EXISTING GUTTER
- EXISTING DRAINAGE
- EXISTING UTILITY
- EXISTING FENCE
- EXISTING WALL
- EXISTING STRUCTURE
- EXISTING TREE
- EXISTING PLANT
- EXISTING LANDSCAPE
- EXISTING SITE

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EXHIBIT D

PRELIMINARY ECONOMIC FEASIBILITY ANALYSIS

Overview

The Developer seeks to utilize the Act to facilitate the creation of the Authority, in order to finance, construct, operate and maintain the Community Facilities, which will support the Project subject to market adjustments and other normal development feasibility considerations. Over the past few years, the Developer has conducted extensive financial analysis of the Project, utilizing multiple sources, including the Developer's history with similar projects in other Central Ohio communities. As a result of this analysis, the Developer has completed a development plan for the Project that is generating strong interest from the construction lending community.

Area Development Pattern and Demand

The subject property is located in Violet Township (Fairfield County), Ohio, which is part of the Columbus Metropolitan Statistical Area ("MSA"). The Township is located entirely within Fairfield County.

More specifically, the property is located east of Tollgate Road, south of Mamie Drive and west of Saylor Road, known as tax year 2021 Fairfield County permanent parcel numbers 0360088700 and 0360090010. The property is currently used as farm land and vacant land. Fairfield County is the fourth fastest growing county in Ohio (source: U.S. Census Bureau), and as a result, the demand for housing in the County is high.

The proposed development would attempt to capitalize on the current need for additional housing in the Township. It is anticipated that the price points and location of the housing will be extremely attractive and competitive with other local developments.

Present and Future Socio-Economic Conditions

a. Employment Centers

Employment in Violet Township is focused on retail, office and light industrial uses. Violet Township, like Fairfield County in general, is a "bedroom community," with the majority of its residents commuting into Columbus and/or other surrounding areas to work. With the commercial development spreading throughout the Central Ohio region, however, it is likely that Violet Township will see additional commercial/industrial development, most likely along the I-70 and U.S. 33 corridors.

(b) Area Amenities

The proposed District is approximately half of a mile to Tollgate Elementary School and approximately one and a half miles to Pickerington North High School. The proposed District is

also located within a few miles of a Kroger grocery store, downtown Pickerington and numerous desirable retail sites and restaurants.

(c) Economic Patterns

A 2022 report from Vogt Strategic Insights, funded by the Building Industry Association of Central Ohio, concluded that the home construction in the Greater Columbus area needs to double over the next decade in order to meet demand. The report stated that 14,000 to 19,000 homes should be built each year instead of the 8,000 to 9,000 the region has added annually over the past decade. The report further projects that the 10-county Greater Columbus region will add 145,000 to 202,000 jobs through 2032. The Developer believes the type and price point of the housing planned for the District will fit well with the expected growth in population. According to the U.S. Bureau of Labor Statistics, the unemployment rate for the Columbus MSA was 2.7% as of November 2022, compared to the rate of Ohio (4.2%) and the national average (3.4%). These trends are expected to continue in the near future.

(d) Census Data

Recent census data for the County is attached.

EXHIBIT E

DEVELOPER'S MANAGEMENT CAPACITY

Rockford Homes, Inc. ("Rockford Homes") was founded in 1985 by Robert E. Yoakam Sr. and has been serving customers for over 38 years providing the excellent quality construction and service that has become synonymous with the Rockford Homes brand. Rockford Homes has grown to become Central Ohio's largest privately held home builder by serving its customers in the best locations at competitive prices. Rockford has been directed by great leadership developing various developments and thousands of new construction projects across the region. Rockford Homes was named the Building Industry Association (BIA) Building of the Year in both 2022 and 2016. Rockford is currently led by **Robert Yoakam** as President/CEO, who has been with the company for 12 years, and **Corey Theuerkauf** as Vice President of Land, who has been with the company for 20 years. Both Robert and Corey have led the land acquisition and development of various communities and negotiation of financial mechanisms creating a public/private partnership with several municipalities achieving projects that are economically feasible and something to be proud of. Robert also currently serves on the New Community Authority board for the City of Hilliard.

EXHIBIT F

Form of Certification of Community Facilities Costs

No. _____

(For Community Facilities Costs)

To: Board of Directors of the Violet Township New Community Authority

Attention: _____

Subject: Written Requisition for Community Facilities Costs pursuant to the terms of the New Community Authority Petition filed on _____, 202_ and the New Community Authority Declaration of Covenants recorded on _____, 202_ (collectively, the "NCA Documents").

Pursuant to the terms of the NCA Documents, approval of this requisition (the "Written Requisition") certifies the total of Community Facilities Costs for reimbursement to Rockford Homes, Inc. ("Rockford") in the amount of \$1,000,000 for the purposes set forth in Item I attached hereto. Unless otherwise defined herein, all capitalized terms set forth but not defined in this Written Requisition have the respective meanings assigned to them in the NCA Documents.

The undersigned authorized representative of Rockford does hereby certify on behalf of Rockford that:

- (i) I have read the NCA Documents and definitions relating thereto and have reviewed appropriate records and documents relating to the matters covered by this Written Requisition;
- (ii) The disbursement herein requested is for an obligation properly incurred, is a proper charge as Rockford's Community Facilities Costs (as defined in the NCA Documents), and has not been the basis of any previous reimbursement request;
- (iii) Rockford is in material compliance with all provisions and requirements of the NCA Documents;
- (iv) The reimbursement requested hereby does not include any amount which is being retained under any holdbacks or retainages provided for in any applicable agreement;
- (v) Rockford has, or the appropriate parties on Rockford's behalf have, asserted or their its entitlement to all available manufacturer's warranties to date upon acquisition of possession of or title to the Community Facilities or any part thereof which warranties have vested in Rockford;
- (vi) Rockford is either (i) not aware of any attested account claim from any subcontractor, material supplier or laborer who has performed labor or work or has furnished materials for the Community Facilities for which reimbursement is requested pursuant to this Written Requisition; or (ii) has provided security discharging any known attested account claims.

EXECUTED this ____ day of _____, 202_.

By: _____

Printed: _____

Title

ITEM 1

Requisition No. _____ for the Community Facilities

Pay to _____

Amount \$ _____

For Account of:

Account Number:

Wiring Instructions:

For the purpose of reimbursing the following payments previously paid by Rockford Homes for the Community Facilities:

Name of Vendor	Service Rendered	Time Period	Cost of Service Rendered
----------------	------------------	-------------	--------------------------

1.

2.