

TEMPORARY ORDINANCE NO. 70-25

PERMANENT ORDINANCE NO. _____

AN EMERGENCY ORDINANCE CREATING AN INCENTIVE DISTRICT AND DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE, AND EXEMPT FROM REAL PROPERTY TAXATION, IDENTIFYING CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT, ONCE MADE, WILL BENEFIT OR SERVE THE PARCELS IN THE INCENTIVE DISTRICT, REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, AUTHORIZING THE CITY TO REQUIRE MINIMUM SERVICE PAYMENTS IF SUCH PAYMENTS ARE AGREED UPON BY DEVELOPER, ESTABLISHING AN INCENTIVE DISTRICT PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS AND, AS APPLICABLE, MINIMUM SERVICE PAYMENTS, AUTHORIZING PAYMENTS TO THE LANCASTER CITY SCHOOL DISTRICT, AND APPROVING RELATED MATTERS

WHEREAS, Ohio Revised Code (“R.C.”) Sections 5709.40, 5709.42, 5709.43, 5709.82 and 5709.83 (the “TIF Statutes”) provide that this City Council (the “Council”) of the City of Lancaster, Ohio (the “City”) may, under certain circumstances, establish one or more incentive districts within the City, and declare the Improvements (as defined below) to real property located within those incentive districts, to be a public purpose, exempt a percentage of such Improvements from real property taxation, identify certain public infrastructure improvements that, once made, will benefit or serve that real property, identify one or more specific projects being, or to be, undertaken in the incentive districts that place additional demand on the designated public infrastructure improvements, provide for service payments in lieu of taxes and, if agreed upon by Ewing Woods, LLC (the “Developer”), minimum service payments by the owners of the real property, and establish a public improvement tax increment equivalent fund and accounts and subaccounts therein for the deposit of such service payments and, as applicable, minimum service payments; and

WHEREAS, all of the real property comprising the Incentive District authorized by this Ordinance, as defined below and described on Exhibit A attached hereto and incorporated herein (the “Property” with each parcel comprising the Property being referred to individually as a “Parcel”) is located within the City and is not currently subject to another real property tax exemption authorized pursuant to R.C. Section 5709.40(B) nor included within an existing incentive district established under R.C. Section 5709.40(C); and

WHEREAS, this Council has determined that it is in the best interest of the City to establish the Sheridan Drive Incentive District (the “Incentive District”) inclusive of the Property, declare the Improvements to the Property to be a public purpose, and to exempt a percentage of such Improvements from real property taxation as provided in this Ordinance; and

WHEREAS, pursuant to the TIF Statute, (i) the Incentive District is not more than three hundred (300) total acres in size, (ii) the Incentive District is enclosed by a continuous boundary, and (iii) the boundaries of the Incentive District are coextensive with the boundaries of, and will include only, the respective portions of one or more Parcels comprising the

Property, as specifically identified and depicted by Exhibit A attached hereto and incorporated herein; and

WHEREAS, Developer intends to act as the initial lot developer of approximately 30.51 +/- acres of real property located at the Property (the “Project Site”); and

WHEREAS, the development by the Developer shall include installation of certain public infrastructure expected to support approximately 90 to 100 single-family homes in one or more phases (the “Project”), which Project will be part of a larger mixed-residential community that will also include a commercial component of multi-family units; and

WHEREAS, the public infrastructure improvements described by Exhibit B attached hereto and incorporated herein (the “Public Infrastructure Improvements”) will benefit or serve the Parcels comprising the Incentive District and as required by R.C. Section 5709.40(C)(3)(a), this Council has determined that the Project will place additional demand on the Public Infrastructure Improvements to be located at the Property and within the Incentive District; and

WHEREAS, the TIF Statutes provide for the use of service payments in lieu of taxes and minimum service payments to pay the costs of the Public Infrastructure Improvements, which costs may include, without limitation: (i) the payment for or reimbursement of costs of the Public Infrastructure Improvements incurred by the City, or any other public or private party in cooperation with the City, and (ii) payment of debt service, including the payment of principal, interest, scheduled administrative expenses, and reserve fund deposits (the “Debt Service”) on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements; and

WHEREAS, as required by R.C. Section 5709.40(A)(5)(f), this Council has approved a written Economic Development Plan (the “Plan”) for the Incentive District and delineated an “overlay” (as defined by R.C. Section 5709.40(A)(6)) upon a map of the proposed Incentive District pursuant to its adoption of Permanent Ordinance No. 47-25 on September 22, 2025, effective immediately as emergency legislation; and

WHEREAS, as required by R.C. Section 5709.40(A)(5)(f), Curtis Shonk who serves as the engineer for the City, has certified, effective October 14, 2025, that the public infrastructure serving the Incentive District is inadequate to meet the development needs of the Incentive District, all as further evidenced by the Plan; and

WHEREAS, pursuant to R.C. Section 5709.40(C)(2)(a), the City held a public hearing which such hearing occurred not later than thirty (30) days prior to the date on which this Council considered adoption of this Ordinance, notice of the public hearing was sent by first-class mail to each owner of each Parcel to be located within the boundaries of the proposed Incentive District not later than thirty (30) days prior to the public hearing, and this Council has not received written request for any Parcel to be excluded from inclusion in any Incentive District from any owner pursuant to R.C. Section 5709.40(C)(2)(a); and

WHEREAS, under R.C. Section 5709.42, this Council has determined to require the owner or owners of each Parcel comprising the Property within the Incentive District, together with their successors and assigns (each an “Owner”, and collectively the “Owners”),

to make service payments in lieu of real property taxes on the portion of the Improvements exempted from real property taxation pursuant to this Ordinance; and

WHEREAS, under R.C. Section 5709.43, this Council has determined to establish a municipal public improvement tax increment equivalent fund for the deposit of service payments in lieu of taxes and, as applicable, minimum service payments (the “Sheridan Road Incentive District TIF Fund”); and

WHEREAS, it is the intention of this Council to pay to the Lancaster City School District (the “School District”) certain compensation payments in the amount of the taxes that would have been payable to each of the School District if the Improvements had not been exempted from real property taxation pursuant to this Ordinance; and

WHEREAS, this Council desires that the Treasurer of Fairfield County, Ohio (the “County Treasurer”) forward service payments in lieu of taxes to the appropriate taxing authorities the portion of the service payments that represent payments required under R.C. 5709.40(F) and to the School District in the manner prescribed by Section 6 of this Ordinance, all in accordance with R.C. Sections 5709.40, 5709.42 and 5709.43; and

WHEREAS, the City sent notice of this Council’s intention to exempt the Improvements from real property taxation to the Board of Education of the School District in accordance with R.C. Sections 5709.40(D) and 5709.83 and hereby ratifies the giving of such notices by the City; and

WHEREAS, notice of this proposed Ordinance was delivered to the Board of County Commissioners of Fairfield County at least forty-five (45) business days prior to date on which this Council considered adoption of this Ordinance pursuant to R.C. 5709.40(E), and the County did not object to the exemption for either of the period or the exemption percentage provided in this Ordinance with respect to any of the Incentive Districts, and waived any and all notices the City or this Council may be required to give the County with regard to this Ordinance and each of the Incentive Districts, including, without limitation, any and all notices under R.C. Sections 5709.40 and 5709.83; and

WHEREAS, the Property is currently located within the City’s “Community Reinvestment Area 3” a community reinvestment area (“CRA”) established pursuant to R.C. Sections 3735.65 through 3735.70, pursuant to Permanent Resolution 71-19 as amended by Permanent Resolution 59-23, and Temporary Resolution 99-25 passed November 17, 2025 (the “CRA Resolution”); and

WHEREAS, pursuant to the CRA Resolution and in connection with the development of the Property, the City may, upon receipt of an application for exemption from the Developer or another property owner, grant exemptions from real property taxes for up to 100% of the assessed value of new structures constructed on the Property for a period of up to 15 years (the “CRA Exemption”); and

WHEREAS, it is the intention of this Council that the TIF Exemptions (as defined herein) shall be subordinate to the CRA Exemption; and

WHEREAS, this Council has determined to approve this Ordinance and dispense with the rule that this Ordinance shall be read on three (3) different days pursuant to R.C. Section 705.15; now, therefore,

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

SECTION 1. This Council hereby establishes each of the following Incentive District: Sheridan Drive Incentive District. The Incentive District consists of a portion of one or more Parcels comprising the Property. The boundaries of the Incentive District are depicted on Exhibit A hereto and incorporated herein.

Pursuant to R.C. Section 5709.40(C), this Council finds and determines that it is in the best interest of the City to declare the increase in the assessed value of each Parcel comprising the Property within the Incentive District after the effective date of this Ordinance (the "Improvements") to be a public purpose and to authorize an exemption from real property taxation equal to one hundred percent (100%) of such Improvement (the "TIF Exemptions"). The TIF Exemption shall commence, with respect to the Incentive District, on the earlier of (i) the first tax year following the effective date of this Ordinance for which Improvements attributable to the construction of one or more structures within the boundaries of the individual Incentive District collectively totaling at least \$100,000 in assessed value (e.g., 35% of the true value) first appear on the tax list and duplicate of real and public utility property, or (ii) tax year 2034 (the "Commencement Date"). The TIF Exemption shall end, with respect to the Incentive District, on the earlier of (i) thirty (30) years after the Commencement Date, or (ii) the date on which the Public Infrastructure Improvements are paid in full and the City can no longer require service payments and, as applicable, minimum service payments from the Owners, all in accordance with the requirements of the TIF Statute. Notwithstanding any other provision of this Ordinance, the TIF Exemptions granted pursuant to this Section 1 and the payment obligations established pursuant to Section 2 of this Ordinance are subject and subordinate to any CRA Exemptions applicable to the Improvements approved by the City pursuant to the CRA Ordinance during the time that any CRA Exemption may be applicable to any Parcel within the Property, irrespective of the person or entity that files the DTE 24 exemption application pursuant to R.C. Section 5709.911.

SECTION 2. The Public Infrastructure Improvements described in Exhibit B hereto made, to be made, or in the process of being made are hereby designated as Public Infrastructure Improvements that benefit or serve, or once made will benefit or serve, the Incentive District. As required by R.C. Section 5709.40(C)(3)(a), this Council hereby determines that the Project will place additional demand on the Public Infrastructure Improvements to be located at the Property and within the Incentive District.

SECTION 3. Pursuant to R.C. Section 5709.42, this Council directs and requires each Owner of each Parcel comprising the Property included within the Incentive District to make annual service payments in lieu of real property taxes with respect to the Improvements allocable to each Parcel to the County Treasurer on or before the final dates for payment of real property taxes. Service payments in lieu of taxes, including any penalties and interest at the then current rate established under R.C. Sections 323.121 and R.C. 5703.47, will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvements if it were not subject to the TIF Exemptions authorized by this Ordinance. Such service payments in lieu of taxes, penalties

and interest, and any other payments with respect to Improvements that are received by the County Treasurer in connection with the reduction required by R.C. Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions, as the same may be amended from time to time (the "Property Tax Rollback Payments," and together with the service payments in lieu of taxes and penalties and interest described above, the "Service Payments"), will be allocated and distributed in accordance with Section 6 of this Ordinance. No Owner shall, under any circumstances, be required for any tax year to both pay Service Payments with respect to an Improvement and reimburse local taxing authorities for the amount of real property taxes that would have been payable to local taxing authorities had the Improvement not been exempted from taxation pursuant to this Ordinance.

SECTION 4. Pursuant to R.C. Section 5709.91 and a development and incentives agreement, or similar document, authorized by a separate resolution or ordinance of this Board with respect to the Project and the Parcels (the "Development and Incentives Agreement"), the Developer may request that the City require the Owner or Owners of each Parcel be required to make minimum service payments with respect to the Improvements on each such Parcel to or as directed by the City on or before the dates for such payments as directed in the Development and Incentives Agreement. Insofar as Developer has made such request, the minimum service payments shall be in the amounts specified and memorialized in an instrument recorded against each Parcel. The City hereby agrees to comply with any such request from Developer, all in accordance with the Development and Incentives Agreement.

SECTION 5. This Council hereby establishes, pursuant to and in accordance with the provisions of the TIF Statute, the Sheridan Drive Incentive District TIF Fund into which the City shall deposit all Service Payments collected with respect to the Property and received from the County Treasurer. Within the Sheridan Drive TIF Fund, the City Auditor is hereby authorized to establish one or more accounts or sub-accounts associated with the Incentive District, as may be required from time to time in the sole discretion of the City Auditor.

The City, in its sole discretion, may utilize Service Payments deposited into the Sheridan Road Incentive District TIF Fund and its associated accounts and sub-accounts for the purposes authorized by the TIF Statutes, this Ordinance, and other generally applicable Ohio law, including, but not limited to, paying costs of the Public Infrastructure Improvements either (i) through the payment for or reimbursement of costs of the Public Infrastructure Improvements incurred by the City, or any other public or private party in cooperation with the City, or (ii) Debt Service on and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. Those Service Payments and, as applicable, minimum service payments received by the City with respect to the Parcels, shall be used solely for the purposes authorized in the TIF Statutes, including, but not limited to, paying any costs of the Public Infrastructure Improvements in a manner that is consistent with this Ordinance, the TIF Statutes and the Development and Incentives Agreement. For purposes of this Ordinance, "costs" of the Public Infrastructure Improvements payable from the Sheridan Drive Incentive District TIF Fund shall also include the items of "costs of permanent improvements" set forth in Ohio Revised Code Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements, which "costs" specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements, and Debt Service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. The Sheridan Drive Incentive District TIF Fund shall exist so long as Service Payments are collected and used for the purposes described above, after which the Sheridan

Road Incentive District TIF Fund and its associated accounts and sub-accounts are to be dissolved and any surplus funds remaining in the Sheridan Drive Incentive District TIF Fund shall be transferred to the City's general fund, all as set forth under R.C. Section 5709.43.

SECTION 6. At the same time and in the same manner as real property tax distributions, the City requests that the County Treasurer distribute the Service Payments and, as applicable, minimum service payments applicable to the Incentive District as follows:

FIRST, to the appropriate taxing authorities the portion of the Service Payments that represent payments required under R.C. 5709.40(F), as required by the County Treasurer pursuant to R.C. Section 5709.43(C); and

SECOND, to the School District the amount of the real property taxes that would have been payable to each of the School District if the Improvements had not been exempted from taxation pursuant to this Ordinance; and

THIRD, the remainder of the Service Payments and, as applicable, all minimum service payments to the City for deposit into the Sheridan Drive Incentive District TIF Fund.

The City shall then use the Service Payments and, as applicable, minimum service payments for such uses as may be identified and approved by the City from time to time, as follows:

FIRST, subject to the terms and conditions of the Development and Incentives Agreement, to reimburse the Developer for any portion of the costs of the Public Infrastructure Improvements paid for by Developer, as such Public Infrastructure Improvements are defined by R.C. Section 5709.40(A)(8), identified in Section 5 of this Ordinance, further identified in Exhibit B attached to this Ordinance, selected in the sole discretion of the City, and made, to be made, or in the process of being made to benefit or serve the Parcels of the Property included within the Incentive District, all as authorized under Ohio Revised Code Section 5709.40; and

Second, for any other lawful purpose pursuant to this Ordinance, the TIF Statutes, its related laws and rules, and other generally applicable Ohio law.

SECTION 7. This Council further authorizes the Mayor and the City Auditor, together with their designees, are authorized and directed to sign any other agreement, document, instrument, amendment, or certificate and to take such actions as are necessary or appropriate to consummate or implement the matters described in or contemplated by this Ordinance.

SECTION 8. This Council further authorizes and directs the Mayor and the City Auditor, or their designees, and other appropriate officers of the City to: (i) make such arrangements as are necessary and proper for the collection of Service Payments and, as applicable, minimum service payments from the Owners of any of the Parcels comprising the Property and included within the Incentive District, (ii) facilitate the payment of the Service Payments and, as applicable, minimum service payments from the County Treasurer to the City for deposit into the Sheridan Drive Incentive District TIF Fund, (iii) prepare and sign all agreements, documents, instruments, amendments, or certificates as may be necessary to implement this Ordinance from time to time, including, but not limited to, any applications for

real property tax exemption and remission (Form DTE-24) that may be required with respect to the Incentive District; and (iv) take all other actions as may be appropriate to implement this Ordinance.

For the avoidance of doubt, R.C. Section 5709.911 shall govern the priority status of the TIF Exemptions authorized pursuant to this Ordinance. Pursuant to R.C. 5709.40(C) and 5709.911, the City intends to apply for the TIF Exemptions authorized pursuant to this Ordinance.

SECTION 9. Pursuant to R.C. Section 5709.40(I), the Mayor and the City Auditor, together with their designees, are authorized and directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development (“ODOD”) within fifteen (15) days of its adoption. On or before March 31st of each year that a TIF Exemption authorized pursuant to this Ordinance remains in effect, the Mayor and the City Auditor, together with their designees, are authorized to prepare and submit the status report required under R.C. Section 5709.40(I) to the Director of ODOD.

SECTION 10. In accordance with R.C. Section 5709.832, this Council hereby determines that no entity doing business upon any Parcel or any portion of any Parcel comprising the Property and included within the Incentive District shall deny any individual employment based on considerations of race, religion, sex, disability, color, national origin, or ancestry.

SECTION 11. The City acknowledges that it has created, or has joined, an applicable Tax Incentive Review Council (the “TIRC”) with the membership of the TIRC constituted in accordance with R.C. Section 5709.85. The TIRC shall, in accordance with R.C. Section 5709.85, annually review all TIF Exemptions resulting from the declarations set forth in this Ordinance and any other such matters as may properly come before the TIRC, all in accordance with R.C. Section 5709.85.

SECTION 12. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including R.C. Section 121.22.

SECTION 13. Pursuant to R.C. Section 705.15, and provided this Ordinance receives the affirmative vote of at least three-fourths (3/4) of all the members elected to this Council, this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, property, health, and safety in the City, and specifically to allow for the timely development of that certain Sheridan Road Residential Project described in that certain development letter, dated March 6, 2025, provided by the Mayor of the City to Chris Tumblin of Casto Development. Accordingly, this Council has dispensed with the rule that this Ordinance shall be read on three (3) different days, and it shall be effective at the earliest date allowable by law upon its adoption and approval by the Mayor.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Economic Development Committee

I, Anitra Scott, Clerk of Council do hereby certify that on _____, 2025 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council

EXHIBIT A

DESCRIPTION OF THE PARCELS

The Parcels consist of real property situated in the City of Lancaster, Ohio, County of Fairfield, and State of Ohio consisting of the real property identified in the legal description set forth below:

**20.09+/- Acre Zoning Description
South of Rainbow Drive
East of Sheridan Drive
-1-**

Situated in the State of Ohio, County of Fairfield, City of Lancaster, being part of Section 29, Township 15, Range 18, Congress Lands and being a 20.09± acre tract of land, more or less, said 20.09± acre tract of land being part of that 29.512 acre tract of land described as Tract 2, part of that 5.664 acre tract of land described as Tract 3 – Parcel One (1), part of that 16.269 acre tract of land described as Tract 3 – Parcel Two (2) all as conveyed to Ewing Woods, LLC of record in Instrument No. 202500004657 and all of those 0.486 acre and 0.120 acre tracts of land described as Tract 1 and Tract 2 as conveyed to Ewing Woods, LLC of record Instrument No. 202500006219, said 20.09± acres more particularly described as follows:

Beginning for reference at the southeasterly corner of said Tract 3 – Parcel Two (2), said corner also being a westerly corner of Lot 2 of Chartwell Section One of record in Plat Cabinet 1, Slide 152 and the northeasterly corner of that 0.90 acre tract of land as conveyed to Tiki Village of record in Deed Volume 395, Page 662;

Thence **N 87° 59' 17" W**, with the north line of said Tiki Village, the north line of a 0.734 acre tract of land conveyed to Cindy S. and Rodney Asbury in Instrument No. 202100022476, and the south line of said Tract 3 – Parcel Two (2), **369.6± feet** to a point on the north line of said 0.734 acre tract, an angle point of said Tract 3 – Parcel Two (2), and being the southeast corner of a 0.18 acre tract of land described as Tract #3 as conveyed to Mary Lou Fox in Deed Book 397, Page 574, Deed Book 552, Page 195 and Instrument No. 202500005425;

Thence **N 64° 25' 22" W**, with the south line of said Tract 3 – Parcel Two (2), the southerly line of said Tract 3 – Parcel One (1) and the northerly line of said 0.18 acre tract, **322.6± feet** to a common corner of said Tract 3 – Parcel One (1) and said 0.18 acre tract;

Thence **S 03° 37' 14" E**, with the easterly line of said Tract 3 – Parcel One (1), the westerly line of said Tract #3 and the westerly line of Tract #1 as conveyed to Mary Lou Fox in Deed Book 397, Page 574, Deed Book 552, Page 195 and Instrument No. 202500005425, **129.6± feet** to a common corner thereof, also being in the northerly line of said 0.734 acre tract;

Thence **N 87° 59' 17" W**, with a southerly line of said Tract 3 – Parcel One (1) and the northerly line of said 0.734 acre tract, **20.1± feet** to a common corner thereof, said corner also being in the easterly line of that 0.577 acre tract of land as conveyed to Ariana Hayes of record in Instrument No. 202100025179

Thence with common lines of said Tract 3 – Parcel One (1) and said 0.577 acre tract, the following three (3) courses and distances:

1. **N 01° 32' 21" W, 95.2± feet** to an angle point;
2. **N 03° 38' 07" W, 41.7± feet** to an angle point;
3. **S 85° 18' 23" W, 127.7± feet** to a point;

Thence across said Tract 3 – Parcel One (1), said Tract 3 – Parcel Two (2) and said 29.512 acre Tract 2, the following eight (8) courses and distances:

1. **N 13° 38' 58" W, 168.3± feet** to an angle point;
2. **S 76° 21' 02" W, 11.1± feet** to an angle point;
3. **N 13° 36' 02" W, 227.9± feet** to a point of curvature;
4. with a curve to the right, a central angle of **10°45'30"**, a radius of **1023.09± feet**, an arc length of **192.10± feet**, and a chord bearing and distance of **N 08°16'13" W, 191.82± feet** to a point of tangency;
5. **N 87° 24' 08" E, 28.1± feet** to an angle point;
6. **N 02° 35' 52" W, 70.0± feet** to an angle point;
7. **S 87° 24' 08" W, 25.9± feet** to a point of curvature;
8. with a curve to the right, a central angle of **10°00'11"**, a radius of **1691.87± feet**, an arc length of **295.38± feet**, and a chord bearing and distance of **N 07°04'58" E, 295.00± feet** to a point in the northerly line of said 29.512 acre Tract 2 and the southerly line of that 0.80 acre tract of land as conveyed to Richard J. and Amber M. Shugert of record in Instrument No. 202200020745;

20.09+/- Acre Zoning Description
South of Rainbow Drive
East of Sheridan Drive

-2-

Thence S 75° 38' 21" E, with a northerly line of said 29.512 acre Tract 2 and southerly line of said 0.80 acre tract, **235.6± feet** to a common corner thereof;

Thence across said Tract 3 – Parcel Two (2) and said 29.512 acre Tract 2, the following thirteen (13) courses and distances:

1. S 14° 24' 50" W, **80.7± feet** to a point of curvature;
2. with a curve to the left, a central angle of 2°08'42", a radius of **410.00± feet**, an arc length of **15.35± feet**, and a chord bearing and distance of S 13°20'29" W, **15.35± feet** to a point of tangency;
3. S 12° 16' 08" W, **60.9± feet** to a point;
4. S 77° 43' 52" E, **124.4± feet** to a point;
5. S 12° 22' 58" W, **39.0± feet** to a point;
6. S 77° 37' 02" E, **70.0± feet** to a point;
7. S 12° 22' 58" W, **15.0± feet** to a point;
8. S 77° 37' 02" E, **101.6± feet** to a point of curvature;
9. with a curve to the left, a central angle of 87°58'08", a radius of **150.00± feet**, an arc length of **230.30± feet**, and a chord bearing and distance of N 58°23'54" E, **208.34± feet** to a point of tangency;
10. N 14° 24' 50" E, **167.8± feet** to a point;
11. S 75° 35' 10" E, **70.0± feet** to a point;
12. N 14° 24' 50" E, **20.4± feet** to a point;
13. S 75° 35' 10" E, **421.8± feet** to a point in the easterly line of said Tract 3 – Parcel Two (2) and the westerly line of Reserve "A" of Brentwood Subdivision Section 1 of record in Plat Cabinet 2, Slide 111;

Thence S 21° 23' 23" W, with the easterly line of said Tract 3 – Parcel Two (2), the westerly line of said Reserve "A" and the westerly line of Tract "A" as dedicated for Habitat Valley in Plat Cabinet 2, Sl. 13, **440.5± feet** to an angle point;

Thence S 11° 48' 59" W, with the westerly line of said Tract "A", the westerly line of said Lot 2, and the easterly line of said Tract 3 – Parcel Two (2), **528.0± feet** the **True Point of Beginning**, containing **20.09+/- acres**, more or less.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NSRS2011. Said bearings were derived from a portion of Sheridan Drive holding a bearing of N 13°39'28" W between a point referencing a road monument and a PK nail set.

This description was completed on June 6, 2025, and is based on information obtained from the Fairfield County Auditor's and Recorder's Office and information obtained from an actual field survey conducted in March of 2023.

All references used in this description can be found at the Fairfield Recorder's Office, Fairfield County, Ohio.

This description was written for zoning purposes only and was not intended to be used in the transfer of land.

ADVANCED CIVIL DESIGN, INC.

EXHIBIT B

PUBLIC INFRASTRUCTURE IMPROVEMENTS

The Public Infrastructure Improvements consist generally of acquiring and constructing the Public Infrastructure Improvements described below, as selected in the sole discretion of the City in accordance with the Ordinance to which this **EXHIBIT B** is attached, the TIF Act, its related rules and laws, and other generally applicable Ohio law, including but not limited to, the following:

- Any costs of the Public Infrastructure Improvements identified in the Development and Incentives Agreement or in another agreement identifying such costs, each as may be authorized by City Council; and
- Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing, or changing of, as well as the continued maintenance of, the lines and traffic patterns of roads, highways, streets, bridges (both roadway and pedestrian), traffic calming devices, sidewalks, bikeways, medians, and viaducts accessible to and serving the public, and providing lighting systems, signalization, and traffic controls, and all other appurtenances thereto; and
- Construction, reconstruction, or installation of, as well as the continued maintenance of, public utility improvements (including any underground publicly owned utilities), storm and sanitary sewers (including necessary site grading therefore), water and fire protection systems, and all other appurtenances thereto; and
- Construction, reconstruction, or installation of publicly owned gas, electric, and communication service facilities, and all other appurtenances thereto; and
- Construction or reconstruction of one or more public parks, including grading, trees and other park plantings, park accessories and related improvements, and all other appurtenances thereto; and
- Construction or installation of streetscape and landscape improvements including trees and shrubs, landscaping mounds and fencing, tree grates, planting beds, signage, curbs, sidewalks, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, and all other appurtenances thereto; and
- Construction of one or more public parking facilities, including public surface parking and public parking structures and related improvements, and all other appurtenances thereto; and
- Demolition and excavation, including demolition and excavation on private property when determined to be necessary for economic development purposes; and

- Acquisition of real estate or interests in real estate (including easements) necessary to accomplish the foregoing improvements; and
- Any on-going administrative expenses relating to the Public Infrastructure Improvements as well as maintaining the Service Payments and Property Tax Rollback Payments in the TIF Accounts, including but not limited to, engineering, architectural, legal, and other consulting and professional services; and
- All inspection fees and other governmental fees related to the foregoing; and
- Any and all other costs of the Public Infrastructure Improvements, as determined by the City in its sole discretion and in accordance with the Ordinance to which this **EXHIBIT B** is attached, the TIF Act, its related rules and laws, and other generally applicable Ohio law.

The Public Infrastructure Improvements specifically include the costs of financing the Public Infrastructure Improvements, including the items of “costs of permanent improvements” set forth in Ohio Revised Code Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements. “Costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and the debt service on any bonds or other obligations issued to finance the Public Infrastructure Improvements (including fees and administrative expenses of, and fund reserve funds necessary to pay or service any bonds or other obligations) (the “*Debt Service*”), all as determined by the City in its sole discretion and in accordance with the Ordinance to which this **EXHIBIT B** is attached, the Development and Incentives Agreement, the TIF Act, its related rules and laws, and other generally applicable Ohio law.