

GROVE CITY, OHIO COUNCIL
LEGISLATIVE AGENDA

May 01, 2023

6:30 Caucus

7:00 p.m. Regular Meeting

Call to Order: Pres. Berry / Roll Call / Approval of Minutes / Welcome & Reading of Agenda

LANDS: Mr. Schottke

Resolution CR-24-23 Appeal the decision of the Board of Zoning Appeals granting a Variance for Yard Obstructions & Fences located at 5588 Scotch Woods Drive.

SERVICE: Ms. Houk

Ordinance C-17-23 Authorizing the Appropriation of Property and Easements from multiple properties for the public purpose of making, repairing, and improving the Demorest Corridor Improvement Project and declare an emergency. Second reading and public hearing.

SAFETY: Mr. Sigrist

Ordinance C-18-23 Repeal and Replace Section 331.44 of the Codified Ordinances of Grove City titled Texting While Driving Prohibited and declare an emergency.

Call for New Business

Call for Dept. Reports & Closing Comments

Adjourn

ON FILE: Minutes of: 04/17 Council; 04/24 BZA

Date: 04/24/23
Introduced By: Mr. Schottke
Committee: Lands
Originated By: Clerk
Approved: _____
Emergency: 30 Days: _____
Current Expense: _____

No.: CR-24-23
1st Reading: 05/01/23
Public Notice: _____
2nd Reading: _____
Passed: _____ Rejected: _____
Codified: _____ Code No: _____
Passage Publication: _____

RESOLUTION NO. CR-24-23

A RESOLUTION APPEALING THE DECISION OF THE BOARD OF ZONING APPEALS GRANTING A VARIANCE FOR YARD OBSTRUCTIONS & FENCES LOCATED AT 5588 SCOTCH WOODS DR.

WHEREAS, on March 27, 2023 the Board of Zoning Appeals granted variances for yard obstructions and fences for Farah Jama, property owner, located at 5588 Scotch Woods Drive, with the following stipulations:

1. Property owner to contract with a Grove City Registered Fence Erector to submit for a building permit and relocate the fence section running parallel to Carlisle Dr. back to no more than 10' from the 30' building setback line.
2. Permit application by registered contractor is to be submitted within 30 days from the date of this approval.
3. Fence is to be relocated within 60 days from the date of this approval submittal unless otherwise approved by the Chief Building and Zoning Official.
4. Evergreen shrubs a minimum of 24" in height at the time of planting are to be installed within 30 days of the fence installation along the relocated section of fence, with a maximum spacing of 5' apart; and

WHEREAS, in accordance with 1133.07 of the Codified Ordinances of the City of Grove City, Ohio, any aggrieved person or any elected official of the City may appeal a decision of the Board of Zoning Appeals to Council; and

WHEREAS, an appeal has been filed with the Clerk of Council against said variance.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby reverses the decision of the Board of Zoning Appeals and the variance granted for yard obstructions & fences, with stipulations, for Farah Jama, property owner, located at 5588 Scotch Woods Drive, is hereby repealed.

SECTION 2. This resolution shall take effect at the earliest opportunity allowed by law.

Ted. A. Berry, President of Council

Richard L. Stage, Mayor

Passed:
Effective:

Attest: _____

Date: 04-11-23
Introduced By: Ms. Houk
Committee: Service
Originated By: Mr. Smith
Approved: Mr. Boso
Emergency: X 30 Days:
Current Expense:

No.: C-17-23
1st Reading: 04/17/23
Public Notice: 04/18/23
2nd Reading: 05/01/23
Passed: Rejected:
Codified: Code No:
Passage Publication:

ORDINANCE C-17-23

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF PROPERTY AND EASEMENTS FROM MULTIPLE PROPERTIES FOR THE PUBLIC PURPOSE OF MAKING, REPAIRING, AND IMPROVING THE DEMOREST CORRIDOR IMPROVEMENT PROJECT AND DECLARE AN EMERGENCY

WHEREAS, the City of Grove City is planning to make capital improvements to the Demorest Road corridor as part of the Demorest Road Corridor Improvement Project; and

WHEREAS, the Demorest Road corridor is in need of improvements to support safe vehicular, pedestrian and bicycle traffic in conjunction with development along the project corridor, including the proposed Brookpark Middle School site; and

WHEREAS, the Project is considered to be a priority need for the community; and

WHEREAS, the City's Consulting Engineer has prepared plans for the Project as shown in each attachment herein; and

WHEREAS, the Project requires that the City obtain certain property, by Warranty Deed (without limitation of existing access rights), as well as various permanent and temporary easements (without limitation of existing access rights), from multiple property owners for the public purpose of making, repairing, and improving a public roadway which shall be open to the public without charge, as described and depicted in the attached exhibits; and

WHEREAS, Council has previously passed legislation for this Project by appropriating the funds for the acquisition of the various real estate interests, and Resolution No. CR-02-23 determining that the various property interests are necessary for the public purpose of proceeding with the Project; and

WHEREAS, the Project requires that the City obtain a 0.170-acre fee simple interest for public right-of-way (Warranty Deed), without limitation of existing access rights from Franklin County parcel number 040-006826, as described and depicted in the legal description and survey attached from Faith Baptist Church c/o Columbus Baptist Association Inc., Trustee (Parcel 1); and

WHEREAS, the Project requires that the City obtain a 0.006-acre fee simple interest for public right-of-way (Warranty Deed), without limitation of existing access rights from Franklin County parcel number 040-016275, and approximately a 0.002-acre fee simple interest for public right-of-way (Warranty Deed) without limitation of existing access rights from Franklin County parcel number 040-016274, as both are described and depicted in the legal descriptions and surveys attached from Townsend Construction Company (Parcels 2 and 3); and

WHEREAS, the Project requires that the City obtain a 0.511-acre fee simple interest for public right-of-way (Warranty Deed), without limitation of existing access rights from Franklin County parcel number 040-

006827, as described and depicted in the legal description and survey attached from Otta Jallaq (Parcel 4); and

WHEREAS, the Project requires that the City obtain a 0.085-acre fee simple interest for public right-of-way (Warranty Deed), without limitation of existing access rights from Franklin County parcel number 040-006832, as described and depicted in the legal description and survey attached from Anatoliy Popchuk (Parcel 5); and

WHEREAS, the Project requires that the City obtain a 0.085-acre fee simple interest for public right-of-way (Warranty Deed), without limitation of existing access rights from Franklin County parcel number 040-006831, as described and depicted in the legal description and survey attached from Francisco Rios (Parcel 6); and

WHEREAS, the Project requires that the City obtain a 0.085-acre fee simple interest for public right-of-way (Warranty Deed), without limitation of existing access rights from Franklin County parcel number 040-006828, as described and depicted in the legal description and survey attached from Linda D. O'Reilly, Trustee of The Trust of Erma E. Pache (Parcel 7); and

WHEREAS, the Project requires that the City obtain a 0.010-acre fee simple interest for public right-of-way (Warranty Deed), without limitation of existing access rights from Franklin County parcel number 040-006833, as described and depicted in the legal description and survey attached from Barbara A. Eakin, Trustee of the Revocable Trust of Stanley M. Eakin and Marjorie S. Eakin (Parcel 8).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. This Council considers it necessary and declares its authorization to appropriate, for the public purpose of making, repairing, and improving a public roadway which shall be open to the public without charge, the property and easements from the property owners identified above, and in the attached Exhibit A. All Warranty Deed fee interests referenced in the attached Exhibit A shall preserve a right of access for the residual parcel. Each of the property interests needed from each of the property owners and properties is depicted in the attached Exhibit B.

SECTION 2. Council hereby authorizes and directs such appropriations to proceed. The City, through its counsel, is hereby authorized to file a petition for appropriation in the Franklin County Court of Common Pleas should it become necessary, and to utilize the quick-take procedures pursuant to R.C. 163.06.

SECTION 3. Council further hereby authorizes and directs the City Administrator, the Director of Law, the Director of Finance, the Clerk of Council, or other appropriate officers of the City to take any other lawful actions necessary to appropriate or acquire the properties in Section 1, including the authority to reach a reasonable administrative resolution with the property owner to acquire the property interests in an amount greater than the appraised value without further Council action being required.

SECTION 4. For reasons stated in the preamble, this ordinance is hereby declared an emergency measure and shall go into immediate effect.

Ted A. Berry, President of Council

Passed:

Richard L. Stage, Mayor

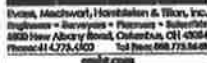
Effective:

Attest:

Tami K. Kelly, MMC, Clerk of Council

I certify that this
ordinance is correct as to form.

Stephen J. Smith, Director of Law



11-14-2022
Date

**0.170 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that 1.032 acre tract conveyed as Parcel 2 to Columbus Baptist Association, Inc., Trustee by deed of record in Official Record 9921110 and Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road (width varies);

Thence North 03° 14' 40" East, with said centerline (passing a railroad spike found at a distance of 151.57 feet), a total distance of 249.82 feet to a magnetic nail set, at the southwesterly corner of said Parcel 2 and the northwesterly corner of that 0.170 acre tract conveyed as Parcel 1-WD to City of Grove City, Ohio by deed of record in Instrument Number 202203250047883, being the TRUE POINT OF BEGINNING;

Thence North 03° 14' 40" East, continuing with said centerline, a distance of 199.95 feet to a magnetic nail found at the northwesterly corner of said Parcel 2 and a southwesterly corner of Reserve "B" of that subdivision titled "Beulah Park Subarea "E"", of record in Plat Book 128, Page 5 (reference an aluminum disk in pvc encased concrete monument (FCGS 1236) found at the centerline intersection with Southwest Boulevard, being North 03° 14' 40" East, a distance of 1301.71 feet);

Thence South 88° 03' 03" East, with the line common to said Parcel 2 and Reserve "B" (passing a 3/4 inch iron pipe capped "Bird & Bull" found at a distance of 25.19 feet), a total distance of 37.01 feet to an iron pin set;

Thence South 03° 14' 40" West, across said Parcel 2, a distance of 199.95 feet to an iron pin set at the northwesterly corner of the remainder of that 1.032 acre tract conveyed as Parcel 1 to Columbus Baptist Association, Inc., Trustee by deed of record in Official Record 9921110 and the northeasterly corner of said 0.170 acre tract;

Thence North 88° 03' 03" West, with the line common to said Parcel 2 and said 0.170 acre tract, a distance of 37.01 feet to the TRUE POINT OF BEGINNING, containing 0.170 acre, more or less, of which 0.138 acre is located within the present roadway occupied.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

0.170 ACRE

- 2 -

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

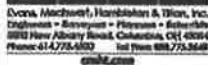
A handwritten signature of Brandon R. King in black ink.

Nov. 14, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

BRK.nd
0.170 ac 20220097-VS-BNDY-01.dwg

**SURVEY NUMBER 1388**

VIRGINIA MILITARY DISTRICT

CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 8, 2022	Scale: 1" = 80'	Job No: 2022-0097	Sheet No: 1 of 1
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SURVEY NOTE:

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in October 2019, March 2021, April 2021, and March 2022.

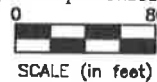
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S86°54'45"E	37.00'
L2	S86°54'45"E	24.32'
L3	N87°43'41"W	11.78'
L4	N87°43'41"W	37.01'

BASIS OF BEARINGS:

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey.

- Iron Pin Set
- Iron Pin Found
- Stone Found
- P.K. Nail Found
- Monument Found
- Magnetic Nail Set
- Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.



SCALE (in feet)

LOT 5
PLAT OF SURVEY
OF VMS 1388
P.B. 17, P. 154

5
OTTA JALLAQ
3.100 AC. (DEED)
I.N. 201912310176000

P.N. 040-006827

0.511 AC. GROSS
-0.345 AC. P.R.O.
0.166 AC. NET

RESERVE "A"
BEULAH PARK
SUBAREA "E"
P.B. 128, P. 5



By Brandon R. King
Professional Surveyor No. 8772
bking@emht.com

11.8.2022
Date

[16-2022007V-DWG-GAS-ELECTS](#) BOULHOURA 2022007 - FS-SWIS-04 DWG plotted by JNIG, BRANCOM on 11/8/2022 2:13:19 PM last saved by HORTLEYBOCT on 11/4/2022 12:35:31 PM

**0.511 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that 3.100 acre tract conveyed to Otta Jallaq by deed of record in Instrument Number 201912310176000 and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 1236) found in the centerline intersection of Demorest Road (width varies) and Southwest Boulevard;

Thence South 03° 14' 40" West, with the centerline of said Demorest Road, a distance of 599.36 feet to a magnetic nail set at the northwesterly corner of said 3.100 acre tract and the southwesterly corner of that 0.517 acre tract conveyed to Anatoliy Popchuk by deed of record in Instrument Number 201405060055272, being the TRUE POINT OF BEGINNING;

Thence South 86° 54' 45" East, with the line common to said 3.100 and 0.517 acre tracts and partially crossing said Demorest Road (passing a 3/4 inch iron pin found at a distance of 24.32 feet), a total distance of 37.00 feet to an iron pin set;

Thence South 03° 14' 40" West, crossing said 3.100 acre tract, a distance of 601.77 feet to an iron pin set in the line common to said 3.100 acre tract and that Reserve "A" of that subdivision titled "Beulah Park Subarea "E"", of record in Plat Book 128, Page 5;

Thence North 87° 43' 41" West, partially with said common line and partially crossing said Demorest Road (passing a 3/4 iron pin capped "Bird & Bull" found at a distance of 11.78 feet) a total distance of 37.01 feet to a magnetic nail found in the centerline of said Demorest Road (reference an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road, being South 03°14'40" West, a distance of 549.82 feet);

Thence North 03° 14' 40" East, with the said centerline (passing a railroad spike found at a distance of 501.83), a total distance of 602.30 feet to the TRUE POINT OF BEGINNING, containing 0.511 acre, more or less, of which 0.345 acre is within the present roadway occupied.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

0.511 ACRE

- 2 -

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in black ink, appearing to read "B. King", written over the printed name.

Nov. 8, 2022

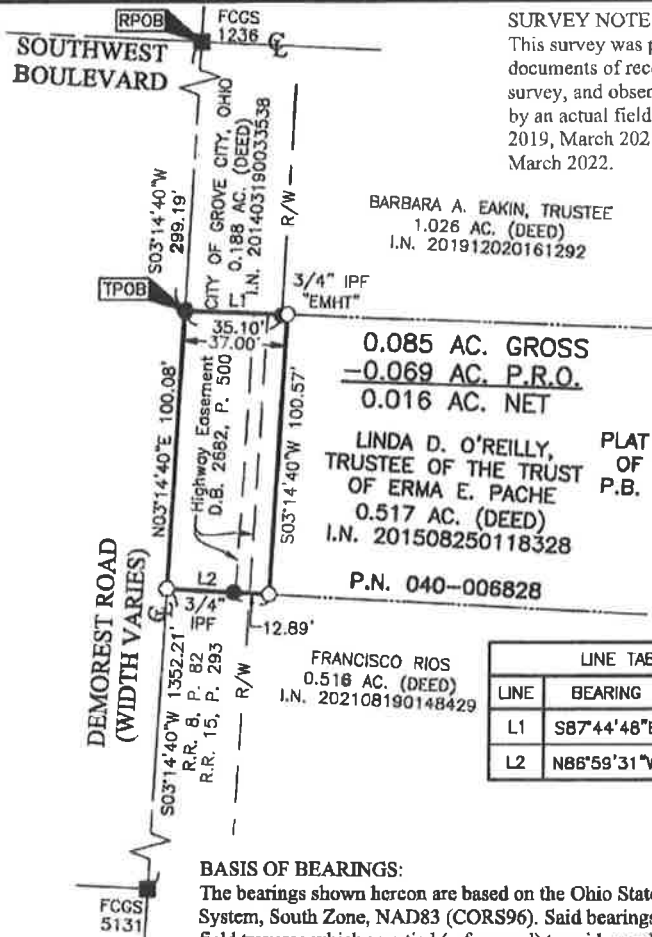
Brandon R. King
Professional Surveyor No. 8772

Date

BRK:nd
0.511 no 20220097-VS-BNDY-04.docx

EMHTSurvey, Measurement, Mapping & Title, Inc.
Engineers • Surveyors • Planners • Scientists
1800 New Albany Road, Columbus, OH 43204
Phone: 614.775.6100 Fax: 614.775.6101
www.emht.com**SURVEY OF ACREAGE PARCEL****SURVEY NUMBER 1388****VIRGINIA MILITARY DISTRICT****CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO**

Date: November 14, 2022 Scale: 1" = 50' Job No: 2022-0097 Sheet No: 1 of 1

**SURVEY NOTE:**

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in October 2019, March 2021, April 2021, and March 2022.

BARBARA A. EAKIN, TRUSTEE
1.026 AC. (DEED)
I.N. 201912020161292

0.085 AC. GROSS
-0.069 AC. P.R.O.
0.016 AC. NET

LINDA D. O'REILLY,
TRUSTEE OF THE TRUST
OF ERMA E. PACHE
0.517 AC. (DEED)
I.N. 201508250118328

LOT 5
PLAT OF SURVEY
OF VMS 1388
P.B. 17, P. 154

P.N. 040-006828

FRANCISCO RIOS
0.516 AC. (DEED)
I.N. 202108190148429

LINE TABLE

LINE	BEARING	DISTANCE
L1	S87°44'48"E	37.01'
L2	N86°59'31"W	37.00'

BASIS OF BEARINGS:

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey.

- Iron Pin Set
- Iron Pin Found
- Monument Found
- Magnetic Nail Set
- Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.



SCALE (in feet)

By

Brandon R. King
Professional Surveyor No. 8772
bking@emht.com

11.14.2022

Date



**0.085 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that 0.517 acre tract conveyed to Linda D. O'Reilly, Trustee of the Trust of Erma E. Pache by deed of record in Instrument Number 201508250118328 and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 1236) found in the centerline intersection of Demorest Road (width varies) and Southwest Boulevard;

Thence South 03° 14' 40" West, with the centerline of said Demorest Road, a distance of 299.19 feet to a magnetic nail found at the northwesterly corner of said 0.517 acre tract and the southwesterly corner of that 0.188 acre tract conveyed to City of Grove City, Ohio by deed of record in Instrument Number 201403190033538, being the TRUE POINT OF BEGINNING;

Thence South 87° 44' 48" East, with the northerly line of said 0.517 acre tract, the southerly lines of said 0.188 acre tract and that 1.026 acre tract conveyed to Barbara A. Eakin, Trustee by deed of record in Instrument Number 201912020161292, and partially crossing said Demorest Road (passing a 3/4 inch iron pin capped "EMHT" found at a distance of 35.10 feet), a total distance of 37.01 feet to an iron pin set;

Thence South 03° 14' 40" West, crossing said 0.517 acre tract, a distance of 100.57 feet to an iron pin set in the line common to said 0.517 acre tract and that 0.516 acre tract conveyed to Francisco Rios by deed of record in Instrument Number 202108190148429;

Thence North 86° 59' 31" West, with said common line (passing a 3/4 inch iron pin found at a distance of 12.89 feet), a total distance of 37.00 feet to a magnetic nail set in the centerline of said Demorest Road (reference an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road, being South 03° 14' 40" West, a distance of 1352.21 feet);

Thence North 03° 14' 40" East, with said centerline, a distance of 100.08 feet to the TRUE POINT OF BEGINNING, containing 0.085 acre, more or less, of which 0.069 acre is within the present roadway occupied.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

0.085 ACRE

- 2 -

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature of Brandon R. King in black ink.

Nov. 14, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

BRK:nd
0.085 ac 20220097-VS-BNDY-07.docx

EMHT

Survey, Mapping, Hydrology & Utility, Inc.
Engineers • Surveyors • Planners • Estimators
1800 New Albany Road, Columbus, OH 43264
Phone: 614.775.6100 Fax: 614.775.6101
www.emht.com

SURVEY OF ACREAGE PARCEL**SURVEY NUMBER 1388****VIRGINIA MILITARY DISTRICT****CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO**

Date: November 8, 2022 Scale: 1" = 50' Job No: 2022-0097 Sheet No: 1 of 1

SOUTHWEST BOULEVARD

FCGS 1236

S03°14'40"W
399.27'

R/W

TPOB

3/4" IPF

L1

24.11'

37.00'

N03°14'40"E 100.12'

Highway Easement
D.B. 2682, P. 500

R/W

**DEMOREST ROAD
(WIDTH VARIES)**

S03°14'40"W 1252.09'

R.R. 8, P. 82
R.R. 15, P. 293

R/W

FCGS 5131

LINDA D. O'REILLY,
TRUSTEE OF THE TRUST OF
ERMA E. PACHE
0.517 AC. (DEED)
I.N. 201508250118328

0.085 AC. GROSS
-0.069 AC. P.R.O.
0.016 AC. NET

FRANCISCO RIOS
0.516 AC. (DEED)
I.N. 202108190148429

P.N. 040-006831

LOT 5
PLAT OF SURVEY
OF VMS 1388
P.B. 17, P. 154

ANATOLIY POPCHUK
0.517 AC. (DEED)
I.N. 201405080055272

LINE TABLE

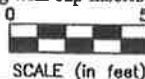
LINE	BEARING	DISTANCE
L1	S86°59'31"E	37.00'
L2	N87°00'22"W	37.00'

BASIS OF BEARINGS:

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- Iron Pin Set
- Iron Pin Found
- Monument Found
- Magnetic Nail Set
- Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.



SCALE (in feet)

By

Brandon R. King
Professional Surveyor No. 8772
bking@emht.com



11-8-2022

Date

**0.085 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that 0.516 acre tract conveyed to Francisco Rios by deed of record in Instrument Number 202108190148429 and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 1236) found at the centerline intersection of Demorest Road (width varies) and Southwest Boulevard;

Thence South 03° 14' 40" West, with the centerline of said Demorest Road, a distance of 399.27 feet to a magnetic nail set at the northwesterly corner of said 0.516 acre tract and the southwesterly corner of that 0.517 acre tract conveyed to Linda D. O'Reilly, Trustee of the Trust of Erma E. Pache by deed of record in Instrument Number 201508250118328, being the TRUE POINT OF BEGINNING;

Thence South 86° 59' 31" East, with the line common to said 0.516 and 0.517 acre tracts and partially crossing said Demorest Road (passing a 3/4 inch iron pin found at a distance of 24.11 feet), a distance of 37.00 feet to an iron pin set;

Thence South 03° 14' 40" West, crossing said 0.516 acre tract, a distance of 100.11 feet to an iron pin set in the line common to said 0.516 acre tract and that 0.517 acre tract conveyed to Anatoliy Popchuk by deed of record in Instrument Number 201405060055272;

Thence North 87° 00' 22" West, with said common line and partially crossing said Demorest Road (passing a 3/4 inch iron pin found at a distance of 12.97 feet), a total distance of 37.00 feet to a magnetic nail set in the centerline of said Demorest Road (reference an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road, being South 03°14'40" East, a distance of 1252.09 feet);

Thence North 03° 14' 40" East, with said centerline, a distance of 100.12 feet to the TRUE POINT OF BEGINNING, containing 0.085 acre, more or less, of which 0.069 acre is within the present roadway occupied.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

0.085 ACRE

- 2 -

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature of Brandon R. King in black ink.

Mar. 2, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

BRK:nd
0.085 ac 20220097-VS-BNDY-06.docx

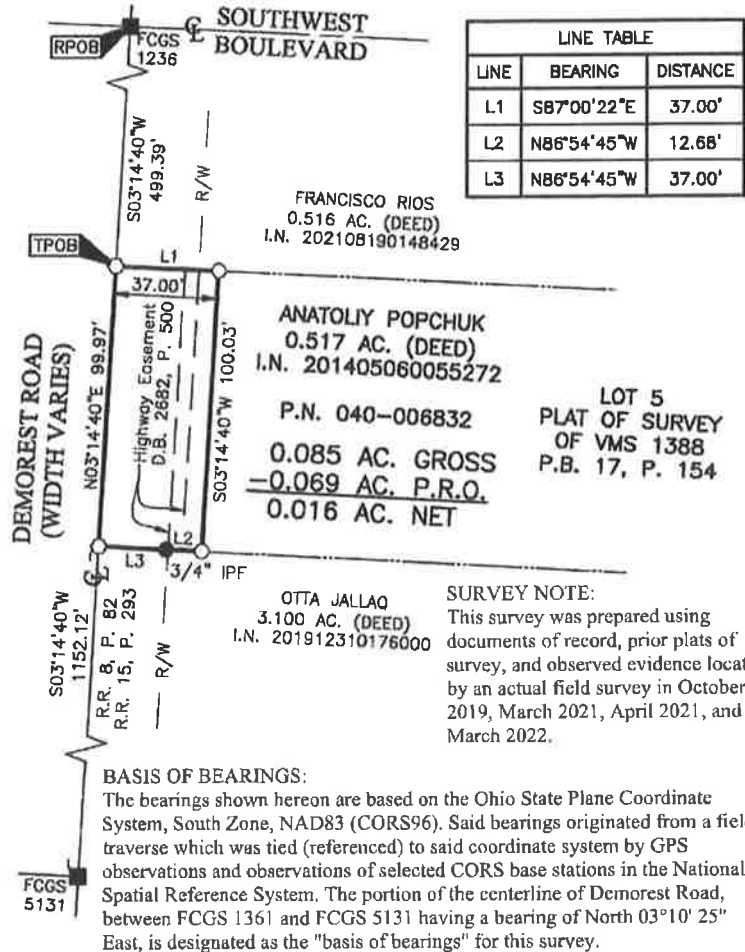
EMHTSurvey, Mapping, Construction & More, Inc.
Engineers • Surveyors • Planners • Architects
3823 New Albany Road, Columbus, OH 43254
Phone 614.778.1270 Fax 614.778.1271
www.emht.com**SURVEY OF ACREAGE PARCEL****SURVEY NUMBER 1388****VIRGINIA MILITARY DISTRICT****CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO**

Date: November 8, 2022

Scale: 1" = 50'

Job No: 2022-0097

Sheet No: 1 of 1



- Iron Pin Set
- Iron Pin Found
- Monument Found
- Magnetic Nail Set
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.0 50
SCALE (in feet)

By

Brandon R. King
Professional Surveyor No. 8772
bking@emht.com11-8-2022
Date

**0.085 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that 0.517 acre tract conveyed to Anatoliy Popchuk by deed of record in Instrument Number 201405060055272 and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 1236) found at the centerline intersection of Demorest Road (width varies) and Southwest Boulevard;

Thence South 03° 14' 40" West, with the centerline of said Demorest Road, a distance of 499.39 feet to a magnetic nail set at the northwesterly corner of said 0.517 acre tract and the southwesterly corner of that 0.516 acre tract conveyed to Francisco Rios by deed of record in Instrument Number 202108190148429, being the TRUE POINT OF BEGINNING;

Thence South 87° 00' 22" East, with the line common to said 0.517 and 0.516 acre tracts and partially crossing said Demorest Road, a distance of 37.00 feet to an iron pin set;

Thence South 03° 14' 40" West, crossing said 0.517 acre tract, a distance of 100.03 feet to an iron pin set in the line common to said 0.517 acre tract and that 3.100 acre tract conveyed to Otta Jallaq by deed of record in Instrument Number 201912310176000;

Thence North 86° 54' 45" West, with said common line and partially crossing said Demorest Road (passing a 3/4 iron pin found at a distance of 12.68 feet), a total distance of 37.00 feet to a magnetic nail set in the centerline of Demorest Road (reference an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road, being South 03°14'40" West, found at a distance 1152.12 feet);

Thence North 03° 14' 40" East, with said centerline, a distance of 99.97 feet to the TRUE POINT OF BEGINNING, containing 0.085 acre, more or less, of which 0.069 acre is within the present roadway occupied.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

0.085 ACRE

- 2 -

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

[Signature]
Brandon R. King
Professional Surveyor No. 8772

Nov. 8, 2022

Date

BRK:md
0.085 ac 20220097-VS-BNDY-05.docx

EMHT

Evans, MacSworl, Henshaw & Olson, Inc.
 Engineers • Surveyors • Planners • Scientists
 5800 New Albany Road, Columbus, OH 43224
 Phone: 614.775.4500 Fax: 614.775.4548
 emht.com

SURVEY OF ACREAGE PARCEL**SURVEY NUMBER 1388****VIRGINIA MILITARY DISTRICT****CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO**

Date: November 14, 2022

Scale: 1" = 20'

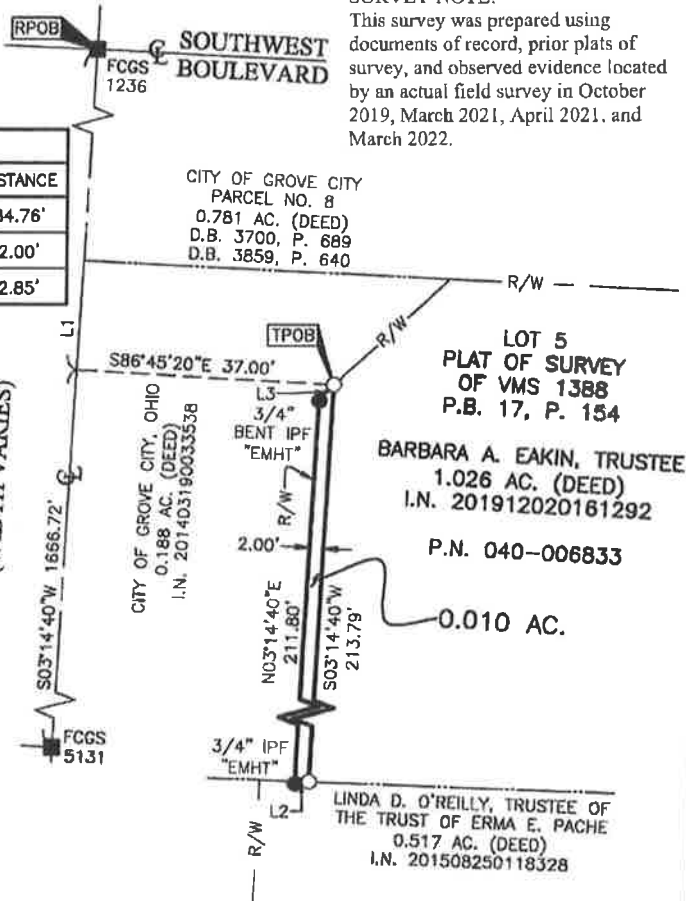
Job No: 2022-0097

Sheet No: 1 of 1

SURVEY NOTE:

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in October 2019, March 2021, April 2021, and March 2022.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S03°14'40"W	84.76'
L2	N87°44'48"W	2.00'
L3	N47°52'07"E	2.85'

DEMOREST ROAD
(WIDTH VARIES)**BASIS OF BEARINGS:**

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FC GS 1361 and FC GS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey.

- Iron Pin Set
- Iron Pin Found
- Monument Found
- Magnetic Nail Set
- Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
 30" long with cap inscribed EMHT INC.

0 20
 SCALE (in feet)



By Brandon R. King
 Professional Surveyor No. 8772
 bking@emht.com

11-14-2022
 Date

0.010 ACRE

- 2 -

Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in black ink, appearing to read "B. King".

Nov. 14, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

BRK:md
0.010 ac 20220097-VS-BNDY-08.docx

**0.010 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that 1.026 acre tract conveyed to Barbara A. Eakin, Trustee by deed of record in Instrument Number 201912020161292 and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 1236) found in the centerline intersection of Demorest Road (width varies) and Southwest Boulevard;

Thence South 03° 14' 40" West, with the centerline of said Demorest Road, a distance of 84.76 feet to a point (reference an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road, being South 03° 14' 40" West, a distance of 1666.72 feet);

Thence South 86° 45' 20" East, crossing said Demorest Road and that 0.188 acre tract conveyed to City of Grove City, Ohio by deed of record in Instrument Number 201403190033538, a distance of 37.00 to an iron pin set in the easterly right-of-way line thereof and in the line common to said 1.026 and 0.188 acre tracts, being the TRUE POINT OF BEGINNING;

Thence South 03° 14' 40" West, crossing said 1.026 acre tract, a distance of 213.79 feet to an iron pin set in the line common to said 1.026 acre tract and that 0.517 acre tract conveyed to Linda D. O'Reilly, Trustee of the Trust of Erma E. Pache by deed of record in Instrument Number 201508250118328;

Thence North 87° 44' 48" West, with said common line, a distance of 2.00 feet to a 3/4 inch iron pin found capped "EMHT" in the easterly right-of-way line of said Demorest Road and the easterly line of said 0.188 acre tract;

Thence North 03° 14' 40" East, with said easterly right-of-way line and said easterly line of said 0.188 acre tract, a distance of 211.80 feet to a 3/4 inch bent iron pin found capped "EMHT";

Thence North 47° 52' 07" East, continuing with said easterly right-of-way line and said easterly line of said 0.188 acre tract, a distance of 2.85 feet to the TRUE POINT OF BEGINNING, containing 0.010 acre, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest

0.010 ACRE

- 2 -

Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in black ink, appearing to read "B. King".

Nov. 14, 2022

Brandon R. King
Professional Surveyor No. 8772

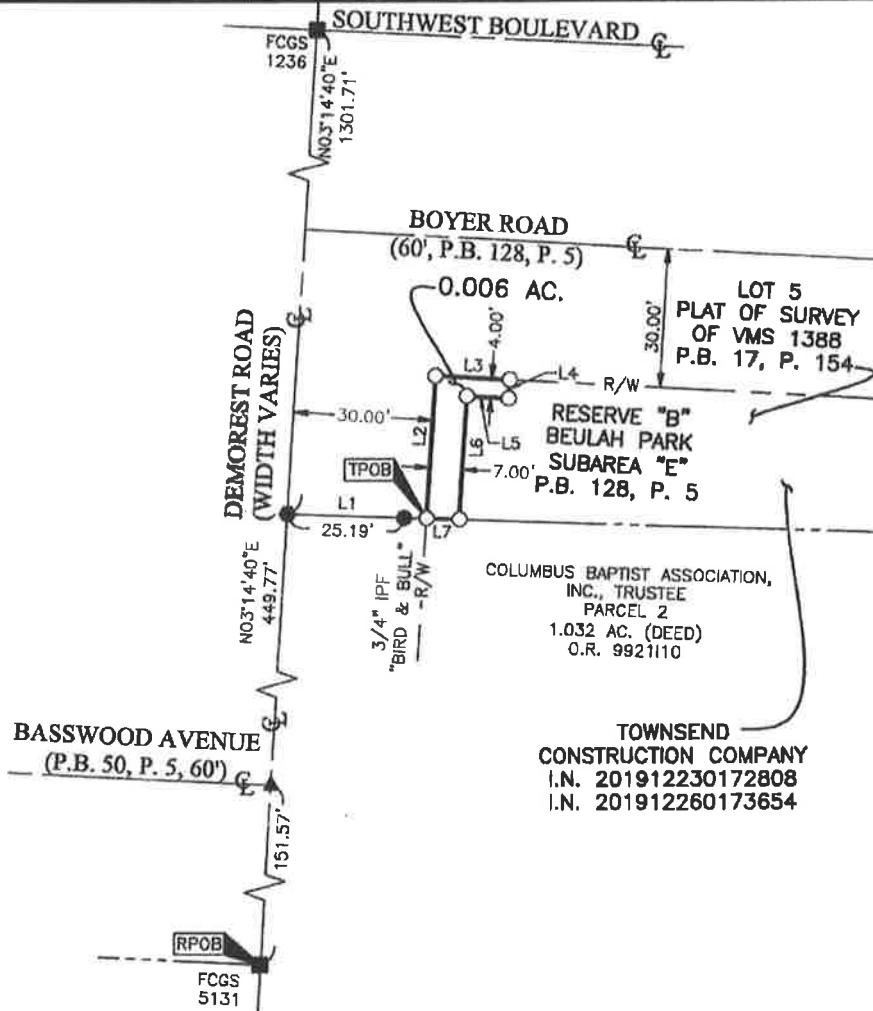
Date

EMHT

Evans, Macdonald, Hamilton & Tilly, Inc.
Engineers • Surveyors • Planners • Architects
3807 New Albany Road, Columbus, OH 43204
Phone: 614.278.4500 Fax: 614.278.7300
emht.com

SURVEY OF ACREAGE PARCEL
SURVEY NUMBER 1388
VIRGINIA MILITARY DISTRICT
CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 14, 2022 Scale: 1" = 30' Job No: 2022-0087 Sheet No: 1 of 2



- Iron Pin Set
- Iron Pin Found
- Stone Found
- P.K. Nail Found
- Monument Found
- Magnetic Nail Set
- Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.

0 30
SCALE (in feet)



By *Brandon R. King*
Brandon R. King
Professional Surveyor No. 8772
bking@emht.com

11-14-2022
Date

J:\2022\0087_VMS 1388\BORDER\20220087-15-EMHT-02.DWG plotted by KMC, BRANDON on 11/14/2022 2:06:38 PM last saved by BRANDON on 11/14/2022 2:06:32 PM



Survey, Measurement, Hydrographic & Tidal, Inc.
Engineers • Surveyors • Planners • Architects
2000 West Albany Road, Columbus, OH 43224
Phone: 614.778.4500 Fax: 614.778.5648
emht.com

SURVEY OF ACREAGE PARCEL

SURVEY NUMBER 1388

VIRGINIA MILITARY DISTRICT

CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 14, 2022

Scale: 1" = 30'

Job No: 2022-0097

Sheet No: 2 of 2

BASIS OF BEARINGS:

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey.

SURVEY NOTE:

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in October 2019, March 2021, April 2021 and October 2022.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S88°03'03"E	30.01'
L2	N03°14'40"E	30.45'
L3	S86°47'58"E	16.03'
L4	S03°12'02"W	4.00'
L5	N86°47'58"W	9.04'
L6	S03°14'40"W	26.30'
L7	N88°03'03"W	7.00'

\\20220097\DWG\14581215\ACREAGE\1388\0097-15-2022-02.DWG plotted by KONG, BRANDON on 11/14/2022 2:06:38 PM last saved by BRANDON on 11/14/2022 2:06:02 PM

**0.006 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that Reserve "B" of that subdivision titled "Beulah Park Subarea "E"", of record in Plat Book 128, Page 5, part of that tract conveyed to Townsend Construction by deeds of record in Instrument Numbers 201912230172808 and 201912260173654, and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 5131) found on the centerline of Demorest Road (width varies);

Thence North 03° 14' 40" East, with said centerline (passing a rail road spike found at a distance of 151.57 feet), a total distance of 449.77 feet to a magnetic nail found at the northwesterly corner of that 1.032 acre tract conveyed as Parcel 2 to Columbus Baptist Association, Inc., Trustee by deed of record in Official Record 9921110 (reference an aluminum disk in pvc encased concrete monument (FCGS 1236) found at the centerline intersection with Southwest Boulevard, being North 03° 14' 40" East, a distance of 1301.71 feet);

Thence South 88° 03' 03" East, with the northerly line of said 1.032 acre tract and crossing said Demorest Road (passing a 3/4 inch iron pin capped "Bird & Bull" found at a distance of 25.19 feet), a total distance of 30.01 feet to an iron pin set in the easterly Right-of-Way line thereof and a southwesterly corner of said Reserve "B", being the TRUE POINT OF BEGINNING;

Thence North 03° 14' 40" East, with said easterly right-of-way line, a distance of 30.45 feet to an iron pin set in the southerly right-of-way line of Boyer Road (60 feet wide, as demonstrated in Plat Book 128, Page 5);

Thence South 86° 47' 58" East, with said southerly right-of-way line, a distance of 16.03 feet to an iron pin set;

Thence crossing said Reserve "B", the following courses and distances:

South 03° 12' 12" West, a distance of 4.00 feet to an iron pin set;

North 86° 47' 48" West, a distance of 9.04 feet to an iron pin set; and

South 03° 14' 40" West, a distance of 26.30 feet to an iron pin set in the line common to said Reserve "B" and said 1.032 acre tract;

Thence North 88° 03' 03" West, with said common line, a distance of 7.00 feet to the TRUE POINT OF BEGINNING, containing 0.006 acre, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied

0.006 ACRE

- 2 -

(referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

This description is based on an actual field survey performed by or under the direct supervision of **Brandon R. King**, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and October 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in black ink, appearing to read "B. King".

Nov. 14, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

BRK:nd
0.006 ac 20220097-VS-BNDY-02.docx

EMHTEvers, Hochstetler, Henshaw & Tiller, Inc.
Engineers • Surveyors • Planners • Scientists
3850 New Albany Road, Columbus, OH 43224
Phone: 614.775.4552 Fax: 614.775.4548
www.emht.com**SURVEY OF ACREAGE PARCEL**

SURVEY NUMBER 1388

VIRGINIA MILITARY DISTRICT

CITY OF GROVE CITY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: November 14, 2022 Scale: 1" = 80' Job No: 2022-0097 Sheet No: 1 of 1

BASIS OF BEARINGS:

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey.

SOUTHWEST RPOB
BOULEVARDFCGS
1236

699.87'

CYPRESS AVENUE
(P.B. 50, P. 5, 60')S03°14'40"W
1201.66'

25.23'

DEMOREST ROAD
(WIDTH VARIES)S03°14'40"W
549.82'FCGS
5131

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S87°43'41"E	7.00'
L2	S03°14'40"W	9.55'
L3	N86°47'58"W	7.00'
L4	N03°14'40"E	9.43'

LOT 5
PLAT OF SURVEY
OF VMS 1388
P.B. 17, P. 154OTTA JALLAQ
3.100 AC. (DEED)
I.N. 201912310176000RESERVE "A"
BEULAH PARK
SUBAREA "F"
P.B. 128, P. 5

0.002 AC.

TOWNSEND
CONSTRUCTION COMPANY
I.N. 201912230172808
I.N. 201912260173654**SURVEY NOTE:**

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in October 2019, March 2021, April 2021, and March 2022.

- Iron Pin Set
- Iron Pin Found
- Stone Found
- P.K. Nail Found
- Monument Found
- Magnetic Nail Set
- Magnetic Nail Found
- ▲ Railroad Spike Found

I.P. Set are 13/16" I.D. iron pipes
30" long with cap inscribed EMHT INC.

0 80
SCALE (in feet)

By

Brandon R. King
Professional Surveyor No. 8772
bking@emht.com11-14-2022
Date

44, 20220097 DWG, 04562575, 00000007-45-8007-COLOR, plotted by KYLE BRADON on 11/14/2022 2:38:25 PM last saved by BRAD on 11/8/2022 1:15:40 PM

**0.002 ACRE
ALL RIGHTS, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Franklin, City of Grove City, lying in Virginia Military District Survey Number 1388, and being part of that Reserve "A" of that subdivision titled "Beulah park Subarea "E"", of record in Plat Book 128, Page 5, part of that tract conveyed to Townsend Construction Company by deeds of record in Instrument Numbers 201912230172808 and 201912260173654, and part of Lot 5 of that Plat of Survey of VMS 1388, of record in Plat Book 17, Page 154 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at an aluminum disk in pvc encased concrete monument (FCGS 1236) found at the centerline intersection of Demorest Road (width varies) and Southwest Boulevard;

Thence South 03° 14' 40" West, with said centerline of Demorest Road (passing a railroad spike found at a distance of 699.87 feet), a total distance of 1201.66 feet to a magnetic nail found at the southwesterly corner of that 3.100 acre tract conveyed to Otta Jallaq by deed of record in Instrument Number 201912310176000 (reference an aluminum disk in pvc encased concrete monument (FCGS 5131) found in the centerline of Demorest Road, being South 03°14'40" West, a distance of 549.82 feet);

Thence South 87° 43' 41" East, with the southerly line of said 3.100 acre tract and crossing said Demorest Road (passing an 3/4 inch iron pin capped "Bird & Bull" found at a distance of 25.23 feet), a total distance of 30.00 feet to an iron pin set, being the TRUE POINT OF BEGINNING;

Thence South 87° 43' 41" East, with the line common to said Reserve "A" and 3.100 acre tract, a distance of 7.00 feet to an iron pin set;

Thence South 03° 14' 40" West, crossing said Reserve "A", a distance of 9.55 feet to an iron pin set in the northerly right-of-way line of Boyer Road (60 feet wide, as demonstrated in Plat Book 128, Page 5);

Thence North 86° 47' 58" West, with the said northerly right-of-way line, a distance of 7.00 feet to an iron pin set;

Thence North 03° 14' 40" East, continuing with the said northerly right-of-way line, a distance of 9.43 feet to the TRUE POINT OF BEGINNING, containing 0.002 acre, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Demorest Road, between FCGS 1361 and FCGS 5131 having a bearing of North 03°10' 25" East, is designated as the "basis of bearings" for this survey

0.002 ACRE

-2-

This description is based on an actual field survey performed by or under the direct supervision of Brandon R. King, Professional Surveyor Number 8772 in October 2019, March 2021, April 2021, and March 2022.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature of Brandon R. King in black ink.

Nov. 14, 2022

Brandon R. King
Professional Surveyor No. 8772

Date

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No.: C-18-23
 1st Reading: 05-01-23
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 2nd Reading:
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 Codified: Code No:
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Stephen J. Smith, Director of Law

C-18-23
EXHIBIT A

331.44 TEXTING WHILE DRIVING PROHIBITED.

(A) No person shall operate a motor vehicle, trackless trolley, or streetcar on any street, highway, or property open to the public for vehicular traffic while using, holding, or physically supporting with any part of the person's body an electronic wireless communications device.

(B) Division (A) of this section does not apply to any of the following:

- (1) A person using an electronic wireless communications device to make contact, for emergency purposes, with a law enforcement agency, hospital or health care provider, fire department, or other similar emergency agency or entity;
- (2) A person driving a public safety vehicle while using an electronic wireless communications device in the course of the person's duties;
- (3) A person using an electronic wireless communications device when the person's motor vehicle is in a stationary position and is outside a lane of travel, at a traffic control signal that is currently directing traffic to stop, or parked on a road or highway due to an emergency or road closure;
- (4) A person using and holding an electronic wireless communications device directly near the person's ear for the purpose of making, receiving, or conducting a telephone call, provided that the person does not manually enter letters, numbers, or symbols into the device;
- (5) A person receiving wireless messages on an electronic wireless communications device regarding the operation or navigation of a motor vehicle; safety-related information, including emergency, traffic, or weather alerts; or data used primarily by the motor vehicle, provided that the person does not hold or support the device with any part of the person's body;
- (6) A person using the speaker phone function of the electronic wireless communications device, provided that the person does not hold or support the device with any part of the person's body;
- (7) A person using an electronic wireless communications device for navigation purposes, provided that the person does not do either of the following during the use:
 - (a) Manually enter letters, numbers, or symbols into the device;
 - (b) Hold or support the device with any part of the person's body;
- (8) A person using a feature or function of the electronic wireless communications device with a single touch or single swipe, provided that the person does not do either of the following during the use:
 - (a) Manually enter letters, numbers, or symbols into the device;
 - (b) Hold or support the device with any part of the person's body;
- (9) A person operating a commercial truck while using a mobile data terminal that transmits and receives data;
- (10) A person operating a utility service vehicle or a vehicle for or on behalf of a utility, if the person is acting in response to an emergency, power outage, or circumstance that affects the health or safety of individuals;
- (11) A person using an electronic wireless communications device in conjunction with a voice-operated or hands-free feature or function of the vehicle or of the device without the use of either hand except to activate, deactivate, or initiate the feature or function with a single touch or swipe, provided the person does not hold or support the device with any part of the person's body;

- (12) A person using technology that physically or electronically integrates the device into the motor vehicle, provided that the person does not do either of the following during the use:
 - (a) Manually enter letters, numbers, or symbols into the device;
 - (b) Hold or support the device with any part of the person's body.
 - (13) A person storing an electronic wireless communications device in a holster, harness, or article of clothing on the person's body.
- (C)
- (1) Whoever violates division (A) of this section is guilty of operating a motor vehicle while using an electronic wireless communication device, an unclassified misdemeanor.
 - (a) Except as provided in divisions (D)(1)(b), (c), (d), and (2) of this section, the court shall impose upon the offender a fine of not more than one hundred fifty dollars.
 - (b) If, within two years of the violation, the offender has been convicted of or pleaded guilty to one prior violation of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than two hundred fifty dollars.
 - (c) If, within two years of the violation, the offender has been convicted of or pleaded guilty to two or more prior violations of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than five hundred dollars. The court also may impose a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for ninety days.
 - (d) Notwithstanding divisions (D)(1)(a) to (c) of this section, if the offender was operating the motor vehicle at the time of the violation in a construction zone where a sign was posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the amount imposed for the violation under division (D)(1)(a), (b), or (c) of this section, as applicable.
 - (2) In lieu of payment of the fine of one hundred fifty dollars under division (D)(1)(a) of this section and the assessment of points under division (D)(4) of this section, the offender instead may elect to attend the distracted driving safety course, as described in section 4511.991 of the Revised Code. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall not be required to pay the fine and shall not have the points assessed against that offender's driver's license if the offender submits the written evidence to the court.
 - (3) The court may impose any other penalty authorized under sections 2929.21 to 2929.28 of the Revised Code. However, the court shall not impose a fine or a suspension not otherwise specified in division (D)(1) of this section. The court also shall not impose a jail term or community residential sanction.
 - (4) Except as provided in division (D)(2) of this section, points shall be assessed for a violation of division (A) of this section in accordance with section 4510.036 of the Revised Code.
 - (5) The offense established under this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

- (D) A prosecution for an offense in violation of this section does not preclude a prosecution for an offense in violation of a substantially equivalent municipal ordinance based on the same conduct. However, the two offenses are allied offenses of similar import under section 2941.25 of the Revised Code.
- (E)
- (1) A law enforcement officer does not have probable cause and shall not stop the operator of a motor vehicle for purposes of enforcing this section unless the officer visually observes the operator using, holding, or physically supporting with any part of the person's body the electronic wireless communications device.
 - (2) A law enforcement officer who stops the operator of a motor vehicle, trackless trolley, or streetcar for a violation of division (A) of this section shall inform the operator that the operator may decline a search of the operator's electronic wireless communications device. The officer shall not do any of the following:
 - (a) Access the device without a warrant, unless the operator voluntarily and unequivocally gives consent for the officer to access the device;
 - (b) Confiscate the device while awaiting the issuance of a warrant to access the device;
 - (c) Obtain consent from the operator to access the device through coercion or any other improper means. Any consent by the operator to access the device shall be voluntary and unequivocal before the officer may access the device without a warrant.
- (F) As used in this section:
- (1) "Electronic wireless communications device" includes any of the following:
 - (a) A wireless telephone;
 - (b) A text-messaging device;
 - (c) A personal digital assistant;
 - (d) A computer, including a laptop computer and a computer tablet;
 - (e) Any device capable of displaying a video, movie, broadcast television image, or visual image;
 - (f) Any other substantially similar wireless device that is designed or used to communicate text, initiate or receive communication, or exchange information or data. An "electronic wireless communications device" does not include a two-way radio transmitter or receiver used by a person who is licensed by the federal communications commission to participate in the amateur radio service.
 - (2) "Voice-operated or hands-free feature or function" means a feature or function that allows a person to use an electronic wireless communications device without the use of either hand, except to activate, deactivate, or initiate the feature or function with a single touch or single swipe.
 - (3) "Utility" means an entity specified in division (A), (C), (D), (E), or (G) of section 4905.03 of the Revised Code.
 - (4) "Utility service vehicle" means a vehicle owned or operated by a utility.