Prepared:	08/26/2016
Introduced:	09/06/2016
Revised:	09/26/2016
Adopted:	10/4/2016
Effective:	11/4/2016

ORDINANCE O-20-2016

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 170.181 +/- ACRES OF LAND GENERALLY LOCATED WEST AND EAST OF AND ADJACENT TO BEECH ROAD AND TO THE SOUTH OF AND ADJACENT TO WORTHINGTON ROAD FOR AN AREA TO BE KNOWN AS "BEECH INTERCHANGE DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL TO "L-GE" LIMITED GENERAL EMPLOYMENT AND "L-OCD" LIMITED OFFICE CAMPUS DISTRICT AS REQUESTED BY MBJ HOLDINGS C/O UNDERHILL & HODGE LLC

WHEREAS, the Council of the City of New Albany has determined that it is necessary to rezone certain property located in the City of New Albany to promote orderly growth and development of lands; and

WHEREAS, the Planning Commission and council on separate occasions have held public hearings and received public input into the amendment of the Zoning Ordinance; and

WHEREAS, pursuant to the application of MBJ Holdings c/o Underhill & Hodge LLC, the Planning Commission of the City of New Albany has reviewed the proposed ordinance amendment and recommended its approval.

NOW, THEREFORE, BE IT ORDAINED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. That the Council of the City of New Albany hereby amends the Zoning Ordinance Map of the City of New Albany to change the zoning classification of the following described sites:

A. A 170.181 ± acre area of land located generally west and east of and adjacent to Beech Road and to the south of and adjacent to Worthington Road for the area to be known as "Beech Interchange District" from its current zoning of "AG" Agricultural to "L-GE" Limited General Employment and "L-OCD" Limited Office Campus District;
The zoning district's Limitation Text and site plan are attached and marked as Exhibit A.
B. The zoning district's Limitation Text and site plan are attached and marked as Exhibit A.

Section 2. That it is hereby found and determined that all formal actions of this council concerning and relating to the passage of this ordinance were adopted in an open meeting of the council and any decision making bodies of the City of New Albany which resulted in such formal action were in meetings open to the public or in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, State of Ohio.

Section 3. Pursuant to Article 6.07(b) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption and after the effective date of the associated annexation.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Exhibit A to Ordinance O-20-2016

BEECH INTERCHANGE ZONING DISTRICT

LIMITATION TEXT

SEPTEMBER 22, 2016

I. SUMMARY: This text provides zoning standards for the Beech Interchange Zoning District. This zoning district is intended to provide zoning standards and requirements that are the same or similar to those that apply to much of the portion of the New Albany International Business Park that is located in Licking County. This zoning seeks to position the real property that is the subject of this application so that it attracts the types of successful development projects that have been realized within this area. The property that is the subject of this zoning text consists of 167.29+/- acres located to the west of and adjacent to Beech Road between the State Route 161 expressway and Worthington Road, and to the west of and adjacent to Beech Road to the south of and adjacent to Worthington Road.

This zoning district will consist of five subareas (A, B, C, D, and F) with the development standards provided in this text. To the extent that a standard in this text conflicts with a standard that is provided in the City of New Albany's Codified Ordinances, the standard contained in this text shall govern in this zoning district. This zoning district shall be governed by the relevant provisions of the City's Codified Ordinances to the extent that this text is silent on any particular matter.

II. SUBAREA A: Subarea A is located to the west of and adjacent to Beech Road and to the south of and adjacent to Worthington Road. This subarea consists of 146.77+/- acres.

A. Zoning Designation: L-GE, Limited General Employment District

B. Permitted Uses: The permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, GE, General Employment District, Sections 1153.02 and 1153.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. The following uses from these code sections shall be prohibited:

1. Industrial product sales (See Section 1153.03(a)(1));
2. Industrial service (See Section 1153.03(a)(2));
3. Mini-warehouses (See Section 1153.03(a)(4)(c));
4. Personal service (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in this subarea;
5. Vehicle services (See Section 1153.03(b)(4));
6. Radio/television broadcast facilities (See Section 1153.03(c)(1)); and
7. Sexually-oriented businesses (See Section 1153.03(c)(3)).

C. Access, Parking, Site Circulation, and Traffic Commitments:

1. The developer shall work with the City Manager or his designee to determine the appropriate timing and phasing of all required street improvements.

2. It is anticipated that a new public street will be constructed in the future that will extend in a curvilinear manner from Dublin-Granville Road/Worthington Road on the north to Beech Road to the south and east, as generally shown on the attached drawing.

The location of the new public street is being shown for illustrative purposes only and will be constructed at a size and with specifications as mutually agreed upon by the City and the developer at such time as the street is deemed to be necessary or desired. Subject to Section II.C.5 below, the developer shall dedicate an amount of right-of-way for this new public street to the City as mutually agreed upon by the City and the developer, provided that the City will obtain or require the dedication of right-of-way from other owners of affected real property, to the extent applicable, in order to provide for an equitable dedication of right-of-way from all property owners that will be benefited by this improvement.

3. The number, locations, and spacing of curbcuts on public rights-of-way shall be determined and approved by the City Manager or his designee in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this subarea.

4. Parking and loading spaces shall be provided for each use per Section 1167 of the Codified Ordinances of the City of New Albany.

5. The developer shall dedicate property to the City or other relevant political subdivision as necessary to provide a maximum of 30 feet of right-of-way as measured from the centerline of Worthington Road and a maximum of 50 feet of right-of-way as measured from the centerline of Beech Road. All other public streets constructed within this zoning district shall have a right-of-way width that is appropriate for the character and anticipated usage of such streets, but in no event shall the rights-of-way for these public streets exceed 60 feet in width. The developer shall grant easements to the City which are adjacent to all of the aforementioned rights-of-way to the extent necessary to provide for the installation and maintenance of streetscape improvements.

D. Lot and Setback Commitments:

1. Lot Coverage: There shall be a maximum lot coverage in this subarea of 75%.

2. Setbacks:

a. Beech Road: There shall be a minimum building and pavement setback of 50 feet from the Beech Road right-of-way for office and similar or related uses. There shall be a minimum pavement setback of 50 feet and a minimum building setback of 100 feet from the Beech Road right-of-way for all other uses.

b. Worthington Road: There shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the Worthington Road right-of-way.

c. New Public Street: There shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the right-of-way for the new public street that is referenced in Section IV.B above.

d. Perimeter Boundaries: There shall be a minimum pavement and building setback of 50 feet from all perimeter boundaries of this subarea which are adjacent to property on which residential uses are permitted. Otherwise, there shall be a minimum 25 foot pavement and 50 foot building setback from such

perimeter boundaries.

e. Elimination of Setbacks: In the event that a parcel located within this subarea and an adjacent parcel located outside of this subarea (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text shall no longer apply with respect to these parcels.

E. Architectural Standards:

1. Building Height: The maximum building height for structures in this subarea shall be 65 feet.

2. Service and Loading Areas: Service areas and loading docks shall be screened in accordance with City Code.

3. Building Design:

a. Building designs shall not mix architectural elements or ornamentation from different styles.

b. Buildings shall be required to employ a comparable use of materials on all elevations.

c. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances to buildings shall be made sufficiently prominent that they can be easily identified from a distance.

d. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.

e. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

f. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact.

g. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged.

4. Building Form:

a. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.

b. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms. In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.

5. Materials:

a. Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, along with contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. The use of reflective or mirrored glass shall be prohibited.

b. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring poured concrete exterior walls are prohibited.

c. Generally, the quantity of materials selected for a building shall be minimized. A single material selection for the independent building components of roof, wall and accents is permitted (i.e., Architectural Grade shingle roof with Brick Masonry wall and EIFS Cornice and Accents).

d. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.

e. Additional Standards for Uses Not Governed by DGRs: Buildings that are constructed to accommodate certain uses are not governed by the City's Design Guidelines and Requirements (DGRs). For example, buildings that are constructed for the operation of warehousing and/or distribution uses are not subject to the DGRs and can present challenges in meeting the community standard for architectural design. Such buildings are necessarily large and typically include long walls that together form a square or rectangular box. The goal for the development of buildings that are not subject to the DGRs is to balance the practical needs of these buildings with the desire to provide exterior designs that are attractive and complimentary to the architecture that will be found elsewhere in this zoning district.

Architecture by its nature is a subjective medium, meaning that the adoption of strict objective standards in all instances may not provide the best means for achieving appropriate design. In recognition of this fact, the standards set forth herein provide guidelines and suggestions for designing buildings that are not subject to the DGRs in an effort to set expectations for the quality of architecture that will be expected for these structures. On the other hand, these standards are meant to allow for some flexibility to encourage innovative design provided that the spirit and intent of these provisions are met.

In conjunction with an application for a certificate of appropriateness for each building or structure in this subarea that is not subject to or governed by the DGRs, the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1157.08(a)(1)(D) of the City Code. In designing such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

i. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while taking into account the unique nature of the use(s) that will be found therein.

ii. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.

iii. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.

iv. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

v. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.

6. Roof-Mounted Equipment: Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.

F. Buffering, Landscaping, Open Space, and Screening: The following landscaping requirements shall apply to this subarea:

1. Tree Preservation and Replacement: Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line. Preservation Zones shall be deemed to include all minimum pavement setbacks along the perimeter boundaries of this zoning district that are not adjacent to a public right-of-way. Within the Preservation Zones located within these perimeter setbacks, the developer shall preserve existing

healthy and mature trees and vegetation but shall be permitted to place utilities within or allow them to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on healthy and mature trees. Trees within these areas may be removed if they present a danger to persons or property.

2. Beech Road:

a. Landscaping within the pavement setback along Beech Road shall be coordinated and consistent throughout this zoning district.

b. A landscape buffer will be located within the pavement setback along Beech Road. The buffer shall be planted with a minimum quantity of one tree per 25 feet, in addition to street trees. Trees shall be randomly planted to create a naturalized appearance. Trees shall be of native species. Evergreen trees or shrubs shall not be permitted in the area between the buffer landscape and the edge of street pavement. For landscaping which is not used to meet zoning text, codified ordinance and street tree requirements, the minimum caliper of tree material may be reduced to 1" caliper to gain additional plant material. A four-board white horse fence may be located 1 foot from the edge of the right-of-way along Beech Road. Where screening of parking areas is required along Beech Road, the buffer shall have a minimum height of 3.5 feet and a minimum opacity of 75%.

c. This buffer may consist of mounding not to exceed (no steeper than) a 6:1 ratio and tree plantings. Mounding, when used, shall be a minimum height of 3 feet and maximum of 12 feet. Trees shall be planted on the mound with a minimum of 70% of the trees occurring on the street side. No trees shall be located within the upper quartile of the crest of the mound.

3. A mound with a maximum height of 6 feet may be installed within the pavement setback along any perimeter boundary of this subarea that is adjacent to residential uses. The use and appearance of such mound is subject to review and approval of the City Landscape Architect.

4. Street Trees: A street tree row shall be established along all publicly dedicated rights-of-way within or adjacent to this subarea and shall contain one (1) tree for every thirty (30) feet of road frontage. Trees may be grouped or regularly spaced. Minimum street tree size at installation shall be three (3) caliper inches. This requirement may be waived in areas where existing vegetation occurs, subject to approval of the City Landscape Architect.

5. Parking Areas: Within this subarea, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or treed areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.

6. Pedestrian Circulation: An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk along a public street can access the adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access

drives.

7. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

8. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.

9. Perimeter Trees: Within these perimeter setbacks, the developer shall preserve existing healthy and mature trees and vegetation but shall be permitted to place utilities within or allow them to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on healthy and mature trees. Trees within these areas may be removed if they present a danger to persons or property.

10. All project landscape plans are subject to review and approval by the City Landscape Architect.

G. Lighting:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height.

4. Landscape uplighting from a concealed source shall be subject to staff approval. All uplighting fixtures must be screened by landscaping. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.

6. All new electrical utilities that are installed in this subarea shall be located underground.

7. All other lighting on the site shall be in accordance with City Code.

8. Street lighting must meet the City Standards and Specifications.

H. Signage: All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany.

I. Utilities: All utilities shall be installed underground.

III. SUBAREA B: Subarea B is located to the west of and adjacent to Beech Road between the State Route 161 expressway and Worthington Road. This subarea consists of 13.19+/- acres.

A. Zoning Designation: L-OCD, Limited Office Campus District

B. Permitted Uses: Permitted uses shall include the permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, OCD, Office Campus District, Sections 1144.02 and 1144.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses.

C. Setbacks: There shall be a minimum building and pavement setback of 25 feet from the right-of-way for Worthington Road. There shall be a minimum pavement and building setback of 50 feet from all perimeter boundaries of this subarea which are adjacent to property on which residential uses are permitted. Otherwise, the minimum pavement setback from such perimeter boundaries shall be 25 feet and the minimum building setback from such perimeter boundaries shall be 50 feet. Other setbacks shall be provided in accordance with the requirements of applicable provisions of the Codified Ordinances. In the event that a parcel located within this Zoning District and an adjacent parcel located outside of this Zoning District (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text shall no longer apply with respect to these parcels.

D. Lot Coverage: There shall be a maximum lot coverage of 75% in this subarea.

E. Access and Traffic Commitments:

1. The developer shall work with the City Manager or his designee to determine the appropriate timing and phasing of all required street improvements.

2. The number, locations, and spacing of curbcuts on public rights-of-way shall be determined and approved by the City Manager or his designee in consultation with the relevant developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.

3. Pedestrian Circulation: An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk and/or leisure trail along a public street can access adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives.

F. Buffering, Landscaping, Open Space, and Screening: The following landscaping requirements shall apply to this subarea:

1. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

2. Landscaping within required pavement setbacks shall be consistent throughout the subarea and shall be coordinated with the landscaping within pavement setbacks in adjacent zoning districts.

3. All project landscape plans are subject to review and approval by the City Landscape Architect.

4. Tree Preservation and Replacement: Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line. Preservation Zones shall be deemed to include all minimum pavement setbacks along the perimeter boundaries of this zoning district that are not adjacent to a public right-of-way. Within the Preservation Zones located within these perimeter setbacks, the developer shall preserve existing healthy and mature trees and vegetation but shall be permitted to place utilities within or allow them to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on healthy and mature trees. Trees within these areas may be removed if they present a danger to persons or property.

G. Lighting:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height.

4. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.

6. All other lighting on the site shall be in accordance with City Code.

7. Security lighting, when used, shall be of a "motion sensor" type.

8. Street lighting must meet City Standards and Specifications.

H. Utilities: All new electric lines along all new public roadway shall be installed underground.

I. Roof-Mounted Equipment: Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.

IV. SUBAREA C: Subarea C is located in the southeast quadrant of the State Route 161/Beech Road interchange, to the south of and adjacent to Lucille Lynd Road. This subarea consists of 4.0+/- acres.

A. Zoning Designation: L-OCD, Limited Office Campus District

B. Permitted Uses: Permitted uses shall include the permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, OCD, Office Campus District, Sections 1144.02 and 1144.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses.

C. Setbacks: There shall be a minimum building and pavement setback of 25 feet from the right-of-way for Lucille Lynd Road. There shall be a minimum pavement and building setback of 50 feet from all perimeter boundaries of this subarea which are adjacent to property on which residential uses are permitted. Otherwise, the minimum pavement and building setbacks from such perimeter boundaries shall be 25 feet. Other setbacks shall be provided in accordance with the requirements of applicable provisions of the Codified Ordinances. In the event that a parcel located within this Zoning District and an adjacent parcel located outside of this Zoning District (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text shall no longer apply with respect to these parcels.

D. Lot Coverage: There shall be a maximum lot coverage of 75% in this subarea.

E. Access and Traffic Commitments:

1. The developer shall work with the City Manager or his designee to determine the appropriate timing and phasing of all required street improvements.

2. The number, locations, and spacing of curbcuts on public rights-of-way shall be determined and approved by the City Manager or his designee in consultation with the relevant developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.

3. Pedestrian Circulation: An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk and/or leisure trail along a public street can access adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives.

F. Buffering, Landscaping, Open Space, and Screening: The following landscaping requirements shall apply to this subarea:

1. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

2. Landscaping within required pavement setbacks shall be consistent throughout the subarea and shall be coordinated with the landscaping within pavement setbacks in

adjacent zoning districts.

3. All project landscape plans are subject to review and approval by the City Landscape Architect.

4. Tree Preservation and Replacement: Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line. Preservation Zones shall be deemed to include all minimum pavement setbacks along the perimeter boundaries of this zoning district that are not adjacent to a public right-of-way. Within the Preservation Zones located within these perimeter setbacks, the developer shall preserve existing healthy and mature trees and vegetation but shall be permitted to place utilities within or allow them to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on healthy and mature trees. Trees within these areas may be removed if they present a danger to persons or property.

G. Lighting:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height.

4. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.

6. All other lighting on the site shall be in accordance with City Code.

7. Security lighting, when used, shall be of a "motion sensor" type.

8. Street lighting must meet City Standards and Specifications.

H. Utilities: All new electric lines along all new public roadway shall be installed underground.

I. Roof-Mounted Equipment: Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.

V. SUBAREA D: Subarea D is located in the southeast quadrant of the State Route 161/Beech Road interchange, to the south of and adjacent to Lucille Lynd Road and to the east of Subarea C. This subarea consists of 1.53+/- acres.

A. Zoning Designation: L-OCD, Limited Office Campus District

B. Permitted Uses: Permitted uses shall include the permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, OCD, Office Campus District, Sections 1144.02 and 1144.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses.

C. Setbacks: There shall be a minimum building and pavement setback of 25 feet from the right-of-way for Lucille Lynd Road. There shall be a minimum pavement and building setback of 50 feet from all perimeter boundaries of this subarea which are adjacent to property on which residential uses are permitted. Otherwise, the minimum pavement and building setbacks from such perimeter boundaries shall be 25 feet. Other setbacks shall be provided in accordance with the requirements of applicable provisions of the Codified Ordinances. In the event that a parcel located within this Zoning District and an adjacent parcel located outside of this Zoning District (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text shall no longer apply with respect to these parcels.

D. Lot Coverage: There shall be a maximum lot coverage of 75% in this subarea.

E. Access and Traffic Commitments:

1. The developer shall work with the City Manager or his designee to determine the appropriate timing and phasing of all required street improvements.

2. The number, locations, and spacing of curbcuts on public rights-of-way shall be determined and approved by the City Manager or his designee in consultation with the relevant developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.

3. Pedestrian Circulation: An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk and/or leisure trail along a public street can access adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives.

F. Buffering, Landscaping, Open Space, and Screening: The following landscaping requirements shall apply to this subarea:

1. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

2. Landscaping within required pavement setbacks shall be consistent throughout the subarea and shall be coordinated with the landscaping within pavement setbacks in adjacent zoning districts.

3. All project landscape plans are subject to review and approval by the City Landscape

Architect.

4. Tree Preservation and Replacement: Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line. Preservation Zones shall be deemed to include all minimum pavement setbacks along the perimeter boundaries of this zoning district that are not adjacent to a public right-of-way. Within the Preservation Zones located within these perimeter setbacks, the developer shall preserve existing healthy and mature trees and vegetation but shall be permitted to place utilities within or allow them to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on healthy and mature trees. Trees within these areas may be removed if they present a danger to persons or property.

G. Lighting:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height.

4. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.

6. All other lighting on the site shall be in accordance with City Code.

7. Security lighting, when used, shall be of a "motion sensor" type.

8. Street lighting must meet City Standards and Specifications.

H. Utilities: All new electric lines along all new public roadway shall be installed underground.

I. Roof-Mounted Equipment: Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.

VI. SUBAREA F: Subarea F is located to the northeast of and adjacent to the intersection of Beech Road and Worthington Road. This subarea consists of 2.15+/- acres.

A. Zoning Designation: L-OCD, Limited Office Campus District

B. Permitted Uses: Permitted uses shall include the permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, OCD, Office Campus District, Sections 1144.02 and 1144.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses.

C. Setbacks: There shall be a minimum building and pavement setback of 25 feet from the right-of-way for Worthington Road. Other setbacks shall be provided in accordance with the requirements of applicable provisions of the Codified Ordinances. In the event that a parcel located within this Zoning District and an adjacent parcel located outside of this Zoning District (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text shall no longer apply with respect to these parcels.

D. Lot Coverage: There shall be a maximum lot coverage of 75% in this subarea.

E. Access and Traffic Commitments:

1. The developer shall work with the City Manager or his designee to determine the appropriate timing and phasing of all required street improvements.

2. The number, locations, and spacing of curbcuts on public rights-of-way shall be determined and approved by the City Manager or his designee in consultation with the relevant developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.

3. Pedestrian Circulation: An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk along a public street can access the adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives.

F. Buffering, Landscaping, Open Space, and Screening: The following landscaping requirements shall apply to this subarea:

1. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

2. Landscaping within required pavement setbacks shall be consistent throughout the subarea and shall be coordinated with the landscaping within pavement setbacks in adjacent zoning districts.

3. All project landscape plans are subject to review by the City Landscape Architect.

4. Tree Preservation and Replacement: Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line. Preservation Zones shall be deemed to include all minimum pavement setbacks along the perimeter boundaries of this zoning

district that are not adjacent to a public right-of-way. Within the Preservation Zones located within these perimeter setbacks, the developer shall preserve existing healthy and mature trees and vegetation but shall be permitted to place utilities within or allow them to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on healthy and mature trees. Trees within these areas may be removed if they present a danger to persons or property.

G. Lighting:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height.

4. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.

6. All other lighting on the site shall be in accordance with City Code.

7. Security lighting, when used, shall be of a "motion sensor" type.

8. Street lighting must meet City Standards and Specifications.

H. Utilities: All new electric lines along all new public roadway shall be installed underground.

I. Roof-Mounted Equipment: Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.

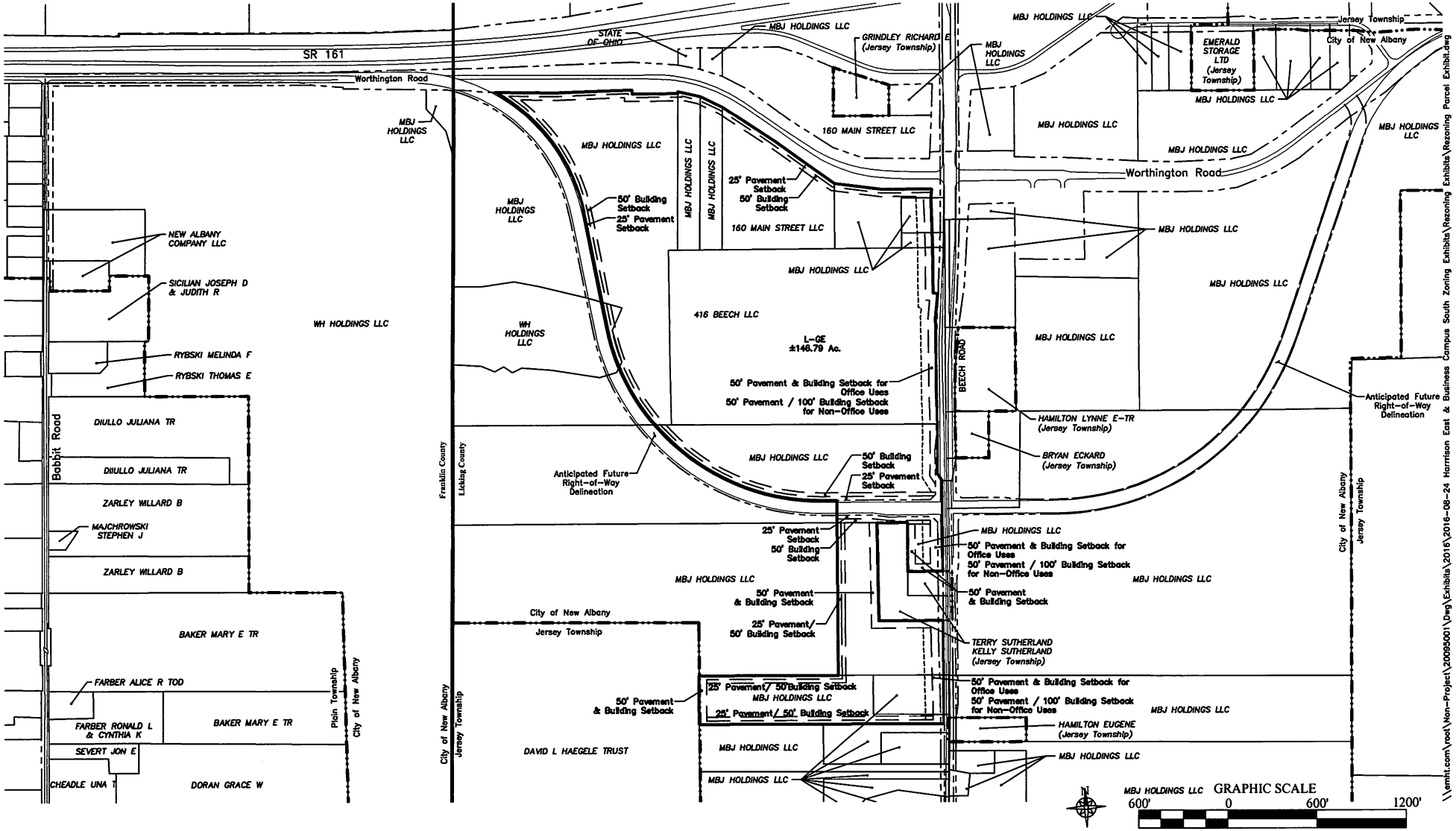
9.23.16 SM

Beech Interchange Zoning District: Sub-Area A

THE NEW ALBANY COMPANY

New Albany, Ohio

September 2016



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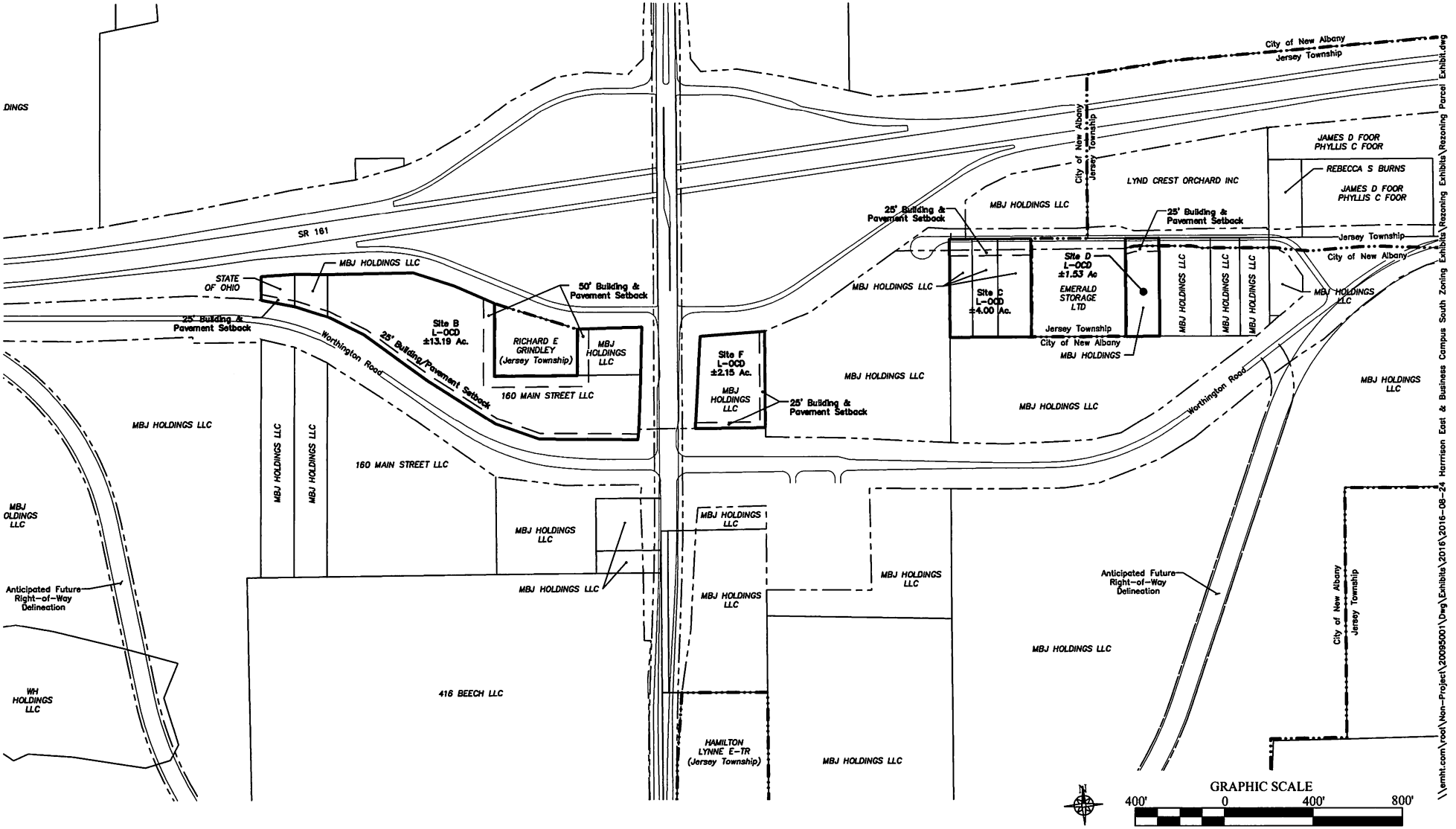
Beech Interchange Zoning District: Sub-Areas B, C, D & E

THE NEW ALBANY COMPANY

New Albany, Ohio

September 2016



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Prepared:	08/26/2016
Introduced:	09/06/2016
Revised:	09/26/2016
Adopted:	10/4/2016
Effective:	11/4/2016

ORDINANCE O-21-2016

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 74.598 +/- ACRES OF LAND GENERALLY LOCATED NORTHWEST OF AND ADJACENT TO STATE ROUTE 161 AND MINK STREET FOR AN AREA TO BE KNOWN AS "MINK INTERCHANGE DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL TO "I-PUD" INFILL PLANNED UNIT DEVELOPMENT AS REQUESTED BY MBJ HOLDINGS C/O UNDERHILL & HODGE LLC

WHEREAS, the Council of the City of New Albany has determined that it is necessary to rezone certain property located in the city of New Albany to promote orderly growth and development of lands; and

WHEREAS, the Planning Commission and council on separate occasions have held public hearings and received public input into the amendment of the Zoning Ordinance; and

WHEREAS, pursuant to the application of MBJ Holdings c/o Underhill & Hodge LLC, the Planning Commission of the city of New Albany has reviewed the proposed ordinance amendment and recommended its approval.

NOW, THEREFORE, BE IT ORDAINED by Council for the city of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. That the Council of the City of New Albany hereby amends the Zoning Ordinance Map of the City of New Albany to change the zoning classification of the following described sites:

A. A 74.598 ± acre area of land located generally northwest of and adjacent to State Route 161 and Mink Street for the area to be known as "Mink Interchange District" from its current zoning of "AG" Agricultural to "I-PUD" Infill Planned Unit Development;

B. The zoning district's Limitation Text and site plan are attached and marked as Exhibit A.

Section 2. That it is hereby found and determined that all formal actions of this council concerning and relating to the passage of this ordinance were adopted in an open meeting of the Council and any decision making bodies of the City of New Albany which resulted in such formal action were in meetings open to the public or in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, State of Ohio.

Section 3. Pursuant to Article 6.07(b) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption and after the effective date of the associated annexation.

CERTIFIED AS ADOPTED this 4th day of October, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Exhibit A to Ordinance O-21-2016

MINK INTERCHANGE ZONING DISTRICT

INFILL PLANNED UNIT DEVELOPMENT (I-PUD) TEXT

SEPTEMBER 22, 2016

I. SUMMARY:

A. Introduction: The Ohio Department of Transportation has recently announced that it will be constructing a new interchange along the State Route 161 expressway at Mink Street. The applicant, MBJ Holdings, LLC, owns 74.598+/- acres located to the northwest of and adjacent to the interchange which recently have been annexed to the City of New Albany. This zoning text will govern the uses that are to be permitted and developed on this property.

The new interchange will be an important amenity for the New Albany International Business Park, providing businesses in the Licking County portion of the City with vehicular access to and from two highway interchanges. The City is in the process of constructing an extension of Innovation Campus Way eastward to connect to Mink Street. Once this construction is completed, Innovation Campus Way will connect Beech Road on the west to Mink Street on the east, creating options for vehicular routes and the means for efficient access to and from the highway. This will provide another significant asset for an area of the community that has experienced and should continue to experience significant commercial development.

The development standards in this text will serve two goals: First, to expand similar use and development rights that have been approved by the City for much of the property to the west of this site. And second, to provide a limited amount of retail and service-oriented uses to serve employees of and visitors to the Licking County portion of the Business Park. The formula that has been used to attract development to the north of the expressway to date has been successful, positioning well-located sites to be marketed as shovel-ready. The ability to market sites in desired locations which are already entitled with zoning rights has been a key driver in the success of the Business Park to date and has allowed the City of New Albany to compete nationally and internationally for substantial economic development projects.

Companies locating in this area have expressed the need for retail, restaurant, and service-oriented uses to serve the employment base. Conveniently located pockets of this type of development are critical to ensuring that existing and future businesses will be able to continue to attract employees. The ability to attract more workforce to the area will be strengthened by providing nearby opportunities for dining, fueling, shopping, and other services. This site's location near the new planned interchange makes it a logical location for these types of uses.

II. DEVELOPMENT STANDARDS: Unless otherwise specified in this written text, the development standards of Part Eleven of the Codified Ordinances of the City of New Albany shall apply to this zoning district. Basic development standards are compiled regarding proposed density, site issues, traffic, circulation, landscape, and architectural standards. These component standards ensure consistency and quality throughout the development.

A. Permitted Uses: Permitted uses in this zoning district shall include:

1. The permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, GE General Employment District, Sections

1153.02 and 1153.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. The following uses from these code sections shall be prohibited:

a. Industrial product sales (See Section 1153.03(a)(1))
b. Industrial service (See Section 1153.03(a)(2))
c. Mini-warehouses (See Section 1153.03(a)(4)(c))
d. Tool rental and household moving centers, sales of cars, motorcycles, boats and recreational vehicles, repair of TV's, appliances, precision instruments, and business machines, locksmiths, upholsters and furniture refinishing (See Section 1153.03(b)(3)).
e. Vehicle services (See Section 1153.03(b)(4)) except as associated with "travel centers," as such term is defined in Section II.A.2.d of this text
f. Radio/television broadcast facilities (See Section 1153.03(c)(1))
g. Sexually-oriented businesses (See Section 1153.03(c)(3))

2. Subject to the limitation provided in Section II.B below, in addition to the permitted uses described in Section II.A.1 above, the following uses shall be permitted in this zoning district:

a. The permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, in the C-1, Neighborhood Business District, Sections 1145.02 and 1145.03, C-2, General Business (Commercial) District, Sections 1147.02 and 1147.03, and C-3, Highway Business District, Sections 1149.02 and 1149.03, provided that conditional uses shall be approved in accordance with Chapter 1115, Conditional Uses, if not otherwise listed in this zoning text as a permitted use. Notwithstanding the foregoing, hotels and motels shall not be permitted.
b. Conference centers
c. Gasoline and other fuel stations with or without car washes and/or convenience stores
d. Travel centers, which for purposes of this zoning text shall be defined to mean "a development functioning as a single location for a variety of different but related uses, such as but not necessarily limited to gasoline and other fuel services, convenience stores, laundry services, and restaurants. Such centers may serve the commercial trucking industry in addition to regular (non-truck) motorists." This use shall not include the overnight parking of trucks, which shall be prohibited. Plans for the development of gas stations and/or travel centers shall be created in a manner that discourages overnight truck parking.

B. Limitation on Uses Outside of the GE District: Permitted and conditional uses that are allowed in this zoning district as described in Section II.A.2 above shall only be permitted to be developed and operated on the east and south sides of the centerline of the creek that runs through this zoning district. The permitted and conditional uses that are described in Section II.A.1 above shall be permitted to be developed and operated anywhere within this zoning district.

C. Setbacks; Lot Coverage:

1. State Route 161/Cobbs Road: There shall be a minimum pavement and building setback of 90 feet from the State Route 161 and Cobbs Road right-of-way.

2. Mink Street: There shall be a minimum pavement setback of 50 feet and a minimum building setback of 100 feet from the right-of-way for Mink Street.

3. Innovation Campus Way: There shall be a minimum building and pavement setback of 50 feet from the right-of-way for Innovation Campus Way.

4. Riparian Corridor Setback: A riparian corridor setback with a minimum of one hundred fifty (150) feet in total width shall apply to the creek that runs through this zoning district, extending 75 feet in each direction from the centerline of the creek. No pavement, buildings, or other improvements shall be constructed within this setback area, except that lateral utility lines and one paved vehicular crossing shall be permitted to cross through this setback area.

5. Perimeter Setbacks: There shall be a minimum pavement and building setback of 25 feet from all perimeter boundaries for which another setback requirement is not provided in this text, except that the minimum pavement and building setback shall be 50 feet from any such perimeter boundary that is adjacent to property where residential uses are permitted. Notwithstanding the foregoing, there shall be a minimum pavement setback of 50 feet and a minimum building setback of 100 feet from boundaries of this zoning district which are shared with those tax parcels which are identified in Section II.F.9 of this text.

6. Other Public Roads: There shall be minimum pavement and building setback of 25 feet and a minimum building setback from all public rights-of-way in this subarea that are not otherwise addressed in this subsection II.C.

7. Interior Property Boundaries: There shall be a zero building and pavement setback requirement from interior property lines within this subarea.

8. Elimination of Setbacks: In the event that a parcel located within this subarea and an adjacent parcel located outside of this subarea (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text shall no longer apply with respect to these parcels.

9. Lot Coverage: There shall be a maximum lot coverage of 80% in this subarea.

10. Canopies: For purposes of determining required setbacks in this zoning district, gas station and/or travel center canopies shall be deemed to be buildings.

D. Architectural Standards:

1. Non-Retail Uses: The following architectural standards shall apply to any building distinctively located outside of a retail development which does not contain a retail use as a primary use:

a. Building Height: The maximum building height for structures shall not exceed 65 feet.

b. Service and Loading Areas: Service areas and loading areas shall be screened

in accordance with City Code unless otherwise provided in this text.

c. Building Design:

i. Building designs shall not mix architectural elements or ornamentation from different styles.

ii. Buildings shall be required to employ a comparable use of materials on all elevations.

iii. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances to buildings shall be made sufficiently prominent that they can be easily identified from a distance.

iv. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.

v. All elevations of a building that are visible from a public right-of-way shall receive similar treatment in terms of style, materials, and design so that such elevations are not of a lesser visual character than any other.

vi. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

vii. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact.

viii. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged.

d. Building Form:

i. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.

ii. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms.

In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.

e. Materials:

i. Exterior wall finishes: Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, and contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. Architectural precast concrete panels and/or poured-in-place concrete tilt-up panels shall be permitted. The use of reflective or mirrored glass shall be prohibited.

ii. Prefabricated metal buildings and untreated masonry block structures are prohibited.

iii. Generally, the quantity of materials selected for a building shall be minimized.

iv. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.

v. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.

f. Additional Standards for Uses Not Governed by DGRs: Buildings that are constructed to accommodate certain uses are not governed by the City's Design Guidelines and Requirements (DGRs). For example, buildings that are constructed for the operation of warehousing and/or distribution uses are not subject to the DGRs and can present challenges in meeting the community standard for architectural design. Such buildings are necessarily large and typically include long walls that together form a square or rectangular box. The goal for the development of buildings that are not subject to the DGRs is to balance the practical needs of these buildings with the desire to provide exterior designs that are attractive and complimentary to the architecture that will be found elsewhere in this zoning district.

Architecture by its nature is a subjective medium, meaning that the adoption of strict objective standards in all instances may not provide the best means for achieving appropriate design. In recognition of this fact, the standards set forth herein provide guidelines and suggestions for designing buildings that are not subject to the DGRs in an effort to set expectations for the quality of architecture that will be expected for these structures. On the other hand, these standards are meant to allow for some flexibility to encourage innovative design provided that the spirit and intent of these provisions are met.

In conjunction with an application for a certificate of appropriateness for each building or structure in this subarea that is not subject to or governed by the DGRs, the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1144.04(q) of the City Code. In designing such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

i. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while taking into account the unique nature of the use(s) that will be found therein.

ii. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.

iii. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.

iv. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

v. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.

2. Retail Uses (Except Outparcels): The following architectural standards shall apply to any building that either contains a retail use as a primary use or contains an office use that is located within a primarily retail development. For purposes of this zoning text, a "retail use" shall be any non-office use that is a permitted or conditional use in the C-1, C-2 or C-3 zoning district under the City's Codified Ordinances. These standards shall not apply to outparcels:

a. Style: The architectural details, materials, and colors of all outparcel buildings shall be compatible with the standards for the primary retail structure in the same subarea in which the outparcel is located. Buildings shall be designed with a comparable level of detail on all sides.

b. Height: Buildings shall have exterior elevations that are a minimum of one

(1) and a maximum of two and one half (2 ½) stories in appearance with an average roof reaching a maximum of thirty-five (35) feet above the adjacent finished grade. Architectural elements such as parapets, cupolas, mechanical screening, or similar features may exceed these maximum building heights.

c. Features: The following architectural features shall be required and shall be scaled according to the size of the individual tenant. These features may be scaled to a group of smaller side-by-side tenants when architecturally appropriate:

i. roofs may be sloped or flat, provided that flat roofs utilize a heavy cornice;

ii. roof elements that emphasize and reduce the building scale at the building storefront such as, but not limited to, dormers, cupolas, roof spires, and hip and gable roofs;

iii. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.; and

iv. complete screening of all ground-mounted mechanical and other equipment at ground level by walls, fencing, or landscaping that is consistent and harmonious with the materials on and character of the nearest primary building.

d. Exterior Elevations: All exterior elevations of each building shall be required to have the following characteristics:

i. Consistency of Finish: The same palette of exterior finishes and color shall be used on all sides of each building.

ii. Exterior wall finishes: Cementitious products such as Hardi Plank or its equivalent cementitious product, brick, wood siding, cultured stone, metal, EIFS and composite material (except vinyl) shall be used as exterior wall finish materials where appropriate. Exterior wall finish materials must be used to complete massing elements. The application of brick veneer to a single building façade is prohibited. Alternative building materials may be used subject to Architectural Review District approval (Chapter 1157).

iii. Roof: General roof massing shall incorporate pitched roofs. Flat roofs shall be permitted, but must integrate strong cornice lines. Acceptable roof materials include natural and synthetic slate, cedar shake, dimensional asphalt shingle, and standing seam metal.

iv. Building Additions: Whether attached or detached, shall be of similar or compatible design and materials.

v. Other Elements: Exterior elevation elements other than brick shall include the treatment of roof fascias and parapet cornices.

vi. Parapets: Parapets shall use a classical cornice not to exceed three (3) feet in height with molded shapes made of any of the following durable materials: stone, cast stone, architectural pre-cast concrete, gypsum fiber reinforced concrete, expanded insulation finish system (EIFS), or similar materials.

vii. Fascias: Roof fascias shall be proportioned to the scale of the roof element and shall employ classical molding details such as crown molding. The same material shall be used for fascias and cornices.

e. Gutters and Downspouts: Sloped roofs shall be required to employ gutters and downspouts for drainage.

i. Gutter Specifications: Gutters shall be of a metal type and shall be painted to match fascias.

ii. Scuppers: Scuppers may be used on the rear of a building with a parapet in lieu of interior drains. Scupper boxes on the rear of a building shall be painted to blend in with the exterior color or shall be of a manufactured metal of a color which complements the finished material to which it is affixed. Through-wall scuppers may be permitted where parapet walls are used. Overflow drains may be an open scupper through a parapet. An open scupper shall be detailed to minimize its appearance on the building elevation.

f. Exterior Doors: All exterior doors other than doors whose primary purpose is for the entry or exit of customers shall be made of a heavy gauge metal. Such doors shall be painted with a color that blends with the color of the exterior masonry on the elevation on which the door is located.

g. Drive-thrus: A retail tenant occupying the end of a building shall be permitted to have a pick-up unit on the end of that building. The pick-up unit shall include architectural details that are comparable to and consistent with the architecture in the balance of the Subarea in which the pick-up unit is located.

3. Outparcels: For purposes of this text, an "outparcel" shall mean a parcel of land, generally (but not always) located on the perimeter of a larger piece of commercial real property, that is subordinate to the larger parcel with respect to size, number of users, access, and parking. Any structure containing a "retail use" (as such term is defined in Section II.C.2 above) as its primary use that is located on an outparcel shall be subject to the following architectural standards:

a. Style: The architectural details, materials, and colors of all outparcel buildings shall be compatible with the standards for the primary retail structure in the same subarea in which the outparcel is located. Buildings shall be designed with a comparable level of detail on all sides.

b. Height: Buildings shall have exterior elevations that are a minimum of one

(1) and a maximum of two and one half (2 ½) stories in appearance but in no instance shall exceed thirty-five (35) feet in height above the adjacent finished grade. Architectural elements such as parapets, cupolas, mechanical screening, or similar features may exceed these maximum building heights.

c. Features: The following architectural features shall be required and shall be scaled according to the size of the individual tenant. These features may be scaled to a group of smaller side-by-side tenants when architecturally appropriate:

i. Roofs may be sloped or flat, provided that flat roofs utilize a heavy cornice;

ii. Roof elements that emphasize and reduce the building scale at the building storefront such as, but not limited to, dormers, cupolas, roof spires, and hip and gable roofs;

iii. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment; and

iv. Complete screening of all ground-mounted mechanical and other equipment at ground level by walls, fencing, or landscaping that is consistent and harmonious with the materials on and character of the nearest primary building.

d. Exterior Elevations: All exterior elevations of each building shall be required to have the following characteristics:

i. Consistency of Finish: The same palette of exterior finishes and color shall be used on all sides of each building.

ii. Exterior wall finish: Cementitious products such as Hardi Plank or its equivalent cementitious product, brick, wood siding, cultured stone, metal, EIFS and composite material (except vinyl) shall be used as exterior wall finish materials where appropriate. Exterior wall finish materials must be used to complete massing elements. The application of brick veneer to a single building façade is prohibited. Alternative building materials may be subject to Architectural Review District approval (Chapter 1157).

iii. Roof: General roof massing shall incorporate pitched or flat roofs. If flat roof is used, strong cornice lines must be integrated. Acceptable roof materials include natural and synthetic slate, cedar shake, dimensional asphalt shingle, and standing seam metal.

iv. Building Additions: Whether attached or detached, shall be of similar or compatible design and material.

v. Other Elements: Exterior elevation elements other than brick shall include the treatment of roof fascias and parapet cornices.

vi. Parapets: Parapets shall use a classical cornice not to exceed three (3) feet in height with molded shapes made of any of the following durable materials: stone, cast stone, architectural pre-cast concrete, gypsum fiber reinforced concrete, expanded insulation finish system (EIFS), or similar materials.

vii. Fascias: Roof fascias shall be proportioned to the scale of the roof element and shall employ classical molding details such as crown molding. The same material shall be used for fascias and cornices.

e. Gutters and Downspouts: Sloped roofs shall be required to employ gutters and downspouts for drainage.

i. Gutter Specifications: Gutters shall be of a metal type and shall be painted to match fascias.

ii. Scuppers: Scuppers may be used on the rear of a building with a parapet in lieu of interior drains. Scupper boxes on the rear of a building shall be painted to blend in with the exterior color or shall be of a manufactured metal of a color which complements the finished material to which it is affixed. Through-wall scuppers may be permitted where parapet walls are used. Overflow drains may be an open scupper through a parapet. An open scupper shall be detailed to minimize its appearance on the building elevation.

f. Exterior Doors: All exterior doors other than doors whose primary purpose is for the entry or exit of customers shall be made of a heavy gauge metal. Such doors shall be painted with a color that blends with the color of the exterior masonry on the elevation on which the door is located.

g. Drive-thrus: A building located on an outparcel shall be permitted to have a pick-up unit on the side or rear of the structure. The pick-up unit shall include architectural details that are comparable to and consistent with the architecture in the balance of the subarea in which the pick-up unit is located.

h. Playgrounds: Outdoor playgrounds are prohibited.

E. Access, Parking, Site Circulation, and Traffic Commitments:

1. The following rights-of-way shall be dedicated for public streets and associated improvements within and adjacent to this zoning district:

a. Innovation Campus Way: 30 feet as measured from the centerline of the right-of-way.

b. Easements: The developer shall grant easements to the City which are adjacent to the aforementioned rights-of-way to the extent necessary to provide for the installation and maintenance of streetscape improvements.

2. The number, locations, and spacing of curbcuts on public rights-of-way shall be determined and approved prior to the issuance of a certificate of appropriateness for each development project in this zoning district.

3. Parking and loading spaces shall be provided for each use as per Chapter 1167 of the Codified Ordinances of the City of New Albany.

F. Buffering, Landscaping, Open Space, and Screening: A landscaping plan shall be approved as part of the City's review of a final development plan or certificate of appropriateness application for each portion of this subarea that is proposed for development.

1. Landscaping Along Mink Street:
a. Within the required minimum pavement setbacks along Mink Street a minimum of ten (10) deciduous trees shall be installed for every 100 feet of frontage on the public right-of-way. Such trees shall be planted in random locations (i.e., not in rows). No more than 30% of such trees shall be of a single species.
b. Where existing healthy and mature trees are found within these pavement setbacks, such trees may be preserved in lieu of installing the trees described in this paragraph, provided that a similar amount of vegetation is being preserved when compared to that which would otherwise be required to be installed.
c. A standard New Albany white four-board horse fence may (but shall not be required to) be provided within the public right-of-way.
d. Notwithstanding the foregoing and if proposed by the developer, the City's Landscape Architect shall be permitted to approve deviations from the planting requirements that are detailed in the immediately preceding paragraph. Such deviations shall be permitted to provide variations in the landscape treatment of long street frontages, when it is desirable to create or preserve viewsheds into any portion of the site where architectural or natural features within the site add visual character or aesthetic appeal when viewed from the street, and/or to protect the health of vegetation or the safety or people or property.
e. Mounding shall be permitted within minimum pavement setback areas from these rights-of-way but not required. When utilized, mounding shall have a minimum height of 3 feet and a maximum height of 12 feet. The slope of mounds shall not exceed 3:1 from the crest of the mound extending toward the private site, and shall not exceed a 6:1 slope from the crest of the mound extending toward the public right-of-way.

2. Tree Preservation: Standard tree preservation practices will be put into place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line. Within the riparian corridor setback area, no trees shall be removed unless they are dead, diseased, or an invasive species. Clearing of understory growth within this area shall be permitted in accordance with customary and reasonable forestry management practices. Preservation Zones shall be deemed to include all minimum pavement setbacks along the perimeter boundaries of this zoning district that are not adjacent to a public right-of-way. Within the Preservation Zones located within these perimeter setbacks, the developer shall preserve existing healthy and mature trees and vegetation but shall be permitted to place utilities within or allow them to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on healthy and mature trees. Trees within these areas may be removed if they present a danger to persons or property.

3. Screening of Parking: A landscape buffer to screen parking areas shall be located

within the pavement setback along all public rights-of-way. This buffer may contain landscape material, mounding, or a combination of both and shall have a minimum height of 4 feet and a minimum opacity of 75%. A four-board white horse fence may be located within or near the right-of-way along Mink Street.

4. Stormwater Management: Wet and dry stormwater basins shall conform to the standards set forth in Section 1171.08 of the Codified Ordinances of the City of New Albany unless other design solutions are found to be appropriate. Other design solutions may be appropriate if the City Landscape Architect finds that an alternative design, shape, and appearance is appropriate in particular relationship to streetscape and other site design considerations.

5. Street Trees: A street tree row shall be established along all publicly dedicated rights-of-way other than State Route 161 and shall contain 3 trees for every 100 feet of road frontage. Street tree locations shall be shown on certificate of appropriateness plans or final development plans for City review and approval. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.

6. Pedestrian Circulation: An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk and/or leisure trail along a public street can access adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives.

7. Minimum On-Site Tree Sizes: Unless otherwise set forth in this zoning text, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Street trees may be grouped or regularly spaced. Minimum street tree size at installation shall be three (3) caliper inches. Caliper shall be measured six (6) inches above grade.

8. Outparcels: In addition to the other landscaping requirements of this zoning text, all outparcels within each subarea shall be required to utilize consistent and compatible landscaping in all parking setbacks and parking areas, as well as around all buildings. Consistency and compatibility of landscaping across outparcels shall be evaluated based on a comparison of the similarity of types of landscaping and plant species; the number of plantings; heights and spacing of plantings and treatments; and whether the landscaping on each outparcel is aesthetically harmonious.

9. Screening – Residential Uses:

a. Along any portion of the western boundary of this subarea or along the boundary lines along the northern portion of this zoning district which are shared with Licking County Parcel Numbers 03510749003001, 03510749003002, 03510749003003, and 03711218800000 (as they exist on the effective date of this text), and provided that residential uses exist or are permitted to be developed on property that is adjacent to such boundaries, a minimum six (6) foot high mound shall be installed along the property line and shall include a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% within 5 years after planting to a total height of 10 feet above ground level. These mounds shall be

installed within the required minimum pavement setbacks from these property lines. The plan for these areas must be reviewed and approved by the City's Landscape Architect.

b. In the absence of existing trees mounding is not mandatory if the parties so agree. If there are existing trees within the minimum pavement setbacks as described in the immediately preceding paragraph and such trees are reasonably able to be preserved in order to partially or completely meet the opacity requirement described in the immediately preceding paragraph, then such trees may be preserved and used along with additional plantings (as necessary) in lieu of the mounding and planting requirements described in the immediately preceding paragraph in order to meet the opacity requirement. Prior to submitting a zoning permit which includes a landscape plan without a mound, the applicant will provide documentation from the adjacent property owner that the landscape plan is acceptable to them. The plan for these areas must be reviewed and approved by the City's Landscape Architect.

G. Lighting:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height.

4. Lighting details shall be included in the landscape plan which is subject to review and approval by the City Landscape Architect.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.

6. All new electrical utilities that are installed in this subarea shall be located underground.

7. All other lighting on the site shall be in accordance with City Code.

8. Street lighting must meet City standards and specifications.

H. Signage: All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany, unless otherwise stated below.

I. Utilities: All new electric lines along all new public roadway shall be installed underground.

III. GENERAL MATTERS:

A. Development Review Procedure: The majority of the acreage within this subarea will be developed with uses that are permitted in the GE, General Employment District, subject to the limitations described in this zoning text. It is the intent that development proposals for the operation of these uses will be processed and reviewed by the City in the same manner as if they were not being developed within a planned zoning district. Furthermore, it is the intent that any use that is permitted under this zoning text but would not be permitted to be developed and operated in the GE, General Employment zoning classification of the City's Codified Ordinances will be subject to further review by the City's Planning Commission in accordance with relevant provisions of Chapter 1159 (Planned Unit Development) of the City's Codified Ordinances.

The following procedures shall apply to the review of development proposals within this subarea:

1. Development proposals for uses that are permitted pursuant to Section II.A.1 above shall be reviewed by City staff in accordance with Chapter 1157 of the City's Codified Ordinances.

2. Development proposals for uses that are permitted in Section II.A.2 shall be reviewed by the City's Planning Commission in accordance with Chapter 1159 of the City's Codified Ordinances.

B. Conditional Uses: Any person owning or having an interest in property may file an application to use such property for one or more of the conditional uses provided for by City's Codified Ordinances Code or by this zoning text. Applications for conditional uses shall follow the procedure and comply with the requirements of Chapter 1115, Conditional Uses, of the Codified Ordinances of the City of New Albany.

C. Appeals and Variances:

1. Appeals:

a. Taking of Appeals: Appeals to the Board of Zoning Appeals concerning interpretation or administration of the text or the underlying zoning ordinance by the Zoning Officer or any other administrative official may be taken by any person aggrieved, including a tenant, or by a governmental officer, department, board, or bureau. Such appeal shall be taken within twenty days after the date of the decision by filing a notice of appeal specifying the grounds thereof with the officer from whom the appeal is taken and the Board of Zoning Appeals.

b. Imminent Peril: An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Officer certifies to the Board of Zoning Appeals, after notice of appeal shall have been filed with him, that by reason of facts stated in the application a stay would, in his opinion, cause imminent peril to life or property. In such case, the proceeding shall not be stayed other than by a restraining order which may, on due cause shown, be granted by the Board of Zoning Appeals, after notice to the Zoning Officer or by judicial proceedings.

2. Nature of Variance: On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of the

PUD portion of this text or the Zoning Ordinance unreasonable and, therefore, the procedure for variance from development standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change of the primary use of the land or structure permitted.

3. Variance Process: The procedures and requirements of Chapter 1113, Variances of the Codified Ordinances of the City of New Albany shall be followed in cases of appeals. The Planning Commission shall hear requests for variances in this zoning district.

D. The provisions and requirements of Sections 1165.10(b) through (d) of the City's Codified Ordinances shall not apply to this zoning district.

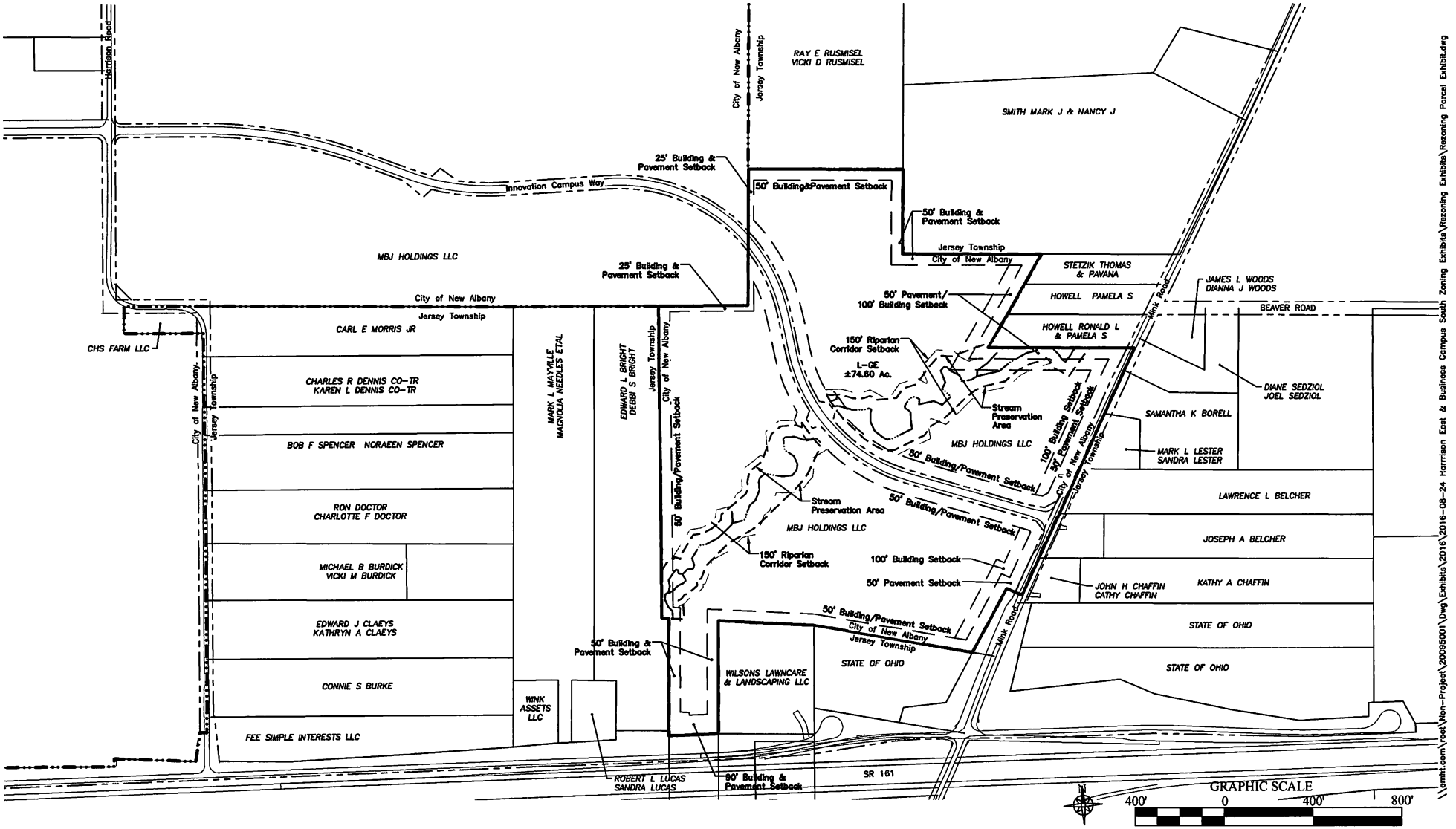
Mink Interchange Zoning District
9.22.16
9.23.16 SM

Mink Road Interchange Zoning District

THE NEW ALBANY COMPANY

New Albany, Ohio

September 2016



Prepared:	08/26/2016
Introduced:	09/06/2016
Revised:	09/26/2016
Adopted:	10/4/2016
Effective:	11/4/2016

ORDINANCE O-22-2016

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 41.294 +/- ACRES OF LAND GENERALLY LOCATED SOUTH OF JUG STREET, EAST OF THE HARRISON EAST ZONING DISTRICT, AND WEST OF MINK STREET FOR AN AREA TO BE KNOWN AS "HARRISON EAST EXPANSION DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL TO "L-GE" LIMITED GENERAL EMPLOYMENT AS REQUESTED BY MBJ HOLDINGS C/O UNDERHILL & HODGE LLC

WHEREAS, the Council of the City of New Albany has determined that it is necessary to rezone certain
WHEREAS, the Council of the City of New Albany has determined that it is necessary to rezone certain
property located in the City of New Albany to promote orderly growth and development of lands; and

WHEREAS, the Planning Commission and council on separate occasions have held public hearings and received public input into the amendment of the Zoning Ordinance; and

WHEREAS, pursuant to the application of MBJ Holdings c/o Underhill & Hodge LLC, the Planning Commission of the city of New Albany has reviewed the proposed ordinance amendment and recommended its approval.

NOW, THEREFORE, BE IT ORDAINED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. That the Council of the City of New Albany hereby amends the Zoning Ordinance Map of the City of New Albany to change the zoning classification of the following described sites:

A. A 41.294 ± acre area of land located generally south of Jug Street, east of the Harrison East Zoning District, and west of Mink Street for the area to be known as "Harrison East Expansion District" from its current zoning of "AG" Agricultural to "L-GE" Limited General Employment;

B. The zoning district's Limitation Text and site plan are attached and marked as Exhibit A.

Section 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of the Council and any decision making bodies of the City of New Albany which resulted in such formal action were in meetings open to the public or in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, State of Ohio.

Section 3. Pursuant to Article 6.07(b) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption and after the effective date of the associated annexation.

CERTIFIED AS ADOPTED this 4th day of October, 2016.

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Exhibit A to Ordinance O-22-2016

HARRISON EAST EXPANSION ZONING DISTRICT

LIMITATION TEXT

SEPTEMBER 22, 2016

I. Introduction: The Harrison East Expansion Zoning District seeks to extend the existing Harrison East Zoning District eastward in order to include land being annexed to the City of New Albany. This new zoning district is intended to provide zoning standards and requirements that are very similar to those which apply to the Harrison East Zoning District and other real property that has been and is being developed on the north side of the State Route 161 Expressway, to the east of Beech Road, and to the west of Harrison Road. This zoning seeks to position the real property that is the subject of this application so that it attracts the types of successful development projects that have been realized in those areas. The property that is the subject of this zoning text consists of 41.29+/- acres located to the south of and adjacent to Jug Street, generally to the east of Harrison Road and found to the east of and adjacent to the Harrison East Zoning District.

II. Zoning Designation: L-GE, Limited General Employment District

III. Permitted Uses: The permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, GE, General Employment District, Sections 1153.02 and 1153.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. The following uses from these code sections shall be prohibited:

A. Industrial product sales (See Section 1153.03(a)(1))
B. Industrial service (See Section 1153.03(a)(2))
C. Mini-warehouses (See Section 1153.03(a)(4)(c))
D. Personal service (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in this subarea
E. Vehicle services (See Section 1153.03(b)(4))
F. Radio/television broadcast facilities (See Section 1153.03(c)(1))
G. Sexually-oriented businesses (See Section 1153.03(c)(3))

IV. Lot and Setback Commitments:

A. Lot Coverage: There shall be a maximum lot coverage in this subarea of 75%.

B. Setbacks:

1. Jug Street: There shall be a minimum pavement setback of 50 feet and a minimum building setback of 100 feet from the Jug Street right-of-way.

2. Other Public Rights-of-Way: There shall be a minimum pavement setback of 25 feet and a minimum building setback of 50 feet from the right-of-way of any other public street that is not specifically addressed in this text.

3. Perimeter Boundaries: There shall be a minimum building and pavement setback of 25 feet from any perimeter boundary of this subarea that is not adjacent to a public right-of-way, except that the minimum pavement setback

shall be 50 feet and the minimum building setback shall be 100 feet from perimeter boundaries of this Zoning District that are adjacent to property with a zoning classification that permits residential uses.

4. Elimination of Setbacks: In the event that a parcel located within this subarea and an adjacent parcel located outside of this subarea (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text shall no longer apply with respect to these parcels.

V. Architectural Standards:

A. Building Height: The maximum building height for structures in this subarea shall be 65 feet.

B. Service and Loading Areas: Service areas and loading docks shall be screened in accordance with City Code.

C. Building Design:

1. Building designs shall not mix architectural elements or ornamentation from different styles.

2. Buildings shall be required to employ a comparable use of materials on all elevations.

3. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances to buildings shall be made sufficiently prominent that they can be easily identified from a distance.

4. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.

5. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

6. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact.

7. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure.

Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged.

D. Rooftop Equipment: Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.

E. Building Form:

1. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.

2. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms. In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.

F. Materials:

1. Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, along with contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. The use of reflective or mirrored glass shall be prohibited.

2. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring poured concrete exterior walls are prohibited.

3. Generally, the quantity of materials selected for a building shall be minimized. A single material selection for the independent building components of roof, wall and accents is permitted (i.e., Architectural Grade shingle roof with Brick Masonry wall and EIFS Cornice and Accents).

4. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.

5. Additional Standards for Uses Not Governed by DGRs: Buildings that are constructed to accommodate certain uses are not governed by the City's Design Guidelines and Requirements (DGRs). For example, buildings that are constructed for the operation of warehousing and/or distribution uses are not subject to the DGRs and can present challenges in meeting the community standard for architectural design. Such buildings are necessarily large and typically include long walls that together form a square or rectangular box. The goal for the development of buildings that are not subject to the DGRs is to balance the practical needs of these buildings with the desire to provide exterior designs that are attractive and complimentary to the architecture that will be found elsewhere in this zoning district.

Architecture by its nature is a subjective medium, meaning that the adoption of strict objective standards in all instances may not provide the best means for achieving appropriate design. In recognition of this fact, the standards set forth herein provide guidelines and suggestions for designing buildings that are not subject to the DGRs in an effort to set expectations for the quality of architecture that will be expected for these structures. On the other hand, these standards are meant to allow for some flexibility to encourage innovative design provided that the spirit and intent of these provisions are met.

In conjunction with an application for a certificate of appropriateness for each building or structure in this subarea that is not subject to or governed by the DGRs, the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1144.04(q) of the City Code. In designing such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

a. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while taking into account the unique nature of the use(s) that will be found therein.

b. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.

c. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.

d. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

e. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.

VI. <u>Access, Parking, Site Circulation, and Traffic Commitments:</u>

A. The developer shall work with the City Manager or his designee to determine the appropriate timing and phasing of all required street improvements.

B. The number, locations, and spacing of curbcuts on public rights-of-way shall be determined and approved by the City Manager or his designee in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this subarea.

C. Parking and loading spaces shall be provided for each use per Section 1167 of the Codified Ordinances of the City of New Albany.

D. The developer shall dedicate property to the City or other relevant political subdivision as necessary to provide 30 feet of right-of-way as measured from the centerline of Jug Street.

VII. Buffering, Landscaping, Open Space, and Screening: The following landscaping requirements shall apply to this subarea:

A. Tree Preservation: Standard tree preservation practices will be put into place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line. Preservation Zones shall be deemed to include all minimum pavement setbacks along the perimeter boundaries of this zoning district that are not adjacent to a public right-of-way. Within the Preservation Zones located within these perimeter setbacks, the developer shall preserve existing healthy and mature trees and vegetation but shall be permitted to place utilities within or allow them to cross through these areas, provided, however, that the developer shall use good faith efforts to place utilities in a manner that minimizes the impact on healthy and mature trees. Trees within these areas may be removed if they present a danger to persons or property.

B. Landscaping Along Major Street Corridors: Subject to Section VII.C below, landscaping within the pavement setbacks along Jug Street shall be coordinated and consistent throughout this zoning district. Within the required minimum building and pavement setbacks along Jug Street, the developer shall preserve existing trees stands to provide a buffer between the public right-of-way and development within the zoning district, or provide landscaping as described in this section, or both. Landscaping, when installed within these setbacks, shall be provided in accordance with the following standards:

1. A minimum of ten (10) deciduous trees shall be installed for every 100 feet of frontage on the public right-of-way. Such trees shall be planted in random locations (i.e., not in rows). No more than 30% of such trees shall be of a single species.

2. Mounding shall be permitted but not required. When utilized, mounding shall have a minimum height of 3 feet and a maximum height of 12 feet. The slope of mounds shall not exceed 3:1 from the crest of the mound extending toward the private site, and shall not exceed a 6:1 slope from the crest of the mound extending toward the public right-of-way.

3. A standard New Albany white four-board horse fence may (but shall not be required to) be provided within the public right-of-way.

C. Landscaping Required Adjacent to Residential Uses: For those perimeter boundaries which abut residentially zoned and used properties (if two contiguous properties have an

intervening public street right-of-way between them, they shall still be considered to be abutting) that are not owned by the developer, then the required landscaping and/or mounding (or some combination thereof) within minimum required pavement setback areas shall be enhanced to provide an opacity of 75% on the date that is five (5) years after planting to a total height of 10 feet above ground level when viewed from off-site. Existing trees may be utilized to meet this opacity requirement.

D. Street Trees: A street tree row shall be established along all publicly dedicated rights-of-way within or adjacent to this subarea and shall contain one (1) tree for every thirty (30) feet of road frontage. Trees may be grouped or regularly spaced. Street trees shall be located within the right-of-way. Minimum street tree size at installation shall be three (3) caliper inches. This requirement may be waived in areas where existing vegetation occurs, subject to approval of the City Landscape Architect.

E. Parking Areas: Within this subarea, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or treed areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.

F. Pedestrian Circulation: An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk along a public street can access the adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives.

G. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

H. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.

I. All project landscape plans are subject to review and approval by the City Landscape Architect.

VIII. Lighting:

A. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

B. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

C. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height.

D. Landscape uplighting from a concealed source shall be subject to staff approval. All uplighting fixtures must be screened by landscaping. Lighting details shall be included in

the landscape plan which is subject to review and approval by the City Landscape Architect.

E. No permanent colored lights or neon lights shall be used on the exterior of any building.

F. All new electrical utilities that are installed in this subarea shall be located underground.

G. All other lighting on the site shall be in accordance with City Code.

H. Street lighting must meet the City Standards and Specifications.

IX. Signage: All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany.

X. Utilities: All utilities shall be installed underground.

XI. Outdoor Speaker Systems: Outdoor speaker systems shall be prohibited in this Zoning District.

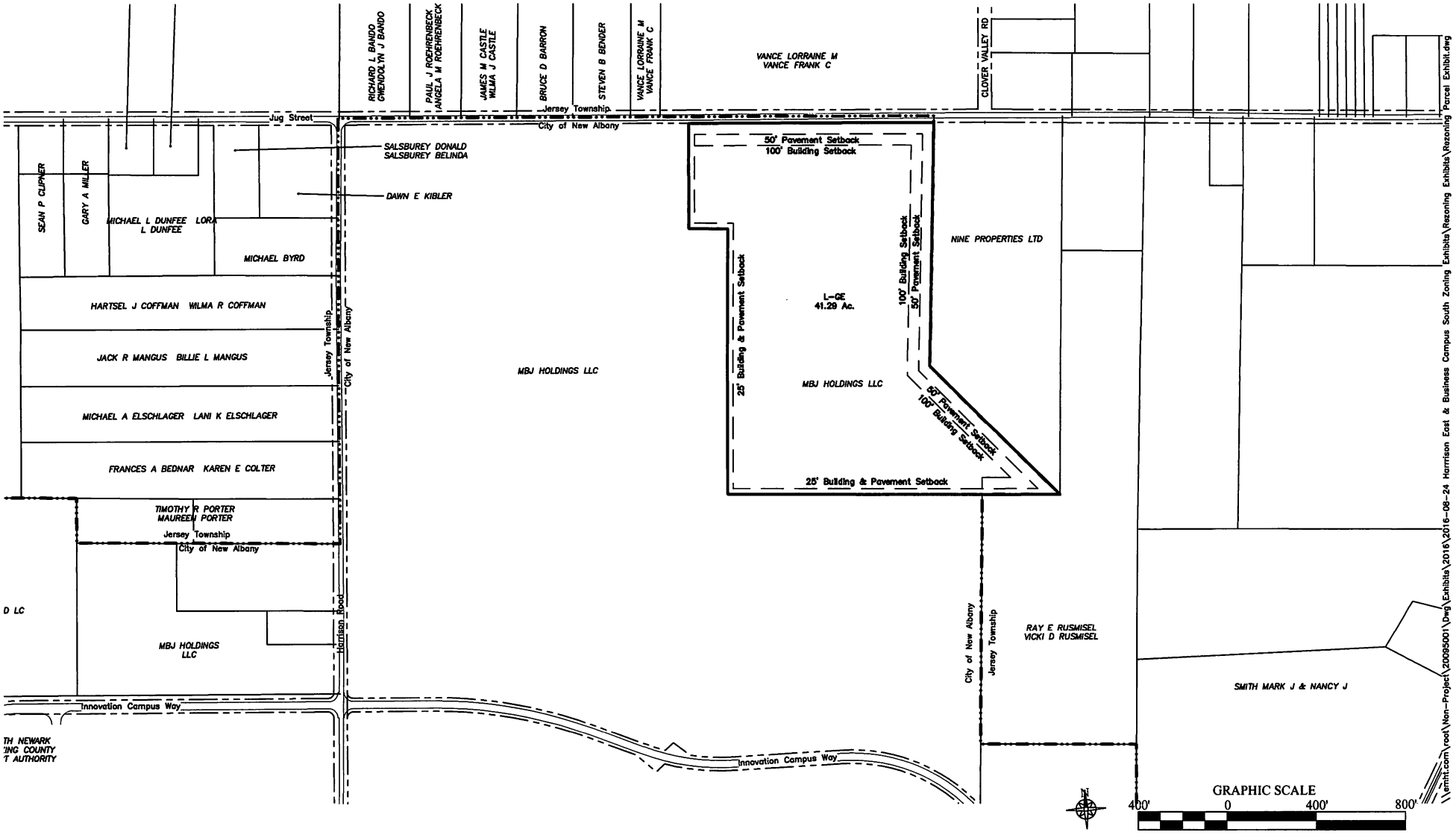
Harrison East Expansion Zoning Text
9.22.16
9.23.16 SM

Harrison East Expansion Zoning

THE NEW ALBANY COMPANY

New Albany, Ohio

September 2016



Prepared:	08/26/2016
Introduced:	09/06/2016
Revised:	09/26/2016
Adopted:	10/4/2016
Effective:	11/4/2016

ORDINANCE O-23-2016

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 18.168 +/- ACRES OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF HARRISON ROAD AND INNOVATION CAMPUS WAY FOR AN AREA TO BE KNOWN AS "HARRISON WEST DISTRICT" FROM ITS CURRENT ZONING OF "AG" AGRICULTURAL TO "L-GE" LIMITED GENERAL EMPLOYMENT AS REQUESTED BY MBJ HOLDINGS C/O UNDERHILL & HODGE LLC

WHEREAS, the Council of the City of New Albany has determined that it is necessary to rezone certain property located in the city of New Albany to promote orderly growth and development of lands; and

WHEREAS, the Planning Commission and council on separate occasions have held public hearings and received public input into the amendment of the Zoning Ordinance; and

WHEREAS, pursuant to the application of MBJ Holdings c/o Underhill & Hodge LLC, the Planning Commission of the City of New Albany has reviewed the proposed ordinance amendment and recommended its approval.

NOW, THEREFORE, BE IT ORDAINED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. That the Council of the City of New Albany hereby amends the Zoning Ordinance Map of the city of New Albany to change the zoning classification of the following described sites:

A. A 18.168 ± acre area of land located generally at the northwest corner of the Harrison Road and Innovation Campus Way intersection for the area to be known as "Harrison West District" from its current zoning of "AG" Agricultural to "L-GE" Limited General Employment;

B. The zoning district's Limitation Text and site plan are attached and marked as Exhibit A.

Section 2. That it is hereby found and determined that all formal actions of this council concerning and relating to the passage of this ordinance were adopted in an open meeting of the council and any decision making bodies of the City of New Albany which resulted in such formal action were in meetings open to the public or compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, State of Ohio.

Section 3. Pursuant to Article 6.07(b) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption and after the effective date of the associated annexation.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Exhibit A to Ordinance O-23-2016

HARRISON WEST ZONING DISTRICT

ZONING LIMITATION TEXT

September 22, 2016

I. Summary: The property that is the subject of this zoning text consists of 18.16+/- acres located to the northwest of and adjacent to the intersection of Harrison Road and Innovation Campus Way. The Harrison West Zoning District provides for the extension of zoning rights and commitments that were approved in the zoning of Subarea I of the Innovation District, which is located immediately to the south of this property across Innovation Campus Way. This zoning seeks to position the real property that is the subject of this application so that it attracts the types of successful development projects that have been realized in the general vicinity of this property.

II. Zoning Designation: L-GE, Limited General Employment District

III. Permitted Uses: The permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, GE, General Employment District, Sections 1153.02 and 1153.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. The following uses from these code sections shall be prohibited:

1. Industrial product sales (See Section 1153.03(a)(1))
2. Industrial service (See Section 1153.03(a)(2))
3. Mini-warehouses (See Section 1153.03(a)(4)(c))
4. Personal service (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in this subarea
5. Vehicle services (See Section 1153.03(b)(4))
6. Radio/television broadcast facilities (See Section 1153.03(c)(1))
7. Sexually-oriented businesses (See Section 1153.03(c)(3))

IV. Lot and Setback Commitments:

1. Lot Coverage: There shall be a maximum lot coverage in this subarea of 75%.

2. Setbacks:

   a. Harrison Road: There shall be a minimum building setback of 100 feet and a minimum pavement setback of 50 feet from the right-of-way for Harrison Road as it exists on the date that this zoning text is approved.

   b. Innovation Campus Way: There shall be a minimum building setback of 50 feet and a minimum pavement setback of 25 feet from the right-of-way for Innovation Campus Way as it exists on the date of this text.

   c. Other Public Roads: There shall be minimum building and pavement setback of 25 feet from all other public rights-of-way in this subarea.

   d. Perimeter Boundaries: There shall be a minimum building and pavement setback of 25 feet from any perimeter boundary of this zoning district that is not adjacent to a public right-of-way, except that there shall be a minimum

pavement setback of 50 feet and a minimum building setback of 100 feet from the northern perimeter boundary of this zoning district.

e. Elimination of Setbacks: In the event that a parcel located within this subarea and an adjacent parcel located outside of this subarea (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text shall no longer apply with respect to these parcels.

E. Architectural Standards:

1. Building Height: The maximum building height for structures in this subarea shall be 65 feet.

2. Service and Loading Areas: Service areas and loading docks shall be screened in accordance with City Code unless otherwise provided in this text.

3. Building Design:

a. Building designs shall not mix architectural elements or ornamentation from different styles.

b. Buildings shall be required to employ a comparable use of materials on all elevations.

c. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances to buildings shall be made sufficiently prominent that they can be easily identified from a distance.

d. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.

e. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

f. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact.

g. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged.

h. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.

4. Building Form:

a. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.

b. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms. In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.

5. Materials:

a. Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, and contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. Architectural precast concrete panels and/or poured-in-place concrete tilt-up panels shall be permitted. The use of reflective or mirrored glass shall be prohibited.

b. Prefabricated metal buildings and untreated masonry block structures are prohibited.

c. Generally, the quantity of materials selected for a building shall be minimized. A single material selection for the independent building components of roof, wall and accents is permitted (i.e., Architectural Grade shingle roof with Brick Masonry wall and EIFS Cornice and Accents).

d. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.

6. Additional Standards for Uses Not Governed by DGRs: Buildings that are constructed to accommodate certain uses are not governed by the City's Design Guidelines and Requirements (DGRs). For example, buildings that are constructed for the operation of warehousing and/or distribution uses are not subject to the DGRs and can present challenges in meeting the community standard for architectural design. Such buildings are necessarily large and typically include long walls that together form a square or rectangular box. The goal for the development of buildings that are not subject to the DGRs is to balance the practical needs of these buildings with the desire to provide exterior designs that are attractive and complimentary to the architecture that will be found elsewhere in this zoning district and adjacent zoning districts.

Architecture by its nature is a subjective medium, meaning that the adoption of strict objective standards in all instances may not provide the best means for achieving

appropriate design. In recognition of this fact, the standards set forth herein provide guidelines and suggestions for designing buildings that are not subject to the DGRs in an effort to set expectations for the quality of architecture that will be expected for these structures. On the other hand, these standards are meant to allow for some flexibility to encourage innovative design provided that the spirit and intent of these provisions are met.

In conjunction with an application for a certificate of appropriateness for each building or structure in this subarea that is not subject to or governed by the DGRs, the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1144.04(q) of the City Code. In designing such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

a. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while taking into account the unique nature of the use(s) that will be found therein.

b. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.

c. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.

d. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

e. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.

F. <u>Access, Parking, Site Circulation, and Traffic Commitments:</u>

1. The developer shall work with the City Manager or his designee to determine the appropriate timing and phasing of all required street improvements.

2. The number, locations, and spacing of curbcuts on public rights-of-way shall be determined and approved by the City Manager or his designee in consultation with the

developer at the time that a certificate of appropriateness is issued for a project in this subarea.

3. Parking and loading spaces shall be provided for each use as per Chapter 1167 of the Codified Ordinances of the City of New Albany.

G. Buffering, Landscaping, Open Space, and Screening: The following landscaping requirements shall apply to this subarea:

1. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within the setbacks in this subarea. Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

2. Screening of Parking: A landscape buffer to screen parking areas shall be located within the pavement setback along all public rights-of-way. This buffer may contain landscape material, mounding, or a combination of both and shall have a minimum height of 4 feet and a minimum opacity of 75%.

3. Harrison Road: The following landscaping standards shall apply to the west side of the Harrison Road right-of-way that is located adjacent to the eastern boundary of this subarea:

a. Landscaping within the pavement setback shall be coordinated and consistent. The installation of mounding that breaks up existing tree massing shall be subject to staff approval.

b. A landscape buffer shall be located within the pavement setback that will achieve 75% screening year-round. The buffer shall be planted with a minimum quantity of one tree per 25 feet, in addition to street trees. Trees shall be randomly planted to create a naturalized appearance. Permitted landscaping shall include native trees, evergreen trees and shrubs on mounding and in the area between the buffer landscape and the edge of street pavement. For landscaping which is not used to meet zoning text, codified ordinance and street tree requirements, the minimum caliper of tree material may be reduced to 1" caliper to gain additional plant material. A four-board white horse fence may be located between required plant materials and the right-of-way for Harrison Road.

c. The landscape buffer may consist of mounding. Mounding, when used, shall be a maximum of 12 feet in height. Trees shall be planted on the mound with a minimum of 70% of the trees occurring on the street side. No trees shall be located within the upper quartile of the crest of the mound.

4. Street Trees: A street tree row shall be established along all publicly dedicated rights-of-way within or adjacent to this subarea and shall contain one tree for every 30 feet of road frontage. Street trees may be grouped or regularly spaced. Minimum street tree size at installation shall be 3 caliper inches. This requirement may be waived in areas where existing vegetation occurs, subject to approval of the City's Landscape Architect.

5. Parking Areas: Within this subarea, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular

use area shall be landscaped or green space (or treed areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.

6. Pedestrian Circulation: An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk or leisure trail along a public street can access the adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives. Final locations of public sidewalks and/or leisure trials within this subarea shall be installed as required by code and approved by the Design Review Committee contemplated in Section 1144.04(q) of the City Code prior to the City's issuance of a certificate of appropriateness for development in this subarea.

7. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than 2 ½ inches in caliper for shade trees, 6 feet in height for evergreen trees, 2 inches in caliper for ornamental trees, and 30 inches in height for shrubs. Caliper shall be measured 6 inches above grade.

8. Mounding, if employed, shall be included on the landscape plan which is subject to review and approval by the City's Landscape Architect.

9. All landscape plans for this subarea are subject to review and approval by the City's Landscape Architect.

10. Screening – Residential Uses: For those perimeter boundaries which abut residentially zoned and used properties (if two contiguous properties have an intervening public street right-of-way between them, they shall still be considered to be abutting), a minimum six (6) foot high mound shall be installed along the property line and shall include a landscape buffer on the mound which shall consist of a mixture of deciduous trees, evergreens and bushes to provide an opacity of 75% five years after planting to a total height of 10' above ground level. These mounds shall be installed within the minimum pavement setback area as required by this zoning text and may encroach on the abutting property if that owner is in agreement with the mounds installation on his/her property. Prior to submitting a zoning permit which includes a landscape plan without a mound, the applicant will provide documentation from the adjacent property owner that the landscape plan is acceptable to them. The plan for these areas must be reviewed and approved by the City's Landscape Architect.

In the absence of existing trees mounding is not mandatory if the parties so agree. If there are existing trees within this perimeter area and the desire among the parties is to preserve the existing trees then the mounding may be omitted and the existing trees may be utilized as the required screening. The requirement for 75% opacity 5 years after installation is still applicable with this alternative and, therefore, if necessary, additional landscaping materials (i.e., deciduous trees, evergreens or bushes) shall be planted along those perimeter boundary areas to meet the 75% opacity requirement. The plan for these areas must be reviewed and approved by the City's Landscape Architect. To the extent that the requirements of this subsection 11 are in conflict with the provisions of IV.G.3 above, then the requirements of this subsection 11 shall govern.

H. Lighting:

1. All parking lot and private driveway lighting shall be LED cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed 30 feet in height.

4. Lighting details shall be included in the landscape plan which is subject to review and approval by the City's Landscape Architect.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.

6. All new electrical utilities that are installed in this subarea shall be located underground.

7. All other lighting on the site shall be in accordance with City Code.

I. Signage; Sound:

1. All signage shall meet the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany.

2. No outdoor speaker systems shall be permitted in this subarea.

J. Utilities: All new electric lines along all new public roadways shall be installed underground.

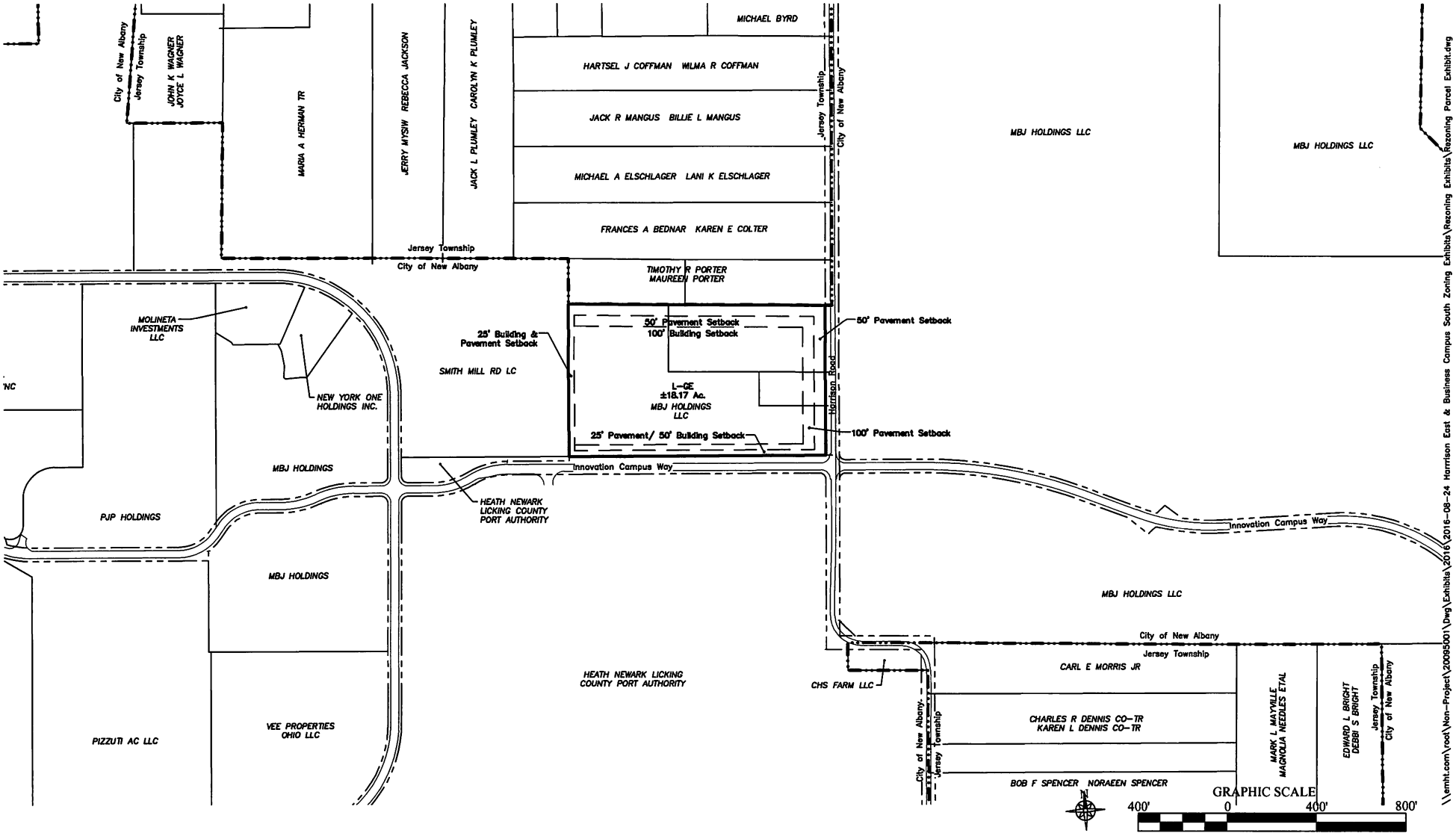
Harrison West Zoning District Text
9.22.16
9.23.16 SM

Harrison West Zoning

New Albany, Ohio

THE NEW ALBANY COMPANY

September 2016



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Prepared:	08/26/2016
Introduced:	09/06/2016
Revised:	09/26/2016
Adopted:	10/4/2016
Effective:	11/4/2016

ORDINANCE O-24-2016

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 9.71 +/- ACRES OF LAND GENERALLY LOCATED TO THE NORTHWEST OF THE INTERSECTION OF BEECH ROAD AND SMITH'S MILL ROAD FOR AN AREA KNOWN AS "BUSINESS PARK EAST ZONING DISTRICT SUBAREA 5" FROM "I-PUD" INFILL-PLANNED UNIT DEVELOPMENT TO "L-GE" LIMITED GENERAL EMPLOYMENT AND 3.68 +/- ACRES OF LAND GENERALLY LOCATED TO THE NORTHEAST OF THE SAME INTERSECTION FOR AN AREA TO BE KNOWN AS "INNOVATION DISTRICT SUBAREA B-1" FROM "I-PUD" INFILL-PLANNED UNIT DEVELOPMENT TO "I-PUD" INFILL-PLANNED UNIT DEVELOPMENT AS REQUESTED BY MBJ HOLDINGS AND AEP OHIO TRANSMISSION CO. C/O UNDERHILL & HODGE LLC

WHEREAS, the Council of the City of New Albany has determined that it is necessary to rezone certain property located in the city of New Albany to promote orderly growth and development of lands; and

WHEREAS, the Planning Commission and council on separate occasions have held public hearings and received public input into the amendment of the Zoning Ordinance; and

WHEREAS, pursuant to the application of MBJ Holdings and AEP Ohio Transmission Co. c/o Underhill & Hodge LLC, the Planning Commission of the City of New Albany has reviewed the proposed Ordinance amendment and recommended its approval.

NOW, THEREFORE, BE IT ORDAINED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. That the Council of the City of New Albany hereby amends the Zoning Ordinance Map of the City of New Albany to change the zoning classification of the following described sites:

A. A 9.71 acre area of land generally located north of Smith's Mill Road and west of Beech Road for an area known as "Business Park East Zoning District Subarea 5" from its current zoning of "I-PUD" Infill Planned Unit Development to "L-GE" Limited General Employment;

B. A 3.68 acre area of land generally located north of Smith's Mill Road and east of Beech Road for an area to be known as "Innovation District Subarea B-1" from its current zoning of "I-PUD" Infill Planned Unit Development to "I-PUD" Infill Planned Unit Development;

C. The zoning district's Limitation Text and site plan are attached and marked as Exhibit A.

Section 2. That it is hereby found and determined that all formal actions of this council concerning and relating to the passage of this ordinance were adopted in an open meeting of the council and any

decision making bodies of the City of New Albany which resulted in such formal action were in meetings open to the public or in compliance with all legal requirements of the City of New Albany, Counties of Franklin and Licking, State of Ohio.

Section 3. Pursuant to Article 6.07(b) of the New Albany Charter, this Ordinance shall become effective thirty (30) days after adoption and after the effective date of the associated annexation.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Exhibit A to Ordinance O-24-2016

BUSINESS PARK EAST ZONING DISTRICT – SUBAREA 5

AND

INNOVATION DISTRICT SUBAREA B-1

LIMITATION AND INFILL PLANNED UNIT DEVELOPMENT (I-PUD) TEXT

September 22, 2016

I. SUMMARY

A. Locations of Properties: Subarea 5 of the Business Park East Zoning District consists of 9.710 +/- acres located to the northwest of and adjacent to the intersection of Beech Road and Smith's Mill Road. The entirety of this subarea is being rezoned for the purpose described in Section I.B below. In addition, a portion of existing Innovation District Subarea B consisting of 3.688 +/- acres is being rezoned into a new subarea to be known as Innovation District Subarea B-1 for the purpose that is also described in Section I.B below. The zoning for the balance of Innovation District Subarea B (consisting of 8.432 +/- acres) is not being changed with this zoning.

B. Introduction: The real property known as Subarea 5 of the Business Park East Zoning District was recently sold by the applicant (MBJ Holdings, LLC) to an affiliate of American Electric Power. In addition, a portion of the real property known as Subarea B of the Innovation District was recently sold by the applicant to an affiliate of The Pizzuti Companies. Both of these subareas allow for a mix of retail and related uses as well as uses which are permitted in the GE, General Employment District under the City's Codified Ordinances. However, based on these recent land sales, the properties which have been sold will be developed only with uses that are permitted in the GE, General Employment District.

The first purpose of this zoning is to remove the right to develop and operate retail uses within Subarea 5 of the Business park East Zoning District. The right to develop and operate GE, General Employment District uses will remain, subject to the limitations contained in this text, which are substantially similar to those which apply to the subarea prior to the approval of this text. The second purpose of this zoning is to slightly expand the retail and related use rights that apply within a newly created Innovation District Subarea B-1 while retaining the right to develop and operate certain GE, General Employment District uses. Existing Subarea B of the Innovation District, consisting of 12.120 +/- acres and which includes the proposed Subarea B-1, presently allows for the development of retail uses, but those uses do not include fuel stations or restaurants with drive-thrus. Prior to the approval of this text, Subarea 5 allows for the development and operation of fuel station and drive-thru uses, so the net result of this approval is to shift these uses from the northwest side of Beech Road to the northeast side of Beech Road on a much smaller tract of real property.

Under the existing zoning, a total of 21.83 +/- acres to the northwest and northeast of the intersection of Beech Road and Smith's Mill Road enjoy the right to be developed with retail and related uses. Upon approval of this text, the 3.688 +/- acres contained within Subarea B-1 will be the only remaining retail development property to the northwest and northeast of the intersection of Beech Road and Smith's Mill Road, taking into consideration that while the remainder of Subarea B still enjoys the right to develop these uses, the current owner is constructing a warehouse and distribution building thereon.

Therefore, the effect of this zoning will be to consolidate the retail and related uses already permitted in the area into one smaller and more limited area. These uses are important to serve the growing number of employees in the Licking County portion of the Business Park.

I. SUBAREA 5:

A. Zoning District: L-GE, Limited General Employment

B. Summary: Subarea 5 consists of 9.710 +/- acres located to the northwest of and adjacent to the intersection of Beech Road and Smith's Mill Road. It is intended to accommodate GE, General Employment classification uses with the limitations described in this text.

C. Permitted Uses: Permitted uses shall include:

1. The permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, GE General Employment District, Sections 1153.02 and 1153.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. The following uses from this district shall be prohibited:

a. Industrial product sales (See Section 1153.03(a)(1));
b. Industrial service (See Section 1153.03(a)(2));
c. Mini-warehouses (See Section 1153.03(a)(4)(c));
d. Radio/television broadcast facilities (See Section 1153.03(c)(1));
e. Sexually-oriented businesses (See Section 1153.03(c)(3));
f. Warehouse and distribution;
g. Off-premise signs (unless approved by the Planning Commission as a part of a master sign plan);
h. Retail product sales and service (See Section 1153.03(b)(3));
i. Personal Services (See Section 1153.03(b)(2)); and
j. Vehicle Services (See Section 1153.03(b)(4).

D. Development Standards: Unless otherwise specified in the submitted drawings or in this written text, the development standards of Part Eleven of the Codified Ordinances of the City of New Albany shall apply to this subarea. Basic development standards are compiled regarding proposed density, site issues, traffic, circulation, landscape, and architectural standards. These component standards ensure consistency and quality throughout the development.

E. Setbacks:

a. Beech Road: There shall be a minimum building and pavement setback of 50 feet from the Beech Road right-of-way.

b. Smith's Mill Road: There shall be a minimum building setback of 100 feet and a minimum pavement setback of 50 feet from the Smith's Mill Road right-of-way.

c. Other Public Roads: There shall be a minimum building and pavement setback of 25 feet from all other public rights-of-way in this subarea.

d. Perimeter Boundaries: There shall be a minimum building and pavement setback of 25 feet from any perimeter boundary for this subarea that is not adjacent to a public right-of-way.

e. Elimination of Setbacks: In the event that a parcel located within this subarea and an adjacent parcel located outside of this subarea (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement or landscaping setbacks set forth in this text shall no longer apply with respect to these parcels.

F. Architectural Standards: The following architectural standards shall apply to buildings in this subarea:

1. Building Height: The maximum building height for structures shall not exceed 65 feet.

2. Service and Loading Areas: Service and loading areas shall be screened in accordance with City Code.

3. Mechanical Equipment: The following standards shall be required and shall be scaled according to the size of the individual tenant. These features may be scaled to a group of smaller side-by-side tenants when architecturally appropriate:

i. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.

ii. complete screening shall be required of all ground-mounted mechanical and other equipment at ground level by walls, fencing, or landscaping that is consistent and harmonious with the materials on and character of the nearest primary building.

4. Building Design: Architecture by its nature is a subjective medium, meaning that the adoption of strict objective standards in all instances may not provide the best means for achieving appropriate design. In recognition of this fact, the standards set forth herein provide guidelines and suggestions for design that are not subject to the DGRs in an effort to set expectations for the quality of architecture that will be expected for these structures. On the other hand, these standards are meant to allow for some flexibility to encourage innovative design provided that the spirit and intent of these provisions are met.

In conjunction with an application for a certificate of appropriateness for each building or structure that is not subject to or governed by the City's Design Guidelines and Requirements (DGRs), the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1144.04(q) of the City Code. In designing such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

i. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while taking into account the unique nature of the use(s) that will be found therein.

ii. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variation on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.

iii. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as, but not limited to, canopies, porticos, overhangs, arches, outdoor patios, community spaces or similar devices.

iv. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

5. Materials:

i. Cementitious products such as Hardiplank or its equivalent, brick, wood siding, stone, cultured stone and composition material may be used as exterior wall finish materials. Exterior wall finish materials must be used to complete massing elements.

ii. Prefabricated metal buildings, untreated masonry block structures, and buildings featuring poured concrete exterior walls are prohibited.

iii. Generally, the quantity of materials selected for a building shall be minimized.

iv. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.

G. Access, Parking, Site Circulation, and Traffic Commitments:

1. The parking lot design and pedestrian circulation routes shall provide a safe, convenient and efficient access for vehicles, pedestrians and bicyclists. Pedestrian circulation via internal public walkways shall be encouraged. The placement of structures shall enhance and promote pedestrian circulation on the site.

2. The number, locations, and spacing of curbcuts on public rights-of-way shall be determined and approved at the time that an application for a certificate of appropriateness for this subarea is filed with the City.

3. Parking and loading spaces shall be provided for each use per Section 1167 of the Codified Ordinances of the City of New Albany.

H. Buffering, Landscaping and Open Space: The following landscaping requirements shall apply to this subarea:

1. Tree Preservation: Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within the setbacks in this subarea. Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

2. Treatment along Beech Road and Smith's Mill Road: Within the pavement setback from Beech Road and Smith's Mill Road, landscaping shall be coordinated and consistent throughout. The following screening shall also be provided.

a. A four-board white horse fence shall be required along publically dedicated roads. A landscape buffer shall be required behind the fence. This buffer may include mounding not to exceed a 6:1 ratio on the side of the mound fronting the public street. A 3:1 or 4:1 ratio shall be provided on the side of the mound that is internal to the site. Mounding shall be a minimum height of three (3) feet and a maximum of six (6) feet. Tree plantings (minimum 2 ½" caliper or greater at planting) shall also be required in the buffer and shall be planted on the mound with a minimum of 70% of the trees occurring on the street side. No trees shall be located within the upper quartile of the crest of the mound. Tree quantity shall be a minimum of eight (8) trees per one hundred (100) feet. Trees shall be planted to allow visibility from Smith's Mill Road and Beech Road and are subject to the approval of the City Landscape Architect. Trees shall be native species. Evergreen trees shall not be permitted in this landscape buffer. Evergreen shrubs are not required, but may be permitted within the buffer to screen parking areas and may only be used on the back side/non street facing side of the mound.

b. City gateway features are planned throughout the business park and may be located in this subarea. Once gateway feature designs are finalized, they shall be incorporated into the buffer treatment. If their design is not finalized prior to submitting an application for a certificate of appropriateness for this subarea, adequate space shall be provided on the site and the landscape buffer shall be designed to incorporate these features, subject to approval of the City Landscape Architect. The gateway feature in this subarea shall be located no further than a distance of 100 feet from the western edge of the right-of-way for Beech Road and a distance of 100 feet from the norther edge of the right-of-way for Smith's Mill Road.

c. Landscaping within the pavement setbacks along all portions of Smith's Mill Road shall be coordinated and consistent throughout this subarea, and with respect to property that is adjacent to this subarea.

d. Landscaping within the pavement setbacks along Beech Road shall be coordinated and consistent throughout this subarea and with respect to property that is adjacent to this subarea.

3. Stormwater Basins: Wet and dry stormwater basins shall conform to the standards set forth in Section 1171.08 of the Codified Ordinances of the City of New Albany unless other design solutions are found to be appropriate. Other design solutions may be appropriate if the City Landscape architect finds that an alternative design, shape, and appearance is appropriate in particular relationship to streetscape and other site design considerations. Final design of stormwater basins shall be submitted to the City at the time of final engineering for approval.

4. Street Trees: A street tree row shall be established along all publicly dedicated rights-of-way within or adjacent to this subarea and shall contain one (1) tree for every thirty (30) feet of road frontage. Trees shall be regularly spaced along Beech Road and Smith's Mill Road. Street trees shall be located a minimum of ten (10) feet from the edge of the right-of-way unless the City's Landscape Architect approves planting these trees closer to the right-of-way or within the right-of-way. Minimum street tree size at installation shall be three (3) caliper inches. Street tree locations shall be shown on the certificate of appropriateness plans for review and approval.

5. Parking Areas: Within this subarea, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use area shall be landscaped or green space (or tree areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles. Parking areas should be designed to foster pedestrian connectivity by accommodating the required pedestrian connections/walkways and provide landscaping to entrance visual aspects of the development.

6. Pedestrian Circulation: A public pedestrian circulation system shall be provided along both sides of Smith's Mill Road and along the west side of Beech Road. It shall include an eight (8) foot long asphalt shared use path/leisure trail.

7. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be not less than two and one half (2 ½) inches in caliper for deciduous trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

8. Mounding, if employed, shall be included on the landscape plan, which is subject to review and approval by the City Landscape Architect.

9. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.

10. All project landscape plans are subject to review and approval by the City Landscape Architect.

I. Lighting:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed thirty (30) feet in height.

4. Landscape uplighting from a concealed source shall not be permitted.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.

6. All new electrical utilities that are installed in this subarea shall be located underground.

7. All other lighting on the site shall be in accordance with City Code.

8. Street lighting must meet the City Standards and Specifications.

J. Signage: All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany.

K. Utilities: All utilities installed by the Developer shall be underground.

II. SUBAREA B-1:

A. Zoning District: I-PUD, Infill Planned Unit Development

B. Summary: Subarea B-1 is located to the northeast of and adjacent to the intersection of Beech Road and Smith's Mill Road. It is intended to accommodate a mix of uses, including commercial uses and uses permitted in the GE, General Employment District, subject to the limitations provided in this text.

C. Permitted Uses: Permitted uses shall include:

1. The permitted and conditional uses contained and described in the Codified Ordinances of the Village of New Albany, GE General Employment District, Sections 1153.02 and 1153.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. The following uses from these code sections shall be prohibited:

a. Industrial product sales (See Section 1153.03(a)(1));
b. Industrial service (See Section 1153.03(a)(2));
c. Mini-warehouses (See Section 1153.03(a)(4)(c));
d. Tool rental and household moving centers, sales of cars, motorcycles, boats and recreational vehicles, repair of TV's, appliances, precision instruments, and business machines, locksmiths, upholsters and furniture refinishing (See Section 1153.03(b)(3));
e. Vehicle services (See Section 1153.03(b)(4));
f. Radio/television broadcast facilities (See Section 1153.03(c)(1)); and
g. Sexually-oriented businesses (See Section 1153.03(c)(3)).

2. Manufacturing and production uses shall continue to be allowed in this subarea in accordance with the approval of a conditional use application by the Planning Commission on April 4, 2016, in Case Number CU-23-2016.

3. Fitness and/or wellness centers;

4. Hotels and motels;

5. Conference centers;

6. Daycare facilities;

7. Gas stations and other fueling stations, with or without convenience stores and/or car washes (but excluding self-service car washes);

8. Restaurants, with or without drive-thrus;

9. Banks, savings and loans, and credit agencies, with or without drive-thrus;

10. Permitted and conditional uses not described above that are contained and described in the Codified Ordinances of the Village of New Albany, C-2 General Business (Commercial) District, Sections 1147.02 and 1147.03 and C-1 Neighborhood Business District, Sections 1145.02 and 1145.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses and further provided that no single use in this zoning category shall be permitted to occupy more than 15,000 square feet in gross floor area, exclusive of outdoor dining areas. The following uses from the C-2 General Business (Commercial) District shall be prohibited in this subarea:

a. Self-service laundries;
b. Funeral services;
c. Radio, television, or small appliance repair;
d. Equipment rental or leasing; and
e. New and used car sales and service.

D. Limitation of Total Acreage to be Utilized for Retail in the Beech Road/Smith Mill Road Area: For the purposes of developing property with commercial uses (i.e., those uses which are not permitted or conditional uses in the GE, General Employment District) those areas that are found in the Business Park East – Innovation Zoning District Subareas B, B-1, and C, and Innovation District Amendment Subareas G-1, G-2 and G-3, shall be limited to a total of no more than 92 acres of retail commercial development. The remainder of the acreage not used for retail commercial contained within Business Park East – Innovation Zoning District Subareas B, B-1, and C and Innovation District Amendment Subareas G-1, G-2, and G-3 shall be developed only with the uses which are permitted or conditional in the GE – General Employment District (excluding "Retail Product Sales and Service") as specified in those uses adopted in the Limitation text for the Business Park East Zoning District in 2009, Business Park East Innovation Zoning District in 2010, and the Business Park East Innovation District Amendment in 2013, and this text.

E. Development Standards: Unless otherwise specified in the submitted drawings or in this written text, the development standards of Part Eleven of the Codified Ordinances of the City of New Albany shall apply

to this subarea. Basic development standards are compiled regarding proposed density, site issues, traffic, circulation, landscape, and architectural standards. These component standards ensure consistency and quality throughout the development.

F. Setbacks:

1. Beech Road: There shall be a minimum pavement and building setback of 50 feet from the Beech Road right-of-way.

2. Smith's Mill Road: There shall be a minimum pavement setback of 50 feet and a minimum building setback of 100 feet from the Smith's Mill Road right-of-way, for all uses that are permitted under Section III.C.1 and 2 of this text. There shall be a minimum pavement and building setback of 50 feet from the right-of-way of Smith's Mill Road for all other uses.

3. Other Public Roads: There shall be a minimum building and pavement setback of 25 feet from all other public rights-of-way in this subarea.

4. Perimeter Boundaries: There shall be a zero setback requirement for pavement and buildings from interior property lines within this subarea. There shall be a minimum building and pavement setback of 25 feet from any perimeter boundary of this subarea that is not adjacent to a public right-of-way.

5. Elimination of Setbacks: In the event that a parcel located within this subarea and an adjacent parcel located outside of this subarea (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text shall no longer apply with respect to these parcels.

6. Canopies: For purposes of determining required setbacks in this subarea, gas station canopies shall be deemed to be buildings.

G. Lot Coverage: There shall be a maximum lot coverage of 80% in this subarea.

H. Architectural Standards:

1. Non-Retail Uses: The following architectural standards shall apply to any building distinctively located outside of a retail development which does not contain a retail use as a primary use:

a. Building Height: The maximum building height for structures shall not exceed 65 feet.

b. Service and Loading Areas: Service areas and loading areas shall be screened in accordance with Village Code unless otherwise provided in this text.

c. Building Design:

i. Building designs shall not mix architectural elements or ornamentation from different styles.

ii. Building shall be required to employ a comparable use of materials on all elevations.

iii. The number, location, spacing and shapes of windows and door openings shall be carefully considered. Primary entrances to buildings shall be made sufficiently prominent that they can be easily identified from a distance.

iv. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.

v. All elevations of a building that are visible from a public right-of-way shall receive similar treatment in terms of style, materials, and design so that such elevations are not of a lesser visual character than any other.

vi. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

vii. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed, located, or screened so as to minimize their visibility and visual impact.

viii. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials, and construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged.

d. Building Form:

i. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.

ii. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms. In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.

e. Materials:

i. Exterior wall finishes: Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, and contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. Architectural precast concrete panels and/or poured-in-place concrete tilt-up panels shall be permitted. The use of reflective or mirrored glass shall be prohibited.

ii. Prefabricated metal buildings and untreated masonry block structures are prohibited.

iii. Generally, the quantity of materials selected for a building shall be minimized.

iv. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.

v. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.

f. Additional Standards for Uses Not Governed by DGRs:

Architecture by its nature is a subjective medium, meaning that the adoption of strict objective standards in all instances may not provide the best means for achieving appropriate design. In recognition of this fact, the standards set forth herein provide guidelines and suggestions for designing buildings that are not subject to the City's Design Guidelines and Requirements (DGRs) in an effort to set expectations for the quality of architecture that will be expected for these structures. On the other hand, these standards are meant to allow for some flexibility to encourage innovative design provided that the spirit and intent of these provisions are met.

In conjunction with an application for a certificate of appropriateness for each building or structure in this subarea that is not subject to or governed by the DGRs, the applicant shall be required to submit to the Village illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1144.04(q) of the Village Code. In designing such buildings, the user or applicant shall take into account the following, which are intended to set a level of expectation for the quality of design:

i. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while taking into account the unique nature of the use(s) that will be found therein.

ii. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.

iii. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.

iv. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

2. Retail Uses: Any structure containing a retail use as its primary use shall be subject to the following architectural standards:

a. Style: The architectural details, materials and colors of all outparcel buildings shall be compatible with the standards for the primary retail structure in the same subarea in which the outparcel is located. Buildings shall be designed with a comparable level of detail on all sides.

b. Height: Buildings shall have exterior elevations that are a minimum of one (1) and a maximum of two and one half (2 ½) stories in appearance but in no instance shall exceed thirty-five (35) feet in height above the adjacent finished grade. Architectural elements such as parapets, cupolas, mechanical screening, or similar features may exceed these maximum building heights.

c. Features: The following architectural features shall be required and shall be scaled according to the size of the individual tenant. These features may be scaled to a group of smaller side-by-side tenants when architecturally appropriate:

i. Roofs may be sloped or flat, provided that flat roofs utilize a heavy cornice;

ii. Roof elements that emphasize and reduce the building scale at the building storefront such as, but not limited to, dormers, cupolas, roof spires, and hip and gable roofs;

iii. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and sound generated by such equipment.; and

iv. Complete screening of all ground-mounted mechanical and other equipment at ground level by walls, fencing, or landscaping that is consistent and harmonious with the materials on and character of the nearest primary building.

d. Exterior Elevations: All exterior elevations of each building shall be required to have the following characteristics:

i. Consistency of Finish: The same palette of exterior finishes and color shall be used on all sides of each building.

ii. Exterior Wall Finish: Cementitious products such as Hardiplank or its equivalent cementitious product, brick, wood siding, cultured stone, metal EIFS and composite material (except vinyl) shall be used as exterior wall finish material where appropriate. Exterior wall finish materials must be used to complete massing elements. The application of brick veneer to a single building façade is prohibited. Alternative building materials may be subject to Architectural Review District approval (Chapter 1157).

iii. Roof: General roof massing shall incorporate pitched or flat roofs. If flat roof is used, strong cornice lines must be integrated. Acceptable roof materials include natural and synthetic slate, cedar shake, dimensional asphalt shingle, and standing seam metal.

iv. Building Additions: Whether attached or detached, shall be of similar or compatible design and material.

v. Other Elements: Exterior elevation elements other than brick shall include the treatment of roof fascias and parapet cornices.

vi. Parapets: Parapets shall use a classical cornice not to exceed three (3) feet in height with molded shapes made of any of the following durable materials: stone, cast stone, architectural pre-cast concrete, gypsum fiber reinforced concrete, expanded insulation finish system (EIFS), or similar materials.

vii. Fascias: Roof fascias shall be proportioned to the scale of the roof element and shall employ classical molding details such as crown molding. The same material shall be used for fascias and cornices.

e. Gutters and Downspouts: Sloped roofs shall be required to employ gutters and downspouts for drainage.

i. Gutter Specifications: Gutters shall be of a metal type and shall be painted to match fascias.

ii. Scuppers: Scuppers may be used on the rear of the building with a parapet in lieu of interior drains. Scupper boxes on the rear of a building shall be painted to blend in with the exterior color or shall be of a manufactured metal of a color which

complements the finished material to which it is affixed. Through-wall scuppers may be permitted where parapet walls are used. Overflow drains may be an open scupper through a parapet. An open scupper shall be detailed to minimize its appearance on the building elevation.

f. Exterior Doors: All exterior doors other than doors whose primary purpose is for the entry or exit of customers shall be made of a heavy gauge metal.

j. Drive-thrus: Pick-up units shall include architectural details that are comparable and consistent with the architecture in the balance of the subarea.

k. Playgrounds: Outdoor playgrounds are prohibited.

I. Access, Parking, Site Circulation, and Traffic Commitments:

1. The number, locations and spacing of curbcuts on public rights-of-way shall be determined and approved at the time that a final development plan is approved for this subarea.

2. Parking and loading spaces shall be provided for each use as per Chapter 1167 of the Codified Ordinances of the Village of New Albany.

J. Buffering, Landscaping, Open Space and Screening: The following landscaping requirements shall apply to this subarea:

1. Screening of Parking: A landscape buffer to screen parking areas shall be located within the pavement setback along all public rights-of-way. This buffer may contain landscape material, mounding, or a combination of both and shall have a minimum height of four (4) feet and a minimum opacity of 75%.

2. Major Thoroughfares:

a. A four-board white horse fence shall be required along publically dedicated roads. A landscape buffer shall be required behind the fence. This buffer may include mounding not to exceed a 6:1 ratio on the side of the mound fronting the public street. A 3:1 or 4:1 ration shall be provided on the side of the mound that is internal to the site. Mounding shall be a minimum height of three (3) feet and a maximum of six (6) feet. Tree plantings (minimum 2 ½" caliper or greater at planting) also shall be required in the buffer and, if planted on a mound, shall be planted with a minimum of 70% of the trees occurring on the street side. No trees shall be located within the upper quartile of the crest of the mound. Tree quantity shall be a minimum of eight (8) trees per one hundred (100) feet, regardless of whether or not a mound it utilized. Threes shall be planted to allow visibility from Smith's Mill Road and Beech Road and are subject to the approval of the City Landscape Architect. Trees shall be native species. Evergreen trees shall not be permitted in this landscape buffer. Evergreen shrubs are not required, but may be permitted within the buffer to screen parking areas and, if planted on a mound, may only be used on the back side/non street facing side of the mound.

b. City gateway features are planned throughout the business park and may be located in this subarea. Once gateway feature designs are finalized, they shall be incorporated into the buffer treatment. If their design is not finalized prior to submitting an application for a certificate of appropriateness for this subarea, adequate space shall be provided on the site and the landscape buffer shall be designed to incorporate these features, subject to approval of the City Landscape Architect. The gateway feature in this subarea shall be located no further than a distance of 100 feet from the eastern edge of the right-of-way for Beech Road and a distance of 100 feet from the northern edge of the right-of-way for Smith's Mill Road.

3. Wet and dry stormwater basins shall conform to the standards set forth in Section 1171.08 of the Codified Ordinances of the City of New Albany unless other design solutions are found to be appropriate. Other design solutions may be appropriate if the City Landscape Architect finds that an alternative design, shape, and appearance is appropriate in particular relationship to streetscape and other site design considerations.

4. Parking Areas: Within this subarea, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent (5%) of the vehicular use are shall be landscaped or green space (or tree areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.

5. Pedestrian Circulation: An internal pedestrian circulation system shall be created so that a pedestrian using a public sidewalk and/or leisure trail along a public street can access the adjacent buildings through their parking lots as delineated with markings, crosswalks, and/or different materials, directing foot traffic, where possible, away from primary access drives.

6. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

7. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation.

8. All landscape plans in this subarea are subject to review and approval by the City Landscape Architect.

K. Lighting:

1. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

2. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

3. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed thirty (30) feet in height.

4. Landscape uplighting from a concealed source shall not be permitted.

5. No permanent colored lights or neon lights shall be used on the exterior of any building.

6. All new electrical utilities that are installed in this subarea shall be located underground.

7. All other lighting on the site shall be in accordance with City Code.

8. Street lighting must meet the City Standards and Specifications.

L. Signage; Sound: All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany, unless otherwise stated below. Retail tenants are permitted one sandwich board sign, not to exceed six (6) square feet in area, per side. The signs may be placed on the sidewalk in front of the appropriate tenant space, but may not be sited in a location that interferes with vehicular sight distance. Sign panels may be dry erase or chalk boards. Sign panels may also be inserted into the sign frame. Changeable copy sign panels with individual letters or numbers, such as those used a gas station are not permitted. Signs may be displayed only during business hours.

M. Utilities: All new electric lines along all new public roadways shall be installed underground.

N. Development Plan Review Procedure: It is anticipated that some or all of the acreage within this subarea will be developed with uses that are permitted in the GE, General Employment District, subject to the limitations described in this zoning text. It is the intent that development proposals for the operation of these uses will be processed and reviewed by the City in the same manner as if they were not being developed within a planned zoning district. Furthermore, it is the intent that any use that is permitted under this zoning text but would not be permitted to be developed and operated in the GE, General Employment zoning classification of the City's Codified Ordinances will be subject to further review by the City's Planning Commission in accordance with relevant provisions of Chapter 1159 (Plan Unit Development) of the City's Codified Ordinances. The following procedures shall apply to the review of development proposals within this subarea following the approval of the zoning application that is associated with this zoning text:

1. Development proposals for uses that are permitted pursuant to Section II.C.1 and 2 above shall be reviewed by City staff in accordance with Section 1157 of the City's Codified Ordinances.

2. Development proposals for uses that are permitted in Section II.C.3 through 10 above shall be reviewed by the City's Planning Commission in accordance with Section 1159 of the City's Codified Ordinances.

III. GENERAL MATTERS:

A. Conditional Uses: Any person owning or having an interest in property may file an application to use such property for one or more of the conditional uses provided for in this text. Applications for conditional uses shall follow the procedure and comply with the requirements of Chapter 1115, Conditional Uses, of the Codified Ordinances of the City of New Albany.

B. Appeals and Variances:

1. Appeals:

a. Taking of Appeals: Appeals to the Board of Zoning Appeals concerning interpretation or administration of the text or the underlying zoning ordinance by the Zoning Officer or any other administrative official may be taken by any person aggrieved, including a tenant, or by a governmental officer, department, board or bureau. Such appeal shall be taken within twenty days after the date of the decision by filing a notice of appeal specifying the grounds thereof with the officer from whom the appeal is taken and the Board of Zoning Appeals.

b. Imminent Peril: An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Officer certifies to the Board of Zoning Appeals, after notice of appeal shall have been filed with him, that by reason of facts stated in the application a stay would, in his opinion, cause imminent peril to life or property. In such case, the proceeding shall not be stayed other than by a restraining order which may, on due cause shown, be granted by the Board of Zoning Appeals, after notice to the Zoning Officer or by judicial proceedings.

2. Nature of Variance: On a particular property, extraordinary circumstances may exist making a strict enforcement of the applicable development standards of this text or the City's Codified Ordinances unreasonable and, therefore, the procedure for variance from development standards is provided to allow the flexibility necessary to adapt to changed or unusual conditions, both foreseen and unforeseen, under circumstances which do not ordinarily involve a change of the primary use of the land or structure permitted.

3. Variance Process: The procedures and requirements of Chapter 1113, Variances of the Codified Ordinances of the City of New Albany shall be followed in cases of variances pertaining to uses and developments that are permitted in the GE, General Employment zoning district as limited or altered by this zoning text. The Planning Commission shall hear requests for all other variances from this text.

D. The provisions and requirements of Sections 1165.10(b) through (d) of the City's Codified Ordinances shall not apply to Subarea B-1.

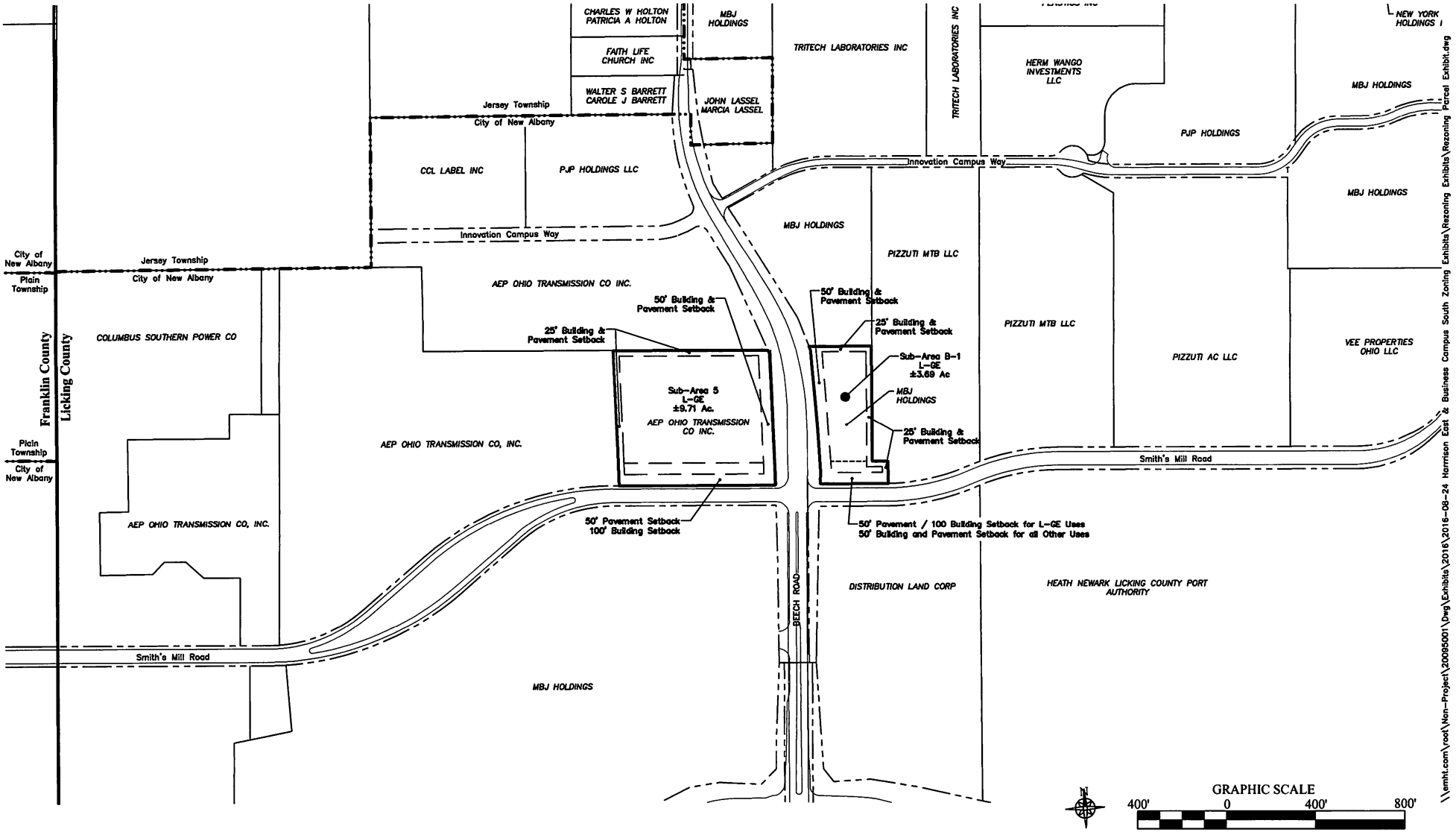
9.23.16 SM

Innovation District Amendment Sub-Area 5 & Sub-Area B-1

THE NEW ALBANY COMPANY

New Albany, Ohio

September 2016



Prepared: 08/30/2016
Introduced: 09/20/2016
Revised:
Adopted: 10/4/2016
Effective: 11/4/2016

ORDINANCE O-25-2016

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 61.2+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to petition filed by Aaron L. Underhill and David Hodge, agent for petitioners, with the Licking County Development and Planning Department, on June 30, 2016, and

WHEREAS, the foregoing Resolution #86-15 of the Licking County Commissioners was delivered to the City of New Albany on July 11, 2016, and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

WHEREAS, pursuant to Resolution R-104-2014 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation.

WHEREAS, the real estate is located in Licking County and is subject to the "New Albany East Community Authority" and subject to a special property assessment in compliance therewith, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, County of Franklin, and Licking, State of Ohio:

Section 1: That the application of property owners set forth in Licking County requesting the annexation of 61.2 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: That an accurate map of the territory, hereby attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this council as required by law, and are hereby accepted.

Section 3: That City Council of the City of New Albany hereby accepts the annexation of a 61.2 +/-acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: That the Clerk is herewith directed to deliver certified copies of this Ordinance and other Proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

Section 5: That it is hereby found and determined that all formal actions of this council concerning and relating to passage of this ordinance were adopted in an open meeting of the Council and that all deliberations of this council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION

I certify that copies of Ordinance **O-25-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on October 5, 2016.

Jennifer Mason, Clerk of Council

10/5/16
Date

EXHIBIT

A

PRE-APPROVAL
LICKING COUNTY ENGINEER

APPROVED ☑ CONDITIONAL ☐

APPROVED BY:

DATE: 4-5-16

ANNEXATION DESCRIPTION
61.2+/- ACRES

FROM: JERSEY TOWNSHIP

TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in the Northwest Quarter of Section 16, Township 2, Range 15, United States Military Lands, and being all of that 47.201 acre tract conveyed to 416 Beech LLC, by deed of record in Instrument Number 201602180003083, the remainder of that 3.580 acre tract conveyed to MBJ Holdings LLC by deed of record in Instrument Number 201603220005480, that 3.374 acre and 0.570 acre tracts conveyed to MBJ Holdings LLC by deed of record in Instrument Number 201603220005481, that 0.660 acre tract conveyed as Parcel 17-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200706040014111, that 0.612 acre tract conveyed as Parcel No. 13-WDV to Licking County by deed of record in Instrument Number 200508250026462, that 0.427 acre tract conveyed as Parcel No. 13-E to State of Ohio Department of Transportation by deed of record in Instrument Number 200511100036015, that 1.799 acre tract conveyed as Parcel 27-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200712140031878, that 0.499 acre tract conveyed as Parcel 28-WDV to Licking County by deed of record in Instrument Number 200608180024135, that 0.445 acre tract conveyed as Parcel 29-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200712120031620, that 0.853 acre tract conveyed as Parcel 30-WDV to Licking County by deed of record in Instrument Number 200511150036423, and part of that 2.128 acre tract conveyed as Parcel No. 7-WDV2 to Board of Commissioners of Licking County, Ohio by deed of record in Instrument Number 200510280034302 and that 0.169 acre tract conveyed as Parcel No. 7-WDV1 to Board of Commissioners of Licking County, Ohio by deed of record in Instrument Number 200510280034302 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Dublin-Granville Road (A.K.A. Worthington Road per Licking County) with Beech Road (FRA-161-23.20 & LIC-161-0.00 ODOT Plans);

Thence South 03° 15' 23" West, with the centerline of Beech Road, a distance of 198.14 feet to a point of curvature;

Thence continuing with said centerline, with the arc of a curve to the right, having a central angle of 02° 08' 30", a radius of 7639.44 feet, an arc length of 285.57 feet, a chord bearing of South 04° 19' 38" West and chord distance of 285.55 feet to a point;

Thence North 87° 00' 34" West, across said Beech Road and said 2.128 acre tract, a distance of 0.12 feet to a point on the westerly line of the existing Village of New Albany Corporation Line as established by Ordinance Number O-30-2002 of record in Instrument 200210280040677 and the southerly line of the existing City of New Albany Corporation Line as established by Ordinance Number O-13-2015, of record in Instrument Number 201506090011439, being the TRUE POINT OF BEGINNING;

Thence South 03° 08' 04" West, with said westerly Corporation Line (O-30-2002), a distance of 537.28 feet to a point in the southerly line of said 2.128 and northerly line of said 0.853 acre tract;

Thence South 86° 28' 10" East, with said Corporation Line (O-30-2002), with line common to said 2.128 and 0.853 acre tracts, across said Beech Road, a distance of 57.00 feet to a point on the easterly right-of-way line of said Beech Road, at a common corner of said 2.128 and 0.853 acre tracts, the remainder of that 7.838 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200107180025705, and that 5.272 acre tract conveyed to Lynne E. Hamilton and Brenda E. Gerwig by deed of record in Instrument Number 201505040008274;

Thence South 07° 13' 03" West, with said easterly right-of-way line, the common line to said 5.272 and 0.853 acre tracts, a distance of 311.11 feet to a point;

Thence South 04° 19' 40" West, continuing with said easterly right-of-way line and the line common to said 5.272 and 0.853 acre tracts, a distance of 244.19 feet to a point at a common corner of said 5.272 acre tract, said 0.853 acre tract, said 0.445 acre tract, and the remainder of that 2 acre tract conveyed to Deborah A. Bryan-Eckard by deed of record in Official Record 508, Page 350;

Thence South 02° 12' 30" West, continuing with said easterly right-of-way line, with the line common to the remainder of said 2 acre tract and said 0.445 acre tract, a distance of 319.06 feet to a point at the common corner of the remainder of said 2 acre tract, said 0.445 acre tract, said 0.169 acre tract, and the remainder of that 22.10 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200002110004512, being in said existing Corporation Line (O-30-2002);

Thence North 86° 57' 08" West, with said Corporation Line (O-30-2002), with the line common to said 0.445 and 0.169 acre tracts, across said Beech Road, a distance of 34.65 feet to a point in the original easterly right-of-way line of said Beech Road;

Thence South 03° 08' 02" West, with said Corporation Line (O-30-2002), with the original easterly right-of-way line of said Beech Road, a distance of 151.37 feet to a point in the existing City of New Albany Corporation Line as established by Ordinance Number O-11-2015 of record in Instrument Number 201506090011437;

Thence North 86° 13' 13" West, with said Corporation Line (O-11-2015), across the right-of-way of said Beech Road, with a distance of 60.00 feet to a point in the westerly right-of-way line thereof, at the common corner of said 0.499 acre tract and that 51.478 acre tract conveyed to MBJ Holdings LLC., by deed of record in Instrument Number 201501140000751;

Thence North 28° 38' 33" West, with said westerly right-of-way line, easterly line of said 51.478 acre tract and said Corporation Line (O-11-2015), a distance of 57.55 feet to a point;

Thence North 03° 58' 28" East, with said westerly right-of-way line, said Corporation Line (O-11-2015), the line common to said 51.478 and 0.499 acre tracts, a distance of 330.02 feet to a point at the common corner of said 47.201 acre tract, said 1.799 acre tract, said 0.499 acre tract and said 51.478 acre tract;

Thence North 86° 36' 25" West, with the line common to said 47.201 and 51.478 acre tracts being the half section line of Section 16, with said Corporation Line (O-11-2015), a distance of 1775.40 feet to a point at the common corner of said 47.201 acre tract, and that 68.591 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200212230049294;

Thence North 02° 28' 24" East, with the line common to said 47.201 and 68.591 acre tracts, with said Corporation Line (O-11-2015), a distance of 1170.36 feet to a point;

Thence South 87° 00' 34" East, with the northerly line of said 47.201 acre tract and the southerly line of said 68.591 acre tract, with said Corporation Line (O-11-2015), a distance of 61.32 feet to a point at the common corner of said 68.591 acre tract and said 3.580 acre tract;

Thence North 03° 44' 25" East, with the westerly line of said 3.580 acre tract, the easterly line of said 68.591 acre tract and that 0.932 acre tract conveyed as Parcel No. 5-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200604260011638, with said Corporation Line (O-11-2015), a distance of 1053.49 feet to an angle point in the southerly right-of-way line of said Dublin-Granville Road (A.K.A. Worthington Road per Licking County);

Thence North 03° 40' 02" East, with the westerly line of said 0.612 and 0.427 acre tracts, the easterly line of said 0.932 acre tract and that 0.572 acre tract conveyed as Parcel No. 5-WL to State of Ohio Department of Transportation by deed of record in Instrument Number 200604260011638, across said Dublin-Granville Road (A.K.A. Worthington Road per Licking County)and partially with the southerly limited access right-of-way line of State Route 161, with said Corporation Line (O-11-2015), a distance of 296.24 feet to an angle point in the said southerly limited access right-of-way line, being the common corner of said 0.427 acre tract and that 0.242 acre tract conveyed as Parcel

ANNEXATION DESCRIPTION
61.2+/- ACRES
- 3 -

No. 13-WL to State of Ohio Department of Transportation by deed of record in Instrument Number 200508250026463, and being an angle point in the existing Village of New Albany Corporation Line as established by Ordinance Number O-34-2010, of record in Instrument Number 201101100000694;

Thence South 89° 58' 09" East, with the line common to said 0.242 and 0.427 acre tracts, with said Corporation Line (O-34-2010) and with said southerly limited access right-of-way line, a distance of 148.59 feet to a point at the common corner of said 0.242 acre tract, said 0.427 acre tract, said 0.570 acre tract, and that 0.196 acre tract conveyed as Parcel No. 17-WL to State of Ohio by deed of record in Instrument Number 200706040014111;

Thence South 86° 06' 16" East, with the line common to said 0.570 and 0.196 acre tracts, being said southerly limited access right-of-way line, with said Corporation Line (O-34-2010), a distance of 148.39 feet to a point in the existing City of New Albany Corporation Line as established by Ordinance Number O-13-2015, of record in Instrument Number 201506090011439, being the common corner of said 0.570 acre tract, said 0.196 acre tract, that 10.830 acre tract conveyed to 160 Main Street LLC by deed of record in Instrument Number 200804230009324 and that 2.528 acre tract conveyed as Parcel No. 18-WL1 to State of Ohio, Department of Transportation by deed of record in Instrument Number 200712120031622;

Thence South 03° 43' 57" West, with the easterly line of said 0.570 acre tract, said 0.660 acre tract and said 3.374 acre tract, the westerly line of said 10.830 acre tract, that 6.845 acre tract conveyed as Parcel No. 18-WDV to The Board of Licking County Commissioners by deed of record in Instrument Number 200712120031622 and that 12.131 acre tract conveyed to 160 Main Street LLC by deed of record in Instrument Number 200804230009324, across said Worthington Road, and with said Corporation Line (O-13-2015), a distance of 1355.06 feet to a point at the common corner of said 3.374 and 12.131 acre tracts, being in the northerly line of said 47.201 acre tract;

Thence South 87° 00' 34" East, with the northerly line of said 47.201 acre tract and the southerly line of said 12.131 acre tract, that 5.129 acre tract conveyed to MBJ Holdings LLC by deed of record in Instrument Number 200503020006069, that 0.477 acre tract conveyed to MBJ Holdings LLC by deed of record in Instrument Number 200504190011492, that 0.185 acre tract conveyed as Parcel 25-WDV to Licking County by deed of record in Instrument Number 200503020006063 and across said 2.128 acre tract, with said Corporation Line (O-13-2015), a distance of 1516.27 feet to the TRUE POINT OF BEGINNING, containing 61.2 acres, more or less.

This description is for annexation purposes only and is not to be used for transfer.

STATE OF OHIO
JOSHUA M. MEYER
S-8485
REGISTERED
PROFESSIONAL SURVEYOR

EVANS, MECHWART, HAMBLETON & TILTON, INC.

3-23-2016

Joshua M. Meyer — Date

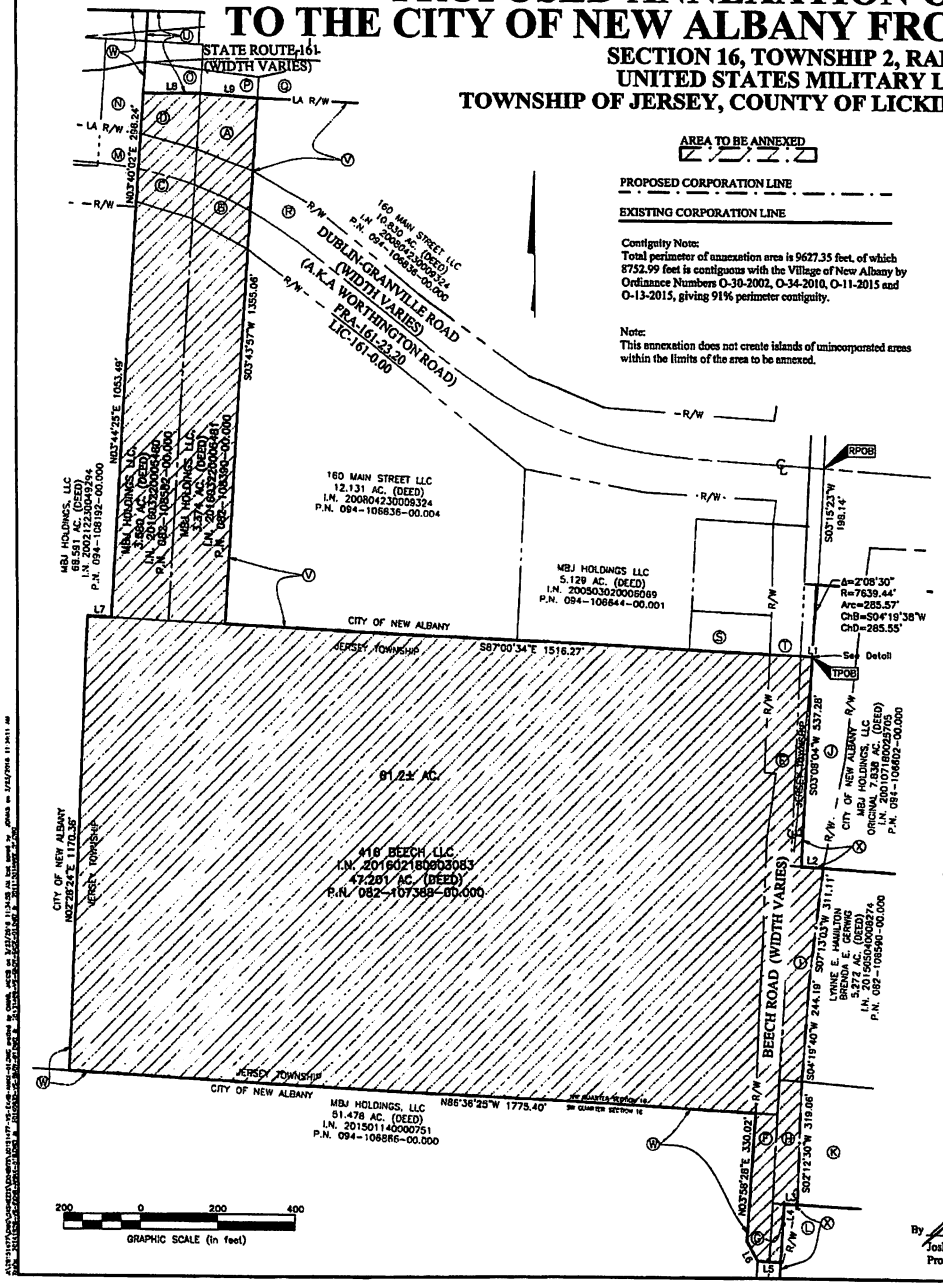
Professional Surveyor No. 8485

JMM: jb
61_2 ac 2015[illegible]-EXHB-ANNX-01.doc

PROPOSED ANNEXATION OF 61.2± ACRES TO THE CITY OF NEW ALBANY FROM JERSEY TOWNSHIP

SECTION 16, TOWNSHIP 2, RANGE 15
UNITED STATES MILITARY LANDS
TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Exhibit B - O-25-2016



AREA TO BE ANNEXED

PROPOSED CORPORATION LINE

EXISTING CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 9627.35 feet, of which 8752.99 feet is contiguous with the Village of New Albany by Ordinance Numbers O-30-2002, O-34-2010, O-11-2015 and O-13-2015, giving 91% perimeter contiguity.

Note:
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

(A) MBJ HOLDINGS LLC
0.570 AC. (DEED)
I.N. 201603220005481
P.N. 082-108390-00.000

(B) BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL NO. 17-WDV
0.860 AC. (DEED)
I.N. 200706040014111

(C) LICKING COUNTY
PARCEL NO. 13-WDV
0.812 AC. (DEED)
I.N. 200508250026462

(D) STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
PARCEL NO. 13-E
0.427 AC. (DEED)
I.N. 200511100038015

(E) BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL 27-WDV
1.799 AC. (DEED)
I.N. 200712140031878

(F) LICKING COUNTY
PARCEL 28-WDV
0.499 AC. (DEED)
I.N. 200608180024135

(G) BOARD OF COMMISSIONERS OF LICKING COUNTY, OHIO
PARCEL NO. 7-WDVI
0.169 AC. (DEED)
I.N. 200510280034302

(H) BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL NO. 29-WDV
0.445 AC. (DEED)
I.N. 200712120031620

(I) LICKING COUNTY
PARCEL 30-WDV
0.853 AC. (DEED)
I.N. 200511150038423

(J) BOARD OF COMMISSIONERS OF LICKING COUNTY, OHIO
PARCEL NO. 7-WDV2
2.128 AC. (DEED)
I.N. 200510280034302

(K) DEBORAH A. BRYAN-ECKARD
ORIGINAL 2 AC. (DEED)
O.R. 508, P. 350
P.N. 082-107748-00.000

(L) MBJ HOLDINGS, LLC
22.10 AC. (DEED)
I.N. 200002110004512
P.N. 094-107106-00.001

(M) BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL NO. 5-WDV
0.932 AC. (DEED)
I.N. 200604260011638

(N) STATE OF OHIO
PARCEL NO. 5-WL
0.572 AC. (DEED)
I.N. 200604260011638

(O) STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
PARCEL NO. 13-WL
0.242 AC. (DEED)
I.N. 200508250026463

(P) STATE OF OHIO
PARCEL NO. 17-WL
0.196 AC. (DEED)
I.N. 200706040014111

(Q) STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
PARCEL 18-WL1
2.528 AC. (DEED)
I.N. 200712120031622

(R) THE BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL 18-WDV
6.845 AC. (DEED)
I.N. 200712120031622

(S) MBJ HOLDINGS LLC
0.477 AC. (DEED)
I.N. 200504190011492
P.N. 094-108270-00.000

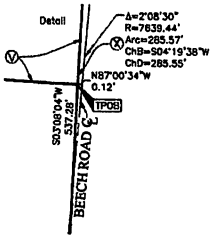
(T) LICKING COUNTY
PARCEL 25-WDV
0.185 AC. (DEED)
I.N. 200503020006083

(U) VILLAGE OF NEW ALBANY CORPORATION LINE
ORDINANCE NO. O-34-2010
I.N. 201101100000594

(V) CITY OF NEW ALBANY CORPORATION LINE
ORDINANCE NO. O-13-2015
I.N. 201506090011439

(W) CITY OF NEW ALBANY CORPORATION LINE
ORDINANCE NO. O-11-2015
I.N. 201506090011437

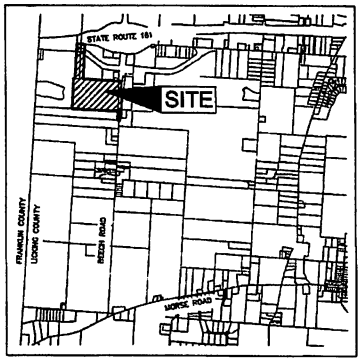
(X) VILLAGE OF NEW ALBANY CORPORATION LINE
ORDINANCE NO. O-30-2002
I.N. 200210280040677



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N87°00'34"W	0.12'
L2	S86°28'10"E	57.00'
L3	N86°57'08"W	34.65'
L4	S03°08'02"W	151.37'
L5	N86°13'13"W	60.00'
L6	N28°38'33"W	57.55'
L7	S87°00'34"E	61.32'
L8	S89°58'09"E	148.59'
L9	S86°06'16"E	148.39'

STATE OF OHIO
JOSHUA M. MEYER
8-8485
REGISTERED
PROFESSIONAL SURVEYOR

By _____ 7-25-2016
Joshua M. Meyer
Professional Surveyor No. 8485
Date



LOCATION MAP
Not to Scale

Proposed Annexation
of 61.2 +/- acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____, 20___, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

_____
Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____, 20__ _____
Commissioner

Petition Approved _____, 20__ _____
Commissioner

_____
Commissioner

Transferred this ___ day of _____, 20___, upon the duplicates of this office.

Containing _____ acres.
Transfer Fee _____

_____
Licking County Auditor

Received for Record _____, 20___, at _____(AM-PM) and recorded _____, 20___, in plat ordinance, petition, etc. in Plat Book Volume ___, Page ___.

Plat Fee _____
Ordinance, etc. Fee _____

_____
Licking County Recorder

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 20___, and approved by the mayor on _____, 20___, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest_____
Clerk, City of New Albany

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

Date: March 23, 2016
Scale: 1" = 200'
Job No: 2015-1477
Sheet: 1 of 1

REVISIONS

MARK	DATE	DESCRIPTION

Prepared:	08/30/2016
Introduced:	09/20/2016
Revised:	
Adopted:	10/4/2016
Effective:	11/4/2016

ORDINANCE O-26-2016

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 4.0+/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to petition filed by Aaron L. Underhill and David Hodge, agent for petitioners, with the Licking County Development and Planning Department, on June 30, 2016, and

WHEREAS, the foregoing Resolution #86-16 of the Licking County Commissioners was delivered to the City of New Albany on July 11, 2016, and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

WHEREAS, pursuant to Resolution R-21-2016 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation.

WHEREAS, the real estate is located in Licking County and but is not subject to the "New Albany East Community Authority" as it is less than 7 acres in size, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, County of Franklin, and Licking, State of Ohio:

Section 1: That the application of property owners set forth in Licking County requesting the annexation of 4.0 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: That an accurate map of the territory, hereby attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this council as required by law, and are hereby accepted.

Section 3: That City Council of the City of New Albany hereby accepts the annexation of a 4.0 +/-acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: That the Clerk is herewith directed to deliver certified copies of this ordinance and other proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

Section 5: That it is hereby found and determined that all formal actions of this council concerning and relating to passage of this ordinance were adopted in an open meeting of the council and that all deliberations of this Council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION

I certify that copies of Ordinance **O-26-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on October 5, 2016.

Jennifer Mason, Clerk of Council

Date 10/5/16

EXHIBIT

A

PRE-APPROVAL
LICKING COUNTY ENGINEER

APPROVED ☑ CONDITIONAL ☐

APPROVED BY: [signature]

DATE: 4-5-16

ANNEXATION OF 4.0+/- ACRES

FROM: TOWNSHIP OF JERSEY
TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in Sections 15 and 16, Quarter Township 3, Township 2, Range 15, United States Military Lands, and being all of that 1.529 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201603150004905, all of that 1.189 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201512160027175, all of that 0.977 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201411170022766, part of the remainder of that 95.493 acre tract conveyed to MBJ Holdings, LLC by deeds of record in Instrument Numbers 199912010048758, 199912010048759, 199912010048760, and 199912010048761, and part of that 80.176 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 199912010048766 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, in the centerline of Lucille Lynd Road (formerly Worthington Road/S.R. 161) at a common corner of said Sections 15 and 16 with Sections 14 and 17 of said Quarter Township 3, Township 3, Range 15;

Thence North 86° 39' 33" West, with said centerline, with the line common to said Sections 15 and 16, a distance of 1069.56 feet to a point at the common corner of said 1.529 acre tract, and that 4.337 acre tract conveyed to Emerald Storage, LTD. by deed of record in Official Record 905, Page 64, being the TRUE POINT OF BEGINNING;

Thence South 03° 06' 27" West, with the easterly line of said 1.529 acre tract, the westerly line of said 4.337 acre tract, a distance of 440.00 feet to a point in the northerly line of that 101.539 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200005030014047 and a northerly line of the existing City of New Albany Corporation Line as established by Ordinance Number O-30-2002, of record in Instrument 200210280040677;

Thence North 86° 39' 33" West, with the northerly line of said 101.539 acre tract, the southerly line of said 1.159, 1.189 and 0.977 acre tracts, with said Corporation Line (O-30-2002), a distance of 364.49 feet to a point at the southwesterly corner of said 0.977 acre tract, being the northwesterly corner of said 101.539 acre tract, being in the easterly line of that 31.892 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 199912010048763;

Thence North 03° 14' 20" East, with said Corporation Line (O-30-2002), with the line common to said 0.977 and 31.892 acre tracts, across said Lucille Lynd Road, across the remainder of said 95.493 acre tract, a distance of 484.61 feet to a point on the southerly limited access right-of-way line of State Route 161, being on the northerly line of the remainder of said 95.493 acre tract, being on the southerly line of that 28.262 acre tract conveyed as Parcel No. 7-WL4 to State of Ohio, Department of Transportation by deed of record in Instrument Number 200510280034304;

Thence South 83° 00' 56" East, with said Corporation Line (O-30-2002), with the line common to said 28.262 acre tract and the remainder of said 95.493 acre tract, with said southerly limited access right-of-way line, a distance of 6.10 feet to a point on the westerly line of that 0.375 acre tract conveyed as Parcel No. 14-WL to State of Ohio by deed of record in Instrument Number 200712140031874, being in the westerly line of the existing City of New Albany Corporation Line as established by Ordinance Number O-34-2010, of record in Instrument 201101100000694;

Thence South 03° 12' 02" West, with said Corporation Line (O-34-2010), with the line common to said 0.375 acre tract and the remainder of said 95.493 acre tract, across said Lucille Lynd Road, a distance of 44.65 feet to a point on the centerline of said Lucille Lynd Road, being on the northerly line of said 0.977 acre tract, and being the common corner of 0.375 and the remainder of 95.493 acre tracts;

Thence South 87° 04' 03" East, with said Corporation Line (O-34-2010), with the line common to said 0.375 and 0.977 acre tracts, and with said centerline, a distance of 59.26 feet to a point;

Thence South 86° 39' 33" East, continuing with said Corporation Line (O-34-2010), with the line common to said 0.375 and 0.977 acre tracts, and with said centerline, a distance of 6.74 feet to a point at the common corner of said 0.375 and 80.176 acre tracts;

Thence North 03° 12' 02" East, with said Corporation Line (O-34-2010), with the line common to said 0.375 and 80.176 acre tracts, across said Lucille Lynd Road, a distance of 44.36 feet to a point on the

northerly right-of-way line of said Lucille Lynd Road, being an angle point in said Corporation Line (O-30-2002);

Thence South 86° 46' 52" East, with said Corporation Line (O-30-2002), with said northerly right-of-way line, across said 80.176 acre tract, a distance of 291.29 feet to a point;

Thence South 03° 06' 27" West, across said 80.176 acre tract and said Lucille Lynd Road, a distance of 44.98 feet to the TRUE POINT OF BEGINNING, containing 4.0 acres, more or less, of which 1.5 acres which lies within Auditor's Parcel Number 082-108720-00.000, 1.2 acres within Auditor's Parcel Number 082-108720-01.000, 1.0 acre within Auditor's Parcel Number 082-107880-00.000 and 0.3 acre within Auditor's Parcel Number 093-107136-01.000.

This description is for annexation purposes only and is not to be used for transfer.

STATE OF OHIO
JOSHUA M. MEYER
S-8485
REGISTERED
PROFESSIONAL SURVEYOR

EVANS, MECHWART, HAMBLETON & TILTON, INC.

3-23-2016

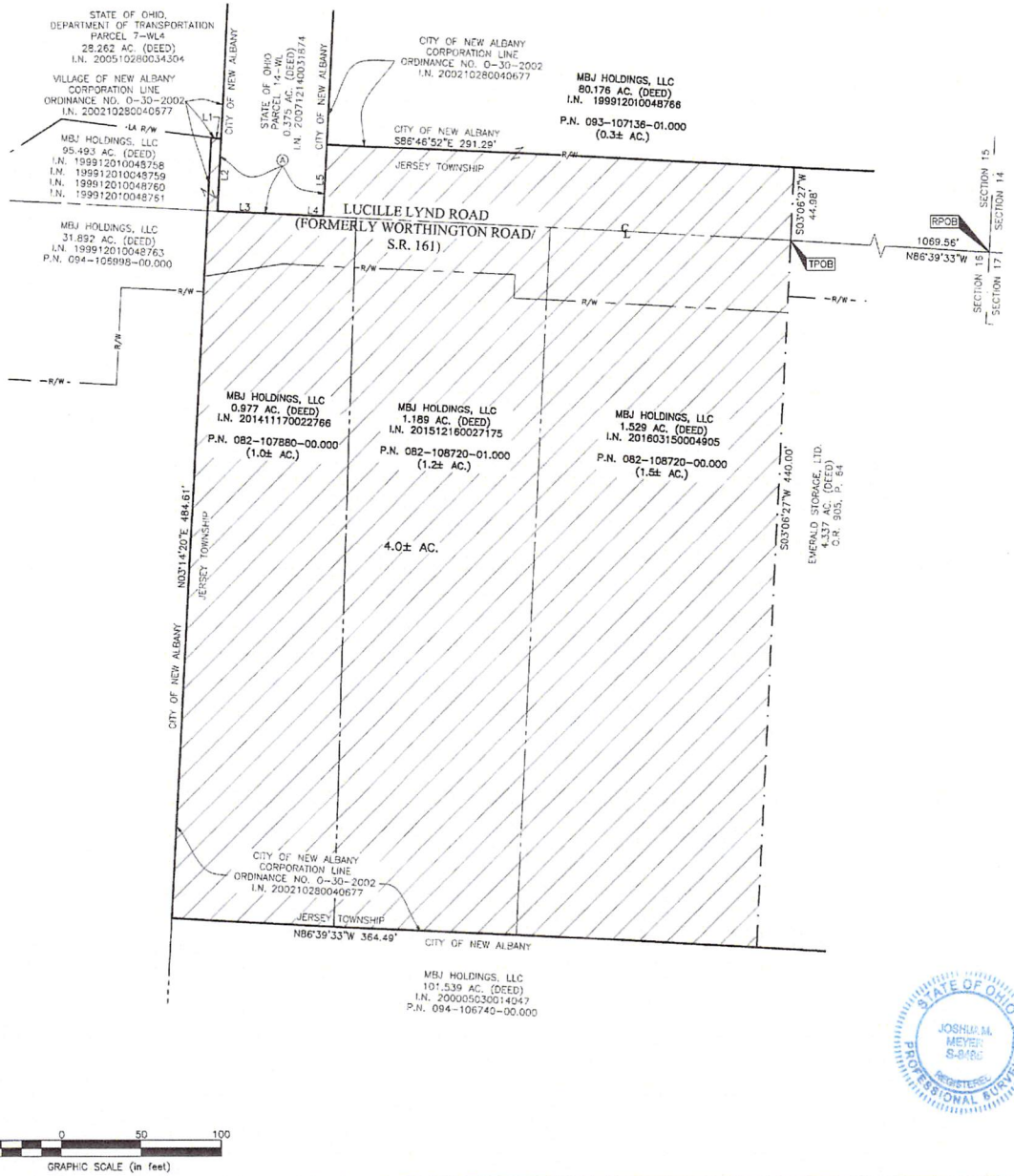
Joshua M. Meyer
Professional Surveyor No. 8485

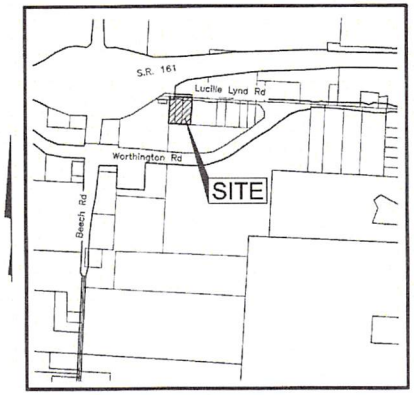
Date

PROPOSED ANNEXATION OF 4.0± ACRES TO THE CITY OF NEW ALBANY FROM JERSEY TOWNSHIP

SECTIONS 15 & 16, QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 15
UNITED STATES MILITARY LANDS
TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Exhibit B - O-26-2016





LOCATION MAP
Not to Scale

Ⓐ CITY OF NEW ALBANY CORPORATION LINE ORDINANCE NO. O-34-2010 I.N. 201101100000694

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S83°00'56"E	6.10'
L2	S03°12'02"W	44.65'
L3	S87°04'03"E	59.26'
L4	S86°39'33"E	6.74'
L5	N03°12'02"E	44.36'

AREA TO BE ANNEXED

PROPOSED CORPORATION LINE

EXISTING CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 1786.48 feet, of which 1301.5 feet is contiguous with the City of New Albany by Ordinance Numbers O-30-2002 and O-34-2010 giving 73% perimeter contiguity.

Note:
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

STATE OF OHIO
JOSHUA M. MEYER
S-8485
REGISTERED
PROFESSIONAL SURVEYOR

By _____ 3-23-2016
Joshua M. Meyer — Date
Professional Surveyor No. 8485

Proposed Annexation
of 4.0 +/- acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____, 20___, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

_____
Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____, 20__ _____ Commissioner

Petition Approved _____, 20__ _____ Commissioner

_____ Commissioner

Transferred this ___ day of _____, 20___, upon the duplicates of this office.

Containing _____ acres.
Transfer Fee _____
_____ Licking County Auditor

Received for Record _____, 20__, at _____(AM-PM) and recorded _____, 20__, in plat ordinance, petition, etc. in Plat Book Volume ___, Page ___.

Plat Fee _____
Ordinance, etc. Fee _____
_____ Licking County Recorder

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 20___, and approved by the mayor on _____, 20___, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest_____
Clerk, City of New Albany

EMH&T
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

Date: March 23, 2016
Scale: 1" = 50'
Job No: 2016-0013
Sheet: 1 of 1

REVISIONS

MARK	DATE	DESCRIPTION

Prepared: 08/30/2016
Introduced: 09/20/2016
Revised:
Adopted: 10/4/2016
Effective: 11/4/2016

ORDINANCE O-27-2016

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 9.378 +/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to petition filed by Aaron L. Underhill and David Hodge, agent for petitioners, with the Licking County Development and Planning Department, on June 30, 2016, and

WHEREAS, the foregoing Resolution #86-17 of the Licking County Commissioners was delivered to the City of New Albany on July 11, 2016, and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

WHEREAS, pursuant to Resolution R-104-2014 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation.

WHEREAS, the real estate is located in Licking County and is subject to the "New Albany East Community Authority" and subject to a special property assessment in compliance therewith, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, County of Franklin, and Licking, State of Ohio:

Section 1: That the application of property owners set forth in Licking County requesting the annexation of 9.378 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: That an accurate map of the territory, hereby attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this Council as required by law, and are hereby accepted.

Section 3: That City Council of the City of New Albany hereby accepts the annexation of a 9.378 +/-acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: That the Clerk is herewith directed to deliver certified copies of this Ordinance and other Proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

Section 5: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. BanchefskyP
Law Director

CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION

I certify that copies of Ordinance **O-27-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on October 5, 2016.

Jennifer Mason, Clerk of Council

10/5/16
Date

EXHIBIT

A

PRE-APPROVAL
LICKING COUNTY ENGINEER
APPROVED ☑ CONDITIONAL ☐
APPROVED BY:
DATE: 1-5-16

ANNEXATION DESCRIPTION
9.3+/- ACRES

FROM: JERSEY TOWNSHIP

TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in the Souththwest Quarter of Section 16, Township 2, Range 15, United States Military Lands, and being all of the remainder of that 9.378 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201509140019689 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the intersection of the centerline of Beech Road (County Road 88) with the line common to Section 16 and Section 25 of said Township 2, Range 15, being in the existing City of New Albany Corporation Line as established by Ordinance Number O-23-2011, of record in Instrument Number 201206120012996, being in the existing City of New Albany Corporation Line as established by Ordinance Number O-15-2015, of record in Instrument Number 201506090011435;

Thence North 03° 31' 11" East, with said centerline and said Corporation Line, a distance of 643.20 feet to a point at a common corner of said 9.378 acre tract, that 2.91 acre tract conveyed to MBJ Holdings LLC., by deed of record in Instrument Number 201409160017933 and in the westerly line of that 1.9733 acre tract conveyed to Eugene Hamilton by deed of record in Instrument Number 199803250009985, being the TRUE POINT OF BEGINNING;

Thence North 86° 34' 43" West, across the westerly right-of-way line of said Beech Road, with the southerly line of said 9.378 acre tract, the northerly line of said 2.91 acre tract and that 7.284 acre tract conveyed to MBJ Holdings LLC., by deed of record in Instrument Number 201407280014231, with the said Corporation Line (O-15-2015), a distance of 1660.30 feet to a point in the easterly line of that 50 acre tract conveyed to David L. Haegele and Deborah S. Haegele, Trustees by deed of record in Instrument Number 200708170021693;

Thence North 03° 17' 57" East, with the common line to said 9.378 and 50 acre tracts, a distance of 325.04 feet to a point at the common corner of said 9.378 acre tract, and that 57.212 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200505200015068 and in the easterly line of said 50 acre tract, being in the existing Village of New Albany Corporation Line as established by Ordinance Number O-30-2002, of record in Instrument Number 200210280040677;

Thence South 86° 39' 13" East, with the line common to said 9.378 and 57.212 acre tracts, with said Corporation Line (O-30-2002), of record in Instrument Number 200210280040677, a distance of 1158.21 feet to a point at a common corner of said 9.378 acre tract and that 3.00 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201407310014404, being in the existing City of New Albany Corporation Line as established by Ordinance Number O-14-2015, of record in Instrument Number 201506090011431;

Thence South 02° 51' 46" West, with the line common to said 9.378 and 3.00 acre tracts, with the existing Corporation Line (O-14-2015), of record in Instrument Number 201506090011431, a distance of 267.15 feet to a point at a common corner of said 9.378 and 3.00 acre tracts;

Thence South 86° 18' 36" East, with the line common to said 9.378 and 3.00 acre tracts, with said Corporation Line (O-14-2015), a distance of 500.28 feet crossing the westerly right-of-way of Beech Road to a point at a common corner of said 9.378 and 3.00 acre tracts, being in said centerline, being in said Corporation Line (O-23-2011) and the westerly line of that 27.595

ANNEXATION DESCRIPTION
9.3+/- ACRES

acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201108050014459;

Thence South 03° 31' 11" West, with said centerline, the line common to said 9.378, 27.595, and 1.9733 acre tracts, partially with said Corporation Line (O-23-2011), a distance of 57.08 feet to the TRUE POINT OF BEGINNING containing 9.3 acres, more or less.

This description is for annexation purposes only and is not to be used for transfer.

STATE OF OHIO
JOSHUA M. MEYER
S-8485
REGISTERED
PROFESSIONAL SURVEYOR

EVANS, MECHWART, HAMBLETON & TILTON, INC.

1-7-2016

Joshua M. Meyer
Professional Surveyor No. 8485

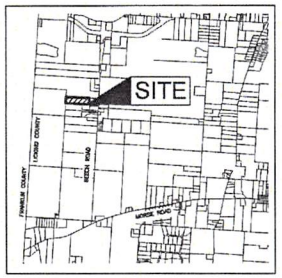
Date

JMM: jo
9_3 ac 20151477-VS-EXHB-ANNX-02.doc

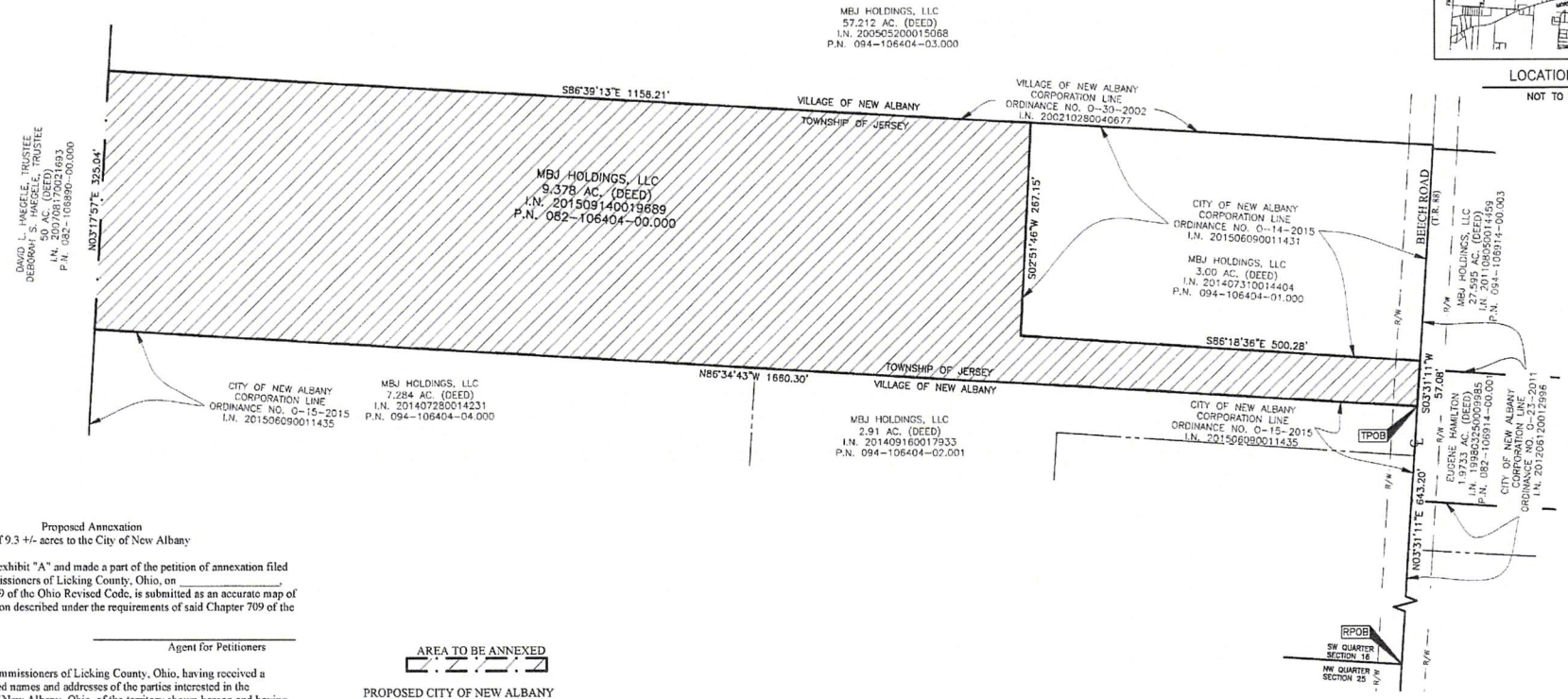
PROPOSED ANNEXATION OF 9.3± ACRES TO THE CITY OF NEW ALBANY FROM JERSEY TOWNSHIP

SECTION 16 , TOWNSHIP 2, RANGE 15
UNITED STATES MILITARY LANDS
TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

EXHIBIT B - O-28-2016



LOCATION MAP
NOT TO SCALE



Proposed Annexation
of 9.3 +/- acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____, 20___, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

_____
Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____, 20__ _____
Commissioner

Petition Approved _____, 20__ _____
Commissioner

_____
Commissioner

Transferred this ___ day of _____, 20___, upon the duplicates of this office.

Containing _____ acres.
Transfer Fee _____ _____
Licking County Auditor

Received for Record _____, 20__, at _____(AM-PM) and recorded _____, 20__, in plat ordinance, petition, etc. in Plat Book Volume ___, Page ___.

Plat Fee _____
Ordinance, etc. Fee _____ _____
Licking County Recorder

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 20___, and approved by the mayor on _____, 20___, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest_____
Clerk, City of New Albany

AREA TO BE ANNEXED

PROPOSED CITY OF NEW ALBANY CORPORATION LINE

EXISTING CITY OF NEW ALBANY OR CITY OF PATASKALA CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 3968.06 feet, of which 3643.02 feet is contiguous with the City of New Albany by Ordinance Number O-23-2011, giving 92% perimeter contiguity.

Note:
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

STATE OF OHIO
JOSHUA M. MEYER
S-8485
REGISTERED
PROFESSIONAL SURVEYOR

By _____ 1-7-2016
Joshua M. Meyer
Professional Surveyor No. 8485
Date

100 0 100 200
GRAPHIC SCALE (in feet)

EMH&T
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

Date: December 21, 2015
Scale: 1" = 100'
Job No: 2015-1477
Sheet: 1 of 1

REVISIONS

MARK	DATE	DESCRIPTION

New Albany Company / Beech Road South of SR161 Parcels 87, 88, 89, & 92 / 2015-1477 / 20151477-VS-EXHB-ANNX-02

Prepared: 08/30/2016
Introduced: 09/20/2016
Revised:
Adopted: 10/4/2016
Effective: 11/4/2016

ORDINANCE O-28-2016

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 18.168 +/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to petition filed by Aaron L. Underhill and David Hodge, agent for petitioners, with the Licking County Development and Planning Department, on June 30, 2016, and

WHEREAS, the foregoing Resolution #86-18 of the Licking County Commissioners was delivered to the City of New Albany on July 11, 2016, and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

WHEREAS, pursuant to Resolution R-29-2014 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation.

WHEREAS, the real estate is located in Licking County and is subject to the "New Albany East Community Authority" and subject to a special property assessment in compliance therewith, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, County of Franklin, and Licking, State of Ohio:

Section 1: That the application of property owners set forth in Licking County requesting the annexation of 18.168 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: That an accurate map of the territory, hereby attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this Council as required by law, and are hereby accepted.

Section 3: That City Council of the City of New Albany hereby accepts the annexation of a 18.168 +/-acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: That the Clerk is herewith directed to deliver certified copies of this Ordinance and other Proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

Section 5: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION

I certify that copies of Ordinance **O-28-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on October 5, 2016.

Jennifer Mason, Clerk of Council

10/5/16
Date

EXHIBIT

A

PRE-APPROVAL
LICKING COUNTY ENGINEER

APPROVED ☑ CONDITIONAL ☐

APPROVED BY:

DATE: 4-5-16

ANNEXATION DESCRIPTION
61.2+/- ACRES

FROM: JERSEY TOWNSHIP

TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Licking, Township of Jersey, lying in the Northwest Quarter of Section 16, Township 2, Range 15, United States Military Lands, and being all of that 47.201 acre tract conveyed to 416 Beech LLC, by deed of record in Instrument Number 201602180003083, the remainder of that 3.580 acre tract conveyed to MBJ Holdings LLC by deed of record in Instrument Number 201603220005480, that 3.374 acre and 0.570 acre tracts conveyed to MBJ Holdings LLC by deed of record in Instrument Number 201603220005481, that 0.660 acre tract conveyed as Parcel 17-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200706040014111, that 0.612 acre tract conveyed as Parcel No. 13-WDV to Licking County by deed of record in Instrument Number 200508250026462, that 0.427 acre tract conveyed as Parcel No. 13-E to State of Ohio Department of Transportation by deed of record in Instrument Number 200511100036015, that 1.799 acre tract conveyed as Parcel 27-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200712140031878, that 0.499 acre tract conveyed as Parcel 28-WDV to Licking County by deed of record in Instrument Number 200608180024135, that 0.445 acre tract conveyed as Parcel 29-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200712120031620, that 0.853 acre tract conveyed as Parcel 30-WDV to Licking County by deed of record in Instrument Number 200511150036423, and part of that 2.128 acre tract conveyed as Parcel No. 7-WDV2 to Board of Commissioners of Licking County, Ohio by deed of record in Instrument Number 200510280034302 and that 0.169 acre tract conveyed as Parcel No. 7-WDV1 to Board of Commissioners of Licking County, Ohio by deed of record in Instrument Number 200510280034302 (all references are to the records of the Recorder's Office, Licking County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the centerline intersection of Dublin-Granville Road (A.K.A. Worthington Road per Licking County) with Beech Road (FRA-161-23.20 & LIC-161-0.00 ODOT Plans);

Thence South 03° 15' 23" West, with the centerline of Beech Road, a distance of 198.14 feet to a point of curvature;

Thence continuing with said centerline, with the arc of a curve to the right, having a central angle of 02° 08' 30", a radius of 7639.44 feet, an arc length of 285.57 feet, a chord bearing of South 04° 19' 38" West and chord distance of 285.55 feet to a point;

Thence North 87° 00' 34" West, across said Beech Road and said 2.128 acre tract, a distance of 0.12 feet to a point on the westerly line of the existing Village of New Albany Corporation Line as established by Ordinance Number O-30-2002 of record in Instrument 200210280040677 and the southerly line of the existing City of New Albany Corporation Line as established by Ordinance Number O-13-2015, of record in Instrument Number 201506090011439, being the TRUE POINT OF BEGINNING;

Thence South 03° 08' 04" West, with said westerly Corporation Line (O-30-2002), a distance of 537.28 feet to a point in the southerly line of said 2.128 and northerly line of said 0.853 acre tract;

Thence South 86° 28' 10" East, with said Corporation Line (O-30-2002), with line common to said 2.128 and 0.853 acre tracts, across said Beech Road, a distance of 57.00 feet to a point on the easterly right-of-way line of said Beech Road, at a common corner of said 2.128 and 0.853 acre tracts, the remainder of that 7.838 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200107180025705, and that 5.272 acre tract conveyed to Lynne E. Hamilton and Brenda E. Gerwig by deed of record in Instrument Number 201505040008274;

Thence South 07° 13' 03" West, with said easterly right-of-way line, the common line to said 5.272 and 0.853 acre tracts, a distance of 311.11 feet to a point;

Thence South 04° 19' 40" West, continuing with said easterly right-of-way line and the line common to said 5.272 and 0.853 acre tracts, a distance of 244.19 feet to a point at a common corner of said 5.272 acre tract, said 0.853 acre tract, said 0.445 acre tract, and the remainder of that 2 acre tract conveyed to Deborah A. Bryan-Eckard by deed of record in Official Record 508, Page 350;

Thence South 02° 12' 30" West, continuing with said easterly right-of-way line, with the line common to the remainder of said 2 acre tract and said 0.445 acre tract, a distance of 319.06 feet to a point at the common corner of the remainder of said 2 acre tract, said 0.445 acre tract, said 0.169 acre tract, and the remainder of that 22.10 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200002110004512, being in said existing Corporation Line (O-30-2002);

Thence North 86° 57' 08" West, with said Corporation Line (O-30-2002), with the line common to said 0.445 and 0.169 acre tracts, across said Beech Road, a distance of 34.65 feet to a point in the original easterly right-of-way line of said Beech Road;

Thence South 03° 08' 02" West, with said Corporation Line (O-30-2002), with the original easterly right-of-way line of said Beech Road, a distance of 151.37 feet to a point in the existing City of New Albany Corporation Line as established by Ordinance Number O-11-2015 of record in Instrument Number 201506090011437;

Thence North 86° 13' 13" West, with said Corporation Line (O-11-2015), across the right-of-way of said Beech Road, with a distance of 60.00 feet to a point in the westerly right-of-way line thereof, at the common corner of said 0.499 acre tract and that 51.478 acre tract conveyed to MBJ Holdings LLC., by deed of record in Instrument Number 201501140000751;

Thence North 28° 38' 33" West, with said westerly right-of-way line, easterly line of said 51.478 acre tract and said Corporation Line (O-11-2015), a distance of 57.55 feet to a point;

Thence North 03° 58' 28" East, with said westerly right-of-way line, said Corporation Line (O-11-2015), the line common to said 51.478 and 0.499 acre tracts, a distance of 330.02 feet to a point at the common corner of said 47.201 acre tract, said 1.799 acre tract, said 0.499 acre tract and said 51.478 acre tract;

Thence North 86° 36' 25" West, with the line common to said 47.201 and 51.478 acre tracts being the half section line of Section 16, with said Corporation Line (O-11-2015), a distance of 1775.40 feet to a point at the common corner of said 47.201 acre tract, and that 68.591 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 200212230049294;

Thence North 02° 28' 24" East, with the line common to said 47.201 and 68.591 acre tracts, with said Corporation Line (O-11-2015), a distance of 1170.36 feet to a point;

Thence South 87° 00' 34" East, with the northerly line of said 47.201 acre tract and the southerly line of said 68.591 acre tract, with said Corporation Line (O-11-2015), a distance of 61.32 feet to a point at the common corner of said 68.591 acre tract and said 3.580 acre tract;

Thence North 03° 44' 25" East, with the westerly line of said 3.580 acre tract, the easterly line of said 68.591 acre tract and that 0.932 acre tract conveyed as Parcel No. 5-WDV to Board of Licking County Commissioners by deed of record in Instrument Number 200604260011638, with said Corporation Line (O-11-2015), a distance of 1053.49 feet to an angle point in the southerly right-of-way line of said Dublin-Granville Road (A.K.A. Worthington Road per Licking County);

Thence North 03° 40' 02" East, with the westerly line of said 0.612 and 0.427 acre tracts, the easterly line of said 0.932 acre tract and that 0.572 acre tract conveyed as Parcel No. 5-WL to State of Ohio Department of Transportation by deed of record in Instrument Number 200604260011638, across said Dublin-Granville Road (A.K.A. Worthington Road per Licking County)and partially with the southerly limited access right-of-way line of State Route 161, with said Corporation Line (O-11-2015), a distance of 296.24 feet to an angle point in the said southerly limited access right-of-way line, being the common corner of said 0.427 acre tract and that 0.242 acre tract conveyed as Parcel

ANNEXATION DESCRIPTION
61.2+/- ACRES
- 3 -

No. 13-WL to State of Ohio Department of Transportation by deed of record in Instrument Number 200508250026463, and being an angle point in the existing Village of New Albany Corporation Line as established by Ordinance Number O-34-2010, of record in Instrument Number 201101100000694;

Thence South 89° 58' 09" East, with the line common to said 0.242 and 0.427 acre tracts, with said Corporation Line (O-34-2010) and with said southerly limited access right-of-way line, a distance of 148.59 feet to a point at the common corner of said 0.242 acre tract, said 0.427 acre tract, said 0.570 acre tract, and that 0.196 acre tract conveyed as Parcel No. 17-WL to State of Ohio by deed of record in Instrument Number 200706040014111;

Thence South 86° 06' 16" East, with the line common to said 0.570 and 0.196 acre tracts, being said southerly limited access right-of-way line, with said Corporation Line (O-34-2010), a distance of 148.39 feet to a point in the existing City of New Albany Corporation Line as established by Ordinance Number O-13-2015, of record in Instrument Number 201506090011439, being the common corner of said 0.570 acre tract, said 0.196 acre tract, that 10.830 acre tract conveyed to 160 Main Street LLC by deed of record in Instrument Number 200804230009324 and that 2.528 acre tract conveyed as Parcel No. 18-WL1 to State of Ohio, Department of Transportation by deed of record in Instrument Number 200712120031622;

Thence South 03° 43' 57" West, with the easterly line of said 0.570 acre tract, said 0.660 acre tract and said 3.374 acre tract, the westerly line of said 10.830 acre tract, that 6.845 acre tract conveyed as Parcel No. 18-WDV to The Board of Licking County Commissioners by deed of record in Instrument Number 200712120031622 and that 12.131 acre tract conveyed to 160 Main Street LLC by deed of record in Instrument Number 200804230009324, across said Worthington Road, and with said Corporation Line (O-13-2015), a distance of 1355.06 feet to a point at the common corner of said 3.374 and 12.131 acre tracts, being in the northerly line of said 47.201 acre tract;

Thence South 87° 00' 34" East, with the northerly line of said 47.201 acre tract and the southerly line of said 12.131 acre tract, that 5.129 acre tract conveyed to MBJ Holdings LLC by deed of record in Instrument Number 200503020006069, that 0.477 acre tract conveyed to MBJ Holdings LLC by deed of record in Instrument Number 200504190011492, that 0.185 acre tract conveyed as Parcel 25-WDV to Licking County by deed of record in Instrument Number 200503020006063 and across said 2.128 acre tract, with said Corporation Line (O-13-2015), a distance of 1516.27 feet to the TRUE POINT OF BEGINNING, containing 61.2 acres, more or less.

This description is for annexation purposes only and is not to be used for transfer.

STATE OF OHIO
JOSHUA M. MEYER
S-8485
REGISTERED
PROFESSIONAL SURVEYOR

EVANS, MECHWART, HAMBLETON & TILTON, INC.

3-23-2016

Joshua M. Meyer
Professional Surveyor No. 8485

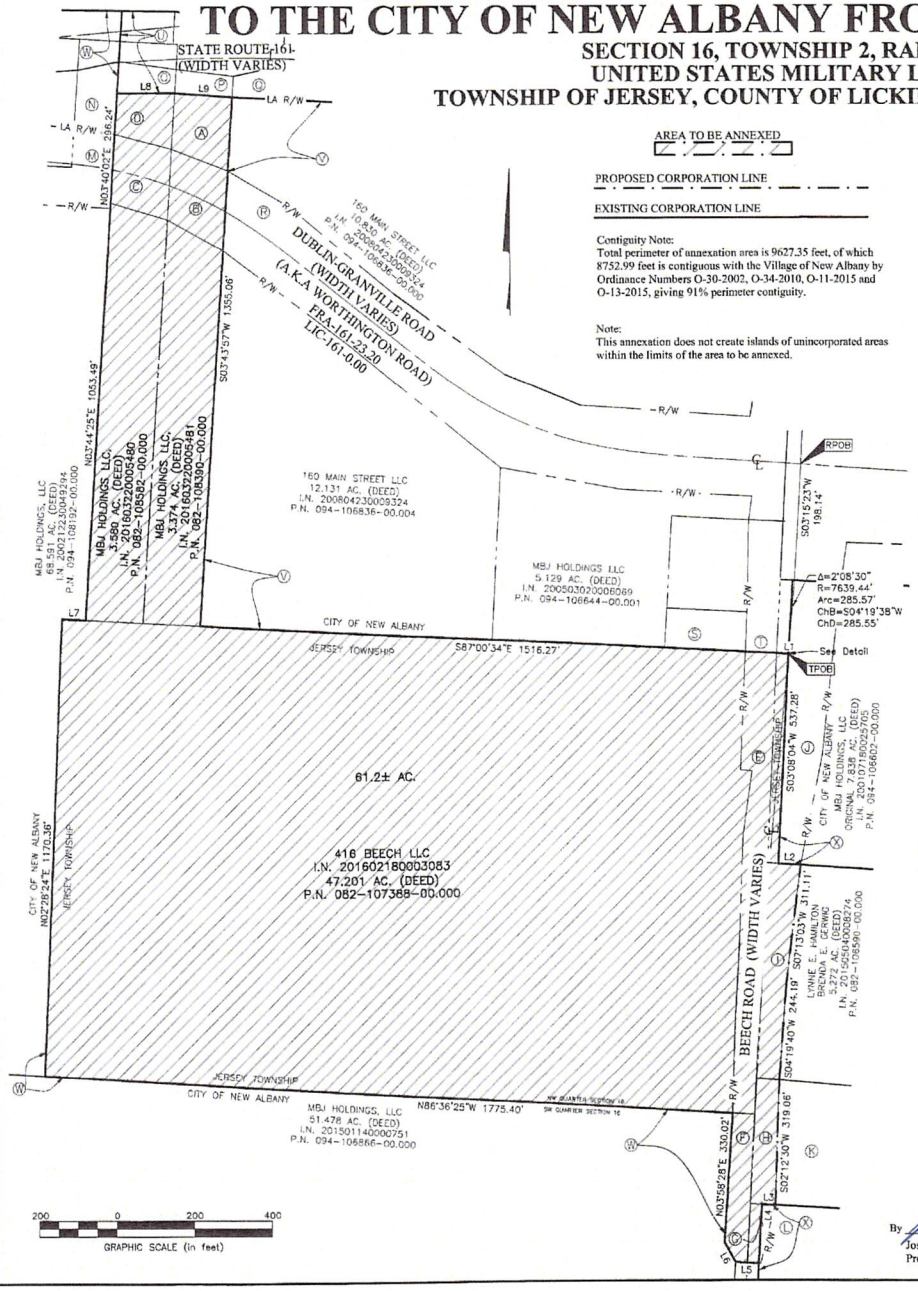
Date

JMM: jb
61_2 ac 2015 [illegible] EXHB-ANNX-01.doc

PROPOSED ANNEXATION OF 61.2± ACRES TO THE CITY OF NEW ALBANY FROM JERSEY TOWNSHIP

SECTION 16, TOWNSHIP 2, RANGE 15
UNITED STATES MILITARY LANDS
TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Exhibit B - O-25-2016



Ⓐ MBJ HOLDINGS LLC
0.570 AC. (DEED)
I.N. 201603220005481
P.N. 082-108390-00.000

Ⓑ BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL NO. 17-WDV
0.660 AC. (DEED)
I.N. 200706040014111

Ⓒ LICKING COUNTY
PARCEL NO. 13-WDV
0.612 AC. (DEED)
I.N. 200508250026462

Ⓓ STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
PARCEL NO. 13-E
0.427 AC. (DEED)
I.N. 200511100036015

Ⓔ BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL 27-WDV
1.799 AC. (DEED)
I.N. 200712140031878

Ⓕ LICKING COUNTY
PARCEL 28-WDV
0.499 AC. (DEED)
I.N. 200605180024135

Ⓖ BOARD OF COMMISSIONERS OF LICKING COUNTY, OHIO
PARCEL NO. 7-WDV1
0.169 AC. (DEED)
I.N. 200510280034302

Ⓗ BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL NO. 29-WDV
0.445 AC. (DEED)
I.N. 200712120031620

Ⓘ LICKING COUNTY
PARCEL 30-WDV
0.853 AC. (DEED)
I.N. 200511150036423

Ⓙ BOARD OF COMMISSIONERS OF LICKING COUNTY, OHIO
PARCEL NO. 7-WDV2
2.128 AC. (DEED)
I.N. 200510280034302

Ⓚ DEBORAH A. BRYAN-ECKARD
ORIGINAL 2 AC. (DEED)
O.R. 508, P. 350
P.N. 082-107748-00.000

Ⓛ MBJ HOLDINGS, LLC
22.16 AC. (DEED)
I.N. 200002110004512
P.N. 094-107106-00.001

Ⓜ BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL NO. 5-WDV
0.932 AC. (DEED)
I.N. 200604260011638

Ⓝ STATE OF OHIO
PARCEL NO. 5-WL
0.572 AC. (DEED)
I.N. 200604260011638

Ⓞ STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
PARCEL NO. 13-WL
0.242 AC. (DEED)
I.N. 200508250026463

Ⓟ STATE OF OHIO
PARCEL NO. 17-WL
0.196 AC. (DEED)
I.N. 200706040014111

Ⓠ STATE OF OHIO
DEPARTMENT OF TRANSPORTATION
PARCEL 18-WL1
2.528 AC. (DEED)
I.N. 200712120031622

Ⓡ THE BOARD OF LICKING COUNTY COMMISSIONERS
PARCEL 18-WDV
6.845 AC. (DEED)
I.N. 200712120031622

Ⓢ MBJ HOLDINGS LLC
0.477 AC. (DEED)
I.N. 200504190011492
P.N. 094-108270-00.000

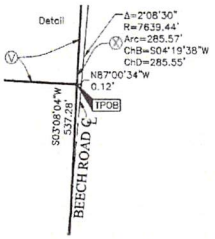
Ⓣ LICKING COUNTY
PARCEL 25-WDV
0.185 AC. (DEED)
I.N. 200503020006063

Ⓤ VILLAGE OF NEW ALBANY CORPORATION LINE
ORDINANCE NO. O-34-2010
I.N. 201101100000694

Ⓥ CITY OF NEW ALBANY CORPORATION LINE
ORDINANCE NO. O-13-2015
I.N. 201506090011439

Ⓦ CITY OF NEW ALBANY CORPORATION LINE
ORDINANCE NO. O-11-2015
I.N. 201506090011437

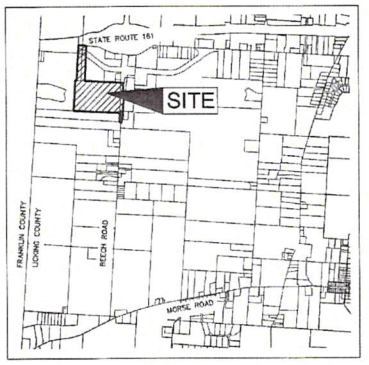
Ⓧ VILLAGE OF NEW ALBANY CORPORATION LINE
ORDINANCE NO. O-30-2002
I.N. 200210280040677



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N87°00'34"W	0.12'
L2	S86°28'10"E	57.00'
L3	N86°57'08"W	34.65'
L4	S03°08'02"W	151.37'
L5	N86°13'13"W	60.00'
L6	N28°38'33"W	57.55'
L7	S87°00'34"E	61.32'
L8	S89°58'09"E	148.59'
L9	S86°06'16"E	148.39'

STATE OF OHIO
JOSHUA M. MEYER
8-8485
REGISTERED
PROFESSIONAL SURVEYOR

By _____ 3-23-2016
Joshua M. Meyer
Professional Surveyor No. 8485
Date



LOCATION MAP
Not to Scale

Proposed Annexation
of 61.2 +/- acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____, 20___, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

_____
Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____, 20__ _____ Commissioner

Petition Approved _____, 20__ _____ Commissioner

_____ Commissioner

Transferred this ___ day of _____, 20___, upon the duplicates of this office.

Containing _____ acres.
Transfer Fee _____

_____
Licking County Auditor

Received for Record _____, 20__, at _____ (AM-PM) and recorded _____, 20__, in plat ordinance, petition, etc. in Plat Book Volume ___, Page ___.

Plat Fee _____
Ordinance, etc. Fee _____

_____
Licking County Recorder

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 20___, and approved by the mayor on _____, 20___, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest_____
Clerk, City of New Albany

EMH&T
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

Date: March 23, 2016
Scale: 1" = 200'
Job No: 2015-1477
Sheet: 1 of 1

REVISIONS

MARK	DATE	DESCRIPTION

Prepared: 08/30/2016
Introduced: 09/20/2016
Revised:
Adopted: 10/4/2016
Effective: 11/4/2016

ORDINANCE O-29-2016

AN ORDINANCE TO ACCEPT THE EXPEDITED TYPE 1 ANNEXATION OF 41.294 +/- ACRES FROM JERSEY TOWNSHIP, LICKING COUNTY TO THE CITY OF NEW ALBANY

WHEREAS, pursuant to petition filed by Aaron L. Underhill and David Hodge, agent for petitioners, with the Licking County Development and Planning Department, on June 30, 2016, and

WHEREAS, the foregoing Resolution #86-19 of the Licking County Commissioners was delivered to the City of New Albany on July 11, 2016, and more than sixty (60) days have lapsed since the Resolution of the Board of County Commissioners was transmitted to the City of New Albany, and

WHEREAS, pursuant to Resolution R-36-2015 of the City of New Albany, the New Albany City Manager was authorized to enter into a Roadway Maintenance Agreement with the Licking County Board of Commissioners for the maintenance of sections of roadways impacted by this annexation.

WHEREAS, the real estate is located in Licking County and is subject to the "New Albany East Community Authority" and subject to a special property assessment in compliance therewith, and

WHEREAS, pursuant to New Albany Codified Ordinance 1125.05, all newly annexed areas shall immediately be zoned into the Agricultural District and shall be subject to the regulations and restrictions pertaining thereto, and

WHEREAS, The New Albany City Council has determined that annexation of the real estate is in the best interests of the residents of the City of New Albany.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, County of Franklin, and Licking, State of Ohio:

Section 1: That the application of property owners set forth in Licking County requesting the annexation of 41.294 +/- acres, which is contiguous to the City of New Albany, is hereby accepted, and the corporate boundaries of New Albany shall be extended to include the territory, more particularly described in Exhibit A, attached hereto and incorporated herein as if fully written.

Section 2: That an accurate map of the territory, hereby attached as Exhibit B, the petition for its annexation, other related documents, and a certified transcript of the proceedings of the Licking County Board of Commissioners regarding the annexation proceedings have been on file with the Clerk of Council of the City of New Albany for sixty (60) days prior to being presented to this council as required by law, and are hereby accepted.

Section 3: That City Council of the City of New Albany hereby accepts the annexation of a 41.294 +/-acre tract, situated in Jersey Township, Licking County, Ohio, the same being land of the owners set forth above, for annexation to the City of New Albany.

Section 4: That the Clerk is herewith directed to deliver certified copies of this ordinance and other proceedings relative to the annexation to the County Auditor, County Recorder, and the Secretary of State.

Section 5: That it is hereby found and determined that all formal actions of this council concerning and relating to passage of this ordinance were adopted in an open meeting of the Council and that all deliberations of this council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

CERTIFICATION BY CLERK OF COUNCIL
OF PUBLICATION OF LEGISLATION

I certify that copies of Ordinance **O-29-2016** were posted in accordance with Section 6.12 of the Charter, for 30 days starting on October 5, 2016.

Jennifer Mason, Clerk of Council

10/5/16
Date

EXHIBIT

A

PRE-APPROVAL
LICKING COUNTY ENGINEER
APPROVED ☑ CONDITIONAL ☐
APPROVED BY:
DATE: 4-12-16

ANNEXATION OF 41.294 ACRES

FROM: TOWNSHIP OF JERSEY
TO: CITY OF NEW ALBANY

Situated in the State of Ohio, County of Licking, Township of Jersey, in Lots 2 and 15, Quarter Township 2, Township 2, Range 15, United States Military Lands, being comprised of all of those tracts of land conveyed to MBJ Holdings, LLC by deeds of record in Instrument Numbers 201510300023659, 201602110002644 and 201604050006496 (all references are to the records of the Recorder's Office, Licking County, Ohio) and more particularly bounded and described as follows:

Beginning, for reference, at the centerline intersection of Jug Street Road (County Road 22) with Clover Valley Road (County Road 26), the common corner of Lots 15, 14, 3, and 2;

Thence North 86° 36' 02" West, with the centerline of said Jug Street Road, a distance of 227.64 feet to the northwesterly corner of that 22.453 acre tract conveyed to Nine Properties, Limited by deed of record in Instrument Number 200505250015574, the TRUE POINT OF BEGINNING for this description;

Thence South 04° 24' 16" West, with the westerly line of said 22.453 acre tract, a distance of 1058.91 feet to a point;

Thence South 39° 22' 09" East, with the southerly line of said 22.453 acre tract, a distance of 845.85 feet to a point in the westerly line of that 32.553 acre tract conveyed to Ray E. Rusmisel and Vicki D. Rusmisel by deed of record in Official Record 155, Page 296;

Thence South 03° 58' 03" West, with said westerly line, a distance of 10.00 feet to a point;

Thence North 86° 34' 06" West, with a northerly line of said 32.553 acre tract, a distance of 344.64 feet to the northeasterly corner of that 162.114 acre tract conveyed to MBJ Holdings, LLC by deed of record in Instrument Number 201508210017779;

Thence with the boundary of said 162.114 acre tract the following courses and distances:

North 86° 22' 07" West, a distance of 1132.38 feet to a point;

North 03° 36' 21" East, a distance of 1183.44 feet to a point;

North 85° 57' 55" West, a distance of 174.36 feet to a point; and

North 03° 30' 59" East, a distance of 499.55 feet to a point in the centerline of said Jug Street Road;

Thence South 86° 36' 02" East, with said centerline, a distance of 1090.39 feet to the TRUE POINT OF BEGINNING, containing 41.294 acres of land, more or less.

This description is for annexation purposes only and is not to be used for transfer.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Matthew A. Kirk
Professional Surveyor No. 7865

7 APRIL 16
Date

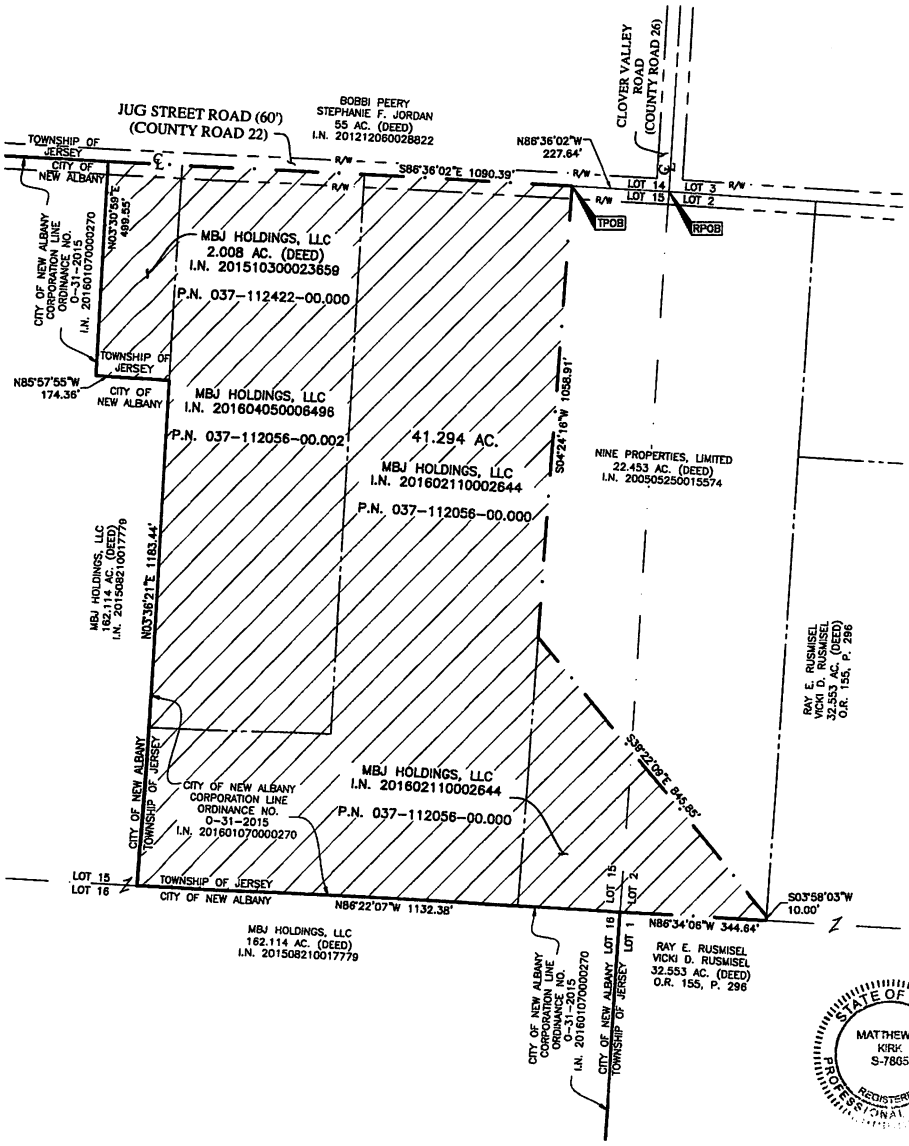
MAK:bk
41.294 ac 20151443-VS-EXHB-ANGOL-02.doc

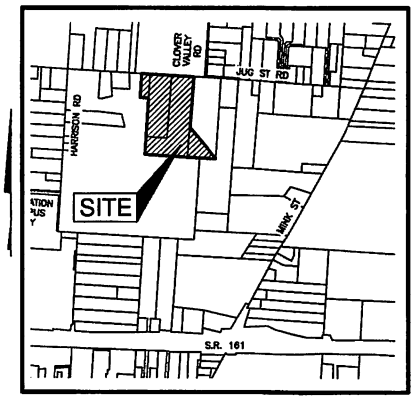
STATE OF OHIO
MATTHEW A. KIRK
S-7865
REGISTERED
PROFESSIONAL SURVEYOR

ANNEXATION OF 41.294 ACRES

TO THE CITY OF NEW ALBANY FROM THE TOWNSHIP OF JERSEY
LOTS 2 & 15, QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 15
UNITED STATES MILITARY LANDS
TOWNSHIP OF JERSEY, COUNTY OF LICKING, STATE OF OHIO

Exhibit B - O-29-2016





LOCATION MAP AND BACKGROUND DRAWING
Not to Scale

Proposed Annexation
of 41.294 acres to the City of New Albany

The within map marked exhibit "A" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County, Ohio, on _____, 20___, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

_____
Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Licking County Commissioners

Petition Received _____, 20__ _____
Commissioner

Petition Approved _____, 20__ _____
Commissioner

_____
Commissioner

Transferred this ___ day of _____, 20___, upon the duplicates of this office.

Containing _____ acres.
Transfer Fee _____

_____
Licking County Auditor

Received for Record _____, 20__, at _____(AM-PM) and recorded _____, 20__, in plat ordinance, petition, etc. in Plat Book Volume ___, Page ___.

Plat Fee _____
Ordinance, etc. Fee _____

_____
Licking County Recorder

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 20___, and approved by the mayor on _____, 20___, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest_____
Clerk, City of New Albany

AREA TO BE ANNEXED

PROPOSED CITY OF NEW ALBANY CORPORATION LINE

EXISTING CITY OF NEW ALBANY CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 6339.53 feet, of which 2989.73 feet is contiguous with the City of New Albany giving 47% perimeter contiguity.

Note:
This annexation does not create islands of unincorporated areas within the limits of the area to be annexed.

By _____ 7 April 16
Matthew A. Kirk
Professional Surveyor No. 7865
Date

STATE OF OHIO
MATTHEW A. KIRK
S-7865
REGISTERED
PROFESSIONAL SURVEYOR

200 0 200 400
GRAPHIC SCALE (in feet)

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

Date:	April 7, 2016
Scale:	1" = 200'
Job No:	2015-1443
Sheet:	1 of 1

REVISIONS

MARK	DATE	DESCRIPTION

Prepared: 08/07/2016
Introduced: 09/20/2016
Amended:
Adopted: 10/4/2016
Effective: 11/4/2016

ORDINANCE O-30-2016

AN ORDINANCE IMPOSING A SIX MONTH MORATORIUM, (WITH THE POSSIBILITY OF A SIX MONTH EXTENSION) ON THE ISSUANCE AND PROCESSING OF PERMITS FOR RETAIL MEDICAL MARIJUANA DISPENSARIES, CULTIVATORS AND/OR PROCESSING WITHIN THE CITY OF NEW ALBANY, OHIO

WHEREAS, Substitute House Bill 523, legalizing the cultivating, processing, and dispensing of medical marijuana in the State of Ohio, became effective September 8, 2016; and,

WHEREAS, for the purposes of this ordinance, "cultivators," "processors," and "retail dispensaries" shall utilize the same definitions as set forth in Substitute House Bill 523 and Chapter 3796 of the Ohio Revised Code, entitled Medical Marijuana, which became effective on September 8, 2016; and,

WHEREAS, Ohio Revised Code Section 3796.29 authorizes municipalities to limit the number of, or to entirely prohibit, cultivators, processors, or retail dispensaries licensed under Ohio Revised Code Section 3796.29; and,

WHEREAS, city council seeks time to study whether to limit or entirely prohibit the cultivation, processing and/or retail dispensing of medical marijuana in accordance with Ohio Revised Code Section 3769.29, or, to amend its business and/or zoning code and/or implement regulations regarding the location and operation of medical marijuana-related businesses within the city, including medical marijuana-related businesses for retail dispensaries, cultivators, and processors; and,

WHEREAS, a six months moratorium on the granting of permits for medical marijuana-related businesses in the city will allow council and staff time to study these issues in order to ensure the public peace, health, safety, and welfare; and,

WHEREAS, council authorizes the city manager to administratively extend this moratorium for up to an additional six months in the event more time is needed for staff to present its recommendations to council.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of New Albany, Counties of Franklin and Licking, State of Ohio:

Section 1. Council of the City of New Albany hereby imposes a six month moratorium on the issuance and processing of permits for cultivators, processors, and retail dispensaries of medical marijuana. The purpose of this moratorium is so that council and staff may study the new law and

the related issues and then determine whether to limit or entirely prohibit cultivators, processors, and retail dispensaries in the city and to prepare any necessary amendments to the city's zoning or business codes, in order to ensure the public peace, health, safety, and welfare.

Section 2. The city manager may administratively extend this moratorium for up to an additional six months in the event more time is needed for staff to present its recommendations to Council.

Section 3. Council hereby directs that no permits for cultivators, processors, or retail dispensaries of medical marijuana shall be issued or processed by the city during the 6-month moratorium or the extended moratorium period.

Section 4. It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this ordinance were adopted in an open meeting of the council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121 of the Ohio Revised Code.

Section 5. Pursuant to Article VI, Section 6.07(a) of the charter of the City of New Albany, this ordinance shall be in effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Prepared: 09/09/2016
Revised: 09/15/2016
Introduced: 09/20/2016
Revised: 09/22/2016
Adopted: 10/4/2016
Effective: 11/4/2016

ORDINANCE O-31-2016

AN ORDINANCE TO ACCEPT THE GENERAL WARRANTY DEEDS FOR THE PARCELS KNOWN AS:

222-004394 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 24)
222-004395 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 24)
222-004396 (RESERVE C OF NEW ALBANY COUNTRY CLUB SECTION 24)
222-004179 (RESERVE A OF THE VILLAGE HALL ROAD PLAT)
222-004180 (RESERVE B OF THE VILLAGE HALL ROAD PLAT)
222-004181 (RESERVE C OF THE VILLAGE HALL ROAD PLAT)
222-004498 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 25)
222-004499 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 25)
222-004642 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 26)
222-004617 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004618 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004619 (RESERVE C OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004620 (RESERVE D OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004621 (RESERVE E OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004622 (RESERVE F OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004623 (RESERVE G OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004624 (RESERVE H OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004625 (RESERVE I OF NEW ALBANY COUNTRY CLUB SECTION 27)
222-004785 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 28)
222-004786 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 28)
222-004787 (RESERVE C OF NEW ALBANY COUNTRY CLUB SECTION 28)
222-004856 (RESERVE E OF NEW ALBANY COUNTRY CLUB SECTION 28)
222-004857 (RESERVE F OF NEW ALBANY COUNTRY CLUB SECTION 28)
222-004858 (RESERVE G OF NEW ALBANY COUNTRY CLUB SECTION 28)
222-004726 (RESERVE A OF NEW ALBANY COUNTRY CLUB SECTION 29)
222-004727 (RESERVE B OF NEW ALBANY COUNTRY CLUB SECTION 29)
222-004728 (RESERVE C OF NEW ALBANY COUNTRY CLUB SECTION 29)
FROM THE NEW ALBANY COMPANY LLC FOR PUBLIC PARKLAND

WHEREAS, Resolution R-69-2009 was adopted by the New Albany Council on September 1, 2010 approving the final plat for New Albany Country Club section 24, which included the commitment to dedicate reserves A, B, and C to the city for public parkland; and

WHEREAS, Resolution R-58-2006 was adopted by the New Albany Council on September 19, 2007 approving the final plat for Village Hall Road section 2, which included the commitment to dedicate reserves A, B, and C to the City for public parkland; and

WHEREAS, Resolution R-65-2011 was adopted by the New Albany Council on November 15, 2011 approving the final plat for New Albany Country Club section 25 part 2, which included the commitment to dedicate reserves A and B to the City for public parkland; and

WHEREAS, Resolution R-46-2013 was adopted by the New Albany Council on November 5, 2013 approving the final plat for Highgrove Farms, which included the commitment to dedicate reserve A to the City for public parkland; and

WHEREAS, Resolution R-04-2002 was adopted by the New Albany Council on January 22, 2002 approving the final plat for New Albany Country Club section 27, which included the commitment to dedicate reserves A, B, C, E, F, G and I to the city for public parkland; and

WHEREAS, Resolution R-45-2014 was adopted by the New Albany Council on July 1, 2015 approving the final plat for New Albany Country Club section 28 Part 1, which included the commitment to dedicate reserves A, B, and C to the City for public parkland; and

WHEREAS, Resolution R-28-2015 was adopted by the New Albany Council on June 2, 2016 approving the final plat for New Albany Country Club section 28 Part 2, which included the commitment to dedicate reserves E, F, and G to the city for public parkland; and

WHEREAS, Resolution R-81-2014 was adopted by the New Albany Council on November 4, 2015 approving the final plat for New Albany Country Club section 29, which included the commitment to dedicate reserves A, B, and C to the city for public parkland; and

WHEREAS, the general warranty deeds have since been provided to the City of New Albany granting to the city the parkland which was required and committed to; and

WHEREAS, New Albany City Council has agreed to the terms and conditions by which this parkland will be donated.

NOW, THEREFORE, BE IT ORDAINED by Council for the city of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. New Albany City Council hereby accepts the lands, described in the spreadsheet attached hereto as Exhibit A and as shown on the plat maps attached hereto as Exhibit B, under the terms and conditions outlined and the covenants and restrictions set forth in Exhibit C and on the final plats.

Section 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting and that all deliberations of this Council and any decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

Section 3. Pursuant to Article VI, Section 6.07(a) of the charter of the City of New Albany, this Ordinance shall be in effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

EXHIBIT A to Ordinance O-31-2016

	SHOULD BE Owned by	Maintained by	CURRENTLY OWNED BY	PID	Acres
Ackerly Farm(NACC 24)					
Reserve A	City of NA	HOA	NACO	**222-004394**	0.4
Reserve B	City of NA	Master Association	NACO	**222-004395**	1.42
Reserve C	City of NA	HOA	NACO	**222-004396**	0.05
Village Hall Road					
Reserve A	City of NA	City of NA	NACO	**222-004179**	0.21
Reserve B	City of NA	City of NA	NACO	**222-004180**	0.11
Reserve C	City of NA	City of NA	NACO	**222-004181**	0.1
Straits Farms (NACC 27)					
Reserve A	City of NA	HOA	NACO	**222-004617**	1.36
Reserve B	City of NA	HOA	NACO	**222-004618**	0.35
Reserve C	City of NA	HOA	NACO	**222-004619**	0.03
Reserve D	City of NA	HOA	NACO	**222-004620**	0.03
Reserve E	City of NA	HOA	NACO	**222-004621**	0.03
Reserve F	City of NA	HOA	NACO	**222-004622**	0.05
Reserve G	City of NA	HOA	NACO	**222-004623**	0.19
Reserve H	City of NA	HOA	NACO	**222-004624**	0.38
Reserve I	City of NA	HOA	NACO	**222-004625**	0.91
Oxford (NACC 29)					
Reserve A	City of NA	HOA	NACO	**222-004726**	0.24
Reserve B	City of NA	HOA	NACO	**222-004727**	0.57
Reserve C	City of NA	City of NA *	NACO	**222-004728**	5.35
Ebrington (NACC 28)					
Reserve A	City of NA	HOA	NACO	**222-004785**	0.37
Reserve B	City of NA	HOA	NACO	**222-004786**	0.25
Reserve C	City of NA	HOA	NACO	**222-004787**	0.27
Reserve E	City of NA	HOA	NACO	**222-004856**	0.33
Reserve F	City of NA	HOA	NACO	**222-004857**	0.35
Reserve G	City of NA	HOA	NACO	**222-004858**	0.07
Highgrove (NACC 25 Part 2)					
Reserve A	City of NA	HOA	NACO	**222-004498**	0.37
Reserve B	City of NA	HOA	NACO	**222-004499**	0.41
Highgrove Farms (NACC 26)					
Reserve A	City of NA	HOA	NACO	**222-004642**	0.19

NEW ALBANY COUNTRY CLUB SECTION 24

(INCLUDING A RESUBDIVISION OF PART OF LOTS 6, 7, 8, 9, AND ALL OF LOT 10 OF OYER ESTATES (P.B. 24, P. 98), PART OF LOT 65 AND ALL OF LOTS 66 AND 67, AND RESERVE "C" OF THE NEW ALBANY COUNTRY CLUB SECTION 5 (P.B. 76, PP. 82, 83 AND 84))

1/2

PLAT BOOK 112 PAGE 77

200910050143683
Filed for Record
05/10/2009 10:48am AM
Fee: $ 0.00
Brian K. Hartmann
Franklin County Recorder

Situated in the State of Ohio, County of Franklin, Village of New Albany, and in Quarter Townships 3 and 4, Township 2, Range 16, United States Military District, containing 14.710 acres of land, more or less, said 14.710 acres being comprised of 1) a part of Lots 6, 7, 8, and 9, and all of Lot 10 as the same are numbered and delineated upon the subdivision plat entitled "Oyer Estates" and shown of record in Plat Book 24, Page 98, said lots 6, 7, 8, 9, and 10 having been conveyed, respectively to THE NEW ALBANY COMPANY LLC by deeds of record in Instrument Numbers 200310230340014, 200401000006732, 200401000006730, 200405040125903 and 200402040026123, 2) part of Kohn Avenue (0.014 Ac.), as vacated by Village Ordinance O-14-2008 and vacation of record in Instrument Number 200812230155382, 3) part of these tracts of land conveyed to THE NEW ALBANY COMPANY LLC by deeds of record in Instrument Numbers 200308070120641, 200808070120639, 200807030103217, 200802080025475 and 200310270343612, 4) part of in Official Records 13237C20, and 15519C14 5) part of Lot 65 and all of Lots 66 and 67, and Reserve "C" and including a release of certain easements as the same are numbered and delineated upon the subdivision plat entitled "The New Albany County Club Section 5" and shown of record in Plat Book 76, Pages 82, 83 and 84, said lots being a part of that tract of land conveyed to THE NEW ALBANY COMPANY by deed of record in Official Record 13005F17, and said Reserve "C" as conveyed to THE NEW ALBANY COMPANY LLC by deed of record in Instrument Number 200801240011665, and 6) part of that tract of land conveyed to NEW ALBANY COMPANY LIMITED PARTNERSHIP by deed of record in Official Record 23501A14, all deed and plat references being to those of record in the Recorder's Office, Franklin County, Ohio.

The undersigned, THE NEW ALBANY COMPANY LLC, a Delaware limited liability company, successor to THE NEW ALBANY COMPANY LIMITED PARTNERSHIP, a Delaware limited partnership, successor to THE NEW ALBANY COMPANY, an Ohio general partnership (see deed of record in Official Record 21256E01 and Affidavit in Aid of Title of record in Instrument Number 199811120289607, both being of record in the Recorder's Office, Franklin County, Ohio), by BRENT B. BRADBURY, Chief Financial Officer, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "NEW ALBANY COUNTRY CLUB SECTION 24", a new subdivision consisting Lots numbered 1 thru 28, both inclusive, and areas designated as Reserve "A", Reserve "B" and Reserve "C", does hereby accept this plat of same and dedicates to public use, as such, all or part of Columbus-Millersburg Road (U.S. Route 62), Ackerly Farm Road, Ackerly Loop, Straits Lane and Market Street shown hereon, and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved. Easement areas shown hereon outside of the platted area are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes expressed herein.

In Witness Whereof, BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY LLC, has hereunto set his hand this 5th day of June, 2009.

Signed and acknowledged
In the presence of:

THE NEW ALBANY COMPANY LLC

BRENT B. BRADBURY,
Chief Financial Officer

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY LLC, who acknowledged the signing of the foregoing instrument to be his free and voluntary act and deed and the free and voluntary act and deed of said THE NEW ALBANY COMPANY LLC for the uses and purposes expressed therein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 5th day of June, 2009.

My commission expires 9-26-2011

Notary Public, State of Ohio

Approved this 9 day of June, 2009 — Mayor, New Albany, Ohio

Approved this 8 day of JUNE, 2009 — Municipal Engineer, New Albany, Ohio

Approved this 9 day of June, 2009 — Council Representative to Planning Commission, New Albany, Ohio

Approved this 16 day of June 2009 — Chairperson, Planning Commission, New Albany, Ohio

Approved this 8 day of JUNE, 2009 — Finance Director, New Albany, Ohio

R-69-2009 Approved and accepted by Resolution No. ~~R-69-2009~~ 09-01, passed ~~09-16-09~~, wherein all of Columbus-Millersburg Road (U.S. 62), Ackerly Farm Road, Ackerly Loop, Straits Lane and Market Street shown hereon are accepted, as such, by the Council for the Village of New Albany, Ohio. Approval of this plat shall become null and void unless recorded prior to ~~Sept. 15, 2009~~ Sept. 15, 2010

Transferred this 5th day of Oct, 2009 — Auditor, Franklin County, Ohio

Deputy Auditor, Franklin County, Ohio

Filed for record this 5th day of October, 2009 at 10:45 A.M. Fee $ — Recorder, Franklin County, Ohio

File No. 200910050143683

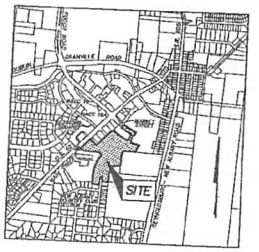
Recorded this 5th day of October, 2009 — Deputy Recorder, Franklin County, Ohio

Plat Book 112, Pages 77-78

TRANSFERRED

OCT 05 2009

AUDITOR
FRANKLIN COUNTY, OHIO



LOCATION MAP AND BACKGROUND DRAWING
SCALE: 1" = 1000'

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the assumption as the bearings shown on the subdivision plat entitled "Market Street Dedication and Easements" of record in Plat Book 84, Pages 8 and 10, Recorder's Office, Franklin County Ohio. On said plat of record a portion of the centerline of Market Street has a bearing of South 45°36'41" East.

SOURCE OF DATA: The sources of recorded survey data referenced in this plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron Pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top and bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated and are to be set with the top and flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the Village of New Albany, Ohio's acceptance of these subdivision improvements. The New Albany, Ohio, Municipal Engineer shall be notified when the markers are in place.

SURVEYED & PLATTED BY

EMHT

Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Fax: 614.775.4800

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

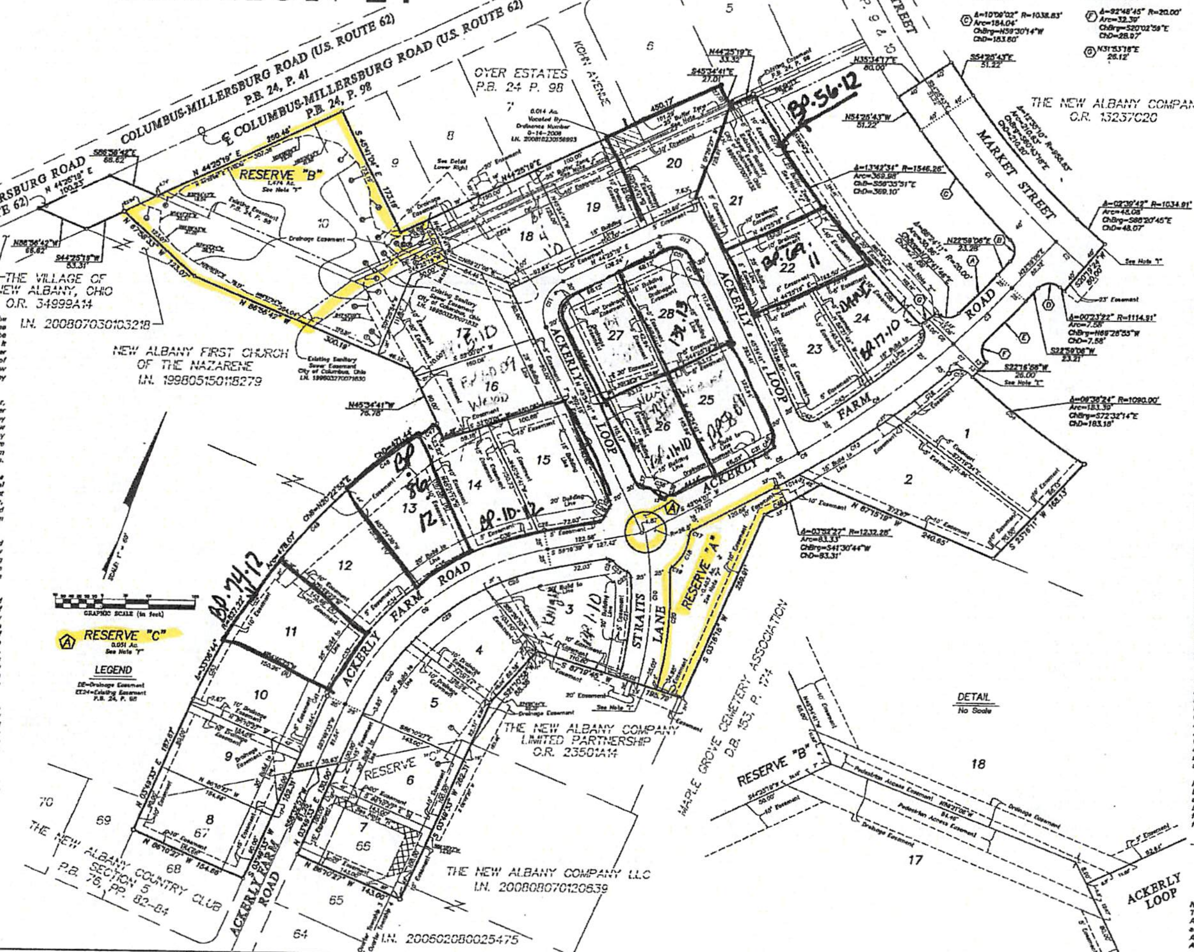
o = Iron Pin (See Survey Data)
• = MAG Nail to be set
= Permanent Marker (See Survey Data)

By Professional Surveyor No. 8250

6/5/09
Date

STATE OF OHIO
EDWARD
MILLER
8250
REGISTERED
PROFESSIONAL SURVEYOR

NEW ALBANY COUNTRY CLUB
SECTION 24



CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	12°35'10"	998.82'	219.41'	S 80°43'16" E	218.97'
C2	2°33'42"	1074.91'	48.94'	S 68°20'45" E	48.93'
C3	5°04'37"	1182.28'	104.78'	N 25°31'25" E	104.75'
C4	11°47'30"	1182.28'	243.32'	N 33°57'28" E	242.89'
C5	2°12'54"	1182.28'	45.70'	N 40°57'40" E	45.70'
C6	14°00'24"	1182.28'	289.02'	S 35°03'55" W	288.30'
C7	2°31'35"	1077.00'	47.49'	S 66°27'15" E	47.48'
C8	1°41'25"	1533.28'	45.23'	S 61°29'38" E	45.23'
C9	55°30'09"	350.00'	339.04'	S 31°34'35" W	325.94'
C10	25°38'10"	442.49'	197.98'	S 17°51'10" E	196.31'
C11	90°00'00"	45.00'	70.69'	N 00°34'41" W	63.64'
C12	90°00'00"	45.00'	70.69'	N 89°25'19" E	63.64'
C13	6°50'24"	1207.28'	144.13'	S 37°02'39" W	144.04'
C14	1°35'39"	1207.28'	33.71'	S 41°15'07" W	33.71'
C15	83°06'49"	20.00'	29.02'	S 71°31'17" W	26.54'
C16	4°10'31"	1207.28'	88.09'	N 31°32'18" E	88.07'
C17	58°27'40"	9.00'	9.18'	S 12°80'17" W	8.79'
C18	47°42'13"	56.00'	46.62'	S 07°27'34" W	45.29'
C19	55°04'00"	9.00'	8.65'	S 03°49'40" W	8.32'
C20	18°30'45"	467.46'	153.77'	S 14°19'57" E	153.07'
C21	18°01'24"	417.49'	131.33'	S 14°11'32" E	130.79'
C22	62°18'17"	9.00'	9.78'	S 54°20'13" E	9.31'
C23	23°15'41"	56.00'	22.74'	S 73°50'31" E	22.58'
C24	58°27'40"	9.00'	9.18'	S 68°32'25" W	8.79'
C25	15°21'12"	325.00'	87.09'	S 51°38'03" W	86.83'
C26	1°15'38"	375.00'	8.25'	S 58°41'50" W	8.25'
C27	58°27'40"	9.00'	9.18'	N 30°05'49" E	8.79'
C28	12°19'29"	56.00'	12.05'	S 07°01'14" W	12.02'
C29	21°12'38"	325.00'	120.35'	S 33°21'36" W	119.66'
C30	18°55'58"	325.00'	107.39'	S 13°17'31" W	106.90'
C31	0°22'35"	1157.28'	7.60'	N 41°52'49" E	7.60'
C32	58°48'08"	9.00'	9.23'	N 16°31'36" W	8.83'
C33	13°26'43"	375.00'	88.00'	S 11°24'08" W	87.80'
C34	13°45'04"	375.00'	90.00'	S 25°32'50" W	89.78'
C35	12°13'23"	375.00'	80.00'	S 38°31'03" W	79.85'
C36	13°25'16"	375.00'	87.84'	S 51°27'23" W	87.64'
C37	68°02'53"	9.00'	10.69'	S 79°38'08" E	10.07'
C38	34°09'23"	56.00'	33.39'	S 83°27'06" W	32.89'
C39	58°27'40"	9.00'	9.18'	N 21°17'57" E	8.79'
C40	87°18'12"	20.00'	30.48'	N 01°36'35" W	27.60'
C41	1°24'02"	375.00'	9.17'	S 04°31'34" W	9.17'
C42	86°46'30"	20.00'	33.39'	N 86°02'04" E	29.91'
C43	3°58'00"	1157.28'	80.12'	N 33°39'49" E	80.11'
C44	3°51'31"	1157.28'	77.94'	N 37°45'03" E	77.92'
C45	93°16'20"	20.00'	32.56'	N 16°48'55" W	29.08'
C46	3°52'27"	1232.28'	83.33'	N 41°30'44" E	83.31'
C47	1°56'19"	827.22'	27.99'	S 35°58'07" W	27.99'
C48	7°57'28"	827.22'	114.89'	S 31°01'14" W	114.80'
C49	8°42'20"	827.22'	125.68'	S 22°41'20" W	125.57'
C50	90°00'00"	25.00'	39.27'	S 20°34'41" E	35.36'
C51	90°00'00"	25.00'	39.27'	S 69°25'19" W	35.36'
C52	8°25'39"	827.22'	122.64'	S 14°05'20" W	122.53'
C53	6°00'08"	827.22'	86.80'	S 06°50'02" W	86.62'
C54	6°57'06"	1090.00'	189.33'	S 72°22'53" E	189.09'
C55	3°55'42"	1546.26'	106.01'	S 61°29'18" E	105.99'
C56	3°24'47"	1546.26'	92.11'	S 57°49'03" E	92.10'
C57	6°22'08"	1546.26'	171.86'	S 62°20'37" E	171.77'

NOTE "A": No determination has been made by the Village of New Albany, Ohio as to whether the area proposed to be platted contains area(s) that could be classified as Wetlands by the Army Corps of Engineers. It is the developer's responsibility to determine whether Wetlands exist on the area hereby platted. The Village of New Albany, Ohio, approval of this final plat of New Albany Country Club Section 24, does not imply any approval of the site as it may pertain to Wetlands.

NOTE "B" - AGRICULTURAL RECOUPMENT: Grantor, being the duly authorized representative of the developer dedicating the property described in this plat, hereby agrees that grantor will indemnify the Village of New Albany, Ohio for and hold it harmless from any agricultural recoupments assessed or levied in the future against the property dedicated herein which result from grantor's conversion of the property from agricultural use.

NOTE "C" - All of the area hereby platted is within Zone X (area determined to be outside 0.2% chance annual floodplain) as shown on Federal Emergency Management Agency Flood Insurance Rate Map for Franklin, County, Ohio and Incorporated Areas, maps numbered 39049C0204 K and 39049C0208 K, both with an effective date of June 17, 2008.

NOTE "D" – DEPRESSED DRIVEWAYS: Depressed driveways are hereby prohibited on all lots in the New Albany Country Club Section 24 subdivision. Nothing herein, however, shall prohibit the construction and use of, if otherwise permitted, a driveway alongside or to the rear of a residential structure.

NOTE "E" – RESERVE "B": Reserve "B", as designated and delineated hereon shall be owned by the Village of New Albany, Ohio, and maintained by the New Albany Country Club Master Association, Inc. Said association shall maintain said reserve area after the date of recordation of this plat of New Albany County Club Section 24 in the plat records of the Franklin county, Ohio, Recorder, and shall maintain said Reserve "B" at its cost and at its risk and shall hold the Village of New Albany, Ohio, harmless from the actions resulting from said maintenance. Reserve "B" is to be dedicated to the Village of New Albany at the time of Recordation.

NOTE: "F" – RESERVE "A" AND RESERVE "C": Reserve "A", AND Reserve "C" shall be owned by the Village of New Albany and maintained by an association comprised of the title holders to the fee simple lots in the New Albany Country Club subdivisions for the purpose of open space and park space, and any uses allowed by the then current zoning.

NOTE "G": The purpose of this plat is to show certain property, rights of way, and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall have control over conflicting limitations and requirements that may be shown as on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "H": RELEASE OF CERTAIN EASEMENTS: All rights and easements reserved by plat of The New Albany Country Club Section 5 of record in Plat Book 76, Pages 82, 83 and 84, Recorders Office, Franklin County Ohio in, over and under the areas indicated hereon by cross hatching are hereby released and rendered null and void.

NOTE "I": No vehicular access to be in effect until such time as the public street right-of-way is extended and dedicated by plat or deed.

NOTE "J" – BUFFER ZONE: No structure or building shall be constructed or placed upon, in or under the area in Lots 18, 19, 20, 21 and 22 designated "Buffer Zone" hereon, nor shall any work be performed thereon which would damage any of the existing trees thereon provided, however, that there shall be such construction areas as may be required for the installation, operation and maintenance of utility and drainage facilities for the development as the developer may deem necessary for efficient development. Such maintenance within said Buffer Zone shall occur only in easement areas designated on this plat. Areas disturbed by such maintenance shall be restored as nearly as practical to their original condition. Not withstanding the foregoing, trees which are dead or diseased may be removed therefrom.

The Buffer Zone shall be improved, by the developer of The New Albany Country Club Section 24, with mounding, landscaping, and landscaping features. After said improvement, the Buffer Zone and the mounding, landscaping and landscaping features therein shall be cared for, maintained, enhanced and replaced by The New Albany Country Club Community Homeowners Association, Inc. The New Albany Country Club Community Homeowners Association, Inc., its successors and assigns, shall have and is hereby granted a nonexclusive easement in and over said Buffer Zone for said purposes.

NOTE "K" – LOTS 5, 6, 7, 17, 18 and 19: On each of Lots 5, 6, 7, 17, 18 and 19 no building shall be constructed which has an opening, unprotected from flooding, in its foundation wall which is lower than the flood protection elevation for that lot given in the following table:

Lot No.	Flood Protection Elevation (USGS 1929 Datum)
5	1019.3
6	1018.3
7	1018.3
17	1019.8
18	1019.8
19	1019.2

NOTE "L" – ACREAGE BREAKDOWN:

Total acreage	14.710
Acreage in Reserve A, Reserve B and Reserve C	1.928
Acreage in remaining lots	9.723
Acreage in rights-of-way	3.059

SECTION 25 PART 2

Situated in the State of Ohio, County of Franklin, City of New Albany, and in Quarter Township 3, Township 2, Range 16, United States Military Lands, containing 12.596 acres of land, more or less, said 12.596 acres being part of those tracts of land conveyed to THE NEW ALBANY COMPANY, LLC by deeds of record in Instrument Number 200210180263224, Instrument Number 200210180263222, and Instrument Number 201012030110002, Recorder's Office, Franklin County, Ohio.

The undersigned, THE NEW ALBANY COMPANY, LLC, a Delaware limited liability company, by BRENT B. BRADBURY, Chief Financial Officer, owner of the lands platted hereon, duly authorized in the premises, does hereby certify that this plat correctly represents its "NEW ALBANY COUNTRY CLUB SECTION 25 PART 2", a subdivision containing Lots 7 to 15, both inclusive and areas designated as Reserve "A" and Reserve "B", does hereby accept this plat of same and dedicate to public use, as streets, all of North Gate, Club Circle, Abingdon and Club Boulevard shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath, and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved. Easement areas shown hereon outside of the platted area are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes expresses herein.

In Witness Whereof, BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY, LLC, has hereunto set his hand this 19th day of November, 2011.

Signed and Acknowledged
In the presence of:

Melanie D. Bechtold

THE NEW ALBANY COMPANY, LLC

By: Brent B. Bradbury
BRENT B. BRADBURY,
Chief Financial Officer

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY, LLC, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said THE NEW ALBANY COMPANY, LLC for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 19th day of November, 2011.

My commission expires N/A

Notary Public, State of Ohio

AARON L. UNDERHILL
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration
Section 147.03 R.C.

Approved this 22 Day of NOV 2011 — Mayor, New Albany, Ohio

Approved this 28 Day of NOV 2011 — City Engineer, New Albany, Ohio

Approved this 22 Day of Nov 20__ — Council Representative to Planning Commission, New Albany, Ohio

Approved this 30 Day of NOV 20__ — Chairperson, Planning Commission, New Albany, Ohio

Approved this 29 Day of NOV 20 11 — Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. R-65-2011, passed 11-15, 2011, wherein all of North Gate, Club Circle, Abingdon and Club Boulevard shown dedicated hereon is accepted, as such, by the Council for the City of New Albany, Ohio. Approval of this plat shall become null and void unless recorded prior to Nov 13, 2012.

Transferred this 23rd day of Dec, 2011. — Auditor, Franklin County, Ohio

Deputy Auditor, Franklin County, Ohio

Filed for record this 23rd day of Dec, 2011 at 3:04 P. M. Fee $192.80 — Recorder, Franklin County, Ohio

File No. 201112230168606

Recorded this 23rd day of Dec, 2011. — Deputy Recorder, Franklin County, Ohio

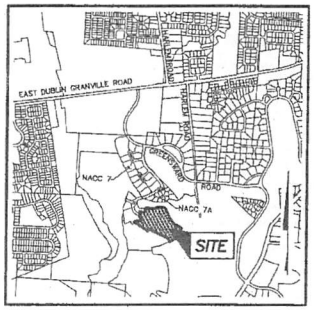
Plat Book 114, Pages 96-97

201112230168606
Typ: F $172.80 T201100055577
12/23/2011 3:04PM EMHT
Charles Hack
Fiscal in County Recorder

TRANSFERRED

DEC 23 2011

AUDITOR
FRANKLIN COUNTY, OHIO



LOCATION MAP AND BACKGROUND DRAWING

SCALE: 1" = 1500'

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the same meridian as the bearings shown on the subdivision plat entitled "New Albany Country Club Section 20 Part 1" of record in Plat Book 103, Pages 84 and 85, Recorders Office, Franklin County, Ohio. On said plat of record, a portion of the centerline of Thompson Road is shown as having a bearing of North 86°19' 35" West.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron Pins, where indicated, unless otherwise noted, are to be set and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the City of New Albany, Ohio's acceptance of these infrastructure improvements. The New Albany, Ohio, Municipal Engineer shall be notified in writing when the markers are in place.

SURVEYED & PLATTED BY

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

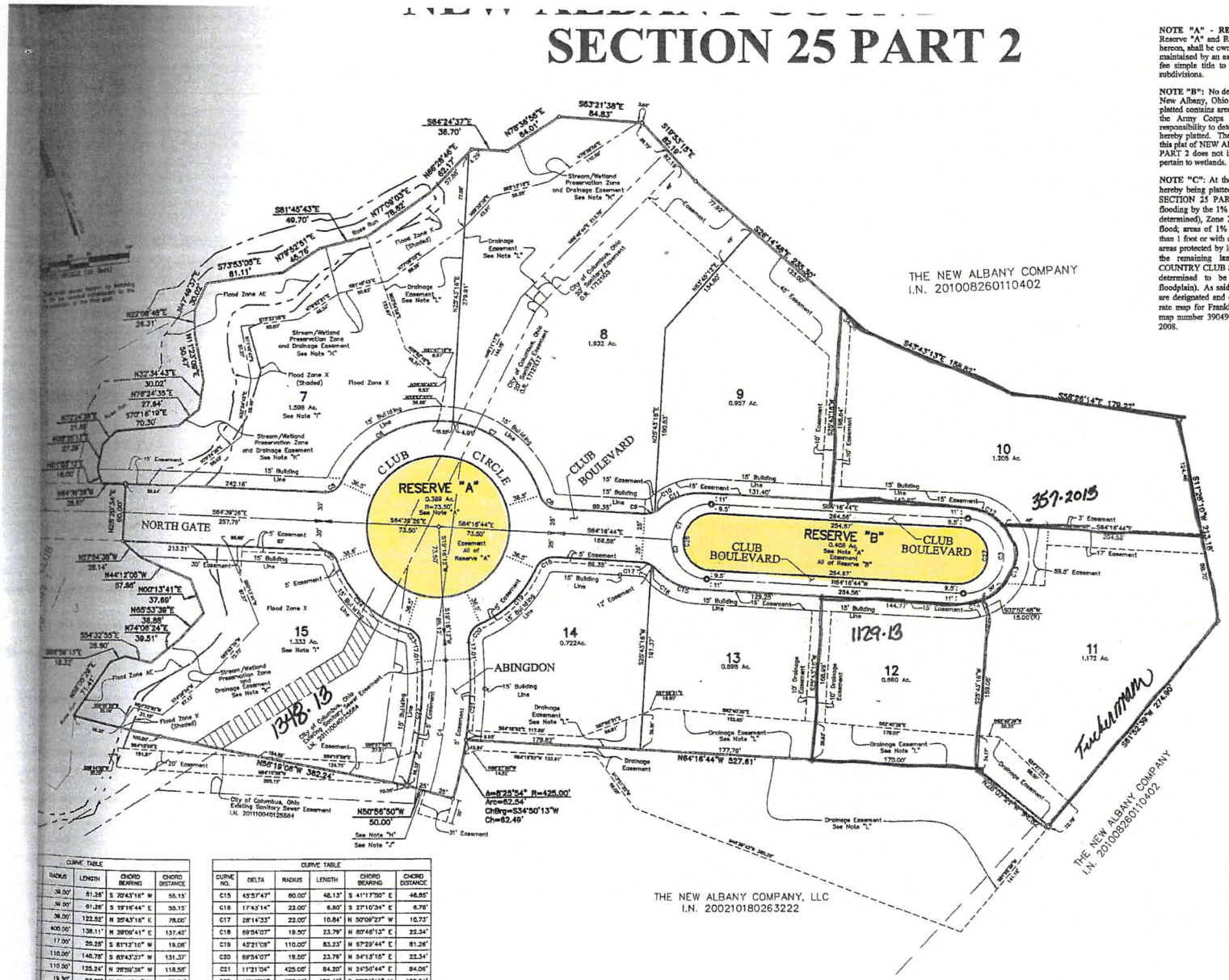
We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

o — Iron Pin (See Survey Data)
• — MAG Nail to be set
⊙ — Permanent Marker (See Survey Data)

By _____ Professional Surveyor No. 8250 — Date

STATE OF OHIO
EDWARD J. MILLER
8250
REGISTERED
PROFESSIONAL SURVEYOR

NEW ALBANY COUNTRY CLUB
SECTION 25 PART 2



CURVE TABLE			
RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
39.00'	61.26'	S 70°43'16" W	55.15'
39.00'	61.26'	S 19°16'44" E	55.15'
39.00'	122.52'	N 25°43'16" E	78.00'
400.00'	138.11'	N 29°09'41" E	137.42'
17.00'	20.28'	S 81°12'16" W	19.08'
110.00'	146.78'	S 83°43'37" W	131.37'
110.00'	125.24'	N 26°59'36" W	118.58'
19.50'	23.79'	N 29°19'41" W	22.34'
21.00'	10.64'	N 78°24'01" W	10.73'
22.00'	8.80'	S 78°37'06" W	8.78'
60.00'	46.13'	N 87°15'37" W	45.85'
60.00'	42.50'	N 39°55'44" W	41.23'
60.00'	[illegible]	[illegible]	81.14'

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C15	45°57'47"	60.00'	48.13'	S 41°17'50" E	46.85'
C16	17°43'16"	22.00'	6.80'	S 27°10'34" E	6.78'
C17	28°14'33"	22.00'	10.84'	N 50°06'27" W	10.73'
C18	69°54'07"	19.50'	23.79'	N 80°46'13" E	22.34'
C19	43°21'09"	110.00'	83.23'	N 67°29'44" E	81.26'
C20	69°54'07"	19.50'	23.79'	N 54°13'15" E	22.34'
C21	11°21'04"	425.00'	84.20'	N 24°56'44" E	84.06'
C22	19°46'58"	375.00'	129.46'	S 29°09'41" W	128.84'
C23	69°54'07"	19.50'	23.79'	S 15°40'51" E	22.34'
C24	54°15'14"	110.00'	104.16'	S 23°30'17" E	100.31'
C25	58°16'46"	17.00'	20.26'	S 30°31'03" E	19.08'
C26	180°00'00"	29.50'	92.68'	S 25°43'16" W	58.00'
C27	180°00'00"	29.50'	92.68'	N 25°43'16" E	58.00'

NOTE "A" - RESERVE "A" AND RESERVE "B": Reserve "A" and Reserve "B" as designated and delineated hereon, shall be owned by the City of New Albany, Ohio and maintained by an association comprised of the owners of the fee simple title to the lots in New Albany Country Club subdivisions.

NOTE "B": No determination has been made by the City of New Albany, Ohio as to whether the area proposed to be platted contains areas that could be classified as wetlands by the Army Corps of Engineers. It is the developer's responsibility to determine whether wetlands exist on the area hereby platted. The City of New Albany, Ohio approval of this plat of NEW ALBANY COUNTRY CLUB SECTION 25 PART 2 does not imply any approval of the site as it may pertain to wetlands.

NOTE "C": At the time of platting, part of Lots 7 and 15 hereby being platted as NEW ALBANY COUNTRY CLUB SECTION 25 PART 2 are in Zone AE (areas subject to flooding by the 1% annual chance flood, base flood elevation determined), Zone X (Shaded)(Areas of 0.2% annual chance flood; areas of 1% chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood), and the remaining land being platted as NEW ALBANY COUNTRY CLUB SECTION 25 PART 2 is in Zone X (areas determined to be outside of the 0.2% annual chance floodplain). As said, Zone AE, Zone X (Shaded) and Zone X are designated and delineated on the FEMA Flood insurance rate map for Franklin County, Ohio, and Incorporated areas map number 39049C0204 K with effective date of June 17, 2008.

driveways are hereby prohibited on all lots in New Albany Country Club Section 25 Part 2. Nothing herein, however, shall prohibit the construction and use of, if otherwise permitted, a driveway alongside or to the rear of a residential structure.

NOTE "E" - AGRICULTURAL RECOUPMENT: Grantor, being the duly authorized representative of the developer dedicating the property described in this plat, hereby agrees to indemnify the City of New Albany for, and hold it harmless from, any agricultural recoupments assessed or levied in the future against the property dedicated herein, which result from grantor's conversion of the property from agricultural use.

NOTE "F" - ACREAGE BREAKDOWN:

Total acreage:	12.596 Ac.
Acreage in rights-of-way:	1.522 Ac.
Acreage in Reserve "A" and Reserve "B"	0.797 Ac.
Acreage in remaining lots:	10.277 Ac.

NOTE "G" - ACREAGE BREAKDOWN: New Albany Country Club Section 25 Part 2 is comprised of the following Franklin County Parcel Numbers:

Parcel Number 222-002955	5.595 Ac.
Parcel Number 222-002948	6.246 Ac.
Parcel Number 222-000568	0.755 Ac.

NOTE "H" - VEHICULAR ACCESS: No vehicular access is to be in effect until such time as the public right-of-way is extended by plat or deed.

Note "I" - LOTS 7 AND 15: On each of Lots 7 and 15, no building shall be constructed which has an opening, unprotected from flooding, in its foundation wall which is lower than the flood protection elevation for that lot given in the following table:

Lot No.	Flood Protection Elevation (USGS Datum 1929)
7	953.24
15	950.8

The forgoing flood protection elevation is approximately 0.5 feet above the 100 year blocked flood elevation.

The forgoing flood protection elevation is approximately 2.0 feet above the 100 year flood elevation.

NOTE "J": Access to a public roadway system will be provided to Abingdon from the south.

NOTE "K" - STREAM/WETLAND PRESERVATION ZONE: The "Stream/Wetland Preservation Zone" shall forever be restricted from development with buildings, structures, and uses and the natural state of said zone shall remain undisturbed. It is also the intent and purpose of the Stream/Wetland Preservation Zone to restrict and forbid any activity or use which would as a natural consequence of such, impede or make more difficult the accomplishment of the purpose of which the said zone was created.

Additional restrictions include:

1. No dumping or burning of refuse.
2. No hunting or trapping.
3. Natural resources of the zones shall remain undisturbed and no topsoil, sand, gravel, or rock shall be excavated, removed or graded.
4. Nothing shall be permited to occur on the premises which would contribute to the erosion of the land and no trees shall be cut or removed, except for the removal of such dead diseased, noxious, or decayed trees or vegetation which may be required for conservation or scenic purposes, or for reasons of public safety.
5. No private encroachment shall be permitted, such as, but not limited to, planting of flowers, shrubs, garden material, etc., dumping of trash or debris, or the installation of any type of recreation or other facility or convenience.

No roadway or any facility of any public utility other than existing roadways and public utility facilities or those outlined in the original plan shall be permitted to be constructed or installed in the premises.

NOTE "L": The basin within the Drainage Easement located on Lots 7 and 8 and the basin within the Drainage Easement located at the rear of Lots 11 thru 14 and south of said Lots 11 thru 14 shall be maintained by the New Albany Country Club Master Association, Inc. Said association shall maintain said basin areas after the date of recordation of this plat of New Albany County Club Section 25, Part 2 in the plat records of the Recorder's Office, Franklin County, Ohio, and shall maintain said basin at its cost and at its risk and shall hold the City of New Albany, Ohio, harmless from the actions resulting from said maintenance.

NOTE "M": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about New Albany Country Club Section 25 Part 2 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Recorder's Office, Franklin County, Ohio.

201312020198688
Total: $259.20
Franklin County Recorder

HIGHGROVE FARMS

(INCLUDING A RESUBDIVISION OF ALL OF LOTS 1, 2, 3, 4, 5 AND 6 OF NEW ALBANYCOUNTRY CLUB SECTION 25 PART 1, P.B. 114, PP. 94 & 95, AND THE VACATION OF WOODBOURNE)

Situated in the State of Ohio, County of Franklin, City of New Albany, and in Quarter Township 3, Township 2, Range 16, United States Military Lands, containing 22.375 acres of land, more or less, said 22.375 acres being comprised of a resubdivision of Lots 1,2,3,4,5 and 6, as the same are designated and delineated on the subdivision plat entitled "New Albany County Club Section 25 Part 1", of record in Plat Book 114, Pages 94 and 95, to include the vacation of Woodbourne and part of those tracts of land conveyed to THE NEW ALBANY COMPANY, LLC by deeds of record in Instrument Number 200210180263222 and Instrument Number 201008260110397, Recorder's Office, Franklin County, Ohio.

The undersigned, THE NEW ALBANY COMPANY, LLC, a Delaware limited liability company, by BRENT B. BRADBURY, Chief Financial Officer, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "HIGHGROVE FARMS", a subdivision containing Lot 1A, Lot 2A, Lot 3A, Lot 4A and Lots 5 to 9, both inclusive, and an area designated as Reserve "A", does hereby accept this plat of same and dedicates to public use, as such, all of Highgrove Farms shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath, and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved.

In Witness Whereof, BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY, LLC, has hereunto set his hand this 15 day of November 2013.

Signed and Acknowledged in the presence of:

THE NEW ALBANY COMPANY, LLC

By: _____
BRENT B. BRADBURY,
Chief Financial Officer

STATE OF OHIO
COUNTY OF FRANKLIN ss:

MELISSA D. BICKFORD
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES MAY 17, 2017

Before me, a Notary Public in and for said State, personally appeared BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY, LLC, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said THE NEW ALBANY COMPANY, LLC for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 15 day of November 2013.

My commission expires 5/17/17 Melissa D. Bickford
Notary Public, State of Ohio

Approved this 19th Day of Nov 2013 — Nancy Ferguson, Mayor, New Albany, Ohio

Approved this 19th Day of Nov 2013 — S. Ferris, City Engineer, New Albany, Ohio

Approved this 19 Day of Nov 2013 — Council Representative to Planning Commission, New Albany, Ohio

Approved this 25 Day of Nov 2013 — Chairperson, Planning Commission, New Albany, Ohio

Approved this 20th Day of Nov 2013 — Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. R-46-2013, passed 11-05, 2013, wherein all of Woodbourne shown hereon is hereby vacated and all of Highgrove Farms shown dedicated hereon is accepted, as such, by the Council for the City of New Albany, Ohio. Approval of this plat shall become null and void unless recorded prior to Nov. 05, 2014.

Transferred this 2 day of Dec., 2013. — Clarence E. Mingo II, Auditor, Franklin County, Ohio

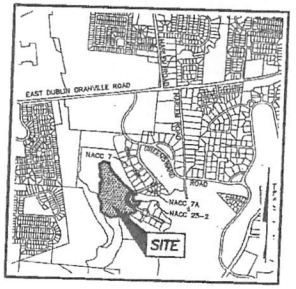
Michael Dotson, Deputy Auditor, Franklin County, Ohio

Filed for record this 2 day of Dec., 2013 at 2:08 p M. Fee $259.20 — Terry Brown, Recorder, Franklin County, Ohio

File No. 201312020198688

Recorded this 2 day of Dec, 2013. — Deputy Recorder, Franklin County, Ohio

Plat Book 116, Pages 69-71



LOCATION MAP AND BACKGROUND DRAWING
SCALE: 1" = 1500'

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the same meridian as the bearings shown on the subdivision plat entitled "New Albany Country Club Section 20 Part 1" of record in Plat Book 103, Pages 84 and 85, Recorders Office, Franklin County, Ohio. On said plat of record, a portion of the centerline of Thompson Road is shown as having a bearing of North 86°19' 35" West.

SOURCE OF DATA: The sources of recorded survey data referenced in the plat and text of this plat are the records of the the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the City of New Albany, Ohio's acceptance of those infrastructure improvements. The New Albany, Ohio, Municipal Engineer shall be notified in writing when the markers are in place.

SURVEYED & PLATTED BY

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

o = Iron Pin (See Survey Data)
• = MAG Nail to be set
⊙ = Permanent Marker (See Survey Data)

STATE OF OHIO
MATTHEW A. YORK
S-7885
REGISTERED
PROFESSIONAL SURVEYOR

By _____ 15 NOV 13
Professional Surveyor No. 7885 Date

25 Pt. 2
Pt. 1 14 5-13
Recob 10-7 9 11-15-0
CA 27.5 17

HIGHGROVE FARMS

NOTE "A": No determination has been made by the City of New Albany, Ohio as to whether the area proposed to be platted contains areas that could be classified as wetlands by the Army Corps of Engineers. It is the developer's responsibility to determine whether wetlands exist on the area hereby platted. The City of New Albany, Ohio approval of this plat of "Highgrove Farms" does not imply any approval of the site as it may pertain to wetlands.

NOTE "B": At the time of platting, part of Lots 2A, 3A, 5, 6 and 7 hereby being platted as HIGHGROVE FARMS are in Zone AE (special flood hazard areas subject to inundation by the 1% annual chance flood, base flood elevations determined). And part of Lots 2A, 3A, 5, 6, 7 and 8 are in Zone X (Shaded)(Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood). The remaining land being platted as HIGHGROVE FARMS is in Zone X (areas determined to be outside of the 0.2% annual chance floodplain). As said, Zones are designated and delineated on the FEMA Flood insurance rate map for Franklin County, Ohio, and Incorporated areas map number 39049C0204 K with effective date of June 17, 2008.

NOTE "C" - DEPRESSED DRIVEWAYS: Depressed driveways are hereby prohibited on all lots in Highgrove Farms. Nothing herein, however, shall prohibit the construction and use of, if otherwise permitted, a driveway alongside or to the rear of a residential structure.

NOTE "D" - AGRICULTURAL RECOUPMENT: Grantor, being the duly authorized representative of the developer dedicating the property described in this plat, hereby agrees to indemnify the City of New Albany for, and hold it harmless from, any agricultural recoupments assessed or levied in the future against the property dedicated herein, which result from grantor's conversion of the property from agricultural use.

NOTE "E" - ACREAGE BREAKDOWN:

Total acreage:	22.375 Ac.
Acreage in rights-of-way:	0.565 Ac.
Acreage in Reserve "A"	0.194 Ac.
Acreage in remaining lots:	21.616 Ac.

NOTE "F" - ACREAGE BREAKDOWN: Highgrove Farms is comprised of the following Franklin County Parcel Number(s):

222-002955	0.224 Ac.
222-002948	0.164 Ac.
222-004485	2.114 Ac.
222-004487	0.471 Ac.
222-004486	0.592 Ac.
222-004488	0.690 Ac.
222-004484	0.807 Ac.
222-004483	0.542 Ac.
222-000479	16.771 Ac.

NOTE "G" - LOTS 3A, 3A, 4A, 5, 6, 7, 8 and 9: On each of Lots 2A, 3A, 4A, 5, 6, 7, 8 and 9, no building shall be constructed which has an opening, unprotected from flooding, in its foundation wall which is lower than the flood protection elevation for that lot given in the following table:

Lot No.	Flood Protection Elevation (USGS Datum 1929)
2A	933.34

The forgoing flood protection elevation is approximately 0.5 feet above the 100 year blocked flood elevation.

3A	950.8
4A	950.8
5	950.8
6	950.8
7	950.8
8	950.8
9	950.8

The forgoing flood protection elevation is approximately 2.0 feet above the 100 year flood elevation.

NOTE "H" - STREAM/WETLAND PRESERVATION ZONE: The "Stream/Wetland Preservation Zone" shall forever be restricted from development with buildings, structures, and uses and the natural state of said zone shall remain undisturbed. It is also the intent and purpose of the Stream/Wetland Preservation Zone to restrict and forbid any activity or use which would as a natural consequence of such, impede or make more difficult the accomplishment of the purpose of which the said zone was created.

Additional restrictions include:

1. No dumping or burning of refuse.
2. No hunting or trapping.
3. Natural resources of the zones shall remain undisturbed and no topsoil, sand, gravel, or rock shall be excavated, removed or graded.
4. Nothing shall be permitted to occur on the premises which would contribute to the erosion of the land and no trees shall be cut or removed, except for the removal of such dead diseased, noxious, or decayed trees or vegetation which may be required for conservation or scenic purposes, or for reasons of public safety. Any and all alterations the the Stream/Wetland Preservation Zone require the approval of the city of New Albany Community Development Department.

5. No private encroachment, such as, but not limited to, dumping of trash or debris, or the installation of any type of recreation or other facility or convenience shall be permitted.

No roadway or any facility of any public utility other than existing roadways and public utility facilities or those outlined in the original plan shall be permitted to be constructed or installed in the premises.

NOTE "I" - RESERVE "A": Reserve "A", as designated and delineated hereon, shall be owned by the City of New Albany, Ohio and maintained in perpetuity by an association comprised of the owners of the fee simple title to the lots in New Albany Country Club subdivisions.

NOTE "J" - VACATION OF PUBLIC STREETS: All of Woodbourne dedicated to the City of New Albany by plat of record in Plat Book 114, Pages 94 and 95, shown hereon by cross hatching, is hereby vacated.

NOTE "K" - RELEASE OF CERTAIN EASEMENTS: All rights and easements granted to the City of New Albany by the subdivision plat "New Albany Country Club Section 25 Part 1" of record in Plat Book 114, Pages 94 and 95, in over and under the areas indicated hereon by hatching are hereby released and rendered null and void.

NOTE "L": The storm water detention facility installed within Lots 3 and 5 shall be maintained in perpetuity by an association comprised of the owners of the fee simple title to the lots in New Albany Country Club subdivisions.

NOTE "M": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about Highgrove Farms or any part thereof can be acquired by a competent examination of the then current public records, including those in the Recorder's Office, Franklin County, Ohio.

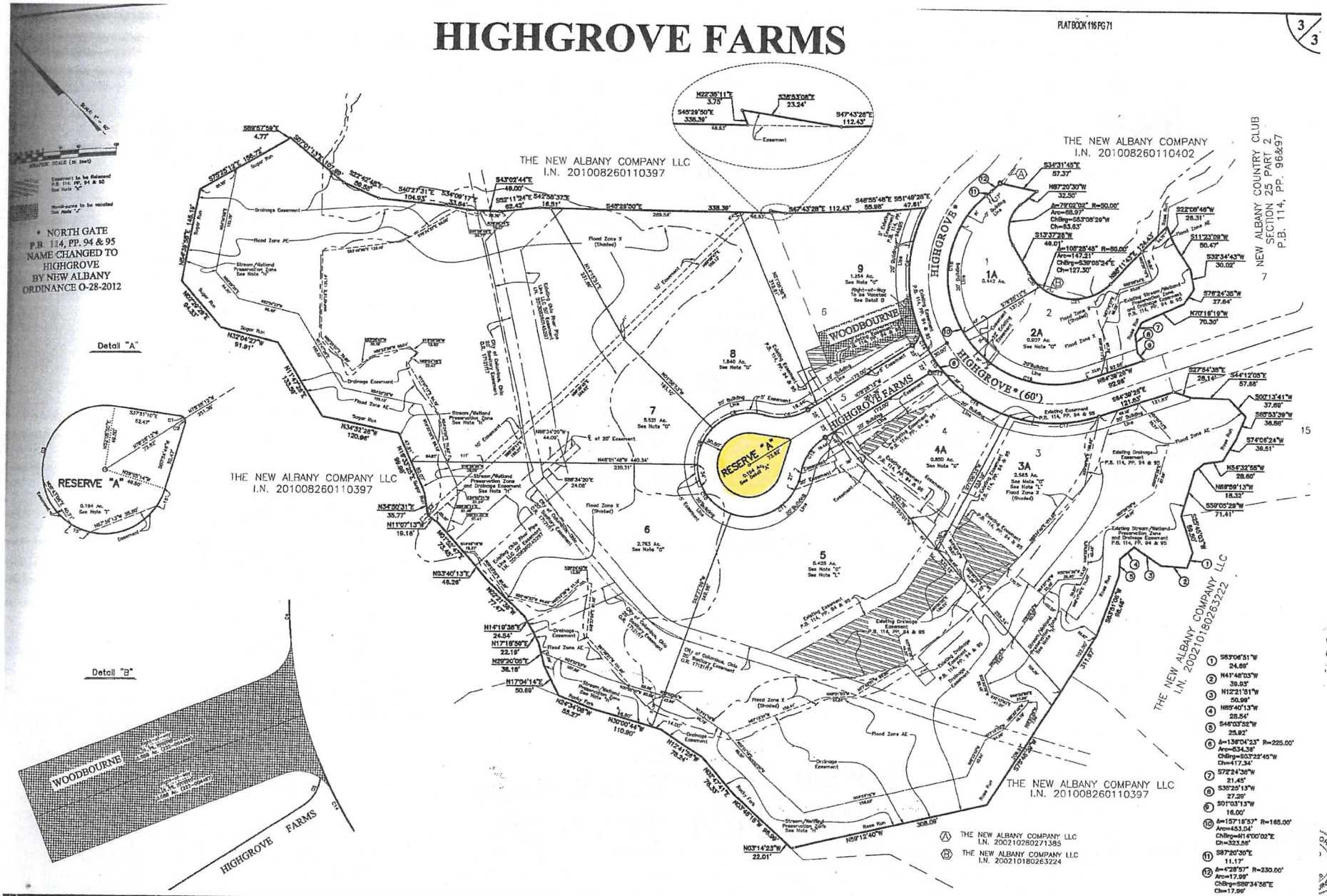
Curve Table

Curve Number	Delta	Radius	Length	Chord Bearing	Chord Distance
C1	49°22'58"	4.50'	3.88'	S13°09'41"E	3.76'
C2	49°22'58"	4.50'	3.88'	S36°13'17"W	3.76'
C3	281°14'04"	49.50'	225.89'	N11°31'48"E	75.15'
C4	49°18'07"	225.00'	193.61'	S46°45'53"W	187.69'
C5	76°24'58"	20.00'	27.72'	S61°49'19"W	25.56'
C6	46°59'08"	80.00'	68.40'	N53°58'38"W	66.33'
C8	62°29'49"	80.00'	87.26'	N80°43'58"W	83.00'
C9	44°02'55"	80.00'	61.50'	S65°59'40"W	60.00'
C10	70°30'13"	80.00'	98.44'	S08°43'06"W	92.35'
C11	100°55'18"	80.00'	140.91'	S76°59'40"E	123.39'
C12	46°59'08"	80.00'	68.40'	N77°02'14"E	66.33'
C13	79°24'58"	20.00'	27.72'	S38°45'43"E	25.56'
C14	10°35'02"	225.00'	41.58'	S18°49'19"W	41.50'
C15	10°35'02"	225.00'	41.58'	S06°14'17"W	41.50'
C16	29°56'24"	225.00'	117.57'	S14°01'28"E	116.24'
C17	35°39'48"	225.00'	140.05'	S46°48'32"E	137.80'
C18	81°07'42"	165.00'	233.63'	S32°05'39"W	214.60'
C19	76°11'15"	165.00'	219.40'	N26°33'49"W	203.59'
C20	18°29'20"	80.00'	27.21'	S03°52'48"W	27.08'
C21	85°56'25"	80.00'	120.00'	S48°50'04"E	109.08'

HIGHGROVE FARMS

PLAT BOOK 116 PG 71

3/3



HIGHGROVE FARMS 20121023

200612130247363
Fee: $170.00 T20060080041
12/13/2006 11:47AM SUTTON10 SUT
Robert G. Montgomery
Franklin County Recorder

PLAT BOOK 110 PAGE 38

VILLAGE HALL ROAD
DEDICATION AND EASEMENTS
SECTION 2

Situated in the State of Ohio, County of Franklin, Village of New Albany, and in Quarter Townships 3 and 4, Township 2, Range 16, United States Military Lands, containing 1.351 acres of land, more or less, said 1.351 acres being comprised of part of those tracts of land conveyed to THE NEW ALBANY COMPANY LLC by deeds of record in Instrument Numbers 200602220034135 and 200601190012026, and part of those tracts of land conveyed to VILLAGE OF NEW ALBANY, OHIO by deeds of record in Instrument Numbers 199311050278774 and 199904010081393, all being of record in the Recorder's Office, Franklin County, Ohio.

The undersigned, NEW ALBANY COMPANY LLC, a Delaware limited liability company, by BRENT B. BRADBURY, Chief Financial Officer, VILLAGE OF NEW ALBANY - OHIO, a municipal corporation, by JOSEPH STEFANOV, Village Administrator, owners of the lands platted herein, duly authorized in the premises, do hereby certify that this plat correctly represents their "VILLAGE HALL ROAD DEDICATION AND EASEMENTS", a new subdivision containing areas designated as Reserve "A", Reserve "B" and Reserve "C" do hereby accept this plat of same, and dedicates to public use, as such, all of Village Hall Road shown hereon and not heretofore dedicated.

"SECTION 2"

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved.

In Witness Whereof, BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY LLC, has hereunto set his hand this 4th day of December, 2006.

Signed and acknowledged in the presence of:

THE NEW ALBANY COMPANY LLC

By _____ BRENT B. BRADBURY, Chief Financial Officer

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY LLC, who acknowledged the signing of the foregoing instrument to be his free and voluntary act and deed and the free and voluntary act and deed of said THE NEW ALBANY COMPANY LLC for the uses and purposes expressed therein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 4th day of December, 2006.

My commission expires 9-26-2011 _____ Notary Public, State of Ohio

LISA J. DINGER
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 9-26-2011

In Witness Whereof, JOSEPH STEFANOV, Village Administrator of the VILLAGE OF NEW ALBANY, OHIO has hereunto set his hand this 7th day of December, 2006.

Signed and acknowledged in the presence of:

VILLAGE OF NEW ALBANY, OHIO

By _____ JOSEPH STEFANOV, Village Administrator

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared JOSEPH STEFANOV, Village Administrator of the VILLAGE OF NEW ALBANY, OHIO, who acknowledged the signing of the foregoing instrument to be his free and voluntary act and deed and the free and voluntary act and deed of said VILLAGE OF NEW ALBANY, OHIO for the uses and purposes expressed therein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 7th day of December, 2006.

My commission expires 09-04-2011 _____ Notary Public, State of Ohio

ANGELA F. HOBART
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 09-04-11

Approved this 7th day of Dec, 2006 _____ Mayor, New Albany, Ohio

Approved this 11 day of DEC, 2006 _____ Municipal Engineer, New Albany, Ohio

Approved this 8 day of DEC, 2006 _____ Council Representative to Planning Commission, New Albany, Ohio

Approved this 8 day of DEC, 2006 _____ Chairperson, Planning Commission, New Albany, Ohio

Approved this 7th day of DECEMBER 2006 _____ Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. R-68-2006, passed 9-19-2006, wherein all of Village Hall Road shown dedicated hereon is accepted, as such, by the Council for the Village of New Albany, Ohio. Approval of this plat shall become null and void unless recorded prior to Sept. 19th, 2007.

Transferred this 13 day of Dec, 2006 _____ Auditor, Franklin County, Ohio

_____ Deputy Auditor, Franklin County, Ohio

Filed for record this 13th day of December, 2006 at 11:47 A.M. Fee $ 170.00

File No. 20061213024736 3

Recorded this 13th day of Dec, 2006 _____ Recorder, Franklin County, Ohio

Margaret K. Carruccio
Deputy Recorder, Franklin County, Ohio

Plat Book 110, Pages 38-39

TRANSFERRED
DEC 12 2006
JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

LOCATION MAP AND BACKGROUND DRAWING
SCALE: 1" = 1000'

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the Ohio State Plane Coordinate System-South Zone as per NAD83 (1986 adjustment). Control for bearings was from coordinates of monuments FRANK 80 & FRANK 180, established by the Franklin County Engineering Department using Global Positioning System procedures and equipment, which determined a bearing of North 58°13'15" East for a portion of the centerline of U.S. 62.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat, are the records of the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top and bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins. Pins are to be set to monument the points indicated and are to be set with the top and flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the Village of New Albany, Ohio's acceptance of these subdivision improvements. The New Albany, Ohio, Municipal Engineer shall be notified when the markers are in place.

SURVEYED & PLATTED BY

EMH&T
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Fax: 614.775.4800
C O L U M B U S

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

○ = Iron Pin (See Survey Data)
• = MAG Nail to be set
◎ = Permanent Marker (See Survey Data)

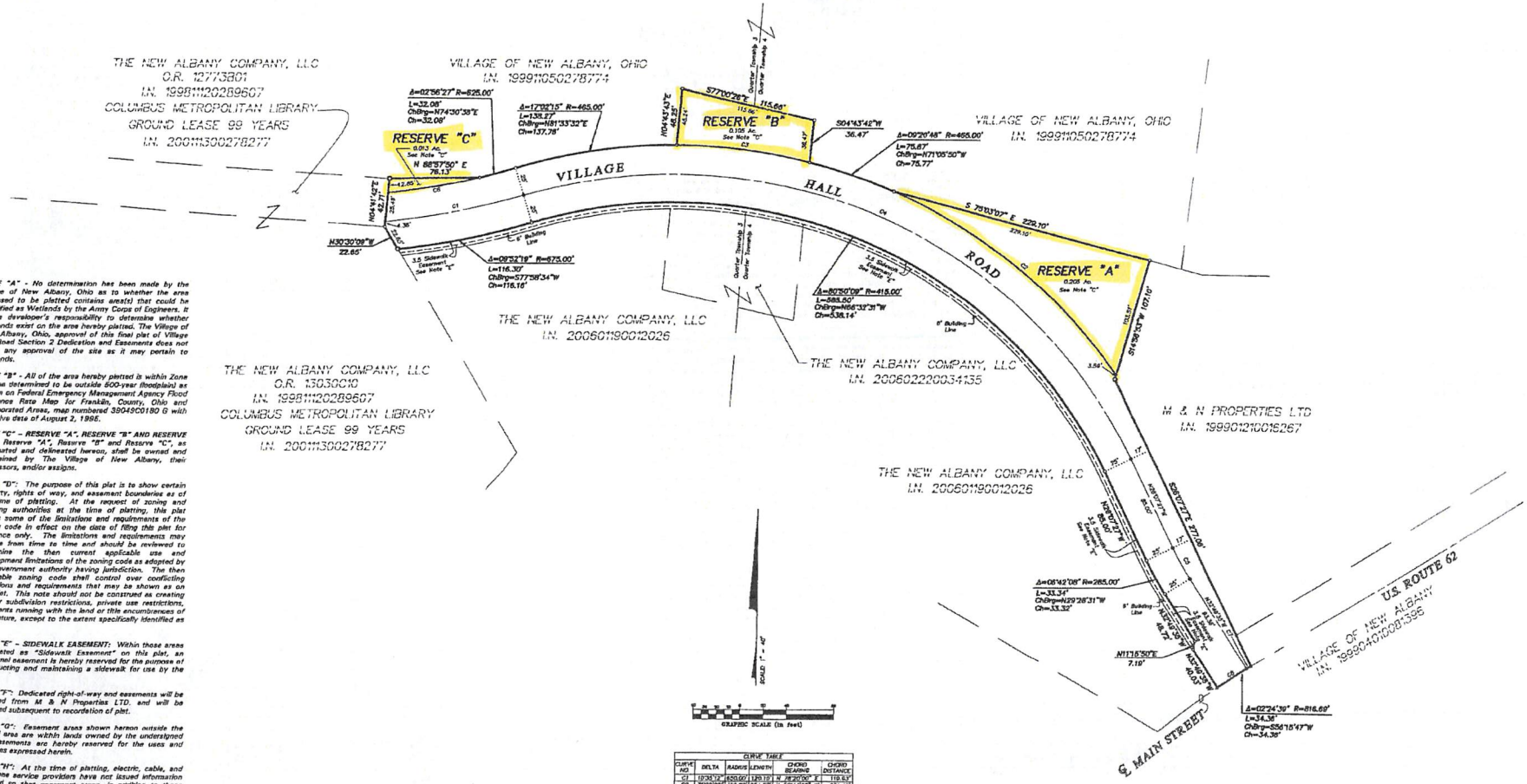
By _____ Professional Surveyor No. 8250 — 12/4/06 Date

STATE OF OHIO
EDWARD J. MILLER
8250
REGISTERED
PROFESSIONAL SURVEYOR

PLAT BOOK 110 PAGE 39

VILLAGE HALL ROAD

DEDICATION AND EASEMENTS
SECTION 2



CURVE TABLE						
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	10°35'12"	650.00'	120.19	N 78°20'00" E	119.83'
C2	31°22'02"	465.00'	254.57'	N 50°44'25" W	251.40'
C3	14°09'09"	465.00'	114.85'	N 82°50'48" W	114.56'
C4	50°50'09"	440.00'	320.77'	N 86°32'31" W	320.50'
C5	06°42'08"	250.00'	30.41'	S 29°26'31" E	30.40'
C6	07°11'50"	625.00'	78.51'	N 79°34'47" E	78.46'
C7	00°18'20"	816.69'	4.36'	S 57°12'02" W	4.36'
C8	02°24'39"	816.69'	34.36'	S 56°15'52" W	34.36'

NOTE "A" - No determination has been made by the Village of New Albany, Ohio as to whether the area proposed to be platted contains area(s) that could be classified as Wetlands by the Army Corps of Engineers. It is the developer's responsibility to determine whether Wetlands exist on the area hereby platted. The Village of New Albany, Ohio, approval of this final plat of Village Hall Road Section 2 Dedication and Easements does not imply any approval of the site as it may pertain to Wetlands.

NOTE "B" - All of the area hereby platted is within Zone X (area determined to be outside 500-year floodplain) as shown on Federal Emergency Management Agency Flood Insurance Rate Map for Franklin, County, Ohio and Incorporated Areas, map numbered 39049C0180 G with effective date of August 2, 1995.

NOTE "C" – RESERVE "A", RESERVE "B" AND RESERVE "C": Reserve "A", Reserve "B" and Reserve "C", as designated and delineated hereon, shall be owned and maintained by The Village of New Albany, their successors, and/or assigns.

NOTE "D": The purpose of this plat is to show certain property, rights of way, and easement boundaries as of the time of platting. At the request of zoning and planning authorities at the time of platting, this plat shows some of the limitations and requirements of the zoning code in effect on the date of filing this plat for reference only. The limitations and requirements may change from time to time and should be reviewed to determine the then current applicable use and development limitations of the zoning code as adopted by the government authority having jurisdiction. The then applicable zoning code shall control over conflicting limitations and requirements that may be shown as on this plat. This note should not be construed as creating plat or subdivision restrictions, private use restrictions, covenants running with the land or title encumbrances of any nature, except to the extent specifically identified as such.

NOTE "E" – SIDEWALK EASEMENT: Within those areas designated as "Sidewalk Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing and maintaining a sidewalk for use by the public.

NOTE "F": Dedicated right-of-way and easements will be acquired from M & N Properties LTD. and will be recorded subsequent to recordation of plat.

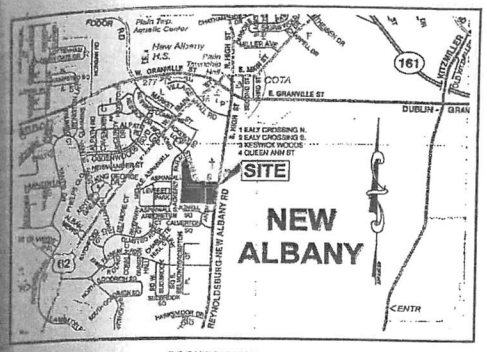
NOTE "G": Easement areas shown hereon outside the platted area are within lands owned by the undersigned and easements are hereby reserved for the uses and purposes expressed herein.

NOTE "H": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about Village Hall Road Section 2 Dedication and Easements or any part thereof can be acquired by a competent examination of the then current public records, including those in the Recorder's Office, Franklin County, Ohio.

Final Plat
New Albany Country Club
Section 27

City of New Albany, Franklin County, Ohio, Quarter Township 4, Township 2, Range 16, United States Military Lands

201310160174867
Pgs: 3 $172.00 T20130062066
08/16/2013 12:40PM BKCH 703815
Terry J. Brown
Franklin County Recorder



LOCATION MAP
1"=1500'

SURVEY DATA:

BASIS OF BEARINGS: Bearings are based on the Ohio State Plane Coordinate System, Ohio South Zone per NAD83 CORS96. As established from a GPS survey of Franklin County Monuments FCGS 8915B and FCGS 8916A with the bearing between said monuments being N11° 09' 33"E

SOURCE OF DATA: The sources of recorded survey data are the records of Franklin County, Ohio.

IRON PINS SET, where indicated, are iron pipes, 3/4" diameter, 30" long with a plastic cap placed in the top bearing the inscription ADVANCED 7601.

PERMANENT MARKERS SET, where indicated, are 1" diameter solid iron rods, 30" long, set with the top end flush with the surface of the ground, capped with an aluminum cap stamped ADVANCED. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the City of New Albany, Ohio's acceptance of these subdivision improvements. The New Albany, Ohio Municipal Engineer shall be notified when markers are in place.

○ = Iron Pin Set
◎ = Permanent Marker Set
● = PK Nail Set
⊠ = PK Nail Found
○ = Iron Pipe Found
▣ = Mon. Box Found
◎ = Mon. Found

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof. Monumentation, to be set, will be set when the subdivision is completed and prior to the sale of its lots.

We further certify that this plat is a correct representation of "New Albany Country Club Section 27 as surveyed in April 2013.

By John C. Dodgion
Professional Surveyor

STATE OF OHIO JOHN C. DODGION E-8069 REGISTERED SURVEYOR

09/30/2013
Date

Situated in the State of Ohio, County of Franklin, City of New Albany, Quarter Township 4, Township 2, Range 16, United States Military Lands containing 18.628 acres of land, more or less, said 18.628 acres being all of 16.796 acres deeded to The New Albany Company, LLC, a Delaware limited liability company in Instrument Number 200602080025475, and part of (1.832 acres) those tracts deeded to The New Albany Company, LLC in Instrument Number 200808070120639 being of record in the Recorder's Office, Franklin County, Ohio.

The undersigned, The New Albany Company, LLC, a Delaware limited liability company, successor to The New Albany Company Limited Partnership, a Delaware limited partnership, successor to The New Albany Company, an Ohio general partnership (see deed of record in Official Record 21256E01 and Affidavit in Aid of Title record in Instrument Number 199811120289607, both being of record in the Recorder's Office, Franklin County, Ohio), by The New Albany Company LLC owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "New Albany County Club Section 27", a subdivision containing Lots Numbered 1 to 51, inclusive, Reserves A to I, inclusive, does hereby accept this plat of the same and dedicates to public use forever, as such, all or parts of Straits Lane, Straits Link, Cole Park North, Cole Park Loop, Straits Farm North and Straits Farm South shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi public utilities above, beneath and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated as "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved.

In Witness, Whereof Tom J. Rieby, Vice President of The New Albany Company, LLC, a Delaware limited liability company, has hereunto set their hand this 1st day of October, 2013.

Signed and acknowledged in the presence of:

Phyllis Pobkin

Brad B. Sandberg

The New Albany Company, LLC
a Delaware limited liability company

By T. J. Rieby

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared Thomas Rieby, Vice President of The New Albany Company, LLC, a Delaware limited liability company, who acknowledged the signing of the foregoing instrument to be their free and voluntary act and deed and the free and voluntary act and deed of The New Albany Company, LLC, a Delaware limited liability company, for the uses and purposes expressed therein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 1 day of October, 2013.

My Commission expires 5/17/17

Approved this 1st day of October, 2013.
Nancy Ferguson
Mayor, New Albany, Ohio

Approved this 1 day of Oct, 2013.
Municipal Engineer, New Albany, Ohio

Approved this 1 day of Oct, 2013.
Council Representative to Planning Commission, New Albany, Ohio

Approved this 7 day of OCT, 2013.
Chairperson, Planning Commission New Albany, Ohio

Approved this 1 day of Oct, 2013.
Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. R27-2013, passed, 8-6-13, wherein Straits Lane, Straits Link, Cole Park North, Cole Park Loop, Straits Farm North and Straits Farm South, shown dedicated hereon, are accepted, as such, by the Council for the City of New Albany, Ohio. Approval of this plat shall become null and unless recorded prior to 8-6-, 2014.

Transferred this 16th day of October, 2013

Clarence E. Mingo II
Auditor, Franklin County, Ohio

Michael Dixon
Deputy Auditor, Franklin County, Ohio

Filed for record this 16 day of October, 2013 at 10:16 A.M.

Recorded this 16 day of October, 2013

Plat Book 116, Pages 51-52

Terry Brown
Recorder, Franklin County, Ohio

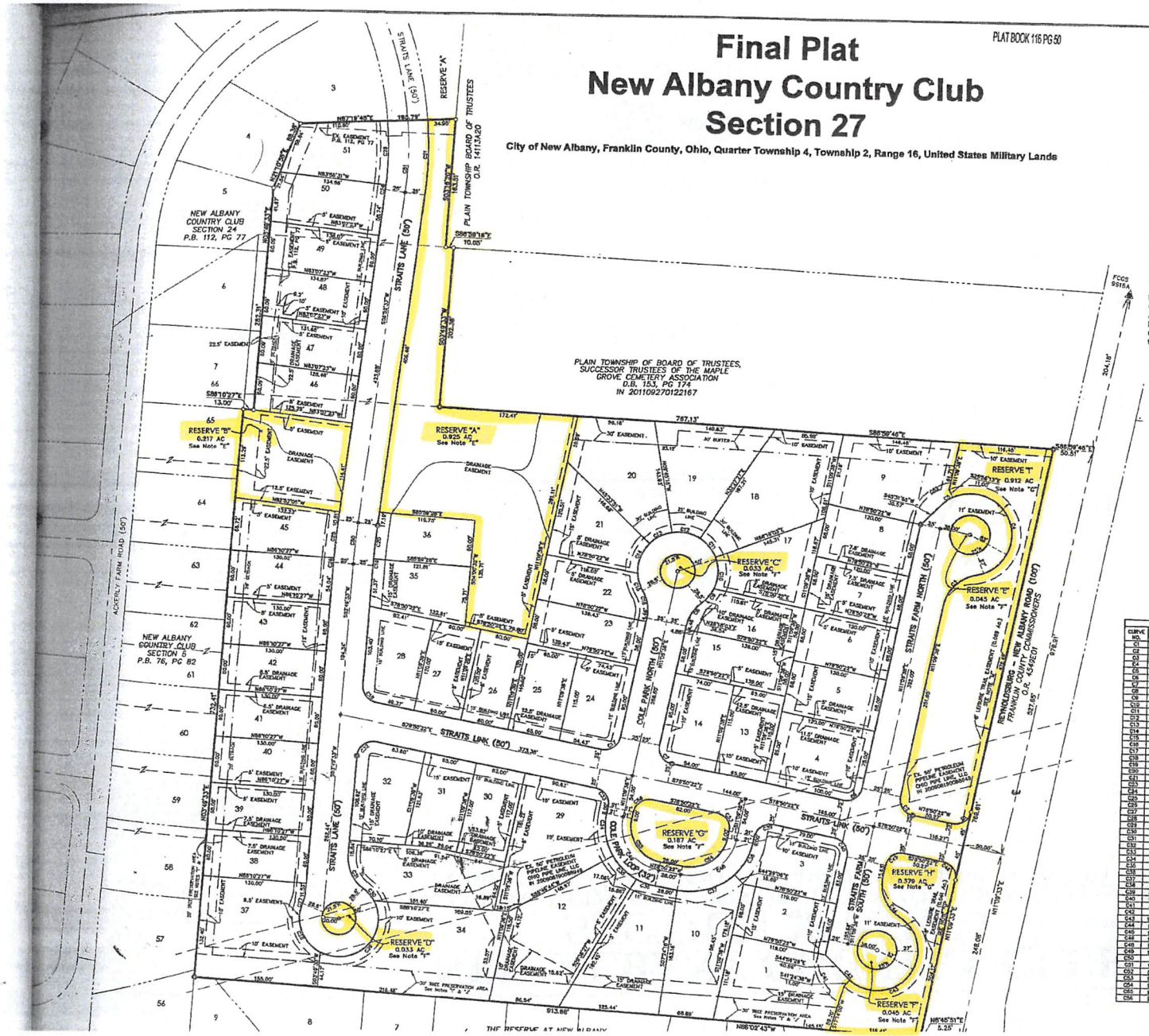
Matthew Sutain
Deputy Recorder, Franklin County, Ohio

422 Beecha

PLAT BOOK 116 PG 50

Final Plat
New Albany Country Club
Section 27

City of New Albany, Franklin County, Ohio, Quarter Township 4, Township 2, Range 16, United States Military Lands



NOTE "A": No determination has been made by the City of New Albany, Ohio as to whether the area proposed contains area(s) that could be classified as Wetlands by the US Army Corps of Engineers. It is the Developer's responsibility to determine if Wetlands or other Jurisdictional Waterways exist on the site. The City of New Albany, Ohio approval of the Final Development Plan does not imply any approval of disturbance of wetlands or jurisdictional waterways.

NOTE "B": AGRICULTURAL RECOUPMENT: Grantor, being the duly authorized representative of the Developer dedicating the property described in this development plan, hereby agrees that grantor will indemnify the City of New Albany, Ohio for and hold harmless from and agricultural recoupments assessed or levied in the future against the property dedicated herein which result from grantor's conversion from agricultural use.

NOTE "C": All of the platted area is within Zone X (area determined to be outside the FEMA 500-year floodplain) as shown on Federal Emergency Management Agency Flood Rate Map for Franklin County, Ohio and incorporated areas, map numbered 39049C0204 K and 39049C0206 K with effective date June 17, 2008.

NOTE "D": DEPRESSED DRIVEWAYS: Depressed driveways are hereby prohibited on all lots in the New Albany Country Club Section 27 subdivision. Nothing herein, however, shall prohibit the construction and use of, if otherwise permitted, a driveway alongside or to the rear of a residential structure.

Note "E" - Reserves "A" and "B" shall be owned by the City New Albany, Ohio and maintained by an association compri of the title holders of the fee simple lots in New Albany Coun Club, Section 27 for the purpose of storm water managem Said association shall maintain area after recordation of Final Plat. Maintenance shall be at the cost of said associati Furthermore, said association shall assume maintenance r and shall hold the City of New Albany, Ohio harmless fr actions resulting from said maintenance.

Note "F" - Reserves "C", "D", "E", "F" and Reserve "G" shall owned by the City of New Albany, Ohio and maintained by association comprised of the title holders of the fee simple l in New Albany Country Club, Section 27 for the purpose open space and park space, and any uses allowed by the th current zoning.

Note "G" - Reserve "H" and "I" shall be owned by the City New Albany, Ohio and maintained by the New Albany Count Club Master Association, Inc. for the purpose of open spa and park space, and any uses allowed by the then curre zoning including but not limited to landscaping and landsca amenity structures.

Note "H" - Buffer Zones: No structure or building shall constructed or placed upon, in or under the areas in Lots 18-20 designated as "Buffer" hereon, nor shall any work performed thereon. Additional Landscaping and a comm continuous fence may be placed within areas designated "Buffer" hereon.

Note "I" - No structure or building shall be placed upon, in under areas designated "Preservation Area" hereon, nor sh any work be performed thereon which would alter the natur state of such areas or damage any of the trees or vegetati thereon. Trees and/or vegetation which are dead, evasiv noxious material or diseased may be removed therefrom.

Note "J" - Areas along the western boundary, lots 37-4 inclusive and southern boundary, lots 1, 10, 11, 12, 34, 3 labeled as "Tree Preservation Area" shall be left in its natur state, there is no mowing, but storm water and sewer acces shall be allowed.

Note "K" - Preservation area markers are to be installed at th edge of the preservation areas along the southern and westa boundaries. Preservation area markers will be maintained b the Homeowner's Association. Markers shall be obtained fro the City of New Albany.

Note "L" - LOTS 20-22, 35, 36, 45 and 46: On each of Lot 20-22, 35, 36, 45 and 46 no building shall be constructed whic has an opening, unprotected from flooding, in its foundatio wall which is lower than 1017.80.

The foregoing flood protection elevation is approximately 2. feet above the 100-year design flood elevation as calculated b Advanced Civil Design. Flood elevation is based on NGVD 1929 Datum.

Note "M"- LEISURE TRAIL EASEMENT: The leisure tra easement as shown hereon is hereby reserved for th construction, operation and maintenance of a leisure trail. Sai leisure trail shall be open for use by the general public.

Note "N"- ACREAGE BREAKDOWNS: New Albany Countr Club Section 27 is comprised of the following Franklin Count Parcel Number(s) with the acreage being platted out of each:

Parcel Number 222-000322	16.796 Ac.
Parcel Number 222-000169	1.832 Ac.

The Final Plat of New Albany Country Club Section 27 i comprised of the following components:

Acreage in Lots:	12.344 Ac.
Acreage in Reserves:	2.778 Ac.
Acreage in Right-of-Way	3.508 Ac.
Total Acreage:	18.628 Ac.

Subject to the following easement ROW:
Acreage in Public Leisure Trail Easement: 0.138 Ac.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	90°00'00"	20.00'	31.42'	N54°09'33"E	28.28'
C2	90°00'00"	20.00'	31.42'	S35°50'27"E	28.28'
C3	85°43'23"	50.00'	59.60'	S46°31'54"W	54.45'
C4	199°49'43"	52.00'	177.13'	N16°01'22"W	103.01'
C5	18°31'22"	52.00'	16.82'	S54°47'31"W	16.73'
C6	90°00'00"	20.00'	31.42'	N54°09'33"E	28.28'
C7	90°00'00"	20.00'	31.42'	S35°50'27"E	28.28'
C8	41°31'22"	50.00'	36.11'	S31°51'35"W	35.34'
C9	28°46'34"	50.00'	25.10'	N39°06'50"E	24.84'
C10	47°27'34"	50.00'	41.40'	N02°09'50"E	40.21'
C11	35°46'38"	50.00'	31.21'	N39°06'18"W	30.71'
C12	42°12'45"	50.00'	36.81'	N78°38'24"W	35.97'
C13	35°46'38"	50.00'	31.21'	S87°26'24"W	30.71'
C14	47°57'31"	50.00'	41.78'	S20°26'51"W	40.57'
C15	28°46'34"	50.00'	25.10'	S18°36'39"E	24.84'
C16	41°26'35"	50.00'	36.14'	N06°32'26"W	35.36'
C17	90°00'00"	20.00'	31.42'	N55°29'39"E	28.28'
C18	60°36'55"	20.00'	26.84'	S37°28'22"E	25.61'
C19	2°32'00"	875.00'	9.08'	S24°05'31"W	9.08'
C20	2°01'34"	875.00'	23.53'	S25°37'05"W	23.53'
C21	11°47'10"	467.45'	96.19'	N00°23'30"E	96.00'
C22	11°47'10"	417.45'	85.87'	N00°23'30"E	85.73'
C23	2°48'00"	417.45'	5.97'	N06°38'03"E	5.97'
C24	2°43'05"	1025.00'	49.53'	N05°31'00"W	49.52'
C25	0°19'54"	1025.00'	5.99'	N03°39'31"W	5.99'
C26	18°11'43"	50.00'	15.88'	N12°53'54"E	15.81'
C27	84°57'00"	50.00'	73.84'	S20°17'16"E	67.31'
C28	140°12'21"	50.00'	122.38'	N44°14'33"E	95.71'
C29	23°33'18"	50.00'	20.93'	N42°31'47"W	20.78'
C30	60°36'55"	20.00'	26.84'	S24°28'28"E	25.61'
C31	87°26'05"	20.00'	31.09'	S22°28'36"W	28.09'
C32	87°26'05"	18.72'	31.94'	S33°50'22"W	28.95'
C33	60°36'18"	79.00'	84.06'	S08°10'27"E	80.21'
C34	32°36'56"	79.00'	42.77'	S45°00'08"E	42.20'
C35	18°22'45"	79.00'	25.30'	S69°40'00"E	25.18'
C36	55°28'44"	79.00'	76.73'	N32°20'16"E	73.74'
C37	34°21'16"	79.00'	47.37'	N38°20'16"E	46.66'
C38	89°56'49"	20.00'	31.41'	S54°39'37"W	28.28'
C40	90°00'00"	20.00'	31.42'	N33°50'22"W	28.28'
C41	54°18'53"	50.00'	56.89'	S15°54'18"E	54.77'
C42	3°38'24"	52.00'	3.31'	S42°53'31"E	3.31'
C43	188°34'50"	52.00'	171.16'	N38°53'11"E	103.66'
C44	88°43'26"	50.00'	99.86'	S33°13'18"E	90.45'
C45	90°00'00"	20.00'	31.42'	S56°09'38"W	28.28'
C46	90°00'00"	20.00'	31.42'	N33°50'22"W	28.28'
C48	90°00'00"	58.00'	91.11'	N56°09'38"E	82.02'
C49	90°00'00"	58.00'	91.11'	S33°50'22"E	82.02'
C50	3°30'34"	1000.00'	63.25'	S02°21'00"E	63.23'
C51	112°44'46"	442.45'	92.00'	N00°38'14"E	91.83'
C52	54°18'53"	60.00'	56.89'	S15°54'18"E	54.77'
C53	90°00'00"	20.00'	31.42'	N33°50'22"W	28.28'
C54	90°00'00"	47.00'	73.83'	N56°09'38"E	66.47'
C55	90°00'00"	47.00'	73.83'	S33°50'22"E	66.47'
C56	90°00'00"	20.00'	31.42'	S56°09'38"W	28.28'

201506260065866
Pgs:5 $42.00 T20150064740
06/26/2015 8:11:18AM RECP FEE$25
Terri J. Brown
Franklin County Recorder

NEW ALBANY COUNTRY CLUB SECTION 28 PART 1

PLAT BOOK 119 PAGE 10

(INCLUDING A RESUBDIVISION OF ALL OF LOT 14 OF NEW ALBANY COUNTRY CLUB SECTION 25 PART 2, P.B. 114, PP. 96 AND 97)

* said Lot 14 being conveyed to TUCKERMAN DEVELOPMENT COMPANY by deed of record in Instrument Number 201505260068529

** and TUCKERMAN DEVELOPMENT COMPANY, an Ohio corporation, by STEVEN A. TUCKERMAN, President, owners

Situated in the State of Ohio, County of Franklin, City of New Albany, and in Quarter Township 3, Township 2, Range 16, United States Military Lands, containing 27.843 acres of land, more or less, said 27.843 acres being comprised of a resubdivision of Lot 14 of the subdivision entitled "New Albany Country Club Section 25 Part 2", of record in Plat Book 114, Pages 96 and 97,* a part of those tracts of land conveyed to THE NEW ALBANY COMPANY LLC by deeds of record in Instrument Numbers 200210180263222, 200210180263228, 201008260110397 and 201008260110402, and part of that tract of land conveyed to THE NEW ALBANY COMPANY by deed of record in Official Record 14554, Page 814, Recorder's Office, Franklin County, Ohio.

The undersigned, THE NEW ALBANY COMPANY LLC, a Delaware limited liability company, successor to THE NEW ALBANY COMPANY LIMITED PARTNERSHIP, a Delaware limited partnership, successor to THE NEW ALBANY COMPANY, an Ohio general partnership (see deed of record in Official Record 21256E01 and Affidavit in Aid of Title of record in Instrument Number 199811120089607), by BRENT B. BRADBURY, Chief Financial Officer,**, of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents their "NEW ALBANY COUNTRY CLUB SECTION 28 PART 1", a subdivision containing Lots numbered 1 to 32, both inclusive, and areas designated as Reserve "A", Reserve "B", Reserve "C" and Reserve "D", does hereby accept this plat of same and dedicates to public use, as such, all or part of Hanby's Loop, Ebrington Round, Ebrington Road, Nash's Crescent, Coldicott Leys and Southfield Road, shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement", "Leisure Trail Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath, and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Leisure Trail Easement" on this plat, an additional easement is hereby reserved for the construction and maintenance of a leisure trail for use by the public. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved. Easement areas shown hereon outside of the platted area are within lands owned by the undersigned and easements are hereby reserved therein for the uses and purposes expressed herein.

In Witness Whereof, BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY LLC, has hereunto set his hand this 8th day of MAY, 2015.

Signed and Acknowledged In the presence of:

Marjorie Bell

THE NEW ALBANY COMPANY LLC

By: BRENT B. BRADBURY, Chief Financial Officer

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY LLC, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said THE NEW ALBANY COMPANY LLC for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 8th day of MAY, 2015.

My commission expires N/A

Notary Public, State of Ohio

ANNE L. UNDERWALL
ATTORNEY AT LAW
Notary Public, State of Ohio
My Commission Has No Expiration Section 147.03 R.C.

Approved this 21 Day of MAY 2015 — Mayor, New Albany, Ohio

Approved this 21 Day of MAY 2015 — City Engineer, New Albany, Ohio

Approved this 9th Day of May 2015 — Council Representative to Planning Commission, New Albany, Ohio

Approved this 22 Day of MAY 2015 — Chairperson, Planning Commission, New Albany, Ohio

Approved this 26 Day of May 2015 — Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. R-46-2014, passed July 1st, 2014, wherein all of Hanby's Loop, Ebrington Round, Nash's Crescent, Coldicott Leys and Southfield Road shown dedicated hereon are accepted, as such, by the Council for the City of New Albany, Ohio. Approval of this plat shall become null and void unless recorded prior to July 1st, 2015.

Transferred this 26 day of JUNE, 2015. — Clarence E. Hinge II, Auditor, Franklin County, Ohio

Deputy Auditor, Franklin County, Ohio

Filed for record this 26 day of JUNE, 2015 at 11:59 A.M. Fee $ 42.00 — Terry J. Brown, Recorder, Franklin County, Ohio

File No. 201506260065866

Recorded this 26th day of June, 2015 — Margaret A. Cunningham, Deputy Recorder, Franklin County, Ohio

Plat Book 119, Pages 10-14

In Witness Whereof, STEVEN A. TUCKERMAN, President of TUCKERMAN DEVELOPMENT COMPANY, has hereunto set his hand this 22nd day of June, 2015.

Signed and Acknowledged In the presence of:

Marjorie Bell

TUCKERMAN DEVELOPMENT COMPANY

By: STEVEN A. TUCKERMAN, President

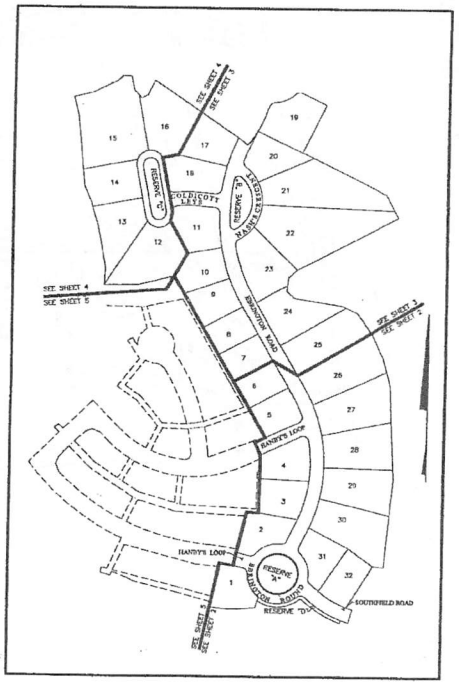
STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared STEVEN A. TUCKERMAN, President of TUCKERMAN DEVELOPMENT COMPANY, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said TUCKERMAN DEVELOPMENT COMPANY for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 22nd day of June, 2015.

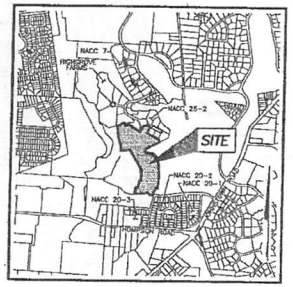
My commission expires 5/7/17

Notary Public, State of Ohio



INDEX MAP

SCALE: 1" = 200'



LOCATION MAP AND BACKGROUND DRAWING

SCALE: 1" = 1500'

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the same meridian as the bearings shown on the subdivision plat entitled "New Albany Country Club Section 20 Part 1", of record in Plat Book 103, Pages 84 and 85, Recorders Office, Franklin County, Ohio. On said plat of record, a portion of the centerline of Thompson Road is shown as having a bearing of North 86°19' 35" West.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the City of New Albany, Ohio's acceptance of these infrastructure improvements. The New Albany, Ohio, Municipal Engineer shall be notified in writing when the markers are in place.

SURVEYED & PLATTED BY

EMHT

Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

o = Iron Pin (See Survey Data)
• = MAG Nail to be set
⊕ = Permanent Marker (See Survey Data)

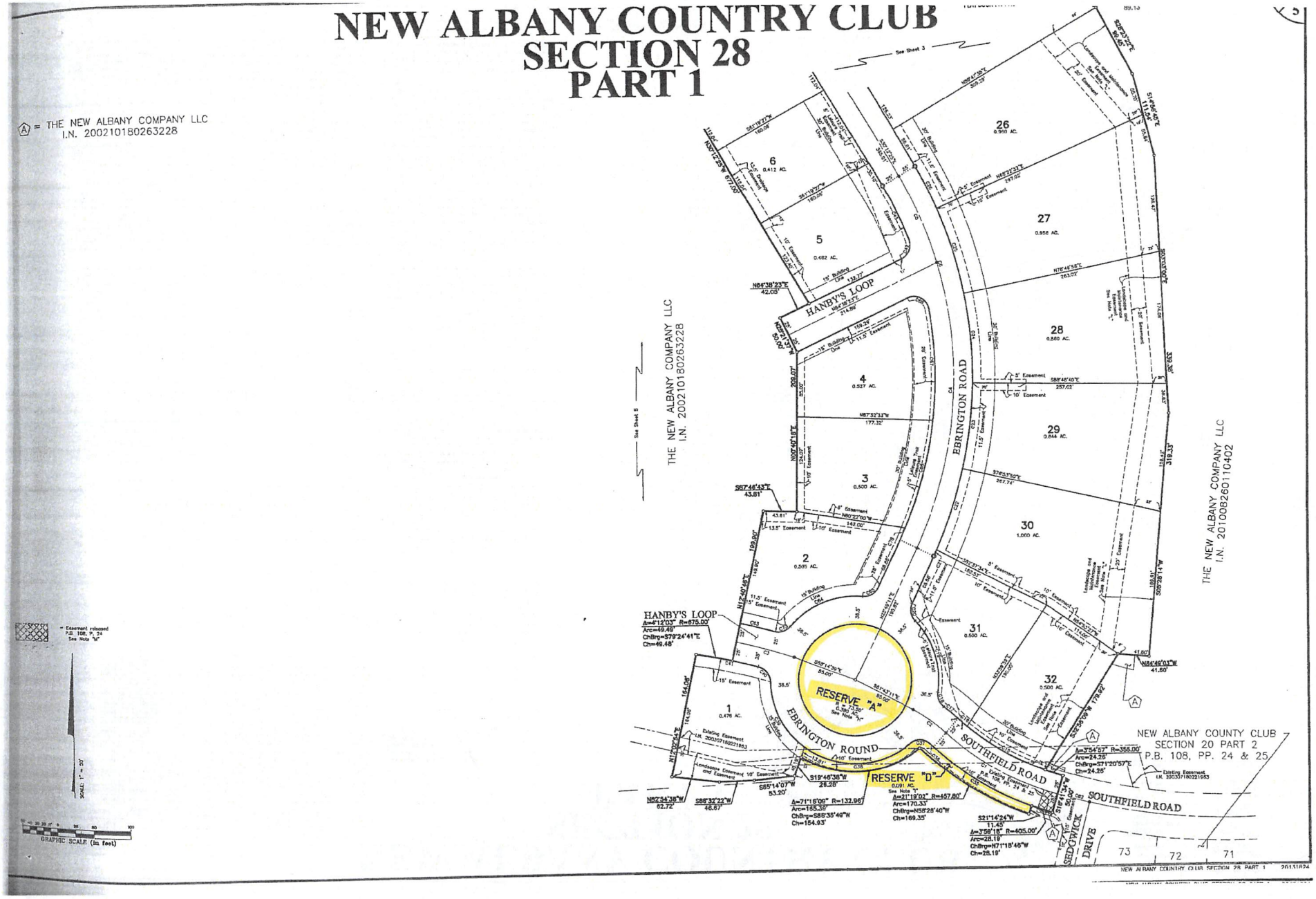
By Matthew A. Kirk
Professional Surveyor No. 7865

5 MAY 15
Date

STATE OF OHIO
MATTHEW A. KIRK
S-7865
REGISTERED
PROFESSIONAL SURVEYOR

NEW ALBANY COUNTRY CLUB
SECTION 28
PART 1

Ⓐ = THE NEW ALBANY COMPANY LLC
I.N. 200210180263228



NEW ALBANY COUNTRY CLUB SECTION 28 PART 1

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	25°33'49"	380.00'	169.54'	S 60°31'31" E	168.14'
C2	13°58'30"	220.50'	53.79'	N 54°43'58" W	53.68'
C3	6°25'26"	700.00'	78.48'	N 74°05'59" W	78.44'
C4	42°16'57"	520.00'	383.74'	N 04°40'43" E	375.10'
C5	13°44'39"	520.00'	124.74'	N 23°20'06" W	124.44'
C6	56°01'36"	520.00'	508.48'	N 02°11'37" W	488.47'
C7	23°37'48"	640.00'	263.85'	S 18°23'31" E	262.08'
C8	34°50'10"	640.00'	389.12'	S 12°47'20" E	383.16'
C9	11°12'23"	640.00'	125.18'	S 00°58'28" E	124.98'
C10	11°12'23"	640.00'	125.18'	S 10°13'58" W	124.98'
C11	8°59'37"	640.00'	100.48'	S 20°19'56" W	100.38'
C12	20°12'00"	640.00'	225.64'	S 14°43'45" W	224.47'
C13	2°13'18"	640.00'	24.82'	S 25°56'24" W	24.82'
C14	140°52'16"	132.00'	324.54'	N 04°37'45" E	248.76'
C15	19°03'57"	355.00'	118.13'	N 59°51'30" W	117.59'
C16	2°34'56"	355.00'	16.00'	N 49°02'04" W	16.00'
C17	5°48'47"	245.50'	24.89'	N 50°37'30" W	24.88'
C18	82°48'31"	20.00'	21.92'	N 22°06'08" W	20.84'
C19	53°13'49"	110.00'	102.19'	N 17°18'47" W	98.56'
C20	69°44'52"	20.00'	24.35'	N 09°03'15" W	22.87'
C21	0°56'46"	545.00'	9.00'	N 25°20'48" E	9.00'
C22	11°46'15"	545.00'	111.96'	N 18°59'18" E	111.77'
C23	11°54'51"	545.00'	113.33'	N 07°08'45" E	113.12'
C24	12°24'24"	545.00'	118.01'	N 05°00'52" W	117.78'
C25	12°24'24"	545.00'	118.01'	N 17°25'16" W	117.78'
C26	6°34'57"	545.00'	62.61'	N 26°54'57" W	62.58'
C27	20°13'04"	615.00'	217.01'	N 20°05'53" W	215.89'
C28	71°20'55"	22.00'	27.40'	N 25°41'08" E	25.66'
C29	25°40'21"	157.00'	70.35'	N 48°31'23" E	69.76'
C30	31°07'36"	157.00'	85.29'	N 20°07'24" E	84.25'
C31	31°04'58"	157.00'	85.17'	N 10°58'51" W	84.13'
C32	25°34'44"	157.00'	70.09'	N 39°18'41" W	69.51'
C33	71°20'55"	22.00'	27.40'	N 15°25'38" W	25.66'
C34	7°48'12"	615.00'	83.76'	N 23°08'57" E	83.70'
C35	21°34'30"	405.00'	152.51'	S 58°31'52" E	151.61'
C36	2°17'17"	195.50'	7.81'	S 46°53'16" E	7.81'
C37	79°42'59"	20.00'	27.83'	S 89°53'24" E	25.64'
C38	77°25'49"	110.00'	148.66'	N 88°58'01" E	137.60'
C39	51°50'02"	110.00'	99.51'	S 26°24'04" E	96.15'
C40	73°52'00"	22.00'	28.36'	S 37°25'03" E	26.44'
C41	7°09'40"	675.00'	84.36'	S 77°55'53" E	84.31'
C42	85°43'21"	20.00'	29.92'	S 21°46'42" W	27.21'
C43	9°07'27"	495.00'	78.83'	S 25°38'42" E	78.74'
C44	0°33'21"	665.00'	6.48'	S 29°55'43" E	6.48'
C45	9°54'51"	665.00'	115.07'	S 24°41'36" E	114.92'
C46	9°52'05"	665.00'	114.53'	S 14°48'08" E	114.39'
C47	10°43'51"	665.00'	124.55'	S 04°30'10" E	124.36'
C48	86°14'00"	20.00'	30.10'	S 42°15'15" E	27.34'
C49	10°38'57"	355.00'	65.98'	N 89°18'16" E	65.89'

CURVE TABLE

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C50	91°05'51"	20.00'	31.80'	S 38°24'49" W	28.55'
C51	38°35'41"	50.00'	33.68'	N 12°09'45" E	33.05'
C52	115°03'50"	50.00'	100.41'	N 88°59'31" E	84.37'
C53	22°54'47"	50.00'	20.00'	S 22°01'11" E	19.86'
C54	29°00'55"	50.00'	25.32'	S 03°56'40" W	25.05'
C55	60°59'05"	50.00'	53.22'	S 46°56'40" W	50.74'
C56	73°13'47"	50.00'	63.90'	N 63°58'54" W	59.64'
C57	16°48'14"	50.00'	14.64'	N 18°58'54" W	14.58'
C58	86°24'13"	20.00'	30.16'	S 83°45'53" E	27.38'
C59	11°35'45"	405.00'	81.97'	S 88°49'53" W	81.83'
C60	86°14'00"	20.00'	30.10'	S 81°30'45" W	27.34'
C61	7°23'47"	665.00'	85.84'	S 12°05'38" W	85.79'
C62	9°34'57"	665.00'	111.22'	S 20°35'00" W	111.09'
C63	3°39'48"	725.00'	46.35'	N 75°26'48" W	46.35'
C64	54°45'38"	110.00'	105.13'	S 68°11'14" W	101.18'
C65	69°44'52"	20.00'	24.35'	S 60°41'37" W	22.87'
C66	16°53'46"	495.00'	145.97'	S 15°23'39" W	145.44'
C67	16°59'44"	495.00'	146.83'	S 01°33'06" E	146.29'
C68	105°18'40"	20.00'	36.76'	S 82°42'18" E	31.80'
C69	179°59'46"	38.00'	119.38'	N 79°28'12" E	76.00'
C70	180°00'00"	27.50'	86.39'	S 79°28'13" W	55.00'
C71	175°45'23"	27.52'	84.41'	N 79°28'13" E	55.08'
C72	179°59'45"	38.00'	119.38'	S 79°28'13" W	76.00'
C73	65°32'41"	20.00'	22.88'	S 73°34'45" W	21.65'
C74	121°30'53"	15.50'	32.83'	N 72°53'54" E	27.03'
C75	102°06'50"	119.50'	212.96'	S 04°37'45" W	185.89'
C76	121°20'53"	15.50'	32.83'	N 63°38'24" W	27.03'
C77	15°11'24"	627.50'	166.36'	N 04°37'45" E	165.87'
C78	1°58'39"	495.00'	17.08'	S 24°49'51" W	17.08'
C79	15°11'32"	380.00'	100.76'	S 87°01'59" W	100.48'
C80	12°00'06"	425.00'	89.02'	N 33°03'07" E	88.86'
C81	7°46'51"	425.00'	57.72'	N 23°09'35" E	57.67'
C82	3°04'13"	800.00'	42.87'	S 74°50'32" E	42.85'

NOTE "A": No determination has been made by the City of New Albany, Ohio as to whether the area proposed to be platted contains areas that could be classified as wetlands by the Army Corps of Engineers. It is the developer's responsibility to determine whether wetlands exist on the area hereby platted. The City of New Albany, Ohio approval of this plat of "New Albany Country Club Section 28 Part 1" does not imply any approval of the site as it may pertain to wetlands.

NOTE "B": At the time of platting, part of Lots 15 and 16 are in Zone AE(Floodway)(The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increase in flood heights), part of Lots 15 and 16 are in Zone X (Shaded)(Areas of 0.2% annual chance flood, areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 1% annual chance flood). The remaining land being platted as NEW ALBANY COUNTRY CLUB SECTION 28 PART 1 is in Zone X (areas determined to be outside of the 0.2% annual chance floodplain). As said Zones are designated and delineated on the FEMA Flood insurance rate map for Franklin County, Ohio, and Incorporated areas map number 39049C0204K with effective date of June 17, 2008.

NOTE "C" - DEPRESSED DRIVEWAYS: Depressed driveways are hereby prohibited on all lots in New Albany Country Club Section 28 Part 1. Nothing herein, however, shall prohibit the construction and use of, if otherwise permitted, a driveway alongside or to the rear of a residential structure.

NOTE "D" - AGRICULTURAL RECOUPMENT: Grantor, being the duly authorized representative of the developer dedicating the property described in this plat, hereby agrees to indemnify the City of New Albany for, and hold it harmless from, any agricultural recoupments assessed or levied in the future against the property dedicated herein, which result from grantor's conversion of the property from agricultural use.

NOTE "E" - ACREAGE BREAKDOWN:

Total acreage:	27.843 Ac.
Acreage in rights-of-way:	3.555 Ac.
Acreage in Reserves:	1.007 Ac.
Acreage in remaining lots:	23.281 Ac.

NOTE "F" - ACREAGE BREAKDOWN: New Albany Country Club Section 28 Part 1 is comprised of the following Franklin County Parcel Number(s):

222-000479	0.650 Ac.
222-000568	1.494 Ac.
222-002948	11.895 Ac.
222-002952	13.082 Ac.
222-004496	0.722 Ac.

NOTE "G" - LOTS 15 and 16: On each of Lots 15 and 16, no building shall be constructed which has an opening, unprotected from flooding, in its foundation wall which is lower than the flood protection elevation for that lot given in the following table:

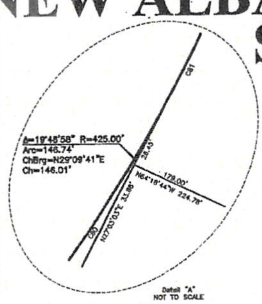
Lot No.	Flood Protection Elevation USGS Datum 1929(1988 Datum)
15	948.5 (949.1)
16	948.5 (949.1)

The forgoing flood protection elevation is approximately 2.0 feet above the 100 year flood elevation.

NOTE "H" - RESERVE "A", RESERVE "B" AND RESERVE "C": Reserve "A", Reserve "B" and Reserve "C", as designated and delineated hereon, shall be owned by the City of New Albany, Ohio and maintained by an association comprised of the owners of the fee simple title to the lots in New Albany Country Club subdivisions.

NOTE "I" - RESERVE "D": Reserve "D", as designated and delineated hereon, shall be owned and maintained by an association comprised of the owners of the fee simple title to the lots in New Albany County Club subdivisions.

NOTE "J": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about New Albany Country Club Section 28 Part 1 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Recorder's Office, Franklin County, Ohio.



Detail "A"
NOT TO SCALE

NOTE "K" - STREAM/WETLAND PRESERVATION ZONE: The "Stream/Wetland Preservation Zone" shall forever be restricted from development with buildings, structures, and uses and the natural state of said zone shall remain undisturbed. It is also the intent and purpose of the Stream/Wetland Preservation Zone to restrict and forbid any activity or use which would as a natural consequence of such, impede or make more difficult the accomplishment of the purpose of which the said zone was created.

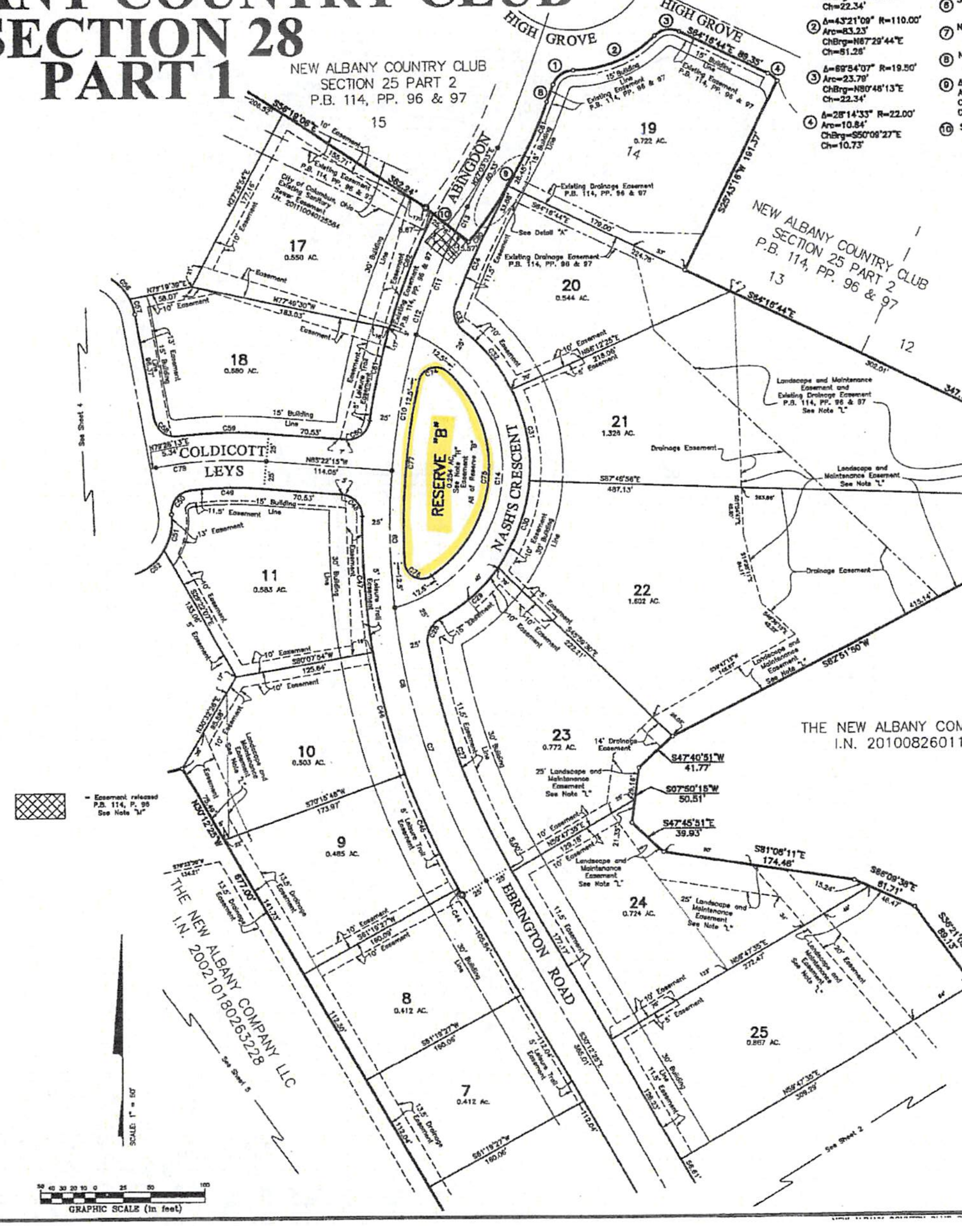
Additional restrictions include:

1. No dumping or burning of refuse.
2. No hunting or trapping.
3. Natural resources of the zones shall remain undisturbed and no topsoil, sand, gravel, or rock shall be excavated, removed or graded.
4. Nothing shall be permitted to occur within the Stream/Wetland Preservation Zone which would contribute to the erosion of the land and no trees shall be cut or removed, except for the removal of such dead diseased, noxious, or decayed trees or vegetation which may be required for conservation or scenic purposes, or for reasons of public safety. Any and all alterations to the Stream/Wetland Preservation Zone require the approval of the city of New Albany Community Development Department.
5. No private encroachment, such as, but not limited to, dumping of trash or debris, or the installation of any type of recreation or other facility or convenience shall be permitted.

No roadway or any facility of any public utility other than existing roadways and public utility facilities or those outlined in the original plan shall be permitted to be constructed or installed in the premises.

NOTE "L" - LANDSCAPE AND MAINTENANCE EASEMENT: A Landscape and Maintenance Easement is hereby created and provided in favor of the real property presently owned by The New Albany Company LLC which was acquired in Instrument Numbers 200210180263222, 201008260110397, and 201008260110402. The purpose of the easement is to allow current and future owner(s) of the benefited property and their designees to (a) install, maintain, repair, and replace fencing within the easement area, (b) install, operate, maintain, repair, and replace irrigation lines and related equipment and appurtenances within the easement area, and (c) mow and otherwise maintain grass and other landscaping located within this same area. Said owner(s) shall be permitted entry upon the area which is burdened by the easement as reasonably necessary from time-to-time in order to exercise the rights provided herein. The owner(s) of the benefited property shall maintain the fencing in a good state of repair and shall paint both sides of said fencing on a regular basis, and shall be permitted entry onto an additional 10 feet of those lots which are burdened by this easement as measured from the boundary of the easement area in order to install, maintain, repair and replace fencing. The owner(s) of the benefited property also shall regularly mow and maintain the easement area to the same standards and conditions as exist on the portion of the benefited property that is located adjacent to the easement area. Following entry upon the areas burdened by this easement, the entering party shall be required to restore damaged areas to a substantially similar condition as existed immediately prior to such entry. The owners of real property which is burdened by this easement shall be prohibited from painting any fencing located within the easement area, hanging any signs or other items from such fencing, and installing any temporary or permanent buildings, structures, landscaping, or other improvements of any kind whatsoever within the easement area. The owner(s) of the real property that is benefited by this easement shall be permitted to remove such items from the easement area without liability to the owners of the burdened property.

NOTE "M" - RELEASE OF CERTAIN EASEMENTS: All rights and easements granted to the City of New Albany, Ohio by the subdivision plats "New Albany Country Club Section 20 Part 2", of record in Plat Book 108, Pages 24 and 25 and "New Albany Country Club Section 25 Part 2", of record in Plat Book 114, Pages 96 and 97, in over and under the areas indicated hereon by hatching are hereby released and rendered null and void.



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ChBrg=N54°13'15"E
Ch=22.34'

② Δ=43°21'09" R=110.00'
Arc=83.23'
ChBrg=N67°29'44"E
Ch=81.26'

③ Δ=69°54'07" R=19.50'
Arc=23.79'
ChBrg=N80°48'13"E
Ch=22.34'

④ Δ=28°14'33" R=22.00'
Arc=10.84'
ChBrg=S50°09'27"E
Ch=10.73'

⑤ S12°21'51"E
50.99'

⑥ S41°48'03"E
39.93'

⑦ N63°06'51"E
24.69'

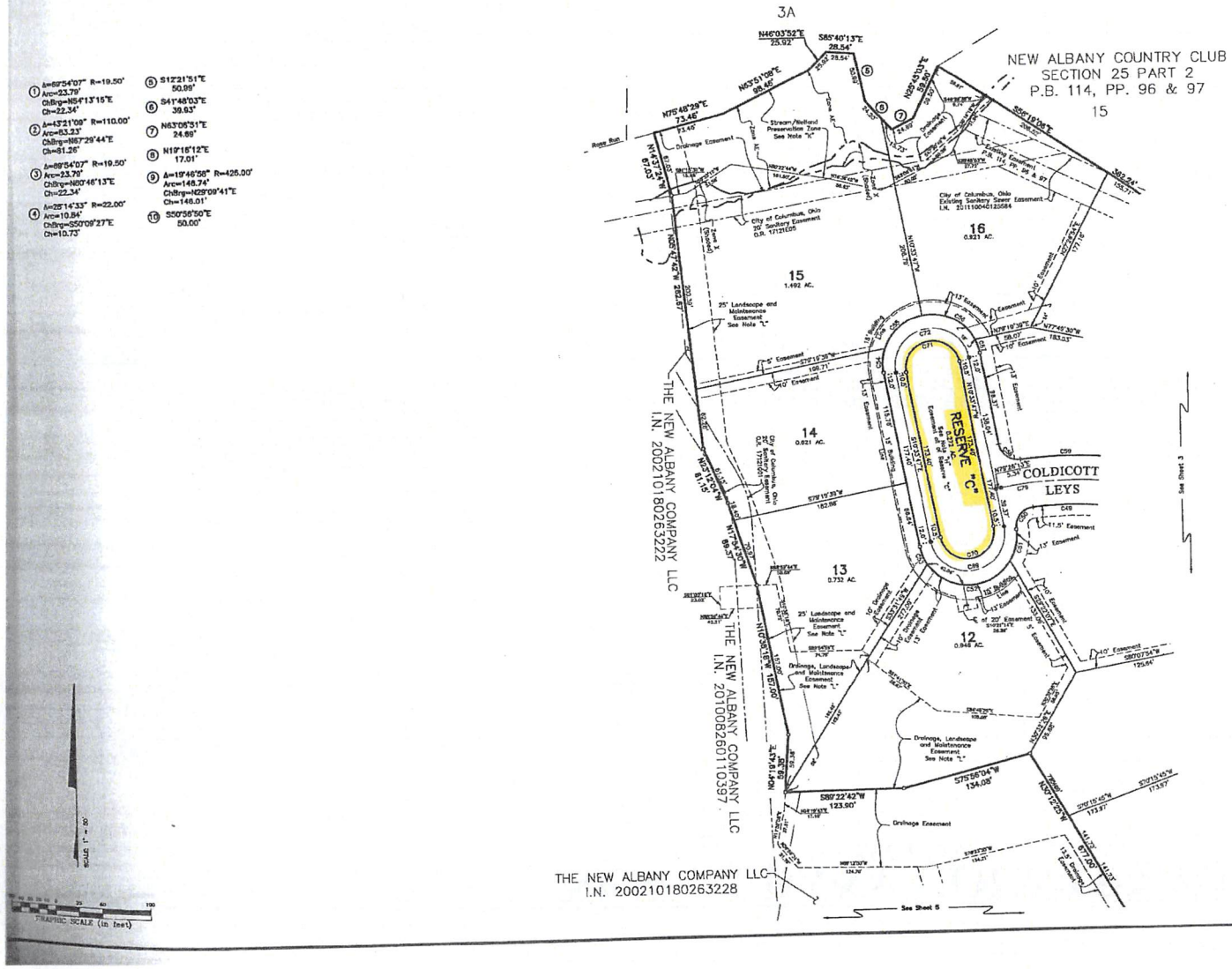
⑧ N19°16'12"E
17.01'

⑨ Δ=19°48'58" R=425.00'
Arc=146.74'
ChBrg=N29°09'41"E
Ch=146.01'

⑩ S50°56'50"E
50.00'

NEW ALBANY COUNTRY CLUB
SECTION 28
PART 1

HIGHGROVE FARMS
P.B. 116, PP. 69 – 71



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② Δ=43°21'09" R=110.00' Arc=83.23' ChBrg=N67°29'44"E Ch=81.26'
③ Δ=69°54'07" R=19.50' Arc=23.79' ChBrg=N60°46'13"E Ch=22.34'
④ Δ=25°14'33" R=22.00' Arc=10.84' ChBrg=S50°09'27"E Ch=10.73'
⑤ S12°21'51"E 50.99'
⑥ S41°48'03"E 39.93'
⑦ N63°06'51"E 24.89'
⑧ N19°15'12"E 17.01'
⑨ Δ=19°46'56" R=425.00' Arc=146.74' ChBrg=N29°09'41"E Ch=146.01'
⑩ S50°56'50"E 50.00'

NEW ALBANY COUNTRY CLUB
SECTION 29

201411260157667
Pgs: 2 $72.00 T20140061169
11/26/2014 9:25AM ESCR F390178
Jerry J. Brown,
Franklin County Recorder

PLAT BOOK 118 PG 36

Situated in the State of Ohio, County of Franklin, City of New Albany, and in Quarter Township 3, Township 2, Range 16, United States Military Lands, containing 20.776 acres of land, more or less, said 20.776 acres being comprised of all of those tracts of land conveyed to THE NEW ALBANY COMPANY LLC by deeds of record in Instrument Number 200602150030062, Instrument Number 200706070099856, Instrument Number 200711060193226, Instrument Number 201302190028630, Instrument Number 201302190028635 and Instrument Number 201402140019533, Recorder's Office, Franklin County, Ohio.

The undersigned, THE NEW ALBANY COMPANY LLC, a Delaware limited liability company by BRENT B. BRADBURY, Chief Financial Officer, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "NEW ALBANY COUNTRY CLUB SECTION 29", a subdivision containing Lots numbered 1 to 30, both inclusive, and areas designated as Reserve "A", Reserve "B", Reserve "C" and easements, does hereby accept this plat of same and dedicate to public use, as such, all or part of Oxford Loop North, Oxford Loop West, Oxford Loop South, Lewis Link and Johnstown Road shown hereon, and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath, and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as dedicated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved.

In Witness Whereof, BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY LLC, has hereunto set his hand this 17th day of Nov., 2014.

Signed and Acknowledged in the presence of:

THE NEW ALBANY COMPANY LLC

By: BRENT B. BRADBURY, Chief Financial Officer

STATE OF OHIO
COUNTY OF FRANKLIN ss:

MELISSA D. BICHFORD
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES MAY 17, 2017

Before me, a Notary Public in and for said State, personally appeared BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY LLC, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said THE NEW ALBANY COMPANY LLC for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 17th day of November 20 14.

My commission expires 5/17/17

Notary Public, State of Ohio

Approved this 18 Day of NOV 20 14 — Mayor, New Albany, Ohio

Approved this 18 Day of NOV 20 14 — City Engineer, New Albany, Ohio

Approved this 18 Day of NOV 20 14 — Acting Council Representative to Planning Commission, New Albany, Ohio

Approved this 19 Day of Nov 20 14 — Chairperson, Planning Commission, New Albany, Ohio

Approved this 18 Day of Nov 20 — Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. R-81-2014, passed Nov. 4th 2014, wherein all of Oxford Loop North, Oxford Loop West, Oxford Loop South, Lewis Link, Johnstown Road and easements shown dedicated hereon are accepted, as such, by the Council for the City of New Albany, Ohio. Approval of this plat shall become null and void unless recorded prior to November 4th, 2015.

Transferred this 26th day of Nov., 20 14. — Auditor, Franklin County, Ohio

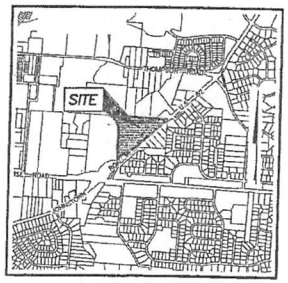
Deputy Auditor, Franklin County, Ohio

Filed for record this 26 day of NOV 20 14 at 9:23 A.M. Fee $ 172.00 — Recorder, Franklin County, Ohio

File No. 201411260157667

Recorded this 26 day of NOV 20 14. — Deputy Recorder, Franklin County, Ohio

Plat Book 118, Pages 36-37



LOCATION MAP AND BACKGROUND DRAWING
SCALE: 1" = 1500'

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on an assumed bearing of South 47°41'55" West for a portion of the centerline of Johnstown Road, as shown hereon.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top and bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top and flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the City of New Albany, Ohio's acceptance of these infrastructure improvements. The New Albany, Ohio, Municipal Engineer shall be notified in writing when the markers are in place.

SURVEYED & PLATTED BY

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

o = Iron Pin (See Survey Data)
• = MAG Nail to be set
⊙ = Permanent Marker (See Survey Data)

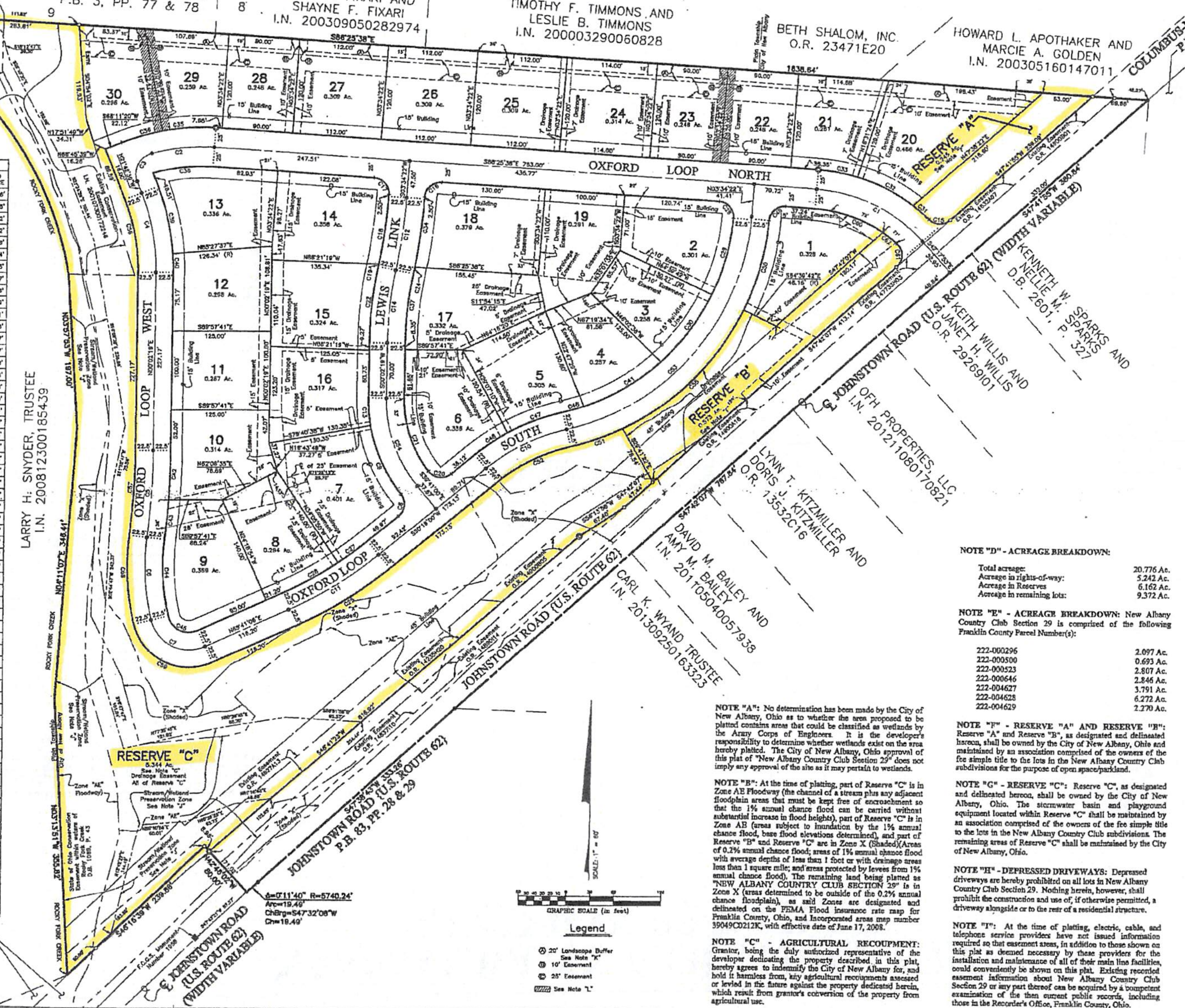
By _____ Professional Surveyor No. 7865 — 7 NOV 14 Date

NEW ALBANY COUNTRY CLUB

SECTION 29

PLAT BOOK 118 PG 37

2/2



CURVE TABLE

DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
44°07'46"	200.00'	154.04'	N 64°21'48" W	150.26'
18°21'20"	250.00'	80.09'	S 64°23'42" W	79.75'
96°55'41"	27.00'	45.68'	S 26°45'11" W	40.42'
21°44'58"	272.50'	103.44'	N 10°50'10" W	102.82'
6°41'10"	952.50'	111.15'	N 03°22'55" E	111.09'
20°24'35"	297.50'	106.00'	S 03°28'58" E	105.44'
100°37'29"	50.00'	87.81'	S 84°00'09" E	76.95'
88°43'43"	20.00'	30.97'	S 05°57'06" W	27.97'
28°08'21"	197.50'	96.82'	S 24°22'03" E	95.86'
29°08'41"	250.00'	114.08'	S 63°23'20" W	113.09'
15°22'06"	500.00'	134.11'	N 58°00'03" E	133.71'
7°46'09"	683.16'	93.23'	S 07°28'58" W	93.16'
10°21'42"	197.50'	35.72'	S 05°09'31" E	35.67'
11°21'12"	472.50'	93.63'	S 05°42'55" W	93.47'
86°00'44"	20.00'	30.02'	N 89°17'43" W	27.28'
90°00'00"	20.00'	31.42'	N 48°34'22" E	28.28'
90°00'00"	20.00'	31.42'	S 41°25'38" E	28.28'
7°33'03"	660.66'	87.07'	S 07°20'53" W	87.00'
0°16'05"	680.66'	3.09'	S 11°18'22" W	3.09'
92°03'14"	20.00'	32.14'	N 83°38'23" W	28.79'
37°38'05"	152.50'	100.17'	N 18°46'43" W	98.35'
11°21'12"	495.00'	98.08'	S 88°42'55" W	97.92'
0°41'47"	705.66'	8.58'	N 11°02'38" E	8.58'
15°22'06"	522.50'	140.15'	N 58°00'03" E	139.73'
9°46'58"	477.50'	81.53'	S 80°47'38" W	81.43'
5°38'18"	477.50'	46.53'	S 83°08'35" W	46.64'
90°47'39"	20.00'	31.70'	S 41°01'39" E	28.48'
20°57'58"	277.50'	101.54'	S 14°51'19" W	100.98'
22°12'28"	277.50'	107.56'	S 36°28'32" W	106.89'
6°46'43"	225.00'	26.62'	N 49°40'43" W	26.60'
20°24'32"	225.00'	80.15'	N 63°16'20" W	79.72'
12°57'02"	225.00'	50.86'	N 79°57'07" W	50.76'
7°07'22"	705.66'	87.73'	N 07°08'03" E	87.67'
14°12'45"	275.00'	68.21'	S 86°27'59" W	68.04'
11°10'17"	275.00'	53.62'	S 73°46'29" W	53.53'
11°21'12"	480.00'	89.17'	N 05°42'55" E	89.02'
19°34'13"	225.00'	76.85'	N 83°47'15" E	76.48'
17°10'15"	295.00'	88.41'	N 13°07'31" W	88.08'
6°34'43"	205.00'	23.57'	N 02°15'02" W	23.57'
13°17'35"	277.50'	112.77'	S 59°11'19" W	112.00'
3°40'35"	975.00'	62.56'	N 01°52'47" E	62.55'
3°00'15"	975.00'	51.12'	N 05°13'22" E	51.12'
20°24'56"	275.00'	97.99'	N 03°28'58" W	97.47'
100°37'29"	27.50'	48.30'	N 84°00'09" W	42.32'
5°37'16"	277.50'	27.27'	S 73°38'46" W	27.25'
15°36'30"	272.50'	74.25'	S 68°59'25" W	74.00'
10°32'10"	272.50'	50.11'	S 55°35'05" W	50.04'
89°23'56"	20.00'	31.21'	N 48°52'24" E	28.14'
21°09'52"	322.50'	119.13'	N 14°45'22" E	118.45'
12°17'58"	322.50'	69.23'	N 70°18'41" E	69.10'
26°08'41"	227.50'	103.81'	N 83°23'20" E	102.91'
72°53'18"	300.00'	381.84'	N 40°01'01" E	356.42'
39°43'20"	175.00'	121.32'	S 18°40'20" E	118.91'
38°49'24"	322.50'	218.52'	N 44°45'00" E	214.37'
21°44'09"	250.00'	94.90'	S 10°50'10" E	94.33'
6°41'16"	930.00'	108.53'	S 03°22'55" W	108.47'
20°24'35"	320.00'	114.02'	S 03°28'58" E	113.42'
100°37'29"	72.50'	127.33'	S 84°00'09" E	111.58'
30°13'38"	175.00'	92.32'	N 71°18'50" W	91.26'
95°16'52"	20.00'	33.62'	S 00°27'19" E	29.80'
7°35'17"	175.00'	23.18'	N 52°24'24" W	23.16'

NOTE "A": No determination has been made by the City of New Albany, Ohio as to whether the area proposed to be platted contains areas that could be classified as wetlands by the Army Corps of Engineers. It is the developer's responsibility to determine whether wetlands exist on the area hereby platted. The City of New Albany, Ohio approval of this plat of "New Albany Country Club Section 29" does not imply any approval of the site as it may pertain to wetlands.

NOTE "B": At the time of platting, part of Reserve "C" is in Zone AE Floodway (the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increase in flood heights), part of Reserve "C" is in Zone AE (areas subject to inundation by the 1% annual chance flood, base flood elevations determined), and part of Reserve "B" and Reserve "C" are in Zone X (Shaded)(Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood). The remaining land being platted as "NEW ALBANY COUNTRY CLUB SECTION 29" is in Zone X (areas determined to be outside of the 0.2% annual chance floodplain), as said Zones are designated and delineated on the FEMA Flood Insurance rate map for Franklin County, Ohio, and Incorporated areas map number 39049C0212K, with effective date of June 17, 2008.

NOTE "C" - AGRICULTURAL RECOUPMENT: Grantor, being the duly authorized representative of the developer dedicating the property described in this plat, hereby agrees to indemnify the City of New Albany for, and hold it harmless from, any agricultural recoupments assessed or levied in the future against the property dedicated herein, which result from grantor's conversion of the property from agricultural use.

NOTE "D" - ACREAGE BREAKDOWN:

Total acreage:	20.776 Ac.
Acreage in rights-of-way:	5.242 Ac.
Acreage in Reserves	6.162 Ac.
Acreage in remaining lots:	9.372 Ac.

NOTE "E" - ACREAGE BREAKDOWN: New Albany Country Club Section 29 is comprised of the following Franklin County Parcel Number(s):

222-000296	2.097 Ac.
222-000500	0.693 Ac.
222-000523	2.807 Ac.
222-000646	2.846 Ac.
222-004627	3.791 Ac.
222-004628	6.272 Ac.
222-004629	2.270 Ac.

NOTE "F" - RESERVE "A" AND RESERVE "B": Reserve "A" and Reserve "B", as designated and delineated hereon, shall be owned by the City of New Albany, Ohio and maintained by an association comprised of the owners of the fee simple title to the lots in the New Albany Country Club subdivisions for the purpose of open space/parkland.

NOTE "G" - RESERVE "C": Reserve "C", as designated and delineated hereon, shall be owned by the City of New Albany, Ohio. The stormwater basin and playground equipment located within Reserve "C" shall be maintained by an association comprised of the owners of the fee simple title to the lots in the New Albany Country Club subdivisions. The remaining areas of Reserve "C" shall be maintained by the City of New Albany, Ohio.

NOTE "H" - DEPRESSED DRIVEWAYS: Depressed driveways are hereby prohibited on all lots in New Albany Country Club Section 29. Nothing herein, however, shall prohibit the construction and use of, if otherwise permitted, a driveway alongside or to the rear of a residential structure.

NOTE "I": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about New Albany Country Club Section 29 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Recorder's Office, Franklin County, Ohio.

NOTE "J" - STREAM/WETLAND PRESERVATION ZONE: The "Stream/Wetland Preservation Zone" shall forever be restricted from development with buildings, structures, and uses and the natural state of said zone shall remain undisturbed. It is also the intent and purpose of the Stream/Wetland Preservation Zone to restrict and forbid any activity or use which would as a natural consequence of such, impede or make more difficult the accomplishment of the purpose of which the said zone was created.

Additional restrictions include:

1. No dumping or burning of refuse.
2. No hunting or trapping.
3. Natural resources of the zones shall remain undisturbed and no topsoil, sand, gravel, or rock shall be excavated, removed or graded.
4. Nothing shall be permitted to occur within the Stream/Wetland Preservation Zone which would contribute to the erosion of the land and no trees shall be cut or removed, except for the removal of such dead diseased, noxious, or decayed trees or vegetation which may be required for conservation or scenic purposes, or for reasons of public safety. Any and all alterations to the Stream/Wetland Preservation Zone require the approval of the city of New Albany Community Development Department.

5. No private encroachment, such as, but not limited to, dumping of trash or debris, or the installation of any type of recreation or other facility or convenience shall be permitted.

No roadway or any facility of any public utility other than existing roadways and public utility facilities or those outlined in the original plan shall be permitted to be constructed or installed in the premises.

NOTE "K" - LANDSCAPE BUFFER: Within those areas designated "Landscape Buffer" on this plat (hereinafter Easement Premises), New Albany Company, LLC, hereby grant unto the City of New Albany, Ohio, the perpetual right and easement to hold and protect, for open space and conservation purposes, as permanent woodland and open green space for the protection of unspoiled natural beauty in, over and upon the Easement Premises, subject, however, to all easements of previous record and subject to the conditions hereinafter set forth (The Easement).

1. The Easement herein granted shall run with the land in perpetuity so that Easement Premises shall forever be restricted from development with commercial or residential buildings, structures, and uses, and it is the intent and purpose of both parties to this Easement to restrict and forbid any activity or use which would, as a natural consequence of such, impede or make more difficult the accomplishment of the purpose for which the Easement is granted as outlined herein.

2. No dumping or burning of refuse shall be permitted on the Easement Premises.

3. No hunting or trapping shall be permitted on the Easement Premises.

4. The Easement Premises shall be maintained in a natural state, but additional plantings shall be permitted, and shall remain free from all utilities, with the exception of the extension of storm and sanitary lines shown hereon. Additionally, the grantors and/or the homeowners' association (or their designees) may enter the Easement Premises to perform general clean-up. Dead or diseased trees and invasive/noxious plants may be removed in keeping with good forestry management practices.

5. No roadway, nor any facility of any public utility other than existing roadways and public utility facilities shall be permitted to be constructed or installed on the Easement Premises, and no existing roadway or public utility facility shall be enlarged or extended on the Easement Premises.

Grantors accept no liability for accidents or damages resulting from such public use of the Easement Premises as may result from the Village's ownership of Reserve "A".

This Easement, however, is not intended to interfere with or detract from the use of the Easement Premises by the Grantors and their successors and assigns for all purposes, present and future, not inconsistent with this grant, including such forest management practices envisaged by and consistent with the provisions of Ohio Revised Code Section 5713.22 et seq.

NOTE "L": This easement permits the construction, operation and maintenance of all public and quasi-public utilities above, beneath and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections for storm water drainage connections to all adjacent lots and lands including the current and future owners of the parcel conveyed to Timothy F. Timmons and Leslie B. Timmons by deed of record in Instrument Number 200003290060828 and the current and future owners of the parcel conveyed to Harold J. Breitfeller and Helen M. Breitfeller by deed of record in Instrument Number 199708070066144.

NEW ALBANY COUNTRY CLUB SECTION 28 PART 2

PLAT BOOK 119 PG 34

201509030124315

1/2

Situated in the State of Ohio, County of Franklin, City of New Albany, and in Quarter Township 3, Township 2, Range 16, United States Military Lands, containing 16.180 acres of land, more or less, said 16.180 acres being comprised of a part of each of those tracts of land conveyed to THE NEW ALBANY COMPANY LLC by deeds of record in Instrument Numbers 200210180263228 and 201008260110397, and part of that tract of land conveyed to THE NEW ALBANY COMPANY by deed of record in Official Record 14554, Page B14, Recorder's Office, Franklin County, Ohio.

The undersigned, THE NEW ALBANY COMPANY LLC, a Delaware limited liability company, successor to THE NEW ALBANY COMPANY LIMITED PARTNERSHIP, a Delaware limited partnership, successor to THE NEW ALBANY COMPANY, an Ohio general partnership (see deed of record in Official Record 21256101 and Affidavit in Aid of Title of record in Instrument Number 199811120289607), by BRENT B. BRADBURY, Chief Financial Officer, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "NEW ALBANY COUNTRY CLUB SECTION 28 PART 2", a subdivision containing Lots numbered 33 to 67, both inclusive, and areas designated as Reserve "E", Reserve "F" and Reserve "G", does hereby accept this plat of same and dedicates to public use, as such, all of Hanby's Loop and Armscote End shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Drainage Easement". Each of the aforementioned designated easements permit the construction, operation and maintenance of all public and quasi-public utilities above, beneath, and on the surface of the ground and, where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage. Within those areas designated "Drainage Easement" on this plat, an additional easement is hereby reserved for the purpose of constructing, operating and maintaining major storm water drainage swales and/or other above ground storm water drainage facilities. No above grade structures, dams or other obstructions to the flow of storm water runoff are permitted within Drainage Easement areas as delineated on this plat unless approved by the New Albany Municipal Engineer. No building shall be constructed in any area over which easements are hereby reserved.

In Witness Whereof, BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY LLC, has hereunto set his hand this 30 day of July, 2015.

Signed and Acknowledged In the presence of:

J.L.J. Riley

Melissa D. Bickford

THE NEW ALBANY COMPANY LLC

By Brent B. Bradbury
BRENT B. BRADBURY,
Chief Financial Officer

MELISSA D. BICKFORD
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 5-17-17

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared BRENT B. BRADBURY, Chief Financial Officer of THE NEW ALBANY COMPANY LLC, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said THE NEW ALBANY COMPANY LLC for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this 30th day of July, 2015.

My commission expires 5/17/17 Melissa D. Bickford
Notary Public, State of Ohio

Approved this 19th Day of August 2015 — Mayor, New Albany, Ohio

Approved this 18th Day of Aug 2015 — City Engineer, New Albany, Ohio

Approved this 26 Day of Aug 2015 — Council Representative to Planning Commission, New Albany, Ohio

Approved this 26 Day of Aug 2015 — Chairperson, Planning Commission, New Albany, Ohio

Approved this 20th Day of Aug 2015 — Finance Director, New Albany, Ohio

Approved and accepted by Resolution No. R-28-2015, passed 06-02, 2015, wherein all of Hanby's Loop and Armscote End shown dedicated hereon are accepted, as such, by the Council for the City of New Albany, Ohio. Approval of this plat shall become null and void unless recorded prior to June 2nd, 2016.

Transferred this 3 day of Sept., 2015. — Clarence E. Mingo II, Auditor, Franklin County, Ohio

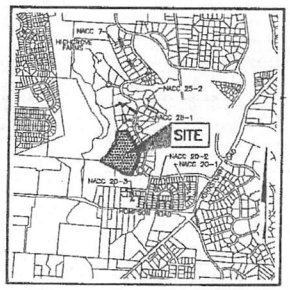
Michael Dotson, Deputy Auditor, Franklin County, Ohio

Filed for record this 3 day of Sept. 2015 at 11:58 A.M. Fee $ 172.20 — Gary J. Brown, M.E., Recorder, Franklin County, Ohio

File No. 201509030124315

Recorded this 3 day of Sept. 2015 — Marcia Egan, Deputy Recorder, Franklin County, Ohio

Plat Book 119, Pages 34-35



LOCATION MAP AND BACKGROUND DRAWING

SCALE: 1" = 1500'

SURVEY DATA:

BASIS OF BEARINGS: The bearings shown hereon are based on the same meridian as the bearings shown on the subdivision plat entitled "New Albany Country Club Section 20 Part 1", of record in Plat Book 103, Pages 84 and 85, Recorders Office, Franklin County, Ohio. On said plat of record, a portion of the centerline of Thompson Road is shown as having a bearing of North 86°19' 35" West.

SOURCE OF DATA: The sources of recorded survey data referenced in the plan and text of this plat are the records of the Recorder's Office, Franklin County, Ohio.

IRON PINS: Iron pins, where indicated hereon, unless otherwise noted, are to be set and are iron pipes, thirteen-sixteenths inch inside diameter, thirty inches long with a plastic plug placed in the top end bearing the initials EMHT INC.

PERMANENT MARKERS: Permanent markers, where indicated hereon, are to be one-inch diameter, thirty-inch long, solid iron pins, are to be set to monument the points indicated and are to be set with the top end flush with the surface of the ground and then capped with an aluminum cap stamped EMHT INC. Once installed, the top of the cap shall be marked (punched) to record the actual location of the point. These markers shall be set following the completion of the construction/installation of the street pavement and utilities and prior to the City of New Albany, Ohio's acceptance of these infrastructure improvements. The New Albany, Ohio, Municipal Engineer shall be notified in writing when the markers are in place.

SURVEYED & PLATTED BY

EMHT

EVANS, MECHWART, HAMBLETON & TILTON, INC.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 866.775.5450
emht.com

We do hereby certify that we have surveyed the above premises, prepared the attached plat, and that said plat is correct. All dimensions are in feet and decimal parts thereof.

o = Iron Pin (See Survey Data)
• = MAG Nail to be set
⊕ = Permanent Marker (See Survey Data)

By [signature] 9 JULY 15
Professional Surveyor No. 7865 Date

STATE OF OHIO
MATTHEW A. KIRK
S-7865
REGISTERED
PROFESSIONAL SURVEYOR

NEW ALBANY COUNTRY CLUB
SECTION 28
PART 2

PLAT BOOK 119 PG 35

Curve Table					
Curve Number	Delta	Radius	Length	Chord Bearing	Chord Distance
C1	105°02'32"	60.00'	110.00'	N59°09'04"W	95.23'
C2	80°58'48"	60.00'	83.88'	S37°49'46"W	80.80'
C3	53°47'07"	60.00'	56.32'	S19°33'42"E	54.28'
C4	20°42'17"	60.00'	21.68'	N03°43'21"E	21.56'
C5	41°03'49"	60.00'	43.00'	S86°59'10"E	42.09'
C6	53°17'13"	35.00'	32.55'	S80°52'28"E	31.39'
C7	48°42'46"	35.00'	29.75'	N10°16'54"W	28.87'
C8	4°34'17"	700.00'	55.85'	N32°21'08"W	55.84'
C9	6°09'02"	650.00'	69.78'	S31°09'21"E	69.74'
C10	8°26'30"	700.00'	103.16'	N25°50'40"W	103.07'
C11	8°18'35"	700.00'	101.52'	N17°28'04"W	101.43'
C12	15°10'25"	650.00'	172.14'	N20°29'37"W	171.64'
C13	34°27'23"	675.00'	405.93'	N20°12'34"W	399.84'
C14	9°24'20"	700.00'	114.91'	N08°36'38"W	114.78'
C15	8°51'54"	650.00'	100.57'	S08°28'28"E	100.47'
C16	18°12'02"	375.00'	119.12'	N53°33'19"W	118.62'
C17	23°01'33"	375.00'	150.70'	N74°10'07"W	149.69'
C18	98°21'38"	20.00'	34.33'	S45°08'18"W	30.27'
C19	96°20'29"	20.00'	33.63'	N52°04'40"W	29.81'
C20	15°06'43"	375.00'	98.91'	S72°11'44"W	98.62'
C21	22°22'45"	400.00'	156.24'	N75°49'45"E	155.24'
C22	48°31'35"	400.00'	338.78'	S88°43'05"E	328.74'
C23	6°43'24"	425.00'	49.87'	N86°00'05"E	49.85'
C24	12°11'43"	425.00'	90.45'	N77°27'40"E	90.29'
C25	12°06'44"	425.00'	89.84'	N89°36'53"E	89.68'
C26	11°42'01"	425.00'	86.79'	S76°28'45"E	86.64'
C27	13°03'00"	425.00'	96.80'	S68°05'15"E	96.59'

Curve Table					
Curve Number	Delta	Radius	Length	Chord Bearing	Chord Distance
C28	70°54'20"	400.00'	495.01'	S79°54'28"E	464.02'
C29	13°12'37"	425.00'	97.99'	S52°58'25"E	97.77'
C30	1°54'50"	425.00'	14.20'	S45°24'43"E	14.20'
C31	90°00'00"	50.00'	78.54'	S89°27'18"E	70.71'
C32	90°00'00"	75.00'	117.81'	N89°27'18"W	106.07'
C33	7°49'46"	725.00'	99.07'	N81°13'35"W	98.99'
C34	0°19'23"	725.00'	4.09'	N85°18'10"W	4.09'
C35	6°12'47"	875.00'	94.88'	N82°21'28"W	94.84'
C36	7°36'05"	875.00'	116.09'	N75°27'02"W	116.00'
C37	7°36'05"	875.00'	116.09'	N67°50'57"W	116.00'
C38	7°36'05"	875.00'	116.09'	N60°14'52"W	116.00'
C39	7°36'06"	875.00'	116.09'	N52°38'47"W	116.00'
C40	4°51'28"	875.00'	74.18'	N46°25'01"W	74.16'
C41	89°31'59"	50.00'	78.13'	N00°46'42"E	70.42'
C42	89°31'59"	75.00'	117.20'	S00°46'42"W	105.63'
C43	4°21'48"	925.00'	70.44'	S40°00'41"E	70.43'
C44	5°10'39"	925.00'	83.59'	S44°46'54"E	83.56'
C45	5°10'39"	925.00'	83.59'	S49°57'33"E	83.56'
C46	6°41'50"	925.00'	108.12'	S55°53'47"E	108.06'
C47	6°41'50"	925.00'	108.12'	S62°35'37"E	108.06'
C48	6°05'22"	925.00'	98.31'	S68°59'13"E	98.27'
C49	5°47'08"	925.00'	93.40'	S74°55'29"E	93.36'
C50	5°16'27"	925.00'	85.15'	S80°27'17"E	85.12'
C51	2°22'21"	925.00'	38.30'	S84°18'41"E	38.30'
C52	3°57'09"	675.00'	46.65'	S83°29'17"E	46.65'
C53	41°28'34"	900.00'	651.51'	S64°43'34"E	637.37'
C54	8°09'10"	700.00'	99.61'	N81°23'15"W	99.52'

NOTE "A": No determination has been made by the City of New Albany, Ohio as to whether the area proposed to be platted contains areas that could be classified as wetlands by the Army Corps of Engineers. It is the developer's responsibility to determine whether wetlands exist on the area hereby platted. The City of New Albany, Ohio approval of this plat of "New Albany Country Club Section 28 Part 2" does not imply any approval of the site as it may pertain to wetlands.

NOTE "B": At the time of platting, part of Lots 38, 39, 40, 41, 42, 56, and Reserve "E" are in Zone X (Shaded)(Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood). The remaining land being platted as "New Albany Country Club Section 28 Part 2" is in Zone X (areas determined to be outside of the 0.2% annual chance floodplain) As said zones are designated and delineated on the FEMA Flood insurance rate map for Franklin County, Ohio, and Incorporated areas map number 39049C0204K, with effective date of June 17, 2008.

NOTE "C" - DEPRESSED DRIVEWAYS: Depressed driveways are hereby prohibited on all lots in New Albany Country Club Section 28 Part 2. Nothing herein, however, shall prohibit the construction and use of, if otherwise permitted, a driveway alongside or to the rear of a residential structure.

NOTE "D" - AGRICULTURAL RECOUPMENT: Grantor, being the duly authorized representative of the developer dedicating the property described in this plat, hereby agrees to indemnify the City of New Albany for, and hold it harmless from, any agricultural recoupments assessed or levied in the future against the property dedicated herein, which result from grantor's conversion of the property from agricultural use.

NOTE "E" - ACREAGE BREAKDOWN:

Total acreage:	16.180 Ac.
Acreage in rights-of-way:	2.718 Ac.
Acreage in Reserves	0.765 Ac.
Acreage in remaining lots:	12.697 Ac.

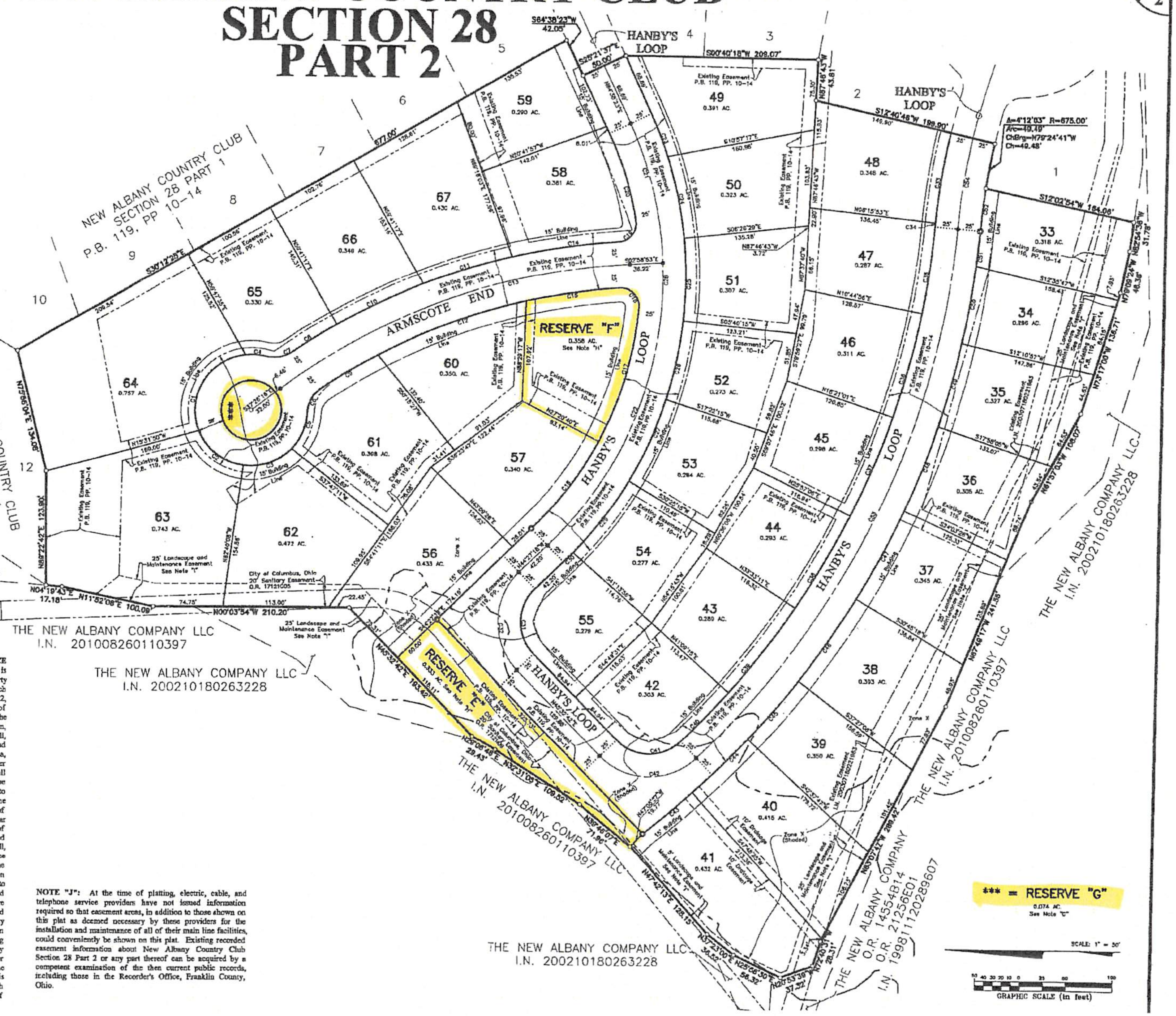
NOTE "F" - ACREAGE BREAKDOWN: New Albany Country Club Section 28 Part 2 is comprised of the following Franklin County Parcel Numbers:

223-000002	0.027 Ac.
223-000031	0.993 Ac.
222-000479	0.084 Ac.
222-002952	15.076 Ac.

NOTE "G" - RESERVE "G": Reserve "G", as designated and delineated hereon, shall be owned by the City of New Albany, Ohio and maintained by an association comprised of the owners of the fee simple title to the lots in New Albany Country Club subdivisions for the purpose of open space.

NOTE "H" - RESERVES "E" AND "F": Reserves "E" and "F", as designated and delineated hereon, shall be owned by the City of New Albany and shall be maintained by an association comprised of the owners of the fee simple title to the lots in New Albany Country Club subdivisions for purpose of open space. The developer reserves the right to construct and maintain, or cause to be maintained, landscaping, street trees, fencing and other amenities with public right-of-way. Landscaping in reserves shall not obstruct sight distance.

NOTE "I" - LANDSCAPE AND MAINTENANCE EASEMENT: A Landscape and Maintenance Easement is hereby created and provided in favor of the real property presently owned by The New Albany Company LLC which was acquired in Instrument Numbers 200210180263222, 201008260110397, and 201008260110402. The purpose of the easement is to allow current and future owner(s) of the benefited property and their designees to (a) install, maintain, repair, and replace fencing within the easement area, (b) install, operate, maintain, repair, and replace irrigation lines and related equipment and appurtenances within the easement area, and (c) mow and otherwise maintain grass and other landscaping located within this same area. Said owner(s) shall be permitted entry upon the area which is burdened by the easement as reasonably necessary from time-to-time in order to exercise the rights provided herein. The owner(s) of the benefited property shall maintain the fencing in a good state of repair and shall paint both sides of said fencing on a regular basis, and shall be permitted entry onto an additional 10 feet of those lots which are burdened by this easement as measured from the boundary of the easement area in order to install, maintain, repair and replace fencing. The owner(s) of the benefited property also shall regularly mow and maintain the easement area to the same standards and conditions as exist on the portion of the benefited property that is located adjacent to the easement area. Following entry upon the areas burdened by this easement, the entering party shall be required to restore damaged areas to a substantially similar condition as existed immediately prior to such entry. The owners of real property which is burdened by this easement shall be prohibited from painting any fencing located within the easement area, hanging any signs or other items from such fencing, and installing any temporary or permanent buildings, structures, landscaping, or other improvements of any kind whatsoever within the easement area. The owner(s) of the real property that is benefited by this easement shall be permitted to remove such items from the easement area without liability to the owners of the burdened property.



NOTE "J": At the time of platting, electric, cable, and telephone service providers have not issued information required so that easement areas, in addition to those shown on this plat as deemed necessary by these providers for the installation and maintenance of all of their main line facilities, could conveniently be shown on this plat. Existing recorded easement information about New Albany Country Club Section 28 Part 2 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Recorder's Office, Franklin County, Ohio.

LIMITED WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **THE NEW ALBANY COMPANY LLC**, a Delaware limited liability company (the "**Grantor**") whose address is 8000 Walton Parkway, Suite 120, New Albany, Ohio 43054, for valuable consideration paid, grants, with limited warranty covenants, to the **CITY OF NEW ALBANY**, an Ohio municipal corporation (the "**Grantee**"), whose tax mailing address is 99 West Main Street, New Albany, Ohio 43054, the following described real property (the "**Premises**"):

1. Legal Description: Being Reserve "A" as delineated on the plat known as VILLAGE HALL ROAD DEDICATION AND EASEMENTS SECTION 2, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 110, Page 38, Recorder's Office, Franklin County, Ohio.

   Auditor's Parcel Number: 222-004179

   Prior Instrument Reference: 200612130247363

2. Legal Description: Being Reserve "B" as delineated on the plat known as VILLAGE HALL ROAD DEDICATION AND EASEMENTS SECTION 2, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 110, Page 38, Recorder's Office, Franklin County, Ohio.

   Auditor's Parcel Number: 222-004180

   Prior Instrument Reference: 200612130247363

3. Legal Description: Being Reserve "C" as delineated on the plat known as VILLAGE HALL ROAD DEDICATION AND EASEMENTS SECTION 2, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 110, Page 38, Recorder's Office, Franklin County, Ohio.

   Auditor's Parcel Number: 222-004181

   Prior Instrument Reference: 200612130247363

4. Legal Description: Being Reserve "A" in NEW ALBANY COUNTRY CLUB SECTION 24, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 112, Page 77, Recorder's Office, Franklin County, Ohio.

   Auditor's Parcel Number: 222-004394

   Prior Instrument Reference: 200910050143683

5. Legal Description: Being Reserve "B" in NEW ALBANY COUNTRY CLUB SECTION 24, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 112, Page 77, Recorder's Office, Franklin County, Ohio.

Auditor's Parcel Number: 222-004395

Prior Instrument Reference: 200910050143683

6. Legal Description: Being Reserve "C" in NEW ALBANY COUNTRY CLUB SECTION 24, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 112, Page 77, Recorder's Office, Franklin County, Ohio.

   Auditor's Parcel Number: 222-004396

   Prior Instrument Reference: 200910050143683

7. Legal Description: Being Reserve "A" in NEW ALBANY COUNTRY CLUB SECTION 25, PART 2, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 114, Page 96, Recorder's Office, Franklin County, Ohio.

   Auditor's Parcel Number: 222-004498

   Prior Instrument Reference: 201112230168606

8. Legal Description: Being Reserve "A" in NEW ALBANY COUNTRY CLUB SECTION 26, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 116, Page 69, Recorder's Office, Franklin County, Ohio.

   Auditor's Parcel Number: 222-004642

   Prior Instrument Reference: 201312020198688

9. Legal Description: Being Reserve "B" in NEW ALBANY COUNTRY CLUB SECTION 25, PART 2, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 114, Page 96, Recorder's Office, Franklin County, Ohio.

   Auditor's Parcel Number: 222-004499

   Prior Instrument Reference: 201112230168606

10. Legal Description: Being Reserve "A" in NEW ALBANY COUNTRY CLUB SECTION 27, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 116, Page 51, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004617

    Prior Instrument Reference: 201310160174867

11. Legal Description: Being Reserve "B" in NEW ALBANY COUNTRY CLUB SECTION 27, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 116, Page 51, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004618

Prior Instrument Reference: 201310160174867

12. Legal Description: Being Reserve "C" in NEW ALBANY COUNTRY CLUB SECTION 27, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 116, Page 51, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004619

    Prior Instrument Reference: 201310160174867

13. Legal Description: Being Reserve "D" in NEW ALBANY COUNTRY CLUB SECTION 27, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 116, Page 51, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004620

    Prior Instrument Reference: 201310160174867

14. Legal Description: Being Reserve "E" in NEW ALBANY COUNTRY CLUB SECTION 27, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 116, Page 51, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004621

    Prior Instrument Reference: 201310160174867

15. Legal Description: Being Reserve "F" in NEW ALBANY COUNTRY CLUB SECTION 27, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 116, Page 51, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004622

    Prior Instrument Reference: 201310160174867

16. Legal Description: Being Reserve "G" in NEW ALBANY COUNTRY CLUB SECTION 27, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 116, Page 51, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004623

    Prior Instrument Reference: 201310160174867

17. Legal Description: Being Reserve "H" in NEW ALBANY COUNTRY CLUB SECTION 27, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 116, Page 51, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004624

    Prior Instrument Reference: 201310160174867

18. Legal Description: Being Reserve "I" in NEW ALBANY COUNTRY CLUB SECTION 27, as the same is numbered and delineated upon the recorded plat

thereof, of record in Plat Book 116, Page 51, Recorder's Office, Franklin County, Ohio.

Auditor's Parcel Number: 222-004625

Prior Instrument Reference: 201310160174867

19. Legal Description: Being Reserve "A" in NEW ALBANY COUNTRY CLUB SECTION 28, PART 1, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 119, Page 10, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004785

    Prior Instrument Reference: 201506260085866

20. Legal Description: Being Reserve "B" in NEW ALBANY COUNTRY CLUB SECTION 28, PART 1, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 119, Page 10, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004786

    Prior Instrument Reference: 201506260085866

21. Legal Description: Being Reserve "C" in NEW ALBANY COUNTRY CLUB SECTION 28, PART 1, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 119, Page 10, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004787

    Prior Instrument Reference: 201506260085866

22. Legal Description: Being Reserve "E" in NEW ALBANY COUNTRY CLUB SECTION 28, PART 2, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 119, Page 34, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004856

    Prior Instrument Reference: 201509030124315

23. Legal Description: Being Reserve "F" in NEW ALBANY COUNTRY CLUB SECTION 28, PART 2, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 119, Page 34, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004857

    Prior Instrument Reference: 201509030124315

24. Legal Description: Being Reserve "G" in NEW ALBANY COUNTRY CLUB SECTION 28, PART 2, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 119, Page 34, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004858

Prior Instrument Reference: 201509030124315

25. Legal Description: Being Reserve "A" in NEW ALBANY COUNTRY CLUB SECTION 29, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 119, Page 10, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004726

    Prior Instrument Reference: 201506260085866

26. Legal Description: Being Reserve "B" in NEW ALBANY COUNTRY CLUB SECTION 29, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 119, Page 10, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004727

    Prior Instrument Reference: 201506260085866

27. Legal Description: Being Reserve "C" in NEW ALBANY COUNTRY CLUB SECTION 29, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 119, Page 10, Recorder's Office, Franklin County, Ohio.

    Auditor's Parcel Number: 222-004728

    Prior Instrument Reference: 201506260085866

Subject to covenants, easements, conditions and restrictions, if any, of record and further subject to taxes and assessments, if any, now a lien, not yet due and payable.

Grantor hereby expressly reserves, for itself and for its successors and assigns in interest with respect to and for the benefit of the real property that is described in Exhibit A attached hereto and incorporated herein by reference and which is generally located to the south of and adjacent to the traffic circle/intersection of U.S. Route 62/Main Street and Market Street in the City of New Albany, Ohio (the "Benefited Property"), the following easement rights over limited portions of Reserve "B" as delineated in the plat known as NEW ALBANY COUNTRY CLUB SECTION 24 ("Section 24 Reserve B"), as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 112, Page 77 (Parcel Number 222-004394):

(A) Access: The perpetual and exclusive right of vehicular and pedestrian ingress and egress over, under, on, upon, across, and through that portion of Section 24 Reserve B that is more particularly described and depicted in Exhibit B (attached hereto and incorporated herein by reference) (the "Easement Area"). Said easement shall include, without limitation, the right of Grantor to construct, use, maintain, repair, and replace pavement, landscaping, signage, gates, fences, and related improvements that are reasonable and necessary or appropriate in the exercise of the rights being reserved hereby, all at its sole cost and expense. The rights of use of the Easement Area for vehicular and pedestrian ingress and egress shall inure to the benefit of not only the owners of the Benefited Property but also to tenants, lessees, visitors, invitees, contractors, and others coming to and going from the Benefited Property. Notwithstanding the foregoing, nothing herein shall be read to provide the general public with rights of use of the Easement Area nor shall such Easement Area or the rights reserved hereunder be deemed to provide any dedication of rights to the public in general; and

(B) Storm Water: The perpetual and non-exclusive right (i) to allow storm water to flow over, under, on, upon, across, and through the Easement Area and (ii) to allow such storm water to be stored, treated, and released within and from the detention pond that is located within Section 24 Reserve B as it exists on the date this deed is recorded and as it may be expanded in the future as permitted hereunder. Said easement shall include, without limitation, the right to construct, use, maintain, repair, and replace underground piping and associated infrastructure to provide for the flow of storm water to the aforementioned pond, as well as the right to expand such pond (as it exists on the date that this deed is recorded) for the limited purpose of accommodating the anticipated storm water flow from the Benefited Property, all at Grantor's sole cost and expense. Maintenance of the pond (both prior to and following its expansion) shall be the responsibility of the New Albany County Club Communities Association, Inc., as provided in the plat that is of record with the Office of the Recorder of Franklin County, Ohio in Plat Book 112, Page 77.

Grantor shall be responsible for constructing, operating, maintaining, repairing, and replacing all improvements within the Easement Area, and shall keep and maintain the Easement Area in good condition and repair, including, but not limited to, tree and vegetation trimming, removal, and replacement; mowing; snow and ice removal; and repair and/or replacement of storm water drainage piping and all improvements located therein (the "Maintenance Work"). Grantor shall be responsible for the costs and expenses associated with the Maintenance Work provided, however, that Grantee shall be responsible, at its expense, for any maintenance or repair of the Easement Area primarily necessitated by its own negligence or wrongful intentional acts, or those of its agents, contractors or employees.

Included within the easements reserved hereunder shall be the reservation of a temporary right of entry onto portions of Section 24 Reserve B located outside of the Easement Area for the purpose of constructing, maintaining, repairing, and replacing improvements as permitted by the rights reserved hereby. Each entry shall occur over the smallest portion of Section 24 Reserve B as necessary, and the exercise of the rights under each temporary right of entry shall be undertaken in a manner that has the least effect practicable on any existing improvements, operations, and uses on Section 24 Reserve B. Each temporary right of entry provided hereunder shall immediately terminate upon completion of the construction, maintenance, or repair of the relevant improvements. Any person or entity entering upon Section 24 Reserve B pursuant to this paragraph shall be responsible for restoring all portions of that real property which are negatively impacted by such entry to the same or better condition as existed prior to the entry.

[Signature page follows]

IN WITNESS WHEREOF, Grantor has caused the execution of this Limited Warranty Deed on the ____ day of _____, 2016.

GRANTOR:

THE NEW ALBANY COMPANY LLC,
a Delaware limited liability company

By: _____

Print Name: _____

Title: _____

STATE OF OHIO
COUNTY OF _____, ss:

The foregoing Limited Warranty Deed was acknowledged before me this ____ day of _____, 2016, by _____, the _____ of The New Albany Company LLC, a Delaware limited liability company, Grantor.

_____
Notary Public

This instrument prepared by:
Underhill & Hodge LLC
8000 Walton Parkway, Suite 260
New Albany, Ohio 43054
(614) 335.9320

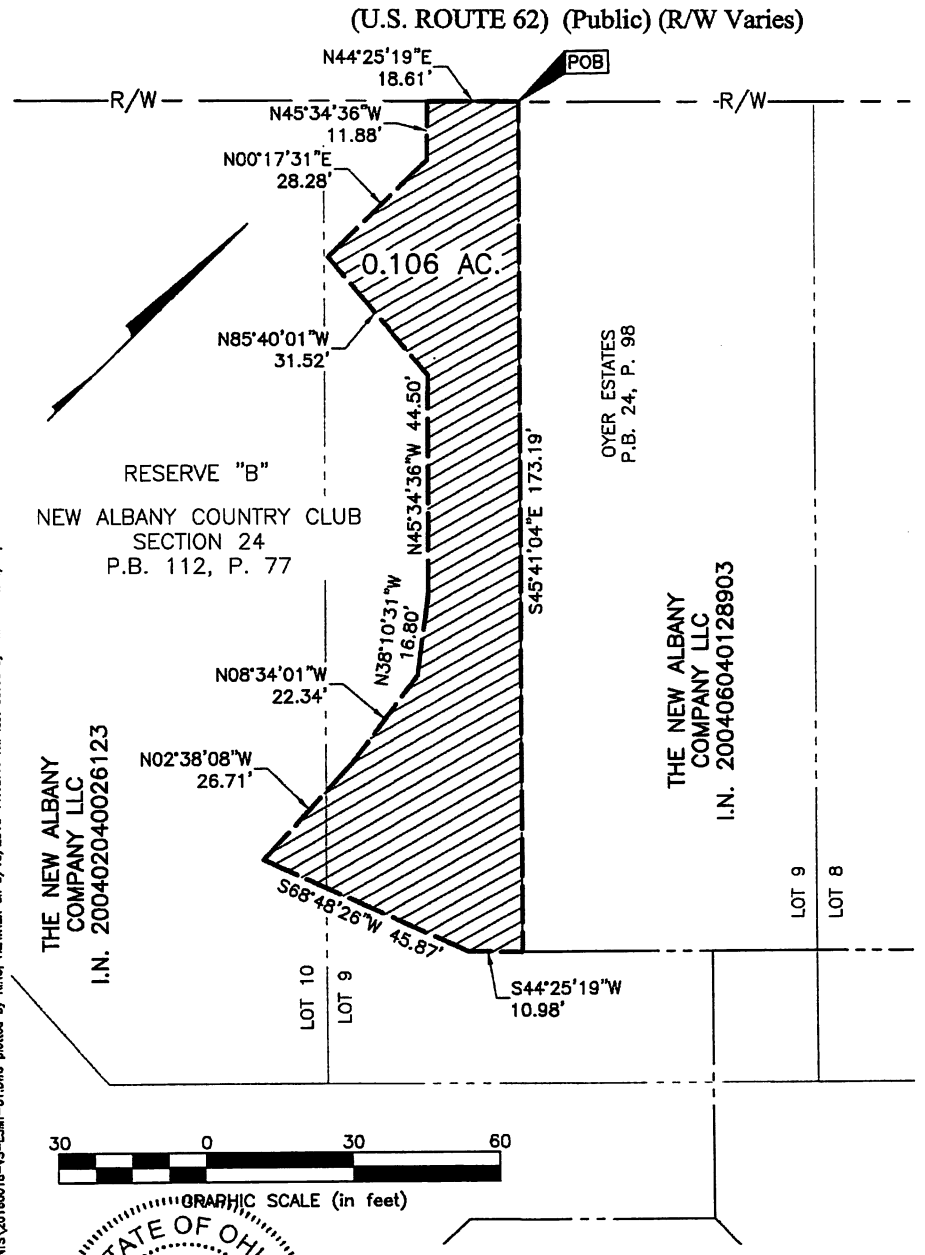
[Add exhibits]

EMH&T
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

EASEMENT

QUARTER TOWNSHIP 4,TOWNSHIP 2, RANGE 16
UNITED STATES MILITARY LANDS
CITY OF NEW ALBANY, COUNTY OF FRANKLIN, STATE OF OHIO

Date: June 27, 2016	Job No: 2016-0018	Scale: 1" = 30'



STATE OF OHIO
HEATHER L. KING
S-8307
REGISTERED
PROFESSIONAL SURVEYOR

By Heather L. King 9/15/16
Heather L. King
Professional Surveyor No. 8307
Date

J:\2016018\DWG\04SHEETS\EASEMENTS\2016018-VS-ESMT-01.DWG plotted by KING, HEATHER on 9/15/2016 11:13:41 AM last saved by HKING on 6/29/2016 11:51:33 AM
Xrefs:

EASEMENT
0.106 ACRE

Situated in the State of Ohio, County of Franklin, City of New Albany, lying in Quarter Township 4, Township 2, Range 16 of the United States Military Lands, being a strip of land on, over and across Reserve "B" as shown on the subdivision plat entitled "New Albany Country Club Section 24", of record in Plat Book 112, Page 77, being part of the tracts conveyed to The New Albany Company LLC by deeds of record in Instrument Numbers 200406040128903 and 200402040026123, (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING on the southerly right-of-way line of Columbus-Millersburg Road (U.S. Route 62) at the northernmost corner of said Reserve "B";

Thence South 45° 41' 04" East, with a northeasterly line of said Reserve "B", a distance of 173.19 feet to a corner thereof;

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

South 44° 25' 19" West, a distance of 10.98 feet to a point;

South 68° 48' 26" West, a distance of 45.87 feet to a point;

North 02° 38' 08" West, a distance of 26.71 feet to a point;

North 08° 34' 01" West, a distance of 22.34 feet to a point;

North 38° 10' 31" West, a distance of 16.80 feet to a point;

North 45° 34' 36" West, a distance of 44.50 feet to a point;

North 85° 40' 01" West, a distance of 31.52 feet to a point;

North 00° 17' 31" East, a distance of 28.28 feet to a point; and

North 45° 34' 36" West, a distance of 11.88 feet to a point on said southerly right-of-way line;

Thence North 44° 25' 19" East, with said southerly right-of-way line, a distance of 18.61 feet to the POINT OF BEGINNING, containing 0.106 acre, more or less.

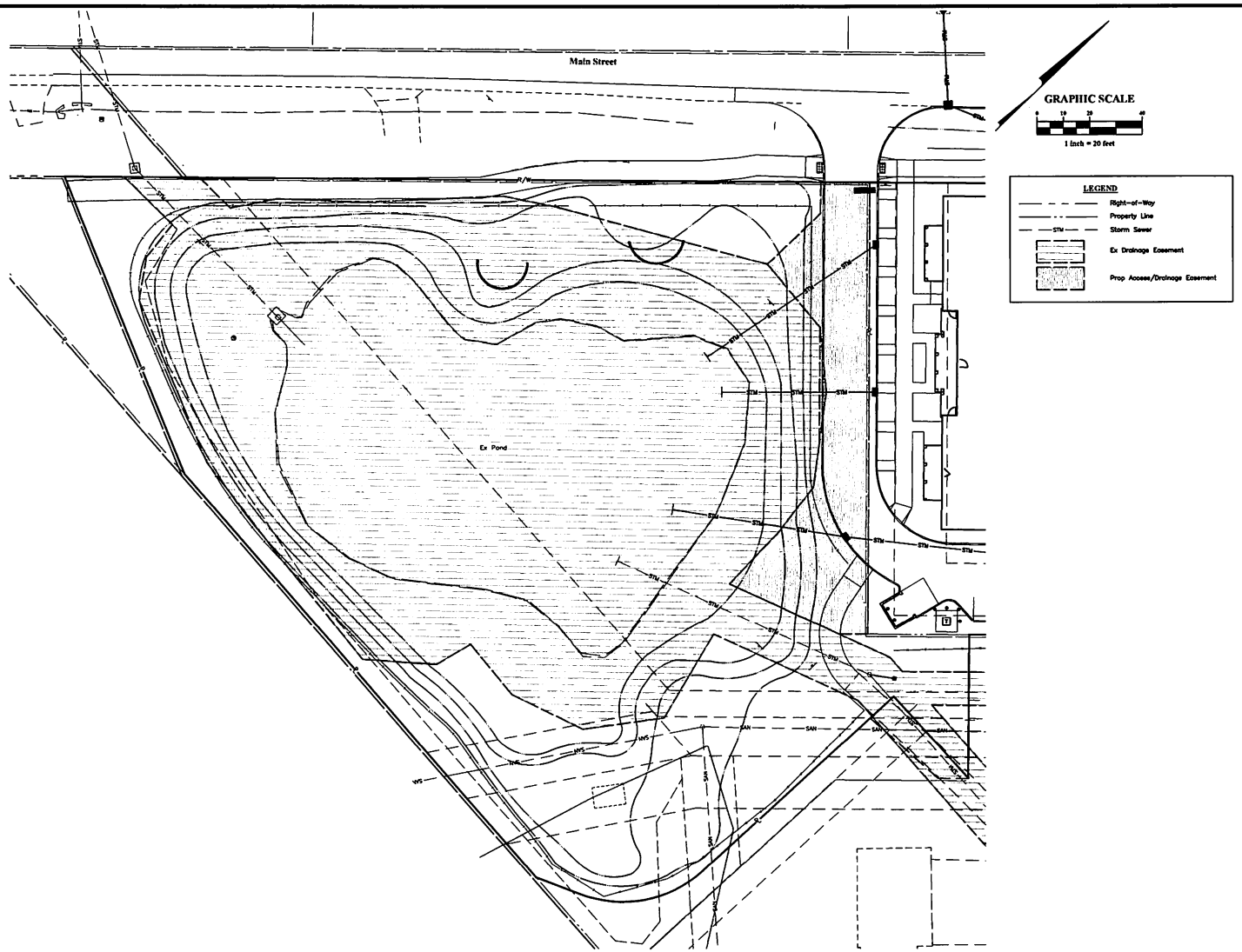
STATE OF OHIO
HEATHER L. KING
S-8307
REGISTERED
PROFESSIONAL SURVEYOR

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King
Professional Surveyor No. 8307

9/15/16
Date

HLK: sg
0_106 ac 20160018-VS-ESMT-01.doc



REVISIONS

MARK	DATE	DESCRIPTION

NEW ALBANY COMPANY

CITY OF NEW ALBANY, FRANKLIN COUNTY, OHIO
EXHIBIT
FOR
TOWN CENTER APARTMENTS
ACCESS EASEMENT EXHIBIT

EMH&T
Engineers • Surveyors • Planners • Scientists
Dodge, MacDonald, Horvath & Tilton, Inc.
Corporate • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

DATE
June 1, 2016

SCALE
1" = 20'

JOB NO.
2016-0018

SHEET
1/1

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Prepared:	09/09/2016
Introduced:	09/20/2016
Revised:	
Adopted:	10/4/2016
Effective:	10/4/2016

ORDINANCE O-32-2016

AN ORDINANCE TO AMEND CHAPTER 1125.06 "COMPLIANCE WITH NEW ALBANY COMMUNITY AUTHORITY" OF THE CITY OF NEW ALBANY, OHIO'S CODIFIED ORDINANCES

WHEREAS, it has been found that the Codified Ordinances of the City of New Albany, Chapter 1125.06, needs to be amended; and

WHEREAS, the following amendment will expand the applicability of this provision to any community authorities established within the city; and

WHEREAS, the Planning Commission has held a public hearing and received public input into the amendment of the codified ordinance; and

WHEREAS, the Planning Commission recommended approval of the proposed amendment to the codified ordinance.

NOW, THEREFORE, BE IT ORDAINED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. The Codified Ordinance Chapter 1125.06 be amended to "Compliance With Any Existing New Community Authority" (labeled Exhibit A) as requested by the City of New Albany.

Section 2: That it is hereby found and determined that all formal actions of this council concerning and relating to passage of this ordinance were adopted in an open meeting of the Council and that all deliberations of this council and any of the decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

Section 3. Pursuant to Article VI, Section 6.07(a) of the charter of the City of New Albany, this Ordinance shall be in effect on and after the earliest period allowed by law.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

1125.06 COMPLIANCE WITH ANY EXISTING NEW ~~ALBANY~~ COMMUNITY AUTHORITY.

(a) The Municipality shall not enact any legislation accepting the following territory for annexation under Ohio R.C. 709.04 until there has been compliance with the following requirements relating to any existing New Community Authority established within the Municipality pursuant to Ohio Revised Code Chapter 349~~the New Albany Community Authority~~ (the applicable~~the~~ "Authority"):

(1) If the newly annexed area is greater than seven acres and the current use is agricultural or residential, the property shall be irrevocably added to the applicable Authority, such addition effective upon annexation, but shall not be subject to any community development charge levied by the applicable Authority until such time as the property or property owner requests and is granted a rezoning to a higher use.

(2) If the current use of the newly annexed area is other than agricultural or residential, regardless of its size, the property shall be irrevocably added to the applicable Authority, such addition effective upon annexation, and thereafter shall be subject to any community development charge levied by the applicable Authority.

(b) If the newly annexed area is seven acres or less and the current use is agricultural or residential, the Municipality shall not enact any legislation rezoning the territory to a higher use until there has been compliance with this requirement relating to the applicable Authority: The property shall be irrevocably added to the applicable Authority at the time of and effective upon rezoning to a higher use, and thereafter shall be subject to any community development charge levied by the applicable Authority.

(Ord. 1-96. Passed 1-23-96; Ord. O-1-2012. Passed 1-24-12.)

Prepared:	09/22/2016
Introduced:	10/04/2016
Revised:	
Adopted:	10/4/2016
Effective:	10/4/2016

RESOLUTION R-42-2016

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH AN ENGINEERING FIRM AND A LANDSCAPE ARCHITECTURE FIRM FOR THE DESIGN OF THE ROSE RUN ENHANCEMENT PROJECT WITHIN THE VILLAGE CENTER ALONG DUBLIN-GRANVILLE ROAD BETWEEN FODOR ROAD AND MAIN STREET

WHEREAS, the Rose Run corridor is a historic natural feature in the Village Center, providing a connection to nature and acting as a source of civic pride; and

WHEREAS, currently the Rose Run acts as a physical barrier between the school campus and Market Square within the Village Center; and

WHEREAS, it is possible to preserve the natural corridor and its environmental riparian aspects while also enhancing the area to provide for better visual and safer, physical access and increasing economic development opportunities in the Village Center; and

WHEREAS, enhancements will focus on improvements to pedestrian and bicycle connections and pathways along the corridor, increased and improved bridge crossings, enhanced physical crosswalks across Dublin-Granville Road, the removal of invasive vegetation and the addition of open spaces; and

WHEREAS, it is necessary for the city to engage a design team consisting of an engineering firm and a landscape architecture firm to perform the design work and prepare the associated construction plans; and

WHEREAS, it is estimated that the cost of the design services should not exceed $1,400,000.

NOW, THEREFORE, BE IT RESOLVED by Council for the City of New Albany, Counties of Franklin and Licking, State of Ohio, that:

Section 1. The City Manager is hereby authorized to obtain proposals and enter into a contract for engineering and landscape architecture services related to the design of Rose Run Enhancement Project in an amount not to exceed $1,400,000.

Section 2. That is hereby found and determined that all formal actions of this council concerning and related to the passage of this Resolution were adopted in an open meeting of the council and that all deliberations of this council and any decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public or in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

Section 3. Pursuant to Article 6.07 of the New Albany Charter, this Resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director

Prepared:	09/23/2016
Introduced:	10/04/2016
Revised:	
Adopted:	10/4/2016
Effective:	10/4/2016

RESOLUTION R-43-2016

A RESOLUTION TO WAIVE THE COMPETITIVE BIDDING REQUIREMENT AS SET FORTH IN SECTION 9.04 (C) OF THE NEW ALBANY CHARTER AND AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH METTLER-TOLEDO INCORPORATED FOR THE PURCHASE AND INSTALLATION OF A TRUCK SCALE WEIGHING SYSTEM AT THE PUBLIC SERVICE DEPARTMENT AT A PRICE NOT TO EXCEED $55,000

WHEREAS, the City of New Albany sees the need to install a permanent truck scale weighing system at the public service department and

WHEREAS, the city's existing material weighing system is outdated and no longer functions accurately and

WHEREAS, the weighing and recording of road salt usage is an important function of the city for reporting and invoicing and

WHEREAS, the city has available funds in the 2016 budget for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of New Albany, Counties of Franklin and Licking, State of Ohio:

Section 1: That the City Council of New Albany hereby waives the competitive bidding requirement as set forth in section 9.04 (C) of the New Albany Charter and authorizes the city manager to enter into an agreement with Mettler-Toledo Incorporated for the purchase and installation of a truck scale weighing system at the public service department at a price not to exceed $55,000.

Section 2. That is hereby found and determined that all formal actions of this council concerning and related to the passage of this Resolution were adopted in an open meeting of the council and that all deliberations of this council and any decision making bodies of the City of New Albany which resulted in such formal actions were in meetings open to the public or in compliance with all legal requirements of the City of New Albany, Franklin and Licking Counties, Ohio.

Section 3. Pursuant to Article 6.07 of the New Albany Charter, this Resolution shall take effect upon adoption.

CERTIFIED AS ADOPTED this 4th **day of** October**, 2016.**

Attest:

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

Approved as to form:

Mitchell H. Banchefsky
Law Director