

# GROVEPORT 1

## Exhibit "B"

Situated in the State of Ohio, County of Franklin, City of Groveport, and in Sections 28, 32 and 33, Township 11, Range 21, Congress Lands, containing 353.481 acres of land, more or less, said 353.481 acres being comprised of all of those tracts of land conveyed to **SCHOTTENSTEIN TRUSTEES** by deeds of record in Instrument Numbers 200404290096732 , 200404290096733 and Official Record 1073C20, Recorder's Office, Franklin County, Ohio.

The undersigned, **SCHOTTENSTEIN TRUSTEES**, an Ohio general partnership, by **JAY L. SCHOTTENSTEIN**, Trustee of its General Partner, owner of the lands platted herein, duly authorized in the premises, does hereby certify that this plat correctly represents its "**GROVEPORT 1**", a subdivision containing Lots numbered 1 to 3, both inclusive, does hereby accept this plat of same and dedicates to public use, as such, all of Pontius Road, Rohr Road and Proposed Thoroughfare Road shown hereon and not heretofore dedicated.

Easements are hereby reserved in, over and under areas designated on this plat as "Easement" or "Landscape 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 "Landscape Easement" on this plat, an additional easement is hereby reserved for the purpose of installing/constructing, operating, using, and maintaining landscaping, landscaping features, and subdivision entrance features therein.

In Witness Whereof, **JAY L. SCHOTTENSTEIN**, Trustee of its General Partner of **SCHOTTENSTEIN TRUSTEES**, has hereunto set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signed and Acknowledged  
In the presence of:

**SCHOTTENSTEIN TRUSTEES**

By \_\_\_\_\_  
**JAY L. SCHOTTENSTEIN,**  
Trustee of its General Partner

STATE OF OHIO  
COUNTY OF FRANKLIN ss:

Before me, a Notary Public in and for said State, personally appeared **JAY L. SCHOTTENSTEIN**, Trustee of its General Partner of **SCHOTTENSTEIN TRUSTEES**, who acknowledged the signing of the foregoing instrument to be his voluntary act and deed and the voluntary act and deed of said **SCHOTTENSTEIN TRUSTEES**, for the uses and purposes expressed herein.

In Witness Thereof, I have hereunto set my hand and affixed my official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

My commission expires \_\_\_\_\_  
Notary Public, \_\_\_\_\_ State of Ohio

Approved this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_  
Administrator, \_\_\_\_\_ City of Groveport, Ohio

Approved this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_  
City Engineer, \_\_\_\_\_ City of Groveport, Ohio

Approved this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_  
Chairman, Planning Commission, \_\_\_\_\_ City of Groveport, Ohio

Approved and accepted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Ordinance No. \_\_\_\_\_ wherein all of Pontius Road, Rohr Road and Proposed Thoroughfare Road shown dedicated hereon is accepted as such by the Council for the City of Groveport, Ohio.

Mayor, \_\_\_\_\_ City of Groveport  
Clerk of Council, \_\_\_\_\_ City of Groveport, Ohio

Transferred this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_  
Auditor, \_\_\_\_\_ Franklin County, Ohio

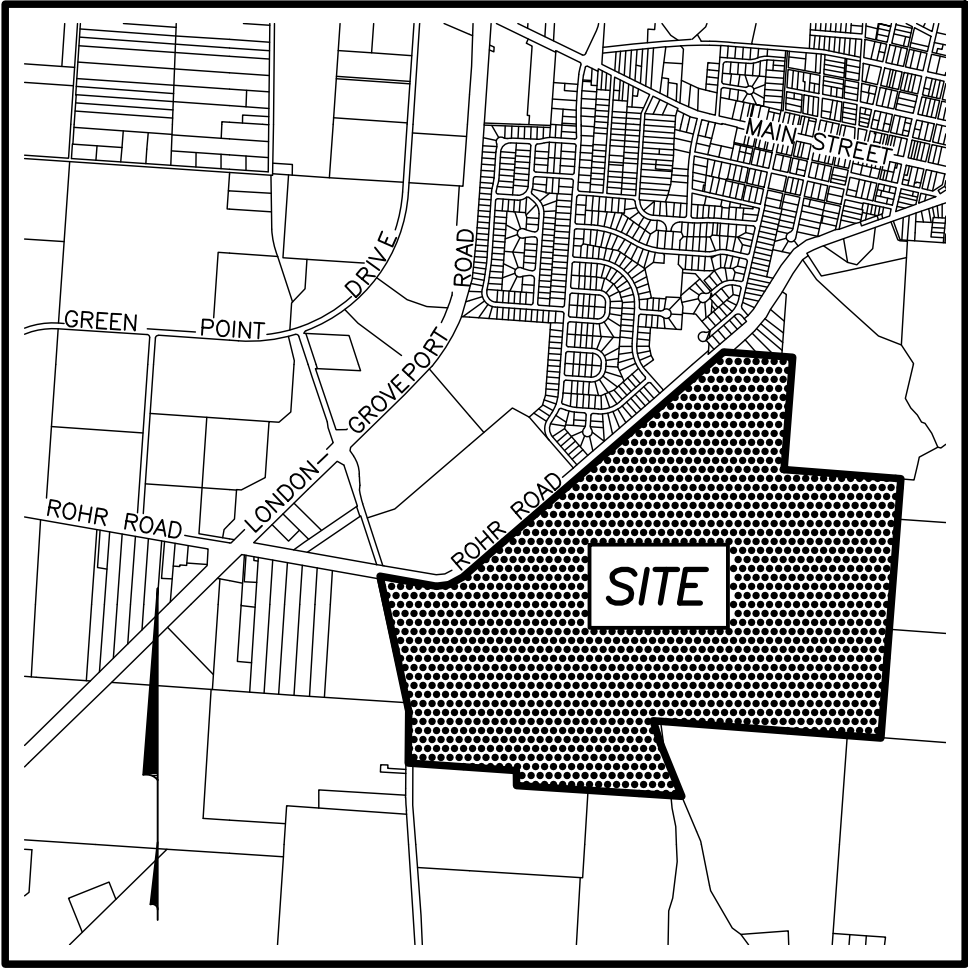
Deputy Auditor, \_\_\_\_\_ Franklin County, Ohio

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_ at \_\_\_\_\_ M. Fee \$ \_\_\_\_\_  
Recorder, \_\_\_\_\_ Franklin County, Ohio

File No. \_\_\_\_\_

Recorded this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_  
Deputy Recorder, \_\_\_\_\_ Franklin County, Ohio

Plat Book \_\_\_\_\_, Pages \_\_\_\_\_



LOCATION MAP AND BACKGROUND DRAWING

SCALE: 1" = 2000'

### SURVEY DATA:

**BASIS OF BEARINGS:** The bearings herein are based on the Ohio State Plane Coordinate System, South Zone, as per NAD 83 (1986 adjustment). Said bearings originated from a field traverse which was tied to said coordinate system by GPS observations of Franklin County Engineering Department monuments FCGS 9926 and FCGS 9963. The portion of the centerline of Rohr Road, having a bearing of South 79° 59' 38" East and monumented as shown hereon is designated the "basis of bearing" for this plat.

**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. Pins are to be set to monument the points indicated, and 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.

SURVEYED & PLATTED  
BY



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 \_\_\_\_\_ Date \_\_\_\_\_  
Professional Surveyor No. 7865

# GROVEPORT 1

**NOTE "A" - CONSERVATION EASEMENT:** Conservation Easement areas as designated and delineated hereon shall be granted to the City of Groveport until such time these areas or a portion of these areas together with the restrictive covenants described below, are conveyed to the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District ("Metro Parks") under a separate instrument.

Except areas otherwise provided for in the amended development text and areas within the "Conservation Easement" that are within existing easements recorded prior to the date of the recording of this plat, the following restrictive covenants and affirmative rights shall apply, govern, and control:

1. The conservation easement shall be kept in perpetuity for public conservation and public open space purposes and may be used only as a public park, public open space, public forest, public natural area, public conservation area, or agricultural area and shall be preserved and managed as such to benefit present and future generations. If the conservation easement is used as an agricultural area, it shall be used only for crop production. Mature forest cover shall be preserved and enhanced according to the standard Metro Parks' non-harvest, let-alone policies.
2. Passive Uses. Uses that are passive in character shall be permitted, including, but not limited to, passive recreational uses, as permitted by federal, state and local laws, such as hiking, fishing, picnicking, and similar uses. Construction of paved trails for bicycle and/or pedestrian use to further such passive recreation uses also is permitted; however, trails that become damaged due to natural erosion shall not be repaired but shall be moved upland or removed altogether.
3. There shall be no residential, industrial, or commercial development, or any other development and no buildings or structures of any kind shall be placed or erected on or within the conservation easement except for signage allowed under the express terms of this Easement.
4. There shall be no fillings, excavating, ditching, draining, dike constructing, damning, removal of top soil, sand, gravel, rock, minerals, oil, gas or other materials nor any change in the topography of the land in any manner, other than that caused by the forces of nature or as reserved herein.
5. Herbicides or pesticides may be used on lands in crop production. On lands not in crop production, herbicides or pesticides may be used only in accordance with the prescribed methods approved by the City of Groveport and Metro Parks.
6. No overhead power transmission lines may be erected, nor shall any interests in the conservation easement be granted for this purpose. It is the intent of this provision to grant to the City of Groveport and it successors and assigns, such an interest in said easement property as is sufficient to prohibit the exercise of the power of eminent domain by public utility companies and any other body or person.
7. The landowner and public and/or quasi-public agencies reserve the right and easement on the real property to repair, replace, or maintain any existing telephone, electric, gas, water, wells, sewer, or other utility lines/mains or ingress/egress driveways needed to provide for the needs of the landowner and its successors or assigns. The area(s) needing repair, replacement, or maintenance of said facility shall be the minimum necessary to accomplish the task. Upon completion, the area shall be restored to its previous state or as near as practical.
8. There shall be no manipulation or alteration of creeks, streams, surface or subsurface springs or other bodies of water, or any activities on or uses of the conservation easement detrimental to water purity, quality, or the ecological integrity of the easement except as expressly provided herein.
9. The operation of snowmobiles, dune buggies, motorcycles, all-terrain vehicles or other motorized recreational vehicles is prohibited. Vehicles necessary for inspection and/or maintenance and for crop production shall be allowed as needed with minimal disturbance to the conservation easement. BMX, Motocross, and/or skateboard ramps, berms, or tracks are prohibited.
10. Domestic livestock, feedlots, non-native animals, and/or non-native plants are prohibited.

11. Native trees, ground cover, or other vegetation shall not be removed unless prior written approval is expressly given by City of Groveport or its successors. Control of invasive non-native plant species is permitted within the prescribed methods approved by City of Groveport or its successor. General maintenance of dead, dying and fallen trees that threaten safety or channel stability shall be allowed by City of Groveport or its successor. The City of Groveport Administrator, or his/her assigns, and/or successor shall prescribe the least impactful means to resolve these cases.
12. The conservation easement shall, at all times, be kept free of garbage, trash, and machinery; and no other unsightly material shall be allowed to accumulate or be stored thereon.

Affirmative Rights of the City of Groveport, it officials (elected and appointed), employees, agents, representatives, successor, and assigns reserve the following rights, interests, and authority:

1. To identify, preserve, and protect in perpetuity the conservation easement, its character, use and utility.
2. To periodically enter upon, inspect, observe, and/or study the conservation easement for violations of the terms and conditions of this easement. If upon sixty (60) days advance written notice the landowner has not eliminated said violations, the City or its successor may remove or eliminate, at the expense of the landowner, any violation by the landowner of the easement. .
3. To erect and maintain signage or other appropriate markers in a prominent location(s) on and within the conservation easement identifying the easement's boundaries. The City of Groveport intent is to clearly define and maintain all survey pins, corners, and points on line, traverse locations or reference lines to insure that boundaries are easily identifiable in perpetuity.
4. To erect and maintain signage or other appropriate markers in a prominent locations(s) on and within the conservation easement indicating the Property is such an easement and it controlled and protected by the City of Groveport or its successors.
5. To erect and maintain signage related to public park use such as but not limited to natural area interpretative and habitat management signs.
6. For reasons of public safety as an emergency maintenance activity under City of Groveport Chapter 935.10, elect from time to time to remove accumulated sediment, debris and/or plant material or other obstructions to flow from stream or ditch channel areas as necessary to protect the integrity of the channel area and restore its flow carrying capacity and/or its free-flowing functional stream environment.
7. To require written prior notification within 10 days of any major maintenance activity within the conservation easement that is beyond the scope of what is considered routine. The term "major maintenance" denoted activities such as the removal of debris, downed trees, or other obstructions from the stream channel as necessary to protect the integrity of the stream channel, prevent excessive erosion, and establish a free-flowing functional stream environment.
8. To prevent any activity or use of the conservation easement that is inconsistent with the purpose of this Easement and to require the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

Except as expressly limited herein, the Grantors reserve for themselves, their heirs and assigns, all rights as owner of the easement property, including the right to use the easement property for all purposes not inconsistent with this easement.

This easement shall not be construed as a dedication of the property for public use. The lands referred to and to which the provisions of this instrument apply, are situated in the City of Groveport, Franklin County, Ohio, and are more particularly delineated on the plat of the Groveport 1.

Grantor shall undertake all reasonable actions to prevent the unlawful entry and trespass by persons whose activities may degrade or harm the conservation easement.

**NOTE "B" :** At the time of platting, part of Lot 1 and Lot 3, are in Zone AE Floodway (the channel of the stream plus and 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), Zone AE (special flood hazard areas subject to inundation by the 1% annual chance flood, base flood elevation determined), 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) and Zone X (Areas determined to be outside of the 0.2% annual chance flood plain). Part of Lot 2 is within Zone X (shaded) and Zone X, as said zones are designated and delineated on the FEMA Flood Insurance Map for Franklin County, Ohio, and Incorporated Areas, map number 39049C0434K, with effective date of June 17, 2008.

<b>NOTE "C" - ACREAGE BREAKDOWN:</b>	
Total acreage	353.481 Ac.
Acreage in Lots	330.603 Ac.
Acreage in Right-of-way	22.878 Ac.

**NOTE "D" - ACREAGE BREAKDOWN:** Groveport 1 is comprised of the following Franklin County Parcel Numbers:

185-001312	19.784 Ac.
185-001313	183.777 Ac.
185-001318	95.439 Ac.
185-001319	24.142 Ac.
185-001321	28.590 Ac.
185-001324	1.749 Ac.

**NOTE "E":** 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 "F" - NO BUILD ZONE:** No Build Zone is defined as portions of lots designated and set aside by the owner by deed, plat, deed restriction or other legal means using a permanent public record wherein said portions of lots shall permanently and perpetually be free of any buildings, structures, signs, or other built improvements unless expressly allowed herein. No buildings, structures, signs, or other built improvements may be constructed or placed in a No Build Zone, unless expressly allowed herein. This prohibition does not limit and/or prohibit the following:

1. The property owner's right to install any improvements required by governmental entities and/or public utility companies;
2. The installation and maintenance of a bicycle/pedestrian trail for public use and enjoyment;
3. Crop farming;
4. The farm operator from maintaining, repairing or replacing currently constructed farm-related buildings.

Within all No Build Zones, the City of Groveport may, for reasons of public safety, remove accumulated sediment and plant material within drainage swales and ditches located within the No Build Zone, to restore their flow carrying capacity.

**NOTE "G":** No vehicular access to be in effect until such time as the public street right-of-way is extended and dedicated by plat or right-of-way deed or right-of-way easement.

**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 Groveport 1 or any part thereof can be acquired by a competent examination of the then current public records, including those in the Franklin County Recorder's Office.

**NOTE "I" - STREAM CORRIDOR PROTECTION ZONE:** Stream Corridor Protection Zone, as designated and delineated hereon, 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 Corridor Protection 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.

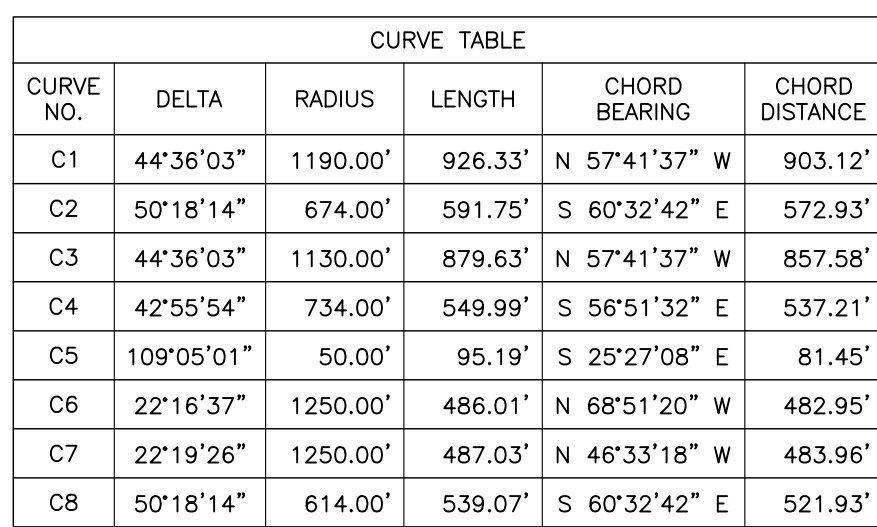
Except as noted herein, the Stream Corridor Protection Zone shall be preserved in its natural state.

Within the Stream Corridor Protection Zone the following restrictions apply, govern, and control:

1. No buildings or structures, swimming pools, signs, billboards, fences, or other structures deemed unacceptable by the City Administrator.
2. No drilling, filling, dredging, grading, or dumping of soils, spoils, or solid materials, except for fill associated with permitted uses listed in City of Groveport Chapter 935.08.
3. No use of motorized vehicles, especially recreational vehicles. Vehicles necessary for inspection and/or maintenance may be allowed as needed with minimal disturbance to the protection zone.
4. No roadways, drives, parking lots or storage of vehicles or other human made impervious cover.
5. No Stormwater detention storage facilities.
6. No private utility lines and pipes and their related appurtenances that run parallel to the stream shall be allowed in the Stream Corridor Protection Zone.
7. No application of herbicides or pesticides.
8. No disturbance of natural vegetation and no removal of native trees, ground cover, or other vegetation (dead or alive) shall be removed from the Stream Corridor Protection Zone unless approved by City of Groveport.

Within the Stream Corridor Protection Zone, the following activities and uses are permitted:

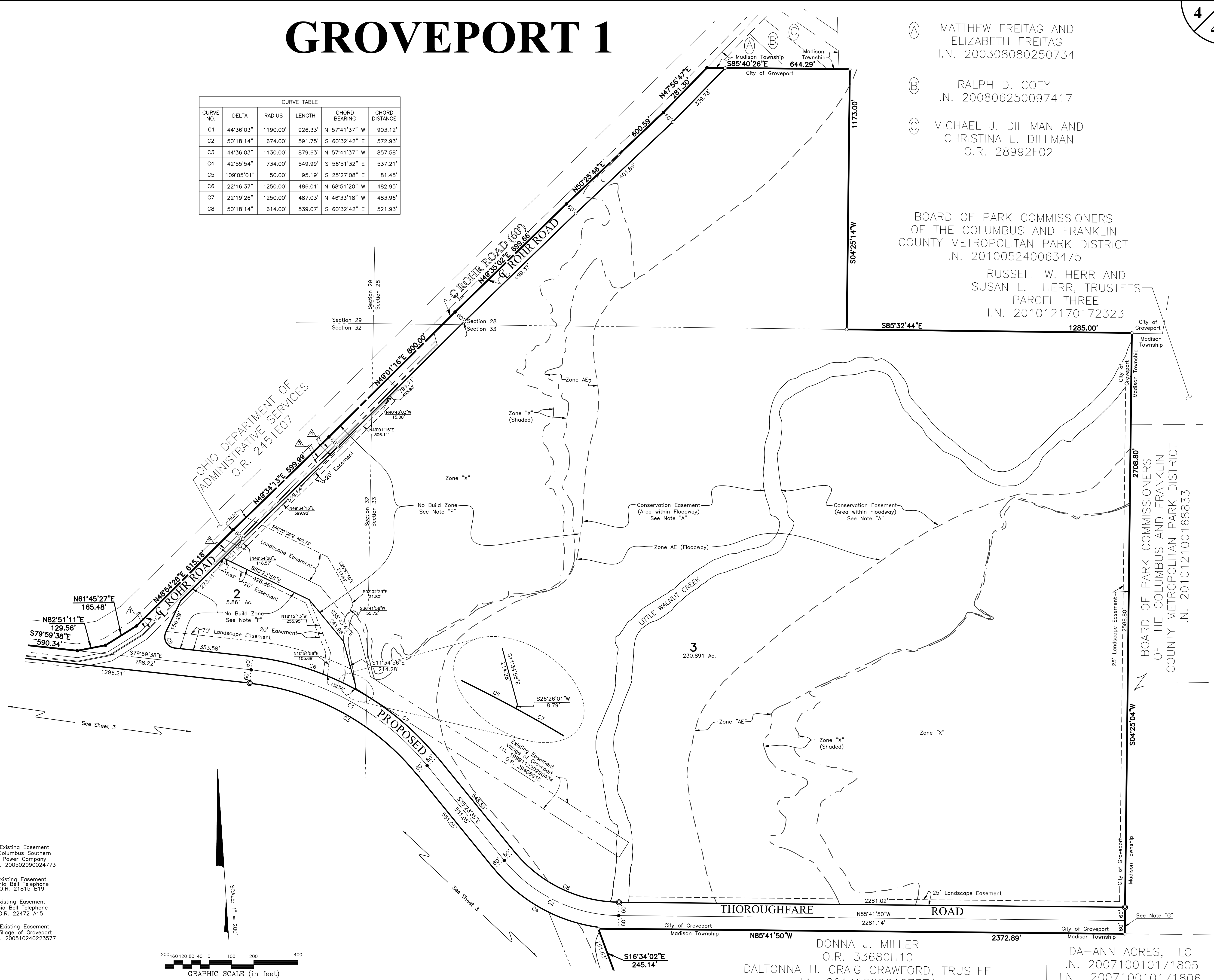
1. Uses that are passive in character shall be permitted in the Stream Corridor Protection Zone, including, but not limited to, passive recreational uses, as permitted by federal, state and local laws, such as hiking, fishing, picnicking, and similar uses.
2. Control of invasive non-native plant species and removal of diseased or damaged trees is permitted under prescribed methods approved by City of Groveport.
3. Re-vegetation and/or reforestation of the Stream Corridor Protection Zone per City of Groveport Chapter 935.08, using species pursuant to the City's list of "Species of Plants and Shrubs recommended for stabilizing flood prone areas".
4. New public or private utilities such as sanitary sewers, storm sewer outlets and related erosion control protection, water mains, gas, electric or telecommunication lines, provided they are either elevated or running perpendicular to the stream and provided their installation has prior approval from the City Administrator. The placement, construction and maintenance of such utilities shall minimize disturbance to riparian areas and any encroachment within the Stream Corridor Protection Zone caused by the placement, construction or maintenance of said utilities shall be mitigated per City of Groveport chapter 935.08.
5. Stream restoration and related construction activities associated with this type of activities may be allowed, provided they are appropriately permitted and approved by the City Administrator.
6. Within the Stream Corridor Protection Zone the City of Groveport may for reasons of public safety as an emergency maintenance activity under City of Groveport Chapter 935.10, elect from time to time to remove accumulated sediment, debris and/or plant material or other obstructions to flow from stream or ditch channel areas as necessary to protect the integrity of the channel area and restore its flow carrying capacity and/or its free-flowing functional stream environment.
7. The City of Groveport and/or their authorized representatives reserve the right to periodically inspect the Stream Corridor Protection Zone for violations of these restriction. If upon sixty (60) days advance written notice the landowner has not eliminated said violations, the City may remove or eliminate, at the expense of the landowner, any violation by the landowner of the protection zone. The City of Groveport and/or their authorized representatives may enter upon said lands for the purpose of inspection.





GROVEPORT 1

CURVE TABLE						
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE	
C1	44°36'03"	1190.00'	926.33'	N 57°41'37" W	903.12'	
C2	50°18'14"	674.00'	591.75'	S 60°32'42" E	572.93'	
C3	44°36'03"	1130.00'	879.63'	N 57°41'37" W	857.58'	
C4	42°55'54"	734.00'	549.99'	S 56°51'32" E	537.21'	
C5	109°05'01"	50.00'	95.19'	S 25°27'08" E	81.45'	
C6	22°16'37"	1250.00'	486.01'	N 68°51'20" W	482.95'	
C7	22°19'26"	1250.00'	487.03'	N 46°33'18" W	483.96'	
C8	50°18'14"	614.00'	539.07'	S 60°32'42" E	521.93'	

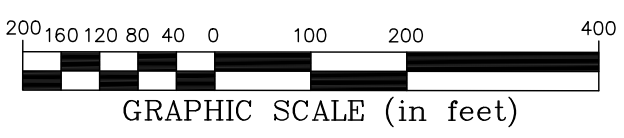


- (A) MATTHEW FREITAG AND ELIZABETH FREITAG  
I.N. 200308080250734
- (B) RALPH D. COEY  
I.N. 200806250097417
- (C) MICHAEL J. DILLMAN AND CHRISTINA L. DILLMAN  
O.R. 28992F02

BOARD OF PARK COMMISSIONERS  
OF THE COLUMBUS AND FRANKLIN  
COUNTY METROPOLITAN PARK DISTRICT  
I.N. 201005240063475  
RUSSELL W. HERR AND  
SUSAN L. HERR, TRUSTEES  
PARCEL THREE  
I.N. 201012170172323

BOARD OF PARK COMMISSIONERS  
OF THE COLUMBUS AND FRANKLIN  
COUNTY METROPOLITAN PARK DISTRICT  
I.N. 201012100168833

- Existing Easement  
Columbus Southern  
Power Company  
I.N. 200502090024773
- Existing Easement  
Ohio Bell Telephone  
O.R. 21815 B19
- Existing Easement  
Ohio Bell Telephone  
O.R. 22472 A15
- Existing Easement  
Village of Groveport  
I.N. 200510240223577



DONNA J. MILLER  
O.R. 33680H10  
DALTONNA H. CRAIG CRAWFORD, TRUSTEE  
I.N. 201409290127771  
DA-ANN ACRES, LLC  
I.N. 200710010171805  
I.N. 200710010171806