13.001 APDP

February 2009

CITY OF DUBLIN.

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin Ohio 43016-1236

Phone/ TDD 614-410-4600
Fax 614-410-4747
Web Site: www.dublin.oh.us

# PLANNING AND ZONING COMMISSION APPLICATION

(Code Section 153.232)

## I. PLEASE CHECK THE TYPE OF APPLICATION:

- ☐ Informal Review
- ☐ Concept Plan (Section 153.056(A)(1))
- ☐ Preliminary Development Plan / Rezoning (Section 153.053)
- ☐ Final Development Plan (Section 153.053(E))
- ☒ Amended Final Development Plan (Section 153.053(E))
- ☐ Standard District Rezoning (Section 153.018)
- ☐ Preliminary Plat (Section 152.015)
- ☐ Final Plat (Section 152.085)
- ☐ Conditional Use (Section 153.236)
- ☐ Corridor Development District (CDD) (Section 153.115)
- ☐ Corridor Development District (CDD) Sign (Section 153.115)
- ☐ Minor Subdivision
- ☐ Right-of-Way Encroachment
- ☐ Other (Please Specify): _____

Please utilize the applicable *Supplemental Application Requirements* sheet for additional submittal requirements that will need to accompany this application form.

## II. PROPERTY INFORMATION: This section must be completed.

| | |
|---|---|
| Property Address(es): 5525 PARKCENTER CIRCLE, DUBLIN, OHIO 43215 | |
| Tax ID/Parcel Number(s): 273-005398 | Parcel Size(s) (Acres): 18,139 |
| Existing Land Use/Development: COMMERICAL OFFICES | |

| IF APPLICABLE, PLEASE COMPLETE THE FOLLOWING: | |
|---|---|
| Proposed Land Use/Development: | SAME, COMMERCIAL OFFICES |
| Total acres affected by application: | N/A (NO CHANGES) |

## III. CURRENT PROPERTY OWNER(S): Please attach additional sheets if needed.

| | |
|---|---|
| Name (Individual or Organization): | DP PARKCENTER CIRCLE LLC |
| Mailing Address: (Street, City, State, Zip Code) | 600 E. 96TH STREET, SUITE 100 INDIANAPOLIS, INDIANA 46240 |
| Daytime Telephone: 1-614-249-9547 | Fax: |
| Email or Alternate Contact Information: | |

**IV. APPLICANT(S):** This is the person(s) who is submitting the application if different than the property owner(s) listed in part III. Please complete if applicable.

| | |
|---|---|
| Name: STANLEY W. YOUNG III | Applicant is also property owner: yes ☐ no ☒ |
| Organization (Owner, Developer, Contractor, etc.): COLUMBUS SIGN CO, INC. | |
| Mailing Address: (Street, City, State, Zip Code) 1515 EAST FIFTH AVENUE, COLUMBUS, OHIO 43219 | |
| Daytime Telephone: 252-3133 | Fax: 252-2494 |
| Email or Alternate Contact Information: RHEIPLE@COLUMBUSSIGN.COM | |

**V. REPRESENTATIVE(S) OF APPLICANT / PROPERTY OWNER:** This is the person(s) who is submitting the application on behalf of the applicant listed in part IV or property owner listed in part III. Please complete if applicable.

| | |
|---|---|
| Name: N/A | |
| Organization (Owner, Developer, Contractor, etc.): N/A | |
| Mailing Address: (Street, City, State, Zip Code) N/A | |
| Daytime Telephone: N/A | Fax: N/A |
| Email or Alternate Contact Information: N/A | |

**VI. AUTHORIZATION FOR OWNER'S APPLICANT or REPRESENTATIVE(S):** If the applicant is not the property owner, this section must be completed and notarized.

I RANDY WOODRUFF, the owner, hereby authorize STANLEY W. YOUNG III, of COLUMBUS SIGN CO, INC. to act as my applicant or representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Current Property Owner: [signature] Date: 1-7-2013

☐ Check this box if the Authorization for Owner's Applicant or Representative(s) is attached as a separate document

Subscribed and sworn before me this 7th day of JANUARY, 2013

State of OHIO

County of FRANKLIN Notary Public Stanley Zechariah

NOTARIAL SEAL STATE OF OHIO

Stanley Zechariah
Notary Public, State of Ohio
My Commission Expires 28-12-16

**VII. AUTHORIZATION TO VISIT THE PROPERTY:** Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as noted below, hereby authorizes City representatives to visit, photograph and post a notice on the property described in this application.

I RANDY WOODRUFF, the owner or authorized representative, hereby authorize City representatives to visit, photograph and post a notice on the property described in this application.

Signature of applicant or authorized representative: [signature] Date: 1-7-2013

**VIII. UTILITY DISCLAIMER:** The Owner/Applicant acknowledges the approval of this request for review by the Dublin Planning and Zoning Commission and/or Dublin City Council does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.

| |
|---|
| I STANLEY W. YOUNG III, of Columbus Sign Co., INC. the owner or authorized representative, acknowledge that approval of this request does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant. |

| | |
|---|---|
| Signature of applicant or authorized representative: Stanley W. Young III | Date: 1-7-2013 |

**IX. APPLICANT'S AFFIDAVIT:** This section must be completed and notarized.

| |
|---|
| I STANLEY W. YOUNG III, of Columbus Sign Co, INC. the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief. |

| | |
|---|---|
| Signature of applicant or authorized representative: Stanley W. Young III | Date: 1-7-2013 |

Subscribed and sworn to before me this 7th day of January

State of Ohio

County of Franklin

Notary Public Stanley Zecheriah

NOTARIAL SEAL STATE OF OHIO

Stanley Zecheriah
Notary Public. State of Ohio
My Commission Expires 28-12-16

| FOR OFFICE USE ONLY | | | |
|---|---|---|---|
| Amount Received: $745 | Application No: 13-001 APDP | P&Z Date(s): | P&Z Action: |
| Receipt No: | Map Zone: 3 | Date Received: 1/7/13 | Received By: JMR |
| City Council (First Reading): N/A | | City Council (Second Reading): N/A | |
| City Council Action: N/A | | Ordinance Number: N/A | |
| Type of Request: Amended Final Development Plan | | | |
| N, S, E, W (Circle) Side of: Parkcenter Circle | | | |
| N, S, E, W (Circle) Side of Nearest Intersection: Paul Blazer Pkwy | | | |
| Distance from Nearest Intersection: 800' | | | |
| Existing Zoning District: PUD | | Requested Zoning District: N/A | |

**Dublin Hotel LLC**
4243 Hunt Road
Cincinnati, OH 45242

**DP Parkcenter Circle LLC**
5525 Parkcenter Circle
Dublin, OH 43215

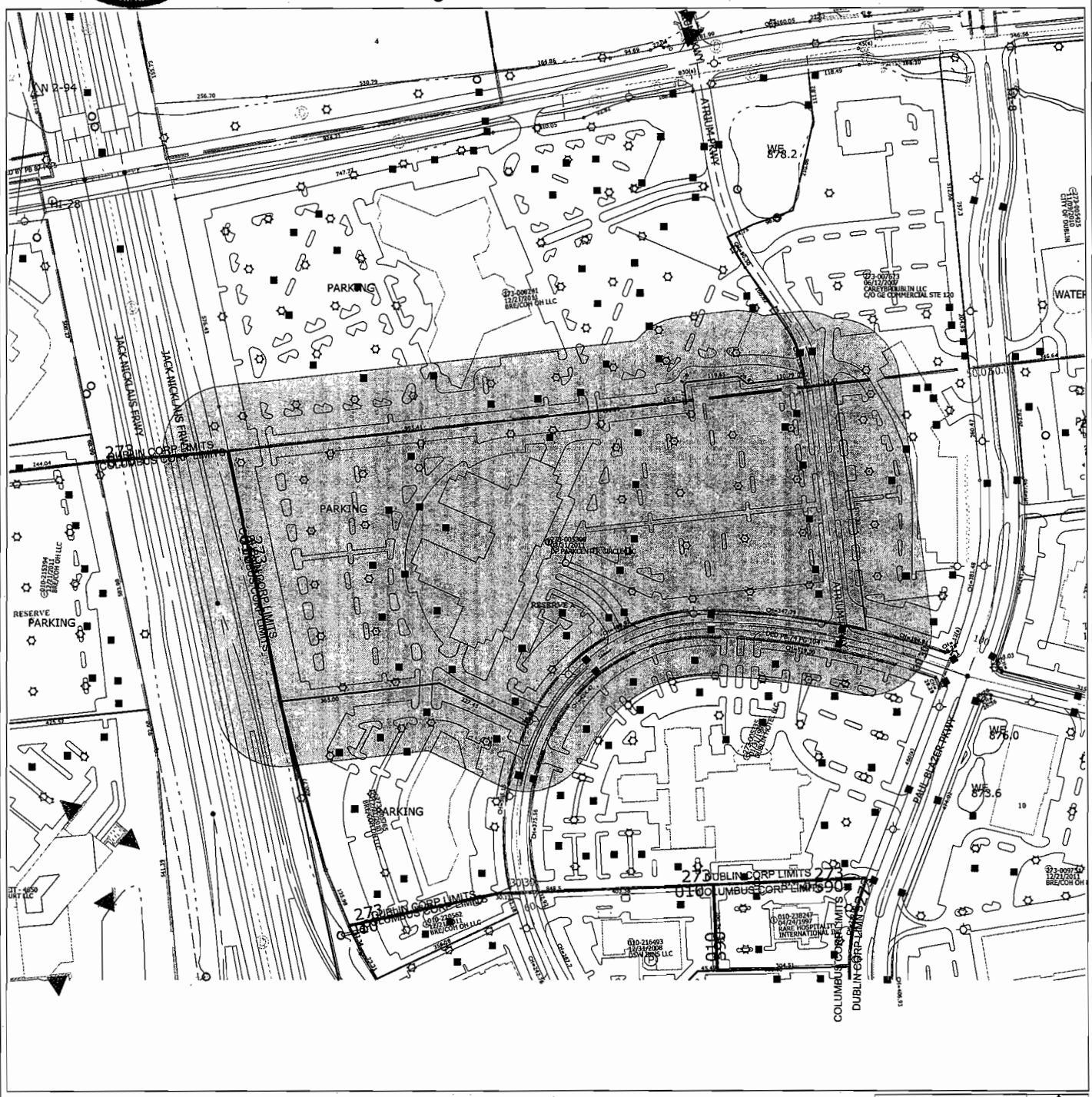
**BRE/COH OH LLC**
c/o Property Tax Dept.
PO Box A3879
Chicago, IL 60690

**Carey BP Dublin LLC**
c/o Colliers Intl.
8800 Lyra Dr. #150
Columbus, OH 43240

**State of Ohio**
City of Columbus
Real Estate Management
90 W. Broad St. Rm 425
Columbus, OH 43215

# CLARENCE E MINGO II
# FRANKLIN COUNTY AUDITOR

**MAP ID: j** **DATE: 1/2/13**




Scale = 339'

Grid North

## Disclaimer

This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

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Clarence E. Mingo, II
Franklin County Auditor

# Summary

Parcel Info
Summary
Property Profile
Land
Building
Improvements
MAP(GIS)
Sketch
Photo
Transfer History
BOR Status
CAUV Status
Area Sales Activity
Area Rentals
Tax/Payment Info
Current Levy Info
Assessment Payoff
Tax Distribution
Rental Contact
Tax Estimator
Property Reports
Recorder's Office Document Search
Area Sex Offender Inquiry
Pay Real Estate Taxes Here

| Parcel ID | Map Routing Number | Owner | Location |
|---|---|---|---|
| 273-005398-00 | 273-O111D -009 -00 | DP PARKCENTER CIRCLE LLC<br>Click owner name for additional records | 5525 PARKCENTER CR |

## Owner Information

| | |
|---|---|
| Owner | DP PARKCENTER CIRCLE LLC<br>600 E 96TH ST STE 100<br>INDIANAPOLIS IN 46240<br>If the address above is incorrect - Click Here |
| Tax Bill Mailing Info | DUKE REALITY<br>REAL ESTATE TAX ADVISORS<br>PO BOX 40509<br>INDIANAPOLIS, IN 46240<br>To change mailing information ONLY - Click Here |

## Legal Description

RINGS RD
ENTRY 2419-3011
18.139 ACRES

## Most Recent Transfer

| | |
|---|---|
| Sale Amount | $0 |
| Date of Transfer | 03/31/2011 |
| Conveyance Type | LE |
| Exempt Number | 903036-M |
| Number of Parcels | 1 |

## Tax Year 2012

| | | | |
|---|---|---|---|
| Annual Taxes | $1,237,403.08 | Taxes Paid | $0.00 |

## Current Value

| | Market | Taxable |
|---|---|---|
| Land | $5,377,100 | $1,881,990 |
| Improvements | $30,622,900 | $10,718,020 |
| Total | $36,000,000 | $12,600,010 |
| Cauv | 0 | 0 |

## Building Data

| | | | |
|---|---|---|---|
| Year Built | 1995 | Total Sq Footage | 340,006 |

## 2012 Tax Status

| | | | |
|---|---|---|---|
| Land Use | [449] ELEVATOR OFFICE BUILDING | | |
| Tax District | [273] CITY OF DUBLIN-WASH TWP-DUBLIN C.S.D. | | |
| School District | [2513] DUBLIN CSD | | |
| Neighborhood | 00105 | | |
| City | DUBLIN | | |
| Township | WASHINGTON | Zip | 43017 |
| Board of Revision | NO | CDQ | |
| Homestead Exemption | NO | Owner Occupied Reduction (2.5%) | NO |

## Site Data

| | | | | | |
|---|---|---|---|---|---|
| Frontage | 0 | Depth | 0 | Acres | 18.139 |
| Historic District | | | | | |

Disclaimer
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Powered by Google Translate

Clarence E. Mingo, II
Franklin County Auditor

# Transfer History

## Parcel Info

Summary
Property Profile
Land
Building
Improvements
Interactive Map
MAP(GIS)
Sketch
Photo
Transfer History
BOR Status
CAUV Status
Area Sales Activity
Area Rentals
Tax/Payment Info
Current Levy Info
Assessment Payoff
Tax Distribution
Rental Contact
Tax Estimator
Property Reports
Recorder's Office Document Search
Area Sex Offender Inquiry
Pay Real Estate Taxes Here

| Parcel ID | Map Routing Number | Owner | Location |
|---|---|---|---|
| 273-005398-00 | 273-O111D - 009-00 | DP PARKCENTER CIRCLE LLC<br>Click owner name for additional records | 5525 PARKCENTER CR |

| Date | Owner | Conveyance No | Exempt Conveyance No | Conveyance Type | No. Parcels | Sale Price |
|---|---|---|---|---|---|---|
| 03/31/2011 | DP PARKCENTER CIRCLE LLC | | 2011903036-M | LE | 1 | $0 |
| 02/26/2003 | DUKE REALTY OHIO | | 2003902431-M | GE | 42 | $0 |
| 07/24/1998 | DUKE REALTY LP | | 1998907537-M | LW | 4 | $0 |
| 07/24/1998 | | | 1998907536-M | LW | 4 | $0 |
| 04/11/1997 | | 199700006123 | | FD | 1 | $1,900,451 |

View Prior History

Disclaimer
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201103310043325
Pgs: 8 $76.00 T20110021493
03/31/2011 2:49PM BXINDEPENDENT
Daphne Hawk
Franklin County Recorder

TRANSFERRED

MAR 31 2011

CLARENCE E. MIAGO
AUDITOR
FRANKLIN COUNTY, OHIO

903036

CON

M Sell

FRA TOR

Send Tax Bills To:
Grantee
c/o Real Estate Tax Advisors LLC
Post Office Box 40509
Indianapolis, IN 46240

Prepared by:
Ann Kustoff, Esq.
Duke Realty Limited Partnership
3950 Shackleford Road, Suite 300
Duluth, Georgia 30096

**LIMITED WARRANTY DEED**
[Nationwide, 5525 Parkcenter Circle, Dublin, Ohio]

**Independent Title Box**

KNOW ALL MEN BY THESE PRESENTS: That **DUKE REALTY OHIO**, an Indiana general partnership ("**Grantor**"), whose mailing address is 600 East 96th Street, Suite 100, Indianapolis, Indiana 46240, for valuable consideration paid, grants, with limited warranty covenants, to **DP PARKCENTER CIRCLE, LLC**, a Delaware limited liability company, whose mailing address is c/o Duke Realty Corporation, 600 East 96th Street, Suite 100, Indianapolis, Indiana 46240 ("**Grantee**"), the real property situated in the County of Franklin, State of Ohio, City of Dublin, and being more particularly described as:

See **Exhibit A** attached hereto and made a part hereof.

Subject to zoning ordinances, legal highways, real estate taxes and assessments which are not yet due and payable and all items set forth on **Exhibit B**.

| | |
|---|---|
| Prior Instrument Reference: | 200902260068923, Franklin County, Ohio Records |
| Tax Parcel No.: | 273-005398-00 |
| Address: | 5525 Parkcenter Circle, Dublin, OH 43017 |

Together with all and singular the improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, tenements, hereditaments, easements, rights-of-way, and appurtenances thereunto belonging, or in any way appertaining, and the reversions, remainders, rents, issues and profits thereof, and also all the estate, right, title, interest, property, claim and demand whatsoever, as well in law as in equity, of the Grantor, its successors and assigns, of, in or to the above described premises, and every part and parcel thereof, with the appurtenances.

IN WITNESS WHEREOF, Grantor has caused this Limited Warranty Deed to be executed this 17th day of March, 2011 and effective as of March 14, 2011.

**DUKE REALTY OHIO**, an Indiana general partnership

By: Duke Realty Limited Partnership, an Indiana limited partnership, a general partner

By: Duke Realty Corporation, an Indiana corporation, its general partner

By: Angela Hsu
Angela Hsu
Vice President, Legal, & Assistant Secretary

STATE OF GEORGIA )
) SS:
GWINNETT COUNTY )

**Before me**, a Notary Public in and for said County and State personally appeared the above named **DUKE REALTY OHIO,** an Indiana general partnership, by and through Duke Realty Limited Partnership, an Indiana limited partnership, a general partner of Duke Realty Corporation, an Indiana corporation, its general partner, by Angela Hsu, its Vice President, Legal, and Assistant Secretary, who acknowledged that she did sign the foregoing instrument, and that the same is the free act and deed of said partnership and said corporation, and the free act and deed of him/her personally and as such officer.

**In testimony whereof**, I have hereunto set my hand and official seal this 17th day of March, 2011.

LINDA ANN LOVELACE NOTARY PUBLIC GWINNETT COUNTY, GEORGIA EXPIRES GEORGIA APRIL 01, 2012

Linda Ann Lovelace
Notary Public

## EXHIBIT A

LEGAL DESCRIPTION

Real property in the City of Dublin, County of Franklin, State of Ohio, described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Dublin, and being part of Virginia Military Survey Nos. 4852 and 2419, and being part of a 11.138 acre tract conveyed to Duke Realty Limited Partnership by deed in Official Record 25277 E15, and being part of a 4.833 acre tract conveyed to Duke Realty Limited Partnership by Instrument No. 199709080088660, and being part of a 2.478 acre tract conveyed to Duke Realty Limited Partnership by deed in O.R. 34820 H06, and part of Reserve A of Tuttle Crossing, a subdivision as recorded in Plat Book 71, Pages 100, 101 and 102, all records can be found in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for reference at the Northeasterly corner of said Reserve A, the Southeasterly corner of a 1.350 acre tract conveyed to Duke Realty Limited Partnership by deed in Instrument 199709190097280, and also being in the Westerly right-of-way line of Paul Blazer Parkway;

Thence South 82 deg. 21' 54" West, along the North line of said 1.350 acre tract (passing over an iron pipe found at the Northeast corner of Reserve A, a subdivision of record in Plat Book 71, Pages 100, 101, and 102, and at the Northeast corner of a 11.138 acre tract as conveyed to Duke Realty Limited Partnership by deed in Official Record 25227 E15, and at the Northeast corner of a 4.089 acre tract conveyed to Franklin Properties Funding Corporation by deed in Official Record 31851 F04 at 1.33 feet) along the South line of said 1.350 acre tract, a distance of 312.83 feet to an iron pipe, found at the Northwesterly corner of said 4.089 acre tract, and in the North line of said Reserve A, and in the South line of said 4.833 acre tract, and being in the North line of said 11.138 acre tract, to the true point of beginning of the herein described tract of land;

Thence South 07 deg. 38' 06" East, along the West line of said 4.089 acre tract, a distance of 570.30 feet to an iron pipe found in the Northerly right-of-way line of Parkcenter Circle, as shown and delineated upon the recorded plat of The Dedication of Parkcenter Circle as recorded in Plat Book 74, Page 104;

Thence along the Northerly right-of-way line of said Parkcenter Circle, and along a Southerly line of said 11.138 acre tract, with a curve to the left, having a radius of 1557.88 feet, a delta angle of 12 deg. 48' 11", with a chord bearing of North 83 deg. 36' 50" West, and a chord distance of 347.39 feet to an iron pipe found at a point of compound curvature;

Thence along the Northerly right-of-way line of said Parkcenter Circle, and along a Southerly line of said 11.138 acre tract, with a curve to the left, having a radius of 455.00 feet, a delta angle of 65 deg. 00' 06", with a chord bearing of South 57 deg. 29' 08" West, and a chord distance of 488.95 feet to an iron pipe found at the point of compound curvature, in the Southerly line of a 10.892 acre tract conveyed to Duke Realty Limited Partnership by deed in O.R. 29085 C08;

Thence continuing along the Northerly right-of-way line of said Parkcenter Circle, and along a Southerly line of said 10.892 acre tract, with a curve to the left, having a radius of 610.00 feet, a delta angle 1 deg. 42' 34", a chord bearing of South 24 deg. 07' 47" West, a chord distance of 18.20 feet to an iron pipe found at the Southeasterly corner of said 10.892 acre tract, and also being the Northeasterly corner of a 5.235 acre tract conveyed to Duke Realty Limited Partnership by deed in Official Record 26246 C06;

Thence North 67 deg. 04' 17" West, along a Southerly line of said 10.892 acre tract, and a Northerly line of said 5.235 acre tract, a distance of 227.45 feet to an iron pipe found;

Thence South 82 deg. 42' 45" West, along a Southerly line of said 10.892 acre tract and a Northerly line of said 5.235 acre tract, a distance of 365.00 feet to a conc. monument found at the Southwesterly corner of said 10.892 acre tract, and at the Northwesterly corner of said 5.235 acre tract, and being in the Easterly right-of-way of Interstate Route 270;

Thence North 12 deg. 46' 38" West, along the Westerly line of said 10.892 acre tract, and the Easterly right-of-way line of Interstate Route 270, a distance of 597.89 feet to an iron pipe found at the Northwest corner of said 10.892 acre tract, and the Southwest corner of a 12.421 acre tract conveyed to Duke Realty Limited Partnership by deed in Official Record 34807 H18, and in 34807 H20, said point also being in the Northerly line of said Reserve "A";

Thence North 82 deg. 42' 45" East, along the North line of said 10.892 acre tract and a Northerly line of said 11.138 acre tract, and along the North line of said Reserve A, and along the South line of said 12.421 acre tract, and along the South line of a 2.343 acre tract conveyed to Duke Realty Limited Partnership by deed in O.R. 34820 H06, a distance of 995.41 feet to a stone found, said stone also being in the South line of said 2.478 acre tract;

Thence North 82 deg. 21' 54" East, along the North line of said 11.138 acre tract, along the North line of said Reserve A, and along the South line of said 2.478 acre tract, a distance of 65.91 feet to an iron pin set;

Thence crossing said 2.478 acre and said 4.833 acre tracts with the next 6 courses

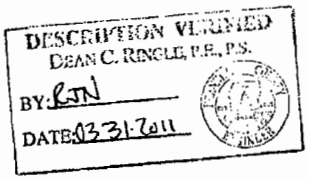
1) North 07 deg. 38' 06" West, a distance of 37.03 feet to an iron pin set;
2) North 37 deg. 21' 54" East, a distance of 8.28 feet to an iron pin set;
3) North 82 deg. 21' 54" East, a distance of 119.65 feet to an iron pin set;
4) South 52 deg. 38' 06" East, a distance of 26.87 feet to an iron pin set;
5) North 82 deg. 21' 54" East, a distance of 130.79 feet to an iron pin set;
6) South 07 deg. 48' 39" East, a distance of 23.89 feet to an iron pin set in the North line of said 11.138 acre tract, and in the South line of said 4.833 acre tract;

Thence North 82 deg. 21' 54" East, along the North line of said 11.138 acre tract and along the South line of said 4.833 acre tract, a distance of 67.97 feet to the place of beginning and containing 18.150 acres of land as geometrically correct.

Subject to all easements and right-of-ways of record.

Bearings herein are based on a bearing of South 82 deg. 21' 54" West for the Northerly line of Reserve A contiguous with the described parcel, as shown on the said plat of Tuttle Crossing.

Iron pins set are 30" long and 5/8" (OD) and bear a plastic cap inscribed "ljb".




O-111-D
ALL OF
(273)
005398

**EXHIBIT B**

PERMITTED EXCEPTIONS

1. Taxes and assessments not yet due and payable.

2. Deed of Protective Covenants, filed for record October 25, 1989 and recorded in ORV 14232, Page F11 of Franklin County Records, as amended by

   First Amendment, filed for record November 9, 1989 and recorded in ORV 14317, Page B18 of Franklin County Records;

   Second Amendment, filed for record September 10, 1991 and recorded in ORV 17635, Page G18 of Franklin County Records

   Third Amendment, filed for record October 3, 1991 and recorded in ORV 17778, Page C06 of Franklin County Records;

   Fourth Amendment, filed for record October 3, 1991 and recorded in ORV 17778, Page C10 of Franklin County Records;

   Fifth Amendment, filed for record April 30, 1992 and recorded in ORV 19303, Page D07 of Franklin County Records;

   Sixth Amendment, filed for record October 20, 1992 and recorded in ORV 20750, Page H13 of Franklin County Records;

   Seventh Amendment, filed for record July 22, 1993 and recorded in ORV 23328, Page D05 of Franklin County Records;

   Eighth Amendment, filed for record September 30, 1994 and recorded in ORV 27567, Page C08 of Franklin County Records;

   Ninth Amendment, filed for record November 30, 1994 and recorded in ORV 28009, Page J01 of Franklin County Records;

   Tenth Amendment, filed for record April 13, 1995 and recorded in ORV 28853, Page G20 of Franklin County Records;

   Eleventh Amendment, filed for record April 14, 1995 and recorded in ORV 28862, Page I03 of Franklin County Records;

   Twelfth Amendment, filed for record May 8, 1995 and recorded in ORV 29025, Page B19 of Franklin County Records;

Thirteenth Amendment, filed for record June 5, 1995 and recorded in ORV 29229, Page F18 of Franklin County Records;

Fourteenth Amendment, filed for record October 23, 1996 and recorded in ORV 33401, Page A07 of Franklin County Records;

Fifteenth Amendment, filed for record November 18, 1996 and recorded in ORV 33622, Page F13 of Franklin County Records;

Sixteenth Amendment, filed for record January 9, 1997 and recorded in ORV 34042, Page E13; and re-recorded in April 11, 1997 in ORV 34809, Page B11 of Franklin County Records;

Seventeenth Amendment, filed for record January 31, 1997 and recorded in ORV 34191, Page H15 of Franklin County Records;

Eighteenth Amendment, filed for record September 18, 1997 and recorded as Franklin County Recorder's Document No. 199709180096667; and

Nineteenth Amendment, filed for record May 24, 1999 and recorded as Franklin County Recorder's Document No. 199905240130612; and re-recorded as Franklin County Recorder's Document No. 199906220157521.

3. Easement and Right of Way from Duke Realty Limited Partnership to Columbus Southern Power Company, dated September 10, 1997, filed for record September 30, 1997 and recorded as Franklin County Recorder's Document No. 199709300106239.

4. Driveway Access Easement by Duke Realty Limited Partnership, filed for record June 12, 1998 and recorded as Franklin County Recorder's Document No. 199806120145849, as amended by First Amendment, dated as of May 17, 2000, filed for record June 5, 2000 and recorded as Franklin County Recorder's Document No. 200006050110629.

5. Easement and Right of Way from Duke Realty Limited Partnership, dated December 28, 1995, filed for record January 26, 1996 and recorded in ORV 31031, Page J06 of Franklin County Records.

6. Reciprocal Access Easement by Duke Realty Limited Partnership, filed for record May 1, 1996 and recorded in ORV 31851, Page E15 of Franklin County Records, as amended by First Amendment, dated November 3, 1997, filed for record November 5, 1997 and recorded as Franklin County Recorder's Document No. 199711050135602.

7. Landscape Easement by Duke Realty Limited Partnership, dated March 18, 1998, filed for record June 12, 1998 and recorded as Franklin County Recorder's Document No. 199806120145841.

8. Matters shown on the survey prepared by Evans, Mechwart, Hambleton & Tilton, Inc. dated December 30, 2010, last revised January 24, 2011, and designated as Job No. 20101665 and as shown on those certain plats recorded in Plat Book 71, page 100 , Plat Book 74, page 102, and Plat Book 74, page 104.

9. Declaration of Covenants and Assessment, recorded in ORV 20750, Page H17 of Franklin County Records.

10. Easement to Columbus Southern Power Company, recorded in ORV 23395, Page B15 of Franklin County Records.

11. Easement to Columbus Southern Power Company, recorded in ORV 13757, Page H07 of Franklin County Records.

12. Easement to Columbus and Southern Power Company, recorded in ORV 21338, Page I12 of Franklin County Records.

13. Right of Way and Easement to Columbus Southern Power Company by Tuttle Road Limited Partnership, recorded in ORV 25552, Page G05 of Franklin County Records.

14. Rights of those tenants, as tenants only, under existing leases.