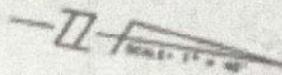




4900
Turtle Crossing



PETER H. EDWARDS
DPT. 7000 013
43-373 AC.

662.50 ft

WASHINGTON TOWNSHIP,
FRANKLIN COUNTY

WILLAGE OF DUBLIN
CORPORATION LINE

Area
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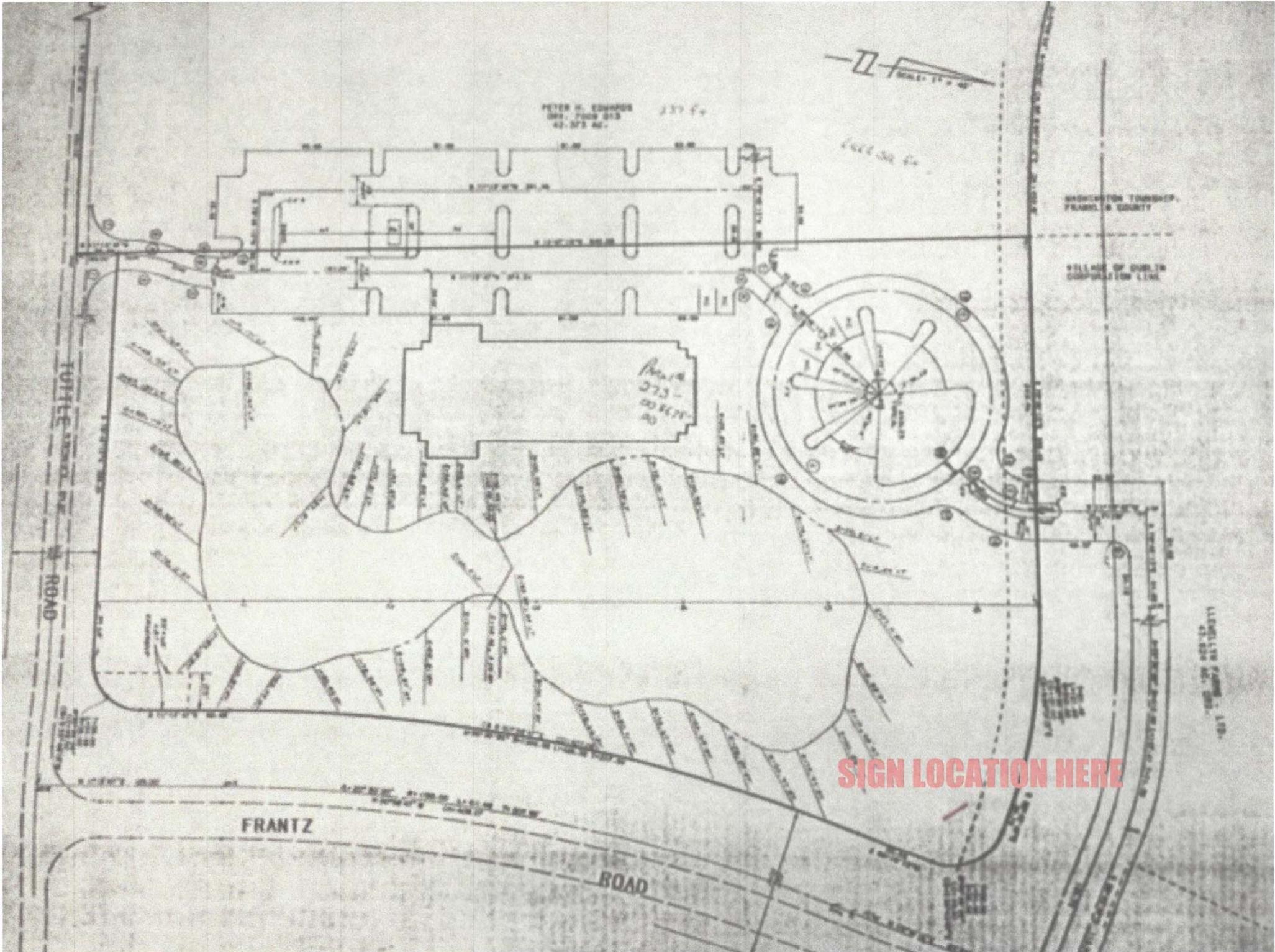
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TUFFE ROAD

FRANTZ

ROAD



Sign Specifications

Utilizing existing sign box and what is currently permitted by the city of Dublin

We are proposing to change out the existing faces currently reading Dominion Homes and replace it with flat faces 25 ½" H x 73 ½" W – the faces will consist of flat .060 aluminum painted matte black which is routed (cut out) with the logo and name backed by white .125 acrylic which will illuminate internally at night using the current illumination in the existing sign.

② 23482392
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DECLARATION OF EASEMENTS

This Declaration of Easements (this "Declaration") is made as of the ^{30th} day of October, 2003 by **BRC PROPERTIES INC.**, an Ohio corporation (the "Declarant").

1. Recitals

Declarant is the owner of the Parcels as defined in Section 2.1(c). Declarant desires to create certain easements regarding the Parcels for the benefit of the Benefited Parties, as defined below.

2. Declaration

In consideration of the mutual grants and covenants contained herein and other good and valuable consideration, the sufficiency and adequacy of which is hereby acknowledged, Declarant states as follows:

2.1 Definitions. The following terms will be defined as follows when used in this Declaration:

- (a) "Parcel A" means the property described on the attached Exhibit A.
- (b) "Parcel B" means the property described on the attached Exhibit B.
- (c) The "Parcels" means Parcel A and the Parcel B when taken together, including any further subdivisions thereof.
- (d) "Owner" means the owner of a fee interest in any portion of one or more of the Parcels.
- (e) The "Benefited Parties" mean all the Owners, the lessees, and sublessees of any portion of the Parcels, and the customers, invitees, licensees, employees, and agents of such Owners, lessees, and sublessees.
- (f) "Existing Utility Lines" means the utility lines existing on the Parcels as of the date of this Declaration, including sanitary sewers, storm drains, irrigation systems, water (fire and domestic), gas, electrical, telephone, and communication lines.

ALLIANCE TITLE BOX

2.2 Grant of Easements

(a) Declarant grants and reserves for the benefit of the Benefited Parties an easement and right of way for the sole purpose of vehicular and pedestrian ingress and egress, across those portions of the Parcels that may from time to time be used or marked for vehicular lanes, driveways, access ways, sidewalks, walkways, entrances, and exits. Each Owner will have the right to adjust the location of such vehicular lanes, driveways, access ways, sidewalks, walkways, entrances, and exits as may exist on their respective Parcels from time to time, provided such adjustments comply with the requirements of the next two sentences. Notwithstanding the foregoing, each Owner covenants to design, operate, and maintain their respective Parcels so that the Parcel A and the Parcel B are each part of an integrated office development, with free and unobstructed flow of pedestrian and vehicular traffic, in compliance with all applicable zoning and other laws.

TRANSFERRED
NOT NECESSARY

NOV 04 2003
JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

CONVEYANCE TAX
EXEMPT
P
JOSEPH W. TESTA
FRANKLIN COUNTY AUDITOR

use laws, rules, and regulations. Each Owner agrees to pave and maintain access over and across their respective Parcels to adjacent public streets substantially as the same exist as of the date hereof, except for changes caused by the condemnation (or any transfer in lieu thereof) of a portion of their respective Parcels.

(b) Declarant hereby grants a non-exclusive easement in, to, over, under, along, and across those portions of the Parcels necessary for the operation, use, maintenance, repair, and replacement of the Existing Utility Lines, in an area equal to five feet on each side of the center of the corresponding line.

2.3 Miscellaneous

The easements and covenants granted in this Declaration shall run with the land and be binding upon and inure to the benefit of the Owners and their respective successors and assigns, as fee simple owners of the Parcels. The easements granted by this Declaration shall be non-exclusive and perpetual. The covenants established by this Declaration shall be perpetual. This Declaration has no third-party beneficiaries except as expressly set forth.

This Declaration may not be construed to create a gift or dedication of any part of the Parcels for any public use or purpose.

Declarant reserves all rights and privileges which may be used and enjoyed on its respective Parcels without interfering with or abridging the rights and easements conveyed by this Declaration. This Declaration may not be construed so as to create a joint venture or other partnership as between Declarant and any of the Benefited Parties.

This Declaration shall be construed in accordance with the laws of the State of Ohio. If any term of provision of this Declaration or its applicability to any person or circumstance is declared invalid or unenforceable, the remainder of this Declaration shall not be affected and each term or provision shall operate independently to the fullest extent permitted by law.

Each Owner agrees to pay, or cause to be paid, the real estate taxes and assessments which may be levied against its Parcels from time to time prior to delinquency.

Declarant acknowledges and agrees that if the remedy at law for the breach of any of the covenants or agreements of this Declaration is not adequate, and the party seeking to enforce any such covenant or agreement shall have the right to seek an equitable remedy for such breach or threatened breach, including the right to restrain by injunction any violation or threatened violation or to obtain a decree to compel performance. All of the remedies permitted or available under this Declaration shall be cumulative and not in the alternative, and the invocation of any such right or remedy shall constitute a waiver of election of remedies with respect to any other permitted or available right or remedy.

3. Notices

All notices, elections, or other communications authorized, required, or permitted under this Declaration shall be made in writing and shall be deemed given when received by the other party to whom such notice is sent. Notice may be given by (i) personal delivery, (ii) overnight courier service (e.g. Federal Express, UPS), postage prepaid, or (iii) U.S. certified mail, return receipt requested, postage prepaid.

To Declarant: BRC Properties Inc.
5501 Frantz Road
Dublin, Ohio 43017

In witness whereof, Declarant has executed this Declaration as of the date first written above.

BRC PROPERTIES INC.,
an Ohio corporation

By: Terry E. George
Name: Terry E. George
Title: Vice President

STATE OF OHIO)
COUNTY OF FRANKLIN)

The foregoing instrument was acknowledged before me, a notary public, this 30th day of October, 2003, by Terry E. George, the Vice President of BRC Properties Inc., an Ohio corporation, on behalf of such corporation.

Mary A. Rossi
Notary Public



MARY A. ROSSI
Notary Public, State of Ohio
My Commission Expires 11-05-07

This instrument prepared by:
Polly Rickard Patel, Esq.
PORTER WRIGHT MORRIS & ARTHUR LLP
41 S. High St.
Columbus, OH 43215

southeast corner of said 3.002 acre tract at 32.57 feet, said point also being the northeast corner of said 2.681 acre tract);

thence S 78° 46' 13" W along a portion of the north line of said 0.723 acre tract and along the south line of said 2.681 acre tract a distance of 371.49 feet to a 3/4" I.D. iron pipe found at the northwest corner of said 0.723 acre tract, at the southwest corner of said 2.681 acre tract and in the east line of said 7.513 acre tract;

thence N 12° 07' 10" W along the west line of said 2.681 acre tract, along a portion of the west line of said 3.002 acre tract and along a portion of the east line of said 7.513 acre tract a distance of 344.23 feet to the true place of beginning (passing a 3/4" I.D. iron pipe found at the northwest corner of said 2.681 acre tract at 311.66 feet, said point also being the southwest corner of said 3.002 acre tract);

containing 2.960 acre of land more or less and being subject to all easements and restrictions of record.

EXHIBIT B

Situate in the State of Ohio, County of Franklin, City of Dublin, being in Virginia Military Survey No. 2419 and being part of the 5.261 and 7.028 acre tracts conveyed to Borror Corporation by deeds of record in O.R. 8792B18 and O.R. 8984D04, respectively, records of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning for reference at the point of intersection of the centerline of Frantz Road (100 feet in width) with the centerline of Tuttle Road (60 feet in width) as shown and delineated upon the record plat of "DEDICATION OF TUTTLE ROAD, FRANTZ ROAD AND EASEMENTS" of record in Plat Book 61, Page 73;

Thence N 11 deg. 13' 47" W, a distance 105.00 feet along said centerline of Frantz Road to a point;

Thence S 78 deg. 46' 13" W, a distance of 50.00 feet to a point of curvature in the original westerly right-of-way line and the easterly line of the 0.027 acres (Parcel No. 19-WV) conveyed to the City of Columbus by deed of record in O.R. 34809J05;

Thence along said original right-of-way line and easterly line of said 0.027 acres (Parcel No. 19-WV) with a curve to the right having a radius of 35.00 feet, a central angle of 44 deg. 24' 54" the chord which bears S 10 deg. 58' 29" W a chord distance of 26.46 feet to a point in the northerly right-of-way line of Tuttle Road and the 0.297 acres conveyed to the City of Dublin by deed of record in O.R. 9271A13 and being the point of true beginning for the herein described tract of land;

Thence the following three (3) courses and distances along the northerly lines of said 0.297 acre tract and northerly right-of-way line of Tuttle Road;

1. Thence along a curve to the right having a radius of 35.00 feet, a central angle 45 deg. 35' 28" the chord to which bears S 55 deg. 58' 40" W a chord distance of 27.12 feet to a point of tangency in the northerly right-of-way line of Tuttle Road (being 70.00 feet Northerly of, the centerline thereof);
2. Thence S 78 deg. 46' 13" W, parallel with said centerline of Tuttle Road, a distance of 288.82 feet to a point in the common line of said original 5.261 and 7.028 acre tracts at a northeasterly corner of an 0.723 acre tract conveyed to the City of Dublin by deed of record in O.R. 10895E11;
3. Thence S 78 deg. 46' 13" W parallel with said centerline of Tuttle Road a distance of 78.65 feet along the northerly line of said 0.723 acre tract to a point;

Thence the following two (2) courses and distances across said 7.028 acre tract;

1. Thence N 12 deg. 07' 10" W a distance of 443.59 feet to a point;

EXHIBIT A

**DESCRIPTION OF A 2.960 ACRE TRACT
ALONG TUTTLE CROSSING BOULEVARD, EAST OF BRADENTON AVENUE,
CITY OF DUBLIN, OHIO**

Situated in the State of Ohio, County of Franklin, City of Dublin, in Virginia Military Survey No. 2419 and being all of a 2.681 acre tract of land conveyed to Crafton Properties, Inc., by deed of record in Instrument 200004070068179 and a portion of a 3.002 acre tract of land conveyed to Crafton Properties, Inc., by deed of record in Official Record 33925, Page D 06, all records referenced to the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning, for reference, at a Pony Spike found at the intersection of the centerline of Parkcenter Avenue (variable width) with the centerline of Bradenton Avenue (60 feet in width) as shown upon the plat of Tuttle Crossing of record in Plat Book 71, Pages 100, 101 and 102;

thence S 77° 34' 27" E along the centerline of Parkcenter Avenue a distance of 490.03 feet to a P.K. nail found at a point of curvature;

thence S 12° 25' 33" W perpendicular to the centerline of Parkcenter Avenue a distance of 30.00 feet to a 3/4" I.D. iron pipe found at an angle point in the south right-of-way line of Parkcenter Avenue and at a corner of a 4.836 acre tract of land conveyed to Precision Equities, Ltd., by deed of record in Instrument 199709180096668, said 4.836 acre tract having been conveyed out of Lot No. 9, as shown upon said plat of Tuttle Crossing;

thence S 58° 27' 22" E along the southwesterly right-of-way line of Parkcenter Avenue and along the northeasterly line of said 4.836 acre tract a distance of 57.46 feet to a 3/4" I.D. iron pipe found at an angle point in the south right-of-way line of Parkcenter Avenue, at the northeast corner of said 4.836 acre tract, at the northeast corner of said Lot No. 9, at the northwest corner of said 3.002 acre tract and at a point of curvature of the south right-of-way line of Parkcenter Avenue;

thence S 12° 07' 10" E along a portion of the east line of said Lot No. 9, along the east line of said 4.836 acre tract, along a portion of the west line of said 3.002 acre tract and along a portion of the east line of a 7.513 acre tract of land conveyed out of said Lot No. 9 to Sun Life Assurance Company of Canada by deed of record in Instrument 199711250152182 a distance of 339.94 feet to a 3/4" I.D. iron pipe set at the true place of beginning of the tract herein intended to be described;

thence N 77° 52' 50" E crossing a portion of said 3.002 acre tract and perpendicular to the west line of said 3.002 acre tract a distance of 371.44 feet to a 3/4" I.D. iron pipe set in an east line of said 3.002 acre tract and in the west line of a 0.802 acre tract of land conveyed to The Borrer Corporation by deed of record in Official Record 30281, Page I 02;

thence S 12° 07' 10" E along a portion of an east line of said 3.002 acre tract, along a portion of the west line of said 0.802 acre tract and along the east line of said 2.681 acre tract a distance of 350.00 feet to a 3/4" I.D. iron pipe found at the southeast corner of said 2.681 acre tract, at the southwest corner of said 0.802 acre tract and in the north line of a 0.723 acre tract of land conveyed to The City of Dublin, Ohio, for Tuttle Crossing Boulevard Right-of-way purposes, by deed of record in Official Record 10895, Page E 11 (passing a 3/4" I.D. iron pipe found at a

2. Thence N 77 deg. 52' 50" E a distance of 78.64 feet to a point in the common line of said original 5.261 and 7.208 acre tracts;

Thence N 12 deg. 07' 10" W a distance of 155.27 feet along the common line of said original 5.261 and 7.028 acre tracts to a point at a common corner of said original 5.261 and 7.028 acre tracts and being in the southerly right-of-way line of Parkcenter Avenue (100 feet in width);

Thence the following four (4) courses and distances along the northerly lines of said original 5.261 acre tract, and the southerly right-of-way line of Parkcenter Avenue;

1. Thence N 78 deg. 46' 13" E, a distance of 258.46 feet, to a point of curvature;
2. Thence along a curve to the right having a radius of 340.00 feet a central angle of 20 deg. 30' 00" the chord to which bears N 89 deg. 01' 13" East, a chord distance of 121.00 feet to a point of tangency;
3. Thence S 80 deg. 43' 47" E, a distance of 30.75 feet, to a point of curvature;
4. Thence along a curve to the right having a radius of 35.00 feet a central angle of 45 deg. 35' 42" the chord to which bears S 57 deg. 56' 07" E, a chord distance of 27.12 feet to a point in the westerly line of said 0.027 acres (Parcel No. 19-WV);

Thence the following three (3) courses and distances along the westerly line of said 0.027 acres and the existing westerly right-of-way line of Frantz Road;

1. Thence S 9 deg. 16' 13" W a distance of 75.13 feet, to a point of curvature;
2. Thence along a curve to the left having a radius of 1210.00 feet a central angle of 20 deg. 30' 00" the chord to which bears S 00 deg. 58' 47" E, a chord distance of 430.62 feet, to a point of tangency;
3. Thence S 11 deg. 13' 47" E a distance of 44.49 feet to the point of true beginning for the herein described tract, containing 5.643 acres, more or less, and being subject to all easements, restrictions and rights-of-way of record;

The bearings in the above description were based on the bearings of N 11 deg. 13' 47" W for the centerline of Frantz Road as shown on the plat of record in Plat Book 61, Page 73.

Property Owners

273-003756 AMERICAN CANCER SOCIETY OHIO DIVISION INC 5555 FRANTZ
RD DUBLIN, OH 43017 AMERICAN
CANCER SOCIETY OHIO DIVISION INC 5555 FRANTZ RD 5555 FRANTZ
RD

273-004533 ASC COLUMBUS SURGICAL PROPERTIES LLC 5005 PARKCENTER
AV DUBLIN, OH 43017 COLUMBUS
SURGICAL PROPERTIES LLC 5005 PARKCENTER AVE 5005
PARKCENTER AVE

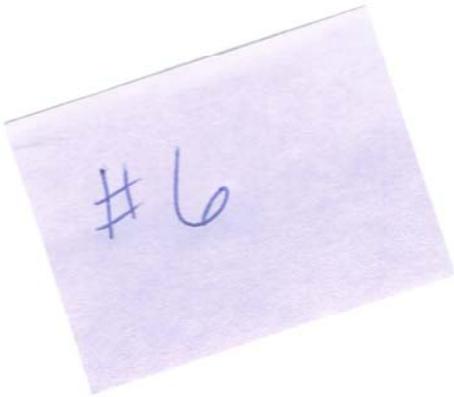
273-003678 BRC PROPERTIES INC 4900 TUTTLE CROSSING
BL DUBLIN, OH 43016 PULTE HOMES OF OHIO
LLC 3350 PEACHTREE RD NE 3350 PEACHTREE RD
NE

273-005366 FRANTZ INVESTMENTS LLC 5500 FRANTZ
RD DUBLIN, OH 43016 FRANTZ
INVESTMENTS LLC 400 METRO PL N STE 300 400 METRO
PL N STE 300

590-202396 KARRIC NORTH APARTMENTS INC 3970 BRELSFORD
LN DUBLIN, OH 43016 KARRIC NORTH
APARTMENTS 600 STONEHENGE PKWY 2ND F 600 STONEHENGE
PKWY 2ND F

273-005812 KC PROPCO LLC 4960 PARKCENTER
AV DUBLIN, OH 43017 KINDERCARE
LEARNING CENTR INC/TAX DEPT PO BOX 6760 PO BOX
6760

273-011049 TALISMAN CAPITAL PARTNERS II INC 5000 TUTTLE CROSSING
BL DUBLIN, OH 43017 TALISMAN CAPITAL
PARTNERS II INC 330 W SPRING ST STE 400 330 W SPRING ST STE
400



AMERICAN CANCER SOCIETY OHIO DIVISION INC
5555 FRANTZ RD
DUBLIN, OH 43017

ASC COLUMBUS SURGICAL PROPERTIES LLC
5005 PARKCENTER AV
DUBLIN, OH 43017

FRANTZ INVESTMENTS LLC
5500 FRANTZ RD
DUBLIN, OH 43016

KARRIC NORTH APARTMENTS INC
3970 BRELSFORD LN
DUBLIN, OH 43016

KC PROPCO LLC
4960 PARKCENTER AV
DUBLIN, OH 43017

TALISMAN CAPITAL PARTNERS II INC
5000 TUTTLE CROSSING BL
DUBLIN, OH 43017