

**CIRCLEVILLE NEW COMMUNITY AUTHORITY
BOARD OF TRUSTEES**

City Hall Building | Council Chamber. 2nd Fl. | 127 S. Court Street | Circleville, Ohio 43113

ORGANIZATIONAL MEETING
Monday, October 7, 2024 @ 6:00 pm

AGENDA

Call meeting to order and Roll Call.

1. Roll Call (TAB #1)
2. Approval of Minutes of April 16, 2024 Meeting (TAB #2)
3. Reports and Communications from Officers of the Board
 - A. Statutory Developer Report (City) (TAB #3)
4. Consideration of Resolutions
 - A. Resolution No. 2024-02 – Is a Resolution budgeting an amount from the existing funds and accounts of the authority and the future revenues of the authority to pay administrative expenses and other expenses of the authority for calendar year 2025 (TAB #4).
 - B. Resolution No. 2024-03 – Is a Resolution approving the addition of the “Heritage Ponds Additional Property” to the Circleville New Community Authority, Pickaway County, Ohio (TAB #5).
 - C. Resolution No. 2024-04 – Is a Resolution authorizing the authority to join in the First Supplemental Declaration of Covenants and Restrictions for the Circleville New Community Authority, Pickaway County, Ohio to be recorded with the Pickaway County Recorder (TAB #6).
 - D. Resolution No. 2024-05 – Is a Resolution approving the addition of the “CG1 Additional Property” and the “Southern Ohio Additional Property” to the Circleville New Community Authority, Pickaway County, Ohio (TAB #7).
 - E. Resolution No. 2024-06 – Is a Resolution authorizing the authority to join in the Second Supplemental Declaration of Covenants and Restrictions for the Circleville New Community Authority, Pickaway County, Ohio to be recorded with the Pickaway County Recorder (TAB #8).

F. Resolution No. 2024-07 – Is a Resolution approving the addition of the “Forestar Additional Property” to the Circleville New Community Authority, Pickaway County, Ohio (TAB #9).

G. Resolution No. 2024-08 – Is a Resolution authorizing the authority to join in the Third Supplemental Declaration of Covenants and Restrictions for the Circleville New Community Authority, Pickaway County, Ohio to be recorded with the Pickaway County Recorder (TAB #10).

5. Other Business.

6. Establish Next Meeting Date

7. Adjournment

TAB #1

[Insert Board Roster]

**CIRCLEVILLE NEW COMMUNITY AUTHORITY
MEMBERS OF THE BOARD OF TRUSTEES**

2024 Roster

Mr. Barry Keller
City of Circleville
City Council President

Ms. Sheri Theis
City of Circleville
At-Large Council Member

Mr. Tom Klitzka
City of Circleville
At-Large Council Member

Ms. Katie Logan Hedges
City of Circleville
At-Large Council Member

Mr. Jeff Hallinin
City of Circleville
First-Ward Council Member

Mr. John Moats
City of Circleville
Second-Ward Council Member

Mr. Zach Brooks
City of Circleville
Third-Ward Council Member

Mr. Tom Duvall
City of Circleville
Fourth-Ward Council Member

Mr. Mark Bidwell
City of Circleville
City Auditor

TAB #2

[Insert April 16, 2024 Meeting Minutes]

CIRCLEVILLE NEW COMMUNITY AUTHORITY MINUTES 4-16-2024

Circleville New Community Authority convened in Council Chambers Tuesday, April 16, 2024, at 6:00 p.m. Roll call, Circleville NCA members present Chair Barry Keller, Vice Chair Sheri Theis; Tom Duvall; Jeff Hallinin; Katie Logan Hedges, and Secretary Linda Chancey.

The newest 2024 members of City Council were present, but not sworn-in yet:

Zack Brooks, Tom Klitzka, and John Moats. Absent: Treasurer/City Auditor Mark Bidwell.

Invited Guests: Law Director Kendra Kinney, Rob McCarthy and Tyler Bridge, Attorneys for Bricker & Graydon.

Keller called the meeting to order at 6:00 pm. Kendra Kinney administered the Oaths of Office for the NCA Board of Trustees to Zack Brooks, John Moats, and Tom Klitzka.

- Theis motioned that the Chairperson Of NCA be the President Of City Council. Duvall seconded. Roll call. (7 Yeas- 0 Nays). Motion carried.
- Hallinin motioned that the Vice Chair of the NCA be President Pro Tem Of City Council. Klitzka seconded. Roll call. (7 Yeas - 0 Nays). Motion carried.
- Hedges motioned that the Secretary Of Council of the NCA be City Council Clerk. Theis seconded. Roll Call. (7 Yeas- 0 Nays). Motion carried.
- Hallinin motioned that the Treasurer of the NCA be the City Auditor. Moats seconded. Roll Call. (7 Yeas- 0 Nays). Motion carried.

Duvall motioned to accept the May 17, 2023, minutes. Theis seconded. Motion carried.

Reports and/or Communications from Officers of the Board Attorney.

Rob McCarthy explained the overview for the NCA as to how, why and purpose of the NCA, the purpose is for growth in the development areas. The City is the driving force for the Circleville NCA, and it is to pay for the infrastructure within the new development.

McCarthy further explained the process that the resolution before the board is for surety bonds protection for the City and a statutory requirement by the NCA.

Keller explained there are three developments in process for the city. We would like to combine the projects and developments for timing.

Tyler explained the three projects in the works for NCA 1. South Court Street, 2. Heritage Ponds Development, 3. D.R. Horton Development on North Court Street. A proposed Frito-Lay warehouse on Progress Parkway off South Court St. There are also two other NCA developments in process: South Bloomfield and Ashville that are further along in development.

We are in the process of gathering the required documents and applications for these properties. A public hearing is required for the NCA properties.

There was no Statutory Developer Report.

McCarthy explained not this year, but in the future, this is for opportunities to provide status reports, which developments were added, revenue reports and to answer questions.

Resolution No. 2024-01 – Authority Insurance Resolution Is A Resolution Providing For The Adoption Of Insurance And Bond Coverage For The Authority And The Board Pursuant To Ohio Revised Code Section 349.04. This is for the renewal of the insurance and bond coverage for 2024.

MOTION: VOTE- ROLL CALL

Brooks motioned to adopt **Resolution NO 2024-01** insurance and bonds coverage. Duvall seconded. Roll call. (7 Yeas - 0 Nays.) Resolution #2024-01 is adopted.

Other Business - None was discussed.

Establish Meeting date – McCarthy explained the board might need to meet in August or September, which is when the county tax duplicates process.

Hallinin motioned to adjourn the NCA meeting at 6:23 p.m. and seconded by Brooks.

Respectfully submitted by Linda Chancey, NCA Clerk

TAB #3

[Insert Developer Report]

Project	Location	Developer	Plan
Heritage Ponds	South of Dunkel Road in the area of Victor Drive.	Heritage Ponds Development & Fischer Homes	Approximately (60) Single-Family residential units upon currently vacant land.
South Court Street	Along South Court Street north of Crites Road and South of Town Street	Schiff Properties [CG1 LLC] & Southern Ohio Development	Mix of general business commercial/retail, including Valvoline oil change facilities and various retail/restaurant outlets.
North Court Street	Along North Court Street parallel to Dunkel Road	Forestar (USA) & DR Horton	Approximately (116) Single-Family residential units upon currently vacant land.

TAB #4

[Insert Resolution No. 2024-02]

**BOARD OF TRUSTEES
CIRCLEVILLE NEW COMMUNITY AUTHORITY**

The Board of Trustees (the “Board”) of the Circleville New Community Authority (the “Authority”) met on October 7, 2024 at 6:00 p.m. at 127 S. Court Street, Circleville, Ohio 43113, with the following members present:

M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____

M__. _____ introduced the following resolution and M__. _____ moved its passage:

RESOLUTION NO. 2024-02

RESOLUTION BUDGETING AN AMOUNT FROM THE
EXISTING FUNDS AND ACCOUNTS OF THE AUTHORITY
AND THE FUTURE REVENUES OF THE AUTHORITY TO
PAY ADMINISTRATIVE EXPENSES AND OTHER EXPENSES
OF THE AUTHORITY FOR CALENDAR YEAR 2025.

WHEREAS, the Authority has been duly created, and the Board has been duly appointed, pursuant to the authority contained in Ohio Revised Code Chapter 349; and

WHEREAS, this Board intends to budget money at this time out of the existing funds and accounts of the Authority and the future revenues of the Authority in order to pay administrative expenses and other expenses of the Authority for calendar year 2025.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

Section 1. Establishment of Budget and Board Determination. There is hereby budgeted for calendar year 2025 and appropriated from the existing funds and accounts of the Authority and the future revenues of the Authority the amount established by the budget attached hereto as Exhibit A necessary to pay the administrative expenses and other expenses of the Authority for calendar year 2025. Any such expenses outlined at Exhibit A for calendar year 2025 shall be paid by the City of Circleville, Ohio, as an advance to be later reimbursed by the Authority out of the existing funds and accounts of the Authority and the future revenues of the Authority.

Section 2. Compliance with Open Meeting Law. This Board hereby finds and determines that all formal actions taken relative to the passage of this resolution were taken in an open meeting

of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Ohio Revised Code Section 121.22.

Section 3. Effective Date. This resolution shall be in full force and effect immediately upon its passage.

M. _____ seconded the motion and, after discussion, a roll call vote was taken and the results were:

Voting Aye: _____

Voting Nay: _____

Passed: October 7, 2024

BOARD OF TRUSTEES, CIRCLEVILLE
NEW COMMUNITY AUTHORITY

Attest: _____
Secretary Chairperson

CERTIFICATE

The undersigned Secretary of the Board of Trustees of the Circleville New Community Authority hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of said Authority on October 7, 2024.

Secretary
Circleville New Community Authority

EXHIBIT A

Calendar Year 2025 Budget For the Authority

Insurance	\$3,000.00
Total	\$3,000.00

TAB #5

[Insert Resolution No. 2024-03]

**BOARD OF TRUSTEES
CIRCLEVILLE NEW COMMUNITY AUTHORITY**

The Board of Trustees (the “Board”) of the Circleville New Community Authority (the “Authority”) met on October 7, 2024 at 6:00 p.m. at 127 S. Court Street, Circleville, Ohio 43113, with the following members present:

M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____

M__. _____ introduced the following resolution and moved its passage:

RESOLUTION NO. 2024-03

**APPROVING THE ADDITION OF THE “HERITAGE PONDS ADDITIONAL
PROPERTY” TO THE CIRCLEVILLE NEW COMMUNITY AUTHORITY,
PICKAWAY COUNTY, OHIO.**

WHEREAS, the Authority and the Circleville New Community Authority District (the “District”) have heretofore been duly created and the Board has heretofore been duly appointed pursuant to the authority contained in Ohio Revised Code Chapter 349; and,

WHEREAS, the Board desires to approve the addition of certain real property to the District, pursuant to an *Application to Add Property to the Circleville New Community Authority and to Amend the Petition for Establishment of the Circleville New Community Authority Under Chapter 349 of the Ohio Revised Code* in substantially the form on file with the City of Circleville, Ohio (the “City”), to be filed with the Clerk of the City Council of the City by the City, as statutory developer, and to be consented to by Heritage Ponds Development LLC (“Heritage Ponds”), as owner of such real property (collectively, the “Application”); and,

WHEREAS, for the avoidance of doubt and administrative efficiency, the Board is providing its approval in advance of the submission of the Application to the Clerk of the City Council of the City, and therefore desires that this resolution take effect upon final approval of the Application, with respect to the real property owned by Heritage Ponds, by the City Council of the City.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

Section 1. Approval of Addition of Real Property. This Board hereby approves the addition of the real property described in Exhibit A to the District (the “Heritage Ponds Additional Property”).

Section 2. Additional Officer Authorizations. The Chairperson, Vice Chairperson or Secretary, individually and together, are authorized and directed to execute, acknowledge and deliver, in the name and on behalf of the Authority, any additional documents necessary for the addition of the real property described in Exhibit A including, without limitation, a supplemental Declaration of Covenants and Restrictions with respect to such real property, as are not inconsistent with such addition or this resolution and not substantially adverse to the Authority and as may be permitted by the Ohio Revised Code Chapter 349 and approved by the officers executing the same on behalf of the Authority. The approval of such additional documents by such officers, and that such documents are not substantially adverse to the Authority, shall be conclusively evidenced by the execution of such documents by such officers. Any of the Chairperson, Vice Chairperson or Secretary, individually and together, is authorized to take any and all actions and to execute such assignments, certificates, and other instruments that may be necessary or appropriate, in order to effect the addition of the Heritage Ponds Additional Property, the intent of this resolution, and the execution of any additional documents.

Section 3. Compliance with Open Meeting Law. This Board hereby finds and determines that all formal actions taken relative to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Ohio Revised Code Section 121.22.

Section 4. Effective Date. This resolution shall be in full force and effect upon final approval of the Application, with respect to the real property owned by Heritage Ponds, by the City Council of the City.

M. _____ seconded the motion and, after discussion, a roll call vote was taken and the results were:

Voting Aye: _____

Voting Nay: _____

Passed: October 7, 2024

BOARD OF TRUSTEES, CIRCLEVILLE NEW
COMMUNITY AUTHORITY

Attest: _____
Secretary

Chairperson

CERTIFICATE

The undersigned Secretary of the Board of Trustees of the Circleville New Community Authority hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of said Authority on October 7, 2024.

Secretary, Circleville
New Community

EXHIBIT A

The Heritage Ponds Additional Property shall include the parcels comprised of the tracts describes on the following pages on file in the office of the Pickaway County Recorder and identified by the Pickaway County Auditor's Permanent Parcel Nos. A05-1-143-00-025-01, A05-1-143-00-025-02, A05-1-143-00-025-03, and A05-1-148-00-001-01, as follows, and as such parcels may be combined, subdivided, re-combined, and re-numbered from time to time:

TRACT 1

Situate in the State of Ohio, County of Pickaway, City of Circleville, lying in Section 8, Township 11, Range 21, Congress Lands, being part of the original 79.04-acre tract conveyed as the "FIRST TRACT" to Eleanor L. Tootle by deed of record in Deed Book 329, Page 152, records of the Recorder's Office, Pickaway County, Ohio, and being more particularly described as follows:

BEGIN FOR REFERENCE, at an iron pin found at the southeast corner of Lot 9 of HERITAGE PONDS SECTION 1, a subdivision of record in Plat Cabinet 1, Slide 215, and the southwest corner of a 12.455 acre tract conveyed to Rockford Homes, Inc. by deed of record in Official Record 270, Page 521, said iron pin also being in the southerly line of said Section 7;

Thence South $86^{\circ} 54' 43''$ East, a distance of 753.59 feet, along the section line common to Section 7 and Section 18, also being the south line of a 11.663 acre tract conveyed to Rockford Homes, Inc. by deed of record in Official Record 517, Page 1038 and said 12.455 acre tract, and the north line of a 17.309 acre tract conveyed to Rising Development Corp. by a deed of record in Official Record 288, Page 228, and a 42.81 acre tract conveyed as "PARCEL I" to Watt-Land Acres, Inc., by a deed of record in Deed Book 176, Page 586, to a stone found, marking the common corner of Section 7, Section 8, Section 18 and Section 17;

Thence South $86^{\circ} 53' 10''$ East, a distance of 680.27 feet, along the line common to said 42.81 acre tract and said 11.663 acre tract, to an iron pin found at the POINT OF TRUE BEGINNING;

Thence the following two (2) courses and distances along the lines common to said original 79.04 acre tract and said 11.663 acre tract:

1. North $02^{\circ} 41' 00''$ East, a distance of 129.13 feet, to an iron pin found;
2. South $87^{\circ} 19' 00''$ East, a distance of 63.53 feet, to an iron pin found;

Thence North $02^{\circ} 41' 00''$ East, a distance of 909.66 feet, passing an iron pin found at 489.66 feet, along the line common to said original 79.04 acre tract and said 11.663 acre tract, to an iron pin set;

Thence the following five (5) courses and distances over and across said original 79.04 acre tract:

1. North 87° 19' 00" West, a distance of 180.00 feet, to an iron pin set;
2. North 02° 41' 00" East, a distance of 5.00 feet, to an iron pin set;
3. North 87° 19' 00" West, a distance of 120.00 feet, to an iron pin set;
4. South 02° 41' 00" West, a distance of 45.00 feet, to an iron pin set;

North 87° 19' 00" West, a distance of 195.00 feet, to an iron pin found at a common corner of said original 79.04 acre tract and a 3.681 acre tract conveyed to Rockford Homes Inc., by deed of record in Official Record 517, Page 1038;

Thence the following three (3) courses and distances along the lines common to said original 79.04 acre tract and said 3.681 acre tract:

1. North 02° 41' 00" East, a distance of 135.00 feet, to an iron pin found;
2. South 87° 19' 00" East, a distance of 2.51 feet, to an iron pin found;
3. North 02° 41' 00" East, a distance of 195.95 feet, to an iron pin found, in the line common to said original 79.04 acre tract and a 12.653 acre tract conveyed to Chamberlain Construction Company by deed of record in Deed Book 284, Page 722;

Thence South 87° 19' 00" East, a distance of 189.50 feet, along the line common to said original 79.04 acre tract and said 12.653 acre tract, to an iron pin set;

Thence South 87° 19' 37" East, a distance of 592.99 feet, along the line common to said original 79.04 acre tract, said 12.653 acre tract and a 7.518 acre tract conveyed as "TRACT ONE" to Lemoyne Vanvliet and Joyce A. Crider, Trustees by a deed of record in Deed Book 37, Page 221, to an iron pin set at the common corner of said 7.518 acre tract and a 19.537 acre tract conveyed as "TRACT TWO" to Lemoyne Vanvliet and Joyce A. Crider, Trustees by a deed of record in Deed Book 37, Page 221;

Thence the following five (5) courses and distances over and across said original 79.04 acre tract:

1. South 02° 41' 00" West, a distance of 136.05 feet, to an iron pin set;
2. South 87° 19' 00" East, a distance of 35.00 feet, to an iron pin set;
3. South 02° 41' 00" West, a distance of 1064.66 feet, to an iron pin set;
4. North 87° 19' 00" West, a distance of 35.00 feet, to an iron pin set;
5. South 02° 41' 00" West, a distance of 131.79 feet, to an iron pin set in the north line of said 42.81 acre tract;

Thence North 86° 53' 10" West, a distance of 353.54 feet, along the line common to said original 79.04 acre tract and said 42.81 acre tract, to the **POINT OF TRUE BEGINNING**. Containing 13.368 acres, more or less.

The bearings shown hereon are based on the bearing of North 32° 04' 03" East, for the centerline of Walnut Creek Pike (County Road 7) as determined by a GPS network of field observations performed in October, 1999.

Parcel No. A05-l-143-00-025-01

Property Address: WALNUT CREEK PIKE

Prior Instrument Reference: Official Record Volume 547, page 1097.

TRACT 2

Situate in the State of Ohio, County of Pickaway, City of Circleville, lying in Sections 7 and 8, Township 11, Range 21, Congress Lands, being part of the original 79.04 acre tract (Parcel ID numbers A05- l-143-00-024-00, and A05-1-143-00-025-00) conveyed as the "First Tract" to Eleanor L. Tootle by deed of record in Deed Book 329, Page 152, records of the Recorder's Office, Pickaway County, Ohio, and being more particularly described as follows:

Begin for reference at an iron pin found at the southeast corner of Lot 98 of "Heritage Ponds, Section 3", a subdivision of record in Plat Cabinet 1, Slide 383, a common corner to a 13.368 acre tract conveyed to Rockford Homes, Inc. by deed of record in Official Record 547, Page 1097, being in the northerly line of a 42.81 acre tract conveyed as (Parcel 1) to Watt-Land Acres, Inc. by deed of record in Deed Book 176, Page 586;

Thence the following three (3) courses and distances along the easterly subdivision line of said "Heritage Ponds, Section 3", a line common to the westerly lines of said 13.368 acre tract:

1. North 02°41'00" East, a distance of 129.13 feet, to an iron found at the northeast corner of said Lot 98 in the south right-of-way line of Sycamore Drive;
2. South 87°19'00" East, a distance of 63.53 feet, along the south right-of-way line of said Sycamore Drive to an iron pin found;
3. North 02°41'00" East, a distance of 489.66 feet, to an iron pin found at the northeast corner of Lot 126 and being the **Point of True Beginning**, for the herein described tract;

Thence the following nine (9) courses and distances along the northerly subdivision line of said "Heritage Ponds, Section 3" and then the easterly subdivision lines of "Heritage Ponds, Section 2", a subdivision of record in Plat Cabinet 1, Slide 358:

1. North 87°19'00" West, a distance of 180.00 feet, to an iron pin found;
2. South 02°41'00" West, a distance of 5.00 feet, to an iron pin found;
3. North 87°19'00" West, a distance of 120.00 feet, to an iron pin found;

4. North 02°41'00" East, a distance of 50.00 feet, to an iron pin found;
5. North 87°19'00" West, a distance of 524.87 feet, to an iron pin found at the southeast corner of Lot 76;
6. North 27°04'28" East, a distance of 181.59 feet, to an iron pin found at the northeast corner of said Lot 76 in the southerly right-of-way line of Butternut Avenue;
7. Along the southerly right-of-way line of said Butternut Avenue being an arc of a curve to the left having a central angle of 08°29'40", a radius of 319.91 feet, an arc length 47.43 feet, with a chord bearing of South 68°35'12" East, with a chord distance of 47.39 feet, to an iron pin found;
8. North 17°09'58" East, a distance of 60.00 feet, to an iron pin found at the southeast corner of Lot 75;
9. North 02°41'00" East, a distance of 126.74 feet, to an iron pin found at the northeast corner of said Lot 76, being a common corner to Lot 136 and Lot 137 of said "Heritage Ponds, Section 3";

Thence the following six (6) courses and distances along the Lots 137 thru 139 of said "Heritage Ponds, Section 3" then the lines of said 13.368 acre tract:

1. South 87°19'00" East, a distance of 390.00 feet, to an iron found;
2. North 02°41'00" East, a distance of 45.00 feet, to an iron pin found;
3. South 87°19'00" East, a distance of 120.00 feet, to an iron found;
4. South 02°41'00" West, a distance of 5.00 feet, to an iron pin found;
5. South 87°19'00" East, a distance of 180.00 feet, to an iron found;
6. South 02°41'00" West, a distance of 420.00 feet, to the Point of True Beginning, containing 6.285 acres, more or less. With (0.193 acre out of Section 7, being a decrease in acreage for Parcel ID number A05- 1- I 43-00-024-00, over the current auditor's record of 0.346 acre), and (6.092 acres out of Section 8, being an increase in acreage for Parcel ID number A05-1- 143-00-025-00, over the current auditor's record of 5.989 acres).

All iron pins set are $\frac{3}{4}$ inch iron pipes, 30 inches in length, with a yellow cap bearing the name "R.D. Zande". All iron pins found are $\frac{3}{4}$ inch iron pipes unless otherwise noted.

The bearings shown hereon are based on the bearing of North 32° 04' 03" East, for the centerline of Walnut Creek Pike (County Road 7) as determined by a GPS network of field observations performed in October, 1999.

EXCEPTING THEREFROM the following described property:

Situated in Sections 7 & 8, Township 11, Range 21 West, Congress Lands, City of Circleville, Ohio, and described as follows:

Heritage Ponds Section 4, as the same is described in Plat Cabinet 4, Slide 3, Recorder's Office, Pickaway County, Ohio, containing 5.727 acres.

Containing after said exception 0.558 acres, more or less.

Parcel No. A05-l-143-00-025-02

Property Address: SHAGBARK ST

Prior Instrument Reference: Official Record Volume 567, page 2700.

TRACT 3

Situate in the State of Ohio, County of Pickaway, City of Circleville, lying in Section 8, Township 11, Range 21, Congress Lands, being part of the original 79.04 acre tract (Parcel ID number A05-l-143-00-025-00) conveyed as the "First Tract" to Eleanor L. Tootle by deed of record in Deed Book 329, Page 152, records of the Recorder's Office, Pickaway County, Ohio, and being more particularly described as follows:

Begin for reference at an iron pin found at the southeast corner of Lot 98 of "Heritage Ponds, Section 3", a subdivision of record in Plat Cabinet 1, Slide 383, a common corner to a 13.368 acre tract conveyed to Rockford Homes, Inc. by deed of record in Official Record 547, Page 1097, being in the northerly line of a 42.81 acre tract conveyed as (Parcel 1) to Watt-Land Acres, Inc. by deed of record in Deed Book 176, Page 586;

Thence South 86°53'10" East, a distance of 353.54 feet, along the southerly line of said 13.368 acre tract and the northerly line of said 42.81 acre tract to an iron pin found at the southeast corner of said 13.368 acre tract, and being the Point of True Beginning, for the herein described tract;

Thence the following five (5) courses and distances along the easterly lines of said 13.368 acre tract:

1. North 02°41'00" East, a distance of 131.79 feet, to an iron pin found;
2. South 87°19'00" East, a distance of 35.00 feet, to an iron pin found;

3. North 02°41'00" East, a distance of 1064.66 feet, to an iron pin found;
4. North 87°19'00" West, a distance of 35.00 feet, to an iron pin found;
5. North 02°41'00" East, a distance of 136.05 feet, to an iron pin found at the northeast corner of said 13.368 acre tract, a common corner to a 7.518 acre (Tract One) and 19.537 acre (Tract Two) as conveyed to Lemoyne Vanvliet and Joyce A. Crider, Trustees by deed of record in Deed Book 037, Page 221;

Thence South 87°19'37" East, a distance of 382.01 feet, along the southerly line of said 19.537 acre (Tract Two) a line common to said original 79.04 acre tract, to an iron pin found at the northeast corner of said original 79.04 acre tract, being common to the northwest corner of Lot 158 of "Northwood Park Section 8" a subdivision of record in Plat Book 8, Page 163;

Thence South 03°31'04" West, a distance of 1335.44 feet, along the easterly line of said original 79.04 acre tract, to a stone found at the southeast corner of said original 79.04 acre tract;

Thence North 86°53'10" West, a distance of 362.57 feet, passing an iron found at 51.54 feet, along the southerly line of said original 79.04 acre tract, a line common to the northerly line of said 42.81 acre tract to the Point of True Beginning, containing 10.545 acres, more or less.

All iron pins set are $\frac{3}{4}$ inch iron pipes, 30 inches in length, with a yellow cap bearing the name "R.D. Zande". All iron pins found are $\frac{3}{4}$ inch iron pipes unless otherwise noted.

Parcel No. A05-l-143-00-025-03

Property Address: SYCAMORE DR

Prior Instrument Reference: Official Record Volume 567, page 2700.

TRACT 4

Situated in the City of Circleville, Township of Yamarick, County of Pickaway, State of Ohio, being a part of Section 8, Township 11, Range 21 and being (0.835 acres) of an original 18.406 acres tract as conveyed to The Estate of John N. Bowers and recorded in Deed Book 291, Page 540 of the Pickaway County Recorder's Office and being (0.835 acres) of a 2.07 acres (Parcel No. A05-l-148-00-001-00) on the Pickaway County Auditor's Tax Duplicate and being further bounded and described as follows:

Beginning at a $\frac{1}{2}$ " iron pin (found) marking a southwesterly corner to Lot No. 67 of Northwood Subdivision, Section No. 4 (P. B. 7, Page 94) and a northwesterly corner to Lot No. 183 of Ridgewood Subdivision, Section No. 10 (P. B. 7, Page 56), said iron pin also being a northeasterly corner to what remains of an original 27.27 acres tract as conveyed to Ellen J. Bowers (D.B. 294, Page 637) and marking the true point of beginning of the tract of land herein described and having Ohio State Plane Coordinates Northing 591,898.357 feet, Easting 1,847,466.156 feet South Zone and based upon NAD 83 (2011);

thence N 86° 09' 10" W with a northerly line of Ellen J. Bowers' original 27.27 acres tract, a distance of 112.11 feet to a 12" by 12" stone (found) marking a southeasterly corner to a 10.545 acres tract as conveyed to Rockford Homes, Inc. (O.R. 567, Page 2700);

thence N 03° 30' 43" E with an easterly line of Rockford Homes, Inc.'s 10.545 acres tract, a distance of 328.55 feet to 5/8" iron pin (set);

thence S 87° 32' 13" E with a new division line through the original 18.406 acres tract of which this is a part, a distance of 108.32 feet to a 1" iron pipe (found) marking a northwesterly corner to Lot No. 88 of Northwood Subdivision, Section 4 (P.B. 7, Page 94);

thence S 02° 51' 11" W with a westerly line of said subdivision passing a 5/8" iron pipe at 140.40 feet, a total distance of 331.21 feet to the true point of beginning, containing 0.835 acres of land.

Subject to all legal easements and rights-of-way of record. Bearings are based upon the Grid Azimuth (AZ. 165° 23' 03.4") between National Geodetic Survey CORS Station "COLB" and McCarty Associates Geodetic Survey Monument "PUMPKIN" (4801)" and derived from GPS observations taken June 29, 2016, utilizing the Trimble ODOT CORS VRS (Virtual Reference System).

Land surveyed in June 2016, under the direction of Jason C. McConnaughey, Registered Professional Surveyor No. 8509, the survey plat of which is referred to as Project No. S16-765 on file in the office of McCarty Associates, LLC, Washington C.H., Ohio.

All iron pins (set) are 5/8" diameter with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".

Parcel No. A05-l-148-00-001-01

Property Address: SYCAMORE DRIVE

Prior Instrument Reference: Official Record Volume 769, page 4207.

TAB #6

[Insert Resolution No. 2024-04]

**BOARD OF TRUSTEES
CIRCLEVILLE NEW COMMUNITY AUTHORITY**

The Board of Trustees (the “Board”) of the Circleville New Community Authority (the “Authority”) met on October 7, 2024 at 6:00 p.m. at 127 S. Court Street, Circleville, Ohio 43113, with the following members present:

M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____

M__. _____ introduced the following resolution and moved its passage:

RESOLUTION NO. 2024-04

AUTHORIZING THE AUTHORITY TO JOIN IN THE FIRST SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE CIRCLEVILLE NEW COMMUNITY AUTHORITY, PICKAWAY COUNTY, OHIO, TO BE RECORDED WITH THE PICKAWAY COUNTY RECORDER.

WHEREAS, the Circleville New Community Authority (the “Authority”) and the Board of Trustees of the Authority (the “Board”) have heretofore been duly created and appointed, respectively, pursuant to the authority contained in Ohio Revised Code Chapter 349; and,

WHEREAS, pursuant to Article VIII, Section 8.01 of the Declaration of Covenants and Restrictions for the Circleville New Community Authority (the “Declaration”), and in accordance with Ohio Revised Code Chapter 349, the Authority joined in the Declaration by Resolution No. 2023-04 adopted by the Board on March 17, 2023; and,

WHEREAS, pursuant to Resolution No. 2024-03, this Board approved an *Application to Add Property to the Circleville New Community Authority and to Amend the Petition for Establishment of the Circleville New Community Authority Under Chapter 349 of the Ohio Revised Code* in substantially the form on file with the City of Circleville, Ohio (the “City”), to be filed with the Clerk of the City Council of the City by the City, as statutory developer, and to be consented to by Heritage Ponds Development LLC (“Heritage Ponds”), as owner of such real property (collectively, the “Application”); and,

WHEREAS, the City, as the statutory developer, together with Heritage Ponds, together intend to execute a *First Supplemental Declaration to the Declaration* (the “First Supplemental

Declaration”) in substantially the form on file with the City, which First Supplemental Declaration will be recorded in the Recorder’s Office, Pickaway County, Ohio; and,

WHEREAS, for the avoidance of doubt and administrative efficiency, the Board is providing its consent in advance of the execution of the First Supplemental Declaration by the City and Heritage Ponds, and therefore desires that this resolution take effect upon execution of the First Supplemental Declaration by the City.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

Section 1. Approval of First Supplemental Declaration. The Authority hereby joins in the First Supplemental Declaration to be executed and recorded by the City and Heritage Ponds and accepts the duties, responsibilities and benefits imposed and conferred on it by the First Supplemental Declaration. The Secretary of the Board shall cause this resolution to be recorded with the Recorder’s Office, Pickaway County, Ohio as an attachment to the First Supplemental Declaration.

Section 2. Compliance with Open Meeting Law. This Board hereby finds and determines that all formal actions taken relative to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Ohio Revised Code Section 121.22.

Section 3. Effective Date. This resolution shall be in full force and effect upon execution of the First Supplemental Declaration by the City and Heritage Ponds.

M. _____ seconded the motion and, after discussion, a roll call vote was taken and the results were:

Voting Aye: _____

Voting Nay: _____

Passed: October 7, 2024

BOARD OF TRUSTEES, CIRCLEVILLE NEW
COMMUNITY AUTHORITY

Attest: _____
Secretary

Chairperson

CERTIFICATE

The undersigned Secretary of the Board of Trustees of the Circleville New Community Authority hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of said Authority on October 7, 2024.

Secretary, Circleville
New Community Authority

STATE OF OHIO :
 : SS
COUNTY OF PICKAWAY :

Before me, a Notary Public in and for said County personally came Linda M. Chancey, Secretary of the Board of Trustees (the “Board”) of the Circleville New Community Authority (the “Authority”), who signed such Certificate as the Secretary of the Board of the Authority, and that such Certificate is such person’s free act and deed as such officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Circleville, Ohio, this 7th day of October, 2024.

Notary Public

TAB #7

[Insert Resolution No. 2024-05]

**BOARD OF TRUSTEES
CIRCLEVILLE NEW COMMUNITY AUTHORITY**

The Board of Trustees (the “Board”) of the Circleville New Community Authority (the “Authority”) met on October 7, 2024 at 6:00 p.m. at 127 S. Court Street, Circleville, Ohio 43113, with the following members present:

M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____

M__. _____ introduced the following resolution and moved its passage:

RESOLUTION NO. 2024-05

**APPROVING THE ADDITION OF THE “CG1 ADDITIONAL PROPERTY”
AND THE “SOUTHERN OHIO ADDITIONAL PROPERTY” TO THE
CIRCLEVILLE NEW COMMUNITY AUTHORITY, PICKAWAY COUNTY,
OHIO.**

WHEREAS, the Authority and the Circleville New Community Authority District (the “District”) have heretofore been duly created and the Board has heretofore been duly appointed pursuant to the authority contained in Ohio Revised Code Chapter 349; and,

WHEREAS, the Board desires to approve the addition of certain real property to the District, pursuant to an *Application to Add Property to the Circleville New Community Authority and to Amend the Petition for Establishment of the Circleville New Community Authority Under Chapter 349 of the Ohio Revised Code* in substantially the form on file with the City of Circleville, Ohio (the “City”), to be filed with the Clerk of the City Council of the City by the City, as statutory developer, and to be consented to by CG1 LLC (“CG1”) and Southern Ohio Development Group LLC (“Southern Ohio”), together, as owners of such real property (collectively, the “Application”); and,

WHEREAS, for the avoidance of doubt and administrative efficiency, the Board is providing its approval in advance of the submission of the Application to the Clerk of the City Council of the City, and therefore desires that this resolution take effect upon final approval of the Application, with respect to the real property owned by CG1 and Southern Ohio, by the City Council of the City.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

Section 1. Approval of Addition of Real Property. This Board hereby approves the addition of the real property described in Exhibit A to the District (the “CG1 Additional Property” and the “Southern Ohio Additional Property,” respectively).

Section 2. Additional Officer Authorizations. The Chairperson, Vice Chairperson or Secretary, individually and together, are authorized and directed to execute, acknowledge and deliver, in the name and on behalf of the Authority, any additional documents necessary for the addition of the real property described in Exhibit A including, without limitation, a supplemental Declaration of Covenants and Restrictions with respect to such real property, as are not inconsistent with such addition or this resolution and not substantially adverse to the Authority and as may be permitted by the Ohio Revised Code Chapter 349 and approved by the officers executing the same on behalf of the Authority. The approval of such additional documents by such officers, and that such documents are not substantially adverse to the Authority, shall be conclusively evidenced by the execution of such documents by such officers. Any of the Chairperson, Vice Chairperson or Secretary, individually and together, is authorized to take any and all actions and to execute such assignments, certificates, and other instruments that may be necessary or appropriate, in order to effect the addition of the CG1 Additional Property and the Southern Ohio Additional Property, the intent of this resolution, and the execution of any additional documents.

Section 3. Compliance with Open Meeting Law. This Board hereby finds and determines that all formal actions taken relative to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Ohio Revised Code Section 121.22.

Section 4. Effective Date. This resolution shall be in full force and effect upon final approval of the Application, with respect to the real property owned by CG1 and Southern Ohio, by the City Council of the City.

M. _____ seconded the motion and, after discussion, a roll call vote was taken and the results were:

Voting Aye: _____

Voting Nay: _____

Passed: October 7, 2024

BOARD OF TRUSTEES, CIRCLEVILLE NEW
COMMUNITY AUTHORITY

Attest: _____
Secretary

Chairperson

CERTIFICATE

The undersigned Secretary of the Board of Trustees of the Circleville New Community Authority hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of said Authority on October 7, 2024.

Secretary, Circleville
New Community Authority

EXHIBIT A

It is expected that Southern Ohio may submit an application to the Service Department of the City of Circleville in order to re-plat the Southern Ohio Additional Property, which originally consisted of all of the Pickaway County Auditor's Permanent Parcel Nos. A05-4-109-00-018-00 and A05-4-109-00-015-00. The Southern Ohio Additional Property and the CG1 Additional Property shall consist of, and this Exhibit A shall apply to, all of the Pickaway County Auditor's Permanent Parcel Nos. A05-4-109-00-018-00 and A05-4-109-00-015-00, as they may be further sub-divided, combined, re-combined, re-numbered, or re-platted from time to time by Southern Ohio, CG1, the City, and the Pickaway County Auditor.

Southern Ohio Additional Property:

For the avoidance of doubt, legal descriptions applicable to the Southern Ohio Additional Property owned by Southern Ohio are attached below:



201900002903

BK 764 PG 262

Exhibit A

Legal Description

Situated in the City of Circleville, County of Pickaway, State of Ohio, bounded and described as follows:

Being Tract Nos. 1, 2, 3, 4 and 5 described by Deed recorded in Deed Book 291, Page 185 in the Pickaway County Recorder's Office.

Beginning at an iron pin found in the East line of South Court Street being the Northwest corner of Tract 1 referenced above and also being S 22° 09' W 135.05 feet distant from the point of intersection of the South line of Town Street with the East line of Court Street; thence with the North line of Tract 1 S 66° 19' 20" E 180.70 feet to an iron pin found corner to Tract 1 and in the Southwest corner of Tract 5 referenced above; thence with the West line of Tract 5 N 23° 45' E 135.00 feet to an iron pin found Northwest corner of Tract 5 and in the South line of Town Street; thence with said South line being the North line of Tract 5 S 66° 21' 40" E 50.00 feet to an iron pin set Northeast corner to Tract 5; thence with the East line of Tract 5 and Tract 3 referenced above S 23° 45' W 165.00 feet to an iron pin set Southeast corner to Tract 3; thence with the South line of Tract 3 N 66° 21' 40" W 5.00 feet to an iron pin set in said South line at Northeast corner of Tract No. 2 referenced above; thence with the East line of same S 22° 03' 45" W 94.90 feet to an iron pin set being Southeast corner to Tract 2; thence with the South line of Tract No. 2 and partly the South line of Tract 1 N 66° 21' W 115.00 feet to an iron pin set in said South line at the Northeast corner of Tract 4 referenced above; thence with 2 lines of Tract 4 S 22° 09' W 50.00 feet to an iron pin set; thence N 66° 21' W 110.00 feet to an iron pin set at Southwest corner of Tract 4 and being in the East line of Court Street; thence with said East line being West line of Tracts 4 and 1 N 22° 09' E 175.00 feet to the place of beginning. Containing 0.9298 acres more or less. Subject to all existing valid rights-of-way of record.

**Legal Description
City of Circleville, Pickaway County, Ohio
Section 30, Township 11N, Range 21W
Tract 1 – 5.395 Acres**

Situated in the City of Circleville, County of Pickaway, and State of Ohio and in the Congress Lands East of the Scioto River Section 30, Township 11N, Range 21W being more particularly bounded and described as follows:

Being a part of a 6.362 acre tract, parcel number A05-4-109-00-018-00 conveyed to Southern Ohio Development Group LLC in Official Record 762, page 247, in the Pickaway County Recorder's Office;

Beginning at a **Stone Found** 15 Inches Deep in asphalt (Iron Pin Set next to Stone for magnetic reference), said Stone being in the Half Section Line of Section 30, at the north west corner of School Alley, the north west corner of Bowers Subdivision described in Plat Book 3, Page 114, being the **TRUE POINT OF BEGINNING**;

Thence with the east line of said 6.362 acre tract, the west line of Bowers Subdivision, and the west line of School Alley, **S03°07'13"W** (passing a 1/2" Pipe Found at 375.47 feet) **597.05 feet** to an **Railroad Spike Previously Set** in asphalt at the south east corner of said 6.362 acre tract, also being the south west corner of School Alley, Fourth Avenue and Bowers Subdivision, and being in the north line of John C Taylor's Subdivision described in Plat Book 4, Page 50 (from which a PK Nail Found at the north west corner of a 0.171 acre tract described in Official Record 576, Page 122 bears S86°06'50"E 13.34 feet);

Thence with the south line of said 6.362 acre tract, partly with the north line of John C Taylor's Subdivision and partly with the north line of a 3.260 acre tract conveyed to Atomic Credit Union in Official Record 788, Page 1537, **N86°06'50"W 308.90 feet** (passing an Iron Pin Capped "Landmark Surveying" 3.48 feet right of line at 159.11 feet) to a **1/2" Pipe Found** at the south west corner of said 6.362 acre tract, also being a south east corner of a 1.444 acre tract conveyed to Franchise Realty Interstate Corporation in Deed Book 254, Page 381;

Thence with a west line of said 6.362 acre tract and the east line of said 1.444 acre tract **N03°52'31"E 146.62 feet** to a **3/4" Pinch Pipe Found** 15 Inches Deep at a corner of said 6.362 acre tract and the north east corner of said 1.444 acre tract;

Thence with a south line of said 6.362 acre tract and the north line of said 1.444 acre tract **N74°22'55"W 158.79 feet** to a **Point** at the south east corner of a 0.203 acre tract conveyed to City of Circleville in Official Record 698, Page 1723, being the east Right-of-Way of South Court Street (from which a 3/4" Pipe Found Capped "Stantec" bears S08°54'19"E 0.58 feet, a 3/4" Pinch Pipe Found on line bears N74°22'55"W 12.70 feet, and a 1/2" Pipe Found 0.12 feet left of line bears N74°49'03"W 15.27 feet);

Thence with the east line of South Court Street, with the east line of said 0.203 acre tract, and with the west line of said 6.362 acre tract **N15°58'19"E 146.00 feet** to an **Iron Pin Set**;

Thence on a new line through said 6.362 acre tract **S74°01'41"E 265.00 feet** to an **Iron Pin Set**;

Thence continuing on a new line through said 6.362 acre tract **N15°58'19"E 159.00 feet** to an **Iron Pin Set**;

Thence continuing on a new line through said 6.362 acre tract **N74°01'41"W 265.00 feet** to an **Iron Pin Set** in the east line of a 0.224 ac re tract conveyed to City of Circleville in Official

Record 698, page 1723, in the east line of South Court Street, and in the west line of said 6.362 acre tract;

Thence continuing with the east line of South Court Street, continuing with the east line of said 0.224 acre tract and continuing with the west line of said 6.362 acre tract **N15°58'19"E 101.92 feet** to a **3/4" Pipe Capped "Stantec" Found**;

Thence continuing with the east line of South Court Street, continuing with the east line of said 0.224 acre tract, and continuing with the west line of said 6.362 acre tract **N18°35'07"E 11.45 feet** to a **3/4" Pipe Capped "Stantec" Found** at the north east corner of said 0.224 acre tract, also being in the Half Section Line of Section 30;

Thence with the north line of said 0.224 acre tract, with said Half Section Line and with a south line of said 6.362 acre tract **N87°10'51"W 48.50 feet** to a **Mag Nail Previously Set** in the centerline of South Court Street and in the west line of said 6.362 acre tract;

Thence leaving said Half Section Line, with the centerline of South Court Street and the west line of said 6.362 acre tract **N19°09'07"E 92.26 feet** to a **Point** at a corner of said 6.362 acre tract;

Thence a north line of said 6.362 acre tract **S68°13'39"E** (passing a **3/4" Pipe Found** 2.50 feet Right at 41.69 feet, also passing an **Iron Pin Set** next to a fence post in the east Right-of-Way of South Court Street at 45.05 feet) **153.51 feet** to a **1/2" Galvanized Pipe Found** at a south west corner of a 0.9298 acre tract conveyed to Southern Ohio Developments Group LLC in Official Record 764, page 254, and a common corner to said 6.362 acre tract;

Thence with a west line of said 0.9298 acre tract and an east line of said 6.362 acre tract **N20°03'33"E 50.00 feet** to an **Iron Pin Previously Set** in Asphalt at a corner of said 0.9298 acre tract, and said 6.362 acre tract;

Thence with a south line of said 0.9298 acre tract, and a north line of said 6.362 acre tract **S68°22'27"E 114.92 feet** to a **1/2" Galvanized Pipe Found**;

Thence with a west line of said 0.9298 acre tract and with the east line of said 6.362 acre tract **N19°58'10"E 94.79 feet** to a **1/2" Pipe Found** at the north west corner of said 6.362 acre tract (from which a **3/4" Solid Pin Found** bears **N09°33'19"E 2.05 feet**);

Thence with a north line of said 6.362 acre tract **S68°01'30"E 410.81 feet** to a **1" Pin Found** also being in said Half Section Line and in the north line of Bowers Subdivision;

Thence with said Half Section Line, with a south line of said 6.362 acre tract, and with the north line of Bowers Subdivision **N87°36'45"W** (passing a **1 1/2" Rusted Pipe Found** at 5.37 feet) **86.10 feet** to a **1/2" Pipe Found** at the north east corner of Tract A of Bowers Subdivision;

Thence continuing with said Half Section Line, a south line of said 6.362 acre tract and the north line of Bowers Subdivision **N87°48'11"W** (passing a **1/2" Pipe Found** at the north west corner of Tract A of Bowers Subdivision at 192.74 feet) **207.74 feet** to the **TRUE POINT OF BEGINNING**;

Containing 5.395 Acres, more or less.

Subject to all existing rights-of-way and easements of record.

Bearings are based on the west line of School Alley as determined by GPS observation based on ODOT CORS using VRS on the NAD83(2011) datum, being **S03°07'13"W**.

Iron Pins Set are 5/8" diameter x 30" long rebar with red plastic cap stamped "H&S 8592"

I hereby certify that the foregoing legal description and the attached plat are a true representation of the conditions as they existed on the date of the survey and that the accuracy of same is consistent with accepted surveying standards.

CG1 Additional Property:

For the avoidance of doubt, legal descriptions applicable to the CG1 Additional Property owned by CG1 are attached below:

Legal Description
City of Circleville, Pickaway County, Ohio
Section 30, Township 11N, Range 21W
Tract 2 – 0.967 Acres

Situated in the City of Circleville, County of Pickaway, and State of Ohio and in the Congress Lands East of the Scioto River Section 30, Township 11N, Range 21W being more particularly bounded and described as follows:

Being a part of a 6.362 acre tract, parcel number A05-4-109-00-018-00 conveyed to Southern Ohio Development Group LLC in Official Record 762, page 247, in the Pickaway County Recorder's Office;

Beginning for reference at a **Stone Found** 15 Inches Deep in asphalt said Stone being in the Half Section Line of Section 30, at the north west corner of School Alley, the north west corner of Bowers Subdivision described in Plat Book 3, Page 114;

Thence **S41°09'25"W 220.33 feet** to an **Iron Pin Set** being the **TRUE POINT OF BEGINNING**;

Thence on a new line through said 6.362 acre tract **S15°58'19"W 159.00 feet** to an **Iron Pin Set**;

Thence continuing on a new line through said 6.362 acre tract **N74°01'41"W 265.00 feet** to an **Iron Pin Set** in the west line of said 6.362 acre tract, in the east line of a 0.203 acre tract conveyed to City of Circleville in Official Record 698, page 1723, and in the east line of South Court Street;

Thence with the west line of said 6.362 acre tract, with the east line of said 0.203 acre tract, and the east line of said South Court Street **N15°58'19"E** (passing a 3/4" Pipe Capped " Stantec" Found at 47.64 feet) **159.00 feet** to an **Iron Pin Set**;

Thence on a new line through said 6.362 acre tract **S74°01'41"E 265.00 feet** to the **TRUE POINT OF BEGINNING**;

Containing 0.967 Acres, more or less.

Subject to all existing rights-of-way and easements of record.

Bearings are based on the west line of School Alley as determined by GPS observation based on ODOT CORS using VRS on the NAD83(2011) datum, being **S03°07'13"W**.

Iron Pins Set are 5/8" diameter x 30" long rebar with red plastic cap stamped "H&S 8592"

I hereby certify that the foregoing legal description and the attached plat are a true representation of the conditions as they existed on the date of the survey and that the accuracy of same is consistent with accepted surveying standards.

TAB #8

[Insert Resolution No. 2024-06]

**BOARD OF TRUSTEES
CIRCLEVILLE NEW COMMUNITY AUTHORITY**

The Board of Trustees (the “Board”) of the Circleville New Community Authority (the “Authority”) met on October 7, 2024 at 6:00 p.m. at 127 S. Court Street, Circleville, Ohio 43113, with the following members present:

M__. _____

M__. _____

M__. _____

M__. _____

M__. _____

M__. _____

M__. _____

M__. _____

M__. _____ introduced the following resolution and moved its passage:

RESOLUTION NO. 2024-06

AUTHORIZING THE AUTHORITY TO JOIN IN THE SECOND SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE CIRCLEVILLE NEW COMMUNITY AUTHORITY, PICKAWAY COUNTY, OHIO, TO BE RECORDED WITH THE PICKAWAY COUNTY RECORDER.

WHEREAS, the Circleville New Community Authority (the “Authority”) and the Board of Trustees of the Authority (the “Board”) have heretofore been duly created and appointed, respectively, pursuant to the authority contained in Ohio Revised Code Chapter 349; and,

WHEREAS, pursuant to Article VIII, Section 8.01 of the Declaration of Covenants and Restrictions for the Circleville New Community Authority (the “Declaration”), and in accordance with Ohio Revised Code Chapter 349, the Authority joined in the Declaration by Resolution No. 2023-04 adopted by the Board on March 17, 2023; and,

WHEREAS, pursuant to Resolution No. 2024-07, this Board approved an *Application to Add Property to the Circleville New Community Authority and to Amend the Petition for Establishment of the Circleville New Community Authority Under Chapter 349 of the Ohio Revised Code* in substantially the form on file with the City of Circleville, Ohio (the “City”), to be filed with the Clerk of the City Council of the City by the City, as statutory developer, and to be consented to by CG1 LLC (“CG1”) and Southern Ohio Development Group LLC (“Southern Ohio”), together, as owners of such real property (collectively, the “Application”); and,

WHEREAS, the City, as the statutory developer, together with CG1 and Southern Ohio, together intend to execute a *Second Supplemental Declaration to the Declaration* (the “Second

Supplemental Declaration”) in substantially the form on file with the City, which Second Supplemental Declaration will be recorded in the Recorder’s Office, Pickaway County, Ohio; and,

WHEREAS, for the avoidance of doubt and administrative efficiency, the Board is providing its consent in advance of the execution of the Second Supplemental Declaration by the City, CG1, and Southern Ohio, and therefore desires that this resolution take effect upon execution of the Second Supplemental Declaration by the City.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

Section 1. Approval of Second Supplemental Declaration. The Authority hereby joins in the Second Supplemental Declaration to be executed and recorded by the City, CG1, and Southern Ohio and accepts the duties, responsibilities and benefits imposed and conferred on it by the Second Supplemental Declaration. The Secretary of the Board shall cause this resolution to be recorded with the Recorder’s Office, Pickaway County, Ohio as an attachment to the Second Supplemental Declaration.

Section 2. Compliance with Open Meeting Law. This Board hereby finds and determines that all formal actions taken relative to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Ohio Revised Code Section 121.22.

Section 3. Effective Date. This resolution shall be in full force and effect upon execution of the Second Supplemental Declaration by the City, CG1, and Southern Ohio.

M. _____ seconded the motion and, after discussion, a roll call vote was taken and the results were:

Voting Aye: _____

Voting Nay: _____

Passed: October 7, 2024

BOARD OF TRUSTEES, CIRCLEVILLE NEW
COMMUNITY AUTHORITY

Attest: _____
Secretary

Chairperson

CERTIFICATE

The undersigned Secretary of the Board of Trustees of the Circleville New Community Authority hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of said Authority on October 7, 2024.

Secretary, Circleville
New Community Authority

STATE OF OHIO :
 :
COUNTY OF PICKAWAY :

SS

Before me, a Notary Public in and for said County personally came Linda M. Chancey, Secretary of the Board of Trustees (the “Board”) of the Circleville New Community Authority (the “Authority”), who signed such Certificate as the Secretary of the Board of the Authority, and that such Certificate is such person’s free act and deed as such officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Circleville, Ohio, this 7th day of October, 2024.

Notary Public

TAB #9

[Insert Resolution No. 2024-07]

**BOARD OF TRUSTEES
CIRCLEVILLE NEW COMMUNITY AUTHORITY**

The Board of Trustees (the “Board”) of the Circleville New Community Authority (the “Authority”) met on October 7, 2024 at 6:00 p.m. at 127 S. Court Street, Circleville, Ohio 43113, with the following members present:

M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____

M__. _____ introduced the following resolution and moved its passage:

RESOLUTION NO. 2024-07

**APPROVING THE ADDITION OF THE “FORESTAR ADDITIONAL
PROPERTY” TO THE CIRCLEVILLE NEW COMMUNITY AUTHORITY,
PICKAWAY COUNTY, OHIO.**

WHEREAS, the Authority and the Circleville New Community Authority District (the “District”) have heretofore been duly created and the Board has heretofore been duly appointed pursuant to the authority contained in Ohio Revised Code Chapter 349; and,

WHEREAS, the Board desires to approve the addition of certain real property to the District, pursuant to an *Application to Add Property to the Circleville New Community Authority and to Amend the Petition for Establishment of the Circleville New Community Authority Under Chapter 349 of the Ohio Revised Code* in substantially the form on file with the City of Circleville, Ohio (the “City”), to be filed with the Clerk of the City Council of the City by the City, as statutory developer, and to be consented to by Forestar (USA) Real Estate Group Inc. (“Forestar”), as owner of such real property (collectively, the “Application”); and,

WHEREAS, for the avoidance of doubt and administrative efficiency, the Board is providing its approval in advance of the submission of the Application to the Clerk of the City Council of the City, and therefore desires that this resolution take effect upon final approval of the Application, with respect to the real property owned by Forestar, by the City Council of the City.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

Section 1. Approval of Addition of Real Property. This Board hereby approves the addition of the real property described in Exhibit A to the District (the “Forestar Additional Property”).

Section 2. Additional Officer Authorizations. The Chairperson, Vice Chairperson or Secretary, individually and together, are authorized and directed to execute, acknowledge and deliver, in the name and on behalf of the Authority, any additional documents necessary for the addition of the real property described in Exhibit A including, without limitation, a supplemental Declaration of Covenants and Restrictions with respect to such real property, as are not inconsistent with such addition or this resolution and not substantially adverse to the Authority and as may be permitted by the Ohio Revised Code Chapter 349 and approved by the officers executing the same on behalf of the Authority. The approval of such additional documents by such officers, and that such documents are not substantially adverse to the Authority, shall be conclusively evidenced by the execution of such documents by such officers. Any of the Chairperson, Vice Chairperson or Secretary, individually and together, is authorized to take any and all actions and to execute such assignments, certificates, and other instruments that may be necessary or appropriate, in order to effect the addition of the Forestar Additional Property, the intent of this resolution, and the execution of any additional documents.

Section 3. Compliance with Open Meeting Law. This Board hereby finds and determines that all formal actions taken relative to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Ohio Revised Code Section 121.22.

Section 4. Effective Date. This resolution shall be in full force and effect upon final approval of the Application, with respect to the real property owned by Forestar, by the City Council of the City.

M. _____ seconded the motion and, after discussion, a roll call vote was taken and the results were:

Voting Aye: _____

Voting Nay: _____

Passed: October 7, 2024

BOARD OF TRUSTEES, CIRCLEVILLE NEW
COMMUNITY AUTHORITY

Attest: _____
Secretary

Chairperson

CERTIFICATE

The undersigned Secretary of the Board of Trustees of the Circleville New Community Authority hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of said Authority on October 7, 2024.

Secretary, Circleville
New Community Authority

EXHIBIT A

The Forestar Additional Property shall include the parcels comprised of the tracts described on the following pages and identified as being that part of the Pickaway County Auditor's Permanent Parcel No. A3700010000300 purchased by Forestar pursuant to that General Warranty deed executed on November 15, 2023 and recorded in the Offices of the Pickaway County Recorder as Instrument No. 202300006730, and as such parcels may be combined, subdivided, re-combined, and re-numbered from time to time.

The legal description for the Forestar Additional Property is listed below:

[See Legal Description Attached]

DESCRIPTION OF A 36.090 ACRE TRACT

Situated in the State of Ohio, County of Pickaway, City of Circleville, located in Section 7, Township 11, Range 21, Congress Lands East of Scioto River, being a part of that 83.5425 acre tract of land described in a deed to Darla A. Marshall, of record in Official Record 803, Page 3106, all records referenced herein are on file at the Office of the Recorder for Pickaway County, Ohio, being a part of Auditor's Parcel number A37-0-001-00-003-00, a 61.038 acre tract (auditor's acreage), and being more further bounded and described as follows:

Commencing for reference at a MAG spike set at the intersection of the centerline of right-of-way for North Court Street (60' R/W width) with the north line of said Section 7, (reference a 1/2-inch iron pipe found at the northeast corner of the northwest quarter of said Section 7 bearing South 86 degrees 23 minutes 48 seconds East and distant 1,367.95 feet);

Thence along the existing centerline of right-of-way for said North Court Street and its tangent projections, as established based on occupation, for the following five (5) described courses:

1. South 23 degrees 53 minutes 29 seconds East, a distance of 453.28 feet to a MAG spike set;
2. South 19 degrees 37 minutes 05 seconds East, a distance of 466.08 feet to a point;
3. South 13 degrees 28 minutes 54 seconds East, a distance of 184.26 feet to a MAG spike set, said MAG spike being the TRUE POINT OF BEGINNING for this description;
4. South 13 degrees 28 minutes 54 seconds East, along the east line of said 83.5425 acre tract, along the west line of that 62.00 acre tract of land described in a deed to P. Randall Knece, of record in Official Record 613, Page 690, a distance of 513.29 feet to a MAG spike set;
5. South 20 degrees 58 minutes 30 seconds East, continuing along the east line of said 83.5425 acre tract and the west line of said 62.00 acre tract, a distance of 1,296.05 feet to a MAG spike set;

Thence North 87 degrees 45 minutes 23 seconds West, across said North Court Street, across said 83.5425 acre tract, along a new division line, a distance of 1,183.24 feet to an iron pin set on the existing east railroad right-of-way line for Norfolk Southern Corporation Railroad (Val Map pages V-190-44 and V-190-445), being on the west line of said 83.5425-acre tract;

Thence North 18 degrees 12 minutes 45 seconds West, along the existing east railroad right-of-way for said Norfolk Southern Corporation Railroad, along the west line of said 83.5425 acre tract, a distance of 1,061.00 feet to an iron pin set;

Thence across said 83.5425 acre tract, along a new division line, for the following three (3) described courses:

1. North 71 degrees 47 minutes 15 seconds East, a distance of 303.45 feet to an iron pin set;
2. North 22 degrees 53 minutes 48 seconds East, a distance of 489.87 feet to an iron pin set;
3. North 76 degrees 20 minutes 38 seconds East, across said North Court Street, a distance of 464.95 feet to the TRUE POINT OF BEGINNING for this description.

The above description contains a total area of 36.090 acres (1.227 acres located within present road occupied), all of which is located within Pickaway County Auditor's parcel number A37-0-001-00-003-00.

Where referenced, iron pins set are 5/8-inch diameter by 30-inch long rebar with a cap "ASI FIRM 1648".

Bearings described hereon are based on South 86 degrees 23 minutes 48 seconds East for the north line of said Section 7, as measured from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

This description was prepared by Michael J. Ward, Registered Professional Surveyor Number 8808, is based on an actual field survey performed by American Structurepoint, Inc. in June 2023, and is true and correct to the best of my knowledge and belief.

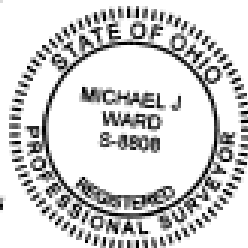
American Structurepoint, Inc.



Michael J. Ward

Registered Professional Surveyor No. 8808

SURVEY PLAT AND LEGAL DESCRIPTION
MATHEMATICALLY APPROVED
PICKAWAY COUNTY ENGINEER
BY: JAF DATE: 07/25/2023



7/25/23
Date

TAB #10

[Insert Resolution No. 2024-08]

**BOARD OF TRUSTEES
CIRCLEVILLE NEW COMMUNITY AUTHORITY**

The Board of Trustees (the “Board”) of the Circleville New Community Authority (the “Authority”) met on October 7, 2024 at 6:00 p.m. at 127 S. Court Street, Circleville, Ohio 43113, with the following members present:

M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____
M__. _____

M__. _____ introduced the following resolution and moved its passage:

RESOLUTION NO. 2024-08

AUTHORIZING THE AUTHORITY TO JOIN IN THE THIRD SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE CIRCLEVILLE NEW COMMUNITY AUTHORITY, PICKAWAY COUNTY, OHIO, TO BE RECORDED WITH THE PICKAWAY COUNTY RECORDER.

WHEREAS, the Circleville New Community Authority (the “Authority”) and the Board of Trustees of the Authority (the “Board”) have heretofore been duly created and appointed, respectively, pursuant to the authority contained in Ohio Revised Code Chapter 349; and,

WHEREAS, pursuant to Article VIII, Section 8.01 of the Declaration of Covenants and Restrictions for the Circleville New Community Authority (the “Declaration”), and in accordance with Ohio Revised Code Chapter 349, the Authority joined in the Declaration by Resolution No. 2023-04 adopted by the Board on March 17, 2023; and,

WHEREAS, pursuant to Resolution No. 2024-07, this Board approved an *Application to Add Property to the Circleville New Community Authority and to Amend the Petition for Establishment of the Circleville New Community Authority Under Chapter 349 of the Ohio Revised Code* in substantially the form on file with the City of Circleville, Ohio (the “City”), to be filed with the Clerk of the City Council of the City by the City, as statutory developer, and to be consented to by Forestar (USA) Real Estate Group Inc. (“Forestar”), as owner of such real property (collectively, the “Application”); and,

WHEREAS, the City, as the statutory developer, together with Forestar, together intend to execute a *Third Supplemental Declaration to the Declaration* (the “Third Supplemental

Declaration”) in substantially the form on file with the City, which Third Supplemental Declaration will be recorded in the Recorder’s Office, Pickaway County, Ohio; and,

WHEREAS, for the avoidance of doubt and administrative efficiency, the Board is providing its consent in advance of the execution of the Third Supplemental Declaration by the City and Forestar, and therefore desires that this resolution take effect upon execution of the Third Supplemental Declaration by the City.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

Section 1. Approval of Third Supplemental Declaration. The Authority hereby joins in the Third Supplemental Declaration to be executed and recorded by the City and Forestar and accepts the duties, responsibilities and benefits imposed and conferred on it by the Third Supplemental Declaration. The Secretary of the Board shall cause this resolution to be recorded with the Recorder’s Office, Pickaway County, Ohio as an attachment to the Third Supplemental Declaration.

Section 2. Compliance with Open Meeting Law. This Board hereby finds and determines that all formal actions taken relative to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Ohio Revised Code Section 121.22.

Section 3. Effective Date. This resolution shall be in full force and effect upon execution of the Third Supplemental Declaration by the City and Forestar.

M. _____ seconded the motion and, after discussion, a roll call vote was taken and the results were:

Voting Aye: _____

Voting Nay: _____

Passed: October 7, 2024

BOARD OF TRUSTEES, CIRCLEVILLE NEW
COMMUNITY AUTHORITY

Attest: _____
Secretary

Chairperson

CERTIFICATE

The undersigned Secretary of the Board of Trustees of the Circleville New Community Authority hereby certifies that the foregoing is a true copy of a resolution duly passed by the Board of Trustees of said Authority on October 7, 2024.

Secretary, Circleville
New Community Authority

STATE OF OHIO :
 : SS
COUNTY OF PICKAWAY :

Before me, a Notary Public in and for said County personally came Linda M. Chancey, Secretary of the Board of Trustees (the “Board”) of the Circleville New Community Authority (the “Authority”), who signed such Certificate as the Secretary of the Board of the Authority, and that such Certificate is such person’s free act and deed as such officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Circleville, Ohio, this 7th day of October, 2024.

Notary Public