

RECORD OF LEGISLATION

No. 08.652025

Passed 08-19, 2025

RESOLUTION APPROVING ONE OR MORE CONSENTS TO ADD CERTAIN PARCELS OF REAL PROPERTY TO THE CIRCLEVILLE NEW COMMUNITY AUTHORITY DISTRICT WITH RESPECT TO THE CIRCLEVILLE NEW COMMUNITY AUTHORITY AS A NEW COMMUNITY AUTHORITY ESTABLISHED UNDER CHAPTER 349 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ohio Revised Code (“R.C.”) Chapter 349, on January 13, 2023, a petition (the “Petition”) for the establishment of the Circleville New Community Authority (the “Authority”) was filed with the Clerk of Council of the City of Circleville, Ohio (the “Council”), as “organizational board of commissioners” within the meaning of R.C. Section 349.01(F)(3) by the City of Circleville, Ohio (the “City”) in its capacity as statutory developer of the Authority under R.C. Section 349.01(E) (the “Statutory Developer”), which Petition the Council approved on March 7, 2023, pursuant to Ordinance Number 03-19-2023; and

WHEREAS, on July 11, 2025, TNT FL REALTY, LLC and their permitted successors and assigns, (the “Frito Lay Property Owners”) filed an NCA Joinder Agreement (the “Frito Lay Consent”) with this Council requesting that certain parcels of real property identified therein and owned by the Frito Lay Property Owners be added to the territory of the District; and

WHEREAS, on July 11, 2025, RaceTrac, Inc, and their permitted successors and assigns, (the “RaceTrac Property Owners”) filed an NCA Joinder Agreement (the “RaceTrac Consent”) with this Council requesting that certain parcels of real property identified therein and owned by the RaceTrac Property Owners be added to the District; and

WHEREAS, on July 11, 2025, Philly Petroleum LLC, and their permitted successors and assigns, including, but not limited to Takhar Investments, LLC (together, the “1185 Property Owners”) filed an NCA Joinder Agreement (the “1185 Consent”) with this Council requesting that certain parcels of real property identified therein and owned by the 1185 Property Owners be added to the District; and

WHEREAS, on July 11, 2025, SVKC LLC, and their permitted successors and assigns, (the “Clifton Property Owners”) filed an NCA Joinder Agreement (the “Clifton Consent”) with this Council requesting that certain parcels of real property identified therein and owned by the Clifton Property Owners be added to the District; and

WHEREAS, on July 11, 2025, Alto Real Estate, LLC, and their permitted successors and assigns, including but not limited to Rising Development Corporation, SHD Circleville, LLC, and 252 at the Circle, LLC (together, the “Alto Property Owners”) filed an NCA Joinder Agreement (the “Alto Consent” and together with the Frito Lay Consent, the RaceTrac Consent, the 1185 Consent, and the Clifton Consent, the “Consents”) with this Council requesting that certain parcels of real property identified therein and owned by the Alto Property Owners be added to the District; and

WHEREAS, this Council is the “organizational board of commissioners,” as that term is defined in R.C. Section 349.01(F)(3), for the Authority; and

WHEREAS, this Council determined that the Consents comply with the requirements of R.C. Section 349.03 as to form and substance by its Resolution No. 7-55-2025, adopted on July 15, 2025; and

WHEREAS, on August 19, 2025 and pursuant to R.C. Section 349.03(A), this Council held a public hearing on each of the Consents after public notice was duly published in accordance with R.C. Section 349.03.

RECORD OF LEGISLATION

No. 08-65-2025

Passed 08-19, 20 25

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE, COUNTY OF PICKAWAY, OHIO AS FOLLOWS:

SECTION I. Approval of Consents. This Council finds and determines that the addition of real property to the District, as such real property is described pursuant to each of the Consents, will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the continued development of a new community as defined in R.C. Section 349.01(A). This Council, acting in its capacity as the appropriate organizational board of commissioners with respect to the District pursuant to R.C. Section 349.01(F)(3), and on behalf of the City as the Statutory Developer, does not object to the addition of the real property to the territory of the District as identified by each of the Consents. Pursuant to R.C. Section 349.03(A), this Council, as the "organizational board of commissioners" may, in subsequent proceedings, at any time permit the Petition to be amended in form and substance in any particular, and this Council hereby permits the Petition to be amended to reflect the additions of real property contemplated by each of the Consents to the Petition.

SECTION II. Journal of Council. Each of the Consents is hereby accepted and shall be recorded, along with this Resolution, in the journal of this Council, as the appropriate "organizational board of commissioners".

SECTION III. Boundaries of District. The existing boundary of the District shall be amended to include the real property described by each of the Consents and as set forth in Exhibit A attached to this Resolution and pursuant to the Petition.

SECTION IV. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Revised Code Section 121.22.

SECTION V. Effective Date. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, property, health, and safety in the City, to allow for the development of real property in the City; therefore it shall take effect immediately upon its passage.

PASSED: 8-19-2025
DATE

Barry J. Kell
PRESIDENT OF COUNCIL

ATTEST: Melissa J. [Signature]
CLERK OF COUNCIL

APPROVED: 8-19-2025
DATE

Michael L. Benton
MAYOR

APPROVED AS FORM:
[Signature]
KENDRA C. KINNEY - LAW DIRECTOR

CERTIFICATE

The undersigned, Clerk of the Council of the City of Circleville, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution No. [8-65]-2025, passed by the Council of the City of Circleville, Ohio on the 19th day of August, 2025.



Clerk of Council

EXHIBIT A

Description of Real Property

The real property to be added to the territory of the District pursuant to each of the Consents shall include the parcels comprised of the tracts described on the following pages on file in the office of the Pickaway County Recorder and identified by the Pickaway County Auditor's Permanent Parcel Numbers listed below, including as such parcels may be combined, subdivided, re-combined, and re-numbered from time to time:

Frito Lay Consent

A0501510001734 and depicted on the below map and as provided in the description below:



[Legal Description Attached]

**Legal Description
City of Circleville, Pickaway County, Ohio
Section 31, Township 11N, Range 21W
Tract 1 – 3.203 Acre**

Situated in the City of Circleville, County of Pickaway, State of Ohio, and in the Congress Lands East of the Scioto River Section 31, Township 11N, Range 21W, being more particularly bounded and described as follows.

Being a part of an Original 226 552 acre tract (Auditor's Parcel Number A05-0-151-00-017-00), conveyed to ICP Circleville Land, LLC (44.322626%) in Official Record 789, page 1502, IRG, Circleville Land LLC (44.321170%) in Official Record 789, page 1510, and US 23 Circleville Land, LLC (11.366204%) in Official Record 789, page 1518, in the Pickaway County Recorder's Office.

Beginning at an Iron Pin Previously Set at a common corner of said 226.552 acre tract, at the north east corner of a 2 899 acre tract conveyed to North Plaza Investments LLC in Official Record 675, page 2595, and in the south line of Circle Lane described in Plat Cabinet 3, Slide 13, being the TRUE POINT OF BEGINNING:

Thence with the south line of said Circle Lane S71°05'50"E 205.04 feet to an Iron Pin Previously Set.

Thence continuing with the south line of said Circle Lane on a curve to the left having a Radius of 1030.00 feet, Length of 103.34, and a Chord Bearing and Distance of S73°58'28"E 103.30 feet to an Iron Pin Previously Set.

Thence on a new line through said 226.552 acre tract S13°09'07"W (passing an Iron Pin Set at 361.40 feet) 381.48 feet to a Point

Thence continuing on a new line through said 226.552 acre tract S71°21'44"W 88.13 feet to a Point

Thence continuing on a new line through said 226 552 acre tract S13°09'07"W (passing an Iron Pin Set at 80 00 feet) 276.55 feet to an Iron Pin Previously Set at a common corner to said 226.552 acre tract and at the south east corner of said 2.899 acre tract;

Thence with the east line of said 2 899 acre tract N18°54'10"E 428.00 feet to the TRUE POINT OF BEGINNING:


Containing 3.203 Acre, more or less.

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

Bearings are based on the east line of said 2.899 acre tract as determined by GPS observation based on ODOT CORS using VRS on the NAD83(2011) datum, being N18°54'10"E.

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 field survey, July 2024, performed by Harral and Stevenson, LLC under my direct supervision, and that the accuracy of said survey is consistent with accepted surveying standards.



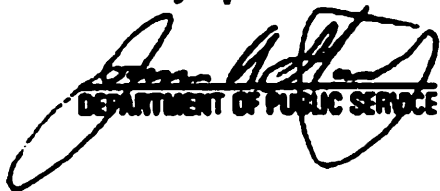
Craig E. Stevenson P.S. 8592
Harral and Stevenson



8/5/24
Date

SURVEY PLAT AND LEGAL DESCRIPTION
MATHEMATICALLY APPROVED
PICKAWAY COUNTY ENGINEER
BY: JAE DATE: 08/02/2024

CITY OF CIRCLEVILLE
SURVEY APPROVED
DATE: 8/6/24



DEPARTMENT OF PUBLIC SERVICE

RaceTrac Consent

A0501510000303 and A0501510000304 and depicted on the below map and as provided in the description below:



[Legal Description Attached]

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

Being Lot Number Three (3) and Lot Number Four (4) of Circleville Station Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Cabinet 1, Slide 81, Recorder's Office, Pickaway County, Ohio.

Less and except all mineral rights, if any, including but not limited to oil, gas and coal, and the constituents as reserved in deed of record in Official Record 733, Page 878, Recorder's Office, Pickaway County, Ohio.

1185 Consent

A0511350101301, A0511350101200, A0511350100900, A0511350101000, and A0511350101100 and depicted on the below map and as provided in the description below:



[Legal Description Attached]

Situated in the City of Circleville, County of Pickaway, State of Ohio, and in the Congress Lands East of the Scioto River Section 18, Township 11N, Range 21W, more particularly described as follows:

Being the remainder of a 1.52 acre tract, (1.139 by auditor) (Parcel Number A05-1-135-01-009-00) Tract 1, of all a 0.40 acre tract (Parcel Number A05-1-135-01-011-00) Tract 2, all of the remainder of a 0.52 acre tract (Parcel Number A05-1-135-01-010-00) Tract 3, all of a 0.04 acre tract (Parcel Number A05-1-135-01-012-00) Tract 4, and all of a 0.41 acre tract (Parcel Number A05-1-135-01-013-01) Tract 5, all conveyed to Porters cleaning center LLC (3/5) interest in O.R. 568, PG. 581, and (2/5) interest in O.R. 568, PG. 587:

Beginning for reference at the intersection of North Court St and Morris Rd;

Thence South 13°24'00" East a distance of 183.73 along the centerline of North Court St (60' R/W) to the true point of beginning;

Thence South 15°13'18" East a distance of 4.50' along the centerline of North Court St (60' R/W) to a point;

Thence South 15°01'58" East a distance of 34.29' along the centerline of North Court St (60' R/W) to a point;

Thence South 13°01'58" East a distance of 200.00' along the centerline of North Court St (60' R/W) to a point;

Thence along the next course along the common property line shared with a 0.160 acre tract conveyed to Retrop Families LLC as recorded in (O.R. 794, PG 119) and with a 1.398 acre tract conveyed to Spires Jeffrey T (O.R. 700, PG 2608);

1. South 76°42'02" West a distance of 351.61' to a set 5/8" iron pin (passing a set mag nail at 30.00');

Thence along the next two (2) courses along the common property line shared with a 0.041 acre tract conveyed by Elsea Mobile Village LLC as recorded in (O.R. 563, P.G. 830) to a found iron pin;

1. N 13°01'58" West a distance of 35.77' to a set 5/8" iron pin;
2. South 76°58'02" West a distance of 50.00' to a 5/8" iron pin;

Thence along the next course along the common property line shared with a 20.02 acre tract conveyed by Elsea Mobile Village LLC as recorded in (O.R. 563, PG 822)

1. N 13°01'58" West a distance of 190.55' to a point;

Thence along the next course along the common property line shared with said 20.02 acre tract conveyed by Elsea Mobile Village LLC as recorded in (O.R. 563, PG 822)

1. N 13°03'26" West a distance of 4.50' to found iron pin;

Thence along the next course along the common property line shared with a 0.0295 acre tract conveyed by Elsen Mobile Village LLC as recorded in (O.R. 563, PG 822) and a 1.405 acre tract conveyed by Bates Ronald F & Carol E (O.R. 720, PG 1214);

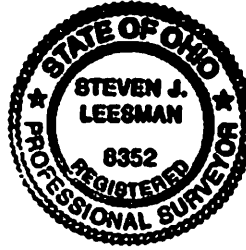
- 1. North 75°35'42" East a distance of 400.35' to a point, passing through a set mag nail at 370.37' and the true point of beginning.

Said parcel of land contains 2.124 acres, more or less, subject however to all covenants, conditions, restrictions, reservations, and easements containing in any instrument of record pertaining to the above described tract of land.

This description was prepared from a field survey performed by Steven J. Leesman Ohio License #8352 on October 10, 2024 with bearings based upon the 2011 NAD 83 (No Trans) Ohio State Planes Coordinate Systems, Ohio South Zone.

All pins set are 5/8" x 36" with cap S.J. Leesman 8352. Together with and subject to easements and restrictions of record and all legal highways.

StJL 3-20-25
STEVEN J. LEESMAN DATE
OH#8352



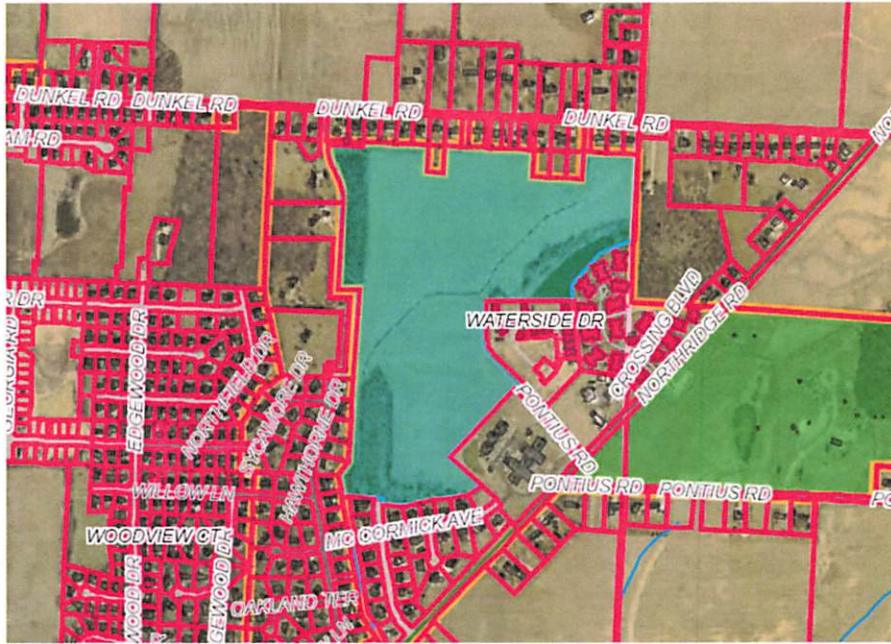
SURVEY PLAT AND LEGAL DESCRIPTION
MATHEMATICALLY APPROVED
PICKAWAY COUNTY ENGINEER
BY: JAF DATE: 03/20/2025

APPROVED BY THE CIRCLEVILLE
PLANNING & ZONING COMMISSION
NO PLAT REQUIRED
DATE: 4/2/25
[Signature]
CHAIRMAN, CIRCLEVILLE P & Z

202600002068
PARMJIT SINGH
W/C

Clifton Consent

A0510010025100 and depicted on the below map and as provided in the description below:



[Legal Description Attached]

Situated in the City of Circleville, Township of ~~Yamark~~ Yamark, County of Pickaway, the State of Ohio and a part of Sections 8 & 17, Township 11, Range 21 being more particularly bounded and described as follows:

Being all the residue of a 135.03 acre tract as described in Official Record 179, Page 117 and all of a 4.00 acre tract as described in Official Record 512, Page 846 in the Pickaway County Recorder's Office.

Beginning at a monument box found at the point of intersection of the centerline of State Route 188 with the centerline of Pontius Road being in the line between Section 8 and Section 17;

Thence with the centerline of State Route 188 S43°32'53"W 426.47 feet to a point in said centerline at the Northeast corner of the Clifton Estates Section 1 (reference Plat Cabinet 1, Slide 381);

Thence leaving said centerline and going with the North line of said Clifton Estates Section 1 the following eight calls;

N42°11'23"W 200.42 feet (passing an iron pin found at 60.26 feet to an iron pin set in the South right-of-way of McCormick Avenue;

Thence with said South line on an arc to the left having a radius of 469.72 feet, the chord of which bears N45°27'49" E 38.47 feet distant, 38.48 feet to an iron pin set;

Thence N46°52'59"W 210.00 feet to an iron pin set;

Thence S49°33'48"W 114.09 feet to an iron pin set;

Thence S80°47'19"W 497.43 feet to an iron pin set;

Thence N86°54'03" W 141.77 feet to an iron pin found bent and capped "6808" in the East right-of-way of Clifton Drive:

Thence with said right-of-way on a curve to the right having a radius of 74,835.05 feet, the chord of which bears N03°05'45"E 48.94 feet distant, 48.94 feet to an iron pin set;

Thence N86°53'41"W 302.93 feet to an iron pin set in the East line of Northwood Park Subdivision Section 2 (reference Plat Book 5, Page 137);

Thence with said East line N09°13'37"W 147.84 feet to a 5/8" rebar found at the Northeast corner of said subdivision and the Southeast corner of the Northwood Park Subdivision Section 3 (reference Plat Book 6, Page 37) being in the line between Section 8 and Section 17;

Thence with the East line of said subdivision N36°34'49"E 125.52 feet to a ½" pipe found;

Thence again with said East line N03°24'38"E 600.43 feet to a ½" pipe found at the Northeast corner of said subdivision and at the Southeast corner of a 5.122 acre tract (reference Deed Book 321, Page 748);

Thence with the East line of said 5.122 acre tract the following three calls;

N03°38'31"E 649.38 feet to a ¾" pipe found;

Thence N86°57'05"W 150.05 feet to a ½" pipe found;

Thence N03°02'53"E 639.32 feet to a ½" pipe found at the Northeast corner of said 5.122 acre tract and at the Southeast corner of a 5.001 acre tract (reference Deed Book 331, Page 393);

Thence with the East line of said 5.001 acre tract the following three calls;

Going with a curve to the left having a radius of 414.47 feet, the chord of which bears N11°38'29"W 211.42 feet distant, 213.78 feet to a ½" pipe found;

Thence N26°30'17"W 32.01 feet to a ½" pipe found;

Thence with a curve to the right having a radius of 442.64 feet, the chord of which bears N13°54'55"W 191.72 feet distant, 193.25 feet to an iron pin set at the Southwest corner of a 0.0928 acre tract (reference Official Record 533, Page 2512);

Thence with the South line of said 0.0928 acre tract and with the South line of a 0.127 acre tract (reference Official Record 512, Page 851) S87°08'47"E 259.03 feet to an iron pin set at the Southeast corner of said 0.127 acre tract;

Thence with the East line of said 0.127 acre tract N02°09'38"E 33.54 feet to a ½" pipe found at the Northeast corner of said tract being in the South line of Woodglen Subdivision No.2 (reference Plat Book 5, Page 109);

Thence with said South line S87°06'47"E 479.66 feet to an iron pin set at the Northwest corner of a 0.55 acre tract (reference Deed Book 319, Page 437);

Thence with the West line of said 0.55 acre tract S03°18'30"W 200.00 feet to an iron pin set at the Southwest corner of said tract;

Thence with the South line of said 0.55 acre tract S87°06'44"E 119.92 feet to a ½" pipe found at the Southeast corner of said tract;

Thence with the East line of said 0.55 acre tract N03°18'30"E 200.00 feet to a ½" pipe found at the Northeast corner of said tract being in the South line of said Woodglen Subdivision No.2;

Thence with said South line S87°05'34"E 650.10 feet to an iron pin set at the Northwest corner of a 0.55 acre tract (reference Official Record 504, Page 256);

Thence with the West line of said 0.55 acre tract S03°11'43"W 200.00 feet to a 5/8" rebar found at the Southwest corner of said 0.55 acre tract;

Thence with the South line of said 0.55 acre tract, the South line of another 0.55 acre tract (reference Official Record 596, Page 2210) and the South line of a 0.551 acre tract (reference Official Record 596, Page 2210) S87°07'26"E 359.52 feet to a ½" rebar found at the Southeast corner of said 0.551 acre tract;

Thence with the East line of said 0.551 acre tract N03°11'43"E 200.00 feet to a ½" pipe found bent in the South line of said Woodglen Subdivision No.2;

Thence with said South line S87°05'01"E 409.43 feet to a ½" rebar found in the West line of a 13.2573 acre tract (reference Official Record 201, Page 08);

Thence with said West line S02°52'53"W 632.05 feet to an iron pin found capped "EMHT" at the Northeast corner of a 13.861 acre tract (reference Official Record 552, Page 295);

Thence with the North line of said 13.861 acre tract S68°19'21"W 266.28 feet to an iron pin found capped "EMHT";

Thence again with said North line S42°17'39"W 303.23 feet to an iron pin found capped "EMHT";

Thence with the West line of said 13.861 acre tract S00°24'39"W 118.94 feet to an iron pin found capped "EMHT";

Thence again with said West line S06°28'34" E 507.97 feet to a 5/8" rebar found at the Southwest corner of said 13.861 acre tract and the Northwest corner of a 5.426 acre tract (reference Official Record 509, Page 355);

Thence with the West line of said 5.426 acre tract S44°42'04"W 366.08 feet to a 5/8" rebar found;

Thence again with said West line S38°46'51"E 456.71 feet (passing a 5/8" rebar found at 409.31 feet) to a point in the centerline of State Route 188;

Thence with said centerline S44°36'11"W 303.85 feet to the POINT OF BEGINNING;

Containing 103.932 Acres, more or less.

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

All iron pins shown as set are 5/8" diameter by 30 inch long rebar with yellow plastic identification cap stamped "M.E. CLARK ASSOC."

Bearing as shown are based on the North line of Clifton Estates Section 1 as platted and delineated in Plat Cabinet 1, Slide 381 being S80°47'19"W.

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.

Parcel No.: A05-1-001-00-251-00

Property Address: 745-747 Dunkel Road, Circleville, OH 43113

Excepting therefrom 10.743 Acs. Out sale of record in OR Vol. 714, Page 1792 and 9.927 in Plat Book 4, Page 105

Alto Consent

A0511150000188, A0511150000189, A0511150000190, and A0511150000100 and depicted on the below map and as provided in the description below:



[Legal Description Attached]

59.3 ACRES

Situated in the State of Ohio, County of Pickaway, City of Circleville, in Sections 17 and 18, Township 11, Range 21, Congress Lands, being comprised of all of those tracts of land conveyed to Rising Development Corp. by deed of record in Official Record 288, Page 228 and Official Record 568, Page 232, and Watt-Land Acres, Inc. by deed of record in Official Record 176, Page 586 (all references refer to the records of the Recorder's Office, Pickaway County, Ohio) and more particularly bounded and described as follows:

BEGINNING at the northwesterly corner of said Rising Development Corp. tracts, in the southerly line of the subdivision entitled "Heritage Ponds Section 1", of record in Plat Cabinet 1, Slide 215;

Thence the following courses and distances:

South 86° 57' 53" East, a distance of 1183.16 feet to a point;

South 86° 56' 40" East, a distance of 727.14 feet to a point;

South 86° 56' 45" East, a distance of 944.45 feet to a point;

South 02° 47' 58" West, a distance of 1391.56 feet to a point;

North 85° 59' 44" West, a distance of 1320.19 feet to a point;

North 45° 11' 42" West, a distance of 52.63 feet to a point;

With the arc of a curve to the right, having a central angle of 95° 43' 15", a radius of 19.94 feet, an arc length of 33.32 feet, a chord bearing of North 02° 35' 29" East and chord distance of 29.57 feet to a point;

North 39° 43' 20" West, a distance of 60.00 feet to a point;

With the arc of a curve to the right, having a central angle of 12° 38' 46", a radius of 280.00 feet, an arc length of 61.80 feet, a chord bearing of North 56° 19' 10" East and chord distance of 61.68 feet to a point;

North 03° 35' 39" East, a distance of 165.21 feet to a point;

South 86° 15' 44" East, a distance of 283.82 feet to a point;

North 04° 09' 56" East, a distance of 53.13 feet to a point;

North 08° 50' 47" East, a distance of 171.48 feet to a point;

North 14° 12' 56" East, a distance of 165.49 feet to a point;

North 10° 18' 27" East, a distance of 66.61 feet to a point;

North 06° 59' 32" East, a distance of 72.70 feet to a point;

North 03° 03' 38" East, a distance of 210.00 feet to a point;

North 86° 56' 23" West, a distance of 677.27 feet to a point;

North 86° 44' 23" West, a distance of 70.00 feet to a point;

South 03° 52' 24" West, a distance of 116.75 feet to a point;

South 03° 52' 17" West, a distance of 259.57 feet to a point;

North 87° 08' 39" West, a distance of 365.11 feet to a point;

North 87° 08' 26" West, a distance of 435.00 feet to a point;

South 37° 59' 08" West, a distance of 151.50 feet to a point;

With the arc of a curve to the left, having a central angle of 35° 44' 05", a radius of 852.83 feet, an arc length of 531.90 feet, a chord bearing of North 36° 47' 18" West and chord distance of 523.32 feet to a point;

North 54° 44' 27" West, a distance of 103.22 feet to a point; and

North 31° 34' 32" East, a distance of 424.86 feet to the POINT OF BEGINNING, containing 59.3 acres of land, more or less.