

# PLANNING AND ZONING COMMISSION APPLICATION

(Code Section 153.232)



**CITY OF DUBLIN.**

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

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

## I. PLEASE CHECK THE TYPE OF APPLICATION:

|  |   |
|--|---|
| <input checked="" type="checkbox"/> Preliminary Development Plan / Rezoning<br>(Section 153.053) | <input type="checkbox"/> Final Plat (Section 152.085)                             |
| <input type="checkbox"/> Standard District Rezoning<br>(Section 153.018)                         | <input type="checkbox"/> Minor Subdivision  |
| <input type="checkbox"/> Informal Review   | <input type="checkbox"/> Right-of-Way Encroachment                                |
| <input type="checkbox"/> Concept Plan<br>(Section 153.056(A)(1))                                 | <input type="checkbox"/> Conditional Use<br>(Section 153.236)                     |
| <input checked="" type="checkbox"/> Final Development Plan<br>(Section 153.053(E))               | <input type="checkbox"/> Corridor Development District (CDD)<br>(Section 153.115) |
| <input type="checkbox"/> Amended Final Development Plan<br>(Section 153.053(E))                  | <input type="checkbox"/> CDD Sign<br>(Section 153.115)                            |
| <input type="checkbox"/> Preliminary Plat<br>(Section 152.015)                                   | <input type="checkbox"/> Other (Please Specify): _____                            |

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

|  |                                 |
|--|---------------------------------|
| Property Address(es): 7007 Discovery Boulevard         |                                 |
| Tax ID/Parcel Number(s):<br>273-000309                 | Parcel Size(s) (Acres):<br>24.6 |
| Existing Land Use/Development: Office; vacant building |                                 |

### IF APPLICABLE, PLEASE COMPLETE THE FOLLOWING:

|   |
|---|
| Proposed Land Use/Development:<br>Office, Light Manufacturing, Warehousing/Distribution |
| Total Acres to be Rezoned: 24.6   |

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

|  |      |
|--|------|
| Name (Individual or Organization): Discovery MC Investments LLC                            |      |
| Mailing Address:<br>(Street, City, State, Zip Code) 7007 Discovery Blvd., Dublin, OH 43017 |      |
| Daytime Telephone: (614) 634-7001  | Fax: |
| Email or Alternate Contact Information:  |      |

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

|   |   |
|---|---|
| Name: Christopher Doersclag, CEO  | Applicant is also property owner: yes <input type="checkbox"/> no <input checked="" type="checkbox"/> |
| Organization (Owner, Developer, Contractor, etc.): WD Partners                          |   |
| Mailing Address: (Street, City, State, Zip Code) 7007 Discovery Blvd., Dublin, OH 43017 |   |
| Daytime Telephone: (614) 634-7001   | Fax:  |
| Email or Alternate Contact Information:   |   |

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

|  |                     |
|--|---------------------|
| Name: Ben W. Hale, Jr. and Aaron L. Underhill, attorneys   |                     |
| Organization (Owner, Developer, Contractor, etc.): Smith & Hale LLC                                  |                     |
| Mailing Address: (Street, City, State, Zip Code) 37 West Broad Street, Suite 725, Columbus, OH 43215 |                     |
| Daytime Telephone: (614) 221-4255  | Fax: (614) 221-4409 |
| Email or Alternate Contact Information: aunderhill@smithandhale.com                                  |                     |

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

I, Discovery MC Investments LLC, the owner, hereby authorize the attorneys with the law firm of Smith & Hale LLC to act as my applicant or representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

|  |       |
|--|-------|
| Signature of Current Property Owner: By: <u>See attached</u> | Date: |
|--|-------|

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

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_ Notary Public \_\_\_\_\_

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

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

|  |                      |
|--|----------------------|
| Signature of applicant or authorized representative: <u>Aaron L. Underhill</u> | Date: <u>9/20/09</u> |
|--|----------------------|

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

|   |                      |
|---|----------------------|
| I, <u>Aaron L. Underhill, attorney</u> , the owner or authorized representative, acknowledge that approval of this request does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant. |                      |
| Signature of applicant or authorized representative: <u>Aaron L. Underhill</u>  | Date: <u>9/21/09</u> |

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

|  |                      |
|--|----------------------|
| I, <u>Aaron L. Underhill, attorney</u> , the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief. |                      |
| Signature of applicant or authorized representative: <u>Aaron L. Underhill</u>   | Date: <u>9/21/09</u> |

Subscribed and sworn to before me this 21<sup>st</sup> day of September, 2009  
 State of Ohio  
 County of Franklin

Notary Public: Natalie C. Patrick



**NATALIE C. PATRICK**  
 Notary Public, State of Ohio  
 My Commission Expires 09-04-10

NOTE: THE OWNER, OR NOTED REPRESENTATIVE IF APPLICABLE, WILL RECEIVE A FACSIMILE CONFIRMATION OF THE COMMISSION EXPIRES 09-04-10

| FOR OFFICE USE ONLY  |                                |                                       |                         |
|--|--------------------------------|---------------------------------------|-------------------------|
| Amount Received: <u>3200.</u>  | Application No: <u>09-0913</u> | P&Z Date(s):                          | P&Z Action:             |
| Receipt No:  | Map Zone: <u>4</u>             | Date Received: <u>9/22/09</u>         | Received By: <u>JMP</u> |
| City Council (First Reading):  |                                | City Council (Second Reading):        |                         |
| City Council Action:   |                                | Ordinance Number:                     |                         |
| Type of Request: <u>Preliminary Development Plan</u>                 |                                |                                       |                         |
| N, S, E, W (Circle) Side of: <u><del>Hot Rd</del> Discovery Blvd</u> |                                |                                       |                         |
| N, S, E, W (Circle) Side of Nearest Intersection: <u>Post Rd.</u>    |                                |                                       |                         |
| Distance from Nearest Intersection: <u>at SW corner</u>              |                                |                                       |                         |
| Existing Zoning District: <u>PCD</u>                                 |                                | Requested Zoning District: <u>PCD</u> |                         |

**NOTE:** All applications are reviewed by Land Use and Long Range Planning for completeness prior to being processed. Applications that are incomplete will NOT be accepted. Applicants are strongly encouraged to contact Land Use and Long Range Planning for assistance and to discuss the Planning and Zoning Commission approval process, and if needed, to make an appointment for a pre-submittal review prior to submitting a formal application.

PERIMETER CENTER PUD  
REVISED SUBAREA C

**I. Summary**

The subject site includes 24.6± acres of real property located northwest of and adjacent to the intersection of Perimeter Drive and Discovery Boulevard. It consists of property known prior to the date of this application as Subareas B-1 and C of the Perimeter Center PUD. The application seeks to rezone the property into a new Subarea C to update the permitted uses on the site and enhance its marketability to a broader range of users, which in turn will increase the potential to bring new jobs to the City of Dublin. This rezoning also will allow for uniformity of use types across the development.

The site is presently developed with high-quality buildings across two parcels. The applicant, WD Partners, currently occupies a portion of the northernmost building in the PUD. The building found on the southern portion of the site is currently vacant but, with proposed changes to its zoning classification as proposed herein, instantly will become much more viable as a destination for a high-quality user.

**II. Development Standards**

Unless otherwise set forth in the submitted drawings or in this written text, the development standards of Chapter 153 of the City of Dublin Code shall apply to this PUD.

**III. Permitted Uses**

The following uses shall be permitted in the new Subarea C of this PUD:

- (A) The permitted and conditional uses listed in Section 153.026 (Suburban Office and Institutional District) and 153.034 (Office, Laboratory and Research District) of the Dublin City Code, provided that conditional uses are approved in accordance with Section 153.236 of the Dublin City Code.
- (B) The permitted and conditional uses listed in Section 153.031 of the Dublin City Code (Restricted Industrial District), provided that conditional uses are approved in accordance with Section 153.236 of the Dublin City Code.
- (C) Basic and applied research conducted in laboratories and offices as well as associated research support activities such as cold rooms, glass wash and microscopy areas.
- (D) "Clean room" manufacturing
- (E) Packaging and assembly

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(F) Manufacturing uses, including:

- (1) Prototype/light manufacturing of a low-intensity nature conducted in a manner and with a character that does not create significant negative impacts to the environment or surrounding area;
- (2) Research, synthesis, analysis, development and testing, including the fabrication, assembly, mixing and preparation of equipment and components;
- (3) Uses conducting research, design, engineering, testing, diagnostics and pilot or experimental product development, including automotive, electronic device, manufacturing, materials and alternative energy technologies;
- (4) Design and development of computer hardware, and software, data communications, information technology, data processing and other computer related services; and
- (5) Life science technology and medical laboratories, including biomedical engineering, biotechnology, genomics, proteomics, molecular and chemical ecology.

(G) Data processing and analysis

(H) Call centers

(I) Warehousing and distribution;

(J) Single-deck parking structures, provided that they are operated in association with another permitted use in this subarea

(K) Ancillary commercial uses within the same building as another permitted use, provided that such commercial uses are intended to serve employees and tenants of that building

#### **IV. Yard, Setback, and Lot Coverage Requirements.**

(A) Discovery Boulevard: The following minimum setbacks shall apply along Discovery Boulevard, as measured from the right-of-way:

(1) The minimum pavement setback shall be 25 feet. A small portion of parking/pavement shall be permitted to encroach a maximum of 5 feet into this required setback in the location shown on the attached preliminary development plan.

(2) The minimum building setback shall be 50 feet, except that the minimum setback for a parking deck shall be 25 feet.

(B) Post Road: The following minimum setbacks shall apply along Post Road, as measured from the right-of-way:

(1) The minimum pavement setback shall be 75 feet.

(2) The minimum building setback shall be 100 feet, except that the minimum setback for a parking deck shall be 75 feet.

(C) Perimeter Drive: The following minimum setbacks shall apply along Perimeter Drive, as measured from the right-of-way:

(1) The minimum pavement setback shall be 35 feet.

(2) The minimum building setback shall be 75 feet, except that the minimum setback for a parking deck shall be 35 feet.

(D) Holt Drive: There shall be a minimum pavement and building setback of 25 feet from the right-of-way of Holt Drive. A small portion of parking/pavement shall be permitted to encroach a maximum of 5 feet into this required setback in the location shown on the attached preliminary development plan.

(E) Interior Parcel Lines: There shall be no minimum pavement or building setbacks from interior property lines in this subarea.

(F) Lot Coverage: The maximum permitted lot coverage in this subarea shall be 75%.

**F. Parking, Loading, and Circulation:**

1. General Standards: Unless otherwise stated herein or otherwise depicted on the final development plan, all parking and loading shall be regulated by City of Dublin Code Sections 153.200 et seq.

2. Structured Parking: A single-deck parking structure shall be permitted in this subarea, provided, however, that such structure shall be used primarily for the purpose of serving employees, visitors, and other invitees of the users found within the PUD.

3. Circulation:

(A) Post Road: Post Road shall maintain a 60-foot right-of-way width and a 32-foot pavement width.

(B) Discovery Boulevard: Discovery Boulevard shall maintain a 60-foot right-of-way width and a 32-foot pavement width.

(C) Perimeter Drive: Perimeter Drive shall maintain an 80-foot wide right-of-way width and a 36-foot pavement width.

**G. Waste and Refuse; Screening:**

1. Waste and Refuse: All waste and refuse shall be placed in containers and shall be fully screened from off-site view in accordance with the Dublin City Code. Dumpsters shall be found in locations that are approved as a part of the final development plan.
2. Storage and Equipment: No materials, supplies, equipment, or products shall be stored or permitted to remain outside of a permitted structure.
3. Mechanical Equipment: Mechanical equipment or other utility hardware on the roof, ground, or buildings shall be screened from public view with materials harmonious to the building(s) found in this subarea.

**H. Landscaping:**

1. General Standards: Except as otherwise stated herein, landscaping shall conform to the Dublin Landscape Code, Section 153.130 et seq.
2. Post Road Setback: Landscaping shall be provided within the required parking setback along Post Road shall include a sodded or seeded mound with a mixture of ornamental, evergreen, and shade trees. The mound shall be natural in appearance, shall be 130 feet to 150 feet in length, and shall vary between 30 feet and 50 feet in width and 5 feet to 8 feet in height.
3. Perimeter Drive Setback: Landscaping within the required pavement setback along Perimeter Drive shall include a 3-to-4 foot high landscaped mound with street trees planted at an average distance of 50 feet on center.
4. Entry Features: Landscaped entry features shall be provided within the corner setbacks at the Perimeter Road and Post Road.
5. Landscaping Plan: A landscaping plan for this subarea shall be submitted to the Planning Commission as a part of the final development plan. Landscaping shall be in accordance with that which is approved as a part of the final development plan. The Planning Commission shall be permitted to allow deviations from the strict application of the Dublin Landscape Code as a part of its approval of the final development plan for this subarea.

**I. Lighting:**

1. General Standards: Except as otherwise stated herein, lighting shall conform to the Dublin Exterior Lighting Guidelines.
2. Lighting Plan: A lighting plan for this subarea shall be submitted to the Planning Commission as a part of the final development plan. Lighting shall be in accordance with that which is approved as a part of the final development plan. The Planning Commission shall be permitted to allow deviations from the strict application of the Dublin Exterior Lighting Guidelines as a part of its approval of the final development plan for this subarea.
3. Exterior Fixtures: Exterior light fixtures may be pole or wall mounted, shall be dark in color, and shall consistently utilize similar types and styles throughout this subarea.
4. Light poles: Light poles shall be limited to a maximum of 28 feet in height.

**J. Architecture:**

1. Design: Unless otherwise approved as a part of a final development plan, the buildings in this subarea shall continue to be consistent with their respective designs as they exist on the date that this text is approved.
2. Roofs: Flat roofs shall be permitted in this subarea.
3. Building Height: The maximum height of structures shall be 65 feet as measured per the City of Dublin Code.
4. Materials: Permitted primary exterior materials shall include brick/brick veneer (either exposed or painted), stone/synthetic stone, and split-faced block. The rear facades of buildings in this subarea shall be permitted primary exterior materials that include metal cladding/siding and split faced block.

**K. Signage: Signage shall conform with the Dublin Sign Code, Section 153.150 et seq.**

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Aaron L. Underhill  
Smith & Hale LLC  
Attorney for Applicant

**WD Partners**

**7007 Discovery Boulevard**

**Preliminary and Final Development Plan Application Statement**

**A. Please briefly describe the proposed rezoning and development.**

The subject property includes 24.6± acres that are bounded by Post Road on the north, Perimeter Drive on the south, Discovery Boulevard on the east, and Holt Drive on the west. The site has already been developed with two buildings and associated parking. The major tenant in the northernmost building is WD Partners, a national design and development firm employing designers, engineers, and architects. A small portion of the rear of the building is being leased by a separate tenant, and the remainder of the building is currently vacant. The southernmost building is completely vacant at this time.

Recent attempts to lease the vacant space in the two buildings have been unsuccessful. In addition to its real estate advisors, the applicant has been in contact with the city's Director of Economic Development in an effort to identify potential users of the space. Due to the nature of the buildings, it has been determined that the potential to rent the unoccupied space is significantly hampered by the current zoning on the site. This application proposes to expand the types of uses that are permitted.

The current PUD zoning classification on the property allows for office, research, and laboratory uses. Moreover, it permits the uses in the city's Limited Industrial District classification. Due to the nature and size of the applicant's buildings, it has become clear that the current zoning designation does not lend itself to attracting the kinds of users that would be interested in relocating to buildings of this type. The buildings have great potential to bring new jobs to the community if the right users can be attracted.

This application will create an updated PUD text that will expand the uses that are permitted on the site to include such uses as data processing, call centers, warehousing and distribution, and additional high-tech uses. At the present time, there are no plans to alter the site from its existing condition. This proposal merely seeks to enhance the marketability of the buildings to give the applicant a fighting chance to attract users to the site that hopefully will transform vacant square footage into space that has the potential to attract many new revenue-producing jobs to the city.

**B. Briefly state how the proposed development relates to the existing and future land use character of the vicinity:**

Improvements to the property have already been made and have existed for a long period of time. Neighbors and adjacent property owners will not experience any difference in the functionality of the site after this application is approved.

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**C. Briefly state how the proposed development will relate to the Dublin Community Plan and any other applicable standards/resolutions such as Conservation Design and the Residential Appearance Standards:**

The Dublin Community Plan designates this property for “Standard Office” uses. Standard office uses are defined to include “areas with frontage along major collectors with secondary visibility and access.” This proposal will conform to this recommendation while also allowing for warehouse and distribution uses, which are suitable for the current buildings found on the site.

**D. Briefly explain how the proposed rezoning and development meet the review criteria for Preliminary and Final Development Plan approval by the Planning and Zoning Commission as stated in Section 153.055(B).**

The plan as filed represents existing conditions on the site. No changes to the existing development plan or architecture are being proposed. This proposal merely seeks an expansion of use types in order to enhance the property’s marketability.

**APPLICANT**

**OWNER**

**ATTORNEY**

WD Partners  
7007 Discovery Blvd.  
Dublin, OH 43017

Discovery MC Investments LLC  
7007 Discovery Blvd.  
Dublin, OH 43017

Aaron L. Underhill, Esq.  
Smith & Hale LLC  
37 West Broad Street, Suite 725  
Columbus, OH 43215

**SURROUNDING PROPERTY OWNERS**

AERC Perimeter Lakes Inc.  
6146 Perimeter Drive  
Dublin, OH 43017

Fleda B. Anderson &  
Neville W. Reay  
6602 Heatherstone Loop  
Dublin, OH 43017

Judith B. Cahill, Tr.  
6698 Heatherstone Loop  
Dublin, OH 43017

Car MAG LLC  
6325 Perimeter Loop Road  
Dublin, OH 43017

DRD 600 Venture LLC  
6000 Venture Drive  
Dublin, OH 43017

William F. Driscoll Trust  
6230 Post Road  
Dublin, OH 43017

Gerald P. Ferguson  
6601 Heatherstone Circle  
Dublin, OH 43017

National City Bank Tr.  
6619 Heatherstone Loop  
Dublin, OH 43017

Ohio Central Credit Union  
6033 Perimeter Drive  
Dublin, OH 43017

Sherrie G. Ridenour  
6051 Perimeter Drive  
Dublin, OH 43017

Ruma Investment Co.  
6760 Discovery Blvd.  
Dublin, OH 43017

Gennifer A. Sabo  
6762 Heatherstone Loop  
Dublin, OH 43017

Albert L. & Florence M. Schoby, Tr.  
6233 Post Road  
Dublin, OH 43017

Venture Drive Partners II L P  
7001 – 990 Meatec Blvd.  
Dublin, OH 43017

Village at Coffman Park LLC  
220 West Bridge Street  
Dublin, OH 43017

Kevin & Tammy Wadsworth  
6240 Post Road  
Dublin, OH 43017

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**EXHIBIT A**

**DESCRIPTION OF REAL PROPERTY**

All that real property situated in the City of Dublin, County of Franklin, the State of Ohio, in the Virginia Military Survey No. 2999 and being part of four (4) tracts of land conveyed to Metatec Corporation:

1. 7.581 acres out of an original 8.404 acre tract conveyed by deed of record in Official Record 25592, Page C 14, and re-recorded in Official Record 25782, Page I 17, Recorder's Office, Franklin County, Ohio;
2. 6.957 acres out of an original 7.246 acre tract conveyed by deed of record in Official Record 27371, Page I 15, Recorder's Office, Franklin County, Ohio;
3. 4.912 acres out of an original 5.001 acre tract conveyed by deed of record in Instrument No. 199804280100918, Recorder's Office, Franklin County, Ohio; and
4. 5.223 acres out of an original 5.307 acre tract conveyed by deed of record in Official Record 31032, Page H 09, Recorder's Office, Franklin County, Ohio,

All bounded and described as follows:

Beginning at a ¼-inch I.D. iron pipe set at a point of curvature in the South line of Post Road (60 feet wide) at the West end of a curve connection in the South line of Post Road with the West line of Metatec Boulevard (formerly Discovery Boulevard) (variable width) and at a corner of said original 8.404 acre tract as Post Road is shown upon the plat of "Post Road, Wilcox Road, Perimeter Drive & Easement Dedication Plat" of record in Plat Book 85, Pages 51, 52, and 53, Recorder's Office, Franklin County, Ohio, and as Metatec Boulevard is shown upon the plat of "Dedication of Discovery Boulevard & Easements", of record in Plat Book 66, Page 97, Recorder's Office, Franklin County, Ohio;

thence Southeasterly along said connecting curve, along the curved Northeast line of said original 8.404 acre tract with a curve to the right, data of which is: radius = 30.00 feet and delta = 83° 28' 49", a chord distance of 39.95 feet bearing South 49° 08' 17" East to a ¼-inch I.D. iron pipe set at the point of tangency in the West line of Metatec Boulevard and at the South end of said connecting curve;

thence South 7° 23' 52" East along the west line of Metatec Boulevard and along an east line of said original 8.404 acre tract a distance of 120.89 feet to a ¼-inch I.D. iron pipe set at a point of curvature;

thence Southerly along a curved West line of Metatec Boulevard, along a curved East line of said original 8.404 acre tract and with a curve to the right, data of which is: radius = 500.00 feet and delta = 6° 31' 11", a chord distance of 56.86 feet bearing South 4° 08' 17" East to a ¼-inch I.D. pipe set at the point of tangency;

thence South 0° 52' 41" East along the west line of Metatec Boulevard (60 feet wide) and along an East line of said original 8.404 acre tract a distance of 74.32 feet to a ¼-inch I.D. iron pipe set at a point of curvature;

ORIX/Metatec  
Lease Assignment  
Exhibit A—Description of Real Property

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thence Southerly along a curved West line of Metatec Boulevard, along a curved East line of said original 8.404 acre tract, along a curved East line of said original 7.246 acre tract and with a curve to the left, data of which is: radius = 2,080.00 feet and delta = 10° 00' 00", a chord distance of 362.57 feet bearing South 5° 52' 41" East to a ¾-inch I.D. iron pipe set at the point of tangency;

thence South 10° 52' 41" East along the west line of Metatec Boulevard and along an east line of said original 7.246 acre tract a distance of 100.00 feet to a ¾-inch I.D. iron pipe set at a point of curvature, as Metatec Boulevard is shown upon the plat of "Dedication of Discovery Boulevard, Perimeter Drive, Wall Street and Easements", of record in Plat Book 72, Pages 79 and 80, Recorder's Office, Franklin County, Ohio;

thence Southerly along a curved West line of Metatec Boulevard, along a curved East line of said original 7.246 acre tract, along a curved East line of said original 5.307 acre tract and with a curve to the right, data of which is: radius = 1,070.00 feet and delta = 22° 00' 00", a chord distance of 408.33 feet bearing South 0° 07' 19" West to a ¾-inch I.D. iron pipe set at the point of tangency;

thence South 11° 07' 19" West along the west line of Metatec Boulevard and along an East line of said original 5.307 acre tract a distance of 200.00 feet to a ¾-inch I.D. iron pipe set at a point of curvature;

thence Southerly along a curved West line of Metatec Boulevard, along a curved East line of said original 5.307 acre tract and with a curve to the left, data of which is: radius = 530.00 feet and delta = 14° 03' 26", a chord distance of 129.71 feet bearing South 4° 05' 36" West to a ¾-inch I.D. iron pipe set at the point of tangency;

thence South 2° 56' 07" East along the West line of Metatec Boulevard and along an East line of said 5.307 acre tract a distance of 16.68 feet to a ¾-inch I.D. iron pipe set at the Northeast corner of a 0.173 acre tract of land conveyed to City of Dublin by deed of record in Instrument No. 199811200299248 of which 0.083 acre being out of said original 5.307 acre tract and 0.90 acre being out of said original 5.001 acre tract;

thence South 48° 22' 06" West along a Northerly line of said 0.173 acre tract and crossing a portion of said original 5.307 acre tract a distance of 54.63 feet to a ¾-inch I.D. iron pipe set at a corner of said 0.173 acre tract;

thence South 87° 03' 53" West along a North line of said 0.173 acre tract and crossing a portion of said original 5.307 acre tract and a portion of said original 5.001 acre tract a distance of 559.40 feet to a ¾-inch I.D. iron pipe set at a corner of said 0.173 acre tract;

thence North 54° 14' 20" West along a Northerly line of said 0.173 acre tract and crossing a portion of said original 5.001 acre tract a distance of 54.63 feet to a ¾-inch I.D. iron pipe set in the East line of Wilcox Road (60 feet wide), as Wilcox Road is shown upon the plat of said "Post Road, Wilcox Road, Perimeter Drive & Easements Dedication Plat";

thence North 2° 56' 07" west along the East line of Wilcox Road, along a portion of the west line of said original 5.001 acre tract, crossing said original 7.246 acre tract and crossing a portion of said original 8.404 acre tract a distance of 1,480.27 feet to a ¾-inch I.D. iron pipe set at a point at the Southwest end of a line connecting the East line of Wilcox Road and with the south line of Post Road;

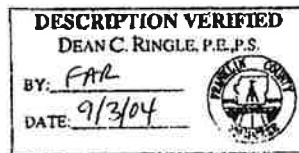
thence North 43° 05' 36" East along said connecting line and crossing a portion of said original 8.404 acre tract a distance of 43.18 feet to a ¾-inch I.D. iron pipe set at a point at the Northeast end of said connecting line and in the South line of Post Road;

thence North 89° 07' 19" East along the South line of Post Road and crossing a portion of said original 8.404 acre tract a distance of 631.04 feet to the place of beginning;

containing 24.673 acres of land more or less and being subject to all easements and restrictions of record.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361 of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from actual field surveys in October, 1985, in August, 1987, in July, 1989, in May, 1990, in January, 1996, in July, 1996, and in January 1999. Basis of bearings is the centerline of Wilcox Road, being North 2° 56' 07" West as shown of record in Plat Book 85, Pages 51, 52, and 53, Recorder's Office, Franklin County, Ohio.

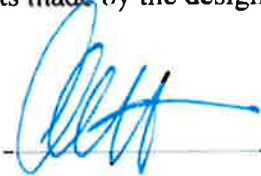
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(273)  
309



OWNER AUTHORIZATION

I, CHRIS DOERSCHLAG, on behalf of Discovery MC Investments LLC (the "Owner"), the owner of real property known as Franklin County Parcel Identification Number 273-000309, which is located at 7007 Discovery Boulevard in Dublin, Ohio (the "Property"), hereby authorize the attorneys with the law firm of Smith & Hale LLC (the "Agents") to act as the Owner's representative in all matters pertaining to the processing and approval of the preliminary and final development applications relating to the Property, including modifying the project. The Owner agrees to be bound by all representations and agreements made by the designated Agents.

By:



Print Name:

CHRIS DOERSCHLAG

Title:

CEO

STATE OF OHIO  
COUNTY OF Franklin: SS

Before me, a Notary Public, personally came Discovery MC Investments LLC, by Chris Doerschlag its CEO, who acknowledged the foregoing Affidavit as his/her voluntary act and deed on behalf of the company.

In witness whereof, I have hereunto subscribed my name and affixed my seal on this 21<sup>st</sup> day of September, 2009.

  
Notary Public



MARILYN M. WILSON  
Notary Public, State of Ohio  
My Commission Expires 09-07-2013

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