

Application Date 03/11/2003

# County of Butler

DEPARTMENT of BUILDING and ZONING  
BUTLER COUNTY ADMINISTRATIVE BUILDING  
130 High Street • Hamilton, Ohio 45011  
Phone 887-3204 or 3205

This is not a  
Building Permit

BOARD OF COMMISSIONERS

PERMIT NO. 20030589

FEES

Heating and Cooling	0.00
Building and Zoning	0.00
Total Fee	0.00

VALUATION

Heating and Cooling	0.00
Building	0.00
Total Valuation	0.00

OWNER SECTION

Name CHESTERWOOD VILLAGE  
Address 8073 TYLERSVILLE ROAD  
City, State WEST CHESTER OH

Phone No. (513) 777-1400  
Fax No. (513) 777-4249  
Zip Code 45069

BUILDER SECTION

Name DIXON CONSTRUCTION  
Address 8073 TYLERSVILLE ROAD  
City, State WEST CHESTER OH

Phone No. (513) 777-1400  
Fax No. (513) 777-4249  
Zip Code 45069

CONSTRUCTION SECTION

Lot No. Subdivision  
Parcel ID M5610-014.000-036  
Address 8073 TYLERSVILLE ROAD  
City, State WEST CHESTER, OH  
Permit For ADDITION  
Usage Type Business

Section 11

Township WEST CHEST  
Zoning  
Zip Code 45069  
Height ONE

Bldg. Size

Exterior Material BRICK AND VINYL # of Bedrooms Deck N  
Basement Heat Gas Sewage Disposal Public Water Supply Public

APPROVAL SECTION

Issued Health Release Plans Received Plans Approved Airport Zoning  
Zoning Approved 03/06/2003 Engineer Approved 03/10/2003 Flood Approval

Do hereby covenant and agree to comply with all provisions of the laws, and ordinances of Butler County, Ohio, pertaining to same, and to construct this building according to the plans and specifications, as approved by the Butler County Building Inspector. This permit is revocable, when or if terms or conditions under which it was granted, have been violated.

Deeds and/or Subdivision Restrictions may be violated. IT IS YOUR RESPONSIBILITY FOR THEIR COMPLIANCE.

Date \_\_\_\_\_ Signature of Applicant \_\_\_\_\_ By \_\_\_\_\_

Building and Zoning Inspector

BUILDING CODE REQUIRES  
CALLS FOR THESE INSPECTIONS  
PHONE 887-3204 OR 3205

Comments:

Footer \_\_\_\_\_  
Foundation \_\_\_\_\_  
Framing \_\_\_\_\_  
Insulation \_\_\_\_\_  
Final \_\_\_\_\_

Copy to:

1. BUILDING & ZONING OFFICE
2. AUDITOR'S OFFICE
3. APPLICANT
4. INSPECTION

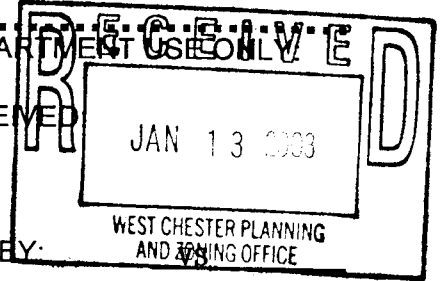


**APPLICATION FOR REVISION TO DEVELOPMENT PLAN  
WEST CHESTER TOWNSHIP PLANNING & ZONING DEPARTMENT  
9100 Centre Pointe Drive, Suite 290, West Chester, Ohio 45069  
Telephone: 777-4214**

FOR WEST CHESTER TOWNSHIP PLANNING AND ZONING DEPARTMENT USE ONLY

CASE # WCP-REDP CHESTERWOOD VILLAGE 01-03-D

DATE RECEIVED



FEE RECEIPT # 5640

RECEIVED BY:

**NOTE: THIS APPLICATION MUST BE TYPEWRITTEN - USE ADDITIONAL SHEETS IF NECESSARY**

NAME OF APPLICANT George J. Kontogiannis & Associates

ADDRESS 400 South Fifth Street Suite 400

PHONE NO. 614-224-2083 FAX NO. 614-224-4736

CITY/STATE/ZIP Columbus OH 43215

**NAME, ADDRESS & PARCEL NUMBER OF EACH PROPERTY OWNER OF RECORD  
WITHIN THE PROPERTY WHICH IS REQUESTED TO BE REVISED:**

Ashley Place Real Estate Ltd.

1. Greg Dixon<sup>a</sup> and Don Dixon

2. 8073 Tylersville Rd.

3. West Chester, OH 45069

PUD ZONE DISTRICT APPROVED (DATE) \_\_\_\_\_ BY \_\_\_\_\_

LOCATION OF PROPERTY: SECTION \_\_\_\_\_ TOWN \_\_\_\_\_ RANGE \_\_\_\_\_  
PARCEL(S) \_\_\_\_\_

PROPERTY ADDRESS 8073 Tylersville Road, West Chester OH 45069

(MY) (OUR) INTEREST IN THE PROPERTY:

OWNER \_\_\_\_\_ AGENT  LESSEE \_\_\_\_\_ OPTIONEE \_\_\_\_\_

George J. Kontogiannis & Associates by Randall Alan Woodings, A.I.A.

APPLICANT Randall Alan Woodings ~~400 South Fifth Street Suite 400~~ Columbus OH 43215  
Signature Address Phone Number

OWNER(S) Randall Alan Woodings

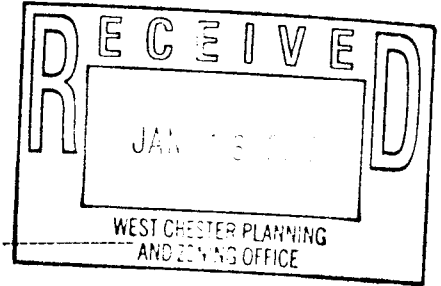
8073 Tylersville Rd 777-1400  
Signature Address Phone Number

Updated PROPERTY OWNER LIST

ADJACENT PROPERTY OWNERS  
UNION TOWNSHIP PLANNING & ZONING DEPARTMENT  
9113 Cincinnati-Dayton Road  
West Chester, Ohio 45069

Telephone: 777-4214

For Union Township Planning And Zoning Department Use Only:



Case # WCP-RFDP Chesterwood Village Date Received: \_\_\_\_\_  
01-03-D

Parcel:	Owner	Address
M5620176000001	Curry, Colleen L.	7969 Pepper Pike, West Chester, Ohio 45069
M5620176000002	Thompson, John	7777 Pepper Pike, West Chester, Ohio 45069
M5620176000003	Abemathy, Charles	7987 Pepper Pike, West Chester, Ohio 45069
M5620169000030	Anthony, Thomas	811 Chestnut Hill Lane, West Chester, Ohio 45069
M5620169000042	Dening, Lawrence	8015 Castel Rock Lane, West Chester, Ohio 45069
M5620169000028	White, Ronald	8093 Chestnut Hill Lane, West Chester, Ohio 45069
M5620169000029	Smith, Ronald	8101 Chestnut Hill Lane, West Chester, Ohio 45069
M5620169000039	Tate, Robert	8000 Castel Rock Lane, West Chester, Ohio 45069
M5620169000038	Sequin, Francis	8006 Castel Rock Lane, West Chester, Ohio 45069
M5620169000040	Schneeman, Michael	8001 Castel Rock Lane, West Chester, Ohio 45069
M5620169000041	Turner, Levi	8007 Castel Rock Lane, West Chester, Ohio 45069
M5620169000001	Reinel, Steven	8108 Long Meadow Drive, West Chester, Ohio 45069
M5620169000002	Shivener, Donald	8118 Long Meadow Drive, West Chester, Ohio 45069
M5620169000022	Gentry, Robert	8111 Long Meadow Drive, West Chester, Ohio 45069
M5620169000021	Rolfert, Phillip	8117 Long Meadow Drive, West Chester, Ohio 45069
M5620169000026	Norton, Peter	8108 Chestnut Hill Lane, West Chester, Ohio 45069
M5620169000027	Steigerwald, Christopher	8096 Chestnut Hill Lane, West Chester, Ohio 45069
M5610015000008	President & Trustees	Tylersville Road, West Chester, Ohio 45069
M5610014000030	Chesterwood Village Ltd	8073 Tylersville Road, West Chester, Ohio 45069
M5610014000031	Maddox, Christine	8010 Cox Road, West Chester, Ohio 45069
M5610014000001	Church Of Nazarene	7943 Tylersville Road, West Chester, Ohio 45069
M5610019000032	Retail Land Ltd Prt.	7880 Tylersville Road, West Chester, Ohio 45069



**UNION TOWNSHIP ZONING COMMISSION  
BUTLER COUNTY, OHIO  
RESOLUTION NO. 99-11  
(WCP-RFDP: CHESTERWOOD VILLAGE PHASE 2: 6-99)  
(West Chester Plaza)**

**WHEREAS**, a R-PUD District and Preliminary Development Plan was approved by the Butler County Rural Zoning Commission on September 29, 1986 for land containing approximately 67 acres, situated in Section 11, Town 3, Range 2, Union Township, Butler County, Ohio; and

**WHEREAS**, the purpose of the aforementioned approval was for the development of a church, school, recreation area, retirement center and a retail area of 86,000 square feet, including a Kroger store; and

**WHEREAS**, a major change to this PUD plan was approved by Butler County on October 3, 1988, which eliminated the proposed school building and some of the open space and recreation area and included the addition of approximately 96,000 square feet of commercial use and one outlot along Tylersville Road; and

**WHEREAS**, the voters of Union Township, adopted local zoning for the unincorporated area on November 7, 1989, and the Butler County Board of Elections certified the results of the election on November 28, 1989, giving Union Township jurisdiction on all zoning matters; and

**WHEREAS**, on May 17, 1993, Champion East, optionee and developer of a portion of said planned unit development submitted an application for approval of a Revised Preliminary Development Plan for the retail portion of the plan approved as part of the major change; and

**WHEREAS**, on August 22, 1994, Kohl's Department Store and the West Chester Church of the Nazarene were approved for a revised Preliminary Development Plan, modifying the access points from Tylersville Road, the internal circulation system, and the retention basins for the West Chester Plaza Development; and

**WHEREAS**, on July 15, 1996, Chesterwood Village, Inc. received revised Preliminary Development Plan approval with conditions (Zoning Commission Resolution 96-23) for the retirement center portion of West Chester Plaza; and

**WHEREAS**, on December 1, 1997, Chesterwood Village, Inc. received Final Development Plan approval with conditions (Zoning Commission Resolution 97-33) for a Final Development Plan for Phase II.

**WHEREAS**, on June 7, 1999 Gregg Dixon submitted an application, requesting Revised Final Development Plan approval for Phase II to construct an Assisted Living Building, an Independent Living Building, and an Alzheimer's Wing as illustrated on the RFDP.

**NOW THEREFORE BE IT RESOLVED**, that the Union Township Zoning Commission does hereby approve of said Revised Final Development Plan with the following conditions:


- 1) Elevations and architectural treatment for the future independent living wing shall be consistent with the existing care center and the proposed additions.

- 2) No Zoning Certificate shall be issued until a revised plan is submitted illustrating elimination of two (2) parking spaces at the north office entrance and illustrating emergency access grass pavers at the north and south side of project pursuant to approval of the Union Township Fire Department.
- 3) Building setbacks along the east property lines shall be 50 feet.
- 4) The proposed assisted living building along the east property line shall maintain a one-story roofline.
- 5) No Zoning Certificate shall be issued until the landscaped earthen berm located on the east side of the property conforms to the previously approved landscape plan.

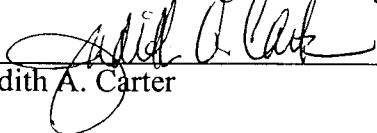
**BE IT FURTHER RESOLVED,** that all plats, plans, applications, and other data approved are hereby made part of this resolution:

Union Township, Butler County  
June 28, 1999

Chairman:

  
\_\_\_\_\_  
D. Michael Kramer

Director of Planning and Zoning:

  
\_\_\_\_\_  
Judith A. Carter

**UNION TOWNSHIP ZONING COMMISSION**  
**BUTLER COUNTY, OHIO**  
**RESOLUTION NO. 96-23**  
**(WCP: RPDP-CHESTERWOOD VILLAGE 7-96)**  
**(West Chester Plaza)**

**WHEREAS,** a R-PUD District and Preliminary Development Plan was approved by the Butler County Rural Zoning Commission on September 29, 1986 for land containing approximately 67 acres, situated in Section 11, Town 3, Range 2, Union Township, Butler County, Ohio; and

**WHEREAS,** the purpose of the aforementioned approval was for the development of a church, school, recreation area, retirement center and a retail area of 86,000 square feet, including a Kroger store; and

**WHEREAS,** a major change to this PUD plan was approved by Butler County on October 3, 1988, which eliminated the proposed school building and some of the open space and recreation area and included the addition of approximately 95,000 square feet of commercial use and one outlot along Tylersville Road; and

**WHEREAS,** the voters of Union Township, adopted local zoning for the unincorporated area on November 7, 1989, and the Butler County Board of Elections certified the results of the election on November 28, 1989, giving Union Township jurisdiction on all zoning matters; and

**WHEREAS,** on May 17, 1993, Champion East, optionee and developer of a portion of said planned unit development submitted an application for approval of a Revised Preliminary Development Plan for the retail portion of the plan approved as part of the major change; and

**WHEREAS,** on August 22, 1994, Kohl's Department Store and the West Chester Church of the Nazarene were approved for a revised Preliminary Development Plan, modifying the access points from Tylersville Road, the internal circulation system, and the retention basins for the West Chester Plaza Development; and

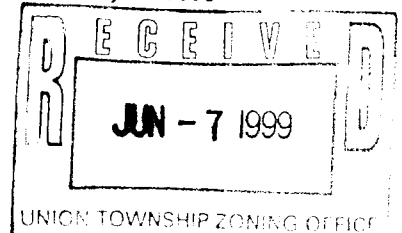
**WHEREAS,** on August 22, 1994, Kohl's Department Store was approved for a Final Development plan for the construction of a retail store; and

**WHEREAS,** on July 1, 1996, Chesterwood Village, Inc. submitted application to revise the Preliminary Development Plan for the retirement center portion of West Chester Plaza. The applicant proposed a different layout; and

**NOW THEREFORE BE IT RESOLVED,** that the Union Township Zoning Commission does hereby approve of said revised Preliminary Development Plan with the following conditions:

1) No Final Development Plan approval shall be given until the Union Township Fire Department has approved the internal access design and the fire hydrant location. All private drives shall be a minimum of twenty-four (24) feet in width.

2) No Final Development Plan approval shall be given until the Union Township Department of Planning and Zoning receives a letter from the Butler County Engineer's Office indicating approval of the construction drawings for the proposed right in/right out only access



into the retirement center. The proposed right in/right out only access into the retirement center shall be paid for by the applicant. With the construction of the right in/right out only access into the retirement center, the remainder of the church's relocated entrance shall be extended east. (The access easement has already been recorded).

3 ) No Final Development Plan shall be issued until all open space areas have been dedicated to an association charged with maintenance of the areas.

4 ) The building setbacks along the east and south property lines shall be 50 feet.

5 ) Within the 50 ft. setback, a landscaped buffer along the south and east property lines of the proposed retirement center shall be considered at Final Development Plan approval. Appropriate landscaping would provide a buffer from the proposed retirement center and existing R-1A Districts.

6 ) A pedestrian walkway system, linking the retirement center to adjacent uses, shall be considered at Final Development Plan approval. The pedestrian walkway system shall be designed to access all sections of the retirement center and all adjoining uses. No Final Development approval shall be given until the Department of Planning and Zoning approves an appropriate pedestrian system.

7 ) Proposed buildings along the east and south property lines shall be maintained to one-story. Two-story buildings shall be located away from the property line.

8 ) Along the east property line, the total care facility shall maintain a one-story roof line. The proposed building shall buffer any required parking from the adjoining properties.

**BE IT FURTHER RESOLVED,** that all plats, plans, applications, and other data approved are hereby made part of this resolution:


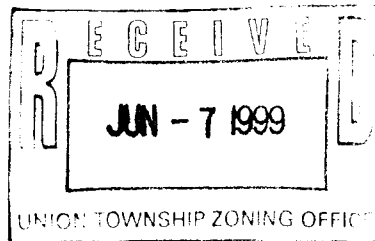
Union Township, Butler County  
July 15, 1996

Chairman:



D. Michael Kramer

Director of Planning and Zoning:

  
\_\_\_\_\_  
Judith A. Carter



**UNION TOWNSHIP  
ZONING COMMISSION  
REGULAR MEETING – JUNE 28, 1999**

MEMBERS PRESENT: Michael Kramer, Chairman; Joseph S. Meyer, Vice-Chairman David S. Pickard; Teri J. Slick

MEMBERS ABSENT: John R. Topits

STAFF PRESENT: Judith A. Carter, Director of Planning & Zoning  
Derek Hunter, Township Planner

LOCATION: Township Hall

CALL TO ORDER: 6:33 p.m.

ADJOURNMENT: 7:41 p.m.

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**Case Number: WCP-FDP CHESTERWOOD VILLAGE PHASE II 6/99**

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**Staff Report:** Ms. Carter stated that the site is located on Tylersville Road, east of West Chester Church of the Nazarene, and across from the Voice of America site directly adjacent to the Kohl's development on Tylersville Road. The applicant received final development plan approval in December 1997 for construction of a 69-bed nursing home and 40 assisted living units. All the conditions of that approval have been met except for an emergency access grass paver and completion of approved landscaping berm located on the east side of the development. These items are listed as minimum conditions of approval and a draft resolution was prepared for review. The applicant wished to revise the final development plan to construct an additional assisted living building, independent living building and an Alzheimer's wing. All these components were approved at the initial final development plan stage. Ms. Slick asked where the fire/emergency access would be. Ms. Carter responded to Ms. Slick's concerns about fire/emergency access.

Applicant: John McKay, McKay Williams, Architects representing Mr. Dixon  
1200 Chambers Rd., Columbus, OH 43212

Mr. McKay described the building materials and elevation. He responded to questions regarding the composition of the grass paver stating that it is made from reconstituted plastic bottles. He described the process and said it has been recognized by fire departments, and acceptable.

Public Comment: Steve Reinel  
8108 Longmeadow Drive, West Chester, Oh 45069

Mr. Reinel expressed concern over the south entrance and where the road was going. He expressed concern about how the berm elevation would affect the view from his property. Mr. Reinel has a 6' privacy fence and he can see windows above his fence. Mr. Reinel had questions regarding the front berm.

### **Board Deliberation**

In response to Mr. Kramer, Mr. McKay clarified the emergency ingress/egress plan.

Applicant: Mr. Dixon  
3583 Hamilton-Mason Road, Fairfield Township.

Mr. Dixon stated that the issue of the south side of the property to allow the fire department has been discussed and the information on the plastic sheeting for the access has been used by a number of fire departments. He said there are two standby systems that provide fire protection for the existing structure, and upon completion of the building there will be four systems in place to protect the structure from fire. Mr. Dixon stated that presently the building has state of the art system.

Mr. Kramer moved to approve 99-11 Chesterwood Village Phase II 6/99 revision of final development plan as drafted by staff. Mr. Meyer seconded the motion.

Aye: Pickard, Meyer, Kramer, Slick  
Nay: 0  
Absent: Topits

Mr. Kramer expressed concern over the question posed by Mr. Reinel about changing the grade after approval of a plan. Ms. Carter stated that at the time of the plan being submitted the preliminary grade plan needs to be submitted also, so the approval of the plan is also knowing what the grade is going to be. Mr. Kramer stated that more care needs to be given in the grade change.

The board voted unanimously to adjourn at 7:41 p.m.

**These Minutes do not purport to be the entire record. A complete transcription of these proceedings was taken under supervision of the Secretary from an audiotape and may be obtained upon written request. Any charges for preparing such transcripts shall be borne by the person requesting same and must be prepaid.**

Chairman:

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D. Michael Kramer

Secretary:

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Judith A. Carter,  
Director of Planning & Zoning

### 3. GRAPHIC REQUIREMENTS

3.3 **FINAL DEVELOPMENT PLAN--FOR REVISIONS TO FINAL DEVELOPMENT PLANS ONLY**

Submit ten (10) copies of the detailed Final Development Plan(s). The detailed Final Development Plan shall be in accordance with the approved Preliminary Development Plan; shall be prepared for the owner/developer(s) by a professionally competent urban planner, professional engineer, architect or landscape architect; and shall include the following:

- A. Survey of the tract to be developed showing existing physical features (general topography, drainage ways and tree cover) and streets, easements and utility lines;
- B. Site plan showing lot lines, building outlines, off-street parking spaces, pedestrian walkways, and vehicular circulation;
- C. Preliminary building plans, including floor plans and elevations;
- D. Landscaping plans, including quantity, size and varieties of landscaping;
- E. Specific engineering plans, including site grading, street improvements, drainage and utility improvements, and extensions as necessary;
- F. All necessary legal documentation relating to the corporation of a Homeowner's Association for the purpose of maintaining the specified common space within the Planned Unit development;
- G. Copies of any restrictive covenants that are to be recorded.

3.4 **REDUCED FINAL DEVELOPMENT PLAN**

Submit one (1) copy of the final development plan reduced to an 11" X 17" sheet of paper.

**INFORMATION SUBMITTED SHALL BE ASSUMED TO BE CORRECT AND APPLICANT AND/OR AGENT SHALL ASSUME RESPONSIBILITY FOR ANY ERRORS AND/OR INACCURACIES RESULTING IN AN IMPROPER APPLICATION.**

  
Signature of person preparing this checklist  
(Applicant or Representative)

1-14-03  
Date Submitted

Preliminary Development Plan cancellations must be submitted in writing to the Planning and Zoning Department. There shall be no refund or part thereof once public notice has been given.

## 2. WRITTEN REQUIREMENTS

✓ 2.1 **METES AND BOUNDS LEGAL DESCRIPTION**

Submit on a single 8 1/2" X 11" paper the following information:

- A. a metes and bounds description of the subject site;
- B. the amount of area contained within the site; and
- C. a statement, signed by a registered surveyor, certifying that the description of the property on which the revised preliminary development plan is located, is a complete, proper and legal description thereof.

✓ 2.2 **PROPERTY DEED**

Submit one copy of the deed to the subject property as filed in the Butler County Recorder's Office.

✓ 2.3 **PREVIOUS ACTION INFORMATION**

Submit one copy of all resolutions and minutes of previous meetings and hearings involving the original approval of the zone amendment to PUD District and any previously approved preliminary development plans.

✓ 2.4 **REVISED DEVELOPMENT PLAN APPLICATION FORM**

Complete and submit the original and one (1) copy of the application form.

✓ 2.5 **ADJACENT PROPERTY OWNERS FORM**

Complete and submit the original and one (1) copy of the Adjacent Property Owners form (provided in this packet) containing the names, addresses and tax information of all parcels within two hundred (200) feet of the subject site.

✓ 2.6 **APPLICANT'S AFFIDAVIT**

Complete and submit the original and one (1) copy of the Affidavit (provided in this packet).

✓ 2.7 **CHECKLIST OF REQUIREMENTS**

Submit this checklist fully completed.



700 nilles road  
fairfield, oh 45014  
(513) 829-2149  
fax (513) 829-2457

July 30, 1997

DESCRIPTION: 6.355 Acre Tract

LOCATION: Chesterwood Village  
Union Township  
Butler County, Ohio

Located in Section 11, Township 3, Range 2 of Union Township, Butler County , Ohio,  
and being more precisely described as follows;

Starting at the Northwest corner of the Northwest Quarter of Section 11, Township 3,  
Range 2 , thence with the North line of Section 11;South 84°08'21"East, 724.76 feet ;  
Thence leaving the North line of Section 11, South 5°59'22"West, 58.24 feet to a point  
on the south right-of-way of Tylersville Road; thence with said right-of-way South  
84°25'10"East, 1219.43 feet to a point on the east side of Chesterwood Boulevard, and  
said point being the TRUE POINT of BEGINNING.

- thence with the South right-of-way of Tylersville Road South 84°25'10"East,  
464.48 feet to a point;
- thence leaving said right-of-way South 5°27'45"West, 578.98 feet to a point;
- thence North 84°32'15"West, 451.93 feet to a point on the north side of Chester  
Court, said point being at the start of a curve to the right;
- thence with said curve ,a radius of 29.00 feet, arc length of 45.47 feet and a chord  
bearing of North 39°27'26"West, 40.95 feet to a point on the east side of  
Chesterwood Boulevard;
- thence parallel with Chesterwood Boulevard (1 foot east of the back of curb)  
North 05°27'45"East, 323.47 feet to a point at the start of a curve to the  
right;
- thence with the curve to the right, a radius of 99.00 feet, arc length of 6.60 feet  
and a chord bearing of North 07°22'25"East, 6.60 feet to a point;
- thence North 09°17'05"East, 173.74 feet to a point at the start of a curve to the  
left;
- thence with said curve, a radius of 103.00 feet, arc length of 6.87 feet and a chord  
bearing of North 7°22'25"East 6.87 feet to a point;

(continued on Page 2)



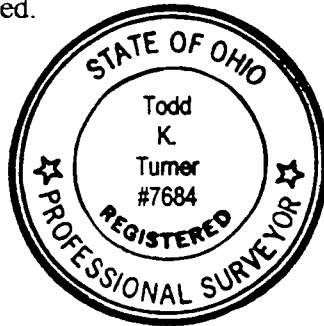
Page 2 continued: 6.355 Acre Tract  
Chesterwood Village  
Union Township, Butler County, Ohio  
July 30, 1997

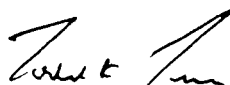
thence North 5°27'45"East 22.53 feet to a point at the start of curve to right;  
thence with said curve, a radius of 40 feet, arc length of 18.80 feet and a chord  
bearing of North 18°55'37"East 9.58 feet to the TRUE POINT of  
BEGINNING.

Containing 6.355 acres of land, more or less, and being subject to the rights-of-way of  
Tylersville Road and any easements or restrictions of record

Prior Deed Reference: Deed Record 6006, Pages 1775.

I hereby certify that the above description is a complete, proper and legal description of  
the property to be rezoned.



  
Todd K. Turner, PLS  
Registration #7684  
In The State of Ohio

TRANSFERRED  
DATE 8-4-97  
CONVEYANCE # 10-  
FEE \$ 2966  
EXEMPT

O.R. 6134 PAGE 2136

CORPORATION DEED

Key Rogers, Butler Co. Auditor

This conveyance has been examined and the grantor has complied with section 319.202 of the revised code.

**KNOW ALL MEN BY THESE PRESENTS:**

**THAT** CHESTERWOOD VILLAGE, INC., AN OHIO CORPORATION, the Grantor, a corporation organized and existing under the laws of the State of Ohio,

in consideration of ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION

to it paid by CHESTERWOOD VILLAGE REALTY LIMITED, A LIMITED LIABILITY CO.

whose address is: 4195 Hamilton-Mason Road, Hamilton, OH 45011

the receipt whereof is hereby acknowledged, does hereby **GRANT, BARGAIN, SELL, AND CONVEY** to the said CHESTERWOOD VILLAGE REALTY LIMITED, A LIMITED LIABILITY CO.

the following described **Real Estate**:

Located in Section 11, Township 3, Range 2 of Union Township, Butler County, Ohio, and being more and precisely described as follows:

Starting at the Northwest corner of the Northwest Quarter of Section 11, Township 3, Range 2, thence with the North line of Section 11, South 84 degrees 08' 21" East, 724.76 feet; Thence leaving the North line of Section 11, South 5 degrees 59' 22" West, 58.24 feet to a point on the south right-of-way of Tylersville Road; thence with said right-of-way South 84 degrees 25' 10" East 1219.43 feet to a point on the east side of Chesterwood Boulevard, and said point being the TRUE POINT OF BEGINNING.

thence with the South right-of-way of Tylersville Road South 84 degrees 25' 10" East, 464.48 feet to a point; thence leaving said right-of-way South 5 degrees 27' 45" West, 578.98 feet to a point; thence North 84 degrees 32' 15" West, 451.93 feet to a point on the north side of Chester Court, said point being at the start of a curve to the right; thence with said curve, a radius of 29.00 feet, arc length of 45.47 feet and a chord bearing of North 39 degrees 27' 26" West, 40.95 feet to a point on the east side of Chesterwood Boulevard; thence parallel with Chesterwood Boulevard (1 foot east of the back of curb) North 05 degrees 27' 45" East, 323.47 feet to a point at the start of a curve to the right; thence with the curve to the right, a radius of 99.00 feet, arc length of 6.60 feet and a chord bearing of North 07 degrees 22' 25" East, 6.60 feet to a point; thence North 09 degrees 17' 05" East 173.74 feet to a point at the start of a curve to the left; thence with said curve, a radius of 103.00 feet, arc length of 6.87 feet and a chord bearing of North 7 degrees 22' 25" East 6.87 feet to a point; thence North 5 degrees 27' 45" East 22.53 feet to a point at the start of a curve to right; thence with said curve, a radius of 40 feet, arc length of 18.80 feet and a chord bearing of North 18 degrees 55' 37" East 9.58 feet to the TRUE POINT OF BEGINNING.

( CONVEYANCE CONTINUED ON PAGE 3)

Containing 6.355 acres of land, more or less, and being subject to the rights-of-way of Tylersville Road and any easements or restrictions of record.

10004888  
BUTLER COUNTY ENGINEER  
RECEIVED  
AUG 11 1997  
2:00 PM  
2000

BUTLER COUNTY PLANNING COMMISSION  
FOR THE PURPOSES OF CONVEYANCE OF  
TITLE, DOES NOT CONSTITUTE A ZONING  
CERTIFICATE OR BUILDING PERMIT.  
NO PLAT REQUIRED

VOLUME 33 PAGE 15  
BUTLER COUNTY ENGINEER  
LAND

Prior Deed Reference: Deed Record 6006, Page 1775.

and all the **Estate, Title and Interest** of the said, CHESTERWOOD VILLAGE, INC., Grantor, either in Law or Equity, in and to the said premises; **Together** with all the privileges and appurtenances to the same belonging ; **To Have and to hold** the same to the only proper use of the said CHESTERWOOD VILLAGE REALTY LIMITED, A LIMITED LIABILITY CO., its successors and assigns forever,

**and the said** CHESTERWOOD VILLAGE, INC., grantor, for itself and its successors, hereby **Covenants** with the said CHESTERWOOD VILLAGE REALTY LIMITED, A LIMITED LIABILITY CO., its successor and assigns , that it is the true and lawful owner of the said premises, and has full power to convey the same; and that the title so conveyed is **Clear, Free and Unincumbered**; **And further**, That it **does Warrant and will Defend** the same against all claims of all persons whomsoever:

**IN WITNESS WHEREOF**, the said CHESTERWOOD VILLAGE, INC., Grantor, has caused its corporate name to be hereunto subscribed and its corporate seal hereunto affixed, by

JAMES E. DIXON its President  
thereunto duly authorized by resolution of its Board of Directors, this 31<sup>st</sup> day of JULY, 1997.

Signed and acknowledged in presence of us:

CHESTERWOOD VILLAGE, INC.  
AN OHIO CORPORATION

TIM ONTEO  
TIM ONTEO  
Maxwell N. Wear  
MAXWELL N. WEAR

By James E. Dixon  
JAMES E. DIXON, President

STATE OF OHIO, COUNTY OF BUTLER, SS.

**BE IT REMEMBERED**, that on this 31<sup>st</sup> day of JULY, 1997 before me, the subscriber, a Notary Public in and for said County and State, personally appeared JAMES E. DIXON, President of CHESTERWOOD VILLAGE, INC., the corporation whose name is subscribed to and which executed the foregoing instrument, and for themselves and as such officers respectively, and for and on behalf of said corporation acknowledged the signing and execution of said instrument; and acknowledged that the seal affixed to said instrument is the corporate seal of said corporation, that they affixed such corporate seal to, and otherwise executed, said instrument by authority of the Board of Directors, and on behalf, of said corporation; and that the signing and execution of said instrument is their free and voluntary act and deed, their free act and deed as such officer respectively, and the free and voluntary act and deed of said corporation, for the uses and purposes in said instrument mentioned.

**IN TESTIMONY WHEREOF**, I have hereunto subscribed my name and affixed my Notarial seal, on the day and year last aforesaid.

Maxwell N. Wear  
Notary Public

This instrument was prepared by Maxwell N. Wear, Attorney at Law, 780 Nilles Road, Fairfield, Ohio, 45014.

*DESCRIPTION CONTINUED- RIGHT-OF WAY AND EASEMENT- 6.355 ACRES OF LAND:*

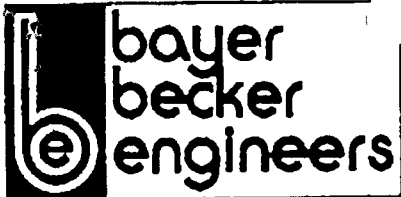
*The above described real property is subject to a non-exclusive, perpetual right-of-way and easement, conveyed from the Grantor to the Grantee, for Ingress, Egress, and Utility Easement for all utilities, over, through, under, and across the following described real estate, to wit:*

*Located in Section 11, Township 3, Range 2 of Union Township, Butler County, Ohio, and being more particularly described as follows:*

*Starting at the Northwest corner of the Northwest Quarter of Section 11, Township 3, Range 2, thence with the North line of Section 11; South 84 degrees 08' 21" East, 724.76 feet; thence leaving the North line of Section 11, South 5 degrees 59' 22" West, 58.24 feet to a point on the south right-of-way of Tylersville Road; thence with said right-of-way South 84 degrees 25' 10" East, 1163.91 feet to a point, and said point being the TRUE POINT OF BEGINNING.*

*THENCE, continuing along said right-of-way South 84 degrees 25' 10" East, 55.52 feet to a point; thence leaving said right-of-way (1' East of the back of the curb) and along a curve to the left, a radius of 40.00 feet, an arc length of 18.80 feet, and a chord bearing South 18 degrees 55' 37" West, 18.63 feet to a point; thence South 5 degrees 27' 45" West, 22.53 feet to a point; thence along a curve to the right, having a radius of 103.00 feet, an arc length of 6.87 feet, and a chord bearing of South 7 degrees 22' 25" West, 6.87 feet to a point; thence South 9 degrees 17' 05" West, 173.74 feet; thence along a curve to the left, having a radius of 99.00 feet, an arc length of 6.60 feet, and a chord bearing of South 7 degrees 22' 25" West, 6.60 feet to a point; thence South 05 degrees 27' 45" East, 323.47 feet; thence along a curve to the left, having a radius of 29.00 feet, an arc length of 45.47 feet and a chord bearing of South 39 degrees 27' 26" East, 40.95 feet to a point; thence South 84 degrees 32' 15" East, 246.03 feet; thence South 5 degrees 27' 45" West, 26.00 feet (1 foot South of edge of pavement); thence North 84 degrees 32' 15" West, 247.95 feet to a point; thence along a curve to the left, having a radius of 27.00 feet, an arc length of 42.41 feet, and a chord bearing of South 50 degrees 27' 45" West, 38.18 feet to a point; thence North 84 degrees 32' 15" West, 39.15 feet to a point on the West property line of D.B. 6006, PG 1775; thence along said West property line North 5 degrees 27' 45" East, 633.05 feet to the TRUE POINT OF BEGINNING. Containing 0.778 acre of land.*

*Prior Deed Reference: Deed Record 6006, Page 1775.*



700 nilles road  
fairfield, oh 45014  
(513) 829-2149  
fax (513) 829-2457

June 4, 1999

DESCRIPTION:

6.355 Acre Tract

LOCATION:

Chesterwood Village  
Union Township  
Butler County, Ohio

Situated in Section 11, Township 3, Range 2 of Union Township, Butler County, Ohio, and being a 6.355 acre tract of land further described as follows;

Beginning at a point found by measuring from the Northwest corner of the Northwest Quarter of Section 11, Township 3, Range 2, along the North line of said Section 11 South 84°08'21"East, 724.76 feet; thence leaving said North line South 5°59'22"West, 58.24 feet to a point on the Southerly right-of-way line of Tylersville Road; thence along said right-of-way line South 84°25'10"East, 1219.43 feet to a point on the Easterly side of Chesterwood Boulevard, and the true point of beginning;

- thence from the point of beginning thus found continuing along said right-of-way line of South 84°25'10"East, 464.48 feet;
- thence leaving said right-of-way line South 5°27'45"West, 578.98 feet to a point on the Northerly side of Chester Court (a private street);
- thence along said Northerly side North 84°32'15"West, 451.93 feet;
- thence along a 29.00 foot radius curve to the right an arc length of 45.47 feet, a chord bearing of North 39°27'26"West, a chord distance of 40.95 feet to a point on the Easterly of side Chesterwood Boulevard (a private street);
- thence parallel with Chesterwood Boulevard (1 foot east of the back of curb) North 05°27'45"East, 323.47 feet;
- thence along a 99.00 foot radius curve to the right an arc length of 6.60 feet, a chord bearing of North 07°22'25"East, a chord distance of 6.60 feet to a point;
- thence North 09°17'05"East, 173.74 feet;
- thence along 103.00 foot radius curve to the left an arc length of 6.87 feet, a chord bearing of North 7°22'25"East a chord distance of 6.87 feet;
- thence North 5°27'45"East 22.53 feet;
- thence a 40.00 foot radius curve to right an arc length of 18.80 feet, a chord bearing of North 18°55'37"East 9.58 feet to the point of beginning containing 6.355 acres of land and being subject to all rights-of-ways and easements of record.

I, Todd K. Turner being a registered surveyor in the State of Ohio, and having registration #7684 do hereby certify that the above stated description is a complete, proper and legal description of the aforementioned 6.355 acre tract of land.

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