



*Anthony*

CITY OF GAHANNA

July 13, 2010

Andre Buckles  
65 South Fifth Street  
Columbus Ohio 43215-4307

Dear Mr. Buckles

We are sending this letter as a further clarification of Mayor Stinchcomb's letter of July 8. The Mayor is out of town this week. Therefore, this letter is jointly signed by us on her behalf in order to give you the necessary assurances with respect to the matters contained in this letter so that the donation of the roadway property on Thursday may proceed as planned.

Paragraph 4 of Mayor Stinchcomb's July 8 letter addresses future access points and also references Gahanna City Code Section 1151.04 as such section relates to the access points. The City recognizes your desire to have the maximum number of access points permitted to benefit the Development Property. Accordingly, in addition to the creation of the parkland property, the City has agreed to support the creation of three tracts of real property which will constitute the Development Property, containing the 12.138, the 24.680 and the 41.365 acres, respectively, to the City Planning Commission. The previous lot split (SWP-1-2010) which was approved on April 28, 2010, authorized the road and the park property to be split from the larger parcel and now needs to be modified to adjust for the park road. The proposed lot split will include the parkland property as modified for the park road and the three parcels mentioned above which were depicted as future lots splits on the previously approved lot split. We will have the lot split application completed and ready for your signature as the owner at the time of the closing. The lot split will be presented at the planning commission meeting of August 11, 2010.

Thank you.

*Paul C. [Signature]* City Engineer

*Thomas R. Kneeland*  
Thomas R. Kneeland  
Acting Mayor



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July 8, 2010

Andre Buckles  
65 South Fifth Street  
Columbus, OH 43215-4307

Re: TechCenter Drive Donation Clarification

Dear Mr. Buckles:

I am hopeful that we can close soon on the proposed donation of the right-of-way for the TechCenter Drive. The deadline to meet the ODOT schedule for securing the right-of-way is approaching. There are a few items that you have asked to be clarified to protect the interest of the property owner as follows:

- 1) Delay of Donation of the Park Property - The delay until the donation can offset the income derived from selling portions of the residual property is reasonable and will be accepted by the City. This delay is in accordance with the terms of the executed agreement provided there is an acknowledgement in writing. You have agreed that the Park property will be donated no later than December 31, 2020 and may be donated in one or more phases earlier to that date as sufficient sales of property justify such donation.
  
- 2) Sanitary Sewer Availability to the Residual Property - The property to the north of the proposed TechCenter is adjacent to the existing sanitary sewer line on the property and there does not appear to be any obstacle to those properties accessing that sewer. The 12-acre portion to the south of the proposed road will need to have a short sewer extension through the proposed park property. The City is committed to building the line into the property as shown on the attached map. This will require that a sanitary sewer easement be granted for this purpose across the park property. Since the park property will need the surveyor to modify the park property donation description, the City will contract with the surveyor to include this as part of the modification. The City will commit to building the sewer prior to the need of potential users of the 12-acre site.



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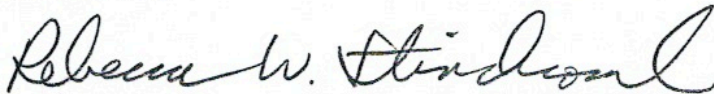
- 3) Water to the 12-Acre Residual Site South of TechCenter- The final plans will show a 6-inch line crossing the proposed TechCenter Drive to this site. It will include a fire hydrant as the fire department will request this for future development. (see attached email from Abby Lyles of TranSystems)
  
- 4) Future Access Points - The City will require future development of the residual properties to conform to the City access management policies in effect as of the date of donation of the right-of-way. The environmental document section K states that ODOT is in control of the limited access right-of-way line and the city will be in control of TechCenter Drive after construction is complete. ODOT considers TechCenter Drive to be a city street where it is beyond the limited access lines. Major access points to large traffic generators will best be served by controlled access points particularly if signal warrants are met. Signal spacing should be more than 650-feet. The proposed TechCenter drive will have signals at Hamilton Road and at Morrison Road. Access points which align serving areas on both north and south of TechCenter at station 7+50 and at station 26+00 would satisfy these requirements. These locations are a sufficient distance from the bridges for safety purposes. In connection with the above, the City will recommend that the Planning Commission approve the construction of three (3) full access points on the north side of TechCenter Drive and two (2) full access points on the south side of TechCenter Drive according to Gahanna Code Section 1151.04 B9, all for access to property retained by Mr. Buckles for development. (the development property) There will be no charge or assessment of any kind for the use of the curb cuts. Appropriate right in/right out access points will also be permitted on both sides of TechCenter Drive as development may reasonably dictate. Any traffic signals installed at the full access points on TechCenter Drive shall be at the expense of the City unless otherwise agreed by both the property owner of the development property and the City.
  
- 5) Stormwater Management Plan for Future Development - The Gahanna Codified Ordinances Section 1193.05 Waivers (d) (5) provides for waivers of detention requirements in areas that directly discharge into the Big Walnut Creek. This is because the peak flows from storms are offset between the large drainage area of the Big Walnut and the small drainage areas of local sites. Our stormwater plan for this development site is for direct discharge into the Big Walnut through the proposed culvert. The requirements for water quality must still be met by the individual developments. This issue was also of concern to ODOT during the

preliminary planning stages. The preceding statement conforms to assurances provided to ODOT in the approved environmental document section K.

- 6) Access During Construction - It is standard practice for ODOT to provide access to properties during construction as is indicated in the environmental document section K. This site is peculiar in that the existing access is for farm use and does not have the appearance of a more formal driveway entrance. The area just north of the existing barrier at Hamilton Road is currently used as an access road and could easily be modified to provide adequate access for farming or construction. Some of the particulars will need to be coordinated during construction, but ODOT is consistent in implementing their policies of maintaining access. There will also be a plan note reinforcing the need to maintain access. Should there be problems with a connection to the eastern half of the property during construction the City is committed to providing assistance in building a temporary creek crossing. When construction is complete, the City will coordinate with farming operations to provide access to all three of the residual farm sites. We recognize that this will involve large grain trucks as well as farm equipment.

Hopefully, this letter satisfies your concerns with the interests of the remaining property for both existing agricultural use as well as future development. I am looking forward to closing on the right-of-way donation so that we can meet the ODOT/Federal Highway schedule and get the road built to our mutual long term benefit.

Thank You,



Rebecca W. Stinchcomb  
Mayor, City of Gahanna

Cc: Brandi Braun  
Tony Collins  
Anthony Jones  
Sadicka White