



Union Township

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ZONING COMMISSION AGENDA

Wednesday, March 22nd, 2023

7:00 P.M.

***Location: Trustee Meeting Hall; Union Township Civic Center**

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. ACTION ON MINUTES

E. OLD BUSINESS – NONE TO BE RE-OPENED

F. NEW BUSINESS

Request:

CASE# 3-23-Z

A Zone Map Amendment from R-2 to PD to allow the expansion of an existing parking area for a commercial use.

Owner:

Applicant:

Site Location:

Parcel #s

Existing Zoning:

Size:

Cowboy Properties LLC and
Holman Brothers Real Estate LLC

1037 Old State Route 74, 1055 Old State Route 74, 1065 Old
State Route 74

413104B053., 413104B022., 413104B018.

Single Family Detached Structure Residential (R-2)

12.374 Acres

G. ADMINISTRATIVE

- To discuss potential special projects and potential ordinance amendments to the Union Township Zoning Resolution



Staff Report, Case# 3-23-Z:

NATURE OF REQUEST

The Applicants have applied for a Zoning Map Amendment, requesting that three (3) parcels (PIN #s referenced below) totaling 12.374 acres be rezoned from Single-Family Detached Structure Residential (R-2) to Planned Development (PD) to allow the expansion of an existing parking area.

LOCATION

The subject property, owned by Holman Brothers Real Estate LLC and Cowboy Properties LLC, is located on the south side of Old State Route 74 between the intersections of Tealtown Rd. (to the west) and Schoolhouse Rd. (to the east). *PIN #s #413104B053., #413104B022., #413104B018.*

ZONING

All three (3) properties, each with frontage along Old State Route 74, are zoned Single-Family Detached Structure Residential (R-2). The affected property is bordered to the north, northwest and northeast by Single-Family Detached Structure Residential (R-2) zoning. To the north, south, southeast, and west the adjoining property is zoned Planned Development (PD)—with property to the south, east, and west owned by Holman Brothers Real Estate LLC. *The adjoining Holman Brothers Real Estate LLC property was rezoned to PD in early 2017 for the growth and expansion of the Holman Motors Automotive and RV Sales & Service Facilities, specifically to allow a gravel storage lot with security fencing and lighting.*

RELATIONSHIP TO THE UNION TOWNSHIP COMPREHENSIVE PLAN

The Horizon 2030: Union Township Comprehensive Land Use Plan indicates that the proposal is located within the Old SR 74 (Summerside/Willowville) Corridor. The Plan acknowledges that this area of the Township is suitable for limited commercial expansion / redevelopment, provided that smaller, fragmented parcels are consolidated under a cohesive development plan with limited / coordinated access, land use controls, etc. The Plan also specifies that the Planned Development (PD) District is the precise mechanism to achieve planning goals—and to convert residential properties to commercial—in this area of the Township. Additionally, the Plan indicates that the southern portion of the corridor remains desirable for higher intensity commercial development, similar to the adjoining Holman Motors PD areas already established to the south, east, and west of the subject parcels.

Old State Route 74 is a Minor Arterial 2-lane roadway with a left-turn lane (in the center), and with a traffic volume of approximately 10,836 average daily trips (ADT) in the area of the proposed project. New commercial developments, along with increased (adjacent) residential growth and proposed network enhancements, have positively impacted the character of the Corridor Focus Area since the formulation of the last plan. However, limited pedestrian connectivity has been established. Therefore, for new development and / or redeveloping properties that are located within 200' of an existing sidewalk, (new) sidewalks are required to be installed along a project's roadway frontage. *In this instance, the proposed development is more than 200 feet from an existing sidewalk on the south side of the road. There are, however, sidewalks on the north side of Old State Route 74 in the area of this project.*

Among other things, the Horizon 2030: Union Township Comprehensive Land Use Plan calls for shared driveway configurations whenever practical, and for site development to be conducted in a manner that focuses on maximizing land use efficiency with infill development strategies for underutilized properties. For commercial development and redevelopment, the use of traditional building materials, and the deployment of adequate vegetative buffering and landscaping strategies along shared property lines, and the addition of landscaping enhancements along the corridor frontage is required. Additionally, the Plan indicates that new developments and expansion efforts along the corridor must implement noise and / or light pollution reduction strategies wherever practicable.

RELATIONSHIP TO THE UNION TOWNSHIP ZONING RESOLUTION

Please refer to Article 6, Sections 680-684 and Section 687 of the Union Township Zoning Resolution with respect to “PD” Planned Development District regulations:

680. “PD” Planned Development District.

The “PD” District’s purpose is to provide sites for business or mixed business/residential developments at appropriate locations in relation to existing and potential land uses; to afford an attractive setting for developments; and to harmonize proposed developments with surrounding land uses. These regulations are established pursuant to authorization under Ohio Revised Code Chapter 519 (2001), as amended, for townships to adopt Planned-unit Development zoning.

681. Regulation Conflict.

If a conflict arises between these “PD” regulations or an approved “PD” plan and other sections of this resolution, the “PD” regulations and approved plan shall prevail for land zoned Planned Development District.

682. Approved Plan Governs Use.

Land use for any property in the “PD” District shall be consistent with the use, design, and details contained in the approved “PD” plan for that property and any conditions of approval. Other applicable regulations from this resolution, such as nuisance regulations, also apply to “PD” property. Pursuant to an approved plan, allowed uses in the “PD” District may include those stated in the “B-1” and “M-1” Districts, or substantially similar uses as determined by the Zoning Commission and Board of Trustees. Integrated residential use with commercial development may be considered for approval in the “PD” District, with residential density not to exceed that of the “R-1” District.

683. Procedure to Rezone Property to “PD.”

1. The property owner may submit an application for a zone change to “PD” Planned Development District to the Union Township Planning & Zoning Department. The application shall contain fifteen (15) copies of the completed form, attachments, a site plan conforming to the “site plan requirements” below, and the required fee.
2. The application shall be processed in accordance with Ohio Revised Code Chapter 519 (2001), as amended.

684. “PD” Plan Requirements.

1. All site plans shall contain the elements stated in [Section 1131](#). In addition, the following shall be included on the plan:
 - a. Building lot area coverage percentage.
 - b. Residential density, if applicable.
 - c. Detailed description of façade materials for all proposed structures.
2. The site plan shall contain on the cover the following signature lines to be signed by the property owner and Planning & Zoning Director before a zoning certificate is issued...
3. A separate landscaping page shall be included in the plan, illustrating the following:
 - a. Landscaping over ten percent of the lot area. Detention/retention areas are not considered part of the ten percent requirement.
 - b. Location and description of landscape plantings, groundcover, and specific treatment of any other open spaces
 - c. A ten-foot landscaped buffer yard along any public right-of-way or private street easement. A continuous three-foot grass (or other plant covered) berm or continuous row of three-foot-tall (at planting) shrubs, setback at least three feet from the right-of-way or easement line, shall be provided within the buffer yard.
 - d. A twenty-foot landscaped buffer yard along any adjoining residential zone. The buffer yard must also contain one of the following screening mechanisms:
 - (1) A continuous wood privacy fence at least six feet high and at least one tree four feet tall (at planting) spaced every ten feet on the neighbor’s side of the fence; or
 - (2) A continuous row of evergreens at least six feet tall (at planting), spaced no more than five feet; or
 - (3) A continuous grass (or other plant covered) berm at least five feet tall and at least one tree four feet tall (at planting) spaced every ten feet along the berm crest.
 - (4) If existing natural vegetation is proposed as screening, the landscape plan must provide detail of existing conditions sufficient to show screening equivalent to the above exists, and with sufficient detail for future zoning enforcement purposes.
 - e. Buffer yards must be landscaped and may not contain any other uses. Landscaped detention/retention may be placed in the buffer yard provided it does not interfere with the adjoining property.
 - f. In addition to the ten percent general landscaping requirement, internal planting islands equal to five percent of the entire parking lot area shall be placed within parking lots. The islands shall be dispersed so to break up the pavement expanse. Internal planting islands shall be curbed, and contain a minimum area of one hundred twenty square feet and eight feet of width. At least one shade-type tree a minimum of eight feet tall at installation shall be included for each two hundred square feet of internal planting area. Developments with twenty or fewer total parking spaces are exempt from this requirement.

687. **Supplemental Provisions.**

1. Signage shall be consistent with the nature and scope of the development exclusive of Article 9.
2. Buffer yards, screening, landscaping, vegetation, and all other plan elements shall be in place by the time the Union Township Planning & Zoning Department issues a certificate of occupancy, or at such time as construction substantially ceases, whichever occurs first.
3. The failure to maintain open spaces, hard surfaces, and landscaping in good condition is a violation of the "PD" plan.
4. Forty feet of right-of-way shall be dedicated for all properties fronting on public streets. The forty feet of right-of-way is "half" right-of-way, i.e., measured from the center of the road. By specific motion, the Zoning Commission or Board of Trustees may exempt a development from this requirement if appropriate. If total right-of-way equals eighty feet or more, no additional right-of-way shall be required unless necessary for special circumstances or improvements.
5. Prior to issuance of a zoning certificate, the property owner shall provide to the Planning & Zoning Department copies of executed and recorded cross easements to all adjoining property owners that share a common street frontage (public or private) with the "PD" property. The cross easements shall allow, at a minimum, use by automobile and delivery vehicle traffic. The general location of the cross connections shall be shown on the "PD" plan. By specific motion, the Zoning Commission or Board of Trustees may waive this requirement if appropriate. The requirement is waived automatically if a publicly dedicated frontage road serves both the development and adjoining properties.
6. Prior to issuance of a zoning certificate, the Applicant shall record all necessary plats consolidating, dividing, and dedicating right-of-way consistent with the boundaries represented on the "PD" plan and/or conditions or approval.
7. Any exterior pole lighting, canopy lighting, or similar lighting shall be flat lens design and shielded so that all light is down directed. Sag lens lighting is prohibited. Where the "PD" property adjoins or is within one hundred fifty feet of a residential zone, lighting shall be directed away from the residential property. Any building mounted lighting shall contain shields directing lighting downward preventing spillover onto adjoining property. If within fifty feet of a residential zone, building mounted lighting facing the residential property (other than recessed soffit mounted lights) shall be installed no higher than four feet from grade.
8. Parking requirements shall comply with Article 8, Off-Street Parking and Loading Regulations, unless otherwise modified in the plan. A justification note shall accompany any modification on the plan.
9. Building lot area coverage may not exceed thirty-five percent and building height may not exceed seventy-five feet.
10. Minimum building separation shall be maintained in accordance with fire and building codes. The number of buildings per lot, minimum setbacks (except for residential and right-of-way buffer yards), and minimum lot size are otherwise variable for the "PD" District.
11. The Applicant shall make available in advance of any hearing by the Zoning Commission the results of any site distance or traffic study requested by the Clermont County Engineer. The Applicant shall also provide confirmation from the appropriate governmental agency showing resolution of any issues raised pertaining to the development. Failure to provide this information in adequate time or advance review by Zoning Commission members may be grounds for denial of the application.
12. The standards and conditions stated in these regulations are minimums. The Planning & Zoning Director, Zoning Commission, and Board of Trustees may impose higher standards if warranted based upon the unique circumstances of a given development.
13. No construction shall proceed prior to the issuance of a zoning certificate. No property shall be used or occupied prior to issuance of a certificate of occupancy endorsement from the Union Township Planning & Zoning Department.
14. The Board of Zoning Appeals is without authority to alter or amend "PD" plans.

STAFF REVIEW & ANALYSIS

The Applicants acquired the three (3) subject parcels from February of 2017 to October of 2021. As noted earlier, in February of 2017, Union Township rezoned the (adjoining) parcel to Planned Development (PD)—in accordance with the plan submitted by the Applicants for a gravel storage lot, with security fencing and lighting installed on the property. The current, proposed plan is for similar use(s). **Please refer to the Applicants' statements, plans, and other application enclosures for more information regarding this application / request.*

The Applicants' proposal appears to meet the objectives of the Horizon 2030: Union Township Comprehensive Land Use Plan's Future Land Use Policies and Recommendations for the Old SR 74 (Summerside/Willowville) Corridor. The proposal would result in the consolidation of fragmented and underutilized parcels, while establishing a high-intensity commercial use along SR 32. Vegetative buffering provided on the plan would result in the enhancement of the overall condition of the site. Recent stormwater improvements have been made and compliance is being / would be addressed through the County's review process. Additionally, the Applicants would meet or exceed all of the minimum setbacks for the proposed use(s), and the uses are consistent with the existing Holman Motors PDs located to the east and west of the subject properties. As mentioned earlier in this report, the utilization of Planned Development (PD) District is the precise mechanism to achieve planning goals—and to convert residential properties to commercial—in this area of the Township.

At present, the current remaining technical questions and issues are set forth in the "Recommended Modifications" section of this report.

ACTION REQUIRED

In accordance with Sections 680-687 of the Zoning Resolution, the Zoning Commission's role in this process is to either enter a motion to recommend approval, approval with some modification(s), or denial of the Applicants' request to rezone the subject property, as submitted.

RECOMMENDED MODIFICATIONS

If the Board should choose to forward a favorable recommendation to this PD Zone Map Amendment request, staff recommends that these additional items be modified and / or otherwise be adequately addressed prior to final Township action:

- 1) The Applicants would need to address any concerns of the County Engineer, Clermont County Water & Sewer District, Clermont County Building Department, the Union Township Fire Department, and / or other regulatory agencies having jurisdiction over the proposed development prior to any final Township action.
- 2) The Applicants would need to provide additional details for the proposed landscaping plan—and acknowledge and perhaps enhance and / or replace plantings (particularly along the western property line of the previously approved PD and between the proposed / new parking areas and the adjacent residential areas and the road). *All landscaping buffers should be marked as preservation areas, and any vegetation disturbed should be repaired, supplemented, or replaced.* This is an item that can be addressed administratively by staff.
- 3) A signage plan would ultimately need to be submitted, if applicable. All free-standing signage should be limited to monument signage, capped at a height of not more than 10' from finished grade, subject to administrative review and approval.
- 4) There is no lighting proposed at this time; however, all lighting (if needed in the future) would need to be downward directed, and of sufficient intensity to illuminate without projecting onto the adjoining residential property. *Details / specs of proposed lighting would be necessary; however, this is an item that could / would be addressed administratively by staff.
- 5) Ultimately, a new survey and legal description of all consolidated acreage would need to be provided, prior to any final action. This is an item that can be addressed administratively by staff.

PLANNED DEVELOPMENT

SITE PLAN
HOLMAN MOTORS
PAYTON'S MILITARY SURVEY NO. 3856
CLERMONT COUNTY, OHIO

GRAPHIC SCALE
100 0 50 100 200
1' = 100'

REFERENCE SURVEY

TL90-0288
PC13-0198
UNI2-0151
18M-162
CLERMONT COUNTY OHIO
RECORDS

EXISTING ZONING

"R-2" RESIDENTIAL
UNION TOWNSHIP ZONING

FEMA INFORMATION

PROJECT LOCATED IN ZONE "X" AREA OF
MINIMAL FLOOD HAZARD
39025C0225G EFFECTIVE DATE 3/16/2006
PANEL NOT PRINTED

LANDSCAPE INFORMATION

LANDSCAPE AREA REQUIRED = 10% OF NET AREA
NET AREA = 11.43 ACRES
11.43 ACRES x 0.10 = 1.143 ACRES REQUIRED
LANDSCAPE AREA PROVIDED = 1.157 ACRES
A MINIMUM 20' LANDSCAPE BUFFER IS PROPOSED
ADJACENT TO THE R-2 LOTS.
ALL EXISTING AND PROPOSED TREES ARE GREEN
GIANT ARBORVITAE
PROPOSED TREES ARE TO BE 4' HIGH MINIMUM.

BEARINGS BASED STATE
PLANE COORDINATE SYSTEM
OHIO SOUTH ZONE (NAD 83)

SITE NOTES

- 1 NO LIGHTING IS PROPOSED FOR THIS PROJECT
2. NO BUILDINGS ARE PROPOSED FOR THIS PROJECT.
3. DUE TO PROPOSED USE OF THE AREA
APPLICANT REQUEST THAT THE REQUIREMENT FOR
INTERIOR LANDSCAPING BE WAIVED.
4. THE PROPOSED PARKING AREA WILL ADD
APPROXIMATELY 150 SPACES FOR TRAILER AND
VEHICLE STORAGE.
5. WORK IS TO BEGIN IN LATE SPRING 2023 AND FINISH
MID SUMMER 2023.

P.I.N. 41-31-04B-074
HOLMAN BROTHERS REAL ESTATE LLC
4387 ELLICK LANE
O.R. 1843 PG. 2177
TL90-0288

I certify that this "PD" plan meets the requirements set by Union Township and
is the approved "PD" plan for this property.

Director of Planning & Zoning (date)

I certify that I am the owner of the property shown herein and adopt this "PD"
plan as my development for the property. I must obtain a zoning certificate
prior to construction.

(date)
(print name)

Drawn By: J.KAFFENBERGER

C 0.2

Job No: 8273-20



P.I.N. 41-31-04B-005
FIRST BAPTIST CHURCH OF GLEN ESTE
1030 OLD STATE ROUTE 74
O.R. 2130 PG. 1012
TL87-0024

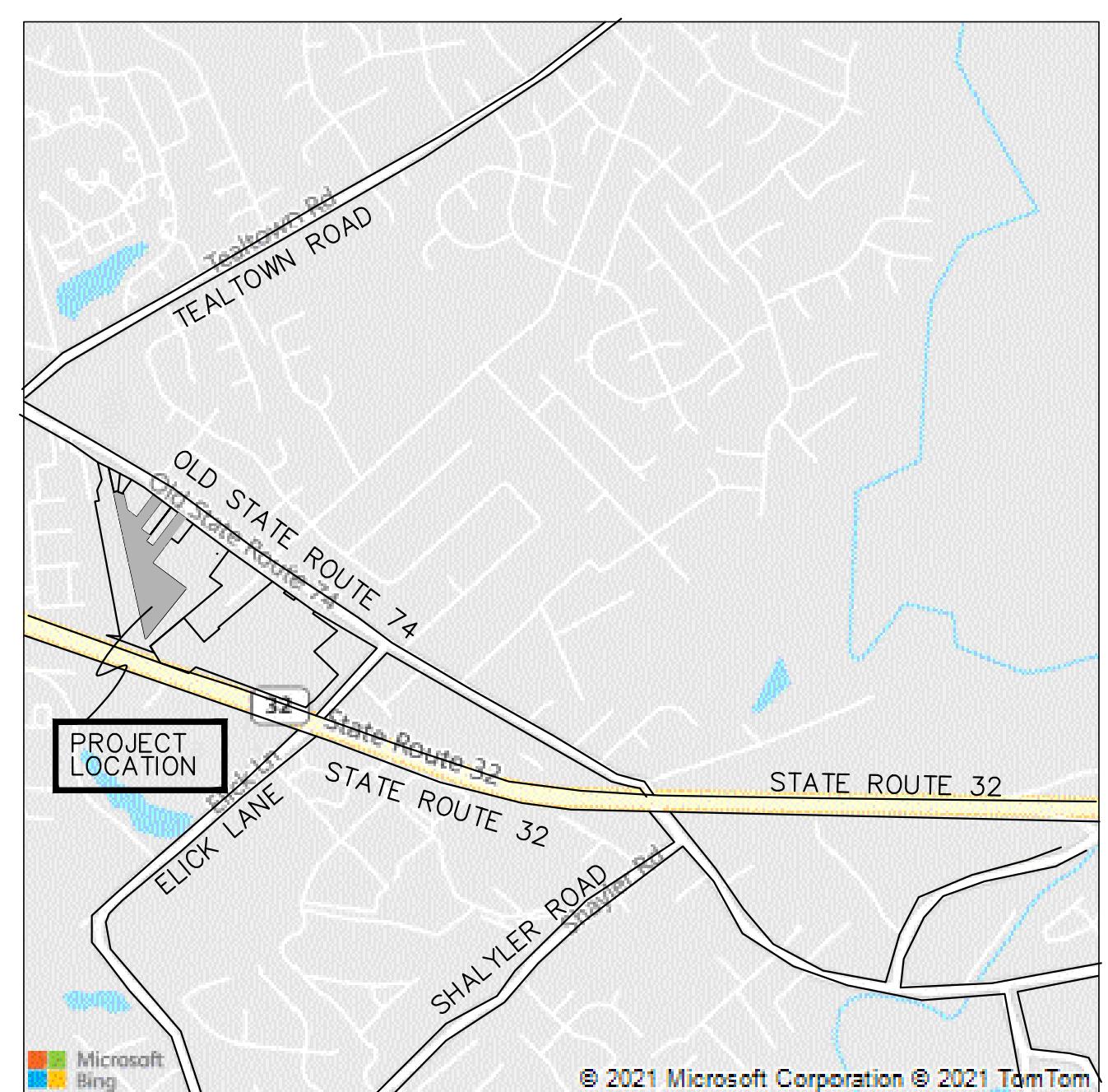
P.I.N. 41-31-04B-011
FIRST BAPTIST CHURCH OF GLEN ESTE
1034 OLD STATE ROUTE 74
O.R. _____ PG. _____
TL33-0025

OWNER

HOLMAN BROTHERS
REAL ESTATE LLC
1037 OLD STATE ROUTE 74
O.R. 2858 PG. 4469
COWBOY PROPERTIES LLC
1059 OLD STATE ROUTE 74
O.R. 2899 PG. 2825

ENGINEER/SURVEYOR

THOMAS GRAHAM ASSOCIATES, INC.
803 COMPTON ROAD, SUITE A
CINCINNATI, OHIO 45231-3819
ATTN: TIM GREIVE, P.E.
(513) 521-4760
FAX (513) 521-2439



VICINITY MAP
N.T.S.

E-RECORDING
202000031840
Filed for Record in Clermont County, Ohio
Deborah Hall Clepper, Recorder
11/12/2020 08:34 AM Recording Fees: \$58.00
DEED OR 2858 / p4469 - p4473

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That Dan Clements and Gayle Clements, husband and wife, Ray Ayers and Gail Ayers, husband and wife, and Ron Madden and Cathy A. Madden, husband and wife ("Grantor"), do hereby GRANT WITH GENERAL WARRANTY COVENANTS to Holman Brothers Real Estate, LLC, an Ohio Limited Liability Company ("Grantee"), the following real property:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

PROVIDED, HOWEVER, that this conveyance is expressly made subject to and there are excepted from Grantor's General Warranty Covenants any and all covenants, conditions, easements, agreements, and restrictions of record, public highways, and real property taxes and assessments that are a lien, but not yet due and payable, which Grantee assumes and agrees to pay.

TAX MAILING ADDRESS: 4387 Elick Lane, Cincinnati, OH 45103

IN WITNESS WHEREOF, Grantor has signed this Deed effective as of 6th day of November, 2020.

*****SIGNATURE PAGE FOLLOWS*****

SIGNATURE PAGE OF GRANTOR FOR GENERAL WARRANTY DEED

Dan Clements

Dan Clements

Gayle Clements

Gayle Clements

This is an acknowledgement certificate; no oath or affirmation was administered to the signer with regard to this notarial act.

STATE OF OHIO
COUNTY OF ~~HAMILTON~~
~~CLEMENTS~~

The foregoing instrument was acknowledged before me this 6th day of November, 2020 by
Dan Clements and Gayle Clements, husband and wife.

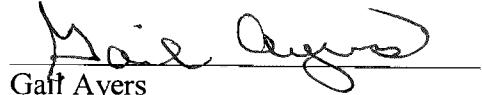
J. J. Braun
Signature of person taking acknowledgment
Title or rank _____
Serial number _____



JOSEPH J. BRAUN
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration
Date, Section 147.03 O.R.C.

SIGNATURE PAGE OF GRANTOR FOR GENERAL WARRANTY DEED

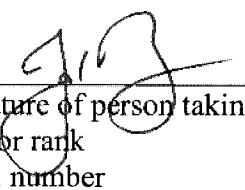

Ray Ayers


Gail Ayers

This is an acknowledgement certificate; no oath or affirmation was administered to the signer with regard to this notarial act.

STATE OF OHIO
COUNTY OF ~~HAMILTON~~
~~Clermont~~

The foregoing instrument was acknowledged before me this 6th day of November, 2020 by Ray Ayers and Gail Ayers, husband and wife.


Signature of person taking acknowledgment
Title or rank _____
Serial number _____



JOSEPH J. BRAUN
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration
Date, Section 147.03 O.R.C.

SIGNATURE PAGE OF GRANTOR FOR GENERAL WARRANTY DEED

Ron Madden
Ron Madden
Cathy A. Madden
Cathy A. Madden

This is an acknowledgement certificate; no oath or affirmation was administered to the signer with regard to this notarial act.

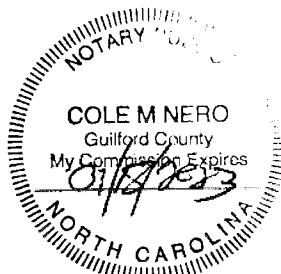
STATE OF NORTH CAROLINA
COUNTY OF Guilford

The foregoing instrument was acknowledged before me this 5 day of November, 2020 by Ron Madden and Cathy A. Madden, husband and wife.

Col M Nero

Signature of person taking acknowledgment
Title or rank
Serial number 201727500108

This instrument prepared by:
Margaret E. Cunningham, Esq.
Strauss & Troy LPA
The Federal Reserve Building
150 East Fourth Street, 4th Floor
Cincinnati, Ohio 45202-4186



This Conveyance has been examined
and the Grantor has complied with
Section 319.202 of the Revised Code.
Purchase Price: \$900,000.00
Transfer #6535 Transfer Fee: \$0.50
Conveyance Fee: \$3,600.00

Filed with the office of

Linda L. Fraley
11/12/2020
BY: smurray

EXHIBIT A
Legal Description

SITUATED in Peyton's Military Survey No. 3856, Union Township, Clermont County, Ohio, and being more particularly described as follows:

Beginning at an existing bolt in the centerline of Old State Route No. 74, said bolt being easterly for a distance of 731.8 feet, as measured along the centerline of old State Route No. 74, from the centerline intersection of Old State Route No. 74 and Tealton Road;

THENCE continuing with the centerline of Old State Route No. 74, South 62°27'59" East for a distance of 283.58 feet to a point in said centerline;

THENCE leaving said road with the westerly line of lands of William and Carol Kilgore South 34°12'17" West (passing an iron pin set at 30.20 feet) for a total distance of 164.37 feet to an existing iron pipe;

THENCE with the southwest line of said Kilgore South 12°55'19" East for a distance of 197.13 feet to an existing iron pin corner to Joe Conley;

THENCE with the southerly line of said Conley and Larry Stevens South 53°04'00" East for a distance of 134.00 feet to an iron pin set corner to said Stevens and in the line of Helen Hemerding;

THENCE with the northwest line of said Hemerding South 36°59'05" West for a distance of 148.40 feet to an iron pin set corner to said Hemerding and John and Sue Disney;

THENCE with the West line of said Disney South 12°49'00" East for a distance of 228.10 feet to an iron pin set;

THENCE with southwest line of Disney, Dallas and Norma Hinkle and James Sr. and Vivian Sauls South 53°44'00" East, for a distance of 716.48 feet, to an iron pin set corner to Sauls and in the westerly line of Flick Family Trust;

THENCE with said westerly line South 38°19'36" West for a distance of 697.80 feet to an existing iron pin corner to Flick Family Trust and Joan Lancaster;

THENCE with the east line of said Lancaster North 12°40'33" west (passing an iron pin set at 1858.86 feet) for a total distance of 1898.14 feet to the place of beginning.

Said property contains 8.825 acres more or less and being subject to legal highways and easements of record.

The above described real estate is the same premises described as recorded in Deed Book 554, page 638 of the Clermont County, Ohio, Deed Records and identified as parcel No. 41-31-04B-053 on the Tax Maps of said County.

Being the result of a survey and plat dated June 1, 1994, made under the supervision of John C. Hewett registration No. 7550 in the State of Ohio.

Auditor's Parcel Number: 41-31-04B-053
Prior Instrument: OR Book 2330, Page 1129

11/10/2020

Legal Description

APPROVED

Clermont County, OH Engineer

Jeremy P. Evans, P.E., P.S.

BY: JGRANT

413104B053. 8.825 AC TL23-88

10/25/2021

Legal Description

APPROVED

Clermont County, OH Engineer

Jeremy P. Evans, P.E., P.S.

BY: ALEACH

413104B022. 2.1687 AC TL95-0347

This Conveyance has been examined
and the Grantor has complied with
Section 319.202 of the Revised Code.

Purchase Price: \$0.00Transfer #7251 Transfer Fee: \$0.50Conveyance Fee: \$0.00

Filed with the office of

Linda L. Fraley

10/25/2021

BY: knahirniak

202100034805

Filed for Record in Clermont County, Ohio

Deborah Hall Clepper, Recorder

10/25/2021 02:28 PM Recording Fees: \$34.00

DEED OR 2899 / p2825 - p2826

QUIT CLAIM DEED, Short Form, Statutory Form No. 27-S**QUIT CLAIM DEED ***

2021-M-6257

Cowboy Properties, LLC, an Ohio Limited Liability Company, for valuable consideration paid, grants to
Cowboy Properties, LLC, an Ohio Limited Liability Company, whose Tax-Mailing Address is 4387 Ellick
 Lane, Batavia, Ohio, 45103, the following REAL PROPERTY: Situated in the County of Clermont in the State
 of Ohio, and in the Township of Union:

ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN BY REFERENCE

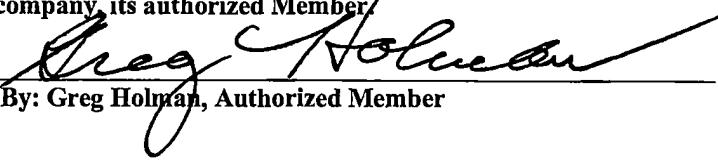
Subject to all legal highways and all easements and restrictions of record, if any.
 Excepting taxes and assessments, if any, due and payable after the date hereof, which the grantees herein assume
 and agree to pay.

Property Address: 1055 Old State Route 74, Batavia, Ohio 45103

Parcel Numbers: 41-31-04B-022

Prior Instrument Reference: Official Record Book 2897, Page 3502, and Official Record Book 2689, Page 177 in
 the official records of Clermont County, Ohio Recording Office.

Whereas the purpose of this deed is to combine the 1.0427 acres of land identified as P.I.N. 41-31-04B-021.
 with the 1.12 acres of land identified as P.I.N. 41-31-04B-022. to create a singled unified parcel known as
 2.1687 Acres of land P.I.N. P.I.N. 41-31-04B-022.

EXECUTED this 4th day of October, 2021.**Cowboy Properties, LLC, an Ohio Limited Liability Company**By: Holman Brothers Real Estate, LLC, an Ohio limited liability
 company, its authorized Member

 By: Greg Holman, Authorized Member

State of Ohio
 County of Clermont ss:

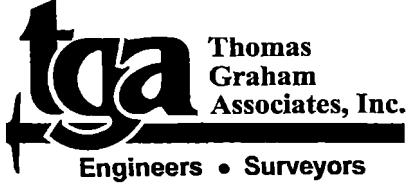
The foregoing instrument was acknowledged before me by **Cowboy Properties, LLC, an Ohio Limited Liability Company**, by Greg Holman, Authorized Member of Holman Brothers Real Estate LLC, an Ohio limited liability company, its duly authorized member of as of October 4th, 2021, who acknowledged this to be his voluntary act and deed on this 4th day of October, 2021.



JEREMY HAINES LITZ
 Notary Public
 Attorney at Law
 Notary Public, State of Ohio
 My Commission Has No Expiration
 Date Section 147.03 O.R.C.

This Instrument was prepared by:
 Jeremy H. Litz, Attorney-at-Law
 400 TechneCenter Drive
 Milford, OH 45150

*See Section 5302.11 Ohio Revised Code.



803 Compton Road, Suite A
Cincinnati, Ohio 45231-3819
(513) 521-4760
Fax (513) 521-2439
bobtrenkamp@tgraham.com

August 27, 2021

Description: 2.1687 Acres

Situated in Peyton's Military Survey #3856, Union Township, Clermont County, Ohio and being more particularly described as follows:

Commencing at a point in existing centerline of Old State Route 74 and the existing Northwest corner of property conveyed to Holman Brothers Real Estate LLC as recorded in O.R. 2675, Page 1930 of the Clermont County Recorder's Office; thence departing the said Northwest Corner with the said existing centerline of Old State Route 74, North 53° 44' 00" West, 423.00 feet to the point of beginning of the herein described parcel;

thence departing the said existing centerline of Old State Route 74, South 36° 44' 00" West, 384.55 feet to a set iron pin (passing a set iron pin in the existing South Right-of-Way line of Old State Route 74 at 30.00 Feet); thence South 53° 44' 00" East, 123.00 feet to a set iron pin; thence South 36° 44' 00" West, 73.85 feet to a set iron pin; thence South 53° 44' 00" East, 100.00 feet to a set iron pin; thence South 36° 44' 00" West, 149.40 feet to a set iron pin; thence North 53° 44' 00" West, 156.42 feet to a found iron pin; thence North 12° 49' 00" West, 228.10 feet to a found iron pin; thence North 36° 44' 00" East, 458.40 feet to the existing centerline of Old State Route 74 (passing a set iron pin in the existing South Right-of-way line of Old State Route 74 at 428.40 feet); thence with the said existing centerline of Old State Route 74, South 53° 44' 00" East, 107.00 feet to the point of beginning.

The above-described tract contains:

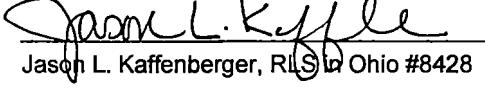
Gross Area = 2.1687 Acres
Area in R/W= 0.0737 Acres
Net Area = 2.0950 Acres

and is subject to easements and restrictions of record.

Bearings are based on Deed as recorded in Deed Volume 740 Page 26 of the Clermont County Recorder's Office.

The above-described real estate is part of the premises as recorded in O.R. 2689, Page 177 of the Clermont County, Ohio Deed Records and identified as P.I.N. 413104B022 on the tax Tax Maps of said county.

Being the result of a survey and plat dated August 5, 2021, made by Jason L. Kaffenberger,
Ohio Registered Surveyor No. 8428.


Jason L. Kaffenberger, R.S. # Ohio #8428

• Engineers



• Surveyors



1

3

This conveyance has been examined and the
Grantor has complied with Section 319.202
of the Revised Code.
Purchase Price \$ 600000.00
Transfer # 507 Transfer Fee \$.50
Conveyance Fee \$ 240.00
Filed with the office of
Linda L. Fraley, BB
Date 2-1-17 By: BB

201700002595
Filed for Record in
CLERMONT COUNTY, OH
DEBORAH HALL CLEPPER
02-01-2017 At 02:20 PM
DEED 36.00
OR Book 2688 Page 736 - 738



BK: 2688 PG: 736

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That Jeffrey Del Hinkle, unmarried ("Grantor"), for One Dollar (\$1.00) and other good and valuable considerations paid, receipt of which is hereby acknowledged, do hereby **GRANT WITH GENERAL WARRANTY COVENANTS** to **Cowboy Properties, LLC, an Ohio limited liability company** ("Grantee"), the following real property:

**SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED
HEREIN BY
THIS REFERENCE.**

PRIOR INSTRUMENT REFERENCE: Official Record Book 1270, Page 411 of the Clermont County, Ohio records.

AUDITOR'S REFERENCE: Parcel No. 41-31-04B.018.

PROVIDED, HOWEVER, that this conveyance is expressly made subject to and there are excepted from Grantor's General Warranty Covenants any and all covenants, conditions, easements, agreements and restrictions of record, and real property taxes which are a lien but are not yet due and payable.

TAX MAILING ADDRESS: 4387 Elick Lane, Batavia, OH 45103

IN WITNESS WHEREOF, the Grantor has caused this deed to be executed as of the 1 day of February, 2017.


Jeffrey Del Hinkle



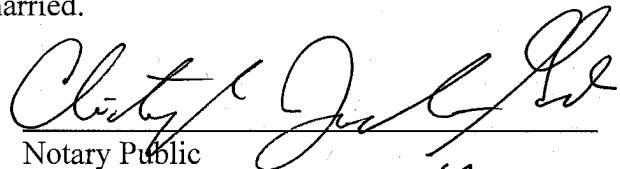
BK: 2688 PG: 737

STATE OF OHIO)
COUNTY OF CLERMONT) SS:

The foregoing instrument was acknowledged before me this 1 day of February, 2017 by Jeffrey Del Hinkle, unmarried.



Christopher Joseph Groeschen
Attorney at Law
Notary Public State of Ohio
My Commission # 147103 Expiration
Date Section 147103 O.R.C.



Notary Public
My Commission Expires: N/A

This instrument was prepared by:

Joseph J. Braun, Esq.
Strauss Troy Co., LPA
The Federal Reserve Building
150 E. Fourth Street, 4th Floor
Cincinnati, Ohio 45202

1242342_1



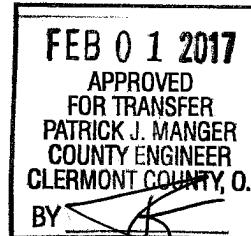
BK: 2688 PG: 738

Exhibit "A"
(Legal Description)

Situated in Union Township, Clermont County, Ohio and Military Survey No. 3858 bounded and described as follows:

Beginning at a point in the center of State Route No. 74, said point of beginning being at the northeast corner of a tract of 1.05 acres conveyed to Eva Altmaier by deed recorded in Deed Book 221, page 437, of the Deed Records of Clermont County, Ohio; thence with Altmaier's East line South 36° 44' West Six Hundred and Eight and 4/10 (608.4) feet to a stake in line of lands of Robert Hoffman; thence with Hoffman's line South 53° 44' East One Hundred (100) feet to a stake; thence North 36° 44' East Six Hundred and Eight and 4.10 (608.4) feet to a point in the center of said State Route No. 74; thence with the center of State Route No. 74 North 53° 44' West One Hundred (100) feet to the place of beginning; containing 1.38 acres, subject to all legal highways.

Subject to an Easement of record in Deed Book 221, page 437, of the Records in the Office of the Recorder of Clermont County, Ohio.



TD 41 BK 31 PG 048 PAR 018 - 1.38 Ac.