# 8540 KENWOOD ROAD, CINCINNATI, OH 45236 513.792.7250 PHONE 513.792.8571 FAX

APPLICATION NUMBER

ZONING COMMISSION APPLICATION

PROPERTY OWNER'S SIGNATURE

PUD I \$1,000 MAJOR AD PUD II \$1,200 MINOR AD	JUSTMENT TO A PUD \$200 JUSTMENT TO A PUD \$1,000 JUSTMENT TO LASR \$200 JUSTMENT TO LASR \$1,000		2023-06MA DO NOT WRITE IN THIS SPACE					
THERE SHALL BE NO REFUND OR PART THE	REOF ONCE PUBLIC NOTICE HAS BEET	N GIVEN						
1. PROJECT ADDRESS: 7700-772	24 Montgomery Road		ZI	P CODE: 4	5236			
2. NAME	STREET ADDRESS	CITY	ST	ZIP	PHONE NUMBER	٦		
OWNER	RCG-Cincinnati, LLC	Atlanta	GΑ	30305	(404) 665-1127			
CONTRACTOR								
DESIGNER	N/A					٦		
APPLICANT	KMK Law	Cincinnati	ОН	45202	(513) 579-6592			
APPLICANTS E-MAIL ADDRESS	ttepe@kmklaw.com					٦		
3. ZONING COMMISSION ACTION REQUESTED:  ZONE CHANGE © FROM ZONE TO ZONE  PUD I © PUD II © LASR ©  MAJOR ADJUSTMENT TO A PUD & MINOR ADJUSTMENT TO A PUD ©  MAJOR ADJUSTMENT TO A LASR © MINOR ADJUSTMENT TO A LASR ©  4. STATE IN DETAIL ALL EXISTING & PROPOSED USES OF THIS BUILDING OR PREMISES:  See narrative included in the attached letter.								
5. SQUARE FEET:	S. SQUARE FEET: 6. USE:							
8. EST. START DATE: Upon Approval 9. EST. FINISH DATE: TBD 10. # OF SIGNS:								
THE DEPARTMENT OF PLANN TOWNSHIP. WE PROMOTE HIGH SERVING OUR CITIZENS AND	ING & ZONING IS DEDICATED STANDARDS FOR DEVELOPM BUSINESS COMMUNITY TO M	ENT AND QUALITY	PRO	JECTS. WE	LOOK FORWARD TO			
The owner of this project and undersigned do h specifications are to the best of their knowledge to the property for review and inspection related	true and correct. The applicant and	owner of the real prop	on thi erty ag	is application, ree to grant Sy	drawings and /camore Township access	;		
APPLICATION APPLICATION APPLICATION APPLICANT'S SIGNATURE PROPERTY OWNER'S SIGNATURE	5/15/23 DATE 5/15/23 DATE	RMISSION TO BI	EGIN	WORK.				



**Thomas M. Tepe, Jr.** D: 513.639.3947 ttepe@kmklaw.com

May 15, 2023

**Sycamore Township Zoning Commission** 

Mr. Roger Friedmann, Chairman

Mr. Rich Barrick, Vice Chairman

Ms. Anne Flanagan

Mr. Bill Mees

Mr. Steve Roos

Mr. Bill Swanson

c/o Mr. Jeff Uckotter

Planning and Zoning Administrator

8540 Kenwood Road

Sycamore Township, OH 45236

Re: 7700-7724 Montgomery Rd., Application for Major Adjustment to PUD

### Dear Commissioners:

This firm and the undersigned represent the property owner, RCG-Cincinnati, LLC (the "Owner") (the undersigned and Owner collectively, the "Applicant") with respect to property at Parcel Nos. 60002110040, 60002110039, 60002110038, 69992110638, 60002110543, and 60002110558, 7700-7724 Montgomery Rd., Cincinnati, Ohio 45236, commonly known as the Shoppes at Kenwood (the "Property"). This correspondence is submitted as a part of the Application (the "Application") for Major Adjustment to a PUD (the "Major Adjustment") as provided under the Sycamore Township Zoning Resolution. For the reasons stated below, the Applicant submits that the proposed Major Adjustment is harmonious and supportive of the Sycamore Township citizens and business community.

Enclosed as  $\underline{\textbf{Exhibit A}}$  are metes and bounds descriptions for the property, and additional applicable platting and surveying information to assist this Commission in reviewing this Application for Major Amendment pursuant to the PUD Application Completion Checklist.

### I. Existing Conditions and Zoning

The Shoppes at Kenwood is an approximately 130,000 sq. ft. community retail center located off Montgomery Road, and in the heart of the Kenwood retail submarket, Cincinnati's premier retail trade center. The Property consists of a three-story building housing McAlister's Deli as its floor-level tenant, as well as additional tenant spaces constructed in 1991 and 2003. The Property contains a variety of tenants, including Sherwin Williams, Sally's Beauty Supply, Buffalo Wild Wings, Gordon Food Service, Dollar General, the UPS Store, and Children's Medical Center, among others. Identification of the current tenants at the Property is included in the site plan

attached as **Exhibit B**. The Property was zoned from "O" Office and "B" Residence to "EE" Planned Business District in 2000 through Sycamore Township Resolution No. 2000-13. Resolution No. 2000-13 included a list of conditions for the Shoppes of Kenwood expansion, as modified relating to restaurant space pursuant to the attached **Exhibit C**. The conditions as modified provide that all restaurant uses located at the Property would not exceed 13,500 sq. ft. net, and that appropriate filtering systems would be utilized in connection with any restaurant use. These conditions have been maintained, as currently there is approximately 10,613 sq. ft. of restaurant space in use, and all industry standard and health-code compliant measures are being utilized by the restaurants. The current restaurant use is not only zoning compliant with Resolution 2000-13 as amended, it is also harmonious with the neighborhood as evidenced by the fact that the Owner has never received a complaint from neighboring properties relating to the restaurant use.

The surrounding land uses adjacent to the Property provide a number of unique and highend retail centers that make the area a major shopping destination for the Cincinnati area, featuring properties such as Kenwood Towne Centre and the Kenwood Collection. Immediately adjacent to the Property at the northeast are additional retail properties and the St. Vincent Ferrer Church campus, and to the south and east are condominiums and other single-family residences.

The improvements on the Property were constructed 20+ years ago, and the Owner has operated the Property since 2014. The Applicant submits this Application with the purpose of accomplishing the following:

- 1. Identify the ways in which the Owner is investing in rejuvenating and beautifying the Property following the approval of this Application. The Applicant is currently soliciting bids for this work, as discussed in Section II below;
- 2. Implement a minor change in business hours of operation, to accommodate two early-morning tenants offering breakfast and fitness services; and
- 3. Professionally clean the improvements at the Property, including the dumpsters, to meet the requirements of Resolution No. 2000-13 and harmoniously meet the needs of the tenants at the Property.

These modest requests to modify the PUD will support the Property as it stands today, improve the overall appearance of the Property and surrounding neighborhood, and support the Sycamore Township community overall. The modification to the permitted business hours of operation will not impact the neighboring community, and, in fact, provide services to Sycamore Township that are otherwise unavailable (namely an early-morning breakfast establishment, 6'N the Mornin', and a CrossFit studio). The rejuvenation of the Property is helpful as additional work and painting will improve the overall aesthetic of the Property. And finally, Resolution No. 2000-13 provides that dumpsters are permitted except in the east access lane. *See* Resolution No. 2000-13 at Condition 4. The location of the dumpsters will continue to satisfy this requirement.

### II. Proposed Development

As noted above, this Application seeks to address three items at the Property. First, the Owner is undergoing significant efforts to beautify the Property, including through the use of power washing the buildings, painting the exterior of the buildings, and repairing fencing as well as replacing landscaping at the Property. Enclosed as **Exhibit D** are estimates and proposals from vendors the Applicant has solicited to undertake these beautification efforts at the Property. The Applicant is currently receiving bids for the work at the Property. Therefore, the proposal attached from JTF Construction, Inc. identifies the work that will be performed at the Property, while it is possible the Applicant will use a different vendor for this work. Additionally, the Owner has already repaired exterior façade degradation at the Property, which was caused by a motor vehicle accident. As a result of these beautification endeavors, the overall appearance of the Property will increase substantially. Specifically, upon approval of this Application, the Owner will improve the following:

- Landscaping. Sycamore Township staff has identified a concern that 16 evergreen buffering landscaping trees are missing from the Property. The Applicant will replace these 16 evergreen trees, and work with experienced landscaping professionals to improve the overall aesthetic of the Property. The Owner is working to identify a vendor who can provide the specific type of tree required at the Property, and the Owner will supplement this Application when a vendor is identified. Fencing repair is also underway with Baha Facilities MGT. These improvements will improve the landscaping at the Property, and satisfy the requirements of Resolution No. 2000-13.
- **Professional Cleaning & Façade Replacement.** The Owner is receiving bids from qualified vendors who can perform significant work on power washing, repainting, and masonry work at the Property. This includes façade power washing and painting of the clock tower, power washing of the lower façade and columns at the Property, power washing sidewalks and curbing, professionally cleaning all dumpsters, masonry to improve the mortar joints at the Property, and repainting at the Property. The attached bid from JTF Construction, Inc. demonstrates the work that the Applicant will perform at the Property, and the Applicant will finalize its selection of the vendor to perform this work shortly.

In total, the Owner intends to invest significantly in improvements to the Property upon approval of the PUD modification, as reflected in the attached Exhibit D, with estimated costs in these investments being currently quoted at well over \$75,000. The Owner is also currently coordinating with experienced landscaping professionals to source the appropriate trees for the Property. These changes are certain to improve the appearance and overall attractiveness of the Property and support the surrounding area as well.

One item that has been addressed by the Township is the handling of trash at the Property, and the storage of carts and a POD at the Property. The Owner is working with the tenants to put

Sycamore Township Zoning Commission May 15, 2023 Page 4

systems into place to ensure that trash is properly addressed, and to police the property so that inappropriate storage is not occurring.

In addition to these measures, the Applicant is requesting a modification to the hours of operation permitted at the Property. Currently, business operations are prohibited between 1:00 a.m. to 7:00 a.m. Two tenants at the Property—the breakfast establishment and the CrossFit studio—currently desire to operate starting at 5:30 a.m. in the morning. As the Owner has been working with Sycamore Township, the Township has been gracious is permitting these tenants to continue operation while this Application is pending. During this time, the two tenants have been operating harmoniously with the community, and they will continue to operate harmoniously with the Property going forward. The tenants and the Owner have every intention of being considerate neighbors in the Sycamore Township community, and operating peaceful, respectful businesses.

Finally, as the attached Existing Features site plan reflects, the Owner proposes to maintain dumpsters at the Property at the locations listed. Resolution No. 2000-13 specifically outlines that dumpsters are permitted anywhere at the Property outside of the east access lane, and this requirement will continue to be honored. Given the specific structure of the Property as including a number of tenants, it is necessary for tenants to be provided access to trash that is convenient to the specific store and efficient for the maintenance of the Property. It would not be efficient or prudent to require a store employee to walk a great distance to arrive at a dumpster enclosure. This could result in spills and negatively impact the environment, particularly as the Property houses restaurants and a paint store. Moreover, the space provided for dumpster enclosures behind stores is at a premium, requiring strategic placement of dumpsters. With all that said, the current utilization of dumpster enclosures at the Property fully complies with the zoning imposed under Resolution No. 2000-13.

Township staff has requested that the CrossFit cease rear entry at the facility. This is not required under Resolution No. 2000-13, nor is it feasible. The CrossFit studio does not face the Montgomery Road entrance of the structure, and is adjacent to a separate leased facility. As a result, the CrossFit studio must continue to provide access through its rear entrance.

### III. Impact and Compatibility with Surrounding Area

As previously discussed, the relief sought by the Applicant involves a modest modification to the conditions imposed by Resolution No. 2000-13, as well as significant investment in the beautification of the Property. For the reasons discussed below, the proposal herein will have a positive impact on the surrounding area.

a. *Community Objectives and Plans*. The vision of Sycamore Township is to provide a high-quality residential and business community, to enhance the quality of life for its residents and maintain a healthy and positive climate for its businesses. The proposal sought here does precisely that, by offering additional business facilities for Sycamore's early birds, and by increasing and beautifying the Property. This will support the health and climate of the business area, and enhance the neighborhood for the residents.

- b. *Character of the Immediate Area*. The Property is located adjacent to a variety of retail, non-profit, and residential areas. The modifications sought herein will not substantially change the use, and will enhance the Property overall to the benefit of the entire community.
- c. Effect on Adjacent Property. The proposal sought herein will have little practical impact on the adjacent properties, as the tenants have been operating starting at 5:30 a.m. as part of the accommodation of Sycamore Township. The dumpster enclosures will remain as they have been, and the significant improvements to the beatification of the Property will improve the overall neighborhood and community immensely. Significantly, the Owner intends to invest significantly in cleaning, painting, and renovating the exterior of the Property, as well as updating the landscaping.
- d. Public Facilities and Services. It serves the community to have the proposed tenants operate prior to 7:00 a.m. Kenwood is conveniently located between a number of retail and office centers in the Cincinnati region. It is helpful to the community to have a breakfast location where people can meet for business as early as 5:30 in the morning, and it is also helpful to have an exercise facility where people can exercise before the workday starts. The dumpster enclosures support the public facilities as they have been harmonious with the community for over 20 years since Resolution No. 2000-13 was implemented.

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Through this Application, the Applicant believes that the interests of Sycamore Township is served, as well as the small businesses that are operating at the Property, the locally-owned CrossFit studio and 6'N the Mornin'. RCG-Cincinnati, LLC respectfully requests that this Commission approve this Application for Major Modification. Please let us know if you have any questions regarding the contents of this Application, and if we can provide any additional information. Thank you for your consideration of this matter.

Sincerely,

**KEATING MUETHING & KLEKAMP PLL** 

Thomas M. Tepe, Jr.

Mr. Lawrence E. Barbiere, Esq.

cc:

# Exhibit A

# RECORD DESCRIPTION CONTINUED

### Parcel II, Tract I:

Situated in the Township of Sycamore, County of Hamilton, State of Ohio, and known as being a part of Sycamore Township Section 13, Township 4, Range 1 and part of Lots 2 and 3 in the John Jones Estate (No recording document available at the Hamilton County Courthouse, lost in fire), also known as being a portion of a parcel of land conveyed to Kenwood Shoppes Two, LLC as recorded in Official Record Book 9565, Page 838 of said County's Records, and being further bounded and described as follows: Commencing at a capped pin "GRUBB 6818" found at the southeast corner of Lot 8 in the Winnetka Court Subdivision as recorded in Plat Book 298, Page 78 and on the north line of lot 3 in the St. Regis Place Subdivision as recorded in Plat Book 268, Page 22, said capped pin found also being the TRUE PLACE OF BEGINNING for the parcel of land hereinafter described, thence along the following fourteen (14) courses and distances:

1. Thence along the east line of said Lot 8 and east lines of parcels of land conveyed to Kenwood Shoppes, LLC as recorded in O.R. 12307, Page 1825 and O.R. 12322, Page 2074, N 5 deg. 49' 22" E for a distance of 259.38 feet to a point, passing over a capped pin "GPD" found at the northeast corner of said Lot 8 at 200.00 feet;

Thence continuing along the east lines of said Kenwood Shoppes, LLC (O.R. 12307, Page 1825), the following four

2. N 84 deg. 10' 38" W for a distance of 67.46 feet to a point:

3. N 5 deg. 51' 05" E for a distance of 39.57 feet to a point;

4. N 1 deg. 15' 11" E for a distance of 89.22 feet to a point;

5. S 84 deg. 10' 38" E for a distance of 74.55 feet to a point;

6. Thence continuing along the east line of said Kenwood Shoppes, LLC (O.R. 12307, Page 1825) and Kenwood Shoppes, LLC (O.R. 12322, Page 2074), N 5 deg. 49' 22" E for a distance of 202.07 feet to a Mag Nail found;

Thence continuing along the east lines of said Kenwood Shoppes, LLC (O.R. 12322, Page 2074), the following two

7. N 72 deg. 46' 13" E for a distance of 43.46 feet to a Mag Nail found;

8. N 17 deg. 13' 47" W for a distance of 179.55 feet to a Mag Nail found on the south right of way line of Montgomery Rd. (S.R. 22, variable width) as conveyed to the State of Ohio in Document No. 13-0046205;

9. Thence continuing along said south right of way line, N 66 deg. 46' 13" E for a distance of 116.21 feet to a capped pin "ODOT PS 8124" found

10. S 19 deg. 26' 17" E for a distance of 161.03 feet to a point;

11. S 5 deg. 43' 59" E for a distance of 91.22 feet to a point:

12. S 84 deg. 16' 01" E for a distance of 81.30 feet to a Mag Nail set on a west line of the Kenwood Greens Condominiums as recorded in Plat Book 243, Page 19;

13. Thence along said west line, S 5 deg. 43' 59" W for a distance of 591.35 feet to a capped pin "JTK 5549" found at the northwest corner of Lot 4 in said St. Regis Place Subdivision;

14. Thence along the north line of said Lot 4 and the north line of said Lot 3 in the St. Regis Place Subdivision, N 84 deg. 19' 09" W for a distance of 222.35 feet to the True Place of Beginning and containing 3.8131 acres (166,100 sq. ft.) of land, more or less

Within the foregoing 3.8131 acres is a registered land parcel described as follows:

### Registered Land Parcel No. 600-0211-0040

Situated in the Township of Sycamore, County of Hamilton, State of Ohio, and known as being a part of Sycamore Township Section 13, Township 4, Range 1 and part of Lots 2 and 3 in the John Jones Estate (No recording document available at the Hamilton County Courthouse, lost in fire) also known as being a portion of a parcel of land conveyed to Kenwood Shoppes Two, LLC, as recorded in O.R. 9565, Page 838 of said County's Records, and being further bounded and described as follows: Commencing at a capped pin "GRUBB 6818" found at the southeast corner of Lot 8 in the Winnetka Court Subdivision as recorded in Plat Book 298, Page 78 and on the north line of Lot 3 in the St. Regis Place Subdivision as recorded in Plat Book 268, page 22, said capped pin found also being the TRUE PLACE OF BEGINNING for the parcel of land hereinafter described, thence along the following nine (9) courses and distances:

1 . Thence along the east line of said Lot 8 and east lines of parcels of land conveyed to Kenwood Shoppes, LLC, as recorded in O.R. 12307, Page 1825 and O.R. 12322, Page 2074, N 5 deg. 49' 22" E for a distance of 589.96 feet to a Mag Nail found, passing over a capped pin "GPD" found at the northeast corner of said Lot 8 at 200.00 feet;

Thence continuing along the east lines of said Kenwood Shoppes, LLC, the following two (2) courses: 2. N 72 deg. 46' 13" E for a distance of 43.46 feet to a Mag Nail found;

3. N 17 deg. 13' 47" W for a distance of 179.55 feet to a Mag Nail found on the south right of way line of Montgomery Rd. (S.R. 22, variable width) as conveyed to the State of Ohio in Document No. 13-0046205;

4. Thence along said south right of way line, N 66 deg. 46' 13" E for a distance of 116.21 feet to a capped pin "ODOT PS 8124" found:

5. S 19 deg. 26' 17" E for a distance of 161.03 feet to a point;

6. S 5 deg. 43' 59" E for a distance of 91.22 feet to a point:

7. S 84 deg. 16' 01" E for a distance of 81.30 feet to a Mag Nail set on a west line of the Kenwood Greens Condominium as recorded in Plat Book 243, Page 19

8. Thence along said west line, S 5 deg. 43' 59" W for a distance of 591.35 feet to a capped pin "JTK 5549" found at the northwest corner of Lot 4 in said St. Regis Place Subdivision;

9. Thence along the north line of said Lot NO.4 and the north line of said Lot NO.3 in the St. Regis Place Subdivision, N 84 deg. 19' 09" W for a distance of 222.35 feet to the True Place of Beginning and containing 3.6069 acres (157,117 sq.ft.) of land, more or less

# Parcel II, Tract 2:

Situated in the Township of Sycamore, County of Hamilton, State of Ohio, and known as being a part of Sycamore Township, Section 13, Township 4, Range 1, and part of Lots 2 and 3 in the John Jones Estate (No recording document available at the Hamilton County Courthouse, lost in fire), also known as being a portion of a parcel of land conveyed to Kenwood Shoppes Two, LLC (Tract 2) as recorded in O.R. 9565, Page 838 of said County's Records, and being further bounded and described as follows:

Commencing at a capped pin "GRUBB 6818" found at the southeast corner of Lot 8 in the Winnetka Court Subdivision as recorded in Plat Book 298, Page 78 and on the north line of lot 3 in the St. Regis Place Subdivision as recorded in Plat Book 268, Page 22, thence along the north line of said Lot 3 and the north line of Lot 4 in the St. Regis Place Subdivision, S 84 deg. 19' 09" E for a distance of 222.35 feet to a capped pin "JTK 5549" found at the northwest corner of said Lot 4 and on the west line of the Kenwood Greens Condominiums as recorded in Plat Book 243, Page 19, thence along said west line, N 5 deg. 43' 59" E for a distance of 591.35 feet to a Mag Nail set, said Mag Nail set being the TRUE PLACE OF BEGINNING for the parcel of land hereinafter described, thence along the following six (6) courses and distances:

1. N 84 deg. 16' 01" W for a distance of 40.65 feet to a point;

2. N 5 deg. 43' 59" W for a distance of 91.22 feet to a point; 3. N 3 deg.32' 46" E for a distance of 215.83 feet to a Mag Nail set on the south right of way line of Montgomery Rd. (S.R. 22, variable width) as conveyed to the State of Ohio in Document No. 13-0046205; Thence along said south right of way line the following two (2) courses:

5. N 66 deg. 46' 13" E for a distance of 49.70 feet to a Mag Nail set on the west line of a parcel of land conveyed to 7730 Montgomery Road Associates, LLC as recorded in O.R. 10451, Page 1716; 6. Thence along said west line, S 5 deg. 43' 59" W for a distance of 347.86 feet to the True Place of Beginning and

containing 0.4077 acres (17,760 sq. ft.) of land, more or less.

4. N 64 deg. 15' 38" E for a distance of 37.48 feet to a Mag Nail found;

Situated in the Township of Sycamore, County of Hamilton, State of Ohio, and known as being a part of Sycamore Township, Section 13, Township 4, Range 1, and part of Lots 2 and 3 in the John Jones Estate (No recording document available at the Hamilton County Courthouse, lost in fire), also known as being a portion of a parcel of land conveyed to Kenwood Shoppes Two, LLC (Tract 3) as recorded in O.R. 9565, Page 838 of said County's Records, and being further bounded and described as follows:

Commencing at a capped pin "GRUBB 6818" found at the southeast corner of Lot 8 in the Winnetka Court Subdivision as recorded in Plat Book 298, Page 78 and on the north line of lot 3 in the St. Regis Place Subdivision as recorded in Plat Book 268, Page 22, thence along the north line of said Lot 3 and the north line of Lot 4 in the St. Regis Place Subdivision, S 84 deg. 19' 09" E for a distance of 222.35 feet to a capped pin "JTK 5549" found at the northwest corner of said Lot 4 and on the west line of the Kenwood Greens Condominiums as recorded in Plat Book 243, Page 19, thence along said west line, N 5 deg. 43' 59" E for a distance of 591.35 feet to a Mag Nail set, Thence N 84 deg. 16' 01" W for a distance of 40.65 feet to a point, said point being the TRUE PLACE OF BEGINNING for the parcel of land hereinafter described, thence along the following eight (8) courses and distances: 1. N 84 deg. 16' 01" W for a distance of 40.65 feet to a point;

2. N 5 deg. 43' 59" E for a distance of 91.22 feet to a point;

3. N 19 deg. 26' 17" W for a distance of 161.03 feet to a capped pin "ODOT PS 8124" found on the south right of way line of Montgomery Rd. (S. R. 22, variable width) as conveyed to the State of Ohio in Document No 13-0046205:

Thence along said south right of way line of the following three (3) courses:

4. N 19 deg. 53' 13" W for a distance of 6.52 feet to capped pin "ODOT PS 8124" found: 5. N 50 deg. 21' 26" E for a distance of 50.25 feet to a capped pin "ODOT PS 8124" found;

6. N 64 deg.15' 38" E for a distance of 49.08 feet to a Mag Nail set; 7. S 3 deg. 32' 46" E for a distance of 215.83 feet to a point;

8. S 5 deg. 43' 59" W for a distance of 91.22 feet to the True Place of Beginning and containing 0.3758 acres (16,368 sq. ft.) of land, more or less.

### RECORD DESCRIPTION CONTINUED

Non-exclusive easement for storm sewer purposes as set forth in Easement Agreement filed for record in Official Record 8414, page 1128, Recorder's Office, Hamilton County, Ohio

Non-exclusive easement for storm sewer purposes as set forth in Easement Agreement filed for record in Official Record 5601, page 1540, Recorder's Office, Hamilton County, Ohio.

Non-exclusive easement for storm water detention basin as set forth in Declaration of Development Standards, Covenants and Restrictions recorded 7/1/91 in Official Record Book 5597, Page 1150; Amendment to Declaration recorded in Official Record Book 5822, Page 984 and in Official Record Book 5822, Page 989, both of the Hamilton County, Ohio Records.

Non-exclusive easements for Utility, Access, Parking and Storm Water as set forth in Operation and Easement Agreement with Covenants, Conditions and Restrictions between Kenwood Shoppes Center LLC and Fifth Third Bank filed for record December 19, 2013, of record in Official Record 12486, page 1896 and re-recorded in Official Record 12493, page 519, Registered Land Records, Hamilton County, Ohio.

NOTE: Parcel VI is blanket in nature and not shown hereon as a separate and distinct parcel.

The lands surveyed, shown and described hereon are the same lands as described in the Title Commitment provided by Fidelity National Title Insurance Company, Commitment No. 14-05-00068, dated August 15, 2014.

# ITEMS CORRESPONDING TO SCHEDULE B-II

11. Easement for highway purposes from Myrtle H. and John H. Rader in favor of the State of Ohio recorded in Deed Book 1660, Page 358, Hamilton County, Ohio Records. Can not determine items affect, centerline survey referenced within document was not provided.

12. Easement for highway purposes from Fannie I. and James R. Kirkpatrick in favor of the State of 12) Ohio recorded in Deed Book 1660, Page 341, Hamilton County, Ohio Records. Can not determine

tems affect, centerline survey referenced within document was not provided. 13. Grant of Easement from George R. Lanz and Marilyn K. Lanz in favor of The Cincinnati Gas and (13) Electric Company recorded in Deed Book 3391, Page 1000, Hamilton County, Ohio Records. Item

affects subject property and is shown hereon. 14. Easement and Maintenance Agreement between Medvest '83, Ltd. and David C. Bell and Jean C (14) Bell, recorded in Deed Book 4292, Page 1456, Hamilton County, Ohio Records. Item affects Parcel II -

Tracts 2 & 3 and is blanket in nature.

15. Easement Agreement among Hauck Holdings Tennessee, Ltd. dba Hauck Holdings Kenwood II, (15) Ltd., and Kenwood Greene Condominium Owners' Association, recorded in Official Record Book 8414, Page 1128, Hamilton County, Ohio Records. Item benefits subject property and is shown hereon.

16. ORC 711.001 (B)(1) restriction set out in deed to Kenwood Shoppes, LLC recorded in Official Record Book 12315, Page 2338, Hamilton County, Ohio Records. ORC 711.001 (B)(1) restriction set out in deeds to Hauck Holdings Tennessee, Ltd. dba Hauck

Book 9376, page 5786, Hamilton County, Ohio Records. Item affects subject property and is blanket in 17. Easement to The Cincinnati Gas and Electric Company recorded in Deed Book 2864, Page 165,

Holdings Kenwood II, Ltd., recorded in Official Record Book 8423, Page 1341, and in Official Record

(17) Hamilton County, Ohio Records. Can not determine items affect, no recording document was available 18. Easement to The Cincinnati Gas & Electric Company recorded in Deed Book 2864, Page 179,

Hamilton County, Ohio Records. Can not determine items affect, no recording document was available for John Jones Estate.

19. Private Drainage Easement for Storm Water Detention set out on plat recorded in Hamilton (19) County, Ohio Plat Book 365, Page 86, together with restrictions on said easement. Item affects subject property and is shown hereon.

20. Resolution No. 869 of the Board of County Commissioners of Hamilton County, Ohio as set out in Official Record Book 5608, Page 830 and Plat Book 293, Pages 8, 9 and 10 and in Official Record (20) Book 5847, Page 221 and in Plat Book 298, Pages 70 and 71, Hamilton County, Ohio Records. Item affects subject property and is blanket in nature.

25. Declaration of Development Standards, Covenants and Restrictions recorded 7/1/91 in Official Record Book 5597, Page 1150. Amendment to Declaration recorded in Official Record Book 5822, Page 984 and in Official Record Book 5822, Page 989, Hamilton County, Ohio Records, Item affects Page 984 and in Official Record Book 5822, Page 989, Hamilton County, Ohio Records. Item affects subject property and is shown hereon.

26. Easement to Cincinnati Bell Telephone Company recorded 4/29/49 in Deed Book 2355, Page 337, Hamilton County, Ohio Records. Item affects subject property and is blanket in nature.

27. Easement Agreement among Anchor Kenwood Limited Partnership, Greenland Development, Inc., John B. Stagge and Debbie L. Stagge, and Kenwood Green Condominum Owners' Association, recorded in Official Record Book 5601, Page 1540, Hamilton County, Ohio Records. Item benefits subject property and is shown hereon.

28. Easement to The Cincinnati Gas & Electric Company recorded in Official Record Book 5915, Page 971, Hamilton County, Ohio Records. Item affects subject property and is shown hereon.

29 29. Easement in favor of The Cincinnati Gas & Electric Company recorded in Official Record Book 5920, Page 984, Hamilton County, Ohio Records. *Item affects subject property and is shown hereon.* 

30. Reciprocal Easement and Party Wall Agreement, including lien provisions set out in Section 6 thereof, recorded 12/7/00 in Official Record Book 8435, Page 1455 and Official Record Book 9469, (30) Page 698. First Amendment recorded in Official Record Book 9381, Page 1882 and Official Record Book 9469, Page 722, Hamilton County, Ohio Records. Item affects subject property and is shown

31. Water main easement set out on plat recorded in Plat Book 297, Page 19, Hamilton County, Ohio Records. *Item affects subject property and is shown hereon.* 

32. Access Easement set out in deed from Anchor Kenwood Limited Partnership recorded in Official 32. Access Easement set out in deed from Anchor Kenwood Limited Partnership recorded in Official Record Book 5718, Page 1639, Hamilton County, Ohio Records. Item affects subject property and is blanket in nature allowing access to the adjoiner to the west.

SIGNIFICANT OBSERVATIONS

A Subject's wall, curb and fence are over the property line by a maximum distance of 6.0 feet at a length of 621.6 feet.

B Subject building lies over 30' Building Setback Line at the greatest distance of 31'+/-.

33. Operation and Easement Agreement with Covenants, Conditions and Restrictions between Kenwood Shoppes Center LLC and Fifth Third Bank filed for record December 19, 2013, of record in Official Record 12486, page 1896 and re-recorded in Official Record 12493, page 519, Registered Land Records, Hamilton County, Ohio. Item affects subject property and is blanket in nature.

# AS-SURVEYED DESCRIPTION

Situated in the in the Township of Sycamore, County of Hamilton, State of Ohio, and known as being part of Sycamore Township Section 13, Township 4, Range 1 and part of Lots 1, 2 and 3 in John Jones Estate (No recording document available at the Hamilton County Courthouse, lost in fire), also known as being the same parcel of land conveyed to Kenwood Shoppes Center LLC as recorded in Official Record Book 12407, Page 319 and Official Record 12407, Page 326 of said County's Records, and being more particularly described as follows:

Commencing at a set 5/8" iron pin at the southeast corner of Lot 8 in the Winnetka Court Subdivision as recorded in Plat Book 298, Page 78 and on the north line of lot 3 in the St. Regis Place Subdivision as recorded in Plat Book 268, Page 22, and the True Point of Beginning;

Thence along the east line of said Lot 8 and east lines of parcels of land conveyed to Kenwood Shoppes, LLC as recorded in O.R. 12307, Page 1825 and O.R. 12322, Page 2074, North 05°49' 22" East for a distance of 200.00 feet

Thence along the north line of said Lot 8 and the north line of Lot 1 in said Winnetka Court Subdivision, North 84° 23' 38" West for a distance of 325.00 feet to a set 5/8" iron pin

Thence continuing along the north line of said Lot 1, North 65° 20' 38" West for a distance of 115.59 feet to a set 5/8" iron pin on the southeast line of a parcel of land conveyed to Joseph E. Marasco and Lillian Ann Marasco as recorded in O.R. 6002, Page 798;

Thence along said southeast line, North 66° 37' 22" East for a distance of 8.61 feet to a set 5/8" iron pin at the southeast corner of said Joseph E. Marasco and Lillian Ann Marasco;

Thence along the northeast line of said Joseph E. Marasco and Lillian Ann Marasco, North 24° 41' 38" West for a distance of 114.12 feet to a found 5/8" iron pin with cap "GPD" set at the northeast corner of said Joseph E. Marasco and Lillian Ann Marasco;

land conveyed to Jeanne Jordon, Trustee, as recorded in Deed Book 6637, page 254; Thence along the east line of said Jeanne Jordon, Trustee, North 05° 08' 27" East for a distance of 191.74 feet to a capped pin "ODOT PS 8124" found on the south right of way line of Montgomery Rd. (S.R. 22, variable width), as conveyed to the State of Ohio in Document No. 13-0046205

North 84° 10' 44" West for a distance of 17.73 feet to a found 5/8" iron pin with cap "GPD" at a corner of a parcel of

Thence along said south right of way line, North 66° 46' 13" East passing a found mag nail at 338.62 feet a total distance of 354.62 feet to a found mag nail on the westerly line of a parcel of land conveyed to Kenwood Shoppes

Thence with the line of said Kenwood Shoppes Center, LLC the following (5) courses:

Center, LLC as recorded in Official Record 12407, Page 326;

found 5/8" iron pin "ODOT PS 8124"

Thence along the north line of said Joseph E. Marasco and Lillian Ann Marasco,

1. Thence South 23°20'41" East for a distance of 300.67 feet to a found mag nail;

2. Thence South 88°49'39" East for a distance of 48.46 feet to a found mag nail:

3. Thence North 05°49'22" East for a distance of 146.05 feet to a found mag nail;

4. Thence North 72°46'13" East for a distance of 43.46 feet to a found mag nail;

5. Thence North 17°13'47" West for a distance of 179.55 feet to a found mag nail found on the south right of way line of said Montgomery Rd. (S.R. 22, variable width) as conveyed to the State of Ohio in Document No. 13-0046205;

Thence along said south right of way line of the following Five (5) courses: 1. Thence continuing along said south right of way line, North 66°46' 13" East for a distance of 116.21 feet to a

2. North 19°53' 13" West for a distance of 6.52 feet to a found 5/8" iron pin "ODOT PS 8124";

3. North 50°21' 26" East for a distance of 50.25 feet to a found 5/8" iron pin "ODOT PS 8124";

4. North 64°15' 38" East for a distance of 86.56 feet to a found mag nail;

5. North 66°46'13" East for a distance of 49.70 feet to a set 5/8" iron pin on the west line of a parcel of land conveyed to 7730 Montgomery Road Associates, LLC as recorded in O.R. 10451, Page 1716

Thence along said west line and west line conveyed to Kenwood Green Condominium as recorded in Plat Book 243, Page 19, South 05°43' 59" West for a distance of 939.21 feet to a set 5/8" iron pin at the northwest corner of Lot 4 in said St. Regis Place Subdivision:

Thence along the north line of said Lot 4 and the north line of said Lot 3 in the St. Regis Place Subdivision, North 84°19' 09" West for a distance of 222.35 feet to the True Point of Beginning, containing 8.650 acres.

Within the forgoing 8.650 acres is a registered land parcel described as follows Registered Land Parcel No. 600-0211-0040-00

Situated in the Township of Sycamore, County of Hamilton, State of Ohio, and known as being a part of Sycamore Township Section 13, Township 4, Range 1 and part of Lots 2 and 3 in the John Jones Estate (No recording document available at the Hamilton County Courthouse, lost in fire); also known as being a portion of a parcel of land conveyed to Kenwood Shoppes Two, LLC, as recorded in O.R. 9565, Page 838 of said County's Records, and being further bounded and described as follows:

Commencing at a capped pin "GRUBB 6818" found at the southeast corner of Lot 8 in the Winnetka Court Subdivision as recorded in Plat Book 298, Page 78 and on the north line of Lot 3 in the St. Regis Place Subdivision as recorded in Plat Book 268, page 22, said capped pin found also being the TRUE PLACE OF BEGINNING for the parcel of land hereinafter described, thence along the following nine (9) courses and distances: 1. Thence along the east line of said Lot 8 and east lines of parcels of land conveyed to Kenwood Shoppes, LLC, as recorded in O. R. 12307, Page 1825 and O. R. 12322, Page 2074, N 5 deg. 49' 22" E for a distance of 589.96 feet to

a Mag Nail found, passing over a capped pin "GPD" found at the northeast corner of said Lot 8 at 200.00 feet; Thence continuing along the east lines of said Kenwood Shoppes, LLC, the following two (2) courses: 2. N 72 deg. 46' 13" E for a distance of 43.46 feet to a Mag Nail found;

3. N 17 deg. 13' 47" W for a distance of 179.55 feet to a Mag Nail found on the south right of way line of Montgomery Rd. (S.R. 22, variable width) as conveyed to the State of Ohio in Document No. 13-0046205;

4. Thence along said south right of way line, N 66 deg. 46' 13" E for a distance of 116.21 feet to a capped pin

5. S 19 deg. 26' 17" E for a distance of 161.03 feet to a point;

6. S 5 deg. 43' 59" E for a distance of 91.22 feet to a point;

7. S 84 deg. 16' 01" E for a distance of 81.30 feet to a Mag Nail set on a west line of the Kenwood Greens Condominiums as recorded in Plat Book 243, Page 19;

8. Thence along said west line, S 5 deg. 43' 59" W for a distance of 591.35 feet to a capped pin "JTK 5549" found at the northwest corner of Lot 4 in said St. Regis Place Subdivision;

9. Thence along the north line of said Lot No.4 and the north line of said Lot No.3 in the St. Regis Place Subdivision. N 84 deg. 19' 09" W for a distance of 222.35 feet to the True Place of Beginning, containing 3.6069 acres more or

The properties described hereon are the same lands as described in the Title Commitment provided by Chicago

Title Insurance Company, Commitment No. 14-05-00068, dated August 4, 2014.

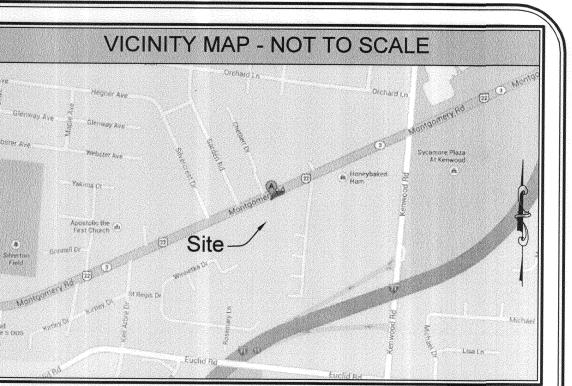
### 7/1/2014 Addressed Missing Docs. **B&C Comments** 8/19/2014 8/13/2014 Revised Title and Zoning Added 8/27/2014 Client Comments 8/14/2014 Added As-Surveyed Description 8/28/2014 Client Comments 8/18/2014 Client Comments

# FLOOD NOTE

By graphic plotting only, this property is in Zone(s) X of the Flood Insurance Rate Map, Community No. 390204, Map No. 0234E which bears an effective date of February 16, 2012 and is not in a Special Flood Hazard Area. As shown on the FEMA website (http://msc.fema.gov) by firmette created on August 22, 2013 we have learned this community does currently participate in the program. No field surveying was performed to determine this zone, and a flood elevation certificate may be needed to verify this determination or apply for a variance from the federal emergency management agency.

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# MISCELLANEOUS NOTES

Some features shown on this plat may be shown out of scale for clarity. All dimensions shown are in feet and decimals thorses feet and decimals thereof

Bearings shown hereon are based on the Southern Right-of-Way line of Montgomery Road, bearing N66°46'13"E as recorded in OR 12307, Page 1825.

MN3) The subject property surveyed contains an area of 8.650 acres (376,821 square feet), more or less.

The monuments referenced hereon (found or set) are in good condition and undisturbed (unless otherwise noted) at or near existing grade. All set pins are 5/8" wide x 30" long with an identification cap bearing the number "7911".

The visible posted address of the subject property are shown within the building on page 2.

MN6 Subject property has direct access to Montgomery Road, which is a dedicated, public Right-of-Way

At the time of survey, there was no observable evidence of the site being used as a cemetery. The location of the utilities shown hereon are from observed visible evidence of above ground appurtenances only. The surveyor was not provided with underground plans or surface ground markings to determine the location of subterranean uses.

There are 418 regular parking spaces and 11 handicapped parking spaces, for a total of 429 parking spaces located on the subject property.

At the time of survey, there was no observable evidence of earth moving work, building construction or building additions.

At the time of survey, there were no changes in street right of way lines or observable evidence of street or sidewalk repairs.

At the time of survey, there was no observable evidence of the site being used as a solid waste

dump, sump or sanitary landfill. rofessional Liablility Insurance policy obtained by the surveyor in the minimum amount of \$1,000,000 to be in effect throughout the contract term. Certificate of Insurance to be furnished

survey performed and the title commitments provided.

There are no gaps, gores, overlaps, or hiatus' inherent to the surveyed property based on the field

At the time of survey, the surveyor was not provided with any wetland plans or markings for the surveyed property.

At the time of survey, there were no party or division walls designated by the client with respect to

# ZONING INFORMATION

The subject property is zoned "EE"- Planned Retail District and Part of a Planned Unit development with "E" Retail Business District Development Requirements.

For New Construction: Front Setback: 30'

Minimum Lot Width of 100

Required Parking Spaces: 429 Total Parking Spaces

Report, the subject property is legal conforming.

Side Setback: 10' Rear Setback: 20' Maximum Building Height: 1 Story/ 20' to the roof/20' to the top of the parapet per conditions of Approval Minimum Lot Area of 20,000 SqFt

Density Requirements: Maximum Restaurant Square Footage of 13,500 Net Leasable Square Feet in the New Retail Portion of the Shopping Center per Resolution Approved November 2, 2001. Parking Formula: 429 Total Parking Spaces per the Approved Site Plan

The zoning information shown above was provided by Nationwide Zoning Services, LLC, Report No.

684632, dated August 12, 2014 ("Zoning Report"), pursuant to item 6b of Table A. Pursuant to the Zoning

### PROJECT REVISION RECORD DATE DESCRIPTION FIELD WORK: MG DRAFTED: DJK CHECKED BY: DJK MSC NOTES:

# RECORD DESCRIPTION

Situated in the Township of Sycamore, County of Hamilton, State of Ohio, and known as being a part of Sycamore Township Section 13. Township 4, Range 1 and part of Lot 1 in the John Jones Estate (No recording document available at the Hamilton County Courthouse, lost in fire), also known as being a portion of a parcel of land conveyed to Kenwood Shoppes, LLC as recorded in O.R. 9565, Page 817 of said County's Records, and being further bounded and described as follows:

Commencing at a capped pin "GRUBB 6818" found at the southeast corner of Lot 8 in the Winnetka Court Subdivision as recorded in Plat Book 298, Page 78 and the southwest corner of a parcel of land conveyed to Kenwood Shoppes Two, LLC as recorded in O.R. 9565, Page 838, thence along the east line of said Lot 8 and the west line of said Kenwood Shoppes Two, LLC, N 5° 49' 22" E for a distance of 200.00 feet to a 5/8 inch rebar with cap "GPD" set at the northeast corner of said Lot 8, said rebar set also being the TRUE PLACE OF BEGINNING for the parcel of land hereinafter described, thence along the following fifteen (15) courses and distances:

1. Thence along the north line of said Lot 8 and the north line of Lot 1 in said Winnetka Court Subdivision, N 84° 23' 38" W for a distance of 325.00 feet to a 5/8 inch rebar with cap "GPD" set;

2. Thence continuing along the north line of said Lot 1, N 65° 20' 38" W for a distance of 115.59 feet to a 5/8 inch rebar with cap "GPD" set on the southeast line of a parcel of land conveyed to Joseph E. Marasco and Lillian Ann Marasco as recorded in O.R. 6002, Page 798;

3. Thence along said southeast line, N 66° 37' 22" E for a distance of 8.61 feet to a 5/8 inch rebar with cap "GPD" set at the southeast corner of said Joseph E. Marasco and Lillian Ann Marasco

rebar with cap "GPD" set at the northeast corner of said Joseph E. Marasco and Lillian Ann Marasco; 5. Thence along the north line of said Joseph E. Marasco and Lillian Ann Marasco, N 84° 10' 44" W for a distance of 17.73 feet to a 5/8 inch rebar with cap "GPD" set at a corner of a parcel of land conveyed to Jeanne Jordon, Trustee, as recorded in Deed Book 6637, page 254;

4. Thence along the northeast line of said Joseph E. Marasco and Lillian Ann Marasco, N 24° 41' 38" W for a distance of 114.12 feet to a 5/8 inch

6. Thence along the east line of said Jeanne Jordon, Trustee, N 5° 08' 27" E for a distance of 191.74 feet to a capped pin "ODOT PS 8124" found

on the south right of way line of Montgomery Rd. (S.R. 22, variable width), as conveyed to the State of Ohio in Document No. 13-0046205; 7. Thence along said south right of way line, N 66° 46′ 13" E for a distance of 338.62 feet to a Mag Nail found;

8. S 23° 20' 41" E for a distance of 293.41 feet to a Mag Nail set;

9. S 88° 49' 39" E for a distance of 66.05 feet to a Mag Nail set on a west line of said Kenwood Shoppes Two, LLC;

Thence along the west lines of said Kenwood Shoppes Two, LLC for the following 6 courses:

10. S 5° 49' 22" W for a distance of 56.02 feet to a point;

11. N 84° 10' 38" W for a distance of 74.55 feet to a point:

12. S 1 ° 15' 11" W for a distance of 89.22 feet to a point

13. S 5° 51' 05" W for a distance of 39.57 feet to a point; 14. S 84° 10' 38" E for a distance of 67.46 feet to a point;

15. S 5° 49' 22" W for a distance of 59.38 feet to the True Place of Beginning and containing 3.9452 acres (171,852 sq.ft.) of land, more or less.

### Parcel I - Tract 2:

Cont. To The Left

Situated in the Township of Sycamore, County of Hamilton, State of Ohio, and known as being a part of Sycamore Township Section 13, Township 4, Range 1 and part of Lot 2 in the John Jones Estate (No recording document available at the Hamilton County Courthouse, lost in fire), also known as being a portion of a parcel of land conveyed to Kenwood Shoppes, LLC as recorded in O.R. 9565, Page 817 of said County's Records, and being further bounded and described as follows:

Commencing at a capped pin "GRUBB 6818" found at the southeast corner of Lot 8 in the Winnetka Court Subdivision as recorded in Plat Book 298, Page 78 and the southwest corner of a parcel of land conveyed to Kenwood Shoppes Two, LLC as recorded in O.R. 9565, Page 838, thence along the east line of said Lot 8 and the west line of said Kenwood Shoppes Two, LLC, N 5° 49' 22" E for a distance of 443.91 to a Mag Nail set, passing over a 5/8 inch rebar with cap "GPD" set at the northeast corner of said Lot 8 at 200.00 feet, thence N 88° 49' 39" W for a distance of 48.46 feet to a Mag nail set, said Mag Nail set also being the TRUE PLACE OF BEGINNING for the parcel of land hereinafter described, thence along the following four (4) courses and distances:

2. N 23° 20' 41" W for a distance of 293.41 feet to a Mag Nail found on the south right of way line of Montgomery Rd. (S.R. 22, variable width) as

1. N 88° 49' 39" W for a distance of 17.59 feet to a Mag Nail set;

conveyed to the State of Ohio in Document No. 13-0046205:

3. Thence along said south right of way line, N 66° 46' 13" E for a distance of 16.00 feet to a Mag Nail set; 4. S 23° 20' 41" E for a distance of 300.67 feet to the True Place of Beginning and containing 0.1091 acres (4,753 sq.ft.) of land, more or less.

# ALTA/ACSM LAND TITLE SURVEY

Kenwood Shoppes Project B&C Project No. 201401669, 001 7670-7724 Montgomery Road, Sycamore Township, OH

> Based upon Title Commitment 14-05-00068 of Chicago Title Insurance Company

bearing an effective date of August 4, 2014

Surveyor's Certification

To: Kenwood Shoppes Center LLC; RCG-Cincinnati, LLC, a Delaware limited liability company, Key Bank National Association, Fidelity National Title Insurance Company, Multi-State Title Agency, Frost Brown Todd LLC, McGuireWoods LLP, and the respective successors and assigns

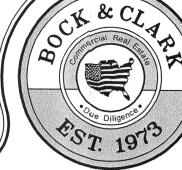
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6b, 7a, 7b1, 7c, 8, 9, 10a, 11a, 13, 14, 16, 17, 18, 19, 20a and 21 of Table A thereof. The field work was completed on

Registered Land Surveyor No. 7911 In the State of Ohio Date of Plat or Map: June 20, 2014 Date of Last Revision: August 28, 2014 Network Project No. 201401669-001

of each; and Bock & Clark Corporation.

Survey Performed By: **Bock & Clark Corporation** 7362 Kingsgate Way West Chester, OH 45069 Phone: 800-787-8392 Fax: 513-779-9973 Email: sharsley@bockandclark.com





Sheet 1 of 2

Bock & Clark Project No. 1201300283

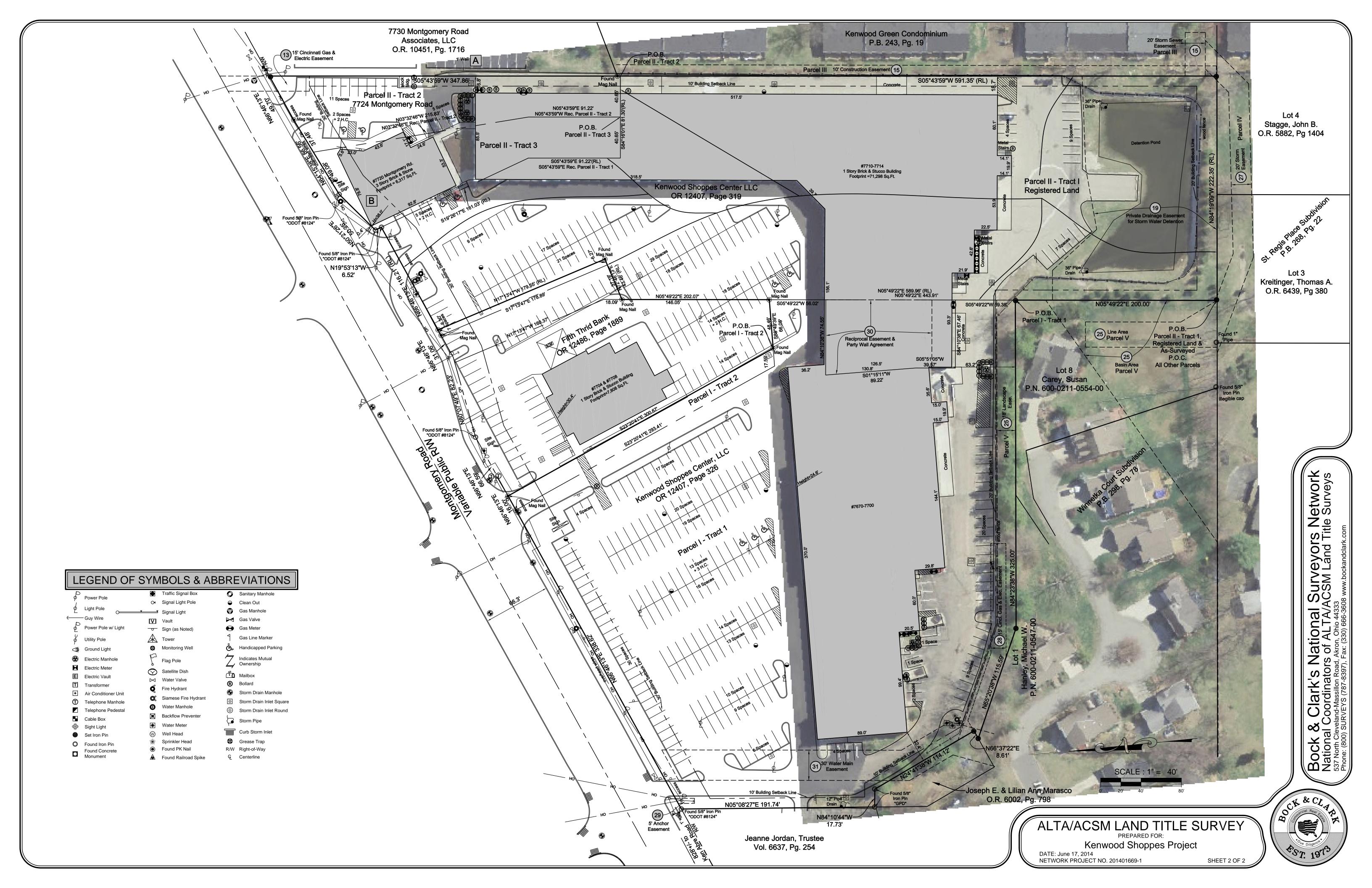
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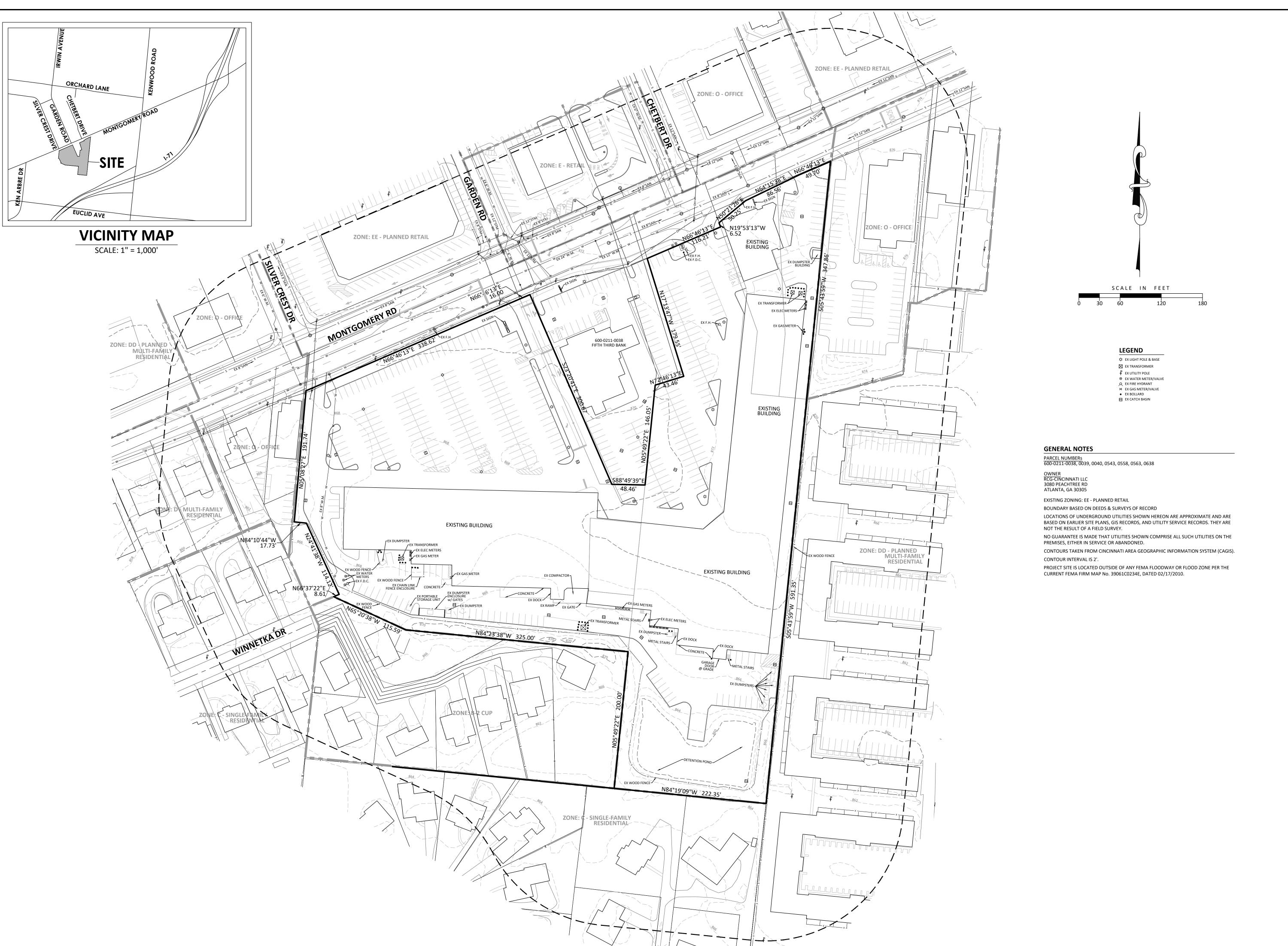
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■ Architecture 3700 Park 42 Drive
■ Engineering Suite 190B
■ Landscape Architecture Planning Phone 513.759.0004
■ Surveying www.mspdesign.com

Project Manager RLA
Drawn By BCC
DWG 23472004-GIS
X-Ref(s) ---

Issue/Revision No. Date

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# EXISTING PLANNED RETAIL MONTGOMERY ROAD

Sheet Title

PR

**EXISTING FEATURES** 

Project Number 23472.00
Drawing Scale AS NOTED
Sheet Number 1/1
File Number 23472



■ Architecture ■ Engineering ■ Landscape Architecture ■ Planning Phone 513.759.0004 ■ Surveying

Project Manager BCC Drawn By 23472004-GIS

Issue/Revision No. Date

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PARCEL NUMBERS 600-0211-0038, 0039, 0040, 0543, 0558, 0563, 0638

EXISTING ZONING: EE - PLANNED RETAIL

BOUNDARY BASED ON DEEDS & SURVEYS OF RECORD

LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON EARLIER SITE PLANS, GIS RECORDS, AND UTILITY SERVICE RECORDS. THEY ARE NOT THE RESULT OF A FIELD SURVEY.

**LEGEND** 

F EX UTILITY POLE

SEX WATER METER/VALVE
EX FIRE HYDRANT
EX GAS METER/VALVE
EX BOLLARD
EX CATCH BASIN

NO GUARANTEE IS MADE THAT UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES ON THE PREMISES, EITHER IN SERVICE OR ABANDONED.

CONTOURS TAKEN FROM CINCINNATI AREA GEOGRAPHIC INFORMATION SYSTEM (CAGIS).

PROJECT SITE IS LOCATED OUTSIDE OF ANY FEMA FLOODWAY OR FLOOD ZONE PER THE CURRENT FEMA FIRM MAP No. 39061C0234E, DATED 02/17/2010.

Sheet Title

**EXISTING FEATURES** 

23472.00 Project Number AS NOTED Drawing Scale **Sheet Number** 23472

File Number



0316

600-0211-0563

600-0211-0638

RCG-CINCINNATI, LLC.

RCG-CINCINNATI, LLC

OR 12686 PG 1891

OR 12686 PG 1891

23472.00

**Project Number** 

DESCRIPTION FOR: RCG-CINCINNATI, LLC

LOCATION: Montgomery Road

8.6509 Acres

**Area Zoned E-E Planned Retail** 

Situate in Section 13, Town 4, Entire Range 1, Sycamore Township, Hamilton County, Ohio, and being part of lands conveyed to RGC-Cincinnati, LLC by deed recorded in O.R. Volume 12686, Page 1891, Hamilton County, Ohio Recorder's Office (parcel No. 600-0211-0038, 600-0211-0039, 600-0211-0040, 600-0211-0543, 600-0211-0563, 600-0211-0558, 600-0211-0638) and being more particularly described as follows:

Beginning at the southeast corner of Lot 8 of Winnetka Court Subdivision as recorded in Plat Book 298, Page 78, Hamilton County, Ohio Recorder's Office;

Thence with existing zoning lines and lines of said Winnetka Court Subdivision for the following three (3) courses and distances:

- 1) North 05°49'22" East, 200.00 feet to a point;
- 2) North 84°23'38" West, 325.00 feet to a point;
- 3) North 65°20′38″ West, 115.59 feet to a point in the south line of a 0.118 acre tract as conveyed to Samuel Degre by deed recorded in O.R. Volume 14450, Page 2738, Hamilton County, Ohio Recorder's Office;

Thence with existing zoning lines and lines of said 0.118 acre tract for the following three (3) courses and distances:

- 1) North 66°37′22″ East, 8.61 feet to a point;
- 2) North 24°41′38" West, 114.12 feet to a point;
- 3) North 84°10′44″ West, 17.73 feet to a point in the east line of a 0.0134 acre tract as conveyed to Shanghai Investments, LLC by deed recorded in O.R. Volume 13556, Page 333, Hamilton County, Ohio Recorder's Office;

Thence with existing zoning line and the east line of said 0.0134 acre tract, North 05°08'27" East, 191.74 feet to a point in the south right of way line of Montgomery Road;

Thence with existing zoning line and the south line of said Montgomery Road, North 66°46′13″ East, 354.62 feet to the northwest corner of lands conveyed to Fifth Third Bank by deed recorded in O.R. Volume 12486, Page 1889, Hamilton County, Ohio Recorder's Office;

Thence with existing zoning lines and lines of said Fifth Third Bank lands for the following five (5) courses and distances:

- 1) South 23°20'41" East, 300.67 feet to a point;
- 2) South 88°49'39" East, 48.46 feet to a point;
- 3) North 05°49'22" East, 146.05 feet to a point;
- 4) North 72°46′13″ East, 43.46 feet to a point;
- 5) North 17°13'47" West, 179.55 feet to a point in the south right of way line of said Montgomery Road;

Thence with existing zoning lines and the south line of said Montgomery Road for the following five (5) courses and distances:

- 1) North 66°46′13″ East, 116.21 feet to a point;
- 2) North 19°53'13" West, 6.52 feet to a point;
- 3) North 50°21′26″ East, 50.25 feet to a point;
- 4) North 64°15'38" East, 86.56 feet to a point;
- 5) North 66°46′13″ East, 49.70 feet to the northwest corner of a 1.1138 acre tract as conveyed to 7750 Montgomery Road Associates, LLC by deed recorded in O.R. Volume 10451, Page 1716, Hamilton County, Ohio Recorder's Office;

Thence existing zoning line and the west line of said 1.1138 acre tract and the extension, South 05°43′59″ West, 939.21 feet to the northeast corner of St. Regis Place Subdivision as recorded in Plat Book 268, Page 22, Hamilton County, Ohio Recorder's Office;

Thence with existing zoning line and the north line of said St. Regis Place Subdivision, North 84°19′09″ West, 222.35 feet to the POINT of BEGINNING.

Containing 8.6509 acres of land more or less.

The above description was prepared from a Zoning Plat by McGill Smith Punshon, Inc. dated May 11, 2023. Bearings are based on O.R. Volume 12686, Page 1891

I hereby certify that the above description is a complete, proper and legal description of the property to be re-classified herein. The above description is based on existing deeds and plats of record and is not based on an actual field survey. Said description is to be used for the purpose of re-classification only, and is not to be used for the transfer of property.

05/11/23

Louis 1 Hanser P.S. #7843

Prepared by: McGill Smith Punshon, Inc.

Date: May 11, 2023 MSP No.: 23472.00

# Exhibit B

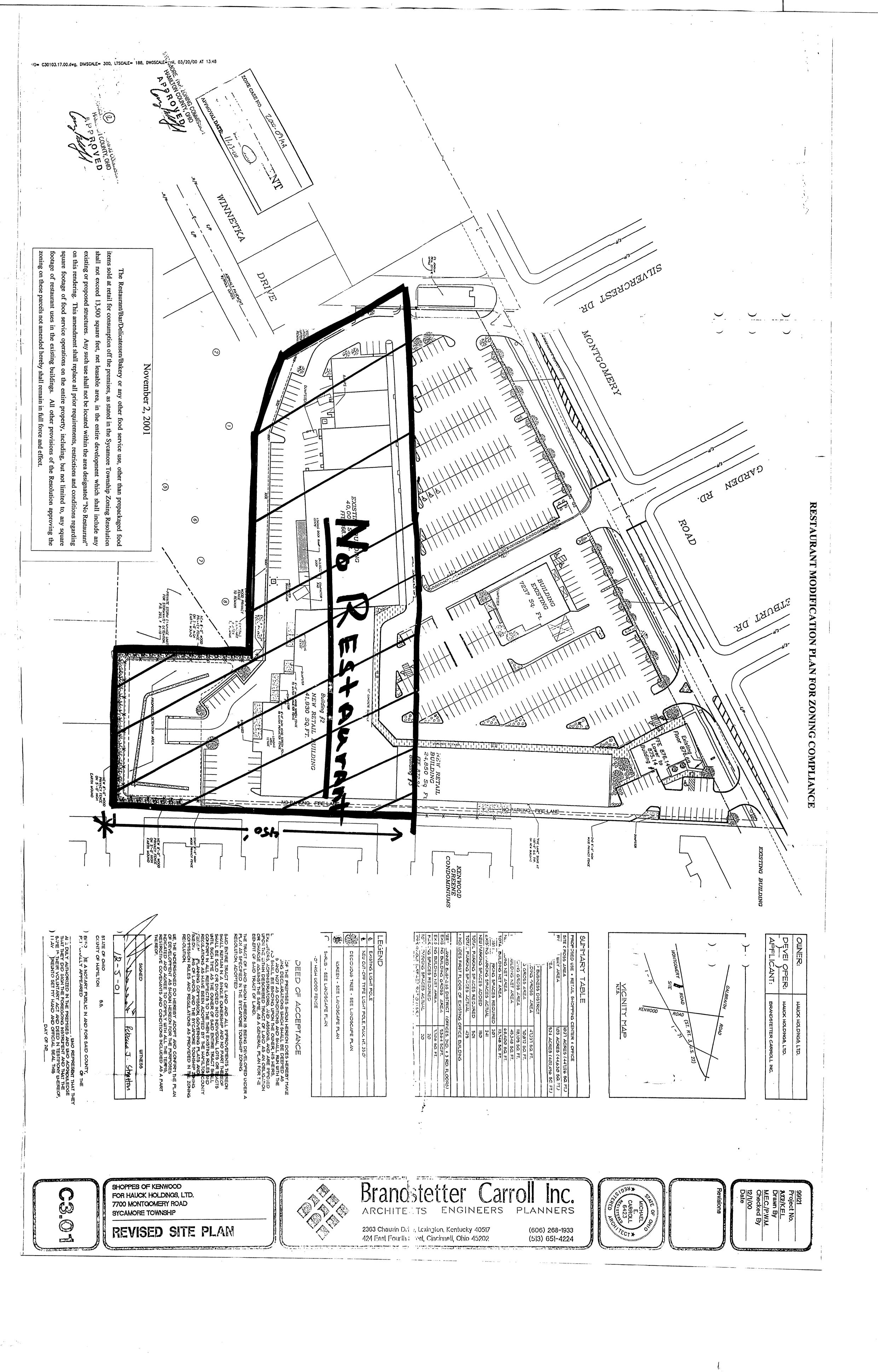
# Shoppes At Kenwood

7670-7720 Montgomery Road, Cincinnati, OH 45236





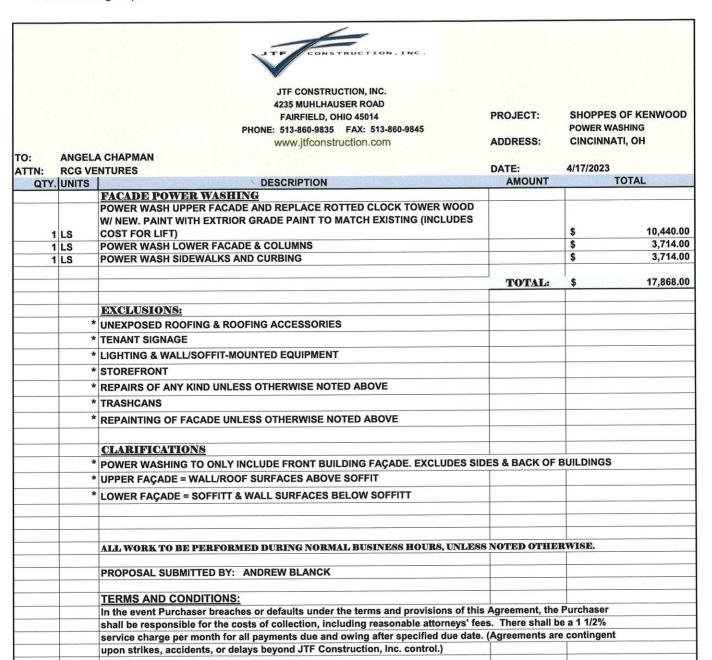
# Exhibit C



# Exhibit D

Purchaser:

Signature:



ACCEPTANCE: Terms, Price, and specifications on all pages of this proposal are hereby accepted and the work authorized.

Title:

Date of Acceptance:

		JTF CONSTRUCTION, INC. 4235 MUHLHAUSER ROAD FAIRFIELD, OHIO 45014	PROJECT:	SHOPPES C	F KENWOOD				
		PHONE: 513-860-9835 FAX: 513-860-9845 www.jtfconstruction.com	ADDRESS:	REAR WALL F					
TO:	ANGEL	A CHAPMAN							
ATTN:	RCG VE	NTURES	DATE:	1/11/2023					
QTY.	UNITS	DESCRIPTION	AMOUNT	TC	TAL				
		GENERAL CONDITIONS							
1	LS	PHASE 1: DUMPSTER, FINAL CLEANING		\$	1,200.00				
	LS	PHASE 2: DUMPSTER, FINAL CLEANING		\$	1,200.00				
1	LS	PHASE 1: EQUIPMENT RENTAL		\$	1,860.00				
1	LS	PHASE 2: EQUIPMENT RENTAL		\$	3,220.00				
		MASONRY							
		PHASE 1: GRIND MODERATE TO SEVERELY DETERIORATED MORTAR JOINTS							
		TO A DEPTH OF 3/4" & TUCKPOINT, REPLACE MODERATE TO SEVERELY							
4	LS	DETERIORATED BLOCK FACE SHELLS AS NEEDED		\$	8,703.00				
1	LO	PHASE 2: GRIND MODERATE TO SEVERELY DETERIORATED MORTAR JOINTS			0,7 00.00				
		TO A DEPTH OF 3/4" & TUCKPOINT. REPLACE MODERATE TO SEVERELY							
					12,399.00				
1	LS	DETERIORATED BLOCK FACE SHELLS AS NEEDED		\$	12,399.00				
		PAINTING							
		PHASE 1: POWER WASH EXTERIOR FACE OF CMU WALL & EXPOSED		1-54					
1	LS	FOUNDATION WALL & APPLY 1 COAT OF LOXON XP ACRYLIC COATING		\$	19,370.00				
		PHASE 2: POWER WASH EXTERIOR FACE OF CMU WALL & EXPOSED							
1	LS	FOUNDATION WALL & APPLY 1 COAT OF LOXON XP ACRYLIC COATING		\$	31,750.00				
			TOTAL:	\$	79,702.00				
		EXCLUSIONS:							
	*	REMOVAL & REPLACEMENT OF BUILDING EXPANSION/CONTROL JOINT SEALAN	Т						
		REPAIR/REPLACEMENT OF GUTTER & DOWNSPOUTS, ELECTRICAL, &	_						
	*	MECHANICAL COMPONENTS							
	*	PATCHING & PAINTING OF MASONRY TENANT DEMISING WALLS BEYOND ROOF EDGE							
		OY A D VENCAMVANIS							
		CLARIFICATIONS		-					
	*	INCLUDES MINIMAL TRAFFIC CONTROL (CONING OFF WORK AREAS)							
	*	INCLUDES PAINTING OF STEEL MAN DOORS, GUTTERS & DOWNSPOUTS, & PREVIOUSLY PAINTED MECHANICAL / ELECTRICAL COMPONENTS							
		ALL WORK TO BE PERFORMED DURING NORMAL BUSINESS HOURS, UNLESS	NOTED OTHE	RWISE.					
		PROPOSAL SUBMITTED BY: ANDREW BLANCK							
		TERMS AND CONDITIONS:							
		In the event Purchaser breaches or defaults under the terms and provisions of this							
		shall be responsible for the costs of collection, including reasonable attorneys' fees. There shall be a 1 1/2%							
		service charge per month for all payments due and owing after specified due date. (Agreements are contingent							
		upon strikes, accidents, or delays beyond JTF Construction, Inc. control.)							
		ACCEPTANCE: Terms, Price, and specifications on all pages of this proposal are hereby a	ccepted and the v	vork authorized.					
		Purchaser:							
		Signature:Title:	Date of Accepta	ance:					



# **Baha Facilities MGT**

300 E. Business Way Suite 200 Sharonville, OH 45241 (513) 238-5278

# **Proposal**

### **Quote for**

**RCG Ventures** 

Shoppes of Kenwood 7714 Montgomery Rd **Project** 

Fence Repair

Cincinnati, OH 45236

Description	Qty	Unit price	Total price
Install 6 4x4 posts to suppoort			\$0.00
posts that are failing - Labor			\$1,150.00
			\$0.00
4x4x8 posts	6	\$47.99	\$287.94
galvanized lag bolts	12	\$15.97	\$191.64
quickset concrete bags	10	\$6.71	\$67.10
material tax			\$38.27
Notes:		Subtotal	\$1,696.68

\$1,734.95