



State of Ohio Environmental Protection Agency

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P.O. Box 1049
Columbus, OH 43216-1049

JUN 12 2008

RECEIVED

JUN 12 2008

OHIO EPA/CDO

Atul Pandey
Pandey Environmental, LLC
673 Mohawk Street, Suite 300
Columbus, OH 43206

Re: Approval of the Urban Setting Designation Request for the Former Gowdy Field Property, Columbus, Franklin County, 08USD003

Dear Mr. Pandey:

The purpose of this letter is to approve your request for an urban setting designation (USD) for the Former Gowdy Field Property. You made the USD request as a Voluntary Action Program (VAP) certified professional (CP) on behalf of Gowdy Partners LLC. Ohio EPA received the USD request on January 9, 2008. The Former Gowdy Field Property USD consists of three parcels that total approximately 26 acres. The USD property is located west of Olentangy River Road, north of Goodale Blvd. and south of Third Ave. within the city of Columbus. A legal description of the parcels is included as Attachment 1, and a map of the Former Gowdy Field Property USD is included as Attachment 2.

The USD request was made pursuant to Ohio Administrative Code (OAC) 3745-300-10(D) (effective October 21, 2002) under the VAP. As set forth in OAC 3745-300-10(D), a USD serves to eliminate the potable use pathway for ground water based upon the urban nature of the area, the availability and widespread use of public water supplies of potable water, and the lack of use of ground water for potable purposes. The elimination of the potable use pathway is applicable to property within the boundary of the USD.

OAC 3745-300-10(D)(1) provides that a USD may be requested only by a VAP CP who must demonstrate that the threshold criteria contained in OAC 3745-300-10(D)(1)(a) through (g) are met for the proposed USD. The director of Ohio EPA is authorized to approve a USD request upon consideration of the threshold criteria contained in OAC 3745-300-10(D)(1). The director may also consider the additional factors set forth in OAC 3745-300-10(D)(2)(e) regarding, among other things, regional water resource needs, existing or potential future uses of ground water and the potential impact of the USD on surrounding jurisdictions. This letter provides an overview of the director's consideration of the threshold criteria and additional factors.

Threshold Criteria: OAC 3745-300-10(D)(1)

The following is a summary of the information in the USD request that demonstrates compliance with the threshold criteria contained in OAC 3745-300-10(D)(1)(a) through (g) for a USD.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

- 1. The USD request demonstrates that the USD property is located entirely within the corporation boundaries of the city of Columbus, in accordance with OAC 3745-300-10(D)(1)(a).**

The USD request demonstrated compliance with the requirements of OAC 3745-300-10(D)(1)(a) by providing a map showing that the parcels that make up the proposed USD property are located within the corporation boundaries of the city of Columbus. Because the proposed USD property lies within the corporation boundaries of a city, the USD request has satisfied the requirements of OAC 3745-300-10(D)(1)(a). This information is included in the USD request, Section 2.1.

- 2. The USD request demonstrated that at least 90% of the parcels within one mile are connected or are capable of being connected to the community water system, in accordance with OAC 3745-300-10(D)(1)(b).**

To demonstrate compliance, the USD request references the following sources: (1) the Franklin County Auditor's Office geographic information system (GIS) file dated July, 2007 with information regarding tax parcels; and (2) the Franklin County Auditor's Office, Real Estate Division, database files entitled "SMDA-June 29, 2007."

The SMDA-June 29, 2007 database indicates 6319 total parcels are located within one mile of the proposed USD property. The data base review indicates that all parcels are currently or capable of being connected to the community water supply except for 18 parcels. Also, information for 47 parcels was not available. Therefore, the USD request concludes that ninety-nine percent (99%) of parcels (6254 of 6319 parcels) within a one-mile radius of the USD property are connected or capable of being connected to the community water supply. No parcels with wells were identified within one mile from this data source (additional information regarding wells within one half mile from other data sources is presented below in Item 5). This information is included in the USD request, Section 2.2.

- 3. The USD request demonstrated that the Columbus community water system is capable of meeting future water needs, in accordance with OAC 3745-300-10(D)(1)(d).**

To demonstrate that the city of Columbus considers itself capable of meeting of its future water supply needs, the USD request referenced statements contained in Water Beyond 2000, comprehensive Water Treatment and Supply Feasibility Study, Division of Water – City of Columbus dated July 6, 1992 and status reports that address implementation of the plans described in the Water Beyond 2000 report. The Water Beyond 2000 report indicates that the ground water targeted for development is in the general area of the current south side wellfield located south of Interstate Route 270 (southern Franklin and northern Pickaway Counties). Additionally, an up-ground reservoir project is planned in northwestern Delaware County. The ground water beneath the area of the proposed USD property has not been considered for use as a potential water source. On April 3, 2008, Lynn Kelley, Administrator of the Columbus Division of Water, confirmed to Ohio EPA that the city is implementing the recommendations in the Water Beyond 2000 report and has no plans for use of the ground water underlying the proposed USD property. This information is included in the USD request, Section 2.4 and Appendix F.

- 4. The USD request demonstrated that the USD property is not located within a drinking water source protection area for a public water system using ground water, in accordance with OAC 3745-300-10(D)(1)(e).**

Heather Raymond, Ohio EPA, Division of Drinking and Ground Waters (DDAGW), confirmed that the proposed USD property is not located within a drinking water source protection area for a public water system using ground water. This information is provided in the USD request, Section 2.6 and Appendix G.

- 5. The USD request demonstrated that there are no potable water wells within one-half mile of the USD boundary, in accordance with OAC 3745-300-10(D)(1)(f).**

To demonstrate compliance, the USD request provided water well records on file at the Ohio Department of Natural Resources (ODNR). According to ODNR records, 12 water wells were identified within ½ mile of the proposed USD property boundary. Of these, no wells are designated as test borings; therefore, all 12 are potential potable use water wells. The 12 potential potable use wells are located on five separate properties. As documented in the USD request, you demonstrated that the properties do not have potable water wells by researching ownership records, interviewing knowledgeable individuals for each of the properties and, in one case, performing an inspection. During the review of the USD request, DDAGW/Central District Office (CDO) identified one additional potential well within ½ mile. Also, DDAGW/CDO requested additional information regarding a situation where the contacts were not responsive to the CP regarding the status of the well. These issues were resolved through the comments and the resolution of those comments. This information is included in the USD request, Section 2.6 and the response to comments dated April 21, 2008.

- 6. The USD request demonstrated that the proposed USD is not located over any sole source aquifer or unconsolidated saturated zone capable of sustaining a yield of greater than 100 gallons per minute (gpm), in accordance with OAC 3745-300-10(D)(1)(g).**

Heather Raymond, Ohio EPA, DDAGW, provided a map that shows the location of all sole source aquifers in the vicinity of the proposed USD property. The map indicates that there are no sole source aquifers located beneath the proposed USD property.

The 100 gpm criterion applies to an unconsolidated aquifer. The USD request included a portion of an ODNR map titled Ground Water Resources of Franklin County. The map indicates the proposed USD property is located over unconsolidated material surrounded by areas with yields between 100 to 500 gallons per minute. Based on this information, the USD request concluded that the proposed USD property does overlay an unconsolidated saturated zone capable of sustaining a yield of greater than 100 gpm. However, a demonstration was presented that there is no reasonable expectation that wells will be installed or used for a potable water supply purpose within a ½ mile radius of the proposed USD property boundary. The following is a summary of the demonstration presented in the USD request related to the criteria of OAC 3745-300-10(D)(1)(g)(i) through (iv). Based upon the demonstration, the USD request concludes that the requirement for demonstration, in accordance with OAC 3745-300-10(D)(1)(g) has been met. This information is provided in the USD request, Section 2.7.

- a. The presence of legally enforceable, reliable restrictions on ground water use, other than those in place for wellhead protection or ground water protection purposes, in accordance with OAC 3745-300-10(D)(1)(g)(i).

To demonstrate compliance, the USD request discusses the well permitting requirements by the Columbus Health Department. Wells would be allowed if permitted. However, they would be restricted from many locations based upon proximity to sewers, underground fuel storage or gasoline storage tanks, building foundations, parcel lines, easements, normal drilling surfaces or road right-of-ways.

- b. Whether current land use patterns within one-half mile of the property boundary or ground water quality make development of a well impracticable, in accordance with OAC 3745-300-10(D)(1)(g)(ii).

To demonstrate compliance, the USD request discusses the findings that the one-half mile area surrounding the proposed USD property is completely served by the community water system. This reduces the need for installation of private wells. The USD request also discusses the finding that ground water in the area of proposed USD property is not identified as a potential source of drinking water to meet future needs of the city of Columbus.

- c. Whether ninety percent or more of the parcels within one-half mile of the property being designated are connected to a community water system, in accordance with OAC 3745-300-10(D)(1)(g)(iii).

To demonstrate compliance, the USD request discusses the determination in Sections 2.2 and 2.7 that greater than ninety percent (90%) of parcels within one mile of the proposed USD property are currently connected or capable of being connected to the community water system.

- d. Whether the capture zones of any wells that can reasonably be expected to be installed or used within one-half mile of the property boundary would not extend under the property or properties for which designated is requested in accordance with OAC 3745-300-10(D)(1)(g)(iv).

To demonstrate compliance, the USD request indicates that despite being located in an area in which yield of more than 100 gpm may be obtained from unconsolidated deposits, there is no reasonable expectation of future water supply wells being installed on the proposed USD property. There is no reason to expect future wells because of the coverage of the Columbus community water supply system and the current lack of wells within the one-half mile surrounding the property. Also, the Water Beyond 2000 Report does not anticipate water supply wells being installed in the proposed USD property.

Additional criteria Ohio EPA considered for the USD request: OAC 3745-300-10(D)(2)(e)(ii) through (vii)

In addition to the threshold criteria contained in OAC 3745-300-10(D)(1)(a) through (g), OAC 3745-300-10(D)(2)(e)(ii) through (vii) require the director to consider other factors to determine the potential impact of the proposed USD on surrounding jurisdictions and regional water resource needs. The factors the director may consider for any USD request include:

- Whether the ground water in the area of the proposed USD property is currently or reasonably expected to be used as a future source of potable ground water.
- The availability and feasibility of community treatment systems.
- Any other factors determined to be relevant to the determination of whether the proposed USD is protective of public health and safety and the environment.

The following is a discussion of the factors considered for the proposed USD.

7. OAC 3745-300-10(D)(2)(e)(ii) through (iii): Potential impact of the USD on surrounding jurisdictions and regional water resource needs.

OAC 3745-300-10(D)(2)(e)(ii) states that the director of the Ohio EPA may approve or deny a USD request after consulting with the legislative authority or authorized representative of the township, village, or city where the property for which the designation is sought is located. Ohio EPA received a letter from Boyce Safford, Director of Development for the city of Columbus, dated December 18, 2007, which states the city of Columbus supports the Former Gowdy Field Property USD request (see Attachment 3).

Ohio EPA surveyed all jurisdictions located within a three-mile radius of the proposed USD property to determine if the proposed USD would affect their potential use of ground water. The survey took place during April 2008. The following cities, villages and townships were surveyed: Franklin County, Columbus Division of Water, the city of Grandview, the city of Upper Arlington, Clinton Township, Franklin Township and the village of Marble Cliff. The survey revealed that the jurisdictions use the Columbus public water system as their principal source of potable water. The city of Columbus plans to develop additional ground water sources. However, these additional ground water sources are planned for the general area of the south wellfield, located more than 7 miles south of the requested USD. The other jurisdictions plan to continue using the Columbus public water supply and none of the other jurisdictions plan to develop ground water for their potable water supply. Based on the above information, Ohio EPA concludes that none of the jurisdictions would be adversely affected by the proposed USD.

Ohio EPA also published a public notice of the USD request on March 10, 2008 in the *Columbus Dispatch* and the *Weekly Review*. Also, a press release was issued on March 11, 2008. The public comment period ended on April 10, 2008. Ohio EPA received one e-mail comment from a certified professional who was not involved with the USD request who supported the proposed USD. Based on the response to the public notice, no public opposition to the proposed USD was identified.

8. OAC 3745-300-10(D)(2)(e)(iv) through (v): Current or expected future ground water use.

All jurisdictions in the area of the Former Gowdy Field Property USD depend upon the Columbus Division of Water for their current and future potable water supply. The Columbus Division of Water recognizes the need to expand to meet future water needs. The Columbus Division of Water is expanding capacity in accordance with plans summarized in their Water Beyond 2000 report. Planned developments include an up-ground reservoir in northern Delaware County and expansion of the south side wellfield. None of the communities plan to develop ground water resources in the area of the proposed USD property to meet their future potable water needs. Therefore, Ohio EPA concludes that it is unlikely that current and future ground water needs in surrounding jurisdictions will be adversely impacted by the approval of the USD.

9. OAC 3745-300-10(D)(2)(e)(vi): Availability and feasibility of treatment systems.

Information available to Ohio EPA indicates that the ground water downgradient of the proposed USD property is not currently, nor expected to be, utilized in the region for potable purposes. The evidence submitted suggests that granting the requested USD will not cause an adverse impact on the potable capability of the public water system for the city of Columbus or the surrounding jurisdictions that rely on the public water system. Therefore, Ohio EPA does not consider the availability and feasibility of community treatment systems to be relevant factors for determining whether approval of the proposed USD will be protective of public health and safety and the environment.

10. OAC 3745-300-10(D)(2)(e)(vii): Other factors.

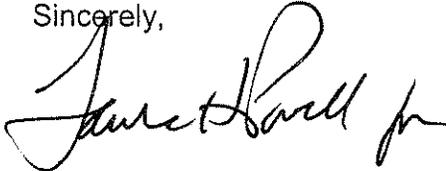
Ohio EPA has not received nor identified any other factual information that would indicate the proposed USD would endanger public health and safety or harm the environment. Ohio EPA has consulted with representatives of the city of Columbus and the surrounding jurisdictions. The city of Columbus has expressed its support of the USD request, and the surrounding jurisdictions have not expressed opposition to the USD request. The comments received by Ohio EPA during the public comment period did not express opposition to the proposed USD. No public comments have been presented to Ohio EPA questioning the accuracy of the information gathered regarding the USD request or providing additional factual information to suggest that the proposed USD will not be protective of public health and safety and the environment.

This approval letter is not a final action of the director. The Former Gowdy Field Property USD may be used to establish applicable ground water standards for properties located within the bounds of the defined Former Gowdy Field Property USD property and is not applicable to any other property. The use of the Former Gowdy Field Property USD to establish applicable standards for ground water at a property is contingent upon the following: a) a demonstration that the property is eligible for participation in the VAP, pursuant to Ohio Revised Code § 3746.02 and OAC 3745-300-02 and b) CP's verification that no significant change of circumstances has occurred that would affect the criteria upon which the USD is approved at the time of the issuance of a no further action letter for the property, in accordance with OAC 3745-300-10(D)(3) and this letter.

Atul Pandey
Former Gowdy Field Property USD
Page 7 of 7

If you have any questions concerning this letter, please contact Amy Yersavich at (614) 644-2285 or Doug Crandall at (614) 387-6181.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Korleski". The signature is fluid and cursive, with a small "jr" or similar mark at the end.

Chris Korleski
Director

Attachments

c: Amy Yersavich, DERR/CO
Doug Crandall, DERR/CDO
Jason Reed, DDAGW/CDO
Deborah Strayton, DERR-CDO
Heidi Sorin, Manager, DERR/CO
Ann Fischbein, Legal Office/CO
DERR/CO files
DERR/CDO files

CK/nsm USDapprovalletter20080424

Attachment 1
Legal Description

7.419 ACRES

Situate in the State of Ohio, County of Franklin, City of Columbus, lying in Section 6, Township 5, Range 22, Refugee Lands, being part of the original 30.92 acre First Tract conveyed to The City of Columbus by deed of record in Deed Book 700, Page 243, also being part of Lot 3 of William Neils Heirs Land, a plat of record in Plat Book 3, Page 168 & 169, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning for Reference, at a monument box in the centerline of Third Avenue, as dedicated in "Dedication of 3rd Ave and Perry St", of record in Plat Book 4, Page 164, being South 86° 24' 25" East, a distance of 3.43 feet, from the centerline intersection of said Third Avenue and Olentangy River Road;

Thence North 86° 24' 25" West, a distance of 129.65 feet, with the centerline of said Third Avenue, to a point;

Thence South 03° 35' 35" West, a distance of 50.00 feet, across the right-of-way of said Third Avenue, to an iron pin set in the southerly right-of-way line at a common corner of the 0.248 acre tract conveyed as Parcel 1-WD to State of Ohio by deed of record in Deed Book 2801, Page 545 and the 9.213 acre tract conveyed as Parcel No. 1-WL to State of Ohio by deed of record in Deed Book 2801, Page 551, being in the northerly line of the remainder of said original 30.92 acre tract and the TRUE POINT OF BEGINNING;

Thence South 28° 23' 14" East, a distance of 97.06 feet, to an iron pin set, with said westerly limited access right-of-way line, the westerly right-of-way line of Olentangy River Road and the line common to the remainder of said original 30.92 acre tract and said 9.213 acre tract, to an iron pin set;

Thence South 02° 42' 31" West, a distance of 346.89 feet, continuing with said westerly limited access right-of-way line, the westerly right-of-way line of Olentangy River Road and said common line, to a 5/8 inch rebar in concrete found;

Thence South 19° 34' 23" West, a distance of 79.66 feet, with the westerly right-of-way line of Olentangy River Road as accepted by City of Columbus Ordinance No. 0520-01 and across said original 30.92 acre tract, to an iron pin set;

Thence South 06° 02' 06" West, a distance of 242.39 feet, continuing with said westerly right-of-way line and across said original 30.92 acre tract, to an iron pin set;

Thence South 00° 22' 10" East, a distance of 51.82 feet, across said original 30.92 acre tract, to an iron pin set at the common corner of the remainder of said original 30.92 acre tract and the 10.763 acre tract conveyed to Time Warner Entertainment Company, L.P. by deed of record in Instrument Number 200707180125682;

Thence North 86° 52' 56" West, a distance of 385.74 feet, with the line common to the remainder of said original 30.92 acre tract and said 10.763 acre tract, to an iron pin;

Thence North 04° 46' 15" East, a distance of 462.24 feet, with the line common to the remainder of said original 30.92 acre tract and said 10.763 acre tract, to an iron pin set;

Thence North 86° 52' 56" West, a distance of 236.97 feet, with the line common to said original 30.92 acre tract and said 10.763 acre tract, to an iron pin set in the easterly line of the 1.45 acre tract conveyed to The Chesapeake and Ohio Railway Company, nka CSX Transportation Inc., by deed of record in Deed Book 924, Page 338;

7.419 ACRES

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Thence North 11° 25' 16" West, a distance of 153.39 feet, with the line common to said original 30.92 and 1.45 acre tracts, to a 5/8 inch rebar capped "7863" found;

Thence North 11° 25' 11" West, a distance of 222.07 feet, continuing with said common line to a 3/4 inch iron pipe found in the southerly right-of-way line of said Third Avenue;

Thence with said southerly right-of-way line and the northerly line of said original 30.92 acre tract, the following courses and distances:

South 86° 24' 25" East, a distance of 142.20 feet, to a 3/4 inch iron pipe found;

South 03° 03' 05" West, a distance of 20.00 feet, to a 3/4 inch iron pipe found;

South 86° 24' 25" East, a distance of 539.97 feet, to the TRUE POINT OF BEGINNING, containing 7.419 acres, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Bearings are based on the Ohio State Plane Coordinate System as per South Zone - NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments 5-83 & 4-83, having a bearing of North 00° 22' 10" West, for the west limited access right-of-way line of Olentangy River Road, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment..



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King
Registered Surveyor No. 8307

9/21/07
Date

HLK/21Sept07
7_419 ac 71918exhibit

10.763 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Sections 6 and 7, Township 5, Range 22, Refugee Lands, being part of the original 30.92 acre tract conveyed as First Tract (original Lot No. 7 of William Neil's Heirs Land, of record in Plat Book 3, Page 168) and part of the original 51.93 acre tract conveyed as Second Tract to the City of Columbus by deed of record in Deed Book 700, Page 243, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning for Reference, at a monument box in the centerline of Third Avenue, being South 86° 24' 25" East, a distance of 3.43 feet, from the centerline intersection of said Third Avenue and Olentangy River Road;

Thence North 86° 24' 25" West, a distance of 820.06 feet, with the centerline of said Third Avenue, to a point;

Thence South 11° 25' 11" East, a distance of 253.13 feet, partly across the right-of-way of said Third Avenue and with a line common to said original 30.92 acre tract and the 1.45 acre tract conveyed to The Chesapeake and Ohio Railway Company, nka CSX Transportation Inc., by deed of record in Deed Book 924, Page 338, to a 5/8 inch iron rebar capped "7862" found;

Thence South 11° 25' 16" East, a distance of 153.39 feet, with a line common to said original 30.92 and 1.45 acre tracts, to an iron pin set, the TRUE POINT OF BEGINNING;

Thence across said original 30.92 acre tract, the following courses and distances:

South 86° 52' 56" East, a distance of 236.97 feet, to an iron pin set;

South 04° 46' 15" West, a distance of 462.24 feet, (passing at 454.61 feet, a 5/8 inch rebar capped "7863" found in concrete) to an iron pin set;

South 86° 52' 56" East, a distance of 385.74 feet, to an iron pin set in the westerly right-of-way line of said Olentangy River Road;

Thence with the westerly right-of-way line of said Olentangy River Road, the following courses and distances:

South 00° 22' 10" East, a distance of 371.76 feet, to a point referenced by a 5/8 inch rebar found in concrete (North 0.31 feet, East 0.52 feet);

South 08° 26' 47" East, a distance of 274.91 feet, to a point referenced by a 5/8 inch rebar found (North 0.37 feet, East 0.45 feet);

South 06° 32' 14" East, a distance of 150.09 feet, to an iron pin set;

South 08° 26' 47" East, a distance of 94.99 feet, to an iron pin set;

Thence South 78° 34' 44" West, a distance of 370.63 feet, across said original 51.93 acre tract, to an iron pin set in the line common to said original 51.93 acre tract and the 3.41 acre tract conveyed to The Chesapeake and Ohio Railway Company, nka CSX Transportation Inc., by deed of record in Deed Book 924, Page 338;

10.763 ACRES

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Thence North 11° 25' 16" West, a distance of 1484.03 feet, with the westerly lines of said original 51.93 and original 30.92 acre tracts, and the easterly lines of said 3.41 and 1.45 acre tracts, to the TRUE POINT OF BEGINNING, containing 10.763 acres, more or less, and being 5.659 acres out of said original 30.92 acre tract and Section 6, and 5.104 acres out of said original 51.93 acre tract and Section 7.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Bearings are based on the Ohio State Plane Coordinate System as per NAD83-South Zone (1986 Adjustment). Control for bearings was from coordinates of monuments 5-83 & 4-83, having a bearing of North 00° 22' 10" West, for the west limited access right-of-way line of Olentangy River Road, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.



EVANS, MECHWART, HAMBLETON AND TILTON, INC.

Heather L. King 1/17/06
Heather L. King
Professional Surveyor No. 8307

HLK: hlk/14Dec05
10_763 acres 50783

PRELIMINARY
APPROVAL
Deed Order
FRANKLIN COUNTY
ENGINEERING DEPT.
DATE: 18 Jan 06 BY: *[Signature]*

010 - 67230

7.849 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 7, Township 5, Range 22, Refugee Lands, being part of the original 51.93 acre tract conveyed as Second Tract to the City of Columbus by deed of record in Deed Book 700, Page 243, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

Beginning for Reference, at a monument box in the centerline of Third Avenue, being South 86° 24' 25" East, a distance of 3.43 feet, from the centerline intersection of said Third Avenue and Olentangy River Road;

Thence North 86° 24' 25" West, a distance of 820.06 feet, with the centerline of said Third Avenue, to a point;

Thence South 11° 25' 11" East, a distance of 253.13 feet, partly across the right-of-way of said Third Avenue and with a line common to the original 30.92 acre tract conveyed as First Tract (original Lot No. 7 of William Neil's Heirs Land, of record in Plat Book 3, Page 168) to the City of Columbus by deed of record in Deed Book 700, Page 243 and the 1.45 acre tract conveyed to The Chesapeake and Ohio Railway Company, nka CSX Transportation Inc., by deed of record in Deed Book 924, Page 338, to a 5/8 inch iron rebar capped "7862" found;

Thence South 11° 25' 16" East, a distance of 1637.42 feet, with the westerly lines of said original 30.92 and original 51.93 acre tracts and the easterly lines of said 1.45 acre tract and the 3.41 acre tract conveyed to The Chesapeake and Ohio Railway Company, nka CSX Transportation Inc., by deed of record in Deed Book 924, Page 338, to an iron pin set, the TRUE POINT OF BEGINNING;

Thence North 78° 34' 44" East, a distance of 370.63 feet, across said original 51.93 acre tract, to an iron pin set in the westerly right-of-way line of said Olentangy River Road;

Thence with the westerly right-of-way line of said Olentangy River Road, the following courses and distances:

South 08° 26' 47" East, a distance of 86.68 feet, to a point referenced by a 5/8 inch rebar found in concrete (South 0.11 feet, East 0.42 feet);

South 06° 11' 12" East, a distance of 309.62 feet, to a point referenced by a 3/4 inch iron pipe found (South 0.10 feet, East 0.31 feet);

South 02° 07' 17" West, a distance of 322.23 feet, to a point referenced by a 5/8 inch rebar found in concrete (North 0.06 feet, East 0.35 feet);

South 05° 47' 24" West, a distance of 368.78 feet, to a point referenced by a 3/4 inch iron pipe found (North 0.12 feet, East 0.18 feet);

South 00° 04' 41" West, a distance of 166.85 feet, to a 3/4 inch iron pipe found;

South 03° 24' 24" West, a distance of 117.07 feet, to an iron pin set;

South 78° 43' 14" West, a distance of 90.09 feet, to a 5/8 inch rebar found, capped "Thomas", in the line common to said original 51.93 and 3.41 acre tracts;

7.849 ACRES

-2-

Thence North 11° 25' 16" West, a distance of 1336.89 feet, with the line common to said original 51.93 and said 3.41 acre tract, to the TRUE POINT OF BEGINNING, containing 7.849 acres, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

Bearings are based on the Ohio State Plane Coordinate System as per NAD83-South Zone (1986 Adjustment). Control for bearings was from coordinates of monuments 5-83 & 4-83, having a bearing of North 00° 22' 10" West, for the west limited access right-of-way line of Olentangy River Road, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

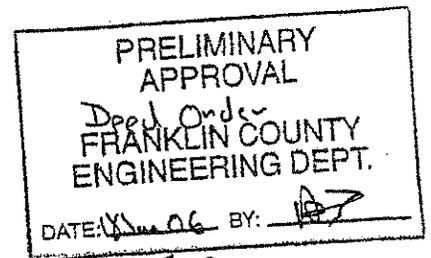


EVANS, MECHWART, HAMBLETON AND TILTON, INC.

Heather L. King 1/17/06

Heather L. King Date
Professional Surveyor No. 8307

HLK: hlk/14Dec05
7_849 acres 50783



Attachment 2

Map



Evans, Mechwart, Hambleton & Tilton, Inc.
 Engineers • Surveyors • Planners • Scientists
 5500 New Albany Road, Columbus, OH 43054
 Phone: 614.775.4500 Fax: 614.775.4600

M C M X X V I

EXHIBIT

SECTIONS 6 AND 7, TOWNSHIP 5, RANGE 22

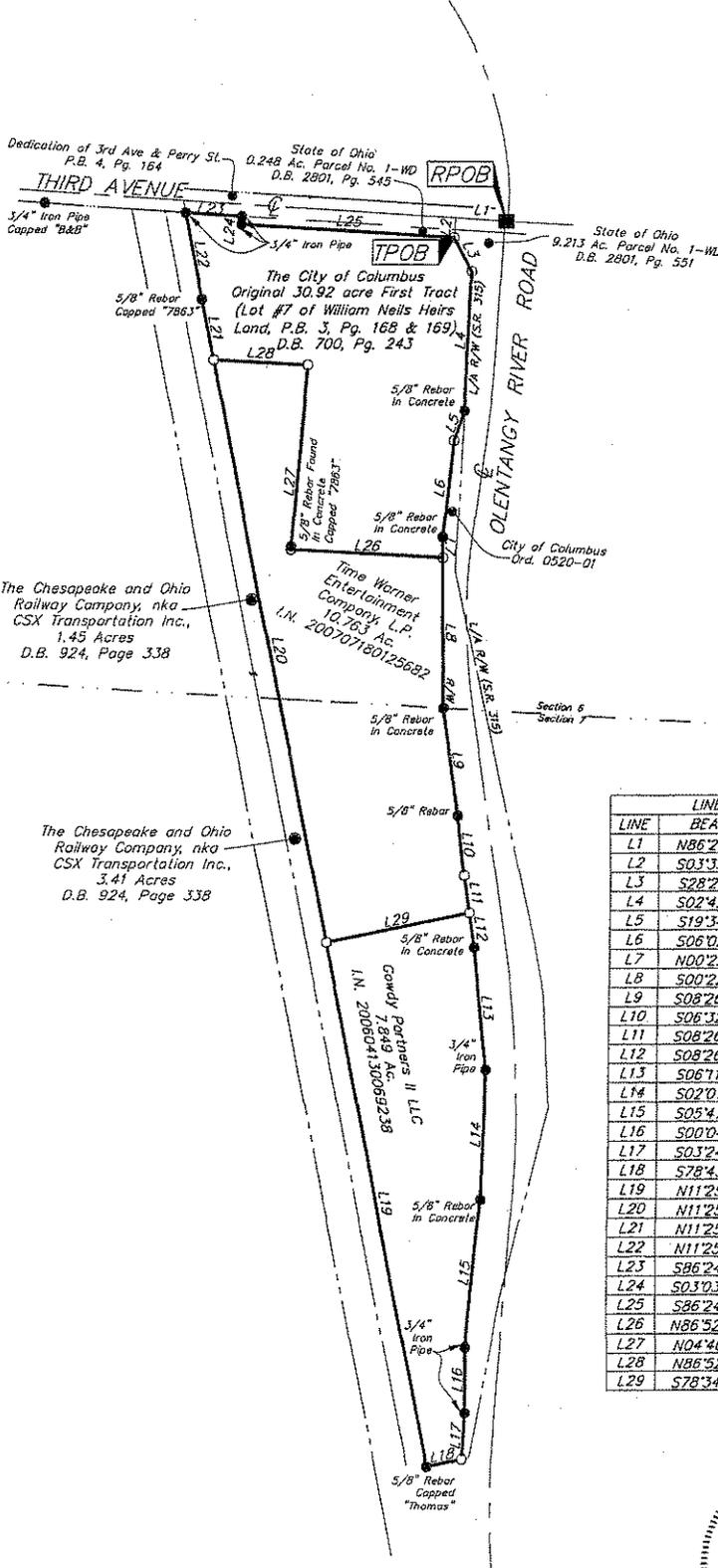
REFUGEE LANDS

CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO

Date: September 21, 2007

Scale: 1" = 300'

Job No: 2007-1918



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N86°24'25"W	129.65'
L2	S03°35'35"W	50.00'
L3	S28°23'14"E	97.06'
L4	S02°42'31"W	346.89'
L5	S19°34'23"W	79.56'
L6	S06°02'06"W	242.39'
L7	N00°22'10"W	51.82'
L8	S00°22'10"E	371.76'
L9	S08°26'47"E	274.91'
L10	S06°32'14"E	150.09'
L11	S08°26'47"E	94.99'
L12	S08°26'47"E	86.68'
L13	S06°11'12"E	309.62'
L14	S02°07'17"W	322.23'
L15	S05°47'24"W	368.78'
L16	S00°04'41"W	166.85'
L17	S03°24'24"W	117.07'
L18	S78°43'14"W	90.09'
L19	N11°25'16"W	1336.89'
L20	N11°25'16"W	1484.03'
L21	N11°25'16"W	153.39'
L22	N11°25'11"W	222.07'
L23	S86°24'25"E	142.20'
L24	S03°03'05"W	20.00'
L25	S86°24'25"E	539.97'
L26	N86°52'56"W	385.74'
L27	N04°46'15"E	462.24'
L28	N86°52'56"W	236.97'
L29	S78°34'44"W	370.63'



GRAPHIC SCALE (IN FEET)



By *Heather L. King* 9/21/07
 Professional Surveyor No. 8307

Attachment 3

Letter from City of Columbus



City of Columbus
Mayor Michael B. Coleman

Department of Development

Boyce Safford III, Director

December 18, 2007

Office of the Director
50 W. Gay St.
Columbus, OH 43215-9040
(614) 645-8591
(614) 645-8295 [FAX]

Building Services Division
757 Carolyn Ave.
Columbus, OH 43224-3218
(614) 645-7433
(614) 645-7840 [FAX]

Economic Development Division
109 N. Front St.
Columbus, OH 43215-9031
(614) 645-8616
(614) 645-1790 [FAX]

Housing Division
50 W. Gay St.
Columbus, OH 43215-9040
(614) 645-7795
(614) 645-6675 [FAX]

Neighborhood Services Division
757 Carolyn Ave.
Columbus, OH 43224-3218
(614) 645-6767
(614) 645-6961 [FAX]

Planning Division
109 N. Front St.
Columbus, OH 43215-9030
(614) 645-8684
(614) 645-1483 [FAX]

Downtown Development Office
20 E. Broad St.
Columbus, OH 43215
(614) 645-0661
(614) 724-0276 [FAX]

Land Redevelopment Office
109 N. Front St.
Columbus, OH 43215-9030
(614) 645-5263
(614) 645-3092 [FAX]

www.columbus.gov

Ms. Amy Yersavich, Manager
Voluntary Action Program
Ohio EPA
50 West Town Street, Suite 700
Columbus, Ohio 43215

Dear Ms. Yersavich:

The City of Columbus supports the efforts of PANDEY Environmental, LLC and its client, Gowdy Partners, LLC in obtaining an Urban Setting Designation (USD) for the property known as the Former Gowdy Field Property.

The City of Columbus recognizes the importance of the USD as a valuable tool for the redevelopment of urban brownfields. The reuse of these properties will lead to increased tax valuation, job creation and a stronger, more economically viable central city. The USD allows the development community to view urban properties competitively against suburban Greenfield sites.

The City of Columbus looks forward to working cooperatively with PANDEY Environmental, LLC and Gowdy Partners, LLC to redevelop this important site.

Please coordinate your activities with our Economic Development Manager, Gary Guglielmi, who can be reached at (614) 645-6427.

Thank you for your thoughtful consideration of this matter.

Sincerely,

Boyce Safford, III
Director of Development