

Mike Ebner

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JUL 14 2003

OHIO EPA/CDO

CORRECTED COPY



State of Ohio Environmental Protection Agency

Mike E.

STREET ADDRESS:

Zarus Government Center
22 S. Front Street
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

MAILING ADDRESS:

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

RECEIVED

JUN 11 2003

OHIO EPA/CDO

Craig Kasper, P.E.
Certified Professional
Hull & Associates, Inc.
6130 Wilcox Road
Dublin, Ohio 43016

**RE: Approval of the Urban Setting Designation Request - City of Lancaster
(03GR007)**

Dear Mr. Kasper:

The purpose of this letter is to respond to and conditionally approve your request on behalf of the City of Lancaster for an Urban Setting Designation (USD) within the City of Lancaster ("Lancaster USD"). The requested area of the USD consists of approximately 33 acres of primarily commercial and industrial land within the City of Lancaster. A legal description of the properties the subject of the USD approval are included as Attachment 1, and a map of the USD property and surrounding area is included as Attachment 2.

You made the request for the Lancaster USD pursuant to Ohio Administrative Code (OAC) Rule 3745-300-10(D) (revised effective October 21, 2002) under the Voluntary Action Program (VAP). A USD authorizes the use of an alternative standard for a ground water remediation based upon the urban nature of the area, the availability and widespread use of public drinking water supplies, and the lack of use of ground water in the area for potable purposes.

As you know, a Certified Professional (CP) may request a USD under the VAP upon demonstration that the threshold criteria contained in OAC 3745-300-10(D)(1)(a) through (g) have been met for the proposed USD. The threshold criteria include consideration of the factors contained in OAC 3745-300-10(D)(2)(e)(ii) through (vii), 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.

The following information briefly describes how your request for the Lancaster USD meets the threshold criteria in OAC 3745-300-10(D)(1)(a) through (g), and satisfies Ohio EPA's consideration of the additional factors contained in OAC 3745-300-10(D)(2)(e)(ii) through (vii).

I. THRESHOLD CRITERIA: OAC 3745-300-10(D)(1)(a) through (g).

The following information demonstrates satisfaction of the requirements contained in OAC 3745-300-10(D)(1)(a) through (g), the USD criteria for the properties comprising the Lancaster USD.

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

1. OAC 3745-300-10 (D)(1)(a): Property location within city limits.

Attachment B of the USD request documentation (USD request) includes population data from the 2000 census for the City of Lancaster. Lancaster meets the definition of a city. Plate 1 of the USD request shows that the USD is completely contained within the corporation limits of the City of Lancaster.

2. OAC 3745-300-10(D)(1)(b)-(c): Parcels connected to a community water system.

The following information supports the conclusion that at least 90% of the parcels in Lancaster are connected to a public water supply.

- a. The USD request shows the number of parcels with water available by using the City of Lancaster's GIS system to create a 100-foot setback from each existing 4 inch water line at the curb. Attachment D contains the water distribution system for the City of Lancaster. Since the map does not include 2 inch water lines, this is a conservative estimate of connectivity. Using this assessment, it was determined that 91.5% of the total parcels with frontage on a road are connected or capable of being connected to a municipal water supply. Adding the smaller secondary lines through a manual count, the USD request shows a total of 95% of parcels capable of being connected to the municipal water supply.
- b. The total number of well records was subtracted from the total number of parcels with City water available was used to determine the percentage of parcels within the City that are connected to City water. This assessment determined that 92.5% are connected to the municipal water supply system.
- c. A water system distribution map was provided by the City of Lancaster that demonstrates the complete coverage provided by the municipal water supply system. A copy of the map is provided in Attachment D of the USD request.
- d. Based on 1990 Census data, 98.3% of the housing units within the City of Lancaster obtain their water from the municipal water supply system or a private company. The Census data is included in Attachment F of the USD request.

3. OAC Rule 3745-300-10(D)(1)(d): Presence of a community water system capable of meeting future water needs.

A letter from the City of Lancaster Department of Engineering and Environmental Division dated May 7, 2003 outlining the current and future water capacity of the City of Lancaster, is included in Attachment C of the USD request. The City of Lancaster currently produces an average of five million gallons per day (mgd) of water from the Miller Park Well Field. The City is currently expanding water production with an additional well field and water plant located to the south of the City. This well field will have a production capacity of eight mgd expandable to 13 mgd. With the addition of this well field, plus improvements planned to the water distribution system, the maximum production capacity will be 19.5 mgd, almost four times the current water production. This letter is included in Attachment C of the USD request.

4. OAC 3745-300-10(D)(1)(e): Lancaster USD not within a “drinking water source protection area for a public water system using ground water”.

A letter from Ohio EPA’s Division of Drinking and Ground Waters (DDAGW), dated February 24, 2003, states that there are no sole source aquifers within the Lancaster city limits. Plate 3 of the USD request shows the location of Lancaster’s Drinking Water Source Water Protection Area, which demonstrates that the USD area is not located within a Drinking Water Source Water Protection Area for a Public Water System Using Ground Water. This letter is included in Appendix H of the USD request.

5. OAC 3745-300-10(D)(1)(f): Potable wells not located within one-half mile of the USD boundary.

OAC 3745-300-10(D)(1)(f) requires that potable use wells not be located within one-half mile of the requested USD. However, the rule further provides the requested USD may still be acceptable if the CP demonstrates that the capture zones of any potable use wells within one-half mile do not extend under the USD property. Based on the USD request, the various sources were reviewed to determine whether potable wells are located within one-half mile of the USD: potable use well records from the Ohio Department of Natural Resources (ODNR); active noncommunity transient, and noncommunity nontransient water system records from the Ohio EPA; the City of Lancaster Utility Department sewer and well account records; City of Lancaster Division of Water records; and the Fairfield Department of Health. Wells that were determined to fall within one-half mile of the USD area were inventoried in the field to determine their location. This survey turned up 18 wells located within one-half mile of the USD boundary. The USD request demonstrates that the capture zones of these wells do not extend under the USD area, or that the wells will be disconnected and no longer used for potable water, as noted below. Plate 4 in the USD request shows the location of the wells.

Attachment M of the USD request contains a copy of Ordinance No. 11-03, adopted by the City of Lancaster along with the Fairfield county Combined Health Department. The ordinance, adopted by the City of Lancaster on April 7, 2003, restricts the use of ground water for potable purposes within the City limits. The ordinance prohibits the installation of any potable water supply well within the incorporated limits of the City. It also requires that all existing private potable water supply wells in Lancaster to be disconnected or abandoned, and the property to connect to the municipal water supply system.

- Three potable wells were located on the Anchor Hocking Plant #2 Property, one of the properties included in the USD. All three wells have been disconnected and the property connected to the City water supply system.
- Five potable wells were determined to exist about one-half mile southwest of the USD. These wells are located on the west side of the Hocking River, which flows between these five wells and the USD. Previous hydrogeologic investigations associated with the City of Lancaster's Wellhead Protection Plan for the Miller Park Wellfield determined that the Hocking River gains water from the ground water except in the immediate vicinity of the City Wellfield. Ground water flow is captured by the river from both sides of the river. Therefore, the Hocking River provides a hydraulic barrier to flow from water under the USD. The capture zones of the wells located west of the Hocking River would not extend under the USD area.
- Four potable wells were determined to be located approximately 700 feet to the southeast of the USD. Based on City Ordinance 11-03, the wells are required to be disconnected and the residences connected to the municipal water supply. Ohio EPA understands that one of the wells is currently in the process of being disconnected and that the City intends to have the remaining three wells disconnected prior to mid-August, 2003. Attachment M of the USD request includes copies of the letters of notification to the homeowners, and an affidavit from the City detailing the notification process. A map showing the location of the potable wells southeast of the USD is included as Attachment 3 to this letter.
- Six potable wells are located just within one-half mile south of the USD. One of these wells is located within the City limits, and must be disconnected as required by the ordinance. The other five wells are located outside the City incorporated limits. Though these wells are not required to be disconnected, the capture zones from these wells do not extend under the USD. These wells are completed in the bedrock ground water zone. Information from nearby ODNR well logs indicates that the yield of the bedrock ground water zone is about 10 to 15 gpm.

The USD request relies on a weight of evidence approach to demonstrate that the capture zones of these five wells will not extend under the USD.

1. Based on a review of located ODNR well logs and the ODNR Ground Water Resources of Fairfield County Map (Schmidt, 1992), the bedrock ground water zone likely has a lower hydraulic conductivity than the unconsolidated ground water zone. The ground water from the property is therefore likely to flow preferentially through the unconsolidated sediments rather than the bedrock ground water zone. No wells currently are completed in the unconsolidated materials above the bedrock. Ordinance 11-03 prohibits the installation of new potable private wells.
2. The USD request shows ground water present within the bedrock flows to the west and southwest, towards the Hocking River. The demonstration uses a potentiometric contour map of the bedrock ground water based on water elevation data from the five bedrock wells. Based on the location of the wells and the location of the USD, the capture zone of the wells would extend to the northeast, not to the northwest, under the USD.
3. Based on a ground water flow model developed as part of the Wellhead Protection Plan for the Miller Park Wellfield, ground water flowing in the bedrock provides recharge to ground water in the shallower unconsolidated sediments. Thus, the capture zones of wells screened in the bedrock would not extend under the USD.

In addition, USD request considers the potential for ground water to flow along the bedding planes that dip to the south 56 degrees east at an angle of approximately 3.0 to 4.5 degrees. Though the direction of the dip is towards the wells south of the USD, due to the low dip of the bedding planes and the vertical location of the well intakes, ground water or contaminants flowing from the USD along bedrock bedding planes would not impact the wells.

6. OAC 3745-300-10(D)(1)(g): Criteria applicable to USD property located over a consolidated sole source aquifer or 100 gpm unconsolidated aquifer.

Ohio EPA provided a map, included in Attachment H of the USD request, showing the location of all sole source aquifers in the State of Ohio. The map indicates that a sole source aquifer is not located beneath the USD. However, the USD is located over an unconsolidated zone capable of yielding more than 100 gpm.

Thus, a demonstration must be made that there is no reasonable expectation that wells would be installed or used within a one-half mile radius of the USD boundary. The

following is a brief discussion of Ohio EPA's review of the USD request related to the criteria of OAC 3475-300-10(D)(1)(g)(i) through (iv).

a. OAC 3745-300-10(D)(1)(g)(i): Legally enforceable restrictions.

Attachment M of the USD request includes a copy of Ordinance No. 11-03, adopted by the City of Lancaster in cooperation with the Fairfield County Combined Health Department. The ordinance, adopted by the City of Lancaster on April 7, 2003, restricts the use of ground water for potable purposes within the City limits. The ordinance prohibits the installation of any potable water supply well within the incorporated limits of the City. It also requires that all existing private potable water supply wells in Lancaster to be disconnected or abandoned, and the property to connect to the municipal water supply system within 120 days of the issuance of the ordinance.

b. OAC 3745-300-10(D)(1)(g)(ii): Current land use patterns or ground water quality.

Considering the extensive coverage of the City water distribution system, the primarily commercial and industrial land use, and the planned water supply expansions, it is expected that future potable water supply within one-half mile of the USD is more practical from the municipal water supply system than from installing private wells. A map of City zoning area is included in Plate 6 of the USD request. A map of the City water distribution system is included in Attachment D of the USD request. A letter detailing the planned water supply system expansions is included in Attachment C of the USD request.

c. OAC 3745-300-10(D)(1)(g)(iii): 90% of parcels within one-half mile of USD connected to community water system.

By subtracting the number of potable use wells within one-half mile of the USD from the number of parcels within one-half mile of the USD, the USD request demonstrates that greater than 90% of parcels within one-half mile of the USD are connected to the community water system. As outlined in Comment 2 above, greater than 94.4% of the parcels within one-half mile of the USD property are connected to the community water supply. In addition, the City of Lancaster Ordinance No. 11-03 restricts the installation of any potable water supply wells within the incorporated limits of the City and requires connection to the municipal water supply system. A copy of the ordinance is located in Attachment M of the USD request.

d. OAC 3745-300-10(D)(1)(g)(iv): Capture zones from potable use wells not reasonably anticipated to extend under the USD.

As the City of Lancaster has adopted an ordinance requiring the disconnection of all private potable wells and forbidding the installation of new private potable wells, no

potable wells are reasonably expected to be installed or used within one-half mile of the USD. Therefore, the capture zones from any such wells are not reasonably anticipated to extend under the USD.

II. ADDITIONAL FACTORS FOR CONSIDERATION: 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) requires the Ohio EPA Director to consider several factors to determine the potential impact of the USD on surrounding jurisdictions and regional water resource needs: whether the ground water in the area of the USD is currently or is reasonably expected to be used as a future source of potable ground water, the availability and feasibility of treatment systems; and any other factors determined to be relevant to the determination of whether the USD is protective of public health, safety and the environment. The following is a discussion of these factors:

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

To determine potential impacts on surrounding jurisdictions, the Ohio EPA normally looks at communities located within a five mile radius of the USD. Since no municipal areas or jurisdictions are located within five miles of this USD, it was determined that a sampling of jurisdictions within ten miles of the USD would be contacted to determine regional ground water resource needs. After consultation with representatives of several jurisdictions within a ten (10) mile radius surrounding the USD, the criteria contained in OAC Rule 3745-300-10 (D)(2)(e)(ii) and (iii) have been considered by Ohio EPA, with the information received. The following is a summary of the information received:

- a. The Village of Baltimore is in the northern portion of Fairfield County, approximately 9 miles from the Lancaster USD. Baltimore operates its own water treatment plant and obtains its water from wellfields located at the northeast side of the village. Most of the aquifer is outside the village limits as indicated by an Ohio EPA wellhead assessment. Baltimore also supplies the Village of Thurston with drinking water. The ground water supplied to the Village of Baltimore will not be impacted by the Lancaster USD as Baltimore is located several miles upgradient of the USD.
- b. The Village of Bremen is in the southeastern corner of Fairfield County, approximately 9 miles from the Lancaster USD. Bremen operates its own water treatment plant and obtains its water from 2 wellfields. One wellfield is located inside the village limits near Carter Street and State Route 664; the second wellfield is located near East Marietta Street in Howell Park. Bremen also supplies the Village of Rushville and the Village of West Rushville with drinking water. The Village of Baltimore is interested in acquiring more land for its

wellfields (in order to meet a requirement for 300 feet isolated radius per each well for wellhead protection), and the present water treatment plant will need to be upgraded or replaced. In addition, the Village of Bremen may possibly supply the Hideaway Hills development with drinking water in the future, but there are no finalized plans for that proposal. These current and future needs for the Village of Bremen will not be impacted by the Lancaster USD as Bremen is located upgradient of the USD.

- c. The Village of Pleasantville is in the northeastern portion of Fairfield County, approximately 8 miles from the Lancaster USD. Pleasantville owns a water treatment plant but contracts with the Walnut Creek Sewer District to operate it. The Village obtains its water from wells located on Pleasantville Road (County Road 17). The Village of Pleasantville presently does not have any plans for expanding its water supplies. The ground water supplied to the Village of Pleasantville will not be impacted by the Lancaster USD as Pleasantville is located several miles upgradient of the USD.
- d. The Village of Sugar Grove is in the southeastern portion of Fairfield County, approximately 6 miles from the Lancaster USD. Sugar Grove operates its own water treatment plant and obtains its water from 2 wells located west of the railroad track on 3 acres between the village park and U.S. Route 33. The wells are less than 1 mile from the water treatment plant. One of the wells had to be dug deeper (to a depth of 58 feet) as it started going dry. The Village of Sugar Grove considers its water supplies currently sufficient; however, notes that could change depending on future growth and annexation. The ground water supplied to the Village of Sugar Grove is not expected to be impacted by the Lancaster USD as Sugar Grove is located at least six miles downgradient of the USD.
- e. The Village of Carroll is located in the northwestern portion of Fairfield County, approximately 8 miles from the Lancaster USD. The Village obtains its water from 3 wells located in the center of the village. The wells are sufficient to meet the present and future water needs of the Village. The Village of Carroll is located several miles upgradient of the USD and as a result would not be impacted by the Lancaster USD.
- f. The Village of Amanda is located in the southwestern portion of Fairfield County, approximately 8 miles from the Lancaster USD. Ohio EPA was unsuccessful in its attempts to contact Village officials regarding their current and anticipated potable water use needs. However, the Village of Amanda has been determined to be in a different flow regime than the flow regime of the Lancaster USD and therefore, the USD is not expected to impact the Village's water supply.

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

The jurisdictions contacted by Ohio EPA do not have treatment systems (or plans to install any treatment systems) designed to protect against exposure to chemicals in excess of VAP potable standards. Given no adverse impact is expected on any of their water supplies as a result of the USD (based on ground water flow, as noted above), the lack of treatment capability is not relevant to the USD approval.

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

The USD has been the subject of a public meeting that was held at the Lancaster City Counsel Chambers on May 21, 2003. No public comments have been presented to or received by Ohio EPA questioning the accuracy of the information gathered regarding this USD request. Also, Ohio EPA has received no additional factual information to suggest that the USD would not be protective of public health and safety and the environment. Further, Ohio EPA has been in contact with representatives from the City of Lancaster and city officials appear to be in support of, not in opposition to, the USD request.

This letter, approving your request for the Lancaster USD, is not a final action of the Director. The approved USD may be used to establish applicable ground water standards for a property located within the Lancaster USD. However, the use of the Lancaster USD is contingent upon a CP's determination, at the time of the submission of a No Further Action letter for the property, that no significant change of circumstances has occurred that affect the criteria upon which the USD is approved, as contained in OAC 3745-300-10(D) and this letter.

This approval of the Lancaster USD is conditioned on the closure of four potable use wells and connection to the City's water supply, and verification of the same. More specifically, the condition presumes the four potable wells designated as well numbers 394068, 256966, 256977, and the "domestic well" will be properly abandoned and the affected premises connected to the City water supply by August 22, 2003 in accordance with City Ordinance 11-03. Attachment 3 shows the locations of the wells. To demonstrate the condition is met, you (as certified professional) or the City must submit to Ohio EPA, to the attention of Amy Yersavich, VAP Manager, P.O. Box 1049, Columbus, Ohio 43215, an affidavit signed by a City official attesting to the completed closure of the four potable wells and connection of the affected premises to the City's water supply.

In addition, the use of the Lancaster USD as an applicable ground water standard is contingent upon demonstration in a No Further Action letter that the property the subject of the No Further Action letter is eligible for participation in the VAP, pursuant to Ohio Revised Code § 3746.02 and OAC 3745-300-02. Finally, this USD approval pertains only to eligible properties located within the Lancaster USD, and is not applicable to any other property.

Thank you for your interest and participation in the VAP. If you have any questions concerning this letter, please contact Amy Yersavich at (614) 644-2285 or Mike Ebner at (614) 466-2476.

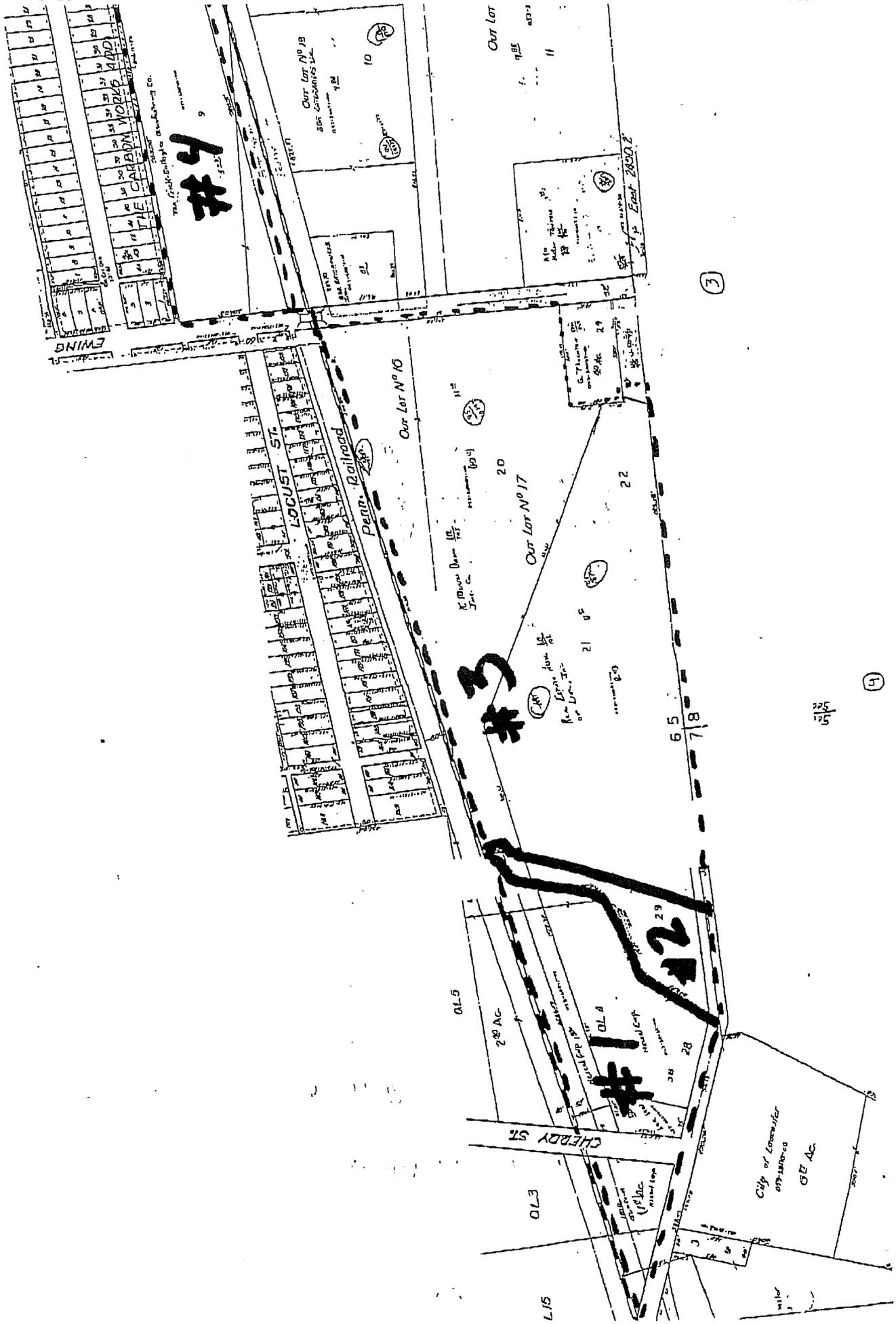
Sincerely,



Christopher Jones
Director, Ohio EPA

cc: Amy Yersavich, Manager DERR-CO
Frank Robertson, Supervisor, DERR-CO
Sydney Poole, Geologist, DDAGW-CO
Mike Ebner, Environmental Specialist, DERR-CDO
Linnea Saukko, Supervisor, DDAGW-CDO
Jason Reed, Geologist, DDAGW-CDO
Sue Kroeger, Attorney, Legal
DERR-CO Files

ATTACHMENT 1



3

4

5

#9

#3

#12

CHERRY ST

LOCUST ST

Penn. Railroad

Our Lot No 10

Our Lot

Our Lot

Our Lot No 16

Our Lot No 17

22

21

20

11

015

28 AC

014

28

29

017

City of Lancaster

01 AC

water

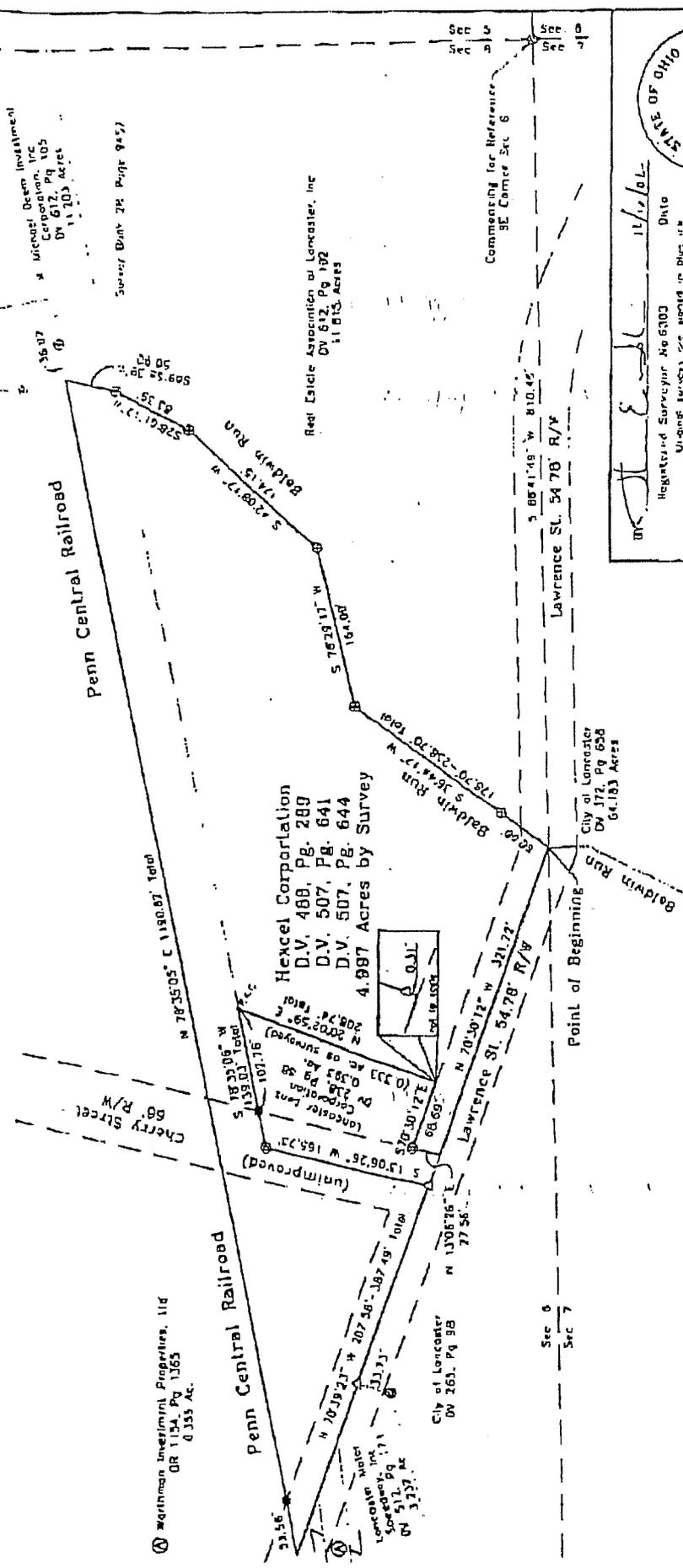
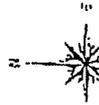
#1

LEGEND

- ⊙ 3/8" Prior Lot Standard "Tobin-McFarland"
- ⊙ 3/4" 2nd-Order Accuracy IRI
- ⊙ 1/4" 1st-Order Accuracy IRI
- ⊙ 1/2" 1st-Order Accuracy IRI
- ⊙ 1/4" 1st-Order Accuracy IRI
- ⊙ 1/4" 1st-Order Accuracy IRI

Plat of Survey

Hexcel Corporation
 Township 14, Range 18, Section 6
 City of Lancaster, State of Ohio



STATE OF OHIO
 REGISTERED SURVEYOR
 THOMAS E. TOBIN
 03983

Registered Surveyor No 6300
 Date: 11/1/81

Original Survey on which this is based
 FOR: City of Lancaster
 FILE: 00LANC 016
 DATE: Dec 16, 2002
 DISK: 812_CDI

TOBIN-MCFARLAND SURVEYING INC.
 111 West Whittier Street, Lancaster, Ohio 43141
 Phone: 740-647-1710 Fax: 740-687-0871

FDMA Community Point No. J80161 U0510 U. Zone MK
 Bearings are based on an assumed meridian and are used to denote angles only.
 Bearings and distances shown in parentheses are from previous surveys and/or deeds

TOBIN-McFARLAND SURVEYING, INC.



Professional Land Surveyors

111 West Wheeling Street
Lancaster, Ohio 43130
Phone (740) 687-1710
Fax (740) 687-0877

#1

Description of 4.997 Acres

Situated in the State of Ohio, Fairfield County, Township 14, Range 18, Section 6, City of Lancaster and being all of a tract described to Hexcel Corporation by Deed Volume 488, Page 289, Deed Volume 507, Page 641, and Deed Volume 507, Page 644 Fairfield County Recorder's Office, and being more particularly described as follows:

COMMENCING FOR REFERENCE at a 3/4" iron pipe found at the southeast corner of Section 6.

Thence South 88°41'49" West with the south line of Section 6 a distance of 810.46 feet to a point in Lawrence Street over Baldwin Run and being **THE TRUE POINT OF BEGINNING**;

Thence North 70°30'12" West a distance of 321.72 feet to a point in the center of Lawrence Street;
Thence North 13°06'26" East a distance of 27.56 feet to a 3/4" iron pipe found at the intersection of the north line of Lawrence Street and the east line of Cherry Street (unimproved) and the southwest corner of a 0.393 acre tract described in Deed Volume 238, Page 88;

Thence South 70°30'12" East a distance of 68.69 feet to a point at the southeast corner of said 0.393 acre tract and on the north line of Lawrence Street;

Thence North 20°02'59" East, passing a railroad spike found at 0.31 feet, a distance of 208.74 feet to a PK Nail found at the northeast corner of said 0.393 acre tract;

Thence South 78°35'06" West, passing a 5/8" rebar set on the northeast corner of said 0.393 acre tract and the east line of Cherry Street (unimproved) at 102.76 feet, a distance of 139.03 feet to a 3/4" iron pipe found in the center of Cherry Street (unimproved);

Thence South 13°06'26" West a distance of 165.73 feet to a railroad spike found at the intersection of the centers of Cherry Street (unimproved) and Lawrence Street;

Thence North 70°39'23" West, passing a railroad spike found at 207.58 feet, a distance of 387.49 feet to a point in the center of Lawrence Street and on the southerly right of way of the Penn Central Railroad;

Thence North 78°35'05" East a distance of 1190.82 feet to a point in Baldwin Run and on said railroad right of way, said point being witnessed by a 5/8" rebar previously set North 78°35'05" East a distance of 36.07 feet;

Thence along Baldwin Run the following four (4) courses:

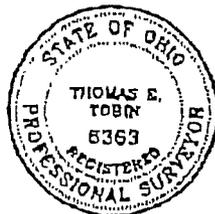
- 1) South 09°58'39" West a distance of 50.90 feet to a 5/8" rebar previously set;
- 2) South 28°01'17" West a distance of 83.39 feet to a 5/8" rebar previously set;
- 3) South 42°08'17" West a distance of 174.15 feet to a 5/8" rebar previously set;
- 4) South 76°29'17" West a distance of 164.00 feet to a 5/8" rebar previously set;

Thence continuing along Baldwin Run South 36°44'17" West, passing a 5/8" rebar previously set at 178.70 feet, a distance of 238.70 feet to **THE TRUE POINT OF BEGINNING** containing 4.997 acres, and being subject to all legal easements, restrictions, and rights-of-way of record.

Bearings are based on an assumed meridian and are used to denote angles only. Rebars set are 5/8 inch by 36 inches and have a yellow plastic cap stamped "Tobin-McFarland." For additional information, see plat of survey made in conjunction with and considered an integral part of this description

This description is based on a survey made in December 2002 by Tobin-McFarland Surveying, Inc., and was prepared by Thomas E. Tobin, Registered Professional Surveyor No. 6363.

Originals are signed in blue ink



Thomas E. Tobin 12/16/02
Thomas E. Tobin, P.S. Date

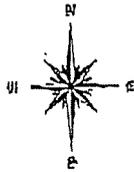
December 16, 2002
Date

#2

Plat of Survey

1.494 Acres

Section 6, Township 14, Range 18,
City of Lancaster, State of Ohio



LEGEND

- 5/8" Rebar Set Copied Tobin-McFarland
- ⊗ 3/8" Rebar Previously Set
- ⊙ 3/4" Iron Pipe Found

K. Michael Deam Investment Corporation, Inc.
DV 612, Pg 105
11.023 Acres

Penn Central Railroad

City of Lancaster
OR 1275, Pg 3462
4.897 Acres
Survey Book 69, Page 16280

Survey Book 28, Page 9457

Real Estate Association of Lancaster, Inc.
DV 512, Pg 102
11.815 Acres

1.494 Acres Total

1.365 Ac.

Point of Beginning
1.494 Acres

City of Lancaster
DV 372, Pg 558
84.183 Acres

Lawrence St. 54.78' R/W

Commencing for Reference
SE Corner Sec. 6

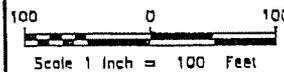
Bearings are based on a previous survey located in Survey Book 28, Page 9457 and are used to denote angles only.

Original surveys are signed in blue ink.

FOR: Steve Cross
FILE: Anchor03-1.dwg

BY: *[Signature]* April 30, 2003

Registered Surveyor No.6363 Date



TOBIN-MCFARLAND SURVEYING INC.
111 West Wheeling Street
Lancaster, Ohio 43130

DATE: APRIL 30, 2003
DISK: BJS_CDR

Ph. 740-687-3710 Fax 740-687-0877

#2

TOBIN-McFARLAND SURVEYING, INC.



Professional Land Surveyors

111 West Wheeling Street
Lancaster, Ohio 43130
Phone (740) 687-1710
Fax. (740) 687-0877

Description of 1.494 Acres

Situated in the State of Ohio, Fairfield County, Township 14, Range 18, Section 6, City of Lancaster and being part of a 11.023 acre tract described to K. Michael Deem Investment Corporation, Inc. by Deed Volume 612, Page 105 and a 11.815 acre tract described to Real Estate Association of Lancaster in Deed Volume 612, Page 102 Fairfield County Recorder's Office, and being more particularly described as follows:

COMMENCING FOR REFERENCE at a 3/4" iron pipe found at the southeast corner of Section 6; Thence South 88°55'32" West a distance of 578.35 feet to point in Lawrence Street, on the south line of Section 6, and **THE TRUE POINT OF BEGINNING**;

- Thence South 88°55'32" West a distance of 232.11 feet to a point;
- Thence North 36°58'00" East, passing a 5/8" rebar previously set at 60.00 feet, a distance of 238.70 feet to a 5/8" rebar previously set;
- Thence North 76°43'00" East a distance of 164.00 feet to a 5/8" rebar previously set;
- Thence North 42°22'00" East a distance of 174.15 feet to a 5/8" rebar previously set;
- Thence North 28°15'00" East a distance of 83.39 feet to a 5/8" rebar previously set;
- Thence North 10°12'22" East a distance of 50.90 feet to a point;
- Thence North 78°48'49" East, passing a 5/8" rebar previously set at 36.07 feet, a distance of 82.54 feet to a 5/8" rebar previously set;
- Thence North 11°11'11" West a distance of 55.41 feet to a 5/8" rebar previously set;
- Thence North 78°48'49" East a distance of 21.81 feet to a point;
- Thence South 11°11'11" East a distance of 42.04 feet to a 5/8" rebar set;
- Thence South 07°15'39" West a distance of 44.80 feet to a 5/8" rebar set;
- Thence South 57°40'51" West a distance of 41.41 feet to a 5/8" rebar set;

Thence South 33°45'03" West, passing a 5/8" rebar set at 494.08 feet, a distance of 532.86 feet to **THE TRUE POINT OF BEGINNING** and containing 1.494 acres, of which 1.365 acres is from said 11.815 acre tract and 0.129 acres is from said 11.023 acre tract.

Bearings are based on a previous survey located in Survey Book 28, Page 9457 and are used to denote angles only. Rebars set are 5/8 inch by 36 inches and have a yellow plastic cap stamped "Tobin-McFarland." For additional information, see plat of survey made in conjunction with and considered an integral part of this description.

This description is based on a survey made in September 1992 and April 2003 by Tobin-McFarland Surveying, Inc., and was prepared by Thomas E. Tobin, Registered Professional Surveyor No. 6363.

Originals are signed in blue ink



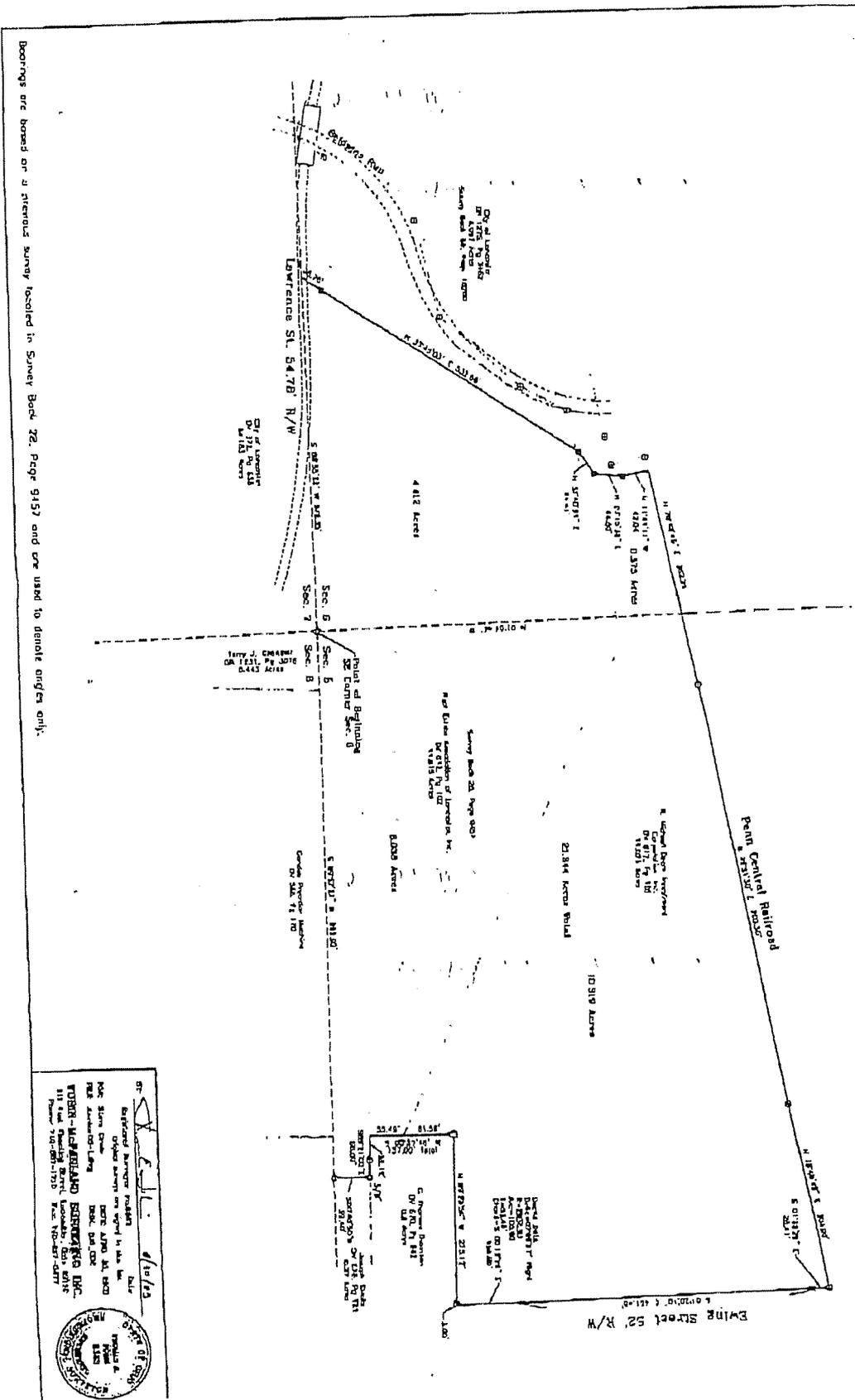
Thomas E. Tobin 4/30/03
Thomas E. Tobin, P.S. Date

April 30, 2003
Date

#3

- LEGEND**
- 3/4" Rubber Sill Coped "Yosh-Wal-Ford"
 - 5/8" Rubber Precast Sill
 - One Inch Square Iron Pin Found
 - ✱ Not Found in Concrete Wing Wall, Chain SI
 - 3/4" Iron Pipe found unless otherwise noted
 - ✱ Concrete Cross Found in Concrete Wall

Plat of Survey
 21.344 Acres
 Section 5, Township 14, Range 18,
 City of Lancaster, State of Ohio



Bearings are based on a meridian survey located in Survey Book 22, Page 9457 and are used to denote angles only.

BY: *[Signature]* d/10/05
 Registered Professional Surveyor
 No. 10000 State of Ohio
 111 East 10th Street, Columbus, Ohio 43260
 (614) 221-1111 Fax: (614) 221-1112

FOR: **YOSH-WAL-FORD ENGINEERING INC.**
 111 East 10th Street, Columbus, Ohio 43260
 (614) 221-1111 Fax: (614) 221-1112



TOBIN-McFARLAND SURVEYING, INC.



Professional Land Surveyors

111 West Wheeling Street
Lancaster, Ohio 43130
Phone (740) 687-1710
Fax. (740) 687-0877

#3

Description of 21.344 Acres

Situated in the State of Ohio, Fairfield County, Township 14, Range 18, Section 6, City of Lancaster and being part of a 11.023 acre tract described to K. Michael Deem Investment Corporation, Inc. by Deed Volume 612, Page 105 and a 11.815 acre tract described to Real Estate Association of Lancaster in Deed Volume 612, Page 102 Fairfield County Recorder's Office, and being more particularly described as follows:

BEGINNING at a 3/4" iron pipe found at the southeast corner of Section 6;
Thence South 88°55'32" West a distance of 578.35 feet to point in Lawrence Street, on the south line of Section 6;
Thence North 33°45'03" East, passing a 5/8" rebar set at 38.78 feet, a distance of 532.86 feet to a 5/8" rebar set;
Thence North 57°40'51" East a distance of 41.41 feet to a 5/8" rebar set;
Thence North 07°15'39" East a distance of 44.80 feet to a 5/8" rebar set;
Thence North 11°11'11" West a distance of 42.04 feet to a 5/8" rebar set;
Thence North 78°48'49" East a distance of 362.26 feet to a 5/8" rebar previously set;
Thence North 79°51'30" East a distance of 700.30 feet to a 5/8" rebar previously set;
Thence North 78°48'49" East a distance of 304.00 feet to a 5/8" rebar previously set;
Thence South 01°28'29" East a distance of 28.41 feet to a nail found in a concrete wing wall on the Ewing Street bridge over the railroad;
Thence South 01°20'10" East a distance of 461.45 feet to a chiseled cross found in a concrete walk;
Thence along a curve to the right with a radius of 2838.93 feet, an arc length of 106.90 feet, and a chord bearing and distance of South 00°15'26" East 106.89 feet to a point;
Thence North 89°20'56" West, passing a 5/8" rebar previously set at 3.00 feet, a distance of 275.12 feet to a 1" square iron pin found;
Thence South 00°37'46" West a distance of 137.00 feet to a point;
Thence South 89°21'02" East, passing a 5/8" rebar previously set at 38.12 feet, a distance of 66.00 feet to a 5/8" iron pipe found;
Thence South 00°40'50" West a distance of 59.40 feet to a 3/4" iron pipe found on the southerly line of Section 5;

Thence South 89°52'27" West a distance of 893.92 feet to **THE POINT OF BEGINNING** and containing 21.344 acres, of which 10.450 acres is from said 11.815 acre tract and 10.894 acres is from said 11.023 acre tract.

Bearings are based on a previous survey located in Survey Book 28, Page 9457 and are used to denote angles only. Rebars set are 5/8 inch by 36 inches and have a yellow plastic cap stamped "Tobin-McFarland." For additional information, see plat of survey made in conjunction with and considered an integral part of this description.

This description is based on a survey made in September 1992 and April 2003 by Tobin-McFarland Surveying, Inc., and was prepared by Thomas E. Tobin, Registered Professional Surveyor No. 6363.

Originals are signed in blue ink



Thomas E. Tobin 4/30/03
Thomas E. Tobin, P.S. Date

April 30, 2003
Date

#4

Form OH-ORHO (FARIAMENT DEED - From a Corporation) FUTURE REGISTRATION BY THE GRANTEE

Know all Men by these Presents

That, **RAY-D-VAC CORPORATION**, a Delaware Corporation, whose name was changed to **RAYOVAC Corporation** effective Nov. 18, 1981 ~~has granted~~ ^{has conveyed} unto ~~the Grantor~~ ^{the Grantor}, for the consideration of

One dollar and other valuable considerations, received to the full satisfaction of **THE PRICK-CALLAGHER MANUFACTURING COMPANY**

Wellston, OH 45692
the Grantee, **Deo Gur, Sr., Burgin, Bell and Ganney** unto the said Grantee, its successors, heirs and assigns, the following described premises, situated in the City of Lancaster, County of Fairfield and State of Ohio:

Being part of the Southwest Quarter of Sec. Five (5), Township Fourteen (14), Range Eighteen (18), and is also a part of outlots number Twenty (20) and Twenty-three (23) of the second subdivision of outlots, east of the City of Lancaster, by the Lancaster Ohio Bank, and is bounded by: Beginning at a point where the north line of the Cincinnati and Muskingum Valley Railroad right of way is intersected by the east line of said outlot number twenty-three (23); thence south seventy-nine and one-half degrees west, thirteen chains and ninety three links (13.93 chains) to the east line of the Mill Road; thence north with the east line of the Mill Road, nine chains (9.00 chains) to a post; thence north eighty-four and three-fourth degrees east, thirteen chains and eighty-eight links (13.88 chains) to the east line of said outlot number twenty-three (23); thence south eight chains (8.00 chains) to the place of beginning, containing eleven and 79-100 acres of land, more or less.

SAVING and excepting however from the land in this parcel conveyed, Lots Nos. 1 to 14 inclusive, Nos. 26 and Nos. 38 to 44 inclusive of the so-called **CARBON WORKS ADDITION** to Lancaster, Ohio, being an Addition made by The Consumers Carbon Company out of the premises conveyed to it by Samuel Black and wife by deed recorded in Volume 90, page 197, Fairfield County Records of Deeds of which the land described in this parcel forms a part - the above described lots having been heretofore sold and conveyed; and saving and excepting, however, from the land in this parcel conveyed, an easement and public right of way for public highway, bridge, and road purposes, in, upon, and over the lands hereinafter described: Situated in the City of Lancaster, Fairfield County, Ohio, Berne Township, Section 5, Township 16, Range 18 and bounded and described as follows:

PARCEL NO. 1
Beginning at Station 3+23.5 of a survey of South Ewing Street bridge made by the Fairfield County Engineer's Office; thence North 79.5 feet to Station 4+03 of said survey; thence East 27.4 feet to a point; thence South 12+46' East 60.9 feet to a point; 14.0 feet to a point; thence South 80° 00' West 31.2 feet to the place of beginning.

SAID PREMISES also described as being lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37 in the **CARBON WORKS ADDITION** to the City of Lancaster AND a tract of land containing 5.19 acres designated as Auditor's Parcel No. 535.0070.00.

AND a vacated alley twelve (12) feet wide lying south of and abutting said lots 27 through 37 (vacated by Ordinance 15-82)

REFERENCE being had to Deed Recorded in Volume 501, page 114, Fairfield County Deed Records.

TRANSFERRED REAL ESTATE CONVEYANCE
Feb 5 1982
Exempt # _____
MAY 25 1982

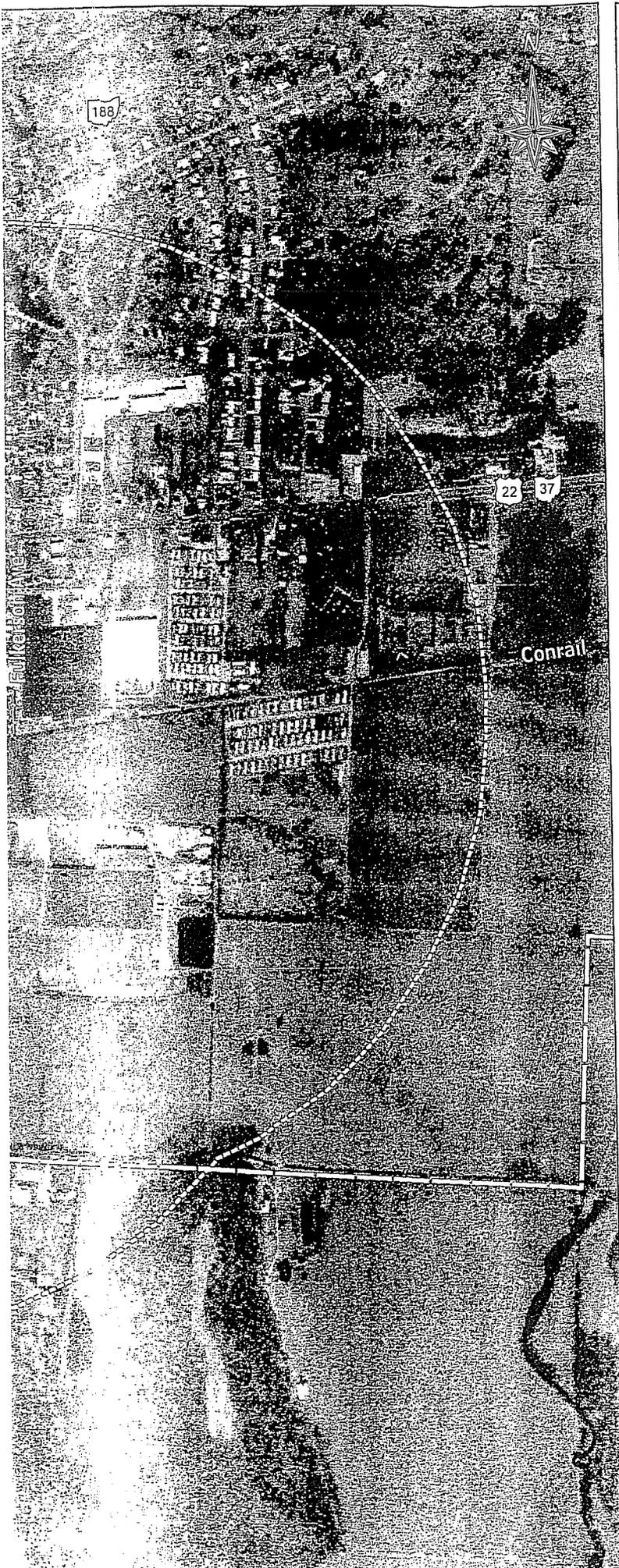
DESCRIPTION APPROVED FOR TRANSFER
FAIRFIELD CO PUBLIC AUDITOR'S OFFICE
BY _____ DATE 7/27/82

James P. Reid
County Auditor, Fairfield County, Ohio
James P. Reid
Auditor, Fairfield County, Ohio

For Affidavit - See this - Vol. 17 - Page - 882 For Witnesses



ATTACHMENT 2



US Route



Lancaster East Side Development Corridor (Proposed USD Area)



State Route



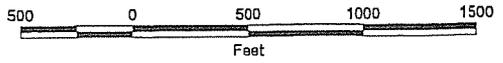
Municipal Boundary



One-half Mile Setback

RECEIVED
MAY 29 2003
D.D.A.G.W.

Sources: US Geological Survey, US EPA, OONR, OGRIP
Image date: April 1994

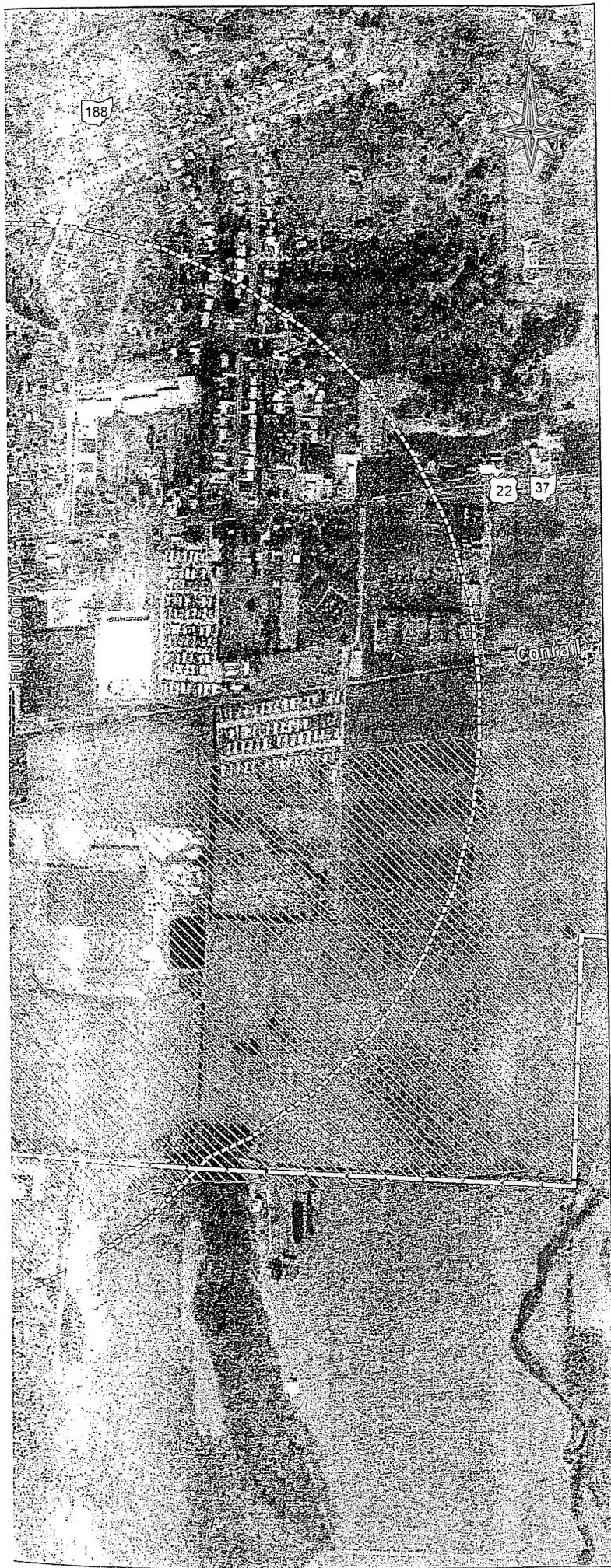


<p>PLATE 2</p> <p>Hull & Associates, Inc.</p> <p>DUBLIN, OHIO</p>	
<p>LANCASTER EAST SIDE DEVELOPMENT CORRIDOR REQUEST FOR URBAN SETTING DESIGNATION</p> <p>Urban Setting Designation Area</p> <p>CITY OF LANCASTER, FAIRFIELD COUNTY, OHIO</p>	
<p>DATE: MAY 2003</p>	<p>CIL005</p>
<p>VIEW LAYOUT PUBLISH</p> <p>LANG01A002 LANG01A002 LANG010003</p>	





ATTACHMENT 3



-  US Route
-  State Route
-  Public Water System Wells (See Note 2)
-  ODNR Located Well Record (See Note 3)
-  Lancaster East Side Development Corridor (Proposed USD Area)
-  Municipal Boundary
-  Source Protection Area (5 year time of travel)
-  One-half Mile Setback

Fairfield County Critical Resources

AREAS IN WHICH YIELDS OF AS MUCH AS 500, OR MORE, GALLONS PER MINUTE MAY BE DEVELOPED

 Permeable sand and gravel deposits beneath the Hocking River flood plain. Yields in excess of 600 gallons per minute developed from properly constructed, large diameter wells.

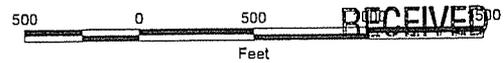
AREAS IN WHICH YIELDS OF 100 TO 500 GALLONS PER MINUTE MAY BE DEVELOPED

 Sand and gravel deposits, which partially fill ancestral drainage channels, may yield as much as 500 gallons per minute at depths of 65-165 feet. Extensive test drilling is recommended to locate the coarse deposits. Test wells reveal more than 300 feet of unconsolidated deposits that fill the ancestral channel in the northern portion of the county.

Note: ODNR water well logs within the USD and surrounding vicinity indicate that water production information does not correlate with the information presented on the Ground Water Resources of Fairfield County Map (Schmidt, 1992). ODNR well logs from wells within the USD limits indicate that groundwater is obtained from the unconsolidated sands and gravel deposits with potential yields greater than 100 to 500 GPM. ODNR logs from wells located immediately south of the USD area, along South Ewing and Duffy Roads, are completed in the underlying bedrock aquifer due to the lack of groundwater in the unconsolidated deposits. Bedrock wells in this area generally produce yields of 10 to 25 GPM. However, the ODOT Ground Water Resource Map indicates yields between 100 and 500 GPM.

- Notes:
- 1) Approximate extent of unconsolidated deposits; only yield information greater than 100 gallons per minute is shown as provided on the ODNR Groundwater Resources Map for Fairfield County
 - 2) Ohio EPA Division of Drinking and Ground Waters Active Fairfield County Public Water Supply Systems, January 2003.
 - 3) Well locations that have been obtained from the Ohio Department of Natural Resources pre-1953, unlocated, and located well logs. These locations are based solely on the well log information and have not been verified in the field. Therefore, the actual number of wells used for potable purposes, if any exist, would likely be less due to wells that have been abandoned or that may be used for non-potable purposes.

Sources: US Geological Survey, US EPA, ODNR, OGRIP
Image date: April 1994



MAY 29 2003

Hull & Associates, Inc.
DUBLIN, OHIO

LANCASTER EAST SIDE DEVELOPMENT CORRIDOR
REQUEST FOR URBAN SETTING DESIGNATION

**Well Record Locations Within the
Half-Mile Buffer of USD**

CITY OF LANCASTER, FAIRFIELD COUNTY, OHIO

DATE: MAY 2003 CIL005

VIEW LAYOUT PUBLISH
 LANC001A002 LANC001A002 LANC001001



RAVENSFIELD



