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ORIGINAL

IN THE COURT OF COMMON PLEAS
FAIRFIELD COUNTY, OHIO

BRANDEN C. MEYER
CLERK OF COURTS
FAIRFIELD CO. OHIO

FILED
2023 APR 11 AM 11:43
BRANDEN C. MEYER
CLERK OF COURTS
FAIRFIELD CO. OHIO

Jack Marchbanks, Director,
Ohio Department of Transportation,

Case No. 2021 CV 00457
Judge Richard E. Berens

Plaintiff,

v.

Eichhorn Limited Partnership, et al.,

Defendants

202300013730
FILED FOR RECORD IN
FAIRFIELD COUNTY, OH
LISA MCKENZIE, COUNTY RECORDER
09/05/2023 03:39 PM
EASEMENT 138.00

JUDGMENT ENTRY ON VERDICT

This matter came on for trial by jury on February 14-15, 2023, for determination of compensation for real property rights taken, and damages, if any, to the residue in the above captioned appropriation case filed October 6, 2021, involving ODOT designated parcels 1-SH1, 1-SH2, and 1-T of ODOT project FAI-37-6.10. Project Identification Number 110412. The plans and specifications of the project are incorporated by reference.

A jury of eight with one alternate was duly impaneled and sworn. Said jury comprised of eight of the original jurors returned a verdict on February 15, 2023, awarding the sum of One Hundred and Twelve Thousand Four Hundred and Seventy-Two Dollars and Fifty Cents (\$112,472.50) as compensation for the property taken.

In conformity with said verdict, the within proceedings be and the same are hereby approved and confirmed by the Court; and further it is hereby **ORDERED, ADJUDGED** and **DECREED** that Plaintiff shall deposit with the Clerk of this Court the additional sum of Ninety Three Thousand and Thirty Two Dollars and Fifty Cents (\$93,032.50) within a reasonable period of time, which when added to the original deposit made at the time of filing of the original

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Petition to Appropriate Property and To Fix Compensation, of Nineteen Thousand Four Hundred and Forty Dollars and Zero Cents (\$19,440.00) equals the total amount of the verdict rendered of One Hundred and Twelve Thousand Four Hundred and Seventy-Two Dollars and Fifty Cents (\$112,472.50)

It is further **ORDERED, ADJUDGED** and **DECREED** that after Plaintiff deposits the additional monies ordered above, the Clerk of this Court withhold from the total amount deposited herein any delinquent and unpaid taxes as of the date of acquisition stated below, required to be paid pursuant to law as directed by the Fairfield County Auditor and further that the Clerk shall receive from the Fairfield County Auditor a statement of such delinquent and unpaid taxes as to the described parcels, and shall pay such demand. The entirety of said remaining balance on deposit with the Clerk of Courts after payment to the Fairfield County Auditor above shall be held until further disposition on motion for final distribution pursuant to Revised Code Section 163.18.

In conformity with these proceedings, it is further **ORDERED, ADJUDGED** and **DECREED** that a perpetual easement for highway purposes, without limitation of existing access rights, in the premises described in the Petition as Parcels 1-SH1 and 1-SH2, is duly vested in the State of Ohio, for the use and benefit of the Department of Transportation, with the immediate right of possession thereof.

It is further **ORDERED, ADJUDGED** and **DECREED** that a temporary easement for the purpose of performing the work necessary to reconstruct drive, remove structure, and performing grading for 18 months in the premises described in the Petition as Parcel 1-T, is duly vested in the State of Ohio, for the use and benefit of the Department of Transportation.

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The legal descriptions of the above parcels are attached as Exhibit A.

It is further **ORDERED, ADJUDGED** and **DECREED** that the date of acquisition of the above parcels is **March 12, 2022**.

It is further **ORDERED, ADJUDGED** and **DECREED** that the above parcels shall be taken, free and clear of any and all claims of the owners and any persons having an interest therein, to wit:

Eichhorn Limited Partnership
c/o CPM Statutory Agent Corp., Registered Agent
950 Goodale Boulevard, Suite 200
Columbus, Ohio 43212

The Vinton County National Bank
Legal Department
112 West Main Street
McArthur, OH 45651

Dually Farms, LLC
c/o Nic Beveridge, Registered Agent
1930 Hamburg Road SW
Lancaster, Ohio 43130

Jon A. Slater, Jr., or successor
Fairfield County Auditor
210 East Main Street, Suite 201
Lancaster, Ohio 43130

James N. Bahnsen, or successor
Fairfield County Treasurer
210 East Main Street, Room 206
Lancaster, Ohio 43130

The Court finds that Parcels 1-SH1, 1-SH2, and 1-T (the "Appropriated Property") are being acquired for one of the statutory purposes for which the Director of Transportation may acquire property under Title LV of the Revised Code, such as, but not limited to, those purposes

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enumerated in Sections 5501.31 and 5519.01 of the Revised Code. It is further **ORDERED, ADJUDGED and DECREED** that if Plaintiff decides not to use the Appropriated Property for the above-stated purpose, then the owner has a right under Section 163.211 of the Revised Code to repurchase the Appropriated Property; provided, however, that such right of repurchase is subject to the authority of the Director of Transportation to convey unneeded property pursuant to Section 5501.34(F) of the Revised Code. The price to be paid upon such repurchase shall be the Appropriated Property's fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by an appropriate court. This right to repurchase shall be extinguished if any of the following occur: (1) the owner declines to repurchase the Appropriated Property; (2) the owner fails to repurchase the Appropriated Property within sixty days after Plaintiff offers it for repurchase; (3) Plaintiff grants or transfers the Appropriated Property to any other person or agency; or (4) five years have passed since the Appropriated Property was appropriated from the owner.

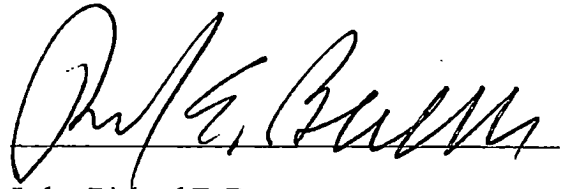
It is further **ORDERED** that the Fairfield County Auditor shall remove Parcels 1-SH1, 1-SH2, and 1-T from the taxing record inasmuch as the State of Ohio is duly vested with all right, title and interest in fee simple, free and clear of any real estate tax consequences.

It is further **ORDERED** that the Clerk of this Court shall transmit a certified copy of this Entry to the Fairfield County Auditor for the purpose of making the proper notations relative to the transfer of title, if any, and changes of tax valuation and liability therefore, if any, as to the above-described parcels pursuant to R.C. 319.201 and 5713.04; that the Fairfield County Auditor shall transmit said Entry to the Fairfield County Recorder for recording in the deed records of Fairfield County; that all transfer fees of the Fairfield County Auditor and the recordation fees of

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the Fairfield County Recorder shall be charged as part of the court costs, pursuant to R.C. 163.15 and 163.16, by submitting their statements of costs to the Clerk of this Court; that Plaintiff shall pay all court costs, and that a record be made of these proceedings according to law.



Judge Richard E. Berens

Respectfully submitted,

Dave Yost
Attorney General of Ohio



Avery T. Young (0098735)
Justine A. Allen (0097746)
Assistant Attorneys General
Executive Agencies Section
30 E. Broad Street, 26th Floor
Columbus, Ohio 43215-3167
(614) 752-4332, Fax (866) 863-8480
Avery.Young@OhioAGO.gov
Justine.Allen@OhioAGO.gov
Attorneys for Plaintiff

THIS IS A TRUE and CERTIFIED
COPY OF ORIGINAL ON FILE
COMMON PLEAS COURT
FAIRFIELD COUNTY, OHIO

JUN 02 2023

Deputy _____


Clerk of Courts

TRANSFER
NOT NECESSARY

SEP 05 2023


Cary J. Brown
County Auditor, Fairfield County, Ohio

/s/ Aaron E. Kenter via email authority on 4/7/23
Aaron E. Kenter (0092264)
500 S. Front St., Suite 1200
Columbus, Ohio 43215
614-229-4566
kenter@gbsklaw.com
Attorney for Defendant Eichhorn Limited Partnership

EXHIBIT A

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Rev. 06:09

RX 270 SH

Ver. Date 09/11/20

PID: 110412

**PARCEL 1-SH1
FAI-37-06.10
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the State of Ohio, Department of Transportation, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

(Surveyor's description of the premises follows)

Situated in the State of Ohio, County of Fairfield, Township of Walnut, and being a part of Section 29, Township 16, Range 18, being part of a 113.854 acre parcel conveyed to **EICHORN LIMITED PARTNERSHIP**, by Official Record Volume 1477, Page 2270, and being more particularly described below:

Being a parcel of land lying right of the Centerline of Right of Way of FAI-37-06.10 made by Mead & Hunt for the Ohio Department of Transportation as recorded in Plat Book _____, Page _____ in the records of Fairfield County, and being located within the following described boundary points in the boundary thereof:

Beginning from a monument box set at the intersection of the Centerline of Right of Way of State Route 37 and the Centerline of Right of Way of State Route 256, said point being the southeast corner of Section 19, said point also being the southwest corner of Section 20, said point also being the northwest corner of Section 29, said point also being the northeast corner of Section 30, said point also being the northwest corner of the Grantor, said point also being the southwest corner of a 3.12 acre parcel conveyed to Chaos, LLC by Official Record Volume 1729, Page 1874, said point also being the northeast corner of a 6.91 acre parcel conveyed to Wagner Rentals, L.L.C. by Original Record Volume 1434, Page 2868, said point also being the southeast corner of a 6.94 acre parcel conveyed to MAC'S CONVENIENCE STORES LLC, by Original Record Volume 1734, Page 4486, said point also being at PI Station 18+34.80 of the Centerline of Right of Way of State Route 37 and at PI Station 26+23.94 of the Centerline of Right of Way of State Route 256, said point marking the Principle Point of Beginning for the

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parcel described herein:

1. Thence South 87 Degrees 18 Minutes 17 Seconds East along the Centerline of Right of Way of State Route 256, said line also being the northerly section line of Section 29 and southerly line of Section 20, said line also being the northeely line of the Grantor, said line also being the southerly line of said parcel conveyed to Chaos, LLC a distance of 231.67 feet to Station 28+55.61 of the Centerline of Right of Way of State Route 256, said point being a northeastern corner of the Grantor, said point also being the northwest corner of a 0.086 acre parcel conveyed to the Village of Thurston, by Deed Volume 449, Page 565;
2. Thence South 02 Degrees 41 Minutes 43 Seconds West along an easterly line of the Grantor and the westerly line of said parcel conveyed to the Village of Thurston, passing through an iron pin found at a distance of 20.34 feet, a total distance of 55.00 feet to an iron pin set 55.00 feet right of Station 28+55.61 of the Centerline of Right of Way of State Route 256;
3. Thence North 87 Degrees 18 Minutes 17 Seconds West parallel to the Centerline of Right of Way of State Route 256; a distance of 125.61 feet to an iron pin set 55.00 feet right of Station 27+30.00 of the Centerline of Right of Way of State Route 256, said point also being 106.70 feet right of Station 17+81.06 of the Centerline of Right of Way of State Route 37;
4. Thence South 54 Degrees 37 Minutes 36 Seconds West, a distance of 49.63 feet to an iron pin set 68.00 feet right of Station 17+50.00 of the Centerline of Right of Way of State Route 37;
5. Thence South 03 Degrees 22 Minutes 29 Seconds West parallel to the Centerline of Right of Way of State Route 37, a distance of 100.00 feet to an iron pin set 68.00 feet right of Station 16+50.00 of the Centerline of Right of Way of State Route 37;
6. Thence South 05 Degrees 05 Minutes 35 Seconds West, a distance of 100.04 feet to an iron pin set 65.00 feet right of Station 15+50.00 of the Centerline of Right of Way of State Route 37;
7. Thence South 03 Degrees 22 Minutes 29 Seconds West parallel to the Centerline of Right of Way of State Route 37, a distance of 400.00 feet to an iron pin set 65.00 feet right of Station 11+50.00 of the Centerline of Right of Way of State Route 37;
8. Thence South 06 Degrees 14 Minutes 13 Seconds West, a distance of 100.12 feet to an iron pin set 60.00 feet right of Station 10+50.00 of the Centerline of Right of Way of State Route 37;
9. Thence South 03 Degrees 22 Minutes 29 Seconds West parallel to the Centerline of Right of Way of State Route 37, a distance of 450.00 feet to an iron pin set 60.00 feet right of Station 6+00.00 of the Centerline of Right of Way of State Route 37;

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10. Thence South 07 Degrees 39 Minutes 50 Seconds West, a distance of 401.12 feet to an iron pin set on the existing easterly Right of Way line of State Route 37, said point being 30.00 feet right of Station 2+00.00 of the Centerline of Right of Way of State Route 37;
11. Thence North 86 Degrees 37 Minutes 31 Seconds West perpendicular to the Centerline of Right of Way of State Route 37, a distance of 30.00 feet to the Centerline of Right of Way of State Route 37, said line also being the westerly line of Section 29 and the easterly line of Section 30, said line also being the westerly line of the Grantor, said line also being the easterly line of a 62.33 acre parcel conveyed to Wagner Rentals, L.L.C. by Original Record Volume 1434, Page 2871, to Station 2+00.00 of the Centerline of Right of Way of State Route 37;
12. Thence North 03 Degrees 22 Minutes 29 Seconds East along the Centerline of Right of Way of State Route 37, said line also being the westerly line of Section 29 and the easterly line of Section 30, said line also being the westerly property line of the Grantor, a portion of said line being the easterly line of said 6.91 acre and 62.33 acre parcels conveyed to Wagner Rentals, L.L.C, a portion of said line also being the easterly line of a 5.145-acre parcel conveyed to FARM CREDIT MID-AMERICA, FLCA by Original Record Volume 1633, Page 3038, a portion of said line also being the easterly line of a 3.099 acre parcel conveyed to Heather Mac Warner by Original Record Volume 1667, Page 3239, a distance of 1634.80 feet to the Principle Point of Beginning and enclosing 2.436 acres, more or less of which the present road occupies 1.271 acres, resulting in a net take of 1.165 acres;

The above described area is all within Fairfield County Permanent Parcel Number 0490261230;

The iron pins set are 3/4 inch diameter x 30 inch long rebar with a 2 inch diameter aluminum cap marked ODOT R/W Mead & Hunt, Inc. 8294. Mag nails set are 1/2 inch diameter x 2 inch long steel nail. Monument Boxes Set are 1 inch steel rods with a 3 inch aluminum cap set encased in a monument box assembly. Concrete Monuments Set are 3/4 inch iron pins encased in an 8 inch diameter concrete cylinder with a 3 inch diameter aluminum cap. Both the Monument Box Set and Concrete Monuments Set (Reference Monument) are detailed by ODOT standard construction drawing RM-1.1, dated 7-18-14. These monument boxes and concrete monuments are set by the highway contractor under the direction of a Professional Surveyor.

Bearings are relative to Grid North of the Ohio State Plane, South Zone. The Values were based on control set in January, 2019 using the Ohio VRS projection set: Ohio South NAD 83(2011) Datum. Bearings are for the purpose of indicating angular measurement only.

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The Stations referred to herein are from the Centerline of Right of Way of State Route 37 or the Centerline of Right of Way of State Route 256, as found on Right of Way Plan FAI-37-06.10.

This description was prepared and reviewed under the supervision of Steven J., Scheid, Jr., P.S., 8294 of Mead & Hunt on September 11, 2020 from a survey made in January, 2019.



Steven J., Scheid, Jr., P.S.
Professional Surveyor 8294
September 11, 2020



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RX 170 SH

Ver. Date 09/11/20

PID 110412

**PARCEL 1-SH2
FAI-37-06.10**

**PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the State of Ohio, Department of Transportation, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Fairfield, Township of Walnut, and being a part of Section 29, Township 16, Range 18, being part of a 113.854 acre parcel conveyed to **EICHHORN LIMITED PARTNERSHIP**, by Official Record Volume 1477, Page 2270, and being more particularly described below:

Being a parcel of land lying right of the Centerline of Right of Way of FAI-37-06.10 made by Mead & Hunt for the Ohio Department of Transportation as recorded in Plat Book _____, Page _____ in the records of Fairfield County, and being located within the following described boundary points in the boundary thereof:

Commencing from a monument box set at the intersection of the Centerline of Right of Way of State Route 37 and the Centerline of Right of Way of State Route 256, said point being the southeast corner of Section 19, said point also being the southwest corner of Section 20, said point also being the northwest corner of Section 29, said point also being the northeast corner of Section 30, said point also being the northwest corner of the Grantor, said point also being the southwest corner of a 3.12 acre parcel conveyed to Chaos, LLC by Official Record Volume 1729, Page 1874, said point also being the northeast corner of a 6.91 acre parcel conveyed to Wagner Rentals, LLC, by Original Record Volume 1434, Page 2868, said point also being the southeast corner of a 6.94 acre parcel conveyed to MAC'S CONVENIENCE STORES LLC, by Original Record Volume 1734, Page 4486, said point also being at PI Station 18+34.80 of the Centerline of Right of Way of State Route 37 and at PI Station 26+23.94 of the Centerline of Right of Way of State Route 256;

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Thence South 87 Degrees 18 Minutes 17 Seconds East, along the Centerline of Right of Way of State Route 256, said line also being the northerly line of Section 29 and the southerly line of Section 20, part of said line also being the northerly line of the Grantor, said line also being the southerly line of said parcel conveyed to Chaos, LLC, part of said line also being the northerly line of a 0.086 acre parcel conveyed to the Village of Thurston, by Deed Volume 449, Page 565, a distance of 281.67 feet to Station 29+05.61 of the Centerline of Right of Way of State Route 256, said point being a northwest corner of the grantor, said point also being the northeast corner of said parcel conveyed to the Village of Thurston, said point also marking the Principle Point of Beginning for the parcel described herein;

1. Thence South 87 Degrees 18 Minutes 17 Seconds East along the Centerline of Right of Way of State Route 256, said line also being the northerly line of Section 29 and the southerly line of Section 20, said line also being the northerly line of the Grantor, said line also being the southerly line of said parcel conveyed to Chaos, LLC, a distance of 60.14 feet to Station 29+65.75 of the Centerline of Right of Way of State Route 256, said point being the northeast corner of the Grantor, said point also being the northwest corner of a 1.00 acre parcel conveyed to ALEXIS A. HOWARD, by Official Record Volume 1566, Page 3299;

2. Thence South 03 Degrees 22 Minutes 29 Seconds West along an easterly line of the Grantor and the westerly line of said parcel conveyed to ALEXIS A. HOWARD, passing thru a mag nail found at 20.62 feet for a total distance of 55.00 feet to an iron pin set 55.00 feet right of Station 29+65.10 of the Centerline of Right of Way of State Route 256;

3. Thence North 87 Degrees 18 Minutes 17 Seconds West parallel to the Centerline of Right of Way of State Route 256, a distance of 25.10 feet to an iron pin set 55.00 feet right of Station 29+40.00 of the Centerline of Right of Way of State Route 256;

4. Thence South 02 Degrees 41 Minutes 43 Seconds West perpendicular to the Centerline of Right of Way of State Route 256, a distance of 10.00 feet to an iron pin set 65.00 feet right of Station 29+40.00 of the Centerline of Right of Way of State Route 256;

5. Thence North 87 Degrees 18 Minutes 17 Seconds West parallel to the Centerline of Right of Way of State Route 256, a distance of 20.00 feet to an iron pin set 65.00 feet right of Station 29+20.00 of the Centerline of Right of Way of State Route 256;

6. Thence North 02 Degrees 41 Minutes 43 Seconds East perpendicular to the Centerline of Right of Way of State Route 256, a distance of 10.00 feet to an iron pin set 55.00 feet right of Station 29+20.00 of the Centerline of Right of Way of State Route 256;

7. Thence North 87 Degrees 18 Minutes 17 Seconds West parallel to the Centerline of Right of

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Way of State Route 256, a distance of 14.39 feet to an iron pin set on a westerly line of the Grantor, said line also being the easterly line of said parcel conveyed to the Village of Thurston, said pin being 55.00 feet right of Station 29+05.61 of the Centerline of Right of Way of State Route 256;

8. Thence North 02 Degrees 41 Minutes 43 Seconds East along a westerly line of the grantor and easterly line of said parcel conveyed to the Village of Thurston, a distance of 55.00 feet to the Principle Point of Beginning and enclosing 0.080 acres, more or less of which the present road occupies 0.041 acres, resulting in a net take of 0.039 acres;


The above described area is all within Fairfield County Permanent Parcel Number 0490261230;

The iron pins set are 3/4 inch diameter x 30 inch long rebar with a 2 inch diameter aluminum cap marked ODOT R/W Mead & Hunt, Inc. 8294. Mag nails set are 1/2 inch diameter x 2 inch long steel nail. Monument Boxes Set are 1 inch steel rods with a 3 inch aluminum cap set encased in a monument box assembly. Concrete Monuments Set are 3/4 inch iron pins encased in an 8 inch diameter concrete cylinder with a 3 inch diameter aluminum cap. Both the Monument Box Set and Concrete Monuments Set (Reference Monument) are detailed by ODOT standard construction drawing RM-1.1, dated 7-18-14. These monument boxes and concrete monuments are set by the highway contractor under the direction of a Professional Surveyor.

Bearings are relative to Grid North of the Ohio State Plane, South Zone. The Values were based on control set in January, 2019 using the Ohio VRS projection set: Ohio South NAD 83(2011) Datum. Bearings are for the purpose of indicating angular measurement only.

The Stations referred to herein are from the Centerline of Right of Way of State Route 256, as found on Right of Way Plan FAI-37-06.10.

This description was prepared and reviewed under the supervision of Steven J., Scheid, Jr., P.S., 8294 of Mead & Hunt on September 11, 2020 from a survey made in January, 2019.



Steven J., Scheid, Jr., P.S.
Professional Surveyor 8294
September 11, 2020



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Rev. 12/16

Ver. Date 09/11/20

PID 110412

**PARCEL 1-T
FAI-37-06.10
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT DRIVE, REMOVE STRUCTURE, AND PERFORM GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
STATE OF OHIO, DEPARTMENT OF TRANSPORTATION**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Fairfield, Township of Walnut, and being a part of Section 29, Township 16, Range 18, being part of a 113.854 acre parcel conveyed to **EICHHORN LIMITED PARTNERSHIP**, by Official Record Volume 1477, Page 2270, and being more particularly described below:

Being a parcel of land lying right of the Centerline of Right of Way of FAI-37-06.10 made by Mead & Hunt for the Ohio Department of Transportation as recorded in Plat Book _____, Page _____ in the records of Fairfield County, and being located within the following described boundary points in the boundary thereof:

Commencing from a monument box set at the intersection of the Centerline of Right of Way of State Route 37 and the Centerline of Right of Way of State Route 256, said point being the southeast corner of Section 19, said point also being the southwest corner of Section 20, said point also being the northwest corner of Section 29, said point also being the northeast corner of Section 30, said point also being the northwest corner of the Grantor, said point also being the southwest corner of a 3.12 acre parcel conveyed to Chaos, LLC by Official Record Volume 1729, Page 1874, said point also being the northeast corner of a 6.91 acre parcel conveyed to Wagner Rentals, LLC, by Original Record Volume 1434, Page 2868, said point also being the southeast corner of a 6.94 acre parcel conveyed to MAC'S CONVENIENCE STORES LLC, by Original Record Volume 1734, Page 4486, said point also being at PI Station 18+34.80 of the Centerline of Right of Way of State Route 37 and at PI Station 26+23.94 of the Centerline of Right of Way of State Route 256;

Thence South 87 Degrees 18 Minutes 17 Seconds East, along the Centerline of Right of Way of State Route 256, said line also being the northerly line of Section 29 and the southerly line of Section 20, part of said line also being the northerly line of the Grantor, said line also being the southerly line of said parcel conveyed to Chaos, LLC, a distance of 151.06 feet to Station 27+75.00 of the Centerline of Right of Way of State Route 256;

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Thence South 02 Degrees 41 Minutes 43 Seconds West perpendicular to the Centerline of Right of Way of State Route 256, a distance of 55.00 feet to the proposed southerly Right of Way line of State Route 256 to 55.00 feet right of Station 27+75.00 of the SR256, said point marking the Principle Point of Beginning for the parcel described herein;

- 1. Thence South 02 Degrees 41 Minutes 43 Seconds West perpendicular to the Centerline of Right of Way of State Route 256, a distance of 60.00 feet to 115.00 feet right of Station 27+75.00 of the Centerline of Right of Way of State Route 256, said point being 152.41 feet right of Station 17+21.60 of the Centerline of Right of Way of State Route 37;**
- 2. Thence South 37 Degrees 50 Minutes 12 Seconds West, a distance of 62.58 feet to 117.00 feet right of Station 16+70.00 of the Centerline of Right of Way of State Route 37;**
- 3. Thence South 51 Degrees 14 Minutes 41 Seconds West, a distance of 67.08 feet to the proposed easterly Right of Way line of State Route 37, said point being 67.25 feet right of Station 16+25.00 of the Centerline of Right of Way of State Route 37;**
- 4. Thence North 05 Degrees 05 Minutes 35 Seconds East along the proposed easterly Right of Way line of State Route 37, a distance of 25.01 feet to an iron pin set 68.00 feet right of Station 16+50.00 of the Centerline of Right of Way of State Route 37;**
- 5. Thence North 03 Degrees 22 Minutes 29 Seconds East along the proposed easterly Right of Way line of State Route 37, a distance of 100.00 feet to an iron pin set 68.00 feet right of Station 17+50.00 of the Centerline of Right of Way of State Route 37;**
- 6. Thence North 54 Degrees 37 Minutes 36 Seconds East along the proposed easterly Right of Way line of State Route 37, also along the proposed southerly Right of Way line of State Route 256 a distance of 49.63 feet to an iron pin set 106.70 feet right of Station 17+81.06 of the Centerline of Right of Way of State Route 37, said point also being 55.00 feet right of Station 27+30.00 of the Centerline of Right of Way of State Route 256;**
- 7. Thence South 87 Degrees 18 Minutes 17 Seconds East along the proposed southerly Right of Way line of State Route 256, a distance of 45.00 feet to the Principle Point of Beginning and enclosing 0.205 acres, more or less of which the present road occupies 0.000 acres, resulting in a net take of 0.205 acres;**

The above described area is all within Fairfield County Permanent Parcel Number 0490261230;

The iron pins set are 3/4 inch diameter x 30 inch long rebar with a 2 inch diameter aluminum cap marked ODOT R/W Mead & Hunt, Inc. 8294. Mag nails set are 1/2 inch diameter x 2 inch long

CERTIFICATION
I hereby certify that this page is a true copy of the original.
Clerk of Courts of Fairfield County, Ohio
Signature and date on the last page.

EXHIBIT A

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steel nail. Monument Boxes Set are 1 inch steel rods with a 3 inch aluminum cap set encased in a monument box assembly. Concrete Monuments Set are 3/4 inch iron pins encased in an 8 inch diameter concrete cylinder with a 3 inch diameter aluminum cap. Both the Monument Box Set and Concrete Monuments Set (Reference Monument) are detailed by ODOT standard construction drawing RM-1.1, dated 7-18-14. These monument boxes and concrete monuments are set by the highway contractor under the direction of a Professional Surveyor.

Bearings are relative to Grid North of the Ohio State Plane, South Zone. The Values were based on control set in January, 2019 using the Ohio VRS projection set: Ohio South NAD 83(2011) Datum. Bearings are for the purpose of indicating angular measurement only.

The Stations referred to herein are from the Centerline of Right of Way of State Route 37 and the Centerline of Right of Way of State Route 256, as found on Right of Way Plan FAI-37-06.10.

This description was prepared and reviewed under the supervision of Steven J., Scheid, Jr., P.S., 8294 of Mead & Hunt on September 11, 2020 from a survey made in January, 2019.



Steven J., Scheid, Jr., P.S.
Professional Surveyor 8294
September 11, 2020



CERTIFICATION

I hereby certify that this page is a true copy of the original.
Clerk of Courts of Fairfield County, Ohio
Signature and date on the last page.