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[SPACE ABOVE FOR RECORDER'S USE]

## LIMITED WARRANTY DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the "**City**"), in consideration of the sum of \$300, to be paid by the State of Ohio, Department of Transportation ("**ODOT**"), hereby grants, with limited warranty covenants, and conveys to the **STATE OF OHIO** and its successors and assigns for the use and benefit of ODOT ("**Grantee**"), all right, title, and interest in fee simple in and to real property more particularly described on Exhibit A (Legal Description) hereto and depicted on Exhibit B (Site Plan) hereto (the "**Property**"). This conveyance is subject to the following exceptions from said limited warranty covenants: (i) all warranties and covenants that the Property is free from all encumbrances made by the City, and (ii) all covenants and warranties to defend, hold harmless, or indemnify Grantee, its heirs, assigns, and successors against lawful claims or demands of all persons claiming by, through, or under the City.

ODOT Project Parcel(s): 74-WL2

ODOT Project: HAM 75-7.85

Being part of Hamilton County Current Tax Parcel Nos.: none (unimproved municipal right-of-way)

Prior Instrument Reference: Plat Book 6, Page 167

The property conveyed herein to Grantee is being acquired for one of the statutory purposes pursuant to which the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Section 5501.31 of the Revised Code.

(A) Creation of Utility Easements. Any public utility affected by the City's conveyance of project parcel 74-WL2 shall have a permanent easement in such portion of project parcel 74-WL2 for the purpose of operating, maintaining, repairing, reconstructing, and removing any existing utility facilities and for purposes of access to said facilities. Any damage done to said utility facilities shall be repaired at Grantee's expense. The relocation of any utilities in such portion of project parcel 74-WL2 shall be at Grantee's expense and to the satisfaction of the affected public utility, upon Grantee's request, the affected public utility shall execute and deliver to Grantee a recordable release, for recording in the Hamilton County Recorder's Office, at Grantee's cost.

(B) Repurchase Rights. Grantor has a right under Section 163.211 of the Revised Code to repurchase the property conveyed herein if Grantee decides not to use the property for the purpose stated above and Grantor provides timely notice of a desire to repurchase; provided however, that such right of repurchase is subject to the authority of the Director of ODOT 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 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 the court. This right of repurchase

shall be extinguished if any of the following occur: (A) Grantor declines to repurchase the property; (B) Grantor fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) five years have passed since the property was appropriated.

This conveyance was authorized by Ordinance No. [\_\_\_\_]-2021, passed by Cincinnati City Council on [\_\_\_\_], 2021

Executed on \_\_\_\_\_, 2021.

**CITY OF CINCINNATI**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF OHIO                    )  
  ) ss:  
COUNTY OF HAMILTON        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, the \_\_\_\_\_ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

Recommended by:

\_\_\_\_\_  
John S. Brazina, Director  
Department of Transportation and Engineering

Approved as to Form:

\_\_\_\_\_  
Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department  
801 Plum Street, Suite 214  
Cincinnati, OH 45202

Exhibit A  
to Limited Warranty Deed

Project: HAM 75-7.85  
Project Parcel: 74-WL2

EXHIBIT A

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RX 252 WL  
  
Ver. Date 02/21/2014

PID 77889

PARCEL 74-WL2  
HAM-75-7.85  
**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
INCLUDING LIMITATION OF ACCESS**

Grantor/Owner, his heirs, executors, administrators, successors and assigns forever, are hereby divested of any and all abutter's rights, including access rights in, over and to the within described real estate, including such rights with respect to any highway facility constructed thereon (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]

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Being a parcel of land lying on the left side of the centerline of right of way of Interstate Route 75 as shown on a centerline survey plat made in 2014 for the Ohio Department of Transportation titled "HAM-75-7.85" as recorded in Plat Book 444, Pages 7-14 of the records of Hamilton County:

Situated in the State of Ohio, County of Hamilton, City of Cincinnati, lying in Section 12, Township 3, Fractional Range 2, being out of the right-of-way of Canal Street (50 foot right-of-way width) and 67<sup>th</sup> Street (50 foot right-of-way width, formerly Miller Avenue) as demonstrated on the plat Longview Subdivision, a subdivision of record in Plat Book 6, Page 167, and described as follows:

**BEGINNING** at an iron pin set at the northeasterly corner of Lot 30 of said Longview Subdivision conveyed to TLC Properties, Inc. by deed of record in Official Record 10412, Page 1940 and at the intersection of the northerly right-of-way line of Canal Street with the westerly right-of-way line of 67<sup>th</sup> Street, located 168.94 feet left of centerline of right-of-way station 476+13.35 for Interstate Route 75;

thence North 39 degrees 31 minutes 36 seconds East, across the right-of-way of 67<sup>th</sup> Street with the westerly proposed limited access right-of-way line for Interstate Route 75, a distance of 50.00 feet to an iron pin set in the westerly line of Lot 29 of said Longview Subdivision conveyed to Givaudan Flavors Corporation by deed of record in Official Record 10985, Page 349 and the easterly right-of-way line of 67<sup>th</sup> Street, located 165.00 feet left of centerline of right-of-way station 476+59.19 for Interstate Route 75;

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thence South 50 degrees 03 minutes 01 seconds East, partly with the westerly line of said Lot 29, with said easterly right-of-way line, said easterly right-of-way line extended, and the westerly existing limited access right-of-way line for Interstate Route 75, a distance of 65.48 feet to a point, located 99.70 feet left of centerline of right-of-way station 476+54.57 for Interstate Route 75;

thence South 54 degrees 54 minutes 34 seconds West, with the southerly right-of-way line of Canal Street, a distance of 187.54 feet, to a point in said westerly existing limited access right-of-way line, located 169.41 feet left of centerline of right-of-way station 474+91.85 for Interstate Route 75 ;

thence across the right-of-way of Canal Street with said westerly existing limited access right-of-way line, the following two (2) courses:

North 33 degrees 00 minutes 04 seconds East, a distance of 30.43 feet, to a point, located 168.40 feet left of centerline of right-of-way station 475+19.79 for Interstate Route 75;

North 50 degrees 03 minutes 01 seconds West, a distance of 40.00 feet, to a point in the southerly line of Lot 34 of said Longview Subdivision conveyed to Donald P. Barth and Ruthann Barth by deed of record in Official Record 7442, Page 1343, the northerly right-of-way line of Canal Street, and said westerly proposed limited access right-of-way line, located 207.97 feet left of centerline of right-of-way station 475+26.09 for Interstate Route 75;

thence North 54 degrees 54 minutes 34 seconds East, with southerly line of said Lot 34, the southerly line of Lots 33, 32, and 31 of said Longview Subdivision conveyed to TLC Properties, Inc. by deed of record in Official Record 10412, Page 1940, the southerly line of said Lot 30, said northerly right-of-way line, a distance of 104.52 feet, to the *POINT OF BEGINNING*, containing 0.191 acre, more or less, no Auditor's Parcel Number.

Of the above described 0.191 acre, 0.191 acre lies within the present roadway occupied.

All references are to the records of the Recorder's Office, Hamilton County, Ohio, unless otherwise noted.

Iron pins set, as shown on said Right of Way plans, in the above description are 3/4 inch steel rod, thirty (30) inches long with a 1 1/2" diameter aluminum cap stamped "ODOT R/W"

**EXHIBIT A**

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All bearings shown are for project use only. The bearings shown on this plat are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1995). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected National Geodetic Survey monuments 7008, 7016, 6954, and 6937. The portion of the centerline of I-75, having a bearing of North 43 degrees 57 minutes 37 seconds East, is designated the "basis of bearing" for this survey.

This description was prepared by Edward J. Miller, Registered Surveyor No. 8250, based upon a survey by Evans, Mechwart, Hambleton & Tilton, Inc. in August 2011.

EVANS, MECHWART, HAMBLETON & TILTON, INC. 2/21/17

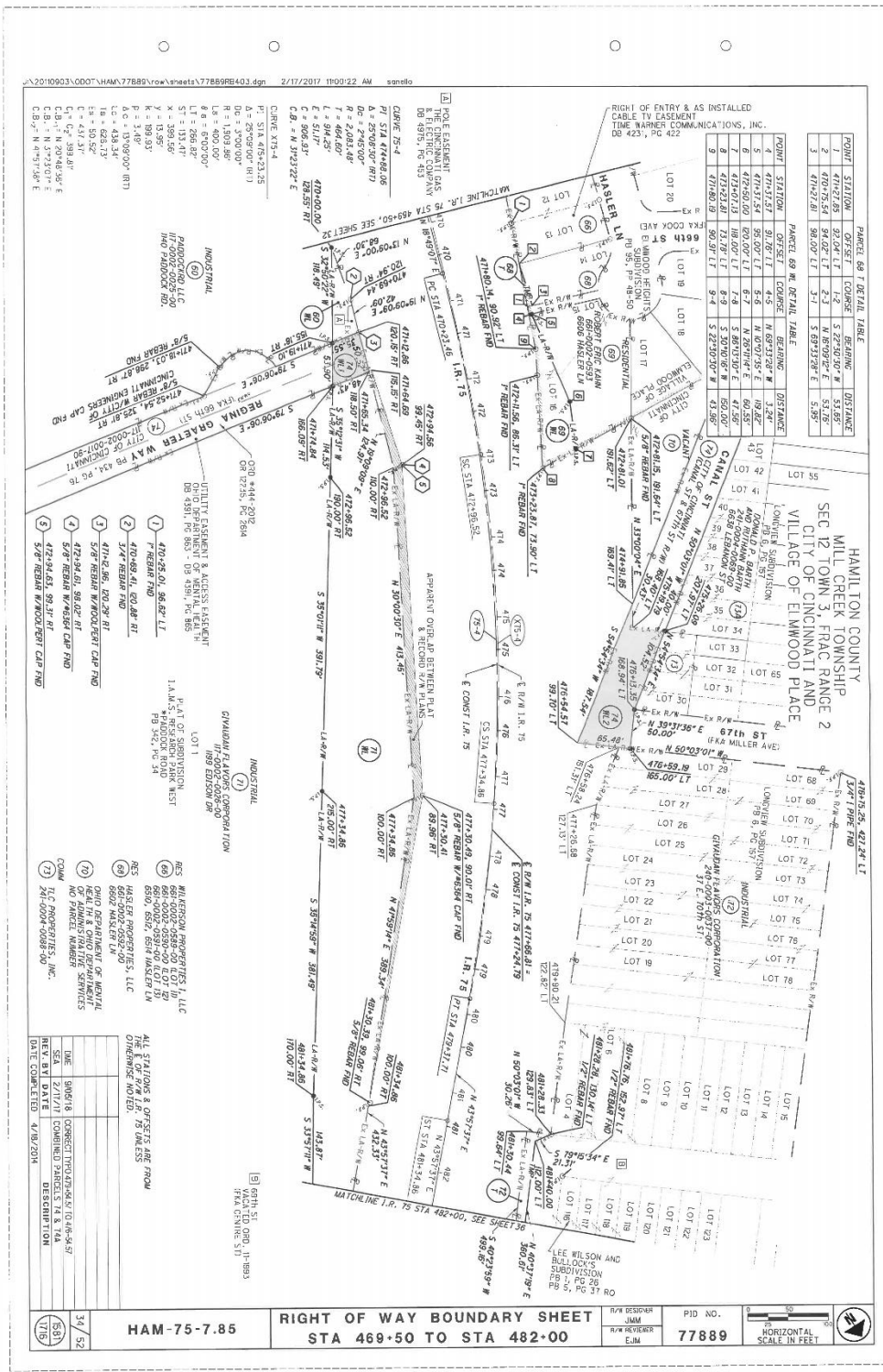


Edward J. Miller  
Professional Surveyor No. 8250

The seal is circular with a double border. The outer border contains the text "STATE OF OHIO" at the top and "PROFESSIONAL SURVEYOR" at the bottom, separated by two stars. The inner border contains the name "EDWARD J. MILLER" and the number "8250".

EJM:sg  
74W1.2.0\_191 ac Cinal67thROW 20110903.doc

**Exhibit B  
to Limited Warranty Deed**



POINT STATION OFFSET COURSE BEARING DISTANCE

POINT	STATION	OFFSET	COURSE	BEARING	DISTANCE
1	410+75.2	54.02' LT	4.5	N 89°02'27.4\"	53.75'
2	410+75.2	88.00' LT	3.1	S 89°12'28.4\"	5.35'
3	410+75.2	88.00' LT	3.1	S 89°12'28.4\"	5.35'

TABLE

POINT	STATION	OFFSET	COURSE	BEARING	DISTANCE
4	410+75.2	54.02' LT	4.5	N 89°02'27.4\"	53.75'
5	410+75.2	88.00' LT	3.1	S 89°12'28.4\"	5.35'
6	410+75.2	88.00' LT	3.1	S 89°12'28.4\"	5.35'
7	410+75.2	88.00' LT	3.1	S 89°12'28.4\"	5.35'
8	410+75.2	88.00' LT	3.1	S 89°12'28.4\"	5.35'
9	410+75.2	88.00' LT	3.1	S 89°12'28.4\"	5.35'

RIGHT OF ENTRY & AS INSTALLED  
CABLE TV EASEMENT  
TIME WARNER COMMUNICATIONS, INC.  
DB 423, PG 42

INDUSTRIAL  
CHILITE EASEMENT & ACCESS EASEMENT  
DB 4381, PG 883 - 89 4391, PG 885

INDUSTRIAL  
CHILITE EASEMENT & ACCESS EASEMENT  
DB 4381, PG 883 - 89 4391, PG 885

INDUSTRIAL  
CHILITE EASEMENT & ACCESS EASEMENT  
DB 4381, PG 883 - 89 4391, PG 885

INDUSTRIAL  
CHILITE EASEMENT & ACCESS EASEMENT  
DB 4381, PG 883 - 89 4391, PG 885

**RIGHT OF WAY BOUNDARY SHEET  
STA 469+50 TO STA 482+00**

R/W DESIGNER JMM	PID NO. 77889	 HORIZONTAL SCALE IN FEET
R/W REVIEWER EJM		

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[SPACE ABOVE FOR RECORDER'S USE]

## LIMITED WARRANTY DEED

The **CITY OF CINCINNATI**, an Ohio municipal corporation (the "**City**"), in consideration of the sum of \$300, to be paid by the State of Ohio, Department of Transportation ("**ODOT**"), hereby grants, with limited warranty covenants, and conveys to the **STATE OF OHIO** and its successors and assigns for the use and benefit of ODOT ("**Grantee**"), all right, title, and interest in fee simple in and to real property more particularly described on Exhibit A (Legal Description) hereto and depicted on Exhibit B (Site Plan) hereto (the "**Property**"). This conveyance is subject to the following exceptions from said limited warranty covenants: (i) all warranties and covenants that the Property is free from all encumbrances made by the City, and (ii) all covenants and warranties to defend, hold harmless, or indemnify Grantee, its heirs, assigns, and successors against lawful claims or demands of all persons claiming by, through, or under the City.

ODOT Project Parcel(s): 74-WL1

ODOT Project: HAM 75-7.85

Being part of Hamilton County Current Tax Parcel Nos.: 117-0002-0017-90

Prior Instrument Reference: Deed Book 4231, Page 711, Deed Book 4271, Page 14, Official Record Book 10137, Page 1393, Official Record Book 10151, Page 3033, Official Record Book 12134, Page 1663, Official Record Book 12235, Page 2614, Hamilton County Recorder's Office.

The property conveyed herein to Grantee is being acquired for one of the statutory purposes pursuant to which the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Section 5501.31 of the Revised Code.

(A) Creation of Utility Easements. Any public utility affected by the City's conveyance of project parcel 74-WL1 shall have a permanent easement in such portion of project parcel 74-WL1 for the purpose of operating, maintaining, repairing, reconstructing, and removing any existing utility facilities and for purposes of access to said facilities. Any damage done to said utility facilities shall be repaired at Grantee's expense. The relocation of any utilities in such portion of project parcel 74-WL1 shall be at Grantee's expense and to the satisfaction of the affected public utility, upon Grantee's request, the affected public utility shall execute and deliver to Grantee a recordable release, for recording in the Hamilton County Recorder's Office, at Grantee's cost.

(B) Repurchase Rights. Grantor has a right under Section 163.211 of the Revised Code to repurchase the property conveyed herein if Grantee decides not to use the property for the purpose stated above and Grantor provides timely notice of a desire to repurchase; provided however, that such right of repurchase is subject to the authority of the Director of ODOT 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 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 the court. This right of repurchase shall be extinguished if any of the following occur: (A) Grantor declines to repurchase the property; (B) Grantor fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) five years have passed since the property was appropriated.

This conveyance was authorized by Ordinance No. [\_\_\_\_]-2021, passed by Cincinnati City Council on [\_\_\_\_], 2021

Executed on \_\_\_\_\_, 2021.

**CITY OF CINCINNATI**

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF OHIO                    )  
  ) ss:  
COUNTY OF HAMILTON        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, the \_\_\_\_\_ of the **CITY OF CINCINNATI**, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgment. No oath or affirmation was administered to the signer with regard to the notarial act certified hereby.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

Recommended by:

\_\_\_\_\_  
John S. Brazina, Director  
Department of Transportation and Engineering

Approved as to Form:

\_\_\_\_\_  
Assistant City Solicitor

This instrument prepared by:

City of Cincinnati Law Department  
801 Plum Street, Suite 214  
Cincinnati, OH 45202



Exhibit A  
to Limited Warranty Deed

**Project:** HAM 75-7.85  
**Project Parcel:** 74-WL1

**EXHIBIT A**

RX 252 WL  
  
Ver. Date 02/21/2017

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Rev. 06/09  
PID 77889

**PARCEL 74-WL1  
HAM-75-7.85  
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
INCLUDING LIMITATION OF ACCESS**

Grantor/Owner, his heirs, executors, administrators, successors and assigns forever, are hereby divested of any and all abutter's rights, including access rights in, over and to the within described real estate, including such rights with respect to any highway facility constructed thereon (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]

---

Being a parcel of land lying on the right side of the centerline of right of way of Interstate Route 75 as shown on a centerline survey plat made in 2014 for the Ohio Department of Transportation titled "HAM-75-7.85" as recorded in Plat Book 444, Pages 7-14 of the records of Hamilton County:

Situated in the State of Ohio, County of Hamilton, City of Cincinnati, lying in Section 12, Township 3, Fractional Range 2, being out of the 1.934 acre tract conveyed to the City of Cincinnati by deed of record in Official Record 12134, Page 1663 and Regina Graeter Way dedicated as right-of-way in Plat Book 434, Page 76 and Ordinance Number 0444-2012 (Official Record 12235, Page 2614), and described as follows:

**BEGINNING** at the westerly terminus of the southerly right-of-way line of Regina Graeter Way, a southwesterly corner of said 1.934 acre tract, the northwesterly corner of the remainder of the 20.501 acre tract conveyed to Paddockrd LLC by deed of record in Official Record 12127, Page 1419, and in the existing easterly right-of-way line of Interstate Route 75 (referencing a 5/8 inch iron rebar with a "Woolpert" cap found, located 120.29 feet right of centerline of right-of-way station 471+12.96 for Interstate Route 75), located 120.15 feet right of centerline of right-of-way station 471+12.86 for Interstate Route 75;

thence North 19 degrees 09 minutes 09 seconds East, with the westerly terminus of Regina Graeter Way, a westerly line of said 1.934 acre tract, and said existing easterly right-of-way line, a distance of 50.52 feet, to the westerly terminus of the northerly right-of-way line of Regina Graeter Way, a northwesterly corner of said 1.934 acre tract, and the southwesterly corner of Lot 1 of Plat of Subdivision I.A.M.S. Research Park West \*Paddock Road, a subdivision of record in Plat Book 342, Page 34, conveyed to Givaudan Flavors Corporation by deed of record in Official Record 8401, Page 1028, located 118.50 feet right of centerline of right-of-way station 471+65.34 for Interstate Route 75;

**EXHIBIT A**

thence South 79 degrees 06 minutes 06 seconds East, with the northerly right-of-way line of Regina Graeter Way, the northerly line of said 1.934 acre tract, and the southerly line of said Lot 1, a distance of 48.43 feet, to an iron pin set, located 166.09 feet right of centerline of right-of-way station 471+74.84 for Interstate Route 75;

thence South 32 degrees 50 minutes 22 seconds West, across said Regina Graeter Way right-of-way and said 1.934 acre tract with the proposed easterly right-of-way for Interstate Route 75, a distance of 53.90 feet, to an iron pin set in the southerly right-of-way line of Regina Graeter Way, a southerly line of said 1.934 acre tract, and the northerly line of said 20.501 acre tract, located 155.18 feet right of centerline of right-of-way station 471+19.10 for Interstate Route 75;

thence North 79 degrees 06 minutes 06 seconds West, with the southerly line of said 1.934 acre tract, the said southerly right-of-way line, and the northerly line of said 20.501 acre tract, a distance of 35.55 feet, to the *POINT OF BEGINNING*, containing 0.048 acre, more or less, from Auditor's Parcel Number 117-0002-0017-90.

Of the above described 0.048 acre, 0.048 acre lies within the present roadway occupied.

All references are to the records of the Recorder's Office, Hamilton County, Ohio, unless otherwise noted.

Iron pins set, as shown on said Right of Way plans, in the above description are 3/4 inch steel rod, thirty (30) inches long with a 1 1/2" diameter aluminum cap stamped "ODOT R/W"

All bearings shown are for project use only. The bearings shown on this plat are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (1995). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected National Geodetic Survey monuments 7008, 7016, 5954, and 6937. The portion of the centerline of I-75, having a bearing of North 43 degrees 57 minutes 37 seconds East, is designated the "basis of bearing" for this survey.

This description was prepared by Edward J. Miller, Registered Surveyor No. 8250, based upon a survey by Evans, Mechwart, Hambleton & Tilton, Inc. in August 2011.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

EDWARD J. MILLER

8250

REGISTERED SURVEYOR

OHIO

Edward J. Miller

Professional Surveyor No. 8250

2/21/17

**Exhibit B  
to Limited Warranty Deed**

