

ODOT RE 215

## TEMPORARY EASEMENT

Know All Men By These Presents that the City of Cincinnati, the Grantor herein, in consideration of the sum of \$1,677,064.00, to be paid by the State of Ohio, Department of Transportation, does hereby grant, bargain, sell, convey and release to the State of Ohio for the use and benefit of the Ohio Department of Transportation, the Grantee herein, an exclusive temporary easement to occupy and use portions of the following described real estate, which is more particularly described in Exhibit A and depicted on Exhibit B attached hereto and made a part hereof:

ODOT project parcel(s): 9 T-1, T-2, T-3, T-4 and T-5

HAM 75-0.22

Hamilton County Current Tax Parcel Nos. 0082-0001-0038-00 (0039-00 consolidated), 0082-0001-0040-00 (0041-00 consolidated), 0082-0001-0046-00, 0082-0001-0050-90, 0082-0001-0051-90, 0082-0001-0055-00, 0147-0005-0055-00, 0147-0005-0057-90, 0147-0005-0059-00 (0060-00, 0069-00, 0122-00, 0133-00, 0152-00 consolidated), 0147-0005-0144-00, 0147-0005-0153-00, 0147-0006-0068-00, 0147-0006-0070-00, 0147-0006-0071-00 and 0147-0006-0077-00

Prior Instrument References: O.R. 7965 Page 2343; O.R 7931 Page 2965;  
O.R 5889 Page 35; O.R 8682 Page 3936;  
O.R 7931 Page 2965 (Registered Land Certificate 181334);  
O.R 10556 Page 1829; O.R 7968 Page 2815; and  
O.R 8473 Page 2721 of the Hamilton County Recorder's Office.

To have and to hold the temporary easement(s), for the herein stated purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

{00320637-5}

Page 1 of 27

As a consideration for this easement agreement, Grantee shall provide no less than twelve (12) months advance written notice to the City before such date that Grantee requires exclusive occupation and/or possession of the temporary easement areas. Notification shall simultaneously be delivered in writing to the following:

Director of Transportation and Engineering	City Solicitor
City Hall, Room 450	City Hall, Room 214
801 Plum Street	801 Plum Street
Cincinnati, OH 45202	Cincinnati, OH 45202

The duration of the exclusive temporary easement(s) granted to Grantee is thirty-six (36) months immediately following the one-year anniversary of the date on which written notice is delivered to the City (the “Term”).

The parties acknowledge that Hamilton County Auditor’s Parcel Nos. 0082-0001-0038-00 (0039-00 consolidated), 0082-0001-0040-00 (0041-00 consolidated), 0082-0001-0046-00, 0082-0001-0050-90, 0082-0001-0051-90, 0082-0001-0055-00, 0147-0006-0068-00, 0147-0006-0070-00, 0147-0006-071-00, and 0147-0006-0077-00 is currently improved as a public parking lot containing approximately 927 lined parking spaces (the “Crossett Lot”). Grantee will restore the Crossett Lot to the same parking capacity upon the expiration of the Term, and all existing parking spaces shall become available immediately at the end of the Term. At the end of the Term, Grantee shall ensure there is at least 15 feet of clearance (elevation from parking lot grade level to bottom of the highway ramp support structure) at the lowest point and shall allow for parking underneath the elevated roadway on a perpetual basis.

Grantee may close ingress and egress to/from the Crossett Lot entrance at Central Avenue during construction, and Grantee shall restore full access to the Crossett Lot at the end of the Term. Access to the Crossett Lot not encumbered by the temporary easements will be maintained along W. Pete Rose Way during the Term. Grantee shall limit all construction activity, including material staging, construction equipment storage and contractor parking to the boundaries of the temporary easements, unless other arrangements are made to occupy unencumbered areas of the Crossett Lot.

Grantee shall replace in kind, or provide compensation to Grantor for, all site improvements removed or damaged due to construction within the temporary easement area,

including paving, curbing, light stanchions, fencing, retaining walls, parking bumpers, landscaped areas, electronic pay stations, bollards, and associated electronic gates. Grantee shall relocate the portable parking office structure (trailer) during the Term at project cost.

The interests in property conveyed herein to Grantee is being acquired for one of the statutory purposes the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Sections 5501.31 and 5519.01 of the Revised Code.

Grantor has a right under Section 163.211 of the Revised Code to repurchase the interests in 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 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 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. The within 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 is authorized by Ordinance No. \_\_\_\_-\_\_\_\_\_, passed by Cincinnati City Council on \_\_\_\_\_, 2021.

**ERROR! REFERENCE SOURCE NOT FOUND.**

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 Brazina, Director,  
Department of Transportation & Engineering

Approved as to form:

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

This instrument was prepared by the City of Cincinnati Law Department, 801 Plum Street, 214, Cincinnati, Ohio 45202

**Exhibit A**

**PARCEL 9 -T1  
HAM-75-00.22**

**TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
CONSTRUCT BRIDGE SUPERSTRUCTURE  
FOR 36 MONTHS FROM DATE OF ENTRY BY THE  
STATE OF OHIO, DEPARTMENT OF TRANSPORTATION  
[Surveyor's description of the premises follows]**

---

Situate in Section 17, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being PART OF BLOCK 11 of SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE as recorded in Deed Book 52 , Page 112, of said county's plat records, being part of UNSTATED acre parcel of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 7965, Page 2343, Registered Land Certificate 181334 Parcel I of the Official Records of said county, being shown on survey record 147-6-70, Hamilton County Engineer's Office, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection the north right of way line of Pete Rose Way (66') fka Second Street and east right of way of line of vacated Smith Street (60') 293.02 feet right of the baseline of I-75 NB Station 15+26.14;

Thence with said east right of way line of Smith Street and the west line of said (parcel I), North 09°59'00" West (North 11° 58' 03" West I-75 NB) 99.59 feet to Mag nail set 252.42 feet right of the baseline of I-75 NB Station 16+17.08, said Mag nail being the TRUE POINT OF BEGINNING;

PARCEL 9 -T1

Thence continuing with said lines North 09°59'00" West (North 11° 58' 03" West I-75 NB) 44.08 feet to Mag nail set in the southwest corner of said (parcel IV) and the northwest corner of said (parcel I), 234.45 feet right of the baseline of I-75 NB Station 16+57.33;

Thence with said lines North 80°14'00" East (North 78°14' 57" East I-75 NB) 91.56 feet to a Mag nail set 318.20 feet right of the baseline of I-75 NB Station 16+94.34;

Thence along the arc of a curve to the left 101.56 feet, said arc having a radius of 719.80 feet, a central angle of 08° 05' 02" and a chord bearing South 54° 29' 00" West (South 52° 29' 57" West I-75 NB) 101.48 feet to the TRUE POINT OF BEGINNING, containing 0.0436 acres (1897 SF), more or less, subject to all legal easements and restrictions of record.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron Pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instrument of record in O.R. 7965, Page 2343 and Registered Land Certificate 181334 of the Official Records of the Hamilton County Recorder's Office.

PARCEL 9 -T1 cont'd

0.0436 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Number 14700060068.

Prepared by  
LJB Inc.

By: Harry G. Herbst III      5/7/14  
Harry G. Herbst III, Ohio PS #6596      Date



**PARCEL 9 -T2  
HAM-75-00.22  
TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
CONSTRUCT BRIDGE SUPERSTRUCTURE  
FOR 36 MONTHS FROM DATE OF ENTRY BY THE  
STATE OF OHIO, DEPARTMENT OF TRANSPORTATION**

[Surveyor's description of the premises follows]

---

Situate in Section 17, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being PART OF BLOCK 11 of SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE as recorded in Deed Book 52 , Page 112, of said county's plat records, being part of a 1.1247 acre parcel of land as conveyed to CITY OF CINCINNATI by instruments as recorded in O.R. 7965, Page 2343 and Registered Land Certificate 181334 parcel IV of the Official Records of said county, being shown on survey record 147-6-70, Hamilton County Engineer's Office, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the north right of way line of Pete Rose Way (66') and the east right of way of vacated Smith Street (60') 293.02 feet right of the baseline of I-75 NB Station 15+26.14;

Thence with said east right of way line of Smith Street and the west line of said (parcel I), North 09°59'00" West (North 11° 58' 03" West I-75 NB) 143.67 feet to a Mag nail set in the southwest corner of said (parcel IV) and the northwest corner of said (parcel I), 234.45 feet right of the baseline of I-75 NB Station 16+57.33, said point being THE TRUE POINT OF BEGINNING;



PARCEL 9 -T2

Thence continuing with said lines North 09°59'00" West (North 11° 58' 03" West I-75 NB) 107.11 feet to a Mag nail set in the northwest corner of said (parcel IV) and in the south line of UNSTATED acre parcel of land as conveyed to CITY OF CINCINNATI by instruments as recorded in O.R. 7965, Page 2343 of the Official Records of said county, 190.78 feet right of the baseline of I-75 NB Station 17+55.14;

Thence with the north line of said (parcel IV) and the south line of said UNSTATED acre parcel along the arc of a curve to the right 30.42 feet, said arc having a radius of 642.98 feet, a central angle of 02° 42' 40" and a chord bearing North 49°04'39" East (North 47° 06' 16" East I-75 NB) 30.42 feet to a Mag nail set 208.23 feet right of the baseline of I-75 NB Station 17+80.05;

Thence with said lines North 80°14'00" East (North 78°14' 57" East I-75 NB) 374.35 feet to a Mag nail set in the northeast corner of said parcel IV and the northwest corner of an UNSTATED acre parcel of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 7965, Page 2343, Registered Land Certificate 181334 (parcel V) of the Official Records of said county, 550.62 feet right of the baseline of I-75 NB Station 19+31.38;

Thence with the east line of said (parcel IV) and the west line of said (parcel V) South 09°59'00" East (South 11° 58' 03" East I-75 NB) 79.48 feet to a Mag nail set 583.03 feet right of the baseline of I-75 NB Station 18+58.81;

Thence leaving said line along a new easement line the following four courses:

1. along the arc of a curve to the right 42.98 feet, said arc having a radius of 503.87 feet, a central angle of 04° 53' 15" and a chord bearing North 77°52'30" West (North 79° 51' 31" West I-75 NB) 42.97 feet to a Mag nail set 540.09 feet right of the baseline of I-75 NB Station 18+57.35;
2. South 72°01'44" West (South 70° 02' 41" West I-75 NB) 97.38 feet to a Mag nail set 457.55 feet right of the baseline of I-75 NB Station 18+05.67;

PARCEL 9 -T2 cont'd

3. along the arc of a curve to the left 78.05 feet, said arc having a radius of 902.86 feet, a central angle of 04° 57' 11" and a chord bearing South 69° 13' 32" West (South 67° 14' 29" West I-75 NB) 78.03 feet to a Mag nail, 393.52 feet right of the baseline of I-75 NB Station 17+61.08;
4. Thence along the arc of a curve to the left 100.72 feet, said arc having a radius of 719.80 feet, a central angle of 08° 01' 02" and a chord bearing South 62° 32' 00" West (South 60° 32' 59" West I-75 NB) 100.64 feet to Mag nail set in the north line of said (parcel I) and the south line of said (parcel IV) 318.20 feet right of the baseline of I-75 NB Station 16+94.34;

Thence with said lines South 80° 14'00" West (South 78° 14' 57" West I-75 NB) 91.56 feet to the TRUE POINT OF BEGINNING, containing 0.8576 acres (37356 SF), more or less, subject to all legal easements and restrictions of record.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron Pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instrument of record in O.R. 7965, Page 2343 and Registered Land Certificate 181334 of the Official Records of the Hamilton County Recorder's Office.

PARCEL 9 -T2 cont'd

0.8576 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Number 14700060070.

Prepared by  
LJB Inc.



By: Harry G. Herbst III      5/7/14  
Harry G. Herbst III, Ohio PS #6596      Date

**PARCEL 9 -T3  
HAM-75-00.22  
TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
CONSTRUCT BRIDGE SUPERSTRUCTURE  
FOR 36 MONTHS FROM DATE OF ENTRY BY THE  
STATE OF OHIO, DEPARTMENT OF TRANSPORTATION**

[Surveyor's description of the premises follows]

---

Situate in Section 17, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being being PART OF SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE as recorded in Plat book DB 52 , page 112, of said county's plat records, and being part of an UNSTATED acre parcel of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 7965, Page 2343, Registered Land Certificate 181334 (parcel V) of the Official Records of said county, being shown on survey record 147-6-70, Hamilton County Engineer's Office, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at the intersection of the original north right of way line of Pete Rose Way (66') fka Second Street with the west right of way line of Central Avenue (60') 973.34 feet right of the baseline of I-75 NB Station 18+27.16;

Thence with said west right of way line North 09°59'00" West (North 11° 58' 03" West I-75 NB) 143.36 feet to a point in the southeast corner of said (parcel V) and the northeast corner of an 0.6605 acre parcel of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 7965, Page 2343, Registered Land Certificate 181334 (parcel III) 914.89 feet right of the baseline of I-75 NB Station 19+58.07;

Thence continuing with said west right of way line and the east line of said (parcel V) North 09°59'00" West (North 11°58' 03" West I-75 NB) 92.03 feet to a Mag nail set 877.37 feet right of the baseline of I-75 NB Station 20+42.10, said point being THE TRUE POINT OF BEGINNING;

PARCEL 9 -T3

Thence leaving said line along a new easement line the following four courses:

1. along the arc of a curve to the left 137.40 feet, said arc having a radius of 1892.36 feet, a central angle of  $04^{\circ} 09' 37''$  and a chord bearing South  $77^{\circ} 14' 32''$  West (South  $75^{\circ} 15' 30''$  West I-75 NB) 137.37 feet to a point 754.79 feet right of the baseline of I-75 NB Station 19+80.09;
2. South  $13^{\circ} 30' 23''$  East (South  $15^{\circ} 29' 26''$  East I-75 NB) 68.66 feet to a Mag nail set 786.59 feet right of the baseline of I-75 NB Station 19+19.23;
3. South  $76^{\circ} 29' 37''$  West (South  $74^{\circ} 30' 34''$  West I-75 NB) 10.00 feet to a Mag nail set 777.72 feet right of the baseline of I-75 NB Station 19+14.60;
4. along the arc of a curve to the right 203.92 feet, said arc having a radius of 503.87 feet, a central angle of  $23^{\circ} 11' 15''$  and a chord bearing South  $88^{\circ} 05' 14''$  West (South  $86^{\circ} 06' 13''$  West I-75 NB) 202.53 feet to a Mag nail set in the west line of said (parcel V) and the east line of an UNSTATED acre parcel of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 7965, Page 2343, Registered Land Certificate 181334 (parcel IV), 583.03 feet right of the baseline of I-75 NB Station 18+58.81;

Thence with said lines North  $09^{\circ} 59' 00''$  West (North  $11^{\circ} 58' 03''$  West I-75 NB) 79.48 feet to a point in the south line of an UNSTATED acre parcel of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 7965, Page 2343, Registered Land Certificate 181334 (parcel VI) of the Official Records of said county, the northwest corner of said (parcel V) and the northeast corner of said (parcel IV), 550.62 feet right of the baseline of I-75 NB Station 19+31.38;

Thence with the north line of said (parcel V) and the south line of said parcel VI North  $80^{\circ} 14' 00''$  East (North  $78^{\circ} 14' 57''$  East I-75 NB) 343.50 feet to a Mag nail set in the east line of said parcel V and Central Avenue west right of way line 864.81 feet right of the baseline of I-75 NB Station 20+70.24;

PARCEL 9-T3 cont'd

Thence with said lines South 09°59'00" East (South 11° 58' 03" East I-75 NB) 30.82 feet to the TRUE POINT OF BEGINNING, containing 0.5847 acres (25470 SF), more or less, subject to all legal easements and restrictions of record.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron Pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instrument of record in O.R. 7965, Page 2343 and Registered Land Certificate 181334 (parcel V) of the Official Records of the Hamilton County Recorder's Office.

0.5847 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Number 08200010038.

Prepared by  
LJB Inc.



By: Harry G. Herbst III      5/9/14  
Harry G. Herbst III, Ohio PS #6596      Date

**PARCEL 9 -T4  
HAM-75-00.22  
TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
CONSTRUCT BRIDGE SUPERSTRUCTURE  
FOR 36 MONTHS FROM DATE OF ENTRY BY THE  
STATE OF OHIO, DEPARTMENT OF TRANSPORTATION**

[Surveyor's description of the premises follows]

---

Situate in Section 17, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being PART OF SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE as recorded in Deed Book 52 , Page 112, of said county's plat records, being part of a UNSTATED acre parcel of land as conveyed to CITY OF CINCINNATI by instruments as recorded in O.R. 7965, Page 2343 and Registered Land Certificate 181334 (parcel VI) of the Official Records of said county, being shown on survey record 147-6-70, Hamilton County Engineer's Office, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at a point in the original north right of way line of Pete Rose Way (formerly Second Street) (60') with the original west right of way line of Central Avenue 973.34 feet right of the baseline of I-75 NB Station 18+27.16;

Thence with said west right of way line North 09°59' East (North 11° 58' 03" West I-75 NB) 266.52 feet to a Mag nail set in the northeast corner of an UNSTATED acre parcel of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 7965, Page 2343 and Registered Land Certificate 181334 (parcel V) of the Official Records of said county, 864.81 feet right of the baseline of I-75 NB Station 20+70.24;

Thence with said north line of parcel V South 80°14'00" West (South 78° 14' 57" West I-75 NB) 10.00 feet to a point to a Mag nail set in the southeast corner of said parcel VI 855.66 feet right of the baseline of I-75 NB Station 20+66.20, said point being THE TRUE POINT OF BEGINNING;

**PARCEL 9 -T4**

Thence with the north line of said parcel V, the north line of a 1.1247 acre parcel of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 7965, Page 2343 and Registered Land Certificate 181334 (parcel IV) and the south line of said parcel VI, South 80° 14'00" West (South 78° 14' 57" West I-75 NB) 707.85 feet to a Mag nail set at the southwest corner of said parcel VI, 208.23 feet right of the baseline of I-75 NB Station 17+80.05;

Thence along the north line of said parcel VI the following two courses:

1. Along the arc of a curve to the right 109.97 feet, said arc having a radius of 642.98 feet, a central angle of 09° 47' 44" and a chord bearing North 55° 20'01" East (North 53° 21' 37" East I-75 NB) 109.79 feet to a Mag nail set 280.67 feet right of the baseline of I-75 NB Station 18+62.61;
2. North 80° 09'40" East (North 78° 10' 37" East I-75 NB) 608.04 feet to a Mag nail set in the northeast corner of said parcel VI, 836.50 feet right of the baseline of I-75 NB Station 21+09.11;

Thence with the east line of said parcel VI South 09° 59'00" East (South 11° 58' 03" East I-75 NB) 46.99 feet to the TRUE POINT OF BEGINNING, containing 0.7076 acres (30821 SF), more or less, subject to all legal easements and restrictions of record.

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron Pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.



PARCEL 9 -T4 cont'd

Grantor claims title through instruments of record in O.R. 7965, Page 2343 and Registered Land Certificate Number 181334, Hamilton County Recorder's Office.

0.3189 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Number 8200010040 and 0.3887 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Number 14700060071.

Prepared by  
LJB Inc.

By: Harry G. Herbst III      5/7/14  
Harry G. Herbst III, Ohio PS #6596      Date



**PARCEL 9-T5  
HAM-75-00.22  
TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
CONSTRUCT BRIDGE SUPERSTRUCTURE  
FOR 36 MONTHS FROM DATE OF ENTRY BY THE  
STATE OF OHIO, DEPARTMENT OF TRANSPORTATION**

[Surveyor's description of the premises follows]

Situate in Section 17, Town 4, Range FR 1, Miami Purchase, Cincinnati Township,, in the City of Cincinnati, Hamilton County, State of Ohio, and being PART OF VACATED SMITH STREET and VACATED JOHN STREET, and being part of a 0.6858 acre parcel of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 8473, Page 2721, and being PART OF BLOCKS 7 AND 8 of SUBDIVISION OF LONGWORTH, LAWLER, FOOTE & GREENE as recorded in Deed Book 52, Page 112, and being LOT 4 of GEO LEIBEE AND OTHERS SUBDIVISION as recorded in Plat Book 1, Page 105 of said county's plat records, being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in O.R. 5889, Page 35, O.R. 8682, Page 3936, O.R. 7931, Page 2965, O.R. 10556, Page 1829 and O.R. 7968, Page 2815 of the Official Records of said county, being shown on survey records SR 147-5-59, SR 147-5-22, SR 147-5-153 and SR 147-6-70, Hamilton County Engineer's Office, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at a Mag nail set in the intersection of the existing south right of way line of West Third Street and the east line of vacated Smith Street and the northwest corner of a 0.0317 acre parcel of land as conveyed to the STATE OF OHIO by instrument as recorded in Deed Book 3886, Page 810 of said county's deed records 90.16 feet right of the baseline of NB I-75 Station 19+80.48, said Mag nail being the TRUE POINT OF BEGINNING;

PARCEL 9 -T5

Thence with said 0.0317 acre parcel the following four courses:

1. South 11° 58' 03" East 76.15 feet to an Iron Pin set 121.21 feet right of the baseline of I-75 NB Station 19+10.95;

PARCEL 9 --T5 cont'd

2. North 78° 14' 53" East 15.23 feet to an Iron Pin 135.14 feet right of the baseline of I-75 NB Station 19+17.11;
3. North 11° 51' 40" West 48.19 feet to Mag nail set 116.17 feet right of the baseline of I-75 NB Station 19+61.40;
4. Along the arc of a curve to the right 44.14 feet, said arc having a radius of 28.32 feet, a central angle of 89° 17' 49" and a chord bearing North 33° 33' 35" East 39.80 feet to a Drill hole set in said south right of way line of Third Street and the north line of an 0.7932 acre parcel of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 5889, Page 35, 130.74 feet right of the baseline of I-75 NB Station 19+98.45;

Thence with said right of way line and the north line of said land, and with the north line of UNSTATED acre parcels of land as conveyed to CITY OF CINCINNATI by instruments as recorded in O.R. 7931, Page 2965, and O.R. 7968, Page 2815 of said county's official records, the following four courses:

1. North 78° 12' 29" East 321.58 feet to a Drill hole set 424.78 feet right of the baseline of I-75 NB Station 21+28.65;
2. North 79° 07' 43" East 34.39 feet to a Drill hole set 456.44 feet right of the baseline of I-75 NB Station 21+42.07;
3. North 78° 08' 53" East 318.63 feet to a Drill hole set 747.65 feet right of the baseline of I-75 NB Station 22+71.39;
4. Along the arc of a curve to the right 23.53 feet, said arc having a radius of 15.00 feet, a central angle of 89° 53' 04" and a chord bearing South 56° 54' 35" East 21.19 feet to a Drill hole set in Central Avenue existing west highway easement, and the east line of an UNSTATED acre parcel of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 7968, Page 2815, 767.43 feet right of the baseline of I-75 NB Station 22+63.80;

PARCEL 9 -T5 cont'd

Thence with said lines South 11° 58' 03" East 169.41 feet to a Drill hole in the southeast corner of said land, and the northeast corner of an UNSTATED acre parcel of land as conveyed to CITY OF CINCINNATI by instruments as recorded in O.R. 7931, Page 2965, and Registered Land Certificate 181334 of said county's records, 836.50 feet right of the baseline of I-75 NB Station 21+09.11;

Thence with the south line of said land and north line of said UNSTATED acre parcel the following two courses:

1. South 78° 10' 38" West (South 80 09'40" West R. L.) 608.04 feet to a Mag nail set 280.67 feet right of the baseline of I-75 NB Station 18+62.61;
2. Along the arc of a curve to the left 140.39 feet, said arc having a radius of 642.98 feet, a central angle of 12° 30' 37" and a chord bearing South 52° 00' 15" West (South 53° 59'07" West R. L.) 140.11 feet to a Mag nail set in the northwest corner of a 1.1247 acre parcel of land as conveyed to the CITY OF CINCINNATI by instrument as recorded in Parcel IV of Registered Land Certificate 181334 of said county's records, and the east line of the vacated right of way of Smith Street as conveyed to the CITY OF CINCINNATI by instrument as recorded in O.R. 8473, Page 2721 of said county's records, 190.78 feet right of the baseline of I-75 NB Station 17+55.14;

Thence with the west line of said Parcel IV and said east right of way line of said vacated Smith Street South 11° 58' 03" East ( South 09° 59' East R. L.), 151.20 feet to a Mag nail set 252.42 feet right of the baseline of I-75 NB Station 16+17.08;

Thence with the new temporary easement line and crossing said vacated right of way of Smith Street along the arc of a curve to the left 71.10 feet, said arc having a radius of 719.80 feet, a central angle of 05° 39' 33" and a chord bearing South 45° 37' 40" West 71.07 feet to a Mag nail set in west right of way line of said Smith Street and in the east line of an UNSTATED acre parcel of land as conveyed to LONGWORTH HALL, LLC, AN OHIO LIMITED LIABILITY COMPANY by instrument as recorded in O.R. 9441, Page 4745 of said county's deed records, 213.16 feet right of the baseline of I-75 NB Station 15+57.84;

PARCEL 9 --T5 cont'd

Thence with said lines North  $11^{\circ} 58' 03''$  West 130.54 feet to a Mag nail found at the northeast corner of said UNSTATED acre parcel and at the southeast corner of an UNSTATED acre parcel of land as conveyed to the CITY OF CINCINNATI by instrument as recorded in O.R. 7931, Page 2965 of said county's records, 159.94 feet right of the baseline of I-75 NB Station 16+77.04;

Thence with the south line of said UNSTATED acre CITY OF CINCINNATI parcel and the north line of said UNSTATED acre LONGWORTH HALL, LLC parcel the following three courses:

1. South  $78^{\circ} 57' 26''$  West 216.86 feet to an Iron Pin set 39.48 feet left of the baseline of I-75 NB Station 15+91.83;
2. North  $03^{\circ} 27' 08''$  West 11.60 feet to an Iron Pin set 42.59 feet left of the baseline of I-75 NB Station 16+03.01;
3. South  $86^{\circ} 29' 44''$  West 73.10 feet to an Iron Pin set in an easterly corner of an UNSTATED acre parcel of land as conveyed to THE CENTRAL RAILROAD CO. OF INDIANA by instrument as recorded in O.R. 7453, Page 1231 of the Official Records of said county 112.99 feet left of the baseline of I-75 NB Station 15+83.36;

Thence with the westerly line of said UNSTATED acre CITY OF CINCINNATI parcel and the easterly line of said UNSTATED acre THE CENTRAL RAILROAD CO. OF INDIANA parcel the following two courses:

1. Along the arc of a curve to the left 142.33 feet, said arc having a radius of 760.00 feet, a central angle of  $10^{\circ} 43' 47''$  and a chord bearing North  $69^{\circ} 53' 36''$  West 142.12 feet to an Iron Pin set 253.72 feet left of the baseline of I-75 NB Station 16+03.17;
2. North  $03^{\circ} 41' 36''$  West 56.29 feet to an Iron Pin set in the west right of way line of Rose Street (50 feet wide) 269.04 feet left of the baseline of I-75 NB Station 16+57.34;

Thence with said Rose Street the following two courses:

PARCEL 9 -T5 cont'd

1. North 71° 06' 41" East 51.81 feet to an Iron Pin set 224.62 feet left of the baseline of I-75 NB Station 16+84.01;
2. North 03° 41' 36" West 14.98 feet to an Iron Pin set at a southwest corner of a 0.08512 acre parcel of land as conveyed to CSX TRANSPORTATION, INC., A CORPORATION UNDER THE LAWS OF VIRGINIA by instruments as recorded in Deed Book 5087, Page 637, and Deed Book 5087, Page 642, of said county's deed records, and as shown on Survey Record SR 147-5-149 of the county Engineer's office, 228.69 feet left of the baseline of I-75 NB Station 16+98.42;

Thence with said 0.08512 acre parcel the following four courses:

1. North 86° 35' 22" East 25.85 feet to an Iron Pin set 203.78 feet left of the baseline of I-75 NB Station 17+05.33;
2. South 03° 24' 48" East 43.38 feet to an Iron Pin set 192.19 feet left of the baseline of I-75 NB Station 16+63.53;
3. North 86° 28' 45" East 25.67 feet to an Iron Pin set 167.46 feet left of the baseline of I-75 NB Station 16+70.44;
4. North 03° 24' 48" West 43.33 feet to an Iron Pin set in the south line of an UNSTATED acre parcel of land as conveyed to LONGWORTH HALL, LLC by instrument as recorded in O.R. 10536, Page 2922 of the Official Records of said county, 179.05 feet left of the baseline of I-75 NB Station 17+12.19;

Thence with said UNSTATED acre LONGWORTH HALL, LLC parcel the following two courses:

1. North 86° 35' 22" East 25.66 feet to an Iron Pin set 154.32 feet left of the baseline of I-75 NB Station 17+19.05;
2. North 03° 46' 38" West 153.02 feet to an Iron Pin set in the south right of way line of Third Street 196.17 feet left of the baseline of I-75 NB Station 18+66.24;

PARCEL 9 --T5 cont'd

Thence with said south right of way line North 88° 04' 30" East 25.68 feet to an Iron Pin set at the northwest corner of a parcel of land conveyed to the State of Ohio 171.26 feet left of the baseline of I-75 NB Station 18+72.46;

Thence with the west line of said parcel South 04° 00' 40" East 92.82 feet to an Iron Pin set at the southwest corner thereof 145.51 feet left of the baseline of I-75 NB Station 17+83.28;

Thence with the south line of said parcel and with the south line of an UNSTATED acre parcel of land conveyed to the City Of Cincinnati by instrument as recorded in Registered Land Certificate Number 42425 of said county's records, North 88° 09' 53" East 51.29 feet to an Iron Pin set at the southeast corner of said Registered Land and in the west right of way line of a Halpin Alley, 95.73 feet left of the baseline of I-75 NB Station 17+95.63;

Thence with said right of way line South 01° 41' 19" West 8.48 feet to an Iron Pin set in south right of way line of said Halpin Alley 94.20 feet left of the baseline of I-75 NB Station 17+87.28;

Thence with said south right of way line North 78° 12' 29" East 135.11 feet to an Iron Pin set 29.34 feet right of the baseline of I-75 NB Station 18+41.99;

Thence North 11° 58' 04" West 6.00 feet to an Iron Pin set on the south line of an UNSTATED acre parcel of land as conveyed to the CITY OF CINCINNATI, 26.89 feet right of the baseline of I-75 NB Station 18+47.47;

Thence with the south line of said UNSTATED acre parcel and the north line of said UNSTATED acre parcel North 78° 12' 29" East 52.00 feet to said west vacated right of way of Smith Street 74.44 feet right of the baseline of I-75 NB Station 18+68.52;

Thence with the west vacated right of way line of Smith Street and the east line of said UNSTATED acre parcel North 11° 58' 03" West 96.00 feet to said south right of way of Third Street 35.30 feet right of the baseline of I-75 NB Station 19+56.18;

Thence with said south right of way line North 78° 12' 26" East 60.00 feet to the TRUE POINT OF BEGINNING, containing 5.3556 acres (233291 SF), more or less, subject to all legal easements and restrictions of record.

PARCEL 9 --T5 cont'd

**EXCEPTING from the above described parcel the following described real estate:**

Situate in Section 17, Town 4, Range FR 1, Miami Purchase, Cincinnati Township,, in the City of Cincinnati, Hamilton County, State of Ohio, 0.0023 acre parcel of land as conveyed to the STATE OF OHIO by instrument as recorded in Deed Book 4070, Page 578 of said county's deed records, and being more particularly bounded and described, with Stations and offsets referenced to the baseline of construction of Northbound I-75 as shown on the "HAM-75-00.22 Centerline Plat" as recorded in Plat Book 441 Pages 70-80, (I-75 NB), as follows:

Beginning for reference at a Mag nail set in the intersection of the existing south right of way line of West Third Street and the east right of way line of vacated Smith Street and the northwest corner of a 0.0317 acre parcel of land as conveyed to the STATE OF OHIO by instrument as recorded in Deed Book 3886, Page 810 of said county's deed records 90.16 feet right of the baseline of NB I-75 Station 19+80.48,

Thence with said east vacated right of way of Smith Street, and with the west line of said 0.0317 acres parcel and the west line of an UNSTATED acre parcel of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 7931, Page 2965 of said county's deed records, South 11° 58' 03" East 96.00 feet to a Mag nail set at the northwest corner of said 0.0023 acre parcel 129.30 feet right of the baseline of I-75 NB Station 18+92.82 said Mag nail being the TRUE POINT OF BEGINNING;

Thence with the lines of said 0.0023 acre parcel and said UNSTATED acre City of Cincinnati parcel the following three courses:

1. North 78° 12' 57" East 15.88 feet to a point 143.82 feet right of the baseline of I-75 NB Station 18+99.25;
2. South 11° 58' 03" East 6.29 feet to a point 146.39 feet right of the baseline of I-75 NB Station 18+93.51;
3. South 78° 01' 42" West 15.88 feet to a point in said vacated east right of way and the west line of said 0.0023 acre parcel 131.89 feet right of the baseline of I-75 NB Station 18+87.03;



PARCEL 9 --T5 cont'd

Thence with said lines North 11° 58' 03" West 6.34 feet to the TRUE POINT OF BEGINNING, containing 0.0023 acres (100 SF), more or less, subject to all legal easements and restrictions of record.

The total parcel contains 5.3556 acres (233291 SF) minus the described exception 0.0023 acre (100 SF) for a total 5.3533 acres (233191 SF).

This description is based upon a field survey performed in March, 2013 by LJB Inc. under contract to the Ohio Department of Transportation, with bearings based upon the Kentucky State Plane One Zone Coordinate System, NAD 83, 2007 adjustment, by GPS utilizing ODOT VRS.

Iron Pins referred to as "set" shall be 3/4" by 30" reinforcing rod set by LJB Inc. with Aluminum cap stamped "ODOT R/W - PS 6596 - LJB INC" or "ODOT - PS 6596 - LJB INC".

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Grantor claims title through instruments of record in O.R. 7931, Page 2965, O.R. 10556, Page 1829, O.R. 5889, Page 35, O.R. 8682, Page 3936, O.R. 8473, Page 2721 and O.R. 7968, Page 2815 of the Official Records of the Hamilton County Recorder's Office.

PARCEL 9 -T5 cont'd

5.3533 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
14700050055	0.0589	0.0000
14700050059	1.5686	0.0770
14700050153	0.5719	0.0000
14700060071	1.0014	0.0000
14700060070	0.0046	0.0000
14700060077	0.5592	0.0000
8200010040	0.9890	0.0000
8200010046	0.2410	0.0000
8200010055	0.3586	0.0000

Prepared by  
LJB Inc.

By: Harry G. Herbst III      5/7/14  
Harry G. Herbst III, Ohio PS #6596      Date



**Exhibit B**

