
[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 \$1.00, 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 (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): 76 WL

ODOT Project: HAM 75-00.22

Being part of Hamilton County Current Tax Parcel No(s): None (municipal public right-of-way designated as West Court Street)

Prior Instrument Reference: None (municipal public right-of-way designated as West Court Street)

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.

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 [_____]

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 75-00.22
Project Parcel: 76 WL

EXHIBIT A

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RX 252 WL

Ver. Date 03/06/2019

PID 89068

**PARCEL 76-WL
HAM-75-00.22
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]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of W. Court Street (60') as dedicated by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders 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 West Court Street (60') and the original east right of way line of Baymiller Street (50'), 124.92 feet right of the baseline of I-75 NB Station 69+52.57;

Thence with said north right of way line South 85° 48' 52" East 42.47 feet to an iron pin set in the existing I-75 east L/A easement line, 154.10 feet right of the baseline of I-75 NB Station 69+18.83, being the TRUE POINT OF BEGINNING, said iron pin bearing North 76° 12' 02" West 505.28 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

PARCEL 76-WL

Thence continuing with said north right of way line South 85° 48' 52" East 31.39 feet to a MAG nail set in the new I-75 east L/A easement line, 175.25 feet right of the baseline of I-75 NB Station 68+93.05;

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PARCEL 76-WL cont'd

Thence with said new I-75 east L/A easement line along the arc of a curve to the left 68.54 feet, said arc having a radius of 1084.32 feet, a central angle of 03° 37' 17" and a chord bearing South 43° 15' 21" East 68.52 feet to an iron pin set in said existing I-75 east L/A easement line, 172.86 feet right of the baseline of I-75 NB Station 68+16.41;

Thence with said existing I-75 east L/A easement line along the arc of a curve to the right 95.04 feet, said arc having a radius of 192.00 feet, a central angle of 28° 21' 37" and a chord bearing North 56° 17' 50" West 94.07 feet to the TRUE POINT OF BEGINNING, containing 0.0246 acres, (1071 SF), more or less, subject to all legal easements and restrictions of record.;

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

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 dedication by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office.

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PARCEL 76-WL cont'd

0.0246 acres of the above described area is contained within dedicated public right-of-way and the Hamilton County Auditor has assigned no Permanent Parcel Number, of which the present road right of way occupies 0.0246 acres, more or less.

Prepared by
LJB Inc.



By: Harry G. Herbst III 3/20/2019
Harry G. Herbst III, Ohio PS #6596 Date

[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 \$1.00, 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 (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): 77 WL

ODOT Project: HAM 75-00.22

APN	Prior Instrument Reference
135-0001-0103-00	Deed Book 3019, Page 153 Hamilton County, Ohio Records
135-0001-0102-00	Deed Book 3021, Page 465 Hamilton County, Ohio Records
135-0001-0101-00	Deed Book 3134, Page 424 Hamilton County, Ohio Records

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.

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 [_____].

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 75-00.22
Project Parcel: 77 WL

EXHIBIT A

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Ver. Date 03/20/2019

PID 89068

**PARCEL 77-WL
HAM-75-00.22
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]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 6 of CUTTER'S SUBDIVISION, being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 3019, Page 153, Deed Book 3021, Page 465, and Deed Book 3134, Page 424, of the Official Records of said county, 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 West Court Street (60') and the original east right of way line of Baymiller Street (50'), 124.92 feet right of the baseline of I-75 NB Station 69+52.57;

Thence with said north right of way line South 85° 48' 52" East 42.47 feet to an iron pin set in the existing I-75 east L/A easement line, 154.10 feet right of the baseline of I-75 NB Station 69+18.83, being the TRUE POINT OF BEGINNING, said iron pin bearing North 76° 12' 02" West 505.28 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

PARCEL 77-WL

Thence with said existing I-75 east L/A easement line along the arc of a curve to the right 4.69 feet, said arc having a radius of 192.00 feet, a central angle of 01° 23' 54" and a chord bearing North 41° 25' 05" West 4.69 feet to an iron pin set 154.23 feet right of the baseline of I-75 NB Station 69+24.00;

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PARCEL 77-WL cont'd

Thence continuing with said existing I-75 east L/A easement line North 40° 43' 08" West 55.58 feet to an iron pin set in said original east right of way line of Baymiller Street, 155.23 feet of the baseline of I-75 NB Station 69+85.38;

Thence with said original east right of way line of Baymiller Street North 04° 02' 22" East 37.49 feet to a MAG nail set in the new I-75 east L/A easement line, 181.36 feet right of the baseline of I-75 NB Station 70+15.34;

Thence with said new I-75 east L/A easement line along the arc of a curve to the left 109.16 feet, said arc having a radius of 1084.32 feet, a central angle of 05° 46' 06" and a chord bearing South 38° 33' 40" East 109.12 feet to a MAG nail set in said original north right of way line of West Court Street, 175.25 feet right of the baseline of I-75 NB Station 68+93.05;

Thence with said line North 85° 48' 52" West 31.39 feet to the TRUE POINT OF BEGINNING, containing 0.0449 acres, (1955 SF), more or less, subject to all legal easements and restrictions of record.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

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 Deed Book 3019, Page 153, Deed Book 3021, Page 465, and Deed Book 3134, Page 424, Hamilton County Recorder's Office.

EXHIBIT A

RX 252 WL

PARCEL 77-WL cont'd

0.0449 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
13500010101	0.0243	0.0000
13500010102	0.0166	0.0000
13500010103	0.0040	0.0000

Prepared by
LJB Inc.



By: Harry G. Herbst III 3/20/2019
Harry G. Herbst III, Ohio PS #6596 Date

[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 \$46,775, 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 (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): 78 WL

ODOT Project: HAM 75-00.22

Being part of Hamilton County Current Tax Parcel No(s): None (municipal public right-of-way designated as West Court Street)

Prior Instrument Reference: None (municipal public right-of-way designated as West Court Street)

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.

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 [_____].

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 75-00.22
Project Parcel: 78 WL

EXHIBIT A

RX 252 WL

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Ver. Date 03/06/2019

PID 89068

**PARCEL 78-WL
HAM-75-00.22
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]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Baymiller Street (50') (now Court St.) and Cobb Alley (16') as dedicated by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders 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 West Court Street (60') and the original east right of way line of Baymiller Street (50'), 124.92 feet right of the baseline of I-75 NB Station 69+52.57;

Thence with said east line of Baymiller St. North 04° 02' 22" East 42.64 feet to an iron pin set in the existing I-75 east L/A easement line, 155.23 feet right of the baseline of I-75 NB Station 69+85.38, being the TRUE POINT OF BEGINNING, said iron pin bearing North 72° 35' 42" West 555.49 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

PARCEL 78-WL

Thence with said existing I-75 east L/A easement line North 40° 43' 08" West 12.81 feet to an iron pin set 155.16 feet right of the baseline of I-75 NB Station 69+99.53;

EXHIBIT A

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PARCEL 78-WL cont'd

Thence continuing with said existing I-75 east L/A easement line along the arc of a curve to the right 64.41 feet, said arc having a radius of 356.00 feet, a central angle of 10° 22' 00" and a chord bearing North 35° 32' 10" West 64.32 feet to an iron pin set in the west right of way line of said Baymiller St., 158.98 feet right of the baseline of I-75 NB Station 70+70.56

Thence with said west right of way line North 04° 02' 22" East 43.01 feet to an iron pin set at the intersection of said west right of way line with the south right of way line of said Cobb Alley (16'), 187.26 feet right of the baseline of I-75 NB Station 71+06.80;

Thence with the south line of Cobb Alley North 86° 23' 44" West 25.33 feet to an iron pin set in said existing I-75 east L/A easement line, 167.77 feet right of the baseline of I-75 NB Station of I-75 NB Station 71+24.95;

Thence with said existing I-75 east L/A easement line North 24° 14' 35" West 18.10 feet to an iron pin set in the north right of way line of Cobb Alley, 171.29 feet right of the baseline of I-75 NB Station 71+44.76;

Thence with said north right of way line South 86° 23' 44" East 23.39 feet to MAG nail set in the new I-75 east L/A easement line, 189.47 feet right of the baseline of I-75 NB Station 71+28.21;

Thence with said new I-75 east L/A easement line along the arc of a curve to the left 100.43 feet, said arc having a radius of 1084.32 feet, a central angle of 05° 18' 25" and a chord bearing South 33° 01' 24" East 100.40 feet to MAG nail set in said east line of Baymiller St., 181.36 feet right of the baseline of I-75 NB Station 70+15.34;

Thence with said east line of Baymiller St. South 04° 02' 22" West 37.49 to the TRUE POINT OF BEGINNING, containing 0.0570 acres, (2485 SF), more or less, subject to all legal easements and restrictions of record.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

EXHIBIT A

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PARCEL 78-WL cont'd

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 dedication by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office.

0.0570 acres of the above described area is contained within dedicated public right-of-way and the Hamilton County Auditor has assigned no Permanent Parcel Number, of which the present road right of way occupies 0.0570 acres, more or less.

Prepared by
LJB Inc.



By: Harry G. Herbst III 3/20/2019
Harry G. Herbst III, Ohio PS #6596 Date

[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 \$34,810, 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 (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): 79 WL

ODOT Project: HAM 75-00.22

APN	Prior Instrument Reference
139-0003-0038-00	Deed Book 3041, Page 462 Hamilton County, Ohio Records
139-0003-0039-00	Deed Book 3057, Page 292 Hamilton County, Ohio Records
139-0003-0040-00	Deed Book 3015, Page 95 Hamilton County, Ohio Records
139-0003-0041-00	Deed Book 3057, Page 544 Hamilton County, Ohio Records
139-0003-0042-00	Deed Book 2933, Page 68 Hamilton County, Ohio Records

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.

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 [____].

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 75-00.22
Project Parcel: 79 WL

EXHIBIT A

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Ver. Date 03/06/2019

PID 89068

**PARCEL 79-WL
HAM-75-00.22
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]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 7 of CUTTER'S SUBDIVISION, and being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 3041, Page 462, Deed Book 3057, Page 292, Deed Book 3015, Page 95, Deed Book 3057, Page 544, and Deed Book 2933, Page 68 of the Deed Records of said county, 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 south right of way line of Gest Street (50') with the original west right of way line of Baymiller Street (50'), 259.71 feet right of the baseline of I-75 NB Station 72+11.76;

Thence with said original south right of way line of Gest Street North 86° 23' 43" West 75.07 feet to a MAG nail set in the new I-75 east L/A easement line, 198.57 feet right of the baseline of I-75 NB Station 72+62.42, being the TRUE POINT OF BEGINNING, said MAG nail bearing North 58° 31' 23" West 749.86 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

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PARCEL 79-WL

Thence with said new I-75 east L/A easement line along the arc of a curve to the left 90.12 feet, said arc having a radius of 1102.28 feet, a central angle of 04° 41' 05" and a chord bearing South 28° 43' 10" East 90.10 feet to a MAG nail set 192.20 feet right of I-75 NB Station 71+60.35;

Thence continuing with said line along the arc of a curve to the left 28.52 feet, said arc having a radius of 1084.32 feet, a central angle of 01° 30' 26" and a chord bearing South 29° 36' 59" East 28.52 feet to a MAG nail set in the north line of Cobb Alley (16'), 189.47 feet right of the baseline of I-75 NB Station 71+28.21;

Thence with said line North 86° 23' 44" West 23.39 feet to an iron pin set in the existing I-75 east L/A easement line, 171.29 feet right of the baseline of I-75 NB Station 71+44.76;

Thence with said line North 24° 14' 35" West 113.09 feet to an iron pin set 188.32 feet right of the baseline of I-75 NB Station 72+70.39;

Thence continuing with said line North 24° 14' 35" West 113.09 feet to an iron pin set in the south right of way line of Gest Street, 188.32 feet right of the baseline of I-75 NB Station 72+70.39;

Thence with the south right of way line of Gest Street South 86° 23' 43" East 12.42 feet to the TRUE POINT OF BEGINNING, containing 0.0393, acres (1714 SF), more or less, subject to all legal easements and restrictions of record.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

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".

EXHIBIT A

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PARCEL 79-WL cont'd

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

Grantor claims title through instruments as recorded in Deed Book 3041, Page 462, Deed Book 3057, Page 292, Deed Book 3015, Page 95, Deed Book 3057, Page 544, and Deed Book 2933, Page 68, Hamilton County Recorder's Office.

0.0393 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
13900030038	0.0060	0.000
13900030039	0.0085	0.000
13900030040	0.0079	0.000
13900030041	0.0092	0.000
13900030042	0.0077	0.000

Prepared by
LJB Inc.



By: Harry G. Herbst III 3/20/2019
 Harry G. Herbst III, Ohio PS #6596 Date

[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 \$1.00, 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 (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): 80 WL

ODOT Project: HAM 75-00.22

Being part of Hamilton County Current Tax Parcel No(s): None (municipal public right-of-way designated as West Court Street)

Prior Instrument Reference: None (municipal public right-of-way designated as West Court Street)

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.

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 [_____].

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 75-00.22
Project Parcel: 80 WL

EXHIBIT A

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Ver. Date 03/06/2019

PID 89068

**PARCEL 80-WL
HAM-75-00.22
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]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Gest Street (50') as dedicated by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders 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 south right of way line of Gest Street (50') with the original west right of way line of Baymiller Street (50'), 259.71 feet right of the baseline of I-75 NB Station 72+11.76;

Thence with the south right of way line of Gest Street North 86° 23' 43" West 75.07 feet to a MAG nail set in the new east Limited Access right of way line of I-75, 198.57 feet right of the baseline of I-75 NB Station 72+62.42, said MAG nail being the TRUE POINT OF BEGINNING, said MAG nail bearing North 58° 31' 23" West 749.86 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

PARCEL 80-WL

Thence continuing with said south right of way line of Gest Street North 86° 23' 43" West 12.42 feet to an iron pin set in the existing east Limited Access right of way line of I-75, 188.32 feet right of the baseline of I-75 NB Station 72+70.39;

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PARCEL 80-WL cont'd

Thence with said east Limited Access right of way line North 28° 47' 38" West 59.22 feet to a 5/8" iron pin found in the north right of way line of Gest Street, 189.08 feet right of the baseline of I-75 NB Station 73+37.32;

Thence with said north right of way line South 86° 23' 43" East 11.02 feet to a drill hole set in the new east Limited Access right of way line of I-75, 198.42 right of the baseline of I-75 NB Station 73+30.68;

Thence with said new east Limited Access right of way line South 31° 16' 51" East 44.64 feet to a MAG nail set 199.82 feet right of the baseline of I-75 NB Station 72+79.89;

Thence continuing with said new east Limited Access right of way line along the arc of a curve to the left 15.39 feet, said arc having a radius of 1102.28 feet, a central angle of 00° 48' 00" and a chord bearing South 25° 59' 22" East 15.39 feet to the TRUE POINT OF BEGINNING, containing 0.0141 acres, (617 SF), more or less, subject to all legal easements and restrictions of record.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

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 dedication by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office.

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PARCEL 80-WL cont'd

0.0141 acres of the above described area is contained within dedicated public right-of-way and the Hamilton County Auditor has assigned no Permanent Parcel Number, of which the present road right of way occupies 0.0141 acres, more or less.

Prepared by
LJB Inc.

By: Harry G. Herbst III 3/20/2019
Harry G. Herbst III, Ohio PS #6596 Date



[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 \$11,697, 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 (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): 83 WL

ODOT Project: HAM 75-00.22

APN	Prior Instrument Reference
139-0003-0064-00	Deed Book 3070, Page 403 Hamilton County, Ohio Records
139-0003-0063-00	Deed Book 3067, Page 677 Hamilton County, Ohio Records
139-0003-0062-00	Deed Book 3050, Page 211 Hamilton County, Ohio Records

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.

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 [_____].

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 75-00.22
Project Parcel: 83 WL

EXHIBIT A

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Rev. 06/09

Ver. Date 03/06/2019

PID 89068

**PARCEL 83-WL
HAM-75-00.22
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]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 7 of CUTTER'S SUBDIVISION, and being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 3070, Page 403, Deed Book 3067, Page 677, and Deed Book 3050, Page 211 of the Deed Records of said county, 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 Court Street (60') with the original west right of way line of Baymiller Street (50'), said point being 90.31 feet right of the baseline of I-75 NB Station 69+91.21;

Thence with said original west right of way line of Baymiller Street North 04° 02' 22" East 100.43 feet to an iron pin set in the existing I-75 east L/A easement line, 158.98 feet right of the baseline of I-75 NB Station 70+70.56, being the TRUE POINT OF BEGINNING, said pin bearing North 68° 22' 46" West 619.37 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

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PARCEL 83-WL

Thence with said existing I-75 east L/A easement line along the arc of a curve to the right 39.25 feet, said arc having a radius of 356.00 feet, a central angle of 06° 19' 01" and a chord bearing North 27° 11' 39" West 39.23 feet to an iron pin set 165.63 feet right of the baseline of I-75 NB Station 71+13.48;

Thence continuing with said existing I-75 east L/A easement line North 24° 14' 35" West 10.53 feet to an iron pin set in the south line of Cobb Alley (16'), 167.77 feet right of I-75 NB Station 71+24.95;

Thence with said south line of Cobb Alley South 86° 23' 44" East 25.33 feet to an iron pin set in the west right of way line of Baymiller Street, 187.26 feet right of the baseline of I-75 NB Station 71+06.80;

Thence with said west right of way line of Baymiller Street South 04° 02' 22" West 43.01 feet to the TRUE POINT OF BEGINNING, containing 0.0131 acres, (569 SF), more or less, subject to all legal easements and restrictions of record.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

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 as recorded in Deed Book 3070, Page 403, Deed Book 3067, Page 677, and Deed Book 3050, Page 211, Hamilton County Recorder's Office.

EXHIBIT A

RX 252 WL

PARCEL 83-WL cont'd

0.0131 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
13900030062	0.0085	0.000
13900030063	0.0044	0.000
13900030064	0.0002	0.000

Prepared by
LJB Inc.



By: Harry G. Herbst III 3/20/2019
Harry G. Herbst III, Ohio PS #6596 Date

[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 \$84,515, 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 (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): 20 WL

ODOT Project: HAM 75-00.22

APN	Prior Instrument Reference
147-0007-0229-00	OR 9147, Page 2031 Hamilton County, Ohio Records
147-0007-0232-00	OR 9147, Page 2031 Hamilton County, Ohio Records
147-0007-0266-00	OR 9147, Page 2031 Hamilton County, Ohio Records
145-0004-0061-00	OR 9147, Page 2031 Hamilton County, Ohio Records

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.

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 [_____].

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 75-00.22
Project Parcel: 20 WL

EXHIBIT A

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DR
Ver. Date 5/07/2014

PID 89068

**PARCEL 20-WL
HAM-75-00.22
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]

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 LOTS 1 through 7, 10, 11, 13, 14, 15, 16, and 17 of SAMUEL E FOOTE'S SUBDIVISION as recorded in Deed Book 139, Page 72 of said county's plat records, and being part of Smith Street, as vacated by Ordinance No. 474-1930, and being part of a 0.369 acre and a 0.162 acre parcels of land as conveyed to CITY OF CINCINNATI by instrument as recorded in O.R. 9147, Page 2031 of the Official Records of said county, 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 at the intersection of the north right of way line of Third Street and the west right of way line of John Street 374.50 feet right of the baseline of I-75 NB Station 21+78.57;

Thence with said north right of way of Third Street South 78° 12' 29" West 422.57 feet to a Drill hole set in the north right of way of Third Street and the southeast corner of said 0.369 acre parcel, 11.89 feet left of the baseline of I-75 NB Station 20+07.47, said Drill hole being the TRUE POINT OF BEGINNING, said Drill hole bearing South 31° 45' 48" East 3456.35 feet from CAGIS monument 6973 which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

PARCEL 20 - WL

Thence with said north right of way line and the south line of said 0.369 acre parcel South 78° 12' 29" West 118.48 feet to a point witnessed by a Drill hole found South 61° 21' 41" East 0.31 feet at the intersection of the east L/A easement line and said north right of way line of Third Street, 120.22 feet left of the baseline of I-75 NB Station 19+59.50;

Thence with said east easement line and the west line of said 0.369 acre and 0.162 acre parcels along the arc of a curve to the right 159.09 feet, said arc having a radius of 630.60 feet, a central angle of 14° 27' 18" and a chord bearing North 10° 20' 56" East 158.67 feet to a Mag nail set 125.05 feet left of the baseline of I-75 NB Station 21+18.09;

Thence continuing with said line along the arc of a curve to the right 57.40 feet, said arc having a radius of 513.66 feet, a central angle of 06° 24' 09" and a chord bearing North 20° 46' 42" East 57.37 feet to an Iron Pin set at the intersection of said west easement line and the north existing L/A easement line of said 0.162 acre parcel, 116.39 feet left of the baseline of I-75 NB Station 21+74.81;

Thence with said north line North 87° 16' 20" East 108.15 feet to an Iron Pin set at the intersection of said north easement line and the east existing L/A easement line of said 0.162 acre parcel, 11.83 feet left of the baseline of I-75 NB Station 22+02.47;

Thence with said east line South 12° 06' 33" West 155.00 feet to an Iron Pin set at the corner of said 0.369 acre and said 0.162 acre parcels 11.88 feet left of the baseline of I-75 NB Station 20+47.47;

Thence with said east 0.369 acre parcel line South 12° 06' 33" West 40.00 feet to the TRUE POINT OF BEGINNING, containing 0.5314 acres (23149 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.

EXHIBIT A

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PARCEL 20 -WL cont'd

Grantor claims title through instrument of record in O.R. 9147, Page 2031, Hamilton County Recorder's Office.

0.5314 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area(Ac.)	PRO
14700070229	0.3515	0.0000
14700070232	0.1430	0.0000
14500040061	0.0206	0.0000
14700070266	0.0164	0.0054

Prepared by
LJB Inc.



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

[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 \$146,485, 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 (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): 21 WL

ODOT Project: HAM 75-00.22

APN	Prior Instrument Reference
145-0004-0068-00	OR 9147, Page 2031 Hamilton County, Ohio Records
145-0004-0161-00	OR 9147, Page 2031 Hamilton County, Ohio Records

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.

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 [____].

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 75-00.22
Project Parcel: 21 WL

EXHIBIT A

RX 252 WL
DR
Ver. Date 5/07/2014

Page 1 of 3
Rev. 06/09

PID 89068

**PARCEL 21-WL
HAM-75-00.22
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]

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 Lot 5 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 0.016 acre parcel and an UNSTATED acre parcel of land as conveyed to THE CITY OF CINCINNATI by instrument as recorded in O.R. 9147, Page 2031 of the Official Records of said county, 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 at the intersection of the north right of way line of West Third Street (66') with the west right of way line of John Street (60') 374.50 feet right of the baseline of I-75 NB Station 21+78.57;

Thence with said north right of way line South 78° 12' 29" West 370.82 feet to a Mag nail set at the intersection of the north right of way line of West Third Street with an existing I-75 east L/A easement line 35.43 feet right of the baseline of I-75 NB Station 20+28.42;

Thence with said east L/A easement line North 12° 08' 36" East 4.40 feet to a Drill hole set at the southwest corner of said parcel 35.43 feet right of the baseline of I-75 NB Station 20+32.82, said Drill hole being the TRUE POINT OF BEGINNING, bearing South 32° 37' 00" East 3471.24 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 feet from CAGIS monument 7008;

EXHIBIT A

RX 252 WL

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PARCEL 21 -WL

Thence continuing with said east L/A easement line and the west line of said UNSTATED acre parcel North 12° 08' 23" East 125.09 feet to an Drill hole set 35.53 feet right of the baseline of I-75 NB Station 21+57.91;

Thence continuing with said lines North 12° 48' 04 East 64.99 feet to a Drill hole set at the northwest corner of said parcel 36.34 feet right of the baseline of I-75 NB Station 22+22.89;

Thence with the north line of said parcel and said east L/A easement line North 64° 33' 43" East 57.88 feet to a Drill hole set at the northeast corner of said parcel 82.24 feet right of the baseline of I-75 NB Station 22+58.15;

Thence with an existing I-75 west L/A easement line, reference the southeast corner of said 0.016 acre parcel, also being the northeast corner of UNSTATED acre parcel South 38° 09' 00" East at 25.00 feet for a total of 208.81 feet to a Drill Hole set at the southeast corner of said parcel, witnessing a Mag nail found South 83° 44' 06" West 1.47 feet, said Drill hole being 242.76 feet right of the baseline of I-75 NB Station 21+24.61;

Thence with the south line of said UNSTATED acre parcel South 78° 12' 43" West 226.74 feet to the TRUE POINT OF BEGINNING, containing 0.5878 acres (25604 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. 9147, Page 2031, Hamilton County Recorder's Office.

0.5716 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Number 14500040161, of which the present road right of way occupies 0.000 acres, more or less.

EXHIBIT A

PARCEL 21 -WL cont'd

0.0162 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Number 14500040068, of which the present road right of way occupies 0.000 acres, more or less.

Prepared by
LJB Inc.



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

[SPACE ABOVE FOR RECORDER'S USE]

GRANT OF SUBSURFACE EASEMENT

(three-dimensional subsurface easement for retaining wall tie-backs and appurtenances)

The **CITY OF CINCINNATI**, an Ohio municipal corporation, 801 Plum Street, Cincinnati, OH 45202 (the "**City**"), in consideration of the sum of \$90,761, to be paid by the **STATE OF OHIO**, Department of Transportation for the use and benefit of the Department of Transportation ("**Grantee**"), does hereby grant, bargain, sell, and convey to Grantee, its successors and assigns, a non-exclusive perpetual easement in, under, and through the real property identified below, which real property is more particularly described on Exhibit A (*Legal Description-Subsurface Easement*) attached hereto and hereby incorporated herein and made a part hereof by reference, for the purposes, and subject to any restrictions, as more particularly set forth on Exhibit A (the "**Subsurface Easement**"). The City for itself and its successors and assigns, covenants that it is the true and lawful owner in fee simple of the property and has the right and power to convey the property. The City grants and conveys the Subsurface Easement subject to the following: (i) no warranties or covenants that the burdened property is free from encumbrances, and (ii) no covenants or warranties to defend, hold harmless, or indemnify Grantee, its heirs, assigns, and successors against lawful claims or demands of all persons.

ODOT Project Parcel(s): 75 SS, 76 SS, 77 SS, 78 SS, 79 SS, and 80 SS

ODOT Project: HAM 75-00.22

See Exhibit A attached hereto

Hamilton County, Ohio Auditor's Current Tax Parcel ID Nos.: 134-0006-0008-90, 134-0006-0009-90, 134-0006-0010-90, 134-0006-0011-90, 134-0006-0012-90, 134-0006-0013-90, 135-0003-0014-90, 135-0001-0104-90, 135-0001-0103-90, 135-0001-0102-90, 135-0001-0101-90, 135-0001-0167-90, 139-0003-0038-90, 139-0003-0039-90, 139-0003-0040-90, 139-0003-0041-90, 139-0003-0042-90

Prior Instrument References: Deed Book 2842, Page 52 Hamilton County, Ohio Records; Deed Book 2871, Page 7 Hamilton County, Ohio Records; Deed Book 2763, Page 514 Hamilton County, Ohio Records; Deed Book 2901, Page 284 Hamilton County, Ohio Records; Deed Book 2802, Page 335 Hamilton County, Ohio Records; Deed Book 2815, Page 29 Hamilton County, Ohio Records; Plat Book 94, Page 81 Hamilton County, Ohio Records; Deed Book 3043, Page 144 Hamilton County, Ohio Records; Deed Book 3019, Page 153 Hamilton County, Ohio Records; Deed Book 3021, Page 465 Hamilton County, Ohio Records; Deed Book 3134, Page 424 Hamilton County, Ohio Records; Deed Book 3086, Page 444 Hamilton County, Ohio Records; Deed Book 3041, Page 462 Hamilton County, Ohio Records; Deed Book 3057, Page 292 Hamilton County, Ohio Records; Deed Book 3015, Page 95 Hamilton County, Ohio Records; Deed Book 3057, Page 544 Hamilton County, Ohio Records; and Deed Book 2933, Page 68 Hamilton County, Ohio Records.

The City's Real Estate Services Division has determined that the fair market value of the easement, as determined by appraisal, is \$90,761, which Grantee has agreed to pay.

Cincinnati City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the easement at its meeting on January 15, 2021.

The 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.

The provisions hereof shall run with the land and shall inure to the benefit of Grantee and its successors-in-interest and be binding upon the City and its successors-in-interest.

Exhibits. The following exhibits are attached hereto and made a part hereof:

Exhibit A – *Legal Description – Subsurface Easement*

[Signature Page Follows]

Executed on the date of acknowledgement indicated below (the "Effective Date").

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 acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

Notary Public
My commission expires: _____

Approved by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form by:

Assistant City Solicitor

This instrument prepared by:
City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, OH 45202

EXHIBIT A

to Grant of Subsurface Easement

Legal Description –Subsurface Easement

EXHIBIT A

Page 1 of 3

RX 420
Rev. 08/08

PID 89068
PARCEL 75-SS
CTY-RTE-SEC HAM-75-00.22
Version Date 5/13/2014

**PARCEL 75-SS
HAM-75-00.22**

PERPETUAL THREE DIMENSIONAL SUBSURFACE EASEMENT

A perpetual subsurface easement in, under, and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating retaining wall "tie-backs" and appurtenances thereto [the "improvement"], with the following limitations of use by the Owner:

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 6 of CUTTER'S SUBDIVISION, being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 2842, Page 52, Deed Book 2871, Page 7, Deed Book 2763, Page 514, Deed Book 2901, Page 284, Deed Book 2815, Page 29, and Deed Book 2802, Page 335 of the Deed Records of said county, 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 south right of way line of West Court Street (60') and the west right of way line of Linn Street (50'), 342.31 feet right of the baseline of I-75 NB Station 64+97.35;

Thence North 85° 48' 52" West 201.39 feet to a point 235.39 feet right of the baseline of I-75 NB Station 66+96.33, at elevation 507.59, said iron pin being the TRUE POINT OF BEGINNING, said pin bearing North 81° 05' 06" West 295.75 feet from CAGIS monument 6973, which is located South 38°16'21" East 1864.57 from CAGIS monument 7008;

PARCEL 75 -SS

Thence with the new subsurface easement line, being parallel with and 70 feet distant northeasterly from the face of the proposed retaining wall, South 51° 14' 08" East 17.34 feet to a point 235.43 feet right of the baseline of I-75 NB Station 66+76.28, at elevation 507.93;

EXHIBIT A
PARCEL 75 -SS cont'd

Page 2 of 3

Thence with the north line of a 0.322 acre parcel of land as conveyed to PHOENIX GRAPHIX INC., AN OHIO CORPORATION by instrument as recorded in OR Book 9720, Page 3387 of the official records of said county, and with the north line of a 0.030 acre parcel of land as conveyed to MARK ONE INVESTMENTS, LTD., AN OHIO LIMITED LIABILITY COMPANY by instrument as recorded in OR 9874, Page 401 of the official records of said county, North 85° 46' 38" West 95.45 feet to a point 179.53 feet right of the baseline of I-75 NB Station 67+64.60, at elevation 504.59;

Thence with the existing east Limited Access right of way line of I-75, North 50° 58' 49" West 17.13 feet to a point 178.66 feet right of the baseline of I-75 NB Station 67+83.80, at elevation 505.75;

Thence with the said south right of way line of West Court Street, South 85° 48' 52" East 95.23 feet to the TRUE POINT OF BEGINNING, containing 0.0215 acres (935 SF), more or less, subject to all legal easements and restrictions of record.

The elevations shown in the above description are surface elevations at the inflection points of the easement. The bottom of the easement extends below ground to elevation 465.00. All elevations are based on NAVD 88.

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

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".

EXHIBIT A

PARCEL 75 -SS cont'd

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

Grantor claims title through instruments as recorded in Deed Book 2842, Page 52, Deed Book 2871, Page 7, Deed Book 2763, Page 514, Deed Book 2901, Page 284, Deed Book 2815, Page 29, and Deed Book 2802, Page 335, Hamilton County Recorder's Office.

0.0215 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
13400060008	0.0006	0.000
13400060009	0.0035	0.000
13400060010	0.0049	0.000
13400060011	0.0063	0.000
13400060012	0.0062	0.000

Prepared by
LJB Inc.



By: Harry G. Herbst III 5/13/14
Harry G. Herbst III, Ohio PS #6596 Date

EXHIBIT A

Page 1 of 3

RX 420
Rev. 08/08

PID
PARCEL
CTY-RTE-SEC
Version Date

89068
76-SS
HAM-75-00.22
5/13/2014

**PARCEL 76-SS
HAM-75-00.22
PERPETUAL THREE DIMENSIONAL SUBSURFACE EASEMENT**

A perpetual subsurface easement in, under, and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating retaining wall "tie-backs" and appurtenances thereto [the "improvement"], with the following limitations of use by the Owner:

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of W. Court Street (60') as dedicated by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders 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 south right of way line of West Court Street (60') and the west right of way line of Linn Street (50'), 342.31 feet right of the baseline of I-75 NB Station 64+97.35;

Thence with the said south right of way line, North 85° 48' 52" West 201.39 feet to a point 235.39 feet right of the baseline of I-75 NB Station 66+96.33, at elevation 507.59, said iron pin being the TRUE POINT OF BEGINNING, said pin bearing North 81° 05' 06" West 295.75 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 from CAGIS monument 7008;

PARCEL 76 -SS

Thence with the said south right of way line, North 85° 48' 52" West 95.23 feet to a point on the existing east Limited Access right of way line of I-75, 178.66 feet right of the baseline of I-75 NB Station 67+83.80, at elevation 505.75;

Thence with the said east right of way line, North 50° 58' 49" West 19.46 feet to a point 177.43 feet right of the baseline of I-75 NB Station 68+05.60 at elevation 505.69;

EXHIBIT A
PARCEL 76-SS cont'd

Page 2 of 3

Thence continuing with said east right of way line, along the arc of a curve to the right 10.68 feet, said arc having a radius of 192.00 feet, a central angle of 03° 11' 13" and a chord bearing North 72° 04' 15" West 10.68 feet to a point 172.86 feet right of the baseline of I-75 NB Station 68+16.41, at elevation 505.65;

Thence with the new east Limited Access right of way line of I-75, along the arc of a curve to the right 68.54 feet, said arc having a radius of 1084.32 feet, a central angle of 03° 37' 17" and a chord bearing North 43° 15' 21" West 68.52 feet to a point on the original north right of way line of said West Court Street 175.25 feet right of the baseline of I-75 NB Station 68+93.05, at elevation 505.52;

Thence with the said north right of way line, South 85° 48' 52" East 94.74 feet to a point 236.75 feet right of the baseline of I-75 NB Station 68+10.58, at elevation 506.44;

Thence with the new subsurface easement line, being parallel with and 70 feet distant northeasterly from the face of the proposed retaining wall, along the arc of a curve to the left 97.90 feet, said arc having a radius of 1020.32 feet, a central angle of 05° 29' 51" and a chord bearing South 47° 59' 59" East 97.86 feet to the TRUE POINT OF BEGINNING, containing 0.1349 acres (5876 SF), more or less, subject to all legal easements and restrictions of record.

The elevations shown in the above description are surface elevations at the inflection points of the easement. The bottom of the easement extends below ground to elevation 465.00. All elevations are based on NAVD 88.

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

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.

EXHIBIT A
PARCEL 76-SS cont'd

Page 3 of 3

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 dedication by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office.

0.1349 acres of the above described area is contained within dedicated public right-of-way and the Hamilton County Auditor has assigned no Permanent Parcel Number, of which the present road right of way occupies 0.1349 acres, more or less.

Prepared by
LJB Inc.

By: Harry G. Herbst III 5/13/14
Harry G. Herbst III, Ohio PS #6596 Date



EXHIBIT A

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RX 420
Rev. 08/08

PID 89068
PARCEL 77-SS
CTY-RTE-SEC HAM-75-00.22
Version Date 5/13/2014

**PARCEL 77-SS
HAM-75-00.22**

PERPETUAL THREE DIMENSIONAL SUBSURFACE EASEMENT

A perpetual subsurface easement in, under, and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating retaining wall "tie-backs" and appurtenances thereto [the "improvement"], with the following limitations of use by the Owner:

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 6 of CUTTER'S SUBDIVISION, being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 3043, Page 144, Deed Book 3019, Page 153, Deed Book 3021, Page 465, and Deed Book 3134, Page 424, of the Official Records of said county, and being part of an 0.011 acre parcel of land as conveyed to the CITY OF CINCINNATI by instrument as recorded in Deed Book 3086, Page 444, and being part of West Court Street as dedicated by RICHMOND-1 REDEVELOPMENT AREA SUBDIVISION as recorded in Plat Book 94, Page 81 of said county's plat 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 the intersection of the original north right of way line of West Court Street (60') and the original east right of way line of Baymiller Street (50') 124.92 feet right of the baseline of I-75 NB Station 69+52.57;

Thence with the said east right of way line, North 04° 02' 22" East 80.13 feet to a point 181.36 feet right of the baseline of I-75 NB Station 70+15.34, at elevation 505.59, said iron pin being the TRUE POINT OF BEGINNING, said pin bearing North 68° 53' 46" West 565.33 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 from CAGIS monument 7008;

PARCEL 77 -SS

Thence continuing with the said east right of way line, North 04° 02' 22" East 75.87 feet to the northeast corner of said 0.011 acre parcel 232.68 feet right of the baseline of I-75 NB Station 70+79.33, at elevation 507.29;

EXHIBIT A
PARCEL 77-SS cont'd

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Thence with the north line of said 0.011 acre parcel, South 85° 59' 08" East 1.83 feet to a point 234.05 feet right of the baseline of I-75 NB Station 70+77.92, at elevation 507.65;

Thence with the east line of said 0.011 acre parcel, along the arc of a curve to the left 60.60 feet, said arc having a radius of 88.25 feet, a central angle of 39° 20' 29" and a chord bearing South 15° 40' 57" East 59.41 feet to the north line of an UNSTATED acre parcel of land as conveyed to the CITY OF CINCINNATI by instrument as recorded in Deed Book 3134, Page 424 of said county's deed records, 210.96 feet right of the baseline of I-75 NB Station 70+14.56, at elevation 507.57;

Thence with the north line of said parcel, South 85° 56' 51" East 8.23 feet to the northeast corner thereof, 216.90 feet right of the baseline of I-75 NB Station 70+08.00, at elevation 507.39;

Thence with the north line of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 3043, Page 144, Deed Book 3019, Page 153 and Deed Book 3021, Page 465 of said county's deed records, South 40° 51' 54" East 113.36 feet to a point 214.31 feet right of the baseline of I-75 NB Station 68+77.44, at elevation 506.36;

Thence with the north line of said West Court Street as dedicated by RICHMOND-1 REDEVELOPMENT AREA SUBDIVISION as recorded in Plat Book 94, Page 81 of said county's plat records, South 75° 40' 05" East 45.38 feet to a point 237.29 feet right of the baseline of I-75 NB Station 68+32.05, at elevation 507.02;

Thence with the new subsurface easement line, being parallel with and 70 feet distant northeasterly from the face of the proposed retaining wall, along the arc of a curve to the left 18.37 feet, said arc having a radius of 1020.32 feet, a central angle of 01° 01' 54" and a chord bearing South 44° 44' 07" East 18.37 feet to the original north right of way line of West Court Street, 236.75 feet right of the baseline of I-75 NB Station 68+10.58, at elevation 506.44;

Thence with the said original north right of way line of West Court Street, North 85° 48' 52" West 94.74 feet to a point 175.25 feet right of the baseline of I-75 NB Station 68+93.05, at elevation 505.52;

Thence along the arc of a curve to the right 109.16 feet, said arc having a radius of 1084.32 feet, a central angle of 05° 46' 06" and a chord bearing North 38° 33' 40" West 109.12 feet to the TRUE POINT OF BEGINNING, containing 0.1429 acres (6223 SF), more or less, subject to all legal easements and restrictions of record.

EXHIBIT A
PARCEL 77-SS cont'd

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The elevations shown in the above description are surface elevations at the inflection points of the easement. The bottom of the easement extends below ground to elevation 465.00. All elevations are based on NAVD 88.

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

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 Deed Book 3086, Page 444, Deed Book 3043, Page 144, Deed Book 3019, Page 153, Deed Book 3021, Page 465, and Deed Book 3134, Page 424, and by dedication on Plat Book 94, Page 84, Hamilton County Recorder's Office.

EXHIBIT A
PARCEL 77-SS cont'd

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0.1429 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
13500010101	0.0259	0.0259
13500010102	0.0319	0.0319
13500010103	0.0296	0.0296
13500010104	0.0265	0.0265
13500010167	0.0106	0.0106
13500030014	0.0184	0.0184

Prepared by
LJB Inc.

By: Harry G. Herbst III 5/13/14
Harry G. Herbst III, Ohio PS #6596 Date



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**PARCEL 78-SS
HAM-75-00.22
PERPETUAL THREE DIMENSIONAL SUBSURFACE EASEMENT**

A perpetual subsurface easement in, under, and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating retaining wall "tie-backs" and appurtenances thereto [the "improvement"], with the following limitations of use by the Owner:

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Baymiller Street (50'), now known as Court Street, as dedicated by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorder'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 West Court Street (60') and the original east right of way line of Baymiller Street (50') 124.92 feet right of the baseline of I-75 NB Station 69+52.57;

Thence with the said east right of way line, North 04° 02' 22" East 80.13 feet to a point 181.36 feet right of the baseline of I-75 NB Station 70+15.34, at elevation 505.59, said iron pin being the TRUE POINT OF BEGINNING, said pin bearing North 68° 53' 46" West 565.33 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 from CAGIS monument 7008;

PARCEL 78 -SS

Thence with the new east Limited Access right of way line of I-75, along the arc of a curve to the right 100.43 feet, said arc having a radius of 1084.32 feet, a central angle of 05° 18' 25" and a chord bearing North 33° 01' 24" West 100.40 feet to the north line of Cobb Alley (16') 189.47 feet right of the baseline of I-75 NB Station 71+28.21, at elevation 505.67;

Thence with the north line of said Cobb Alley, South 86° 23' 44" East 10.51 feet to a point 197.59 feet right of the baseline of I-75 NB Station 71+20.64, at elevation 506.42;

EXHIBIT A

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PARCEL 78-SS cont'd

Thence with the original west right of way line of Baymiller Street, North 04° 02' 22" East 99.36 feet to a point 259.33 feet right of the baseline of I-75 NB Station 72+11.15, at elevation 507.67;

Thence with the new subsurface easement line, being parallel with and 70 feet distant northeasterly from the face of the proposed retaining wall, along the arc of a curve to the left 49.36 feet, said arc having a radius of 1062.46 feet, a central angle of 02° 39' 43" and a chord bearing South 29° 46' 31" East 49.36 feet to a point 255.86 feet right of the baseline of I-75 NB Station 71+52.72, at elevation 507.22;

Thence continuing with said subsurface easement line, along the arc of a curve to the left 40.26 feet, said arc having a radius of 1020.32 feet, a central angle of 02° 15' 39" and a chord bearing South 29° 59' 53" East 40.26 feet to the original east right of way line of Baymiller Street, 251.90 feet right of the baseline of I-75 NB Station 71+05.31, at elevation 507.70;

Thence with the east right of way line of said Baymiller Street, South 04° 02' 22" West 105.19 feet to the TRUE POINT OF BEGINNING, containing 0.1285 acres (5596 SF), more or less, subject to all legal easements and restrictions of record.

The elevations shown in the above description are surface elevations at the inflection points of the easement. The bottom of the easement extends below ground to elevation 465.00. All elevations are based on NAVD 88.

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

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.

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PARCEL 78-SS cont'd

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 dedication by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office.

0.1285 acres of the above described area is contained within dedicated public right-of-way and the Hamilton County Auditor has assigned no Permanent Parcel Number, of which the present road right of way occupies 0.1285 acres, more or less.

Prepared by
LJB Inc.

By: Harry G. Herbst III 5/13/14
Harry G. Herbst III, Ohio PS #6596 Date



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**PARCEL 79-SS
HAM-75-00.22**

PERPETUAL THREE DIMENSIONAL SUBSURFACE EASEMENT

A perpetual subsurface easement in, under, and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating retaining wall "tie-backs" and appurtenances thereto [the "improvement"], with the following limitations of use by the Owner:

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Lot 7 of CUTTER'S SUBDIVISION, and being part of UNSTATED acre parcels of land as conveyed to the CITY OF CINCINNATI by instruments as recorded in Deed Book 3041, Page 462, Deed Book 3057, Page 292, Deed Book 3015, Page 95, Deed Book 3057, Page 544, and Deed Book 2933, Page 68 of the Deed Records of said county, 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 south right of way line of Gest Street (50') with the original west right of way line of Baymiller Street (50') 259.71 feet right of the baseline of I-75 NB Station 72+11.76;

Thence with the said west right of way line, South 04° 02' 22" West 0.64 feet to an Iron pin 259.33 feet right of the baseline of I-75 NB Station 72+11.15, at elevation 507.67, said Iron pin being the TRUE POINT OF BEGINNING, said pin bearing North 55° 37' 48" West 684.07 from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 from CAGIS monument 7008;

PARCEL 79 -SS

Thence continuing with said west right of way line, South 04° 02' 22" West 99.36 feet to a point 197.59 feet right of the baseline of I-75 NB Station 71+20.64, at elevation 506.42;

Thence with the north line of Cobb Alley (16') North 86° 23' 44" West 10.51 feet to the new east Limited Access right of way line of I-75, 189.47 feet right of the baseline of I-75 NB Station 71+28.21, at elevation 505.67;

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PARCEL 79 -SS cont'd

Thence with the said east right of way line, along the arc of a curve to the right 28.52 feet, said arc having a radius of 1084.32 feet, a central angle of 01° 30' 26" and a chord bearing North 29° 36' 59" West 28.52 feet to a point 192.20 feet right of the baseline of I-75 NB Station 71+60.35, at elevation 505.49;

Thence continuing with said east right of way line, along the arc of a curve to the right 90.12 feet, said arc having a radius of 1102.28 feet, a central angle of 04° 41' 05" and a chord bearing North 28° 43' 10" West 90.10 feet to the original south right of way line of Gest Street (50') 198.57 feet right of the baseline of I-75 NB Station 72+62.42, at elevation 505.56;

Thence with the said south right of way line, South 86° 23' 43" East 74.66 feet to a point in the east line of said subsurface easement 259.38 feet right of the baseline of I-75 NB Station 72+12.05 at elevation 507.70;

Thence with said new subsurface easement line, being parallel with and 70 feet distant northeasterly from the face of the proposed retaining wall, South 28° 25' 26" East 0.76 feet to the TRUE POINT OF BEGINNING, containing 0.1000 acres (4356 SF), more or less, subject to all legal easements and restrictions of record.

The elevations shown in the above description are surface elevations at the inflection points of the easement. The bottom of the easement extends below ground to elevation 465.00. All elevations are based on NAVD 88.

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

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.

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PARCEL 79 -SS cont'd

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 as recorded in Deed Book 3041, Page 462, Deed Book 3057, Page 292, Deed Book 3015, Page 95, Deed Book 3057, Page 544, and Deed Book 2933, Page 68, Hamilton County Recorder's Office.

0.1000 acres of the above described area is contained within Hamilton County Auditor's Permanent Parcel Numbers as delineated below:

APN	Area (Ac.)	PRO
13900030038	0.0317	0.000
13900030039	0.0317	0.000
13900030040	0.0187	0.000
13900030041	0.0125	0.000
13900030021	0.0054	0.000

Prepared by
LJB Inc.



By: Harry G. Herbst III 5/13/14
Harry G. Herbst III, Ohio PS #6596 Date

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**PARCEL 80-SS
HAM-75-00.22**

PERPETUAL THREE DIMENSIONAL SUBSURFACE EASEMENT

A perpetual subsurface easement in, under, and through the following described real property for the purposes of constructing, installing, reconstructing, replacing, removing, repairing, maintaining and operating retaining wall "tie-backs" and appurtenances thereto [the "improvement"], with the following limitations of use by the Owner:

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

[Surveyor's description of the premises follows]

Situate in Section 24, Town 4, Range FR 1, Miami Purchase, Cincinnati Township, in the City of Cincinnati, Hamilton County, State of Ohio, and being part of Gest Street (50'), now known as Court Street, as dedicated by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders 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 south right of way line of Gest Street (50') with the original west right of way line of Baymiller Street (50') 259.71 feet right of the baseline of I-75 NB Station 72+11.76;

Thence with the said south right of way line of Gest Street, North 86° 23' 43" West 0.41 feet to an Iron pin 259.38 feet right of the baseline of I-75 NB Station 72+12.05, at elevation 507.70, said iron pin being the TRUE POINT OF BEGINNING, said pin bearing North 55° 36' 04" West 684.75 feet from CAGIS monument 6973, which is located South 38° 16' 21" East 1864.57 from CAGIS monument 7008;

PARCEL 80 -SS

Thence continuing with said south right of way line, North 86° 23' 43" West 74.66 feet to a point 198.57 feet right of the baseline of I-75 NB Station 72+62.42, at elevation 505.56;

Thence with the new east Limited Access right of way line of I-75, along the arc of a curve to the right 15.39 feet, said arc having a radius of 1102.28 feet, a central angle of 00° 48' 00" and a chord bearing North 25° 59' 22" West 15.39 feet to a point 199.82 feet right of the baseline of I-75 NB Station 72+79.89, at elevation 505.60;

EXHIBIT A

PARCEL 80 -SS cont'd

Thence with the new subsurface easement line, North 64° 24' 59" East 64.01 feet to a point 263.60 feet right of the baseline of I-75 NB Station 72+73.52, at elevation 506.69;

Thence along the arc of a curve to the left 51.83 feet, said arc having a radius of 1062.46 feet, a central angle of 02° 47' 41" and a chord bearing South 27° 00' 22" East 51.82 feet to the TRUE POINT OF BEGINNING, containing 0.0493 acres (2147 SF), more or less, subject to all legal easements and restrictions of record.

The elevations shown in the above description are surface elevations at the inflection points of the easement. The bottom of the easement extends below ground to elevation 465.00. All elevations are based on NAVD 88.

The owner of the fee title of the land located within this easement shall not excavate within 70' of the face of the wall. Any and all designs, locations, or constructions of any new structure or the modification plans for any existing structures which will occupy the space above this "Three Dimensional Subsurface Easement," as herein described, shall be submitted to and subject to the approval of the State of Ohio, Department of Transportation, pursuant to Ohio Revised Code Section 5501.45, prior to commencement of any construction activity involving any subsurface excavation or construction.

The stations and offsets of the above description are measured from the baseline of construction of Northbound I-75, and are depicted in the Ham-75-00.22 construction plans and corresponding centerline plat referenced above.

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 dedication by CUTTER'S SUBDIVISION, being a subdivision of Seth Cutter's 100 acres as recorded in Deed Book H, page 19, said subdivision being shown in the First Series Index Book 5 on page 317 of the Hamilton County Recorders Office.

EXHIBIT A

PARCEL 80 -SS cont'd

0.0493 acres of the above described area is contained within dedicated public right-of-way and the Hamilton County Auditor has assigned no Permanent Parcel Number, of which the present road right of way occupies 0.0493 acres, more or less.

Prepared by
LJB Inc.

By: Harry G. Herbst III 5/13/14
Harry G. Herbst III, Ohio PS #6596 Date

