

EXHIBIT " A "

**WAR-42-0.00
PID NO. 79850
PARCEL 72-SH1**

Situated in Section 35, Town 4, Range 2, Between the Miamis in the City of Mason, Warren County, Ohio and being more particularly described as follows:

Beginning for reference at the intersection of the west line of Section 4 with the existing centerline of U.S. 42; Thence along said centerline North $45^{\circ}34'02''$ East, 7.61 feet; Thence leaving said centerline South $44^{\circ}34'31''$ East, 1.91 feet to Station 0+00 of the proposed centerline of construction for WAR-42-0.00, PID No. 79850; Thence along said centerline of construction North $45^{\circ}25'29''$ East, 1041.09 feet; Thence along a curve deflecting to the right having a radius of 3429.37 feet, central angle of $05^{\circ}16'05''$, arc length of 315.32 feet, the chord of said arc bears North $48^{\circ}03'32''$ East, 315.21 feet; Thence North $50^{\circ}41'35''$ East, 6073.60 feet; Thence along a curve deflecting to the left having a radius of 35000 feet, central angle of $01^{\circ}14'58''$, arc length of 763.22 feet, the chord of said arc bears North $50^{\circ}04'06''$ East, 763.20 feet; Thence North $49^{\circ}26'37''$ East, 1101.21 feet; Thence North $49^{\circ}35'39''$ East, 210.62 feet; Thence leaving said centerline of construction South $40^{\circ}24'21''$ East, 39.32 feet to a set iron pin in the existing north line of U.S. 42, said pin being the **TRUE POINT OF BEGINNING**;

Thence South $44^{\circ}26'00''$ East, 2.19 feet to a set iron pin;

Thence South $49^{\circ}35'39''$ West, 160.61 feet to a set iron pin;

Thence North $05^{\circ}32'30''$ East, 2.83 feet to a set iron pin;

Thence North $49^{\circ}31'00''$ East, 158.42 feet to the **TRUE POINT OF BEGINNING**.

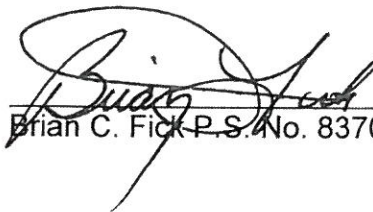
Containing 0.0076 Acres, (331 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Jarvis Properties, LLC tract as recorded in Official Record 3811, Page 485 at the Warren County Recorder's Office and further identified as Auditor's Parcel 16351270021.

Monuments referred to as set iron pins are 5/8" x 30" iron pins with plastic cap stamped B. Fick. P.S. 8370

All bearings shown are for project use only. These bearings are based upon Ohio State Plane Coordinate System, (South Zone) NAD 83.

This description was prepared and reviewed in June 2008 by G.J. BERDING SURVEYING, INC., Brian C. Fick, Registered Surveyor Number 8370.


Brian C. Fick P.S. No. 8370

7-22-09
Date



Parcel 72-SH-A : BCF683 SH7202 SH7201 BCFRW7 BCF683

Total parent tract area =	331.0869 ft ² =	0.0076 a
Total taken area =	0.0000 ft ² =	0.0000 a
Remaining area =	331.0869 ft ² =	0.0076 a

Description of parcel: 72-SH-A

Beginning parent tract description

Point BCF683 N 22,834.5550 E 33,522.4393 Sta 0+00.000000

Course from BCF683 to SH7202 S 44° 26' 00" E Dist 2.1886

Point SH7202 N 22,832.9923 E 33,523.9715 Sta 0+02.188555

Course from SH7202 to SH7201 S 49° 35' 39" W Dist 160.6109

Point SH7201 N 22,728.8844 E 33,401.6710 Sta 1+62.799475

Course from SH7201 to BCFRW7 N 5° 32' 30" E Dist 2.8322

Point BCFRW7 N 22,731.7033 E 33,401.9445 Sta 1+65.631638

Course from BCFRW7 to BCF683 N 49° 31' 00" E Dist 158.4219

Point BCF683 N 22,834.5550 E 33,522.4393 Sta 3+24.053505

End of parcel 72-SH-A description

EXHIBIT “_____”

WAR-42-0.00
PID NO. 79850
PARCEL 72-SH2

Situated in Section 35, Town 4, Fractional Range 2, Between the Miamis in the City of Mason, Warren County, Ohio and being more particularly described as follows:

Beginning for reference at the intersection of the west line of Section 4 with the existing centerline of U.S. 42; Thence along said centerline North $45^{\circ}34'02''$ East, 7.61 feet; Thence leaving said centerline South $44^{\circ}34'31''$ East, 1.91 feet to Station 0+00 of the proposed centerline of construction for WAR-42-0.00, PID No. 79850; Thence along said centerline of construction North $45^{\circ}25'29''$ East, 1014.09 feet; Thence along a curve deflecting to the right having a radius of 3429.37 feet, central angle of $05^{\circ}16'05''$, arc length of 315.32 feet, the chord of said arc bears North $48^{\circ}03'32''$ East, 315.21 feet; Thence North $50^{\circ}41'35''$ East, 6073.60 feet; Thence along a curve deflecting to the left having a radius of 35000 feet, central angle of $01^{\circ}14'58''$, arc length of 763.22 feet, the chord of said arc bears North $50^{\circ}04'06''$ East, 763.20 feet; Thence North $49^{\circ}26'37''$ East, 1101.21 feet; Thence North $49^{\circ}35'39''$ East, 1025.16 feet; Thence leaving said centerline of construction South $40^{\circ}24'21''$ East, 38.22 feet to a set iron pin in the existing north line of U.S. 42, said pin being the **TRUE POINT OF BEGINNING**;

Thence North $67^{\circ}39'13''$ East, 71.88 feet to a set iron pin;

Thence South $49^{\circ}35'39''$ West, 337.94 feet to a set iron pin;

Thence South $58^{\circ}08'46''$ West, 117.68 feet to a set iron pin;

Thence South $49^{\circ}51'30''$ West, 325.06 feet to a set iron pin;

Thence North $43^{\circ}56'00''$ West, 2.33 feet to a set iron pin;

Thence North $49^{\circ}31'00''$ East, 711.17 feet to the **TRUE POINT OF BEGINNING**.


Containing 0.2138 Acres, (9,313 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Jarvis Properties, LLC tract as recorded in Official Record 3811, Page 485 at the Warren County Recorder's Office and further identified as Auditor's Parcel 16351270022.

Monuments referred to as set iron pins are 5/8" x 30" iron pins with plastic cap stamped B. Fick. P.S. 8370

All bearings shown are for project use only. These bearings are based upon Ohio State Plane Coordinate System, (South Zone) NAD 83.

This description was prepared and reviewed in June 2008 by G.J. BERDING SURVEYING, INC., Brian C. Fick, Registered Surveyor Number 8370.



Brian C. Fick P.S. No. 8370

7-22-09
Date



Parcel 72-SH-B : BCF703 SH7206 SH7205 SH7204 SH7203 BCF680 BCF703

Total parent tract area =	9,313.4914 ft ² =	0.2138 a
Total taken area =	0.0000 ft ² =	0.0000 a
Remaining area =	9,313.4914 ft ² =	0.2138 a

Description of parcel: 72-SH-B

Beginning parent tract description

Point BCF703 N 23,363.3738 E 34,141.9714 Sta 0+00.000000

Course from BCF703 to SH7206 N 67° 39' 13" E Dist 71.8791

Point SH7206 N 23,390.7026 E 34,208.4526 Sta 0+71.879128

Course from SH7206 to SH7205 S 49° 35' 39" W Dist 337.9385

Point SH7205 N 23,171.6512 E 33,951.1223 Sta 4+09.817632

Course from SH7205 to SH7204 S 58° 08' 46" W Dist 117.6785

Point SH7204 N 23,109.5459 E 33,851.1664 Sta 5+27.496122

Course from SH7204 to SH7203 S 49° 51' 30" W Dist 325.0554

Point SH7203 N 22,899.9897 E 33,602.6766 Sta 8+52.551487

Course from SH7203 to BCF680 N 43° 56' 00" W Dist 2.3271

Point BCF680 N 22,901.6656 E 33,601.0620 Sta 8+54.878618

Course from BCF680 to BCF703 N 49° 31' 00" E Dist 711.1663

Point BCF703 N 23,363.3738 E 34,141.9714 Sta 15+66.044875

End of parcel 72-SH-B description

EXHIBIT " ____ "

WAR-42-0.00
PID NO. 79850
PARCEL 72-DU1

Situated in Section 35, Town 4, Range 2, Between the Miamis in the City of Mason, Warren County, Ohio and being more particularly described as follows:

Beginning for reference at the intersection of the west line of Section 4 with the existing centerline of U.S. 42; Thence along said centerline North $45^{\circ}34'02''$ East, 7.61 feet; Thence leaving said centerline South $44^{\circ}34'31''$ East, 1.91 feet to Station 0+00 of the proposed centerline of construction for WAR-42-0.00, PID No. 79850; Thence along said centerline of construction North $45^{\circ}25'29''$ East, 1041.09 feet; Thence along a curve deflecting to the right having a radius of 3429.37 feet, central angle of $05^{\circ}16'05''$, arc length of 315.32 feet, the chord of said arc bears North $48^{\circ}03'32''$ East, 315.21 feet; Thence North $50^{\circ}41'35''$ East, 6073.60 feet; Thence along a curve deflecting to the left having a radius of 35000 feet, central angle of $01^{\circ}14'58''$, arc length of 763.22 feet, the chord of said arc bears North $50^{\circ}04'06''$ East, 763.20 feet; Thence North $49^{\circ}26'37''$ East, 1101.21 feet; Thence North $49^{\circ}35'39''$ East, 210.62 feet; Thence leaving said centerline of construction South $40^{\circ}24'21''$ East, 39.32 feet to a point in the existing south line of U.S. 42; Thence South $44^{\circ}26'00''$ East, 2.19 feet to a point in proposed right-of-way line of improved U.S. 42, said point being the **TRUE POINT OF BEGINNING**;

Thence leaving said proposed right-of-way line, South $44^{\circ}26'00''$ East, 13.53 feet to a point;

Thence South $49^{\circ}21'38''$ West, 71.17 feet to a point;

Thence North $40^{\circ}24'21''$ West, 9.79 feet to a point;

Thence South $49^{\circ}35'39''$ West, 94.53 feet to a point;

Thence North $05^{\circ}32'30''$ East, 5.75 feet to a point in said proposed right-of-way line;

Thence with said proposed right-of-way line, North $49^{\circ}35'39''$ East, 160.61 feet to the **TRUE POINT OF BEGINNING**.

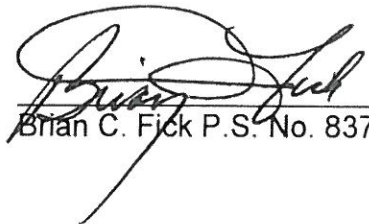
Page 2
PARCEL 72-DU1

Containing 0.0306 Acres, (1,335 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Jarvis Properties, LLC tract as recorded in Official Record 3811, Page 485 at the Warren County Recorder's Office and further identified as Auditor's Parcel 16351270021.

All bearings shown are for project use only. These bearings are based upon Ohio State Plane Coordinate System, (South Zone) NAD 83.

This description was prepared and reviewed in June 2008 by G.J. BERDING SURVEYING, INC., Brian C. Fick, Registered Surveyor Number 8370.


Brian C. Fick P.S. No. 8370

7-22-09
Date



Parcel 72-DU1 : DU7205 DU7204 DU7203 DU7202 DU7201 SH7201 DU7205

Total parent tract area =	1,334.5292 ft ² =	0.0306 a
Total taken area =	0.0000 ft ² =	0.0000 a
Remaining area =	1,334.5292 ft ² =	0.0306 a

Description of parcel: 72-DU1

Beginning parent tract description

Point DU7205 N 22,832.9923 E 33,523.9715 Sta 0+00.000000

Course from DU7205 to DU7204 S 44° 26' 00" E Dist 13.5334

Point DU7204 N 22,823.3285 E 33,533.4459 Sta 0+13.533419

Course from DU7204 to DU7203 S 49° 21' 38" W Dist 71.1698

Point DU7203 N 22,776.9758 E 33,479.4407 Sta 0+84.703221

Course from DU7203 to DU7202 N 40° 24' 21" W Dist 9.7901

Point DU7202 N 22,784.4307 E 33,473.0948 Sta 0+94.493313

Course from DU7202 to DU7201 S 49° 35' 39" W Dist 94.5268

Point DU7201 N 22,723.1585 E 33,401.1154 Sta 1+89.020066

Course from DU7201 to SH7201 N 5° 32' 30" E Dist 5.7528

Point SH7201 N 22,728.8844 E 33,401.6710 Sta 1+94.772850

Course from SH7201 to DU7205 N 49° 35' 39" E Dist 160.6109

Point DU7205 N 22,832.9923 E 33,523.9715 Sta 3+55.383770

End of parcel 72-DU1 description

EXHIBIT "____"

WAR-42-0.00
PID NO. 79850
PARCEL 72-DU2

Situated in Section 35, Town 4, Range 2, Between the Miamis in the City of Mason, Warren County, Ohio and being more particularly described as follows:

Beginning for reference at the intersection of the west line of Section 4 with the existing centerline of U.S. 42; Thence along said centerline North $45^{\circ}34'02''$ East, 7.61 feet; Thence leaving said centerline South $44^{\circ}34'31''$ East, 1.91 feet to Station 0+00 of the proposed centerline of construction for WAR-42-0.00, PID No. 79850; Thence along said centerline of construction North $45^{\circ}25'29''$ East, 1041.09 feet; Thence along a curve deflecting to the right having a radius of 3429.37 feet, central angle of $05^{\circ}16'05''$, arc length of 315.32 feet, the chord of said arc bears North $48^{\circ}03'32''$ East, 315.21 feet; Thence North $50^{\circ}41'35''$ East, 6073.60 feet; Thence along a curve deflecting to the left having a radius of 35000 feet, central angle of $01^{\circ}14'58''$, arc length of 763.22 feet, the chord of said arc bears North $50^{\circ}04'06''$ East, 763.20 feet; Thence North $49^{\circ}26'37''$ East, 1101.21 feet; Thence North $49^{\circ}35'39''$ East, 1025.16 feet; Thence leaving said centerline of construction South $40^{\circ}24'21''$ East, 38.22 feet to a set iron pin in the south line of U.S. 42; Thence North $67^{\circ}39'13''$ East, 71.88 feet to a point in the proposed south right-of-way line of improved U.S. 42, said point being the **TRUE POINT OF BEGINNING**;

Thence leaving said proposed right-of-way line, North $67^{\circ}39'13''$ East, 19.91 feet to a point;

Thence South $50^{\circ}00'27''$ West, 231.88 feet to a point;

Thence South $31^{\circ}09'33''$ West, 79.06 feet to a point;

Thence South $49^{\circ}35'39''$ West, 50.00 feet to a point;

Thence South $60^{\circ}54'14''$ West, 152.97 feet to a point;

Thence South $49^{\circ}35'39''$ West, 75.00 feet to a point;

Thence South $45^{\circ}01'12''$ West, 125.40 feet to a point;

Thence South 58°59'45" West, 91.82 feet to a point;

Thence North 43°56'00" West, 13.53 feet to a point in said proposed right-of way line;

Thence with said proposed right-of-way line, North 49°51'30" East, 325.06 feet to a point;

Thence continuing with said proposed right-of-way line, North 58°08'46" East, 117.68 feet to a point;

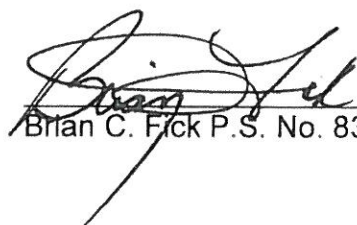
Thence continuing with said proposed right-of-way line, North 49°35'39" East, 337.94 feet to the **TRUE POINT OF BEGINNING**.

Containing 0.3157 Acres, (13,750 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Jarvis Properties, LLC tract as recorded in Official Record 3811, Page 485 at the Warren County Recorder's Office and further identified as Auditor's Parcel 16351270022.

All bearings shown are for project use only. These bearings are based upon Ohio State Plane Coordinate System, (South Zone) NAD 83.

This description was prepared and reviewed in June 2008 by G.J. BERDING SURVEYING, INC., Brian C. Fick, Registered Surveyor Number 8370.


Brian C. Fick P.S. No. 8370

7-22-09
Date



Parcel 72-DU2 : SH7206 DU7206 DU7207 DU7208 DU7209 DU7210 DU7211 DU7212 DU7213 SH7203 SH7204
SH7205 SH7206

Total parent tract area =	13,750.4082 ft ² =	0.3157 a
Total taken area =	0.0000 ft ² =	0.0000 a
Remaining area =	13,750.4082 ft ² =	0.3157 a

Description of parcel: 72-DU2

Beginning parent tract description

Point SH7206 N 23,390.7026 E 34,208.4526 Sta 0+00.000000

Course from SH7206 to DU7206 N 67° 39' 13" E Dist 19.9138

Point DU7206 N 23,398.2740 E 34,226.8709 Sta 0+19.913826

Course from DU7206 to DU7207 S 50° 00' 27" W Dist 231.8773

Point DU7207 N 23,249.2494 E 34,049.2230 Sta 2+51.791133

Course from DU7207 to DU7208 S 31° 09' 33" W Dist 79.0569

Point DU7208 N 23,181.5977 E 34,008.3177 Sta 3+30.848075

Course from DU7208 to DU7209 S 49° 35' 39" W Dist 50.0000

Point DU7209 N 23,149.1878 E 33,970.2441 Sta 3+80.848074

Course from DU7209 to DU7210 S 60° 54' 14" W Dist 152.9706

Point DU7210 N 23,074.8020 E 33,836.5776 Sta 5+33.818660

Course from DU7210 to DU7211 S 49° 35' 39" W Dist 75.0000

Point DU7211 N 23,026.1871 E 33,779.4672 Sta 6+08.818659

Course from DU7211 to DU7212 S 45° 01' 12" W Dist 125.3994

Point DU7212 N 22,937.5474 E 33,690.7654 Sta 7+34.218022

Course from DU7212 to DU7213 S 58° 59' 45" W Dist 91.8232

Point DU7213 N 22,890.2493 E 33,612.0610 Sta 8+26.041225

Course from DU7213 to SH7203 N 43° 56' 00" W Dist 13.5256

Point SH7203 N 22,899.9897 E 33,602.6766 Sta 8+39.566849

Course from SH7203 to SH7204 N 49° 51' 30" E Dist 325.0554

Point SH7204 N 23,109.5459 E 33,851.1664 Sta 11+64.622215

Course from SH7204 to SH7205 N 58° 08' 46" E Dist 117.6785

Point SH7205 N 23,171.6512 E 33,951.1223 Sta 12+82.300704

Course from SH7205 to SH7206 N 49° 35' 39" E Dist 337.9385

Point SH7206 N 23,390.7026 E 34,208.4526 Sta 16+20.239209

End of parcel 72-DU2 description

EXHIBIT “ ____ ”

WAR-42-0.00
PID NO. 79850
PARCEL 72-T1

Situated in Section 35, Town 4, Range 2, Between the Miamis in the City of Mason, Warren County, Ohio and being more particularly described as follows:

Beginning for reference at the intersection of the west line of Section 4 with the existing centerline of U.S. 42; Thence along said centerline North $45^{\circ}34'02''$ East, 7.61 feet; Thence leaving said centerline South $44^{\circ}34'31''$ East, 1.91 feet to Station 0+00 of the proposed centerline of construction for WAR-42-0.00, PID No. 79850; Thence along said centerline of construction North $45^{\circ}25'29''$ East, 1041.09 feet; Thence along a curve deflecting to the right having a radius of 3429.37 feet, central angle of $05^{\circ}16'05''$, arc length of 315.32 feet, the chord of said arc bears North $48^{\circ}03'32''$ East, 315.21 feet; Thence North $50^{\circ}41'35''$ East, 6073.60 feet; Thence along a curve deflecting to the left having a radius of 35000 feet, central angle of $01^{\circ}14'58''$, arc length of 763.22 feet, the chord of said arc bears North $50^{\circ}04'06''$ East, 763.20 feet; Thence North $49^{\circ}26'37''$ East, 1101.21 feet; Thence North $49^{\circ}35'39''$ East, 210.62 feet; Thence leaving said centerline of construction South $40^{\circ}24'21''$ East, 39.32 feet to a point in the existing north line of U.S. 42; Thence South $44^{\circ}26'00''$ East, 15.72 feet to a point, said point being the **TRUE POINT OF BEGINNING**;

Thence South $44^{\circ}26'00''$ East, 10.02 feet to a point;

Thence South $49^{\circ}35'39''$ West, 91.87 feet to a point;

Thence South $34^{\circ}24'45''$ West, 57.28 feet to a point;

Thence South $49^{\circ}35'39''$ West, 54.91 feet to a point;

Thence North $05^{\circ}32'30''$ East, 49.62 feet to a point;

Thence North $49^{\circ}35'39''$ East, 94.53 feet to a point;

Thence South $40^{\circ}24'21''$ East, 9.79 feet to a point;

Page 2
PARCEL 72-T1

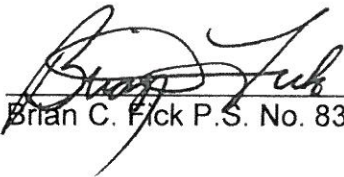
Thence North 49°21'38" East, 71.17 feet to the **TRUE POINT OF BEGINNING**.

Containing 0.0888 Acres, (3,867 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Jarvis Properties, LLC tract as recorded in Official Record 3811, Page 485 at the Warren County Recorder's Office and further identified as Auditor's Parcel 16351270021.

All bearings shown are for project use only. These bearings are based upon Ohio State Plane Coordinate System, (South Zone) NAD 83.

This description was prepared and reviewed in June 2008 by G.J. BERDING SURVEYING, INC., Brian C. Fick, Registered Surveyor Number 8370.


Brian C. Fick P.S. No. 8370

7-22-08
Date



Parcel 72-TMP-A : DU7204 TEMP7201 TEMP7202 TEMP7203 TEMP7204 DU7201 DU7202 DU7203 DU7204

Total parent tract area =	3,866.6065 ft ² =	0.0888 a
Total taken area =	0.0000 ft ² =	0.0000 a
Remaining area =	3,866.6065 ft ² =	0.0888 a

Description of parcel: 72-TMP-A

Beginning parent tract description

Point DU7204 N 22,823.3285 E 33,533.4459 Sta 0+00.000000

Course from DU7204 to TEMP7201 S 44° 26' 00" E Dist 10.0248

Point TEMP7201 N 22,816.1702 E 33,540.4640 Sta 0+10.024755

Course from TEMP7201 to TEMP7202 S 49° 35' 39" W Dist 91.8733

Point TEMP7202 N 22,756.6180 E 33,470.5052 Sta 1+01.898033

Course from TEMP7202 to TEMP7203 S 34° 24' 45" W Dist 57.2790

Point TEMP7203 N 22,709.3635 E 33,438.1341 Sta 1+59.176986

Course from TEMP7203 to TEMP7204 S 49° 35' 39" W Dist 54.9073

Point TEMP7204 N 22,673.7726 E 33,396.3238 Sta 2+14.084258

Course from TEMP7204 to DU7201 N 5° 32' 30" E Dist 49.6178

Point DU7201 N 22,723.1585 E 33,401.1154 Sta 2+63.702023

Course from DU7201 to DU7202 N 49° 35' 39" E Dist 94.5268

Point DU7202 N 22,784.4307 E 33,473.0948 Sta 3+58.228776

Course from DU7202 to DU7203 S 40° 24' 21" E Dist 9.7901

Point DU7203 N 22,776.9758 E 33,479.4407 Sta 3+68.018868

Course from DU7203 to DU7204 N 49° 21' 38" E Dist 71.1698

Point DU7204 N 22,823.3285 E 33,533.4459 Sta 4+39.188670

End of parcel 72-TMP-A description

EXHIBIT " ____ "

WAR-42-0.00
PID NO. 79850
PARCEL 72-T2

Situated in Section 35, Town 4, Range 2, Between the Miamis in the City of Mason, Warren County, Ohio and being more particularly described as follows:

Beginning for reference at the intersection of the west line of Section 4 with the existing centerline of U.S. 42; Thence along said centerline North $45^{\circ}34'02''$ East, 7.61 feet; Thence leaving said centerline South $44^{\circ}34'31''$ East, 1.91 feet to Station 0+00 of the proposed centerline of construction for WAR-42-0.00, PID No. 79850; Thence along said centerline of construction North $45^{\circ}25'29''$ East, 1041.09 feet; Thence along a curve deflecting to the right having a radius of 3429.37 feet, central angle of $05^{\circ}16'05''$, arc length of 315.32 feet, the chord of said arc bears North $48^{\circ}03'32''$ East, 315.21 feet; Thence North $50^{\circ}41'35''$ East, 6073.60 feet; Thence along a curve deflecting to the left having a radius of 35000 feet, central angle of $01^{\circ}14'58''$, arc length of 763.22 feet, the chord of said arc bears North $50^{\circ}04'06''$ East, 763.20 feet; Thence North $49^{\circ}26'37''$ East, 1101.21 feet; Thence North $49^{\circ}35'39''$ East, 210.62 feet; Thence leaving said centerline of construction South $40^{\circ}24'21''$ East, 39.32 feet to a point in the south line of U.S. 42; Thence South $44^{\circ}26'00''$ East, 13.53 feet to a point; Thence North $49^{\circ}35'39''$ East, 103.24 feet to a point; Thence North $58^{\circ}59'45''$ East, 91.82 feet to a point, said point being the **TRUE POINT OF BEGINNING**;

Thence North $45^{\circ}01'12''$ East, 125.40 feet to a point;

Thence North $49^{\circ}35'39''$ East, 75.00 feet to a point;

Thence South $40^{\circ}24'22''$ East, 5.00 feet to a point;

Thence South $48^{\circ}09'43''$ West, 200.06 feet to the **TRUE POINT OF BEGINNING**.

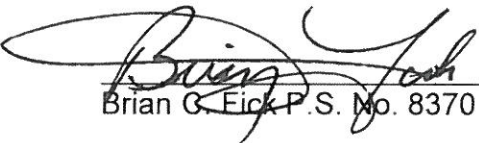
Page 2
PARCEL 72-T2

Containing 0.0201 Acres, (875 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Jarvis Properties, LLC tract as recorded in Official Record 3811, Page 485 at the Warren County Recorder's Office and further identified as Auditor's Parcel 16351270022.

All bearings shown are for project use only. These bearings are based upon Ohio State Plane Coordinate System, (South Zone) NAD 83.

This description was prepared and reviewed in June 2008 by G.J. BERDING SURVEYING, INC., Brian C. Fick, Registered Surveyor Number 8370.


Brian C. Fick P.S. No. 8370

7-22-09
Date



G.J. Berding Surveying, Inc.

741 Main Street • Milford, OH 45150 • 513 831 5505 tel • 513 831 6761 fax • www.berdingsurveying.com

Parcel 72-TMP-B : DU7212 DU7211 DU7210 TEMP7205 DU7212

Total parent tract area =	874.9999 ft ² =	0.0201 a
Total taken area =	0.0000 ft ² =	0.0000 a
Remaining area =	874.9999 ft ² =	0.0201 a

Description of parcel: 72-TMP-B

Beginning parent tract description

Point DU7212 N 22,937.5474 E 33,690.7654 Sta 0+00.000000

Course from DU7212 to DU7211 N 45° 01' 12" E Dist 125.3994

Point DU7211 N 23,026.1871 E 33,779.4672 Sta 1+25.399362

Course from DU7211 to DU7210 N 49° 35' 39" E Dist 75.0000

Point DU7210 N 23,074.8020 E 33,836.5776 Sta 2+00.399362

Course from DU7210 to TEMP7205 S 40° 24' 22" E Dist 5.0000

Point TEMP7205 N 23,070.9946 E 33,839.8185 Sta 2+05.399361

Course from TEMP7205 to DU7212 S 48° 09' 43" W Dist 200.0625

Point DU7212 N 22,937.5474 E 33,690.7654 Sta 4+05.461851

End of parcel 72-TMP-B description

EXHIBIT " ____ "

WAR-42-0.00
PID NO. 79850
PARCEL 72-T3

Situated in Section 35, Town 4, Range 2, Between the Miamis in the City of Mason, Warren County, Ohio and being more particularly described as follows:

Beginning for reference at the intersection of the west line of Section 4 with the existing centerline of U.S. 42; Thence along said centerline North $45^{\circ}34'02''$ East, 7.61 feet; Thence leaving said centerline South $44^{\circ}34'31''$ East, 1.91 feet to Station 0+00 of the proposed centerline of construction for WAR-42-0.00, PID No. 79850; Thence along said centerline of construction North $45^{\circ}25'29''$ East, 1041.09 feet; Thence along a curve deflecting to the right having a radius of 3429.37 feet, central angle of $05^{\circ}16'05''$, arc length of 315.32 feet, the chord of said arc bears North $48^{\circ}03'32''$ East, 315.21 feet; Thence North $50^{\circ}41'35''$ East, 6073.60 feet; Thence along a curve deflecting to the left having a radius of 35000 feet, central angle of $01^{\circ}14'58''$, arc length of 763.22 feet, the chord of said arc bears North $50^{\circ}04'06''$ East, 763.20 feet; Thence North $49^{\circ}26'37''$ East, 1101.21 feet; Thence North $49^{\circ}35'39''$ East, 1025.16 feet; Thence leaving said centerline of construction South $40^{\circ}24'21''$ East, 38.22 feet to a set iron pin in the south line of U.S. 42; Thence North $67^{\circ}39'13''$ East, 91.79 feet to a point in the proposed south right-of-way line of improved U.S. 42, said point being the **TRUE POINT OF BEGINNING**;

Thence leaving said proposed right-of-way line, South $28^{\circ}02'06''$ West, 41.45 feet to a point;

Thence South $50^{\circ}18'08''$ West, 235.33 feet to a point;

Thence North $31^{\circ}09'33''$ East, 44.26 feet to a point in said proposed right-of way line;

Thence with said proposed right-of-way line, North $50^{\circ}00'27''$ East, 231.88 feet to the **TRUE POINT OF BEGINNING**.

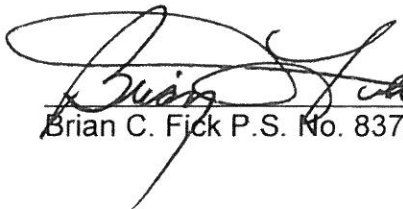
Page 2
PARCEL 72-T3

Containing 0.0805 Acres, (3,506 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Jarvis Properties, LLC tract as recorded in Official Record 3811, Page 485 at the Warren County Recorder's Office and further identified as Auditor's Parcel 16351270022.

All bearings shown are for project use only. These bearings are based upon Ohio State Plane Coordinate System, (South Zone) NAD 83.

This description was prepared and reviewed in June 2008 by G.J. BERDING SURVEYING, INC., Brian C. Fick, Registered Surveyor Number 8370.


Brian C. Fick P.S. No. 8370

7-22-09
Date



G.J. Berding Surveying, Inc.

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Parcel 72-TMP-C : DU7206 TEMP7206 TEMP7207 DU7207 DU7206

Total parent tract area =	3,505.5826 ft ² =	0.0805 a
Total taken area =	0.0000 ft ² =	0.0000 a
Remaining area =	3,505.5826 ft ² =	0.0805 a

Description of parcel: 72-TMP-C

Beginning parent tract description

Point DU7206 N 23,398.2740 E 34,226.8709 Sta 0+00.000000

Course from DU7206 to TEMP7206 S 28° 02' 06" W Dist 41.4470

Point TEMP7206 N 23,361.6903 E 34,207.3904 Sta 0+41.447041

Course from TEMP7206 to TEMP7207 S 50° 18' 08" W Dist 235.3265

Point TEMP7207 N 23,211.3784 E 34,026.3244 Sta 2+76.773512

Course from TEMP7207 to DU7207 N 31° 09' 33" E Dist 44.2557

Point DU7207 N 23,249.2494 E 34,049.2230 Sta 3+21.029170

Course from DU7207 to DU7206 N 50° 00' 27" E Dist 231.8773

Point DU7206 N 23,398.2740 E 34,226.8709 Sta 5+52.906478

End of parcel 72-TMP-C description

**NOTICE OF INTENT TO ACQUIRE
AND
GOOD FAITH OFFER**

March 23, 2010

Daniel A. Jarvis
Jarvis Properties, LLC an Ohio Limited Liability Company
740 Reading Road
Mason, Ohio 45040



Re: WAR-42-0.00
Parcel Number: 72
Interest Acquired: Permanent and Temporary Easements

TO: Daniel A. Jarvis

The City of Mason, Ohio needs your property for a highway project identified as WAR-42-0.00 and will need to acquire the following from you:

Parcel 72- SH1-2 are standard highway easements needed for the installation and maintenance of a bikeway.

Parcel 72-DU1-2 are drainage and utility easements needed to install and maintain roadway drainage.

Parcel 72- T1-3 are temporary easements of two years duration first beginning when work starts on your property. The temporary easements are needed to reconstruct your driveway and for grading and seeding purposes.

Ohio law authorizes City of Mason, Ohio to obtain Parcels 72-SH1-2, DU1-2 and T1-3 from your property for the public purpose of a highway project. The legal description of your property that City of Mason, Ohio needs is attached to this Notice of Intent to Acquire and Good Faith Offer and is referenced as **Exhibit A**.

The Good Faith Offer included in this document is City of Mason, Ohio determination of the fair market value of your property. This fair market value (FMV) is what a willing buyer who is under no compulsion to buy and a willing seller who is under no compulsion to sell would value your property on the open market.

You will have a minimum of 30 days from the time you receive this offer to accept or reject the offer. We are available to discuss the offer with you at any time. If you reject the offer or we are unable to come to an agreement, we may have to exercise our eminent domain authority to appropriate your property. This will require a court procedure. In a court proceeding, you may disagree with whether our offer reflects the fair market value of the property.

HERE IS A BRIEF SUMMARY OF YOUR OPTIONS AND LEGALLY PROTECTED RIGHTS:

1. By law, City of Mason, Ohio is required to make a good faith effort to purchase Parcels 72-SH1-2, DU1-2 and T1-3.
2. We are to provide you with a written offer and the appraisal or valuation upon which we base that offer. The amount offered to you will not be less than the approved fair market value estimate of the property needed for the project. This compensation is based on the valuation of your property by qualified real estate personnel who have analyzed current market data. Their valuation work has been reviewed by a preapproved review appraiser prior to City of Mason, Ohio establishing its fair market value estimate for your property needed for the project.
3. **You do not have to accept this offer** and City of Mason, Ohio is not required to agree to your demands.
4. You are to be provided a copy of the valuation document during the first negotiation visit by an agent of City of Mason, Ohio .
5. You are to be provided with pertinent parts of the highway plans which are:

Legend sheet; Property Map; Summary Sheet; Right of Way Detail Sheet(s); and Plan and Profile Sheet(s)

6. The Plan Letter Attachment to this “Notice of Intent to Acquire and Good Faith Offer” describes the interest in the real property that is to be acquired from you; the description and location of the real property to be acquired; and any improvements such as buildings or structures situated on the property to be acquired, if any.
7. You will be provided with a booklet entitled “When ODOT Needs Your Property”. This booklet briefly explains the acquisition process and your rights in this process.
8. You have the right to seek the advice of an attorney, real estate appraiser, or any other person of your choice in this matter

9. You have the right to object to City of Mason, Ohio decision to acquire your property by writing, within ten business days of receiving this notice, to:

Eric Hanson
City Manager
6000 Mason-Montgomery Road
Mason, Ohio 45040

The City Council has the discretion to veto this project, and if he does, it will not proceed.

10. If you do not accept this offer, and we cannot come to an agreement on the acquisition of Parcels 72-SH1-2, DU1-2 and T1-3, City of Mason, Ohio has the right to file suit to acquire Parcels 72-SH1-2, DU1-2 and T1-3 by eminent domain in the county in which the property is located. This action, referred to as an "appropriation proceeding" ensures your rights will be fully protected while at the same time allowing the construction of the highway project to proceed for the benefit of all.
11. When filing the appropriation, the City of Mason, Ohio will deposit the value of the property sought to be acquired with the court. At that time, City of Mason, Ohio gains the right to enter upon and use the property acquired subject to Section 163.06 (B) of the Ohio Revised Code. If you agree to accept the deposited money as full payment, the appropriation case will be closed.
12. If you are not satisfied with the amount of the deposit, you must file an answer with the court in the manner and within the time specified in the summons which is served upon you by the court. Once the answer is filed, you may apply to the court to withdraw the deposited money, subject to the rights of any other parties having an interest in the property. Withdrawing your share of the deposit does not interfere with your right to have a jury determine the FMV of your property. Interest will not accrue on any money deposited under this procedure. If the money withdrawn under this procedure should exceed the final award, the owner will be required to return the excess payment.
13. As part of your answer you may request a trial by jury. After a trial, a jury will decide the amount you are to be awarded for your property that is acquired, for the damage that is caused by the acquisition, if applicable, and for other damages permitted by law, which could either exceed or be less than our offer. At the trial you may testify and present evidence as to the value of your property.
14. If your property qualifies as an "Agricultural Use" as defined under ORC 163.21 (C)(2), and a jury awards you an amount that is more than 150% of the City of Mason, Ohio's final offer as determined by law, you may be entitled to recover attorney fees and other litigation costs.

15. You also have the right to request that the issue of the value of your property be submitted to nonbinding mediation. You **must** submit your written request for mediation to the court within ten business days after you file your answer. If a settlement is not reached at mediation, the matter will proceed to a jury valuation trial.

THE GOOD FAITH OFFER:

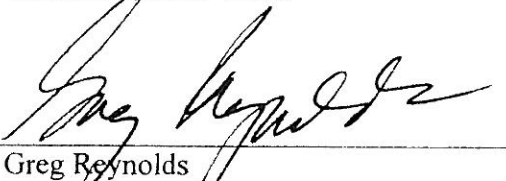
The amount offered to you in good faith as just compensation for the acquisition of Parcel 72, Permanent and Temporary Easements, of Project WAR-42-0.00 is:

Real Property to be Acquired (Permanent easements)	\$31,451.00
Damages To Your Property Which Is Not Acquired	\$38,349.00
Temporary Construction Easements	\$2,465..00
Total Good Faith Offer	\$72,265,00

Tenant-owned improvements, if any, are to be identified in this Notice of Intent to Acquire and Good Faith Offer, and if there are any such improvements, the amount offered to you does not include compensation for these improvements. **There are no tenant-owned improvements in the take area.**

While City of Mason, Ohio may not provide legal advice, we will make all efforts to answer questions you have concerning this process and provide any copies of the law or our records that you may need to fully understand your rights, the project, and the process. If you have any questions concerning this matter, you may contact us at:

DLZ OHIO INC
6121 Huntley Road
Columbus, Ohio 43229



Greg Reynolds
Right of Way Acquisition Specialist
DLZ Ohio Inc.
6121 Huntley Road
Columbus, Ohio 43229
614-888-0040 x1320