

EXHIBIT " A "

WAR-42-0.00
PID NO. 79850
PARCEL 66-SH

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, 409.20 feet; Thence South $40^{\circ}33'23''$ West, 39.97 feet to a set iron pin in the existing south line of U.S. 42; Thence with said right-of-way, North $49^{\circ}32'42''$ East, 22.57 feet to a set iron pin in said right-of-way line, said pin being the **TRUE POINT OF BEGINNING**;

Thence continuing with said right-of-way line, North $49^{\circ}32'42''$ East, 236.35 feet to a set iron pin;

Thence continuing with said right-of-way line, South $89^{\circ}49'08''$ East, 6.13 feet to a set iron pin ;

Thence along the proposed right-of-way line of improved U.S. 42, South $40^{\circ}26'00''$ East, 3.57 feet to a set iron pin;

Thence continuing with said proposed right-of-way line, South $49^{\circ}26'37''$ West, 54.99 feet to a set iron pin;

Thence continuing with said proposed right-of-way line, South $52^{\circ}31'42''$ West, 127.99 feet to a set iron pin;

Thence South 50°31'46" West, 58.21 feet to the **TRUE POINT OF BEGINNING**.

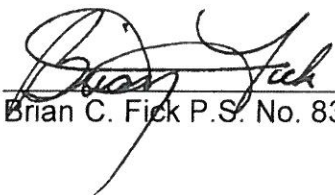
Containing 0.0228 Acres, (992 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Eugene A. Jeffrey tract as recorded in Official Record 720, Page 271 at the Warren County Recorder's Office and further identified as Auditor's Parcel 16351510180.

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 66-SH : SH6602 BCFRW6 BCF397 SH6603 SH6604 SH6601 SH6602

Total parent tract area =	991.9102 ft ² =	0.0228 a
Total taken area =	0.0000 ft ² =	0.0000 a
Remaining area =	991.9102 ft ² =	0.0228 a

Description of parcel: 66-SH

Beginning parent tract description

Point SH6602 N 22,262.3010 E 32,853.9659 Sta 0+00.000000

Course from SH6602 to BCFRW6 N 49° 32' 42" E Dist 236.3529

Point BCFRW6 N 22,415.6584 E 33,033.8108 Sta 2+36.352924

Course from BCFRW6 to BCF397 S 89° 49' 08" E Dist 6.1303

Point BCF397 N 22,415.6391 E 33,039.9411 Sta 2+42.483271

Course from BCF397 to SH6603 S 40° 26' 00" E Dist 3.5711

Point SH6603 N 22,412.9209 E 33,042.2572 Sta 2+46.054406

Course from SH6603 to SH6604 S 49° 26' 37" W Dist 54.9899

Point SH6604 N 22,377.1666 E 33,000.4778 Sta 3+01.044284

Course from SH6604 to SH6601 S 52° 31' 42" W Dist 127.9853

Point SH6601 N 22,299.3045 E 32,898.9017 Sta 4+29.029547

Course from SH6601 to SH6602 S 50° 31' 46" W Dist 58.2107

Point SH6602 N 22,262.3010 E 32,853.9659 Sta 4+87.240203

End of parcel 66-SH description

EXHIBIT " ____ "

WAR-42-0.00
PID NO. 79850
PARCEL 66-DU

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, 409.20 feet; Thence South $40^{\circ}33'23''$ West, 39.97 feet to a point in the existing south line of U.S. 42, said point being the **TRUE POINT OF BEGINNING**;

Thence with said right-of-way, North $49^{\circ}32'42''$ East, 22.57 feet to a point;

Thence leaving said right-of-way line, South $50^{\circ}31'46''$ West, 58.21 feet to a point in the proposed right-of-way line of improved U.S. 42;

Thence continuing with said proposed right-of-way line, North $52^{\circ}31'42''$ East, 127.99 feet to a point;

Thence continuing with said proposed right-of-way line, North $49^{\circ}26'37''$ East, 54.99 feet to a point;

Thence leaving said right-of-way line, South $40^{\circ}26'00''$ East, 24.58 feet to a point;

Thence South $52^{\circ}36'18''$ West, 66.57 feet to a point;

Thence South $54^{\circ}03'36''$ West, 197.70 feet to a point;

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PARCEL 66-DU

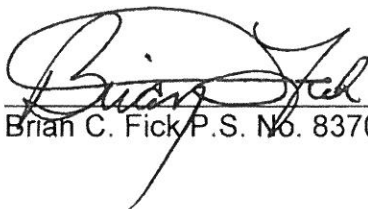
Thence North 40°29'00" West, 13.03 feet to the **TRUE POINT OF BEGINNING**.

Containing 0.1175 Acres, (5,120 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Eugene A. Jeffrey tract as recorded in Official Record 720, Page 271 at the Warren County Recorder's Office and further identified as Auditor's Parcel 16351510180.

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 66-DU : DU6601 SH6602 SH6601 SH6604 SH6603 DU6604 DU6603 DU6602 DU6601

Total parent tract area =	5,119.5243 ft ² =	0.1175 a
Total taken area =	0.0000 ft ² =	0.0000 a
Remaining area =	5,119.5243 ft ² =	0.1175 a

Description of parcel: 66-DU

Beginning parent tract description

Point DU6601 N 22,247.6570 E 32,836.7926 Sta 0+00.000000

Course from DU6601 to SH6602 N 49° 32' 42" E Dist 22.5692

Point SH6602 N 22,262.3010 E 32,853.9659 Sta 0+22.569174

Course from SH6602 to SH6601 N 50° 31' 46" E Dist 58.2107

Point SH6601 N 22,299.3045 E 32,898.9017 Sta 0+80.779831

Course from SH6601 to SH6604 N 52° 31' 42" E Dist 127.9853

Point SH6604 N 22,377.1666 E 33,000.4778 Sta 2+08.765093

Course from SH6604 to SH6603 N 49° 26' 37" E Dist 54.9899

Point SH6603 N 22,412.9209 E 33,042.2572 Sta 2+63.754972

Course from SH6603 to DU6604 S 40° 26' 00" E Dist 24.5830

Point DU6604 N 22,394.2093 E 33,058.2008 Sta 2+88.337948

Course from DU6604 to DU6603 S 52° 36' 18" W Dist 66.5665

Point DU6603 N 22,353.7829 E 33,005.3160 Sta 3+54.904431

Course from DU6603 to DU6602 S 54° 03' 36" W Dist 197.6990

Point DU6602 N 22,237.7459 E 32,845.2525 Sta 5+52.603466

Course from DU6602 to DU6601 N 40° 29' 00" W Dist 13.0308

Point DU6601 N 22,247.6570 E 32,836.7926 Sta 5+65.634264

End of parcel 66-DU description

EXHIBIT “ _____ ”

WAR-42-0.00
PID NO. 79850
PARCEL 66-T

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, 409.20 feet; Thence South $40^{\circ}33'23''$ West, 39.97 feet to a point in the existing south line of U.S. 42; Thence with said right-of-way, North $49^{\circ}32'42''$ East, 258.92 feet to a point in said right-of-way line; Thence continuing with said right-of-way line, South $89^{\circ}49'08''$ East 6.13 feet to a point; Thence South $40^{\circ}26'00''$ East, 28.15 feet to a point, said point being the **TRUE POINT OF BEGINNING**;

Thence South $40^{\circ}26'00''$ East, 3.98 feet to a point;

Thence South $11^{\circ}46'40''$ West, 13.81 feet to a point;

Thence South $49^{\circ}26'37''$ West, 44.38 feet to a point;

Thence North $75^{\circ}16'34''$ West, 19.57 feet to a point;

Thence North $52^{\circ}36'18''$ East, 66.57 feet to the **TRUE POINT OF BEGINNING**.

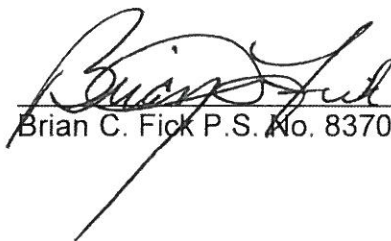
Page 2
PARCEL 66-T

Containing 0.0186 Acres, (811 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Eugene A. Jeffrey tract as recorded in Official Record 720, Page 271 at the Warren County Recorder's Office and further identified as Auditor's Parcel 16351510180.

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 66-TMP-A : DU6604 TEMP6601 TEMP6602 TEMP6603 DU6603 DU6604

Total parent tract area =	811.4401 ft ² =	0.0186 a
Total taken area =	0.0000 ft ² =	0.0000 a
Remaining area =	811.4401 ft ² =	0.0186 a

Description of parcel: 66-TMP-A

Beginning parent tract description

Point DU6604 N 22,394.2093 E 33,058.2008 Sta 0+00.000000

Course from DU6604 to TEMP6601 S 40° 26' 00" E Dist 3.9810

Point TEMP6601 N 22,391.1790 E 33,060.7828 Sta 0+03.981036

Course from TEMP6601 to TEMP6602 S 11° 46' 40" W Dist 13.8058

Point TEMP6602 N 22,377.6639 E 33,057.9648 Sta 0+17.786791

Course from TEMP6602 to TEMP6603 S 49° 26' 37" W Dist 44.3800

Point TEMP6603 N 22,348.8082 E 33,024.2464 Sta 0+62.166791

Course from TEMP6603 to DU6603 N 75° 16' 34" W Dist 19.5732

Point DU6603 N 22,353.7829 E 33,005.3160 Sta 0+81.739966

Course from DU6603 to DU6604 N 52° 36' 18" E Dist 66.5665

Point DU6604 N 22,394.2093 E 33,058.2008 Sta 1+48.306450

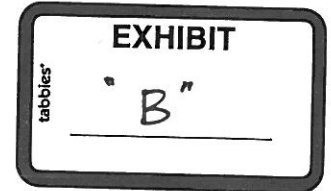
End of parcel 66-TMP-A description

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

September 15, 2009

Eugene A. Jeffery
802 McBurney Drive
Lebanon, Ohio 45036

Re: WAR-42-0.00
Parcel Number: 66
Interest Acquired: Permanent and Temporary Easements



TO: Eugene A. Jeffery

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 66 – SH is a permanent standard highway easement needed for the construction and maintenance of a bikepath.

Parcel 66– DU is a permanent drainage and utility easement needed for the installation and maintenance of new roadway drainage and utility systems.

Parcel 66 – T is a temporary easement of two years duration first beginning when work starts on your property. The temporary easement is needed driveway construction and for grading and seeding purposes

Ohio law authorizes City of Mason, Ohio to obtain Parcels 66 SH, DU, and T 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 66 SH, DU, and T.
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 66 SH, DU, and T, City of Mason, Ohio has the right to file suit to acquire Parcels 66 SH, DU, and T 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 66, Permanent and Temporary Easements, of Project WAR-42-0.00 is:

Real Property To Be Acquired (DU,SH-Permanent Easements).....	\$22,230.00
Damages To Your Property Which Is Not Acquired	\$0.00
Temporary Construction Easement	\$800.00
Total Good Faith Offer	\$23,030.00

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 Agent
DLZ OHIO INC.

By signing below I acknowledge only that I have received the “Notice of Intent to Acquire and Good Faith Offer” and that my signature in no way implies that I have accepted the price offered or any other conditions.

(Owner’s signature)

(Date)

(Print owner’s name)

(Owner’s signature)

(Date)

(Print owner’s name)