

RESOLUTION NO. 46-99

BE IT RESOLVED by the Township Trustees of Union Township, Butler County, Ohio that:

As per attached Agreement between the Board of Union Township Trustees, Butler County, Ohio and Planned Development Company.

Adopted the 26th day of October, 19 99

Paul Brany

Thomas D. Hegen abstain

Catherine Stoker
Township Trustees

Attest: Patricia Williams
Township Clerk

AGREEMENT

This agreement ("Agreement") is made by and among the Board of Trustees of Union Township, Butler County, Ohio (the "Township"), and Planned Development Company of Ohio ("PDC").

WITNESSETH:

WHEREAS, PDC is the fee simple owner of real property situated in Union Township, Butler County, Ohio, including a certain parcel of approximately 88.7928 acres located along Beckett Road and Union Centre Boulevard (the "PDC Property"), as described in Exhibit A attached hereto;

WHEREAS, the PDC Property is the subject of a lawsuit between PDC and the Township filed in the Butler County Court of Common Pleas styled Board Of Trustees of Union Township, Ohio v. Planned Development Company of Ohio, Case No. CV99-05-0953 (the "Lawsuit");

WHEREAS, the Board of County Commissioners of Butler County, Ohio (the "Board"), received a petition (the "Petition") signed by all of the owners of real property abutting Union Centre Boulevard between Beckett Road and West Chester Road, other than PDC, a copy of which is attached as Exhibit B hereto, which petition described certain road way improvements, including the widening of Union Centre Boulevard (the "Improvements") and the imposition of an assessment (the "Assessment") upon each of the owners' property and the PDC Property in order to pay for such Improvements;

WHEREAS, the Improvements will require the use of a portion of the PDC Property abutting Union Centre Boulevard and Beckett Road (the "Right of Way Parcel"), and PDC is willing to deed such Property to the Board or its designee subject to the terms and conditions set forth herein;

WHEREAS, the Board approved the Petition and the Improvements by virtue of Resolution Nos. 99-9-1461 and 99-9-1462 (the "Resolutions"), copies of which are attached hereto as Exhibit C;

WHEREAS, by virtue of Resolution No. 99-9-1462, the Board approved a tentative assessment upon the PDC Property of \$529,443.85 (the "Tentative PDC Assessment") and set a date and time for a public hearing (the "Hearing"), at which objections to the Improvements and to the amount of the assessments would be heard;

WHEREAS, PDC gave notice of its intent to object to the Assessment to be levied against the PDC Property;

WHEREAS, the date of such Hearing has been continued to October 25, 1999; and

WHEREAS, PDC, the Township, and the Butler County Transportation Improvement District ("TID") entered into discussions to resolve PDC's objections to the Assessment, and the parties are desirous of resolving such differences as set forth herein;

NOW, THEREFORE, in exchange for and in consideration of the premises and the following mutual covenants, the parties agree as follows:

1. PDC agrees to withdraw its objection to the Petition and subject a portion of the PDC property to an Assessment for the Improvements provided: (i) the

total acreage of the PDC Property subject to the Assessment shall be limited to the 30.824 acres as described in Exhibit D attached hereto (the "Subject Property"); and (ii) no other portion of the PDC Property nor any other property owned by PDC, including the acres to the west of Beckett Road as described in Exhibit E hereto ("PDC Property West"), shall be subject to the Assessment or any other lien, charge, tax, levy or assessment of any kind relating in any way to the Improvements, the Resolutions authorizing the Assessment, and/or the plans and specifications prepared by the County Engineer for the Improvements.

2. The total cost of the Improvements has been estimated at \$1,708,000.00 (the "Estimated Total Cost"). Based on the Estimated Total Cost, the share of the Improvements that has been allocated to the Subject Property equals \$187,879.70 (the "Estimated PDC Share"). The amount of the cost of the Improvements that shall be assessed against the Subject Property (the "Assessed Amount") shall be an amount equal to eleven percent (11%) of the actual total cost of the Improvements. The Assessed Amount shall be payable over 10 years, and shall be assessed commencing with the real estate tax bills attributable to tax year 2000.

3. The Assessed Amount is the maximum amount that may be assessed against the Subject Property for the Improvements, and the balance of the cost of the Improvements shall be borne by the Township and benefited property owners that are the subject of the overall assessment for the Improvements.

4. In the event the Township acquires all or any portion of the Subject Property (as a result of the Lawsuit, through the exercise of the power of eminent domain, or otherwise), the Township shall reimburse PDC (as a condition to the transfer

of the PDC Property) for any and all payments PDC has made toward the Assessed Amount as provided in this Section, and the Township shall assume all liability for, and hold PDC harmless from, any unpaid portion of the Assessed Amount and any future installment payments toward such amount as follows: (i) in the event the Township acquires the entire Subject Property, the Township shall reimburse PDC the entire amount of all payments PDC has made towards the Assessed Amount and shall be solely responsible for all future payments toward the Assessed Amount, or (ii) in the event the Township acquires only a portion of the Subject Property, the Township shall only be responsible for those payments, both before and after the transfer, that are attributable to the portion of the Subject Property so acquired, which shall be determined based upon the acreage of the property so acquired relative to the acreage of the Subject Property as a whole.

5. The parties anticipate that the Board or TID will furnish PDC with a legal description of the Right of Way Parcel after the execution of this Agreement. Provided that PDC is in good faith satisfied with the scope and amount of the property so described, PDC will convey to the Board or its designee the Right of Way Parcel by quit-claim deed within 30 days following the receipt of the legal description of the Right of Way Parcel. PDC shall make such a conveyance of the Right of Way Parcel without additional consideration; provided further, however, in the event any party (other than the Cincinnati Christian Reformed Church) receives compensation for any property such party contributes to facilitate construction of the Improvements, the Township shall be obligated to pay PDC a sum equal to the product of the total acreage of the Right of Way Parcel multiplied by the highest price paid to any other such party (other than the

Cincinnati Christian Reformed Church) calculated on a per acre basis. In the event that PDC is not in good faith satisfied with the legal description of the Right of Way Parcel, it shall notify the Board or TID. If PDC is not furnished with a satisfactory legal description within fourteen days after giving such notice to the Board or TID, it shall have no obligation to convey the Right of Way parcel to any party.

6. The signatories on behalf of each party to this Agreement represent and warrant that they have the full authority to enter into this Agreement and that all necessary resolutions or authorizations required to enter into this Agreement have been duly obtained and properly ratified.

7. This Agreement shall run with the land (i.e., the PDC Property and PDC Property West) and shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

8. This Agreement may be executed in one or more counterparts and any executed copy shall be valid and have the same force and effect as the original executed copy.

IN WITNESS WHEREOF, each of the parties have executed this Settlement Agreement and Release as of the date set forth below.

Witness:

Rose Marie Matusak
Arseniy Illis

PLANNED DEVELOPMENT COMPANY
OF OHIO

By: [Signature]

Its: Chairman

Date: 10-22, 1999

Notary Public State of Ohio
County of Butler

Kenneth R. Campbell

Sworn to and subscribed before me this
22nd day of October, 1999.

Rose Marie Matusak
Notary Public, Butler County, Ohio
My Commission Expires Sept. 20, 2000

My commission expires _____

Rose Marie Matusak

This Agreement is approved as to form and substance, has been duly authorized and is enforceable against Planned Development Company of Ohio in accordance with its terms.

[Signature]
Counsel to Planned Development
Company of Ohio

Witness:

Carol J. Bennett
W. Russell Wilson

Notary Public State of Ohio
County of Butler

W. Russell Wilson

Sworn to and subscribed before me this
26th day of October, 1999.

My commission expires _____

THE BOARD OF TRUSTEES OF UNION
TOWNSHIP, BUTLER COUNTY, OHIO

By: Dir. R. Sully

Its: Administrator

Date: October 26, 1999

William Russell Wilson, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO

My Commission has no expiration
@see Section 147.03 O.R.C.



This Agreement is approved as to form and substance, has been duly authorized, and is enforceable against The Board of Trustees of Union Township, Butler County, Ohio, in accordance with its terms.

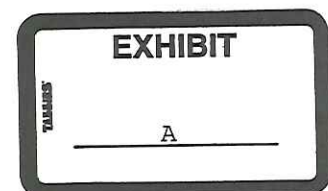
W. Russell Wilson for Frost+Jacobs
Counsel to The Board of Trustees of LLP
Union Township, Butler County, Ohio

LEGAL DESCRIPTION OF AN 88.7928 ACRE TRACT

Situate in Sections 34 and 35, Town 3, Range 2, B.T.M., Union Township, Butler County, Ohio, being all of the remaining 88.7928 acres, of the original 125.7114 acre tract as conveyed to Planned Development Company of Ohio as Exhibit B-4 by deed filed in the office of the Butler County, Ohio Recorder in Deed Book 1685 at Page 1, etc. which is shown on a plat of survey filed in the Butler County Engineer's Record of Land Division in S.R. Volume 21 at Plat No. 247 and being more particularly described as follows:

Beginning at a found $\frac{3}{4}$ " iron pin, marking a westerly corner of said Exhibit B-4 lands and an easterly corner of a 62.7844 acre tract as conveyed to Planned Development Company of Ohio as Exhibit B-2 by deed filed in the office of said Recorder in Deed Book 1685 at Page 1, etc which is shown on a plat of survey filed in said Engineer's Record of Land Division in S.R. Volume 21 at Plat 245 and S.R. Volume 25 at Plat 192 being the westernmost common corner of said Sections 34 and 35; thence from said beginning, running with the meridian of the record plan of Beckett Ridge Subdivision Section 46 Phase R-W-2, which is filed in the office of said Recorder in Plat Envelope 2089 at Pages A through E; thence,

- 1) With the westerly line of said Section 35 and a westerly line of said Exhibit B-4 lands, N 03° 43' 24" E, (passing a found 1" iron pipe at 25.11') a total distance of 467.33' to the northernmost corner of said Exhibit B-4 lands, being on a southwesterly line of the lands of Beckett Ridge Country Club, Inc. as conveyed as Parcel 1 by deed filed in the office of said Recorder in Deed Book 1436 at Page 85, etc. which is shown on a plat of survey filed in said Engineer's Record of Land Division in S.R. Volume 13 at Page 150-A; thence,
- 2) Leaving said section line, with said southwesterly line of the land of said Parcel 1 lands and the northeasterly line of said Exhibit B-4 lands, S 31° 02' 29" E, (crossing the common line of said Sections 34 and 35 at 631.34') a total distance of 1271.70' to a common corner of the lands of said Parcel 1 and said Exhibit B-4; thence,
- 3) Continuing along another common line of same, N 82° 59' 53" E, 581.93' to another common corner of the lands of said Parcel 1 and said Exhibit B-4, being on the westerly line of Lot 1016 of Beckett Ridge Subdivision Section 30 Phase R-P, the record plan of which is filed in the office of said Recorder in Plat Envelope 1703 at Pages A through E; thence,
- 4) Leaving the lines of the land of said Parcel 1, with the common lines of said Beckett Ridge Subdivision Section 30 and said Exhibit B-4 lands, S 32° 55' 57" W, 45.03'; thence,



- 5) Continuing along same, S 11° 33' 29" W, 179.59'; thence,
- 6) Continuing along same, S 00° 40' 31" E, 170.68'; thence,
- 7) Continuing along same, S 19° 49' 01" E, 177.41'; thence,
- 8) Continuing along same, S 33° 29' 31" E, 137.65'; thence,
- 9) Continuing along same, S 46° 22' 01" E, 191.87'; thence,
- 10) Continuing along same, S 67° 59' 31" E, 288.38' to the southeast corner of Lot 1023 of said Beckett Ridge Subdivision Section 30, being on the westerly line of Lot 921 of Beckett Ridge Subdivision Section 27 Phase R-V Part 2, the record plan of which is filed in the office of said Recorder in Plat Envelope 1613 at Pages A through D; thence,
- 11) Leaving the lines of said Beckett Ridge Subdivision Section 30, with the westerly line of said Lot 921 and with the lines of said Exhibit B-4 lands, S 28° 26' 50" W, 11.65' to the southwest corner of said Lot 921, being the northwest corner of Lot 1577 of the aforementioned Beckett Ridge Subdivision Section 46 Phase R-W-2, the record plan of which is filed in the office of said Recorder in Plat Envelope 2089 at Pages A through E; thence, leaving the lines of said Beckett Ridge Subdivision Section 27, through said Exhibit B-4 lands, with the westerly lines of said Beckett Ridge Subdivision Section 46 for the following eight courses:
 - 12) S 15° 14' 22" W, 125.52'; thence,
 - 13) S 05° 44' 36" W, 259.70'; thence,
 - 14) S 40° 36' 28" W, 113.24'; thence,
 - 15) S 07° 12' 15" W, 159.64'; thence,
 - 16) S 82° 47' 45" E, 87.82'; thence,
 - 17) S 18° 01' 46" E, 399.60'; thence,
 - 18) S 33° 24' 57" E, 113.25'; thence,

- 19) S 04° 28' 15" W, 521.96' to a found stone on the northerly side of Beckett Road, (a 40' right-of-way) marking a southerly corner of said Exhibit B-4 lands; thence,
- 20) Leaving the lines of said Beckett Ridge Subdivision Section 46, with a southerly line of said Exhibit B-4 lands and along said Road, N 78° 08' 50" W, 1268.97' to a P.K. nail marking the southeast corner of a 10.0000 acre tract of land conveyed to Cincinnati Christian Reformed Church as recorded in O.R. Volume 6119, Page 1467, etc. of said Recorder's office which is shown on a plat of survey filed in said Engineer's Record of Land Division in S.R. Volume 32, Plat No. 218; thence,
- 21) Leaving said road and said southerly line, with the easterly line of said 10.0000 acre tract, N 11° 51' 10" E, (passing a ½" iron pin with cap at 50.00') a total distance of 939.42' to a ½" iron pin with cap, marking the northeast corner of said 10.0000 acre tract; thence,
- 22) With the northerly line of said tract, N 78° 08' 50" W, 299.51', to a ½" iron pin with cap, marking the northwest corner of said 10.000 acre tract; thence,
- 23) With the westerly line of said tract, S 31° 07' 08" W, (passing a ½" iron pin with cap at 942.19') a total distance of 995.15' to a P.K. nail in said Road on the aforementioned southerly line of said Exhibit B-4 lands, marking the southwest corner of said 10.0000 acre tract; thence,
- 24) Leaving the lines of said 10.0000 acre tract, with said southerly line of said Exhibit B-4 lands and along said Road, N 78° 08' 50" W, 177.37' to the base of a bent ¾" iron pin found, on the westerly line of said Section 34 at the intersection of said Beckett Road with Mills Road; thence,
- 25) Leaving said intersection, with the westerly line of said Section 34 and in part along said Beckett Road (a 40' right-of-way), N 04° 27' 14" E, (passing a found spike at 887.28', a found P.K. nail at 1626.39' and leaving said Road at 2104.92'), a total distance of 2680.98' to the place of beginning, containing 88.7928 acres of land, more or less, 86.8617 acres of which being in said Section 34 and 1.9311 acres of which being in said Section 35.

Subject to all legal highways, easements, conditions and restrictions of record.

VOLUME 35 PAGE 163
BUTLER COUNTY ENGINEER
LAND
RECORD OF SURVEYS

Including, but not limited to, the following Easements:

- 1) A 15' Electric and Telephone Communications Easement to C.G. & E. and Cincinnati Bell as recorded in Deed Book 1143, Page 237.
- 2) A 24' Electric Easement to C.G.& E. as recorded in Deed Book 1376, Page 466.
- 3) A 100' Electric Easement to C.G.& E. as recorded in Misc. Rec. Volume 34, Page 480 Parts 1 and 2.
- 4) A 100' Electric Easement to C.G.& E. as recorded in Misc. Rec. Volume 35, Page 73 Parts 1 and 2.
- 5) A 36' Electric Easement to C.G.& E. as recorded in Misc. Rec. Volume 7, Page 655.
- 6) A 15' Power line Easement as recorded in Misc. Rec. Volume 7, page 655.

Prior Deed: Deed Volume 1685, Page 1, etc.

The above is a complete and proper legal description prepared by James E. Toerner of Henderson & Bodwell Consulting Engineers, Ohio Registered Surveyor No. S-7725, from prior field surveys by Henderson & Bodwell, filed in S.R. Volume 21 at Plat No. 242 and S.R. Volume 32 at Plat No. 218.

James E. Toerner, P.S.

UNION CENTRE BOULEVARD
ROAD WAY PETITION

To: Board of County Commissioners
County of Butler, State of Ohio

The undersigned Petitioners being the fee title holders of the land immediately adjacent to the relocated Union Centre Boulevard (the "Land"), by this petition filed with the board of County Commissioners of the County of Butler, State of Ohio, and by this writing, request, pursuant to Section 5555.03 of the Ohio Revised Code, the said Board of County Commissioners provide for payment of all costs associated with the acquisition, engineering construction, extension utility relocation, of Union Centre Boulevard to the Land as part of the widening of Union Centre Boulevard, from the intersection of existing West Chester Road, north to the intersection of Beckett Road as shown on Exhibit A attached hereto, and that the entire cost of said Improvements to be assessed by said Board upon the Land bounding and abutting said Improvements, all as more particularly set forth below.

WHEREAS, the Petitioners hereby request the acquisition, construction and extension of the Improvements to provide service on the Petitioners' land; and

WHEREAS, the necessary plans, specifications and estimates of cost and operations thereof and tentative assessment have been prepared for the Improvements;

NOW, THEREFORE, the Petitioners do hereby request, consent and agree, or state and represent, as follows:

Section 1. That the Board of County Commissioners provide for the payment of the cost of acquisition, engineering, construction, extension and expenses incidental to the Union Centre Boulevard project.

Section 2. We consent and agree that the acquisition, construction and extension of the Improvements will benefit our aforesaid land.

Section 3. We consent and agree that our aforesaid land as described in Exhibit B hereof may be assessed for the full cost of the Improvements by a method determined by the Board of County Commissioners as provided in Chapter 5555 of the Ohio Revised Code.

Section 4. We state and represent that we have examined the estimated costs of acquisition, construction and extension submitted by the Transportation Improvement District (TID), which total one million seven hundred eight thousand dollars

EXHIBIT

TABULAR
B

(\$1,708,000.00) and that we have been informed by the Transportation Improvement District (TID) of our tentative assessment and we have no objection thereto and we accept and approve the same. We understand that we shall have the right to pay said assessment in cash within the thirty (30) days following the passage of the resolution levying the final assessments, or to pay the assessments over a period of ten (10) years with interest at the rate borne by the bonds issued in anticipation of the collection of said assessments. We also agree to pay the county interest on the total cost of the Improvements from the date of acceptance of this Petition, Statement and Waiver by the Board of County Commissioners to the estimated date of issuance of the bonds, at the rate or rates equal to that of the notes or certificates of indebtedness issued by the county in anticipation of the bonds. The estimated amount of said interest shall be calculated and added to the final assessment. We understand that on completion of the Improvements the actual cost thereof shall be determined, including incidental expenses, as defined in Chapter 5555 of the Ohio Revised Code, and a final assessment shall be prepared and that we shall have the payment options of said final assessment as indicated above.

Section 5. We consent and agree that an executed copy of copies, if executed in counterparts, of the Petition, shall be filed with the County Auditor and the Clerk of the Board of County Commissioners.

IN WITNESS WHEREOF, we have subscribed our names to duplicate hereof at _____, the _____ day of June 1999,

In the presence of :

Chloe Millburn
Print: CHLOE MILLBURN

R. Kent Martin
Print: R. Kent Martin

In the presence of :

Scott L. Bressler
Print: SCOTT L. BRESSLER

Lawrence W. Hilbert
Print: LAWRENCE W. HILBERT

In the presence of :

Scott L. Bressler
Print: SCOTT L. BRESSLER

Lawrence W. Hilbert
Print: LAWRENCE W. HILBERT

In the presence of :

Print: _____

Print: _____

In the presence of :

Lawrence W. Hilbert
Print: LAWRENCE W. HILBERT

Bill Watson
Print: BILL WATSON

Name: Cornerstone Real Estate
Company I, LLC

By: [Signature]
Print: John A. O'Steen

Title: President

Name: Charles W. Chappell

By: Charles W. Chappell
Print: CHARLES W. CHAPPELL

Title: _____

Name: P.D.C., Inc.

By: Charles W. Chappell PRES
Print: CHARLES W. CHAPPELL

Title: PRESIDENT

Name: Planned Development
Company of Ohio

By: _____
Print: _____

Title: _____

Name: Cincinnati Christian
Reformed Church

By: John B. Byrnes
Print: JOHN BYRNES

Title: Pres. Crosspoint Church
formerly live. Ch. - Reform
Church

In the presence of :

Scott L. Bressler
Print: SCOTT L. BRESSLER

Heather Smiddy
Print: Heather Smiddy

In the presence of :

Ellen Flory
Print: Ellen Flory

Heather Smiddy
Print: Heather Smiddy

In the presence of :

Scott L. Bressler
Print: SCOTT L. BRESSLER

Heather Smiddy
Print: Heather Smiddy

In the presence of :

Scott L. Bressler
Print: SCOTT L. BRESSLER

Lawrence W. Gilbert
Print: LAWRENCE W. GILBERT

Name: **Kenneth D. Kramp**

By: Kenneth D. Kramp
Print: Kenneth D. Kramp

Title: _____

Name: **Alice J. Lavery**

By: Alice J. Lavery
Print: Alice J. Lavery

Title: _____

Name: **The Board of Education
of Lakota Local School District**

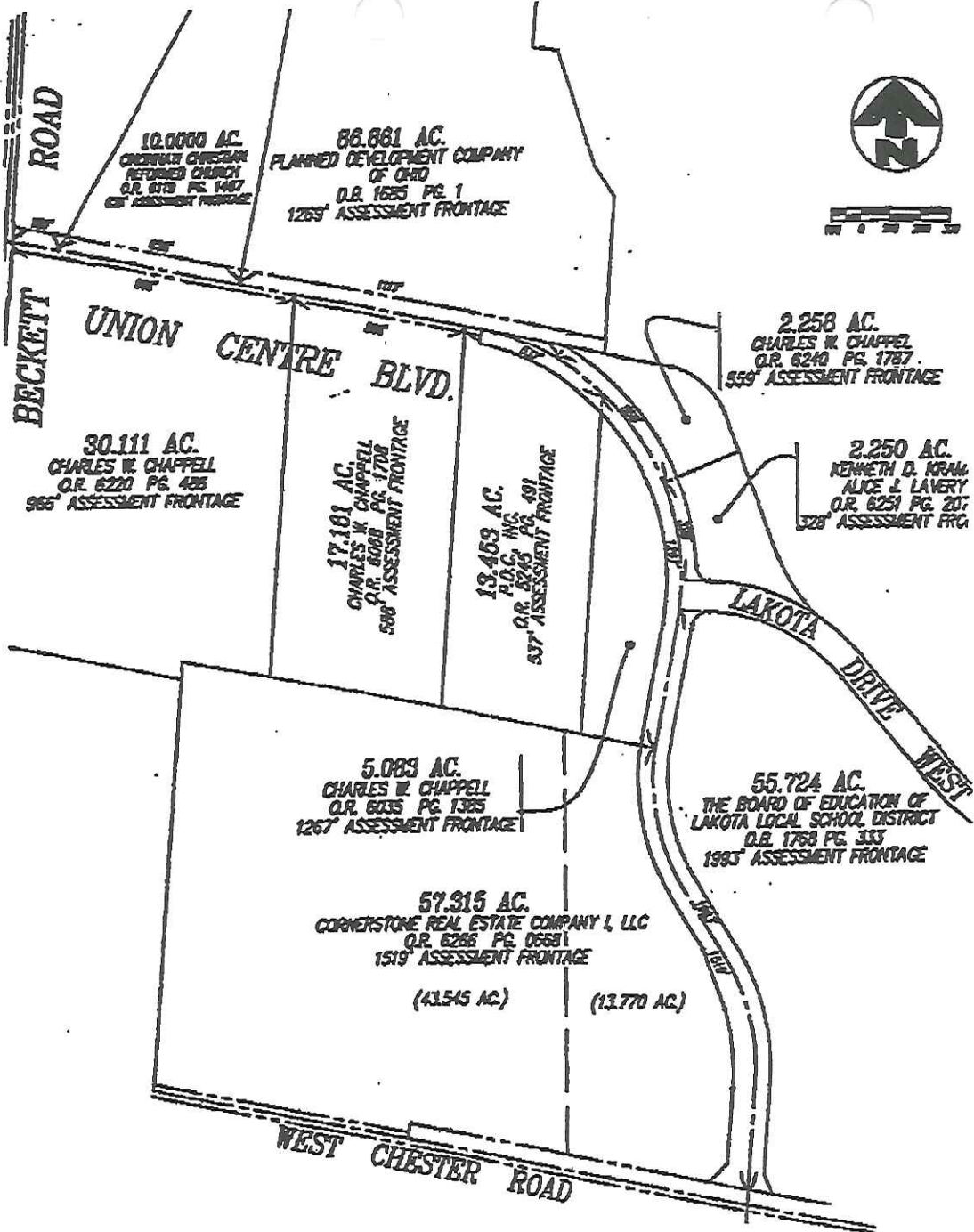
By: Kathleen Klink
Print: KATHLEEN KLINK

Title: Superintendent

Name: **Union Township Board
of Trustees**

By: David Gully
Print: DAVID GULLY

Title: Administrator



10,000 AC.
CROWN CHURCH
REFORMED CHURCH
O.R. 6179 PG. 1407
0' ASSESSMENT FRONTAGE

86,861 AC.
PLANNED DEVELOPMENT COMPANY
OF OHIO
O.B. 1685 PG. 1
1265' ASSESSMENT FRONTAGE

30,111 AC.
CHARLES W. CHAPPELL
O.R. 6220 PG. 488
966' ASSESSMENT FRONTAGE

17,181 AC.
CHARLES W. CHAPPELL
O.R. 6088 PG. 1708
580' ASSESSMENT FRONTAGE

13,463 AC.
P.O.C. INC.
O.R. 6245 PG. 491
537' ASSESSMENT FRONTAGE

2,258 AC.
CHARLES W. CHAPPELL
O.R. 6240 PG. 1787
559' ASSESSMENT FRONTAGE

2,250 AC.
KENNETH D. KRAL
ALICE & LAVERY
O.R. 6251 PG. 207
328' ASSESSMENT FRG.

5.083 AC.
CHARLES W. CHAPPELL
O.R. 6035 PG. 1385
1267' ASSESSMENT FRONTAGE

55,724 AC.
THE BOARD OF EDUCATION OF
LAKOTA LOCAL SCHOOL DISTRICT
O.B. 1768 PG. 333
1993' ASSESSMENT FRONTAGE

57,915 AC.
CORNERSTONE REAL ESTATE COMPANY I, LLC
O.R. 6268 PG. 0668
1519' ASSESSMENT FRONTAGE

(41,545 AC.)

(13,770 AC.)

BECKETT ROAD

UNION CENTRE BLVD.

LAKOTA DRIVE WEST

WEST CHESTER ROAD

Updated 8-19-99

COST ESTIMATE TO WIDEN UNION CENTRE BLVD, (PHASE 1)

OWNERS	PARCEL	ACREAGE	COST PER PARCEL	COST PER ACRE	Assessment Percentage	ANNUAL PAYMENT 10YR BOND
Charles W. Chappell	37	30.111	\$ 183,835.58	\$ 6,095.30	11%	\$ 24,249.69
Charles W. Chappell	46	17.161	\$ 104,801.44	\$ 6,095.30	6%	\$ 13,620.60
Charles W. Chappell	42	5.083	\$ 30,982.41	\$ 6,095.30	2%	\$ 4,593.58
Charles W. Chappell	44	2.258	\$ 13,783.19	\$ 6,095.30	1%	\$ 1,819.47
Charles W. Chappell	41	2.258	\$ 13,783.19	\$ 6,095.30	5%	\$ 10,834.28
P.D. C., Inc	38	13.453	\$ 82,000.07	\$ 6,095.30	1%	\$ 1,812.02
Kenneth D. Kramp & Ato J. Lav.	68	2.25	\$ 13,714.43	\$ 6,095.30	5%	\$ 11,089.58
Cornerstone Real Est. Company	35	13.77	\$ 83,932.28	\$ 6,095.30	4%	\$ 8,053.43
Cino. Christian Reform Church	58	10	\$ 60,853.00	\$ 6,095.30	31%	\$ 69,962.92
Planned Development Company	29	88.881	\$ 529,443.88	\$ 6,095.30	20%	\$ 44,876.95
Lakota School District	34,43	55.724	\$ 339,454.80	\$ 6,095.30	16%	\$ 38,088.60
*Union TWP, General Ass.			\$ 285,419.25			
		238.671	\$ 1,708,000.00		100%	\$ 228,670.00

CONSTRUCTION COSTS \$ 1,460,000.00
 DESIGN & ADMINISTRATION \$ 188,000.00
 UTILITY RELOCATION \$ 80,000.00
 BOND ISSUANCE COST (3%) \$ 41,000.00
\$ 1,759,000.00

5% INTEREST RATE FOR
TEN (10) YEAR BOND

* Union Twp will pay the general assessment from Township funds.
 Union TWP intends to pay their general assessment in lump sum payment

RIGHT-OF-WAY SUMMARY

PARCEL NUMBER	OWNER	RECORDED		GROSS TAKE ACRES	P.R.O. TAKE ACRES	NET TAKE ACRES
		BOOK	PAGE			
1-1	CHARLES W. CHAPPELL	6035	1385	0.034	-	0.034
1-WA-1	CHARLES W. CHAPPELL	6035	1385	0.444	-	0.444
1-WA-2	CHARLES W. CHAPPELL	6035	1385	0.090	-	0.090
		5245	491	0.016	-	0.016
2-1	P.D.C., INC.	5245	491	0.083	0.028	0.037
2-2	P.D.C., INC.	5245	491	0.951	-	0.951
2-WA-1	P.D.C., INC.	5245	491	0.079	-	0.079
2-WA-2	P.D.C., INC.					
3-WA-1	THE INTERNATIONAL CORNERSTONE GROUP, INC.	6266	0568	0.023	-	0.023
4-1	KENNETH D. KAMP & ALICE J. LAVERY	6251	2072	0.005	-	0.005
5-1	PLANNED DEVELOPMENT COMPANY OF OHIO	1685	1	0.208	0.169	0.039
5-2	PLANNED DEVELOPMENT COMPANY OF OHIO	1685	1	1.058	0.530	0.528
5-2	PLANNED DEVELOPMENT COMPANY OF OHIO	1685	1	0.372	-	0.372
5-X	PLANNED DEVELOPMENT COMPANY OF OHIO	1685	1	0.171	-	0.171
5-WA-1	PLANNED DEVELOPMENT COMPANY OF OHIO					
6-1	CHARLES W. CHAPPELL	6068	1708	0.675	0.270	0.405
7-1	CHARLES W. CHAPPELL	6220	486	1.770	0.821	0.949
7-X	CHARLES W. CHAPPELL	6220	486	0.046	-	0.046
8-1	CINCINNATI CHRISTIAN REFORMED CHURCH	6119	1467	0.526	0.412	0.114
8-WA-1	CINCINNATI CHRISTIAN REFORMED CHURCH	6119	1467	0.111	-	0.111
9-WA-1	PROLOGIS TRUST	6340	2311	0.048	-	0.048
10-1	SCI DEVELOPMENT SERVICES INC.	6165	2322	1.152	0.551	0.601
10-WA-1	SCI DEVELOPMENT SERVICES INC.	6165	2322	0.123	-	0.123
10-WA-2	SCI DEVELOPMENT SERVICES INC.	6165	2322	0.023	-	0.023

SEE PAGE 1 OF 2

NOTE: BEARINGS ARE
BEYOND
INTE
FROM
TO

ENTERED IN COMMISSIONERS' JOURNAL
NO. 89, PAGE NO. _____

The Board of County Commissioners of the County of Butler, Ohio, met in regular session at 9:30 o'clock a. m., on the 13th day of September, 1999, at the office of said board of county commissioners located at the Butler County Administrative Center, 130 High Street, Hamilton, Ohio, with the following members present: Courtney E. Combs, Charles R. Furmon and Michael A. Fox.

Commissioner Furmon moved the adoption of the following resolution:

COUNTY OF BUTLER, OHIO

RESOLUTION NO. 99-9-1461
RESOLUTION DETERMINING THE NECESSITY OF
WIDENING UNION CENTRE BOULEVARD IN THE COUNTY.

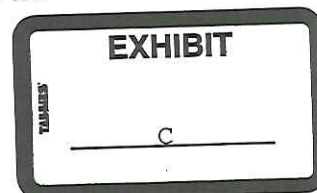
WHEREAS, the Board of County Commissioners (the "Board") of the County of Butler, Ohio (the "County") has received the petition (the "Petition") of Cornerstone Real Estate Company 1, LLC, Charles W. Chappell, P.D.C., Inc., Cincinnati Christian Reformed Church, Kenneth D. Kramp, Alice J. Lavery, The Board of Education of Lakota Local School District and the Union Township Board of Trustees (collectively, the "Petitioners") requesting that the Board provide for the acquisition, engineering, construction, widening and utility relocation of Union Centre Boulevard, from the intersection of existing West Chester Road, north to the intersection of Beckett Road, including the improvement of the intersection of Beckett Road and Union Centre Boulevard, as shown on Exhibit A attached hereto; and

WHEREAS, the Petitioners are at least fifty-one percent of the land or lot owners, residents of the County who are to be assessed for said improvements; and

WHEREAS, the members of the Board have gone upon the line of the proposed improvement and viewed the proposed improvement;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Butler, Ohio:

SECTION 1. This Board hereby finds and determines that the public convenience and welfare require the acquisition, engineering, construction, widening and utility relocation of Union Centre Boulevard from the intersection of existing West Chester Road north to the



intersection of Beckett Road, including the improvement of the intersection of Beckett Road and Union Centre Boulevard, as shown on Exhibit A attached hereto.

SECTION 2. The route of such improvements described in SECTION 1 shall be from the intersection of West Chester Road as it presently exists north to the intersection of Beckett Road as shown on Exhibit A attached hereto.

SECTION 3. The cost of such improvements shall be assessed against the real estate abutting upon said improvement or the real estate situated within one-half mile of either side thereof, or the real estate situated within one mile of either side thereof, according to the benefits accruing to such real estate.

SECTION 4. The County Engineer is hereby ordered to prepare the necessary surveys, plans, profiles, cross sections, estimates of cost and specifications for the improvements, together with an estimated assessment, based on the estimates of cost, upon the real estate to be charged therewith, of such part of the estimated damages and expenses of such improvement as are to be specifically assessed and to file such information with the Clerk of this Board, 6th Floor, Butler County Administrative Center, 130 High Street, Hamilton, Ohio 45011, no later than September 13, 1999. Such surveys, plans, profiles, cross sections, estimates of cost and specifications for improvements, together with the estimated assessments, shall be available for inspection by members of the general public on business days, from 9:00 a.m. to 4:00 p.m. Such estimated assessment shall be according to the benefits which will result to the real estate.

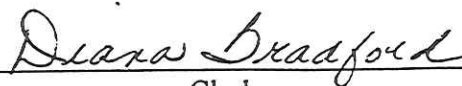
SECTION 5. That it is found and determined that all formal actions of this board of county commissioners concerning and relating to the adoption of this resolution were adopted in an open meeting of this board of county commissioners and that all deliberations of this board of county commissioners resulting in such formal action, were in meetings open to the public, in compliance with the law.

SECTION 6. The clerk of this board of county commissioners is hereby directed to forward a copy of this resolution to the county auditor.

Commissioner Fox seconded the resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Commissioner Fox	Yea
Commissioner Furmon	Yea
Commissioner Combs	Yea

ADOPTED this 13th day of September, 1999.



Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of a resolution adopted on the 13th day of September, 1999, and that a copy thereof was certified to the county auditor on September 13, 1999.

Diana Bradford
Clerk

RECEIPT

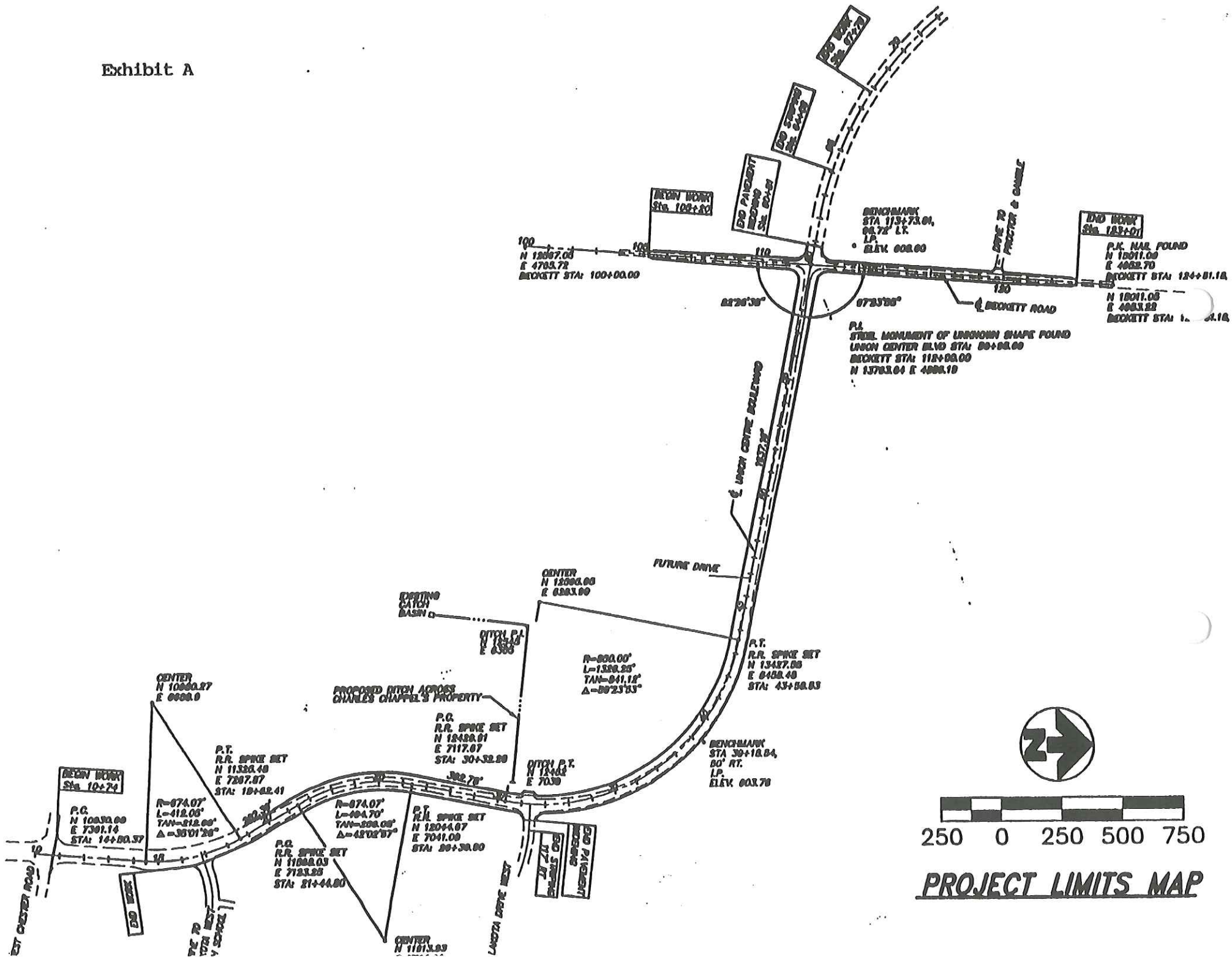
The undersigned hereby acknowledges receipt this day of a certified copy of the foregoing resolution.

Kay Rogers

County Auditor

Dated: September 13, 1999

Exhibit A





ROAD

10.0000 AC.
CINCINNATI CHRISTIAN
REFORMED CHURCH
O.R. 6119 PG. 1457
628' ASSESSMENT FRONTAGE

86.861 AC.
PLANNED DEVELOPMENT COMPANY
OF OHIO
D.B. 1685 PG. 1
1269' ASSESSMENT FRONTAGE

BECKETT

UNION CENTRE BLVD.

30.111 AC.
CHARLES W. CHAPPELL
O.R. 6220 PG. 486
966' ASSESSMENT FRONTAGE

17.161 AC.
CHARLES W. CHAPPELL
O.R. 6068 PG. 1708
588' ASSESSMENT FRONTAGE

13.453 AC.
P.D.C., INC.
O.R. 5245 PG. 491
537' ASSESSMENT FRONTAGE

2.258 AC.
CHARLES W. CHAPPELL
O.R. 6240 PG. 1787
559' ASSESSMENT FRONTAGE

2.250 AC.
KENNETH D. KRA
ALICE J. LAVER
O.R. 6251 PG. 2
328' ASSESSMENT FR

LAKOTA DRIVE WEST

5.083 AC.
CHARLES W. CHAPPELL
O.R. 6035 PG. 1385
1267' ASSESSMENT FRONTAGE

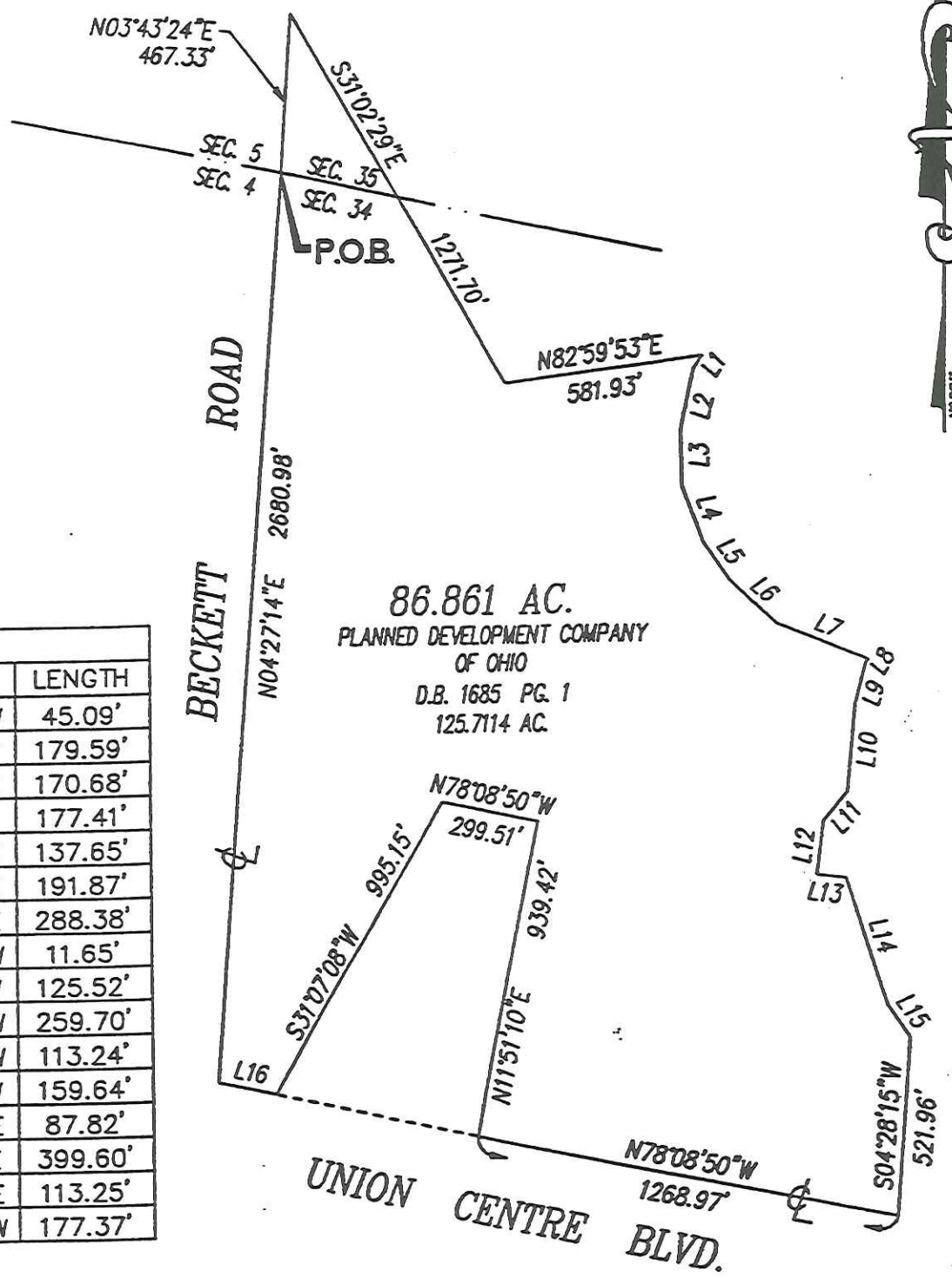
55.724 AC.
THE BOARD OF EDUCATION OF
LAKOTA LOCAL SCHOOL DISTRICT
D.B. 1768 PG. 333
1993' ASSESSMENT FRONTAGE

57.315 AC.
CORNERSTONE REAL ESTATE COMPANY I, LLC
O.R. 6266 PG. 06681
1519' ASSESSMENT FRONTAGE

(43.545 AC.)

(13.770 AC.)

WEST CHESTER ROAD



LINE TABLE		
LINE	BEARING	LENGTH
L1	S32°55'57"W	45.09'
L2	S11°33'29"W	179.59'
L3	S00°40'31"E	170.68'
L4	S19°49'01"E	177.41'
L5	S33°29'31"E	137.65'
L6	S46°22'01"E	191.87'
L7	S67°59'31"E	288.38'
L8	S28°26'50"W	11.65'
L9	S15°14'22"W	125.52'
L10	S05°44'36"W	259.70'
L11	S40°36'28"W	113.24'
L12	S07°12'15"W	159.64'
L13	S82°47'45"E	87.82'
L14	S18°01'46"E	399.60'
L15	S33°24'57"E	113.25'
L16	N78°08'50"W	177.37'

86.861 AC.
 PLANNED DEVELOPMENT COMPANY
 OF OHIO
 D.B. 1685 PG. 1
 125.7114 AC.

PLANNED DEVELOPMENT COMPANY OF OHIO

EXHIBIT "A"

86.861 ACRE TRACT
 SECTIONS 34 & 35, TOWN 3, RANGE 2
 UNION TOWNSHIP
 BUTLER COUNTY, OHIO

SCALE: 1"=500'
 DATE: 2/11/99
 DRAWN: DSE
 CHECKED:
 JOB No. 99100VF

KLENGERS & ASSOCIATES
 Engineers and Surveyors
 6305 Centre Park Drive West Chester, Oh. 45069
 (513) 779-7851 Fax: (513) 779-7852

LEGAL DESCRIPTION
86.861 ACRES

Situated in Sections 34 & 35, Town 3, Range 2, Union Township, Butler County, Ohio and being part of a 125.7114 acre tract conveyed to Planned Development Company of Ohio recorded in Deed Book 1685, Page 1 and being more particularly described as follows:

Commencing at the northwest corner of Section 34 in the centerline of Beckett Road;

Thence along the said centerline and the westerly section line of Section 35, N03°43'24"E a distance of 467.33 feet;

Thence leaving said centerline and said section line, along a southerly line of Beckett Ridge Country Club Inc., S31°02'29"E a distance of 1271.70 feet;

Thence continuing along a southerly line of Beckett Ridge Country Club Inc., N82°59'53"E a distance of 581.93 feet;

Thence along lines of Beckett Ridge Subdivision the following sixteen (16) courses:

- 1) S32°55'57"W a distance of 45.09 feet;
- 2) S11°33'29"W a distance of 179.59 feet;
- 3) S00°40'31"E a distance of 170.68 feet;
- 4) S19°49'01"E a distance of 177.41 feet;
- 5) S33°29'31"E a distance of 137.65 feet;
- 6) S46°22'01"E a distance of 191.87 feet;
- 7) S67°59'31"E a distance of 288.38 feet;
- 8) S28°26'50"W a distance of 11.65 feet;
- 9) S15°14'22"W a distance of 125.52 feet;
- 10) S05°44'36"W a distance of 259.70 feet;
- 11) S40°36'28"W a distance of 113.24 feet;
- 12) S07°12'15"W a distance of 159.64 feet;
- 13) S82°47'45"E a distance of 87.82 feet;
- 14) S18°01'46"E a distance of 399.60 feet;
- 15) S33°24'57"E a distance of 113.25 feet;
- 16) S04°28'15"W a distance of 521.96 feet to the centerline of Union Centre Boulevard;

Thence along the centerline of Union Centre Boulevard, N78°08'50"W a distance of 1268.97 feet;

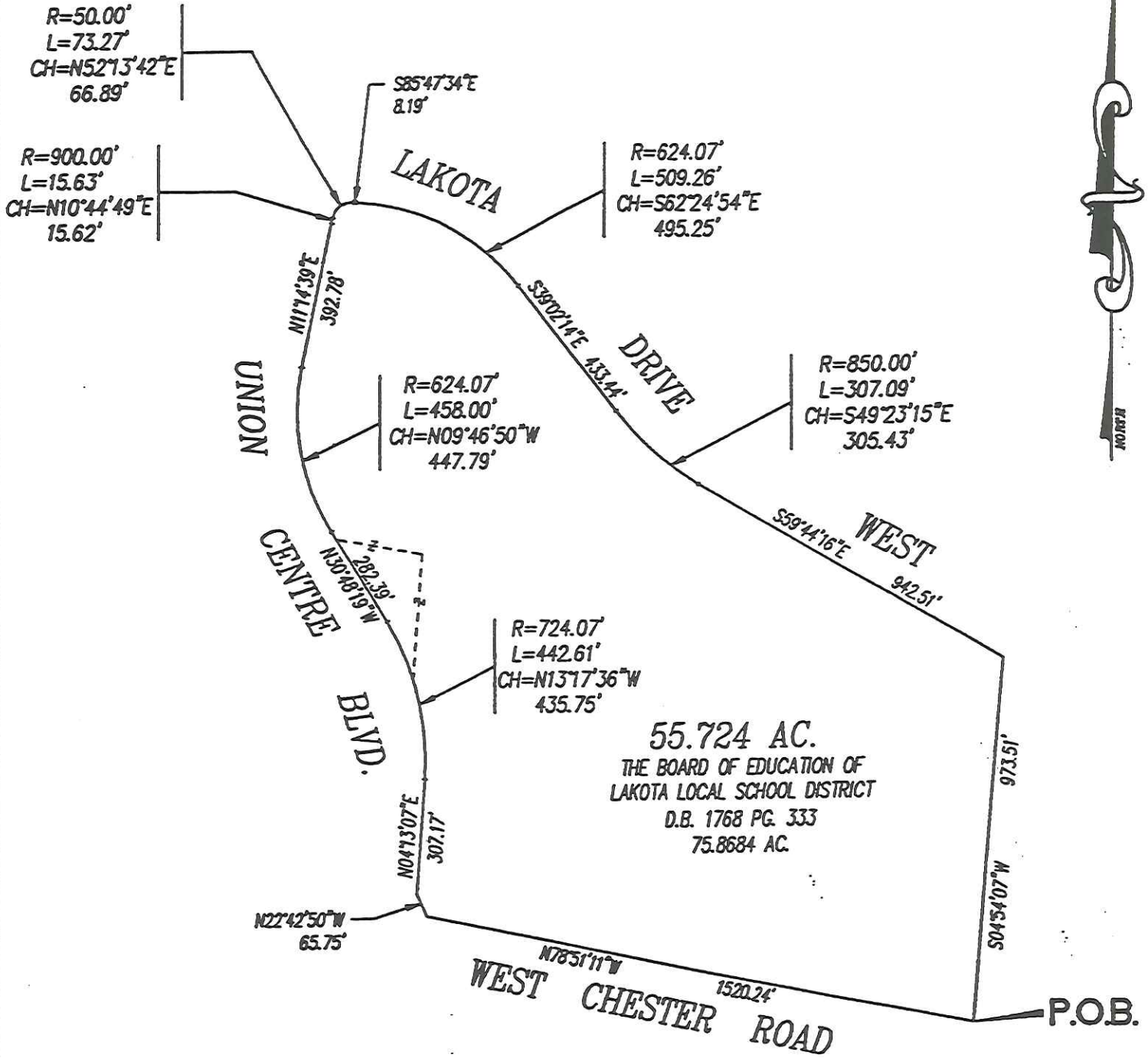
Thence leaving said centerline, N11°51'10"E a distance of 939.42 feet;

Thence N78°08'50"W a distance of 299.51 feet;

Thence S31°07'08"W a distance of 995.15 feet to the centerline of Union Centre Boulevard;

Thence along the centerline of Union Centre Boulevard, N78°08'50"W a distance of 177.37 feet to the Point of Beginning, containing 86.861 acres more or less.

The acreage reflected herein is based solely on Butler County Auditor tax map information. This is not the result of a new survey.



THE BOARD OF EDUCATION OF LAKOTA LOCAL SCHOOL DISTRICT

EXHIBIT "A"

55.724 ACRE TRACT
SECTIONS 34, TOWN 3, RANGE 2
UNION TOWNSHIP
BUTLER COUNTY, OHIO

SCALE: 1"=400'
DATE: 2/11/99
DRAWN: DSE
CHECKED:
JOB No. 99100VJ

KLEINGERS & ASSOCIATES
 Engineers and Surveyors
 6305 Centre Park Drive West Chester, Oh. 45069
 (513) 779-7851 Fax: (513) 779-7852

LEGAL DESCRIPTION
55.724 ACRES

Situated in Section 34, Town 3, Range 2, Union Township, Butler County, Ohio and being part of a 75.8684 acre tract conveyed to The Board of Education of Lakota Local School District recorded in Deed Book 1768, Page 333 and being more particularly described as follows:

Commencing at the southeast corner of Section 34;

Thence along the south section line of Section 34 and the centerline of West Chester Road, N78°51'11"W a distance of 1119.24 feet;

Thence leaving said section line and said centerline, N04°54'07"E a distance of 50.30 feet to the Point of Beginning on the north right-of-way of West Chester Road;

Along said north right-of-way line, N78°51'11"W a distance of 1520.24 feet to the easterly right-of-way line of Union Centre Boulevard;

Thence along said easterly right-of-way line the following eight (8) courses:

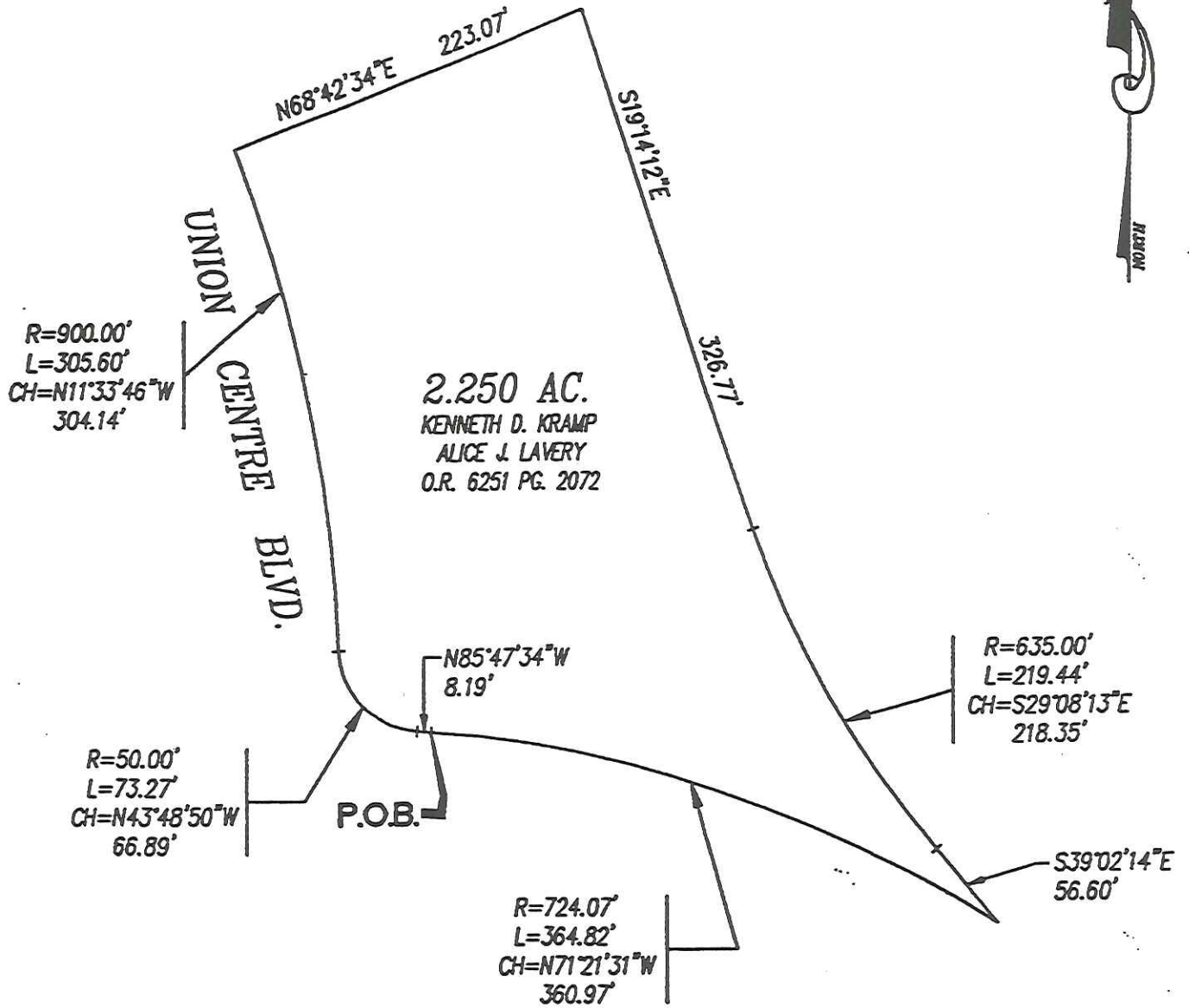
- 1) N22°42'50"W a distance of 65.75 feet;
- 2) N04°13'07"E a distance of 307.17 feet to a point of curvature;
- 3) Along a curve to the left an arc distance of 442.61 feet to a point of tangency, said curve having a radius 724.07 feet and a chord bearing N13°17'36"W a distance of 435.75 feet;
- 4) N30°48'19"W a distance of 282.39 feet to a point of curvature;
- 5) Along a curve to the right an arc distance of 458.00 feet to a point of tangency, said curve having a radius 624.07 feet and a chord bearing N09°46'50"W a distance of 447.79 feet;
- 6) N11°14'39"E a distance of 392.78 feet to a point of curvature;
- 7) Along a curve to the left an arc distance of 15.63 feet to a point of reverse curvature, said curve having a radius of 900.00 feet and a chord bearing N10°44'49"E a distance of 15.62 feet;
- 8) Along a curve to the right an arc distance of 73.27 feet to a point of tangency, said curve having a radius of 50.00 feet and a chord bearing N52°13'42"E a distance of 66.89 feet, being on the southerly right-of-way line of Lakota Drive West;

Thence along said southerly right-of-way line the following five (5) courses:

- 1) S85°47'34"E a distance of 8.19 feet to a point curvature;
- 2) Along a curve to the right an arc distance of 509.26 feet to a point of tangency, said curve having a radius of 624.07 feet and a chord bearing S62°24'54"E a distance of 495.25 feet;
- 3) S39°02'14"E a distance of 433.44 feet to a point of curvature;
- 4) Along a curve to the left an arc distance of 307.09 feet to a point of tangency, said curve having a radius of 850.00 feet and a chord bearing S49°23'15"E a distance of 305.43 feet;
- 5) S59°44'16"E a distance of 942.51 feet;

Thence leaving said southerly right-of-way line, along the east line of said 75.8684 acre tract, S04°54'07"W a distance of 973.51 feet to the Point of Beginning containing 55.724 acres more or less.

The acreage reflected herein is based solely on Butler County Auditor tax map information. This is not the result of a new survey.

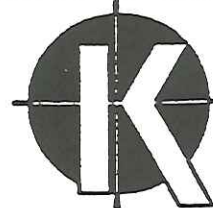


KENNETH D. KRAMP & ALICE J. LAVERY

EXHIBIT "A"

2.250 ACRE TRACT
 SECTIONS 34, TOWN 3, RANGE 2
 UNION TOWNSHIP
 BUTLER COUNTY, OHIO

SCALE: 1"=100'
 DATE: 2/11/99
 DRAWN: DSE
 CHECKED:
 JOB No. 99100VI



**KLENGERS
 & ASSOCIATES**

Engineers and Surveyors

6305 Centre Park Drive West Chester, Oh. 45069
 (513) 779-7831 Fax (513) 779-7852

June 11, 1998

**LEGAL DESCRIPTION
2.250 ACRES
KENNETH D. KRAMP**

Situated in Section 34, Town 3, Range 2, Union Township, Butler County, Ohio and being a 2.250 acre tract conveyed to Kenneth D. Kramp and Alice J. Lavery (O.R. 6171 Page 2015) and part of vacated Beckett Road (Resolution No. 98-4-614), and being more particularly described as follows:

Commencing at the centerline intersection of Union Centre Boulevard (100' R/W) and Lakota Drive West (100' R/W) as per the dedication plat recorded in P.E. 2659, Pages A-F;

Thence along the centerline of Lakota Drive West, S85°47'34"E a distance of 102.91 feet;

Thence leaving said centerline, N04°12'26"E a distance of 50.00 feet to a 5/8" iron pin set at the True Point of Beginning, said point being in the northerly right-of-way line of said Lakota Drive West;

Thence along said right-of-way line, N85°47'34"W a distance of 8.19 feet to a 5/8" iron pin set at a point of curvature;

Thence along a curve to the right, an arc distance of 73.27 feet to a 5/8" iron pin set at point of tangency, said curve having a radius of 50.00 feet and a chord bearing N43°48'50"W for 66.89 feet;

Thence along the easterly right-of-way line of Union Centre Boulevard, along a curve to the left, an arc distance of 305.60 feet to a 5/8" iron pin set at the northwest corner of the above referenced 2.250 acre tract, said curve having a radius of 900.00 feet and a chord bearing N11°33'46"W for 304.14 feet;

Thence along the north line (and its easterly extension) of said 2.250 acre tract, N68°42'34"E a distance of 223.07 feet to a 5/8" iron pin set in the centerline of Vacated Beckett Road (70' R/W);

Thence along said centerline, the following three courses:

- 1.) S19°14'12"E a distance of 326.77 feet to a 5/8" iron pin set at a point of curvature;
- 2.) along a curve to the left, an arc distance of 219.44 feet to a 5/8" iron pin set at a point of tangency, said curve having a radius of 635.00 feet and a chord bearing S29°08'13"E for 218.35 feet;
- 3.) S39°02'14"E a distance of 56.60 feet to a 5/8" iron pin set in the northerly right-of-way line of Lakota Drive West;

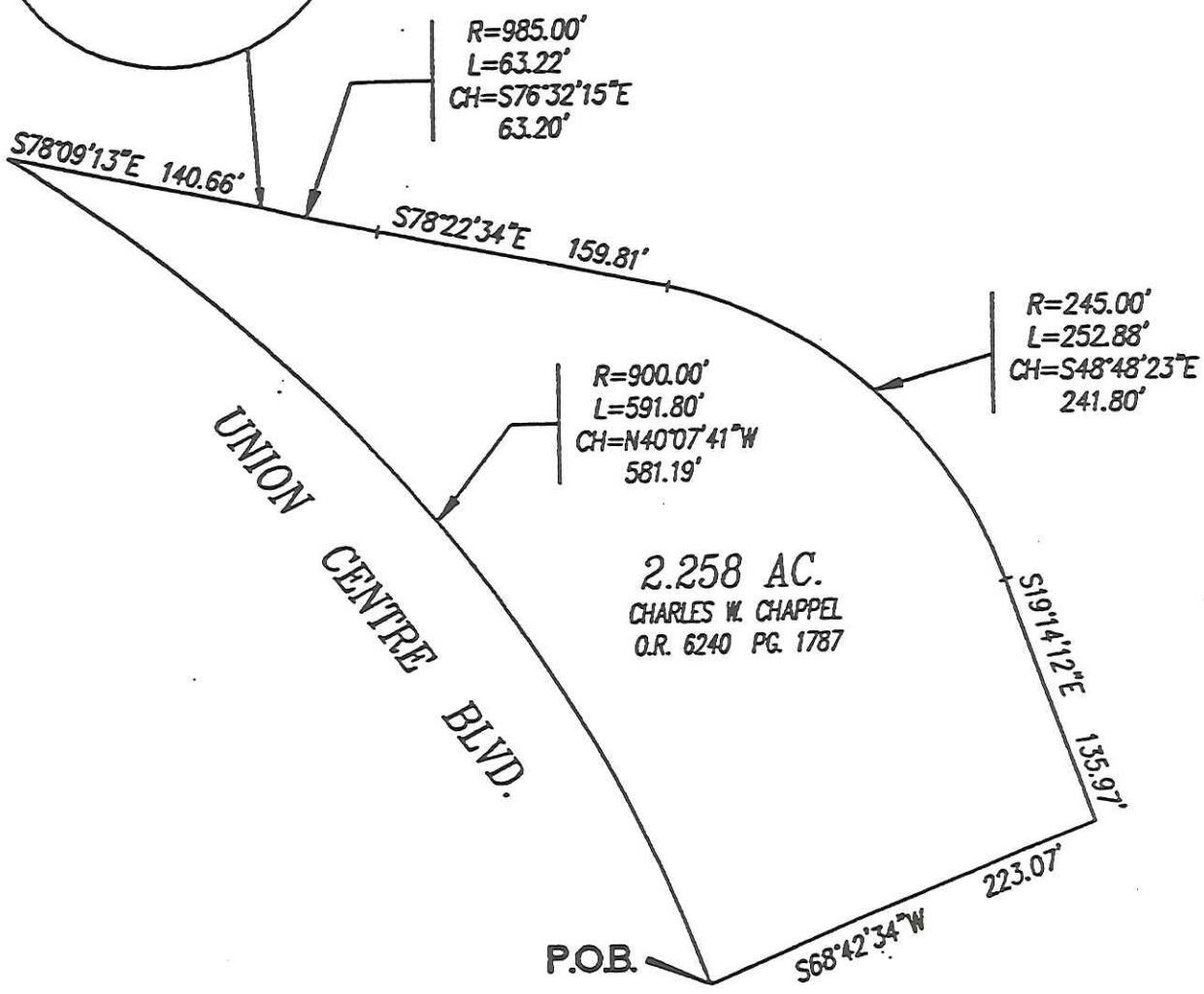
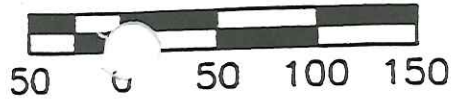
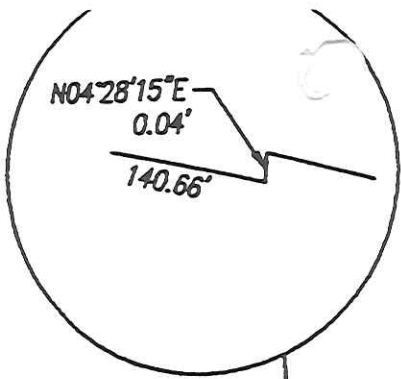
Thence along said northerly right-of-way line, along a curve to the left, an arc distance of 364.82 feet to the Point of Beginning, said curve having a radius of 724.07 feet and a chord bearing N71°21'31"W for 360.97 feet. The above described tract containing 2.250 acres (being 2.250 acres from O.R. 6171 Page 2015, and 0.201 acres of Vacated Beckett Road), and being subject to easements, restrictions, and rights-of-way of record.

Bearing Reference: Bearings are based on Volume 31, Page 27 of the Butler County Engineers Record of Land Surveys.

Deed Reference: O.R. 6171, Page 2015

The above description is based on a field survey by Kleingers & Associates, Engineers and Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101. Said survey is recorded in Volume _____, Page _____ of the Butler County Engineers Record of Land Surveys.

The acreage reflected herein is based solely on Butler County Auditor tax map information. This is not the result of a new survey.



2.258 AC.
 CHARLES W. CHAPPELL
 O.R. 6240 PG. 1787

UNION CENTRE BLVD.

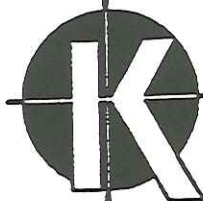
P.O.B.

CHARLES W. CHAPPELL

EXHIBIT "A"

2.258 ACRE TRACT
 SECTIONS 34, TOWN 3, RANGE 2
 UNION TOWNSHIP
 BUTLER COUNTY, OHIO

SCALE: 1"=100'
 DATE: 2/11/99
 DRAWN: DSE
 CHECKED:
 JOB No. 99100VH



KLEINGERS & ASSOCIATES
 Engineers and Surveyors
 6305 Centre Park Drive West Chester, Oh. 45069
 (513) 779-7851 Fax (513) 779-7852

June 11, 1998

**LEGAL DESCRIPTION
2.258 ACRES
CHARLES W. CHAPPELL**

Situated in Section 34, Town 3, Range 2, Union Township, Butler County, Ohio and being a 2.258 acre tract conveyed to Charles W. Chappell (O.R. 6035 Page 1382), part of Vacated Beckett Road (Resolution No. 98-4-614), and part of an original 15.000 acre tract conveyed to P.D.C., Inc. (O.R. 5245 Page 493), and being more particularly described as follows:

Commencing at the centerline intersection of Union Centre Boulevard (100' R/W) and Lakota Drive West (100' R/W) as per the dedication plat recorded in P.E. 2659, Pages A-F;

Thence along the centerline of Lakota Drive West, S85°47'34"E a distance of 102.91 feet;

Thence leaving said centerline, N04°12'26"E a distance of 50.00 feet to a point in the northerly right-of-way line of said Lakota Drive West;

Thence along said right-of-way line, N85°47'34"W a distance of 8.19 feet to a point of curvature;

Thence along a curve to the right, an arc distance of 73.27 feet to a point of tangency, said curve having a radius of 50.00 feet and a chord bearing N43°48'50"W for 66.89 feet;

Thence along the easterly right-of-way line of Union Centre Boulevard, along a curve to the left, an arc distance of 305.60 feet to a 5/8" iron pin set at the True Point of Beginning, said curve having a radius of 900.00 feet and a chord bearing N11°33'46"W for 304.14 feet;

Thence continuing along said easterly right-of-way line and a curve to the left, passing a 5/8" iron pin set at 427.44 feet, a total distance of 591.80 feet to the north line of an original 15.000 acre tract conveyed to P.D.C., Inc. (O.R. 5245 Pg. 493), said curve having a radius of 900.00 feet and a chord bearing N40°07'41"W for 581.19 feet;

Thence along the north line of said 15.000 acre tract, S78°09'13"E a distance of 140.66 feet to a found stone at the northeast corner of said tract;

Thence N04°28'15"E a distance of 0.04 feet to the centerline of Vacated Beckett Road (70' R/W);

Thence along said centerline, the following four courses:

- 1.) along a curve to the left, an arc distance of 63.22 feet to a 5/8" iron pin set at a point of tangency, said curve having a radius of 985.00 feet and a chord bearing S76°32'15"E for 63.20 feet;
- 2.) S78°22'34"E a distance of 159.81 feet to a 5/8" iron pin set at a point of curvature;
- 3.) Along a curve to the right, an arc distance of 252.88 feet to a 5/8" iron pin set at a point of tangency, said curve having a radius of 245.00 feet and a chord bearing S48°48'23"E for 241.80 feet;
- 4.) S19°14'12"E a distance of 135.97 feet to a 5/8" iron pin set;

Thence along the northerly line (and its easterly extension) of a 2.250 acre tract conveyed to Kenneth D. Kramp and Alice J. Lavery (O.R. 6171 Page 2015), S68°42'34"W a distance of 223.07 feet to the Point of Beginning, containing 2.258 acres (being 1.950 acres from O.R. 6035 Page 1382, 0.100 acres from O.R. 5245 Page 493, and 0.300 acres of Vacated Beckett Road), and being subject to easements, restrictions, and rights-of-way of record.

Bearing Reference: Bearings are based on Volume 31, Page 27 of the Butler County Engineers Record of Land Surveys.

Deed Reference: O.R. 6035, Page 1382
O.R. 5245, Page 493

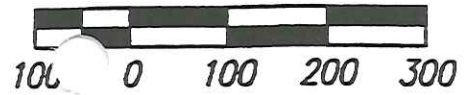
The above description based on a field survey by Kleingers & Associates, Engineers and Surveyors, under the direction of David L. Cox, Ohio Professional Surveyor No. 7101. Said survey is recorded in Volume _____, Page _____ of the Butler County Engineers Record of Land Surveys.

The acreage reflected herein is based solely on Butler County Auditor tax map information. This is not the result of a new survey.

S78°09'30"E
58.32'

S11°30'32"W
50.00'

R=800.00'
L=492.47'
CH=S60°31'21"E
484.73'



N04°18'59"E 1339.68'

13.453 AC.
P.D.C., INC.
O.R. 5245 PG. 491
15.000 AC.

S04°27'58"W 1134.95'

N78°49'39"W 490.55'

UNION

CENTRE

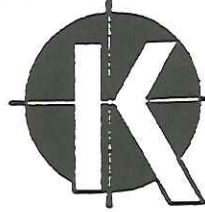
BLVD.

P.D.C., INC.

EXHIBIT "A"

13.453 ACRE TRACT
SECTION 34, TOWN 3, RANGE 2
UNION TOWNSHIP
BUTLER COUNTY, OHIO

SCALE: 1"=200'
DATE: 2/10/99
DRAWN: DSE
CHECKED:
JOB No. 99100VC



**KLENGERS
& ASSOCIATES**
Engineers and Surveyors
6305 Centre Park Drive
West Chester, Oh. 45089
(513) 779-7851 Fax (513) 779-7852

LEGAL DESCRIPTION
13.453 ACRES

Situate in the State of Ohio, County of Butler, Township of Union, being in Section 34, Town 3, Range 2, and being more particularly described as follows:

Commencing in the southwest corner of Section 34, said corner being in the Intersection of RIALTO ROAD and MILLS ROAD; thence with the west line of Section 34 along MILLS ROAD, N 4° 15' 59" E, 2716.51 feet to an existing Iron Pin (found) in the Intersection of MILLS ROAD and EAST BECKETT ROAD; thence with EAST BECKETT ROAD, S 78° 09' 30" E, 2074.12 feet to an existing STONE (found), said stone being in Grantor's northeast corner and being the TRUE POINT OF BEGINNING for the herein described parcel of land; thence with Grantor's east line, S 4° 27' 58" W, 1333.45 feet to a point; thence with new line, N 78° 49' 39" W, 490.55 feet to a point, said point being the southwest corner of the herein described parcel; thence with a new line, N 4° 18' 59" E, 1339.68 feet to a point in EAST BECKETT ROAD; thence with said Road and Grantor's north line, S 78° 09' 30" E, 494.79 feet to the true point of beginning, containing 13.453 acres, subject to easements of record and subject to the legal Right-of-Way of EAST BECKETT ROAD.

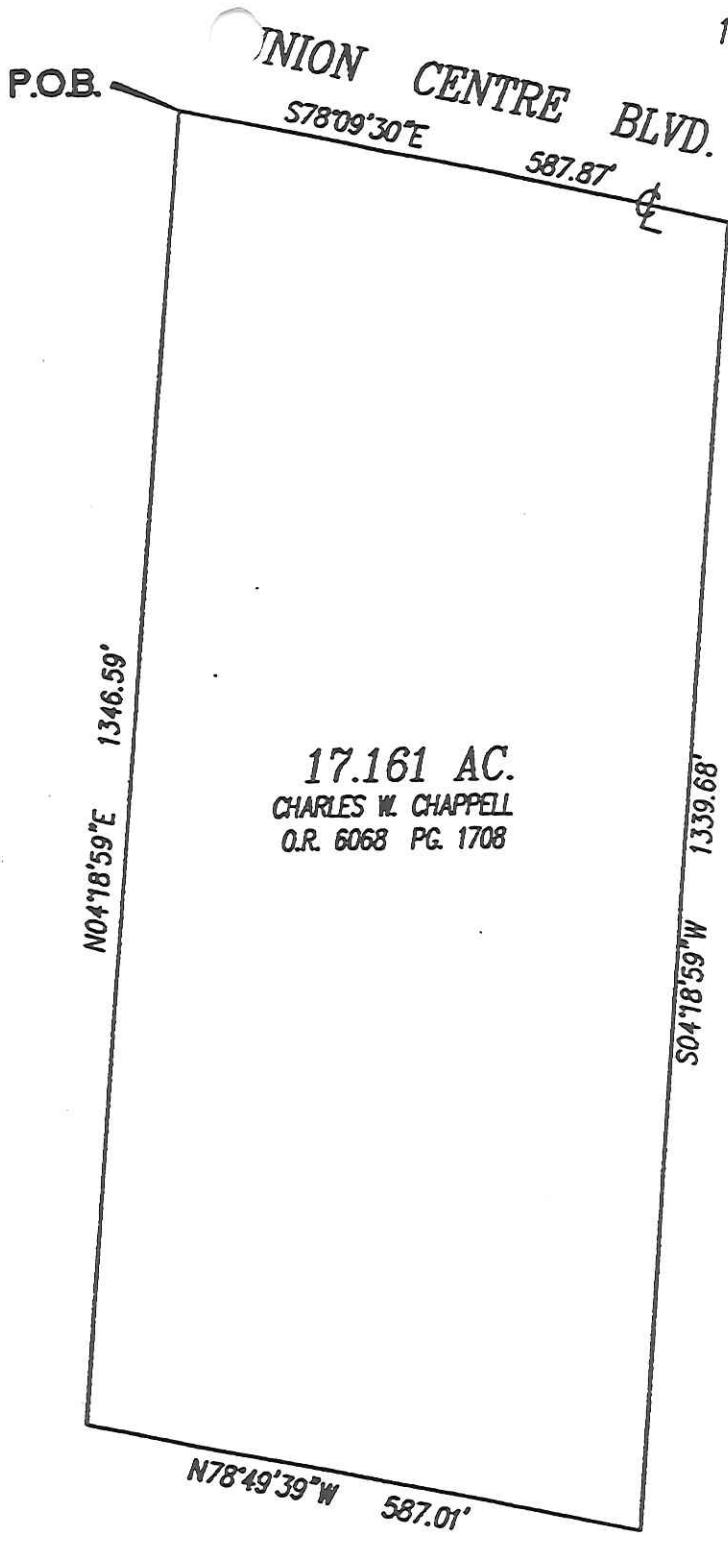
Being part of the lands of LOUIS HENRY BAUMANN, and GLADYS BERENICE BAUMANN, Trustees for the LOUIS HENRY BAUMANN LIVING TRUST, and the GLADY'S BERENICE BAUMANN LIVING TRUST, as Grantors claim title by instruments of record in Deed Vol. 1652, pages 33 and 35, as recorded in the Butler County record office.

This description was prepared Nov. 10, 1994 by DSD Consultants, Inc., under the direct supervision of M. David Damron, P.E., P.S., Registered Surveyor No. 7056, and a copy of the SURVEY is recorded in Survey Plat Vol. 28, page 204.

Save and except the following described tract:

Beginning at the above described True Point of Beginning; thence along the easterly line of the above described 15.000 acre tract, S 04° 27' 58" W a distance of 198.49 feet; thence along a nontangent curve to the left an arc distance of 492.47 feet along the southerly Right-of-Way line of Union Centre Boulevard, said curve having a radius of 800.00 feet and a chord bearing N 60° 31' 21" W a distance of 484.73 feet; thence N 11° 50' 32" E a distance of 50.00 feet to the northerly line of said 13.453 acre tract; thence along said northerly line S 78° 09' 30" E a distance of 494.79 feet to the Point of Beginning containing 0.971 acres more or less.

The acreage reflected herein is based solely on Butler County Auditor tax map information. This is not the result of a new survey.



CHARLES W. CHAPPELL EXHIBIT "A"

**17.161 ACRE TRACT
SECTION 34, TOWN 3, RANGE 2
UNION TOWNSHIP
BUTLER COUNTY, OHIO**

SCALE: 1"=200'
DATE: 2/10/99
DRAWN: DSE
CHECKED:
JOB No. 99100VD

KLEINGERS & ASSOCIATES
Engineers and Surveyors
6305 Centre Park Drive West Chester, Oh. 45069
(513) 779-7851 Fax: (513) 779-7852

LEGAL DESCRIPTION
17.161 ACRES

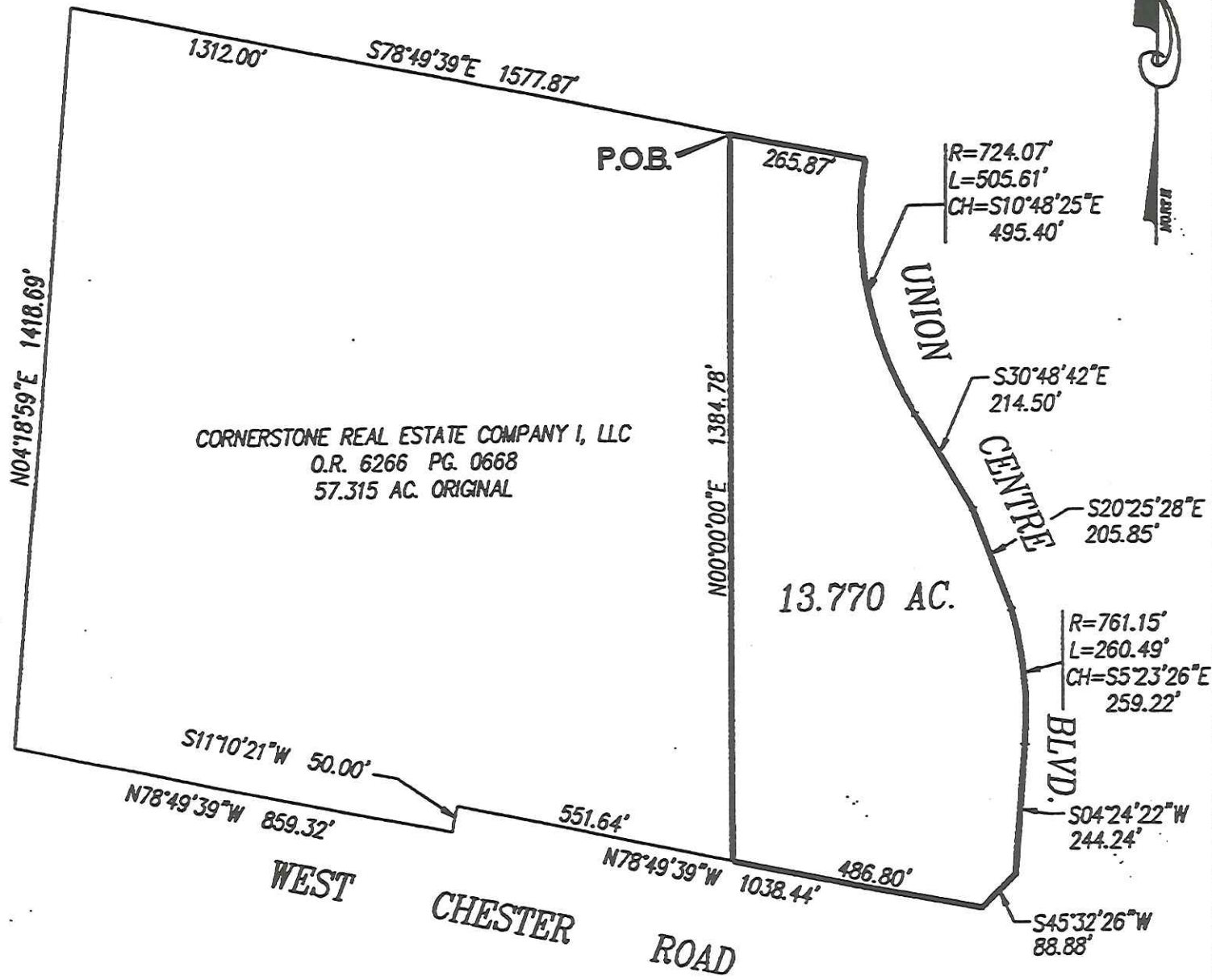
Situate in the State of Ohio, County of Ohio, County of Butler, Township of Union, being in Section 34, Town 3, Range 2, and being more particularly described as follows:

Commencing in the southwest corner of Section 34, said corner being in the Intersection of RIALTO ROAD and MILLS ROAD; thence with the west line of Section 34, N 4° 18' 59" E, 2716.51 feet to a point in the intersection of Beckett Road and East Beckett Road; said point being the Grantor's northwest corner; thence with Grantor's north line along East Beckett Road, S 78° 09' 30" E, 991.46 feet to a point, said point being the TRUE POINT OF BEGINNING for the herein described parcel of land; thence continuing with said line, S 78° 09' 30" E, 587.87 feet to a point in the northwest corner of a 15.000 acre Parcel of land as shown on the Survey Plat as Parcel #2; thence with the west line of said parcel S 4° 18' 59" W, 1339.68 feet to a point in the southwest corner of said parcel; thence with new lines, N 78° 49' 39" W, 587.01 feet to a point; thence N 4° 18' 59" E, 1346.59 feet to the true point of beginning, containing 17.161 acres, subject to easements of record and subject to the legal Right-of-Way of EAST BECKETT ROAD.

Being part of the lands of HELENA ANN BAUMANN KEEHNER, and GLADYS BERENICE BAUMANN, Trustees for the LOUIS HENRY BAUMANN LIVING TRUST, and the GLADYS BERENICE BAUMANN LIVING TRUST, as Grantors claim title by instruments of record in Deed Vol. 1652, pages 33 and 35, as recorded in the Butler County record office.

This description was prepared Oct. 2, 1996 by DSD Consultants, Inc., under the direct supervision of M. David Damron, P.E., P.S., Registered Surveyor No. 7056, and a copy of the SURVEY is recorded in Survey Plat Vol. 32, page 17.

The acreage reflected herein is based solely on Butler County Auditor tax map information. This is not the result of a new survey.



CORNERSTONE REAL ESTATE COMPANY I, LLC

EXHIBIT "A"

13.770 ACRE TRACT
 SECTION 34, TOWN 3, RANGE 2
 UNION TOWNSHIP
 BUTLER COUNTY, OHIO

SCALE: 1"=300'
 DATE: 9/01/99
 DRAWN: DSE
 CHECKED:
 JOB No. 99100VK

KLEINGERS & ASSOCIATES
 Engineers and Surveyors
 6306 Centre Park Drive West Chester, Oh. 45069
 (513) 779-7851 Fax (513) 779-7852

DESCRIPTION FOR A 13.770 ACRE PARCEL

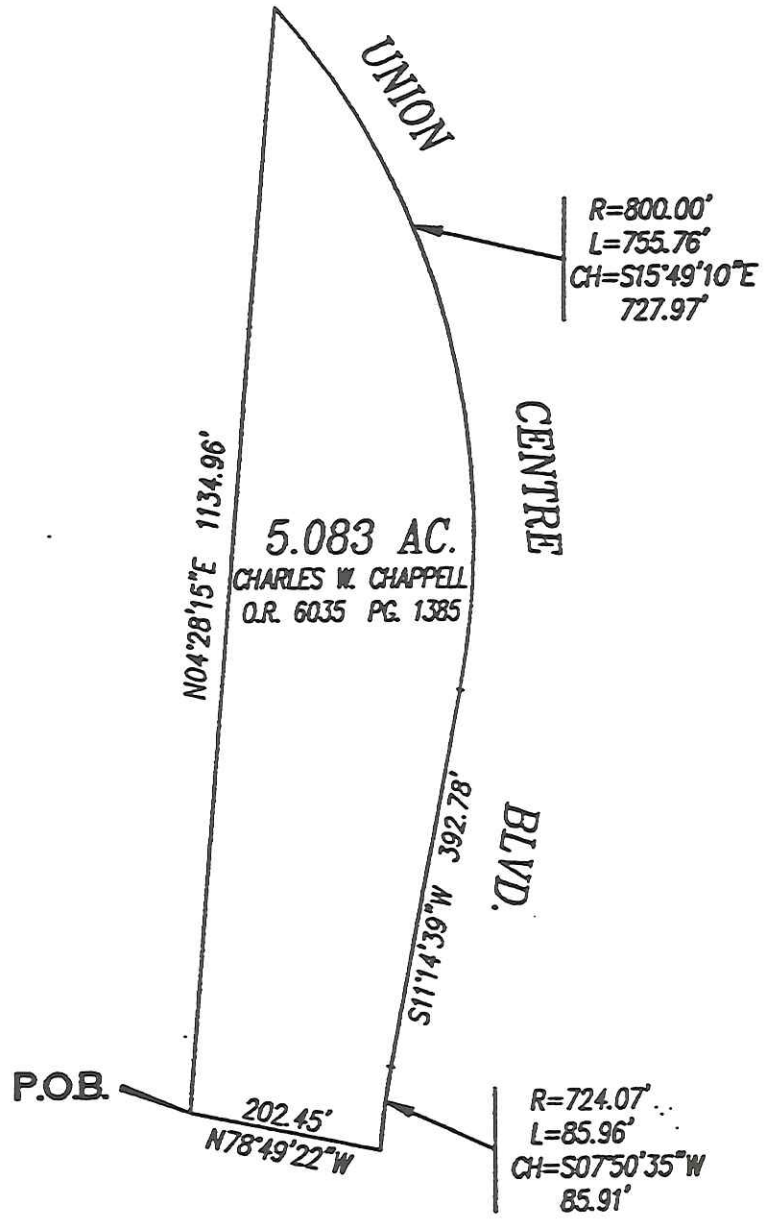
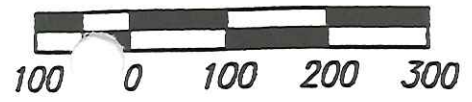
Situate in the State of Ohio, County of Butler, Township of Union, being in Section 34, Town 3 and Range 2 and being more particularly described as follows:

Commencing at the southwest corner of a 57.315 acre tract conveyed to Cornerstone Real Estate Company I, LLC in Official Record Volume 6266, Page 0668; thence leaving said section line with the east line of two parcels owned by Richard and Patricia Alderson as recorded in Official Record 6079, Page 1259 and Official Record 6209, Page 71, N 4° 18' 59" E, 1418.69 feet to the northwest corner of said 57.315 acre tract; thence with the north line of said 57.315 acre tract, S 78° 49' 39" E, 1312.00 feet to the TRUE POINT OF BEGINNING; thence continuing along said north line, S 78° 49' 39" E, 265.87 feet to a point in the west right-of-way line of the newly constructed UNION CENTRE BOULEVARD; thence with said right-of-way line the following six (6) courses,

- 1.) along a curve to the left an arc length of 505.61 feet as defined by a radius of 724.07 feet, having a chord bearing S 10° 48' 25" E, 495.40 feet to a point;
- 2.) thence S 30° 48' 42" E, 214.50 feet to a point;
- 3.) thence S 20° 25' 28" E, 205.85 feet to a point;
- 4.) thence along a curve to the right and arc length of 260.49 feet as defined by a radius of 761.15 feet, having a chord bearing S 5° 23' 26" E, 259.22 feet to a point;
- 5.) thence S 4° 24' 22" W, 244.24 feet to a point;
- 6.) thence S 45° 32' 26" W, 88.88 feet to a point, said point being in the north right-of-way line of WEST CHESTER ROAD;

thence with said line, N 78° 49' 39" W, 486.80 feet to a point; thence leaving said north right-of-way line, N00°00'00"E a distance of 1384.78 feet to the Point of Beginning containing 13.770 acres more or less.

The acreage reflected herein is based solely on Butler County Auditor tax map information. This is not the result of a new survey.



CHARLES W. CHAPPELL

EXHIBIT "A"

5.083 ACRE TRACT
 SECTION 34, TOWN 3, RANGE 2
 UNION TOWNSHIP
 BUTLER COUNTY, OHIO

SCALE: 1"=200'
 DATE: 2/10/99
 DRAWN: DSE
 CHECKED:
 JOB No. 99100VB

KLENGERS & ASSOCIATES
 Engineers and Surveyors
 6305 Centre Park Drive West Chester, Oh. 45069
 (513) 779-7851 Fax (513) 779-7852

LEGAL DESCRIPTION
5.083 ACRES

Situated in Section 34, Town 3, Range 2, Union Township, Butler County, Ohio and being more particularly described as follows:

Commencing at the southeast corner of Section 34; thence along the south line of Section 34 and the centerline of Rialto Road, N 78° 51' 11" W a distance of 2719.24 feet to the intersection of Rialto Road and Allen Road, said point being the southwest corner of a 75.8684 acre tract as recorded in D.B. 1768, Page 333; thence along a westerly line of said 75.8684 acre tract, N 04° 13' 07" E a distance of 1007.15 feet; thence along a south line of said tract, N 78° 58' 35" W a distance of 663.38 feet to a southwest corner of said tract; thence along a west line of said tract, N 04° 28' 15" E a distance of 353.03 feet to the true point of beginning; thence continuing along the west line of said tract, N. 04°28'15" E. a distance of 1134.96 feet; thence along new division lines in said tract, the following four courses: 1) along a nontangent curve to the right, an arc distance of 755.76 feet to a point of tangency, said curve having a radius of 800.00 feet and a chord bearing S 15° 49' 10" E for 727.97 feet; 2) S 11° 14' 39" W a distance of 392.78 feet to a point of curvature; 3) along a curve to the left, an arc distance of 85.96 feet said curve having a radius of 724.07 feet and a chord bearing S 07° 50' 35" W for 85.91 feet; 4) N 78° 49' 22" W a distance of 202.45 feet to the point of beginning, containing 5.083 acres, more or less, and being subject to easements, restrictions and rights-of-way of record.

Deed Reference: D.B. 1768, Pg. 333.

Bearing Reference : Bearings based on Volume 22, Page 180A and 180B of the Butler County Engineer's Record of Land Surveys.

The above description is based on a field survey made by Kleingers & Associates, David L. Cox, Ohio Professional Surveyor No. 7101. Said survey is recorded in Volume 31, Page 27, of the Butler County Engineer's Record of Land Surveys.

The acreage reflected herein is based solely on Butler County Auditor tax map information. This is not the result of a new survey.

UNION CENTRE BLVD.
S78°09'30"E 991.46'



BECKETT ROAD

N04°18'59"E 1358.25'

S04°18'59"W 1346.59'

30.111 AC.
CHARLES W. CHAPPELL
O.R. 6220 PG. 486

N78°49'39"W 990.00'

CHARLES W. CHAPPELL

EXHIBIT "A"

30.111 ACRE TRACT
SECTION 34, TOWN 3, RANGE 2
UNION TOWNSHIP
BUTLER COUNTY, OHIO

SCALE: 1"=200'
DATE: 2/10/99
DRAWN: DSE
CHECKED:
JOB No. 99100VE



KLINGERS & ASSOCIATES
Engineers and Surveyors
6305 Centre Park Drive West Chester, Oh. 45069
(513) 778-7851 Fax (513) 778-7852

**LEGAL DESCRIPTION
30.111 ACRES**

Situate in the State of Ohio, County of Butler, Township of Union, being in Section 34, Town 3 Range 2 and being more particularly described as follows:

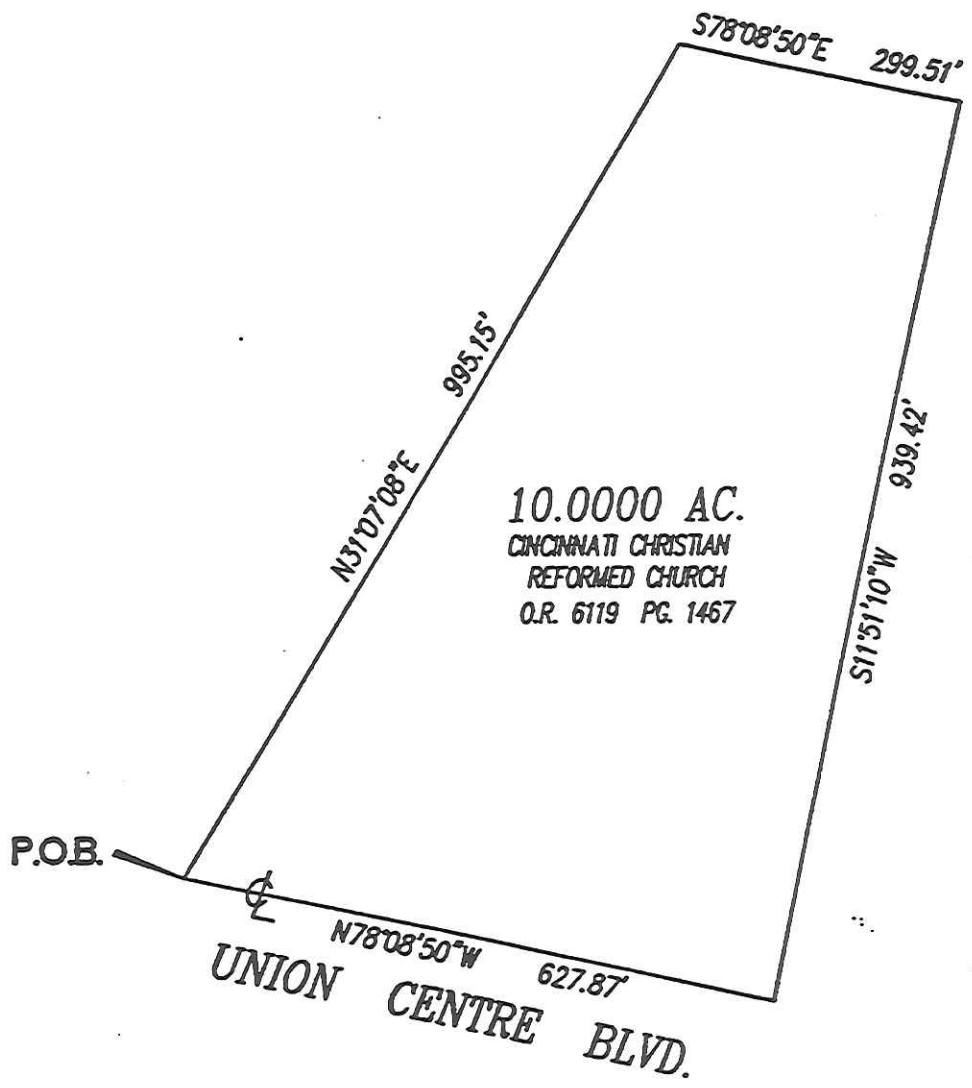
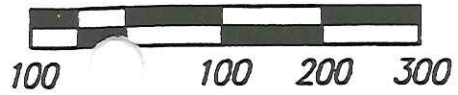
Commencing at a PK Nail (over a Spike) in the southwest corner of Section 34, said corner being in the intersection of WEST CHESTER ROAD (formerly Rialto Road) and BECKETT ROAD (formerly Mills Road); thence along the west line of Section 34 N 4° 18' 59" E, 1358.25 feet to a PK Nail (found), said PK Nail being the TRUE POINT OF BEGINNING for the herein described parcel of land; thence continuing with the west line of said Section 34, N 4° 18' 59" E, 1358.25 feet to an Iron Rod (found) in the intersection of BECKETT ROAD and UNION CENTRE BOULEVARD (formerly East Beckett Road) and being the Grantors northwest corner; thence departing said section line along the grantors north line, also being the south line of Planned Development Company of Ohio as recorded in Deed Book 1685, Page 1, S 78° 09' 30" E, 991.46 feet to a PK Nail (found) in the Grantor's northeast corner; thence with the Grantor's east line and the west line of Charles W. Chappell as recorded in Official Record 6068, Page 1708, S 04° 18' 59" W, 1346.59 feet to an Iron Pin (found) in the Grantor's southeast corner; thence along the Grantor's south line, N 78° 49' 39" W, 990.00 feet to the true point of beginning containing 30.111 acres, being subject to all legal easements and restrictions of record and subject to the legal Right-of-Way of BECKETT ROAD and UNION CENTRE BOULEVARD.

Basis of Bearings is the south line of Section 34 (i.e. N 78° 49' 39" W).

Being all of the remaining lands of LOUIS HENRY BAUMANN LIVING TRUST (1/2 Interest) and GLADYS BERENICE BAUMANN LIVING TRUST (1/2 Interest) as Grantors claim title by instruments of record in Deed Book 1652, Page 33 & 35 as recorded in the Butler County Recorders Office.

This description was prepared April 15, 1998 by DSD Consultants, Inc. under the direct supervision of M. David Damron, P.E., P.S., Registered Surveyor No. 7056, and a copy of the SURVEY is recorded in Survey Plat Vol. 34, page 110.

The acreage reflected herein is based solely on Butler County Auditor tax map information. This is not the result of a new survey.



10.0000 AC.
CINCINNATI CHRISTIAN
REFORMED CHURCH
O.R. 6119 PG. 1467

CINCINNATI CHRISTIAN REFORMED CHURCH

EXHIBIT "A"

10.0000 ACRE TRACT
SECTIONS 34, TOWN 3, RANGE 2
UNION TOWNSHIP
BUTLER COUNTY, OHIO

SCALE: 1"=200'
DATE: 2/11/99
DRAWN: DSE
CHECKED:
JOB No. 99100VG

KLEINGERS & ASSOCIATES
Engineers and Surveyors
6305 Centre Park Drive West Chester, Oh. 45069
(513) 778-7861 Fax (513) 778-7852

LEGAL DESCRIPTION OF A
10.0000 ACRE TRACT

Situate in Section 34, Town 3, Range 2, B.T.M., Union Township, Butler County, Ohio, being part of the remaining 98.7928 acres of the original 125.7114 acre tract as conveyed to Planned Development Company of Ohio as Exhibit B-4, by deed filed in the office of the Butler County, Ohio Recorder in Deed Book 1685 at Page 1, etc. which is shown on a plat of survey filed in the Butler County Engineer's Record of Land Division is S.R. Volume 21 at Plat No. 247 and being more particularly described as follows:

Beginning at a set P.K. nail in the centerline of Union Centre Boulevard (formally known as Beckett Road) on the southerly line of said original 125.7114 acre tract at the southeast corner of Part 1 of a 100' foot wide electric easement as conveyed to C.G. & E. by deed filed in the office of said Recorder in Miscellaneous Records Volume 34 at Page 480, etc, said beginning being S 78° 08' 50" E, distant 177.37', as measured along said southerly line and said centerline, from the base of a bent 3/8" iron pin, found on the westerly line of said Section 34, marking the intersection of the centerlines of said Union Centre Boulevard, Beckett Road and Mills Road; thence from said beginning, continuing with the meridian of the record plan of Beckett Ridge Section 46, Phase R-W-2 which is filed in the office of said Recorder in Plat Envelope 2089 at Pages A through E:

- 1) Leaving said southerly line and said centerline, through the remaining lands of said original 125.7114 acre tract, with the easterly line of said 100' wide electric easement, N 31° 07' 08" E, (passing a set 1/2" iron pin with cap at 52.97') a total distance of 995.15' to a set 1/2" iron pin with cap; thence,
- 2) Leaving said easement line, continuing through said original 125.7114 acre tract, S 78° 08' 50" E, 299.51' to a set 1/2" iron pin with cap; thence,
- 3) Continuing through same, S 11° 51' 10" W, (passing to a set 1/2" iron pin with cap at 889.42') a total distance of 939.42' to a set P.K. nail in the centerline of said Union Centre Boulevard on the southerly line of said original 125.7114 acre tract; thence,
- 4) With said centerline and said southerly line, N 78° 08' 50" W, 627.87' to the place of beginning, containing 10.0000 acres of land, more or less.

The acreage reflected herein is based solely on Butler County Auditor tax map information. This is not the result of a new survey.

Updated 8-19-99

COST ESTIMATE TO WIDEN UNION CENTRE BLVD, (PHASE 1)

<u>OWNERS</u>	<u>PARCEL</u>	<u>ACREAGE</u>	<u>COST PER PARCEL</u>	<u>COST PER ACRE</u>	<u>Assessment Percentage</u>	<u>ANNUAL PAYMENT 10 YR BOND</u>
Charles W. Chappell	37	30.111	\$ 183,535.58	\$ 6,095.30	11%	\$ 24,249.69
Charles W. Chappell	45	17.161	\$ 104,601.44	\$ 6,095.30	6%	\$ 13,820.50
Charles W. Chappell	42	5.083	\$ 30,982.41	\$ 6,095.30	2%	\$ 4,093.56
Charles W. Chappell	41	2.258	\$ 13,763.19	\$ 6,095.30	1%	\$ 1,818.47
P.D. C., Inc	36	13.453	\$ 82,000.07	\$ 6,095.30	5%	\$ 10,834.28
Kenneth D. Kramp & Alic J. Lav.	58	2.25	\$ 13,714.43	\$ 6,095.30	1%	\$ 1,812.02
Cornerstone Real Est. Company	35	13.77	\$ 83,932.28	\$ 6,095.30	5%	\$ 11,089.58
Cinc. Christian Reform Church	58	10	\$ 60,953.00	\$ 6,095.30	4%	\$ 8,053.43
Planned Development Company	29	86.861	\$ 529,443.85	\$ 6,095.30	31%	\$ 69,952.92
Lakota School District	34,43	<u>55.724</u>	\$ 339,654.50	\$ 6,095.30	20%	\$ 44,876.95
*Union TWP, General Ass.			\$ 265,419.25		16%	\$ 35,068.60
		236.671	\$ 1,708,000.00		100%	\$ 225,670.00

CONSTRUCTION COSTS	\$ 1,460,000.00
DESIGN & ADMINISTRATION	\$ 188,000.00
UTILITY RELOCATION	\$ 80,000.00
BOND ISSUANCE COST (3%)	\$ 51,000.00
	<u>\$ 1,759,000.00</u>

5% INTEREST RATE FOR
TEN (10) YEAR BOND

* Union Twp will pay the general assessment from Township funds.
Union TWP intends to pay their general assessment in lump sum payment

The Board of County Commissioners of the County of Butler, Ohio, met in regular session at the office of the Board of County Commissioners, Butler County Administrative Center, 130 High Street, Hamilton, Ohio, on the 13th day of September, 1999, at the regular place of meeting with the following members present: Courtney E. Combs, Charles R. Furmon and Michael A. Fox.

Commissioner Furmon presented the following resolution and moved its passage:

RESOLUTION NO. 99-9-1462

**RESOLUTION ACCEPTING THE SURVEYS, PLANS, PROFILES,
CROSS SECTIONS, SPECIFICATIONS, ESTIMATES OF COST
AND TENTATIVE ASSESSMENTS FOR THE IMPROVEMENTS
TO UNION CENTRE BOULEVARD IN THE COUNTY AND SETTING
THE DATE AND TIME OF THE PUBLIC HEARING
IN CONNECTION WITH SUCH IMPROVEMENTS.**

WHEREAS, the Board of County Commissions adopted Resolution No. 99-9-1461 declaring the necessity of improving Union Centre Boulevard in the County; and

WHEREAS, the County Engineer has prepared surveys, plans, profiles, cross sections, estimates of cost and specifications for such improvements, together with the estimated assessments, based upon the estimates of cost, upon the real estate to be charged therewith;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Butler, Ohio:

SECTION 1. That the surveys, plans, profiles, cross sections, specifications, estimates of cost and tentative assessments for the purpose of acquiring, engineering, constructing, widening and relocating utilities in connection with the extension of Union Centre Boulevard from the intersection of West Chester Road north to the intersection of Beckett Road. Including the improvement of the intersection of Beckett Road and Union Centre Boulevard, be and the same are accepted by the Board of County Commissioners.

SECTION 2. That said surveys, plans, profiles, cross sections, specifications, estimates of cost and tentative assessments for said improvements shall be filed in the office of the Clerk of this Board of County Commissioners, where the same shall be open to the inspection of all persons interested therein, for approval to the extent required by law.

SECTION 3. That the Clerk of this Board of County Commissioners shall cause notice that a resolution has been adopted providing for said improvement and that copies of the surveys, plans, profiles, cross sections, estimates and specifications, together with the estimated assessments upon the lands benefited by such improvement to the proportion of the cost thereof to be assessed therefor, are on file in the office of the Clerk of this Board of County Commissioners for the inspection of persons interested therein and that a public hearing will be held to hear objections to said improvements and to the estimated assessments to be published as provided by Section 5555.07 of the Ohio Revised Code.

SECTION 4. That said hearing shall be held in the Commissioners' hearing room on the 3rd Floor of the County Administrative Center, 130 High Street, Hamilton, Ohio 45011, at 9:45 a.m. on September 30, 1999. Interested persons may also send written objections to said improvements and to the estimated assessments to the attention of the Clerk of this Board of County Commissioners at the address given above so long as said written objections arrive in the mail no later than the public hearing date given above.

SECTION 5. That this board of county commissioners hereby finds and determines that all formal actions relative to the passage of this resolution were taken in an open meeting of this board of county commissioners, and that all deliberations of this board of county commissioners and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Commissioner Fox seconded the motion, and upon call of the roll on the question of its passage, the vote thereon resulted as follows:

Commissioner Fox	Yea
Commissioner Furmon	Yea
Commissioner Combs	Yea

PASSED this 13th day of September, 1999.



Clerk, Board of County Commissioners

CERTIFICATE

The undersigned hereby certifies the foregoing is a true and correct copy of a resolution passed by the board of county commissioners at a meeting held on the 13th day of September, 1999, together with a true and correct copy of the minutes of said meeting to the extent pertinent to the consideration and passage of said resolution.

Diana Bradford
Clerk, Board of County Commissioners

LEGAL DESCRIPTION
30.824 ACRES

Situated in Section 34, Town 3, Range 2, Union Township, Butler County, Ohio and being part of a 125.7114 acre tract conveyed to Planned Development Company of Ohio recorded in Deed Book 1685, Page 1 and being more particularly described as follows:

Commencing at the northwest corner of Section 34 in the centerline of Beckett Road;

Thence along the said centerline and the westerly section line of Section 34, S04°27'14"W a distance of 2680.98 feet;

Thence along the centerline of Union Centre Boulevard, S78°08'50"E a distance of 805.23 feet to the True Point of Beginning;

Thence leaving said centerline, N11°51'10"E a distance of 1248.53 feet;

Thence S78°08'50"E a distance of 870.65 feet;

Thence along the line of Beckett Ridge Subdivision the following seven (7) courses:

- 1) S05°44'36"W a distance of 53.75 feet;
- 2) S40°36'28"W a distance of 113.24 feet;
- 3) S07°12'15"W a distance of 159.64 feet;
- 4) S82°47'45"E a distance of 87.82 feet;
- 5) S18°01'46"E a distance of 399.60 feet;
- 6) S33°24'57"E a distance of 113.25 feet;
- 7) S04°28'15"W a distance of 521.96 feet to the centerline of Union Centre Boulevard;

Thence along the centerline of Union Centre Boulevard, N78°08'50"W a distance of 1268.97 feet to the Point of Beginning, containing 30.824 acres more or less.

The acreage reflected herein is based solely on Butler County Auditor tax map information. This is not the result of a new survey.

HENDERSON AND BODWELL, L.L.P.

October 09, 1998
CC-9 JET

LEGAL DESCRIPTION OF A 62.7844 ACRE TRACT

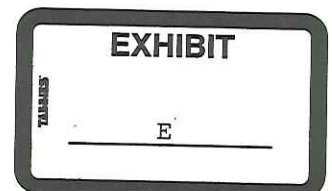
Situate in Section 4 and 5, Town 2, Range 2, B.T.M., Union Township, Butler County, Ohio, and being part of the remaining 69.7440 acres of the original 126.2001 acres of the lands conveyed to Planned Development Company of Ohio as Exhibit B-2 in Deed Book 1685, Page 1, etc. of the Butler County, Ohio Recorder's office, which is shown on a plat of survey filed in the Butler County Engineer's Record of Land Division in S.R. Volume 21 at Plat No. 245 and S.R. Volume 25 at Plat No. 192 and being more particularly described as follows:

Beginning at a 3/4" iron pin found in the easternmost common corner of said Sections 4 and 5, being an easterly corner of said Exhibit B-2 lands; thence running with the meridian of said S.R. Volume 25 at Plat No. 192; thence,

- 1) With the easterly line of said Section 4 and in the easterly line of said Exhibit B-2 lands, S 04° 27' 14" W, (passing the centerline of Beckett Road (a 40' right-of-way) at 576.06') a total distance of 1054.59' to a P.K. nail found in said centerline at the southeast corner of said Exhibit B-2 lands and the northeast corner of a 2.835 acre tract of land conveyed to Union Township Board of Trustees as recorded in O.R. Volume 6087, Page 1413, etc. of said Recorder's office which is shown on a plat of survey filed in said Engineer's Record of Land Division in S.R. Volume 31, Plat No. 115; thence,
- 2) Leaving said Section line and said centerline, continuing with the lines of said Exhibit B-2 lands and Township Trustees lands, N 81° 43' 31" W, 435.00' to a point at the northwest corner of said Township Trustees lands, a northeast corner of the remaining 25.667 acre tract of land conveyed to SCI Development Services, Inc. as recorded in O.R. Volume 6165, Page 2322, etc. of said Recorder's office which is shown on a plat of survey filed in said Engineer's Record of Land Division in said S.R. Volume 33, Plat No. 148 and the southeast corner of a 6.9596 acre tract of land conveyed to ProLogis Development Services Incorporated, as recorded in O.R. Volume 6272, Page 1650, etc. of said Recorder's office which is shown on a plat of survey filed in said Engineer's Record of Land Division in said S.R. Volume 35, Plat No. 97; thence,

Leaving said Exhibit B-2 line, through said Exhibit B-2 lands, the following three courses:

- 3) With the east line of said ProLogis lands, N 23° 51' 29" W, 236.18' to a point at the northeast corner of said ProLogis lands; thence,



- 4) With the north line of said ProLogis lands, N 81° 43' 31" W, 1452.98' to a point at the northwest corner of said ProLogis lands; thence,
- 5) With the west line of said ProLogis lands, S 08° 16' 35" W, 200.00' to a point in the line of said Exhibit B-2 lands and in the north line of a 26.83 acre tract of land conveyed to Reynolds Farm, L.L.C., as recorded in O.R. Volume 6233, Page 1076, etc. of said Recorder's office which is shown on a plat of survey filed in said Engineer's Record of Land Division in S.R. Volume 33, Plat No. 197 and the northwest corner of a 0.576 acre tract conveyed to Prologis Development Services Incorporated, as recorded in O.R. Volume 6272 at Page 1642, etc. of said Recorder's office which is shown on a plat of survey filed in said Engineer's Record of Land Division in S. R. Volume 35 at Plat No. 97, witness a stone found, S 81° 43' 31" E, 14.30"; thence,
- 6) With the south line of said Exhibit B-2 lands and the north line of said Reynolds Farm lands (passing a northeast corner of a 44.750 acre tract of land conveyed to Wilma L. and Donald E. Shepherd, as recorded in O.R. Volume 6236, Page 1603, etc. of said Recorder's office which is shown on a plat of survey filed in said Engineer's Record of Land Division in S.R. Volume 34, Plat No. 170), N 81° 43' 31" W, 1223.12' to a stone found at the southwest corner of said Exhibit B-2 lands and a corner of said Shepherd lands; thence,
- 7) With the west line of said Exhibit B-2 lands and the east line of said Shepherd lands, N 04° 48' 56" E, 647.94' to a point in the line of said Exhibit B-2 lands and Shepherd lands and at the southwest corner of a 4.0564 acre tract of land conveyed to Hills Real Estate Group, as recorded in O.R. Volume 5406, Page 159, etc. of said Recorder's office which is shown on a plat of survey filed in said Engineer's Record of Land Division in S.R. Volume 25, Plat No. 192; thence,

Leaving said line of Exhibit B-2 lands and Shepherd lands, through said Exhibit B-2 lands the following nine courses:

- 8) With the south line of said Hills lands, S 82° 31' 03" E, 379.52' to a ½" iron pin at the southeast corner of said Hills lands and a westerly corner of the 31.2931 acre tract of land conveyed to Beckett Ridge Communities, LLC (Tract 1), as recorded in O.R. Volume 6263, Page 1157, etc. of said Recorder's office which is shown on a plat of survey filed in said Engineer's Record of Land Division in S.R. Volume 35, Plat No. 69; thence,

- 9) With the south lines of said (Tract 1) lands, S 35° 36' 44" E, 349.67' to a ½" iron pin at a corner of said (Tract 1) lands; thence,
- 10) S 81° 43' 31" E, 372.59' to a ½" iron pin at the southeast corner of said (Tract 1) lands and in the west line of a 25.3047 acre tract of land conveyed to Royale Point, LTD (Tract 2) lands, as recorded in O.R. Volume 6263, Page 1163, etc. of said Recorder's office which is shown on a plat of survey filed in said Engineer's Record of Land Division in S.R. Volume 35, Plat No. 69; thence,
- 11) With the west line of said (Tract 2) lands, S 06° 34' 38" W, 35.01' to a ½" iron pin at the southwest corner of said (Tract 2) lands; thence,
- 12) With the south line of said (Tract 2) lands, S 81° 43' 31" E, 810.00' to a ½" iron pin at the southeast corner of said (Tract 2) lands; thence,
- 13) With the east lines of said (Tract 2) lands, N 08° 16' 29" E, 616.51' to a ½" iron pin at a corner of said (Tract 2) lands; thence,
- 14) N 47° 38' 03" W, (passing the common line between said Sections 4 and 5 at 164.00') a total distance of 187.22' to a ½" iron pin at a corner of said (Tract 2) lands; thence,
- 15) N 10° 06' 48" E, (passing the centerline of said Beckett Road at 679.67') a total distance of 746.05' to a point at a corner of said (Tract 2) lands; thence,
- 16) N 38° 44' 14" W, 54.13' to a point in a north line of said Exhibit B-2 lands and in a south line of Lot 1 of Beckett Ridge Subdivision Section 1, as recorded in Plat Envelope 714, Pages a & B of said Recorder's office; thence,
- 17) With the lines of said Exhibit B-2 lands and south lines of said Lot 1, S 69° 48' 21" E, 119.36' to a ½" iron pin at a corner to said Exhibit B-2 lands and said Lot 1; thence,
- 18) S 45° 23' 56" E, 1097.44' to a ½" iron pin at a corner of said Exhibit B-2 lands and said Lot 1; thence,

- 19) N 48° 11' 19" E, 628.38' to a point at a corner of said Exhibit B-2 lands and said Lot 1 and a westerly corner of a 57.085 acre tract of land conveyed to Beckett Ridge Country Club, Inc. (Parcel 1) as recorded in Deed Book 1436, Page 85, etc. of the Recorder's office which is shown on a plat of survey filed in said Engineer's Record of Land Division in S.R. Volume 13, Plat No. 150-A; thence,
- 20) With a west line of said (Parcel 1) lands, S 31° 02' 29" E, 204.41' to a point in said line and northerly corner of a remaining 88.7928 acre of a 125.7114 acre original tract of land conveyed to Planned Development Company of Ohio as Exhibit B-4 as recorded in Deed Book 1685, Page 1, etc. of said Recorder's office which is shown on a plat of survey filed in said Engineer's Record of Land Division in S.R. Volume 21, Plat No. 247 and in the east line of said Section 5; thence,
- 21) With the west line of said Exhibit B-4 lands and said Section, S 03° 43' 24" W, (passing a 1" iron pipe found at 442.22') a total distance of 467.33' to the place of beginning, containing 46.6802 acres in Section 4 and 16.1042 acres in Section 5 for a total of 62.7844 acres, more or less.

Subject to all legal highways and easements, conditions and restrictions of record.

Including, but not limited to, the following Easements:

- 1) Drainage Rights as specified in Deed Book 860, Page 595, etc.
- 2) A 24' Wide Construction Access Road and Permanent Secondary Emergency Access Easement as recorded in O.R. Volume 6263, Page 1127, etc.
- 3) A 24' Electric Easement to C.G. & E. as recorded in Deed Book 1445, Page 183, etc.
- 4) A 24' Electric Easement to C.G. & E. as recorded in Deed Book 1376, Page 466, etc.
- 5) A 15' Electric and Telephone Communication Easement to C.G. & E. and Cincinnati Bell Telephone Co. as recorded in Deed Book 1143, Page 237, etc. of said Recorder's office.

HENDERSON AND BODWELL, L.L.P.

October 09, 1998
CC-9 JET
62.7844 Acre Tract
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The above is a complete and proper legal description prepared by James E. Toerner of Henderson & Bodwell Consulting Engineers, Ohio Registered Surveyor No. S-7725, from existing deed and survey records and was the result of an actual field survey made under the direction of Steven R. Pennington of Henderson & Bodwell Consulting Engineers, Ohio Registered Surveyor No. 7215, a plat of survey of which, dated October 09, 1998, is filed in the Butler County Engineer's Record of Land Division in S.R. Volume 35 at Plat No. 162.

James E. Toerner P.S.