

01-00-003-640-004

MICHAEL G. HURA
REGISTERED PROFESSIONAL SURVEYOR
12706 MASON RD., VERMILION, OHIO 44089
(440) 965-4040

30 August 2000

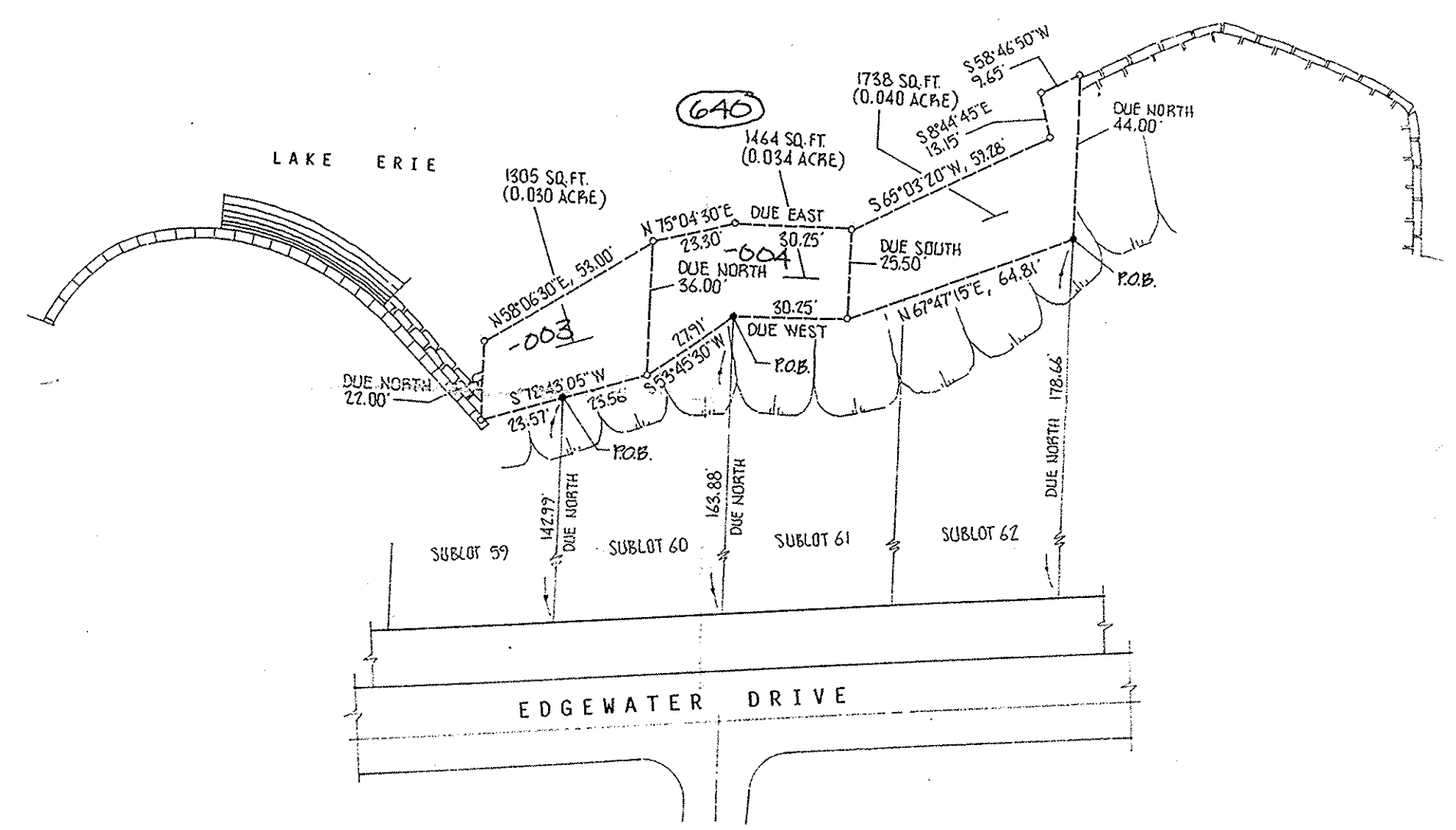
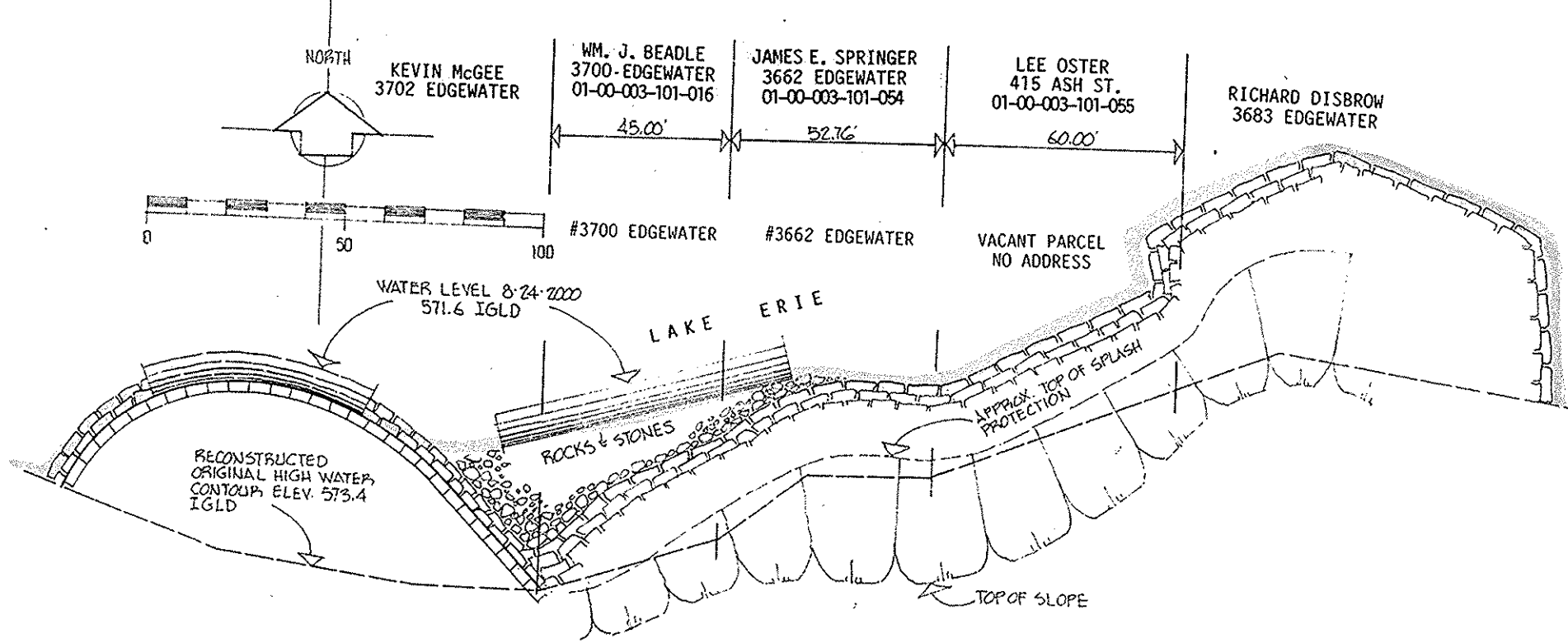
O.D.N.R.
attn: Mr. Keith Seymour
Real Estate Section
Division Real Estate & Land Mgmt.

Dear Mr. Seymour,

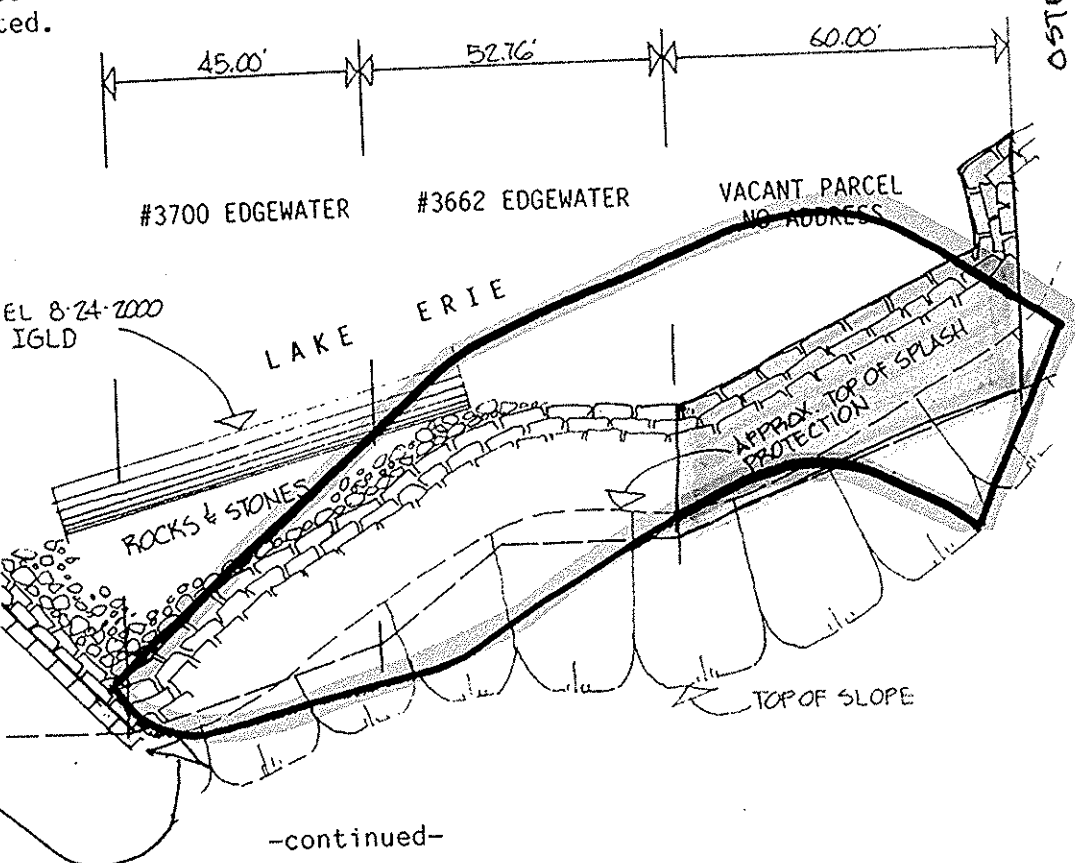
Enclosed for your information are two copies of my survey locating the shoreline protection as completed and currently under lease to Mr. Lee Oster of Vermilion, Ohio (Sub-0893-L0). Also included are three legal descriptions for your use, which I will address later. The revetment as built is apparently in conflict with the original submittal by Matrix Engineering. The application describes the length of construction to be about 196 feet. The Osters had title to a parcel being 112.56 feet in width and subsequently sold the westerly 52.56 feet to the Springers and currently hold title to the easterly 60 feet of the parcel.

Attached below is a drawing of what has actually been constructed indicating the area the Osters own tinted in blue, with the lease area (1995) indicated by the red perimeter. As you can see, there is some conflict between the original submittal and what was constructed.

OSTER PAID ABOUT \$ 70,000 TO PROTECT HIS PROPERTY, WHICH INCLUDES THE NEIGHBOR'S PROPERTY. HE DISCOVERED A CORRECTION IN HIS DRAWING INDICATING THAT THE STATE WOULD BE BUILDING HIM FOR THE ENTIRE LEASE



PREVIOUS LEASE DESCRIPTION BY MATRIX: "BEING AN AVERAGE OF ABOUT 40 FT. IN LENGTH OF ABOUT 170 FT. DRAWING INDICATED THIS PERIMETER"



-continued-

The upper portion of the drawing indicates the as-built construction as of this date. The area covered by the current lease is represented by the three parcels in the center portion, Beadle, Springer, and Oster. The addresses indicated are local (Vermilion, 44089). The Osters paid for all of the protection although they did not have title to the westerly parcel at the time. It appears as though the Beadles got a freebee.

The lower drawing indicates the parcels that should be leased. The descriptions included are accurate and should be used in any subsequent leases, although I don't know how you're going to do that. The Springer lease should have been transferred at the time of purchase.

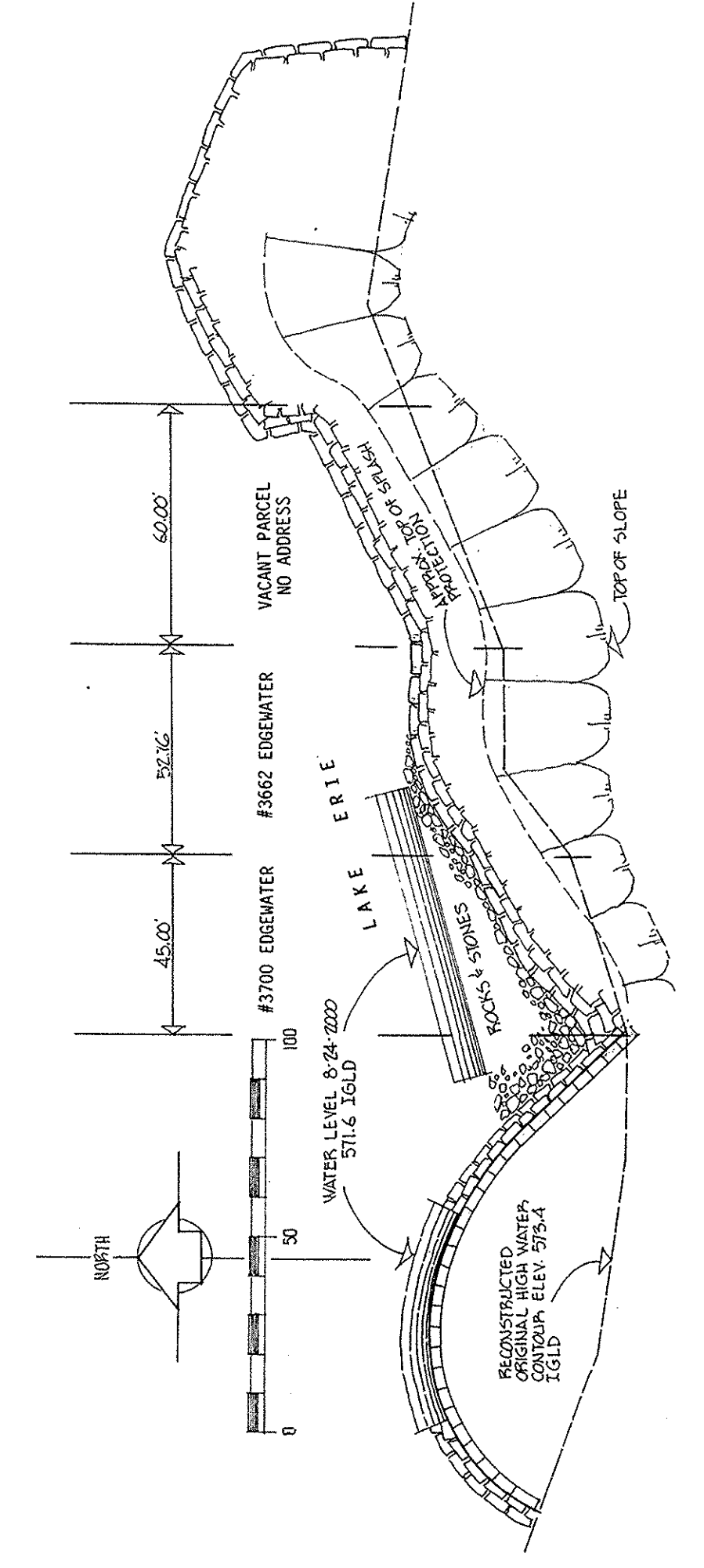
The Beadles purchased the property within the past year and are from out-of-State, so I don't suppose they are aware of the required submerged lands lease.

Beneath the names and street addresses are the permanent parcel numbers registered in Lorain County. If you were to call the County Tax Map Department at (440) 329-5272 and ask for Tom McNair, by simply giving him the permanent parcel number for the Beadles, he can give you their mailing address in seconds.

I have covered (or uncovered) everything that I could and now the burden will be upon you. Good luck.

Very truly yours,

M.G. Hura



3 PARCELS ON LAKE ERIE
CITY OF VERMILION, OHIO
AUGUST, 2000 SCALE 1" = 40 FT.
M.G. HURA REGISTERED SURVEYOR

SUBMERGED LAND LEASE

