

Prior title references: Deed Book 84, page 523, Deed Book 106, page 428, and Deed Book 313, page 485, Lorain County Recorder's office.

SUBJECT, however, to such easements and restrictions as may appear of record or as may be apparent from an examination of the premises.

RESERVING, however, unto Grantor, its affiliates, subsidiaries, parent corporations, successors, assigns, licensees and lessees the right to continue to maintain, repair, renew and operate railroad tracks and appurtenances across the easement areas and to construct such additional track(s) and other railroad facilities across said easement areas and to maintain, repair, renew and operate the same as in the judgment of Grantor, its affiliates, subsidiaries, parent corporations, successors, assigns, licensees and/or lessees may be requisite.

RESERVING, further, unto Grantor, its affiliates, subsidiaries, parent corporations, successors, assigns, licensees and/or lessees the right to install, construct, locate, maintain, repair and renew any fiber optic communications lines and associated structures and facilities related thereto across, under or over said easement areas and to maintain, repair, renew and operate the same as in the judgment of Grantor, its affiliates, subsidiaries, parent corporations, successors, assigns, licensees and/or lessees may be requisite; which rights, however, shall not interfere with or impair the rights herein granted to Grantee.

TO HAVE AND TO HOLD the above described easements unto Grantee, its successors and assigns, so long as it or they may require the same for the purposes granted; PROVIDED, however, that this conveyance is made by Grantor upon the conditions, (a) Grantor shall not be required to assume any expense in connection with or incident to the construction, maintenance, use or repair of any structures located within said easement areas and shall be exempt from any and all charges, costs or assessments of any kind or character on account of the construction, maintenance, use or repair of any structures located within said easement areas over and across the aforesaid parcels of land or adjacent property of Grantor; (b) if, at any time, the easements herein granted or any part thereof, shall no longer be used or required by Grantee, its successors or assigns, for the purposes which granted, the Grantee, its successors or assigns, shall execute such instruments as now provided or which

3.87 feet left of and radially to V.S.S.-11041+69.17; thence in a southerly direction by a curve to the right having a radius of 32.00 feet and an arc length of 25.56 feet, said curve also being defined by a chord having a bearing and distance of S-9°-50'-37" E, 24.88 feet to a point in the southerly line of subplot number 4 and lands of the owner to a point being 43.67 feet left of and at right angles to centerline Station 16+56.18 and 26.60 feet left of and radially to V.S.S.-11041+79.26; thence S-57°-16'-10" W along said southerly subplot line and property line a distance of 50.33 feet to the southwest corner of subplot number 4 aforesaid, said point being 94.00 feet left of and at right angles to centerline Station 16+56.17 and 26.01 feet left of and radially to V.S.S.-11042+29.23; thence N-32°-43'-20" W along the westerly line of subplot numbers 4, 3, 2, and 1 a distance of 100.00 feet to the northwest corner of subplot number 1, said point being 94.0 feet left of and at right angles to centerline Station 17+56.17 and 73.99 feet right of and radially to V.S.S.-11042+28.68; thence N-57°-16'-10" E along the southerly line of the existing right of way of 11th Street, the northerly line of subplot number 1 and lands of the owner, 48.26 feet to the place of beginning and containing 5,651 square feet, more or less, as shown on survey prepared by Thomas F. Mosure, R.S. No. 4718.

Prior title references: Deed Book 84, page 523, Deed Book 106, page 428, and Deed Book 313, page 485, Lorain County Recorder's office.

Parcel No. 11SL-1 (SLOPE)

AN EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF SLOPES, IN, UPON AND OVER THE LANDS HEREINAFTER DESCRIBED, UNTIL SUCH TIME AS THE OWNERS DESIRE TO REMOVE SAID SLOPES OR BUILD THEREON, PROVIDED, HOWEVER, IN THE REMOVAL OF SAID SLOPES THE PROPER PRESERVATION OF THE HIGHWAY BE NOT IMPAIRED.

Commencing at the intersection of the southerly line of the existing right of way of 11th Street with the westerly line of the existing right of way of Broadway (SR-57), said point being the northeast corner of said subplot number 1, said point also being 40 feet right of and at right angles to Station 17+56.19 in the centerline of survey made for relocated Broadway (SR-57) and 70.66 feet right of and radially to V.S.S.-11040+91.80 in the centerline of the eastbound main of the Norfolk and Western Railway Company; thence S-32°-43'-20" E along said westerly line of Broadway and the east line of subplot number 1 a distance of 16.11 feet to a point being 40 feet right of and at right angles to centerline Station 17+40.08 and 54.57 feet right of and radially to V.S.S.-11040+92.55 and the true place of beginning for the parcel herein described; thence continuing S-32°-43'-20" E along said westerly line and easterly lines of subplot numbers 1, 2, 3, and 4 a distance of 83.89 feet to the southeast corner of subplot number 4 and lands of the owner, said point being 40 feet right of and at right angles to centerline Station 16+56.19 and 29.24 feet left of and radially to V.S.S.-11040+96.34; thence S-57°-16'-10" W along the southerly line of subplot number 4 and lands of the owner, a distance of 12.00 feet to a point being 28 feet right of and at right angles to centerline Station 16+56.19 and 28.73 feet left of and radially to V.S.S.-11041+08.22; thence N-32°-43'-20" W passing over the lines dividing said subplot numbers 4, 3, and 2, and the centerline of eastbound main, a distance of 58.91 feet to a point being 28 feet right of and at right angles to centerline Station 17+15.10 and 31.14 feet right of and radially to V.S.S.-11041+05.80; thence in a northerly direction, passing over the line dividing said subplot numbers 2 and 1, by a curve to the right having a radius of 32.00 feet and an arc length of 28.66 feet, said curve also being defined by a chord having a bearing and distance N-7°-03'-43" W, 27.71 feet to the place of beginning and containing 916 square feet, more or less, as shown on survey prepared by Thomas F. Mosure, R.S. No. 4718.

STATE OF GEORGIA
COUNTY OF FULTON

BE IT REMEMBERED, That on this 10th day of JUNE, 1992, before me, the subscriber, a Notary Public in and for said State, personally came, E. E. Kelle, Real Estate Manager, and J. R. Kibler, Assistant Secretary, of the Grantor in the foregoing Deed, and acknowledged the signing thereof to be their and its voluntary act and deed, pursuant to authority of its Board of Directors.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.

My commission expires: Notary Public, Cobb County, Georgia
My Commission Expires Oct. 28, 1992

(c) upon execution of such instruments, Grantee shall remove all structures placed within the easement areas and restore the property to a condition reasonably acceptable to Grantor's chief engineering officer.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be signed by its Real Estate Manager and its corporate seal attested by its Assistant Secretary, to be hereunto affixed the day and year first above written.

Signed and acknowledged
In presence of:
Jerry L. Causey
Lloyd R. Clinger

NORFOLK AND WESTERN RAILWAY COMPANY
By
E. E. Kelle
Real Estate Manager

ATTEST:
J. R. Kibler
Assistant Secretary

This instrument prepared by:
Jerry L. Causey
Attorney at Law
Norfolk Southern Corporation
185 Spring Street, S.W.
Atlanta, Georgia 30303

JLC/lr
74710-1
3/3/92
Rev. 6/10/92

43.67 feet left of and at right angles to centerline Station 16+56.18 and 26.60 feet left of and radially to V.S.S.-11041+79.26; thence in a northerly direction by a curve to the left having a radius of 32 feet and an arc length of 25.56 feet, said curve also being defined by a chord having a bearing and distance of N-09°-50'-37" W, 24.88 feet to a point being 34 feet left of and at right angles to centerline Station 16+79.10 and 3.87 feet left of and radially to V.S.S.-11041+69.17; thence N-32°-43'-20" W, passing over the centerline of the eastbound main and the line dividing said subplot numbers 4, 3, and 2 a distance of 36.00 feet to a point being 34 feet left of and at right angles to centerline Station 17+15.10 and 32.12 feet right of and radially to V.S.S.-11041+68.36; thence in a westerly direction, passing over the line dividing said subplot numbers 2 and 1, by a curve to the left having a radius of 32.00 feet and an arc length of 28.32 feet, said curve also being defined by a chord having a bearing and distance of N-58°-04'-50" W, 27.41 feet, to a point being 45.74 feet left of and at right angles to centerline Station 17+39.87 and 57.12 feet right of and radially to V.S.S.-11041+79.75; thence N-32°-43'-20" W a distance of 16.31 feet to a point on the existing southerly right of way line of 11th Street, the northerly line of said subplot number 1, and the northerly line of lands of the owner, said point being 45.74 feet left of and at right angles to centerline Station 17+56.19 and 73.42 feet right of and radially to V.S.S.-11041+79.43; thence N-57°-16'-10" E along said existing southerly right of way line and said northerly subplot line and property line, passing over the centerline relocated Broadway (SR 57), a distance of 85.74 feet to the place of beginning, containing 6,833 square feet, more or less, as shown on survey prepared by Thomas F. Mosure, R.S. No. 4718.

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Parcel No. 11-SL (SLOPE)

AN EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF SLOPES, IN, UPON, AND OVER THE LANDS HEREINAFTER DESCRIBED, UNTIL SUCH TIME AS THE OWNERS DESIRE TO REMOVE SAID SLOPES OR BUILD THEREON, PROVIDED, HOWEVER, IN THE REMOVAL OF SAID SLOPES THE PROPER PRESERVATION OF THE HIGHWAY BE NOT IMPAIRED.

Commencing at the intersection of the southerly line of the existing right of way of 11th Street with the westerly line of the existing right of way of Broadway (SR 57), said point being at the northeast corner of said subplot number 1, said point also being 40 feet right of and at right angles to Station 17+56.19 in the centerline of survey made for relocated Broadway (SR-57) and 70.66 feet right of and radially to V.S.S.-11040+91.80 in the centerline of the eastbound main of the Norfolk and Western Railway Company; thence S-57°-16'-10" W along said existing southerly right of way line of 11th Street, a distance of 85.74 feet to a point being 45.74 feet left of and at right angles to centerline Station 17+56.18 and 73.42 feet right of and radially to V.S.S.-11041+79.43 and the true place of beginning for the parcel herein described; thence S-32°-43'-20" E 16.31 feet to a point being 45.74 feet left of and at right angles to centerline Station 17+39.87 and 57.12 feet right of and radially to V.S.S.-11041+79.75; thence in a southerly direction, passing over the line dividing said subplot numbers 1 and 2 by a curve to the right having a radius of 32.00 feet and an arc length of 28.32 feet, said curve also being defined by a chord having a bearing and distance of S-58°-04'-50" E, 27.41 feet to a point being 34.00 feet left of and at right angles to centerline Station 17+15.10 and 32.12 feet right of and radially to V.S.S.-11041+68.36; thence S-32°-43'-20" E passing over the lines dividing subplot numbers 2, 3, and 4, a distance of 36.00 feet to a point being 34.00 feet left of and at right angles to centerline Station 16+79.10

THIS INDENTURE, made and entered into this 10th day of JUNE, 1992, by and between NORFOLK AND WESTERN RAILWAY COMPANY, a corporation organized and existing under the laws of the Commonwealth of Virginia, having its principal office in Norfolk, Virginia, Grantor, and the CITY OF LORAIN, an instrumentality of government created pursuant to the laws of the State of Ohio, Grantee:

WITNESSETH: That the said Grantor, for and in consideration of the sum of SEVENTEEN THOUSAND FIVE HUNDRED NINETY FIVE AND NO/100 DOLLARS (\$17,595.00), paid by Grantee to Grantor, the receipt whereof is hereby acknowledged and subject to the terms and conditions as hereinafter provided, does by these presents, GRANT unto Grantee, easements or rights of way for the following described purposes, over, across and upon the lands as hereinafter described, being situated in Lorain County, Ohio, to wit:

EASEMENTS OR RIGHTS OF WAY over, across and upon those pieces or parcels of land situated in the State of Ohio, County of Lorain, City of Lorain, and known as being part of subplot numbers 1, 2, 3 and 4 in Block number 16 in Selah Chamberslain Trustee's Subdivision of part of Original Black River Township Lot Number 3, Tract 1, as shown by the recorded Plat in Volume 2, Page 11 of the Lorain County Record of Plats, and being more fully described as follows:

Parcel No. 11 (HIGHWAY)

PERPETUAL EASEMENT FOR HIGHWAY PURPOSES

Beginning at the intersection of the southerly line of the existing right of way of 11th Street with the westerly line of the existing right of way of Broadway (SR 57), said point being at the northeast corner of said subplot number 1, said point also being 40.00 feet right of and at right angles to Station 17+56.19 in the centerline of survey made for relocated Broadway (SR-57) and 70.66 feet right of and radially to V.S.S. 11040+91.80 in the centerline of the eastbound main of the Norfolk and Western Railway Company; thence S-32°-43'-20" E along said existing westerly right of way line of Broadway and the easterly line of said subplot number 1 a distance of 16.11 feet to a point being 40 feet right of and at right angles to centerline Station 17+40.08 and 54.57 feet right of and radially to V.S.S.-11040+92.55; thence in a southerly direction, passing over the line dividing said subplot numbers 1 and 2, by a curve to the left having a radius of 32.00 feet and an arc length of 28.66 feet, said curve also being defined by a chord having a bearing and distance of S-07°-03'-43" E, 27.71 feet, to a point being 28 feet right of and at right angles to centerline Station 17+15.10 and 31.14 feet right of and radially to V.S.S.-11041+05.80; thence S-32°-43'-20" E passing over the lines dividing said subplot numbers 2, 3, and 4 and the centerline of the eastbound main, a distance of 58.91 feet to a point on the southerly line of said subplot number 4 and lands of the owner, said point being 28 feet right of and at right angles to centerline Station 16+56.19 and 28.73 feet left of and radially to V.S.S.-11041+08.22; thence S-57°-16'-10" W along said southerly subplot line and property line, passing over the centerline relocated Broadway, a distance of 71.67 feet to a point being

NORFOLK SOUTHERN
Norfolk Southern Corporation
Roanoke, Virginia 24042-0028
703 981-5754
Michael R. Hopkins
Tax Agent
#22581-D
August 12, 1992
File: OH - Lorain County - NW

Mr. Julian A. Pijor
Lorain County Auditor
ACCEPTED