INDEXED 013746 INDEXED

IN THE COURT OF COMMON PLEAS, LORAIN COUNTY, OHIO

WARREN J. SMITH
DIRECTOR OF TRANSPORTATION
STATE OF OHIO,

Plaintiff,

vs

UNITED STATES STEEL CORPORATION,
NOW KNOWN AS USX CORPORATION,
et al.,

Defendants.

CASE NO. 99299-87

JUDGE JOSEPH CIRIGLIANO

JUDGMENT ENTRY
(Settlement)

I HEREBY CERTIFY THIS TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.
RONALD J. ROTHBERY, CLERK
BY Carol Holden DEPUTY

It appears to the Court that the owners of the property appropriated in this action have agreed with the Director of Transportation, State of Ohio, upon the amount of compensation and damages for all losses sustained as a result of the taking of its property for any and all damages for all losses sustained as a result of the taking of its property for any and all claims due said owners by reason of said appropriation in this Court and have agreed to accept and withdraw the amount of Forty-three Thousand Five Hundred Ninety-six and No/100 Dollars ($43,596.00) in full payment thereof, and so hereby release all claims and future compensation for interest on the above amount, resulting from the construction and improvement of State Route 18, Section 14.99, or from the appropriation of said property.

In conformity with said agreement it is hereby ordered, adjudged and decreed, the judgment of this Court, that the Director of Transportation for the State of Ohio has on deposit with this Court the sum of Forty-three Thousand Five Hundred Ninety-six and No/100 Dollars,($43,596.00) the agreed

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passing through in 111.48 feet the northeast corner of said 10 acre tract, a distance of 218.56 feet to an angle point being 105.65 feet East of and at right angles to centerline Station 196 plus 38.11;

thence North 67 degrees 25 minutes 25 seconds East continuing along said northerly property line and City of Lorain Dock line as established by Ordinance Number 845, in August 1, 1904, a distance of 4.76 feet to a point being 110 feet East of and at right angles to centerline Station 196 plus 40.04;

thence South 01 degree 21 minutes 58 seconds West 90.04 feet to a point being 110 feet East of and at right angles to centerline Station 195 plus 50;

thence South 31 degrees 39 minutes 28 seconds East 119.27 feet to a point being 175 feet East of and at right angles to centerline Station 194 plus 50;

thence South 01 degree 21 minutes 58 seconds West 291.03 feet to a point in the northwesterly line of Lake Terminal Railroad Company, said point being 175 feet East of and at right angles to centerline Station 191 plus 58.97;

thence South 37 degrees 33 minutes 31 seconds West along a southeasterly line of lands of the Owner and a northwesterly line of the Lake Terminal Railroad Company 240.47 feet to an angle point, said point being 33.0 feet East of and at right angles to centerline Station 189 plus 64.90;

thence North 76 degrees 56 minutes 32 seconds West along a southerly line of lands of the Owners 33.70 feet to the Place of Beginning and containing 4.05 acres, more or less, of which the existing aerial easement granted by National Tube Company to the County of Lorain by Deed of Easement recorded in Volume 298, Page 333 of Lorain County Deed Records, occupies 0.98 acres, more or less. The access easement retained by the City of Lorain in Volume 1254, Page 416 of Lorain County Deed Records overlaps 1.69 acres, more or less, of the 4.05 acre, more or less. Also 1.90 acres, more or less, of the 4.05 acres, lies in the 10.0 acre tract.

Together with all access rights, over under, and through the bridge; however the owner retains access rights to the west residue by virtue of the present access rights over the City of Lorain's easement. Owner also retains oil and gas rights.

PARCEL NO. 5-T (TEMPORARY)
TEMPORARY RIGHT TO CONSTRUCT CUT
SLOPES FOR REMOVAL OF SLAG PILE

Beginning at a point in the southerly City Dock Line where it is intersected by the easterly line of Henderson

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Drive (State Route 611) as established by Warranty Deed designated as Parcel No. 5-WR, said point being 110 feet East of and at right angles to Station 196 plus 40.04 in the centerline of survey made for Henderson Drive, said point also being 4.76 feet North 67 degrees 25 minutes 25 seconds East of Number 132 on the plan of Black River Dock Line established by Ordinance No. 845;

thence South 34 degrees 01 minutes 23 seconds East 233.11 feet to a point being 245 feet East of and at right angles to centerline Station 194 plus 50;

thence South 01 degree 21 minutes 58 seconds West 195.36 feet to a point in a southeasterly line of lands of the Owner, said point being 245 feet East of and at right angles to centerline Station 192 plus 54.64;

thence South 37 degrees 33 minutes 31 seconds West along said southeasterly property line 118.55 feet to its intersection with the East line of Henderson Drive (State Route 611) as established aforesaid, said point being 175 feet East of and at right angles to centerline Station 191 plus 58.97;

thence North 01 degree 21 minutes 58 seconds East along said east line 291.03 feet to a point being 175 feet east of and at right angles to centerline Station 194 plus 50;

thence continuing along said East line North 31 degrees 39 minutes 28 seconds West 119.27 feet to a point being 110 feet East of and at right angles to centerline Station 195 plus 50;

thence continuing along said East line North 01 degree 21 minutes 58 seconds East 90.04 feet to the Place of Beginning and containing 0.61 acre, more or less.

This description is based on a survey made by or under the supervision of Cecil W. Newcome, Registered Surveyor No. 5872.

Said stations being the Station numbers as stipulated in the hereinbefore mentioned survey as shown by plans on file in the Department of Transportation, Columbus, Ohio.

Owners claim title by instrument recorded in Volume 1254, at Page 415, Volume 920, at Page 290, Volume 561, at Page 40, Volume 533, at Page 439, and Volume 262, at Page 400 of the Deed Records of Lorain County, Ohio.

be and the same hereby is duly vested in the State of Ohio, free and clear of all claims of the owner of said land and any person or persons having an interest therein, to-wit:

(2)

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date of filing of this Judgment Entry; that the county Auditor transmit the same to the County Recorder for recording in the Deed Records of this County; that the landowners pay from this deposit any taxes and/or assessments required to be paid pursuant to law; and that the Director of Transportation of the State of Ohio pay all court cost herein accrued and that a record be made of these proceedings according to law.

Joseph E. Cirigliano
JUDGE JOSEPH CIRIGLIANO

APPROVED:

ANTHONY J. CELEBREZZE, JR.
OHIO ATTORNEY GENERAL

MICHAEL SQUILLACE
ASSISTANT ATTORNEY GENERAL
CHIEF, TRANSPORTATION SECTION

Joe D. Gordon
JOHN D. ALLTON
ASSISTANT ATTORNEY GENERAL
ATTORNEY FOR PLAINTIFF

S.W. Pringle Jr. Pr. Phone
SAMUEL W. PRINGLE
ATTORNEY FOR USX CORPORATION

Greg Severance Jr.
GREG SEVERANCE
ASSISTANT ATTORNEY GENERAL

G.A. White Jr.
GREGORY A. WHITE
LORAIN COUNTY PROSECUTING ATTORNEY
ATTORNEY FOR COUNTY AUDITOR AND TREASURER

Frank Horvath Jr.
FRANK J. HORVATH
ATTORNEY FOR CITY OF LORAIN

L.L. Vespoli Jr.
LEILA L. VESPOLI
ATTORNEY FOR OHIO EDISON COMPANY

FILM ROLL NO. 49

DOROTHY L. ESSEX
LORAIN COUNTY
RECORDER

JAN 25 12 00 PM '88

REC'D FOR RECORD
LORAIN COUNTY
O.R. VOL 40 PAGE 932

2 copies) return to Clerk of Courts
1 Copy return to Auditor's Transfer Dept.

20th mn
Judy - Transfer Dept

STATE OF OHIO
COUNTY OF LORAIN (SS. MARY ANN JAMISON, COUNTY RECORDER OF LORAIN, OHIO IN WHOSE CUSTODY THE RECORDS OF SAID COUNTY ARE KEPT, SO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE RECORD AS APPEARS IN VOLUME 40 PAGE 932-938 OF SAID COUNTY
IN TESTIMONY WHEREOF, I HAVE HEREUNTO TO SUBSCRIBE MY NAME AND AFFIXED MY OFFICIAL SEAL IN THE CITY OF ELYRIA, OHIO THIS 13th DAY OF March 1997
MARY ANN JAMISON LORAIN COUNTY RECORDER
BY DEPUTY RECORDER Charlotte Gardner