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
Lorain County Courthouse
226 Middle Avenue
Elyria, Ohio 44035

DESC. FOR ESMT'S. THAT AFFECTED
02-01-003-126-002
2-01-003-C

Dear Mr. Pijor:

Attached is copy of a grant of easement over 13,400 square feet, more or less, of Norfolk and Western Railway Company property to the city of Lorain dated June 10, 1992. Would you please advise the county parcel number that this easement covers?

Thank you for your assistance in this matter.

Sincerely,

Michael Hopkins

Attachment

JULIAN A. PIJOR
92 AUG 14 AM 8:55
RECEIVED
AUDITOR
LORAIN COUNTY, OHIO

ARNOLD KOEPP
REGISTERED SURVEYOR
629 BRENNAN DRIVE
AMHERST, OHIO 44001

Sept. 19, 1979

Description of part of Lot No. 3 Tract No. 1 Black River Twp.

Situated in the City of Lorain, County of Lorain and State of Ohio and being that part of Lot No. 3 Tract No. 1 of original Black River Twp. bounded and described as follows;

Beginning at the southeasterly corner of Sublot No. 2 of Blass and Reuters Allot. as found recordd in Plat Vol. 5 Page 20 of Lorain Co. Plats;

Thence west along the south line of Blass and Reuters Allot. a distance of 60 feet to a point on a conc. curb;

Thence South 0°45' West and parallel to the westerly line of Blass and Reuters Sub. No. 3 as found recorded in Vol. 5 Page 26 of Lorain Co. Plats a distance of 60 feet to a iron pin;

Thence East and parallel to the south line of Blass and Reuters Allot. a distance of 63 feet to a point;

Thence North 0°45' East and parallel to the west lineof Blass and Reuters Sub. No. 3 a distance of 60 feet to a point on the southerly line of Blass and Reuters allot.

Thence westerly along the southerly line of Blass and Reuters Allot. a distance of 3 feet to the southeasterly corner of Sublot 2 and the place of beginning, and containing within said bounds about 0.086 Acres of land be the same more or less subject to all legal highways easements and agreements of record.

ARNOLD KOEPP
REGISTERED SURVEYOR
629 BRENNAN DRIVE
AMHERST, OHIO 44001

Sept. 19, 1979

Description for remaining Acreage

Situated in the City of Lorain, County of Lorain and State of Ohio and being that part of Lot No. 3 Tract No. 1 of original Black River Twp. bounded and described as follows;

Beginning at the southeasterly corner of sublot No. 2 of Blass and Reuters Allot. as found recorded in Plat Vol. 5 Page 20 of Lorain Co. Record of Flats;

Thence west along the south line of Blass and Reuters Allot. a distance of 60 feet to a point an a conc. Curb;

Thence south 0°45' West and parallel to the westerly line of Blass and Reuters Sub. No. 3 as found recorded in Plat Vol. 5 Page 26 of Lorain Co. Plats a distance of 60 feet to a iron pin and the place of beginning of land hereafter described;

Thence continuing South 0°45' West and parallel to the west line of Blass and Reuters Sub. No. 3 a distance of 124.15 feet to a iron pin, and the north line of Peter Reuters Sub. as found recorded in Plat Vol. 7 Page 38 of Lorain Co. Plats;

Thence East and parallel to the south line of Blass and Reuters Allot. and the north line of Peter Reuters Sub. a distance of 80 feet to the westerly line of Blass and Reuters Sub. No. 3;

Thence North 0°45' East along the west line of Blass and Reuters Sub. No. 3 a distance of 184.15 feet to the south line of Blass and Reuters Allot. as found recorded in Plat Vol. 5 Page 20 of Lorain Co. Plats;

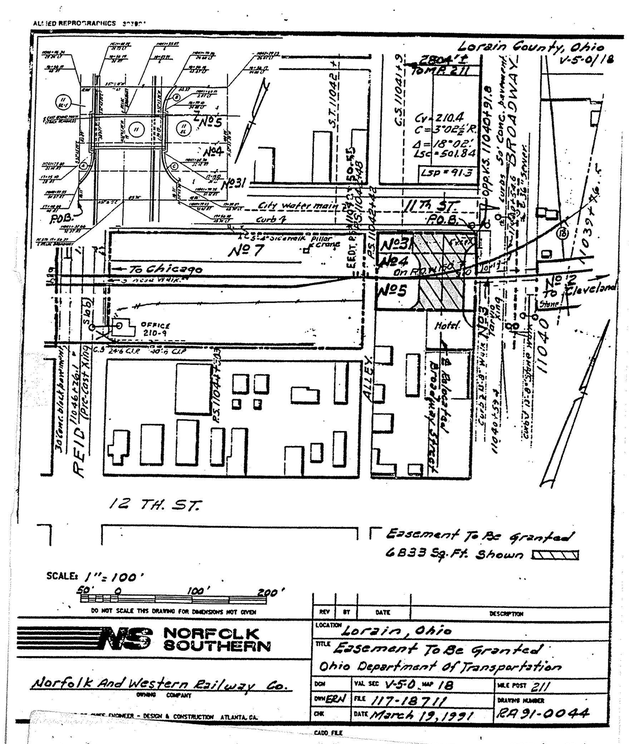
Thence west along the south line of Blass and Reuters Allot. a distance of 17 feet to a point;

Thence South 0°45' West a distance of 60 feet to a point;

Thence west and parallel to the south line of Blass and Reuters Allot. a distance of 63 feet to the place of beginning and containing within said bounds about 0.252 Acres of land be the same more or less subject to all legal highways easements and agreements of record.

APPROVED
AS TO DESCRIPTION ONLY
Date 21 September 1979
City of Lorain
Per Patrick M. Brennan
Engineering Dept.

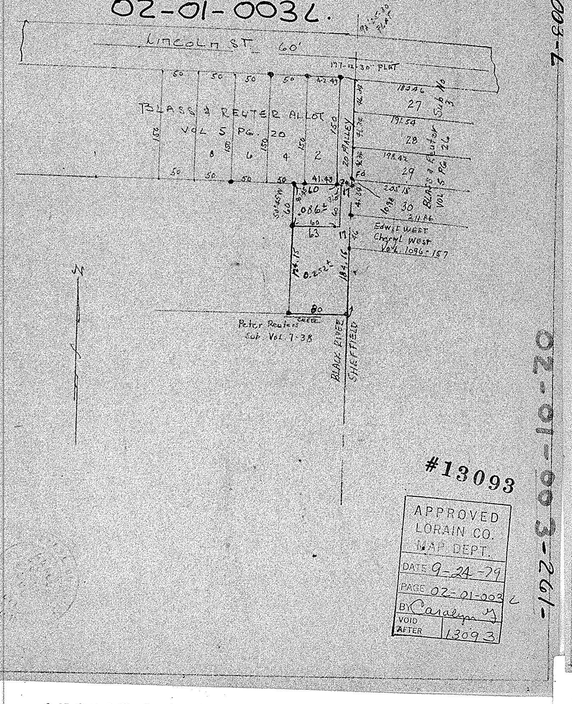
APPROVED BY THE LORAIN CITY PLANNING COMMISSION ..... NO PLAT REQUIRED
Tony Rodgers
SECRETARY LORAIN CITY PLANNING COMMISSION



02-01-003-261-029,030

Map of Part of Lot No. 3 Tract No. 1 Bl k River Twp. New City of Lorain
County of Lorain and State of Ohio Scale 1" 100'
Sept. 18, 1979 By Arnold F. Koepp Reg. Surveyor

02-01-003L



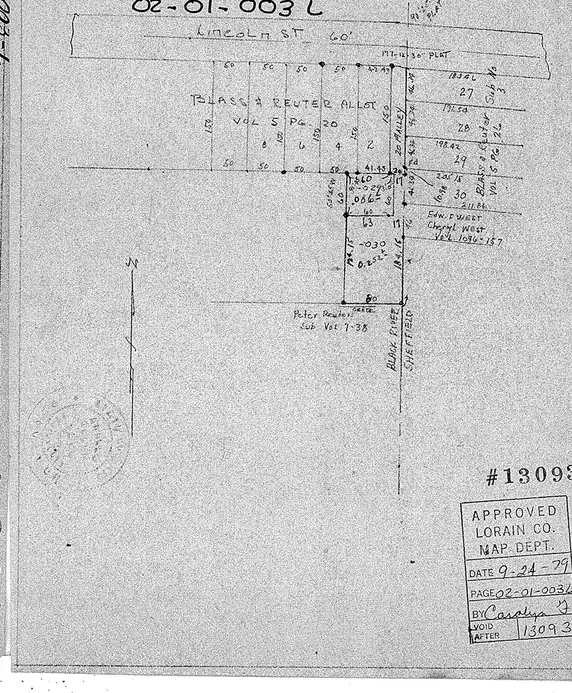
#13093

APPROVED
LORAIN CO.
MAP DEPT.
DATE 9-24-79
PAGE 02-01-003L
BY Carolyn M.
VOID
AFTER 13093

02-01-003-261-029,030

Map of Part of Lot No. 3 Tract No. 1 Bl k River Twp. New City of Lorain
County of Lorain and State of Ohio Scale 1" 100'
Sept. 18, 1979 By Arnold F. Koepp Reg. Surveyor

02-01-003 L



#13093

APPROVED
LORAIN CO.
MAP DEPT.
DATE 9-24-79
PAGE 02-01-003L
BY Carolyn M.
VOID
AFTER 13093

DEED OF EASEMENT

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 land 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 sublot numbers 1, 2, 3 and 4 in Block number 16 in Selah Chamberlain 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 sublot 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 sublot 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 sublot 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 sublot 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 sublot 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 sublot line and property line, passing over the centerline relocated Broadway, a distance of 71.67 feet 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 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 sublot 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 sublot 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 sublot 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+56.18 and 73.42 feet right of and along said existing southerly right of way line and said northerly sublot 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.

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. 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 sublot 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 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 sublot 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 sublot 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 and

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 sublot 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 sublot line and property line a distance of 50.33 feet to the southwest corner of sublot 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 sublot numbers 4, 3, 2, and 1 a distance of 100.00 feet to the northwest corner of sublot 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 sublot 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 sublot 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 sublot 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 sublot numbers 1, 2, 3, and 4 a distance of 83.89 feet to the southeast corner of sublot 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 sublot 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 sublot 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 sublot 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.

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 may hereafter be provided by law to clear title to the aforesaid property; and (c) upon execution of such instruments, Grantee shall remove all facilities 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. Clingenpeel

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/lt
74710-1
3/3/92
Rev. 6/10/92

T.P. NO. 02-01-003-261-029,030	
SPLIT # 13093	DATE OF SURVEY Sept 18, 1979
MAP PAGE 02-01-003L	
SURVEYOR Arnold F. Koepp	

M.C.

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

Judy H. Brumback
Notary Public

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