

ORDINANCE NO. 34-86

BY: Albert J. Myers

An Ordinance to authorize the settlement of litigation styled as Goldberger v. City of Bexley and to declare an emergency.

WHEREAS, the City is a defendant in litigation styled as Goldberger v. City of Bexley, Case No. 84CV-12-7006, in the Court of Common Pleas of Franklin County, Ohio; and

WHEREAS, the parties to the litigation have agreed to a settlement of the litigation; now, therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY,  
OHIO:

Section 1. That the agreement by and among the City of Bexley, William Goldberger, Marsha Goldberger and Bexley Properties, an Ohio general partnership, in the form attached to this Ordinance be, and the same hereby is, approved.

Section 2. That the Mayor and Auditor be, and each of them hereby are, authorized and directed to execute said agreement on behalf of the City.

Section 3. That this Ordinance is an emergency ordinance necessary for the immediate preservation of the public peace, health and safety and shall go into effect upon its passage and approval by the Mayor.

Passed: May 27, 1986

Attest:

John W. Hulsizer  
Clerk of Council

John W. Hulsizer  
President of Council

APPROVED: May 27, 1986

David H. Madison  
David H. Madison, Mayor

*May 27, 1986 - 1<sup>st</sup> reading  
Susp. & Adopt*

AGREEMENT

WHEREAS, the City of Bexley, Ohio, William Goldberger, Marcia Goldberger, and Bexley Properties, an Ohio General Partnership, all claim an ownership or easement interest in all or portions of certain real property, described as follows:

A strip of land Fifty (50) feet in width, formerly Park Drive adjoining Reserve "A" of Park Drive Addition on the west in the City of Bexley, Franklin County, Ohio, as the said Reserve "A" is designated and delineated upon the recorded plat of said Addition, of record in Plat Book 20, Page 36, Recorder's Office, Franklin County, Ohio, the said 50 foot strip of land having been vacated by City Ordinance No. 58-40 and 59-40 of the City of Bexley on the 3rd of August, 1940.

and;

WHEREAS, William Goldberger and Marcia Goldberger have brought certain claims against the City of Bexley, Ohio in Franklin County Common Pleas Court, Case Number 84CV-12-7006; and

WHEREAS, William Goldberger, Marcia Goldberger, and Bexley Properties have previously litigated their respective interests in a portion of said property in Franklin County Common Pleas Court, Case Number 80CV-10-5575; and

WHEREAS, it is the desire of the foregoing parties to settle and forever resolve the disputes between them concerning said property;

It is hereby agreed between and among the parties, in consideration of the promises exchanged herein, as follows:

1. The City of Bexley, William Goldberger, Marcia Goldberger, and Bexley Properties shall cause to be prepared and filed with the Office of the Franklin County Recorder Quit Claim Deeds conveying from the City of Bexley and Bexley Properties to William Goldberger and Marcia Goldberger any right, title, ease-

ment or other interest, if any, which either may have in:

A strip of land Fifty (50) feet in width, formerly Park Drive adjoining Reserve "A" of Park Drive Addition on the west in the City of Bexley, Franklin County, Ohio, as the said Reserve "A" is designated and delineated upon the recorded plat of said Addition, of record in Plat Book 20, Page 36, Recorder's Office, Franklin County, Ohio, the said 50 foot strip of land having been vacated by City Ordinance 59-40 of the City of Bexley on the 3rd of August, 1940; except for any existing utility line easements recorded with the Franklin County Recorder's Office.

2. The City of Bexley, Ohio, William Goldberger, Marcia Goldberger, and Bexley Properties shall cause an Easement Agreement to be prepared, executed by them and filed with the Franklin County Recorder whereby:

a) The City of Bexley, Ohio, as grantor, shall grant and release unto Bexley Properties, William Goldberger, Marcia Goldberger, as grantees, their heirs and assigns forever, a right-of-way on and over a certain piece of land which was a part of the former Park Drive (vacated by City Ordinance No. 58-40 and shown on Plat Book 20, p. 36, Franklin County Recorder) which property is bounded on the north by Main Street, on the south by the centerline of a vacated alley, on the west roughly by the western edge of the former Park Drive and on the east by a line 25 feet to the east of the western edge of the right-of-way. This right-of-way shall be perpetual, non-exclusive and for the benefit and use of the grantees, their heirs, assigns, agents, servants, tenants, visitors, licensees and all other persons for the advantage of the grantees, their heirs and assigns, at all times, to freely pass and repass on foot or with

animals and vehicles of every description to and fro, from Main Street to the land of grantees more fully described in Exhibits C, D, and E attached hereto; and

b) Bexley Properties, as grantor, shall grant and release unto The City of Bexley, Ohio, William Goldberger, Marcia Goldberger, as grantees, their heirs and assigns forever, a right-of-way on and over a piece of land which was a part of the former Park Drive (vacated by City Ordinance No. 58-40 and shown on Plat Book 20, p. 36, Franklin County Recorder) which property lies immediately to the east of the above-described right-of-way to be granted by the City of Bexley, at pp. 2(a), and is a part of the property fully described in Exhibit C attached hereto, which is 7 feet wide upon its northern boundary narrowing to the southern boundary as depicted in Exhibit A. This right-of-way shall be perpetual, non-exclusive and for the benefit and use of the grantees, their heirs, assigns, agents, servants, tenants, visitors, licensees and all other persons for the advantage of the grantees, their heirs and assigns, at all times, to freely pass and repass on foot or with animals and vehicles of every description to and fro, from Main Street to the land of grantees more fully described in Exhibits D and E attached hereto.

c) the only obstruction within the easements shall be the four (4) foot wide curb and island depicted in Exhibit A; and

d) The City of Bexley, Ohio and Bexley Properties shall each maintain that portion of the right-of-way, curb, island, and lane of travel which lies on its own property.;

3. William Goldberger shall cause a survey to be performed to determine and set forth exactly the lines of demarcation of said easement the description of which shall be incorporated into the Easement Agreement recorded with the Franklin County Recorder;

4. William Goldberger and Marcia Goldberger shall by Quit Claim Deed or other document convey and surrender any prior easement or other prior claim over the property of Bexley Properties (described in Exhibit C hereto);

5. William Goldberger and Marcia Goldberger shall pay the surveyor for services rendered as hereinbefore described;

6. William Goldberger and Marcia Goldberger shall pay for the construction described in Exhibit B.;

7. The City of Bexley shall:

- a) repair the blacktop to the curb constructed per Exhibits A and B;
- b) relocate the catch basin (storm sewer) to the east as depicted in Exhibit A;
- c) remove trees, install blacktop and construct a "new guardrail" as depicted in Exhibit A as necessary to complete the pavement for purposes of ingress and egress;
- d) remove the blacktop and curbing to the west of the proposed raised curb (Ex. A), fill with dirt and seed with grass;
- e) paint parking lines and (easement) lane lines as depicted in Exhibit A;
- f) construct the curbing at the intersection of the easement and Main Street as necessary to connect with the curbing constructed pursuant to Exhibit B;

- g) the City shall keep the right-of-way clear of snow or other obstruction to ingress and egress;

8. In the event that the above-described easement becomes obstructed by reason of construction at its terminus (including but not limited to construction repair of the adjacent Main Street bridge which is contemplated) or maintenance or repair of the pavement within the easement, utility lines, or other reason, Bexley Properties, as grantor, will grant, by the foregoing described Easement Agreement to be recorded with the Franklin County Recorder, to William Goldberger, Marcia Goldberger, as grantees, their heirs and assigns <sup>temporary</sup> ~~perpetual~~ non-exclusive right-of-way for unobstructed ingress and egress, for the benefit and use of the grantees, their heirs, assigns, agents, servants, tenants, visitors, licensees and all other persons for the advantage of the grantees, their heirs and assigns, at all times, to freely pass and repass on foot or with animals and vehicles of every description to and fro, from Main Street and Parkview on and over a certain piece of land owned by Bexley Properties, which is more fully described in Exhibit C attached hereto, to the land of grantee's more fully described in Exhibits D and E attached hereto, for so long as is necessary to complete repairs and construction or otherwise remove any obstruction to ingress and egress from the easement;

9. Upon execution of the Easement Agreements, Deeds and completion of the work contemplated hereby, William Goldberger and Marcia Goldberger, and The City of Bexley, Ohio shall cause a

Dismissal Entry to be filed in Franklin County Court of Common Pleas, Case Number 84CV-12-7006.

10. The execution of this document by Bexley Properties shall be binding upon it (its partners) unless it is unable to obtain the necessary parking variance(s) from the City of Bexley to permit the parking plan contemplated in Exhibit "A".

Signed this 4th day of June, 1986.

WITNESSES:

Stanley N. Schuman  
Alfred L. Muth

STATE OF OHIO )  
COUNTY OF FRANKLIN ) SS.

THE CITY OF BEXLEY, OHIO

BY: D.H. Madison  
Mayor

BY: John W. Hornberger  
Auditor

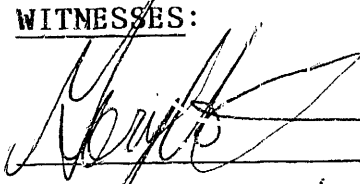
On this 4th day of June, 1986, before me personally appeared D.H. Madison & J.W. Hornberger to me known to be the person who executed the foregoing instrument for and on behalf of The City of Bexley, Ohio, and acknowledged that he executed the same as his own free act and deed.

My commission expires 6/6/90.

Marianna McCullough  
NOTARY PUBLIC  
State of Ohio

MARIANNA McCULLOUGH  
Notary Public-State of Ohio  
My Commission Expires 6-6-90

WITNESSES:

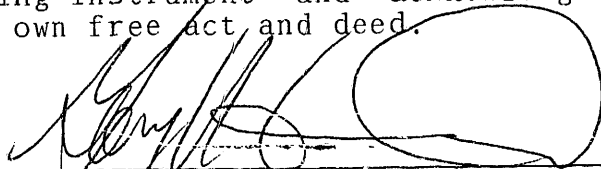
  
Beth Benjamin

  
WILLIAM GOLDBERGER

  
Susan O'Connor

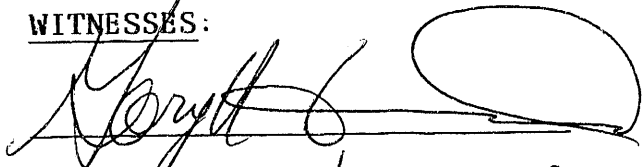
STATE OF OHIO )  
COUNTY OF FRANKLIN ) SS.

On this 7<sup>th</sup> day of MAY, 1986,  
before me appeared WILLIAM GOLDBERGER, to me known to be the  
person who executed the foregoing instrument and acknowledged  
that he executed the same as his own free act and deed.

  
NOTARY PUBLIC  
State of Ohio

My commission expires: Lifetime

WITNESSES:

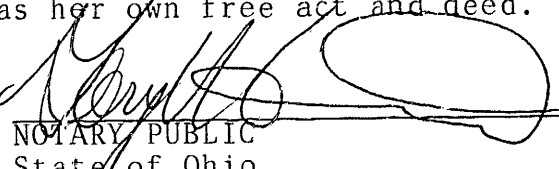
  
Beth Benjamin

  
MARCIA GOLDBERGER

  
Susan O'Connor

STATE OF OHIO )  
COUNTY OF FRANKLIN ) SS.

On this 7<sup>th</sup> day of MAY, 1986,  
before me personally appeared MARCIA GOLDBERGER, to me known to  
be the person who executed the foregoing instrument and acknow-  
ledged that she executed the same as her own free act and deed.

  
NOTARY PUBLIC  
State of Ohio

My commission expires: Lifetime



WITNESSES:

[Signature]

BEXLEY PROPERTIES

BY: [Signature]  
GENERAL PARTNER

Margaret A. McPandley

STATE OF OHIO            )  
                                  ) SS.  
COUNTY OF FRANKLIN    )

On this 12<sup>th</sup> day of May, 1986, before me personally appeared Franklin Kase, to me known to be the General Partner for Bexley Properties, who executed the foregoing instrument for and on behalf of Bexley Properties and acknowledged that he executed the same as his own free act and deed.

Margaret A. McPandley  
NOTARY PUBLIC  
State of Ohio

My commission expires 3/6/90.

Vorys, Sater, Seymour and Pease

52 East Gay Street  
Post Office Box 1008  
Columbus, Ohio 43216-1008

C  
O  
P  
Y

(614) 464-6231

July 11, 1986

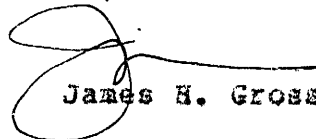
Benjamin L. Zox, Esq.  
SCHOTTENSTEIN, ZOX & DUNN  
41 South High Street  
Columbus, OH 43215

Re: Bexley Properties

Dear Ben:

Please find enclosed a copy of the executed settlement agreement. The agreement has been approved by the Bexley City Council. You should have received a copy of Stan's memorandum to the Bexley Planning Commission requesting approval of the revised parking plan which is part of the settlement agreement. The granting of the new easement to Mr. and Mrs. Goldberger will be authorized by a separate ordinance. Please call me if you have any questions.

Very truly yours,



James H. Gross

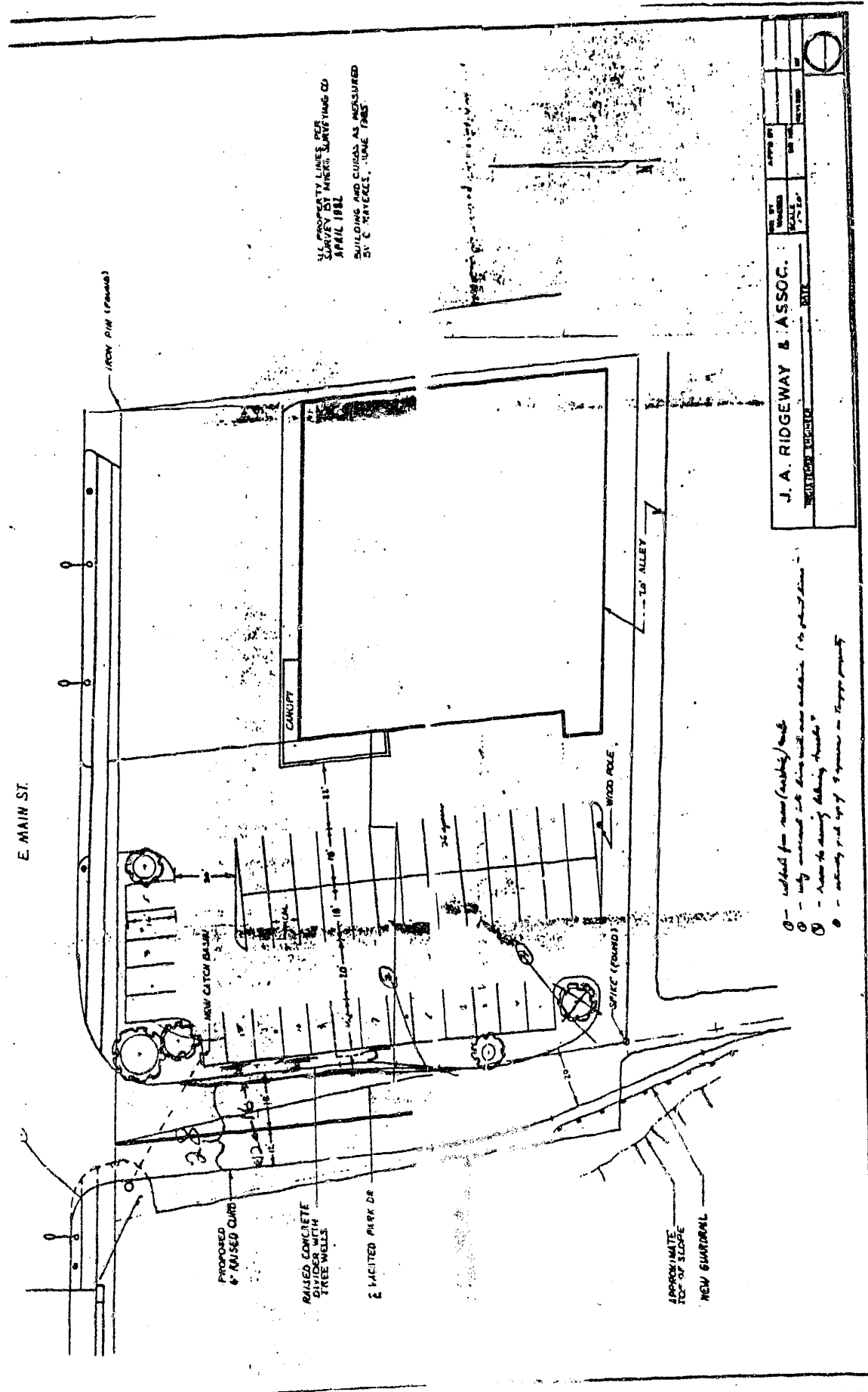
JHG/mlk

Enclosure

cc: Gary W. Hammond

Stanley H. Sheehan ✓

# EXHIBIT A



ALL PROPERTY LINES PER  
SURVEY BY MERRILL SURVEYING CO  
APRIL 1981  
BUILDING AND CURBS AS MEASURED  
BY C. HAYES, JUNE 1985

- ① - wall for new building
- ② - only shown in this plan as existing (no plan shown)
- ③ - new to show building structure
- ④ - existing and up of 9 years - higher priority

EV A

# quotation

EXHIBIT B

DUP

Bill Lewis Cement Contractor  
2401 Strimple Ave.  
Columbus, Ohio 43229  
(614)891-1860

MAR 11 1980 3316

## QUOTATION

TO

W. M. Goldberger  
2175 E. Broad Street  
Columbus, Ohio 43209

WE ARE PLEASED TO QUOTE AS FOLLOWS:

YOUR INQUIRY	ESTIMATED SHIPPING DATE	TERMS	F.O.B.	DATE
QUANTITY	DESCRIPTION			PRICE AMOUNT
	2111 East Main Street adjacent to the former Tarpy Market			
338 ln.ft.	CURB 6"x24", 6 bag mix, 6% air, curb cut every 10'			
270 sq.ft.	ISLAND 3'x90', 4" concrete, 4" gravel base, 6 bag mix, 6% air, expansion joints as required			
	Dig out and haul away old material where curb and island will go			
	City of Bexley to replace blacktop to curbs			
	TOTAL			\$5460.00
Terms of payment: 50% upon completion of straight curb Final upon completion of island and curb				
Acceptance _____				
ABOVE PRICES ARE GOOD FOR 30 DAYS.				
OFFICIAL SIGNATURE <i>Bill Lewis</i> Ex. B				

EXHIBIT C

EXHIBIT TWO

FORM 535

RECORDER

00058H18

DEED

TUTTLE & COMPANY, INC. REGISTERED U.S. PATENT OFFICE  
Tuttle Law Print, Publishers, Rutland, Vt.

# Know all Men by these Presents

25745

THAT, WHEREAS on the 10th day of June, 1980, John D. Poston as Successor Trustee to Therese E. Poston, Trustee, filed his supplemental complaint in the Court of Common Pleas, Franklin County, Ohio and thereby commenced an action against Defendants Carl M. Poston, Naomi Poston, Elias M. Poston, III, Susan Poston, Therese Poston, Carl M. Poston, Jr., Patricia F. Poston, Mark M. Poston, an infant over the age of 16, but under the age of 18 years, Carl M. Poston III, an infant under the age of 16 years, Elizabeth Poston, an infant under the age of 16 years, Elias M. Poston, Jr., Rosemary Poston, Scott E. P. Poston, an infant under the age of 16 years, Joseph M. Poston, an infant under the age of 16 years, John D. Poston, Mary L. Poston, Margaret W. Poston, an infant under the age of 16 years, Carl E. Poston, George C. Poston, David O. Poston, Mary P. Burke, Coleman Burke, Daniel Burke, Susan Burke, Jeffrey Burke, an infant under the age of 16 years, Daniel Burke III, an infant under the age of 16 years, Deborah H. Burke, an infant over the age of 16 years but under the age of 18 years, Coleman P. Burke, Lisa L. Burke, an infant under the age of 16 years, Erik Burke, a infant under the age of 16 years, Sarah P. Burke, an infant under the age of 16 years, Mary B. Partridge, David Partridge, Samuel Partridge, an infant under the age of 16 years, Caroline Partridge, an infant under the age of 16 years, Charlene P. Caren, Ann Caren Greer, Mary Charlene Peck, Austin Peck, Robert Caren, Linda Caren, Christopher D. Caren, an infant under the age of 16 years, Michael P. Caren, an infant under the age of 16 years. and John D. Poston, Jr., an infant under 1 year of age, alleging therein, among other things, that the said John D. Poston was the Successor Trustee of the disentailment trust created under Sec. 5303.21 et seq. of the Ohio Revised Code, and that the defendants were all the persons in being who were or might thereafter become interested in said real estate by the terms of said Trust and prayed that the court might direct the sale of said real estate free from all entailment, limitation or condition created by the Trust Deed referred to in said supplemental complaint, which Trust Deed is of record in

AUG 20 1980

ROBERT C. POTTS 2500 ONE NATL PLAZA PO BOX 15039 (15)

RECORDER

00058H19

00058H19

Volume 549 at page 447 of the Deed records of the Office of the Recorder of Franklin County, Ohio, said action being Case Number 157670 on the dockets of said court, and

WHEREAS, such proceedings were had in said action at the January, 1980 term of said court, that the Court of Common Pleas rendered a judgment and order finding the allegations of said supplemental complaint to be true, and that said John D. Poston was Successor Trustee as aforesaid for the real estate hereinafter described and under the Trust Deed aforesaid, and that the sale of said real estate would be for the benefit of those holding the first and present estate and interest and would do no substantial injury to the heirs entail or others in expectancy, reversion or remainder, being the defendants in said action, and said court ordered that said real estate be sold freed from all entailments, limitations and conditions created by said Trust Deed, and that such sale should be made by John D. Poston who was duly appointed by the court as a suitable person to effect said sale, and

WHEREAS, the court found the terms and conditions of the Contract of Sale attached to the supplement complaint as Exhibit B to be fair, reasonable and adequate, the court approved the same and confirmed the sale of said real estate to Willard H. Wendt and directed the said John D. Poston to execute and deliver a deed of conveyance of the fee simple title to the real estate upon the receipt of the sum of Fifty-one Thousand Dollars (\$51,000.00).

NOW THEREFORE, John D. Poston by virtue of said order of sale, sale and confirmation of same and of the statute in such case made and provided, and in consideration of the premises and of the sum of Fifty-one Thousand Dollars (\$51,000.00) to him in hand paid, the receipt of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Willard H. Wendt, his heirs and assigns forever, the following described real estate, free from all entailments, limitations and conditions created by said Trust Deed, said premises situated in the City of Bexley, County of Franklin and State of Ohio and being more particularly described as follows:

Being situated in the State of Ohio, County of Franklin, City of Bexley, and being all of Lot 1, and a part of Lot 2, and a part of Park Drive (50 feet wide) vacated by Ordinance No. 58-40, of Park Drive Addition shown of record in Plat Book 20, Page 36, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at a spike at the intersection of the southerly line of East Main Street (80 feet wide) with the centerline of said Park Drive Vacated;

Thence, South 88 degrees 07 minutes East, along the southerly line of said East Main Street, and along the northerly line of said Park Drive Vacated, and along the northerly line of said Lot 1, a distance of 124.50 feet to a spike at the northeasterly corner of said Lot 1;

Thence, South 4 degrees 02 minutes East, along the easterly line of said Lot 1, a distance of 85.00 feet to a drill hole in concrete at the southeasterly corner of said Lot 1, and the northeasterly corner of said Lot 2;

Thence, North 88 degrees 07 minutes West, along the southerly line of said Lot 1, and along the northerly line of said Lot 2, a distance of 31.00 feet to a spike;

Thence, South 1 degree 53 minutes West, across said Lot 2, a distance of 8.00 feet to a spike;

Thence, North 88 degrees 07 minutes West, across said Lot 2, and across said Park Drive Vacated, and along a line parallel with the northerly line of said Lot 2, and the southerly line of said Lot 1, and along said line produced westerly, a distance of 82.26 feet to a spike on the centerline of said Park Drive Vacated;

Thence, in a northerly direction, along the centerline of said Park Drive Vacated, and along the arc of a curve to the left having a radius of 1525.00 feet a long chord bearing a distance of North 10 degrees 18 minutes 54 seconds West, 94.68 feet to the place of beginning, containing 0.2466 acres, subject, however, to all highways and easements of record and of records, easements and restrictions in the respective utility offices.

TO HAVE AND TO HOLD the same with the appurtenances, rights, easements, hereditaments and covenants running with or in any way attaching to or forming a part of said property or thereunto belonging, to the said Willard H. Wendt, his heirs and assigns forever as fully and completely as the said John D. Poston, without covenant of warranty but by virtue of the order of the Common Pleas Court, Franklin County, Ohio, more definitely hereinabove referred to, and the statutes hereto appertaining, could or should convey the same.

IN WITNESS WHEREOF, the said John D. Poston has hereunto set his hand this 19<sup>th</sup> day of August, 1980, at Columbus, Ohio.

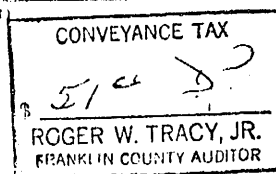
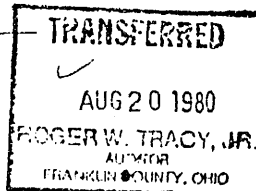
Signed and Acknowledged in the Presence of:

Kathleen S. Hume

John D. Poston

John D. Poston

STATE OF OHIO )  
COUNTY OF FRANKLIN ) SS:



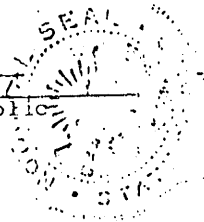
BE IT REMEMBERED that on this 19<sup>th</sup> day of August, 1980,

00058H20

RECORDER  
00058101

before me the subscriber, a Notary Public in and for said county, personally appeared the above named John D. Poston and acknowledged that he is the person selected and appointed by the Common Pleas Court of Franklin County, Ohio, in Case Number 157670, as a suitable person to make the sale of the real estate described in the above Deed and to execute and deliver said Deed and who acknowledged that he signed said Deed and that the signing thereof is his free and voluntary act and deed for the uses and purposes therein mentioned.

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

  
Robert D. Poston  
Notary Public  
FRANKLIN COUNTY, OHIO  
COMMISSION EXPIRES 12/31/80

THIS INSTRUMENT PREPARED BY:

Kathleen K. Haase  
PORTER, WRIGHT, MORRIS & ARTHUR  
37 West Broad Street  
Columbus, Ohio 43215

FRANKLIN COUNTY, OHIO  
AUG 20 1980  
Recorded: 2:05 P.M.  
WILLIAM M. CAHILL, Recorder  
Recorder's Fee \$ 7.00

MAIL  
John D. Poston  
37 West Broad Street  
Columbus, Ohio 43215  
25705

TO

PORTER, WRIGHT, MORRIS & ARTHUR  
HUNTINGTON TRUST BUILDING  
37 WEST BROAD STREET  
COLUMBUS, OHIO 43215



TRANSFERRED  
AUG 20 1980  
ROGER W. TRACY, JR.  
AUDITOR  
FRANKLIN COUNTY, OHIO

RECORDER  
00058102

CONVEYANCE TAX  
556  
ROGER W. TRACY, JR.  
FRANKLIN COUNTY AUDITOR

25796

WARRANTY DEED

Willard H. Wendt and Wilma L. Wendt, Husband and  
Wife, of Franklin County, Ohio, for valuable consideration  
paid, grant with general warranty covenants to Bexley Properties,  
an Ohio General Partnership, whose tax-mailing address is

the following REAL PROPERTY: Situated in the County of  
Franklin in the State of Ohio and in the City of Bexley:

680

PARCEL I:

Being a part of Lots 20, 21 of Bexley Drive Subdivision shown of  
record in Plat Book 14, Page 22, Recorder's Office, Franklin  
County, Ohio, and being more particularly described as follows:

Beginning at an iron pin at the intersection of the southerly line  
of East Main Street (80 feet wide) with westerly line of Sheridan  
Avenue (50 feet wide), said point being at the northeasterly  
corner of said Lot 20;

Thence South 3 degrees 45 minutes East, along the westerly line  
of said Sheridan Avenue, and along the easterly line of said Lot  
20, a distance of 62.00 feet to an iron pin;

Thence South 87 degrees 42 minutes West, across said Lots 20, 21,  
and along a line parallel with the southerly line of said Lots,  
a distance of 81.00 feet to a spike in said Lot 21;

Thence North 3 degrees 45 minutes West, across said Lot 21, and  
along a line parallel with the westerly line of said Sheridan  
Avenue, a distance of 2.00 feet to a spike in said Lot 21;

Thence South 87 degrees 42 minutes West, across said Lot 21,  
and along a line parallel with the southerly line of said Lot,  
a distance of 51.22 feet to point in said Lot 21;

Thence North 4 degrees 02 minutes West, across said Lot 21, and  
along a line parallel with the westerly line of said Lot 21, a  
distance of 69.73 feet to a drill hole in concrete on the southerly  
line of said East Main Street, and on the northerly line of said  
Lot 21;

Thence South 88 degrees 07 minutes East, along the southerly line  
of said East Main Street, and along the northerly line of said  
Lots 21, 20, a distance of 133.17 feet to the place of beginning,  
containing 8745 square feet, 0.2008 acres, subject however to  
all records, easements, and restrictions of record.

PARCEL II:

Being all of Lots 3, 4, and a part of Lot 2, and part of a 20 foot  
alley, Vacated by Ordinance #58-40, and a part of Park Drive (50  
feet wide) Vacated by Ordinance #58-40, of Park Drive Addition  
shown of record in Plat Book 20, Page 36, Recorder's Office,

MAIL  
SCHOTTENSTEIN, ZOX  
250 E BROAD ST  
(15)

FRANKLIN COUNTY, OHIO  
Recorded: AUG 20 1980 Time: 2:08 P.M.  
WILLIAM M. CAHILL, Recorder  
Recorder's Fee \$ 700

RECORDED  
00058103

Franklin County, Ohio, and being more particularly described as follows:

Commencing at a spike at the intersection of the southerly line of East Main Street (80 feet wide) with the centerline of said Park Drive Vacated;

Thence South 88 degrees 07 minutes East, along the southerly line of said East Main Street, and along the northerly line of said Park Drive Vacated, and along the northerly line of Lot 1 of said Park Drive Addition, a distance of 124.50 feet to a spike at the northeasterly corner of said Lot 1, and the northwesterly corner of said Lot 3, AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

Thence South 88 degrees 07 minutes East, along the southerly line of said East Main Street, and along the northerly line of said Lots 3, 4, a distance of 113.00 feet to an iron pin at the northeasterly corner of said Lot 4, and the northwesterly corner of Lot 21 of Bexley Drive Subdivision shown of record in Plat Book 14, Page 22;

Thence South 4 degrees 02 minutes East, along the easterly line of said Lot 4, and along the westerly line of said Lot 21, and along the westerly line of Lot 19 of said Bexley Drive Addition, a distance of 170.05 feet to an iron pin at the intersection of the centerline of said 20 foot alley Vacated, with the westerly line of said Lot 19;

Thence North 88 degrees 07 minutes West, along the centerline of said 20 foot alley Vacated, and along a line parallel with the southerly line of said East Main Street, a distance of 222.94 feet to a spike at the intersection of the centerline of said 20 foot alley Vacated, with the centerline of said Park Drive Vacated;

Thence in a northerly direction, along the centerline of said Park Drive Vacated, and along the Arc of a Curve to the left having a radius of 1525.00 feet, a long chord bearing and distance of North 7 degrees 04 minutes 33 seconds West, 77.54 feet to a spike;

Thence South 88 degrees 07 minutes East, across said Park Drive Vacated, and across said Lot 2, and along a line parallel with the southerly line of said East Main Street, a distance of 82.26 feet to a spike;

Thence North 1 degree 53 minutes East, across said Lot 2 a distance of 8.00 feet to a spike on the northerly line of said Lot 2, and on the southerly line of said Lot 1;

Thence South 88 degrees 07 minutes East, along the northerly line of said Lot 2, and along the southerly line of said Lot 1, and along a line parallel with the southerly line of said E. Main Street, a distance of 31.00 feet to a drill hole in concrete on the westerly line of said Lot 3 at the northeasterly corner of said Lot 2, and the southeasterly corner of said Lot 1;

Thence North 4 degrees 02 minutes West, along the westerly line of said Lot 3, and along the easterly line of said Lot 1, a distance of 85.00 feet to the place of beginning, containing 27,920 square feet, 0.641 acres, subject however to all highways and easements of record, and of records, easements, and restrictions in the respective utility offices.

PARCEL III:

Being all of Lot 1, and a part of Lot 2, and a part of Park Drive (50 feet wide) vacated by Ordinance #58-40, of Park Drive Addition shown of record in Plat Book 20, Page 36, Recorder's

RECORDED

00058104

Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at a spike at the intersection of the southerly line of East Main Street (80 feet wide) with the centerline of said Park Drive Vacated;

Thence, South 88 degrees 07 minutes East, along the southerly line of said East Main Street, and along the northerly line of said Park Drive Vacated, and along the northerly line of said Lot 1, a distance of 124.50 feet to a spike at the northeasterly corner of said Lot 1;

Thence, South 4 degrees 02 minutes East, along the easterly line of said Lot 1, a distance of 85.00 feet to a drill hole in concrete at the southeasterly corner of said Lot 1, and the northeasterly corner of said Lot 2;

Thence, North 88 degrees 07 minutes West, along the southerly line of said Lot 1, and along the northerly line of said Lot 2, a distance of 31.00 feet to a spike;

Thence, South 1 degree 53 minutes West, across said Lot 2, a distance of 8.00 feet to a spike;

Thence, North 88 degrees 07 minutes West, across said Lot 2, and across said Park Drive Vacated, and along a line parallel with the northerly line of said Lot 2, and the southerly line of said Lot 1, and along said line produced westerly, a distance of 82.26 feet to a spike on the centerline of said Park Drive Vacated;

Thence, in a northerly direction, along the centerline of said Park Drive Vacated, and along the arc of a curve to the left having a radius of 1525.00 feet a long chord bearing and distance of North 10 degrees 18 minutes 54 seconds West, 94.68 feet to the place of beginning, containing 0.2466 acres, subject, however, to all highways and easements of record and of records, easements and restrictions in the respective utility offices.

Subject to restrictions, conditions, easements of record, if any, and taxes now a lien, pro-rated from the date hereof.

Prior Instrument Reference: Vol. \_\_\_\_\_ Page \_\_\_\_\_ of the Deed  
Records of Franklin County, Ohio. Witness our hands this 19<sup>th</sup>  
day of August, 1980.

Signed and acknowledged  
in the presence of:

Ortiz Potts  
Witness

Shirley R. Gaddy  
Witness

Willard H. Wendt  
WILLARD H. WENDT

Wilma L. Wendt  
WILMA L. WENDT

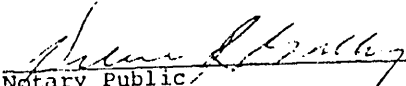
STATE OF OHIO :  
COUNTY OF FRANKLIN : SS

BE IT REMEMBERED, That on this 19<sup>th</sup> day of August,

RECORDER  
00058105

1980, before me, the subscriber, a Notary Public in and for said county, personally came, Willard H. Wendt and Wilma L. Wendt, the Grantors in the foregoing Deed, and acknowledged the signing thereof to be their voluntary act and deed.

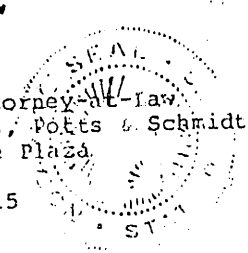
IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.

  
Notary Public

HERBERT R. GOEBY, Attorney At Law  
NOTARY PUBLIC - STATE OF OHIO  
LIFETIME COMMISSION

This instrument was prepared by:

Robert C. Potts, Attorney-at-Law  
Crabbe, Brown, Jones, Potts & Schmidt  
2500, One Nationwide Plaza  
P. O. Box 15039  
Columbus, Ohio 43215

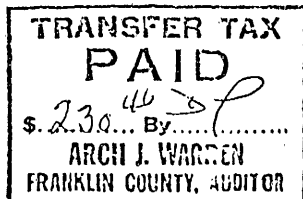


PARTNERSHIP	
FILED DATE	AUG 20 1980
RECORDED VOL <sup>OR</sup> 58	PAGE 104
WILLIAM M. CAHILL RECORDER FRANKLIN COUNTY, OHIO	

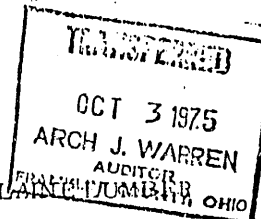
## EXHIBIT D

## EXHIBIT ONE

VOL 3486 PAGE 794



## Warranty Deed

By A Corporation  
Rev. Code Secs. 5301.02, 5301.04COLUMBIUS BLANK BOOK CO., COLUMBUS, O.  
L12-1

KNOW ALL MEN BY THESE PRESENTS: That THE BLAINE COMPANY,

a corporation duly incorporated under the Laws of the State of Ohio 22368  
 of the City of Columbus, County of Franklin  
 and State of Ohio in consideration of the sum of  
 ONE DOLLAR (\$1.00) and other valuable consideration  
 to it paid by WILLIAM M. GOLDBERGER and MARCIA GOLDBERGER

of the City 671 of Bexley, County of Franklin  
 and State of Ohio, the receipt of which is hereby acknowledged,  
 does hereby GRANT, BARGAIN, SELL AND CONVEY to the said WILLIAM M.  
 GOLDBERGER and MARCIA GOLDBERGER,

their heirs and assigns forever, the following REAL ESTATE, situated in the  
 County of Franklin in the State of Ohio, and in  
 the City of Bexley and bounded and described as follows:

Being Reserve "A" of Park Drive Addition, as the said Reserve "A" is  
 designated and delineated upon the recorded plat of said Addition, of  
 record in Plat Book 20, page 36, Recorder's Office, Franklin County, Ohio,  
 and containing 1.804 acres of land.

Also a strip of land 16 ft. in width adjoining Reserve "A" on the East.  
 Also a strip of land 16 ft. in width adjoining Reserve "A" on the South;  
 also a strip of land 10 ft. in width adjoining Reserve "A" on the North;  
 also a strip of land 50 ft. in width, formerly Park Drive, adjoining said  
 Reserve "A" on the West. The same having been vacated by City Ordinance  
 No. 59-40 of the City of Bexley on the 3rd of August, 1940, and subject to  
 the rights of any abutting land owners resulting from said vacation of the  
 alleys and streets in Park Drive Addition by the City of Bexley, Ohio.

Also a parcel beginning at the southwest corner of Reserve "A" and extending  
 in a westerly direction along the extension of the southern boundary of  
 Reserve "A" a distance of 50 feet; thence in a southerly direction in a line  
 parallel to the western boundary of Reserve "A" a distance of 16 feet and  
 thence in an easterly direction in a line parallel to the extension of the  
 southern boundary of Reserve "A" a distance of 50 feet; thence in a northerly  
 direction along the extension of the western boundary of Reserve "A" a  
 distance of 16 feet to the point of beginning, and

A parcel beginning at the southeast corner of Reserve "A" and extending in  
 an easterly direction along the extension of the southern boundary of  
 Reserve "A" for a distance of 16 feet, thence in a southerly direction in  
 a line parallel to the extension of the eastern boundary of Reserve "A"  
 a distance of 16 feet; thence in a westerly direction in a line parallel to  
 the extension of the southern boundary of Reserve "A" a distance of 16 feet;  
 thence in a northerly direction along the extension of the eastern boundary  
 of Reserve "A" a distance of 16 feet to the point of beginning.

EXCEPTING THEREFROM the following tracts of land conveyed by Thomas J.  
 Tully and wife to William E. and Kathryn S. Blaine, by deed dated August 12,

VOL 3486 PAGE 795

1952, recorded in D. B. 1696, page 198, Recorder's Office, Franklin County, Ohio; Situated in the County of Franklin, State of Ohio, and in the City of Bexley, and bounded and described as follows:

Beginning at a point at the northwest corner of Reserve "A" shown on the above mentioned plat; thence S. 88° 07' E. with the north line of said Reserve, 181.4 feet to a point at the northeast corner of said Reserve; thence with the east line of said Reserve, S. 4° 02' E. 112 ft. to a point; thence at right angles to the east line of said Reserve, S. 85° 58' W. 183.47 feet, more or less, to a point in the west line of said Reserve; thence along the west line of said Reserve by a curve bearing to the left and having a radius of 1,550 ft. to the place of beginning, the chord to which bears N. 2° 42' W. 130.76 feet, containing 0.507 acres.

ALSO a strip of land 16 ft. in width adjoining said above described parcel on the East; also a strip of land 10 ft. in width adjoining said parcel on the North; also a strip of land 50 ft. in width adjoining said parcel on the West. The same having been vacated by City Ordinance No. 58-40 of the City of Bexley, Ohio on the 3rd day of August, 1940. Subject to an easement recorded in Misc. Records Vol. 43, page 339 and subject to the rights of any abutting land owners resulting from the vacation of the alleys and streets in said Park Drive Addition by the City of Bexley, Ohio.

Said premises hereby conveyed being the same premises conveyed by Thomas J. Tully and wife to The Blaine Lumber Company by deed dated August 12, 1952, recorded in Deed Book 1696, page 202, Recorder's Office, Franklin County, Ohio, including said vacated alleys and street adjoining said premises, together with intersections of same at the southeast and southwest corners of said Reserve "A" conveyed by William E. Blaine and Kathryn S. Blaine to The Blaine Lumber Company by deeds recorded in Deed Book 1705, page 176 and Deed Book 1710 at page 202, Recorder's Office, Franklin County, Ohio.

LAST TRANSFER: Deed Record Volume 1696, Page 202.

TO HAVE AND TO HOLD said premises, with all the privileges and appurtenances thereunto belonging, to the said WILLIAM M. GOLDBERGER and MARCIA

GOLDBERGER,

their heirs and assigns forever.

And the said THE BLAINE LUMBER COMPANY,

for itself and its successors, does hereby covenant with the said

WILLIAM M. GOLDBERGER and MARCIA GOLDBERGER,

their heirs and assigns, that it is lawfully seized of the premises aforesaid;

that the said premises are FREE AND CLEAR FROM ALL ENCUMBRANCES WHATSOEVER;

except conditions, easements, and restrictions of record and taxes and assessments,

Received OCT 3 1975 At 2:10 P.  
Recorded OCT 7 1975 In Franklin County  
JAMES A. SCHAEFER, Recorder  
Recorder's Fee \$ 4.00

and that it will forever WARRANT AND DEFEND the same with the appurtenances,  
unto the said WILLIAM M. GOLDBERGER and MARCIA GOLDBERGER,  
their heirs and assigns,  
against the lawful claims of all persons whomsoever, except as above noted.

IN WITNESS WHEREOF, The said THE BLAINE LUMBER COMPANY

in pursuance of a resolution adopted by its Board of Directors, ~~on this xxxxxxxx day~~  
~~of xxxxxxxxxxxxxxxxxxxxxxxx~~ 19xx, has hereunto caused its corporate seal to be affixed  
 and these presents to be subscribed by its President ~~and~~

this 29<sup>th</sup> day of September 1975

Signed and acknowledged

THE BLAINE LUMBER COMPANY

in presence of

By W. E. Blaine, Jr., President

The State of Ohio, Franklin County, ss.

BE IT REMEMBERED, That on this 29th day of September 1975  
before me, the subscriber, a Notary Public in and for said  
County, personally came the above named THE BLAINE LUMBER COMPANY

the Grantor in the foregoing Deed, by W. E. Blaine, Jr.  
its President ~~W. E. Blaine, Jr.~~

~~its~~ and as such President ~~and~~  
duly authorized by resolution adopted by the Board of Directors of said Corpor-  
ation, ~~xxx the xxxxxxxx day of xxxxxxxxxxxxxxxxx 19xx~~, acknowledged the signing of the  
same to be their voluntary act and deed for and as the act and deed of said  
Corporation, for the uses and purposes therein mentioned.

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

Notary Public

THIS INSTRUMENT WAS PREPARED BY Chester, Hoffman, Park, Willcox & Rose,  
16 East Broad Street, Columbus, Ohio 43215

3172 10-1-52

EXHIBIT E

THAT William M. Goldberger, also known as William Goldberger,  
and Marcia Goldberger, husband and wife,  
of Franklin County, State of Ohio, for valuable consideration paid,  
grant with general warranty covenants to William M. Goldberger and Marcia Goldberger,  
husband and wife, for their joint lives, remainder to the survivor of them,  
whose tax mailing address is 2175 East Broad Street, Columbus, Ohio 43209,  
the following real property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Subject to taxes and assessments which are now or may hereafter become liens on said premises and except conditions and restrictions and easements, if any, contained in former deeds of record for said premises, subject to all of which this conveyance is made.

Volume 2900, page 76,  
Prior Instrument Reference/ Volume 3263, Page 170, Volume 3475, page 829, Volume  
3486, pages 794, 797 and 882, and Volume 3603, page 756.

WITNESS our hands, this day of \_\_\_\_\_, 1981.

Signed and Acknowledged  
in the Presence of:

William M. Goldberger

Marcia Goldberger

STATE OF OHIO,

STATE OF OHIO,  
Franklin County, ss: Before me, a Notary Public, in and for said County

personally appeared the above named William M. Goldberger and Marcia Goldberger,

who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at  
Columbus, Ohio                      , this                      day of                      A.D., 1981 .

This Instrument Prepared by: Folkerth, Calhoun, Webster, Maurer & O'Brien.



EXHIBIT A

Situated in the County of Franklin, in the State of Ohio, and in the City of Bexley:

PARCEL 1

Being a part of Reserve "A" shown on plat of Park Drive Addition, in P.B. 20, p. 36:

Beginning at a point at the northwest corner of Reserve "A" shown on the above-mentioned plat; thence S. 88° 07' E. with the north line of said Reserve, 181.4 ft. to a point at the northeast corner of said Reserve; thence with the east line of said Reserve, S. 4° 02' E. 112 ft. to a point; thence at right angles to the east line of said Reserve, S. 85° 58' W. 183.47 ft., more or less, to a point in the west line of said Reserve; thence along the west line of said Reserve by a curve bearing to the left and having a radius of 1,550 ft. to the place of beginning, the chord to which bears N. 2° 42' W. 130.76 ft., containing 0.507 Acres.

Also a strip of land 16 ft. in width adjoining said above-described parcel on the East; also a strip of land 10 ft. in width adjoining said parcel on the North; also a strip of land 50 ft. in width adjoining said parcel on the West. The same having been vacated by City Ordinance No. 58-40 of the City of Bexley, Ohio, on the 3rd day of August, 1940; and subject to an easement recorded in Misc. Records Vol. 43, page 339, and subject to the rights of any abutting land owners resulting from said vacation of the alleys and streets in Park Drive Addition by the City of Bexley, Ohio.

PARCEL 2

Being Reserve "A" of Park Drive Addition, as the said Reserve "A" is designated and delineated upon the recorded plat of said Addition, of record in Plat Book 20, page 36, Recorder's Office, Franklin County, Ohio, and containing 1.804 acres of land.

Also a strip of land 16 ft. in width adjoining Reserve "A" on the East. Also a strip of land 16 ft. in width adjoining Reserve "A" on the South; also a strip of land 10 ft. in width adjoining Reserve "A" on the North; also a strip of land 50 ft. in width, formerly Park Drive, adjoining said Reserve "A" on the West. The same having been vacated by City Ordinance No. 59-40 of the City of Bexley on the 3rd of August, 1940, and subject to the rights of any abutting land owners resulting from said vacation of the alleys and streets in Park Drive Addition by the City of Bexley, Ohio.

Also a parcel beginning at the southwest corner of Reserve "A" and extending in a westerly direction along the extension of the southern boundary of Reserve "A" a distance of 50 feet; thence in a southerly direction in a line parallel to the western boundary of Reserve "A" a distance of 16 feet and thence in an easterly direction in a line parallel to the extension of the southern boundary of Reserve "A" a distance of 50 feet; thence in a northerly direction along the extension of the western boundary of Reserve "A" a distance of 16 feet to the point of beginning, and

A parcel beginning at the southeast corner of Reserve "A" and extending in an easterly direction along the extension of the southern boundary of Reserve "A" for a distance of 16 feet, thence in a southerly direction in a line parallel to the extension of the eastern boundary of Reserve "A" a distance of 16 feet; thence in a westerly direction in a line parallel to the extension of the southern boundary of Reserve "A" a distance of 16 feet; thence in a northerly direction along the extension of the eastern boundary of Reserve "A" a distance of 16 feet to the point of beginning.

EXCEPTING THEREFROM the following tracts of land conveyed by Thomas J. Tully and wife to William E. and Kathryn S. Blaine, by deed dated August 12, 1952, recorded in D.B. 1696, page 198, Recorder's Office, Franklin

County, Ohio: Situated in the County of Franklin, State of Ohio, and in the City of Bexley, and bounded and described as follows:

Beginning at a point at the northwest corner of Reserve "A" shown on the above-mentioned plat; thence S. 88° 07' E. with the north line of said Reserve, 181.4 feet to a point at the northeast corner of said Reserve; thence with the east line of said Reserve, S. 4° 02' E. 112 ft. to a point; thence at right angles to the east line of said Reserve, S. 85° 58' W. 183.47 feet, more or less, to a point in the west line of said Reserve; thence along the west line of said Reserve by a curve bearing to the left and having a radius of 1,550 ft. to the place of beginning, the chord to which bears N. 2° 42' W. 130.76 feet, containing 0.507 acres.

ALSO a strip of land 16 ft. in width and adjoining said above-described parcel on the East; also a strip of land 10 ft. in width adjoining said parcel on the North; also a strip of land 50 ft. in width adjoining said parcel on the West. The same having been vacated by City Ordinance No. 58-40 of the City of Bexley, Ohio, on the 3rd day of August, 1940, together with and subject to an easement recorded in Misc. Records Vol. 43, page 339 and subject to the rights of any abutting land owners resulting from the vacation of the alleys and streets in said Park Drive Addition by the City of Bexley, Ohio.

Said premises hereby conveyed being the same premises conveyed by Thomas J. Tully and wife to The Blaine Lumber Company by deed dated August 12, 1952, recorded in Deed Book 1696, page 202, Recorder's Office, Franklin County, Ohio, including said vacated alleys and streets adjoining said premises, together with intersections of same at the southeast and southwest corners of said Reserve "A" conveyed by William E. Blaine and Kathryn S. Blaine to The Blaine Lumber Company by deeds recorded in Deed Book 1705, page 176 and Deed Book 1710 at page 202, Recorder's Office, Franklin County, Ohio.

#### PARCEL 3

Being a part of 2-1/2 acres off of the north side of Lot No. 1 of John Hikes' Amended Subdivision of Lots Nos. 1, 2, 3, 4, 5, and 6 of Hikes' Subdivision and Suburban Addition to the City of Columbus, Ohio, as the same is shown and designated on the plat thereof, of record in Plat Book 3, page 132, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point in the south line of said above-described 2-1/2 acre tract, which point is 150 feet westerly from the west line of Sheridan Avenue and at an angle in said line; thence westerly, with said south line, to the center of Alum Creek; thence northerly with the center line of Alum Creek to a point 56.94 feet from said south line measured at right angles thereto; thence east, and parallel with said south line, 56.94 feet therefrom to a point 150 feet from the west line of Sheridan Avenue, measured on such line extended; thence southerly and parallel to said west line of Sheridan Avenue, 59 feet to the place of beginning, containing 0.46 acres, more or less, and being the same premises described in the second parcel in the deed from Edward R. Reeves and Alice R. Reeves, husband and wife, to Jennie Levin, hereinabove referred to.

#### PARCEL 4

Being in Half Section 29, Township 5, Range 22, Refugee Lands, and being a part of a 2-1/2 acre tract off of the north side of Lot No. 1 of John Hikes' Amended Subdivision as shown on the plat thereof, of record in Plat Book No. 3, page 132, Recorder's Office, Franklin County, Ohio, and more particularly described as follows:

Commencing at a point in the north line of said 2-1/2 acre tract 50 feet west of the northwest corner of Lot No. 1 of Sheridan Ave. Sub'n., as

shown on the plat thereof of record in Plat Book No. 17, page 234, said Recorder's Office; thence westerly with said north line to the middle of Alum Creek; thence S. 6° E. along the middle of said Creek 60.56 feet, more or less, to the north line of a tract of .46 acres conveyed to Jennie Levin, by deed recorded in D.B. 958, page 401, said Recorder's Office; thence S. 87° E. with the north line of said Levin tract, now in the name of Effie V. Grieves, to a point 150 feet westerly from the west line of Sheridan Avenue, and in the west line of Sheridan Ave. Subdivision; thence northerly to the southwest corner of Lot No. 1 of Sheridan Ave. Subdivision; thence westerly with the south line of said Lot No. 1 extended 50 feet to a point; thence northerly on a line parallel with the west line of Sheridan Avenue to the place of beginning.

Also 15 feet off of the south side of Lots 3 and 4, subdivision of Frederica Long's Heirs, except 62.90 feet, more or less, off the east end thereof, conveyed to Annie C. Miller, being a strip 15 feet wide running from the west line of said Miller tract, now in the name of John R. Schmitt, westerly to the center of Alum Creek and adjoining the parcel first above described on the north.

PARCEL 5

Being in One-half Section Twenty (20), Section Thirteen (13), Township Five (5), Range Twenty-two (22), Refugee Lands, and being the West part of the tract of land conveyed to Hiram Fishpaw by deed as shown on record in Deed Book 254, Page 131, Franklin County Records, and being more particularly described as follows:

Beginning at a point along the North line of the above-mentioned tract One Hundred and Fifty (150) Feet West of an iron pin in the West line of Bexley Drive as established by Ordinance #437, passed by the Council of the Village of Bexley on the fourteenth day of August, 1923; thence along said North line North 86° 58' West Three Hundred and Forty (340) feet to the center line of Alum Creek, passing a stake on line at Fifty feet and an iron pipe at Two Hundred and Sixty-two and Twenty-eight hundredths (262.28) feet; thence with the center line of said Alum Creek 6° 0' East Forty-six and seven tenths (46.7) feet to a point; thence South 86° 58' East Three Hundred and Forty-five and Three Tenths (345.3) feet to a point in said line at One Hundred and Fifty (150) feet from an iron pipe in the West line of the aforesaid Bexley Drive, passing an iron pipe on line on the bank of the Creek at Seventy and Three Tenths (70.3) feet and stake on line at Two Hundred and Ninety-five and Three Tenths (295.3) feet; thence on a line parallel with the West line of Bexley Drive N. 12° 15' West Forty Seven and Eighty-five Hundredths (47.85) feet, to the place of beginning and containing 0.358 acres, more or less.

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus:

PARCEL 6

I. Being Lot Number Eleven (11) of R. H. and M. A. Snowden's Subdivision of Outlots Numbers 33 and 34 in said City, as the same are numbered and delineated on the recorded plat thereof, of record in Plat Book No. 1, page 62, Recorder's Office, Franklin County, Ohio.

II. Being a part of Lot Number Ten (10) of R. H. and M. A. Snowden's Subdivision of Outlots Numbers 33 and 34 in said City, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 1, page 62, Recorder's Office, Franklin County, Ohio; beginning at the southeast corner of Lot Number Ten (10), which is also the southwest corner of Lot Number Eleven (11); thence northerly 187.86 feet along the east line of Lot Number Ten (10), which is also the west line of Lot Number Eleven (11), to a point in the south line of Rich Street; thence westerly along the south line of Rich Street 5.00 feet to a point; thence southerly and adjacent to an iron fence on the west, approximately 187.86 feet to a point in the south line of Lot Number Ten (10), which is also the north line of Cherry Street; which point is 6.8 feet west from the southeast corner of Lot Number Ten (10); thence along the south line of Lot Number Ten (10), which is also the north line of Cherry Street, 6.8 feet to the place of beginning.

PARCEL 7

Being a part of Lots Nos. Forty-eight (48) and Forty-nine (49) of FISHER'S NORTH HIGH STREET ADDITION, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 2, page 194, Recorder's Office, Franklin County, Ohio, said part being more particularly described as follows:

Beginning at an iron pin in the west line of North High Street and in the east line of said Lot No. 48, said iron pin being 51.00 feet southerly from the northeast corner of said lot; thence southerly with the east line of said Lot No. 48 and in the east line of said Lot No. 49 a distance of 28.56 feet to a point, said point being the southeast corner of the High Street Investments, Inc. tract; thence westerly on a line 8.00 feet south of and parallel with the north line of Lot No. 49 a distance of 189.64 feet to an iron pin in the west line of Lot No. 49; thence northerly with the west line of Lots 48 and 49 a distance of 39.08 feet to an iron pin, said iron pin being 39.00 feet southerly from the northwest corner of said Lot No. 48; thence easterly 39.00 feet distant from and parallel with the north line of Lot No. 48 a distance of 103.96 feet to an iron pin; thence southerly at right angles to above described line 11.00 feet to a point; thence easterly 50.00 feet south of and parallel to the north line of Lot No. 48 a distance of 80.00 feet to the place of beginning.

PARCEL 8

Being a part of Lot No. 48, FISHER'S NORTH HIGH STREET ADDITION, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 2, page 194, Recorder's Office, Franklin County, Ohio, said part being more particularly described as follows:

Beginning at an iron pin at the northeast corner of said lot, said iron pin being also in the west line of North High Street; thence southerly with the west line of North High Street and the east line of said lot, 51.00 feet to an iron pin; thence westerly 50.00 feet distant and measured at right angles to the north line of said lot and parallel to said north line, 80.00 feet to a point; thence northerly at right angles to the last described line, 11.00 feet to an iron pin; thence westerly, parallel to the north line of said Lot No. 48, a distance of 103.96 feet to an iron pin in the west line of said lot; thence northerly with said west line, 39.00 feet to an iron pin at the northwest corner of said lot; thence easterly with the north line of said lot, 173.82 feet to the place of beginning.

PARCEL 9

Being Lot Number Thirty-two (32) of MARION HEIGHTS ADDITION to said City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 7, page 402, Recorder's Office, Franklin County, Ohio.