

A Regular meeting of the Oxford City Council was called to order by Mayor Richard Keebler on Tuesday, September 3, 2013 at 7:00 p.m. Those members present were Ken Bogard, Bob Blackburn, John Harman, Kate Rousmaniere and Steve Snyder. Kevin McKeehan was excused.

Staff members present: Mr. Doug Elliott, City Manager; Mr. Mike Dreisbach, Service Director; Mr. Bob Holzworth, Police Chief; Mr. Joe Newlin, Finance Director; Mr. Jung-Han Chen, Community Development Director; Mr. Alan Kyger, Economic Development Director; Mr. Steve McHugh, Law Director, and Ms. Mary Ann Eaton, Clerk of Council.

ADJOURN TO EXECUTIVE SESSION

Mr. Blackburn moved to adjourn to Executive Session immediately in accordance with Ohio Revised Code Section 121.22(G)(1) (2) and (3) for the purpose of discussing appointments to Boards and Commissions, property acquisition and pending litigation. Ms. Rousmaniere seconded. The motion passed by the following roll call:

AYE: Mr. Bogard, Mr. Blackburn, Mr. Harman, Ms. Rousmaniere, Mr. Snyder,
Mayor Keebler (6)

NAY: None (0)

ABS: None (0)

RETURN FROM EXECUTIVE SESSION

Mr. Snyder moved to return from Executive Session at 7:35 p.m. Mr. Bogard seconded. The motion passed 6-0-0.

PLEDGE OF ALLEGIANCE

Mayor Keebler requested the Pledge of Allegiance.

APPROVAL OF AGENDA

Mr. Bogard moved to approve the agenda. Mr. Harman seconded. The motion passed 6-0-0.

PUBLIC PARTICIPATION

SWEARING-IN / POLICE OFFICERS **MATTHEW BLAUVELT AND MATTHEW HARDIN**

Chief Holzworth thanked Council for allowing a portion of their meeting for a very important occasion noting two new Police Officers would be sworn-in this evening. Chief Holzworth asked Matt Baluvelt to come forward and noted Matt was a graduate of Hamilton High School and the University of Southern Indiana. Chief Holzworth advised Matt was married to Pam, his wife of 14 years, and they had two children, Mason and Nicholas.

Chief Holzworth noted Matt previously worked as a Police Officer for the City of Hamilton and he had a lot of experience with community oriented policing. Chief Holzworth advised Matt would be a valuable addition to the Oxford Police Department and it was his pleasure to introduce him to City Council.

Chief Holzworth asked Matt Hardin to come forward and noted after graduating from Fairfield High School Matt joined the Marine Corps and served on active duty from October 2009 to June 2010 and again from February 2011 to April 2012. Chief Holzworth advised Matt would remain on reserve duty with the Marine Corps until October 2017. Chief Holzworth noted while serving as an officer in the Marine Corps Matt also worked as an armed security supervisor for PLS Protective Services. Chief Holzworth advised Matt had one daughter, Lillian, who was in the audience this evening.

Mr. McHugh administered the Oath of Office for Police Officer Matthew Baluvelt and for Police Officer Matthew Hardin.

SWEARING-IN POLICE SERGEANT LARA FENING MOORE

Chief Holzworth asked Lara Fening to come forward and noted Lara was raised in Middletown, Ohio, the youngest of 9 children. Chief Holzworth advised Lara graduated from Miami University in 1993 with a Bachelors Degree in Sociology and her career as a Police Officer began with the Miami University Police Department in 1993. Chief Holzworth noted she was also hired by the Oxford Township Police Department in 1994 and left both jobs to join the Oxford Police Department in 1996. Chief Holzworth advised Lara had served as a Field Training Officer, a Crime Prevention Specialist and she was a member of the Bike Patrol Unit. Chief Holzworth noted Lara had been married to Greg Moore, also an Oxford Police Officer, for 15 years and they had 3 children Zack, Zoe and Zander. Chief Holzworth asked Greg to step forward and noted he wanted to acknowledge publically and with great appreciation the phenomenal job Greg did serving as an Acting Sergeant for the last several months. Chief Holzworth noted Lara was the first female supervisor in the history of the Oxford Police Department which was a milestone event and he was very proud of her.

Mr. McHugh administered the Oath of Office for Sergeant Lara Fening Moore.

All three newly sworn OPD members shook hands with and received congratulations from staff and Council members.

Chief Holzworth thanked Council again for allowing time in their meeting for the swearing-in ceremony.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mr. Bogard moved to appoint Brian Martin to the Civil Service Commission to fill an unexpired term ending June 30, 2015. Mr. Blackburn seconded. The motion passed 6-0-0.

PUBLIC COMMENTS

There were no comments from the public.

CONSENT AGENDA

MINUTES

Minutes of the August 20, 2013 City Council Meeting. (Mary Ann Eaton, Clerk of Council)

REPORTS

Report regarding the July 31, 2013 Historic and Architectural Preservation Meeting (Jung-Han Chen, Community Development Director)

Report regarding the August 7, 2013 Environmental Commission Meeting. (Mike Dreisbach, Service Director)

Report regarding the August 13, 2013 Planning Commission Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the August 21, 2013 Board of Zoning Appeals Meeting. (Jung-Han Chen, Community Development Director)

Report regarding the August 28, 2013 Civil Service Commission Meeting. (Donna Heck, Human Resources Director)

Mr. Snyder moved to approve the consent agenda. Mr. Blackburn seconded. The motion passed 6-0-0.

RESOLUTIONS

RESOLUTION **PROPERTY TAX RATE**

A Resolution No. 4766 accepting the amounts and rates as determined by the Budget Commission of Butler County, Ohio and authorizing the necessary tax levies and certifying them to the County Auditor. (Joe Newlin, Finance Director)

Mr. Newlin advised this was an annual procedure and noted the City's inside millage was 3.65 and the proposed Resolution would verify that there would be nothing on the ballot that would adjust that rate estimating revenue coming into the City.

Mr. Bogard moved to adopt Resolution No. 4766. Mr. Snyder seconded. The motion passed 6-0-0.

RESOLUTION
GRANT APPLICATION

A Resolution No. 4767 of Council supporting the submission of a grant application for Ohio Public Works Commission Issue 1 Funds in the amount of \$418,700.00 to be used for the rehabilitation of High Street between Poplar Street and Campus Avenue. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised his staff report was based on rehabilitating High Street from Poplar Street to Campus Avenue and since that time staff was contacted by the Butler County Engineer's Office and the Ohio Public Works Commission who advised that additional funding was available. Mr. Dreisbach noted he discussed the matter with the City Manager and staff was asking Council to consider substituting a revised Resolution to authorize an additional \$100,000 grant request. Mr. Dreisbach advised if awarded, the money would be used to repair the intersection of High Street and Tallawanda Road which was currently a brick intersection in poor condition and it needed to be rehabilitated.

Mayor Keebler advised the intersection was installed sub-standard to the current specifications and inquired if the original project was funded by Miami University. Mr. Dreisbach advised it was a joint project and the university provided the design through a local architect that had to be re-examined so the end result would meet current specifications. Mayor Keebler inquired if Miami University was expected to assist with the funding for the replacement intersection and Mr. Dreisbach advised yes, although there was not a formal commitment yet. Ms. Rousmaniere asked Mr. Dreisbach to describe the nature of the problem with the intersection. Mr. Dreisbach advised the concrete sub-base was not poured thick enough and parts of the project were not compacted properly which allowed the concrete to fail and the bricks to settle. Mr. Dreisbach noted the bricks would be removed and the intersection would be reconstructed.

Mr. Snyder moved to substitute the revised Resolution provided to Council this evening which included the repair of the intersection of High Street and Tallawanda Road. Mr. Blackburn seconded. The motion passed 6-0-0.

Mr. Dreisbach advised the work would be under contract by the end of 2014 and construction would take place the summer of 2015. Mr. Dreisbach noted the block in question (High Street from Poplar Street to Campus Avenue) was covered by asphalt and he did not expect the bricks underneath to be reusable. Mr. Dreisbach advised the project included all new brick pavers. Mr. Snyder noted the major construction project on U.S. 27 South would occur during the same time frame. Mr. Dreisbach advised the U.S. 27 South project should be 80% complete when the High Street project commenced.

Mr. Snyder moved to adopt substitute Resolution No. 4767. Mr. Blackburn seconded. The motion passed 6-0-0.

ORDINANCES
FIRST READING

ORDINANCE
CURB, GUTTER AND SIDEWALK
ASSESSMENTS

An Ordinance Levying Upon The Lots And Lands Enumerated In The List Of Estimated Assessments (Exhibit A) The Amounts Set Forth On Such List And Setting Forth Terms For Payment Of Assessments. (Mike Dreisbach, Service Director)

Mr. Dreisbach advised through a series of Resolutions, the City caused the repair of deficient curb, gutter and sidewalk. Mr. Dreisbach noted Resolution 4727 declared the necessity to make improvements, Resolution No. 4744 authorized a contract to perform the improvements, and Resolution No. 4757 determined the total cost of assessment per parcel. Mr. Dreisbach advised the proposed assessment costs were advertised for three consecutive weeks in the Oxford press and no challenges were received. Mr. Dreisbach noted upon passage of this Ordinance an owner could pay cash for the assessment within 30 days otherwise, the amount would be levied to the owner's property tax bill to be paid in 5 annual installments at 5% interest.

Mayor Keebler noted the second reading of the proposed Ordinance would take place at the next meeting.

ORDINANCE
CONDITIONAL USE PERMIT

An Ordinance Approving A Conditional Use Permit To Allow For The Expansion Of An Existing Fraternity In A R2MS (Single And Two-Family Mile Square Residential) District At 410 E. Church Street, Oxford, Ohio 45056 With Conditions. (Jung-Han Chen, Community Development Director)

Mr. Chen advised based on the applicants narrative the proposed expansion would not significantly increase the occupancy of the site. Mr. Chen noted the current occupancy was limited to 39 and the proposed addition could increase the occupancy to 44. Mr. Chen advised the existing single-story 'west wing' would be increased to two stories at the front elevation and would also extend further south toward the street. Mr. Chen noted before the permit application was submitted staff worked with the applicant to identify concerns related to the proposed addition. Mr. Chen advised the primary concerns were lot coverage, trash collection facilities and vehicle management. Mr. Chen advised the Planning Commission felt that staff recommendations to address the concerns and the on-going working relationship between staff and the applicant were very beneficial in assisting this project to move forward. Mr. Chen noted after deliberation, the Planning Commission voted 5-0-0 to recommend approval of the project to City Council with conditions as follows:

1. Prior to occupancy the owner shall remove private parking striping located in the alley right-of-way, remove any encroaching or obscuring trees/vegetation, resurface the alley to correct the alley alignment and paint the alley right-of-way to the satisfaction of the Police Chief and the Service Director. All of this work shall be required only on the alley portion adjacent to the subject property.
2. Prior to the issuance of a building permit, the owner shall submit drawings for an approved trash and recycling collection facility to be reviewed and approved according to newly adopted Oxford Codified Ordinance Section 1141.04 entitled Environmental Regulations.
3. The increased lot coverage shall be mitigated by implementing a storm water best management practice for at least the portion of the site equivalent to the square footage of the expansion.

Mr. Chen offered to answer any questions.

Ms. Rousmaniere noted the Planning Commission spent about one third of their time discussing the parking issues related to the proposed expansion. Ms. Rousmaniere advised the building which housed Miami University students was one block from campus, it was one block from Bishop Street which had a designated bike lane and it was 3-4 blocks from the Millett Hall parking lot. Ms. Rousmaniere noted the community did have alternative transportation options and the fraternity advisor was willing to discuss parking issues with the students. Ms. Rousmaniere advised she was committed to pushing this issue in the future.

Mr. Blackburn noted Council was concerned about the safety of students and people living in fraternity houses. Mr. Blackburn advised with the proposed expansion the building would be 4500 square feet and a commercial building 4200 square feet or more was required to have a sprinkling system. Mr. Blackburn inquired if this issue was discussed at the Planning Commission meeting. Mr. Chen advised yes, and the owner was looking into the matter. Mr. Chen noted this was a conditional use permit application not a building permit application. Mr. Blackburn noted this was important and he felt the building should be sprinkled. Mr. Snyder inquired if a sprinkling system should be added as a condition. Mayor Keebler advised a sprinkling system would be under the purview of the Building Code, not the Zoning Code. Mr. Blackburn inquired if the Building Code required a sprinkling system for a building of the proposed size. Mr. Chen advised he would review the Building Code and report back to Council. Mayor Keebler noted the fraternity was very well taken care of and managed and to allow them to make a minor expansion made sense. Mayor Keebler advised the stacked parking made it difficult for students to get their cars out which was a good thing as they would have to use alternate transportation. Mayor Keebler noted he was glad to see the Police, Service and Community Development work together to provide a parking solution for this site. Mayor Keebler advised redevelopment and reinvestment in the current housing stock was important for the City.

ORDINANCES
SECOND READING

None.

ANNOUNCEMENTS

Mr. Elliott advised 2014 was the last contract year extension with Rumpke and staff suggested recommending to Council that the contract be extended for the final year at a 0% increase. Mr. Elliott noted staff felt the request was justified given the increased recycling rates of the City over the past several years, the requirement of using waste wheeler totes in the Mile Square Plus Area and a reduction in solid waste tonnage during summer months when the students were absent. Mr. Elliott advised Rumpke accepted the proposal and later this fall, legislation would be presented to Council to extend the contract with Rumpke for one additional year at no additional cost to the City. Mr. Elliott noted since there would be no increase in the contract he did not intend to propose an increase in the user fees for the businesses and residents next year for solid waste and recycling services.

Mr. Elliott advised the Capital Improvement Plan Work Session would be held Thursday, September 12, 2013 at 6:00 p.m. at the Courthouse.

Mr. Elliott advised the City launched a new website last Friday and noted the previous site was developed in 2001 and it was outdated. Mr. Elliott advised a survey was conducted in 2011 and staff received ideas and suggestions for improving the website. Mr. Elliott noted the new site was developed in house and Andrew Wilson, Community Development Department, took the lead on the project by working with staff in each department and Kim Newton, Assistant to the City Manager, to provide the new site. Mr. Elliott encouraged everyone to visit the new website.

Chief Holzworth thanked everyone who participated in the annual Pig Roast last Thursday including Mayor Keebler and Councilor Blackburn who were honorary cooks. Chief Holzworth noted preliminary figures indicated approximately 3500 people attended the event. Chief Holzworth advised it was a wonderful event which provided a good start for the school year. Chief Holzworth thanked Council for their support.

Mr. Blackburn noted he, Mayor Keebler and Mrs. Keebler along with Dave Mabry of B&B Plumbing served as cooks for the Pig Roast. Mr. Blackburn advised they worked with about 20 Miami University student volunteers. Mr. Blackburn noted the event was fun and it was good to see a mixture of students and townspeople enjoying the evening.

Mr. Harman noted it was good to have the students back in town.

Ms. Rousmaniere noted the 'Walk About' event took place last week and it was a great success. Ms. Rousmaniere advised Megan Donahue from Miami University would report on the event at the next Council meeting.

Mr. Bogard noted he and his wife came to Oxford 50 years ago when Oxford was a village and they had been here ever since and have enjoyed it very much.

Mayor Keebler noted it was nice to see so many people Uptown for the Pig Roast. Mayor Keebler advised various businesses, churches and community organizations set up booths including the LCNB bank who had a great building Uptown.

Mayor Keebler noted he spoke to the president of the LCNB bank who had attended the Pig Roast for the past several years and enjoyed coming to Oxford for the event. Mayor Keebler advised the LCNB had a community room which the community truly appreciated being able to use. Mayor Keebler noted it was great to see the interaction between townspeople and students during the Pig Roast and a lot of people thanked him and Mr. Blackburn as they were cooking.

ADJOURN

Mr. Bogard moved to adjourn at 8:23 p.m. Mr. Blackburn seconded. The motion passed 6-0-0.

CITY OF OXFORD

STAFF SUMMARY REPORT

Report to the City Manager

City Council Meeting of: September 17, 2013

Account Code #: Not Applicable

Budgeted Amount: Not Applicable

Service Department
Originating Department

Michael B. Dreisbach
Prepared By

September 10, 2013
Date Prepared

**Agenda Title: Appropriation of Parcels for the Acquisition of Necessary Right of Way for US 27 South
But 27-14.12 PID # 81769**

Recommendation: Approve

Discussion: The City of Oxford continues to finalize the acquisition of right of way (ROW) necessary for construction of planned improvements on US 27 South from just north of Chestnut St. to just south of Southpointe Crossing. Improvements will widen the roadway and create turning lanes at critical intersections in conjunction with paved shoulders on both sides of the highway. Upgrades will also include the construction of curb & gutter, a stormwater sewer system, concrete sidewalks on both sides of the roadway, improved street lighting, traffic signalization improvements, and the addition of street tree plantings in the future.

The City has evaluated the need for ROW acquisition on approximately 37 parcels of land. While the majority of property owners have successfully negotiated fair market value transactions for their property, there are at least 10 parcels that have not yet come to an agreement with the City. Seven additional parcels are close to settling their ROW cases.

The City contracted with Heritage Land Services to oversee fair market value negotiations with property owners impacted by the US27 South project. At this point, negotiations have stalled and the City must act to appropriate the portions of parcels needed for the project. Where possible, staff has made adjustments to design plans to minimize the impact to businesses and properties that will be affected by the project. Of the ten properties that have not been resolved, Fair Market Value (FMV) estimates range from \$5,390 to \$45,000. Should all of the properties settle for FMV, the cost is estimated at \$ 174,621.

Service Department staff recommends moving forward with appropriation proceedings so that the City may complete the necessary acquisition of ROW. The Ohio Department of Transportation (ODOT) anticipates opening bids for this project on February 6, 2014, and awarding a construction contract shortly thereafter. Construction is expected to take up to two construction seasons to reach completion.

The City has previously encumbered approximately \$1.5M to acquire the necessary ROW for this project. Funds expended by the City will be reimbursed by ODOT utilizing Federal earmarks designated for the construction of this project.

It should be noted that if the seven parcel owners that are close to an agreement don't sign, the City will be forced into additional appropriation actions to meet our obligation to ODOT to provide the necessary ROW for the project.

Approved By:

Department Head:

City Manager:

Initial Date
MBD 9/10/13

MBD 9/13/13

RESOLUTION NO.

A RESOLUTION TO DECLARE THE NECESSITY AND INTENT TO ACQUIRE CERTAIN PARCELS OR REAL ESTATE AND OTHER PROPERTY INTERESTS OWNED BY DAVID NESTLE, WITH INTEREST BY OTHERS, FOR THE WIDENING OF MILLVILLE-OXFORD ROAD (U.S. 27), IN THE CITY OF OXFORD, OHIO.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: This Council hereby declares the necessity and intention to appropriate certain property in accordance with Chapter 163 of the Ohio Revised Code for the purpose of widening and improving Millville-Oxford Road, which is a road open to the public without charge.

SECTION 2: This Council considers it necessary and declares its intention to appropriate certain permanent and temporary right-of-way in real estate described in Exhibit "A", attached hereto and incorporated herein; the owners, persons or entities in possession and persons or entities having an interest of record and others which may have an interest include David Nestle, and any other lien holders, persons or entities declaring a lawful interest in said same real estate.

SECTION 3: The City Manager or his designee is hereby authorized to cause written notice of the adoption of this Resolution to be given to the owners, person in possession of, or having an interest of record or other interest in the above- described premises, and said notice shall be served according to law by a person to be designated for that purpose by said City Manager or his designee and to make return of said service of notice in the manner provided by law.

SECTION 4: This resolution shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED: _____

ATTEST:

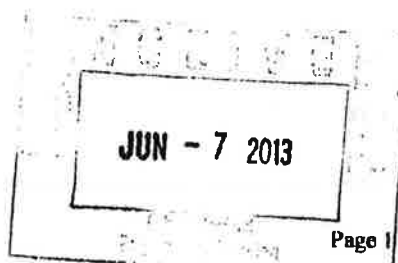
CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: RICHARD KEEBLER

PREPARED BY: LAW (STAFF)

5.11.

EXHIBIT A



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Rev. 66/09

LPA RX 851 WD

Ver. Date 10/15/12

PID 81769

**PARCEL 160-WD
BUT-27-14.12
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
"CITY OF OXFORD, BUTLER" COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Butler, City of Oxford, Section 26, Township 5, Range 2, being part of Lot No. 953 Juniper Hills Subdivision which is a 0.608 acre tract conveyed to David R. Nestle as recorded in Official Record 7762, Page 673, in the Butler County Recorder's Office, and being more particularly described as follows:

Being a parcel of land lying on the right side of the centerline of survey and the centerline of construction for BUT-27-10.92 and being located within the following described points in the boundary thereof:

COMMENCING for reference at a point at the southwest corner of said Lot No. 953 of Juniper Hills Subdivision as recorded in Plat Book 16, Page 30, in the Butler County Recorder's Office, said point being 30.00 feet right of centerline of survey station 232+43.96, and also being the **TRUE POINT OF BEGINNING** for the parcel herein described:

Thence, with a curve to the right having a radius of 11429.16 feet, a central angle of 00 degrees 19 minutes 05 seconds, an arc length of 63.42 feet, and a chord that bears North 30 degrees 16 minutes 45 seconds West, for a distance of 63.42 feet to a point, said point being 30.00 feet right of centerline of survey station 233+07.55;

Thence, North 30 degrees 07 minutes 13 seconds West, along the east existing right of way of U.S. 27, for a distance of 61.50 feet to a point at the grantor's northwest corner, said point being 30.00 feet right of centerline of survey station 233+69.04;

EXHIBIT A

LPA RX 851 WD

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Thence, North 67 degrees 04 minutes 28 seconds East, along the grantor's north line, for a distance of 40.32 feet to an iron pin, said pin being 70.00 feet right of centerline of survey station 233+63.99;

Thence, South 30 degrees 07 minutes 13 seconds East, across the grantor's tract, for a distance of 56.45 feet to an iron pin, said pin being 70.00 feet right of centerline of survey station 233+07.55;

Thence, with a curve to the left having a radius of 11389.16 feet, a central angle of 00 degrees 25 minutes 12 seconds, an arc length of 83.50 feet, and a chord that bears South 30 degrees 19 minutes 49 seconds East, for a distance of 83.50 feet to an iron pin on the grantor's south line, said pin being 70.00 feet right of centerline of survey station 232+23.53;

Thence, South 86 degrees 28 minutes 04 seconds West, along the grantor's south line, for a distance of 44.88 feet to the **TRUE POINT OF BEGINNING**, containing 0.122 acres.

It is understood that the parcel of land described contains, 0.122 acres, more or less, including the present road occupies, 0.000 acres, more or less, is located in Butler County Auditor's permanent parcel number H4100-111-000-016.

All iron pins set are 5/8 inch x 30 inch rebar with an orange cap stamped "LOCKWOOD, LANIER, MATHIAS, & NOLAND, INC.".

Description prepared from an actual field survey by Lockwood, Lanier, Mathias & Noland, Inc. under the supervision of Richard F. Mathias, P.S. #7798, November, 2011.

Grantor claims title by instrument recorded in Official Record 7762, Page 673 in the Butler County Recorder's Office.

Bearings are based on the State Plane Coordinate System (Ohio South Zone, NAD 83).

Richard F. Mathias

Richard F. Mathias
Ohio Registered Surveyor S-7798



1-23-13

Date

REVIEWED & APPROVED

BY: *[Signature]*

DATE: 1-25-13

EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 10/15/12

PID 81769

**PARCEL 160-T
BUT-27-14.12
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
TO COMPLETE GRADING
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
"CITY OF OXFORD, BUTLER," COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Butler, City of Oxford, Section 26, Township 5, Range 2, being part of Lot No. 953 Juniper Hills Subdivision which is a 0.608 acre tract conveyed to David R. Nestle as recorded in Official Record 7762, Page 673, in the Butler County Recorder's Office, and being more particularly described as follows:

Being a parcel of land lying on the right side of the centerline of survey and the centerline of construction for BUT-27-10.92 and being located within the following described points in the boundary thereof:

COMMENCING for reference at an iron pin on the east proposed right of way for U.S. 27 and the grantor's south line, being 70.00 feet right of centerline of survey station 232+23.53, and also being the **TRUE POINT OF BEGINNING** for the parcel herein described:

Thence, with a curve to the right having a radius of 11389.16 feet, a central angle of 00 degrees 25 minutes 12 seconds, an arc length of 83.50 feet, and a chord that bears North 30 degrees 19 minutes 49 seconds West, for a distance of 83.50 feet to an iron pin, said pin being 70.00 feet right of centerline of survey station 233+07.55;

Thence, North 30 degrees 07 minutes 13 seconds West, along the east proposed right of way for U.S. 27, for a distance of 56.45 feet to an iron pin, said pin being 70.00 feet right of centerline of survey station 233+63.99;

Thence, North 67 degrees 04 minutes 28 seconds East, along the grantor's north line, for a distance of 10.08 feet to a point, said point being 80.00 feet right of centerline of survey station 233+62.73;

Thence, South 30 degrees 07 minutes 13 seconds East, across the grantor's tract, for a distance of 55.18 feet to a point, said point being 80.00 feet right of centerline of survey station 233+07.55;

EXHIBIT A

LPA RX 887 T

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Thence, with a curve to the right having, a radius of 11379.16 feet, a central angle of 00 degrees 26 minutes 45 seconds, an arc length of 88.53 feet, and a chord that bears South 30 degrees 20 minutes 35 seconds East, for a distance of 88.53 feet to a point on the grantor's south line, said point being 80.00 feet right of centerline of survey station 232+18.40;

Thence, South 86 degrees 28 minutes 04 seconds West, along the grantor's south line, for a distance of 11.23 feet, to the **TRUE POINT OF BEGINNING**, containing 0.033 acres.

It is understood that the parcel of land described contains, 0.033 acres, more or less, including the present road occupies, 0.000 acres, more or less, is located in Butler County Auditor's permanent parcel number H4100-111-000-016.

All iron pins set are 3/4" x 30" rebar with 2" aluminum cap stamped "ODOT R/W-District 8".

Description prepared from an actual field survey by Lockwood, Lanier, Mathias & Noland, Inc. under the supervision of Richard F. Mathias, P.S. #7798, November, 2011.

Grantor claims title by instrument recorded in Official Record 7762, Page 673 in the Butler County Recorder's Office.

Bearings are based on the State Plane Coordinate System (Ohio South Zone, NAD 83).

Richard F. Mathias

Richard F. Mathias
Ohio Registered Surveyor S-7798



1-23-13
Date

BUT 27 - 10.92 PID: 81769
PROJECT STATUS REPORT
9/10/2013

Parcel	Ext.	Owner	Property Address	Parcel Number
132	WD	Herbert J. Summe Carl A. Summe Res 3	3992 Millville-Oxford Road	H3520052000002
133	WD,T	Shawn & Holly Baker 4	3996 Millville-Oxford Road	H3620052000003
133	BS-1	Century 21 5	3996 Millville-Oxford Road	H3620052000003
137	WD,T , ER	Alan W. & Tammy K. Thome 6	4134 Millville-Oxford Road	H3620050000001
151	WD,T	Sheryl Lancaster 7	4205 Millville-Oxford Road	H4100112000010
156	WDV	Bruce Edward & Diane Kay Perry 8	McKee Avenue	H4100111000021
158	WD	Bruce E. & Diane K. Perry 9	6 McKee Avnue	H4100111000020
159	WDV,T	Bruce Edward & Diane Kay Perry 10	Thomson Court	H4100111000017
160	WD,T	David R. Nestle 11	106 Thomson Court	H4100111000016
162	WD,T	Edwina Green 12	Millville-Oxford Road	H4100110000010