

ADDRESS N/A
FS

TERRY FINLEY
Ohio Registered Surveyor #S-7222
155 Mockingbird Hill, Zanesville, OH 43701
Phone or FAX (740) 454-8721

LEGAL DESCRIPTION
for Maylen Peters estate

Situated in the State of Ohio, County of Muskingum, Township of Hopewell, and being part of the northwest, northeast and southeast quarters of Section 5, Township 18, Range 15, and being all those lands intended to be described in Deed Volume 1140, page 459; being further bounded and described as follows:

Beginning at an iron pin set at the northwest corner of the northeast quarter of said Section 5, thence, south 89 degrees – 44 minutes – 41 seconds east, 1395.30 feet along the north line of said Section and the south line of Section 21 (Licking County), to an iron pin found at the southeast corner of said Section 21 (Licking County);

Thence, continuing south 89 degrees – 44 minutes – 41 seconds east, 981.61 feet along Township Road 412 to an iron pin found;

Thence, south 00 degrees – 14 minutes – 53 seconds west, 731.40 feet to an iron pin found;

Thence, north 89 degrees – 44 minutes – 28 seconds west, 9.53 feet to an iron pin found in the centerline of said Township Road 412;

Thence, along said centerline the following six (6) courses and distances:

1. along a curve to the right having a radius of 140.88 feet, a length of 163.07 feet, a delta of 66 degrees – 19 minutes – 14 seconds, the chord of which bears south 33 degrees – 30 minutes – 30 seconds west, 154.12 feet to a point;
2. south 66 degrees – 40 minutes – 07 seconds west, 282.61 feet to a point;
3. along a curve to the left having a radius of 383.29 feet, a length of 228.80 feet, a delta of 34 degrees – 12 minutes – 07 seconds, the chord of which bears south 49 degrees – 34 minutes – 05 seconds west, 225.42 feet to a point;
4. south 32 degrees – 28 minutes – 01 seconds west, 506.19 feet to a point;
5. along a curve to the right having a radius of 140.73 feet, a length of 93.57 feet, a delta of 38 degrees – 05 minutes – 43 seconds, the chord of which bears south 51 degrees – 30 minutes – 48 seconds west, 91.86 feet to a point;
6. south 70 degrees – 33 minutes – 40 seconds west, 118.49 feet to a point;

Thence, leaving said road, south 89 degrees – 41 minutes – 40 seconds west, 85.62 feet to an iron pin found;

Thence, south 00 degrees – 32 minutes – 25 seconds west, 79.99 feet to a railroad spike set;

Thence, along the perimeter of an existing cellular tower easement and access road (to be retained by grantor herein), the following six (6) courses and distances:

1. south 89 degrees – 42 minutes – 52 seconds west, 144.98 feet to a railroad spike set;
2. north 00 degrees – 26 minutes – 43 seconds west, 79.95 feet to an iron pin found;
3. south 89 degrees – 44 minutes – 53 seconds west, 100.09 feet to an iron pin found;
4. south 00 degrees – 19 minutes – 06 seconds east, 100.17 feet to an iron pin found;
5. north 89 degrees – 37 minutes – 04 seconds east, 100.26 feet to an iron pin found;
6. north 89 degrees – 42 minutes – 52 seconds east, 144.98 feet to an iron pin found in Township Road 412;

Thence, south 00 degrees – 22 minutes – 30 seconds west, 1208.80 feet along said road to a point;

Thence, north 89 degrees – 38 minutes – 20 seconds west, 446.77 feet to an iron pin found, passing an iron pin found at 19.95 feet;

Thence, south 00 degrees – 21 minutes – 40 seconds west, 308.04 feet to an iron pin found;

Thence, north 89 degrees – 30 minutes – 39 seconds west, 853.10 feet to an iron pin found on the quarter section line;

Thence, North 00 degrees – 03 minutes – 29 seconds east, 2923.03 feet to an iron pin found;

Thence, north 47 degrees – 05 minutes – 28 seconds west, 449.09 feet to an existing six (6) inch wood post found;

Thence, south 89 degrees – 48 minutes – 06 seconds west, 297.29 feet to an iron pin found;

Thence, north 00 degrees – 11 minutes – 55 seconds west, 8.25 feet to an existing six (6) inch wood post found;

Thence, south 89 degrees – 04 minutes – 37 seconds west, 59.72 feet to an iron pin found 120 feet right of STA788+15.5 of Interstate 70, as recorded in Plat Book 11, pages 51 and 52;

Thence, north 66 degrees – 13 minutes – 15 seconds east, 63.05 feet to a point 155.00 feet right of STA788+57.3;

Thence, north 89 degrees – 04 minutes – 37 seconds east, 69.90 feet to a point 134.60 feet right of STA789+24.40;

Thence, south 89 degrees – 46 minutes – 25 seconds east, 558.71 feet to the ***point of beginning***, and ***containing 125.648 acres more or less***.

Bearings described herein are based upon assumed azimuth and to be used for angle purposes only.

Iron pins set are 5/8" rebar with yellow identification cap (Finley S-7222).

All of Auditor's Parcel #25-65-05-09-000	8.284 acres
All of Auditor's Parcel #25-65-05-10-000	36.429 acres.
All of Auditor's Parcel #25-65-05-11-000	79.302 acres
All of Auditor's Parcel #25-65-05-12-000	<u>1.633 acres</u>
TOTAL	125.648 acres

This description, written on July 9, 2004, is based on an actual survey of the premises by **Terry J. Finley, Ohio Registered Surveyor #S-7222**.



~~OFFICE COPY~~
~~NOT RECORDABLE~~
Terry J. Finley, Registered Surveyor #S-7222

DESCRIPTION APPROVED
FOR AUDITOR'S TRANSFER
BY K. Buckley
7-12-2004

SITUATED IN THE STATE OF OHIO, COUNTY OF MUSKINGUM, TOWNSHIP OF HOPEWELL AND BEING PART OF THE NORTHWEST, NORTHEAST AND SOUTHWEST QUARTERS OF SECTION 5, TOWNSHIP 18, RANGE 15 AND BEING ALL THOSE LANDS INTENDED TO BE DESCRIBED IN DEED VOLUME 1140, PAGE 459.

THE BEARINGS SHOWN HEREON ARE BASED UPON ASSUMED AZIMUTH AND TO BE USED FOR ANGLE PURPOSES ONLY.

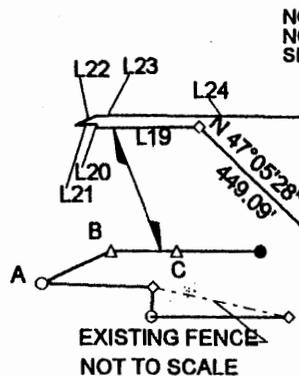
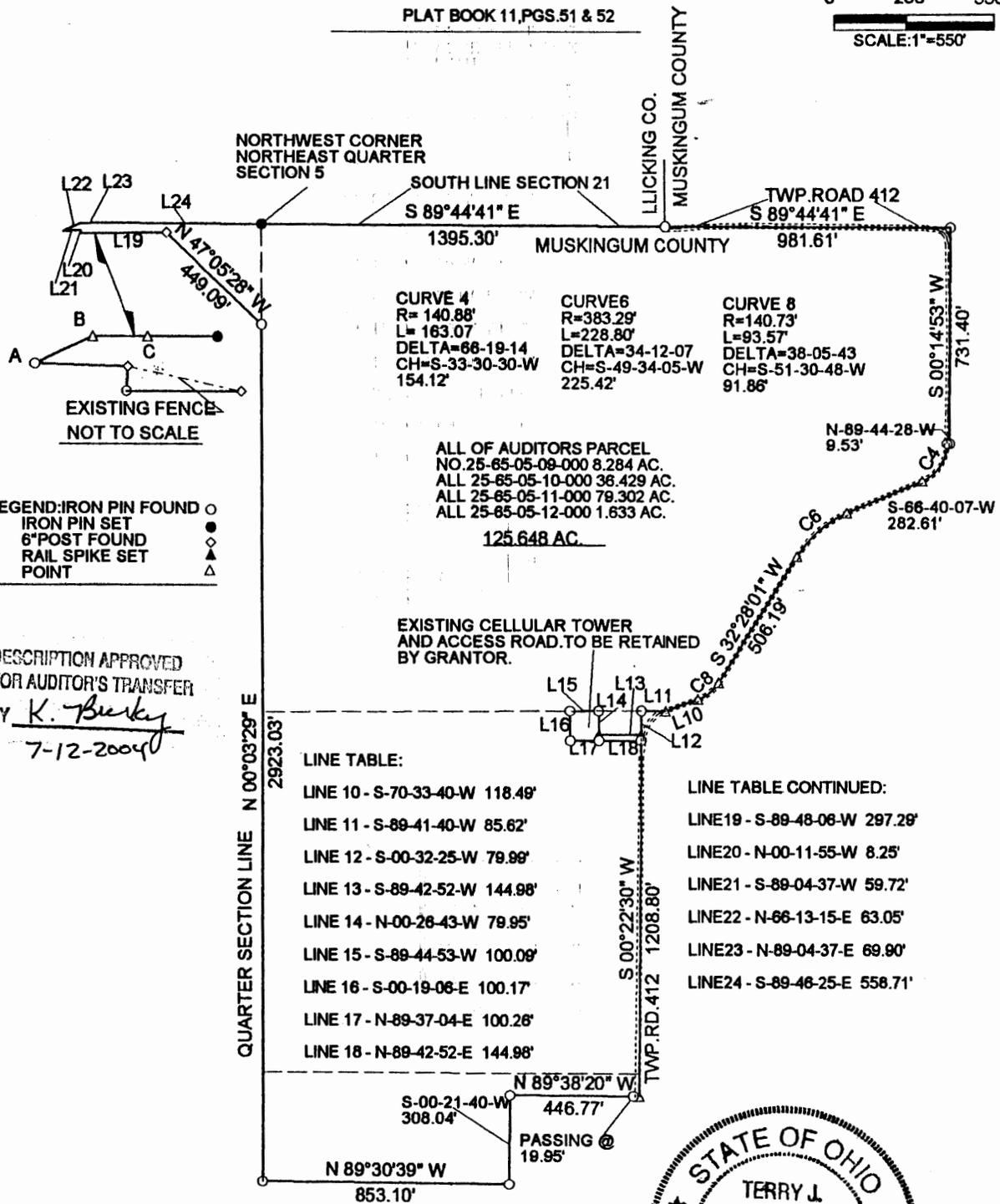
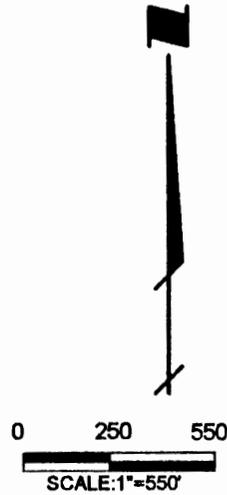
IRON PINS SET ARE 5/8" REBAR, 30" LONG WITH YELLOW I.D. CAP.

A = 120' RIGHT OF STA. 788+15.5 I.R. 70

B = 115' RIGHT OF STA. 788+57.3 I.R. 70

C = 134.6' RIGHT OF STA. 788+24.4 I.R. 70

PLAT BOOK 11, PGS. 51 & 52



LEGEND: IRON PIN FOUND ○
 IRON PIN SET ●
 6\"/>

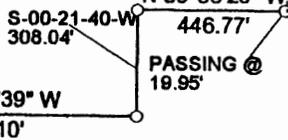
DESCRIPTION APPROVED FOR AUDITOR'S TRANSFER BY *K. Burkley* 7-12-2004

LINE TABLE:

LINE 10 - S-70-33-40-W	118.49'
LINE 11 - S-89-41-40-W	85.62'
LINE 12 - S-00-32-25-W	79.99'
LINE 13 - S-89-42-52-W	144.98'
LINE 14 - N-00-28-43-W	79.95'
LINE 15 - S-89-44-53-W	100.09'
LINE 16 - S-00-19-08-E	100.17'
LINE 17 - N-89-37-04-E	100.28'
LINE 18 - N-89-42-52-E	144.98'

LINE TABLE CONTINUED:

LINE 19 - S-89-48-06-W	297.29'
LINE 20 - N-00-11-55-W	8.25'
LINE 21 - S-89-04-37-W	59.72'
LINE 22 - N-66-13-15-E	63.05'
LINE 23 - N-89-04-37-E	69.90'
LINE 24 - S-89-46-25-E	558.71'



THIS PLAT AND ACCOMPANYING DESCRIPTION WERE PREPARED ON JULY 8TH, 2004, BY TERRY J. FINLEY, OHIO REGISTERED SURVEYOR #S-7222 BASED ON AN ACTUAL SURVEY AND IS SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS RECORDED OR IMPLIED.



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 NOT RECORDABLE**

TERRY J. FINLEY SURVEYING AND MAPPING		
155 MOCKINGBIRD HILL		
ZANESVILLE, OHIO 43701		
DATE: 7/08/2004	SCALE: 1" = 550'	DRAWN BY: TJF



Smart Surveying, Inc.

1725 Blue Jay Road, Heath, Ohio 43056
* Phone: (740) 345-4700 * Fax: (740) 522-4706 *



ADDRESS N/A
PS
25-65-05-10

**LEGAL DESCRIPTION
OF 39.830 ACRES
FOR DON TUFTO
August 26, 2004
Page 1 of 2**

Situated in the State of Ohio, County of Muskingum, Township of Hopewell, being a part of the Southeast Quarter of Section 5, Township 18, Range 15, Congress Lands East of the Scioto River, and being a part of the property conveyed to Donald V. and Velma L. Tufto by Deed Book 1888, Page 892 (first and second parcels) of the Muskingum County Recorder's Office, and being more particularly bound and described as follows:

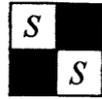
Beginning for Reference at an Iron Pin w/cap labeled "Finley" Found at the northwest corner of the Northeast Quarter of Section 5, thence along the westerly line of said Northeast Quarter, South 00 degrees 03 minutes 29 seconds West, 1659.17 feet to an Iron Pin w/cap labeled "Finley" Found at the True Point of Beginning of the parcel herein described, said point being the northwest corner of said Tufto property (second parcel), passing an Iron Pin w/cap labeled "Biedenbach" Found at 336.45 feet;

Thence along the northerly line of said Tufto property (second parcel), North 89 degrees 42 minutes 22 seconds East, 1308.60 feet to an Iron Pin Found w/silver cap at the northeast corner of said Tufto property (second parcel), said point also being the northwest corner of the property conveyed to Edward D. and Constance E. Hill by D.B. 1565-42, passing 5/8" Rebars Found at 1062.37 feet and 1162.27 feet;

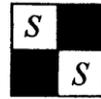
Thence along the easterly line of said Tufto property (first and second parcels), South 00 degrees 22 minutes 58 seconds West, 1308.74 feet to a point at the southeast corner of said Tufto property (first parcel) and the northeast corner of the property conveyed to Maylen T. II and Debra K. Peters by D.B. 1154-150, passing a Railroad Spike Found at 80.11 feet and a 5/8" Rebar Found at 100.03 feet;

Thence along the southerly line of said Tufto property (first parcel) and the northerly line of said Peters property, North 89 degrees 36 minutes 31 seconds West, 446.77 feet to an Iron Pin w/cap labeled "Finley" Found at the northwest corner of said Peters property and an angle point of said Tufto property (first parcel), passing an Iron Pin w/cap labeled "Finley" Found at 19.95 feet;

Thence along the westerly line of said Peters property and the property conveyed to Laura Lee Daniels by D.B. 1140-501, South 00 degrees 21 minutes 17 seconds West, 308.22 feet to an Iron Pin w/cap labeled "Finley" Found at the southwest corner of said Daniels property, said point also being the southeast corner of said Tufto property (first parcel), and the northerly line of the property conveyed to Stacey R. Tabler by D.B. 1834-575, passing an Iron Pin w/cap labeled "Finley" Found at 195.23 feet;



Smart Surveying, Inc.



1725 Blue Jay Road, Heath, Ohio 43056
* Phone: (740) 345-4700 * Fax: (740) 522-4706 *

**LEGAL DESCRIPTION
OF 39.830 ACRES
FOR DON TUFTO
August 26, 2004
Page 2 of 2**

Thence along the southerly line of said Tufto property (first parcel) and the northerly lines of said Tabler property and the property conveyed to David B. and Jodi A. Parrett by D.B. 1138-43, North 89 degrees 30 minutes 37 seconds West, 552.83 feet to an Iron Pin Set;

Thence crossing said Tufto property (first and second parcels) the following two (2) courses:

- North 00 degrees 03 minutes 29 seconds East, 750.00 feet to an Iron Pin Set;
- North 89 degrees 30 minutes 37 seconds West, 300.00 feet to an Iron Pin Set

in the westerly line of said Tufto property (second parcel), said point also being in the westerly line of said Northeast Quarter of Section 5;

Thence along the westerly line of said Tufto property (second parcel) and the westerly line of said Northeast Quarter of Section 5, North 00 degrees 03 minutes 29 seconds East, 849.87 feet to the True Point of Beginning, containing 39.830 Acres, more or less, of which 5.659 Acres lies within Auditor's Parcel No. 25-65-05-09-000 and 34.171 Acres lies within Auditor's Parcel No. 25-65-05-10-000. Subject to any and all easements, right-of-ways, conditions and restrictions of record. All iron pins set are 5/8-inch by 30-inch rebar with yellow identification caps labeled "Smart Surveying". Bearings shown herein are based upon the westerly line of the Northeast Quarter of Section 5, being North 00 degrees 03 minutes 29 seconds East, as shown on the plat of survey of the Tufto property, prepared by Terry J. Finley Surveying and Mapping in July 2004. This description was prepared by Smart Surveying, Inc. in August 2004 and is based upon actual field measurements.

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NOT RECORDABLE
BRIAN D. SMART
REG. SURVEYOR #7611
G:\PROJECTS\LEGALS\31300\31326-B.doc



DESCRIPTION APPROVED
FOR DON TUFTO'S TRANSFER
BY [Signature]
9-9-2004

**PLAT OF SURVEY
FOR DON TUFTO**

PART OF THE SOUTHEAST QUARTER OF SECTION 5
TOWNSHIP 18, RANGE 15
CONGRESS LANDS EAST OF THE SCIOTO RIVER
HOPEWELL TOWNSHIP
MUSKINGUM COUNTY, OHIO

LICKING COUNTY
MUSKINGUM COUNTY
REFERENCE POINT OF BEGINNING
NORTHWEST CORNER OF
THE NORTHEAST QUARTER
OF SECTION 5 ~ IRON PIN
FOUND W/CAP "FINLEY"

IRON PIN FOUND
W/CAP "FINLEY"

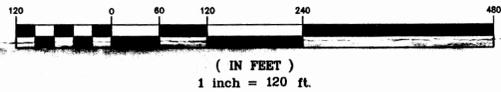
H. EDWARD &
ALMA MAE &
BRENT IDEN
1092/431

IRON PIN FOUND
W/CAP "BIEDENBACH"
W-3.18'

DESCRIPTION APPROVED
FOR REVISIONS TRANSFER
BY *[Signature]*

9-9-2004 BOTH SPLITS
NOTE: S. 165 AC. SPLIT WILL
ADJOIN A .026 AC
SPLIT SOUTHOFF IT
FOR 25' FF

GRAPHIC SCALE



LEGEND

- MONUMENT FOUND AS NOTED
- 5/8" REBAR SET WITH YELLOW IDENTIFICATION CAP MARKED SMART SURVEYING
- STONE FOUND
- (M) MEASURED BEARING & DISTANCE
- (C) CALCULATED BEARING AND DISTANCE
- (R) RECORD BEARING AND DISTANCE
- DRAINAGE FLOW

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE BASED UPON THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 5, BEING NORTH 00° 03' 29" EAST, AS SHOWN ON THE PLAT OF SURVEY OF THE TUFTO PROPERTY, PREPARED BY TERRY J. FINLEY SURVEYING AND MAPPING IN JULY 2004.

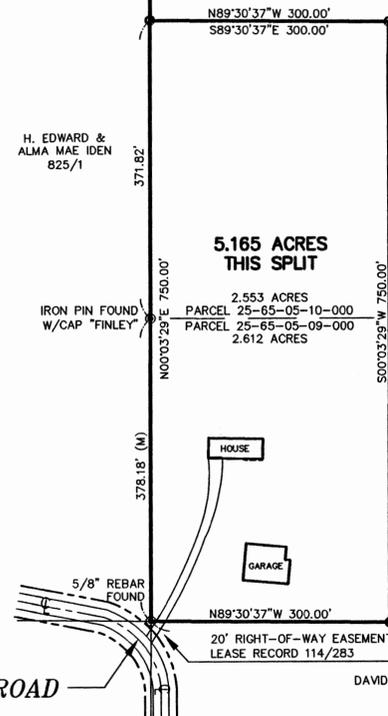
CERTIFICATION

THIS PLAT WAS PREPARED BY SMART SURVEYING, INC. AND IS A TRUE AND ACCURATE REPRESENTATION, TO THE BEST OF MY KNOWLEDGE AND BELIEF, OF A SURVEY MADE BY SAME IN AUGUST 2004.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE POLICY; ALL OWNERSHIP SHOWN IS BASED UPON RECORD DATA ACQUIRED AT THE TIME OF SURVEY, NO GUARANTEE IS PLACED UPON ACTUAL OWNERSHIP OF ANY PROPERTY.

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BRIAN D. SMART REG. SURVEYOR NO. 7611



**5.165 ACRES
THIS SPLIT**

2.553 ACRES
PARCEL 25-65-05-10-000
2.612 ACRES
PARCEL 25-65-05-09-000

HOUSE

GARAGE

**DONALD V. AND VELMA L. TUFTO
DEED BOOK 1888, PAGE 892
SECOND PARCEL**

39.830 ACRES THIS SPLIT

MINUS ACREAGE OF CELLULAR TOWER LEASE SITE
LEAVES A NET ACREAGE OF 39.600 ACRES

**DONALD V. AND VELMA L. TUFTO
DEED BOOK 1888, PAGE 892
FIRST PARCEL**

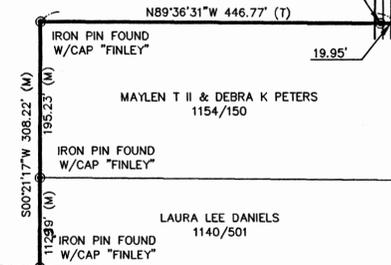
DAVID B. & JODI A. PARRETT
1138/43

DONALD V. AND VELMA L. TUFTO
DEED BOOK 1888, PAGE 892
THIRD PARCEL

1062.37' (M)
N89°42'22\"/>

CELLULAR TOWER LEASE SITE ~ 0.230 ACRES
LEASE BOOK 276, PAGE 585

CELLULAR TOWER ACCESS UTILITY EASEMENT
LEASE BOOK 276, PAGE 585



STACEY R. TABLER
1834/575

PREPARED BY:
SMART SURVEYING, INC.
1725 BLUE JAY ROAD, HEALTH, OHIO 43056
PHONE: (740) 345-4700 FAX: (740) 522-4706

DRAWN BY: B. SMART	DATE: AUG. 24, 2004
CHECKED BY: B. SMART	DRAWING NO.: 31326S.DWG
JOB NO.: 31326	SHEET 1 OF 1

TWP. ROAD 412 ~ ASBURY CHAPEL ROAD
(40' RIGHT-OF-WAY)

TWP. ROAD 286 ~ IDEN ROAD
(40' RIGHT-OF-WAY)

TERRY FINLEY
Ohio Registered Surveyor #S-7222
155 Mockingbird Hill, Zanesville, OH 43701
Phone or FAX (740) 454-8721

LEGAL DESCRIPTION
for Maylen Peters estate
36.44 acres

Situated in the State of Ohio, County of Muskingum, Township of Hopewell, and being part of the southeast quarter of Section 5, Township 18, Range 15, and being part those lands intended to be described in Deed Volume 1140, page 459; being further bounded and described as follows:

Commencing at an iron pin set at the northwest corner of the northeast quarter of said Section 5, thence, south 00 degrees – 03 minutes – 29 seconds west, 1659.08 feet along the quarter section line to an iron pin set, and the *true point of beginning* for the parcel herein intended to be described;

Thence, north 89 degrees – 43 minutes – 14 seconds east, 1308.73 feet to an iron pin found, passing iron pins found at 1062.28 feet and 1162.37 feet;

Thence, south 00 degrees – 22 minutes – 29 seconds west, 1229.85 feet to a point in Township Road 412, passing a railroad spike set at 79.99 feet and an iron pin found at 99.98 feet, said iron pin found also being in Township Road 412;

Thence, north 89 degrees – 56 minutes – 31 seconds west, 1301.91 feet to an iron pin set, passing an iron pin set at 25.00 feet;

Thence, north 00 degrees – 03 minutes – 29 seconds east, 1222.13 feet along the quarter section line to the *point of beginning*, and containing 36.737 acres more or less. Excepting therefrom a parcel of land to be retained by the Grantor herein encompassing an existing cellular tower and access road; being further bounded and described as follows: Commencing at the northwest corner of the above-described 36.737 acre parcel, thence, north 89 degrees – 43 minutes – 14 seconds east, 1062.28 feet to an iron pin found, and the true point of beginning for this exception; thence, continuing north 89 degrees – 43 minutes – 14 seconds east, 100.09 feet to an iron pin found; thence, south 00 degrees – 26 minutes – 54 seconds east, 80.00 feet to a railroad spike set; thence, north 89 degrees – 42 minutes – 52 seconds east, 145.21 feet to a railroad spike set; thence, south 00 degrees – 22 minutes – 29 seconds west, 19.99 feet to an iron pin found; thence, south 89 degrees – 42 minutes – 52 seconds west, 144.98 feet to an iron pin found; thence, south 89 degrees – 37 minutes – 04 seconds west, 100.26 feet to an iron pin found; thence, north 00 degrees – 19 minutes – 15 seconds west, 100.17 feet to the point of beginning and containing *0.297 acres more or less*.

Total acreage before exception: 36.737 acres
Excepting cellular tower & access road .297 acres
Total acreage to be transferred is: 36.44 acres

Bearings described herein are based upon assumed azimuth and to be used for angle purposes only.

Iron pins set are 5/8" rebar with yellow identification cap (Finley S-7222).

Part of Auditor's Parcel #25-65-05-10-000.

This description, written on July 21, 2004, is based on an actual survey of the premises by **Terry J. Finley, Ohio Registered Surveyor #S-7222.**



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Terry J Finley, Registered Professional Surveyor #S-7222

DESCRIPTION APPROVED
FOR AUDITOR'S TRANSFER
BY: *[Signature]*
7-22-1004

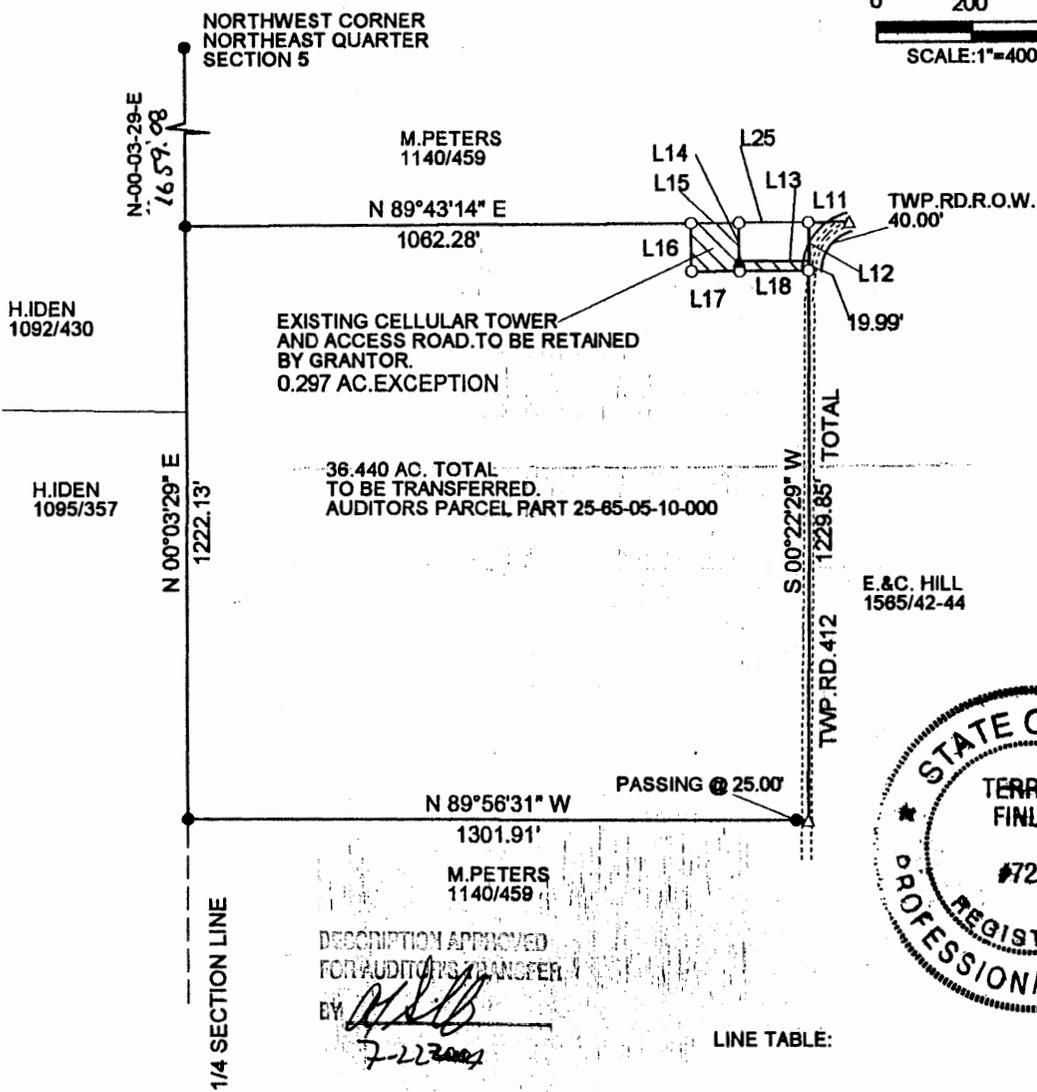
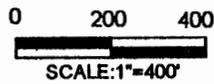
ADDRESS N/A

PS

SITUATED IN THE STATE OF OHIO COUNTY OF MUSKINGUM, TOWNSHIP OF HOPEWELL AND BEING PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 18, RANGE 15 AND BEING PART OF THOSE LANDS INTENDED TO BE DESCRIBED IN DEED VOLUME 1140, PAGE 459.

THE BEARINGS SHOWN HEREON ARE BASED UPON ASSUMED AZIMUTH AND TO BE USED FOR ANGLE PURPOSES ONLY.

IRON PINS SET ARE 5/8" REBAR, 30" LONG WITH YELLOW I.D. CAP.



DESCRIPTION APPROVED FOR AUDITORS TRANSFER BY *TJF* 7-22-2004

LINE TABLE:

- LINE 11 - S-89-41-40-W 85.62'
- LINE 12 - S-00-22-29-W 79.99'
- LINE 13 - S-89-42-52-W 145.21'
- LINE 14 - N-00-28-54-W 80.00'
- LINE 15 - S-89-43-14-W 100.09'
- LINE 16 - S-00-19-15-E 100.17'
- LINE 17 - N-89-37-04-E 100.28'
- LINE 18 - N-89-42-52-E 144.98'
- LINE 25 - N-89-43-14-E 146.36'

- LEGEND: IRON PIN FOUND ○
 IRON PIN SET ●
 6" POST FOUND ▲
 RAIL SPIKE SET ◆
 POINT △

THIS PLAT AND ACCOMPANYING DESCRIPTION WERE PREPARED ON JULY 21ST, 2004, BY TERRY J. FINLEY, OHIO REGISTERED SURVEYOR #S-7222 BASED ON AN ACTUAL SURVEY AND IS SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS, RECORDED OR

**OFFICE COPY
NOT RECORDABLE**

TERRY J. FINLEY SURVEYING AND MAPPING		
155 MOCKINGBIRD HILL		
ZANESVILLE, OHIO 43701		
DATE: 7/21/2004	SCALE: 1" = 400'	DRAWN BY: TJF