

Biedenbach Surveying, Inc

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66.66 ACRES (APPROXIMATE)

BEING THE PORTION OF LANDS OF WALTER D. AND LEONA D. SMITH (O.R. VOLUME 1882, PAGE 591 OF THE MUSKINGUM COUNTY OFFICIAL RECORDS) THAT ARE NORTH OF U.S. ROUTE 40, SITUATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 1, RANGE 5, OF THE UNITED STATES MILITARY LANDS, UNION TOWNSHIP, MUSKINGUM COUNTY, OHIO AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET AT THE NORTHWEST CORNER OF THE SAID NORTHEAST QUARTER OF SECTION 8;

THENCE WITH THE NORTH LINE OF THE SAID NORTHEAST QUARTER, ALSO BEING THE SOUTH LINE OF A TRACT CONVEYED TO G.S. WARREN (DEED VOLUME 1056, PAGE 91 OF THE MUSKINGUM COUNTY DEED RECORDS), SOUTH 88 DEGREES 04 MINUTES 03 SECONDS EAST, PASSING AN EXISTING IRON PIN (1 INCH AXLE) AT 475.80 FEET, A TOTAL DISTANCE OF 1059.06 FEET TO AN IRON PIN SET, SAID IRON PIN SET BEING NORTH 88 DEGREES 04 MINUTES 03 SECONDS WEST 400.00 FEET (400.00 FEET BY DEED VOLUME 219, PAGE 263 AND 408.97 FEET BY PREVIOUS SURVEY OF A 5.060 ACRE TRACT DATED JUNE 2, 1989 BY R.M. ROBERTS PS 5803) FROM AN EXISTING IRON PIN (1 INCH AXLE);

THENCE LEAVING THE SAID NORTH LINE AND WITH THE WEST LINE OF A TRACT CONVEYED TO R.J. HUGHES II (DEED VOLUME 1121, PAGE 483) AND A TRACT CONVEYED TO R.E. AND C.L. HADDOX (DEED VOLUME 1070, PAGE 350), SOUTH 01 DEGREES 47 MINUTES 29 SECONDS WEST 1063.45 FEET TO A POINT IN THE CENTER OF U. S. ROUTE 40, PASSING AN IRON PIN SET AT 940.98 FEET;

THENCE WITH THE CENTER LINE OF SAID U. S. ROUTE, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 3819.72 FEET, AN ARC LENGTH OF 1168.47 FEET (CHORD BEARING SOUTH 67 DEGREES 10 MINUTES 51 SECONDS WEST 1163.92 FEET TO A POINT;

THENCE LEAVING THE SAID CENTERLINE AND WITH THE WEST LINE OF THE ABOVE SAID NORTHEAST QUARTER, NORTH 01 DEGREES 45 MINUTES 33 SECONDS EAST 1550.77 FEET TO THE PLACE OF BEGINNING, PASSING AN IRON PIN SET AT 344.38 FEET;

CONTAINING 30.973 MORE OR LESS ACRES. SUBJECT TO THE INGRESS/EGRESS EASEMENT AS RECORDED IN DEED VOLUME 1070, PAGE 350, ALSO ALL LEGAL ROAD RIGHT OF WAYS OF U. S. ROUTE 40 AND NORWICH ROAD (TOWNSHIP ROAD 692) AND ALL OTHER APPLICABLE EASEMENTS.

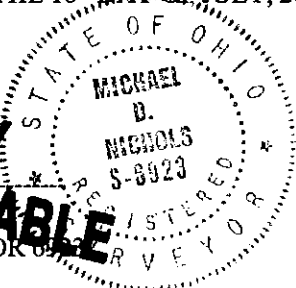
ALL IRON PINS SET ARE 5/8 INCH X 30 INCH REBAR WITH PLASTIC IDENTIFICATION CAPS (BIEDENBACH PS6923).

BEARINGS ARE BASED ON THE PREVIOUS SURVEY OF AN 18.00 ACRES TRACT AS SURVEYED BY R.M. GRAVES PS 5792, DATED AUGUST 1992.

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THE ABOVE DESCRIPTION AND SURVEY TO BE CORRECT AS PREPARED BY ME, THIS 7TH DAY OF MARCH, 2011, FROM A FIELD SURVEY COMPLETED THE 16TH DAY OF JULY, 2008.

**OFFICE COPY
NOT RECORDABLE**

MICHAEL D. NICHOLS
REGISTERED SURVEYOR



DESCRIPTION APPROVED

By: *[Signature]* 3/25/2011

**WALTER SMITH
O.R. VOLUME 1882, PAGE 591
SOUTH TRACT
PARCEL NUMBERS**

66-66-10-08-51-000 (PART - 27.961 MORE OR LESS ACRES)
66-66-10-08-07-000 (PART - 1.920 MORE OR LESS ACRES)
66-66-10-08-52-000 (PART - 4.998 MORE OR LESS ACRES)

BEING THE PORTION OF LANDS OF WALTER D. AND LEONA D. SMITH (O.R. VOLUME 1882, PAGE 591 OF THE MUSKINGUM COUNTY OFFICIAL RECORDS) THAT ARE SOUTH OF U.S. ROUTE 40 AS DESCRIBED IN THE FOLLOWING TWO DESCRIPTIONS:

DESCRIPTION 1 - LANDS SOUTH OF THE B & O RAILROAD RIGHT OF WAY

SITUATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 1, RANGE 5, OF THE UNITED STATES MILITARY LANDS, UNION TOWNSHIP, MUSKINGUM COUNTY, OHIO AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIN (5/8 INCH REBAR) AT THE SOUTHWEST CORNER OF THE SAID NORTHEAST QUARTER OF SECTION 8;

THENCE WITH THE WEST LINE OF THE SAID NORTHEAST QUARTER, ALSO BEING THE EAST LINE OF A TRACT CONVEYED TO S.M. ZEMBA (O.R. VOLUME 1505, PAGE 524 OF THE MUSKINGUM COUNTY DEED RECORDS), NORTH 01 DEGREES 45 MINUTES 33 SECONDS EAST 863.73 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF THE B & O RAILROAD, PASSING AN IRON PIN SET AT 853.73 FEET;

THENCE LEAVING THE SAID WEST LINE AND WITH THE SAID RIGHT OF WAY LINE THE FOLLOWING TWO COURSES AND DISTANCES:

1. WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 3769.72 FEET, AN ARC LENGTH OF 1004.23 FEET (CHORD BEARING NORTH 65 DEGREES 18 MINUTES 33 SECONDS EAST 1001.26 FEET TO A POINT);
2. WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 11409.16 FEET, AN ARC LENGTH OF 292.88 FEET (CHORD BEARING NORTH 72 DEGREES 35 MINUTES 17 SECONDS EAST 292.87 FEET TO AN EXISTING IRON PIN (5/8 INCH REBAR);

THENCE LEAVING THE SAID RIGHT OF WAY AND WITH THE WEST LINE OF A TRACT CONVEYED TO K.B. HUDSON (DEED VOLUME 1068, PAGE 542) AND A TRACT CONVEYED TO S.B. RODERICK AND K.B. HUDSON (O.R. VOLUME 2252, PAGE 212), SOUTH 01 DEGREES 28 MINUTES 05 SECONDS WEST 1400.94 FEET TO AN EXISTING IRON PIN (OLD 5/8 INCH REBAR), PASSING AN EXISTING IRON PIN (5/8 INCH REBAR) AT 578.40 FEET;

THENCE WITH SOUTH LINE OF THE ABOVE SAID NORTHEAST QUARTER ALSO BEING THE NORTH LINE OF A TRACT CONVEYED TO J. AND J. WOODRUFF (O.R. VOLUME 2135, PAGE 511) AND A TRACT CONVEYED TO S.M. ZEMBA (O.R. VOLUME 1564, PAGE 582), NORTH 88 DEGREES 28 MINUTES 56 SECONDS WEST 1180.21 FEET TO THE PLACE OF BEGINNING, PASSING AN EXISTING IRON PIN (5/8 INCH REBAR) AT 326.54 FEET;

CONTAINING 31.551 MORE OR LESS ACRES. SUBJECT TO ALL APPLICABLE EASEMENTS, ALSO THE RIGHT TO USE THE RAILROAD CROSSING AS MENTIONED IN THE DEED FROM A. S. CALDWELL TO THE CENTRAL OHIO RAILROAD CO. AS RECORDED IN DEED VOLUME 117, PG. 383.

THIS DESCRIPTION ALONG WITH DESCRIPTION 2 (3.328 MORE OR LESS ACRES) DESCRIBED HEREIN SHALL NOT BE TRANSFERRED INDEPENDENTLY FROM ONE ANOTHER, UNTIL SUCH TIME THAT IT HAS BEEN APPROVED BY THE MUSKINGUM COUNTY PLANNING COMMISSION.

DESCRIPTION 2 - LANDS NORTH OF THE B & O RAILROAD RIGHT OF WAY

SITUATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 1, RANGE 5, OF THE UNITED STATES MILITARY LANDS, UNION TOWNSHIP, MUSKINGUM COUNTY, OHIO AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING IRON PIN (5/8 INCH REBAR) AT THE SOUTHWEST CORNER OF THE SAID NORTHEAST QUARTER OF SECTION 8;

THENCE WITH THE WEST LINE OF THE SAID NORTHEAST QUARTER, ALSO BEING THE EAST LINE OF A TRACT CONVEYED TO S.M. ZEMBA (O.R. VOLUME 1505, PAGE 524 OF THE MUSKINGUM COUNTY DEED RECORDS), NORTH 01 DEGREES 45 MINUTES 33 SECONDS EAST, PASSING AN IRON PIN SET AT 853.73 FEET, A TOTAL DISTANCE OF 983.76 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF THE B & O RAILROAD, SAID POINT BEING THE PLACE OF BEGINNING FOR THE TRACT HEREIN INTENDED TO BE DESCRIBED;

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THENCE CONTINUING WITH THE SAID WEST LINE, NORTH 01 DEGREES 45 MINUTES 33 SECONDS EAST 127.60 FEET TO A POINT IN THE CENTER OF U.S. ROUTE 40;

THENCE LEAVING THE SAID WEST LINE AND WITH THE CENTERLINE OF SAID U. S. ROUTE, WITH A CURVE TO THE RIGHT HAVING A RADIUS OF 3819.72 FEET, AN ARC LENGTH OF 1168.47 FEET (CHORD BEARING NORTH 67 DEGREES 10 MINUTES 51 SECONDS EAST 1163.92 FEET TO A POINT;

THENCE LEAVING THE SAID CENTERLINE SOUTH 01 DEGREES 47 MINUTES 29 SECONDS WEST 74.36 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF THE OLD NATIONAL ROAD;

THENCE WITH THE SOUTH RIGHT OF WAY LINE OF THE OLD NATIONAL ROAD THE FOLLOWING THREE COURSES AND DISTANCES:

1. NORTH 80 DEGREES 51 MINUTES 16 SECONDS EAST 7.46 FEET TO A POINT;
2. NORTH 81 DEGREES 14 MINUTES 03 SECONDS EAST 204.72 FEET TO A POINT;
3. NORTH 80 DEGREES 35 MINUTES 39 SECONDS EAST 196.68 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF THE ABOVE SAID RAILROAD;

THENCE LEAVING THE SAID SOUTH RIGHT OF WAY AND WITH THE NORTH RIGHT OF WAY LINE OF THE SAID RAILROAD THE FOLLOWING TWO COURSES AND DISTANCES:

1. SOUTH 78 DEGREES 55 MINUTES 53 SECONDS WEST 51.34 FEET TO A POINT;
2. SOUTH 74 DEGREES 06 MINUTES 23 SECONDS WEST 249.10 FEET TO A POINT;

THENCE CONTINUING WITH THE SAID NORTH RIGHT OF WAY LINE THE FOLLOWING TWO COURSES AND DISTANCES:

1. WITH A CURVE TO THE LEFT HAVING A RADIUS OF 11509.16 FEET (CHORD BEARING SOUTH 72 DEGREES 40 MINUTES 19 SECONDS WEST 326.29 FEET) AN ARC DISTANCE OF 326.30 FEET TO A POINT;
2. WITH A CURVE TO THE LEFT HAVING A RADIUS OF 3869.72 FEET (CHORD BEARING SOUTH 65 DEGREES 48 MINUTES 26 SECONDS WEST 961.12 FEET) AN ARC DISTANCE OF 963.61 FEET TO THE PLACE OF BEGINNING;

CONTAINING 3.328 MORE OR LESS ACRES. SUBJECT TO ALL LEGAL ROAD RIGHT OF WAYS OF U. S. ROUTE 40 AND ALL OTHER APPLICABLE EASEMENTS, ALSO THE RIGHT TO USE THE RAILROAD CROSSING AS MENTIONED IN THE DEED FROM A. S. CALDWELL TO THE CENTRAL OHIO RAILROAD CO. AS RECORDED IN DEED VOLUME 117, PG. 383.

THIS DESCRIPTION ALONG WITH DESCRIPTION 1 (31.551 MORE OR LESS ACRES) DESCRIBED HEREIN SHALL NOT BE TRANSFERRED INDEPENDENTLY FROM ONE ANOTHER, UNTIL SUCH TIME THAT IT HAS BEEN APPROVED BY THE MUSKINGUM COUNTY PLANNING COMMISSION.

TOTAL ACREAGE OF THE ABOVE DESCRIPTION 1 AND DESCRIPTION 2 IS 34.879 MORE OR LESS ACRES AND IS THE PORTION OF LANDS CONVEYED TO WALTER D. AND LEONA D. SMITH (O.R. VOLUME 1882, PAGE 591 OF THE MUSKINGUM COUNTY OFFICIAL RECORDS) THAT IS SOUTH OF U.S. ROUTE 40.

NOTE TO AUDITOR: PLEASE TAKE THE COMBINED ACREAGE OF 34.879 AND MAKE A SINGLE TAX CARD FOR THE TOTAL ACREAGE AS THEY ARE NOT INTENDED TO BE CONVEYED SEPARATELY

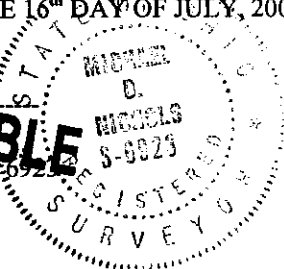
ALL IRON PINS SET ARE 5/8 INCH X 30 INCH REBAR WITH PLASTIC IDENTIFICATION CAPS (BIEDENBACH PS6923).

BEARINGS ARE BASED ON THE PREVIOUS SURVEY OF AN 18.00 ACRES TRACT AS SURVEYED BY R.M. GRAVES PS 5792, DATED AUGUST 1992.

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THE ABOVE DESCRIPTION AND SURVEY TO BE CORRECT AS PREPARED BY ME, THIS 7TH DAY OF MARCH, 2011, FROM A FIELD SURVEY COMPLETED THE 16TH DAY OF JULY, 2008.

**OFFICE COPY
NOT RECORDABLE**

MICHAEL D. NICHOLS
REGISTERED SURVEYOR



DESCRIPTION
APPROVED

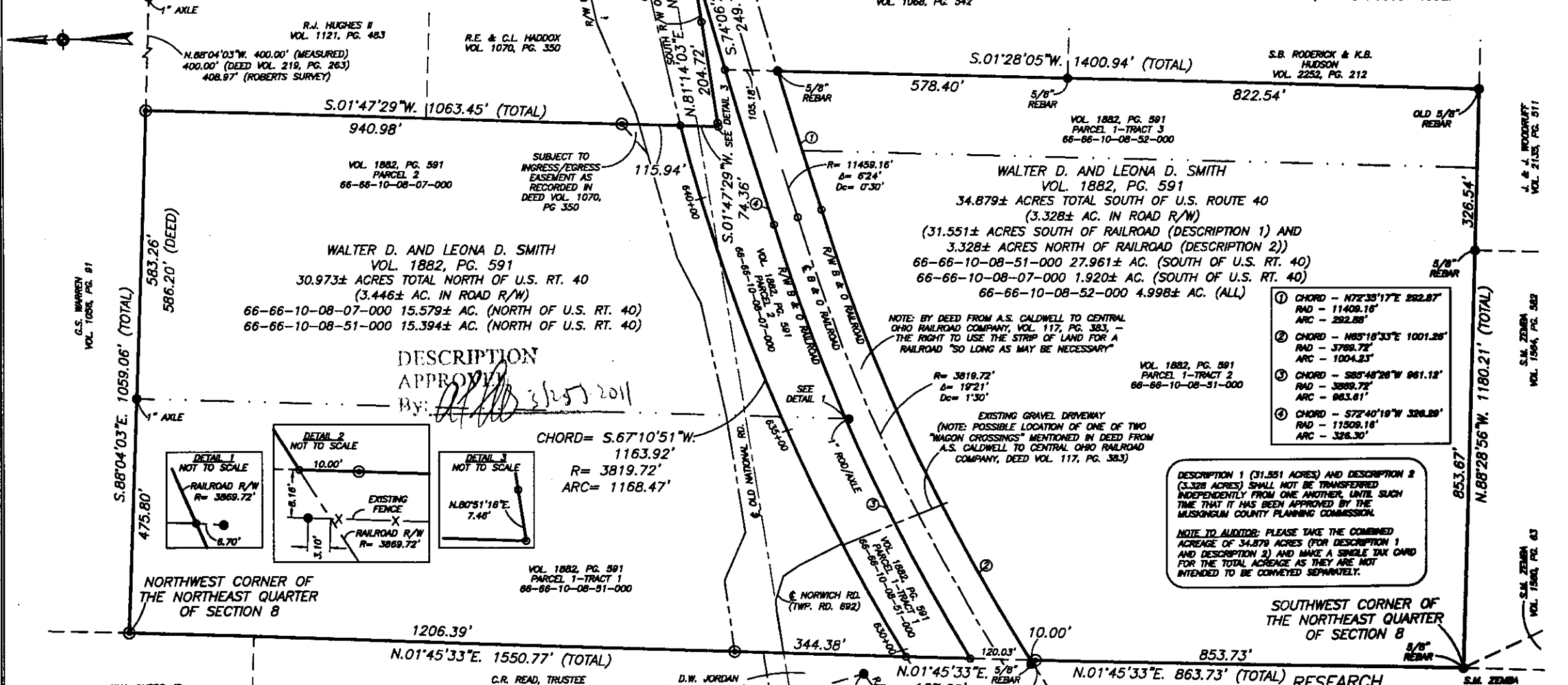
By: *[Signature]* 3/16/2011

SURVEY FOR WALTER SMITH

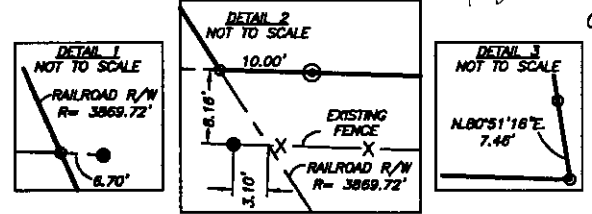
AUDITORS PARCEL NUMBER
 66-66-10-08-51-000 (PARCEL 1-TRACT 1 AND 2)
 66-66-10-08-52-000 (PARCEL 1-TRACT 3)
 66-66-10-08-07-000 (PARCEL 2)

BEING A PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 1, RANGE 5, OF THE UNITED STATES MILITARY LANDS, UNION TOWNSHIP, MUSKINGUM COUNTY, OHIO.

BEARINGS ARE BASED ON THE PREVIOUS SURVEY OF AN 18.00 ACRE TRACT AS SURVEYED BY R.M. GRAVES PS 5792, DATED AUGUST 1992.



DESCRIPTION APPROVED
 By: *[Signature]* 3/25/2011



CHORD = 5.67°10'51\"W.
 1163.92'
 R = 3819.72'
 ARC = 1168.47'

- ① CHORD - N72°35'17\"E 292.87'
 RAD - 11408.16'
 ARC - 292.88'
- ② CHORD - N65°18'33\"E 1001.26'
 RAD - 3798.72'
 ARC - 1004.23'
- ③ CHORD - S85°48'28\"W 961.12'
 RAD - 3689.72'
 ARC - 963.61'
- ④ CHORD - S72°40'19\"W 326.26'
 RAD - 11509.18'
 ARC - 326.30'

DESCRIPTION 1 (31.551 ACRES) AND DESCRIPTION 2 (3.328 ACRES) SHALL NOT BE TRANSFERRED INDEPENDENTLY FROM ONE ANOTHER, UNTIL SUCH TIME THAT IT HAS BEEN APPROVED BY THE MUSKINGUM COUNTY PLANNING COMMISSION.

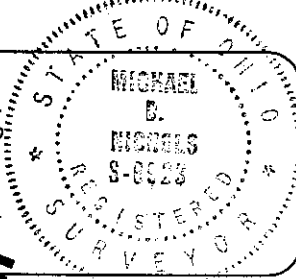
NOTE TO AUDITOR: PLEASE TAKE THE COMBINED ACREAGE OF 34.879 ACRES (FOR DESCRIPTION 1 AND DESCRIPTION 2) AND MAKE A SINGLE TAX CARD FOR THE TOTAL ACREAGE AS THEY ARE NOT INTENDED TO BE CONVEYED SEPARATELY.

RESEARCH

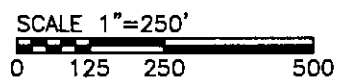
DEED AS SHOWN
 DEED VOL. 415, PG. 443
 PREVIOUS SURVEY OF AN 18.00 AC. TRACT COMPLETED AUG. 1892 BY R.M. GRAVES PS 5792
 PREVIOUS SURVEY OF AN 71.90 AC. TRACT COMPLETED FEB. 2, 1893 BY R.L. DANIELS PS 5410
 PREVIOUS SURVEY OF A 44.8918 AC. TRACT COMPLETED AUG. 25, 1899 BY W.J. BIEDENBACH PS7118
 PREVIOUS SURVEY OF A 5.0000 AC. TRACT COMPLETED JUNE 2, 1899 BY R.M. GRAVES PS5803
 STATE ROUTE 40 RIGHT-OF-WAY PLANS B & O RAILROAD MAP STA. 3273+80 - 3378+80 MUSKINGUM COUNTY GIS

OFFICE COPY NOT RECORDABLE

MICHAEL D. NICHOLS
 REGISTERED SURVEYOR 1592



THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS, OR RESTRICTIONS, WHETHER RECORDED OR IMPLIED. THIS PLAT, PREPARED IN ACCORDANCE WITH CHAPTER 4733-37 OF THE ADMINISTRATIVE CODE, IS INTENDED FOR THE LEGAL TRANSFER OF THE PROPERTY SHOWN AND DOES NOT INTEND TO SHOW ANY OR ALL OF THE EASEMENTS, RIGHT OF WAYS, RESTRICTIONS OR ENCROACHMENTS UNLESS OTHERWISE INDICATED.



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DRAWN BY: JWL DATE: 03-07-11 SCALE: 1\"/>