

0.57 Acres Overlap Area on to Ben Moore Property
by Hilty LLC Property by E. Donaker Survey

NOTE: This survey and description is to correct an error in a survey of the Hilty LLC property.

Situated in the State of Ohio, County of Muskingum, Township of Licking, and being a part of Quarter Township 1, Township 2, Range 9, United States Military Lands, and being part of lands now and formerly owned by Benjamin T. Jr. and Rebecca Moore, (DR 813-314), but surveyed and described in error to be owned by Hilty LLC (OR 1850-378), and overlap area to be more particularly described as follows:

Beginning for reference at a stone found at the Southeast corner of Lot 6, of Roberts Survey, as per E. Donaker's survey (OR 1850-378);

Thence, by E. Donaker's survey, South 01 degrees 17 minutes 47 seconds East, 1083.63 feet to an iron pin found at a corner on the south line of lands presently owned by Hilty LLC, (OR 1850-378), and the north line of lands presently owned by W. N. Bradley (DR 896-356)

Thence along the west line of said Bradley lands, South 01 degrees 17 minutes 59 seconds East, 664.79 feet to a stone found on the northeast corner of land presently owned by Benjamin T. Jr. and Rebecca Moore (DR 802-45), and the principal place of beginning;

Thence along the south line of Donaker's survey and through said Moore lands, South 84 degrees 47 minutes 40 seconds West, 1323.16 feet to an iron pin found;

Thence continuing along said survey, and through said Moore lands, North 06 degrees 45 minutes 04 seconds West, 390.43 feet to a point in the centerline of Shannon Valley Road, passing an iron pin found at 359.05 feet;

Thence along said centerline, North 45 degrees 09 minutes 25 seconds East, 46.94 feet to a point on the corner of the north line of said Moore lands;

Thence along said north line, South 01 degrees 25 minutes 36 seconds East, 394.02 feet to a stone found on a corner of the north line of said Moore lands, passing an iron pin set at 25.00 feet;

Thence along said north line North 85 degrees 57 minutes 57 seconds East, 1323.79 feet to the principal place of beginning, containing 0.57 acres more or less.

Subject to all recorded legal right of ways, and applicable easements.

Iron pins set are 5\8 inch rebars 30 inches long with plastic I.D. cap.

Bearings are based on a previous surveys of adjoining properties by E. R. Donaker, as described in OR 1850-378, OR 1650-752, and OR 1629-808.

This survey is based on a field survey completed October 6, 2006 by Jack D. Newcome, Reg. No. 7321.

**OFFICE COPY
NOT RECORDABLE**

Jack D. Newcome Reg. No. 7321

4-11-07
Date

r-0.57 Acres to be removed from Parcel No. 35-35-10-71-16-000, and this acreage has always been taxed under 35-35-10-71-25-000.



APPROVED FOR CLOSURE

ALB 4/13/2007

EXEMPT FROM
PLANNING COMMISSION

ALB 4/13/2007

SITUATED IN:

State of Ohio, County of Muskingum, Township of Licking, and being part of the Southeast Quarter of Quarter Township One, Township 2, Range 9, United States Military Lands, and the north line of lands presently owned by Benjamin and Rebecca Moore (DR 813-314), Parcel One.

Property Line Location for Ben Moore

Surveyor's Report

The four iron pins found as shown on the plat were used to re-establish the survey line of Hilty LLC, as per Donaker's survey. The northern most stone on the southeast corner was used per Donaker's survey information. But the southern most stone was the one clearly marked in the field and witnessed by a plastic electric fence post, as were two of the other pins found set by Donaker. The witness fence post appears to have been set in error by the south stone, rather than the north stone which was used for the survey. Donaker's survey plat does not show two stones found, only one, and indicates the stone found is the adjoiner's southwest corner.

The original deeds for both properties call for a stone on the southwestern corner, and as depicted was found. The west line of the property was called to be "north to the center of the road". Using the deed distance (394.02 ft.), and the centerline of the existing road, I retraced the survey. The survey line of Donaker's survey is not the centerline of the existing road, as called for in the original deed.

A Wetland Retracement Survey was performed by Hyde-Leroy Land Surveying Inc. and their plat indicates they used Donaker's survey, but serial targets found in the field, indicate they used the stone to the south on the east (because it was witnessed), and the iron pin on the west, creating even more of an overlap. The main concern of my client was his pond, and per my survey, it is no longer part of the Hilty property.

Hilty LLC, OR 1850-378

N 85°57'57"E 1323.79' (Rec. Dist. 1323.30')
S 64°47'40"W 1323.16'

Overlap Area = +/- 0.67 Acres

Benjamin and Rebecca Moore
DR 813-314

EXEMPT FROM
PLANNING COMMISSION

APPROVED 9/13/2007

PARCEL NO.

North line of Parcel No.
35-35-10-71-25-000

South line of Parcel No.
35-35-10-71-16-000

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NOT RECORDABLE



DATE 4-11-07

Stone Found at the Southeast Corner of Lot 8, Quarter Township One, Township 2, Range 9, United States Military Lands.

S 01°17'47"E
1083.63'

BASIS OF BEARINGS

Bearings are based on a previous survey of adjoining properties by E. R. Donaker, as described in OR 1850-378, OR 1850-752, and 1829-808.

S 01°17'59"E
664.79'

W. N. Bradley
DR 898-306

V. W. Prior
OR 1803-942

NOTE: The the most northerly found stone is approximately 7 inches square and the top has been damaged due to farm equipment. An old iron pin was found right beside the east side of the stone with old survey ribbon attached. I believe this to be the corner based on parole evidence from Ben Moore. Since the top was damaged, I placed a drill hole in the top and center to reference my survey. The most southerly found stone is approximately 4 inches by 10 inches with a chiseled cross, and a plastic electric fence post was beside it as a witness.

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Newcome Surveying Company
6516 Ballard Road
Nashport, Ohio
740-452-5726

T. & J. Rouse
Trustees
OR 1829-808

N 45°09'25"E
46.94'

S 01°25'36"E
25.00'

K. A. Dodson
OR 1850-752

N 06°45'01"W
31.38'

Dead Line as per
E. R. Donaker's Survey (1-25-99)

Centerline
Shannon Valley Road

(Course from
pin to pin)

S 01°25'36"E
369.02'

N 06°45'04"W
359.05'

(Course from stone to pin)

S 06°56'54"E
27.07'

NOTE: Stone found approximately 4 inches by 12 inches, with the top damaged from farm equipment and leaning toward the north. I straightened the stone to a vertical position and placed a drill hole in the center to reference my survey. This stone was called for in the original deed of Moore's land and the original deed of Hilty's land.

REFERENCES

DR 813-314
OR 1850-762
OR 1829-808
OR 1850-878
Wetland Retracement
Survey by
Steven J. Hyde

LEGEND

- △ Railroad Spike Set
- Iron Pin Found
- ⊞ Stone Found
- Axis Found
- Iron Pipe Found
- ▲ Railroad Spike Found
- ⊙ Iron Pin Set, 5/8" rebar
- ⊞ Monument Found

