Situated in The	Month:	Page:	
Township of Ashtabula, County of Ashtabula and State of Ohio and known as being part of Original Lots No. 10 and 11, Old Survey, and also part of Original Lots No. 3 and 4, Erie Tract, within said Township, and Township 13, Range 3 in The Connecticut Western Reserve.	April	ONE	
	Year: 2016	FIVE	
Survey for: Middle Road Properties, L	LC and Dale Piccirillo		

# **TITLE SHEET 1 of 1**

Revised April 19th, 2016 Revised June 28th, 2017 Revised September 12th, 2017

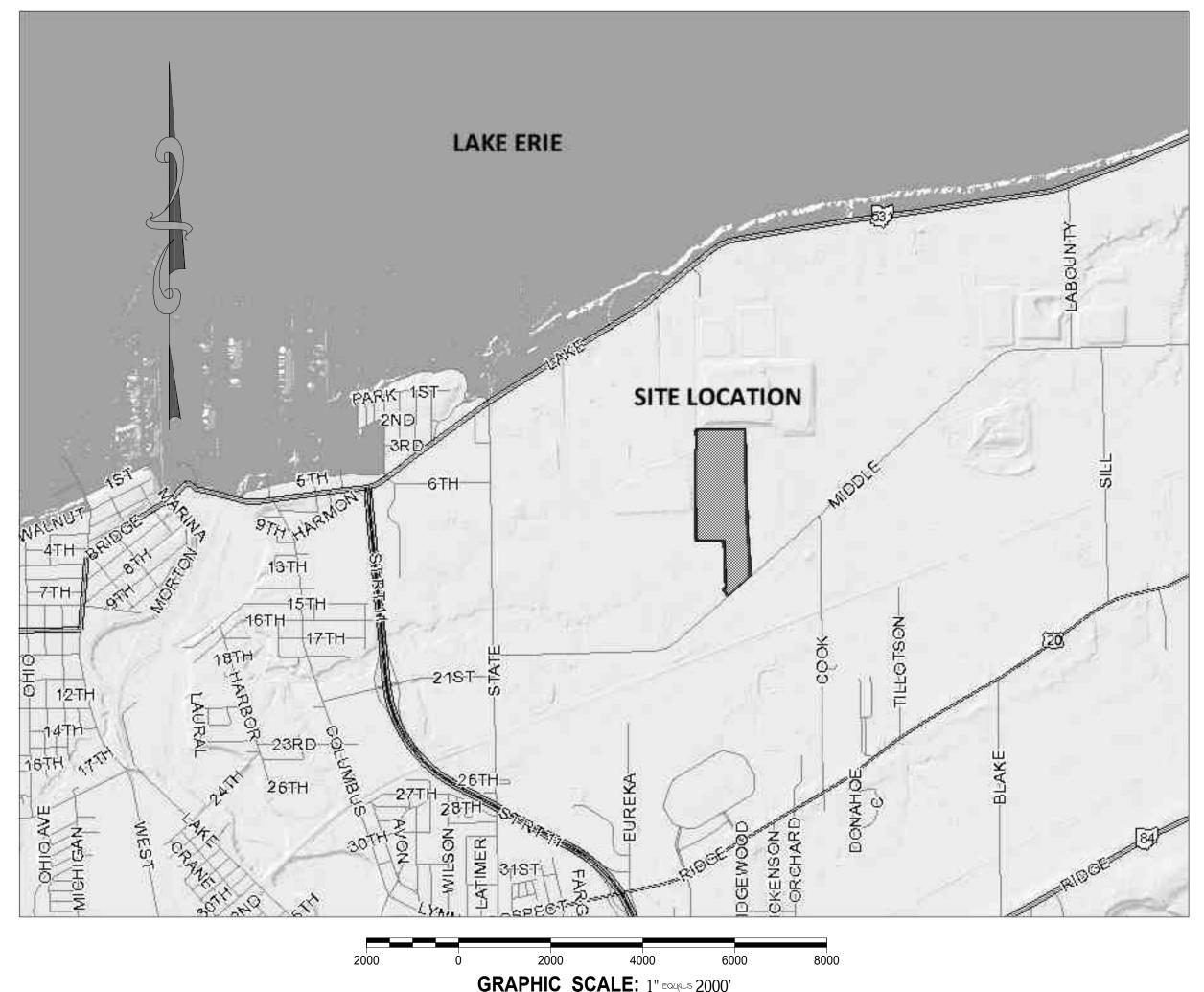
# PPN: 03-003-00-001-00 Middle Road Properties LLC.

DN 2014-00007167 - Volume 570, Page 230 3325 Middle Road

# PAGE INDEX

Title Sheet (this page) Page 1 Boundary Re-Survey and Locations Pages 2-3 Pages 4-5 Environmental Covenant

# **VICINITY MAP**



#### 73.476 ACRE PARCEL

#### 0.464 acres Right of Way (R/W)

Deed of Record: Permanent Parcel Number (PPN) 03-003-00-001-00 Middle Road Properties LLC. Document Number (DN) 2014-00007167, Volume 570, Page 230 of Ashtabula County Records and Deeds (ACRD). 3325 Middle Road

Situated in the Township of Ashtabula, County of Ashtabula and State of Ohio and known as being part of Original Lots No. 10 and 11, Old Survey, and also part of Original Lots No. 3 and 4, Erie Tract, within said Township, and Township 13, Range 3 in The Connecticut Western Reserve and bounded and described as follows:

Beginning at a 1/2" iron rod with a 1 1/2" involute iron gear head in a monument box found at the centerline intersection of Middle Road (T.R. No. 400, Section A, 60 feet wide) and Cook Road (T.R. No. 403, 36 feet wide). Said point known as being county centerline station 82+35.05 as shown on the September 14th, 2009 Road Resurfacing/Repair of Middle Road plan as prepared by the Department of Engineering for the County of Ashtabula and filed in the Ashtabula County Engineer's Records.

Thence South 48°31'50" West, along the centerline of said Middle Road, 2060.92 feet to a point. Said point being the southwesterly corner of PPN 03-003-00-001-01 as conveyed to ASHTA Chemicals Inc. and recorded in DN 2015-00008385, Volume 594, Page 2147 of ACRD. Said point also being the southeasterly corner of the parcel herein described and The Principal Place of Beginning of this Survey.

Thence South 48°31'50" West, continuing along said centerline, a frontage distance of 673.19 feet to a 1" iron pin in a monument box found on the westerly line of said Original Lot No. 10, Old Survey (OL10OS) at county centerline station 55+01.45. Said point being the southeasterly corner of PPN 03-011-00-018-00 as conveyed to Jacqueline M. Konter and Beverly K. Ekensten and recorded in DN 2009-00006767, Volume 457, Page 1288, DN 2009-00006766, Volume 457, Page 1285, DN 2009-00006765, Volume 457, Page 1282, DN 2009-00006764, Volume 457, Page 1279 and DN 2009-00006763, Volume 457, Page 1276 of ACRD. Said point also being a southwesterly corner of the parcel herein described.

Thence North 0°42'06" West, along an easterly line of the said Jacqueline M. Konter and Beverly K. Ekensten parcel (KEP), being the westerly line of said OL10OS, and passing through 5/8" iron pin with cap bearing "SHARP 7510" found at 39.61 feet, a total distance of 110.07 feet to a 5/8" iron pin with cap bearing "SHARP 7510" found at an angle point therein. Said point being a northeasterly corner of the said KEP.

Thence North 30°43'33" West along a northeasterly line of the said KEP, 85.92 feet to a vertical section of a railroad rail in concrete found at an angle point therein. Said point being a northwesterly corner of the parcel herein described.

Thence North 48°44'44" East, along a southeasterly line of the said KEP, 56.58 feet to a point on the westerly line of said OL10OS at an angle point therein. Said point witnessed by a vertical section of a railroad rail in concrete found 0.22' north and 0.25' east (North 48°44'44" East, a distance of 0.34 feet) therefrom. Said point being a southeasterly corner of the said KEP.

Thence North 0°42'06" West, along an easterly line of the said KEP, being the westerly line of said OL10OS, 1014.67 feet to a to a vertical section of a railroad rail in concrete found. Said point being a northeasterly corner of the said KEP.

Thence North 88°33'07" West, along the northerly line of the said KEP, 658.64 feet to a + in a chipped 4" x 4" stone monument in concrete found. Said point being a southeasterly corner of PPN 03-010-00-011-00 as conveyed to EMC Ashtabula Inc. and recorded in DN 2015-00012633, Volume 601, Page 2520 of ACRD. Said point also being a southwesterly corner of the parcel herein described.

Thence North 0°39'22" West, along an easterly line of the said EMC Ashtabula Inc. parcel (EAIP), 2012.17 feet to a 5/8" iron pin found. Said point being a northwesterly corner of the parcel herein described and witnessed by a 5/8" iron pin with cap bearing "BURGESS & NIPLE" found North 0°52'06" West, a distance of 85.81 feet therefrom.

Thence North 82°28'49" East, along a southerly line of the said EAIP, 98.69 feet to a 5/8" iron pin with cap bearing "SHARP 7510" found. Said point being a southeasterly corner of the said EAIP.

#### CONDITIONS, EASEMENTS, RESTRICTIONS AND ENCUMBRANCES OF RECORD TO BE CONSIDERED

As shown on Document Number 2014-00007167, Volume 570, Page 230 of Astabula County Records (ACR) Note: edited for repetition and redundancy

- 1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to June 24, 2014 at 7:30 a.m., but prior to the date the Grantee acquires for value of record title to the Premises.
- 2. Any facts, rights, interests, or claims that are not shown in the Public Records but that could be ascertained by an inspection of the Land or by making inquiry of the persons in possession of the Land. 3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title, including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be
- disclosed by an accurate and complete land survey of the Land, and that are not shown in the Public Records.
- 4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown in the Public Records.
- Rights of parties in possession of all or any part of the premises, including, but not limited to easements, claims of easements or encumbrances that are not shown in the Public Records.
- 6. Coal, oil, natural gas, or other mineral interests and all rights incident thereto now or previously conveyed, transferred, leased, excepted or reserved.
- 7. Oil and gas leases, pipeline agreements, or any other instruments related to the production or sale of oil or natural gas which may arise subsequent to June 24, 2014 at 7:30 am., pursuant to Ohio Revised Code Section 1509.31(D).
- 8. Taxes or assessments approved, levied or enacted by the State, County, Municipality, Township or similar taxing authority, but not yet certified to the tax duplicate of the County in which the land is situated, including but not limited to any retroactive increases in taxes or assessments resulting from any retroactive increase in the valuation of the land by the State, County, Municipality, Township, or other taxing authority.

- Rights of the public in and to that portion of the land lying within any public road or highway.
  Rights of the public in and to that portion to the East Ohio Gas Company, dated March 15, 1961, filed for record December 29, 1961 and recorded in Volume 611, Page 189 of ACR.
  Agreement by and between Union Carbide Corporation and Detrex Chemical Industries, Inc., dated January 2, 1974, filed for record February 4, 1974 and recorded in Volume 772, Page 201 of ACR.
- 12. Assignment and Assumption Agreement among International Minerals & Chemical Corporation, LCP Chemicals & Plastics, Inc., Union Carbide Corporation, and Elkem Metals Company, dated April 30, 1982 and recorded in Volume 19, Page 3098 of ACR.
- 13. Assignment and Assumption Agreement among Hanlin Group, Inc., Linchem, Inc., ESAB Welding Products, Inc., and Elkem Metals Company, dated October 5, 1989, filed for record October 12, 1989 and recorded in Volume 48, Page 5512 of ACR.
- 14. Easement by Union Carbide Corporation to Detrex Chemical Industries, Inc., dated December 20, 1973, filed for record February 4, 1974, and recorded in Volume 772, Page 224 of ACR.
- (Detrex Lease Part of Titanium Plant Property Plat Volume 13, Page 1)
  15. Easement by Union Carbide Corporation to Dextrex Chemical Industries, Inc., dated December 5, 1963, filed for record February 4, 1974 and recorded in Volume 772, Page 231 of ACR. (Detrex Lease - Part of Titanium Plant Property Plat Volume 13, Page 2)
- 16. Easement by Union Carbide Corporation to Detrex Chemical Industries, Inc., dated December 20, 1973, filed for record February 4, 1974 and recorded in Volume 772, Page 250 of ACR. (Detrex Lease - Part of Titanium Plant Property Plat Volume 13, Page 3)
- 17. Assignment of Right by The Cleveland Electric Illuminating Company to Union Carbide Corporation, dated December 20, 1973, filed for record February 4, 1974 and recorded in Volume 772, Page 254 of ACR. Easement by Union Carbide Corporation to the Board of Township Trustees of Ashtabula Township, Ashtabula County, Ohio, dated July 27, 1973, filed for record September 6, 1973 and recorded in Volume 758, Page 330 of ACR.
- 19. Easement by I.M.C. Chemical Group, Inc. to Union Carbide Corporation, dated December 27, 1976, filed for record December 30, 1976 and recorded in Volume 867, Page 188 of ACR. 20. Easements contained in the deed recorded in Volume 14, Page 1686 of ACR.

NSPS

- 21. Right of Way Agreement by Union Carbide Corporation to The East Ohio Gas Company, dated October 23, 1981, filed for record December 7, 1981 and recorded in Volume 15, Page 4759 of ACR. 22. Easements, conditions, and provisions contained in the deed from Union Carbide Corporation to L-Tec Company, dated July 11, 1985, filed for record August 9, 1985 and recorded in
- Volume 30, Page 2419 of ACR.
  - Other Conditions, Easements, Restrictions and Encumbrances of record that should be considered

23. Assignment of Right by The Cleveland Electric Illuminating Company and Union Carbide Corporation recorded in Volume 772, Page 261 of ACR.

24. Easement, Partial Assignment and Confirmation Agreement by and between Middle Road Properties, LLC and ASHTA Chemicals, INC. as recorded in Document No. 2015-00008384, Volume 594, Page 2118 of ACR.

Thence North 1°21'52" West, along an easterly line of the said EAIP, 387.54 feet to a 5/8" iron pin with cap bearing "SHARP 7510" found. Said point being a northwesterly corner of the parcel herein described.

Thence North 89°32'07" East, along a southerly line of the said EAIP, 1025.08 feet to a point. Said point being the northwesterly corner of PPN 03-003-00-002-00 as conveyed to ASHTA Chemicals Inc. and recorded in DN 2007-00009137, Volume 412, Page 362 of ACRD. Said point also being the northeasterly corner of the parcel herein described and witnessed by a 5/8" iron pin with cap bearing "WESTFALL 7677" found 1.00' south and 0.01' east (South 0°33'03" East, a distance of 1.00 feet) therefrom and used as a corner reference.

Thence South 0°33'03" East, along a westerly line of the said ASHTA Chemicals Inc. parcel (ACIP), and passing through said corner reference (5/8" iron pin with cap bearing "WESTFALL 7677") found at 1.00 feet, a total distance of 1766.78 feet to a 5/8" iron pin set at an angle point therein. Said point being a southwesterly corner of the said ACIP. Said point also being the northwesterly corner of the aforesaid ASHTA Chemicals Inc. parcel (AACIP).

Thence South 3°41'40" East, along a westerly line of the AACIP, 1018.00 feet to a 3" x 6' tall galvanized fence post in concrete found at an angle point therein.

Thence South 0°37'04" East, along a westerly line of the AACIP, along a 6 foot chain-link fence, passing through a 3" x 6' tall galvanized fence post in concrete found at 366.04 feet, and also passing through a 5/8" iron pin set at 405.15 feet, a total distance of 444.81 feet to The Principal Place of Beginning of this Survey and containing 73.476 acres of land, of which, 0.464 acres are within the R/W of said Middle Road, as surveyed in September of 2017 by D.B. Kosie and Associates (Robert L. Kosie, Registered Professional Land Surveyor No. 8167). Bearings are to True North using The ODOT VRS and CORS GNSS network (NAD83 - 2011, NAVD88, GRS80, and Geoid2012B). Be the same, more or less, but subject to all legal highways, reservations, conditions, limitations, easements and restrictions of record.

25. Switch Track Easement from The Cleveland Electric Illuminating Company to Defense Plant Corporation as recorded in Volume 373, Page 576 of ACR.

#### CONDITION, EASEMENT, RESTRICTION OR ENCUMBRANCE DISCLAIMER

No liability is assumed by D.B. Kosie & Associates (R.L. Kosie, PS 8167) for the existence of any Condition, Easement, Restriction or Encumbrance of record shown or listed in this set of drawings, that which has not been recorded, any mistitling or malpropism, or that which is not shown or listed in this set of drawings. It is advised to contract a gualified Attorney who specializes in Property Law and Easements.

### **TERMINATION OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) INFORMATION**

EPA Permit No: 31C00071\*MD Application No: OH0063789 Date of Issue: October 21, 2015 Effective Date: January 1, 2016

#### SURVEYOR'S CERTIFICATION

I certify to: Middle Road Properties, LLC and Dale Piccirillo

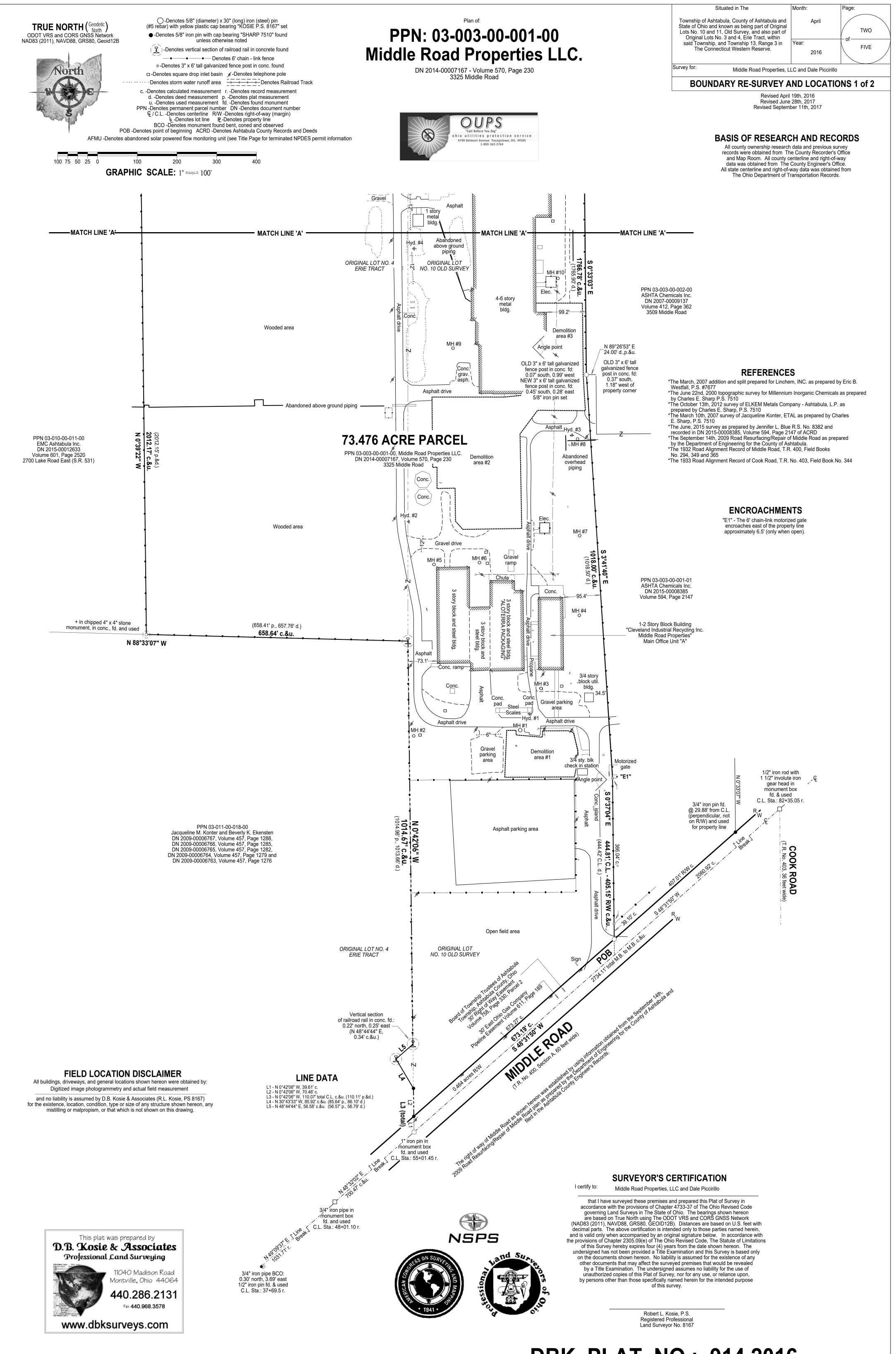
that I have surveyed these premises and prepared this Plat of Survey in accordance with the provisions of Chapter 4733-37 of The Ohio Revised Code governing Land Surveys in The State of Ohio. The bearings shown hereon are based on True North using The ODOT VRS and CORS GNSS Network (NAD83 (2011), NAVD88, GRS80, GEOID12B). Distances are based on U.S. feet with decimal parts. The above certification is intended only to those parties named herein, and is valid only when accompanied by an original signature below. In accordance with the provisions of Chapter 2305.09(e) of The Ohio Revised Code, The Statute of Limitations of this Survey hereby expires four (4) years from the date shown hereon. The undersigned has not been provided a Title Examination and this Survey is based only on the documents shown hereon. No liability is assumed for the existence of any other documents that may affect the surveyed premises that would be revealed by a Title Examination. The undersigned assumes no liability for the use of unauthorized copies of this Plat of Survey, nor for any use, or reliance upon, by persons other than those specifically named herein for the intended purpose of this survey.

> Robert L. Kosie, P.S. Registered Professional Land Surveyor No. 8167

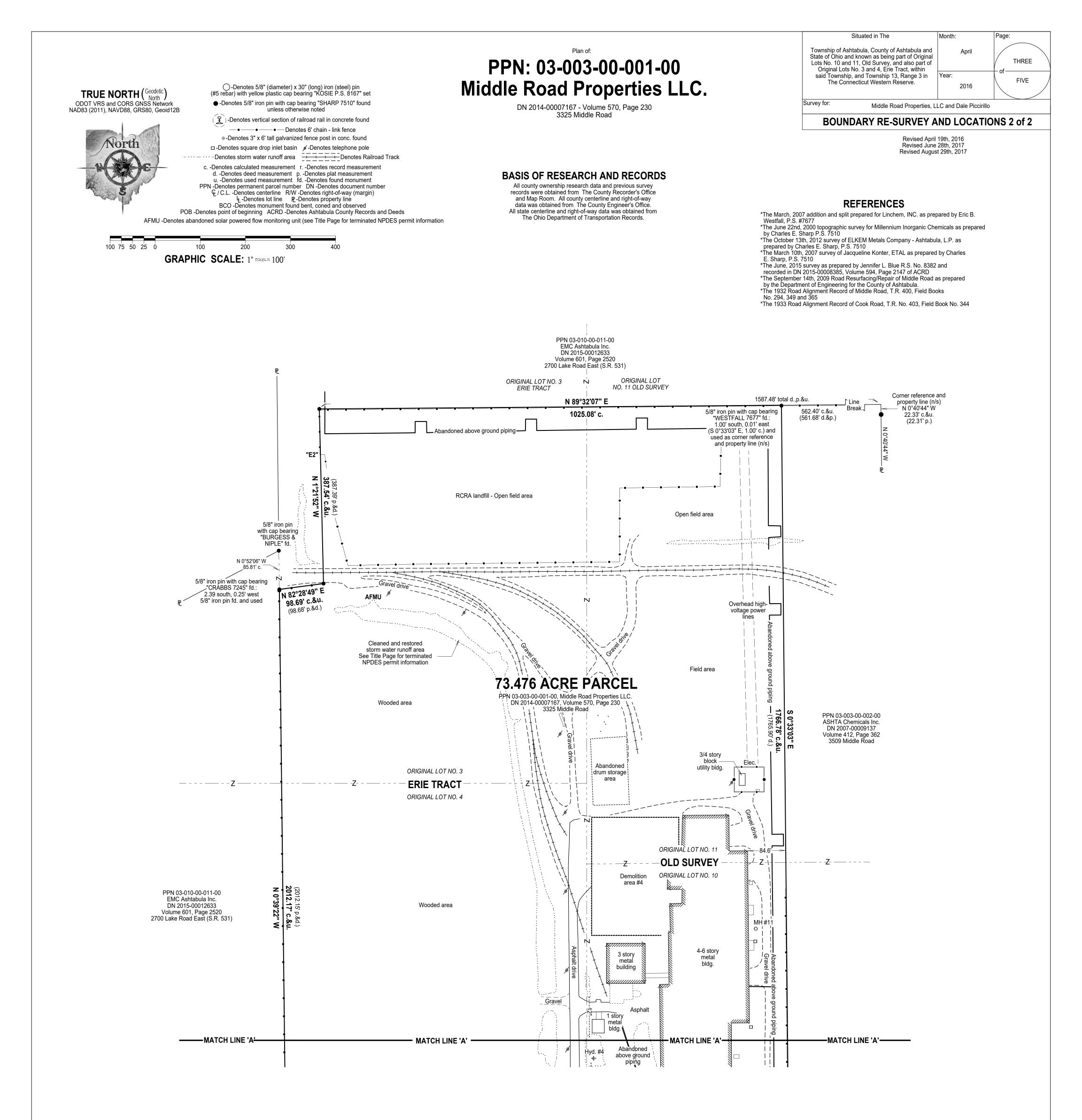
# **DBK PLAT NO.: 914 2016**







DBK PLAT NO.: 914 2016





**SURVEYOR'S CERTIFICATION** SEE BOUNDARY RE-SURVEY AND LOCATIONS PAGE 1 OF 2



**DBK PLAT NO.: 914 2016** 

### FIELD LOCATION DISCLAIMER

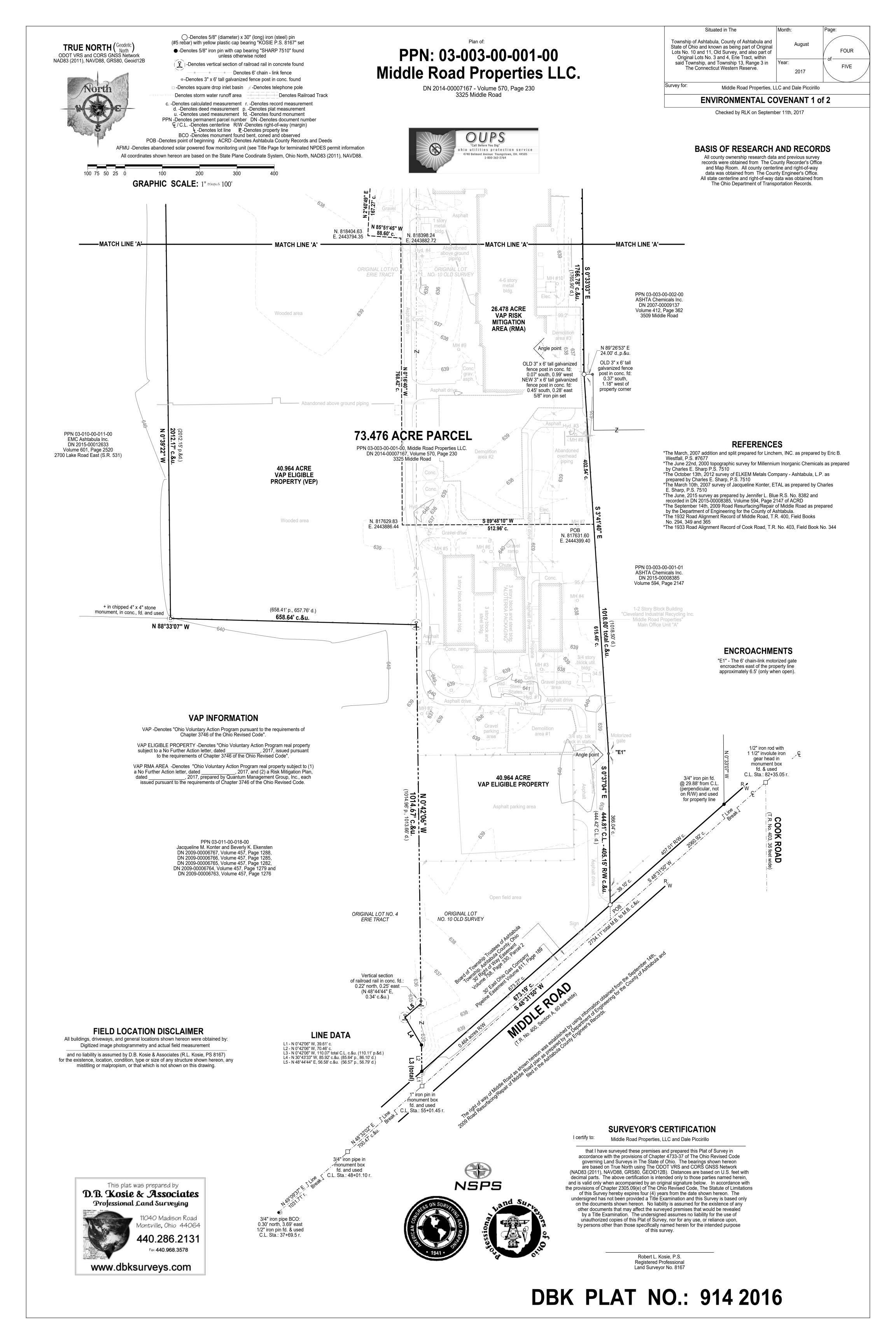
All buildings, driveways, and general locations shown hereon were obtained by: Digitized image photogrammetry and actual field measurement

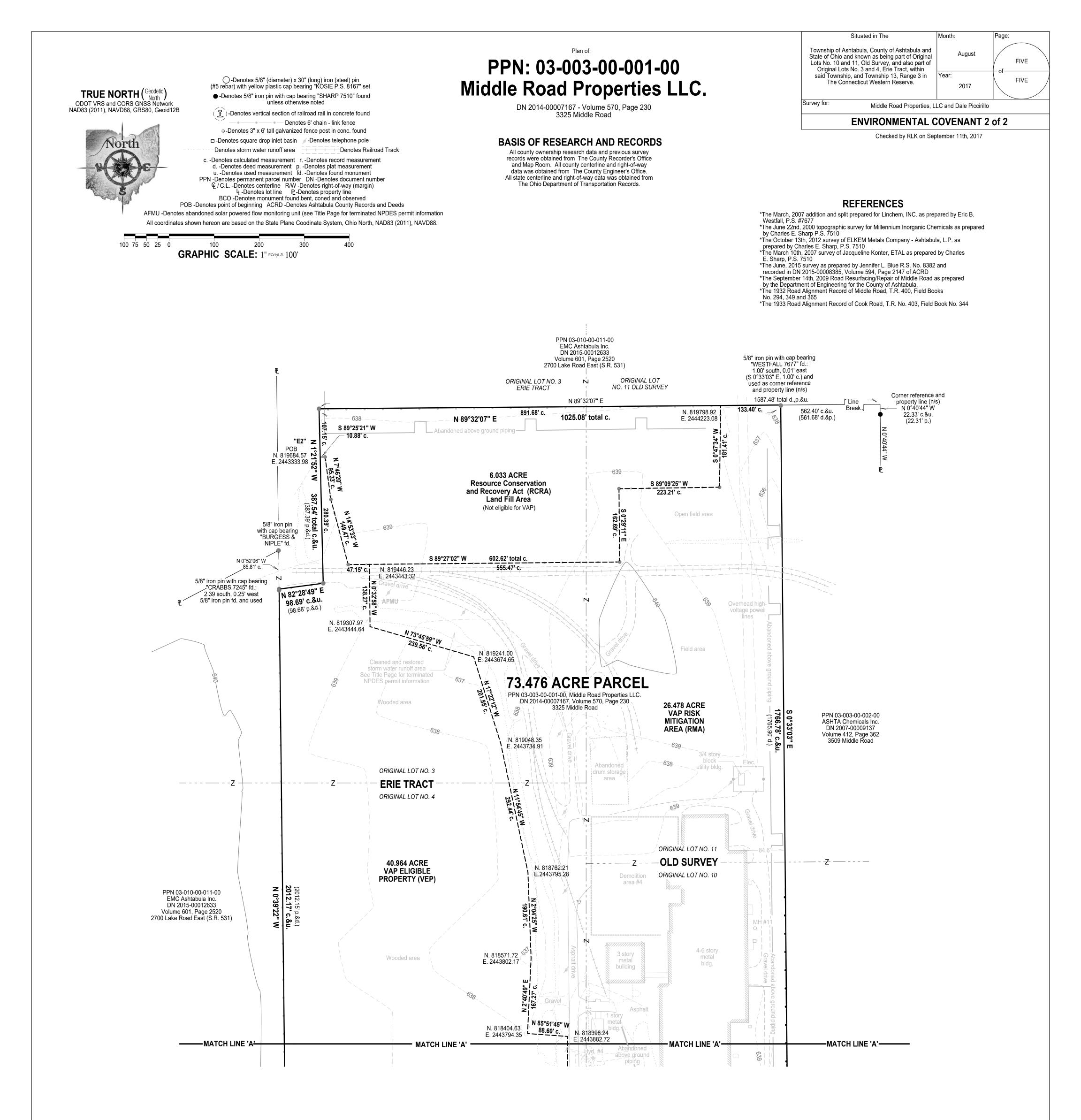
and no liability is assumed by D.B. Kosie & Associates (R.L. Kosie, PS 8167) for the existence, location, condition, type or size of any structure shown hereon, any mistitling or malpropism, or that which is not shown on this drawing.

#### **ENCROACHMENTS**

"E2" - The 6' chain-link fence encroaches west of the property line approximately 1.0'.







**VAP INFORMATION** 

#### VAP -Denotes "Ohio Voluntary Action Program pursuant to the requirements of Chapter 3746 of the Ohio Revised Code".

VAP ELIGIBLE PROPERTY -Denotes "Ohio Voluntary Action Program real property subject to a No Further Action letter, dated \_\_\_\_\_\_, 2017, issued pursuant to the requirements of Chapter 3746 of the Ohio Revised Code".

VAP RMA AREA -Denotes "Ohio Voluntary Action Program real property subject to (1) a No Further Action letter, dated \_\_\_\_\_\_, 2017, and (2) a Risk Mitigation Plan, dated \_\_\_\_\_\_, 2017, prepared by Quantum Management Group, Inc., each issued pursuant to the requirements of Chapter 3746 of the Ohio Revised Code.

**ENCROACHMENTS** 

"E2" - The 6' chain-link fence encroaches west of the property line

approximately 1.0'.



## FIELD LOCATION DISCLAIMER

All buildings, driveways, and general locations shown hereon were obtained by: Digitized image photogrammetry and actual field measurement

and no liability is assumed by D.B. Kosie & Associates (R.L. Kosie, PS 8167) for the existence, location, condition, type or size of any structure shown hereon, any mistitling or malpropism, or that which is not shown on this drawing.

SURVEYOR'S CERTIFICATION

SEE ENVIRONMENTAL COVENANT PAGE 1 OF 2



**DBK PLAT NO.: 914 2016** 

This plat was prepared by **D.B. KOSIE & ASSOCIATES Drofessional Cand Surveying** Ind40 Madison Road Montville, Ohio 44064 **440.286.2131** Fa 440.968.3578