

LEGAL DESCRIPTION

Situated in the Township of Plymouth, County of Richland, State of Ohio and being part of the Northwest Quarter of Section 20, Township 23-North, Range 19-West, Congress Lands North of the Old Seven Ranges, and being more particularly described as follows:

Commencing at a railroad spike found and accepted as marking the Northwest corner of said Quarter;

Thence, **North 87 degrees 27 minutes 57 seconds East, 2076.65 feet** along the north line of said Northwest Quarter, the centerline of Dinninger Road-(C.H. 62)(60' R/W), to an iron pin set in a northeast corner of a parcel conveyed to Neil A. & Pamela M. McKown, Co-Trustees by official record volume 1887, page 881, and being the **Place of Beginning** for the parcel herein described;

Thence, the following **FOUR** Courses:

1. **North 87 degrees 27 minutes 57 seconds East, 536.07 feet**, continuing along the north line of said Quarter and the centerline of Dinninger Road, to an iron pin set in the northeast corner of said Northwest Quarter, said iron pin also marking the northwest corner of the Northeast Quarter of Section 20, and being the northwest corner of a parcel conveyed to Neil A. and Pamela M. McKown, Co-Trustees by official record volume 1389, page 444;
2. **South 00 degrees 42 minutes 07 second East, 325.50 feet**, along the east line of said Northwest Quarter, the west line of said Northeast Quarter, and the west line of said Neil A. and Pamela M. McKown, Co-Trustees parcel (ORV. 1389, Pg. 444) to an iron pin set in a northeast corner of the aforementioned Neil A. & Pamela M. McKown, Co-Trustees parcel (ORV. 1887, Pg. 881), and passing through an iron pin set for reference at 34.04 feet;
3. **South 88 degrees 27 minutes 28 seconds West, 535.95 feet** along a north line of said Neil A. & Pamela M. McKown, Co-Trustees parcel (ORV. 1887, Pg. 881) to an iron pin found in an existing interior corner thereof;
4. **North 00 degrees 41 minutes 04 second West, 316.22 feet** along an east line of said Neil A. & Pamela M. McKown, Co-Trustees parcel (ORV. 1887, Pg. 881) to the **Place of Beginning**, containing 3.947 Acres, more or less, and passing through an iron pin found for reference at 282.18 feet.

According to survey by Nathaniel B. Ramsey P.S. 8396 made April 10, 2023, for K.E. McCartney & Associates, Inc.

Bearings are Based on Ohio State Plane Coordinate System, Ohio North Zone, NAD83(2011)
Grid North derived from the ODOT RTN.

Iron pins set are 5/8" rebar with plastic cap stamped "McCartney S-7921"

Being known as Auditor Parcel No. 0345513303000.

Deed citations made herein are referenced to the Richland County Recorder's records.

The intent of this instrument is to correct the legal description of the premises conveyed in official record volume 2992, page 4122 by describing the correct location of the north and east lines of the Northwest Quarter of Section 20 as intended to be conveyed in the original survey.



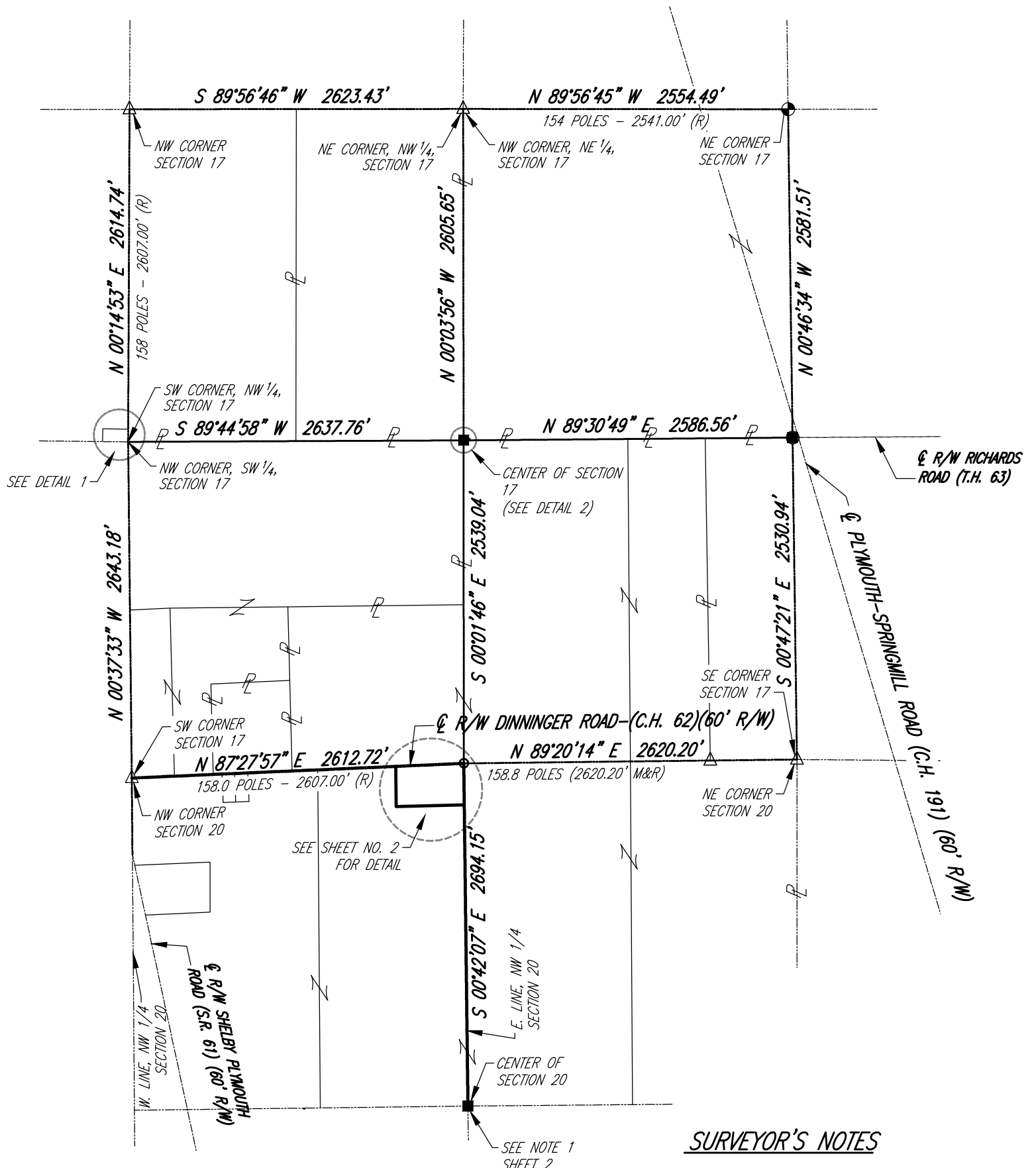
Nathaniel B. Ramsey P.S.
Ohio Registered Surveyor No. S-8396
for K.E. McCartney & Associates, Inc.

NEW SURVEY
OF EXISTING PARCEL
RICHLAND COUNTY
TAX MAP OFFICE

EAK 4-20-23

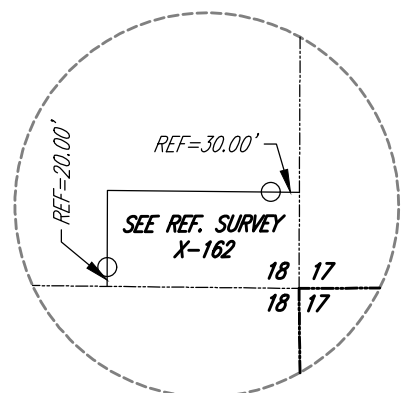
INITIAL & DATE

PP-100

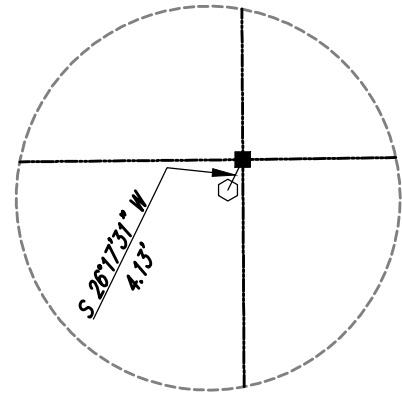


SURVEYOR'S NOTES

1.) REFERENCE DISTANCES ARE FROM 1839 SURVEY FOR KNAPP ON FILE AT THE RICHLAND COUNTY TAX MAP OFFICES "ANCIENT SURVEYS" FILE. ALSO INCLUDED IN THE SURVEY REPORT MADE A PART HEREOF.



**DETAIL 1
(NOT TO SCALE)**

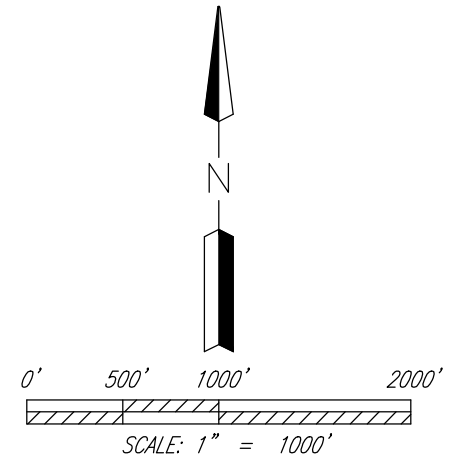


**DETAIL 2
(NOT TO SCALE)**

- LEGEND**
- IRON PIN/PIPE FOUND
 - △ RAILROAD SPIKE FOUND
 - STONE FOUND
 - ⊕ CONCRETE MONUMENT FOUND
 - ⊙ RAILROAD TIE FOUND
 - (R) RECORDED
 - (M) MEASURED


Distances shown hereon are expressed in feet and decimal parts thereof.
 Bearings are to an assumed meridian and are used to express angles only.
 CERTIFICATION: I hereby state that the foregoing survey was prepared from actual field measurements, in accordance with Chapter 4733-37, Ohio Administrative Code.

By:  **04/10/2023**
 Nathaniel B. Ramsey, P.S. #8396 Date
 For K.E. McCartney & Associates, Inc.



BOUNDARY RETRACEMENT SURVEY

SITUATED IN PLYMOUTH TOWNSHIP, RICHLAND COUNTY, OHIO, BEING ALL OF SECTION 17, AND A PART OF THE NORTH HALF OF SECTION 20, TOWNSHIP 23 N, RANGE 19 W, CONGRESS LANDS NORTH OF THE OLD SEVEN RANGES

DRAWN KRM	CHECKED NBR	SCALE 1" = 1000'	DATE 04/10/2023
DWG NO: SY-445-S		JOB NO: SY-445	
52 N. Diamond Street Mansfield, OH 44902 T: 419-525-0093			526 E. Broad Street Elyria, OH 44035 T: 440-323-9608
K.E. McCARTNEY & ASSOCIATES			ENGINEERS • PLANNERS • SURVEYORS

NEW SURVEY
OF EXISTING PARCEL
RICHLAND COUNTY
TAX MAP OFFICE
EAK 4-20-23

INITIAL & DATE
PP-100

SURVEYOR'S NOTES

1.) STONE MONUMENT MARKING THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 20 WAS DESTROYED. LOCATION OF SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 20 REPRODUCED AS PER SURVEY DATA COLLECTED BY K.E. McCARTNEY & ASSOCIATES IN 2006, ALONG WITH SURVEY DOCUMENT X-157. STONE WAS NOT FOUND IN 2023.
2.) L1 & L2 SET BY SURVEY X-157 WERE REMOVED AND RESET AS A PART OF THIS SURVEY.

NEIL A. & PAMELA M. McKOWN,
CO-TRUSTEES
3910 DINNINGER RD,
SHELBY OH, 44875
PPN. 0345513302000
ORV. 1887, PG. 881

NEIL A. & PAMELA M. McKOWN,
CO-TRUSTEES
3910 DINNINGER RD,
SHELBY OH, 44875
PPN. 0345513507000
ORV. 1389, PG. 444

FUSION HOME SOLUTION LLC
3995 DINNINGER RD,
SHELBY OH, 44875
PPN. 0345513303000
ORV. 2992, PG. 4122
3.947 AC.

NEIL A. & PAMELA M. McKOWN,
CO-TRUSTEES
DINNINGER RD,
SHELBY OH, 44875
PPN. 0345513508000
ORV. 1389, PG. 444

NEIL A. & PAMELA M. McKOWN,
CO-TRUSTEES
DINNINGER RD,
SHELBY OH, 44875
PPN. 0345513303001
ORV. 1887, PG. 881

LEGEND

- IRON PIN/PIPE FOUND SEE NOTE 1
- ⊙ 5/8" IRON PIN FOUND WITH I.D. CAP STAMPED "McCARTNEY 7957"
- △ RAILROAD SPIKE FOUND
- STONE FOUND (2006 BY McCartney)
- IRON PIN SET-5/8" REBAR SET WITH I.D. CAP STAMPED "McCARTNEY S-7921"



Distances shown hereon are expressed in feet and decimal parts thereof.

Basis of Bearing: Ohio State Plane, North Zone NAD83(2011) Grid North Based on ODOT RTN

CERTIFICATION: I hereby state that the foregoing survey was prepared from actual field measurements, in accordance with Chapter 4733-37, Ohio Administrative Code.

By: *Nathaniel B. Ramsey* 04/10/2023
Nathaniel B. Ramsey, P.S. #8396 Date
For K.E. McCartney & Associates, Inc.

⊕ R/W DINNINGER ROAD-(C.H. 62)(60' R/W)

SW CORNER SECTION 17
NW CORNER SECTION 20
P.O.C.
N 87°27'57" E 2076.65'

S LINE, SW 1/4, SECTION 17
N LINE, NW 1/4, SECTION 20

SEE DETAIL 3

N 87°27'57" E 536.07'

S LINE, SE 1/4, SECTION 17
N LINE, NE 1/4, SECTION 20

N 00°41'04" W
316.22'
REF.=34.04'

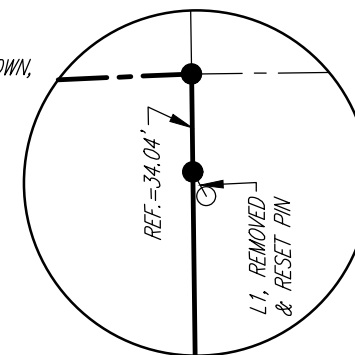
SEE DETAIL 4

S 88°27'28" W 535.95'

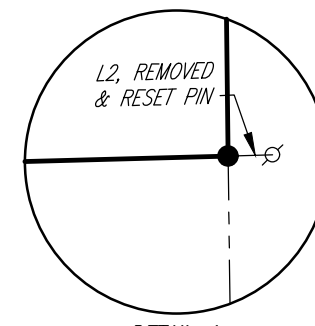
E LINE, SW 1/4, SECTION 17
W LINE, SE 1/4, SECTION 17
E LINE, NW 1/4, SECTION 20
W LINE, NE 1/4, SECTION 20

325.50'
S 00°42'07" E

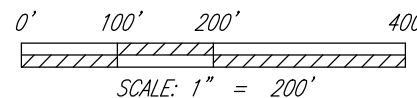
L1 = S 27°30'21" E 9.54'
L2 = N 88°27'28" E 3.59'



DETAIL 3
(NOT TO SCALE)



DETAIL 4
(NOT TO SCALE)



BOUNDARY RETRACEMENT SURVEY

SITUATED IN PLYMOUTH TOWNSHIP,
RICHLAND COUNTY, OHIO, BEING A PART OF
THE NORTHWEST QUARTER OF SECTION 20,
TOWNSHIP 23 N, RANGE 19 W, CONGRESS
LANDS NORTH OF THE OLD SEVEN RANGES

DRAWN KRM	CHECKED NEB	SCALE 1" = 200'	DATE 04/10/2023
DWG NO: SY-445-S_PG		JOB NO: SY-445	SHEET 2 OF 2

52 N. Diamond Street
Mansfield, OH 44902
T: 419-525-0093

526 E. Broad Street
Elyria, OH 44035
T: 440-323-9608



K.E. McCARTNEY & ASSOCIATES
ENGINEERS • PLANNERS • SURVEYORS



K.E. McCartney & Associates

Written by Kenneth R. McCartney

04/10/2023

**REPORT OF SURVEY OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 20,
TOWNSHIP 23 NORTH, RANGE 19**

K.E. McCartney & Associates was notified by the Richland County Engineer's office of some uncertainty of the location of the North line of Section 20, Township 23 North, Range 19 in December 2022. This survey was conducted to resolve the location of said corner due to a boundary dispute between the property owners on each side of the section line. The line in question falls on the North line of Section 20, the South line of Section 17, and also being on the centerline of Right of Way of Dinninger Road (C.H. 62).

Initial field reconnaissance and surveys were done on January 17th and January 27th, 2023. Additional field recon to obtain additional monumentation was conducted later in February. As part of this work, K.E. McCartney & Associates conducted extensive research to obtain record information, plans, maps, surveying notes, plats and deeds that would provide insight to the intent and location of the boundary in question.

This survey report is being written as a guide and explanation of the thought process and nuances that pertain to the boundary determination, which cannot be shown in the plat of survey or legal description. The plat and legal description are both included as part of this report.

RECORD SEARCH

K.E. McCartney & Associates conducted an extensive review of the Richland County Auditor's, Engineer's, and Recorder's records. Due to various discrepancies in the records contained in Richland County's catalog, original survey notes, retracement notes, and original land patents were also pulled from the National and Bureau of Land Management Archives. The written intent of these original notes and patents is of utmost importance because of the inconsistencies between the deeded distances called out in ORV. 1389, P. 444-448, and records of surveys conducted since the original retracement. A total of 15 survey records including deeds, legal descriptions, and copies of original field notes were obtained within said Section 20 and the adjacent Section 17.

All records used are listed below:

Survey Records

EE-146 – September 2020 - ORV. 2814, P. 661

MM-254 – September 2020 - ORV. 2814, P. 661

EE-14 – July 2013 - ORV. 2239, P. 530

Survey Records Cont.

A-254 – January 2011 – ORV. 2030, P. 224

X-157 – June 2022 – ORV. 2992, P. 4122

AA-268 – October 2011 – ORV. 2087, P. 556

MM-255 – September 2020 – ORV. 2814, P. 677

F-2-401 – April 2001 – ORV. 899, P. 841

K-88, ORV. 469, P. 254

X-162 – October 1022 – ORV. 2997, P. 2816

Original Field Notes from Retracement Survey of Section 17 at the request of Samuel Knapp - July 1839

National Archives Catalog, Ohio River Survey, P. 890

Deeds

Neil A & Pamela M McKown, Co-trustees – January 2009 – ORV. 1887, P. 881

Neil A & Pamela M McKown, Co-trustees – May 2004 – ORV. 1389, P. 444-448

Property Line Agreement

Richland County Plat Book V. 22, P. 62 – Chad F. Craig, July 2021

FIELD RECONNAISSANCE

A field search was conducted for monuments, survey points, reference ties, and improvement locations. Survey data was collected utilizing the ODOT RTN network, with the basis of bearing being State Plane Grid North and 83 (2011), Geoid 12A, Ohio North Zone.

In order to follow in the footsteps and determine the intent of the original surveyors, as much original monumentation had to be located in the field as possible. In total, two stone monuments called out in the 1839 survey at the request of Samuel Knapp original were found. The first stone found being the stone marking the center of Section 17, which is shown in Figure A-1 of Appendix A. The second stone found was set to mark the Northeast corner of the Southeast Quarter of Section 17, which is shown in Figure A-2 of Appendix A.

Survey document A-254 calls out a survey nail set to mark the corner in question, but after a diligent search the monument could not be found. A nearby property owner's testimony stated that a culvert was installed in the early 1990's, roughly 50 feet to the East of said point. According to said property owner, the road was also raised as part of this project, so it was concluded that said nail was destroyed during construction of said culvert project.

The 1839 Knapp survey calls out a stone being planted to mark the corner in question, being the Northeast corner of the Northwest quarter of Section 20, also being the Southeast corner of the Southwest quarter of Section 17. An exploratory dig was conducted in February 2023 in attempt to locate the stone said to mark the corner in question. Since the survey nail called out in document A-254 could not be found, and no bearings and distances are given to said corner, the center of the excavation

was established as the intersection of the line between a rail road spike found and accepted as marking the Northeast corner of the Northeast Quarter of Section 20, and a rail road spike found marking the center line of Right of Way of Dinninger Road with the existing tree line between the Southwest and Southeast Quarters of Section 17. A 2.5'x3.0'x1.5' hole was excavated as shown in Figure A-3 of Appendix A, and said stone was not found.

ESTABLISHING THE NORTH LINE OF SECTION 20

Since no monumentation was found to mark the Northeast corner of the Northwest Quarter of Section 20 and discrepancies found between deeded distances as established in ORV. 1389, P. 444-448 and survey documents, determining the written intent of the original retracement survey was crucial for establishing the line in question. When the north line of Section 20 was established in survey document X-157, ORV. 2997, P. 2816, said line was determined to be a straight line between the Northwest and Northeast corners of Section 20. However, according to the 1839 Knapp survey, there is a deflection in the South line of Section 17 at the Southwest corner of the Southwest Quarter of Section 17, the corner in question. The aforementioned deflection is established in the first paragraph of the original retracement notes, and reads as follows:

“Survey of said Section at the request of Samuel Knapp. Beginning at the S.E. Corner of said Section at a post agreeably to the original notes, Red Oak Stump, of the witness tree described in said notes, found new witness taken from the original corner, White Oak 24” GD (girth diameter) bears S 24 degrees E 27 ½ links, White Oak 14” GD bears S 62 degrees W 31 links. Also set a post 30 feet North of said corner from which a white oak 24” GD bears S 31 degrees E 20 links. Thence run west from said corner bearing 2 degrees 36’ 158 8/10 poles to the Qr. Post at the south boundary line of said section, and planted a stone for the corner agreeably to the original survey. The stumps of the two witness trees found there to my satisfaction, set a post 30 feet N of said corner. Run north from said stone back angle 4 ½ degrees to the Southwest corner of said section 158 poles to a stone set agreeably to the original notes, both stumps of witness bearing trees there...”

Extensive work went into deciphering and determining the intent of the 1839 Knapp survey notes; a copy of the 1839 Knapp survey can be found in Figures A-4 & A-5, and a typed out version can be found on page 9, at the end of Appendix A. The two stones called out above could not be found in the field, however two railroad spikes were found as set during the A-254 (Kerg) survey, and were used to establish the South line of the Southeast Quarter of Section 17. One railroad spike found and accepted as marking the Southeast corner of said Section (Point 29), and the other spike was found roughly 681.36 feet to the west along the centerline of right of way of Dinninger road. Said spikes were validated by the 1839 Knapp survey; this survey established the East line of Section 17 as being a straight line, and said spike matched reasonably well with the concrete monument and stone marking the East line of the section. No other monuments were located along the centerline of Dinninger road. These two monuments, along with the distance of 2620.20 feet called out in the 1839 Knapp retracement survey were held to determine the location of the corner in question. The said distance from the original retracement was held due to inconsistencies in the deeded distances called out in various survey documents, including ORV. 1389 P. 444-448, as mentioned previously. The alignment called out in the original retracement matches reasonably to the current lines of occupation, as well as the alignment of Dinninger Road, which was not the case for the distances called out in ORV. 1389 P. 444-448.

CONCLUSION

While conducting research, no documentation establishing Section 20 could be found. Due to this, documentation laying out Section 17 was heavily relied upon. In all, two original stone monuments were found during field reconnaissance. These two stones were relied upon to validate distances and angles established during the 1839 Knapp retracement survey. All distances and angles established in said retracement matched within a reasonable surveying tolerance to what was found and accepted in the field. The North line of Section 20 has been established as laid out in the 1839 Knapp retracement with a deflection at the Northeast corner of the Northwest Corner of said Section 20.

Appendix A



Figure A-1: Stone Marking Center of Section 17



Figure A-2: Stone marking Northeast Corner of the Southeast Quarter of Section 17



Figure A-3: Excavation in Dinninger Road

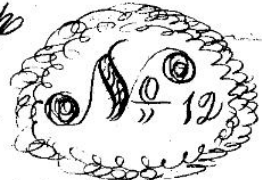
18

1839

Stymouth Wednesday 3rd July

Samuel Knapp
Worster, Ohio

Section 17



Survey of said Section at the request of Samuel Knapp. Beginning at the S.E. Corner of said section as a Post agreeably to the original notes, N. on a stump of the redmap tree marked in said notes, from 06, also witness taken from the original corner, N. on 24 S.D. trees at 24th E 27th links N. on 14 S.D. trees S 69th W 31 links also set a Post 30 feet east of said corner from which a N. on 24 S.D. trees S 31th E 20th links thence - Run west from said corner 2.36 158⁸/₁₀ Poles to the 1st Post on the south B. line of said Section, and intend a Stone, for the corner agreeably to the original Survey - The stumps of the two redmap trees being there to my satisfaction, set a Post 30 feet east of said corner Run north from said Stone 1/2th to the S.W. corner of said Section 158 Poles to a Stone set agreeably to the original notes both stumps of redmap trees there - also witness taken maple 24 S.D. trees S 32th E 50 links 13th Walnut 6 S.D. trees at 76th E 128 links - Run from S.W. corner of said Section north 1/2th to the 1st Post on the west boundary line Have intend by J. Stuart agreeably to (17) notes - Continue at 17th to the S.W. corner 1/2th 158 Poles to a Stone intend Michael Runner witness trees there (Green) Run from the N.E. corner of said Section west 154 Poles to the actual 1st Post one

Figure A-4: Page 1 of 2 of 1839 Knapp Survey

19

On the North boundary line - of

Sections, B over standing (from) Chestnut
Sawed - Run from said go Post
South Va 2nd W. to the corresponding
Opposite go Post on the S B Line
said Sections - W W W - from the S E
Corner of said Sections North Va 2nd W
to the M. E. Corner - 11 trap trees there
The quarter Post on the East boundary
line cannot be found by the original
scale I set it on a right line between
the two sectional corners at the intersec-
tion of said line and the Road -
from which go Post I Run North to the
opposite corresponding go Post - Va 2nd W
at the intersection of said lines I
Marked the interim go Post of said
Section from which a N. Swamp, oak
9 I. D. trees S 42 N 37 links and a
Hickory 5 I. D. trees S 48 E 48 links
Set a Post 30 feet South of said
quarter Post on the East B Line
12 oak 8 I. D. trees S 12 E 50 links
11 oak 3 I. D. trees S 45 N 34 links
all and every corner around this section
have been set exactly to the original Survey
Excepting the go Post on the East B line
which was established as above

Figure A-5: Page 2 of 2 of 1839 Knapp Survey

1839 Knapp Survey

Survey of said Section at the request of Samuel Knapp. Beginning at the S.E. Corner of said Section at a post agreeably to the original notes, Red Oak Stump, of the witness tree described in said notes, found new witness taken from the original corner, White Oak 24" GD (girth diameter) bears S 24 degrees E 27 ½ links, White Oak 14" GD bears S 62 degrees W 31 links. Also set a post 30 feet North of said corner from which a white oak 24" GD bears S 31 degrees E 20 links. Thence run west from said corner bearing 2 degrees 36' 158 8/10 poles to the Qr. Post at the south boundary line of said section and planted a stone for the corner agreeably to the original survey. The stumps of the two witness trees found there to my satisfaction, set a post 30 feet N of said corner. Run north from said stone back angle 4 ½ degrees to the Southwest corner of said section 158 poles to a stone set agreeably to the original notes, both stumps of witness bearing trees there ---

New witness trees maple 24" GD bears S. 32 degrees E 50 links, Black Walnut 6" GD bears N 7 degrees 6' E 128 links. Run from SW corner of said section, North _____ bearing 2 degrees 40' to the Quarter Post on the west boundary line have intended by (G. Sturtz) agreeably to original notes. Continuing north to the Northwest corner bearing 1 degree 40' 158 poles to a stone intended Running witness trees there (green). Run – from the NE Corner of said section West for 154 rods to the actual Quarter post on the north boundary line of said section Black Oak standing (green) chestnut – Run from said quarter post south bearing 2 degrees 10' to the corresponding opposite quarter post on the South Boundary Line of said section – Run from the Southeast corner of said section North bearing 2 degrees 45' to the Northeast Corner – Witness trees there the quarter post on the East boundary line could not be found by the original notes. Set at a right line between the two section corners at the intersection of said line and the road.

from which quarter post run west to the opposite corresponding quarter post bearing 2 degrees 18" at the intersection of said lines planted the interim quarter post of said section from which a White Swamp Oak 9" Girth Diameter bears Southwest 42 degrees 37 links and a Hickory 5" Girth Diameter bears North 48 degrees East, 48 Links. Set a post 30 feet south of said corner Quarter post on the east boundary line. Red Oak 8" Girth Diameter Bears South 12 degrees East, 50 ½ Links. White Oak 3" Girth Diameter bears South 45 degrees West, 34 Links. All and every corner around this Section have been set agreeably to the original survey excepting the quarter post on the East Boundary line which has been established as aforesaid.