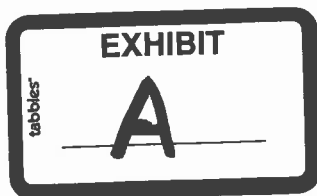


engineers
planners
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700 Nilles Road
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fairfield@bayerbecker.com



County Warren

City of Mason
Roadway Improvement Plans

LEGAL DESCRIPTION

PARCEL NO. 14-T-1

OWNER: N. J. Policicchio

TYPE OF INTEREST: Temporary Construction and Grading Easement

Situated in Section 30, Town 4, Range 2, City of Mason, Warren County, State of Ohio, and being a 0.011 acre Temporary Construction and Grading Easement in part of Lot # 8 of Laurel Court Subdivision as recorded in Plat Book 25, Page 71-72 of the Warren County Ohio Records and the lands of N. J. Policicchio as recorded in Official Records 1046, Page 203 of the Warren County Ohio Records and further described as follows:

Beginning at a point found by measuring from the Northwest corner of aforementioned Lot #8, said point being in the Easterly right-of-way line of Mason-Montgomery Road, and being 47.74 feet left of centerline station 118+02.34 of the City of Mason Roadway Improvement Plans, along said right-of-way line South 04°24'51" West, 121.12 feet to a point 41.51 feet left of centerline station 119+23.22 of the City of Mason Roadway Improvement Plans; thence along a curve to the left having a radius of 30.00 feet, an arc length of 12.58 feet, a chord bearing of South 07°36'11" East, a chord distance of 12.49 feet to a point 43.50 feet left of centerline station 119+35.52 of the City of Mason Roadway Improvement Plans and the true point of beginning;

- thence from the point of beginning thus found, leaving said right-of-way line North 01°34'46" East, 15.19 feet;
- thence North 23°12'57" East, 15.42 feet;
- thence South 07°35'38" East, 34.79 feet;
- thence South 64°02'51" East, 34.80 feet to a point in the Northerly right-of-way line of Laurelwood Court;
- thence along said Northerly right-of-way line, North 88°17'45" West, 15.03 feet;
- thence along a curve to the right having a radius of 30.00 feet, an arc length of

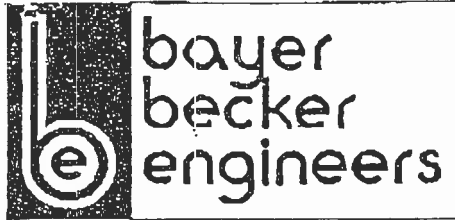
(Continued on Page.2)

Page 2 Continued: County Warren
City of Mason
Roadway Improvement Plans
LEGAL DESCRIPTION
PARCEL NO. 14-T-1

35.96 feet, a chord bearing of North 53°57'29" West, a chord distance of 33.84 feet to the point of beginning containing 490.60 square feet or 0.011 acres of land.

Owner claims title by instrument of record in Official Records 1046, Page 203 recorded in the Warren County Ohio Records. Auditors Parcel No. 16-30-154-026.

The above description is based upon a survey of the City of Mason Roadway Improvement Plans by Bayer-Becker Engineers, under the direction of Todd K. Turner Registered Surveyor #7684 in the State of Ohio.



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County Warren

City of Mason
Roadway Improvement Plans

LEGAL DESCRIPTION

PARCEL NO. 14-WD

OWNER: N. J. Policicchio
TYPE OF INTEREST: Warranty Deed

Situated in Section 30, Town 4, Range 2, City of Mason, Warren County, State of Ohio, and being a 0.230 acre tract of land in part of Lot # 8 of Laurel Court Subdivision as recorded in Plat Book 25, Page 71-72 of the Warren County Ohio Records and the lands of N. J. Policicchio as recorded in Official Records 1046, Page 203 of the Warren County Ohio Records and further described as follows:

Beginning at the Northwest corner of aforementioned Lot #8, said point being in the Easterly right-of-way line of Mason-Montgomery Road, and being 47.74 feet left of centerline station 118+02.34 of the City of Mason Roadway Improvement Plans;

thence along the Northerly line of said Lot #8, South 85°35'09" East, 10.17 feet;
thence leaving said Northerly line, South 04°35'14" West, 67.08 feet;
thence South 13°26'25" West, 51.73 feet;
thence South 01°34'46" West, 15.19 feet to a point in the aforementioned Easterly right-of-way line of Mason-Montgomery Road;
thence along said right-of-way line, along a curve to the right having a radius of 30.00 feet, an arc length of 12.58 feet, a chord bearing of North 07°36'11" West, a chord distance of 12.49 feet;
thence North 04°24'51" East, 121.12 feet to the point of beginning containing 1000.35 square feet or 0.023 acres of land and being subject to all easements and right-of-ways of record.

(Continued on Page 2)

Page 2 Continued: County Warren
City of Mason
Roadway Improvement Plans
LEGAL DESCRIPTION
PARCEL NO. 14-WD

Owner claims title by instrument of record in Official Records 1046, Page 203 recorded in the Warren County Ohio Records. Auditors Parcel No. 16-30-154-026.

The above description is based upon a survey of the City of Mason Roadway Improvement Plans by Bayer-Becker Engineers, under the direction of Todd K. Turner Registered Surveyor #7684 in the State of Ohio.

County Warren
City of Mason

Roadway Improvement Plans
LEGAL DESCRIPTION

PARCEL NO. 14-X

Revised

OWNER: N. J. Policicchio

TYPE OF INTEREST: Drainage and Utility Easement

Situated in Section 30, Town 4, Range 2, City of Mason, Warren County, State of Ohio, and being a 0.034 acre Drainage and Utility Easement in part of Lot # 8 of Laurel Court Subdivision as recorded in Plat Book 25, Page 71-72 of the Warren County Ohio Records and the lands of N. J. Policicchio as recorded in Official Records 1046, Page 203 of the Warren County Ohio Records and further described as follows:

Beginning at a point found by measuring from the Northwest corner of aforementioned Lot #8, said point being in the Easterly right-of-way line of Mason-Montgomery Road, and being 47.74 feet left of centerline station 118+02.34 of the City of Mason Roadway Improvement Plans, along the Northerly line of said Lot #8, South 85°35'09" East, 10.17 feet to a point 57.89 feet left of centerline station 118+02.87 of the City of Mason Roadway Improvement Plans and the true point of beginning;

thence from the point of beginning thus found, continuing along said Northerly line, South 85°35'09" East, 20.94 feet;

thence leaving said Northerly line, South 04°31'31" East, 22.31 feet;

thence South 23°12'57" West, 101.54 feet;

thence North 13°26'25" East, 51.73 feet;

thence North 04°35'14" East, 67.08 feet to the point of beginning containing 1497.55 square feet or 0.034 acres of land.

Owner claims title by instrument of record in Official Records 1046, Page 203 recorded in the Warren County Ohio Records. Auditors Parcel No. 16-30-154-026.

The above description is based upon a survey of the City of Mason Roadway Improvement Plans by Bayer-Becker Engineers, under the direction of Todd K. Turner Registered Surveyor #7684 in the State of Ohio.

County Warren
City of Mason

Roadway Improvement Plans

LEGAL DESCRIPTION

PARCEL NO. 14-T

Revised

OWNER: N. J. Policicchio

TYPE OF INTEREST: Temporary Construction and Grading Easement

Situated in Section 30, Town 4, Range 2, City of Mason, Warren County, State of Ohio, and being a 0.007 acre Temporary Construction and Grading Easement in part of Lot # 8 of Laurel Court Subdivision as recorded in Plat Book 25, Page 71-72 of the Warren County Ohio Records and the lands of N. J. Policicchio as recorded in Official Records 1046, Page 203 of the Warren County Ohio Records and further described as follows:

Beginning at a point found by measuring from the Northwest corner of aforementioned Lot #8, said point being in the Easterly right-of-way line of Mason-Montgomery Road, and being 47.74 feet left of centerline station 118+02.34 of the City of Mason Roadway Improvement Plans, along the Northerly boundary of said Lot #8, South 85°35'09" East, 31.11 feet to a point 87.68 feet left of centerline station 118+04.41 of the City of Mason Roadway Improvement Plans and the true point of beginning;

thence from the point of beginning thus found, continuing along said Northerly boundary, South 85°35'09" East, 8.89 feet;

thence leaving said Northerly boundary, North 50°04'05" East, 18.05 feet;

thence South 01°51'17" West, 10.30 feet;

thence South 42°03'18" West, 30.77 feet;

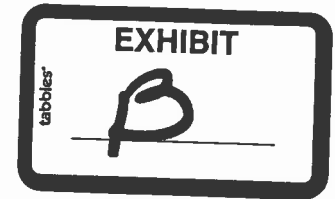
thence North 04°31'31" West, 22.31 feet to the point of beginning containing 308.29 square feet or 0.007 acres of land.

Owner claims title by instrument of record in Official Records 1046, Page 203 recorded in the Warren County Ohio Records. Auditors Parcel No. 16-30-154-026.

The above description is based upon a survey of the City of Mason Roadway Improvement Plans by Bayer-Becker Engineers, under the direction of Todd K. Turner Registered Surveyor #7684 in the State of Ohio.

LAW OFFICES
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TELEPHONE (513) 489-7200



May 7, 2003

VIA FAX: 852-6087

Kenneth J. Schneider, Esq.
Wood and Lamping, LLP
2500 Cincinnati Commerce Center
600 Vine Street
Cincinnati, Ohio 45202

Re: City of Mason, Ohio vs.
N.J. Policicchio, et al.
Case No.: 01 CV 58241
Warren County
Court of Common Pleas

Dear Ken:

The purpose of this letter is to set forth a settlement proposal on behalf of Nick Policicchio and Denise Beauchamp.

As you know, we have engaged in both a Mediation and extensive settlement negotiations after the Mediation. The settlement negotiations have primarily concerned replacing the trees, landscaping and other vegetation which existed between Mason-Montgomery Road and the Policicchio/Beauchamp property which was taken in the appropriation action. Such trees, vegetation and landscaping served as a buffer between the Policicchio/Beauchamp property and Mason-Montgomery Road.

Last Friday, I met on the Policicchio/Beauchamp property with Kurt Seiler, Eric Foell of Natorp's, Nick Policicchio and Denise Beauchamp. A landscape plan prepared by Natorp's with some minor modification as discussed herein, was agreed upon by all parties.

Kenneth J. Schneider, Esq.
May 7, 2003
Page 2

Nick Policicchio and Denise Beauchamp have authorized me to enter into a settlement with the City of Mason on the following terms:

- 1) The City of Mason at its expense will retain Natorp Landscaping, 8601 Snider Road, Mason, Ohio 45040 to implement the landscaping plan entitled "Policicchio/Beauchamp Mason-Montgomery & Laurelwood Court - Natorp's" which is dated 4/18/03 and revised 4/24/03.
- 2) The work set forth on the landscape plan shall be completed by Natorp's by no later than June 30, 2003.
- 3) As part of the settlement, the City of Mason at its expense shall replace the "Laurel Court" stone wall sign and the vegetation surrounding the sign with a stone wall with surrounding vegetation reasonably consistent and with the stone wall sign and vegetation which were taken. I have attached a photograph of the stone wall and surrounding vegetation that existed before the taking. (We are not requesting that the wooden gazebo above the sign be replaced.)
- 4) As part of the settlement, the City of Mason, using its own workers or through its independent contractor, Natorp's, shall place some fill dirt between the arbor and head wall on the Policicchio/Beauchamp property. Although this item is not shown on the Natorp plan, the details were discussed completely between Eric Foell of Natorp's, Kurt Seiler, and Nick Policicchio and Denise Beauchamp last Friday and everyone was in agreement as to the location and quantity of the additional fill.
- 5) On the Natorp plan dated 4/18/03 and revised 4/24/03, there is an area of shrubs near the corner of Laurelwood Court and Mason-Montgomery Road which the plan designates as "Maintain Existing Shrubs". It was discussed at the meeting last Friday that 2 or 3 of these existing shrubs which are Viburnum

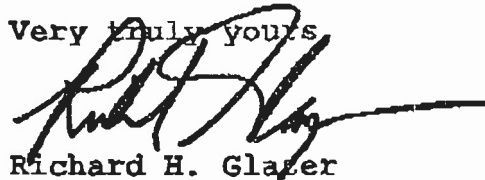
Kenneth J. Schneider, Esq.
May 7, 2003
Page 3

bushes are probably dead or dying. As part of this settlement, Natorp's will replace the dead or dying bushes with replacement Viburnum or Burning bushes. At the time of the planting, Eric Foell of Natorp's will check with Denise Beachamp and Nick Policicchio as to the desired species of replacement bushes.

- 6) All of the landscaping and planting of the various trees, shrubs and other vegetation shall be placed on the Policicchio/Beauchamp property and not on or inside the Right-of-Way.
- 7) As part of the settlement, in addition to the consideration which is set forth above, the City of Mason will pay the total sum of \$10,000.00. Previously, the City of Mason has deposited \$2,515.00 at the time of the filing of the appropriation suit, thus an additional \$7,485.00 will be paid.
- 8) The City of Mason shall be responsible for the payment of all Court costs, closing costs, and recording fees.

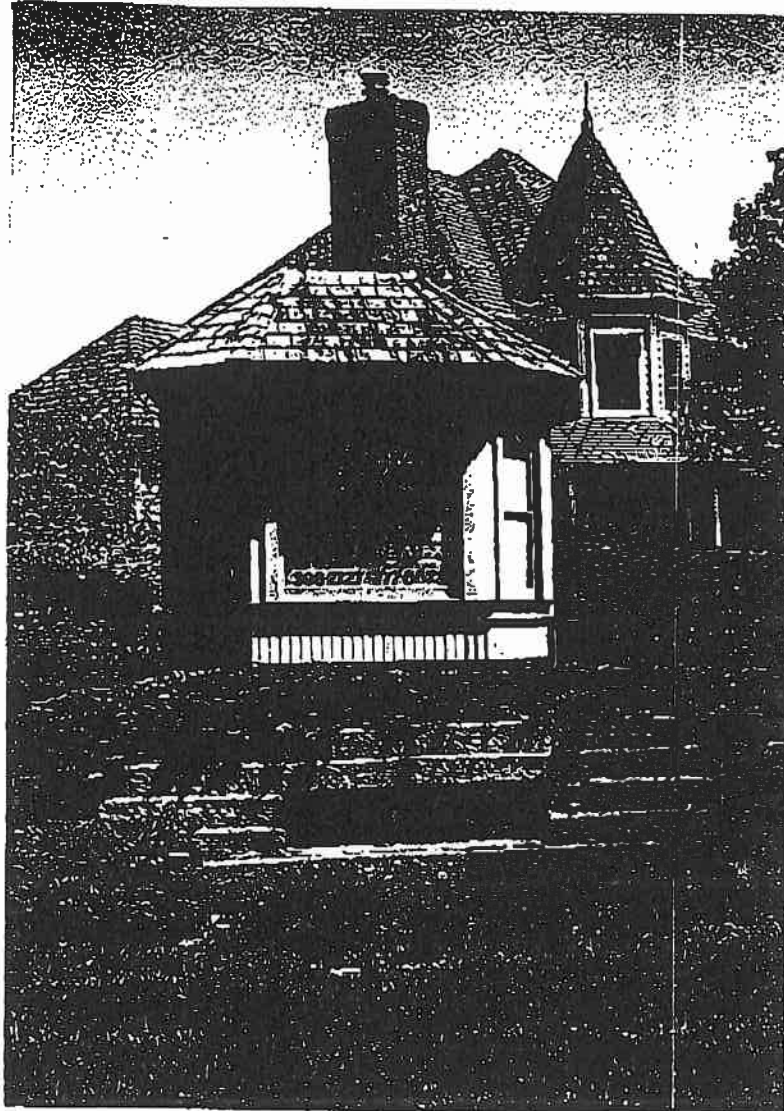
We are operating under the assumption that you will present the settlement proposal to City Council meeting on Monday, May 14, 2003.

Very truly yours,



Richard H. Glazer

RHG:vrh



Brick wall on property that was taken and not replaced.