

EXHIBIT " A "

WAR-42-0.00
PID NO. 79850
PARCEL 48-SH

Situated in Section 5, Town 3, Range 2, Between the Miamis in the City of Mason, Warren County, Ohio and being more particularly described as follows:

Beginning for reference at the intersection of the west line of Section 4 with the existing centerline of U.S. 42; Thence along said centerline North $45^{\circ}34'02''$ East, 7.61 feet; Thence leaving said centerline South $44^{\circ}34'31''$ East, 1.91 feet to Station 0+00 of the proposed centerline of construction for WAR-42-0.00, PID No. 79850; Thence along said centerline of construction North $45^{\circ}25'29''$ East, 1,041.09 feet; Thence along a curve deflecting to the right having a radius of 3,429.37 feet, central angle of $05^{\circ}16'05''$, arc length of 315.32 feet, the chord of said arc bears North $48^{\circ}03'32''$ East, 315.21 feet; Thence North $50^{\circ}41'35''$ East, 6,063.45 feet; Thence leaving said centerline of construction South $39^{\circ}18'25''$ East, 38.98 feet to a set iron pin in the existing south line of U.S. 42, said iron pin being the **TRUE POINT OF BEGINNING**;

Thence South $89^{\circ}54'36''$ East, 14.21 feet to a set iron pin;

Thence South $50^{\circ}41'35''$ West, 210.68 feet to a set iron pin;

Thence North $39^{\circ}16'46''$ West, 8.98 feet to a set iron pin in the aforementioned proposed south line of U.S. 42;

Thence along said north line North $50^{\circ}40'55''$ East, 199.69 feet to the **TRUE POINT OF BEGINNING**.

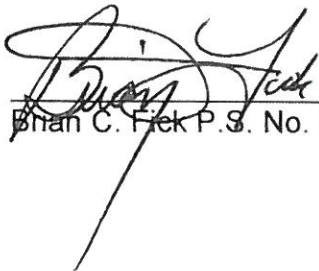
Containing 0.0424 Acres, (1,847 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Beverly A. Barr and Eugene Jeffery II, Beneficiary and Thomas Jeffery Beneficiary tract as recorded in Official Record 4603, Page 147 at the Warren County Recorder's Office and further identified as Auditor's Parcel 15052000040.

Page 2
PARCEL 48-SH

All bearings shown are for project use only. These bearings are based upon Ohio State Plane Coordinate System, (South Zone) NAD 83.

This description was prepared and reviewed in June 2008 by G.J. BERDING SURVEYING, INC., Brian C. Fick, Registered Surveyor Number 8370.



Brian C. Fick P.S. No. 8370

7-22-09
Date



Parcel 48-SH : BCFRW16 BCFRW1 SH4802 SH4801 BCFRW16

Total parent tract area =	1,847.2880 ft ² =	0.0424 a
Total taken area =	0.0000 ft ² =	0.0000 a
Remaining area =	1,847.2880 ft ² =	0.0424 a

Description of parcel: 48-SH

Beginning parent tract description

Point BCFRW16 N 21,358.9582 E 31,777.0200 Sta 0+00.000000

Course from BCFRW16 to BCFRW1 N 50° 40' 55" E Dist 199.6941

Point BCFRW1 N 21,485.4894 E 31,931.5115 Sta 1+99.694111

Course from BCFRW1 to SH4802 S 89° 54' 36" E Dist 14.2140

Point SH4802 N 21,485.4670 E 31,945.7255 Sta 2+13.908114

Course from SH4802 to SH4801 S 50° 41' 35" W Dist 210.6825

Point SH4801 N 21,352.0046 E 31,782.7073 Sta 4+24.590635

Course from SH4801 to BCFRW16 N 39° 16' 46" W Dist 8.9832

Point BCFRW16 N 21,358.9582 E 31,777.0200 Sta 4+33.573872

End of parcel 48-SH description

EXHIBIT “ _____ ”

**WAR-42-0.00
PID NO. 79850
PARCEL 48-DU**

Situated in Section 5, Town 3, Range 2, Between the Miamis in the City of Mason, Warren County, Ohio and being more particularly described as follows:

Beginning for reference at the intersection of the west line of Section 4 with the existing centerline of U.S. 42; Thence along said centerline North $45^{\circ}34'02''$ East, 7.61 feet; Thence leaving said centerline South $44^{\circ}34'31''$ East, 1.91 feet to Station 0+00 of the proposed centerline of construction for WAR-42-0.00, PID No. 79850; Thence along said centerline of construction North $45^{\circ}25'29''$ East, 1,041.09 feet; Thence along a curve deflecting to the right having a radius of 3,429.37 feet, central angle of $05^{\circ}16'05''$, arc length of 315.32 feet, the chord of said arc bears North $48^{\circ}03'32''$ East, 315.21 feet; Thence North $50^{\circ}41'35''$ East, 6,063.45 feet; Thence leaving said centerline of construction South $39^{\circ}18'25''$ East, 38.98 feet to a point in the existing south line of U.S. 42, Thence South $89^{\circ}54'36''$ East, 14.21 feet to a point in the proposed south line of U.S. 42, said point being the **TRUE POINT OF BEGINNING**;

Thence South $89^{\circ}54'36''$ East, 31.50 feet;

Thence South $52^{\circ}19'16''$ West, 105.22 feet;

Thence South $50^{\circ}41'35''$ West, 129.85 feet;

Thence North $39^{\circ}16'46''$ West, 17.00 feet to a point in the aforementioned proposed south line of U.S. 42;

Thence along said south line North $50^{\circ}41'35''$ East, 210.68 feet to the **TRUE POINT OF BEGINNING**.

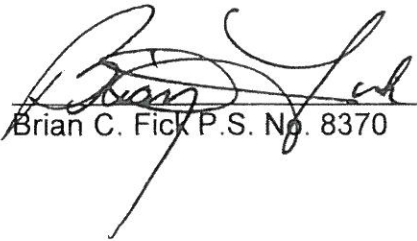
Containing 0.0897 Acres, (3,909 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Beverly A. Barr and Eugene Jeffery II, Beneficiary and Thomas Jeffery Beneficiary tract as recorded in Official Record 4603, Page 147 at the Warren County Recorder's Office and further identified as Auditor's Parcel 15052000040.

Page 2
PARCEL 48-DU

All bearings shown are for project use only. These bearings are based upon Ohio State Plane Coordinate System, (South Zone) NAD 83.

This description was prepared and reviewed in June 2008 by G.J. BERDING SURVEYING, INC., Brian C. Fick, Registered Surveyor Number 8370.


Brian C. Fick P.S. No. 8370

7-22-09
Date



Parcel 48-DU : SH4801 SH4802 DU4802 DU4803 DU4801 SH4801

Total parent tract area =	3,909.4025 ft ² =	0.0897 a
Total taken area =	0.0000 ft ² =	0.0000 a
Remaining area =	3,909.4025 ft ² =	0.0897 a

Description of parcel: 48-DU

Beginning parent tract description

Point SH4801 N 21,352.0046 E 31,782.7073 Sta 0+00.000000

Course from SH4801 to SH4802 N 50° 41' 35" E Dist 210.6825

Point SH4802 N 21,485.4670 E 31,945.7255 Sta 2+10.682520

Course from SH4802 to DU4802 S 89° 54' 36" E Dist 31.4953

Point DU4802 N 21,485.4175 E 31,977.2208 Sta 2+42.177867

Course from DU4802 to DU4803 S 52° 19' 16" W Dist 105.2223

Point DU4803 N 21,421.1020 E 31,893.9426 Sta 3+47.400156

Course from DU4803 to DU4801 S 50° 41' 35" W Dist 129.8494

Point DU4801 N 21,338.8455 E 31,793.4701 Sta 4+77.249567

Course from DU4801 to SH4801 N 39° 16' 46" W Dist 17.0000

Point SH4801 N 21,352.0046 E 31,782.7073 Sta 4+94.249569

End of parcel 48-DU description

EXHIBIT "A"

**WAR-42-0.00
PID NO. 79850
PARCEL 50-SH**

Situated in Section 5, Town 3, Range 2, Between the Miamis in the City of Mason, Warren County, Ohio and being more particularly described as follows:

Beginning for reference at the intersection of the west line of Section 4 with the existing centerline of U.S. 42; Thence along said centerline North 45°34'02" East, 7.61 feet; Thence leaving said centerline South 44°34'31" East, 1.91 feet to Station 0+00 of the proposed centerline of construction for WAR-42-0.00, PID No. 79850; Thence along said centerline of construction North 45°25'29" East, 1,041.09 feet; Thence along a curve deflecting to the right having a radius of 3,429.37 feet, central angle of 05°16'05", arc length of 315.32 feet, the chord of said arc bears North 48°03'32" East, 315.21 feet; Thence North 50°41'35" East, 6,063.45 feet; Thence leaving said centerline of construction South 39°18'25" East, 38.98 feet to a set iron pin in the existing south line of U.S. 42, said iron pin being the **TRUE POINT OF BEGINNING**;

Thence along said south line North 50°40' 55" East, 234.18 feet to a set iron pin;

Thence along a curve deflecting to the right having a radius of 35.00 feet, central angle of 40°05'57", arc length of 24.50 feet, the chord of said arc bears North 71°45'23" East, 24.00 feet to a set iron pin in the west line of Snider Road;

Thence South 50°35'24" West, 245.59 feet to a set iron pin;

Thence North 89°54'36" West, 14.21 feet to the **TRUE POINT OF BEGINNING**.

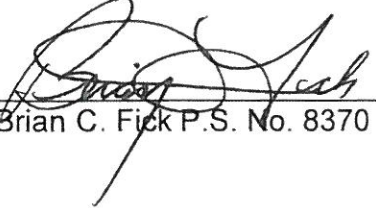
Containing 0.0495 Acres, (2,154 Sq. Ft). Subject to legal highways and easements of record.

The above described parcel being part of the Beverly A. Barr tract as recorded in Official Record 4072, Page 259 at the Warren County Recorder's Office and further identified as Auditor's Parcel 15052000260.

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PARCEL 50-SH

All bearings shown are for project use only. These bearings are based upon Ohio State Plane Coordinate System, (South Zone) NAD 83.

This description was prepared and reviewed in June 2008 by G.J. BERDING SURVEYING, INC., Brian C. Fick, Registered Surveyor Number 8370.



Brian C. Fick P.S. No. 8370

7-22-09
Date



Parcel 50-SH : CUR 50SHC01 SH5001 BCFRW1 BCFRW3

Total parent tract area = 2,154.7401 ft² = 0.0495 a
Total taken area = 0.0000 ft² = 0.0000 a
Remaining area = 2,154.7401 ft² = 0.0495 a

Description of parcel: 50-SH

Beginning parent tract description

Curve Data

Curve 50SHC01

P.I. Station 0+12.773259 N 21,641.7842 E 32,122.7043
Delta = 40° 05' 57" (RT)
Degree = 163° 42' 08"
Tangent = 12.7733
Length = 24.4952
Radius = 35.0000
External = 2.2580
Long Chord = 23.9983
Mid. Ord. = 2.1211
P.C. Station 0+00.000000 N 21,633.8688 E 32,112.6792
P.T. Station 0+24.495167 N 21,641.3816 E 32,135.4712
C.C. N 21,606.3990 E 32,134.3682
Back = N 51° 42' 25" E
Ahead = S 88° 11' 39" E
Chord Bear = N 71° 45' 23" E

Course from PT 50SHC01 to SH5001 S 50° 35' 24" W Dist 245.5867

Point SH5001 N 21,485.4670 E 31,945.7255 Sta 2+70.081854

Course from SH5001 to BCFRW1 N 89° 54' 36" W Dist 14.2140

Point BCFRW1 N 21,485.4894 E 31,931.5115 Sta 2+84.295858

Course from BCFRW1 to BCFRW3 N 50° 40' 55" E Dist 234.1756

Point BCFRW3 N 21,633.8688 E 32,112.6792 Sta 5+18.471421

End of parcel 50-SH description

EXHIBIT " ____ "

WAR-42-0.00
PID NO. 79850
PARCEL 50-DU

Situated in Section 5, Town 3, Range 2, Between the Miamis in the City of Mason, Warren County, Ohio and being more particularly described as follows:

Beginning for reference at the intersection of the west line of Section 4 with the existing centerline of U.S. 42; Thence along said centerline North $45^{\circ}34'02''$ East, 7.61 feet; Thence leaving said centerline South $44^{\circ}34'31''$ East, 1.91 feet to Station 0+00 of the proposed centerline of construction for WAR-42-0.00, PID No. 79850; Thence along said centerline of construction North $45^{\circ}25'29''$ East, 1,041.09 feet; Thence along a curve deflecting to the right having a radius of 3,429.37 feet, central angle of $05^{\circ}16'05''$, arc length of 315.32 feet, the chord of said arc bears North $48^{\circ}03'32''$ East, 315.21 feet; Thence North $50^{\circ}41'35''$ East, 6,063.45 feet; Thence leaving said centerline of construction South $39^{\circ}18'25''$ East, 38.98 feet to a point in the existing south line of U.S. 42; Thence South $89^{\circ}54'36''$ East, 14.21 feet to a point in the proposed south line of U.S. 42, said point being the **TRUE POINT OF BEGINNING**;

Thence along said south line North $50^{\circ}35'24''$ East, 245.59 feet to a point in the west line of Snider Road;

Thence along said west line along a curve deflecting to the right having a radius of 35.00 feet, central angle of $66^{\circ}11'18''$, arc length of 40.43 feet, the chord of said arc bears South $55^{\circ}06'00''$ East, 38.22 feet;

Thence South $05^{\circ}33'55''$ West, 2.36 feet;

Thence leaving said west line North $88^{\circ}50'08''$ West, 25.89 feet;

Thence South $50^{\circ}26'36''$ West, 165.33 feet;

Thence South $32^{\circ}23'28''$ West, 31.99 feet;

Thence North $89^{\circ}54'36''$ West, 50.38 feet to the **TRUE POINT OF BEGINNING**.

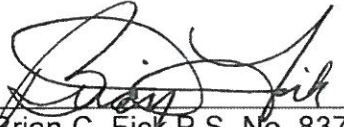
Containing 0.1301 Acres, (5,666 Sq. Ft). Subject to legal highways and easements of record.

Page 2
PARCEL 50-DU

The above described parcel being part of the Beverly A. Barr tract as recorded in Official Record 4072, Page 259 at the Warren County Recorder's Office and further identified as Auditor's Parcel 15052000260.

All bearings shown are for project use only. These bearings are based upon Ohio State Plane Coordinate System, (South Zone) NAD 83.

This description was prepared and reviewed in June 2008 by G.J. BERDING SURVEYING, INC., Brian C. Fick, Registered Surveyor Number 8370.



Brian C. Fick P.S. No. 8370

7-22-09
Date



Parcel 50-DU : CUR 50DUC01 DU5001 DU5002 DU5003 DU5004 SH5001 SH5003

Total parent tract area = 5,666.8303 ft² = 0.1301 a
Total taken area = 0.0000 ft² = 0.0000 a
Remaining area = 5,666.8303 ft² = 0.1301 a

Description of parcel: 50-DU

Beginning parent tract description

Curve Data

Curve 50DUC01
P.I. Station 0+22.811147 N 21,640.6628 E 32,158.2710
Delta = 66° 11' 18" (RT)
Degree = 163° 42' 08"
Tangent = 22.8111
Length = 40.4322
Radius = 35.0000
External = 6.7774
Long Chord = 38.2212
Mid. Ord. = 5.6779
P.C. Station 0+00.000000 N 21,641.3816 E 32,135.4712
P.T. Station 0+40.432167 N 21,619.5135 E 32,166.8183
C.C. N 21,606.3990 E 32,134.3682
Back = S 88° 11' 39" E
Ahead = S 22° 00' 21" E
Chord Bear = S 55° 06' 00" E

Course from PT 50DUC01 to DU5001 S 5° 33' 55" W Dist 2.3643

Point DU5001 N 21,617.1603 E 32,166.5890 Sta 0+42.796512

Course from DU5001 to DU5002 N 88° 50' 08" W Dist 25.8877

Point DU5002 N 21,617.6864 E 32,140.7066 Sta 0+68.684258

Course from DU5002 to DU5003 S 50° 26' 36" W Dist 165.3298

Point DU5003 N 21,512.3975 E 32,013.2382 Sta 2+34.014105

Course from DU5003 to DU5004 S 32° 23' 28" W Dist 31.9865

Point DU5004 N 21,485.3878 E 31,996.1032 Sta 2+66.000590

Course from DU5004 to SH5001 N 89° 54' 36" W Dist 50.3778

Point SH5001 N 21,485.4670 E 31,945.7255 Sta 3+16.378345

Course from SH5001 to SH5003 N 50° 35' 24" E Dist 245.5867

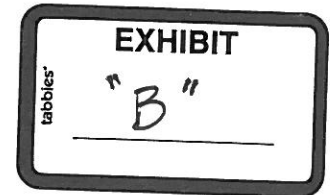
Point SH5003 N 21,641.3816 E 32,135.4712 Sta 5+61.965032

End of parcel 50-DU description

**NOTICE OF INTENT TO ACQUIRE
AND
GOOD FAITH OFFER**

February 18, 2010

Ms. Beverly A. Barr
6438 Foxtail Lane
Liberty Twp., Ohio 45044



Re: WAR-42-0.00
Parcel Number: 50 SH, DU
Interest Acquired: Permanent Easements

TO: Ms. Beverly A. Barr
6438 Foxtail Lane
Liberty Twp., Ohio 45044

The City of Mason, Ohio needs your property for a highway project identified as WAR-42-0.00 and will need to acquire the following from you:

Parcel 50 – SH is a permanent standard highway easement needed for the construction and maintenance of a bikepath.

Parcel 50 – DU is a permanent drainage and utility easement needed for the installation and maintenance of new roadway drainage and utility systems.

Ohio law authorizes City of Mason, Ohio to obtain Parcels 50 SH,DU from your property for the public purpose of a highway project. The legal description of your property that City of Mason, Ohio needs is attached to this Notice of Intent to Acquire and Good Faith Offer and is referenced as **Exhibit A**.

The Good Faith Offer included in this document is City of Mason, Ohio determination of the fair market value of your property. This fair market value (FMV) is what a willing buyer who is under no compulsion to buy and a willing seller who is under no compulsion to sell would value your property on the open market.

You will have a minimum of 30 days from the time you receive this offer to accept or reject the offer. We are available to discuss the offer with you at any time. If you reject the offer or we are unable to come to an agreement, we may have to exercise our eminent domain authority to appropriate your property. This will require a court procedure. In a court proceeding, you may disagree with whether our offer reflects the fair market value of the property.

HERE IS A BRIEF SUMMARY OF YOUR OPTIONS AND LEGALLY PROTECTED RIGHTS:

1. By law, City of Mason, Ohio is required to make a good faith effort to purchase Parcels 50 SH,DU .
2. We are to provide you with a written offer and the appraisal or valuation upon which we base that offer. The amount offered to you will not be less than the approved fair market value estimate of the property needed for the project. This compensation is based on the valuation of your property by qualified real estate personnel who have analyzed current market data. Their valuation work has been reviewed by a preapproved review appraiser prior to City of Mason, Ohio establishing its fair market value estimate for your property needed for the project.
3. **You do not have to accept this offer** and City of Mason, Ohio is not required to agree to your demands.
4. You are to be provided a copy of the valuation document during the first negotiation visit by an agent of City of Mason, Ohio .
5. You are to be provided with pertinent parts of the highway plans which are:

Legend sheet; Property Map; Summary Sheet; Right of Way Detail Sheet(s); and Plan and Profile Sheet(s)
6. The Plan Letter Attachment to this “Notice of Intent to Acquire and Good Faith Offer” describes the interest in the real property that is to be acquired from you; the description and location of the real property to be acquired; and any improvements such as buildings or structures situated on the property to be acquired, if any.
7. You will be provided with a booklet entitled “When ODOT Needs Your Property”. This booklet briefly explains the acquisition process and your rights in this process.
8. You have the right to seek the advice of an attorney, real estate appraiser, or any other person of your choice in this matter

9. You have the right to object to City of Mason, Ohio decision to acquire your property by writing, within ten business days of receiving this notice, to:

Eric Hanson
City Manager
6000 Mason-Montgomery Road
Mason, Ohio 45040

The City Council has the discretion to veto this project, and if he does, it will not proceed.

10. If you do not accept this offer, and we cannot come to an agreement on the acquisition of Parcels 50 SH,DU , City of Mason, Ohio has the right to file suit to acquire Parcels 50 SH,DU by eminent domain in the county in which the property is located. This action, referred to as an “appropriation proceeding” ensures your rights will be fully protected while at the same time allowing the construction of the highway project to proceed for the benefit of all.
11. When filing the appropriation, the City of Mason, Ohio will deposit the value of the property sought to be acquired with the court. At that time, City of Mason, Ohio gains the right to enter upon and use the property acquired subject to Section 163.06 (B) of the Ohio Revised Code. If you agree to accept the deposited money as full payment, the appropriation case will be closed.
12. If you are not satisfied with the amount of the deposit, you must file an answer with the court in the manner and within the time specified in the summons which is served upon you by the court. Once the answer is filed, you may apply to the court to withdraw the deposited money, subject to the rights of any other parties having an interest in the property. Withdrawing your share of the deposit does not interfere with your right to have a jury determine the FMV of your property. Interest will not accrue on any money deposited under this procedure. If the money withdrawn under this procedure should exceed the final award, the owner will be required to return the excess payment.
13. As part of your answer you may request a trial by jury. After a trial, a jury will decide the amount you are to be awarded for your property that is acquired, for the damage that is caused by the acquisition, if applicable, and for other damages permitted by law, which could either exceed or be less than our offer. At the trial you may testify and present evidence as to the value of your property
14. If your property qualifies as an “Agricultural Use” as defined under ORC 163.21 (C)(2), and a jury awards you an amount that is more than 150% of the City of Mason, Ohio's final offer as determined by law, you may be entitled to recover attorney fees and other litigation costs.

15. You also have the right to request that the issue of the value of your property be submitted to nonbinding mediation. You **must** submit your written request for mediation to the court within ten business days after you file your answer. If a settlement is not reached at mediation, the matter will proceed to a jury valuation trial.

THE GOOD FAITH OFFER:

The amount offered to you in good faith as just compensation for the acquisition of Parcel 50 SH, DU, Permanent Easements, of Project WAR-42-0.00 is:

Real Property To Be Acquired (SH,DU Permanent easements)..... \$51,830.00
Total Good Faith Offer \$51,830.00

Tenant-owned improvements, if any, are to be identified in this Notice of Intent to Acquire and Good Faith Offer, and if there are any such improvements, the amount offered to you does not include compensation for these improvements. **There are no tenant-owned improvements in the take area.**

While City of Mason, Ohio may not provide legal advice, we will make all efforts to answer questions you have concerning this process and provide any copies of the law or our records that you may need to fully understand your rights, the project, and the process. If you have any questions concerning this matter, you may contact us at:

DLZ OHIO INC
6121 Huntley Road
Columbus, Ohio 43229

Greg Reynolds
Right of Way Agent
DLZ OHIO INC.

By signing below I acknowledge only that I have received the “Notice of Intent to Acquire and Good Faith Offer” and that my signature in no way implies that I have accepted the price offered or any other conditions.

(Owner’s signature)

(Date)

(Print owner’s name)

(Owner’s signature)

(Date)

(Print owner’s name)

**NOTICE OF INTENT TO ACQUIRE
AND
GOOD FAITH OFFER**

February 18, 2010

Ms. Beverly A. Barr
6438 Foxtail Lane
Liberty Twp., Ohio 45044

Re: WAR-42-0.00
Parcel Number: 48 SH, DU
Interest Acquired: Permanent Easements

TO: Ms. Beverly A. Barr
6438 Foxtail Lane
Liberty Twp., Ohio 45044

The City of Mason, Ohio needs your property for a highway project identified as WAR-42-0.00 and will need to acquire the following from you:

Parcel 48 – SH is a permanent standard highway easement needed for the construction and maintenance of a bikepath.

Parcel 48 – DU is a permanent drainage and utility easement needed for the installation and maintenance of new roadway drainage and utility systems.

Ohio law authorizes City of Mason, Ohio to obtain Parcels 48 SH,DU from your property for the public purpose of a highway project. The legal description of your property that City of Mason, Ohio needs is attached to this Notice of Intent to Acquire and Good Faith Offer and is referenced as **Exhibit A**.

The Good Faith Offer included in this document is City of Mason, Ohio determination of the fair market value of your property. This fair market value (FMV) is what a willing buyer who is under no compulsion to buy and a willing seller who is under no compulsion to sell would value your property on the open market.

You will have a minimum of 30 days from the time you receive this offer to accept or reject the offer. We are available to discuss the offer with you at any time. If you reject the offer or we are unable to come to an agreement, we may have to exercise our eminent domain authority to appropriate your property. This will require a court procedure. In a court proceeding, you may disagree with whether our offer reflects the fair market value of the property.

HERE IS A BRIEF SUMMARY OF YOUR OPTIONS AND LEGALLY PROTECTED RIGHTS:

1. By law, City of Mason, Ohio is required to make a good faith effort to purchase Parcels 48 SH,DU .
2. We are to provide you with a written offer and the appraisal or valuation upon which we base that offer. The amount offered to you will not be less than the approved fair market value estimate of the property needed for the project. This compensation is based on the valuation of your property by qualified real estate personnel who have analyzed current market data. Their valuation work has been reviewed by a preapproved review appraiser prior to City of Mason, Ohio establishing its fair market value estimate for your property needed for the project.
3. **You do not have to accept this offer** and City of Mason, Ohio is not required to agree to your demands.
4. You are to be provided a copy of the valuation document during the first negotiation visit by an agent of City of Mason, Ohio .
5. You are to be provided with pertinent parts of the highway plans which are:

Legend sheet; Property Map; Summary Sheet; Right of Way Detail Sheet(s); and Plan and Profile Sheet(s)
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Eric Hanson
City Manager
6000 Mason-Montgomery Road
Mason, Ohio 45040

The City Council has the discretion to veto this project, and if he does, it will not proceed.

10. If you do not accept this offer, and we cannot come to an agreement on the acquisition of Parcels 48 SH,DU , City of Mason, Ohio has the right to file suit to acquire Parcels 48 SH,DU by eminent domain in the county in which the property is located. This action, referred to as an “appropriation proceeding” ensures your rights will be fully protected while at the same time allowing the construction of the highway project to proceed for the benefit of all.
11. When filing the appropriation, the City of Mason, Ohio will deposit the value of the property sought to be acquired with the court. At that time, City of Mason, Ohio gains the right to enter upon and use the property acquired subject to Section 163.06 (B) of the Ohio Revised Code. If you agree to accept the deposited money as full payment, the appropriation case will be closed.
12. If you are not satisfied with the amount of the deposit, you must file an answer with the court in the manner and within the time specified in the summons which is served upon you by the court. Once the answer is filed, you may apply to the court to withdraw the deposited money, subject to the rights of any other parties having an interest in the property. Withdrawing your share of the deposit does not interfere with your right to have a jury determine the FMV of your property. Interest will not accrue on any money deposited under this procedure. If the money withdrawn under this procedure should exceed the final award, the owner will be required to return the excess payment.
13. As part of your answer you may request a trial by jury. After a trial, a jury will decide the amount you are to be awarded for your property that is acquired, for the damage that is caused by the acquisition, if applicable, and for other damages permitted by law, which could either exceed or be less than our offer. At the trial you may testify and present evidence as to the value of your property
14. If your property qualifies as an “Agricultural Use” as defined under ORC 163.21 (C)(2), and a jury awards you an amount that is more than 150% of the City of Mason, Ohio's final offer as determined by law, you may be entitled to recover attorney fees and other litigation costs.

15. You also have the right to request that the issue of the value of your property be submitted to nonbinding mediation. You **must** submit your written request for mediation to the court within ten business days after you file your answer. If a settlement is not reached at mediation, the matter will proceed to a jury valuation trial.

THE GOOD FAITH OFFER:

The amount offered to you in good faith as just compensation for the acquisition of Parcel 48 SH, DU, Permanent Easements, of Project WAR-42-0.00 is:

Real Property To Be Acquired (SH,DU Permanent easements.....	\$28,355.00
Total Good Faith Offer	\$28,355.00

Tenant-owned improvements, if any, are to be identified in this Notice of Intent to Acquire and Good Faith Offer, and if there are any such improvements, the amount offered to you does not include compensation for these improvements. **There are no tenant-owned improvements in the take area.**

While City of Mason, Ohio may not provide legal advice, we will make all efforts to answer questions you have concerning this process and provide any copies of the law or our records that you may need to fully understand your rights, the project, and the process. If you have any questions concerning this matter, you may contact us at:

DLZ OHIO INC
6121 Huntley Road
Columbus, Ohio 43229

Greg Reynolds
Right of Way Agent
DLZ OHIO INC.

By signing below I acknowledge only that I have received the “Notice of Intent to Acquire and Good Faith Offer” and that my signature in no way implies that I have accepted the price offered or any other conditions.

(Owner’s signature)

(Date)

(Print owner’s name)

(Owner’s signature)

(Date)

(Print owner’s name)