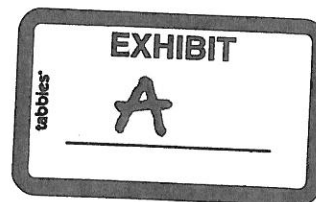


SEASONS GREENE SANITARY SEWER EXTENSION PROJECT

PETITION TO THE COUNCIL OF THE COUNTY OF SUMMIT:

JOHN A. SHUTSA & ASSOCIATES, INC. ("Petitioner"), by its authorized agent and for itself and on behalf of its successors, assigns, heirs, administrators and all subsequent owners of the real estate described in paragraph 1 below, agrees to, acknowledges and understands the following:

1. That the Petitioner is the owner of certain real estate abutting on Seasons Road, in Summit County, Ohio, as described in on Exhibit A attached hereto, (the "Entire Tract") and at Petitioner's option, certain land that may be acquired by Petitioner as described on Exhibit B attached hereto (the "To-Be-Acquired Property"). The Entire Tract and the To-Be-Acquired Property are located within the Summit County Metropolitan Sewer District heretofore established by Resolution No. 743-70, adopted July 14, 1970.
2. That Petitioner has heretofore requested and hereby reiterates its request that the County of Summit ("County") acquire, maintain, and operate sanitary sewer lines and necessary appurtenances thereto in the Seasons Commerce Center Sanitary Sewer Extension Project and Seasons Road Sanitary Sewer Phase Three, designated Sanitary Improvements No. 1646 and 1539-3 respectively, and further described in detail in Exhibits C1 and C2 attached hereto (collectively the "Improvement").
3. That Petitioner acknowledges that it represents, acknowledges and agrees that the Improvement is to be owned by the County, that the Improvement is to be acquired by the County, and that construction and acquisition of the Improvement is necessary to provide sanitary sewer service to the Entire Tract and the To-Be-Acquired Property described in Paragraph 1 hereof.
4. That Petitioner hereby represents, acknowledges and agrees that the Entire Tract and, if applicable, the To-Be-Acquired Property will be benefitted by and constitutes a part of the lots and lands to be assessed by the County for the Improvement and consents that the entire cost of acquiring the Improvement, in an amount not to exceed \$425,000, together with the necessary appurtenances thereto, be assessed against the Entire Tract and the To-Be-Acquired Property.
5. That Petitioner(s), with respect to the Improvement, waive(s) the notice and publication of all resolutions and legal notices provided for in Sections 6117.01 to 6117.99 of the Revised Code, and without limitation of the foregoing, specifically waives the notice required by Section 6117.06 and the publication of the resolution of necessity and hearing provided for in that section.
6. That Petitioner(s) acknowledge(s) that they have examined the estimated cost of constructing this Improvement in the amount of \$425,000.00 and the tentative assessment in the amount of \$425,000, which shall be levied only to the Entire Tract and, if applicable, to the To-Be-Acquired Property. The Petitioner has no objection to the tentative assessment or



the estimated cost of the Improvement, The Petitioner also acknowledges that it has had an opportunity to examine the plans and specifications for the Improvement.

7. That Petitioner(s) further acknowledges and understands that the final assessment for their share of the cost of the Improvement, serving the property described in Paragraph 1 hereof will be payable in cash within thirty (30) days from the date of passage of the resolution levying the final assessment. If such assessment is not paid in full, the balance will be certified to the Fiscal Officer of the County of Summit, to be placed on the tax list and duplicate and collected as other taxes are collected in 40 semiannual installments (20 years), together with interest at the same rate as charged to the County in anticipation of the collection of the assessments for the Improvement, as set forth in a certain Development Agreement between the Petitioner and County dated _____, 2012.

8 That Petitioner further acknowledges, understands and agrees that in levying the final assessment against the Entire Tract and, if applicable, the To-Be-Acquired Property, the County shall seek the advice and reasonable consent of the Petitioner in portioning the final assessment between those properties. Further, in the event that Petitioner subdivides the Entire Tract, or if applicable, the To-Be-Acquired Property into smaller parcels, the final assessment shall be applied against said subdivided parcels in proportionate amounts to the benefit received through the Improvement as reasonably agreed between the Petitioner and County. In the event the parties are unable to agree to the distribution of the final assessment, the County shall use the methods set forth in Chapter 6117 of the Ohio Revised Code.

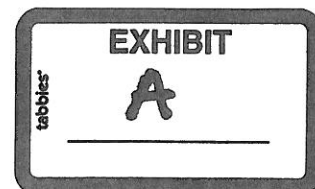
9. That Petitioner further acknowledges, understands and agrees that the final assessment shall be levied against the Entire Tract, and if applicable, the To-Be-Acquired Property only, and shall not be levied against any other adjacent or nearby property

10. That Petitioner further acknowledges, understands and agrees that if Petitioner does not acquire the To-Be-Acquired Property prior to the time of the introduction of the Resolution levying the final assessment, the entire final assessment shall be levied only against the Entire Tract, whether or not the To-Be-Acquired Property benefits from the Improvement.

11. That Petitioner further acknowledges that it understands and agrees that it will be subject to a sewer tap-in fee, permit fee, user charges and industrial pretreatment requirements for all sewage transported through the Improvement, except as otherwise agreed to in writing by the County.

12. That Petitioner(s) further acknowledge(s) and agrees that all terms contained in this Petition shall follow the Entire Tract, and if applicable to the To-Be-Acquired Property, and all subsequent owners and assigns of the Entire Tract, and if applicable to the To-Be-Acquired Property, or any portion or subdivision thereof, shall be bound by the terms contained in this Petition.

13. That Petitioner further acknowledges that it was directly involved in causing the design and construction of the Improvement in order to serve the Entire Tract and, if applicable,



the To-Be-Acquired Property, with sanitary sewer service, and thereby to benefit those properties.

14. That Petitioner(s), in consideration of the granting of this Petition, hereby waives any and all questions as to the constitutionality of the laws under which said Improvement will have been acquired, the jurisdiction of the Council acting thereunder, the amount of the assessment, all irregularities, errors and defects, if any, in the levying of the assessment, the portioning the assessment, and specifically waives the right of appeal to the Probate Court as provided in Section 6117.09 of the Revised Code.

IN WITNESS WHEREOF, the Petitioner has signed this Petition to the Council of the County of Summit on this 13th day of September, 2012.

PETITIONER:

JOHN A. SHUTSA & ASSOCIATES, INC.

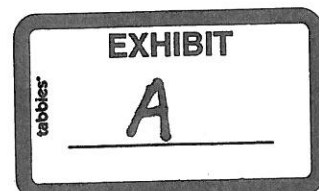
By: John A. Shutsa
Its: CEO/Secretary/Treasurer

STATE OF OHIO)
) SS:
COUNTY OF SUMMIT)

The foregoing Petition to the Council of The County of Summit was acknowledged before me this 13th day of September, 2012 by John A Shutsa, the CEO/Secretary/Treasurer of John A. Shutsa & Associates, Inc., an Ohio corporation.

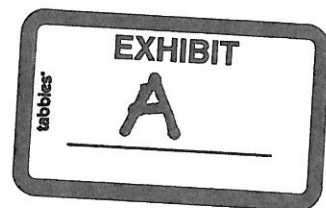
Catherine A. Jones
Notary Public
My Commission expires:
CATHERINE A. JONES, Notary Public
Residence - Summit County
Statewide Jurisdiction, Ohio
My Commission Expires Nov. 18, 2012

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Entire Tract

Page 4 of 7



**LEGAL DESCRIPTION
PARCEL A
15.4555 ACRES**

Situated in the City of Hudson, County of Summit and State of Ohio and known as being part of Original Hudson Township Lot No. 3, and being more particularly described as follows:

Beginning at a 5/8 inch iron pin monument found at the intersection of the centerline of Allen Road (C.H. 146), 60 feet wide, and Seasons Road (C.H. 145), width varies, said point also being on the southerly line of Hudson Township; Thence along the centerline of Seasons Road and the southerly line of Hudson Township South 87 degrees 27 minutes 00 seconds East, a distance of 634.75 feet to the southwesterly corner of said Lot 3; Thence along the westerly line of said Lot 3 North 03 degrees 21 minutes 05 seconds East, a distance of 50.00 feet to a 5/8 inch iron pin set in the northerly line of Seasons Road as dedicated in Plat Cabinet M, Slides 715 to 721 of Summit County Records and the PRINCIPAL PLACE OF BEGINNING for the parcel described herein;

Course 1) Thence continuing along the westerly line of said Lot 3 North 03 degrees 21 minutes 05 seconds East, a distance of 780.00 feet to the southwesterly corner of a parcel of land as conveyed to Seasons Road Industrial Property, LLC by deed recorded in Reception No. 55481041 of Summit County Records, said point being witnessed by a 3/4 inch pinched iron pipe found 0.50 feet east and 0.27 feet south therefrom;

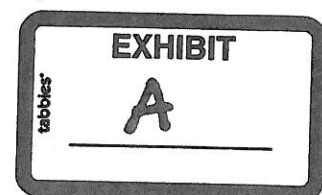
Course 2) Thence along the southerly line of said Seasons Road Industrial Property, LLC South 87 degrees 27 minutes 00 seconds East, a distance of 990.04 feet to a 5/8 inch iron pin set on the westerly line of Parcel II-A of lands conveyed to Dunkirk Properties, Inc. by deed recorded in O.R. 593, Pg. 527 of Summit County Records;

Course 3) Thence along the westerly line of said Parcel II-A, South 03 degrees 21 minutes 14 seconds West, a distance of 780.00 feet to a 5/8 inch iron pin set on the northerly line of Seasons Road;

Course 4) Thence along the northerly line of Seasons Road North 87 degrees 27 minutes 00 seconds West, a distance of 69.61 feet to a point in the easterly line of a parcel of land as conveyed to Walter Metals, LLC by deed recorded in Reception No. 55438224 of Summit County Records, said point being witnessed by a 5/8 inch iron pin found with "Bock & Clark" cap 0.58 feet north and 0.29 feet east therefrom;

Course 5) Thence along the easterly line of said Walter Metals, LLC lands North 03 degrees 19 minutes 40 seconds East, a distance of 494.50 feet to the northeasterly corner thereof, said point being witnessed by a 5/8 inch iron pin with "Bock & Clark" cap found 0.32 feet north and 0.19 feet east therefrom;

Course 6) Thence along the northerly line of said Walter Metals, LLC lands North 87 degrees 27 minutes 00 seconds West, a distance of 200.00 feet to the northwesterly corner thereof, said point



being witnessed by a 5/8 inch iron pin with "Bock & Clark" cap found 0.11 feet north and 0.41 feet east therefrom;

Course 7) Thence along the westerly line of said Walter Metals, LLC lands South 03 degrees 19 minutes 40 seconds West, a distance of 494.50 feet to the northerly line of Seasons Road, said point being witnessed by a 5/8 inch iron pin found with "Bock & Clark" cap 0.58 feet north and 0.29 feet east therefrom;

Course 8) Thence along the northerly line of Seasons Road North 87 degrees 27 minutes 00 seconds West, a distance of 720.39 feet to the Principal Place of Beginning, and containing 15.4555 acres of land according to an actual field survey by Christopher J. Dempsey, Professional Surveyor No. 6914, Dempsey Surveying Company dated November 3, 2009.

All iron pins set are 5/8 inches in diameter by 30" long with a yellow plastic cap stamped "Dempsey #6914".

BASIS OF BEARINGS: Bearings are based on a centerline bearing of South 87 degrees 27 minutes 00 seconds East as referenced from the deed to Dunkirk Properties, Inc. as recorded in O.R. Vol. 583 Pg. 527 of Summit County Records. Bearings should be rotated 3 degrees 12 minutes 42 seconds counter clockwise to match grid north (Ohio SPC north zone).



**LEGAL DESCRIPTION
PARCEL B
86.7766 ACRES**

Situated in the City of Hudson, County of Summit and State of Ohio and known as being part of Original Hudson Township Lots 3, 4, and 14, and being more particularly described as follows:

Beginning at a 5/8 inch iron pin monument found at the intersection of the centerline of Allen Road (C.H. 146), 60 feet wide, and Seasons Road (C.H. 145), width varies, said point also being on the southerly line of Hudson Township; Thence along the centerline of Seasons Road and the southerly line of Hudson Township South 87 degrees 27 minutes 00 seconds East, a distance of 1624.75 feet to the southwesterly corner of Parcel II-A of lands conveyed to Dunkirk Properties, Inc. by deed recorded in O.R. 593, Pg. 527 of Summit County Records; Thence along the westerly line of said Parcel II-A, North 03 degrees 21 minutes 14 seconds East, a distance of 50.00 feet to a 5/8 inch iron pin set in the northerly line of Seasons Road as dedicated in Plat Cabinet M, Slides 715 to 721 of Summit County Records and the PRINCIPAL PLACE OF BEGINNING for the parcel described herein;

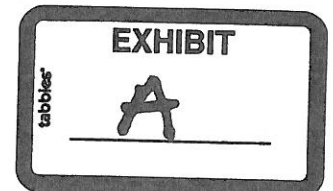
Course 1) Thence continuing along the westerly line of said Parcel II-A North 03 degrees 21 minutes 14 seconds East, a distance of 780.00 feet to a 5/8 inch iron pin set in the southerly line of a parcel of land as conveyed to Seasons Road Industrial Property, LLC by deed recorded in Reception No. 55481041 of Summit County Records;

Course 2) Thence along the southerly line of said Seasons Road Industrial Property, LLC South 87 degrees 27 minutes 00 seconds East, a distance of 410.00 feet to the southeasterly corner thereof, said point being witnessed by a 1 inch pinched iron pipe found 0.92 feet north and 0.54 feet east therefrom;

Course 3) Thence along the easterly line of said Seasons Road Industrial Property, LLC North 03 degrees 20 minutes 51 seconds East, a distance of 1839.95 feet to the northeasterly corner thereof, said point also being in the northerly line of said Lot 3, and witnessed by a 1 inch pinched pipe found 0.09 feet south and 0.25 feet west therefrom;

Course 4) Thence along the northerly line of said Lot 3 South 87 degrees 24 minutes 08 seconds East, a distance of 1248.52 feet to a 5/8 inch iron pin set at the northeasterly corner of said Lot 3, also being the southeasterly corner of a parcel of land as conveyed to Big Dirt, LLC by deed recorded in Reception No. 55570935 of Summit County Records;

Course 5) Thence along a southeasterly line of said Big Dirt, LLC parcel North 41 degrees 17 minutes 06 seconds East, a distance of 214.94 feet to the southerly line of a parcel of land as conveyed to Ohio Edison Co. by deed recorded in Volume 4988, Pg. 696 of Summit County Records, said point being witnessed by a 5/8 inch iron pin found with a "#6349 ELG" cap 0.03 feet north and 0.56 feet east therefrom;



Course 6) Thence along the southerly line of said Ohio Edison lands South 48 degrees 37 minutes 30 seconds East, a distance of 176.11 feet to an angle point therein, witnessed by a 5/8 inch iron pin found with a "Bock & Clark" cap 0.31 feet north and 0.24 feet east therefrom;

Course 7) Thence continuing along the southerly line of said Ohio Edison lands South 50 degrees 00 minutes 34 seconds East, a distance of 595.81 feet to the westerly line of a parcel of land as conveyed to Metro Regional Transit Authority by deed recorded in Reception No. 54697545 of Summit County Records, said point being witnessed by a 2 inch iron pipe found 2.50 feet south and 1.25 feet west therefrom;

Course 8) Thence along the westerly line of said Metro Regional Transit Authority lands South 28 degrees 01 minutes 20 seconds West, a distance of 1932.15 feet to a 5/8 inch iron pin set in the northerly line of a parcel of land as conveyed to the City of Hudson, Ohio by deed recorded in Reception No. 54761823 of Summit County Records;

Course 9) Thence along the northerly line of said City of Hudson, Ohio lands, and along the northerly line of a parcel of land as conveyed to Prosper Development Company, LTD. by deed recorded in Reception No. 54004649 of Summit County Records North 87 degrees 17 minutes 10 seconds West, a distance of 1013.10 feet to a 5/8 inch iron pin set at the northwesterly corner thereof;

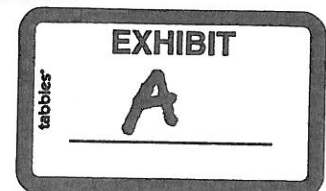
Course 10) Thence along the westerly line of said Prosper Development Company, LTD lands South 02 degrees 31 minutes 52 seconds West, a distance of 572.61 feet to the northerly line of Seasons Road, said point being witnessed by a 5/8 inch iron pin found w/ "Riverstone" cap 0.56 feet north and 0.28 feet east therefrom;

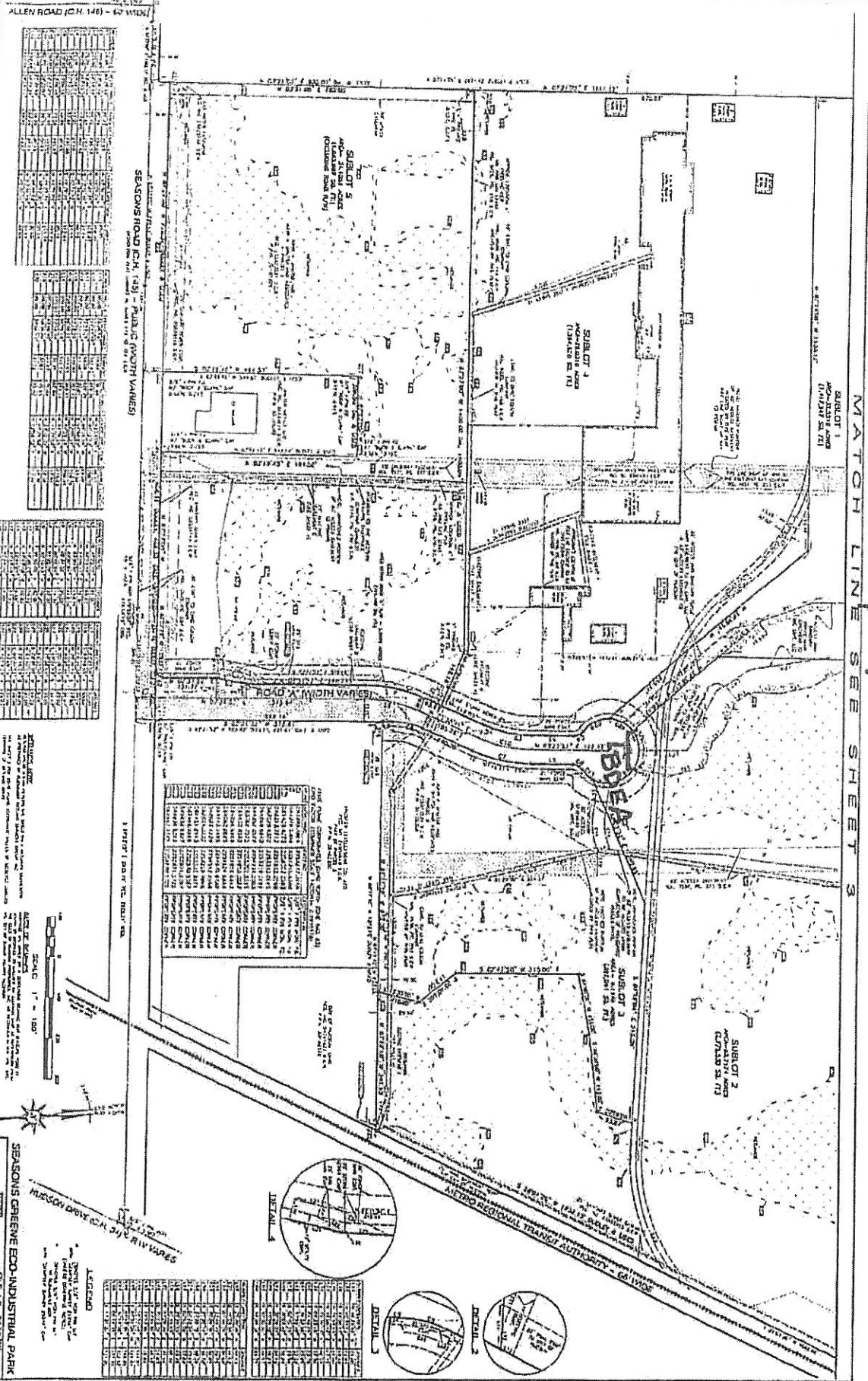
Course 11) Thence along the northerly line of Seasons Road North 87 degrees 22 minutes 15 seconds West, a distance of 259.27 feet to a 5/8 inch iron pin set at an angle point therein;

Course 12) Thence continuing along the northerly line of Seasons Road North 87 degrees 27 minutes 00 seconds West, a distance of 336.69 feet to the Principal Place of Beginning, and containing 86.7766 acres of land according to an actual field survey by Christopher J. Dempsey, Professional Surveyor No. 6914, Dempsey Surveying Company dated November 3, 2009.

All iron pins set are 5/8 inches in diameter by 30" long with a yellow plastic cap stamped "Dempsey #6914".

BASIS OF BEARINGS: Bearings are based on a centerline bearing of South 87 degrees 27 minutes 00 seconds East as referenced from the deed to Dunkirk Properties, Inc. as recorded in O.R. Vol. 583 Pg. 527 of Summit County Records. Bearings should be rotated 3 degrees 12 minutes 42 seconds counter clockwise to match grid north (Ohio SPC north zone).





MATCH LINE SEE SHEET 3

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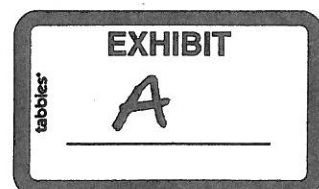
EXHIBIT

A

SEASONS CREEPE ECO-INDUSTRIAL PARK

NET TAIL TABLE 2

To-Be-Acquired Property



LEGAL DESCRIPTION
32.1771 ACRES

Situated in the City of Hudson, County of Summit and State of Ohio and known as being part of Original Hudson Township Lot 3, and being more particularly described as follows:

Beginning at a 5/8 inch iron pin monument found at the intersection of the centerline of Allen Road (C.H. 146) and Seasons Road (C.H. 145), said point also being on the southerly line of Hudson Township; Thence along the centerline of Seasons Road and the southerly line of Hudson Township South 87 degrees 27 minutes 00 seconds East, a distance of 634.75 feet to the southwesterly corner of said Lot 3; Thence along the westerly line of said Lot 3, North 03 degrees 21 minutes 05 seconds East, a distance of 830.00 feet to the southwesterly corner of a parcel of land as conveyed to Seasons Road Industrial Property, LLC by deed recorded in Reception No. 55481041 of Summit County Records, said point being witnessed by a 3/4 inch pinched iron pipe found 0.50 feet east and 0.27 feet south therefrom; Thence continuing along the westerly line of said Lot 3, North 03 degrees 21 minutes 05 seconds East, a distance of 870.07 feet to a 5/8 inch iron pin set at the PRINCIPAL PLACE OF BEGINNING for the parcel described herein;

Course 1) Thence continuing along the westerly line of said Lot 3, North 03 degrees 21 minutes 05 seconds East, a distance of 971.05 feet to the northwesterly corner of said Lot 3, also being the northwesterly corner of said Season Road Industrial Property, LLC, and being witnessed by a 5/8 inch rebar (3 feet high) found 0.25 feet north and 0.68 feet east therefrom;

Course 2) Thence along the northerly line of said Lot 3, South 87 degrees 24 minutes 08 seconds East, a distance of 1399.89 feet to the northeasterly corner of said Seasons Road Industrial Property, LLC, and witnessed by a 1 inch pinched iron pipe found 0.09 feet south and 0.25 feet west therefrom;

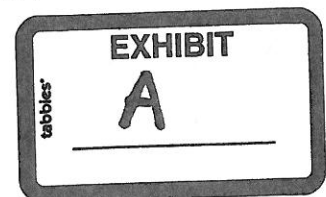
Course 3) Thence along the easterly line of said Seasons Road Industrial Property, LLC South 03 degrees 20 minutes 51 seconds West, a distance of 1285.02 feet to a 5/8 inch iron pin set;

Course 4) Thence North 37 degrees 38 minutes 51 seconds West, a distance of 411.31 feet to a 5/8 inch iron pin set;

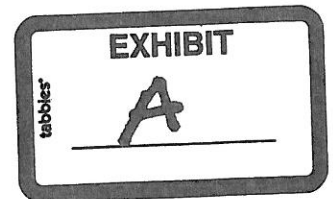
Course 5) Thence North 87 degrees 24 minutes 08 seconds West, a distance of 1130.12 feet to the Principal Place of Beginning, and containing 32.1771 acres of land according to an actual field survey by Christopher J. Dempsey, Professional Surveyor No. 6914, Dempsey Surveying Company dated August 4, 2011.

All iron pins set are 5/8 inches in diameter by 30" long with a yellow plastic cap stamped "Dempsey #6914".

BASIS OF BEARINGS: Bearings are based on a centerline bearing of South 87 degrees 27 minutes 00 seconds East as referenced from the deed to Dunkirk Properties, Inc. as recorded in O.R. Vol. 583 Pg. 527 of Summit County Records. Bearings should be rotated 3 degrees 12 minutes 42 seconds counter clockwise to match grid north (Ohio SPC north zone).



Sanitary Improvement No. 1646



Sanitary Improvement No.1539-3

