

12-106

EXHIBIT A

LPA RX 883 U

Page 1 of 2

Rev. 06/09

Ver. Date 11/01/11

PID 84395

**PARCEL 4-U
SUM-CR 17-7.08
PERPETUAL EASEMENT FOR UTILITY PURPOSES
IN THE NAME AND FOR THE USE OF THE
CITY OF BARBERTON, SUMMIT COUNTY, OHIO**

A perpetual easement for the construction, relocation and/or mainenance work in, upon and over the within described real estate. Grantor/Owner herein retains the right to use said real estate for any and all other purposes provided that such use does not interfere with nor impair the exercise of the easement herein granted (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Summit, City of Barberton and known as being part of original Norton Township Lot 75 in Township 1, Range XII of the Connecticut Western Reserve. Being a parcel of land lying on the left side of the centerline of right-of-way of 31st Street N.W., formerly known as Cleveland-Massillon Road, as shown in the plans for SUM-CR 17-7.08 and a part of the land deeded to PPG Industries, Inc., a Pennsylvania corporation in reception number 54395338 and known as parcel number 01-09020 of the Summit County Fiscal Office and further described as follows;

Commencing for reference at a picker spindle to be set at the intersection of the centerline of 31st Street N.W., C.H. 17, Section M (60 feet wide) with the northerly line of original Norton Township Lot 75, being centerline of right-of-way station 14+15.70;

Thence along the centerline of 31st Street N.W., South 00 degrees, 20 minutes, 55 seconds West, 392.57 feet to the southeasterly corner of the land deeded to the Ohio Edison Company in deed volume 2559, page 633 and known as parcel number 01-16658 of the Summit County Fiscal Office, being centerline of right-of-way station 10+23.13;

Thence along the southerly line of the Ohio Edison Company's land, North 59 degrees, 48 minutes, 30 seconds West, 34.59 feet to a 5/8" iron pin found at the westerly right-of-way line of 31st Street N.W., being 30.00 feet left of centerline of right-of-way station 10+40.34 and the **Place of Beginning**;

EXHIBIT A

LPA RX 883 U

(4-U continued)

Thence along the westerly right-of-way line of 31st Street N.W., South 00 degrees, 20 minutes, 55 seconds West, 56.85 feet to the northerly line of land deeded to Norton Energy Storage, LLC, a limited liability company in reception number 54357629 and known as parcel 01-15787 of the Summit County Fiscal Office, being 30.00 feet left of centerline of right-of-way station 9+83.49, witness a 5/8" iron pin capped Envir Design Group Survey Point Stow OH found South 09 degrees, 10 minutes, 57 seconds East, 0.45 feet;

Thence along the northerly line of Norton Energy Storage, LLC's land, North 74 degrees, 32 minutes, 34 seconds West, 10.36 feet, being 40.00 feet left of centerline of right-of-way station 9+86.19;

Thence parallel with and 10.00 feet distant, by normal measurement, from the westerly right-of-way line of 31st Street N.W., North 00 degrees, 20 minutes, 55 seconds East, 59.89 feet to the southerly line of Ohio Edison Company's land, being 40.00 feet left of centerline of right-of-way station 10+46.07;

Thence along the southerly line of Ohio Edison Company's land, South 59 degrees, 48 minutes, 30 seconds East, 11.53 feet to the Place of Beginning and containing 0.013 acres of land, more or less being subject to easements, restrictions and rights-of-way of record.

Being part of the 1.790 acre parcel number 01-109020 of the Summit County Fiscal Office of which 0.230 acres are within the present road occupied but 0.000 acres of the present road occupied are within parcel 4-U.

This description was prepared in September 2011 by Burgess & Niple, Inc. under the direct supervision of Franklin D. Snyder, Jr., P.S. Ohio #7468 and is based on surveys beginning in January 2010. The basis for bearings used herein is Ohio State Plane Grid North, North Zone, NAD83(CORS96) as determined using GPS field observations relative to the ODOT VRS and confirmed by NGS monuments H179 and RICK. All monuments described as such shall be placed upon notification from the County of Summit Engineer's Office.

Franklin D. Snyder, Jr.
Nov. 03, 2011

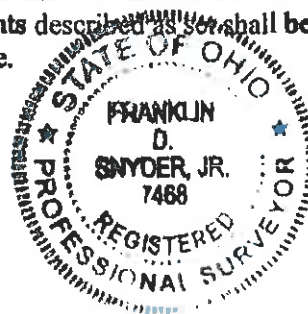


EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 11/01/11

PID 84395

**PARCEL 4-T
SUM-CR 17-7.08
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
CONSTRUCT A NEW BRIDGE ACROSS THE HUDSON RUN AND RELOCATE
IMPACTED UTILITIES NECESSARY AS PART OF THE BRIDGE PROJECT
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
SUMMIT COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Summit, City of Barberton and known as being part of original Norton Township Lot 75 in Township 1, Range XII of the Connecticut Western Reserve. Being a parcel of land lying on the left side of the centerline of right-of-way of 31st Street N.W., formerly known as Cleveland-Massillon Road, as shown in the plans for SUM-CR 17-7.08 and a part of the land deeded to PPG Industries, Inc., a Pennsylvania corporation in reception number 54395338 and known as parcel number 01-09020 of the Summit County Fiscal Office and further described as follows;

Commencing for reference at a picker spindle to be set at the intersection of the centerline of 31st Street N.W., C.H. 17, Section M (60 feet wide) with the northerly line of original Norton Township Lot 75, being centerline of right-of-way station 14+15.70;

Thence along the centerline of 31st Street N.W., South 00 degrees, 20 minutes, 55 seconds West, 432.21 feet to the northeasterly corner of land deeded to Norton Energy Storage, LLC in reception number 54357629 and known as parcel number 01-15787 of the Summit County Fiscal Office, being centerline of right-of-way station 9+83.49;

Thence along the northerly line of Norton Energy Storage, LLC's land, North 89 degrees, 39 minutes, 05 seconds West, 30.00 feet to the westerly right-of-way line of 31st Street N.W., being 30.00 feet left of centerline of right-of-way station 9+83.49 and the **Place of Beginning**, witness a 5/8" iron pin capped Envir Design Group Survey Point Stow OH found South 09 degrees, 10 minutes, 57 seconds East, 0.45 feet;

Thence continuing along the northerly line of Norton Energy Storage, LLC's land, North 74 degrees, 32 minutes, 34 seconds West, 26.93 feet, being 56.00 feet left of centerline of right-of-way station 9+90.50;

EXHIBIT A

Page 2 of 2

Rev. 07/09

LPA RX 887 T

(4-T continued)

Thence parallel with and 26.00 feet distant, by normal measurement, from the westerly right-of-way line of 31st Street N.W., **North 00 degrees, 20 minutes, 55 seconds East, 64.75 feet** to the southerly line of land deeded to the Ohio Edison Company in volume 2559, page 633 and known as parcel number 01-16658 of the Summit County Fiscal Office, being 56.00 feet left of centerline of right-of-way station 10+55.25;

Thence along the southerly line of the Ohio Edison Company's land, **South 59 degrees, 48 minutes, 30 seconds East, 29.98 feet** to a 5/8" iron pin found at the westerly right-of-way line of 31st Street N.W., being 30.00 feet left of centerline of right-of-way station 10+40.34;

Thence along the westerly right-of-way line of 31st Street N.W., **South 00 degrees, 20 minutes, 55 seconds West, 56.85 feet** to the **Place of Beginning** and containing 0.036 acres of land, more or less being subject to easements, restrictions and rights-of-way of record.

Being part of the 1.790 acre parcel number 01-09020 of the Summit County Fiscal Office of which 0.230 acres are within the present road occupied but 0.000 acres of the present road occupied are within parcel 4-T. There is an overlap of 0.013 acres with parcel 4-U.

This description was prepared in September 2011 by Burgess & Niple, Inc. under the direct supervision of Franklin D. Snyder, Jr., P.S. Ohio #7468 and is based on surveys beginning in January 2010. The basis for bearings used herein is Ohio State Plane Grid North, North Zone, NAD83(CORS96) as determined using GPS field observations relative to the ODOT VRS and confirmed by NGS monuments H179 and RICK. All monuments described as set shall be placed upon notification from the County of Summit Engineer's Office.

Franklin D. Snyder, Jr.
Nov 03, 2011

