

TRACT 1 (Parcel No. E21-01003-0048):

Situate in the Township of Harrison, County of Montgomery, State of Ohio, in Section 4, Town 2, Range 6 East, further described as follows:

Beginning at a point in the East line of said Section 4 and the centerline of North Dixie Drive, said point being 485.05 feet North of the Southeast corner of Section 4; thence South 85 degrees 05' West a distance of 194.45 feet to an iron pin; thence North 4 degrees 55' West, a distance of 130.00 feet to an iron pin in the South line of proposed 60 foot street; thence North 85 degrees 05' East along said South line a distance of 195.00 feet to the centerline of North Dixie Drive and the East line of Section 4; thence South 4 degrees 30' 30" East along said centerline and east line a distance of 130.00 feet to the place of beginning, containing 0.581 acres more or less.

LESS AND EXCEPTING THEREFROM THE FOLLOWING 0.1378 acre tract as conveyed to the Board of Commissioners of Montgomery County, Ohio by Instrument No. 201400040535 and described as follows:

Thence, North 00°24'04" East continuing along the east line of said Section 4 a distance of 109.91 feet to the northeast corner of the 7.292 acre tract conveyed to Louis Wiener, Trustee by deed recorded in Instrument Record No. Deed 11-067003, being 0.63 feet right of Centerline Station 124+97.19, North Dixie Drive and being the **TRUE POINT OF BEGINNING** of the herein described tract;

Thence, from said **TRUE POINT OF BEGINNING** North 89°45'47" West along the north line of said 7.292 acre tract a distance of 45.63 feet to an iron pin set (all iron pins set are 30" X 3/4" with 2 1/2" aluminum cap "Montgomery County R/W, P.S. 7032, BWSC"), on the new west right-of-way line North Dixie Drive, being 45.00 feet left of Centerline Station 124+96.74, North Dixie Drive;

Thence, North 00°47'45" East along the new west right-of-way line of North Dixie Drive and a new division line through said 0.581 acre tract a distance of 91.20 feet to an iron pin set, being 45.00 feet left of Centerline Station 137+79.09 (back), North Dixie Drive (note, there is a Centerline Station Equation in North Dixie Drive where Centerline Station back is 125+33.86 is equal to Centerline Station ahead 137+25.01);

Thence, North 00°24'04" East continuing along the new west right-of-way line of North Dixie Drive and said new division line a distance of 23.76 feet to an iron pin set, being 45.00 feet left of Centerline Station 138+03.16, North Dixie Drive;

Thence, North 49°28'25" West continuing along the new west right-of-way line of North Dixie Drive and said new division line a distance of 22.98 feet to an iron pin set on the existing south right-of-way line of Republic Drive (60' right-of-way), being 62.57 feet left of Centerline Station 138+17.97, North Dixie Drive;

Thence, South 89°45'47" East along the south right-of-way line of Republic Drive and its eastward extension a distance of 62.57 feet to east line of said Section 4 at the northeast corner of said 0.581 acre tract, being 0.00 feet left of Centerline Station 138+18.15, North Dixie Drive;

Thence, South 00°24'04" West along the east line of said Section 4 a distance of 129.81 feet, passing a centerline monument box set at 38.9 feet at the intersection of said

Centerline and Section Line, to the **TRUE POINT OF BEGINNING**, subject to all legal highways, easements, restrictions and agreements of record.

The herein described area is contained within the Montgomery County Auditor's Permanent Parcel Number E21-01004-0048 and contains a gross take of 0.1378 acres of land, of which present road occupies (PRO) 0.0906 acres.

This description prepared by Barge, Waggoner, Sumner & Cannon, Inc. based on a survey made under the direction and supervision of Kirk P. Diehl, Registered Surveyor Number 7032 in February 2012, and as shown on plans of MOT-CR99-19.05 on file with the Montgomery County Engineer's Office. Bearings are based the East line of said Section 4 being North 00°24'04" East, as shown on Plat of Survey, North Dixie Drive Phase 5, recorded in Plat Book 217, Page 39 from the Montgomery County Engineer's GPS monumentation, NAD83 State Plane Coordinates (1995 Adjustment), Geoid 99, Ohio South Zone.

TRACT 2 (Parcel No. E21-01004-0152):

Situate in the Township of Harrison, County of Montgomery and State of Ohio: Situate in Section 4, Town 2, Range 6 East, and being a tract of land more particularly bounded and described as follows:

Beginning at a point in the North line of lands conveyed to Dayton Land Co. as described in Deed Book 2246, Page 656 of the Montgomery County, Ohio records, said point being North 85 degrees 04 minutes 57 seconds East, along the North line of said Dayton Land Co.'s land a distance of 155.00 feet from the Southeast corner of Northwoods Terrace, as recorded in Plat Book XX, Page 73 of Montgomery County, Ohio records; thence North 4 degrees 55 minutes 03 seconds West, a distance of 130.00 feet to the South line of Republic Drive; thence North 85 degrees 05 minutes East, along the South line of Republic Drive, a distance of 95.22 feet to the Northwest corner of the 0.591 acre tract leased to Shell Oil Company as recorded in Book 74, Page 494 of the Lease Records of Montgomery County, Ohio; thence South 4 degrees 55 minutes 03 seconds East, along the West line of said 0.581 acre tract a distance of 130.00 feet to the North line of said Dayton Land Company lands; thence South 85 degrees 04 minutes 57 seconds West, along the North line of said Dayton Land Company lands, a distance of 95.22 feet to the place of beginning, containing 0.284 acres, more or less.

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Known as: 5825 N. Dixie Drive, Dayton, Ohio 45414.