

5800014263  
Filed for Record in  
TUSCARAWAS COUNTY, OH  
DOLores HIXSON  
On 10-05-1998 At 02:26 pm.  
AFFIDAVIT 10.00  
Vol. 736 Pg. 626 - 628

**Affidavit On Facts Relating To Title  
(O.R.C. §4301.252)**

STATE OF OHIO )  
 )ss  
COUNTY OF TUSCARAWAS )

The undersigned being first duly sworn hereby state that they are persons having knowledge of the facts set forth herein and competent to testify concerning them in open court. The affiants further state that:

1. They are the "Owners" of a certain parcel of real estate located in the City of Dover, County of Tuscarawas and State of Ohio, which parcel is more particularly described on the attached Exhibit "A", and is referred to hereafter as the "Site".
2. The Site was acquired as part of a larger conveyance to the affiants recorded at Volume 616, Page 207, Tuscarawas County Deed Records.
3. The Site is the subject of a Consent Decree in *United States of America v. Reilly Industries, Inc.*, #5:98CV 1409, filed with the clerk of the United States District Court for the Northern District of Ohio in Cleveland on June 18, 1998, at 3:22 p.m.
4. Paragraph #9 of said Consent Decree, "Notice of Obligations to Successors-in-Title," provides that the defendant in said case shall use its best efforts to have the Owners record certain notices in the Tuscarawas County Recorder's Office.
5. These notices are:
  - a. Notice of Entry of Consent Decree - Each deed, title or other instrument conveying an interest in the property included in the Site shall contain a notice stating that the property is subject to this Consent Decree and shall reference the recorded location of the Consent Decree and any restrictions applicable to the property under this Consent Decree.
  - b. Notice of Obligation to Provide Access - Owner(s) (affiants herein) have agreed with Riley Industries to provide access to the Site for remedial action and that each subsequent instrument conveying an interest in any such property included in the Site shall reference this.
6. This Affidavit on Facts Relating to Title is made by the affiants as Owners of the Site to effectuate and implement the terms of the Consent Decree and to provide public notice that the site is subject to the Decree and to an agreement for access pursuant to said Decree.

VOL 736 PAGE 627

AND FURTHER AFFIANTS SAYETH NOT

Ronald Quillin  
Ronald Quillin

Lois Quillin  
Lois Quillin

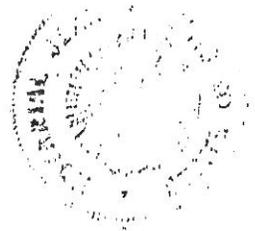
Sworn to before me and subscribed in my presence this 5<sup>th</sup> day of October 1998.

Wendy A. Derr  
Notary Public

This Instrument Prepared by:

Glenn G. Durmann  
MILLER & KYLER, L.P.A.  
New Philadelphia, Oh 44663

WENDY A. DERR  
NOTARY PUBLIC - STATE OF OHIO  
MY COMMISSION EXPIRES 12/31/2000



VOL 736 PAGE 628

EXHIBIT "A"

9800014263  
MILLER & KYLER  
PICK UP

The Site

Being situated in the City of Dover, County of Tuscarawas and State of Ohio:

And being a part of Slingluff's Heirs Second Addition to Dover and a part of Christian Deardorff's Administrator's Subdivision and being more fully described as follows:

Beginning at an iron pin on the Southeasterly right-of-way line of the Cleveland and Marietta Railroad, said pin being located the following two (2) courses from the intersection of the Southwesterly line of Apple Alley with the Southeasterly line of Second Street in said City of Dover; South 45° 48' West, 150.0 feet and South 44° 12' East, 203.7 feet; thence from said beginning South 44° 12' East, 404.5 feet to an iron pin; thence South 23° 37' West 91.8 feet to an iron pin; thence North 82° 13' West, 602.25 feet to an iron pin; thence North 86° 11' West, 158.4 feet to an iron pin; thence North 57° 03' West, 54.3 feet to a pig iron monument on the Southeasterly right-of-way line of the aforementioned railroad; thence with said right-of-way line, North 65° 33' East, 609.8 feet to the place of beginning, containing 3.62 acres, of which 0.34 acre is in Lot #10, 0.43 acre is in Lot #11, 0.50 acre is in Lot #12, 0.54 acre is in Lot #13, 0.45 acre is in Lot #14, 0.37 acre is in Lot #15, 0.29 acre is in Lot #16 and 0.26 acre is in Lot #17, all of said Lots being in Slingluff's Heirs' Second Addition to Dover, and 0.44 acre is in Lot #1 of Christian Deardorff's Administrator's Subdivisions in Dover.

The above described premises consist of all of the following two parcels of real estate of record in Tuscarawas County, Ohio:

- 1.) All of the premises conveyed to P.J. Lewis Manufacturing Company by The Penn-Iron Coal Company by deed dated August 5, 1921 and recorded in Tuscarawas County Deed Record Volume 193, Page 287.
- 2.) All of the premises conveyed to International Combustion Tar and Chemical Corporation from The Valley Furnace Company by deed dated May 29, 1931 and recorded in Tuscarawas County Deed Record Volume 214, Page 142.