

Resume of survey work on Ropp Farm
Jefferson Township, Logan County, Ohio
Purchased by Crown Controls Corp.
(now known as Crown Equipment Corporation)

In February of 1985 I was asked, by Crown Controls Corp. to review the survey of the "Ropp Farm" made by Paul Clapsaddle of Marysville, and the survey of the tract of land sold by Baker to Lamb made by Clayton Lee of Bellefontaine; specifically in the area where both surveys are common along the north line of the Ropp Farm, and the south line of the Lamb tract.

The Ropp Farm is a 98 acre tract in the northwesterly part of V.M.S. 3139, Jefferson Township, Logan County, Ohio.

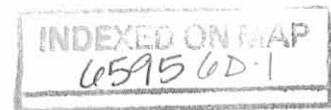
My examination revealed that the two surveys disagreed along two lines. A copy of the deeds that each surveyor was to retrace and a copy of the survey, by John Meechem, made in 1863, was obtained. Neither the Clapsaddle nor the Lee survey agreed with the calls of the deeds of record, nor did they agree with the survey made by John Meechem. Based upon this observation and also taking into account the admission by Mr. Clapsaddle that he had made a "fence line" survey, it was the writers judgement that neither survey was correct in the area in question. This was reported to Craig Hirschfeld, of Crown Controls, Inc. His instruction then was to perform a proper survey of the Ropp Farm.

A thorough research of the deed records of Logan County was made as they applied to the Ropp Farm and the adjoining parcels along with the surveys pertaining to parcels in the area filed in the Logan County tax maps department.

The present north line of the Ropp Farm (formerly the George Folsom Farm) was established in a conveyance from George Folsom to J.W. Easton by warranty deed recorded in Deed Book 41, Page 417.

After studying all data gathered to date, it became obvious that the first order of business was to establish a basic traverse, from which to reference all work. It was decided to run a closed traverse around the Ropp Farm locating all of the points set on the ground by Clapsaddle. It was also decided to use Clapsaddle's bearing along the south line of the Miller tract as the reference for all bearings established. Clapsaddle had made a fence line survey except at the south east corner of the property. There is no existing fence or fence corners in this area.

Since the line in question is the north line of the Ropp Farm it was decided to reestablish this line first. A review of the original survey and calls for V.M.S. 3139, recorded in the county tax maps office, indicated that the corners were monumented by trees. Since this survey was made in 1798 and 1799, the original trees would probably be gone. An inspection, of the site, verified this assumption.



To establish the north and west lines of V.M.S. 3139 use would have to be made of parole evidence starting with the earliest date available. The deed conveying 2.25 acres in the northwest corner of 3139 has reference to stone corners at all but the V.M.S. corner. However, only a stone at what was then thought to be the southwest corner of this 2.25 acre tract was found. A research of the deeds also indicated stones planted in the north lines of V.M.S. 3139, at the northeast corner of a 500 acre tract conveyed by Joshua Folsom, to George Folsom, recorded in D.V. "L", Page 399. Also a stone is called for at the southwest corner of a 14.73 acre tract in V.M.S. 3438 conveyed to Latham Notestine and recorded Deed Volume 328, Page 286. This stone is called to be on the north line of V.M.S. 3139. This stone was found.

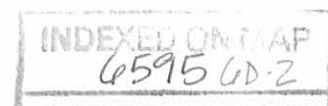
Using the stone found at the northwest corner of the Ropp Farm, a point was established 264 feet north of and on the west line of the Ropp Farm extended. This point should have been the original northwest corner of V.M.S. 3139. The north line of V.M.S. 3139 was then assumed to be defined by this point and the stone found at Notestine's southwest corner. Reasonable conformity with the old fence in the center part of the north line of V.M.S. 3139 was found. In addition the line passed through a blazed 30" beech tree, near the northeast corner of the old 500 acre tract.

However, when attempting to reestablish the southeast corner of the 2.25 acre tract it was found that the corner fell some 130 feet west of the corner set by Clayton Lee and used by Clapsaddle. Also the distance between the assumed northwest corner of V.M.S. 3139 and the centerline of pavement on C.R. 25 was about 100 feet short of the original deed call and John Meechem's survey.

A further on-site study was made of the area in the vicinity of the northwest corner of V.M.S. 3139. It was noted that at a distance of about 360 feet west of the fence corner, assumed to be the southeast corner of the 2.25 acre tract, the creek had eroded the north bank and the fence posts were being supported by the wire. Also, if the V.M.S. line were extended south, from this point, it would fall along the bottom of a ravine. The evidence on the ground indicated that the creek had been very active in moving it's normal channel both north and west over an extended period of time.

Based upon this evidence it was determined that the fences in this area had been moved to stable ground and eventually recognized as the property line, as witnessed by the adjoining owners Daugherty to Ropp Deed Volume 310, Page 448 and Gillespie to Lamb Deed Volume 355, Page 244.

In addition, the interior angle at the northwest corner of V.M.S. 3139 was 90 degrees; see V.M.S. survey 3139 on page 91; whereas the interior angle generated by the present occupied west line extended and the north line established (264 feet north of existing northwest corner of Ropp Farm) is about 92 degrees 50'. This also indicates that the true northwest corner should be east of the assumed point.



A study of the survey by J.C. Wonders, made in 1889, of the Easton tract (now owned by Lamb) indicates that the southwest corner of the 2.25 acre tract should be about 138 feet east of the occupied corner. (This southwest corner also is called to be on the west line of V.M.S. 3139.)

Further according to J.C. Wonders survey it was about 3,572 feet from the northeast corner of V.M.S. 5738 to a stone on the east side of T.R. 55 as measured along the north line of V.M.S. 5738. A check of this measurement, from the assumed west line of V.M.S. 3139, showed it to be about 3,437 feet. This further indicates that the true west line of V.M.S. 3139 is east of the fence line on the ground.

Therefore, based upon the above information it appeared that the fence corner at the southwest corner of the Lamb survey by Clayton Lee is the southeast corner of the Easton survey by Wonders in 1889 and also, therefore, the southeast corner of the 2.25 acre tract conveyed by Easton to Brown, Deed Volume 40, Page 335.

The iron pin set by Wonders in the center of a 25 feet wide lane, at the north end of this line was located. Using these two points and the bearing and distances given by Wonders between this fence corner and the iron pin, the point on the north line of V.M.S. 3139 called for by Wonders was established.

The bearing and location of the north line of V.M.S. 3139 was then established by this last point and the stone found at the southwest corner of the Notestine tract. This line has reasonable agreement with the old fence line found east of the northeast corner of the Folsom 500 acre tract and the 30" beech tree found west of the northeast corner of Folsoms' 500 acre tract.

Using the fence corner found at the southeast corner of Browns' 2.25 acre tract and the bearing of the north line of V.M.S. 3139, just established, and the distance given by the J.C. Wonders survey, the southwest corner of the 2.25 acre tract was established. This point should also, by deed calls, be on the west lines of V.M.S. 3139.

The fence corner found at the southwest corner of the Ropp Farm is, by deed call, on the west line of V.M.S. 3139. (Gillespie to Lamb Deed Volume 355, Page 244.

Using this fence corner and the point established on the west line of V.M.S. 3139 according to the J.C. Wonders survey, the west line of V.M.S. 3139 was established.

The west line and north line of V.M.S. 3139, thus established, were then intersected to give the northwest corner of V.M.S. 3139.

The north line of V.M.S. 3139 last established was intersected with the centerline of C.R. 25 now located. The distance from the centerline of the road and the northwest corner of V.M.S. 3139 is found to be 1,874.29 feet. This is 33.11 feet less than called for in the Meechem survey.



Using these same west and north lines of V.M.S. 3139, the south line of the Meechem survey was established. The distance between the center line of the road and the west line of V.M.S. 3139 was found to be 11.39 feet longer than the sum of Meechem's survey calls.

Therefore, it then becomes obvious that the center of C.R. 25 was not the same location as the center line of the old Solomantown Pike, as called for in Meechem's survey.

The 1921 State Highway Improvement Plans for ICH 235 were examined and it was found that the center line as now established was changed during construction from that called for by the plans as evidenced by a penciled note on the construction blue prints "curve eliminated on final staking from 183+06 to 190+15 approximately".

Using all of the data found on these State Highway Plans and in field book 433 of old records in the Logan County tax maps office, the original planned center line of old U.S. 33 (formerly ICH 235, now C.R. 25) was established. The iron pins found at the P.I.'s north of V.M.S. 3139 were used as they had reasonable conformity with the original plans.

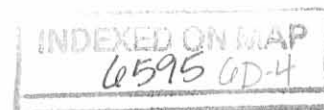
Using the angular measurement derived from the Meechem survey it was found that the center line of the old Solomantown Pike and the center line of ICH 235, thus established, had reasonable conformity.

Using this new location for the center line of old ICH 235 the distance measured along the north line V.M.S. 3139 was found to be 2.92 feet more than the calls of the Meechem survey and the distance from the center line of said ICH 235 and the west line of V.M.S. 3139 as measured on the south line of the reconstructed Meechem survey is 14.03 feet more than the sum of the calls in the Meechem survey.

Based upon the forgoing information it is the opinion of the writer that the true north and west lines of V.M.S. 3139 have been established.

It now becomes a matter of establishing the south line of the 11.63 acre tract. In reviewing this deed (Deed Volume 41, Page 417 Folsom to Easton) the following statement is found: "It is intended and expressly agreed that the above lines are to convey 11.63 acres and no more and should the same upon an actual survey overrun that quantity the surplus is to be the property of the grantor." This same statement is found in the description of this same tract of land in affidavit of C. Lyman Baker and Albert E. Baker recorded in Deed Volume 321, Page 844. It is therefore the writers opinion that the south line of the Lamb survey should be established a distance south of the north line of V.M.S. 3139, and parallel to the deed calls for the south line, a distance that will be 260.63 feet south of the north line of V.M.S. 3139 as measured along the west line of V.M.S. 3139, as finally established.

In addition the north line of the Ropp Farm as conveyed to Walter Ropp agrees with the affidavit of Clifton Folsom recorded in Deed Volume 116, Page 335.



The fence lines on the westerly part of the north line of the Ropp Farm agrees with the calls of this affidavit. Using this information and information from the ICH 235 Highway Plans, the calls of the 1916 affidavit were reestablished.

When the easterly three corners of the north line of the affidavit are laid out, using the fence corner at the southeast corner of the 2.25 acre tract and iron pipe found in the easterly edge of C.R. 25, the line passes thru the center of the 30" beech tree called for by Clapsaddle. Also the bearing of this line agrees with the bearing of the north line of V.M.S. 3139 within six minutes.

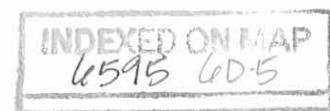
The Miller deed (Deeds Volume 270, Page 318) as laid out on the ground doesn't agree with any of the foregoing survey lines. Apparently the survey was made using the fence line as it exists along with easterly part of the north line of the Ropp Farm.

In the affidavit of Clifton Folsom, a specified reference is made that the line is 22 feet north of a fence corner. Also the writer noted that the Highway Department, during reconstruction of ICH 235, relocated the creek some 100 feet north of its previous location. Using this information the writer is of the opinion that the original affidavit line and also the south line of the Meechem survey fell along the meanderings of the creek and the fence in the east part of the north line of the Ropp Farm was located on high ground along the south side of the previously located creek channel, where it could be properly maintained.

There is an encroachment of the Miller property as shown on the plat.

There is a strip of ground that lies between the north line of the affidavit and the south line of the exact 11.63 acre tract (as required by the original deed) that doesn't belong to the Lamb tract (formerly the Easton or Baker tract) but should be included in the Ropp Farm as originally intended (Deed Volume 41, Page 417).

A description of the Ropp Farm is attached and labelled as Exhibit "A".



PLAT OF SURVEY
of
North West Cor. V.M.S. 3133, South East Cor. V.M.S. 3433, North East Cor. V.M.S. 5738
in
Jefferson Township, Logan County, State of Ohio.
for
Crown Controls Corp., New Bremen, Ohio.

by
Freitag and Assoc. Inc. Archts & Engrs.
George P. Fernandez Reg. Surveyor #4073
Sidney, Ohio
November 1985



Crown Controls Corp.
28.373 Acre Total
0.028 Acre in V.M.S. 3433
3.478 Acre in V.M.S. 5738
24.867 Acre in V.M.S. 3133

Walter L. Jr. & Vicki Lamb
346/146

Walter L. Jr. & Vicki Lamb
362/360

Walter L. Jr. & Vicki Lamb
355/144

Robert & Mary Folsom
300/146

Walter L. Jr. & Vicki Lamb
346/146

Walter L. Jr. & Vicki Lamb
362/360

Crown Controls Corp.

LEGAL DESCRIPTION OF A 96.320 AC. TRACT
FOR CROWN EQUIPMENT CORPORATION

Situate in the northwest corner of V.M.S. 3139, the northeast corner of V.M.S. 5738 and the southeast corner of V.M.S. 3439 and being in Jefferson Township, Logan County, State of Ohio and being more particularly described as follows, to-wit:

Beginning at an old fence post set in concrete found on the west line of V.M.S. 3139 and the east line of V.M.S. 5738, said post being at the north west corner of Ralph Folsom's 54.77 acre tract as described in Deed Volume 300, Page 474 and on the easterly line of Walter Lamb, Jr.'s 147.66 acre tract as described in Deed Volume 355, Page 244, both in the records of Logan County, and being the southwest corner of the herein described tract of land;

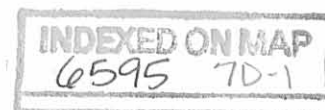
thence, North 13 degrees 58' 39" West a distance of 1597.36 feet along said Lamb's east line to a 1/2 inch iron pin found at the northeast corner of said Lamb's 147.66 acre tract and the southeast corner of Walter Lamb Jr.'s 136.34 acre tract described in Deed Volume 346, Page 146 of the records of Logan County;

thence, North 12 degrees 59' 10" West a distance of 521.74 feet along Lamb's east line to a 1/2 inch iron pin found at an old fence post at the northwest corner of the 99.52 acre tract in Clifton Folsom's affidavit described in Deed Volume 116, Page 355 of the records of Logan County, reference the north line of V.M.S. 5738 at a distance of 518.65 feet;

thence, North 81 degrees 59' 58" East a distance of 277.51 feet along Walter Lamb Jr.'s south line and the north line of Folsom's affidavit to a 5/8 inch iron pin set on the south line of the 11.63 acre tract originally conveyed by George Folsom and described in Deed Volume 41, Page 417, and contained in the affidavit of C. Lyman Baker and Albert E. Baker and described in Deed Volume 321, Page 844 in the records of Logan County, reference the east line of V.M.S. 3439 and the west line of V.M.S. 3139 at a distance of 137.63 feet;

thence, North 78 degrees 54' 03" East a distance of 221.22 feet along Walter Lamb Jr.'s south line and the south line of said 11.63 acre tract and parallel to the north line of V.M.S. 3139 to a point on the east line of Walter Lamb Jr.'s 136.34 acre tract, said point being North 6 degrees 44' 49" West 11.96 feet from a 1/2 inch iron pin found;

thence, continuing North 78 degrees 54' 03" East a distance of 966.93 feet along the south line of Walter Lamb Jr.'s 71.17 acre tract as described in Deed Volume 362, Page 860 of the records of Logan County and the south line of said 11.63 acre tract and parallel to the north line of V.M.S. 3139 to a 5/8 inch iron pin set;



Ropp Farm 2 of 2
Legal Description

thence, North 75 degrees 24' 03" East a distance of 692.99 feet along Walter Lamb Jr.'s south line and the south line of said 11.63 acre tract to a 5/8 inch iron pin set on the westerly right-of-way line of County Road 25;

thence, in a southeasterly direction along the westerly right-of-way line of said County Road 25 along a line curving to the right a distance of 51.11 feet to a 5/8 inch iron pin set, the chord of a said curved line bearing South 40 degrees 08' 27" East a distance of 51.09 feet and the radius of said curved line being 547.96 feet;

thence, continuing along the westerly right-of-way line of County Road 25 South 37 degrees 28' 07" East a distance of 268.12 feet to a 5/8 inch iron pin set;

thence, continuing along the westerly right-of-way line of said County Road 25 along a line curving to the right a distance of 182.53 feet to a 5/8 inch iron pin set, the chord of said curved line bearing South 29 degrees 54' 14" East a distance of 182.00 feet and the radius of said curved line being 691.20 feet;

thence, continuing along the westerly right-of-way line of said County Road 25 South 22 degrees 20' 19" East a distance of 853.80 feet to a 5/8 inch iron pin found;

thence, South 67 degrees 21' 47" West along the northerly line of a 2.030 acres tract a distance of 401.98 feet to a 5/8 inch iron pin found;

thence, South 22 degrees 26' 56" East along the westerly line of said 2.030 acres tract a distance of 220.00 feet to a 5/8 inch iron pin set found;

thence, South 63 degrees 44' 45" West a distance of 510.70 feet along said Folsom's north line to a 3/4 inch iron pipe found at the northeasterly corner of the aforesaid Ralph Folsom 54.77 acre tract;

thence, South 64 degrees 03' 49" West a distance of 1639.71 ft. along Folsom's north line to the place of beginning.

Containing 96.320 acres of which 0.018 acres are in V.M.S. 3439, 3.478 acres are in V.M.S. 5738 and 92.824 acres are in V.M.S. 3139.

Being part of the same tract conveyed from Helen Ropp to Crown Equipment Corporation (formerly known as Crown Controls Corporation) by deed recorded in Official Record _____, Page _____ of the records of Logan County, Ohio.

The starting bearing, North 13 degrees 58' 59" West, is based on an assumed meridian derived from the county engineer's survey of the centerline of County Highway No. 25.

The above description prepared by Michael R. Holt, Registered Surveyor #7108 on September 5, 1991 from a survey of the premises performed by George P. Fernandez, Registered Surveyor #4079, both of Freytag & Associates, Inc., 226 North Miami Avenue, Sidney, Ohio 45365.

