



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center
122 S Front Street
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184

MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

RECEIVED

MAR 09 2005

OHIO EPA/CDO

March 8, 2005

Paul P. Gallagher, P.G.
Certified Professional
Sanborn, Head & Associates, Inc.
150 N. Miller Road
Suite 300
Akron, Ohio 44333

RE: Approval of the Urban Setting Designation Request - Former Timken Bearing Plant and Select Adjacent Properties (04USD029)

Dear Mr. Gallagher:

The purpose of this letter is to respond to and approve your request on behalf of The Timken Company (Timken) for an Urban Setting Designation (USD) within the city of Columbus (Timken USD). The requested area of the USD consists of approximately 45 acres of primarily commercial and industrial land within the city of Columbus. It includes four properties comprised of 15 parcels. A legal description of the property parcels, which are the subject of the USD approval, is included as Attachment 1, and a map of the USD property and surrounding area is included as Attachment 2.

You made the request for the Timken USD pursuant to Ohio Administrative Code (OAC) Rule 3745-300-10(D) (revised effective October 21, 2002) under the Voluntary Action Program (VAP). A USD authorizes the use of alternative standards for a ground water remediation based upon the urban nature of the area, the availability and widespread use of public drinking water supplies, and the lack of use of ground water in the area for potable purposes.

As you know, a Certified Professional (CP) may request a USD under the VAP upon demonstration that the threshold criteria contained in OAC 3745-300-10(D)(1)(a) through (g) have been met for the proposed USD. The threshold criteria include consideration of the factors contained in OAC 3745-300-10(D)(2)(e)(ii) through (vii), regarding, among other things, regional water resource needs, existing or potential future uses of ground water, and the potential impact of the USD on surrounding jurisdictions.

Bob Taft, Governor
Jennette Bradley, Lieutenant Governor
Christopher Jones, Director

The following information briefly describes how your request for the Timken USD meets the threshold criteria in OAC 3745-300-10(D)(1)(a) through (g), and satisfies Ohio EPA's consideration of the additional factors contained in OAC 3745-300-10(D)(2)(e)(ii) through (vii).

I. THRESHOLD CRITERIA: OAC 3745-300-10(d)(1)(a) through (g).

The following information demonstrates satisfaction of the requirements contained in OAC 3745-300-10(D)(1)(a) through (g), the USD criteria for the properties comprising the Timken USD.

A. OAC 3745-300-10(D)(1)(a): Property location within city limits.

Appendix A of the USD request states that, according to the Franklin County Auditor, parcel identification numbers beginning with the prefix 010 are located within the corporation boundaries of the city of Columbus. The fifteen parcels that make up the proposed USD area all have the prefix 010, and are therefore contained within the corporation limits of the city of Columbus.

B. OAC 3745-300-10(D)(1)(b)-(c): Parcels connected to a community water system.

The following information supports the conclusion that at least 90% of the parcels within one mile of the Timken USD area are connected or capable of being connected to the municipal water system.

1. A database entitled "Tax Accounting and Real Estate Appraisal Data", dated December 12, 2003, was obtained from the Franklin County Auditor's Office, Real Estate Division. This database includes a file designating whether a water well is located at a parcel. According to the file, no wells are located at the parcels within a one-mile radius of the proposed USD area.
2. The "Tax Accounting and Real Estate Appraisal Data" database also includes a file designating whether a public water supply is currently available to the parcel. A total of 7,954 parcels within a one-mile radius of the proposed USD area were designated in the database as being capable of being connected to the municipal water supply.

The database indicated that 41 parcels within one mile of the proposed USD area are not capable of being connected to the water supply. The database does not contain data for an additional

45 parcels within one mile of the proposed USD area.

Conservatively assuming that all parcels that were not included in the "Tax Accounting and Real Estate Appraisal Data" database are not capable of being connected to the municipal water supply, a total of 84 parcels are not capable of being connected to the municipal water supply. Using a GIS database prepared by the Franklin County Auditor's Office, a total of 8,038 parcels were identified as being located within a one-mile radius of the proposed USD area. Therefore, 7,954 parcels, or 99%, of the 8,038 parcels within a one-mile radius of the proposed USD area are capable of being connected to the municipal water supply. Based on this calculation, 99% of the parcels within one mile of the proposed USD area are capable of being connected to the city of Columbus' municipal water supply.

This information is included in Appendix B of the USD request.

DDAGW notes as additional evidence that the USD requests for Miranova Development (98USD007) and Riverfront Commons Corporation Pen West Area (99USD015), both approved USDs within the city of Columbus, determined that greater than 90% of the parcels within Columbus are connected to the city's municipal water supply.

C. OAC 3745-300-10(D)(1)(d): Presence of a community water system capable of meeting future water needs.

The USD request outlines three lines of evidence demonstrating the presence of a community water system capable of meeting the future water needs of Columbus in Appendix C of the USD request.

1. A report entitled "Water Beyond 2000, Comprehensive Water Treatment and Supply Feasibility Study, Division of Water - city of Columbus" ("Water Beyond 2000" report), dated July 6, 1992, addresses the ability of the city of Columbus to meet the future demands of the public water needs. The Water Beyond 2000 report mentions several areas that might be additional water sources. The affected ground-water zone is not mentioned as one of the potential water sources.
2. According to the USD request, Mr. Chuck Turner, P.E., of the city of Columbus, Division of Water, indicated that the recommendations in the "Water Beyond 2000" report either have been or will be implemented. The city of Columbus does not see a

need for any additional measures, nor are any planned. Mr. Turner indicated that ground water in the vicinity of the proposed USD area is not considered a resource for providing potable water to the public.

3. To assess existing water distribution infrastructure in the vicinity of the USD area, the CP utilized water atlases depicting the community water supply's distribution pipelines within a half-mile radius of the USD area. The CP found that the pipelines are generally located along the road frontage of the parcels within the half-mile area, including the frontage of those parcels that were assumed not to be capable of being connected to a public water supply in the 90% demonstration. The pipelines also extend along the frontage of properties where ODNR records indicate that a well had been installed. The USD request states that the existing water system appears to be capable of meeting the needs of the public within one-half mile of the proposed USD area.

Additionally, Division of Drinking and Ground Water (DDAGW) staff noted that, when reviewing the impact of future water needs on surrounding properties for the Miranova and Pen West USDs, the surrounding municipal jurisdictions, which primarily obtain their water from Columbus, have not experienced any shortages of water and anticipate having a sufficient supply of water to meet future needs.

D. OAC 3745-300-10(D)(1)(e): Timken USD not within a “drinking water source protection area for a public water system using ground water”.

Mr. David White of the Ohio EPA, DDAGW, confirmed that no public water systems have been identified within a one-mile radius of the proposed USD. A table prepared by Mr. White is also included in Appendix D of the USD request summarizing information from two public water systems that might not have been included in the map provided by Mr. White. These public water systems were contacted to confirm that they are not located within one mile of the proposed USD area.

E. OAC 3745-300-10(D)(1)(f): Potable wells not located within one-half mile of the USD boundary.

OAC 3745-300-10(D)(1)(f) requires that potable use wells not be located within one-half mile of the requested USD. However, the rule further provides the requested USD may still be acceptable if the CP demonstrates that the capture zones of any potable use wells within one-

half mile do not extend under the USD property. According to the USD request, located, unlocated, and electronic potable use well records from the Ohio Department of Natural Resources (ODNR) were reviewed to determine whether potable wells are located within one-half mile of the USD. This survey turned up 35 records of wells potentially located within one-half mile of the USD boundary. A visual reconnaissance of properties within a one-half mile radius of the USD boundary did not discover any wells; however, a water tower on the Clark Grave Vault property was observed. Clark Grave Vault was contacted and indicated that no potable wells are located on that property.

The properties where ODNR records indicated that wells had been installed were eliminated as having wells by contacting the property owner to confirm that no wells are known to be located on the property. When the property owner could not be contacted, municipal water accounts were consulted to confirm that the properties are connected to the municipal water supply.

ODNR records indicated that four industrial wells were installed at the Timken Bearing Plant property. Although the details of well abandonment of these wells are not known, the property began using the municipal water supply for their non-contact cooling water in the 1970s. According to a former safety officer of the Timken plant, potable water to the property has been historically provided by the city of Columbus municipal water supply.

This information is included in Appendix E of the USD request.

F. OAC 3745-300-10(D)(1)(g): Criteria applicable to USD property located over a consolidated sole source aquifer or 100 gpm unconsolidated aquifer.

Ohio EPA provided a map, included in Appendix F of the USD request, showing the location of all sole source aquifers in the State of Ohio. The map indicates that a sole source aquifer is not located beneath the USD.

The USD request notes that the "Ground Water Pollution Potential of Franklin County, Report No. 40" (Angle, 1995) indicates that the hydrogeologic setting at the property is not capable of yielding 100 gallons per minute (gpm). In addition, seven ground water yield tests conducted in monitor wells located on the property produced yields between 0.1 gpm and 2.3 gpm, significantly less than 100 gpm. Based on this evidence, provided in Appendix F of the USD request, the property is not located over an unconsolidated aquifer yielding 100 gpm or greater.

II. ADDITIONAL FACTORS FOR CONSIDERATION: OAC 3745-300-10(D)(2)(e)

OAC 3745-300-10(D)(2)(e) indicates that the Director may approve or deny the request for approval of an USD, after consulting with the legislative authority or authorized representative of the township or city where the property for which the designation is sought is located. In the case of the Timken USD, Ohio EPA received a letter, dated October 8, 2004, from Michael B. Coleman, Mayor, stating that the city of Columbus supports the Timken USD.

In addition to the threshold criteria contained in OAC 3745-300-10(D)(1)(a) through (g), OAC 3745-300-10(D)(2)(e)(ii) through (vii) requires Ohio EPA Director to consider several factors to determine the potential impact of the USD on surrounding jurisdictions and regional water resource needs: whether the ground water in the area of the USD is currently or is reasonably expected to be used as a future source of potable ground water, the availability and feasibility of treatment systems; and any other factors determined to be relevant to the determination of whether the USD is protective of public health and safety, and the environment. The following is a discussion of these factors.

Ohio EPA assessed jurisdictions located within a five-mile radius of the proposed USD. Cities with land area located within a five mile radius include Bexley, Columbus, Grandview Heights, Upper Arlington, and Whitehall. Villages with land area located within five miles include Marble Cliff and Valleyview. Townships with land area within a five mile radius include Clinton, Franklin, Mifflin, and Norwich. Most of these jurisdictions were previously surveyed by CDO/DERR for purposes of reviewing and verifying the Miranova and the Pen West USDs. Pen West USD verification survey was performed in the same time frame as review of the Timken USD (December 2004). As a result, for most jurisdictions, survey results were available for: June 1998, September 1999, June 2004, and December 2004. An exceptions included Whitehall. Because the Timken USD is further west than the two previous Columbus USDs, it did include a small western portion of Whitehall. Therefore, an additional survey was performed for Whitehall. Results of these surveys, as they pertain to the Timken USD, are discussed below.

A. City of Bexley.

The city of Bexley is located approximately 2.3 miles east-southeast of the proposed Timken USD. The city of Bexley was surveyed by telephone on four occasions since 1998 regarding water use and future needs. Bexley water department representatives have consistently reported that they obtain water from the city of Columbus. Also, the Bexley representatives reported no plans for future development of potable water supplies using ground water.

B. City of Columbus

Most of the area within the five-mile radius of the proposed Timken USD is within the city of Columbus. The city of Columbus was surveyed, by telephone, on three occasions since 1998. Columbus obtains water supplies from several surface and ground water sources. The surface sources include the Scioto River, Alum Creek Reservoir, and Hoover Reservoir. The ground water source includes the "south well field" located near the Scioto River south of Interstate 270. Representatives of the city of Columbus report that the city does anticipate the need for additional water in the future. City plans follow recommendations presented in a report titled "Water Beyond 2000," dated July 6, 1992, which is also cited in the Timken USD proposal. This report recommends that the City develop an additional surface water source from the Scioto River. It also recommends that Columbus further develop the "south well field." This work would include constructing additional wells south of existing wells near the Scioto River. The existing "south well field" is located more than 7 miles south of the proposed Timken USD. The additional Columbus wells would be located even further from the proposed Timken USD. In conclusion, the city of Columbus anticipates needing additional water supplies. However, there are no plans to develop water sources near the proposed Timken USD.

C. City of Grandview Heights

The city of Grandview Heights is located approximately 1.4 miles west of the proposed Timken USD. Representatives of the city of Grandview Heights were surveyed, by telephone, on two occasions since 1999. Responses consistently indicate that Grandview Heights receives water from the city of Columbus. Current water demands are being met, with no plans for additional water supply development.

D. City of Upper Arlington

The city of Upper Arlington is located approximately 3.0 miles west-northwest of the proposed Timken USD. Representatives of the city of Upper Arlington were surveyed, by telephone, on four occasions since 1998. Responses consistently indicate that Upper Arlington purchases water from the city of Columbus and water needs are met. Survey information also indicates that Upper Arlington has no plans for additional water supply development.

E. City of Whitehall

The city of Whitehall is located approximately 4.1 miles east of the proposed Timken USD. Representatives of the city of Whitehall were surveyed, by telephone, during December 2004. Responses indicate that Whitehall obtains

water from the city of Columbus. Current water use demands are met. Whitehall has no plan to develop its own water supply system.

F. Village of Marble Cliff

The village of Marble Cliff is located approximately 3.3 miles west of the proposed Timken USD. Representatives of the village of Marble Cliff were surveyed, by telephone, on four occasions since 1998. Responses consistently indicate that Marble Cliff purchases water from the city of Columbus and water needs are met. Survey information also indicates that Marble Cliff has no plans for additional water supply development.

G. Village of Valleyview

The village of Valleyview is located approximately 4.2 miles west-southwest of the proposed Timken USD. Representatives of the village of Valleyview were surveyed, by telephone, on four occasions since 1998. Responses consistently indicated that Valleyview purchases water from the city of Columbus and water needs are met. Survey information also indicated that Valleyview has no plans for additional water supply development.

H. Clinton Township

Most of Clinton Township has been annexed into the city of Columbus. However, several, relatively small areas located as close as 1.8 miles west-northwest of the proposed Timken USD remain in Clinton Township. Representatives of Clinton Township were surveyed, by telephone, on four occasions since 1998. Responses indicated that most of Clinton Township is supplied with city of Columbus water. Survey information also indicated that Clinton Township has no plans for additional water supply development. Responses also indicated that private domestic water supply wells may remain in use at limited locations in Clinton Township. Specifically, domestic wells may be located along Cooke Road, approximately 4.2 miles north of the proposed Timken USD.

I. Franklin Township

Franklin Township is located south and west of the proposed Timken USD. A majority of Franklin Township has been annexed into the city of Columbus. At its closest point land remaining under the jurisdiction of Franklin Township is located approximately 2.8 miles southwest of the proposed USD. Representatives of Franklin Township were surveyed, by phone, on four occasions since 1998. Responses indicated that portions of Franklin Township are supplied with city of Columbus water. However, selected areas have private

domestic wells. The current water use demands are being met. Franklin Township does not operate a public water waster supply and does not intend to develop one.

J. Mifflin Township

A majority of the Mifflin Township, within a five-mile radius of the proposed Timken USD, has been annexed into the city of Columbus. However, several relatively small areas are located within the five-mile radius are still part of the township. The closest is located approximately 2.5 miles northeast of the proposed Timken USD. Representatives of Mifflin Township were surveyed, by telephone, on four occasions since 1998. Responses indicated that portions of Mifflin Township incorporated into the city of Columbus are provided with city of Columbus water. However, unincorporated areas remaining on private domestic wells pending annexation by Columbus (when Columbus water could be supplied). Survey information also indicated that Mifflin Township has no plans for additional water supply development. In the survey, it was noted that the Leonard Park Subdivision, located approximately 4.4 miles northeast of the Timken USD is dependent upon private domestic wells.

K. Norwich Township

Norwich Township is located approximately 4.5 west of the proposed Timken USD. Representatives of Norwich Township were surveyed, by telephone, on four occasions since 1998. Responses indicate that portions of Norwich Township are supplied water by the city of Columbus, Citizen's Utilities, and private domestic wells. The areas within the five-mile radius of the proposed Timken USD (the southeastern tip of Norwich Township) are annexed into Columbus. The San Margherita subdivision was one area specifically identified on township land that may have private domestic wells. However, this area is nearly five miles from the proposed Timken USD.

III. OAC 3745-300-10(D)(2)(e)(vii): Other factors.

A. Protection of ground water meeting unrestricted potable use standards

The geology of the proposed USD property is generally characterized as unconsolidated till or fill (30 to 88 feet thick), which overlies shale (64 to 164 feet thick), which overlies limestone (several hundred feet thick) (thickness are based upon ODNR well log numbers 186, 187, and 1885 which were installed on the Timken property). The draft Phase I and Phase II Property Assessment documents developed by Sanborn, Head & Associates in preparation for a request for a no further action (NFA) letter for the property address the criteria for demonstrating the "protection of ground water meeting unrestricted potable use

standards" as required by OAC 3745-300-07(D)(4). The Phase II provides a weight-of-evidence approach that the shale layer will protect ground water in the underlying limestone. Based upon review of available information, Ohio EPA concurs that this shale layer will protect the limestone from impacted ground water located in the overlying unconsolidated deposits. The limestone has historically been an important source of water for industries in the Timken USD area.

B. Commercial Bottled Water

The USD request, Appendix E, identifies Magnetic Springs Company, a bottled water company, located at 1917 Joyce Avenue, Columbus. The Magnetic Springs Company is located approximately 1.7 miles northeast of the proposed Timken USD. This company uses wells in unconsolidated deposits to commercially bottle water for potable use. The USD request correctly identifies the location of Magnetic Spring Company beyond the half-mile distance as specified in OAC 3745-300-10(D)(1)(g).

Ohio EPA held a public meeting on January 25, 2005. No opposition to the USD was encountered during the public meeting. Also, no comments were received during the comment period which ended February 10, 2005.

Ohio EPA has received no additional factual information to suggest that the USD would not be protective of public health and safety and the environment. Further, Ohio EPA has received a letter dated October 8, 2004 from Michael B. Coleman, Mayor, city of Columbus expressing the City's support for the Timken USD (Attachment 4).

This letter, approving your request for the Timken USD, is not a final action of the Director. The approved USD may be used to establish applicable ground water standards for a property located within the Timken USD. However, the use of the Timken USD is contingent upon a CP's determination, at the time of the issuance of a NFA letter for the property, that no significant change of circumstances has occurred that affect the criteria upon which the USD is approved, as contained in OAC 3745-300-10(D) and this letter.

The use of the Timken USD to establish applicable ground water standards is also contingent upon demonstration in a NFA letter that the property is eligible for participation in the VAP, pursuant to Ohio Revised Code §3746.02 and OAC 3745-300-02. Finally, this USD approval pertains only to eligible properties located within the Timken USD, and is not applicable to any other property.

Thank you for your interest and participation in the VAP. If you have any questions concerning this letter, please contact Amy Yersavich at (614) 644-2285 or Doug Crandall at (614) 387-6181.

Sincerely,



Joseph P. Koncelik
Director, Ohio EPA

cc: Amy Yersavich, Manager, DERR-CO
Frank Robertson, Supervisor, DERR-CO
Tom Allen, Assistant Chief, DDAGW
Sydney Poole, Geologist, DDAGW-CO
Linnea Saukko, Supervisor, DDAGW-CDO
Scott Foltz, Supervisor, DDAGW-CDO
Craig Butler, Chief-CDO
Deborah Strayton, Manager, DERR-CDO
Doug Crandall, Environmental Specialist, DERR-CDO
Sue Kroeger, Attorney, Legal-CO
DERR-CO Files

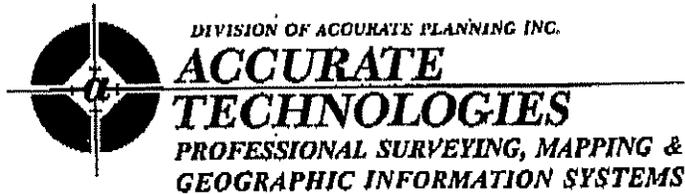
Timken USD Approval

Attachment 1

Legal Description of the Timken USD Property

Exhibit A

Legal Description of former Timken Bearing Plant property at 1025 Cleveland Ave.



Richard A. Carpenter, P.S.
President

Richard K. McDonald, P.S.
Vice President

July 28, 2004

The Timken Company
30.898 Acres Parcel

Situated in the State of Ohio, County of Franklin, City of Columbus in Half Section 4, Township 5, Range 22, Refugee Lands being all of Lot 11, 12, 13, and 14, and a 0.110 acre-portion of Lot 15, and all of Lot #10 excluding the west 20-feet. Said lots being part of the "Partition of the Robert Neil estate", Plat "A" of Common Pleas Court Record 153, page 440 and being all of Parent Tract recorded as: Deed Volume 628 page 387 Parcel Number 010-036550, Deed Volume 2275 page 58, Parcel Number 010-083812 Deed Volume 2275, page 61 Parcel Number 010-019405, Deed Volume 2283 page 513, Parcel Number 010-001845, Deed Volume 1477 page 555, Parcel Number 010-040229 Deed Volume 653 page 109, Parcel Number 010-037291, Deed Volume 2767 page 503, Parcel Number 010-040227 & Parcel Number 010-008457 and Deed Volume 2208 page 352 Parcel Number 010-092754, Also being a 0.110-acre remainder of Deed Volume 3171 page 23 Parcel Number 010-047720, and more particularly described as follows:

Beginning at the intersection of the centerline of Cleveland Avenue, (R/W 60') and the centerline of 5th Avenue, (R/W 60'), (Said point referenced by a bar in a monument box being S 00° 01' 42" E, a distance of 59.79 feet);

Thence S 00° 01' 42" E along the centerline of Cleveland Avenue, (R/W 60') a distance of 30.00 feet to a P.K. nail set being the True POINT OF BEGINNING for parcel herein described:

Thence S 00° 01' 42" E along the centerline of Cleveland Avenue, (R/W 60'), a distance of 413.27 feet to a P.K. nail set;

Thence S 89° 59' 00" W along the south line of Lot #10 of said partition of the Robert Neil estate, a distance of 30.00 feet to a P.K. nail found;

Thence S 00° 01' 42" E along the west right-of-way line of Cleveland Avenue, (R/W 60'), also being the east line of Lots 11, 12, 13, 14 and a 10-foot portion of Lot 15 of said partition of the Robert Neil estate, a distance of 739.74 feet to a point. Said point referenced by a spindle set with a bearing of S 89° 58' 34" W, a distance of 5.00 feet.

Thence S 89° 58' 34" W along the north line of R.J.B. Partners Tract recorded in Official Record Instrument #199711140144448, a distance of 482.79 feet to a spindle set;

Thence N 00° 02' 23" W along the easterly line of R.J.B. Partners Tract recorded in Deed Volume 28200, page B07, a distance of 10.00 feet to a rebar with cap found;

Page -2- 30.898 Acres Parcel

Thence S 89° 58' 34" W along the northerly line of Lot #15 of said Partition of Robert Neil estate and the north line of R.J.B. Partners Tract recorded in Deed Volume 28200, page B07, a distance of 730.26 feet to a 1 ½-inch iron pipe found;

The following (5) courses follow the Conrail Railroad Property as recorded at the Franklin County Engineer's, Roll #2, Image #9.

Thence N 04° 23' 00" W along the west line of Lot 14 and a portion of the west line of Lot 13 as recorded in said Partition of the Robert Neil estate, a distance of 309.49 feet to a chiseled 'X' found in the concrete of a fence post;

Thence N 04° 29' 29" W along the west line of Lot 12 and a portion of the west line of Lot 13, a distance of 239.58 feet to a point. Said point referenced by a 5/8-inch rebar with a bearing S 04° 29' 29" E, a distance of 5.00 feet also referenced by a 5/8-inch rebar set with a bearing N 05° 52' 27" W, a distance of 10.00 feet;

Thence N 05° 52' 27" W along the west line of Lot 11 of said Partition of the Robert Neil estate, a distance of 183.41 feet to a 2-inch diameter corner fence post found;

Thence S 89° 59' 00" W along a southern line of Lot 10 of said Partition of Robert Neil estate, a distance of 62.70 feet to a 1-inch pipe found;

Thence N 06° 58' 10" W following the easterly line of a 20-foot wide strip of land recorded in Deed Volume 2275 page 63, Parcel Number 010-083812. (Reference Deed 595, page 575), a distance of 209.90 feet to a crimp top pipe found;

Thence N 89° 59' 01" E along the south line of an unnamed, undedicated 30-foot wide roadway and also the south end of Yantes Avenue, (R/W 30'), also being the north line of Parent Tracts recorded in Deed Volume 2275 page 61 Parcel Number 010-083812 and Deed Volume 2283 page 513 Parcel Number 010-001845, a distance of 666.10 feet to a P.K. nail found in a concrete fence post foundation;

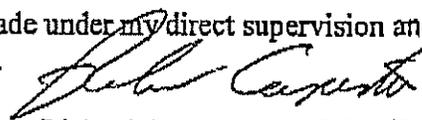
Thence N 00° 02' 03" W along the easterly line of Yantes Avenue, (R/W 30'), a distance of 201.72 feet to a rebar found with cap;

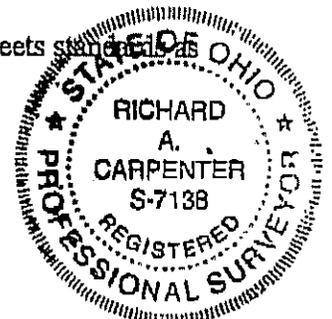
Thence N 89° 43' 52" E along the south right-of-way of 5th Avenue, (R/W 60'), a distance of 725.86 feet to the true POINT OF BEGINNING containing 30.898 acres of land and subject to all easements of record. Said 30.898 acres contains 0.284 acres of land which fall within the legal road right-of-way of Cleveland Avenue, (R/W 60');

The basis of bearing is the centerline of Cleveland Avenue held to S 00° 01' 42" E.

A call for a rebar set is a 5/8-inch diameter green epoxy coated rebar with a yellow plastic cap noting "Accurate Tech".

This description was derived by a field survey made under my direct supervision and meets standards adopted in Ohio Revised Code, Chapter 4733-37.


Richard A. Carpenter, P.S., #7138



Page -2- 30.898 Acres Parcel

Thence S 89° 58' 34" W along the northerly line of Lot #15 of said Partition of Robert Neil estate and the north line of R.J.B. Partners Tract recorded in Deed Volume 28200, page B07, a distance of 730.26 feet to a 1 ½-inch iron pipe found;

The following (5) courses follow the Conrail Railroad Property as recorded at the Franklin County Engineer's, Roll #2, Image #9.

Thence N 04° 23' 00" W along the west line of Lot 14 and a portion of the west line of Lot 13 as recorded in said Partition of the Robert Neil estate, a distance of 309.49 feet to a chiseled 'X' found in the concrete of a fence post;

Thence N 04° 29' 29" W along the west line of Lot 12 and a portion of the west line of Lot 13, a distance of 239.58 feet to a point. Said point referenced by a 5/8-inch rebar with a bearing S 04° 29' 29" E, a distance of 5.00 feet also referenced by a 5/8-inch rebar set with a bearing N 05° 52' 27" W, a distance of 10.00 feet;

Thence N 05° 52' 27" W along the west line of Lot 11 of said Partition of the Robert Neil estate, a distance of 183.41 feet to a 2-inch diameter corner fence post found;

Thence S 89° 59' 00" W along a southern line of Lot 10 of said Partition of Robert Neil estate, a distance of 62.70 feet to a 1-inch pipe found;

Thence N 06° 58' 10" W following the easterly line of a 20-foot wide strip of land recorded in Deed Volume 2275 page 63, Parcel Number 010-083812. (Reference Deed 595, page 575), a distance of 209.90 feet to a crimp top pipe found;

Thence N 89° 59' 01" E along the south line of an unnamed, undedicated 30-foot wide roadway and also the south end of Yantes Avenue, (R/W 30'), also being the north line of Parent Tracts recorded in Deed Volume 2275 page 61 Parcel Number 010-083812 and Deed Volume 2283 page 513 Parcel Number 010-001845, a distance of 666.10 feet to a P.K. nail found in a concrete fence post foundation;

Thence N 00° 02' 03" W along the easterly line of Yantes Avenue, (R/W 30'), a distance of 201.72 feet to a rebar found with cap;

Thence N 89° 43' 52" E along the south right-of-way of 5th Avenue, (R/W 60'), a distance of 725.86 feet to the true POINT OF BEGINNING containing 30.898 acres of land and subject to all easements of record. Said 30.898 acres contains 0.284 acres of land which fall within the legal road right-of-way of Cleveland Avenue, (R/W 60');

The basis of bearing is the centerline of Cleveland Avenue held to S 00° 01' 42" E.

A call for a rebar set is a 5/8-inch diameter green epoxy coated rebar with a yellow plastic cap noting "Accurate Tech".

This description was derived by a field survey made under my direct supervision and meets standards as adopted in Ohio Revised Code, Chapter 4733-37.

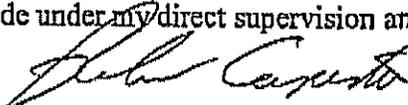

Richard A. Carpenter, P.S., #7138



Exhibit B

Legal Description of 5th Ave. Lumber Co. Property at 479 East 5th Avenue

33276810

EXHIBIT A

Parcel I:

SITUATE in the State of Ohio, County of Franklin, City of Columbus, Half section 4, Township 5, Range 22, of the Refugee lands and being all of that 0.192 acre tract (by deed) conveyed to the Fifth Avenue Lumber Company of deed of record in Official Record 3460, Page B-01, Recorder's Office, Franklin County, Ohio, said 0.192 acre tract (by Deed) being more particularly described as follows:

Beginning at a 5/8 inch capped, solid iron pin at the northeasterly corner of the said 0.192 acre tract in the westerly right-of-way line of Yantes Avenue, (said right-of-way being thirty (30) feet in width) and the southerly right-of-way line of Fifth Avenue, said right-of-way being sixty (60) feet in width as determined from an agreement between property owners of record in Plat Book 13, Page 37, Recorder's Office, Franklin County, Ohio, and also from a Quit-Claim Deed to the City of Columbus by Deed of Record in Deed Book 585, Pages 252 and 253, Recorder's Office, Franklin County, Ohio; thence from the said beginning point

South 1 degree, 49 minutes, 34 seconds West a distance of 90.00 feet along the westerly line of said Yantes Avenue and the easterly line of the said 0.192 acre tract to a point being the southeasterly corner of the said 0.192 acre tract and a northeasterly corner of a tract known as Tract No. 1, transferred to F. Gregg Lumbert by Deed of Record in Deed Book 3598, Page 862, Recorder's Office, Franklin County, Ohio; thence

North 88 degrees, 35 minutes, 00 seconds West a distance of 92.50 feet along the southerly line of the said 0.192 acre tract and a line of the said F. Gregg Lumbert tract to a point being the southwesterly corner of the said 0.192 acre tract and a corner of the said F. Gregg Lumbert tract; thence

North 1 degree, 49 minutes, 34 seconds East a distance of 90.00 feet along the westerly line of the said 0.192 acre tract and a line of the F. Gregg Lumbert tract to a point in the southerly line of said Fifth Avenue being the northwesterly corner of the said 0.192 acre tract and a corner of the said F. Gregg Lumbert tract; thence

South 88 degrees, 35 minutes, 00 seconds East a distance of 92.50 feet along the northerly line of the said 0.192 acre tract and the southerly line of said Fifth Avenue

33276811

to the place of beginning, containing 0.191 acres of land (by survey) and subject to all legal rights-of-way and easements. The said 0.191 acre tract (by survey) being all of that 0.192 acre tract (by deed) mentioned above.

The above-mentioned set 5/8 inch solid iron pins with yellow plastic caps are 5/8 inch by 30 inch reinforcing bars with yellow plastic caps, said caps having the name Thomas Engr. & Surveying impressed thereon.

The bearings are based on the south right-of-way line of Fifth Avenue (Montgomery Avenue) as shown on a plat of Samuel Doyles Lockwin Addition of Record in Plat Book 1, Page 3, Recorder's Office, Franklin County, Ohio. Reference is also made to the Agreement Between Property Owners of Record in Plat Book 13, Page 37, Recorder's Office, Franklin County, Ohio.

Parcel No. 010-069532

Last Transfer: Official Record Volume 06986, Page 108
Property Address: 501 E. Fifth Avenue, Columbus, Ohio

Parcel II:

SITUATE in the State of Ohio, County of Franklin, City of Columbus, Half Section 4, Township 5, Range 22, of the Refugee Lands and being all of Tract No. 1, transferred to F. Gregg Lumbert by Certificate of Transfer of Record in Deed Book 3598, Page 862, Recorder's Office, Franklin County, Ohio, including 40 feet off the east side of a vacated 60 foot un-named street, and being described as a 2.348 acre tract as follows:

Beginning for reference at a set 5/8 inch solid iron pin with a yellow plastic cap at the northeasterly corner of a 0.192 acre tract conveyed to the Fifth Avenue Lumber Company by Deed of Record in Official Record 3460, Page B01, Recorder's Office, Franklin County, Ohio, said reference iron pin also being in the westerly right-of-way line of Yantes Avenue, (said right-of-way being thirty (30 feet) in width) and the southerly right-of-way line of Fifth Avenue, said right-of-way being sixty (60) feet in width as determined from an agreement between property owners of record in Plat Book 13, Page 37; Recorder's Office, Franklin County, Ohio, and also from a Quit-Claim Deed to the City of Columbus by Deed of Record in Deed Book 585, Pages 252 and 253, Recorder's Office, Franklin County, Ohio; thence from said reference iron pin South 1 degree, 49 minutes, 34 seconds West a distance of 90.00 feet along the westerly line of said Yantes Avenue and the easterly line of said 0.192 acre tract to a point at the southeasterly corner of the said 0.192 acre tract and a northeasterly corner of the

33276012

said F. Gregg Lumbert tract and being the True Place of Beginning of this description; thence from the said True Place of Beginning.

South 1 degree, 49 minutes, 34 seconds West a distance of 81.71 feet along the westerly line of said Yantes Avenue and the easterly line of the F. Gregg Lumbert tract to a found two (2) inch steel fence post cut off six (6) inches below the ground, being the southeasterly corner of the said F. Gregg Lumbert tract and being in the northerly line of an unnamed, undedicated thirty (30) foot street; thence

North 88 degrees, 21 minutes, 33 seconds West a distance of 639.20 feet along the southerly line of the said F. Gregg Lumbert tract and the northerly line of the said unnamed, undedicated thirty (30) foot street to a set 5/8 inch, solid iron pin with a yellow plastic cap, being the southwesterly corner of the said F. Gregg Lumbert tract and being in the easterly line of a twenty (20) foot strip of land off the westerly side of a vacated sixty (60) foot street as defined by the City of Columbus, said twenty (20) foot strip having been quit claimed to the T. C. and O. R. Railroad by a Deed of Record in Deed Book 595, Page 575, Recorder's Office, Franklin County, Ohio, said capped iron pin being located 74.58 feet (measured at right angles) easterly from the centerline of the most westerly main tracts of the Conrail Railroad; thence

North 4 degrees, 47 minutes, 28 seconds West a distance of 170.20 feet along the westerly line of the said F. Gregg Lumbert tract and the easterly line of the said twenty (20) foot strip to a chiseled mark on the concrete wall of the abutment for the railroad bridge over said Fifth Avenue, said chiseled mark being the northwesterly corner of the said F. Gregg Lumbert tract in the southerly right-of-way line of said Fifth Avenue (sixty (60) feet in width) and being located 74.58 feet (measured at right angles) easterly from the centerline of the most westerly main tracks of the said Conrail Railroad; thence

South 88 degrees, 35 minutes, 00 seconds East a distance of 566.33 feet along the said southerly right-of-way line of said Fifth Avenue (sixty (60) feet in width) to a point being the northwesterly corner of the said 0.192 acre tract; thence

South 1 degree, 49 minutes, 34 seconds West a distance of 90.00 feet along the westerly line of said 0.192 acre tract to a point being the southwesterly corner of the said 0.192 acre tract; thence

33276813

South 88 degrees, 35 minutes, 00 seconds East a distance of 92.50 feet along the southerly line of the said 0.192 acre tract to the place of beginning, containing 2.348 acres of land.

Parcel No. 010-56873

Last Transfer: Official Record Volume 06986, Page 112.

Property Address: 479 Fifth Avenue, Columbus, Ohio

Exhibit C

Legal Description of former Timken Property at 520 East 5th Avenue

EXHIBIT A
Legal Description

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus, and bounded and described as follows:

PARCEL 1

Being Lot Number One Hundred Fourteen (114) of Samuel Doyle's Lockwin Addition as the said lot is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 1, page 3, Recorder's Office, Franklin County, Ohio.

Address: 508 East 5th Avenue

PARCEL 2

Being Lot Number One Hundred and Thirteen (113) of Samuel Doyle's Lockwin Addition to said City, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 1, page 3, Recorder's Office, Franklin County, Ohio.

Address: 514 East 5th Avenue

PARCELS 3 and 4

Being Lots Number One Hundred Nine (109) and One Hundred Ten (110) of Doyle's Lockwin Subdivision, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, page 3, Recorder's Office, Franklin County, Ohio.

PARCEL 5

Being Lot Numbers One Hundred and Fifteen (115) and One Hundred and Sixteen (116) of Samuel Doyle's Subdivision of part of Lots Nos. 4 and 5 of George Stevenson's Heirs' Subdivision of Quarter Township No. 4, Township 1, Range 18, United States Military Lands, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 1, page 3, Recorder's Office, Franklin County, Ohio. Said Doyle's Subdivision being also sometimes called Doyle's "Lockwin Subdivision" and Doyle's "First Addition."

PARCEL 6

Being Lots Number One Hundred Eleven (111), One Hundred Twelve (112), One Hundred Twenty-Nine (129), One Hundred Thirty (130), One Hundred Thirty-One (131), One Hundred Thirty-two (132), One Hundred Thirty-Three (133), One Hundred Thirty-Four (134) and One Hundred Thirty-five (135) in Samuel Doyle's Lockwin Addition to the City of Columbus, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 1, page 3, Recorder's Office, Franklin County, Ohio.

PARCEL 7

Being a portion of the tract of land set off in the partition proceedings of Charles Jones Ohlen v. Flora Jones Austin et al. No. 35066, Court of Common Pleas, Franklin County, Ohio, designated and delineated as Lots Nos. One (1) and Two (2) (facing on Yeoman Street) upon a plat Exhibit X in the Report of the Commissioners in said cause and of record in Complete Record Vol. 178, pages 432 to 433, said Complete Record being in the office of the Clerk of Court of Common Pleas, Franklin County, Ohio, and being part of Lot No. Four (4) of George Stevenson's Heirs' Subdivision of the 4th Quarter of Township No. 1, Range 18, Military Lands.

PARCEL 8

Being a portion of the tract of land set off in the partition proceedings of Charles Jones Ohlen v. Flora Jones Austin et al. No. 35066, Court of Common Pleas, Franklin County, Ohio, designated and delineated as lots five (5), seven (7) and eight (8) (facing on Yeoman Street) upon a plat Exhibit X in the Report of the Commissioners in said cause and of record in C.R. Vol. 178, pages 423 to 433, said C.R. being in the office of the Clerk of Court of Common Pleas Franklin County, Ohio, and being part of Lot No. Four (4) of George Stevenson's Heirs' Subdivision of the 4th Quarter of Township No. 1, Range 18, U.S. Military Lands.

PARCEL 9

Being a portion of the tract of land set off in the partition proceedings of Charles Jones Ohlen v. Flora Jones Austin et al. No. 35066, Court of Common Pleas Franklin County, Ohio, designated and delineated as lots Three (3), Four (4) and Six (6) (facing on Yeoman Street) upon a plat Exhibit X in the Report of the Commissioners in said cause and of record in Complete Record Vol. 178, pages 423 to 433, said Complete Record being in the office of the Clerk of the Court of Common Pleas, Franklin County, Ohio, and being part of Lots No. Four (4) of George Stevenson's Heirs' Subdivision of the 4th Quarter of Township No. 1, Range 18, U.S. Military Lands.

PARCEL 10

Being Lot 136 in Samuel Doyle's Lockwin Addition to the City of Columbus, Ohio, as said lot is numbered and delineated upon the recorded plat thereof, of record in Plat Book 1, page 3, Recorder's Office, Franklin County, Ohio.

Said property also known as 1144 Fields Ave., Columbus, OHIO.

EXCEPTING THEREFROM

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a part of Quarter Township 4, Township 1, Range 18, United States Military Lands, and being more particularly described as follows:

Being a part of Lot No. 116 of Samuel Doyle's Lockwin Addition as the same is shown of record in Plat Book 1, page 3, of the Franklin County Plat Records, and being more particularly described as follows:

Beginning for reference, at the point of intersection of the baseline of survey of Fields Avenue with the northerly right-of-way line of existing Fifth Avenue projected, said point being Station 2+32.05, baseline of Fields Avenue;

Thence with the aforesaid northerly right-of-way line of existing Fifth Avenue, N 89 degrees 52' 00" E a distance of 25.00 feet to a point in the easterly right-of-way line of existing Fields Avenue and the aforesaid northerly right-of-way line of existing Fifth Avenue, said point being the southwesterly corner of the aforementioned Lot No. 116 and the Grantor's southwesterly property corner, also being the true place of beginning;

Thence continuing with the aforesaid easterly right-of-way line of existing Fields Avenue and the Grantor's westerly property line N 00 degrees 08' 00" W a distance of 31.00 feet to a point;

Thence S 37 degrees 52' 48" E a distance of 39.20 feet to a point in the aforesaid northerly right-of-way line of existing Fifth Avenue, said point being in the southerly line of the aforementioned Lot No. 116 and the Grantor's southerly property line.

Thence with the aforesaid northerly right-of-way line of existing Fifth Avenue, the southerly line of the aforementioned Lot No. 116, and the Grantor's southerly property line S 89 degrees 52' 00" W a distance of 24.00 feet to the true place of beginning containing 372.0 square feet, more or less, including the present road which occupies 0.000 square feet, more or less.

END OF LEGAL DESCRIPTION

Together with any and all interest the Grantor(s) may have in that portion of right of way as vacated by the CITY OF COLUMBUS by VAC ORD 357-68

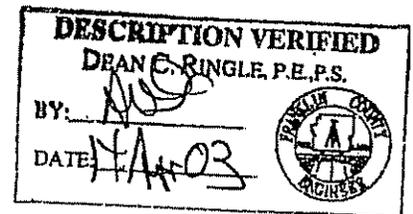
Together with any and all interest the Grantor(s) may have in that portion of right of way as vacated by the CITY OF COLUMBUS by VAC ORD 459-41

Together with any and all interest the Grantor(s) may have in that portion of right of way as vacated by the CITY OF COLUMBUS by VAC ORD 310-41

Together with any and all interest the Grantor(s) may have in that portion of right of way as vacated by the CITY OF COLUMBUS by VAC ORD 458-41

Together with any and all interest the Grantor(s) may have in that portion of right of way as vacated by the CITY OF COLUMBUS by VAC ORD 573-41

C34
PARCEL'S 1-10
ALL OF
(010)
5520





Instr: 200304140108469 04/14/03
 Pages: 4 F: \$22.00 2.55
 Robert G. Montgomery T200300451
 Franklin County Recorder MEPFRAN

QUIT CLAIM DEED/CORRECTIVE DEED

KNOW ALL MEN BY THESE PRESENTS, That The Timken Company, aka The Timken Roller Bearing Company, an Ohio Corporation, Grantor, for considerations previously received to it paid by Midwest Investment Group LLC, an Ohio limited liability company, previously wrongfully identified as Midwest Investment Group, Ltd. in a certain General Warranty Deed from the Grantor herein and recorded at Instrument No. 199709170094996 in the Deed Records, Recorder's Office, Franklin County, Ohio, Grantee, the receipt whereof is hereby acknowledged, does hereby REMISE, RELEASE AND FOREVER QUIT-CLAIM, to the said Grantee, Midwest Investment Group LLC, its successors and assigns forever, the following REAL ESTATE situated in the County of Franklin, in the State of Ohio, and in the City of Columbus and bounded and described as follows:

See Exhibit "A" attached hereto.

Last Transfer: Inst. # 199709170094996
 Parcel No. 010-37883, 101-24858, 010-22281, 010-5520, 010-66619, 010-5615, 010-6149, 010-15869, 010-6150, and 010-37484

The sole purpose of this Quit Claim Deed is to correct the identity of the Grantee.

TO HAVE AND TO HOLD said premises, with all the privileges and appurtenances thereunto belonging, to the said Grantee, its successors and assigns forever.

EXECUTED this 27th day of March, 2003.

The Timken Company, aka
 The Timken Roller Bearing Company

By: William R. Burkhardt
 Printed Name: William R. Burkhardt
 Its: Senior Vice President & General Counsel

STATE OF OHIO)
)
 STARK COUNTY)

Before me, a notary public in and for said county and state, personally appeared the above-named The Timken Company aka The Timken Roller Bearing Company, an Ohio corporation, by William R. Burkhardt, its SNVP + G.C., who acknowledged that he did sign the foregoing instrument on behalf of said corporation and that the same is its free act and deed, and the free act and deed of him personally as such officer.

In testimony whereof, I have hereunto set my hand and official seal at Canton, Ohio, this 27th day of March, 2003.

[Handwritten signature]

Handwritten mark

Instr: 200305050130574 05/05/2003
Pages: 4 F: \$22.00 10:18AM
Robert G. Montgomery T200305054698
Franklin County Recorder MLCITY OF

QUITCLAIM DEED
(R.C. 5302.11)
(Easement Reservation)

KNOW ALL MEN BY THESE PRESENTS that the **CITY OF COLUMBUS, OHIO**, "Grantor", a municipal corporation, for valuable consideration given by the **MIDWEST INVESTMENT GROUP, LLC**, "Grantee", an Ohio limited liability company whose tax mailing address is P.O. Box 1688, Columbus, Ohio 43216, does hereby quitclaim unto said Grantee, its successors and assigns, the following described real property, subject to a perpetual general utility easement hereby reserved unto Grantor, in, over, under, across and through all such real property:

TRACT 1

Situated in the State of Ohio, County of Franklin, City of Columbus and being part of the Yoeman Avenue right-of-way, as said Yoeman Avenue (50 feet in width) being dedicated and shown on the recorded plat of SAMUEL DOYLE'S LOCKWIN ADDITION, of record in Plat Book 1, Page 3, records of the Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

C-34
New Entry
0.042 Acres
Irregular Section
Adjacent to
(010)
5520

Beginning at an iron pin found at the intersection of the east line of Fields Avenue (50 feet in width) and the south line of said Yoeman Avenue and being the northwest corner of Lot 136 of said DOYLE'S ADDITION;

Thence N 30°59'32" E, a distance of 56.27 feet, across said Yoeman Avenue, to an iron pin found at the intersection of the east line of said Fields Avenue and the north line of Yoeman Avenue and being the southwest corner of Lot 1 of OHLEN'S SUBDIVISION, of record in Complete Record 178, Page 432, Clerk of Courts of Common Pleas;

Thence S 86°18'30" E, a distance of 23.94 feet, along the north line of said Yoeman Avenue and the south line of said Lot 1, to an iron pin found;

Thence S 03°33'46" W, a distance of 50.00 feet, across said Yoeman Avenue, to an iron pin found in the south line of said Yoeman Avenue and the north line of said Lot 136;

Thence N 86°18'30" W, a distance of 49.86 feet, along the south line of said Yoeman Avenue and the north line of said Lot 136, to the Point of Beginning, containing 0.042 acres, more or less.

CITY OF COLUMBUS
SURVEY DEPARTMENT
109 NORTH FRONT STREET
3RD FLOOR
COLUMBUS OHIO 43215

TRACT 2

Situated in the State of Ohio, County of Franklin, City of Columbus and being part of a 20 feet wide alley between Yoeman Avenue and East Fifth Avenue, as said alley being dedicated and shown on the recorded plat of SAMUEL DOYLE'S LOCKWIN ADDITION, of record in Plat Book 1, Page 3, records of the Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

TRANSFERRED

MAY 05 2003

JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

205-709
CONVEYANCE TAX
EXEMPT
A/K
JOSEPH W. TESTA
FRANKLIN COUNTY, OHIO

[Handwritten mark]

Beginning at an iron pin found at the intersection of the east line of Fields Avenue (50 feet in width) and the south line of said alley and being the northwest corner of Lot 116 of said DOYLE'S ADDITION;

Thence N 03°32'46" E, a distance of 20.00 feet, across said alley, to an iron pin set at the intersection of the east line of said Fields Avenue and the north line of said alley and being the southwest corner of Lot 136 of said DOYLE'S ADDITION;

Thence S 86°18'30" E, a distance of 149.50 feet, along the north line of said alley and the south line of Lots 136, 135 and 134 of said DOYLE'S ADDITION, to an iron pin found at the southeast corner of said Lot 134;

Thence S 03°32'46" W, a distance of 20.00 feet, across said alley, to an iron pin found in the south line of said alley at the northeast corner of Lot 114 of said DOYLE'S ADDITION;

Thence N 86°18'30" W, a distance of 149.50 feet, along the south line of said alley and the north line of Lots 114, 115 and 116, to the Point of Beginning, containing 0.069 acres, more or less.

The bearings in the above descriptions are based on an assumed meridian and used to denote angles only.

All iron pins set are 3/4 inch iron pipes, 30 inches in length, with a red plastic cap stamped with the name "Landmark Survey".

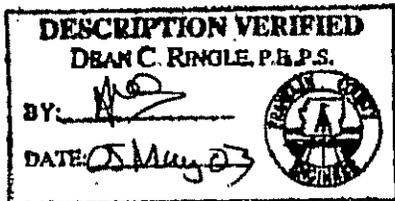
Landmark Survey Group, Inc., Scott D. Grundie, P.S., R.S. No. 8047.

Prior Instrument Reference: P.B. Vol. 1, Pg. 3,
Recorder's Office, Franklin County, Ohio.

Franklin County Tax Parcel No. NONE KNOWN.

The Grantor, by Linda K. Page, Director, Department of Public Service, as authorized by Columbus City Council Ordinance No. 0227-03 passed on the 3rd day of March, 2003, has hereunto caused this instrument to be subscribed this 01 day of May, 2003.

CITY OF COLUMBUS, OHIO
a municipal corporation



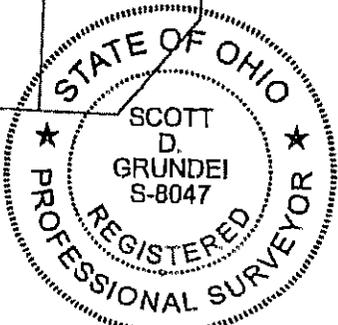
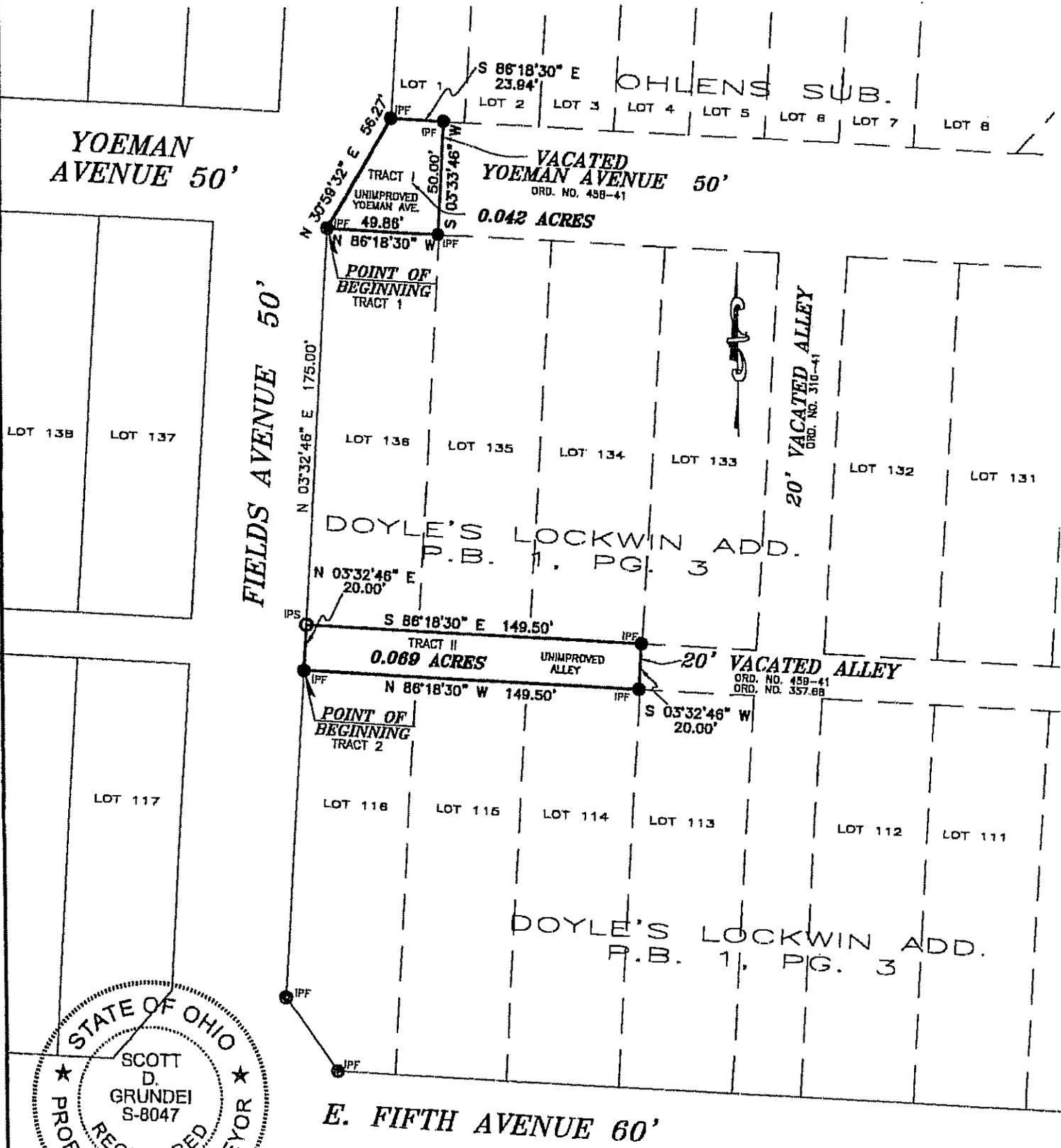
[Handwritten signature]

Linda K. Page, Director
Department of Public Service

(-34
New Entry
20 ft x 149.50 ft
Rectangular Strip
Add to
(010)
5520
* Being
0.069 Acres

LEGEND

- IPF IRON PIN FOUND
- IPS IRON PIN SET



BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED

SURVEY OF

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

BE IT REMEMBERED, that on this 1st day of May, 2003,
the foregoing instrument was acknowledged before me on behalf of the City of Columbus, Ohio,
by Linda K. Page, Director, Department of Public Service.

(seal)


Notary Public

MARY LU ENGLISH
NOTARY PUBLIC - STATE OF OHIO
My Commission Expires 11-3-2003

This instrument prepared by:
CITY OF COLUMBUS, DEPARTMENT OF LAW
By: Richard A. Pieplow  (4-29-03)
Real Estate Attorney
Real Estate Division
For: Div. of Transportation
Re: File No. 00-15

Exhibit D

Legal Description of former Timken Property at 459 to 461 Starr Avenue

Myers Surveying

2740 East Main Street
Bexley, Ohio 43209-2577
(614) 235-8677
Telefax 235-4559

NO PLAT REQUIRED
JOBS DEVELOPMENT DEPARTMENT
CITY OF COLUMBUS
DATE 8-17-86
Richard A. Brown, Director
CONDITIONS: 1.5 94-86
No direct physical access to Cleveland Avenue. And the portions of the lot showing there that are to be conveyed with one (1) new tract parcel: #1964, #1529, #9275-41, #40227, #55027, #47720.
December 15, 1986
731 Acres

Situated in the State of Ohio, County of Franklin, City of Columbus, in Half Section 4, Township 5, Range 22, Refugee Lands, being part of Parcel 15, as same is numbered and delineated upon Plat "A" of the partition of Robert Neil's Estate, of record in Complete Record 153, Page 440, Court of Common Pleas, Franklin County, and all of Lot 119, TERRACE VIEW ADDITION, of record in Plat Book 4, Page 250, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a set iron pipe at the intersection of the west line of Cleveland Avenue (60 feet wide) with the north line of Starr Avenue (50 feet wide);

Thence, along the north line of Starr Avenue, North 89 degrees 46 minutes 10 seconds West, 743.40 feet to a set P.K. nail in a concrete loading dock at the northwest corner of said Starr Avenue;

Thence, along the west line of Starr Avenue, South 00 degrees 02 minutes 26 seconds West, 50.00 feet to a found 1 1/2" iron pipe at the southwest terminus of said Starr Avenue, and the northwest corner of said Lot 119;

Thence, along the north line of said Lot 119 and the south line of Starr Avenue, South 89 degrees 46 minutes 10 seconds East, 29.00 feet to a set iron pipe at the northeast corner of said Lot 119 (northwest corner of 118 of said addition);

Thence, along the east line of Lot 119, South 00 degrees 07 minutes 43 seconds East, 131.32 feet to a found iron pipe at the southeast corner of said Lot 119 (southwest corner of said Lot 118) and in the north line of a 14 foot wide alley;

Thence, along the south line of Lot 119 and the north line of said alley, South 89 degrees 40 minutes 40 seconds West, 29.40 feet to a set iron pipe at the southwest corner of Lot 119, and in the east line of a 1,344 square foot tract conveyed to Fred E. Maloof, as shown of record in Official Records Volume 13635 B-18 (Tract 1), said Recorder's Office;

continued...

NO PLAT REQUIRED
 JOBS DEVELOPMENT DEPARTMENT
 CITY OF COLUMBUS OHIO
 DATE 8-17-1988
 BY: *Richard A. Brown*
 DIRECTOR
 CONDITIONS: 6594-86

*No direct
 reference as to
 to Cleveland Ave.
 and the portion
 of the building
 parcel that
 made up the
 legal area to
 be combined into
 one (1) new tax
 parcel: #47720,
 #55027, #40227,
 #92754, #1529,
 & #1964.*

Page 2
5.731 Acres

Thence, along part of the west line of Lot 119, North 00 degrees 02 minutes 26 seconds East, 5.24 feet to a set iron pin at a southeast corner of said Parcel 15 and a northeast corner of said Maloof tract;

Thence, along part of a south line of Parcel 15 and a north line of said Maloof tract, South 89 degrees 35 minutes 38 seconds West, 102.00 feet to a set iron pipe;

Thence, along an east line of said Maloof tract, North 00 degrees 14 minutes 25 seconds East, 127.43 feet to a set iron pipe at a northeast corner of said Maloof tract;

Thence, along part of a north line of said Maloof tract, North 89 degrees 51 minutes 24 seconds West, 355.50 feet to a set iron pipe in the west line of said Lot 15 (the easterly line of a tract now or formerly owned by the Pennsylvania Railroad);

Thence, along part of the west line of said Lot 15 and the east line of said railroad, North 03 degrees 03 minutes 04 seconds West, 225.50 feet to a found iron pin at the northwest corner of said Lot 15, southwest corner of Lot 14 of said partition and the southwest corner of The Timken Roller Bearing Company 2.817 Acre tract (Deed Book 2208, Page 352, said Recorder's Office);

Thence, along the line common to said Lots 14 and 15, the south line of said 2.817 Acre tract and part of the south line of The Timken Roller Bearing Company 3.758 Acre tract (Deed Book 2767, Page 503, said Recorder's Office), North 89 degrees 55 minutes 45 seconds East, 730.40 feet to a set iron pipe (passing a found solid iron pin at the southeast corner of said 2.817 Acre tract at 511.75 feet);

Thence, across said Lot 15, parallel with said west line of Cleveland Avenue, South 00 degrees 01 minutes 42 seconds East, 10.00 feet to a set iron pipe;

continued...

NO PLAT REQUIRED
JOBS DEVELOPMENT DEPARTMENT
 CITY OF CLEVELAND, OHIO
 DATE 8-17-84
 BY: Richard A. Brown
 CONDITIONS: 659H-86

Page 3
 5.731 Acres

No direct vehicular access to Cleveland and the portions of the following parcels that make up this legal acre to be combined into one (1) new tax parcel: # 47720, #55027, 40227, 92754, 1529, and 1964.

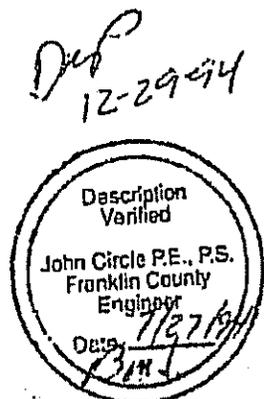
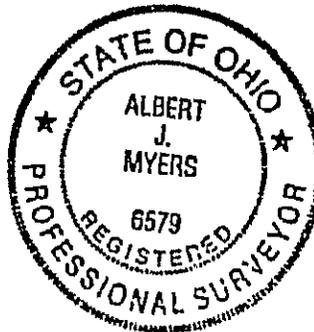
Thence, continuing across said Lot 15, parallel with and 10 feet southerly of (as measured at right angles to) the north line of said Lot 15, North 89 degrees 55 minutes 45 seconds East, 482.00 feet to the intersection of said line with said west line of Cleveland Avenue;

Thence, along said west line of Cleveland Avenue, South 00 degrees 01 minutes 42 seconds East, 170.90 feet to the place of beginning CONTAINING 5.731 ACRES, subject however, to all legal highways, easements, leases, and restrictions of record and of records in the respective utility offices.

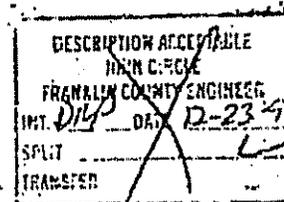
The foregoing descriptions was prepared from an actual field survey made by Myers Surveying Company, Inc. in December 1993. Iron pins set are 30" x 1" O.D. with orange plastic caps inscribed "P.S. 6579" unless otherwise noted. Basis of bearings is the west line of Cleveland Avenue held as South 00 degrees 01 minutes 42 seconds East.

MYERS SURVEYING COMPANY, INC.

Albert J. Myers
 Albert J. Myers, P.S. #6579
 AJM/kms (Tinken)



C-50 + C-58
ALL OF
(010)
55027
1964
1529
+



12-15-94

28200B-13

Myers Surveying Company, Inc.

2740 East Main Street, Columbus 43209 (Bexley), Ohio
614-235-8677 FAX: 614-235-4559

A Boundary Survey prepared for and certified to:
The Timken Company and/or c/o Rick Zollinger, Attorney
Legal Description: Situated in Ohio, County of Franklin, City of Columbus, Being 5.731 Acres, Part of Lot 15 Partition of the Robert Neal Estate Plat "A" and being all of Lot 119 Terraceview Addition, Plat Book 4, Page 250, located in Half Section 4, Township 5, Range 22, Refugee Lands

Applicant:

Posted Address: N.W. Corner of Cleveland & Starr Ave., Columbus, Ohio

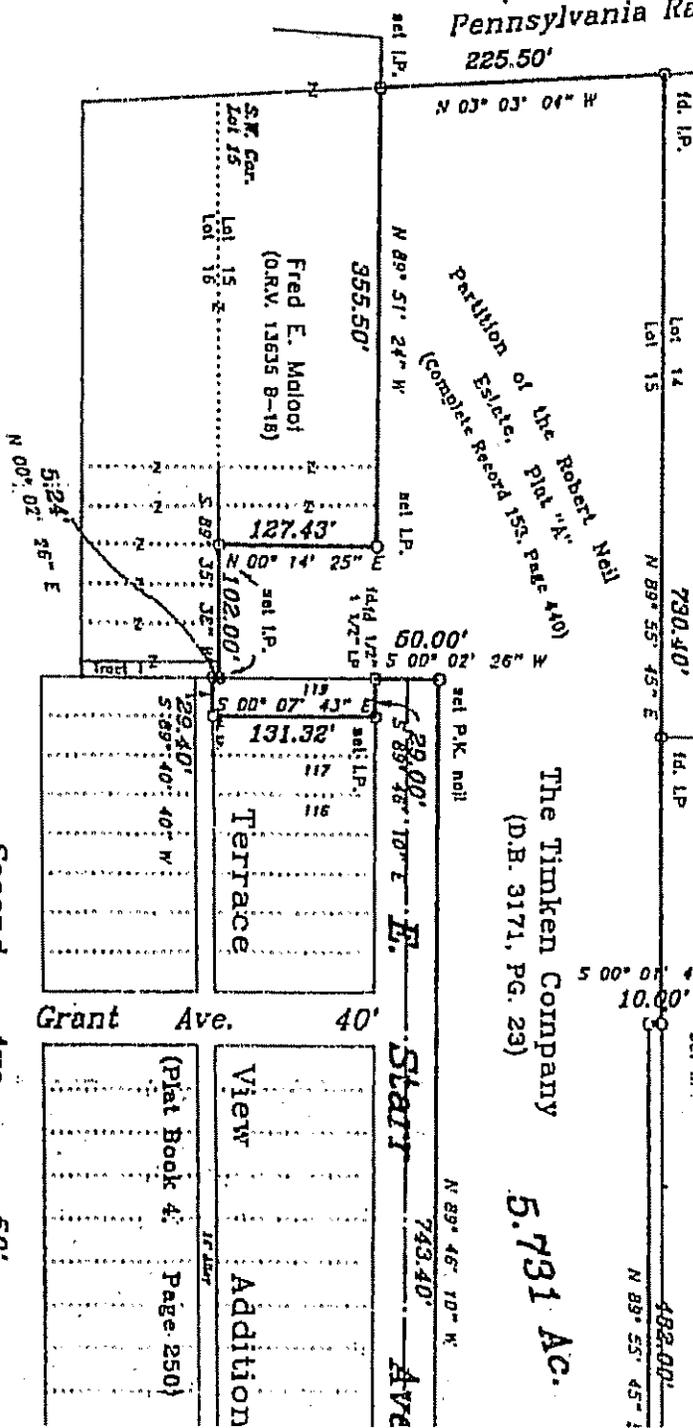
(now or formerly)
Pennsylvania Railroad
225.50'



Scale: 1" = 150'
Date: 12-15-'93

The Timken Roller Bearing Company
2.817 Ac.
(D.B. 2208, Pg. 352)

The Timken Roller Bearing Company
3.758 Ac.
(D.B. 2767, Pg. 503)



The Timken Company
(D.B. 3171, Pg. 23)
5.731 Ac.

Second Ave. 50'

Grant Ave. 40'

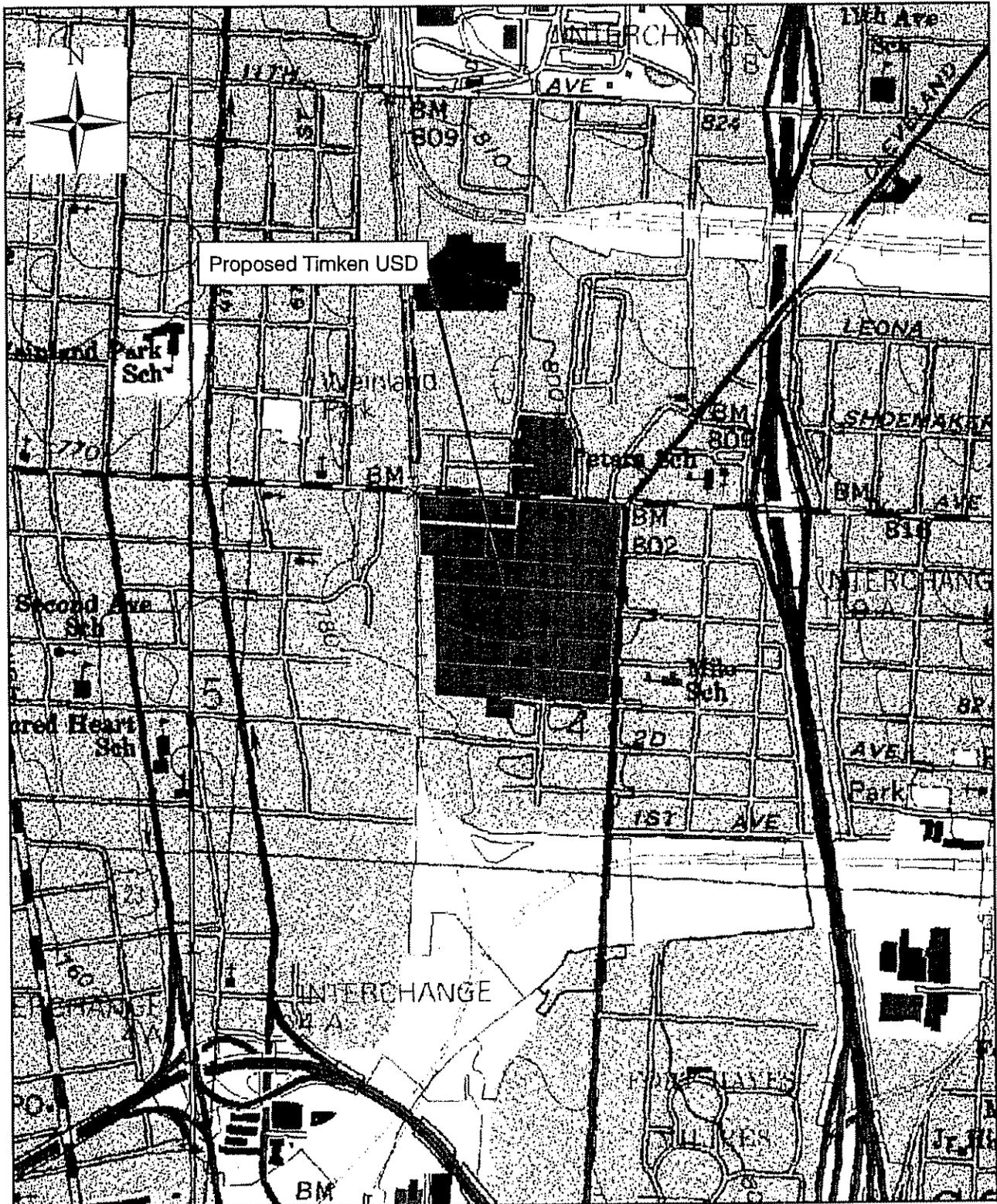
(Plat Book 4, Page 250)

View Addition

Timken USD Approval

Attachment 2

Map of Timken USD Property



Location of proposed Timken Facility USD, Columbus

Source: USGS Southeast Columbus quadrangle and City of Columbus parcels data

Timken USD Approval

Attachment 3

Map of One-Half Mile Radius from Timken USD Property

Timken USD Approval

Attachment 4

Letter of Support from City of Columbus



City Of Columbus
Mayor Michael B. Coleman

Office of the Mayor

City Hall / 90 West Broad Street
Columbus, Ohio 43215-9014
614/645-7671
FAX 614/645-8955
TDD 614/645-6200

October 8, 2004

Ms. Amy Yersavich
Manager of the Voluntary Action Program
Ohio EPA
122 S. Fourth Street
P.O. Box 1049
Columbus, OH 43216-1049

Dear Ms. Yersavich:

The City of Columbus supports the efforts of Timken to obtain an Urban Setting Designation (USD) for property associated with its former bearing plant at 1025 Cleveland Avenue and adjacent properties at East 5th Avenue and Starr Avenue.

The City of Columbus recognizes the importance of the USD designation as a valuable tool for redevelopment of urban "brownfields". The reuse of these vacant properties will lead to increased tax valuation, job creation and a stronger, more economically viable, central city. The USD allows the development community to view urban properties competitively against suburban "greenfield" sites.

The City of Columbus looks forward to cooperatively working with Timken and prospective developers to redevelop this important urban land near our downtown. Please coordinate your activities with our Economic Development Manager, Gary Guglielmi (614) 645-6427.

Sincerely,

Michael B. Coleman
Mayor

GG:MBC:djm

RECEIVED

2004 OCT 19 AM 10:13

DIV. OF EMERGENCY &
REMEDIAL RESPONSE

RECEIVED
OCT 21 2004
OHIO EPA/CDO