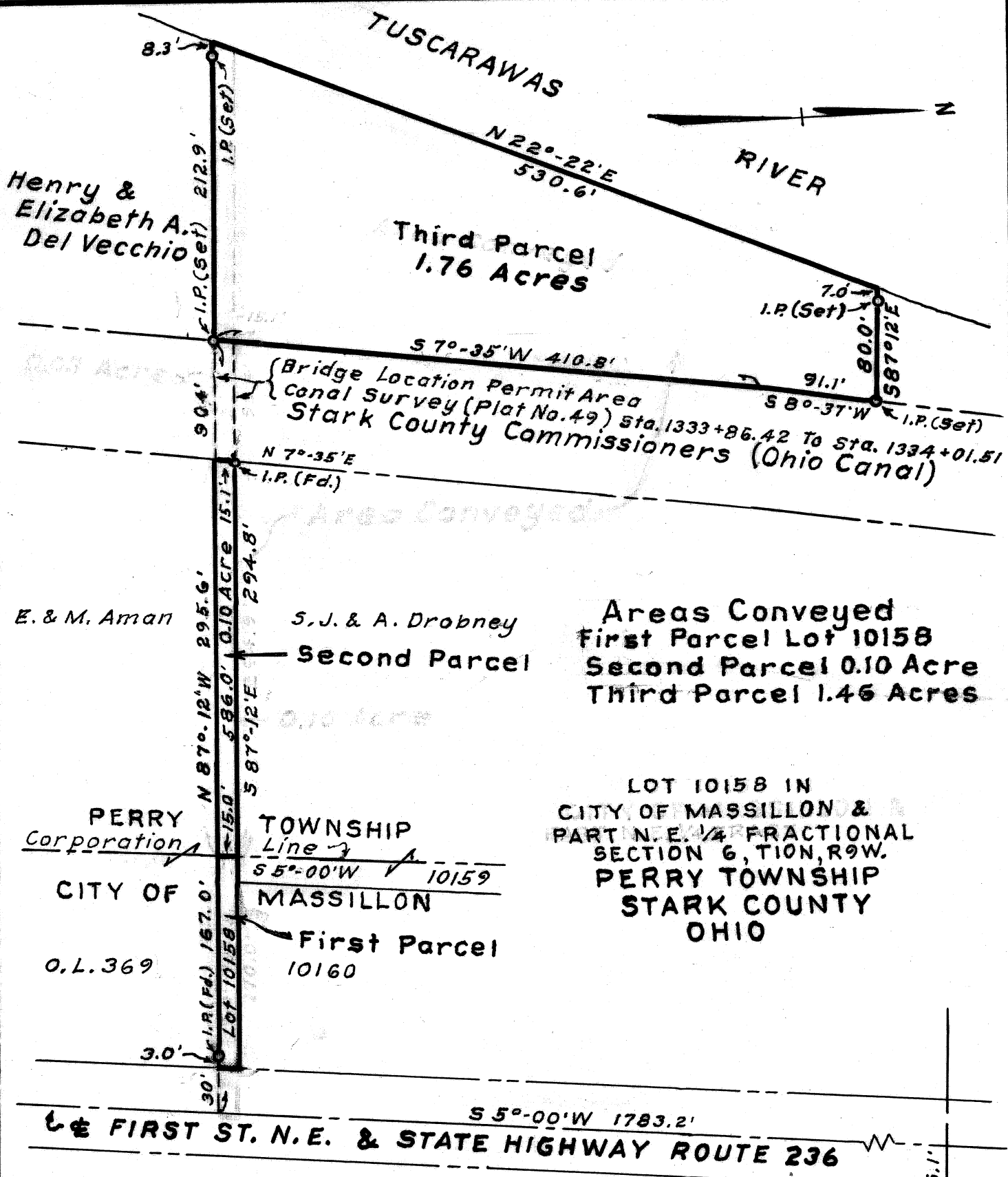
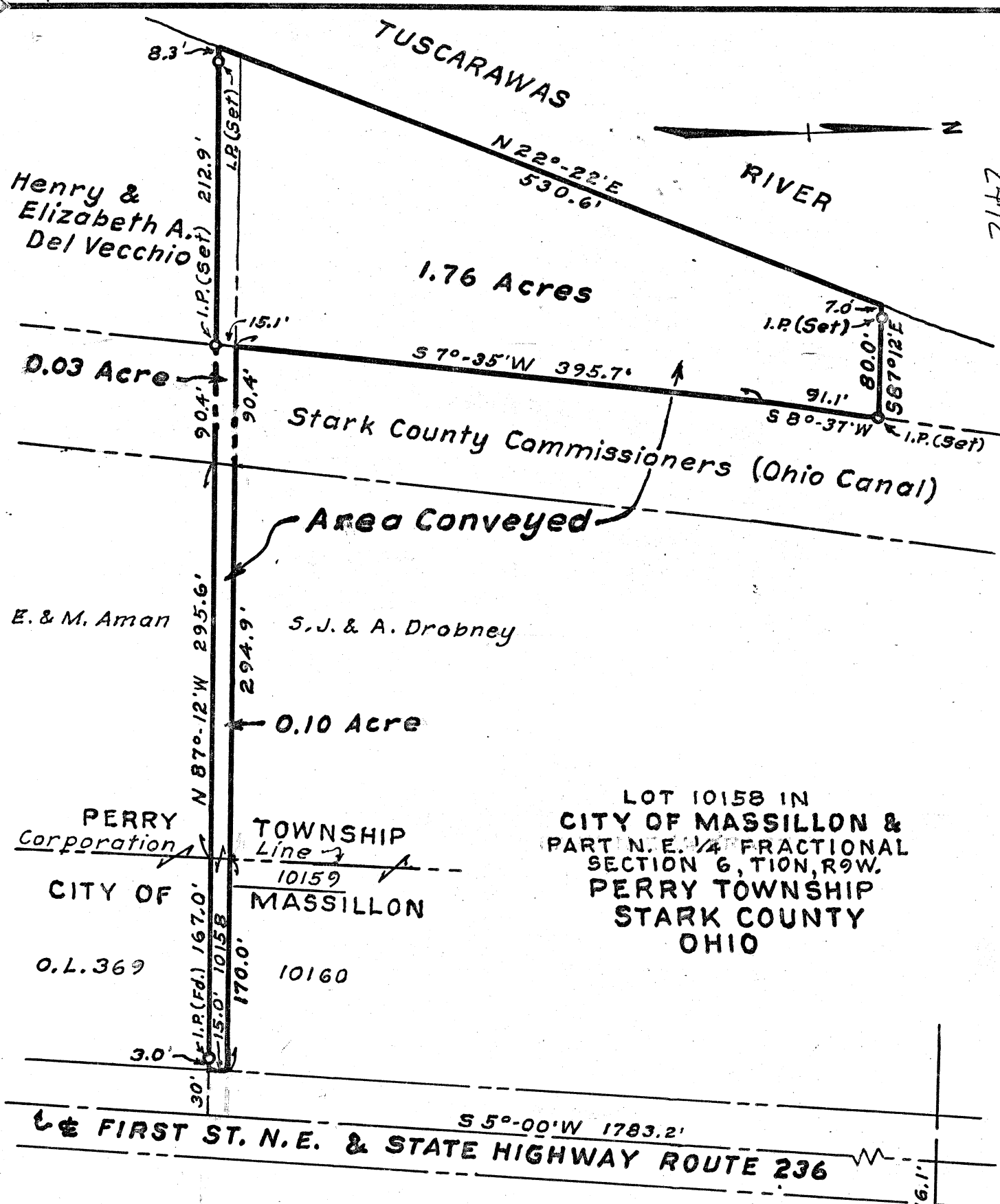


3472



PROPERTY MAP  
SHOWING AREA CONVEYED BY  
**HENRY & ELIZABETH A. DEL VECCHIO**  
TO  
**GARLAND F. & THERESE L. HEDRICK**  
Scale: 1 Inch = 100 Feet Dr. By: M. J. Ater Feb. 9, 1979.

2472



PROPERTY MAP  
SHOWING AREA CONVEYED BY  
**HENRY & ELIZABETH A. DEL VECCHIO**  
TO  
**GARLAND F. & THERESE L. HEDRICK**  
Scale: 1 Inch = 100 Feet Dr. By: *M. J. Ater* Aug. 7, 1973.

N. E. Corner of  
Frac. Section 6

## DEED DESCRIPTION

Del Vecchio to Hedrick

The following described premises situated in the City of Massillon and in the north east quarter of Fractional Section Six (6), Township Ten (10) North, Range Nine (9) West, Perry Township, Stark County, Ohio and being more particularly described as follows:

Beginning at a point on the west right-of-way of First Street N.E., inside City being also State Highway Route 236 located from the north east corner of said Section 6 by the following 3 courses, first along the north line of the Section westerly 716.1 feet to the centerline of Route 236, thence S 5°-00'W 1783.2 feet and thence N 87°-12'W 30 feet, thence from this point of beginning being also the South east corner of Lot 10158 in the City of Massillon along the south line of the Lot continuing N 87°-12'W 3 feet to an iron pin, thence continuing along said south line N 87°-12'W 167 feet to the west corporation line of the City, thence into Fractional Section 6 and Perry Township continuing N 87°-12'W 295.6 feet to the east line of the Ohio Canal, thence continuing across the Canal N 87°-12'W 90.4 feet to an iron pin on the west line of the Canal, thence continuing N 87°-12'W 212.9 feet to an iron pin and thence continuing N 87°-12'W 8.3 feet to the waters edge of the Tuscarawas River, thence along the easterly edge of the River N 22°-22'E 530.6 feet, thence S 87°-12'E 7 feet to an iron pin thence continuing S 87°-12'E 80 feet to an iron pin on the west Right-of-way line of the Ohio Canal, thence along said Right-of-way line S 8°-37'W 91.1 feet and thence continuing along said west Right-of-way line S 7°-35'W 395.7 feet to a point located N 7°-35'E 15.1 feet from the above described iron pin on said west Right-of-way line, thence S 87°-12'E 90.4 feet to the east Right-of-way line of the Canal, thence continuing S 87°-12'E 294.9 feet to the Corporation Line of the City, thence along the north line of said Lot 10158 continuing S 87°-12'E 170 feet to the west Right-of-way line of First Street and thence along said Right-of-way S 5°-00'W 15 feet to the point of beginning containing an area of 0.10 Acre east of the Canal, by claim of occupation 0.03 of an Acre in the Canal land and 1.76 Acres lying between the Tuscarawas River and the Canal.

The Grantor reserves the right to use for road purposes a 15 feet wide strip of land adjacent to and lying north of the South line of the above described parcel extending from the east bank of the Tuscarawas River through the Canal Lands, the above described 0.1 Acre tract and Lot 10158 to the west right-of-way line of First Street.

The land herein conveyed and upon which the road easment is reserved is a part of the same land conveyed to Henry and Elizabeth A Del Vecchio by Deed from Edith L. Casack dated July 18, 1955 and recorded in Volume 2354, Page 49 of the Deed records of Stark County, Ohio.

*Richard T. Kettler*  
**Attorney at Law**

SUITE 203  
AMHERST CENTRE OFFICE BUILDING  
452 LAKE AVENUE, N. E.  
MASSILLON, OHIO 44646

837-1003

July 18, 1978

Mr. M. J. Ater  
7969 Oakdale, N. W.  
Massillon, Ohio 44646

Dear Mr. Ater:

As you may already know, my office represents Mr. Henry Del Vecchio. Mr. Del Vecchio is attempting to consummate a land contract by selling some property to Mr. Garland F. Headrick. (See attached plat and description).

I believe that you did the survey for this property, and would appreciate discussing some facets of it with you. The County Engineer's Office refuses to approve the transfer, and you may be the only one who can answer some of the questions they have. If you would, please contact me at your earliest convenience in this regard.

Very truly yours,

*Rick Kettler*

Richard T. Kettler

RTK:med

C O N T I N U A T I O N

No. 41

CONTINUATION since July 12, 1955 to part of East Fractional Six (6), Township 10, Range 9, Stark County, Ohio, containing 6.20 acres of land, more or less; also Lot No. 10158 in the City of Massillon, Ohio; also part of East Fractional Six (6), Perry Township, Stark County, Ohio, containing 0.12 acre, more or less.

No. 42

Edith L. Casack, Executrix of the  
Last Will and Testament of  
William Casack, deceased,  
to

Henry Del Vecchio  
Elizabeth Ann Del Vecchio

EXECUTRIX' DEED  
S. & A. July 18, 1955  
R. f R. September 29, 1955  
Vol. 2357, Page 49

Conveys the following described premises and recites provisions of the will for sale by Executrix:

Tract 1 - Situated in the Township of Perry, County of Stark and State of Ohio, and known as and being a part of East Fractional Section Six (6), Township 10, Range 9, in said County of Stark and bounded as follows: Beginning at a stone on the east bank of the Tuscarawas River, which stone is situate 587 feet West of a point in Mill Street, 1287 feet South of the intersection of Mill Street and the Township line; thence Southerly following the meanderings of said river, 1170 feet more or less to a stone; thence South 88 degrees East 404 feet to the Ohio Canal; thence North 2° 45' East along said canal 1123 feet; thence North 88° West, 76 feet to the place of beginning, containing 6.20 acres of land, more or less, reserving therefrom all rights and privileges of the canal.

Tract 2 - Known as and being an undivided one-half interest in Lot No. 10158 in the City of Massillon, Stark County, Ohio, according to the present enumeration of the lots therein.

Tract 3 - Situated in the Township of Perry, County of Stark and State of Ohio, and known as and being an undivided one-half interest in a part of East Fractional Section 6, in said Township described as follows: Beginning at the Northwest corner of Lot No. 10158 in the City of Massillon, Ohio, and running thence Westwardly along the North line of said Lot No. 10158 extended to the point at which said North line extended intersects the East line of the Ohio Canal; thence Southwardly along the East line of the Ohio Canal, a distance of 15 feet more or less to a point at which the South line of said Lot No. 10158 extended intersects the East line of the Ohio Canal; thence Eastwardly, along the South line of Lot No. 10158 extended, to the Southwest corner of Lot No. 10158; thence Northwardly along the West line of Lot No. 10158, 15 feet to the place of beginning, containing 0.12 acre, more or less.

DEED DESCRIPTION

Del Vecchio to Hedrick

The following described premises situated in the City of Massillon and in the north east quarter of Fractional Section Six (6), Township Ten (10) North, Range Nine (9) West, Perry Township, Stark County, Ohio and being more particularly described as follows:

Beginning at a point on the west right-of-way of First Street N.E., insaid City being also State Highway Route 236 located from the north east corner of said Section 6 by the following 3 courses, first along the north line of the Section westerly 716.1 feet to the centerline of Route 236, thence S 5°-00'W 1783.2 feet and thence N 87°-12'W 30 feet, thence from this point of beginning being also the South east corner of Lot 10158 in the City of Massillon along the south line of the Lot continuing N 87°-12'W 3 feet to an iron pin, thence continuing along said south line N 87°-12'W 167 feet to the west corporation line of the City, thence into Fractional Section 6 and Perry Township continuing N 87°-12'W 295.6 feet to the east line of the Ohio Canal, thence continuing across the Canal N 87°-12'W 90.4 feet to an iron pin on the west line of the Canal, thence continuing N 87°-12'W 212.9 feet to an iron pin and thence continuing N 87°-12'W 8.3 feet to the waters edge of the Tuscarawas River, thence along the easterly edge of the River N 22°-22'E 530.6 feet, thence S 87°-12'E 7 feet to an iron pin thence continuing S 87°-12'E 80 feet to an iron pin on the west Right-of-way line of the Ohio Canal, thence along said Right-of-way line S 8°-37'W 91.1 feet and thence continuing along said west Right-of-way line S 7°-35'W 395.7 feet to a point located N 7°-35'E 15.1 feet from the above described iron pin on said west Right-of-way line, thence S 87°-12'E 90.4 feet to the east Right-of-way line of the Canal, thence continuing S 87°-12'E 294.9 feet to the Corporation Line of the City, thence along the north line of said Lot 10158 continuing S 87°-12'E 170 feet to the west Right-of-way line of First Street and thence along said Right-of-way S 5°-00'W 15 feet to the point of beginning containing an area of 0.10 Acre east of the Canal, by claim of occupation 0.03 of an Acre in the Canal land and 1.76 Acres lying between the Tuscarawas River and the Canal.

The Grantor reserves the right to use for road purposes a 15 feet wide strip of land adjacent to and lying north of the South line of the above described parcel extending from the east bank of the Tuscarawas River through the Canal Lands, the above described 0.1 Acre tract and Lot 10158 to the west right-of-way line of First Street.

The land herein conveyed and upon which the road easment is reserved is a part of the same land conveyed to Henry and Elizabeth A Del Vecchio by Deed from Edith L. Casack dated July 18, 1955 and recorded in Volume 2354, Page 49 of the Deed records of Stark County, Ohio.

# DEED DESCRIPTION

Del Vecchio to Hendrick

The following described premises situated in the City of Massillon and the north east quarter of Fractional Section 6, T10N, R9W, Perry Township, Stark County, Ohio. and being more particularly described as follows:

First Parcel

Being Lot <sup>number</sup> 10158 in said City of Massillon.

Second Parcel

Being in <sup>the</sup> north east quarter of said section 6, Perry Township and described as follows:

Beginning at a point on the west corporation line of the City of Massillon located from the north east corner of Section 6 by the following four courses, first along the north line of the section Westerly 716.1 feet to the centerline of Route 236, thence  $S 5^{\circ}00'W$  1783.2 feet and thence  $N 87^{\circ}12'W$  30.0 feet to the south east corner of lot 10158 and thence continuing  $N 87^{\circ}12'W$  170 feet, thence from this point of beginning continuing  $N 87^{\circ}12'W$  295.6 feet to the east line of the Ohio Canal, thence along the east line of the Canal  $N 7^{\circ}35'E$  15.1 feet to an iron pin, thence  $S 87^{\circ}12'E$  294.9 feet to the north west corner of said lot 10158 and thence along the west line of the lot  $S 5^{\circ}00'W$  15 feet to the point of beginning containing an area of 0.10 of an Acre.

(Over)

### Third Parcel

Being a part of the northeast quarter of said Fractional Section 6, Perry Township and described as follows:

Beginning at an iron pin on the west line of the Ohio Canal located from the north east corner of said Section 6 by the following 3 courses, first along the north line of the Section Westerly 716.1 feet to the centerline of State Route 236, thence along the Route centerline  $S 5^{\circ}-00'W$  1783.2 feet and thence  $N 87^{\circ}-12'W$  586.0 feet, thence from this point of beginning continuing  $N 87^{\circ}-12'W$  212.9 feet to an iron pin and thence continuing  $N 87^{\circ}-12'W$  8.3 feet to the waters edge of the Tuscarawas River, thence along the easterly edge of the River  $N 22^{\circ}-22'E$  530.6 feet, thence  $S 87^{\circ}-12'E$  7 feet to an iron pin, thence continuing  $S 87^{\circ}-12'E$  80 feet to an iron pin on the west Right-of-Way line of the Ohio Canal, thence along said Right-of-Way line  $S 8^{\circ}-37'W$  91.1 feet and thence continuing along the west Right-of-Way <sup>line</sup>  $S 7^{\circ}-35'W$  410.8 feet to the point of beginning containing an area of 1.76 Acres <sup>subject to all legal highways</sup> together with a Permit to build and maintain a bridge across the Ohio and Erie Canal between stations 1333+86.42 and station 1334+01.51 in the transit line of the W.J. Slavin Survey of said canal property with reference to Plat No. 49 of the W.J. Slavin Survey, now on file in the office of the Department of Public Works at Columbus, Ohio.



The land herein conveyed is a part of the same land conveyed to Henry and Elizabeth A. Del Vecchio by deed from Edith L. Casack July 18, 1955 and recorded in Volume 2354, Page 49 and <sup>the</sup> record of bridge construction Permit from the Ohio State Department of Public Works to the Stark County Board of County Commissioners by a Governor's Deed <sup>is</sup> Recorded in Volume 3038, Page 472 of the Deed Records of Stark County, Ohio.

RICHARD T. KETTLER  
*Attorney at Law*  
SUITE 203  
AMHERST CENTRE OFFICE BUILDING  
452 LAKE AVENUE, N. E.  
MASSILLON, OHIO 44646  
837-1003

February 13, 1979

Mr. M. J. Ater  
122 Hillside Park  
123 South Haines  
Clearwater, Florida 33519

Re: Del Vecchio to Hedrick conveyance

Dear Mr. Ater:

Thank you for your prompt response to my request for a corrected description on the captioned matter.

I am fearful, however, that I will have to request yet again another change. As I understand the directions from Mr. Krash, Stark County Prosecutor, mention should be made in this description of the area to the East of the 1.76 acres which is being conveyed by Mr. Del Vecchio. In other words, the 0.03 acre, the 0.10 acre, and Lot No. 10158 should all be mentioned in the amended description. The 0.10 acre and said Lot No. can, I believe, be described as they were in your original tract. The 0.03 acre property owned by the commissioners should, I believe, be mentioned in terms of that bridge easement made mention of in my earlier letter.

The only matter which should be deleted entirely from the description is the ingress and egress agreement Mr. Del Vecchio had planned to retain. I would have to agree that the end result will be two pieces of property separated by that 0.03 acres which is really in "limbo".

Again, I appreciate the problems of dealing with this matter by mail, and would be happy to accept the charges for a telephone call from Florida if you believe such a call would be advantageous. In any event, I shall look forward to hearing from you in this regard.

Very truly yours,



Richard T. Kettler

RTK:mmk  
cc: Mr. Hank Del Vecchio



## DEED DESCRIPTION

Del Vecchio to Hendrick

The following described premises situated in the City of Massillon and the north east quarter of fractional Section 6, T 10 N, R9W, Perry Township, Stark County, Ohio and being more particularly described as follows:

### First Parcel

Being Lot Number 10158 in said City of Massillon.

### Second Parcel

Being in the north east quarter of said Section 6, Perry Township and described as follows:

Beginning at a point on the west corporation line of the City of Massillon located from the north east corner of Section 6 by the following four courses, first along the north line of the section westerly 716.1 feet to the centerline of Route 236, then S 5° - 00' W 1783.2 feet and thence N 87° - 12' W 30 feet to the south east corner of lot 10158 and thence continuing N 87° - 12' W 170 feet, thence from this point of beginning continuing N 87° - 12' W 295.6 feet to the east line of the Ohio Canal, thence along the east line of the Canal N 7° - 35' E 15.1 feet to an iron pin, thence S 87° - 12' E 294.9 feet to the north west corner of said lot 10158 and thence along the west line of the lot S 5° - 00' W 15 feet to the point of beginning containing an area of 0.10 of an Acre.

### Third Parcel

Being a part of the northeast quarter of said fractional Section 6, Perry Township and described as follows:

Beginning at an iron pin on the west line of the Ohio Canal located from the north east corner of said Section 6 by the following 3 courses, first along the north line of the Section westerly 716.1 feet to the centerline of State Route 236, thence along the Route centerline S 5° - 00' W 1783.2 feet and thence N 87° - 12' W 586.0 feet, thence from this point of beginning continuing N 87° - 12' W 212.9 feet to an iron pin and thence continuing N 87° - 12' W 8.3 feet to the waters edge of the Tuscarawas River, thence along the easterly edge of the river N 22° - 22' E 530.6 feet, thence S 87° - 12' E 7 feet to an iron pin, thence continuing S 87° - 12' E 80 feet to an iron pin on the west Right-of-Way line of the Ohio Canal, thence along said Right-of-Way line S 8° - 37' W 91.1 feet and thence continuing along the west Right-of-Way line S 7° - 35' W 410.8 feet to the point of beginning containing an area of 1.76 Acres subject to all legal highways together with a Permit to build and maintain a bridge across the Ohio and Erie Canal between station 1333+86.42 and station 1334+01.51 in the transit line of the W. J. Slavin Survey of said canal property with reference to Plat No. 49 of the W. J. Slavin Survey, now on file in the office of the Department of Public Works at Columbus, Ohio.

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*Richard T. Kettler*  
**Attorney at Law**  
SUITE 203  
AMHERST CENTRE OFFICE BUILDING  
452 LAKE AVENUE, N. E.  
MASSILLON, OHIO 44646  
837-1003

July 18, 1978

Mr. M. J. Ater  
7969 Oakdale, N. W.  
Massillon, Ohio 44646

Dear Mr. Ater:

As you may already know, my office represents Mr. Henry Del Vecchio. Mr. Del Vecchio is attempting to consummate a land contract by selling some property to Mr. Garland F. Headrick. (See attached plat and description).

I believe that you did the survey for this property, and would appreciate discussing some facets of it with you. The County Engineer's Office refuses to approve the transfer, and you may be the only one who can answer some of the questions they have. If you would, please contact me at your earliest convenience in this regard.

Very truly yours,



Richard T. Kettler

RTK:med

DEED DESCRIPTION

Del Vecchio to Hedrick

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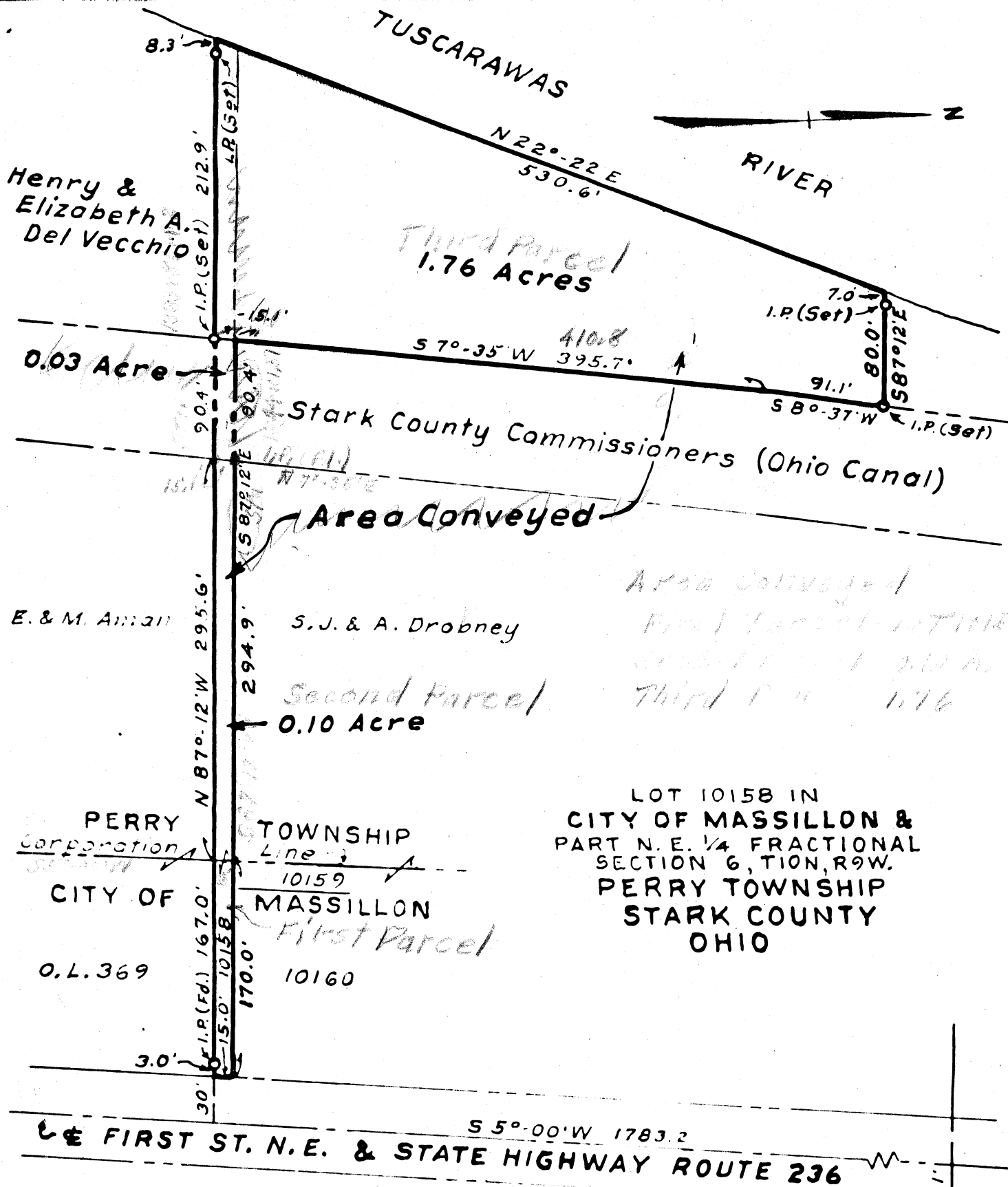
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The Grantor reserves the right to use for road purposes a 15 feet wide strip of land adjacent to and lying north of the South line of the above described parcel extending from the east bank of the Tuscarawas River through the Canal Lands, the above described 0.1 Acre tract and Lot 10158 to the west right-of-way line of First Street.

The land herein conveyed and upon which the road easment is reserved is a part of the same land conveyed to Henry and Elizabeth A Del Vecchio by Deed from Edith L. Casack dated July 18, 1955 and recorded in Volume 2354, Page 49 of the Deed records of Stark County, Ohio.

30  
16.7  
295.6  
90.4  
586.0

395.7  
15.1  
410.8



PROPERTY MAP  
SHOWING AREA CONVEYED BY  
**HENRY & ELIZABETH A. DEL VECCHIO**  
TO  
**GARLAND F. & THERESE L. HEDRICK**

Scale: 1 inch = 100 Feet. Dr. Bu. M. & alter Aug 7 1973



## DEED DESCRIPTION

Del Vecchio to Hedrick

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Beginning at a point on the west right-of-way of First Street N.E., insaid City being also State Highway Route 236 located from the north east corner of said Section 6 by the following 3 courses, first along the north line of the Section westerly 716.1 feet to the centerline of Route 236, thence S 5°-00'W 1783.2 feet and thence N 87°-12'W 30 feet, thence from this point of beginning being also the South east corner of Lot 10158 in the City of Massillon along the south line of the Lot continuing N 87°-12'W 3 feet to an iron pin, thence continuing along said south line N 87°-12'W 167 feet to the west corporation line of the City, thence into Fractional Section 6 and Perry Township continuing N 87°-12'W 295.6 feet to the east line of the Ohio Canal, thence continuing across the Canal N 87°-12'W 90.4 feet to an iron pin on the west line of the Canal, thence continuing N 87°-12'W 212.9 feet to an iron pin and thence continuing N 87°-12'W 8.3 feet to the waters edge of the Tuscarawas River, thence along the easterly edge of the River N 22°-22'E 530.6 feet, thence S 87°-12'E 7 feet to an iron pin thence continuing S 87°-12'E 80 feet to an iron pin on the west Right-of-way line of the Ohio Canal, thence along said Right-of-way line S 8°-37'W 91.1 feet and thence continuing along said west Right-of-way line S 7°-35'W 395.7 feet to a point located N 7°-35'E 15.1 feet from the above described iron pin on said west Right-of-way line, thence S 87°-12'E 90.4 feet to the east Right-of-way line of the Canal, thence continuing S 87°-12'E 294.9 feet to the Corporation Line of the City, thence along the north line of said Lot 10158 continuing S 87°-12'E 170 feet to the west Right-of-way line of First Street and thence along said Right-of-way S 5°-00'W 15 feet to the point of beginning containing an area of 0.10 Acre east of the Canal, by claim of occupation 0.03 of an Acre in the Canal land and 1.76 Acres lying between the Tuscarawas River and the Canal. ←

The Grantor reserves the right to use for road purposes a 15 feet wide strip of land adjacent to and lying north of the South line of the above described parcel extending from the east bank of the Tuscarawas River through the Canal Lands, the above described 0.1 Acre tract and Lot 10158 to the west right-of-way line of First Street. } ACCESS EASEMENT

The land herein conveyed and upon which the road easment is reserved is a part of the same land conveyed to Henry and Elizabeth A Del Vecchio by Deed from Edith L. Casack dated July 18, 1955 and recorded in Volume 2354, Page 49 of the Deed records of Stark County, Ohio.

TUSCARAWAS

N 22°-22' E  
530.6'

RIVER

1.76 Acres

7.0' I.P.(Set)  
80.0' S 87°12' E  
91.1' I.P.(Set)

S 70°-35' W 395.7'

S 80°-37' W

Stark County Commissioners (Ohio Canal)

Area Conveyed

Henry &  
Elizabeth A.  
Del Vecchio

0.03 Acre

E. & M. Amari

S. J. & A. Drooney

0.10 Acre

LOT 10158 IN  
CITY OF MASSILLON &  
PART N.E. 1/4 FRACTIONAL  
SECTION 6, T10N, R9W.  
PERRY TOWNSHIP  
STARK COUNTY  
OHIO

PERRY  
Corporation  
CITY OF  
TOWNSHIP  
Line  
10159  
MASSILLON

O.L. 369

10160

1st FIRST ST. N.E. & STATE HIGHWAY ROUTE 236

S 5°-00' W 1783.2

PROPERTY MAP  
SHOWING AREA CONVEYED BY

N. E. Corner of  
Frac. Section 6

HENRY & ELIZABETH A. DEL VECCHIO  
TO  
GARLAND F. & THERESE L. HEDRICK

Scale: 1 Inch = 100 Feet Dr. By: M. J. Allen Aug. 7, 1973.

C O N T I N U A T I O N

No. 41

CONTINUATION since July 12, 1955 to part of East Fractional Six (6), Township 10, Range 9, Stark County, Ohio, containing 6.20 acres of land, more or less; also Lot No. 10158 in the City of Massillon, Ohio; also part of East Fractional Six (6), Perry Township, Stark County, Ohio, containing 0.12 acre, more or less.

No. 42

Edith L. Casack, Executrix of the  
Last Will and Testament of  
William Casack, deceased,  
to  
Henry Del Vecchio  
Elizabeth Ann Del Vecchio

EXECUTRIX' DEED  
S. & A. July 18, 1955  
R. f R. September 29, 1955  
Vol. 2357, Page 49

Conveys the following described premises and recites provisions of the will for sale by Executrix:

Tract 1 - Situated in the Township of Perry, County of Stark and State of Ohio, and known as and being a part of East Fractional Section Six (6), Township 10, Range 9, in said County of Stark and bounded as follows: Beginning at a stone on the east bank of the Tuscarawas River, which stone is situate 587 feet West of a point in Mill Street, 1287 feet South of the intersection of Mill Street and the Township line; thence Southerly following the meanderings of said river, 1170 feet more or less to a stone; thence South 88 degrees East 404 feet to the Ohio Canal; thence North 2° 45' East along said canal 1123 feet; thence North 88° West, 76 feet to the place of beginning, containing 6.20 acres of land, more or less, reserving therefrom all rights and privileges of the canal.

Tract 2 - Known as and being an undivided one-half interest in Lot No. 10158 in the City of Massillon, Stark County, Ohio, according to the present enumeration of the lots therein.

Tract 3 - Situated in the Township of Perry, County of Stark and State of Ohio, and known as and being an undivided one-half interest in a part of East Fractional Section 6, in said Township described as follows: Beginning at the Northwest corner of Lot No. 10158 in the City of Massillon, Ohio, and running thence Westwardly along the North line of said Lot No. 10158 extended to the point at which said North line extended intersects the East line of the Ohio Canal; thence Southwardly along the East line of the Ohio Canal, a distance of 15 feet more or less to a point at which the South line of said Lot No. 10158 extended intersects the East line of the Ohio Canal; thence Eastwardly, along the South line of Lot No. 10158 extended, to the Southwest corner of Lot No. 10158; thence Northwardly along the West line of Lot No. 10158, 15 feet to the place of beginning, containing 0.12 acre, more or less.

STATE OF OHIO  
DEPARTMENT OF PUBLIC WORKS

# PERMIT

Issued to Henry Del Vecchio & Eliz. Ann Del Vecchio of Massillon, Ohio

by the Superintendent of Public Works of Ohio on the 7<sup>th</sup> day of

Sept., 1955.

Authority and permission is hereby granted to Henry and Elisabeth Ann Del Vecchio, Massillon, Ohio, to construct and maintain a bridge over and across the Ohio and Erie Canal, being located between Station 1333/86.42 and Station 1334/01.51 in the transit line of the W. J. Slavin Survey of said canal property.

Reference is hereby made to Plat No. 49 of the W. J. Slavin Survey, now on file in the office of the Department of Public Works at Columbus, Ohio.

THIS PERMIT IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS & RESTRICTIONS:

1. This permit is granted subject to the rights of the Division of Wildlife, Department of Natural Resources to operate and maintain this portion of said canal property for fish proproagation and recreational purposes.
2. This permit is granted with the understanding that the grantees herein named, their successors or assigns, shall indemnify and save harmless the state of Ohio, or any of its authorized representatives from all damages and claims arising out of any act, omission or neglect on their part or on the part of any of their agents during the period of continued operation and maintenance of the structure herein authorized.
3. This permit is granted for an indefinite period, subject, however, to cancellation by the Director of Public Works on ninety (90) days notice, at such time as the property herein described is required for any state or federal purpose.
4. It further agreed and understood that in the event this permit is cancelled in accordance with the provisions of the prece ding paragraph, the grantees, their successors or assigns shall remove said structure prior to the end of the 90 day notification period.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the Department of Public Works of Ohio, the day and date first above written.

State of Ohio  
Department of Public Works  
Zoyd M. Flaler

  
Director *LMB*

ACCEPTANCE

## DEED DESCRIPTION

DeI Vecchio to Hedrick

The following described premises situated in the Township of Perry, County of Stark, State of Ohio and known as:

Being a part of the north east quarter of Fractional Section 6, T 10 N, R 9 W and being more particularly described as follows:

Beginning at an iron pin on the west line of the Ohio Canal located from the north east corner of said Section 6 by the following 3 courses, first along the north line of the Section westerly 716.1 feet to the centerline of Route 236, thence S  $5^{\circ}$  - 00' W 1783.2 feet and thence N  $87^{\circ}$  - 12' W 586.0 feet, thence from this point of beginning continuing N  $87^{\circ}$  - 12' W 212.9 feet to an iron pin thence continuing N  $87^{\circ}$  - 12' W 8.3 feet to the waters edge of the Tuscarawas River, thence along the easterly edge of the River N  $22^{\circ}$  - 22' E 530.6 feet, thence S  $87^{\circ}$  - 12' E 7 feet to an iron pin, thence continuing S  $87^{\circ}$  - 12' E 80 feet to an iron pin on the west Right-of-Way line of the Ohio Canal, thence along said west Right-of-way line the following 2 courses, first S  $8^{\circ}$  - 37' W 91.1 feet and thence S  $7^{\circ}$  - 35' W 410.8 feet to the point of beginning containing an area of 1.76 Acres subject to all legal highways.

The land herein conveyed is a part of the same land conveyed to Henry and Elizabeth A. DeI Vecchio by Deed from Edith L. Casack dated July 18, 1955 and recorded in Volume 2354, Page 49 of the Deed records of Stark County, Ohio.

RICHARD T. KETTLER  
*Attorney at Law*  
SUITE 203  
AMHERST CENTRE OFFICE BUILDING  
452 LAKE AVENUE, N. E.  
MASSILLON, OHIO 44646  
216-837-1003

January 30, 1979

Mr. M. J. Ater  
122 Hillside Park  
123 S. Haines Road  
Clearwater, Florida 33519

Re: Del Vecchio to Hedrick  
Legal Description

Dear Mr. Ater:

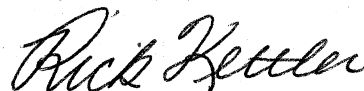
Enclosed on the captioned matter are copies of the original legal description and the grant from the State of Ohio to Mr. Del Vecchio to erect a bridge on the 0.03 acre of county land in question.

Based on my numerous discussions with Mr. Allan Krash of the Stark County Prosecutor's Office, it is my understanding that the desired conveyance can be made if the following changes are made. First, the reference to the access easement to Mr. Del Vecchio should be deleted entirely. This violates the County's rules of conveyance and can be legally effected by a separate instrument between the parties after the deed is approved.

Second, the reference to the 0.03 acre as Mr. Del Vecchio's "by occupation" should also be deleted. In its place reference should be made to the enclosed Permit from the Ohio Department of Public Works. As you know, the State no longer owns this canal property, in that it was deeded to the Board of County Commissioners by a Governors' Deed as recorded in Volume 3038, Page 472 of the Stark County Records. This conveyance of land in Sections 30 and 31 of Jackson Township and Section 6 in Perry Township was made "subject to any existing grants, leases, easements and other interests heretofore granted in the property described herein." I assume that some reference to this assignment which provided for permits such as the Del Vecchio's would also be in order.

Again, thank you for your cooperation, and please advise if you will need any further information. Hopefully a description including the above changes will satisfy everyone concerned.

Very truly yours,



Richard T. Kettler

*County*

RTK:ecr  
Enclosures

RICHARD T. KETTLER  
*Attorney at Law*  
SUITE 203  
AMHERST CENTRE OFFICE BUILDING  
452 LAKE AVENUE, N. E.  
MASSILLON, OHIO 44646  
887-1003  
February 26, 1979

Mrs. Walter Manley  
5331 Bayview Drive N.W.  
North Canton, Ohio

Dear Mrs. Manley:

Enclosed please find a legal description from your father, Mr. Ater. Before recording this particular description, it must bear your father's surveyor stamp. I had, therefor, sent a copy to him in Florida, but he advised that his stamp is in your possession and that you would apply it to this description.

If you would, please affix this stamp to the two enclosed copies and return them to my office in the envelope provided for that purpose. Thanks again for your cooperation in these matters.

Very truly yours,

A handwritten signature in cursive script that reads "Rick Kettler".

Richard T. Kettler

RTK:mmk  
Enclosure

RICHARD T. KETTLER  
*Attorney at Law*  
SUITE 203  
AMHERST CENTRE OFFICE BUILDING  
452 LAKE AVENUE, N. E.  
MASSILLON, OHIO 44646

837-1008

January 22, 1979

Mr. M. J. Ater  
122 Hillside Park  
123 South Haines  
Clearwater, Florida

Dear Mr. Ater:

The Regional Planning Commission has officially rejected the conveyance Mr. Hank Del Vecchio wishes to make to Mr. Garland Hedrick.

I believe that the dilemma can be resolved, however, by making two corrections to the proposed legal description. These corrections would omit the references to the .03 acre of County land and the easement for ingress and egress being retained by Mr. Del Vecchio.

Please advise as soon as possible if you are able to make such changes, or if I will need to retain a local surveyor. A return envelope has been enclosed for your convenience.

Very truly yours,



Richard T. Kettler

RTK:ecr  
Enclosure