

**ORIGINAL NOTICE OF COMMENCEMENT
FOR A PUBLIC IMPROVEMENT
SECTION 1311.252 OF THE
OHIO REVISED CODE**

The undersigned, being first duly sworn according to law, states the following:

(1) **LEGAL DESCRIPTION.** The legal description of the real estate on which the improvement is to be made (the "Property") is attached hereto and made a part hereof as Exhibit A.

(2) **IMPROVEMENT.** The nature of improvement to be performed upon the Property is as follows: Downtown Cleveland Convention Center Hotel Project. The project includes approximately 654 bays and 600 guestrooms, and approximately 26 stories.

(3) **CONTRACTING PARTY.** The name, address and capacity of the public authority contracting for the improvement is as follows: County of Cuyahoga, Ohio, Office of County Executive, 1219 Ontario Street, 4th Floor, Cleveland, Ohio 44113, in its capacity as owner of the Property.

(4) **OWNER.** Same as Contracting Party.

(5) **DESIGNEE.** Name and Address of the Contracting Party's representative to whom an Affidavit pursuant to O.R.C. 1311.26 is to be served: Gregory G. Huth, Assistant Prosecuting Attorney, Cuyahoga County Prosecutor's Office, 1200 Ontario Street, 8th floor, Cleveland, OH 44113.

(6) **ORIGINAL CONTRACTORS.** The names and addresses of all original contractors and construction managers are as follows:

Turner / Ozanne / VAA A Joint Venture, 1422 Euclid Avenue, Suite 1400, Cleveland, OH 44115. Trade: Design-Builder.

(7) **DATE OF CONTRACT.** The date the Contracting Party first executed a contract with an original contractor for the improvement is November 13, 2013.

(8) **LENDING INSTITUTIONS.** The names and addresses of all lending institutions, if any, which provide financing for the improvement to the Property are: **None.**

(9) **SURETIES**. The names and addresses of all sureties, if any, on any bonds which guarantee payment of the original contractor(s)'s obligations under the contract for the improvement are:

None.

(10) **NOTICE**.

"To Lien Claimants and Subsequent Purchasers:

Take notice that labor or work is about to begin on or materials are about to be furnished for an improvement to the real property described in this instrument. A person having a mechanic's lien may preserve the lien by providing a notice of furnishing to the above-named designee and his original contractor, if any, and by timely recording any affidavit pursuant to Section 1311.06 of the Revised Code.

A copy of this notice may be obtained upon making a written request by certified mail to the above-named owner, part owner, lessee, designee or the person with whom you have contracted."

(11) **PREPARED BY**. The name and address of the person who prepared this notice is Heather A. Bartzi, Thompson Hine LLP, 3900 Key Center, 127 Public Square, Cleveland, OH 44114-1291.

The information provided in the foregoing Notice is true and accurate.

THE COUNTY OF CUYAHOGA, OHIO

By: *Bonita G. Teeuwen*
Bonita G. Teeuwen, Director
Department of Public Works

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

MARCH
of ~~February~~, 2014.

SWORN TO BEFORE ME and subscribed in my presence, this 5th day

Frederick W. Whatley
Notary Public

Commission Expiration Date: None

FREDERICK W. WHATLEY, Attorney at Law
Notary Public, State of Ohio
My commission has no expiration date.
Section 147.03 O.R.C.

EXHIBIT A

Legal Description

See the attached 3-page description prepared by Neff & Associates.



Engineering • Land Use • Structures • E. Easements • Surveying

Legal Description
Hotel Parcel
November 5, 2013
File No. 13258E-LD001
Page 1 of 1

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being all of Parcel "C" and part of Parcel "D" in the Plat of Survey, Consolidation and Partition for The County of Cuyahoga, Ohio of part of Original Two Acre Lots, Nos. 37, 38 and 39 as shown by the recorded plat in Volume 365 of Maps, Page 02 of Cuyahoga County Records and is further bounded and described as follows:

Beginning at the intersection of the Northeasterly right of way line of Ontario Street (99 feet wide) with the Southeasterly right of way line of Lakeside Avenue N.E. (99 feet wide), the same being the Northwesterly corner of said Parcel "C";

Course 1 Thence North $55^{\circ}-52'-41''$ East, along said Southeasterly right of way line of Lakeside Avenue N.E., a distance of 348.26 feet to a point distant 75.00 feet Northeasterly measured along said Southeasterly right of way line from the Northeasterly corner of said Parcel "C";

Course 2 Thence South $34^{\circ}-17'-38''$ East, parallel with the Northeasterly line of said Parcel "C", a distance of 307.65 feet to the intersection with the Northeasterly prolongation of the Southeasterly line thereof;

Course 3 Thence South $55^{\circ}-42'-22''$ West, along said Northeasterly prolongation and Southeasterly line thereof, a distance of 349.56 feet to the Southeasterly corner of said Parcel "C" and the aforesaid Northeasterly right of way line of Ontario Street;

Course 4 Thence North $34^{\circ}-03'-06''$ West, along said Northeasterly right of way line of Ontario Street, a distance of 308.70 feet to the place of beginning and containing 2.4684 Acres (107,525 Square Feet) of land.

Be the same more or less, but subject to all legal highways and easements of record.



