



DEPARTMENT OF THE ARMY
U. S. ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
P. O. BOX 59
LOUISVILLE KY 40201-0059

February 9, 2024

Real Estate Division

Via Certified Mail with Return Receipt

Pioneer Joint Vocational District Board of Education
ATTN: Greg Nickoli, Superintendent
27 Ryan Rd.
Shelby, OH 44875

Dear Mr. Nickoli:

The U.S. Army Corps of Engineers (USACE) has identified the property you own at 27 Ryan Road, Shelby, OH as located on the former Wilkins Air Force Station as depicted in red on the attached map. The Formerly Used Defense Sites (FUDS) Program was established to identify and remedy properties such as yours, where past Department of Defense (DoD) activities may have contributed to a release. Past DoD activities may have contributed to a contaminated condition that could present a risk to human health and/or the environment. The USACE is seeking access to respond to the condition of your property in accordance with applicable laws and regulations. General information on the FUDS program is also available at <http://www.fuds.mil>.

We request your permission to enter the property for a period sufficient to complete the necessary work as described in the attached Right-of-Entry agreement, generally anticipated to be between March 1, 2024 and February 28, 2029 to determine if any Defense Environmental Restoration Program (DERP) eligible Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) contamination for execution by the FUDS Program is present on your property. This may involve making a visual inspection of the property, surveying it with a metal detector or other instrument and collecting soil and/or water samples. At this time, we are not able to specify the exact dates for performing work due to the unpredictable nature of the weather and other factors. However, we will notify you at least 7 days prior to commencing on-site activities. If you decide to grant permission, please sign and return the enclosed Right-of-Entry form and Certificate of Authority (COA) form in the envelope provided.

After performing this work, we will advise you of our findings. We will also discuss with you the next steps in the process for addressing any hazards that may be present as a result of DoD's former use of the property and seek your additional permission before proceeding with any further action that may be required on the property.

RECEIVED

FEB 20 2024

PIONEER

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If you have any questions regarding this request or would like further information, please contact Hannah Bowman, Realty Assistant, at 502-315-6388 or via e-mail at Hannah.r.bowman@usace.army.mil.

Sincerely,

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.L.1230573251

Digitally signed by
DAVIS.NANCY.L.1230573251
Date: 2024.02.09 09:45:36
+05'00'

Nancy L. Davis

Deputy Chief, Real Estate Division
Real Estate Contracting Officer

Enclosures:

Right-of-Entry

Property Map

Certificate of Authority

DEPARTMENT OF THE ARMY
RIGHT-OF-ENTRY FOR FORMERLY USED DEFENSE SITES PROGRAM

Wilkins Air Force Station

Richland County, Ohio Parcel ID: 0368150010000

(Name of Formerly Used Defense Site)

(Tract Number or Other Property Identifier)

The undersigned hereby grant[s] to the Department of the Army, its employees, contractors, and subcontractors a Right-of-Entry on the property located in the city of Shelby, County of Richland, State of Ohio, and described as:

Former Wilkins Air Force Station. Street address of 27 Ryan Rd., Shelby, OH 44875. Legal description as described in Deed Book 573, Pages 206-215, in the Richland County Court Clerk's Office, as below:

All that certain tract of unimproved land, formerly a portion of the Wilkins Air Force Station, containing 43 acres of land more or less, Situate in the Township of Plymouth, County of Richland, and State of Ohio, and being a part of the Southwest quarter of Section 32 and a part of the Southeast quarter of Section 31 in Township 23 of Range 19 and more particularly described as follows:

Commencing at a copper rod at the Northwest corner of the Southwest quarter of Section 32 in the center of London West Road (C.H. 58); thence due East along the centerline of said road and the North line of the Southwest quarter of said Section a distance of 547.55 feet to a copper rod; thence continuing due East a distance of 1604.59 feet to a concrete monument; thence South 82° 45' West a distance of 723.70 feet to a copper rod in the center line of proposed Curtis Drive; thence South 2° 48' East for a distance of one hundred fifty (150) feet to the true place of beginning; thence South 2° 48' East along the center line of proposed Curtis Drive for a distance of 482.89 feet to a copper rod at the intersection of proposed Ryan Road for a distance of 3316.79 feet to an iron pipe on the West line of the Southeast quarter of Section 31; thence North 0° 26' West along the West line of the Southeast quarter of said Section 31 a distance of 645.53 feet to an iron pipe, thence North 87° 15' East a distance of 1000.3 feet to an iron pipe, thence South 2° 47' 50" East for a distance of 52.64 feet to a point, thence North 87° 15' East on a line to a point in the center line of Consolidated Drive - 60, thence south along the center of Consolidated Drive for a distance of one hundred fifty (150) feet thence east on a line to the true place of beginning.

1. This Right-of-Entry is granted upon the following terms and conditions:

This Right-of Entry may be exercised only for the purposes of:

Investigation of the property for chemical contamination, containerized regulated substances, or Munitions or Explosives of Concern, which may involve soil sampling, excavation activities,

ROE NO. DACA27-9-24-182
WILKINS AIRFORCE STATION

installation of groundwater monitoring wells, geophysical surveys and clearance of surface vegetation.

All proposed activities will be coordinated with the Owner seven (7) days prior to start of work.

2. This Right-of-Entry may be exercised at any time after March 1, 2024 and is anticipated to end on or around February 28, 2029 but may be exercised until the work described above is complete.

3. This Right-of-Entry does not grant any right to enter into any structure or building located on the property described above.

4. If any action of the Government's employees or agents in the exercise of this Right-of-Entry results in damage to the real property, the Government will, in its sole discretion, either repair such damage or make an appropriate settlement with the Owner. In no event shall such repair or settlement exceed the fair market value of the fee title to the real property at the time immediately preceding such damage. The Government's liability under this clause is subject to the availability of appropriations for such payment, and nothing contained in this agreement may be considered as implying that Congress will at a later date appropriate funds sufficient to meet deficiencies. The provisions of this clause are without prejudice to any rights the Owner may have to make a claim under applicable laws for any damages other than those provided for herein.

5. This Right-of-Entry may be revoked in writing by the undersigned upon no less than thirty (30) days prior notice delivered to the Department of the Army at:

U.S. ARMY ENGINEER DISTRICT
LOUISVILLE CORPS OF ENGINEERS
P.O. BOX 59 RE-M-Bowman
LOUISVILLE, KY 40201-0059

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WILKINS AIRFORCE STATION

If the undersigned attempts to terminate or revoke this Right-of-Entry before the end of the period provided in paragraph 2, above, without the required notice period stated in this paragraph, the Government will be entitled to recover from the undersigned all damages incurred as a result of the early termination of access to the property, including all contractor costs and any other expenses of the Government incurred because of the unanticipated early termination.

Dated this ____ day of _____ 2024.

Owner Signature

Owner Signature

Typed or printed name

Typed or printed name

Title

Title

UNITED STATES OF AMERICA

By:

Nancy L. Davis
Real Estate Contracting Officer
Deputy Chief, Real Estate Division

ROE NO. DACA27-9-24-182
(Wilkins Air Force Station)

CERTIFICATE OF AUTHORITY

I, _____ certify that I am the _____
(Name of clerk or appropriate official) (Title)

of the _____ that _____,
(Name of Organization) (Name of Officer Signing Agreement)

who signed the foregoing instrument on behalf of the grantee, was then

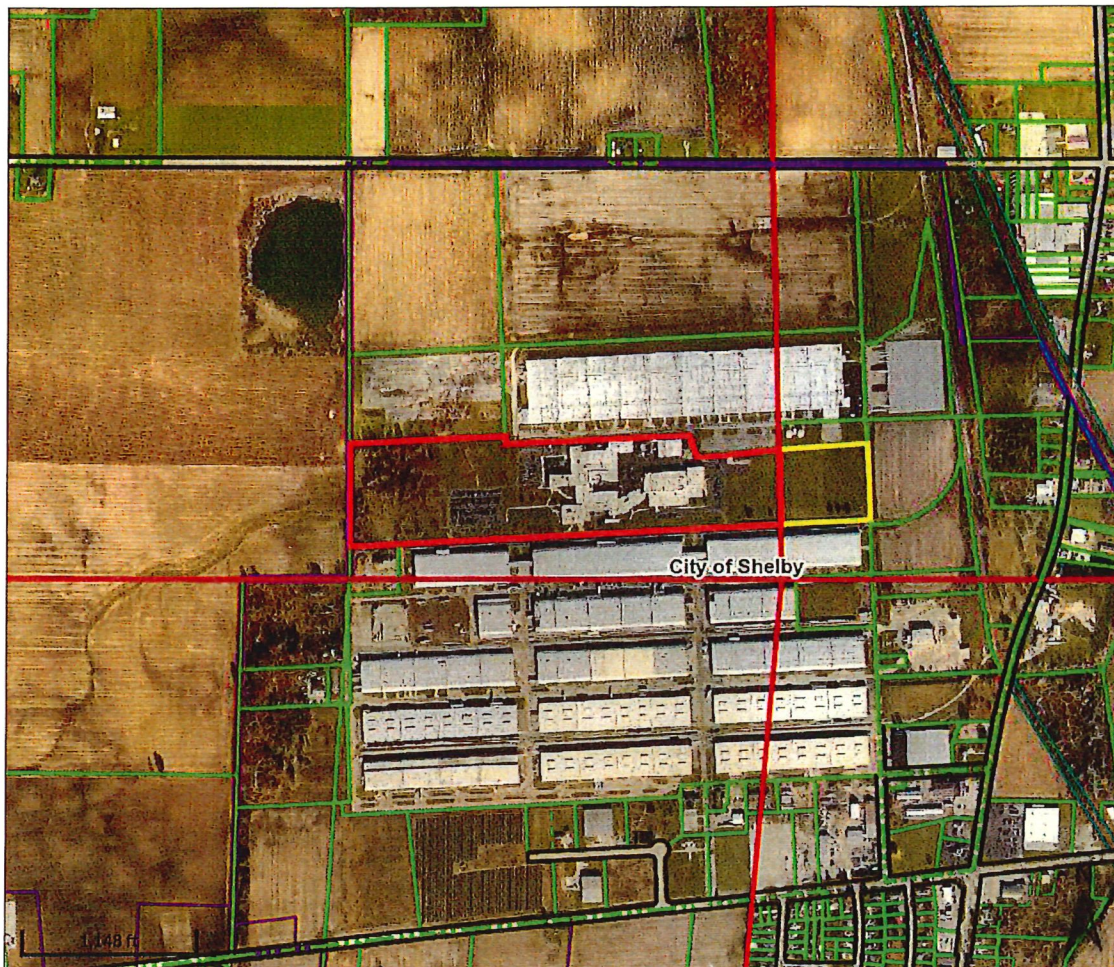
_____ of _____
(Office Held) (Name of Organization)

I further certify that the said officer was acting within the scope of powers delegated
to this officer by the governing body of the grantee in executing said instrument.

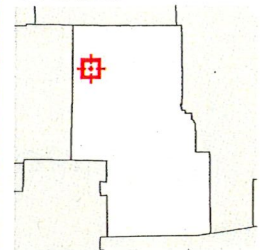
(Signature of clerk or appropriate official)

(Date)

This form certifies that the person signing the attached instrument has the authority to do so. The signature of the Secretary/Attesting Officer and the Individual signing the attached instrument cannot be the same.



Overview



Legend

Parcels

Municipal Boundaries

-  City of Galion
-  City of Mansfield
-  City of Ontario
-  City of Shelby
-  Village of Bellville
-  Village of Butler
-  Village of Crestline
-  Village of Lexington
-  Village of Lucas
-  Village of Plymouth
-  Village of Shiloh

Parcel ID	0368150010000	Alternate ID	n/a	Owner Address	BOARD OF EDUCATION OF THE
Sec/Twp/Rng	31-23-19	Class	E		PIONEER JOINT VOC SCH DIST
Property Address	27 RYAN RD, SHELBY 44875	Acreage	36.0		N/A
	SHELBY				

District 036
Brief Tax Description SE A36 31A

(Note: Not to be used on legal documents)

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Developed by  **Schneider**
GEOSPATIAL