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March 17, 2006

David Kuhn
City Solicitor
612 6th Street
Portsmouth, Ohio 45662

RE: New Boston Coke Company & Portsmouth Water Treatment Plant

Dear David:

I have recently received a copy of the March 11, 2006 Portsmouth Times article concerning the water treatment plant. In the article it quoted Mayor Cobb saying "the city plans to buy two acres of plant behind the current plant for about \$10,000."

I have reviewed my notes and your June correspondence concerning the area of land to be purchased. As we discussed today, when the price of \$5,000 per acre was quoted, it was determined that less than an acre would be needed and that this acre would be made by of land behind the water treatment plant of 100 feet in depth.

According to your June 8th letter, the estimated area would be 352.39 feet x 100.47 feet. This is approximately .812 acres.

The 10 acres in the city limits of Portsmouth are worth more than \$5,000 per acre. However, the price of \$5,000 per acre was acceptable to me due to the proximity to the water treatment plant and the lack of use for any other purpose. As such, a small portion that close to the water treatment plant would not seem to be valuable to other purchasers. However, as the size has increased to 2 acres, it encompasses more valuable land. If the City desires more than the .812 acres, please let me know. At that time, we will have to determine what area the city wishes to purchase and to determine the value of the extra land.

If you have any questions, please feel free to call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph D. Kirby".

Joseph D. Kirby

JDK/tm