

The
**FOREST
PARK**
CIVIC ASSOCIATION



P.O. Box 29160 • Columbus, OH 43229
www.fpcivic.org

February 27, 2006

Dear Forest Park Homeowner:

Some time early this spring, contractors for Marathon Pipe Line LLC (“Marathon”) will begin marking and inspecting the right of way associated with a petroleum pipeline that traverses Forest Park, and contacting individual property owners to discuss clearing operations within the right of way. Your property is one of approximately 132 in Forest Park that either include or are immediately adjacent to an easement for the pipeline.

In mid-January, I contacted Marathon to arrange a meeting to learn more about the pipeline and the clearing operations. Marathon was cooperative, and I met for several hours with a Marathon representative later that month. I prepared the attached “Northland Area Pipeline Q&A” to communicate the information I received from Marathon, and from other sources mentioned, to homeowners who may be affected by the clearing operations.

Clearing operations may not significantly affect every homeowner whose property includes or is adjacent to the pipeline easement. The impact on properties where clearing is required will depend on the individual characteristics of each property. If clearing is required on your property as determined by their inspection of the right of way, Marathon or its contractors will attempt to contact you in person to discuss the details of the clearing operations.

Your Civic Association Board has authorized me to share the attached information with you in the hope that it will answer some general questions about the pipeline and the right of way prior to Marathon contacting you. Please note the Civic Association’s position statement attached to the last page of the Q&A.

If you have questions about this mailing or the Civic Association’s position, please feel free to contact me at (614) 325-8217 or by email at dwpaul@fpcivic.org.

Sincerely,

FOREST PARK CIVIC ASSOCIATION

Dave Paul
Vice President

enclosure

NORTHLAND AREA PIPELINE Q & A

*Dave Paul
Vice President, Forest Park Civic Association*

*This document is intended to inform property owners and the general public in the Northland area of Columbus, Ohio about a petroleum pipeline and easement and expected right of way clearing operations in that area. It uses and discusses common legal terms and concepts concerning property ownership and property rights. However, **this document is not intended to provide legal advice**, and no action should be taken strictly in reliance on this information. If you have questions about your property, your rights, or those of other parties, you should discuss them with an attorney, title agent or other professional.*

*It should also be noted that controversy exists about the need for aggressive pipeline right of way clearing and its effectiveness in ensuring pipeline safety, as well as the extent and implications of pipeline companies' easement rights. **This Q&A cites information received from the pipeline company which owns and operates the Northland area pipeline, pipeline industry groups and a federal regulatory agency**, and does not attempt to present all viewpoints on these topics.*

*Marathon Petroleum Company LLC ("MPC") cooperated in the research and production of this document. However, **MPC is not the author of this document**, and it should not be considered to create an understanding, agreement or commitment on behalf of MPC, its contractors, subsidiaries or assigns, or on behalf of any other party.*

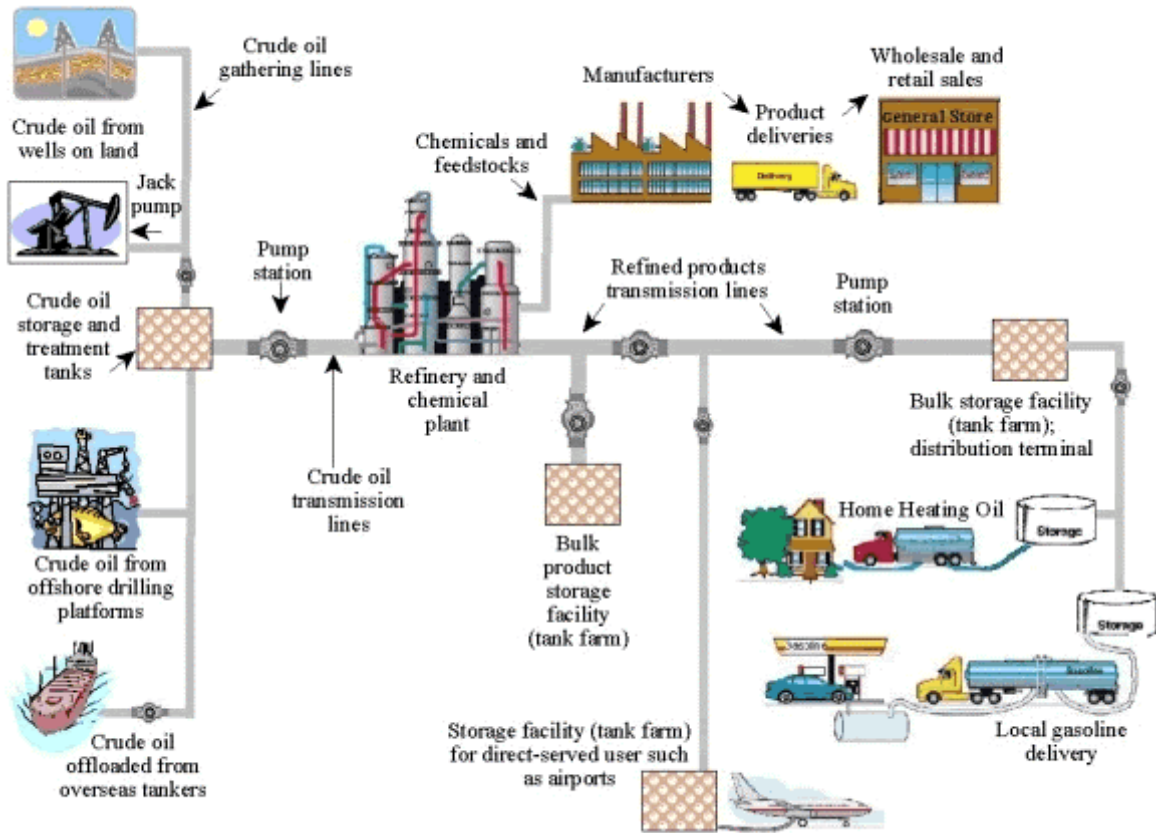
About the Pipeline

A petroleum pipeline extends approximately 100 miles through the heart of Ohio, running between Heath (near Newark) and the suburbs of Dayton. One of the spurs from this pipeline supplies a variety of refined petroleum products, such as gasoline and diesel fuel, to large petroleum tanks located on Fisher Road in southwest Columbus. A portion of the pipeline also passes through properties located in a number of residential communities in the Northland area, including the subdivisions of Woodward Park, Forest Park East, Minerva Park Place, Waltham Place, Western Creek, The Ravines at Strawberry Farms, Strawberry Glade, Strawberry Farms, Woodstream West, Woodstream East, Gould Park, Cherry Park and Albany Park.

The pipeline is now owned by Ohio River Pipe Line LLC ("ORPL"), a wholly owned subsidiary of Marathon Petroleum Company LLC ("MPC"). Marathon Pipe Line LLC ("MPL"), another MPC subsidiary headquartered in Findlay, Ohio, is responsible for the day to day operation, repair and maintenance of the pipeline, and for routine pipeline inspection activities.

On a typical day, the pipeline may transport as much as 18,000 barrels of refined petroleum products – the equivalent of 95 tanker truck loads. The pipeline has a strategic role in helping to meet our region's need for fuel and other petroleum products. It also effectively reduces the quantity of refined petroleum products being transported by highway and railway, which increases the safety of those transportation routes.

Columbus is the fastest growing metropolitan area in Ohio. This pipeline, along with others supplying Central Ohio, helps to support demand for refined petroleum products and contributes to economic development in the region.



A petroleum pipeline system, including refined products pipelines

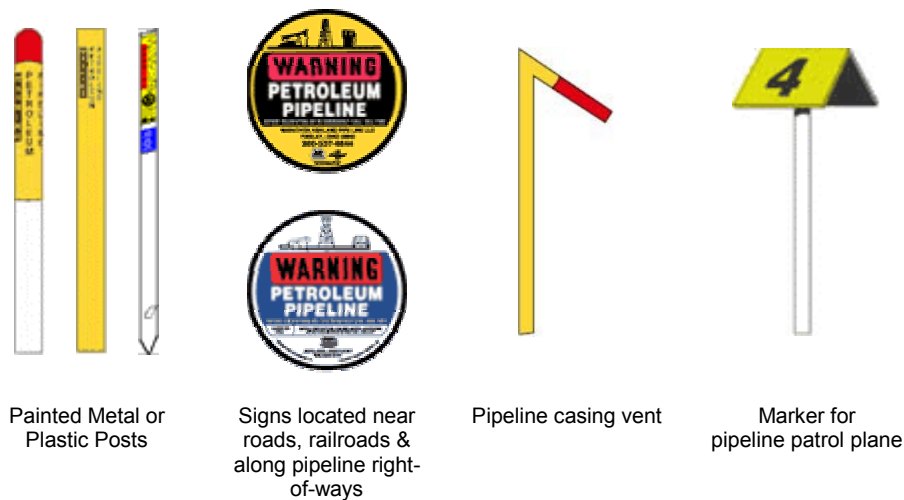
Courtesy US Dept. of Transportation Office of Pipeline Safety (<http://primis.phmsa.dot.gov/comm/PetroleumPipelineSystems.htm>)

In the Northland area, the pipeline system consists of a 6" diameter steel pipe with a coating that helps protect the pipe from corrosion and damage, and various components that support, protect, monitor and control the pipeline. During the 1950s, when this section of the pipeline was constructed, most of the Northland area was open farmland and relatively few property owners were affected.

Over the past fifty years, as Columbus and its suburbs have expanded to the north, much of this farmland has been developed and subdivided into residential lots, commercial properties and park land. Today, hundreds of Northland-area homeowners, businesses and the City of Columbus have a pipeline easement on their properties due to this development.

In most areas the only evidence of the pipeline, which is buried three feet or more below the surface, is the presence of pipeline markers which the U.S. Department of Transportation requires be installed at street crossings and other locations along the pipeline right of way.

In our area, markers for the petroleum pipeline are usually white, cream or yellow colored vertical pipes or plastic strips with a yellow cap or label. They include the name of the pipeline operator, an emergency telephone number, and a description of the material transported in the line. (Similar markers with orange caps are used to identify natural gas distribution lines, which are unrelated to the petroleum pipeline.)



Examples of commonly used pipeline markers

Courtesy MPC Public Affairs, Marathon Petroleum Co LLC

Note that pipeline markers are intended to indicate the *approximate* location of the underground pipeline, and are typically placed where they are most likely to be seen. They are not normally placed directly on top of the pipeline, and may be located some distance from it.

How safe is the pipeline?

According to the U.S. Department of Transportation, which is responsible for overseeing pipeline safety through its Office of Pipeline Safety, pipelines are the safest mode of transportation for petroleum products.

All petroleum pipeline companies must comply with federal regulations, including Title 49 of the Code of Federal Regulations (CFR), Part 195, “Transportation of Hazardous Liquids by Pipeline,” concerning operation, inspection and maintenance of their pipelines. This is due both to safety considerations associated with the pipeline and its strategic significance in supplying our energy needs. One of the requirements of 49 CFR 195 is frequent inspection of the pipeline.

About the Pipeline Easement

What is an “easement?”

An easement is a right to use property owned by another party for a special purpose. An easement does not give its holder a right of “possession” of the property, only to use all or a portion of it for a specific purpose. The easement holder typically has the right to access and inspect the property contained within the easement, and to place certain restrictions on how the property can be changed, maintained or used.

An easement is generally created through a legal agreement with a property owner. This agreement is recorded and effectively becomes attached to the deed for the property. The easement “goes with the property,” meaning that when the property is sold, conveyed or subdivided, the new owners of the property continue to be bound by the easement agreement. An easement generally remains in force unless and until the property owners and the holder of the easement mutually agree to terminate it.

ORPL holds a easement on portions of properties along the path of the petroleum pipeline, intended to ensure the safety of the pipeline and guarantee access to it for operation, repairs, maintenance, inspection, or in the event of an emergency. The pipeline itself is generally located approximately in the middle of the easement and typically buried three feet or more underground. However, the pipeline may be located anywhere within the easement and its location within the easement may vary within a given property.

What is a “right of way?”

The term “right of way” is often used interchangeably with “easement.” More specifically, it refers to a right granted as a result of an easement agreement to enter or cross another party’s property, or (as in the case of the pipeline) to install, inspect, operate and maintain equipment located on or that crosses through the property. ORPL’s right of way is considered to extend along, across, below and above its pipeline easement.

Does the pipeline company own part of my property?

No. If the pipeline easement traverses your property, it grants to ORPL certain rights to use, inspect and maintain the property in the easement, but not to “possess,” buy or sell your property or determine your ability to do so. ORPL does have the right to sell, assign, transfer and/or convey those rights granted by the easement agreement to other parties in the future without notice to or agreement by property owners.

Do I own part of the pipeline?

No. ORPL owns the pipeline and equipment that supports, controls and protects it, including portions of it that may traverse your property. While you may own property that surrounds the pipeline, you neither own nor are responsible for any portion of the pipeline itself. In fact, property owners are legally prohibited from activities that could interfere with the safe operation of the pipeline.

How wide is the easement on my property?

In the Northland area, the pipeline easement varies between 33 and 53 feet in width. The width of the easement was determined when the easement was purchased from the original property owner prior to construction of the pipeline, though it may have been modified by subsequent agreements. In some areas, there may be a maintenance easement that adjoins the pipeline easement and increases the overall width of the right of way.

The pipeline company, or its contractors, can advise you of the exact location and the width of the easement on your property. In our area, you can call the Ohio Utilities Protective Service (OUPS), a utility-funded “one call center,” at (800) 362-2764 to arrange to have the location of the pipeline, and/or any other utility easements on your property, identified and marked by the utility owner(s).

Why haven't I heard of the pipeline or its easement before?

Easements are usually identified and discussed with new property owners before or during the closing of their purchase of the property, as a result of a title search and/or survey. They are generally shown or described on survey documents provided to the new owner at closing.

MPL routinely notifies owners of property that includes or is near the easement by mail when certain pipeline operations, such as hydrostatic testing, are scheduled to be performed. This occurred several times during 2005.

Can I see the easement agreement?

Easement agreements for properties in our area are public records and are on file with the Franklin County Recorder's Office. It may be difficult and time consuming to identify the exact agreement that governs the easement on your property due to the assignment, sale, transfer and division of properties and easement rights since the easement agreement was established and recorded. If you have questions about the easement agreement, a MPL land agent may be able to answer them when they contact you to discuss clearing operations.

Do I need to give the pipeline company or its contractors access to my property?

Yes. Under the easement agreement, the pipeline company and its contractors have the legal right to access and inspect the easement, and to cross other areas of your property where necessary to gain access to it. It is MPL's policy that this access will occur at reasonable hours and with reasonable notice to the property owner, except in an emergency situation.

Can the pipeline company really specify where I can or can't have trees on my property?

Yes. Under the easement agreement, MPL and its contractors have the legal right to prevent encroachment on (interference with) the right of way, and to remove or modify trees and/or other structures that encroach on or block access to it. This may include trees that are rooted outside of the right of way (even on adjacent properties), but which overhang the right of way such that they prevent aerial inspection, or which could otherwise interfere with the pipeline or access to it.

What about the fences, sidewalks, driveway or other surface structures on my property?

These structures may not pose a problem, as long as they can be easily removed or dismantled for emergency access and do not block routine inspection of the pipeline and the easement. In most cases, these structures would be repaired or replaced if they were damaged during routine or emergency operations. Keep in mind, however, that if these structures are located within or across the easement, they are encroachments, and they could be removed or destroyed without compensation or replacement.

About Right of Way Clearing

What does “clearing” mean?

Right of way clearing means the removal of trees, vegetation over three feet high and/or other encroachments within the right of way. It includes the trimming of branches that overhang the right of way and prevent aerial surveillance of the pipeline. A pipeline company representative will attempt to discuss property-specific issues during a pre-clearing inspection with each property owner prior to the start of clearing activities on that property.

Why is right of way clearing necessary?

Right of way clearing is done for one reason, and one reason only — **safety**. To ensure the safety of pipeline neighbors and the pipeline itself, MPL conducts weekly aerial surveillance of its pipeline routes. The inspector must be able to look down and inspect the route of the pipeline without interference from trees, vegetation, structures or overhanging branches. In the event of an emergency, MPL must have immediate access to the pipeline without delays that could occur if it is necessary to remove trees or other structures on the right of way. MPL must also ensure access to the pipeline for routine maintenance and repair.

Can my trees really cause a problem?

Yes. Trees prevent aerial inspection of the pipeline for safety purposes. Tree roots can wrap around the pipeline, damaging its coating, which can result in corrosion that can weaken and damage the pipeline. Trees in the right of way can also block access to the site of an emergency on the pipeline, creating safety issues both for property owners and emergency responders.

How will I know when the clearing operation is about to begin?

Typically, a representative of MPL will attempt to contact property owners in person one week before the planned clearing to explain the clearing operation. If they are unable to arrange a face-to-face meeting, printed information about the clearing operation will be left at the property owner’s home along with contact information for the pipeline company's representative. Follow-up phone calls will also be made to the property owner to discuss the clearing plans.

Who actually performs the clearing?

In our area, MPL currently contracts with Mid-Ohio Tree Service to mark the easement and to remove trees, shrubs and other vegetation within the right of way, and with Buckeye Landscaping for lawn restoration. MPL land agents, inspectors and/or engineers may also be on site during clearing and/or restoration activities. MPL and/or contractor personnel will be able to provide identification upon request from a homeowner before or after entering a property. Contractors are required to undergo safety training by MPL before working on MPL clearing projects.

Can I arrange a specific date/time for clearing on my property?

Due to the number of properties included in clearing operations, this is usually not possible. However, MPL will try to work with property owners to avoid inconvenience or expense. Property owners are not expected or required to be present during clearing operations.

What will the pipeline company do to restore my property?

When a tree or large shrub must be removed from the right of way, MPL will arrange for cutting, thorough removal of the stump and all debris, soil replacement, and fertilization and reseeded where necessary to restore the lawn.

Can I move trees and/or other plantings to another part of my property?

Yes. You would need to perform or arrange for this work yourself, and to have the relocation completed prior to the scheduled beginning of clearing operations. (Always be sure to call a utility location service, as described above, before digging to ensure that you are not near underground infrastructure.)

MPL will not contract or pay for relocation of trees or plantings, and will not accept any responsibility for the survival of relocated trees or plants. However, it will arrange and pay for landscape restoration (soil replacement and reseeded) at the former location of trees or shrubs relocated from the right of way.

If a tree on my property must be cut, what will happen to the wood?

By prior agreement with the property owner, MPL can arrange for the wood to be removed; otherwise, it will be left on the property. If the property owner requests it, the wood will be cut into lengths appropriate for firewood (but not split).

Will property owners be charged for the clearing operation or for restoration?

If clearing operations are required on your property, there will be no charge to you by MPL or its contractors for tree or shrub removal or for restoration of your yard. If you choose to relocate trees or plants from the right of way to avoid their removal, or to make landscaping changes that aren't necessary as a direct result of the clearing operation, you must do so at your own expense.

I've lived here for years now. Why hasn't this been done before?

Over the years, various pipeline companies have owned and/or operated the petroleum pipeline located in our area. While MPL cannot speak to why or how things were done in the past by other companies, MPL and other pipeline companies are more knowledgeable today about the safe operation of pipelines, and have learned that right of way clearing is essential to maintaining a safe pipeline.

In addition to greater industry knowledge regarding pipeline safety, federal and state regulators are demanding more stringent vigilance of energy assets and compliance with safety standards. In general, these standards have increased in all facets of our lives. For example, today we are

legally required to wear seat belts and provide approved child restraints in vehicles, while fifty years ago this was not the case.

MPL began clearing its 5500 miles of pipeline right of way in 13 states in 2002, and expects to complete this safety procedure in 2008. It's important to note that MPL does not make money clearing its right of way. In fact, MPL has spent millions of dollars on right of way clearing programs to help ensure the safety of neighbors to the pipeline and its safe operation.

How often will clearing operations need to occur on my property?

After this major operation is completed, right of way clearing typically will not be required in our area for three years.

For More Information

Marathon Pipe Line LLC

539 South Main Street, Findlay, Ohio 45840

(419) 422-2121

<http://www.marathonpipeline.com>

Ohio Utilities Protective Service

4740 Belmont Avenue, Youngstown, OH 44505

(800) 362-2764

<http://www.oups.org>

US DOT Office of Pipeline Safety (Central Region)

901 Locust Street, Suite 462, Kansas City, MO 64106

(813) 329-3800

<http://primis.phmsa.dot.gov/comm/GeneralPublic.htm>

<http://primis.phmsa.dot.gov/comm/StatePages/Ohio.htm>

<http://primis.phmsa.dot.gov/comm/SafetyRegulations.htm>

http://www.phmsa.dot.gov/media/pipeline_qa.html

Pipeline Safety Trust

1155 North State, Suite 609, Bellingham, WA 98225

<http://www.pstrust.org>

Partnership for Excellence in Pipeline Safety

(National Association of State Fire Marshals)

1319 F Street NW, Suite 301, Washington, DC 20004

<http://www.safepipelines.org>

Pipeline 101 (American Petroleum Institute/Association of Oil Pipe Lines)

<http://www.pipeline101.com>

Position of the Forest Park Civic Association

What is the position and role of the Forest Park Civic Association in this matter?

The Forest Park Civic Association supports activities that help ensure the safety of our community, including the maintenance and inspection of infrastructure that may exist in our community, such as the petroleum pipeline discussed in the attached document. We encourage our members and other residents to be aware of safety and other considerations that affect the community as a whole, and to cooperate with activities intended to protect our community and the environment.

However, the Forest Park Civic Association takes no formal position and plays no formal role with regard to the petroleum pipeline, property rights, clearing operations or other matters discussed in this document. We have gathered information and prepared and distributed this document purely as a service to help inform our members and the general public about these matters.

The Forest Park Civic Association is not a party to any easement or other agreements that may exist between property owners, Ohio River Pipe Line LLC, Marathon Pipe Line LLC and/or other parties, and can not and will not represent any other party in negotiations or discussions concerning property ownership, easement agreements or the enforcement of any rights associated with them.

*THE FOREST PARK CIVIC ASSOCIATION BOARD
February 20, 2006*