

May 22, 2006

City of Napoleon Law Director  
255 Riverview Avenue  
Napoleon, Ohio 43545

ATTN: David Grahn

**Title Outline:** 10.05 acre parcel, 10.05 acre parcel and 19.34 acre parcel of land all located in the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 17, Harrison Twp, Henry Co., Ohio

Dear Dave:

I am enclosing an outline for 3 parcels of land located in Section 17, Harrison Township and which as it appears on deed records at the Henry County Recorder's office is the property of Southpoint Business Park, LLC, an Ohio limited liability company.

The search begins in 1902 with a Warranty Deed to Elmer A. Palmer and Okee M. Palmer for the North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 17, Harrison Twp. Elmer A. Palmer dies and his share is transferred by will to his wife, Mary Etta Palmer in 1923. Okee M. Palmer mortgages his undivided  $\frac{1}{2}$  of the parcel. In 1939 Sarah Dickey brings a civil case in the Henry County Pleas Court Case No. 13820 and gets a decree for partition and receives a Sheriffs Deed in Partition for real property which includes the North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 17, Harrison Twp. When Sarah Dickey dies she transfers 120 acres in Harrison Twp to her son, Richard Dickey including the North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 17, Harrison Twp. In April, 1974 Sarah Dickey signed a perpetual easement in favor of The City of Napoleon to operate electrical utility along a 39 foot strip of land along the west property line of the North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 17, Harrison Twp. In 1994 Richard P. Dickey and his wife, Wilhelmina Kuehn transfer the 120 acres in Harrison Twp to Liberty Oaks Properties, LLC, a Louisiana limited liability company.

In May 2001 Liberty Oaks Properties, LLC, a Louisiana limited liability company, transfers two 10.05 acre parcels located in the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 17, Harrison Twp., to R & T Leasing, LLC, an Ohio limited liability company. In 2001 Jerry A. Marks states in an affidavit that he is a member of MRT Leasing, LLC, an Ohio limited liability company and that this company was formerly known as R & T Leasing, LLC, an Ohio limited liability company. This affidavit states that it pertains to three parcels of land being a 19.34 acre parcel and two 10.05 acre parcels of land in the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 17, Harrison Twp. The easterly most 10.05 acre parcel of land included in this affidavit benefits from an easement for ingress and egress across a 60 foot wide easement across the westerly 10.05 acre parcel of land. This easement for ingress and egress is not mentioned in any of the following instruments of conveyance. Following this affidavit is a Warranty Deed from Liberty Oaks Properties, L.L.C., a Louisiana Limited Liability Company to MRT Leasing, LLC, an Ohio limited liability company conveying to MRT Leasing the

same 19.34 acre parcel in the Northwest ¼ of the Southwest ¼ of Section 17, Harrison Twp which is included in the affidavit by Jerry A. Marks.

In December, 2004 a Quit Claim Deed from R & T Leasing, LLC (now known as MRT Leasing, LLC), an Ohio limited liability company to MRT Leasing, LLC, an Ohio limited liability company transfers the easterly 10.05 acre parcel and the 19.34 acre parcel of land located in the Northwest ¼ of the Southwest ¼ of Section 17, Harrison Twp. (R & T Leasing, LLC received the two 10.05 acre parcels by deed from Liberty Oaks Properties, while the 19.34 acre parcel was deed to MRT Leasing, LLC from Liberty Oaks Properties.)

The final deed on record is a Quit Claim Deed from MRT Leasing, LLC and Ohio limited liability company to Southpoint Business Park, LLC, an Ohio limited liability company and includes the 19.34 acre parcel and the two 10.05 acre parcels in the Northwest ¼ of the Southwest ¼ of Section 17, Harrison Twp. The end of this deed states that Southpoint Business Park, LLC, an Ohio limited liability company was formerly known as MRT Leasing, LLC, an Ohio limited liability company and R & T Leasing, LLC, an Ohio limited company.

Please examine these last deeds and affidavits involving the Jerry Marks ownership carefully. I feel that some of these instruments may have been recorded in the wrong order but still convey to Southpoint Business Park, LLC, the three parcels of land.

If you have any questions please call me.

Jenny Parker  
419-599-3674

May 22, 2006

Title Outline: 10.05 acre parcel, 10.05 acre parcel and 19.34 acre parcel of land all located in the Northwest ¼ of the Southwest ¼ of Section 17, Harrison Twp, Henry Co., Ohio

Vol. 67 Page 408 Deed Records      Warranty Deed

Francis M. Boxt & Phronia Bost, H&W, Grantors

To Elmer A. Palmer & Okee M. Palmer, Grantees

Signed 9-26-1902      filed 8-26-1902 at 8:35 o'clock a.m. recorded 9-26-1902

North ½ of Southwest ¼ Section 17 Harrison Twp, less right of way of

Mansfield & Coldwater RR

Vol.79 Page 366 Deed Records      Certificate of Transfer

Elmer A. Palmer, deceased, Grantor

To Mary Etta Palmer, Grantee

Signed 1-15-1923      filed 1-15-1923 at 2:41 o'clock p.m. recorded 1-23-1923

By provision in the Last Will and Testament of Elmer A. Palmer, all real estate owned

At the time of his death wherever located passes to Mary Etta Palmer

Vol. 4 Page 450 Miscellaneous Records      Appointment of Successor Trustee

Appointment of Successor Trustee for creditors of Okee M. Palmer for an undivided ½

Interest in the Northeast ¼, Southeast ¼ of the Northwest ¼, North ½ of Southwest ¼ and

Southeast ¼ of Southwest ¼ and West 60 acres of the Southeast ¼ of Section 17, Harrison Twp.,

Henry County, Ohio 380 acres total

Signed 4-13-1938      filed 4-19-1938 at 10:11 o'clock a.m. recorded 4-19-1938

Vol. 135 Page 11 Deed Records      Sheriff's Deed in Partition

George Bowerman, Henry County Sheriff, Grantor

To Sarah Dickey, Grantee

Henry County Common Pleas Court Case # 13280, filed August 7, 1939, Sarah Dickey vs.

Nancy George, Richard George, Okee M. Palmer, Etta B. Palmer, Moses L. Dickey, The

Napoleon State Bank of Napoleon, Ohio, a corporation, The Napoleon Mortgage Loan Company

of Napoleon, Ohio, a corporation, and Harry Fast as Trustee, Partition prayed for and decree

granted for Partition, final Record in Volume 70, Page 254 in file Box 708, Henry County

Common Pleas Court Records

Signed 8-7-1939      filed 8-10-1939 at 10:10 o'clock a.m. recorded 8-10-1939

Northeast ¼ Section 17 & Southeast ¼ of Northwest ¼ & North ½ of Southwest ¼ and

Southeast ¼ of Southwest ¼ & West 60 acres Southeast ¼ of Section 17, Harrison

Township, Henry County, Ohio 380 acres total – copy enclosed

Page 2 Title Outline: 10.05 acre parcel, 10.05 acre parcel and 19.34 acre parcel of land all located in the Northwest ¼ of the Southwest ¼ of Section 17, Harrison Twp, Henry Co., Ohio

Vol 200 Page 494 Easement Records Electric Utility Easement

Sarah Dickey, Grantor

To The City of Napoleon, Ohio, Grantee

Signed 4-23-1974 filed 5-30-1974 at 11:10 o'clock a.m. recorded 5-31-1974

Easement to perpetually operate and maintain electrical lines along a 39' wide strip of Land parallel with and adjacent to the entire length of the west property line of the North ½ of the Southwest ¼ of Section 17, Harrison Twp – copy enclosed

Vol 220 Page 846 Deed Records Certificate of Transfer

Sarah Dickey aka Sarah P. Dickey, deceased, Grantor

To Richard Dickey, Grantee

Signed 10-8-1980 filed 10-14-1980 at 12:40 o'clock p.m. recorded 10-17-1980

Parcel No. 1 North ½ of Southwest ¼ & Southeast ¼ of Southwest ¼ of Section 17 Harrison Township

Vol 225 Page 867 Deed Records Warranty Deed

Wilhelmina Kuehn wife of/and Richard P. Dickey, H&W, Grantors

To Liberty Oaks Properties LLC, a Louisiana Limited Liability Company, Grantee

Signed 12-22-1994 filed and recorded 12-30-1994 at 2:45 o'clock p.m.

Parcel No. 1 North ½ of Southwest ¼ & Southeast ¼ of Southwest ¼ of Section 17 Harrison Township

Vol 95 Page 949 Official Records Warranty Deed

Liberty Oaks Properties L.L.C., a Louisiana Limited Liability Company, Grantor

To R & T Leasing, LLC, an Ohio limited liability company, Grantor

Signed 5-14-2001 filed and recorded 5-18-2001 at 2:08 p.m.

Two 10.05 acre parcels of land located in the Northwest ¼ of the Southwest ¼ of Section 17, Harrison Twp, Henry County – copy enclosed

Vol 136 Page 44 Official Records Affidavit

Jerry A. (Tony) Marks states that he is a member of MRT Leasing LLC, an Ohio limited Liability company, that this company was formerly known as R & T Leasing, LLC, an Ohio Limited liability company evidenced by the recorded Certificate of Amendment from the State of Ohio

Signed 5-21-2002 filed and recorded 5-30-2002 at 1:56 o'clock p.m.

A 19.34 acre parcel of land and two 10.05 acre parcels of land located in the Northwest ¼ of the Southwest ¼ of Section 17, Harrison Twp, Henry County, the easterly 10.05 acre parcel includes an easement for ingress and egress across the westerly 10.05 acre parcel – copy enclosed

Page 3 Title Outline: 10.05 acre parcel, 10.05 acre parcel and 19.34 acre parcel of land all located in the Northwest ¼ of the Southwest ¼ of Section 17, Harrison Twp, Henry Co., Ohio

**Vol 136 Page 48 Official Records Warranty Deed**

Liberty Oaks Properties, L.L.C., a Louisiana Limited Liability Company, Grantor

To MRT Leasing, LLC, an Ohio limited liability company, Grantee

Signed 5-22-2002 filed and recorded 5-30-2002 at 1:56 o'clock p.m.

19.34 acre parcel of land located in the Northwest ¼ of the Southwest ¼ of Section 17, Harrison Twp, Henry County – copy enclosed

**Vol 199 Page 2176 Official Records Quit Claim Deed**

R & T Leasing, LLC (now known as MRT Leasing, LLC), an Ohio limited liability Company, Grantor

To MRT Leasing, LLC, an Ohio limited liability company, Grantee

Signed 12-1-2004 filed and recorded 12-06-2004 at 2:46 o'clock p.m.

19.34 acre parcel and one easterly 10.05 acre parcel of land located in the Northwest ¼ Of the Southwest ¼ of Section 17, Harrison Twp, Henry County, the easterly 10.05 acre parcel no longer has the easement for ingress and egress noted – copy enclosed

**Vol 214 Page 1945 Official Records Quit Claim Deed**

MRT Leasing, LLC, an Ohio limited liability company, by Jerry A. Marks & William R. Meyers, its 2 and only members, Grantor

To Southpoint Business Park, LLC, an Ohio limited liability company, Grantee

This instrument is executed to confirm and ratify the change of name of MRT Leasing, LLC to Southpoint Business Park, LLC

Signed 3-28-2006 filed and recorded 4-11-2006 at 2:20 o'clock p.m.

Two 10.05 acre parcels of land and one 19.34 acre parcel of land all located In the Northwest ¼ of the Southwest ¼ of Section 17, Harrison Twp, Henry County, Ohio, the easterly 10.05 acre parcel no longer has the easement for ingress and egress noted – copy enclosed