

COPY

AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we, Howard E. Gable and Irene M. Gable, being husband and wife and both of legal age, of 1442 Oakdale in the City of Napoleon, Henry County, Ohio, individually and jointly, for the sole consideration of one dollar and other valuable consideration, the receipt and sufficiency of which we hereby acknowledge, do for ourselves and our respective heirs, personal representatives, executors, administrators, successors and assigns, and each of them, COVENANT AND AGREE WITH the City of Napoleon, Ohio, the City of Napoleon, Ohio Planning Commission, the City of Napoleon, Ohio Board of Zoning Appeals, and their respective past, present and future heirs, personal representatives, predecessors, successors, executors, administrators, assigns, agents, officers, council, members, employees, directors, attorneys and agents, and each of them, as an inducement for the Council of the City of Napoleon, Ohio to accept and approve the Plat of Trestle Addition to the City of Napoleon, Ohio (which is more particularly described as follows):

Being a part of the Northeast quarter (1/4) of Section 13, Town 5 North, Range 6 East, Napoleon Township, City of Napoleon, Henry County, Ohio, and which is more particularly described as follows:

Beginning at an iron pin on the Westerly right-of-way line of Fillmore St. and the Northerly right-of-way line of Canal Road, thence North 43°28' West along the Westerly right of way line of Fillmore Street, one hundred eighty-seven and nine hundredths (187.09) feet to an iron pin, thence thence South 45°20' West, three hundred sixty-four and sixty-four hundredths (364.64) feet to an iron pipe on the Easterly right-of-way line of the Detroit, Toledo & Ironton Railroad; thence South 76°25'50" East on said Railroad right-of-way, two hundred thirty-eight and sixteen hundredths (238.16) feet to an iron pin on the Northerly right-of-way line of Canal Road, thence North 41°48'10" East on Northerly right-of-way line of said road one hundred ninety-nine and ninety-five hundredths (199.95) feet to a point, thence continuing on said road right-of-way line North 40°20'10" East, thirty-five and ninety-two hundredths (35.92) feet to the point of beginning. Containing 1.354 acres of land more or less,

as follows:

- (1) That the existing westerly concrete block building on Lot No. 2 thereof shall not be repaired, rebuilt, remodeled or expanded under any circumstances; and

(3) That the City of Napoleon, Ohio, the City of Napoleon, Planning Commission, the City of Napoleon, Ohio Board of Zoning Appeals, and their respective past, present and future heirs, personal representatives, predecessors, successors, executors, administrators, assigns, agents, officers, counsel, members, employees, directors, attorneys and agents, and each of them, shall be held harmless of and from any and all claims, damages, demands, debts, judgments, actions and causes of action of whatsoever kind or nature, whether known or unknown, whether legal, equitable or otherwise, arising from or on account of the application for, consideration of and approval of the Plat of Trestle Addition to the City of Napoleon, Ohio and/or the covenants and agreements set forth in Paragraphs (1) and (2) above.

The undersigned further declare and represent that we are the owners of the above-described real property; that we have the right and authority to execute and deliver this Agreement; and that the provisions of this Agreement shall constitute a covenant running with the land.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 1988.

Signed in the presence of:

Howard E. Gable

Irene M. Gable

STATE OF OHIO,

COUNTY OF HENRY,

Before me, a Notary Public in and for the State of Ohio personally appeared the above-named, Howard E. Gable and Irene M. Gable, who acknowledged that they did sign the foregoing Agreement, and that the same is their free act and deed.

In Testimony Whereof, I have signed my name and affixed my official seal at Napoleon, Ohio, this _____ day of _____, 1988.

-----Napoleon-----Municipal Court
-----Napoleon, Henry-----County, Ohio
(City) (Name of County)

THE STATE OF OHIO

The City of Napoleon

No. 77-CC-6-337

Thomas Colwell, Sr.
Name

Address

COMPLAINT
BY INDIVIDUAL
(Rule 4)

FORM I

Complainant being duly sworn states that -----Thomas Colwell, Sr.
(defendant)

at -----Napoleon, Henry-----, County, Ohio on or about -----December 30,
(place)

19 76-, -----did occupy a recreational trailer for living, sleeping or
(state the essential facts)
-----housekeeping purposes-----

Ordinance no 1104 , Section 85.42 d of the
in violation of -----City of Napoleon, Ohio-----
(state the numerical designation of the applicable statute or ordinance)

Thomas W. Ferranova
Complainant

Sworn to and subscribed before me by -----Thomas W. Ferranova----- on
-----February 14,-----, 1977--

Brenda Sawyerberg
Judge-Clerk-Deputy-Clerk-Municipal Court
or

-----Napoleon-----Municipal Court

-----Napoleon, Henry-----County, Ohio
(City) (Name of County)

THE STATE OF OHIO

The City of Napoleon }
vs

No. *77-00-65-337*

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BY INDIVIDUAL
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Brenda Sommerberg
Judge-Clerk-Deputy Clerk-Municipal Court