

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

1410 Scott St.

THAT THIS DRIVEWAY AND UTILITY EASEMENT is made this 25 day of September, 1995, by and between MTC Properties, an Ohio general partnership ("Grantor") and Triple M Enterprises, an Ohio general partnership, ("Grantee").

WITNESSETH:

WHEREAS, Grantor is the owner of the real property described on Exhibit A attached hereto and concurrently herewith Grantee is acquiring a certain adjoining parcel from Grantor described on Exhibit B attached hereto; and

WHEREAS, the Grantee desires to obtain a driveway and utility easement (the "Driveway and Utility Easement") over the northern portion of the real property of Grantor and Grantor is willing to grant such an easement on the terms and conditions set forth herein; and

WHEREAS, a portion of the parcels owned by Grantor and Grantee are presently used as a driveway ("Common Driveway Easement") and the parties hereto desire to establish an easement for the joint use thereof;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

SECTION 1. Description of Driveway and Utility Easement. Grantor hereby grants to Grantee and Grantee's successors and assigns a perpetual driveway and utility easement situated in the Northwest Quarter (1/4) of the Northwest 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 a point on the North line of said Section 13, said point being a distance of 275.00 feet East of the Northwest corner of said Section 13; thence continuing South 89° 59' East on and along the North line of said Section 13 a distance of 45.00 feet to an iron pin; thence South 30° 03' 52" East a distance of 17.24 feet to a point; thence North 89° 59' West and parallel with the North line of said Section 13 a distance of 53.61 feet to a point; and thence North 0° 00' a distance of 15.00 feet to the place of beginning.

Description of Common Driveway Easement. Grantor and Grantee acknowledge the existence of a certain driveway located on the eastern boundary of Grantor's property and upon the western boundary of Grantee's property. It is the intent of Grantor and Grantee that said driveway shall remain available for the use of both Grantor and Grantee. Grantor and Grantee hereby grant the other and said party's successors and assigns a perpetual driveway easement for said common driveway. Notwithstanding the foregoing, this Common Driveway Easement shall not restrict Grantor or Grantee from making changes, alterations, replacements and/or improvements to the existing structures placed upon their respective parcels of real property provided; however, that any such change, alteration, replacement and/or improvement shall not unreasonably interfere with the use of the common driveway as contemplated herein.

SECTION 2. Maintenance. Grantor and Grantee agree to equally maintain the easements set forth above.

SECTION 3. Covenant Running with the Land. Grantor and Grantee agree that the covenants, easements, restrictions and agreements contained herein shall all be deemed to be covenants running with the land and shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns forever and the tenants and the other persons in possession of the same.

IN WITNESS WHEREOF, Grantor and Grantee have hereunto set their hands on the day and year first above written.

SIGNED IN THE PRESENCE OF:

MTC PROPERTIES

Marjorie M. Behrfeldt

By: David A. Manahan
David A. MANAHAN, General Partner

[Signature]
John Donovan

[Signature]

TRIPLE M ENTERPRISES

By: Terry Michaels
General Partner

[Signature]

STATE OF OHIO :
:
COUNTY OF HENRY :

The foregoing instrument was acknowledged before me this 21st day of September, 1995 by David A. Manahan General Partner of MTC Properties, as his free and voluntary act and deed and the free and voluntary act and deed of the partnership.

John Donovan
Notary Public, State of Ohio
Lifetime Commission
O.R.C. §147.03

[Signature]
Notary Public

STATE OF OHIO :
:
COUNTY OF HENRY :

The foregoing instrument was acknowledged before me this 25 day of September, 1995 by Terry Michaels General Partner of Triple M Enterprises, as his free and voluntary act and deed and the free and voluntary act and deed of the partnership.

John Donovan
Notary Public, State of Ohio
Lifetime Commission
O.R.C. §147.03

[Signature]
Notary Public

This instrument was prepared by:

David A. Manahan
111 E. Clinton St., Suite 215
Napoleon, OH 43545
Telephone No. (419) 592-3283

EXHIBIT A

Parcel No. 1

A parcel of land being situated in the Northwest Quarter (1/4) of the Northwest 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 a point on the West line of said Section 13, said point being 100.00 feet South of the Northwest corner of said Section 13; thence South $89^{\circ} 59'$ East and parallel with the North line of said Section 13 a distance of 275.00 feet to a point; thence South a distance of 26.00 feet to a point; thence North $89^{\circ} 59'$ West and parallel with the North line of said Section 13 a distance of 275.00 feet to a point on the West line of said Section 13; thence North on the West line of said Section 13 a distance of 26.00 feet to the place of beginning.

Parcel No. 2

A parcel of land being situated in the Northwest Quarter (1/4) of the Northwest 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 a point on the West line of said Section 13, said point being a distance of 126.00 feet South of the Northwest corner of said Section 13; thence South $89^{\circ} 59'$ East and parallel with the North line of said Section 13 a distance of 275.00 feet to a point; thence North a distance of 126.00 feet to a point on the North line of said Section 13; thence South $89^{\circ} 59'$ East on the North line of said Section 13 a distance of 45.00 feet to an iron pin; thence South $30^{\circ} 03' 52''$ East a distance of 43.91 feet to an iron pin; thence South $0^{\circ} 00'$ West a distance of 127.00 feet to an iron pin; thence North $89^{\circ} 59'$ West and parallel with the North line of said Section 13 a distance of 124.60 feet to a point; thence South a distance of 1.00 feet to a point; thence North $89^{\circ} 59'$ West and parallel with the North line of said Section 13 a distance of 220.00 feet to a point on the West line of said Section 13; thence North on the West line of said Section 13 a distance of 40.00 feet to the place of beginning.

EXHIBIT B

A parcel of land located in part of the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section 13, Town 5 North, Range 6 East, Napoleon Township, City of Napoleon, Henry County, Ohio, and more particularly described as follows:

Beginning at a point on the North line of said Section 13, said point being a distance of 320.00 feet East of the Northwest corner of said Section 13; thence continuing South $89^{\circ} 59'$ East a distance of 337.15 feet to an 1 and 1/2" iron pipe; thence South $0^{\circ} 00'$ West a distance of 165.00 feet to an 1 and 1/2" iron pipe, thence North $89^{\circ} 59'$ West and parallel with the North line of said Section 13 a distance of 315.15 feet to an iron pin; thence North $0^{\circ} 00'$ East a distance of 127.00 feet to an iron pin, thence North $30^{\circ} 03' 52''$ West a distance of 43.91 feet to an iron pin, said point being the point of beginning.