

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

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

WITNESSETH:

1410 Scott

WHEREAS, Grantor is the owner of the real property described on Exhibit A attached hereto and Grantee is the owner of certain adjoining parcels described on Exhibit B attached hereto; and

WHEREAS, there presently exists a certain driveway and utility easement over the real property of Grantor and Grantee desires that a portion thereof shall be widened; and

WHEREAS, Grantor is willing to grant a wider driveway and utility easement to and for the benefit of the real property described on Exhibit B;

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 the Northwest corner of said Section 13; thence South 89° 59' East on and along the North line of said Section 13 a distance of 275.00 feet; thence South 0° 00' East a distance of 100 feet to a point; thence North 89° 59' West a distance of 12.00 feet; thence North 0° 00' West a distance of 76.00 feet; thence North 44° 59' 30" West a distance of 12.73 feet; thence North 89° 59' West and parallel with the North line of said Section 13 a distance of 254.00 feet to a point on the West line of said Section 13; thence North 0° 00' West on and along the West Line of said Section 13 a distance of 15.00 feet to the place of beginning.

SECTION 2. Consideration. In consideration of Grantor granting the widened easement as described above, Grantee agrees to pay Two Thousand Two Hundred (\$2,200.00) Dollars, receipt and sufficiency of which are hereby acknowledged

SECTION 3. Maintenance. Grantor agrees to maintain the easement for the benefit of Grantor, Grantee and their respective successors and assigns.

SECTION 4. 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:

DEMPSEY DIVERSIFIED

Kimberly Rode

By: [Signature]

Linda Kyling

By:XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

MTC PROPERTIES

Marjorie M. Behufeldt

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

John Donovan
John Donovan

~~ByXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
~~General Partner~~

STATE OF OHIO :
:
COUNTY OF HENRY :

The foregoing instrument was acknowledged before me this 20th day of September, 1995 by Dan Dempsey and _____ of Dempsey Diversified, as there free and voluntary act and deed.

VIRGINIA KEMPER
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires Oct. 19, 1996

Virginia Kemper
Notary Public

STATE OF OHIO :
:
COUNTY OF HENRY :

The foregoing instrument was acknowledged before me this 25 day of September, 1995 by David A. Manahan and ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ General Partners of MTC Properties, as ~~there~~ 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

John Donovan
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 B

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° 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° 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° 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° 59' East on the North line of said Section 13 a distance of 382.15 feet to an 1 1/2" iron pipe; thence South a distance of 165.00 feet to an 1 1/2" iron pipe; thence North 89° 59' West and parallel with the North line of said Section 13 a distance of 437.15 feet to a point; thence South a distance of 1.00 feet to a point; thence North 89° 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 A

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 the Northwest corner of said Section 13; thence South 89° 59' East a distance of 275.00 feet to an iron pin, thence South 0° 00' West a distance of 100.00 feet to a railroad spike, thence North 89° 59' West a distance of 245.00 feet to a cross in the concrete curb, thence continuing on said line a distance of 30.00 feet to a point; thence North 0° 00' East a distance of 100.00 feet to a monument box, said point being the point of beginning. Containing 0.631 acre of land, more or less, and subject to all legal highways, easements, and restrictions of record.