

AGREEMENT PROVIDING FOR PARTIAL RELEASE OF EASEMENT

Agreement entered into effective the 26th day of August, 1996, by and between the Ohio Gas Company and Triple M Enterprises, an Ohio Partnership.

The facts which give rise to this Agreement are set forth in this paragraph. Triple M Enterprises is the owner of real estate which is subject to a certain easement in favor of the Ohio Gas Company recorded in Volume 159, Page 84 of the Henry County deed records. The Ohio Gas Company is willing to release from the operation of the easement the real estate described on Exhibit A attached hereto in consideration of Triple M Enterprises agreeing to the terms and conditions hereinafter set forth in this agreement.

11410 SOUTH ST.

NOW, THEREFORE, it is agreed by and between Ohio Gas Company and Triple M Enterprises as follows:

1. Ohio Gas Company does hereby release from the operation of its easement recorded in Volume 159, Page 84 of the Henry County deed records the real estate described on Exhibit A attached hereto.
2. In consideration of the aforementioned release Triple M Enterprises covenants and agrees for itself, its successors, grantees and assigns that at its own cost and expense it will (a) take down from time to time the fence located within the easement area when requested by the Ohio Gas Company for the purpose of maintaining the gas pipeline within the easement area, and, that (b) it will not place anything upon the surface of the easement area other than crushed stone or grass cover.

IN WITNESS WHEREOF, the parties hereto have executed this instrument on the dates set forth on their separate acknowledgments below.

Signed and acknowledged
in the presence of:

William S. Miller

Wayne Harris

OHIO GAS COMPANY

BY:

D. Saul
Douglas Saul, Vice-

President of Operations

BY:

Gerald Richards
Gerald Richards, Treasurer

Signed and acknowledged in the presence of:

Beth Landis
BETH LANDIS
Rick L. Bishop
Rick L. Bishop

Triple M Enterprises, an Ohio Partnership

By: Terry L. Michaelis
Terry L. Michaelis
By: Frederick J. Michaelis
Frederick J. Michaelis

STATE OF OHIO, COUNTY OF WILLIAMS:

Before me, a Notary Public in and for said County and State, personally appeared the above named, Ohio Gas Company, an Ohio Corporation, by Douglas Saul, its Vice-President of Operations and Gerald Richards, its Treasurer who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed personally and as such officers and the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Bryan, Ohio, this 22nd day of August, 1996.

Rick L. Bishop
Notary Public

RICK L. BISHOP
Notary Public State of Ohio
My Commission Expires April 6, 2000
Recorded in Henry County

STATE OF OHIO, COUNTY OF HENRY:

Before me, a Notary Public in and for said County and State, personally appeared the above named, Triple M Enterprises, an Ohio Partnership, by Terry L. Michaelis and Frederick J. Michaelis, its Partners, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed personally and as such partners and the free act and deed of said Partnership.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Napoleon, Ohio, this 26th day August, 1996.

Rick L. Bishop
Notary Public

RICK L. BISHOP
Notary Public State of Ohio
My Commission Expires April 6, 2000
Recorded in Henry County

This instrument prepared by Rick L. Bishop Attorney, Bryan, Ohio
43506

EXHIBIT A

A parcel of land in the Northwest Quarter of the Northwest Quarter of Section 13, Town 5 North, Range 6 East, Napoleon Township, City of Napoleon, Henry County, Ohio and is more particularly described as follows:

Commencing at a monument box at the Northwest corner of Section 13, Town 5 North, Range 6 East, Napoleon township, city of Napoleon, Henry County, Ohio; thence Easterly parallel with and adjacent to the North line of Section 13 a distance of 407.15 feet to a point; thence South a distance of 19 feet to the point of beginning; thence continuing South a distance of 16 feet; thence East 250 feet; thence North 16 feet; thence Westerly 250 feet to the point of beginning. Containing a strip of land 16 feet by 250 feet with a total of 4,000 square feet.

Notice of Retirement of Partner And Continuation of Partnership

TO: The Recorder of Henry County, Ohio:

The undersigned do hereby certify that:

Terry L. Michaelis residing at 1212 W. Riverview,
Napoleon, Ohio 43545, and

Frederick J. Michaelis residing at M-480 Road 19,
Napoleon, Ohio 43545,

are interested as partners in the partnership transacting business under the firm name of Triple M Enterprises, with its principal office and place of business at 1410 North Scott Street, Napoleon, Ohio 43545 in Henry County, Ohio and that Frederick Michaelis, one of the partners of Triple M Enterprises, which partner's name was disclosed in the Certificate of Partnership filed at Miscellaneous Volume 1, Page 698, Henry County Recorder's Office has retired and said retirement was effective January 1, 1995 but the partners named above have continued the partnership under the same firm name as set forth herein.

The foregoing are the names in full of all members of said partnership and their places of residence. The said individuals have been the only partners of said partnership as of January 1, 1995.

Signed and acknowledged by us this 26th day of August, 1996.

Terry L. Michaelis

Frederick Michaelis

STATE OF OHIO)
) SS:
County of Henry)

Personally appeared before me a Notary Public, in and for said county, Terry L. Michaelis and Frederick Michaelis, the signers of the foregoing Certificate, who severally acknowledged that they did sign the same and that the same is true and their free act and deed.

In Witness Whereof, I hereunto subscribe my name affix my official seal this 26th day of August, 1996.

Notary Public - State of Ohio

Signed
8/26/96
+ FILED