

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That Carl F. Gerken and Sons, a partnership composed of Carl F. Gerken, Luther F. Gerken and Julian A. Gerken as the sole and only partners, the Grantor herein, who claims title to the hereinafter described real estate by instrument recorded in Volume 181, at page 15, of the Deed Records of Henry County, Ohio, for and in consideration of the sum of One Dollar and Other Good and Valuable Considerations to it paid by Williams Mobile Homes Estates, Inc., the Grantee, the receipt whereof is hereby acknowledged, does hereby Grant to Williams Mobile Homes Estates, Inc., its successors and assigns, forever, a perpetual easement and right of way to use the same for driveway purposes for the benefit of the Grantee, its agents, employees, invitees, lessees, successors and assigns, as a means of ingress to and egress from property owned by the Grantee, and to construct, lay, maintain, repair, remove and replace water and sewer lines and to tap into water and sewer lines of the Grantor, in, upon and under the following real estate, situated in the City of Napoleon, County of Henry and State of Ohio, and known as:

A parcel of land being part of the Southwest Quarter of Section 12, Town 5 North, Range 6 East, Napoleon Township, being more particularly described as follows:

Beginning at a point on the West line of Section 12, Napoleon Township, said point being 565.00 feet South of a stone at the Northwest corner of the Southwest Quarter of said Section 12; thence South 0° - 00' West along the West line of Section 12 a distance of 35.00 feet to a point; thence North 90° - 00' East a distance of 537.40 feet to a point; thence North 0°-00' East and parallel to the West line of Section 12 a distance of 35.00 feet to a point; thence South 90° - 00' West a distance of 537.40 feet to the place of beginning,

Containing .432 acre.

To Have and To Hold said easement and right of way unto the Grantee, its successors and assigns forever.

The said Grantor, its heirs, successors and assigns, has the right to fully use and enjoy the said premises except as the same may be necessary for the purposes herein granted to the said Grantee. The Grantor further agrees not to build, create or construct any obstruction, engineering work, building

or other structure over or on said premises, nor to permit the same to be done by others.

The terms, conditions and provisions hereof shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the parties hereto.

And the said Grantor, for itself and its heirs, successors and assigns, hereby covenants with the said Grantee, its successors and assigns, that it is the true and lawful owner of said premises, and is lawfully seized of the same in fee simple, and has good right and power to grant, bargain, sell, convey and release the same in manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, and that it will warrant and defend the same against all claims of all persons whomsoever.

We, Carolyn A. Gerken, wife of Julian A. Gerken, Dorothy M. Gerken, wife of Luther F. Gerken, and Esther Gerken, wife of Carl F. Gerken, do hereby release and relinquish all of our right, interest and expectancy of dower in said easement.

IN WITNESS WHEREOF, said partnership sets its hand by all partners and their wives this 20th day of September, 1972.

Signed and acknowledged in the presence of:

Rita Feather
Jeanne Finkbeiner

CARL F. GERKEN AND SONS

by: Carl F. Gerken
Carl F. Gerken
Luther F. Gerken
Luther F. Gerken
Julian A. Gerken
Julian A. Gerken - sole partners
Carolyn A. Gerken
Carolyn A. Gerken
Dorothy M. Gerken
Dorothy M. Gerken
Esther Gerken
Esther Gerken

STATE OF OHIO,
Henry County, ss:

Be it Remembered, That on this 20th day of September, 1972, Before me, the subscriber, a Notary Public in and for said State of Ohio, personally

came the above named Carl F. Gerken, Luther F. Gerken and Julian A. Gerken, all of the members of the partnership known as Carl F. Gerken and Sons, and also came Esther Gerken, wife of said Carl F. Gerken, Carolyn A. Gerken, wife of said Julian A. Gerken and Dorothy M. Gerken, wife of said Luther F. Gerken, the Grantors in the foregoing instrument, who acknowledged that they did sign the same, and that the same is their free act and deed.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal, at Napoleon, Ohio, on the day and year aforesaid.

My Commission has no expiration date.

James Funkhouser
James Funkhouser, Notary Public in
and for the State of Ohio.

This instrument was prepared by: James Funkhouser, Attorney, Napoleon, Ohio.

54474E * x

RECEIVED FOR RECORD
This day of April 1922
at 2:20 o'clock P.M., and
Recorded April 20 1922
Salisbury Record
Volume 200 Page 49

Maries Fitzmaurice
Recorder, Henry County, Ohio
2246 N. Rep. O.
44.00