

WAPAKONETA, OHIO • AUGLAIZE COUNTY

INVESTMENT QUALITY FARMLAND AUCTION

WEDNESDAY, NOV 2ND, 1PM

Auction Site: Auglaize County Fairgrounds (Junior Fair Building).
Located at 1001 Fairview Drive, Wapakoneta, OH 45895.

436[±]

ACRES | IN 10 TRACTS

• 2017 CROP RIGHTS TO BUYER

Information booklet

OWNER: DOWNING FARMS

 **SCHRADER**
Real Estate and Auction Company, Inc.

Auction Manager:
Andy Walther - 765-969-0401

FRONTAGE

800-451-2709
www.SchraderAuction.com

DISCLAIMER

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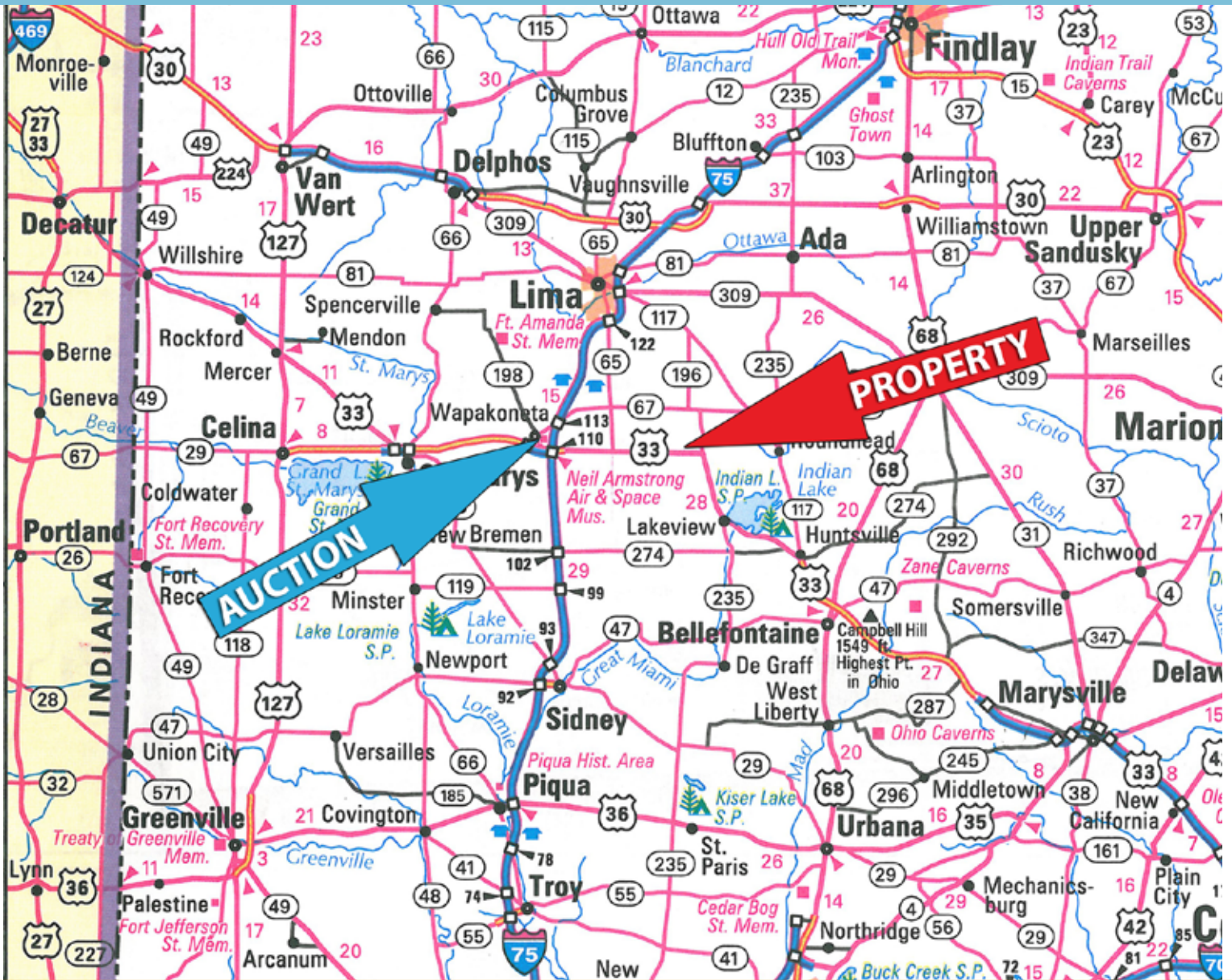


SCHRADER REAL ESTATE AND AUCTION CO., INC.
950 N. Liberty Dr., Columbia City, IN 46725
260-244-7606 or 800-451-2709
SchraderAuction.com

ANDY WALTHER: 765-969-0401 • andy@schraderauction.com

LOCATION MAP

LOCATION MAP



AUCTION SITE:

Auglaize County Fairgrounds (Junior Fair Building). Located at 1001 Fairview Drive, Wapakoneta, OH 45895.

PROPERTY LOCATION:

From I-75 take Exit 110 (US 33) east 8 miles to the Farms. TRACTS 1-2 are located at the intersection of Santa Fe Line Rd. and US 33. Continue traveling east ½ mile to find TRACTS 3-9 with frontage on Waynesfield Rd. and US 33. TRACT 10 is located 2.5 miles south of US 33 on Santa Fe Line Rd.

PROPERTY DESCRIPTION

PROPERTY DESCRIPTION

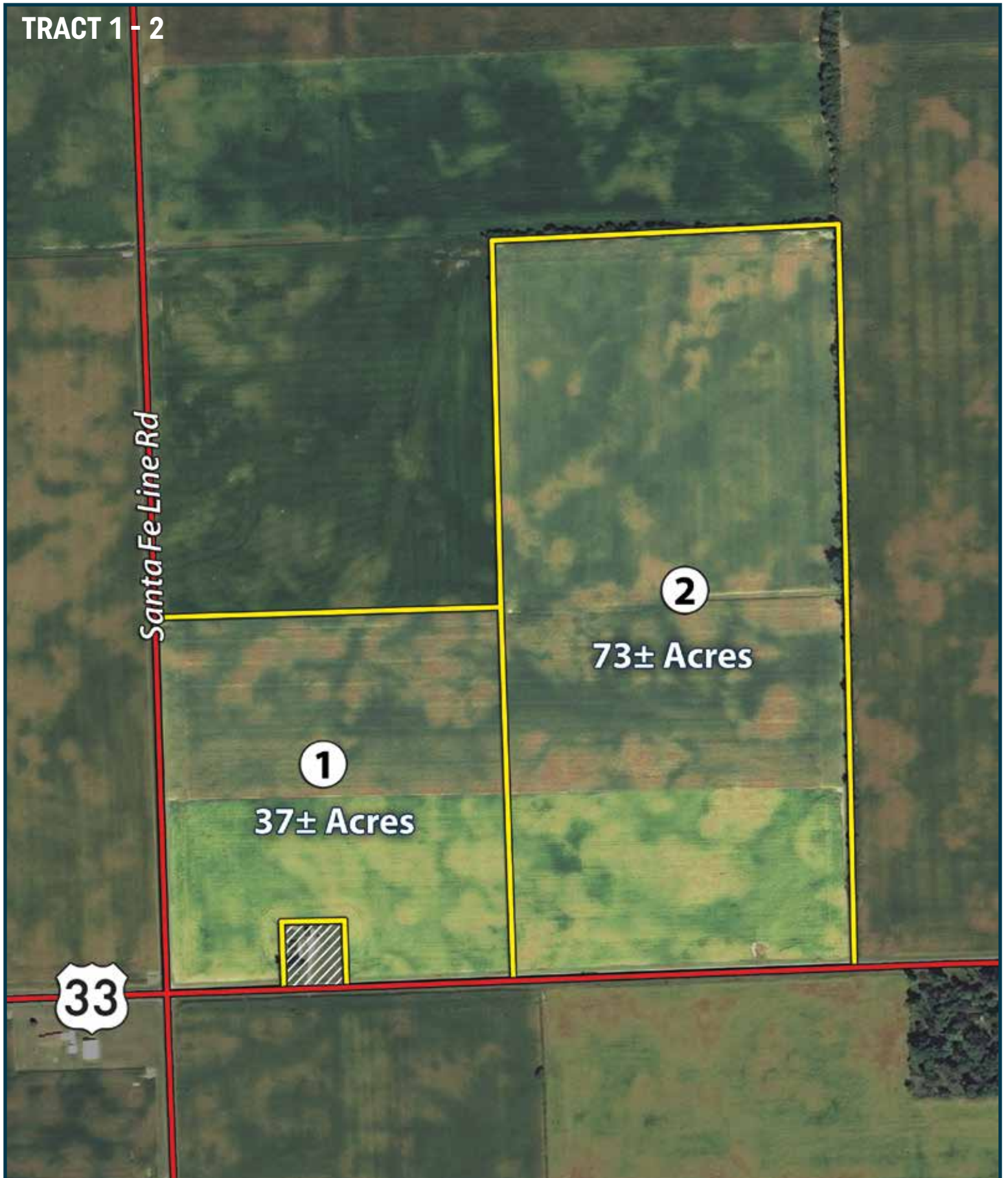
High Quality Soils • Large Fields • Mature Woods for Potential Building Site • High Visibility with US 33 frontage

- **Tract 1: 37± Acres** nearly all tillable. 1,325'± of frontage on Santa Fe Line Rd. and 1,000'± of frontage on US 33. Productive tillable land with quality Pewamo, Blount and Del Rey soils. Nearly level field for ease of farming operation. Nice size tract that presents a great investment opportunity.
- **Tract 2: 73± Acres** nearly all tillable. 1,175'± of frontage on US 33. Nice established entrance at the east end of this Tract. Consider combining with Tract 1 for 110± contiguous acres.
- **Tract 3: 83± Acres** with 80.2± FSA tillable acres. Quality Minster and Pewamo soils bordered on the south and part of the west by a county ditch. Excellent outlets for improved drainage. Very productive soils in an easy to farm Tract. 1,325'± of frontage on Middle Pike (150). and 2,625'± of frontage on Waynesfield Road (261).
- **Tract 4: 77± Acres** with 75.1 FSA tillable acres. Quality Minster and Pewamo soils bordered on the south and part of the north by county ditches. 1,400'± of frontage on Waynesfield Road.
- **Tract 5: 33± Acres** nearly all tillable. Quality Minster and Pewamo soils bordered on the north by a county ditch. 880'± of combined frontage on US 33.
- **Tract 6: 17± Acres** nearly all tillable. Consider combining with Tract 5 have frontage to Waynesfield Road or combine with Tract 7 for your potential mini-farm site.
- **Tract 7: 11± Acres** of mature woods. Beautiful Tract for recreation or your potential building site. Nice corner lot at the intersection of Waynesfield Rd. and US 33.
- **Tract 8: 45± Acres** nearly all tillable. Nice established entrance off of US 33. 1,500± frontage on US 33 and 1,300'± on Waynesfield Rd. Great investment piece.
- **Tract 9: 20± Acres** nearly all tillable. Consider combining with Tract 8 or imagine your estate sized building tract here!
- **Tract 10: 40± Acres** nearly all tillable. This is a very productive tract with improved systematic drainage every 50'. Frontage on Santa Fe Line and Clay Rd. Great opportunity to add this to your farming operation or investment portfolio.

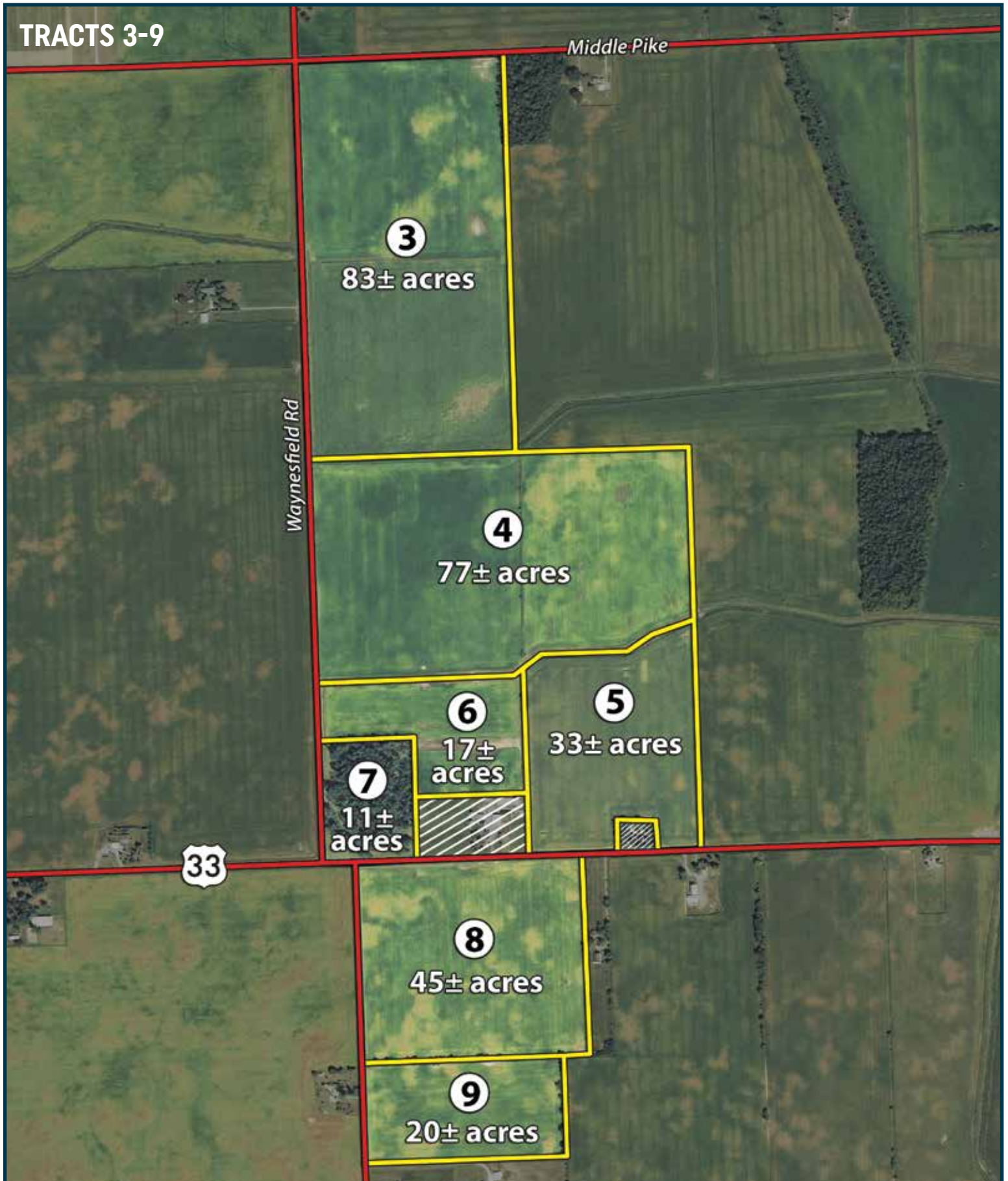
The image features a light blue gradient background. A dark blue horizontal banner with yellow arrow-shaped ends is centered. The text "AERIAL TRACT MAPS" is written in white, bold, uppercase letters within the banner, flanked by two thin white horizontal lines.

AERIAL TRACT MAPS

AERIAL TRACT MAPS. TRACTS 1-2



AERIAL TRACT MAPS. TRACTS 3-9



AERIAL TRACT MAPS. TRACTS 3-9

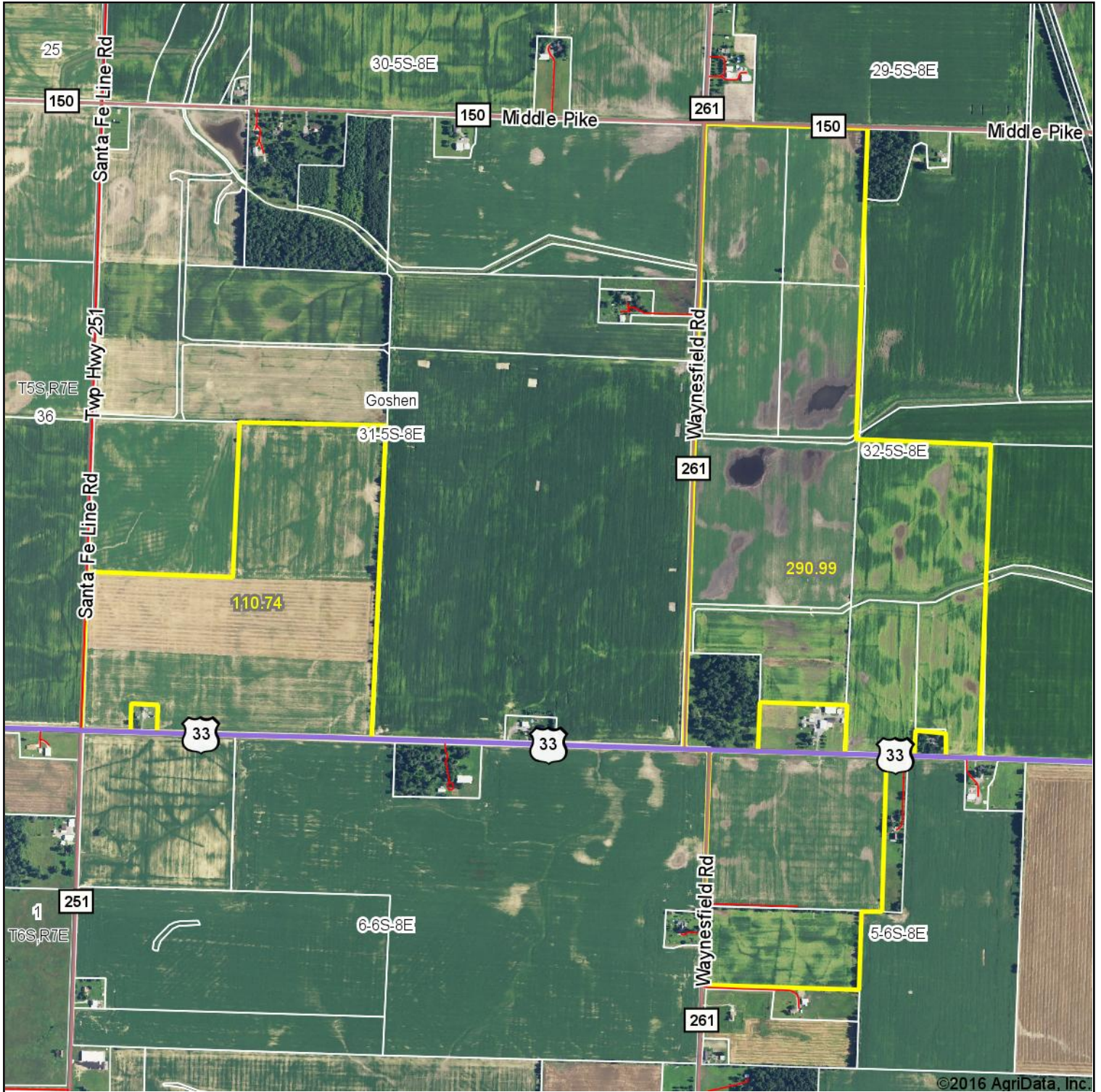
TRACT 10



SURETY/SOIL MAPS

SURETY FSA ACRES - TRACT 1-9

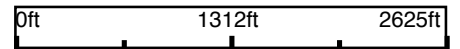
Aerial Map



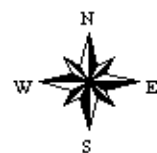
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map center: 40° 33' 41.8, -83° 58' 47.58



31-5S-8E
Auglaize County
Ohio

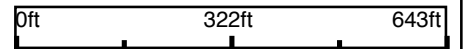


SURETY FSA ACRES - TRACT 10

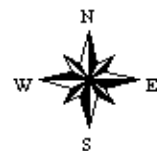
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map center: 40° 32' 8.98, -83° 59' 45.75

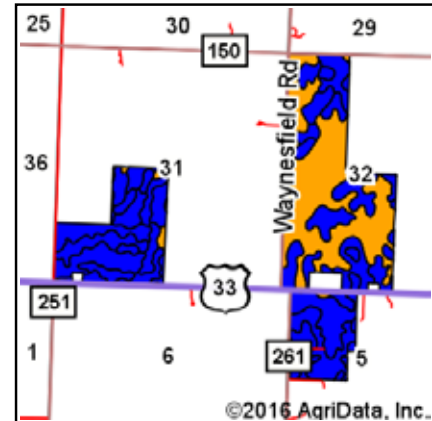
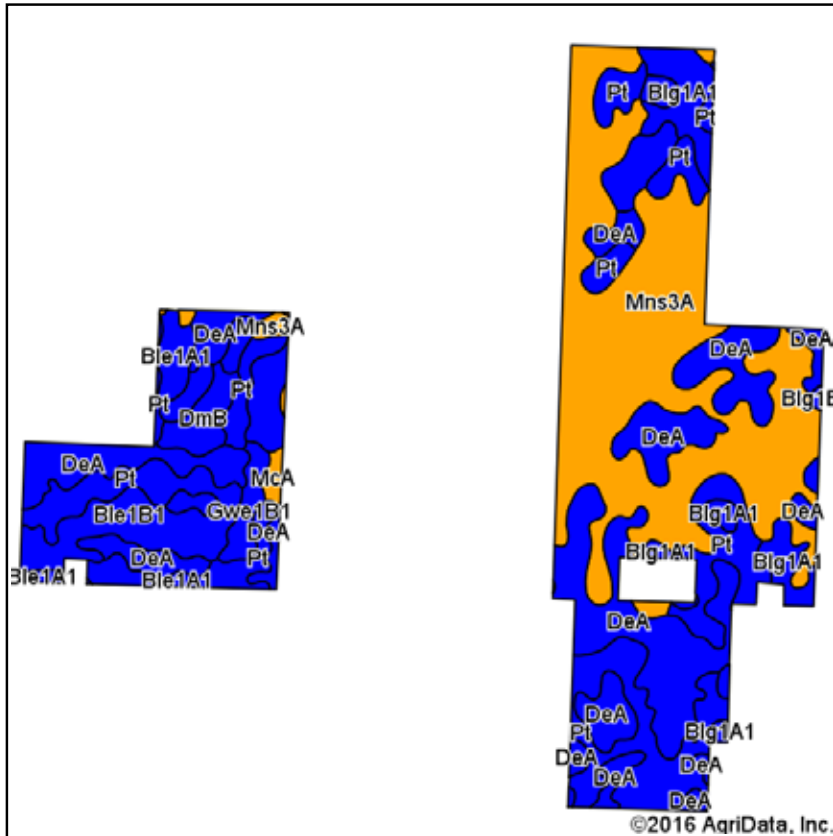


12-6S-7E
Auglaize County
Ohio



SURETY SOILS - TRACT 1-9

Soils Map



State: **Ohio**
 County: **Auglaize**
 Location: **31-5S-8E**
 Township: **Goshen**
 Acres: **401.73**
 Date: **8/19/2016**



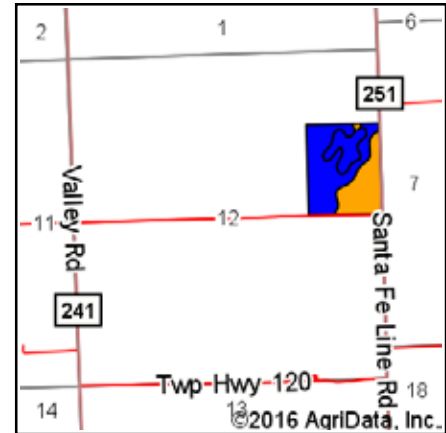
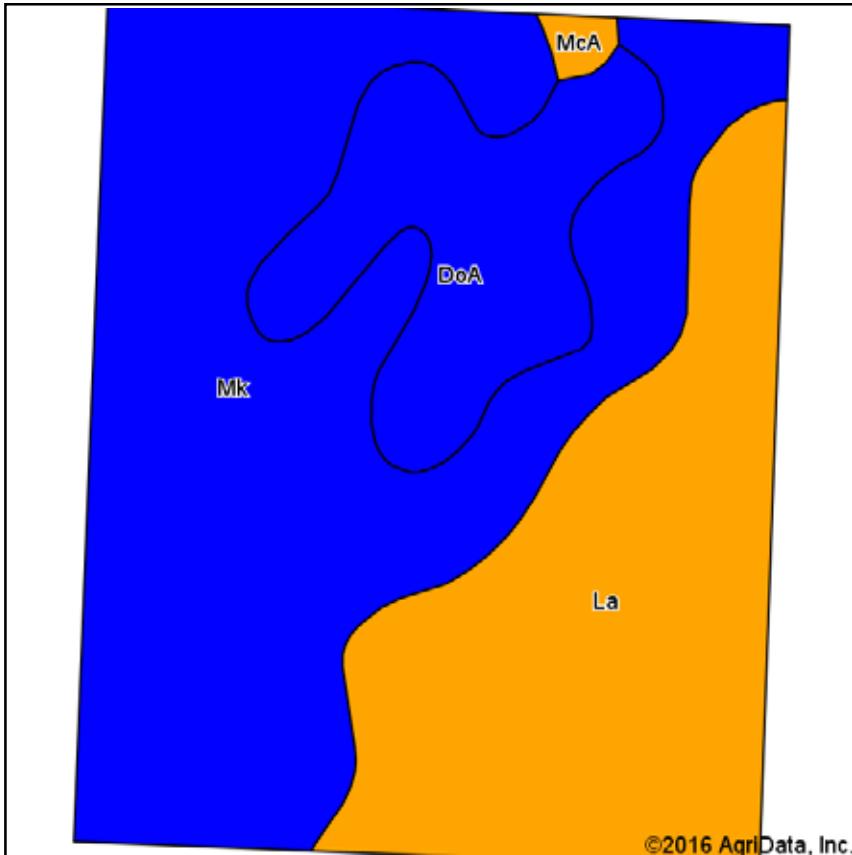
Soils data provided by USDA and NRCS.

Area Symbol: OH011, Soil Area Version: 13

| Code | Soil Description | Acres | Percent of field | Non-Irr Class Legend | Non-Irr Class | Bromegrass alfalfa | Corn | Grass legume hay | Grass legume pasture | Oats | Orchardgrass alfalfa hay | Winter wheat | *eFOTG PI |
|--------|---|--------|------------------|----------------------|---------------|--------------------|------|------------------|----------------------|------|--------------------------|--------------|-----------|
| Mns3A | Minster silty clay loam, 0 to 1 percent slopes | 136.71 | 34.0% | | Illw | | 158 | 5.1 | 10.1 | | | 61 | 75 |
| DeA | Del Rey silt loam, till substratum, 0 to 3 percent slopes | 108.32 | 27.0% | | llw | 7.2 | 105 | 4.3 | | 80 | 4.3 | 45 | 75 |
| Pt | Pewamo silty clay loam, 0 to 1 percent slopes | 78.40 | 19.5% | | llw | | 157 | 5 | 10.5 | | | 64 | 84 |
| Ble1B1 | Blount silt loam, end moraine, 2 to 4 percent slopes | 21.91 | 5.5% | | lle | | 136 | 4.5 | 8.9 | | | 61 | 75 |
| Blg1A1 | Blount silt loam, ground moraine, 0 to 2 percent slopes | 20.89 | 5.2% | | llw | | 141 | 4.6 | 9.3 | | | 63 | 77 |
| Gwg1B1 | Glynwood silt loam, ground moraine, 2 to 6 percent slopes | 8.80 | 2.2% | | lle | | 132 | 4.4 | 1.4 | | | 60 | 69 |
| Gwe1B1 | Glynwood silt loam, end moraine, 2 to 6 percent slopes | 7.52 | 1.9% | | lle | | 132 | 4.4 | 1.4 | | | 60 | 69 |
| Ble1A1 | Blount silt loam, end moraine, 0 to 2 percent slopes | 7.46 | 1.9% | | llw | | 140 | 4.6 | 9.2 | | | 63 | 77 |
| DmB | Digby loam, 2 to 6 percent slopes | 7.25 | 1.8% | | lle | | 110 | 4.4 | | 85 | 4.4 | 50 | 74 |
| HkA | Haskins loam, 0 to 2 percent slopes | 2.26 | 0.6% | | llw | | 120 | 4.4 | | 86 | 4.4 | 46 | 76 |
| McA | McGary silt loam, 0 to 4 percent slopes | 1.75 | 0.4% | | Illw | | 110 | 4 | | 76 | 3.3 | 45 | 66 |

SURETY SOILS - TRACT 10

Soils Map



State: **Ohio**
 County: **Auglaize**
 Location: **12-6S-7E**
 Township: **Clay**
 Acres: **40**
 Date: **8/19/2016**



Soils data provided by USDA and NRCS.

Area Symbol: OH011, Soil Area Version: 13

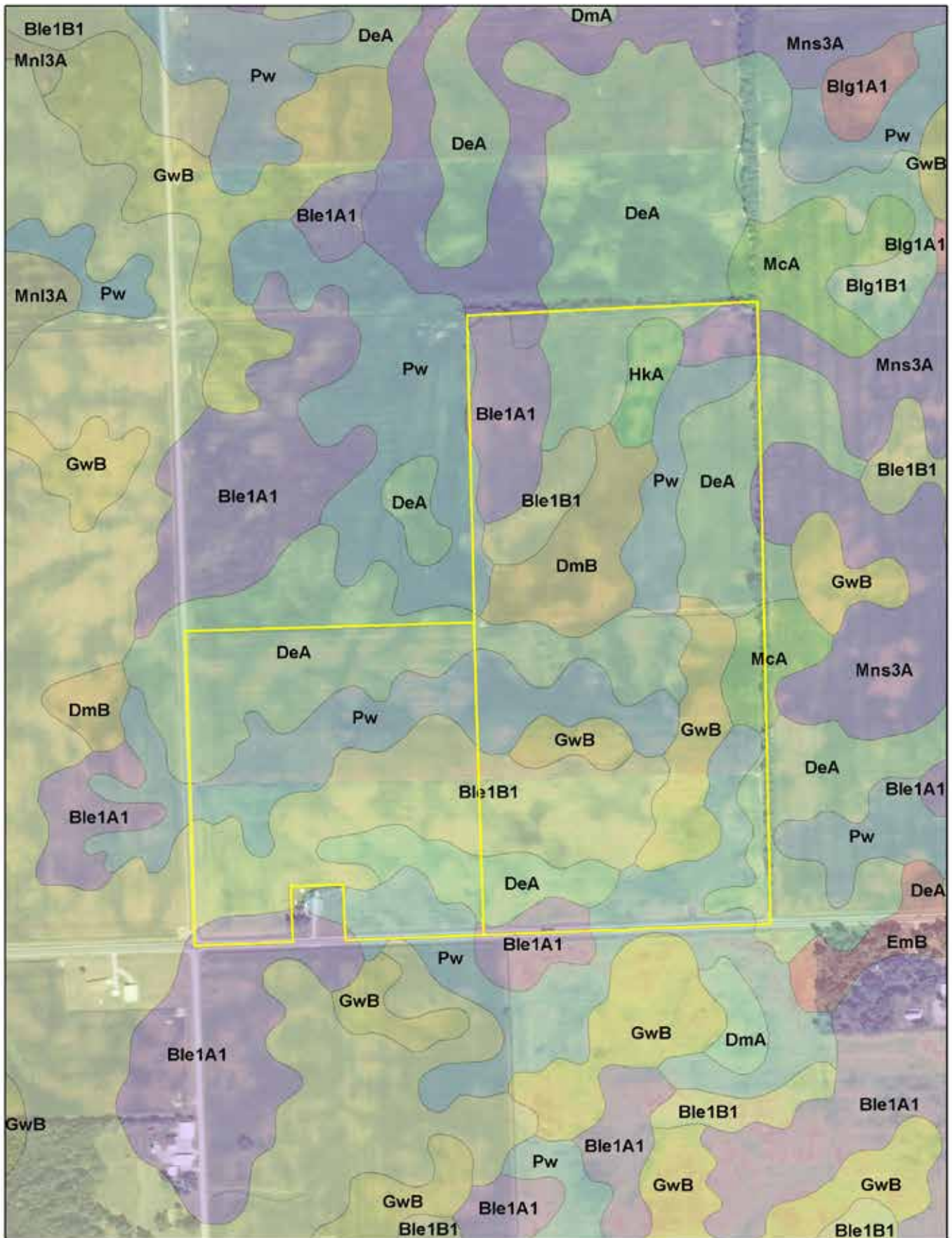
| Code | Soil Description | Acres | Percent of field | Non-Irr Class Legend | Non-Irr Class | Corn | Grass legume hay | Oats | Orchardgrass alfalfa hay | Winter wheat | *eFOTG PI |
|-------------------------|--|-------|------------------|----------------------|---------------|--------------|------------------|-------------|--------------------------|--------------|-------------|
| Mk | Millgrove clay loam | 21.03 | 52.6% | | IIw | 135 | 5 | 95 | 5 | 50 | 96 |
| La | Latty silty clay | 12.86 | 32.2% | | IIIw | 115 | 4.5 | 78 | 5 | 45 | 78 |
| DoA | Digby variant silt loam, 0 to 2 percent slopes | 5.84 | 14.6% | | IIw | 110 | 4.4 | 85 | 4.4 | 50 | 77 |
| McA | McGary silt loam, 0 to 4 percent slopes | 0.27 | 0.7% | | IIIw | 110 | 4 | 76 | 3.3 | 45 | 66 |
| Weighted Average | | | | | | 124.8 | 4.7 | 87.9 | 4.9 | 48.4 | 87.2 |

Area Symbol: OH011, Soil Area Version: 13

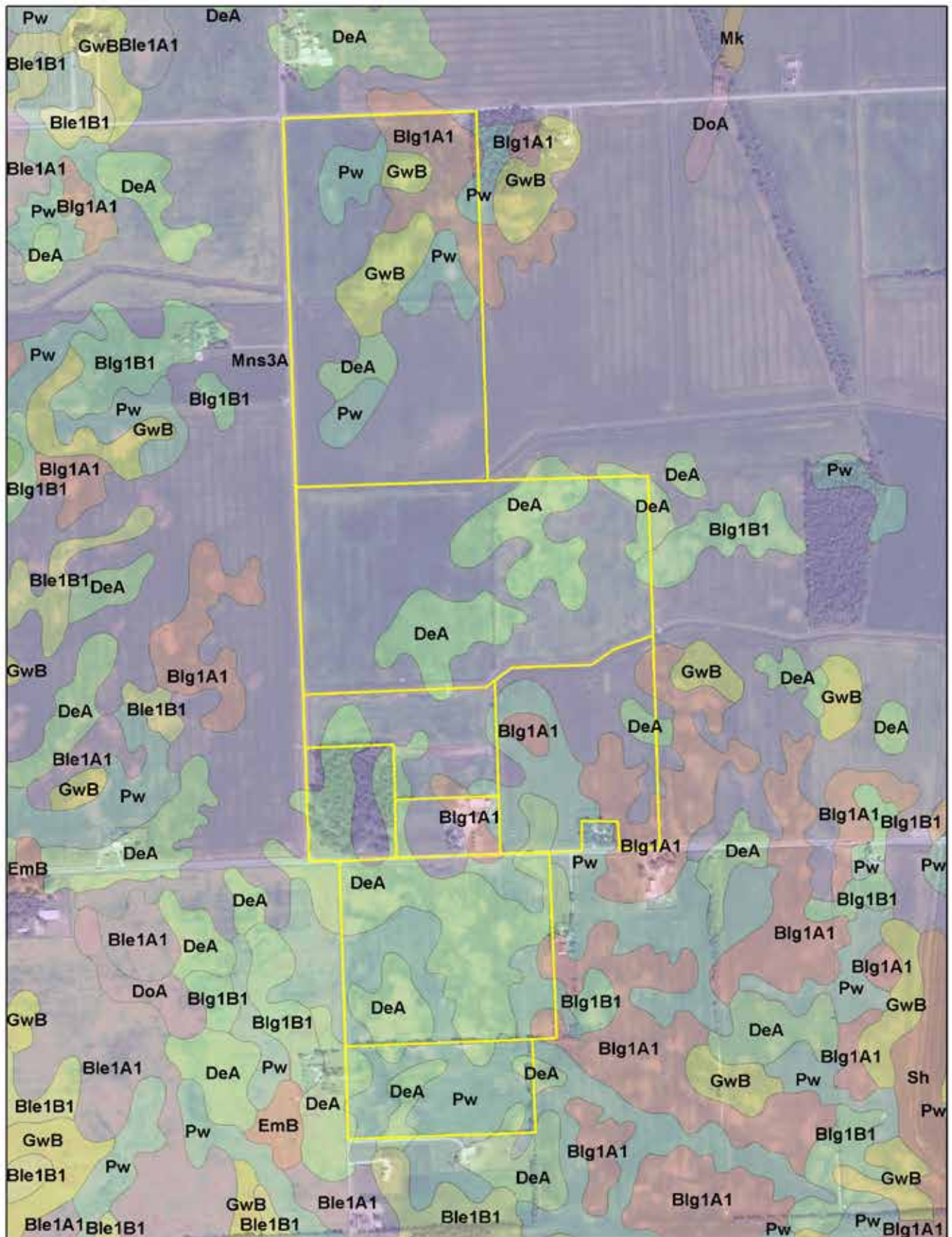
*efotg PI: Obtained from the NRCS eFOTG (<http://efotg.sc.egov.usda.gov>)

Soils data provided by USDA and NRCS.

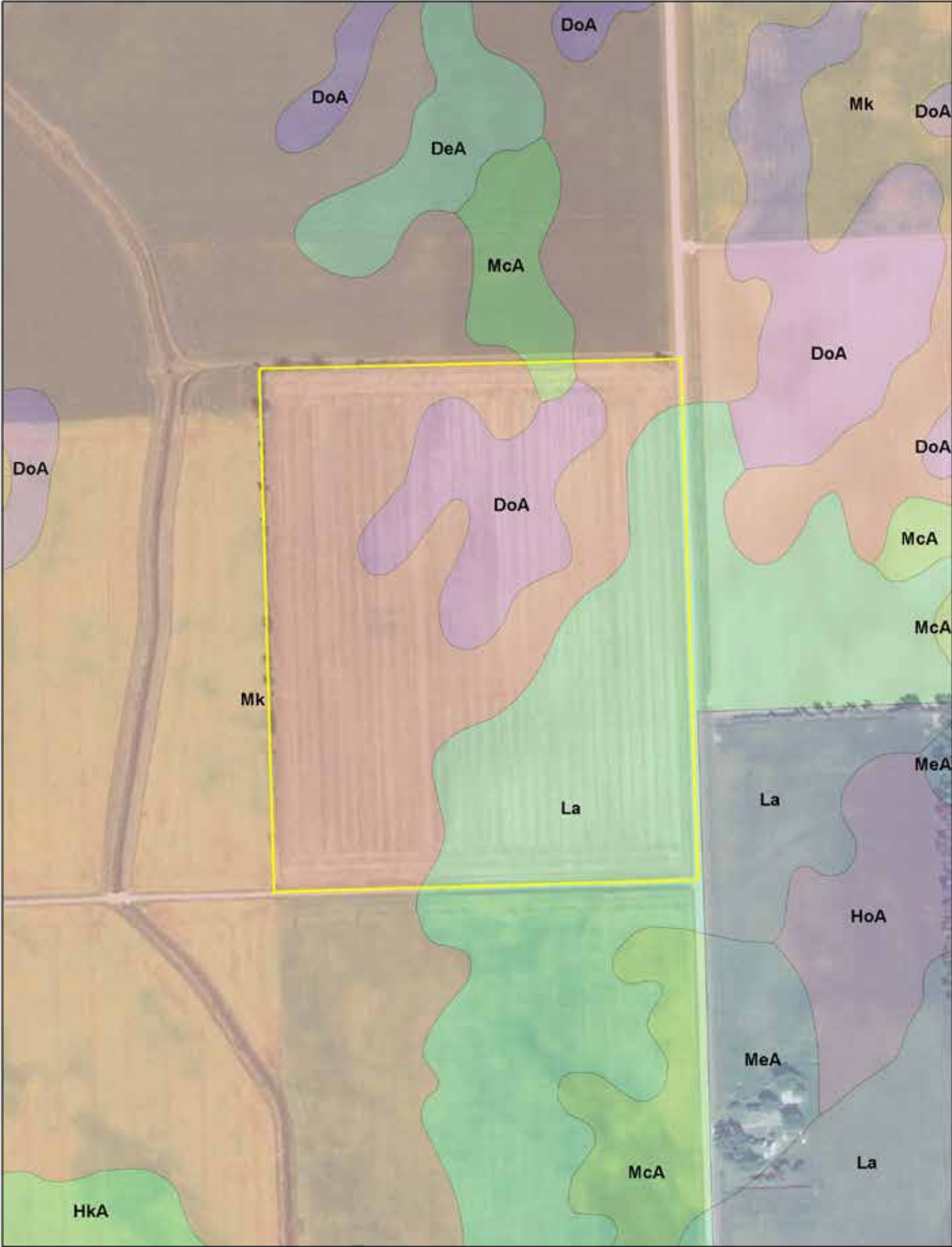
SOILS OVERLAY - TRACTS 1-2



SOILS OVERLAY - TRACTS 3-9



SOILS OVERLAY - TRACT 10

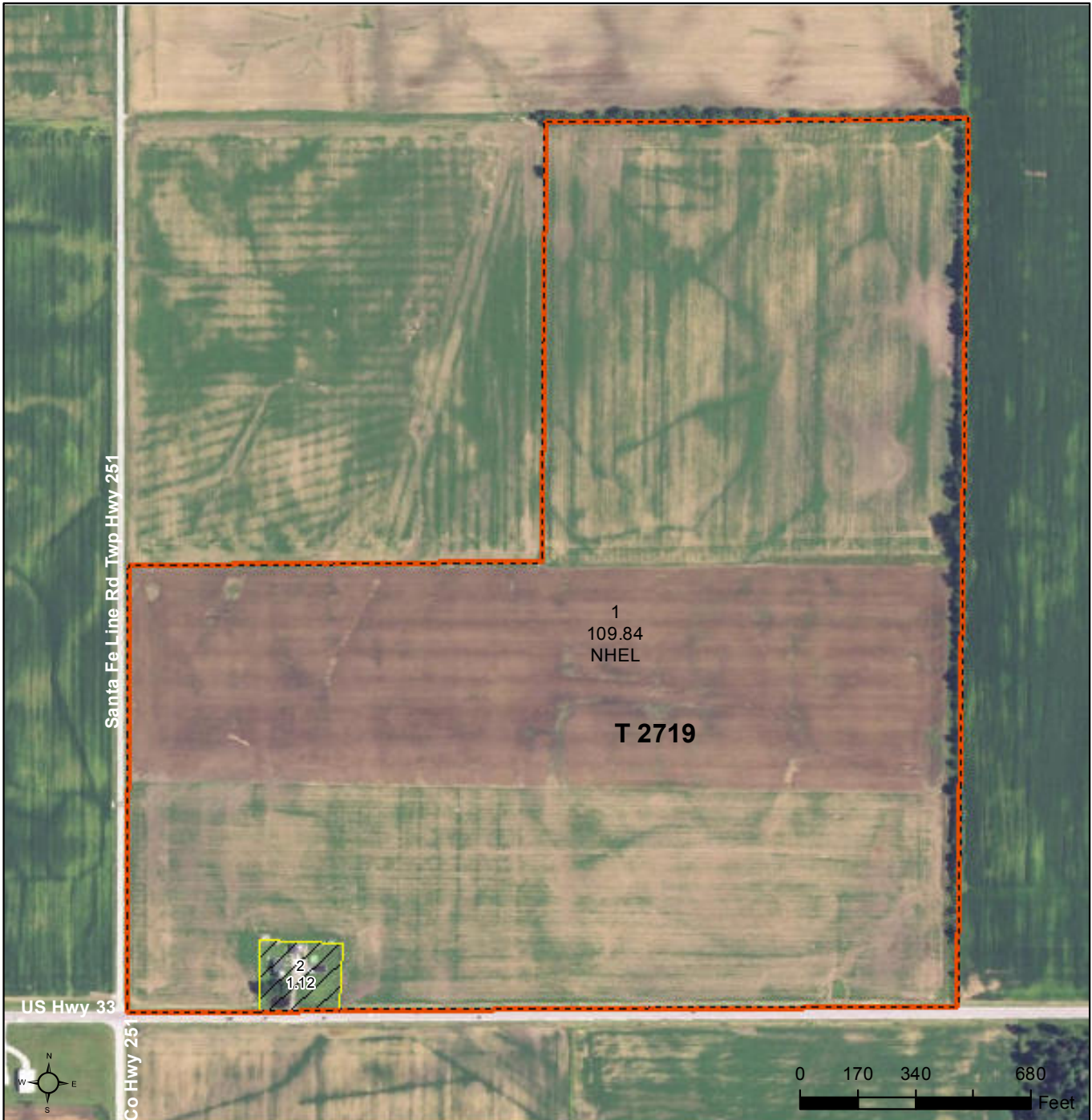


FSA MAPS

FSA MAP - TRACTS 1-2



Auglaize County, Ohio



Common Land Unit Tract Boundary

- Non-Cropland
- Cropland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 109.84 acres

2016 Program Year

Map Created February 22, 2016

Farm 4190

Tract 2719

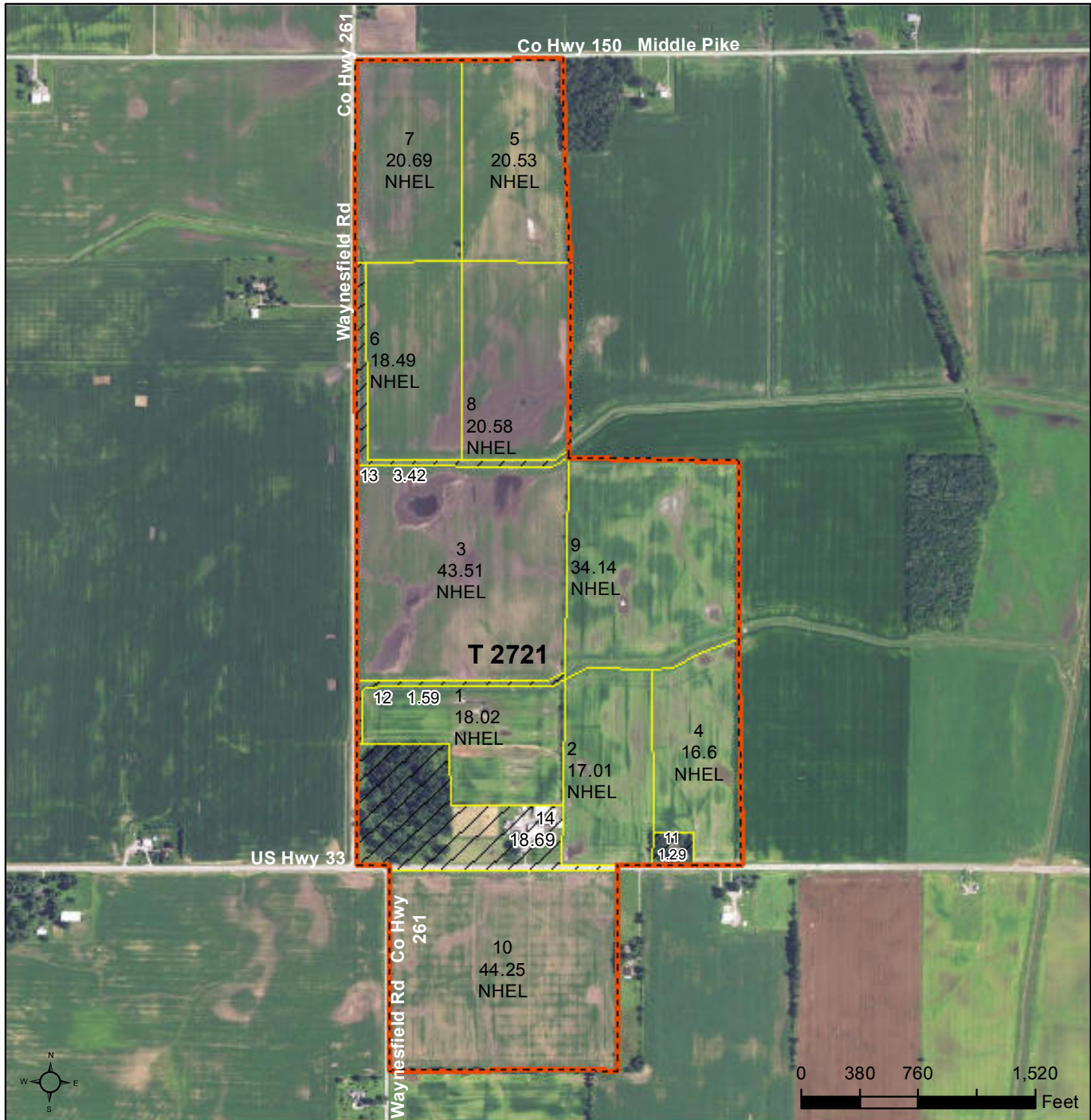
United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

FSA MAP - TRACTS 3-8



United States
Department of
Agriculture

Auglaize County, Ohio



tl_2014_39011_roads

Common Land Unit

- Non-Cropland
- Cropland

2016 Program Year

Map Created February 22, 2016

Farm 4190
Tract 2721

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

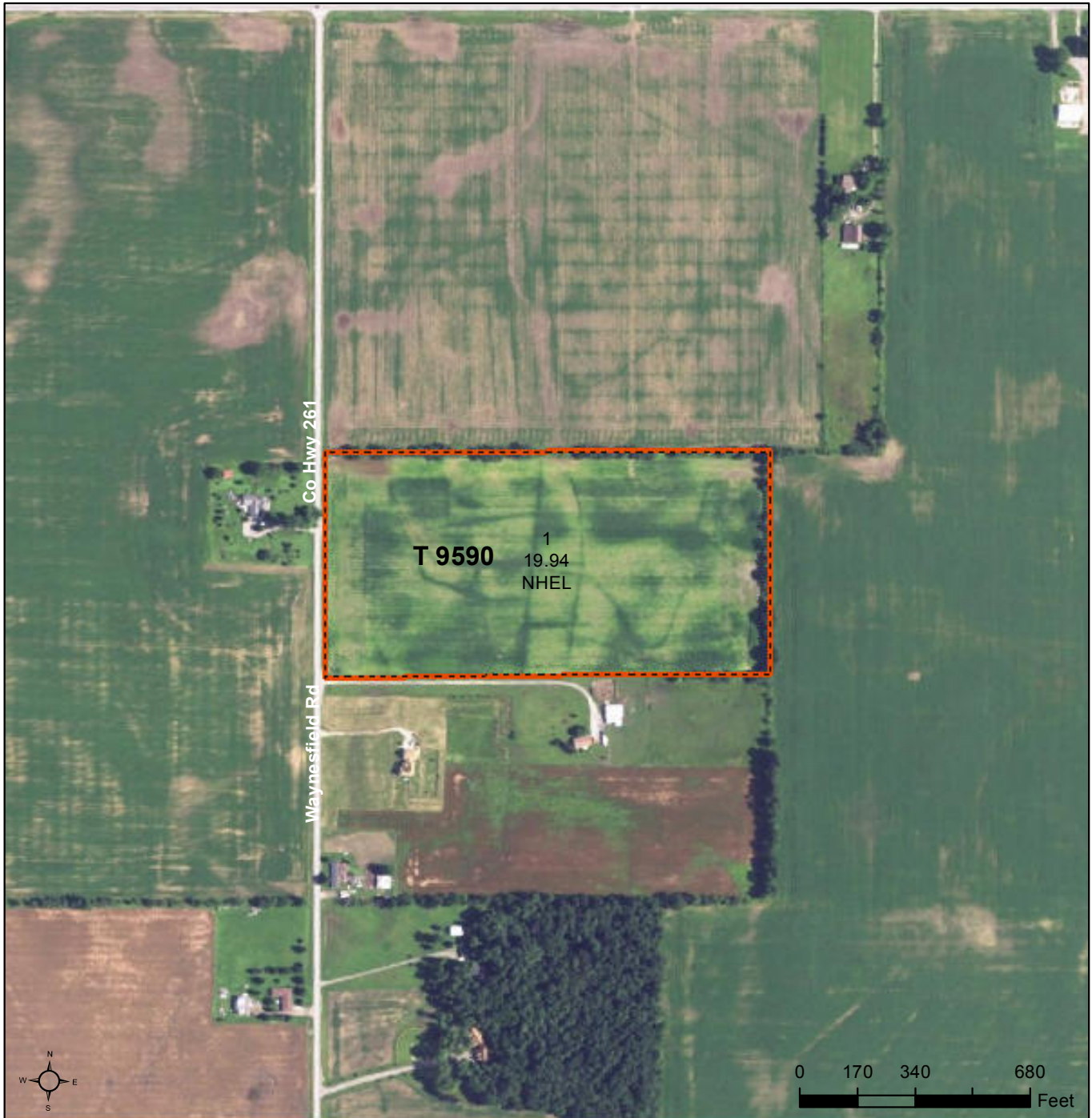
Tract Cropland Total: 253.82 acres

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

FSA MAP - TRACT 9



Auglaize County, Ohio



Common Land Unit

- Cropland
- Tract Boundary

Wetland Determination Identifiers

- Restricted Use
- ▼ Limited Restrictions
- Exempt from Conservation Compliance Provisions

2016 Program Year

Map Created February 22, 2016

Farm **4190**

Tract **9590**

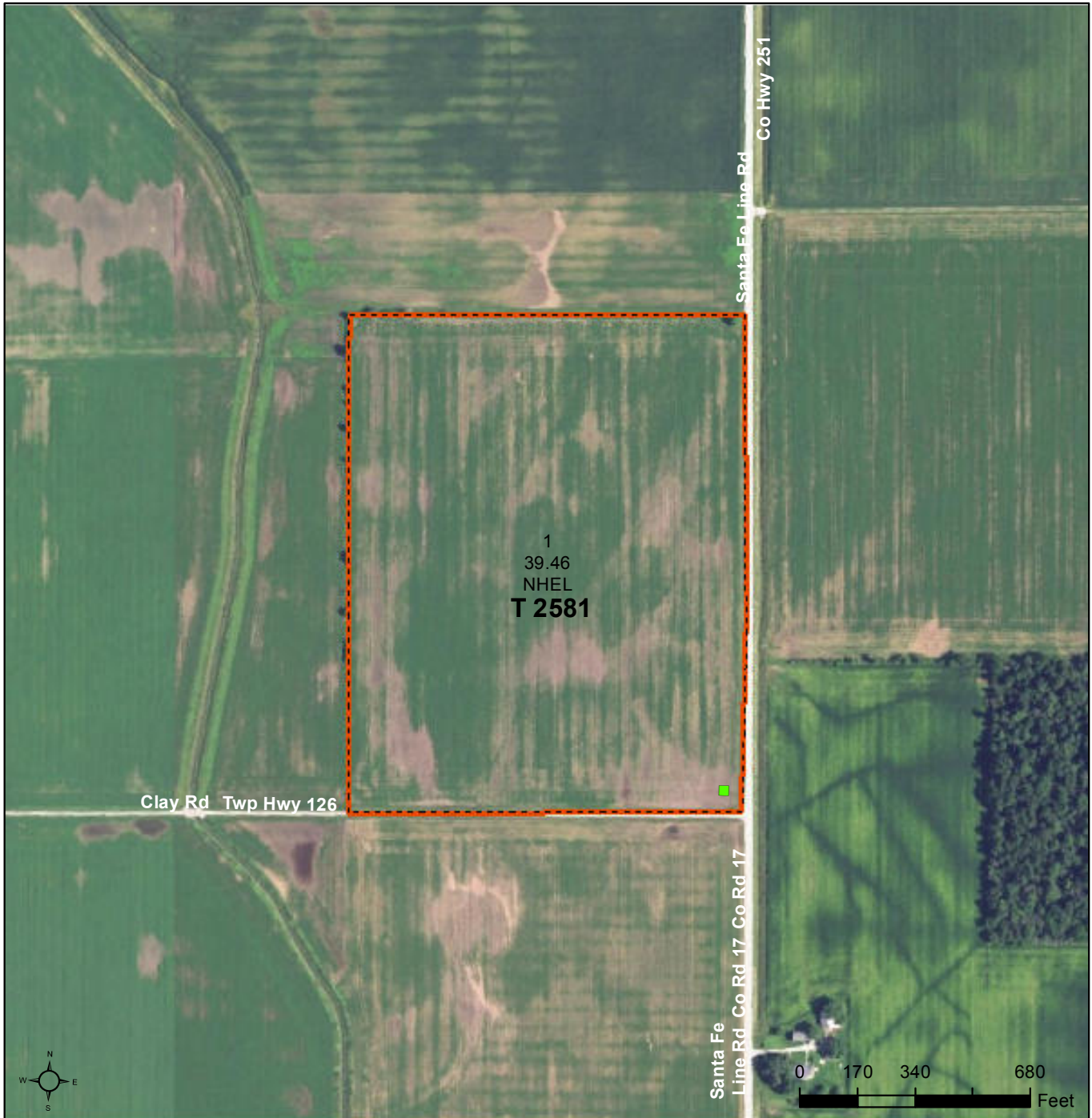
Tract Cropland Total: 19.94 acres

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

FSA MAP - TRACT 10



Auglaize County, Ohio



Common Land Unit

- Cropland
- Tract Boundary

Wetland Determination Identifiers

- Restricted Use
- ▼ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 39.46 acres

2016 Program Year

Map Created February 22, 2016

Farm **4190**

Tract **2581**

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EXHIBIT A, TRACTS 1-6

EXHIBIT A, TRACTS 1-6, PG 1

EXHIBIT "A"

TRACT I:

Situated in the Township of Goshen, County of Auglaize and State of Ohio, to-wit:

Commencing at the southwest corner of Section Number thirty-two (32), thence to run due north on said line to a lateral ditch in said section. Thence to run due east with said ditch (a sufficient distance to contain sixteen acres of land) by thence running due south to the south line of said section; thence west to place of beginning, being the southwest corner of said Section Number Thirty-two (32), Township No. Five (5) South, Range Eight (8) East.

ALSO:

Situated in the Township of Goshen, County of Auglaize and State of Ohio, to-wit:

The west half of the southwest quarter of Section Thirty-two (32), Town Five (5) South, Range Eight (8) East, Goshen Township, Auglaize County, Ohio, EXCEPT sixteen (16) acres out of the southwest corner of said premises, now owned by Ross V. Downing and Olive Ruth Downing; the portion herein conveyed being sixty-four and thirty-eight hundredths (64.38) acres, more or less.

ALSO EXCEPT:

Being a part of Parcels #D12-032-001-00 & D12-032-002-00 (Prior Deed Reference O.R. 633, Pg. 1253) and being a part of the SW ¼ of Section 32, Town 5 South, Range 8 East, Goshen Township, Auglaize County, Ohio, more particularly described as follows:

Commencing at an Existing Iron Pin at the SW corner of Section 32; thence S 89°-02'-18" E with the S line Section 32, 618.31' to a Mag Nail set at the POINT OF BEGINNING; thence the following courses:

1. N 00°-57'-42" E, 420.69' to a set #5 Rebar, passing a set #5 Rebar at 31.26';
2. S 89°-02'-18" E, 748.65' to a set #5 Rebar;
3. S 00°-57'-42" W, 420.69' to a Mag Nail set on the S line of Section 32, passing a set #5 Rebar at 387.81';
4. N 89°-02'-18" W with the S line of Section 32, 748.65' to the POINT OF BEGINNING.

The above described parcel contains 7.230 acres, more or less, of which 0.551 acres are occupied by road right-of-way, subject to all legal highways and easements of record.

The system of bearings for this legal description is based on the Ohio State Plane-North Coordinate System NAD83 (2011). This legal description and accompanying plat represent an actual boundary survey completed under the direct supervision of Kyle J. Binkley, P.S. #8587 on May 4, 2015. All markers called for above are in place.

ALSO:

Situated in the Township of Goshen, County of Auglaize and State of Ohio, to-wit:

The southwest quarter of the northwest quarter of Section Thirty-two (32), Township Five (5) South, Range Eight (8) East, containing forty (40) acres of land, more or less.

EXHIBIT A, TRACTS 1-6, PG 2

ALSO:

Situated in the Township of Goshen, County of Auglaize and State of Ohio, to-wit:

The west half of the northwest quarter of the northwest quarter of Section Thirty-two (32), Town Five (5) South, Range Eight (8) East, containing (20) acres, more or less.

ALSO:

Situated in the Township of Goshen, County of Auglaize and State of Ohio, to-wit:

The east half of the northwest quarter of the northwest quarter of Section Thirty-two (32), Town Five (5) South, Range Eight (8) East, containing twenty (20) acres, more or less.

Containing in all 153.581 acres, more or less, in Tract I.

Parcel Number: D12-032-001-01

TRACT II:

Situated in the Township of Goshen, County of Auglaize and State of Ohio, to-wit:

The southwest quarter of the southwest quarter and the east half of the southwest quarter of Section 31, Goshen Township, Township 5 South, Range 8 East, Auglaize County, Ohio, containing 112 acres, more or less, subject to all public highways, there being highways on two sides thereof.

SAVE AND EXCEPT a parcel of land containing 1.216 acres of land and conveyed to David A. Herron and Lou E. Herron by Warranty Deed recorded in Volume 141, Page 0784, Deed Records of Auglaize County, Ohio. Legal description: The following described tract of land is situated in the Southwest Quarter of Section Thirty-one (31), Goshen Township, Town Five (5) South, Range Eight (8) East, Auglaize County, Ohio, and is more particularly described as follows:

Commencing at a Railroad Spike located at the Southwest Corner of the Southwest Quarter of said Section Thirty-one (31), Goshen Township;

thence with a bearing of North 89 degrees 38 minutes 39 seconds East along the South line of the Southwest Quarter of said Section Thirty-one (31), Goshen Township, and along the centerline of State Route 33, for a distance of 416.36 feet to a point and the PLACE OF BEGINNING;

thence with a bearing of North 00 degrees 00 minutes East for a distance of 234.25 feet to an iron pin (set), and passing thru an iron pin (set) on the Northerly right-of-way line of State Route 33 at a distance of 30.00 feet;

thence with a bearing of North 89 degrees 38 minutes 39 seconds East for a distance of 226.03 feet to an iron pin (set);

thence with a bearing of South 00 degrees 00 minutes West for a distance of 234.25 feet to a point on the South line of the Southwest Quarter of said Section Thirty-one (31), Goshen Township, and the centerline of State Route 33, and passing through an iron pin (set) on the Northerly right-of-way line of said State Route 33 at a distance of 204.25;

EXHIBIT A, TRACTS 1-6, PG3

thence with a bearing of South 89 degrees 38 minutes 39 seconds West along the south line of the southwest quarter of said Section Thirty-one (31), Goshen Township, and the centerline of State Route 33, for a distance of 226.03 feet to a point and the PLACE OF BEGINNING.

Containing in all 1.216 acres of land subject to a 0.156 acre previously dedicated for highway purposes. The basis of bearings for this survey assumed that the West line of the Southwest Quarter of Section Thirty-one (31), Goshen Township, and the centerline of Township Road 251, Santa Fe Line Road, as having a bearing of South 00 degrees 00 minutes West. This plat and survey is Recorded in Book "I", Page 158, 159 in the Auglaize County Engineer's Office. Survey prepared by Ted K. Schnell, Professional Surveyor 7216, dated July 7, 1990.

Containing 110.784 acres, more or less, in Tract II.

Parcel Number: D12-031-003-00

TRACT III:

Situated in the Township of Goshen, County of Auglaize and State of Ohio, to-wit:

Being the east half of the southwest quarter of Section 32, Town 5 South, Range 8 East, SAVE AND EXCEPT 12 acres off of the east side thereof, leaving 68 acres, more or less; SAVE AND EXCEPT a parcel of land containing 1.3178 acres conveyed to Leonard C. Taylor and Diana L. Taylor as recorded in Volume 218, at page 815, Deed Records of Auglaize County, Ohio. Said parcel was a new survey completed by Clayton H. Stimmel, Professional Surveyor No. 4906.

Said 1.3178 acres being fully described as follows:

The following described premises, situated in Goshen Township, Auglaize County, Ohio, to-wit:

The following tract of land is part of the west half of Section 32, Goshen Township, Tier 5 South, Range 8 East with respect to the First Principal Meridian, Auglaize County, Ohio and is more particularly described as follows:

Commencing at the southwest corner of Section 32, said corner also being the intersecting centerline of Ohio State Route No. 33 (SR 33) and Auglaize County Road No. 261 (GR 261, formerly Waynesfield Road); thence N. 89° - 30' E. along the south line of Section 32 (this line also being the centerline of SR 33) a distance of 1930.63 feet to a P-K nail which is the PLACE OF BEGINNING; thence N. 00° - 45' W. thru an iron pin at the 30.0 feet right-of-way line and continuing to another iron pin at a total distance of 227.31 feet; thence S. 88° - 35' E. a distance of 258.28 feet to an iron pin; thence S. 00° - 19' E. thru an iron pin at the 30.0 feet right-of-way line and continuing a total distance of 218.63 feet to a P-K nail in the centerline of SR 33 (being the south line of Section 32); thence S. 89° - 30' W. along the centerline of SR 33 a distance of 256.61 feet to the P-K nail which was the place of beginning.

The above tract of land contains 1.3178 acres and is subject to 0.1767 acre which has been dedicated to the use of the public for highway purposes.

The above description is a result of a new survey completed by Clayton H. Stimmel, Professional Surveyor No. 4906. Said survey being completed

ALSO SAVE AND EXCEPT that portion of the following 7.230 acres that lies in Tract III, with said 7.230 acres being described as follows:

EXHIBIT A, TRACTS 1-6, PG 4

Being a part of Parcels #D12-032-001-00 & D12-032-002-00 (Prior Deed Reference O.R. 633, Pg. 1253) and being a part of the SW ¼ of Section 32, Town 5 South, Range 8 East, Goshen Township, Auglaize County, Ohio, more particularly described as follows:

Commencing at an Existing Iron Pin at the SW corner of Section 32; thence S 89°-02'-18" E with the S line Section 32, 618.31' to a Mag Nail set at the POINT OF BEGINNING; thence the following courses:

1. N 00°-57'-42" E, 420.69' to a set #5 Rebar, passing a set #5 Rebar at 31.26';
2. S 89°-02'-18" E, 748.65' to a set #5 Rebar;
3. S 00°-57'-42" W, 420.69' to a Mag Nail set on the S line of Section 32, passing a set #5 Rebar at 387.81';
4. N 89°-02'-18" W with the S line of Section 32, 748.65' to the POINT OF BEGINNING.

The above described parcel contains 7.230 acres, more or less, of which 0.551 acres are occupied by road right-of-way, subject to all legal highways and easements of record.

The system of bearings for this legal description is based on the Ohio State Plane-North Coordinate System NAD83 (2011). This legal description and accompanying plat represent an actual boundary survey completed under the direct supervision of Kyle J. Binkley, P.S. #8587 on May 4, 2015. All markers called for above are in place.

Parcel Number: D12-032-002-00

TRACT IV:

Situated in the Township of Goshen, County of Auglaize and State of Ohio, to-wit:

The west ten (10) acres off of the northeast quarter of the northwest quarter of Section 5, Town 5 South, Range 8 East, containing ten (10) acres, more or less; SAVE AND EXCEPT the following: Commencing at the northwest corner of the northeast quarter of the northwest quarter of Section 5, Town 5 South, Range 8 East, thence ten (10) rods: BEGINNING thence south eighty (80) rods; thence east ten (10) rods; thence north eighty (80) rods; thence west ten (10) rods to the place of beginning, containing five (5) acres of land, more or less.

ALSO:

Situated in the Township of Goshen, County of Auglaize and State of Ohio, to-wit:

The northwest quarter of the northwest quarter of Section 5, Town 6 South, Range 8 East, containing forty (40) acres, more or less.

Containing in all forty-five (45) acres, more or less in Tract IV.

Parcel Number: D12-005-006-01

TRACT V:

Situate in the Township of Goshen, County of Auglaize and State of Ohio, to-wit:

The North half (1/2) of the Southwest quarter (1/4) of the Northwest Quarter (1/4) of Section Five (5), Town Six (6) South, Range Eight (8) East, containing twenty (20) acres.

Parcel Number: D12-005-007-00

EXHIBIT A, TRACTS 1-6, PG 5

TRACT VI:

Situate in the Township of Clay, County of Auglaize, and State of Ohio, to-wit:

Being the Southeast fractional quarter of the Northeast fractional quarter of Section Twelve (12), Town Six (6) South, Range Seven (7) East, containing thirty-six (36) acres, more or less.

ALSO:

Four (4) acres off the South end of the Northeast fractional quarter of the Northeast fractional quarter of Section Twelve (12), Town six (6) South, Range Seven (7) East, containing in all forty (40) acres, more or less.

Parcel Number: A03-012-002-00

**PRELIMINARY CERTIFICATE:
TRACT 1**

Dennis P. Faller

Attorney at Law

105 S. Blackhoof Street
P.O. Box 413
Wapakoneta, Ohio 45895

Telephone: (419) 738-4578

Fax: (419) 738-5607

fallerlaw@bright.net

PRELIMINARY CERTIFICATE OF EXAMINATION OF TITLE TO REAL ESTATE

Schrader Real Estate & Auction Company
300 N. Morton Ave.
Centerville, IN 47330

Re: Tract I on Exhibit "A"

Dear Gentlemen:

The undersigned hereby certifies that he has made a thorough examination of the records of Auglaize County, Ohio as disclosed by the Parcel Abstract Books and the Public Indexes except the Direct and Reverse Deed Indexes in accordance with the Ohio Marketable Title Act and the standards of title examination of the Real Property Section of the Ohio State Bar Association, relating to the premises described as Tract I on Exhibit "A" attached hereto and incorporated herein by reference.

At the date of this certificate, the fee simple title to said Tract I is vested as follows: one-half ($\frac{1}{2}$) interest in Frederick K. Clark, Trustee of the Frederick K. Clark Revocable Living Trust, dated September 23, 2002; one-fourth ($\frac{1}{4}$) interest in Brien T. Downing, and one-fourth ($\frac{1}{4}$) interest in Barry R. Downing, by virtue of Warranty Deed filed for record September 26, 2002 in Official Record Vol. 465, Page 1382, in the Office of the Recorder of Auglaize County, Ohio and a Fiduciary Deed filed for record July 18, 2013 in Official Record Vol. 633, Page 1253, in the Office of the Recorder of Auglaize County, Ohio.

From said county records, it appears that the title is marketable and free from encumbrance except and subject to the matters set forth herein.

The property is subject to no Mortgages of record.

There are no judgment liens, foreign execution liens, personal property tax liens, federal tax liens, factor's liens, recognizance bond liens, unemployment compensation liens, or worker's compensation liens against said property, nor any suits against the property in the Court of Common Pleas or Court of Appeals of Auglaize County. No examination of Federal Court records or U.S. Bankruptcy Court records was made.

Real Estate Taxes on said property are paid to the January 2017 installment which is a lien but which is not yet determined, due or payable. Said parcel is a split from a larger tract of land with said larger tract of land having been carried on the Tax Duplicate as Parcel No. D12-032-001-00. The Parcel No. for the above described premises will be D12-032-001-01. The larger tract of

PRELIMINARY CERTIFICATE: TRACT 1, PG 2

land was subject to the following Special Assessments which are liens but which are paid to the January 2017 installment:

1. Special Assessment, Project No. 11-043, Landfill Monitoring.
2. Special Assessment, Project No. 12-453, St. Joe DM.
3. Special Assessment, Project No. 12-487, Muchinippi DM.
4. Special Assessment, Project No. 12-731, Gray Harrod.

Attention is directed to the fact that the above described is currently listed on the Auditor's Agricultural Land Tax List and is currently taxed at its agricultural use under the provisions of Section 5713.32, Ohio Revised Code. If the land is removed from the Agricultural Land Tax List, a charge may be levied against said land in an amount equal to the amount of the tax savings enjoyed by the owner during the three (3) tax years immediately preceding the year in which the conversion occurs. Under Section 5713.34, the charge shall constitute a lien upon the land as of the first day of January of the tax year in which the charge is levied. No liability is assumed under this certificate for any lien arising under the provisions of Section 5713.34. Said lien continues upon the title of any subsequent owner and there is no limitation upon the duration of the lien.

The property is subject to a right-of-way along Waynesfield Road one foot outside the road right-of-way in favor of the Dayton Power & Light Company granted by document dated October 1, 1946, filed for record October 18, 1946 in Misc. Record Vol. 5, Page 121, in the Office of the Recorder of Auglaize County, Ohio. A copy of said Right-Of-Way Grant is attached hereto and marked as Exhibit "B".

The property is subject to a Right Of Way Permit along the south side of Middle Pike and along the east side of Waynesfield Road granted Lima Telephone and Telegraph Company by document dated August 23, 1954, filed for record August 25, 1954 in Misc. Record Vol. 6, Page 462, in the Office of the Recorder of Auglaize County, Ohio. A copy of said document is attached hereto and marked as Exhibit "C".

The property is subject to a ditch easement ten (10) feet along the top of the finished ditch granted to the County of Auglaize by document dated October 14, 1960, filed for record October 18, 1960 in Deed Record Vol. 175, Page 332, in the Office of the Recorder of Auglaize County, Ohio. A copy of said Easement For Ditch Purposes Only is attached hereto and marked as Exhibit "D".

The property is subject to an easement for highway purposes granted the County of Auglaize by document dated June 6, 1975, filed for record June 6, 1975 in Deed Record Vol. 215, Page 774, in the Office of the Recorder of Auglaize County, Ohio. A copy of said easement is attached hereto and marked as Exhibit "E".

The property is subject to an easement for highway purposes granted the County of Auglaize by document dated June 6, 1975, filed for record June 6, 1975 in Deed Record Vol. 215, Page 775, in the Office of the Recorder of Auglaize County, Ohio. A copy of said easement is attached hereto and marked as Exhibit "F".

The property is subject to an easement for highway purposes granted the County of Auglaize by document dated September 6, 1984, filed for record September 13, 1984 in Official Record Vol.

PRELIMINARY CERTIFICATE: TRACT 1, PG 3

6, Page 673, in the Office of the Recorder of Auglaize County, Ohio. A copy of said easement is attached hereto and marked as Exhibit "G".

This certificate does not purport to cover matters not of record in Auglaize County, Ohio, including rights of persons in possession, questions which a correct survey or inspection would disclose, rights to file mechanics' liens, special taxes and assessments not shown by the County Treasurer's Records, or zoning and other governmental regulations or liens asserted by the United States or State of Ohio, and agencies and officers under the Ohio Solid Hazardous Waste Disposal Act, Federal Superfund Amendments, and under Racketeering Influence and Corrupt Organization Acts and Receivership Liens, unless the lien is filed in the public records of Auglaize County, Ohio.

This certificate was prepared at the request of Schrader Real Estate & Auction Company. Said certificate is not descendable or assignable, nor shall any other person rely upon said certificate. Rights of subrogation are hereby reserved.

Dated at Wapakoneta, Ohio, this 28th day of September, 2016 at 8:00 o'clock a.m.



Dennis P. Faller, Attorney at Law

PRELIMINARY CERTIFICATE: TRACT 1, PG 4



Misc Vol 5
Page 127

NO. 54914

RIGHT-OF-WAY GRANT

121

DAYTON, O. & P. & L. CO. 10-737

FORM NO. 38-2-24

FROM
Rosa V. Downing and Olive
Ruth Downing
 TO
 THE DAYTON POWER AND LIGHT CO.
 DAYTON, OHIO

Know All Men By These Presents:

THAT Rosa V. Downing and Olive Ruth Downing, Husband and Wife

in consideration of One-Dollar to them paid by The Dayton Power and Light Company, the receipt of which is hereby acknowledged, do hereby grant and convey unto said The Dayton Power and Light Company, its successors and assigns forever, the right of way and easement, subject to legal highways, for a line for the transmission and/or distribution of electric energy thereover, for any and all purposes for which electric energy is now, or may hereafter be used, with the right to construct, maintain and use or remove said line and appurtenances subject to the conditions hereinafter contained, over and across the following premises, viz:

situated in Goshen Township, Auglaize County, Ohio and being a tract of land containing 20 acres, more or less, situate in the northwest quarter of Section 32, Town 5 South, Range 8 East, and being the same premises conveyed to the grantors herein in a deed recorded in Deed Book No. 129, page 599 of the deed records of Auglaize County, Ohio.

The aforesaid line shall consist of wooden poles, or steel and concrete structures, or both, together with all necessary equipment, wires, cables, anchors, fixtures and appliances appurtenant thereto. The centerline of said line shall be approximately along the following course, viz:

Beginning at a point in the north property line (which is also the centerline of the Middle Pike - - and the south line of Section 30) 89 feet east of the west property line (which is also the centerline of the Waynesfield Road - - and the east line of Section 31); thence southwestwardly 79 feet to a point 26 feet east of the aforesaid west property line; thence southwardly parallel to and 26 feet east of the aforesaid west property line 1176 feet, more or less, to a point; thence southwestwardly 26 feet, more or less, to a point in the aforesaid west property line 1248 feet south of the aforesaid north property line.

In the event the Waynesfield Road should be widened or relocated, said The Dayton Power and Light Company, its successors or assigns, may, but shall not be required to relocate or reconstruct said line and appurtenances, so that the centerline of said line as relocated or reconstructed shall not be more than one (1) foot outside of the road as widened or relocated.

(Construction covered by this Grant has been inspected and conforms therewith.)
 Date 10/1/46 By K. Fryer

The Dayton Power and Light Company, its successors and assigns, by its employees and agents, may enter upon said premises from time to time to erect, repair and maintain or remove said line or part thereof and to cut and remove such trees or other obstructions as, in the opinion of the grantee herein, may now or at any time hereafter interfere with the use, maintenance and successful operation of said line, and to place and string wires and cables thereon and to repair and maintain or remove the same.

That said The Dayton Power and Light Company, its successors and assigns, shall hold the grantors, heir heirs, executors, administrators, and assigns, harmless from any and all damages to persons or property that may arise from or be caused by the negligence of The Dayton Power and Light Company, its successors or assigns, or their agents, servants, or employees, in the construction, maintenance or use of said pole line.

It is further agreed that failure of said The Dayton Power and Light Company, its successors and assigns, or any of them, to enter upon said tract or parcel of real estate or any part thereof, or to exercise any of the rights and privileges hereby granted and conveyed shall not work a forfeiture or abandonment of the rights and privileges hereby granted and conveyed, in whole or in part, nor shall any such failure to enter upon said tract or parcel of real estate above described be construed as a surrender of any of the rights and privileges hereby granted and conveyed.

The acceptance of this conveyance by The Dayton Power and Light Company shall operate as an agreement by it for itself, its successors and assigns to all the terms and conditions hereof, and it and they shall be bound thereby.

IN WITNESS WHEREOF, the said Rosa V. Downing and Olive Ruth Downing, Husband and Wife

have hereunto subscribed their names this 1st day of October 19 46

Signed and acknowledged in the presence of:

Signed and acknowledged in the presence of: Rosa V. Downing
Kenneth Fryer Rosa V. Downing
Kenneth Fryer Olive Ruth Downing
Clarence R. Swartz Clarence R. Swartz

STATE OF OHIO, COUNTY OF Auglaize, ss:

Be it remembered, that on this 1st day of October, in the year of our Lord One Thousand Nine Hundred and forty-six, before me, the subscriber, a Notary Public in and for said County, personally came Rosa V. Downing and Olive Ruth Downing

the grantor a in the foregoing instrument and acknowledged the signing thereof to be their voluntary act and deed for the uses and purposes therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year last aforesaid.

Approved Law Department
 The Dayton Power & Light Co. 10/9/46
William M. Matthews

Clarence R. Swartz
 Clarence R. Swartz
 My commission expires Jan. 1948

Transfer Not Necessary
 October 18th 1946 at 2:52 P.M. Ray County Recorder.

Downing, William
com. exp. 3/17/56
Recorder
Deputy

RIGHT OF WAY PERMIT

For and in consideration of One (\$1.00) Dollar, and other valuable considerations, to me/us paid by Lima Telephone and Telegraph Company, receipt of which is hereby acknowledged, I/we for myself/ourselves, heirs, assigns and successors in title, do hereby grant unto said Company, its successors and assigns, the right of way, right and privilege to erect, construct and perpetually operate, maintain, alter, repair and /or remove poles, wires, fixtures, guys, anchors and other appurtenances upon, over, across or under the property which I/we own or in which I/we have an interest, situated in the Township of Goshen, County of Auglaize, State of Ohio, and described as follows:
The Ross V. and Olive Ruth Downing Farm Located along the S. Side of the middle pike and East Side of Road in N.W. 1/4 Sec.32.

All pole lines erected hereunder upon said premises to parallel the roads, streets and highways adjoining said premises and to be constructed so that the cross arms, wires and anchors do not extend over or onto said premises, a distance of more than Eight (8) feet from the near limits of the said roads, streets and highways as now established or as may hereafter be established.
The Easement and Right-of-Way herein granted includes the right to enter upon said premises and erect, operate and permanently maintain thereon the usual fixtures and equipment required for the operation of a telephone line, together with the right to trim and keep trimmed any and all trees which may interfere with or endanger the safe and efficient operation of said lines, provided that any trees trimmed will be at a reasonable height and in a uniform manner.
The undersigned covenant that I/we will not grant an Easement or License to any other person firm or corporation for the construction of telephone, telegraph, or electric power lines over that part of said premises occupied by telephone lines of the said Company constructed hereunder.
It is distinctly understood that the said Company shall now and hereafter locate its poles and wires so as not to interfere with ingress and egress to said property and so as not to interfere with any buildings which now or may hereafter be erected upon said property.

TO HAVE AND HOLD the said Easement and Right-of-Way to the said Company, its successors and assigns forever.
WITNESS my/our hand this 23 rd day of August, 1954
Plummer D. Folk
Lois M. Folk

State of Ohio, Auglaize County, ss.
Be it known that before me, a Notary Public in and for said County and State, personally appeared Ross and Mrs Ross Downing who being by me duly sworn acknowledged the signing of the foregoing Easement to be their free act and deed for the giving and granting of the rights therein named, including dower.
WITNESS my hand and official seal this 23rd day of August, 1954

Filed August, 25, 1954 at 8:52 A.M.
Recorded August, 25, 1954
Fee \$1.25
Hazel Mae Hunter
Notary Public
Recorder
Deputy



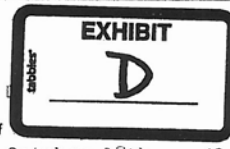
Misc. 1061
Page 2
462

PRELIMINARY CERTIFICATE: TRACT 1, PG 6

New Hampshire

Vol. 175 PAGE 332

92544
State of



Received October 18th 1960
at 2:31 P. M.
October 18th 1960
Vol. No. 175 Page 332
No Fee

EASEMENT FOR DITCH PURPOSES ONLY

Know all men by these presents:

That Ross V. Downing and Olive R. Downing the Grantors

for and in consideration of the sum of three hundred and sixty six dollars and no/100

366.00 dollars (\$366.00) figured at the rate of (\$300.00 per acre) and for other good and valuable consideration to be paid by the County of Auglaize, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to the said Grantees, its successor and assign forever, a perpetual easement and right of way for Ditch Maintenance Only in upon and over the lands hereinafter described, situated in Joshua Township, Auglaize County, Ohio, Section 32 Town 5 South; Range 8 East and bounded and described as follows.

Being a tract of land 10 feet in width from the top of finished ditch bank through the property of the Grantor, adjacent to and including the present ditch and all lands of the said Grantor herein, lying and being between the center line of the present ditch as existing and occupied after completion of construction and a line parallel thereto and 10 feet therefrom on both sides thereof.

TO HAVE AND TO HOLD said easement and right of way unto the Grantee its successors and assigns forever.

And the said Grantors for their lives and their heirs, executors and administrators, hereby covenant with said Grantees its successors and assigns that the y the true and lawful owner of said premises, and the same in manner aforesaid, and that the same is free and clear from all liens and encumbrances, whatsoever, and that the y will warrant and defend the same against all claims of all persons whatsoever. And for the consideration aforesaid Ross V. Downing and Olive R. Downing hereby relinquishes to said Grantee, its successors and assigns, all right and expectancy of Dower in the above described premises.

IN WITNESS WHEREOF Ross V. Downing and Olive R. Downing

have hereunto set their hands, the 14 day of October

in the year of our Lord one thousand nine hundred and Sixty

Signed and sealed in the presence of
Burke E. Keller
Francis Smith

Ross V. Downing
Olive R. Downing

witnesses

owners

STATE OF OHIO, Auglaize County

Before me, a County Engineer in and for said County and state personally appeared the above named

Ross V. Downing and Olive R. Downing

who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF I have hereunto set my hand and official seal.

at Wapakoneta, Ohio this 14 day of October

A. D. 1960



PAID

OCT 18 1960

V. E. DOENGES
AUDITOR

Warrant # 23571

Easement for Highway Purposes



Know all men by these presents:

215 774

That

Ross & Olive Downing

the Grantors for and in

consideration of the sum of eight hundred seventy dollars (\$ 870.00)

and for other good and valuable consideration to them paid by the County of Auglaize, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to the said Grantee, its successor and assigns forever, a perpetual easement and right of way for public highway and road purposes, clear of all obstructions which interfere with the improvement end/or maintenance of the highway, in upon and over the lands hereinafter described, situated in Goshen

Township, Auglaize County, Ohio, Section 32 Town 5S Range 8E and bounded and described as follows: The following described tract of land is part of the west half of the northwest quarter of Section 32, Goshen Township, Tier 5 South, Range 8 East, with respect to the First Principal Meridian, Auglaize County, Ohio, and is more particularly described as follows:

Commencing at an iron pin in the intersection of County Road 150 (C.R.150) formerly the Middle Pike, and County Road 261 (C.R.261), formerly the Waynesfield Road, this pin also being the northwest corner of Section 32, Goshen Township, Auglaize County, Ohio;

thence with an assumed bearing of S0°05'W along the centerline of C.R. 261, a distance of 1,237.43 feet to a P.K. nail which is the PLACE OF BEGINNING;

thence continuing S0°05'W along the centerline of C.R. 261 a distance of 1400 feet to a P.K. nail;

thence S89°55'E a distance of 70 feet to a point, passing through a point at 25 feet in the existing R/W line;

thence N0°05'E a distance of 1400 feet to a point;

thence N89°55'W a distance of 70 feet, passing through a point in the existing R/W line, to a point in the centerline of C.R. 261, which was the PLACE OF BEGINNING

The above tract of land contains 2.25 acres of which 0.90 acres has previously been dedicated for highway purposes.

TO HAVE AND TO HOLD said easement and right of way unto the Grantee its successors and assigns forever.

And the said Grantor s for themselves and their heirs, executors and administrators,

hereby covenant with said Grantee its successors and assigns that they the true and lawful owner s of said premises, and they lawfully seized of the same in fee simple, and have good right and full 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 they will warrant and defend the same against all claims of all persons whatsoever. And for the consideration aforesaid

Ross & Olive Downing hereby relinquishes to said Grantee, its successors and assigns, all right and expectancy of Dower in the above described premises.

IN WITNESS WHEREOF Ross & Olive Downing

have hereunto set their hands, the 6th day of June in the year of our Lord one thousand nine hundred and seventy-five

Signed and sealed in the presence of:

Paul F. Ranshart
Notary Public

Ross Downing
Olive P. Downing

140401

State of Ohio Auglaize County, S. S.

Received June 6 1975

at 9:25 O'clock A.M.

Recorded June 6 1975

Vol. No. 215 Page 774

STATE OF OHIO,

Auglaize County

ss: No fee Le Roy H. Kimmel
Recorder, Auglaize County

Before me, a Notary Public and for said County and state, personally appeared the above named Ross & Olive Downing who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF I have hereunto set my hand and official seal

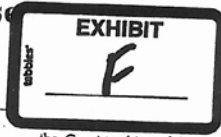
at Wapakoneta, Ohio this day

of June A. D. 1975

WIRGIN E. REIFF, Notary Public, Auglaize County, Ohio
My Commission Expires March 21, 1977

Virginia E. Reiff

Easement for Highway Purpose



Know all men by these presents:

215 775

That

Ross & Olive Downing

the Grantors for and in consideration of the sum of ONE dollars (\$ 1.00)

and for other good and valuable consideration to them paid by the County of Auglaize, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to the said Grantee, its successor and assigns forever, a perpetual easement and right of way for public highway and road purposes, clear of all obstructions which interfere with the improvement and/or maintenance of the highway, in upon and over the lands hereinafter described, situated in Goshen

Township, Auglaize County, Ohio, Section 32 Town 5S Range 8E and bounded and described as follows: The following described tract of land is part of the west half of the northwest quarter of Section 32, Goshen Township, Tier 5 South, Range 8 East, with respect to the First Principal Meridian, Auglaize County, Ohio, and is more particularly described as follows: Commencing at an iron pin in the intersection of County Road 150 (C.R.150) formerly the Middle Pike, and County Road 261 (C.R.261), formerly the Waynesfield Road, this pin also being the northwest corner of Section 32, Goshen Township, Auglaize County, Ohio; thence with an assumed bearing of S0°05'W along the centerline of C.R. 261, a distance of 1,237.43 feet to a P.K. nail which is the PLACE OF BEGINNING; thence continuing S0°05'W along the centerline of C.R. 261 a distance of 1400 feet to a P.K. nail; thence S89°55'E a distance of 70 feet to a point, passing through a point at 25 feet in the existing R/W line; thence N0°05'E a distance of 1400 feet to a point; thence N89°55'W a distance of 70 feet, passing through a point in the existing R/W line, to a point in the centerline of C.R. 261, which was the PLACE OF BEGINNING. The above tract of land contains 2.25 acres of which 0.90 acres has previously been dedicated for highway purposes.

TO HAVE AND TO HOLD said easement and right of way unto the Grantee its successors and assigns forever.

And the said Grantor s for themselves and their heirs, executors and administrators, hereby covenant with said Grantee its successors and assigns that they the true and lawful owners of said premises, and they lawfully seized of the same in fee simple, and have good right and full 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 they will warrant and defend the same against all claims of all persons whatsoever. And for the consideration aforesaid Ross & Olive Downing hereby relinquishes to said Grantee, its successors and assigns, all right and expectancy of Dower in the above described premises.

IN WITNESS WHEREOF Ross & Olive Downing

have hereunto set their hands, the 16th day of June in the year of our Lord one thousand nine hundred and seventy-five

Signed and sealed in the presence of: Joseph F. Reinhart Howard L. Hesser

Ross Downing Olive B. Downing

140402 State of Ohio Auglaize County, S. S. Received June 6 1975 at 9:26 O'clock A.M. Recorded June 6 1975 Vol. No. 215 Page 775

STATE OF OHIO,

Auglaize County ss: No fee Le Roy H. Kneel

Before me, a Notary Public Recorder, Auglaize Co., Ohio in and for said County and state, personally appeared the above named Ross & Olive Downing they did sign the foregoing instrument and that the same who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF I have hereunto set my hand and official seal

at Wapakoneta, Ohio this day of June A. D. 1975 Virginia E. Reiff

PRELIMINARY CERTIFICATE: TRACT 1, PG 9

EASEMENT FOR HIGHWAY PURPOSES



KNOW ALL MEN BY THESE PRESENTS:

VOL 6 PAGE 673

That Olive Ruth Downing, Ronald A. Downing and Mabel E. Clark, The Grantor s

for and in consideration of the sum of five hundred Dollars (\$ 500.00) and for other good and valuable considerations to them paid by Auglaize County, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, a perpetual easement and right of way for public highway and road purposes, in, upon and over the lands hereinafter described.

PARCEL NO. _____

Being a parcel of land situated in Auglaize County, Ohio, Goshen Township, Section 32, Town 5 (five) S, Range 7 (seven) E, and lying on the East side of the centerline of a survey, made by the County of Auglaize, bounded and described as follows:

Commencing at the South-West corner of Section 32, Goshen Township, Auglaize County, Town 5 South, Range 7 East;

thence, North along the West line of Section 32 a distance of 801.67 ft. to a point and the PLACE OF BEGINNING;

thence, North along the same line a distance of 369.82 ft. to a point;

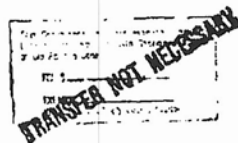
thence, East with an angle of 90 00' a distance of 25.00 ft. to a point;

thence, South with an angle of 90 00' a distance of 369.82 ft. to a point;

thence, West with an angle of 90 00' a distance of 25.00 ft. to a point and the PLACE OF BEGINNING.

The above described parcel of ground consists of 0.212 Acres.

See plat which is recorded in Survey Book G, Page 314, in the Auglaize County Engineers Office.



TO HAVE AND TO HOLD said easement and right of way unto the Grantee, its successors and assigns forever.

And the said Grantor s, for his and her heirs, executors, and administrators, hereby covenant with the said Grantee, its successors and assigns that the y the true and lawful owner of said premises, and have lawfully seized of the same in fee simple, and he ve good right and full 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 the y will warrant and defend the same against all claims of all persons whomsoever.

And for the consideration aforesaid Olive Ruth Downing, Ronald Downing & Mabel E. Clark

hereby relinquish to said Grantee, its successors and assigns, all right and expectancy of Dower in the above described premises.

Requested By: dpf 09/28/2016

VOL 6 PAGE 674

IN WITNESS WHEREOF Olive Ruth Downing, Ronald A. Downing & Mabel E. Clark

have hereunto set their hands, the 6th day of September, in the year of our Lord one thousand nine hundred and eighty-four

Signed and sealed in presence of:

[Signature of Douglas Pemberton]

[Signatures of Mabel Clark and Ronald A. Downing]

STATE OF OHIO.

Auglaize COUNTY ss.:

Before me, a Notary Public in and for said County and State, personally appeared the above named Olive Ruth & Ronald A. Downing & Mabel E. Clark who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.



IN TESTIMONY WHEREOF I have hereunto set my hand and official seal at Auglaize County

this 6th day of September, A. D. 1984.

JOHN W. JANTZI, Notary Public, Auglaize County, State of Ohio, My Commission Expires Dec. 16, 1987

My Commission Expires Dec. 16th, 1987.

16405

EASEMENT FOR HIGHWAY PURPOSES FROM

TO THE

TRANSFERRED

County, Township, Section, Parcel No., Received September 13, 1984, At 9:27 o'clock A.M., Recorded September 13, 1984, in AUGLAIZE County, Record of Deeds, Vol. OR #6 Page 673-674, Marlene E. Schumann, Recorder, Recorder's Fee, \$ No Fee

NOTE: To the County Recorder: As soon as this easement has been recorded, it should be returned to County Engineer



**PRELIMINARY CERTIFICATE:
TRACT 2**

PRELIMINARY CERTIFICATE: TRACT 2, PG 1

Dennis P. Faller

Attorney at Law

105 S. Blackhoof Street
P.O. Box 413
Wapakoneta, Ohio 45895

Telephone: (419) 738-4578
Fax: (419) 738-5607
fallerlaw@bright.net

PRELIMINARY CERTIFICATE OF EXAMINATION OF TITLE TO REAL ESTATE

Schrader Real Estate & Auction Company
300 N. Morton Ave.
Centerville, IN 47330

Re: Tract II on Exhibit "A"

Dear Gentlemen:

The undersigned hereby certifies that he has made a thorough examination of the records of Auglaize County, Ohio as disclosed by the Parcel Abstract Books and the Public Indexes except the Direct and Reverse Deed Indexes in accordance with the Ohio Marketable Title Act and the standards of title examination of the Real Property Section of the Ohio State Bar Association, relating to the premises described as Tract II on Exhibit "A" attached hereto and incorporated herein by reference.

At the date of this certificate, the fee simple title to said Tract II is vested as follows: one-half (½) interest in Frederick K. Clark, Trustee of the Frederick K. Clark Revocable Living Trust, dated September 23, 2002; one-fourth (¼) interest in Brien T. Downing, and one-fourth (¼) interest in Barry R. Downing, by virtue of Warranty Deed filed for record September 26, 2002 in Official Record Vol. 465, Page 1382, in the Office of the Recorder of Auglaize County, Ohio and a Fiduciary Deed filed for record July 18, 2013 in Official Record Vol. 633, Page 1253, in the Office of the Recorder of Auglaize County, Ohio.

From said county records, it appears that the title is marketable and free from encumbrance except and subject to the matters set forth herein.

The property is subject to no Mortgages of record.

There are no judgment liens, foreign execution liens, personal property tax liens, federal tax liens, factor's liens, recognizance bond liens, unemployment compensation liens, or worker's compensation liens against said property, nor any suits against the property in the Court of Common Pleas or Court of Appeals of Auglaize County. No examination of Federal Court records or U.S. Bankruptcy Court records was made.

Real Estate Taxes on said property are paid to the January 2017 installment which is a lien but which is not yet due and payable. The Parcel No. is D12-031-003-01 and the June 2016 installment was paid in the amount of \$2,093.47. The real estate is subject to the following

Special Assessments which are liens but which are paid to the January 2017 installment:

1. Special Assessment, Project No. 12-453, St. Joe DM, payable with each half tax installment. Said total installment is shown on the preliminary Tax Duplicate in the total amount of \$71.44 for 2017.
2. Special Assessment, Project No. 12-487, Muchinippi DM, payable with each half tax installment. Said total installment is shown on the preliminary Tax Duplicate in the total amount of \$31.81 for 2017.
3. Special Assessment, Project No. 12-731, Gray Harrod, payable with each half tax installment. Said total installment is shown on the preliminary Tax Duplicate in the total amount of \$27.68 for 2017.

Attention is directed to the fact that the above described is currently listed on the Auditor's Agricultural Land Tax List and is currently taxed at its agricultural use under the provisions of Section 5713.32, Ohio Revised Code. If the land is removed from the Agricultural Land Tax List, a charge may be levied against said land in an amount equal to the amount of the tax savings enjoyed by the owner during the three (3) tax years immediately preceding the year in which the conversion occurs. Under Section 5713.34, the charge shall constitute a lien upon the land as of the first day of January of the tax year in which the charge is levied. No liability is assumed under this certificate for any lien arising under the provisions of Section 5713.34. Said lien continues upon the title of any subsequent owner and there is no limitation upon the duration of the lien.

Said premises is subject to an easement ten (10) feet wide along a portion of the north right-of-way of US 33 granted United Telephone Company of Ohio by document dated January 19, 1996, filed for record February 8, 1996 in Official Record Vol. 257, Page 264, in the Office of the Recorder of Auglaize County, Ohio. A copy of said easement is attached hereto and marked as Exhibit "B".

NOTE: The aerial photograph of said premises from the Auglaize County GIS website suggests that a portion of the Spencer Gray Ditch traverses through a portion of the southeast corner of said premises. This examiner found no ditch easement filed of record for this particular property. Therefore, this certificate makes an exception as to any easement rights to any public agency regarding said Spencer Gray Ditch.

This certificate does not purport to cover matters not of record in Auglaize County, Ohio, including rights of persons in possession, questions which a correct survey or inspection would disclose, rights to file mechanics' liens, special taxes and assessments not shown by the County Treasurer's Records, or zoning and other governmental regulations or liens asserted by the United States or State of Ohio, and agencies and officers under the Ohio Solid Hazardous Waste Disposal Act, Federal Superfund Amendments, and under Racketeering Influence and Corrupt Organization Acts and Receivership Liens, unless the lien is filed in the public records of Auglaize County, Ohio.

This certificate was prepared at the request of Schrader Real Estate & Auction Company. Said certificate is not descendable or assignable, nor shall any other person rely upon said certificate.

Rights of subrogation are hereby reserved.

Dated at Wapakoneta, Ohio, this 28th day of September, 2016 at 8:00 o'clock a.m.

A handwritten signature in black ink, appearing to read 'D.P. Faller', written over a horizontal line.

Dennis P. Faller, Attorney at Law



| |
|-----------------|
| EASEMENT NUMBER |
| JOB NUMBER |
| 1115 10158346 |

VOL. 257 PAGE 0264

EASEMENT

Know all men by these presents, that

| |
|--|
| NAME Ronald A. Downing and Mabel E. Clark |
| STREET 281 Winding Ridge Drive |
| CITY, STATE, ZIP Dayton, Ohio 45415 |

The Grantor(s)

In consideration of one dollar (\$1.00) and other valuable considerations received to his, her, their satisfaction from UNITED TELEPHONE COMPANY OF OHIO, the Grantor, hereby grant(s) and convey(s) unto said Grantee, an Ohio Corporation and public utility under the laws of the State of Ohio, its successors and assigns, a perpetual alienable commercial utility easement to lay, install, construct, reconstruct, erect, repair, supplement, maintain, operate, and/or remove, at any time or times hereafter, its communications plant and systems including, but not limited to conduits, pedestals, poles, wires, guys, anchors, cables, fixtures, surface monuments, manholes, associated pad or pole mounted electronic equipment and cabinetry and appurtenances, as it may deem necessary, with the further right to permit the attachment of, and/or carry in conduit, wires, cables and associated facilities of any other company with services and extensions therefrom in, on, over, and/or under our lands, with the right of ingress to and egress from and over said premises situated in the Township of Goshen, County of Auglaize, State of Ohio, and being part of SW1/4, Section(s) 31, Township 5S, Range 8E, Lot Number(s) 112 Acre Tract.

The easement herein granted shall be 10' feet in width and more fully described as follows:

Telephone facilities to be placed within an easement being a strip of land 10' (feet) in width beginning at the intersection of the Grantors East property line and the North right-of-way line of S. R. 33; Thence Westerly along the along the North right of way line of S. R. 33, a distance of 415' (feet) more or less to a point; Thence Northerly and parallel with the East Section Line, a distance of 10' (feet) more or less to a point; Thence Easterly and parallel with the South section line, a distance of 415' (feet) more or less to a point; Thence Southerly and parallel with the East Section Line, a distance of 10' (feet) more or less to the point of beginning.

CABLE TO BE PLACED BY THE MACHINE TRENCH METHOD

Said easement may be further identified on exhibit(s) A attached hereto and by this reference made a part thereof.

Any damage due to construction, maintenance, or removal, of said facilities shall be paid, repaired, or restored by United Telephone Company of Ohio.

In compliance with IRS regulations Grantor(s) shall file IRS Form 1099S for this transaction.

Grantor(s) claims title to the above described property by virtue of deed recorded in Deed/Official Record Volume 115, Page 110 of the records of Auglaize County, Ohio.

The easement and right of way hereby granted includes the perpetual right to cut, trim, and/or otherwise control any trees and/or brush which may endanger the safety of or interfere with the construction and use of said communications plant and systems.

The Grantor(s) herein retain(s) the right to use said lands for any and all other purposes, provided that such use does not interfere with nor impair the exercise of the easement herein granted.

The undersigned Grantors hereby convenants to be the owner in fee simple of said real estate, lawfully seized thereof, with good right to grant and convey said easement herein, and that said real estate is free from all encumbrances, and that Grantors will warrant and defend the title to the said easement against all lawful claims. Grantors warrants that the above-described property as subject of said easement does not contain hazardous materials as defined by federal and state statute or regulation.

It is agreed that the foregoing is the entire contract between the parties hereto, and that this written agreement is complete in all its terms and provisions.

PRELIMINARY CERTIFICATE: TRACT 2, PG 5

VOL 257 PAGE 0265

In WITNESS WHEREOF, the said Grantor(s) hereunto set their hand(s) this 4th day of JANUARY, 1996.

SIGNED IN THE PRESENCE OF:

SIGNATURE OF GRANTOR(S):

William R. Perrin
WILLIAM R. PERRIN
Ronald A. Downing
RONALD A. DOWNING
Mabel E. Clark
MABEL E. CLARK
Christine L. Cronin
CHRISTINE L. CRONIN

Ronald A. Downing
RONALD A. DOWNING
Mabel E. Clark
MABEL E. CLARK

STATE OF OHIO } SS:
MONTGOMERY County

Before me a Notary Public in and for Said County, personally appeared the above named MABEL E. CLARK who acknowledged that SHE did sign the within instrument and that the same is HER free act and deed.
IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 4th day of JANUARY, A.D., 1996.

WILLIAM R. PERRIN
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires 01/30/98
My commission expires, 19.

William R. Perrin
(Notary Public)
(Printed) WILLIAM R. PERRIN

STATE OF FLORIDA } SS:
Leon County

Before me, a Notary Public in and for said County, personally appeared the above named Ronald A. Downing who acknowledged that HE did sign the within instrument and that the same is HIS free act and deed.
IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 19 day of JAN, A.D., 1996.

 CHRISTINE L. CRONIN
MY COMMISSION # CC460282 EXPIRES
June 2, 1999
BONDED THRU TROY FAH INSURANCE, INC.

Christine L. Cronin
(Notary Public)
(Printed) CHRISTINE L. CRONIN

My commission expires _____, 19__.

STATE OF OHIO } SS:
_____ County

Before me, a Notary Public in and for said County, personally appeared the above named _____ who acknowledged that _____ did sign the within instrument and that the same is _____ free act and deed.
IN WITNESS WHEREOF, I have hereunto set my hand and official seal this _____ day of _____, A.D., 19__.

(Notary Public)
(Printed) _____

My commission expires _____, 19__.

VOL 257 PAGE 0266

00714
18

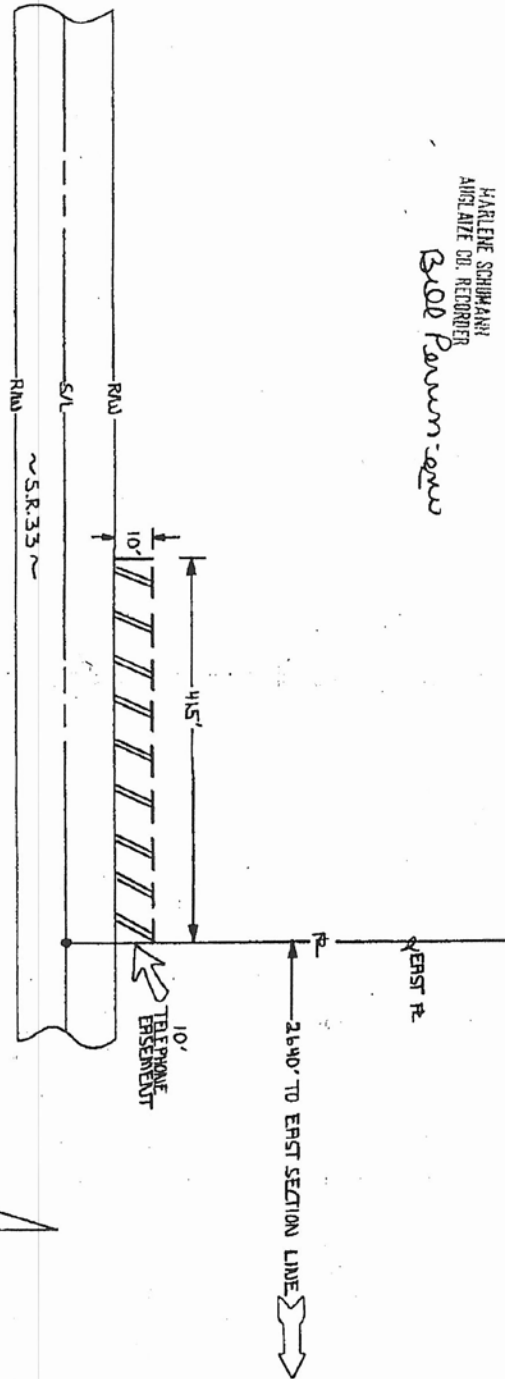
RECEIVED

96 FEB - 8 AM 9: 23

HARLENE SCHWARTZ
ANSLATE CO. REORDER

Good Paving - 2000

EXHIBT R



LEGEND
 RML - PROPERTY LINE
 SL - RIGHT OF WAY LINE
 SL - SECTION LINE
 CL - CENTER LINE
 EP - EDGE OF PAVEMENT

| | |
|----------------|--|
| REVISION | |
| TITLE | United Telephone Company of Ohio |
| TITLE | TELEPHONE ERECTION ACROSS 112 RKE PARCEL |
| OFFICE CODE | WERNERSFIELD 11151 TAX DISTRICT |
| DRAWN BY | P. VERKIN |
| ENGINEERED BY | |
| DATE | 12-28-75 SCALE NAME |
| SHEET | 1 OF 1 |
| APPROVED BY | |
| WORK ORDER NO. | 10158346 |



**PRELIMINARY CERTIFICATE:
TRACT 3**

Dennis P. Faller

Attorney at Law

105 S. Blackhoof Street
P.O. Box 413
Wapakoneta, Ohio 45895

Telephone: (419) 738-4578
Fax: (419) 738-5607
fallerlaw@bright.net

PRELIMINARY CERTIFICATE OF EXAMINATION OF TITLE TO REAL ESTATE

Schrader Real Estate & Auction Company
300 N. Morton Ave.
Centerville, IN 47330

Re: Tract III on Exhibit "A"

Dear Gentlemen:

The undersigned hereby certifies that he has made a thorough examination of the records of Auglaize County, Ohio as disclosed by the Parcel Abstract Books and the Public Indexes except the Direct and Reverse Deed Indexes in accordance with the Ohio Marketable Title Act and the standards of title examination of the Real Property Section of the Ohio State Bar Association, relating to the premises described as Tract III on Exhibit "A" attached hereto and incorporated herein by reference.

At the date of this certificate, the fee simple title to said Tract III is vested as follows: one-half ($\frac{1}{2}$) interest in Frederick K. Clark, Trustee of the Frederick K. Clark Revocable Living Trust, dated September 23, 2002; one-fourth ($\frac{1}{4}$) interest in Brien T. Downing, and one-fourth ($\frac{1}{4}$) interest in Barry R. Downing, by virtue of Warranty Deed filed for record September 26, 2002 in Official Record Vol. 465, Page 1382, in the Office of the Recorder of Auglaize County, Ohio and a Fiduciary Deed filed for record July 18, 2013 in Official Record Vol. 633, Page 1253, in the Office of the Recorder of Auglaize County, Ohio.

From said county records, it appears that the title is marketable and free from encumbrance except and subject to the matters set forth herein.

As an **EXCEPTION** to title is the following: By a certain deed in the chain of title dated May 28, 1981, filed for record June 1, 1981 in Deed Record Vol. 256, Page 410, in the Office of the Recorder of Auglaize County, Ohio, a partial copy of which is attached hereto and marked as Exhibit "B", the Grantors on said deed, being John W. Morris and Loretta J Morris, his wife, and Carl I. Morris and Gloria G. Morris, his wife, reserved unto themselves during their natural lives 49% of all gas, oil and mineral rights. This examiner found nothing recorded of record terminating any of the life estate interests of said Grantors. If any of said Grantors are now deceased, then, an Affidavit from a person with knowledge must be prepared, executed and recorded with the Auglaize County Recorder to show and confirm the termination of such life estate interest of any deceased Grantor. Otherwise, the interest in the property is subject to the reserved rights as stated in the aforementioned deed.

PRELIMINARY CERTIFICATE: TRACT 3, PG 2

The property is subject to no Mortgages of record.

There are no judgment liens, foreign execution liens, personal property tax liens, federal tax liens, factor's liens, recognizance bond liens, unemployment compensation liens, or worker's compensation liens against said property, nor any suits against the property in the Court of Common Pleas or Court of Appeals of Auglaize County. No examination of Federal Court records or U.S. Bankruptcy Court records was made.

Real Estate Taxes on said property are paid to the January 2017 installment which is a lien but which is not yet due and payable. The Parcel No. is D12-032-002-00 and the June 2016 installment was paid in the amount of \$1,395.15. The real estate is subject to the following Special Assessments which are liens but which are paid to the January 2017 installment:

1. Special Assessment, Project No. 12-453, St. Joe DM.
2. Special Assessment, Project No. 12-487, Muchinippi DM.

Attention is directed to the fact that the above described is currently listed on the Auditor's Agricultural Land Tax List and is currently taxed at its agricultural use under the provisions of Section 5713.32, Ohio Revised Code. If the land is removed from the Agricultural Land Tax List, a charge may be levied against said land in an amount equal to the amount of the tax savings enjoyed by the owner during the three (3) tax years immediately preceding the year in which the conversion occurs. Under Section 5713.34, the charge shall constitute a lien upon the land as of the first day of January of the tax year in which the charge is levied. No liability is assumed under this certificate for any lien arising under the provisions of Section 5713.34. Said lien continues upon the title of any subsequent owner and there is no limitation upon the duration of the lien.

The property is subject to an easement for ditch purposes granted the County of Auglaize by document dated October 14, 1960, filed for record October 18, 1960 in Deed Record Vol. 175, Page 332, in the Office of the Recorder of Auglaize County, Ohio. A copy of said easement is attached hereto and marked as Exhibit "C".

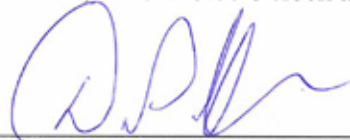
The property is subject to a certain right-of-way ten (10) feet parallel to and along the north right-of-way line of US granted United Telephone Company of Ohio by document dated January 18, 1970, filed for record January 22, 1971 in Deed Record Vol. 206, Page 783, in the Office of the Recorder of Auglaize County, Ohio. A copy of said right-of-way being attached hereto and marked as Exhibit "D".

This certificate does not purport to cover matters not of record in Auglaize County, Ohio, including rights of persons in possession, questions which a correct survey or inspection would disclose, rights to file mechanics' liens, special taxes and assessments not shown by the County Treasurer's Records, or zoning and other governmental regulations or liens asserted by the United States or State of Ohio, and agencies and officers under the Ohio Solid Hazardous Waste Disposal Act, Federal Superfund Amendments, and under Racketeering Influence and Corrupt Organization Acts and Receivership Liens, unless the lien is filed in the public records of Auglaize County, Ohio.

PRELIMINARY CERTIFICATE: TRACT 3, PG 3

This certificate was prepared at the request of Schrader Real Estate & Auction Company. Said certificate is not descendable or assignable, nor shall any other person rely upon said certificate. Rights of subrogation are hereby reserved.

Dated at Wapakoneta, Ohio, this 28th day of September, 2016 at 8:00 o'clock a.m.



Dennis P. Faller, Attorney at Law

FORM 632A OHIO WARRANTY DEED

VOL 256 PAGE 410

TUTTLE LANK REGISTERED U. S. PAT. OFFICE
TUTTLE LAW PRINT, PUBLISHERS, HUNTSVILLE, VT. 05740

Know all Men by these Presents

That, John W. Morris and Laurretta J. Morris, his wife, and
Carl I. Morris and Gloria M. Morris, his wife,

the Grantor^s, who claim title by or through
instrument recorded in Volume 213, Pages 658-659, Auglaize
County Recorder's Office, for the consideration of One Dollar and other
valuable consideration received to their full satisfaction of

Ross V. Downing and Olive R. Downing

the Grantee^s, whose TAX MAILING ADDRESS will be
New Hampshire, Ohio 45870,

Give, Grant, Bargain, Sell and Convey unto the said Grantee^s, their
heirs and assigns, the following described premises, situated in the Township
of Goshen, County of Auglaize and State of Ohio:

Being the east half of the southwest quarter of Section 32, Town
5 South, Range 8 East, SAVE AND EXCEPT 12 acres off of the east side
thereof, leaving 68 acres, more or less;

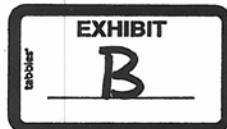
SAVE AND EXCEPT a parcel of land containing 1.3178 acres and
conveyed by the grantors herein to Leonard C. Taylor and Diana L.
Taylor by deed recorded in Volume 218, at page 815. Said parcel
was a new survey completed by Clayton H. Stimmel, Professional
Surveyor No. 4906.

(Handwritten mark)

Further, the grantors reserve unto themselves during their natural
lives 49% of all gas, oil and mineral rights. The rights of the
grantors shall terminate at the death of the last of the grantors
herein and at that time all mineral rights reserved herein by
grantors shall become the rights of the grantees, their heirs and
assigns.



This Conveyance has been examined and found to comply with Section 319.202 of the Revised Code.
298 FEE \$ 180.50
EXEMPT
VERNON E. DEGENES, County Auditor



All taxes and assessments shall be prorated to day of closing.

be the same more or less, but subject to all legal highways.

PRELIMINARY CERTIFICATE: TRACT 3, PG 5

EXHIBIT
C

175 PAGE 332

92544

State of Ohio, Auglaize County, O. S.
Recorded October 18th 1960
at 2:31 P. M.
October 18th 60
Vol. No. 175 Page 332
No Fee

EASEMENT FOR DITCH PURPOSES ONLY

Know all men by these presents:

That Ross V. Downing and Olive R. Downing
the Grantors

for and in consideration of the sum of Three hundred and sixty six dollars and no/100
dollars (\$366.00) figured

at the rate of (\$300.00 per acre) and for other good and valuable consideration to be paid by the County of Auglaize, the Grantee, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell, convey and release to the said Grantees, its successor and assign forever, a perpetual easement and right of way for Ditch Maintenance Only in upon and over the lands hereinafter described, situated in Section Township, Auglaize County, Ohio, Section 32 Town 5 South; Range 8 East and bounded and described as follows.

Being a tract of land 10 feet in width from the top of finished ditch bank through the property of the Grantor, adjacent to and including the present ditch and all lands of the said Grantor herein, lying and being between the center line of the present ditch as existing and occupied after completion of construction and a line parallel thereto and 10 feet therefrom on both sides thereof.

TO HAVE AND TO HOLD said easement and right of way unto the Grantee its successors and assigns forever.

And the said Grantors for their lives and their heirs, executors and administrators, hereby covenant with said Grantees its successors and assigns that they the true and lawful owner of said premises, and the same in manner aforesaid, and that the same is free and clear from all liens and encumbrances, whatsoever, and that they will warrant and defend the same against all claims of all persons whatsoever. And for the consideration aforesaid Ross V. Downing and Olive R. Downing hereby relinquishes to said Grantee, its successors and assigns, all right and expectancy of Dower in the above described premises.

IN WITNESS WHEREOF Ross V. Downing and Olive R. Downing

have hereunto set their hands, the 14 day of October in the year of our Lord one thousand nine hundred and Sixty

Signed and sealed in the presence of

Burke C. Koller
Francis Smith

witnesses

Ross V. Downing
Olive R. Downing

owners

STATE OF OHIO.

Auglaize County

Before me, a County Engineer in and for said County and state personally appeared the above named

Ross V. Downing and Olive R. Downing

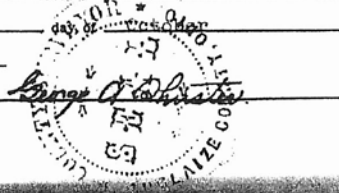
who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF I have hereunto set my hand and official seal.

at Wapakoneta, Ohio this

14 day of October

A. D. 1960



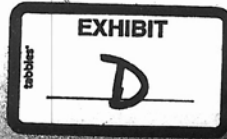
PAID

OCT 17 1960

V. E. DOENGES
AUDITOR

Warrant # 23571

PRELIMINARY CERTIFICATE: TRACT 3, PG 6



EASEMENT Joseph Morris VOL 206 PAGE 783 Easement Number 1 R/W Map Number _____
(Name)

(Address) Job Number _____

RECEIVED OF UNITED TELEPHONE COMPANY OF OHIO the sum of One Dollar in consideration of which _____ hereby grant and convey unto said UNITED TELEPHONE COMPANY, its successors and assigns, the right and easement to lay, install, construct, reconstruct, erect, repair, perpetually maintain, operate and remove its telephonic and telegraph plants and systems, with all necessary conduits, poles, wires, guys, anchors, cables, fixtures, surface monuments, manholes and appurtenances, with the further right to permit the attachment of, and/or carry, in conduit wires and cables of any other company with services and extensions therefrom, on and over our lands with the right of ingress to and from and over said premises situated in the Township of Goshen

County of Auglaize, and State of Ohio, and being a part of Section Number, 3 1/2 of S.W. 1/4 Section 32 TOWNSHIP 5 South VILLAGE 6 East CITY _____, Range Number _____, Lot Number Parcel fully described in Volume 90 Page 39

The easement herein granted shall be 10 feet in width. Said plants and systems shall be laid and constructed according to the following course: Cable to be placed in the easement parallel to the North right of way line of State Route 33

TELEPHONE POLES PARALLEL TO GRANTOR'S PROPERTY ARE TO BE GIVEN TO GRANTEE
DOUBLE TREE AT SOUTH EAST SIDE OF HOUSE TO BE CUT DOWN AND CUT UP AND LEFT FOR GRANTEE'S DISPOSAL

Together with the right to cut, trim and/or otherwise control any trees which may endanger the safety or interfere with the construction and use of said line.

TO HAVE AND TO HOLD the same unto said, UNITED TELEPHONE COMPANY OF OHIO, its successors and assigns.

It is agreed that the foregoing is the entire contract between the parties hereto, and that this written agreement is complete in all its terms and provisions.

WITNESS the following signatures and seals, this 15th day of JANUARY, 19 70

WITNESS:
W. A. Welch
James B. Moore
Joseph M. Morris

PRELIMINARY CERTIFICATE: TRACT 3, PG 7

VOL 206 PAGE 784

THE STATE OF OHIO)
) ss.
AUGLAIZE County)

Before me, a NOTARY PUBLIC

in and for said County, personally appeared the above-named JOSEPH MORRIS

who acknowledged that JOSEPH MORRIS did sign the within instrument and that the same is
HIS free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 18TH

day of JANUARY A.D., 19 70

TOMMY L. WINEGARDNER, Notary Public
in and for Allen, Auglaize, Hardin, Mercer
and Van Wert Counties, Ohio
My Commission Expires June 4, 1974, 19

Tommy L. Winegardner
(Notary Public)

This instrument prepared by _____

UNITED TELEPHONE COMPANY OF OHIO



Received for Record _____ M _____, 19 _____

Recorded in Deed Records _____, 19 _____

Volume _____ Page _____

Recorder _____

of _____ County

State of _____

Name _____

Address _____

Line _____

Easement Number _____ Map Number _____

122893 a

State of Ohio Auglaize County, S. S.

Received January 22 19 71

at 1:20 O'clock P., M.

Recorded January 22 19 71

Vol. No. 206 Page 783-784

\$3.00

Lo Roy H. Kruse

Recorder, Auglaize Co., Ohio

PICK UP

United Telephone Co
100 E. Elizabeth

LIMA

**PRELIMINARY CERTIFICATE:
TRACT 4**

PRELIMINARY CERTIFICATE: TRACT 4, PG 1

Dennis P. Faller

Attorney at Law

105 S. Blackhoof Street
P.O. Box 413
Wapakoneta, Ohio 45895

Telephone: (419) 738-4578
Fax: (419) 738-5607
fallerlaw@bright.net

PRELIMINARY CERTIFICATE OF EXAMINATION OF TITLE TO REAL ESTATE

Schrader Real Estate & Auction Company
300 N. Morton Ave.
Centerville, IN 47330

Re: Tract IV on Exhibit "A"

Dear Gentlemen:

The undersigned hereby certifies that he has made a thorough examination of the records of Auglaize County, Ohio as disclosed by the Parcel Abstract Books and the Public Indexes except the Direct and Reverse Deed Indexes in accordance with the Ohio Marketable Title Act and the standards of title examination of the Real Property Section of the Ohio State Bar Association, relating to the premises described as Tract IV on Exhibit "A" attached hereto and incorporated herein by reference.

At the date of this certificate, the fee simple title to said Tract IV is vested as follows: one-half (½) interest in Frederick K. Clark, Trustee of the Frederick K. Clark Revocable Living Trust, dated September 23, 2002; one-fourth (¼) interest in Brien T. Downing, and one-fourth (¼) interest in Barry R. Downing, by virtue of Warranty Deed filed for record September 26, 2002 in Official Record Vol. 465, Page 1382, in the Office of the Recorder of Auglaize County, Ohio and a Fiduciary Deed filed for record July 18, 2013 in Official Record Vol. 633, Page 1253, in the Office of the Recorder of Auglaize County, Ohio.

From said county records, it appears that the title is marketable and free from encumbrance except and subject to the matters set forth herein.

The property is subject to no Mortgages of record.

There are no judgment liens, foreign execution liens, personal property tax liens, federal tax liens, factor's liens, recognizance bond liens, unemployment compensation liens, or worker's compensation liens against said property, nor any suits against the property in the Court of Common Pleas or Court of Appeals of Auglaize County. No examination of Federal Court records or U.S. Bankruptcy Court records was made.

Real Estate Taxes on said property are paid to the January 2017 installment which is a lien but which is not yet due and payable. The Parcel No. is D12-005-006-01 and the June 2016 installment was paid in the amount of \$954.01. The real estate is subject to the following Special

PRELIMINARY CERTIFICATE: TRACT 4, PG 2

Assessments which are liens but which are paid to the January 2017 installment:

1. Special Assessment, Project No. 12-487, Muchinippi DM, payable with each half tax installment with the total future amount payable as shown on the preliminary Tax Duplicate for 2017 being in the amount of \$29.47.

Attention is directed to the fact that the above described is currently listed on the Auditor's Agricultural Land Tax List and is currently taxed at its agricultural use under the provisions of Section 5713.32, Ohio Revised Code. If the land is removed from the Agricultural Land Tax List, a charge may be levied against said land in an amount equal to the amount of the tax savings enjoyed by the owner during the three (3) tax years immediately preceding the year in which the conversion occurs. Under Section 5713.34, the charge shall constitute a lien upon the land as of the first day of January of the tax year in which the charge is levied. No liability is assumed under this certificate for any lien arising under the provisions of Section 5713.34. Said lien continues upon the title of any subsequent owner and there is no limitation upon the duration of the lien.

The property is subject to a right-of-way for electric purposes along US 33 originally granted Ohio Electric Power Company by document dated June 6, 1938, filed for record July 18, 1938 in Misc. Record Vol. 3, Page 558, in the Office of the Recorder of Auglaize County, Ohio. A copy of said easement is attached hereto and marked as Exhibit "B".

The property is subject to an easement granted United Telephone Company of Ohio by document dated April 23, 1970, filed for record January 22, 1971 in Deed Record Vol. 206, Page 795, in the Office of the Recorder of Auglaize County, Ohio. A copy of said right-of-way being attached hereto and marked as Exhibit "C".

This certificate does not purport to cover matters not of record in Auglaize County, Ohio, including rights of persons in possession, questions which a correct survey or inspection would disclose, rights to file mechanics' liens, special taxes and assessments not shown by the County Treasurer's Records, or zoning and other governmental regulations or liens asserted by the United States or State of Ohio, and agencies and officers under the Ohio Solid Hazardous Waste Disposal Act, Federal Superfund Amendments, and under Racketeering Influence and Corrupt Organization Acts and Receivership Liens, unless the lien is filed in the public records of Auglaize County, Ohio.

This certificate was prepared at the request of Schrader Real Estate & Auction Company. Said certificate is not descendable or assignable, nor shall any other person rely upon said certificate. Rights of subrogation are hereby reserved.

Dated at Wapakoneta, Ohio, this 28th day of September, 2016 at 8:00 o'clock a.m.



Dennis P. Faller, Attorney at Law

PRELIMINARY CERTIFICATE: TRACT 4, PG 3



County aforesaid all in consideration of said Company said installation and maintaining the same for the purpose of rendering service thereby to its customers.

Said Grantor represents, that she is the owner of approximately 130 acres in the Section, Township and County aforesaid, adjacent to what is commonly known as the U.S.#33, Highway, in the Township, and County aforesaid, which said acreage constitute the premises upon and over which the foregoing easement is Granted and is unmarried.
IN WITNESS WHEREOF, I have hereunto subscribed this instrument this 26th day of May, 1938

Signed and Acknowledged in the presence of
Geo.Tilton
C.R.Swartz
Witnesses

Catherine R. Shaeffer

STATE OF OHIO, AUGLAIZE COUNTY, SS, Before me, a Notary Public in and for said County personally appeared the above named: Catherine R. Shaeffer, who acknowledged that she, her, they did sign the foregoing instrument and that the same is her, his, their free act and deed.
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at New Hampshire, O, this 26th day of May, 1938.

(N.P. Seal)

C.R.Swartz
My Commission Expires Jan. 1939

Filed July 18, 1938, At- 8:41 A.M.,
Recorded July 18, 1938,
Fee- 75¢

S. R. Hoshel Recorder,

By- *H. Reynolds* Deputy.

No-36562
Easement
Form "C"

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, hereinafter called, Grantor, of Auglaize County, Ohio, for _____ and heirs and assigns, do hereby Grant and convey unto the Ohio Electric Power Company its successors and assigns, hereinafter known as the Company the exclusive right and easement to construct, install and perpetually maintain, its poles, guys, transformers, meters and other necessary apparatus (including the necessary trimming of trees from time to time), upon and along the lands of Grantor located in Section 5-T-6, R8 NW 1/4 & Wpt. NE 1/4, Township, Goshen, County of Auglaize, Ohio, and in the Township, and County aforesaid, all in consideration of said Company making said installation and maintaining the same for the purpose of rendering service thereby to its customers.

Poles to be located approx. 30' from the center of U.S. #33, for the above consideration the Grantee agrees to furnish electric service to the Grantor at the regular field rate without any construction charge for line.

Said Grantor represents, that she is the owner of approximately 50 acres in the Section, Township, and County aforesaid, adjacent to what is commonly known as the U.S. #33. Highway, or the in Township, and County aforesaid, which said acreage constitute the premises upon and over which the foregoing easement is Granted.

IN WITNESS WHEREOF, said Grantor, herein has executed this instrument this 6th day of June, 1938.

Signed and Acknowledged in the presence of
Geo.Tilton
C.R.Swartz
Witnesses

Blanche Shellenbarger

STATE OF OHIO, AUGLAIZE COUNTY, SS, Before me, a Notary Public in and for said County personally appeared the above named: Blanche Shellenbarger, who acknowledged that she did sign the foregoing instrument, and that the same is her free act and deed,
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at New Hampshire, Ohio, this 6th day of June, 1938 . .

C.R.Swartz

(N.P. Seal)
(C.R.Swartz)

Filed July 18, 1938, At- 8:42 A.M.,
Recorded July 18, 1938,
Fee- 75¢

S. R. Hoshel Recorder,

By- *H. Reynolds* Deputy.

Misc
Vol.
3
Page 2
558

PRELIMINARY CERTIFICATE: TRACT 4, PG 4

VOL 206 PAGE 795



EASEMENT

For and in consideration of One (1.00) Dollar, and other valuable consideration to me/us paid by UNITED TELEPHONE COMPANY OF OHIO, an Ohio corporation, receipt of which is hereby acknowledged, we for ourselves, heirs, assigns and successors in title, do hereby grant unto said Company, its successors and assigns the right of way, right and privilege to construct and perpetually operate, maintain, repair and/or remove an underground facility across or under the property which I/We own or in which I/We have an interest, situated in the Township of Goshen County of Auglaize State of Ohio, and described as follows:
Being the property of Ross Downing and Olive Ruth Downing; described as being part of the Southwest corner of Southwest quarter (1/4) of Section 32 containing 16 acres and Northwest Quarter (1/4) of the Northwest quarter (1/4) of Section 5, containing 45 acres and more fully described in Volume 111 at Page 564.

"This easement, to lie within a ten (10) foot wide area; same to be approximately as indicated on the attached drawing marked "Exhibit A", attached hereto and hereby made a part hereof."

The Grantor reserves the right to grant additional easements in, over or across this easement area for other purposes, provided that such additional easements will not disturb or damage the property of the grantee.

This easement and Right of Way is granted for the purpose of underground installation, with such necessary appurtenances above ground as may be required in standard underground installation.

It is understood, the Grantee will repair, replace or pay the Grantor for all reasonable damages caused through negligence in the construction, operation and maintenance of said communications lines.

TO HAVE AND TO HOLD the said Easement and Right of Way to the said Company, its successors and assigns forever.

WITNESS my/our hand this 23 day of APRIL, 19 70.

RECEIVED AND PAID
January 22 1970
AT 1:32 P.M.

Signed and acknowledged in the presence of:

Vol 206
Page 795-799

Le Roy H. Konec
\$5.00
Recorder, Auglaize County, OH

Tommy L. Winegardner
Tom P. Beverly

Ross Downing
Olive Ruth Downing

STATE OF OHIO
AUGLAIZE COUNTY

Be it known that before me, a Notary Public in and for said County and State appeared

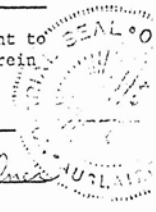
ROSS DAWNING & OLIVE RUTH DAWNING

who being by me duly sworn acknowledged the signing of the foregoing Easement to be his/their free act and deed for the giving and granting of the right therein named, including dower.

WITNESS my hand and official seal this 23 day of APRIL 19 70

THIS INSTRUMENT PREPARED BY
UNITED TELEPHONE COMPANY OF OHIO

Tommy L. Winegardner
NOTARY PUBLIC



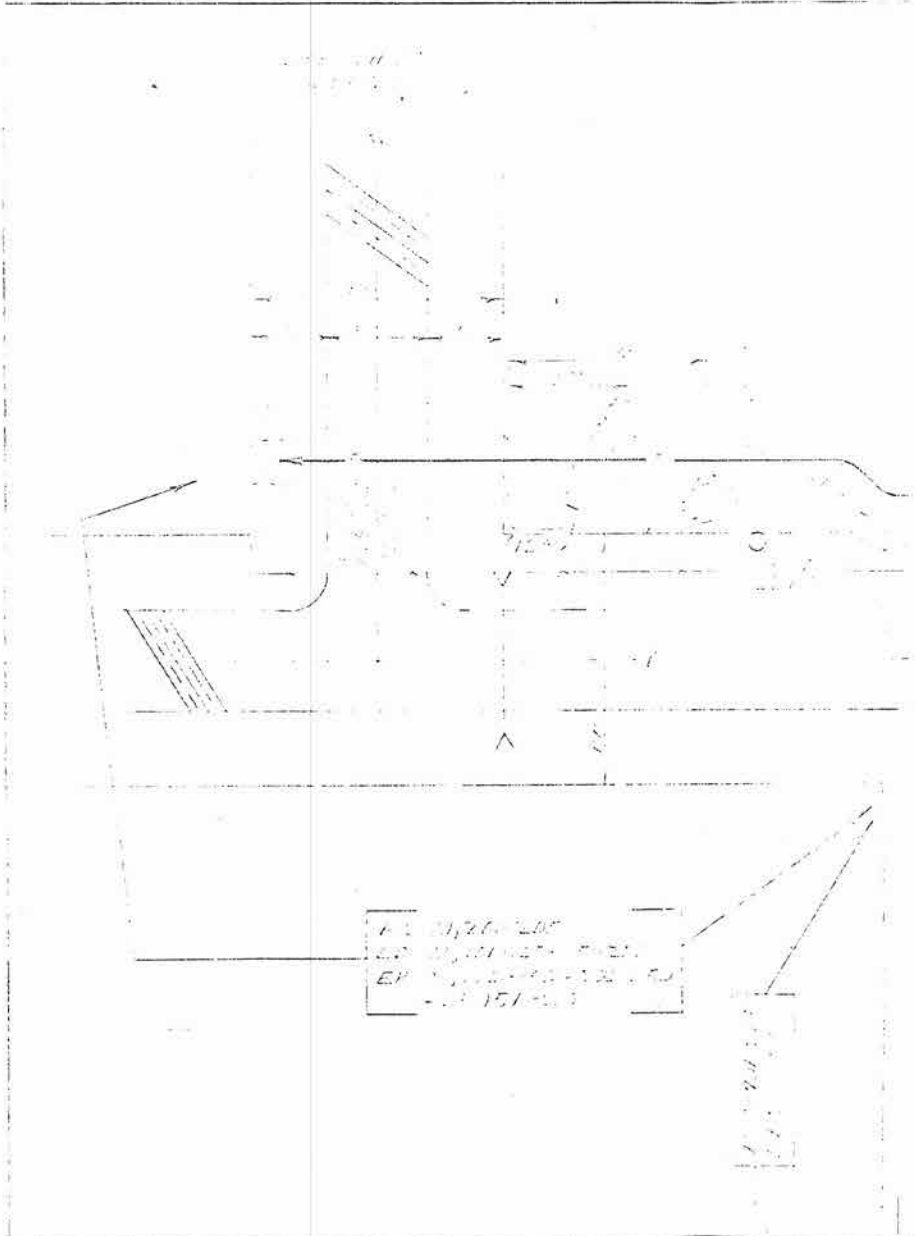
This instrument prepared by UNITED TELEPHONE COMPANY OF OHIO
Tommy L. Winegardner, Notary Public
in and for Allen, Auglaize, Hardin, Mercer
and Van Wert Counties, Ohio
My Commission Expires June 4, 1972

Note: 1) Should Ross or Olive Ruth Downing wish or choose to make proper improvements in the easement area the grantee will rearrange relocate its facilities at the grantee's expense.

- 2) All above ground obstacles are to be placed on the road right of way
- 3) Existing telephone poles parallel to transect Prop. 7.11 are to be given to the property owner.
- 4) This instrument will only be used for telephone facilities and will become void

PRELIMINARY CERTIFICATE: TRACT 4, PG 5

VOL 208 PAGE 798

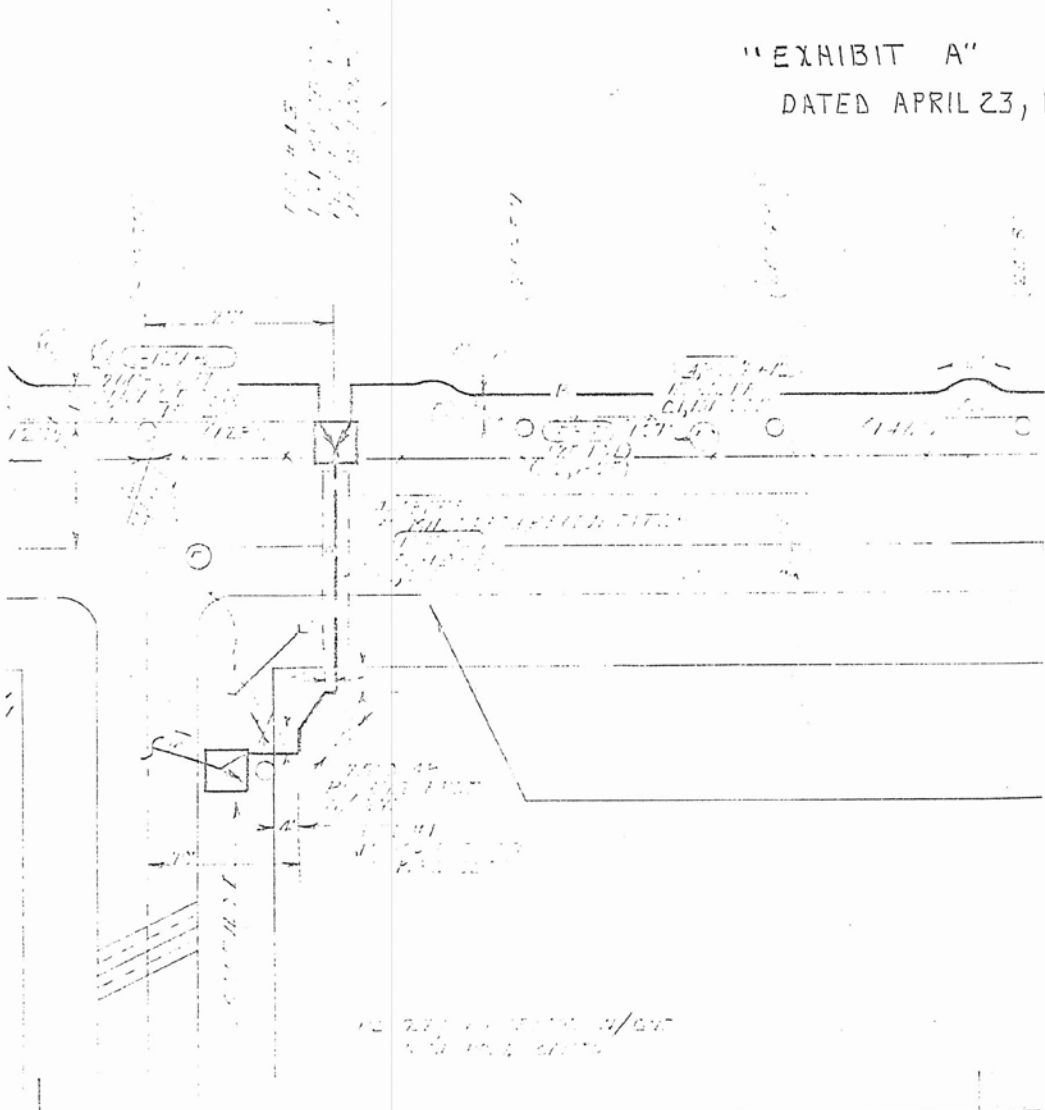


FORM ENG-2303

PRELIMINARY CERTIFICATE: TRACT 4, PG 6

VOL 206 PAGE 797

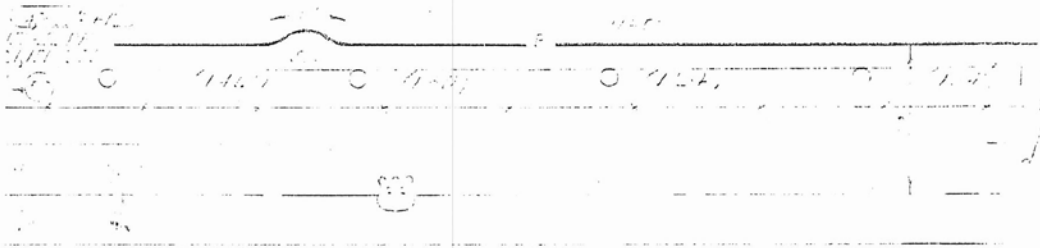
"EXHIBIT A"
DATED APRIL 23, 1911



PRELIMINARY CERTIFICATE: TRACT 4, PG 7

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"ARBITER A"
DATED APRIL 23, 1970



PL 21, 22
LSD, 10, 11, 12, 13
21, 22, 23

THIS INSTRUMENT PREPARED BY
UNITED TELEPHONE CORPORATION OF



**PRELIMINARY CERTIFICATE:
TRACT 5**

Dennis P. Faller

Attorney at Law

105 S. Blackhoof Street
P.O. Box 413
Wapakoneta, Ohio 45895

Telephone: (419) 738-4578
Fax: (419) 738-5607
fallerlaw@bright.net

PRELIMINARY CERTIFICATE OF EXAMINATION OF TITLE TO REAL ESTATE

Schrader Real Estate & Auction Company
300 N. Morton Ave.
Centerville, IN 47330

Re: Tract V on Exhibit "A"

Dear Gentlemen:

The undersigned hereby certifies that he has made a thorough examination of the records of Auglaize County, Ohio as disclosed by the Parcel Abstract Books and the Public Indexes except the Direct and Reverse Deed Indexes in accordance with the Ohio Marketable Title Act and the standards of title examination of the Real Property Section of the Ohio State Bar Association, relating to the premises described as Tract V on Exhibit "A" attached hereto and incorporated herein by reference.

At the date of this certificate, the fee simple title to said Tract V is vested as follows: one-half ($\frac{1}{2}$) interest in Frederick K. Clark, Trustee of the Frederick K. Clark Revocable Living Trust, dated September 23, 2002; one-fourth ($\frac{1}{4}$) interest in Brien T. Downing, and one-fourth ($\frac{1}{4}$) interest in Barry R. Downing, by virtue of Warranty Deed filed for record September 26, 2002 in Official Record Vol. 465, Page 1382, in the Office of the Recorder of Auglaize County, Ohio and a Fiduciary Deed filed for record July 18, 2013 in Official Record Vol. 633, Page 1253, in the Office of the Recorder of Auglaize County, Ohio.

From said county records, it appears that the title is marketable and free from encumbrance except and subject to the matters set forth herein.

The property is subject to no Mortgages of record.

There are no judgment liens, foreign execution liens, personal property tax liens, federal tax liens, factor's liens, recognizance bond liens, unemployment compensation liens, or worker's compensation liens against said property, nor any suits against the property in the Court of Common Pleas or Court of Appeals of Auglaize County. No examination of Federal Court records or U.S. Bankruptcy Court records was made.

Real Estate Taxes on said property are paid to the January 2017 installment which is a lien but which is not yet due and payable. The Parcel No. is D12-005-007-00 and the June 2016 installment was paid in the amount of \$431.69. The real estate is subject to the following Special

PRELIMINARY CERTIFICATE: TRACT 5, PG 2

Assessments which are liens but which are paid to the January 2017 installment:

1. Special Assessment, Project No. 12-487, Muchinippi DM, payable with each half tax installment with the total future amount payable as shown on the preliminary Tax Duplicate for 2017 being in the amount of \$10.97.

Attention is directed to the fact that the above described is currently listed on the Auditor's Agricultural Land Tax List and is currently taxed at its agricultural use under the provisions of Section 5713.32, Ohio Revised Code. If the land is removed from the Agricultural Land Tax List, a charge may be levied against said land in an amount equal to the amount of the tax savings enjoyed by the owner during the three (3) tax years immediately preceding the year in which the conversion occurs. Under Section 5713.34, the charge shall constitute a lien upon the land as of the first day of January of the tax year in which the charge is levied. No liability is assumed under this certificate for any lien arising under the provisions of Section 5713.34. Said lien continues upon the title of any subsequent owner and there is no limitation upon the duration of the lien.

The property is subject to a right-of-way for electric purposes along US 33 originally granted Ohio Electric Power Company by document dated June 6, 1938, filed for record July 18, 1938 in Misc. Record Vol. 3, Page 558, in the Office of the Recorder of Auglaize County, Ohio. A copy of said easement is attached hereto and marked as Exhibit "B".

The property is subject to an easement granted United Telephone Company of Ohio by document dated April 23, 1970, filed for record January 22, 1971 in Deed Record Vol. 206, Page 795, in the Office of the Recorder of Auglaize County, Ohio. A copy of said right-of-way being attached hereto and marked as Exhibit "C".

This certificate does not purport to cover matters not of record in Auglaize County, Ohio, including rights of persons in possession, questions which a correct survey or inspection would disclose, rights to file mechanics' liens, special taxes and assessments not shown by the County Treasurer's Records, or zoning and other governmental regulations or liens asserted by the United States or State of Ohio, and agencies and officers under the Ohio Solid Hazardous Waste Disposal Act, Federal Superfund Amendments, and under Racketeering Influence and Corrupt Organization Acts and Receivership Liens, unless the lien is filed in the public records of Auglaize County, Ohio.

This certificate was prepared at the request of Schrader Real Estate & Auction Company. Said certificate is not descendable or assignable, nor shall any other person rely upon said certificate. Rights of subrogation are hereby reserved.

Dated at Wapakoneta, Ohio, this 28th day of September, 2016 at 8:00 o'clock a.m.



Dennis P. Faller, Attorney at Law

PRELIMINARY CERTIFICATE: TRACT 5, PG 3



County aforesaid all in consideration of said Company said installation and maintaining the same for the purpose of rendering service thereby to its customers.

Said Grantor represents, that she is the owner of approximately 130 acres in the Section, Township and County aforesaid, adjacent to what is commonly known as the U.S.#33, Highway, in the Township, and County aforesaid, which said acreage constitute the premises upon and over which the foregoing easement is Granted and is unmarried.
IN WITNESS WHEREOF, said Grantor herein has executed this instrument this 26th day of May, 1938

Signed and Acknowledged in the presence of
Geo.Tilton
C.R.Swartz
Witnesses

Catherine R. Shaeffer

STATE OF OHIO, AUGLAIZE COUNTY, SS,
Before me, a Notary Public in and for said County personally appeared the above named: Catherine R. Shaeffer, who acknowledged that she, her, they did sign the foregoing instrument and that the same is her, his, their free act and deed.
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at New Hampshire, O, this 26th day of May, 1938.

(N.P.Seal)

C.R.Swartz
My Commission Expires Jan. 1939

Filed July 18, 1938, At- 8:41 A.M.,
Recorded July 18, 1938,
Fee- 75¢

C.R. Swartz Recorder,

By- *J.C. Reynolds* Deputy.

No-36562
Easement
Form "C"

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, hereinafter called, Grantor, of Auglaize County, Ohio, for and heirs and assigns, do hereby Grant and convey unto the Chip Electric Power Company its successors and assigns, hereinafter known as the Company the exclusive right and easement to construct, install and perpetually maintain, its poles, guys, transformers, meters and other necessary apparatus (including the necessary trimming of trees from time to time), upon and along the lands of Grantor located in Section 5-T-6, R8 NW 1/4 & Wpt. NE 1/4, Township, Goshen, County of Auglaize, Ohio, and in the Township, and County aforesaid, all in consideration of said Company making said installation and maintaining the same for the purpose of rendering service thereby to its customers.

Poles to be located approx. 30' from the center of U.S. #33, for the above consideration the Grantee agrees to furnish electric service to the Grantor at the regular field rate without any construction charge for line.

Said Grantor represents, that she is the owner of approximately 50 acres in the Section, Township, and County aforesaid, adjacent to what is commonly known as the U.S. #33. Highway, or the in Township, and County aforesaid, which said acreage constitute the premises upon and over which the foregoing easement is Granted.

IN WITNESS WHEREOF, said Grantor, herein has executed this instrument this 6th day of June, 1938.

Signed and Acknowledged in the presence of
Geo.Tilton
C.R.Swartz
Witnesses

Blanche Shellenbarger

STATE OF OHIO, AUGLAIZE COUNTY, SS, Before me, a Notary Public in and for said County personally appeared the above named: Blanche Shellenbarger, who acknowledged that she did sign the foregoing instrument, and that the same is her free act and deed.
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at New Hampshire, Ohio, this 6th day of June, 1938 .,

(N.P.Seal)
(C.R.Swartz)

C.R.Swartz

Filed July 18, 1938, At- 8:42 A.M.,
Recorded July 18, 1938,
Fee- 75¢

C.R. Swartz Recorder,

By- *J.C. Reynolds* Deputy.

Misc
Vol. 3
Page 558

PRELIMINARY CERTIFICATE: TRACT 5, PG 4

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EASEMENT



For and in consideration of One (1.00) Dollar, and other valuable consideration to me/us paid by UNITED TELEPHONE COMPANY OF OHIO, an Ohio corporation, receipt of which is hereby acknowledged, we for ourselves, heirs, assigns and successors in title, do hereby grant unto said Company, its successors and assigns the right of way, right and privilege to construct and perpetually operate, maintain, repair and/or remove an underground facility across or under the property which I/We own or in which I/We have an interest, situated in the Township of Goshen County of Auglaize State of Ohio, and described as follows:

Being the property of Ross Downing and Olive Ruth Downing; described as being part of the Southwest corner of Southwest quarter (1/4) of Section 32 containing 16 acres and Northwest quarter (1/4) of the Northwest quarter (1/4) of Section 5, containing 45 acres and more fully described in Volume 111 at Page 564.

"This easement, to lie within a ten(10) foot wide area; same to be approximately as indicated on the attached drawing marked "Exhibit A", attached hereto and hereby made a part hereof."

The Grantor reserves the right to grant additional easements in, over or across this easement area for other purposes, provided that such additional easements will not disturb or damage the property of the grantee.

This easement and Right of Way is granted for the purpose of underground installation, with such necessary appurtenances above ground as may be required in standard underground installation.

It is understood, the Grantee will repair, replace or pay the Grantor for all reasonable damages caused through negligence in the construction, operation and maintenance of said communications lines.

TO HAVE AND TO HOLD the said Easement and Right of Way to the said Company, its successors and assigns forever.

WITNESS my/our hand this 23 day of APRIL, 19 70.

Signed and acknowledged in the presence of:

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Page 795-799

RECEIVED AND PAID
January 22... 1970
AT 1:32 P.M.

122904

Tommy L. Winegardner
Don A. Brantly

Ross Downing
Olive Ruth Downing
Le Roy H. Knaus
\$6.00
Recorder, Auglaize County, OH

STATE OF OHIO
AUGLAIZE COUNTY

Be it known that before me, a Notary Public in and for said County and State appeared

ROSS DOWNING & OLIVE RUTH DOWNING

who being by me duly sworn acknowledged the signing of the foregoing Easement to be his/their free act and deed for the giving and granting of the right therein named, including dower.

WITNESS my hand and official seal this 23 day of APRIL 19 70

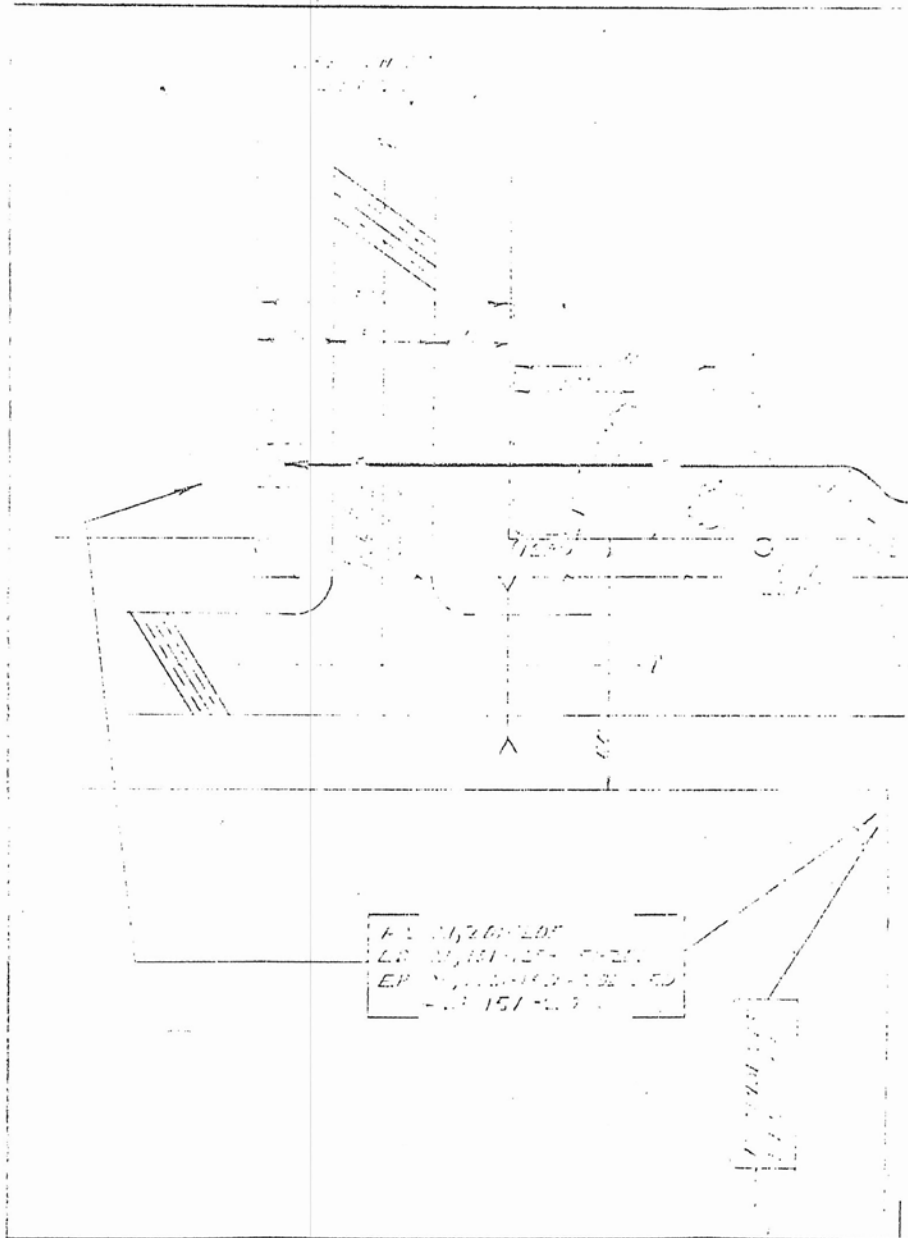
THIS INSTRUMENT PREPARED BY
UNITED TELEPHONE COMPANY OF OHIO
NOTARY PUBLIC
Tommy L. Winegardner

This instrument prepared by UNITED TELEPHONE COMPANY OF OHIO
Tommy L. Winegardner, Notary Public
in and for Allen, Auglaize, Hardin, Mercer
and Van Wert Counties, Ohio
My Commission Expires June 4, 1974

- Note: 1) Should Ross or Olive Ruth Downing wish or choose to make proper improvements in the easement area the grantee will rearrange relocate its facilities at the grantee's expense.
- 2) All above ground obstacles are to be placed on the road right of way.
- 3) Existing telephone poles parallel to grantor's property are to be given to the property owner.
- 4) This instrument will only be used for telephone facilities and will become void.

PRELIMINARY CERTIFICATE: TRACT 5, PG 5

VOL 206 PAGE 798

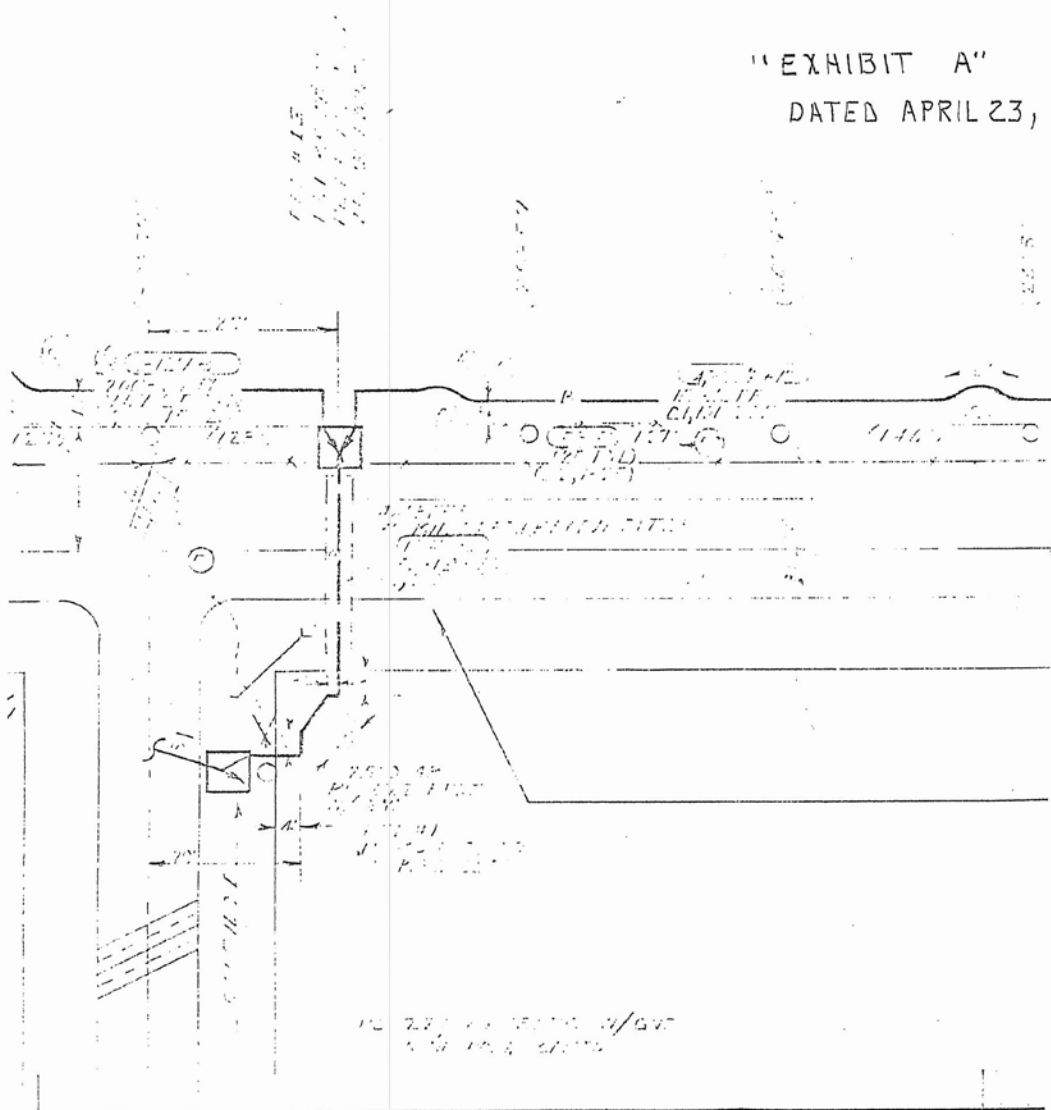


FORM ENG-2303

PRELIMINARY CERTIFICATE: TRACT 5, PG 6

VOL 208 PAGE 797

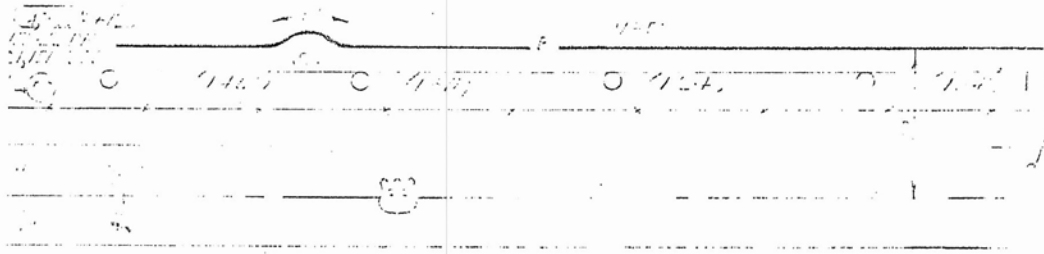
"EXHIBIT A"
DATED APRIL 23, 1917



PRELIMINARY CERTIFICATE: TRACT 5, PG 7

VOL 208 PAGE 798

"PARTIAL A"
DATED APRIL 23, 1970



PL 11, 201
L 501, 10, 10, 10, 10, 10
SP 11, 10, 10, 10

THIS INSTRUMENT PREPARED BY
UNITED TELEPHONE COMPANY OF CALIFORNIA



**PRELIMINARY CERTIFICATE:
TRACT 6**

Dennis P. Faller

Attorney at Law

105 S. Blackhoof Street
P.O. Box 413
Wapakoneta, Ohio 45895

Telephone: (419) 738-4578
Fax: (419) 738-5607
fallerlaw@bright.net

PRELIMINARY CERTIFICATE OF EXAMINATION OF TITLE TO REAL ESTATE

Schrader Real Estate & Auction Company
300 N. Morton Ave.
Centerville, IN 47330

Re: Tract VI on Exhibit "A"

Dear Gentlemen:

The undersigned hereby certifies that he has made a thorough examination of the records of Auglaize County, Ohio as disclosed by the Parcel Abstract Books and the Public Indexes except the Direct and Reverse Deed Indexes in accordance with the Ohio Marketable Title Act and the standards of title examination of the Real Property Section of the Ohio State Bar Association, relating to the premises described as Tract VI on Exhibit "A" attached hereto and incorporated herein by reference.

At the date of this certificate, the fee simple title to said Tract VI is vested as follows: one-eighth ($\frac{1}{8}$) interest in Frederick K. Clark by virtue of deed recorded January 16, 1992 in Official Record Vol. 137, Page 446; three-eighths ($\frac{3}{8}$) interest in Frederick K. Clark, Trustee of the Frederick K. Clark Revocable Living Trust, dated September 23, 2002 by deed recorded September 26, 2002 in Official Record Vol. 465, Page 1382; one-eighth ($\frac{1}{8}$) interest in Dorothy C. Downing, Trustee under the Dorothy C. Downing Trust by deed recorded November 13, 2000 in Official Record Vol. 414, Page 631; three-sixteenths ($\frac{3}{16}$) interest in Brien T. Downing by virtue of a deed recorded July 18, 2013 in Official Record Vol. 633, Page 1253; and three-sixteenths ($\frac{3}{16}$) interest in Barry R. Downing, by virtue of a deed recorded July 18, 2013 in Official Record Vol. 633, Page 1253, in the Office of the Recorder of Auglaize County, Ohio.

From said county records, it appears that the title is marketable and free from encumbrance except and subject to the matters set forth herein.

The property is subject to the following Mortgage that is still showing of record and being unreleased of record:

1. A Mortgage executed by Ronald A. Downing and Dorothy C. Downing, husband and wife, and Mabel E. Clark and Frederick K. Clark, wife and husband, on August 30, 1993, in the original amount of \$20,000.00 with Bank One, Lima, N.A. as mortgagee, recorded August 30, 1993 in Official Record Vol. 192, Page 653, in the Office of the Recorder of Auglaize County, Ohio. **NOTE:** Said mortgage contains no stated date of

maturity of the principal sum. Pursuant to ORC §5301.30, the record of any money which remains unsatisfied or unreleased of record for more than 21 years after the date of the mortgage (if no stated date of maturity is provided), does not give notice to or put on inquiry any person dealing with the land described in such mortgage that such mortgage debt remains unpaid or has been extended or renewed. "As to subsequent bona fide purchasers, mortgagees, or other persons dealing with such land for value, the lien of such mortgage has expired." However, the mortgage creditor may at any time re-file in the Auglaize County Recorder's Office the mortgage or a sworn copy thereof for record, together with an Affidavit stating the amount remaining due thereon and the due date thereof, whether or not such date has been extended. Such re-filing is constructive notice of such mortgage only for a period of 21 years after such re-filing, or for 21 years after the stated maturity of the debt, whichever is the longer period.

There are no judgment liens, foreign execution liens, personal property tax liens, federal tax liens, factor's liens, recognizance bond liens, unemployment compensation liens, or worker's compensation liens against said property, nor any suits against the property in the Court of Common Pleas or Court of Appeals of Auglaize County. No examination of Federal Court records or U.S. Bankruptcy Court records was made.

Real Estate Taxes on said property are paid to the January 2017 installment which is a lien but which is not yet due and payable. The Parcel No. is A03-012-002-00 and the June 2016 installment was paid in the amount of \$989.02. The real estate is subject to the following Special Assessments which are liens but which are paid to the January 2017 installment:

1. Special Assessment, Project No. 12-439, Metz DM, payable with each half tax installment with the total future amount payable as shown on the preliminary Tax Duplicate for 2017 being in the amount of \$11.06.
2. Special Assessment, Project No. 12-463, Thrush DM, payable with each half tax installment with the total future amount payable as shown on the preliminary Tax Duplicate for 2017 being in the amount of \$154.56.

Attention is directed to the fact that the above described is currently listed on the Auditor's Agricultural Land Tax List and is currently taxed at its agricultural use under the provisions of Section 5713.32, Ohio Revised Code. If the land is removed from the Agricultural Land Tax List, a charge may be levied against said land in an amount equal to the amount of the tax savings enjoyed by the owner during the three (3) tax years immediately preceding the year in which the conversion occurs. Under Section 5713.34, the charge shall constitute a lien upon the land as of the first day of January of the tax year in which the charge is levied. No liability is assumed under this certificate for any lien arising under the provisions of Section 5713.34. Said lien continues upon the title of any subsequent owner and there is no limitation upon the duration of the lien.

This certificate does not purport to cover matters not of record in Auglaize County, Ohio, including rights of persons in possession, questions which a correct survey or inspection would disclose, rights to file mechanics' liens, special taxes and assessments not shown by the County Treasurer's Records, or zoning and other governmental regulations or liens asserted by the United States or State of Ohio, and agencies and officers under the Ohio Solid Hazardous Waste

Disposal Act, Federal Superfund Amendments, and under Racketeering Influence and Corrupt Organization Acts and Receivership Liens, unless the lien is filed in the public records of Auglaize County, Ohio.

This certificate was prepared at the request of Schrader Real Estate & Auction Company. Said certificate is not descendable or assignable, nor shall any other person rely upon said certificate. Rights of subrogation are hereby reserved.

Dated at Wapakoneta, Ohio, this 28th day of September, 2016 at 8:00 o'clock a.m.



Dennis P. Faller, Attorney at Law

**PRELIMINARY CERTIFICATE:
INVOICE**

PRELIMINARY CERTIFICATE: INVOICE, PG 1

Dennis P. Faller

Attorney at Law

105 S. Blackhoof Street
P.O. Box 413
Wapakoneta, Ohio 45895

Telephone (419) 738-4578
Fax (419) 738-5607
fallerlaw@bright.net

TO: Schrader Real Estate & Auction Company
300 N. Morton Ave.
Centerville, IN 47330

Date: 10/07/16

TRACT I:

Examination of title of approximately 153.581 Acres (Tract I on prepared Exhibit "A") located in Section 32m Goshen Township, Auglaize County, Ohio-new Parcel No. being D12-032-001-01. Tract I consisted of five (5) separate legal descriptions-examination consisted of tracing 5 separate chains of title back to documents recorded April 5, 1938, January 2, 1931, June 16, 1931, May 27, 1930, and March 17, 1923 for the 5 separate chains-examination fee as quoted: \$200.00 for the first chain and \$125.00 for each chain thereafter.

Preparation of Preliminary Certificate \$700.00

Reimbursement for copy costs advanced – 9 Pages
at \$.25/Page with Auglaize County Recorder \$2.25

TRACT II:

Examination of title-Parcel No. D12-031-003-01 -examination consisted of review of one chain of title back to and forward from a certain document recorded April 25, 1944 in Deed Record Vol. 139, Page 14.

Preparation of Preliminary Certificate \$200.00

Reimbursement for copy costs advanced – 4 Pages
at \$.25/Page with Auglaize County Recorder \$1.00

TRACT III:

Examination of title-Parcel No. D12-032-002-00 -examination consisted of review of one chain of title back to and forward from a certain document recorded October 18, 1909 in Deed Record Vol.

PRELIMINARY CERTIFICATE: INVOICE, PG 2

90, Page 39.

Preparation of Preliminary Certificate \$200.00

Reimbursement for copy costs advanced – 7 Pages
at \$.25/Page with Auglaize County Recorder \$1.75

TRACT IV:

Examination of title-Parcel No. D12-005-006-01
-examination consisted of review of one chain of
title back to and forward from a certain document
recorded January 3, 1923 in Deed Record Vol. 111,
Page 449

Preparation of Preliminary Certificate \$200.00

Reimbursement for copy costs advanced – 7 Pages
at \$.25/Page with Auglaize County Recorder \$1.75

TRACT V:

Examination of title-Parcel No. D12-005-007-00
-examination consisted of review of one chain of
title back to and forward from a certain document
recorded January 3, 1923 in Deed Record Vol. 111,
Page 449

Preparation of Preliminary Certificate \$200.00

Reimbursement for copy costs advanced – 7 Pages
at \$.25/Page with Auglaize County Recorder \$1.75

TRACT VI:

Examination of title-Parcel No. A03-012-002-00
-examination consisted of review of one chain of
title back to and forward from a certain document
recorded November 30, 1897 in Deed Record Vol.
67, Page 141.

Preparation of Preliminary Certificate \$200.00

Reimbursement for copy costs advanced – 6 Pages
at \$.25/Page with Auglaize County Recorder \$1.50

TOTAL: \$1,508.25

Note: Additional services concerning this transaction,
if any, will be billed separately.





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260-244-7606 or 800-451-2709
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