

Tract 12

TO: DON CAIN ESTATE

Parcel Number: 28-3100-04-009.000
45.894 acres, more or less, Allen County

PRELIMINARY OWNER'S TITLE CERTIFICATE

The undersigned hereby certifies that he has made a thorough examination of the records of Allen County, Ohio, as disclosed by the public indexes in accordance with the Ohio Marketable Title Act, relating to the premises hereinafter described in Item I. This examination commenced with a Warranty Deed from Nolan R. Younkman and Mary K. Younkman, husband and wife, to James T. Williams and Esther E. Williams, filed for record February 9, 1976, at Volume 573, Page 545, of the Allen County Deed Records; and continued to the date hereof.

This certificate does not purport to cover matters not of record in the County, 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, zoning and other governmental regulations, or liens asserted by the United States or State of Ohio, their 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 the county in which the premises is located.

The undersigned hereby certifies that, in his opinion based upon the records, the fee simple title to the premises is vested in Don E. Cain by virtue of a Quit Claim Deed from Shirley Evelyn Cain, unmarried, filed for record November 17, 2014, at Book 2014, Page 12274, of the Official Records of Allen County, Ohio; and that as appears from the records, the title is marketable and free from encumbrances except and subject to the matters set forth below.

ITEM I SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION OF REAL ESTATE.

ITEM II

Real Estate Taxes:

Parcel Number: 28-3100-04-009.000

Tax Valuation: \$ 228,100

Taxes per Half: \$ 631.75 – 1st half
\$ 621.74 – 2nd half

Assessments:	Larue	\$ 10.00 – 1 st half
	Warrington Ditch Maintenance	\$ 39.88 – 1 st half
	Warrington Ditch Maintenance	\$ 39.87 – 2 nd half

TAXES AND ASSESSMENTS ARE PAID THROUGH THE JULY, 2021, INSTALLMENT

SPECIAL NOTE: THE REAL PROPERTY IS CURRENTLY TAXED BASED UPON ITS CURRENT AGRICULTURAL USE VALUATION (CAUV), WHICH RESULTS IN A LOWER TAX THAN IF THE REAL ESTATE WERE VALUED AT ITS FAIR MARKET VALUE. THE REMOVAL OF ANY PART OF THE PROPERTY FROM AGRICULTURAL USE, OR THE FAILURE TO TIMELY FILE APPLICATIONS WITH THE COUNTY AUDITOR TO MAINTAIN THE TAXATION OF THE REAL ESTATE BASED UPON CAUV WILL RESULT IN A RECAPTURE OF THE REAL ESTATE TAXES SAVED BY REASON OF THE CAUV FOR A THREE-YEAR PERIOD.

ITEM III

Any matters disclosed on the survey of 47.895 acres dated December 1975 and filed as Survey Record 00-2956 with the Allen County Engineer's Office, a copy of which is attached hereto.

ITEM IV

Deed of Easement from Ruth M. Sterling, a widow and unmarried, to Buckeye Pipe Line Company, filed for record September 9, 1969, at Volume 494, Page 299, of the Deed Records of Allen County, Ohio, a copy of which is attached hereto.

Dated at Sidney, Ohio, this 7th day of April, 2021, at 8:30 a.m.

FAULKNER, GARMHAUSEN, KEISTER & SHENK
A Legal Professional Association

By: _____

Thomas J. Potts

EXHIBIT "A"

Being a parcel of land situated in the Southeast Quarter of Section 31, Township 2 South, Range 8 East, Richland Township, Allen County, Ohio, more fully described as follows:

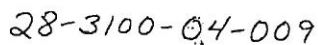
Beginning at a point (said point lies on the centerline of Napoleon Road and the east line of Section 31, being South 00°26'04" East a distance of 475.17 feet from the northeast corner of the Southeast Quarter of Section 31); thence continuing South 00°26'04" West along the centerline of Napoleon Road and the east line of Section 31 for a distance of 838.13 feet to a point; thence South 89°33'25" West for a distance of 2649.17 feet to a point; thence North 00°31'17" East for a distance of 154.60 feet to a point on the centerline of the Old North Dixie Highway; thence North 46°10'04" East along the centerline of the Old North Dixie Highway for a distance of 1114.23 feet to the South right-of-way line for U.S. No. 30-N; thence North 85°44'22" East along the said South line for U.S. Route 30-N for a distance of 300.06 feet to a point; thence South 86°40'57" East continuing along the South right-of-way line for U.S. 30-N for a distance of 1553.93 feet to the point of beginning. **SAVE AND EXCEPT THE FOLLOWING DESCRIBED REAL ESTATE:** Beginning at a point (said point lies on the centerline of the Old North Dixie Highway being North 00°31'17" East a distance of 154.60 feet and thence North 46°10'04" East along the centerline of the Old North Dixie Highway a distance of 311.17 feet from the southwest corner of the north Half of the Southeast Quarter of Section 31); thence continuing North 46°10'04" East along the centerline of the Old North Dixie Highway for a distance of 442.92 feet to a point; thence South 43°49'56" East a distance of 213.27 feet to a point; thence South 46°10'04" West for a distance of 318.22 feet to a point; thence South 89°33'25" West for a distance of 171.58 feet to a point; thence North 43°49'56" West for a distance of 95.42 feet to the point of beginning. Said parcel of land contains 2.00 acres, more or less, and is subject to all legal highways and easements of record.

Said parcel of land containing after said exception 45.894 acres, more or less, subject to all legal highways and easements of record.

Prior Instrument Reference: Volume 919, Page 312

Prior Instrument Reference: Volume 2014, Page 12274 of the Deed Records of Allen County, Ohio.

Parcel No. 28-3100-04-009.000



ROLLY E. PION
SURVEYOR NO. 5013

748889

DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That EUTH H. STERLING, a widow and unmarried, the Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid to her by BUCKEYE PIPE LINE COMPANY, the Grantee, the receipt of which is hereby acknowledged, does hereby Give, Grant, Suffer, Sell and Convey to the said Grantee, Buckeye Pipe Line Company, an Ohio Corporation, and to its successors and assigns forever, a perpetual right-of-way and easement, and right of occupancy and use, for the purposes hereinafter mentioned in the following described premises, to-wit:

Being an Easement Fifty (50) feet wide over and through lands in the North Half of the Southeast Quarter of Section 51, T-2-S, R-8-E, Highland Township, Allen County, Ohio, more particularly described as follows:

Beginning at a point situated on the northerly property line of Ruth H. Sterling, said point being further located if $50^{\circ} 42' 35''$ S $80^{\circ} 15' 04''$ W 500 ft from the center line of R. Dixie Road, and being also located if $0^{\circ} 15' 04''$ E 534.67 ft from U.S. Route 400 survey center line at Station 987+75;

Thence, along the northerly property line of Ruth H. Sterling $5^{\circ} 42' 35''$ S $80^{\circ} 15' 04''$ W 50 feet to a point;

Thence, along property of the same $5^{\circ} 42' 35''$ S $80^{\circ} 15' 04''$ W 145.20 feet to a point situated on the northerly right-of-way line of U.S. Route 400;

Thence, along the northerly right-of-way line of U.S. Route 400 the following two courses and distances:

(1) $1^{\circ} 40' 42''$ S $89^{\circ} 17' 04''$ W 12.04 ft to a point, and

(2) $1^{\circ} 40' 42''$ S $89^{\circ} 17' 04''$ W 12.04 ft to a point;

Thence, along property of Ruth H. Sterling $5^{\circ} 42' 35''$ S $80^{\circ} 15' 04''$ W 145.20 feet to a point, the place of beginning, containing 5000 sq. ft.

also

Beginning at a point along the newly established southerly right-of-way line of R. Dixie Road, said point being further located at a distance of 75.00 feet measured at right angles from center line of said road;

Thence, along the land of Ruth H. Sterling the following five courses and distances:

(1) $0^{\circ} 15' 04''$ E 534.67 feet to a point

(2) $5^{\circ} 42' 35''$ S $80^{\circ} 15' 04''$ W 145.20 ft to a point of curvature

(3) along an arc common to the left having a radius of

145.20 ft for an arc distance of 420.36 ft (Chord of arc being 145.20 ft) $11^{\circ} 24' 36''$ E 420.36 ft to a point of tangency;

(4) $5^{\circ} 42' 35''$ S $80^{\circ} 15' 04''$ W 145.20 ft to a point

(5) $1^{\circ} 40' 42''$ S $89^{\circ} 17' 04''$ W 12.04 ft to a point on the southerly right-of-way line of R. Dixie Road, said point being further located at a distance of 50 feet measured at right angles from center line Sta. 72+80.

Thence, along the existing southerly right-of-way line of R. Dixie Road $1^{\circ} 40' 42''$ S $89^{\circ} 17' 04''$ E 85 ft to a point;

FOR ASSIGNMENT & ASSUMPTION OF RIGHTS OF WAY
SEE DEED VOLUME 693 PAGE 283

Vol 494 p. 283

Thence along north established southerly right-of-way line of railroad R. 3500, then the following three courses and distances:
 (1) 41° 30' 00" E - 47.10 ft to a point of curvature
 (2) Thence along an arc curving to the right with a radius of 454.76 feet for an arc distance of 791.6 feet to a point of tangency
 (3) Thence along a line 46° 11' 00" E - 416.05 ft to a point of beginning.
 Containing 46,482 square feet, or 1.5334 acres.

In consideration of the aforesaid covenants herein contained, the Grantor hereby gives, grants, bargains, sells and conveys unto Buckeye Pipe Line Company, the right and consent to enter upon said premises for the purpose of constructing, operating, maintaining, and from time to time, altering, repairing and removing one or more lines of pipe for the transportation of petroleum, gas or the products of either or any other liquids, gases or substances which can be transported through pipe lines, with free ingress and egress to construct, operate, maintain and, from time to time, alter, repair or remove the same.

The Grantor herein reserves the right to use the above described land except as such use may unreasonably interfere with the enjoyment by the Grantee of the right of way herein granted, and the Grantor agrees that, without the written consent of the Grantee, no building or other structure shall be erected, created or constructed within the described fifty (50) foot easement, present structures excepted. The Grantee hereby agrees to pay any damages which may arise from the construction, maintenance, operation, alteration, repair or removal of said pipe lines.

Should more than seven (7) lines be laid under this grant, such additional line or lines shall be laid within the easement described and, in addition to the damages as above provided, a consideration of \$400.00 shall be paid for each line so laid.

In addition to the permanent easement, Buckeye Pipe Line Company is hereby granted a temporary easement on the south side of the permanent easement, said temporary easement to be forty (40) feet in width in addition to the permanent easement granted herein, and shall be used to properly and conveniently construct the pipe line, except that such work shall not damage existing buildings. Said temporary easement shall expire upon the completion of the construction of said pipe lines.

The Buckeye Pipe Line Company shall restore the premises to the same or better condition as existed prior to the commencement of work on the

Vol. 494 p. 300

3 VOL 434 501

- all labor and material to remove or dismantle temporarily portions of existing fences and gates to facilitate construction of the lines of pipe and to repair or reconstruct the fences in kind upon completion of the construction work.

any element of loan bearing a depreciation shall be
satisfied. This provision shall apply for a period of three
years, during which time, it is expected that complete
settling will occur.

7. If any underground cave, structure or other facility is found to, damaged or destroyed, it shall be repaired to its original or better condition.

4. The levee rate land owners shall pay for all crop damage incurred on the permanent and on the temporary easement.

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Notar Public

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Page 14

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