

That. We, EDNA McClymonds Wales, also known as EDNA E. WALES, (Widow) and
RUTH McClymonds Maitland, also known as RUTH E. MAITLAND, (Married)

1603 138

, the Grantors ,

for the consideration of Ten Dollars and other valuable considerations - - - - -
- - - - - Dollars, (\$10.00) received to our full satisfaction of

THE MASSIN CORPORATION (An Ohio Corporation)

, the Grantee , do

Give, Grant, Bargain, Sell and Convey unto the said Grantee , its successors

~~here~~ and assigns, the following described premises, situated in the City of

Massillon, , County of Stark and State of Ohio:

being parts of the Northeast 1/4 and the Southeast 1/4 of Section 9, Township 10,
Range 9, Perry Township, and part of Outlet 330, City of Massillon, Ohio, more
particularly described as follows:

Beginning at an iron pin set at the intersection of the center
line of Lincoln Way East (Lincoln Highway U.S. 30) with the
north and south center line of Section 9 aforesaid, said point
being distant North 6 degrees 35 minutes East 15.95 feet from
an iron pin set at the center of said Section 9; running thence
along the north and south center line of said Section 9, North
6° 35' East 1333.64 feet to a monument; thence South 83° 35' 06"
East 2766.42 feet to a point in the easterly Section line of
said Section 9, said point also being in the center line of
27th Street Northeast (Jackson Lane); thence along the easterly
Section line of said Section 9 and the center line of 27th
Street Northeast, South 6° 29' 54" West 1793.62 feet to an iron
pin set at the intersection of the center line of 27th Street
Northeast with the center line of Lincoln Way East (Lincoln
Highway U.S. 30); thence along the center line of Lincoln Way
East, North 71° 41' 12" West 2060.82 feet to point of curve;
thence continuing along the center line of Lincoln Way East,
along the arc of a curve to the left having a radius of 734.02
feet and a center angle of 7° 48' 23", 129.28 feet to point of
tangency; thence still continuing along the center line of
Lincoln Way East, North 81° 46' 42" West 623.28 feet to the
point or place of beginning, subject only to roadways designa-
ted as 27th Street Northeast (Jackson Lane) and Lincoln Way
East (Lincoln Highway U.S. 30), together with all right, title
and interest of the present owners of the described premises in
and to said roadways abutting or extending along the sides of
said premises, containing an area of 91.976 acres exclusive of
roadways. of which 17.50 acres exclusive of
is a part of Out Lot 330

ENTERED FOR TRANSFER
SEP 1 1946
JOHN YODNER
AUDITOR STARK COUNTY

"Deed checked for tract
Dated 9-17-46
STATE OF OHIO
J. H. [Signature]

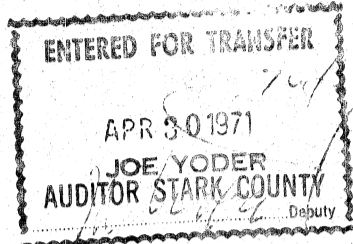
2155

IN COMPLIANCE
WITH ORC 316.02

APR 30 1971

7085

JOE YODER
STARK COUNTY AUDITOR
WARRANTY DEED
FEE
DEPUTY



VOL 3517 PAGE 295

KNOW ALL MEN BY THESE PRESENTS, That Kenneth E. Heugel and Thomas J. Morton, Jr., Co-Trustees of the Ohio Realty Trust under Trust Agreement dated August 1, 1966, the Grantors herein, for the consideration of Ten Dollars (\$10.00) and other valuable consideration received to their full satisfaction from Massillon K-Mart Limited, a limited partnership organized under the Indiana Uniform Limited Partnership Act of the State of Indiana, said partnership having its principal place of business in Evansville, Indiana, the Grantee herein, the Tax Mailing Address of which partnership will be:

c/o Kenneth E. Heugel
1700 Old National Bank Bldg.
Evansville, Indiana 47708

do warrant, give, grant, bargain, sell and convey unto the said Grantee, the following described premises:

Situated in the City of Massillon, County of Stark and State of Ohio, and known as being parts of Out-Lots 330 and 417, City of Massillon, and also known as being parts of the Northeast and Southeast Quarters of Section 9, formerly Perry Township and more fully bounded and described as follows:

Beginning at a 50^d spike found (now replaced by a RR track spike) at the Southeasterly corner of the Northeasterly Quarter of Section 9 which is South 1 degree 48 minutes 04 seconds West, 2657.47 feet from a 1-1/2" hex-head bolt found at the Northeasterly corner of Section 9, said place of beginning being also the Northeasterly corner of the Southeasterly Quarter of Section 9, which is North 1 degree 45 minutes 23 seconds East, 2691.26 feet from a RR track spike found at the Southeasterly corner of Section 9, said place of beginning being also on the centerline of 27th Street NE and also on the Easterly line of a tract of land conveyed to Massin Corp. by instrument recorded in Vol. 1603, page 138 of the Stark County records of deeds;

Thence North 1 degree 48 minutes 04 seconds East along the centerline of 27th Street N.E., Easterly line of Section 9, and Easterly line of lands so conveyed to Massin Corp., 165.68 feet to an Iron Pipe set at the Southeasterly corner of Lincoln Manor Allotment as recorded in Vol. 31, page 51 of the Stark County records of plats (witness an Iron Pipe found North 76 degrees 21 minutes 52 seconds West, 30.76 feet from this point, also witness a lead-center Monument set North 76 degrees 21 minutes 52 seconds West, 30.65 feet from this point); thence North 76 degrees 21 minutes 52 seconds West along the Southerly line of Lincoln Manor Allotment which is also the Northerly line of the City of Massillon, and line extended 805.65 feet to a lead-center Monument; thence South 64 degrees 56 minutes West, 137.32 feet to a lead-center Monument; thence South 1 degree 45 minutes 23 seconds West, 526.20 feet to the centerline of Lincoln Way East and Southerly line of land so conveyed to the Massin Corporation (witness a lead-center Monument set North 1 degree 45 minutes 23 seconds East, 51.20 feet from this point); thence South 76 degrees 23 minutes 22 seconds East along the centerline of Lincoln Way East and Southerly line of land so conveyed to the Massin Corp. 930.65 feet to the Southeasterly corner thereof, being also the intersection of the centerline of Lincoln Way East and the Easterly line of Section 9, thence North 1 degree 45 minutes 23 seconds East along the centerline of 27th Street NE, Easterly line of Section 9 and Easterly line of land so conveyed to the Massin

Corp. 51.20 feet to an Iron Pipe (witness a concrete Monument found North 76 degrees 23 minutes 22 seconds West, 30.65 feet from this point); thence continuing North 1 degree 45 minutes 23 seconds East along the centerline of 27th Street NE, Easterly line of Section 9 and Easterly line of land so conveyed to the Massin Corp. 396.60 feet to the place of beginning, and containing 12.7092 acres of land, there being 6.41 acres in Out-Lot #330 and 6.30 acres in Out-Lot #417 as surveyed January 12, 1966 by Robert J. Fish, Reg. Surveyor #4240, be the same more or less, but subject to all legal highways.

This conveyance, however, is made subject to the following:

1. Easements and restrictions of record and public streets and highways including, without limitation, the restrictions in the deed to Donald G. Davis and Buford C. Boucher, recorded in Deed Record 3146, page 132 of the Stark County Deed Records.
2. Applicable zoning ordinances.
3. Property taxes assessed against and with respect to the real estate hereby conveyed beginning with the installment thereof which is due and payable in the year 1971.
4. A first mortgage to and in favor of American Fletcher National Bank and Trust Company of Indianapolis, Indiana, dated April 13, 1967, recorded in Volume 3236, page 400 of the Stark County Mortgage Records, in the principal amount of \$1,350,000, which mortgage and the note secured thereby was assigned April 20, 1967, to The State Farm Life Insurance Company of Bloomington, Illinois.
5. A lease of said premises to and in favor of S. S. Kresge Company, dated December 3, 1965, as amended by letter agreement of March 24, 1966, and by "Second Amendment to Lease" dated July 21, 1966, which said lease has been assigned as additional security to American Fletcher National Bank and Trust Company on April 18, 1967, and thereafter assigned to State Farm Life Insurance Company of Bloomington, Illinois, on April 20, 1967.

This conveyance also includes, and Grantors do hereby convey, assign, transfer and set over unto Grantee all their right, title and interest in and to any and all fixtures and items of personal property situated upon and used in connection with said above described real estate.

TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereunto belonging, unto the said Grantee and its successors and assigns forever, subject, however, to the aforesaid liens, easements and restrictions. And the Grantors for themselves, their heirs and assigns, covenant with the Grantee, its successors and assigns, that at and until the ensealing of these presents, they were well seized of the above described premises, subject to the aforesaid liens, easements and restrictions, and that they will warrant and defend the same, with the appurtenances thereunto belonging, to the Grantee, its successors and assigns forever, against all lawful claims and demands whatsoever except as stated above.

This deed is executed by the grantor trustees by virtue of and pursuant to the authority vested in said trustees in and by a certain Trust Agreement dated August 17, 1965, and the grantor trustees warrant that they have been entrusted with and granted full and absolute power of sale under said Trust Agreement, and that the execution and delivery of this deed is in full and complete compliance with all of the terms, conditions and authorizations contained and set forth in said Trust Agreement.

That, SWEET'S TRACT, INC.

a Corporation incorporated under the laws of the State of OHIO

the Grantor, who claims title by or through instrument , recorded in Volume 2759 ,
214-216 of Stark

Page 2/ , County Recorder's Office, for the consideration of Ten and no/100 - - - - -

----- Dollars (\$ 10.00)

received to its full satisfaction of FOREST CITY ENTERPRISES, INC., (an Ohio corporation)

the Grantee ,

whose TAX MAILING ADDRESS will be 17903 St. Clair Ave., Cleveland 10, Ohio

have given, granted, remised, released and forever quit-claimed, and do by these presents

absolutely Give, Grant, Remise, Release and forever Quit-Claim unto the said Grantee ,

its successors

~~here~~ and assigns forever, all such right and title as it, the said Grantor, has
or ought to have in and to the following described piece or parcel of land, situated in the

XX

XX

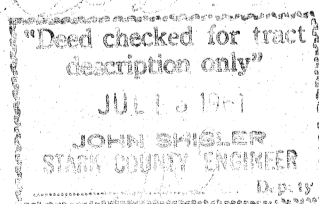
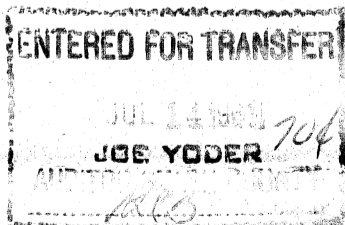
AN UNDIVIDED ONE-HALF INTEREST IN AND TO THE FOLLOWING DESCRIBED PREMISES:

in Outlot No. 330

Situated partially in the City of Massillon and partially in the North-east quarter of Section 9, Perry Township, Stark County, Ohio and being more fully described as follows:

Beginning at the intersection of the North line of Lincoln Way East (U.S. 30) and the West line of the Northeast quarter of Section 9; thence easterly along the North line of Lincoln Way East, 600 feet to a point; thence North 7° 02' East 500 feet to a point; thence North 81° 46' 42" West 600 feet to a point on the West line of said quarter section; thence South-erly along the west line of said quarter section 500 feet to the place of beginning, containing 6.91 acres of which 3.455 Acres are in the Township and 3.455 Acres in the City of Massillon, 250 feet off the south end are within the corporation of Massillon be the same more or less, but subject to all legal highways.

It is the intention of the Grantor to transfer all of its remaining right, title and interest in and to the above described premises to the Grantee.



WM. K. GALLIGHER

Phone: 455-4942

THEODORE C. BOLDT

Phone: 477-6426

SURVEYORS

5005 - 16th Street, N. W. • CANTON, OHIO

April 17, 1968

0.565 of an Acre

Known as and being a part of Out Lot No. 417 in the City of Massillon, Ohio, and more fully described as follows: Beginning at the intersection of the North line of Lincoln Way East (U.S.30) and the West line of the Northeast Quarter of Section 9, and also being the Southwest property corner of a tract of land now or formerly owned by Forrest City Enterprises, Inc. ; thence South 81 degrees 46 minutes 42 seconds East, and with the North line of Lincoln Way East (U.S.30) a distance of 624.71 feet to a point; thence along the arc of a curve to the right, with a delta - 10 degrees 05 minutes 30 seconds T - 69.23 feet, R - 784.02 feet, a distance of 138.08 feet to a point; thence South 71 degrees 41 minutes 12 seconds East, a distance of 58.46 feet to the Southwest corner of J. & J. Motors. Thence North 7 degrees 26 minutes 18 seconds East and along the West line of J. & J. Motors a distance of 400 feet to the Northwest corner of J. & J. Motors and the true place of beginning for the tract of land herein described. Thence continuing North 7 degrees 26 minutes 18 seconds East a distance of 123.13 feet to an Iron pin at V. Witte Etal. property. Thence South 82 degrees 33 minutes 42 seconds East and parallel to J. & J. Motors property a distance of 200 feet to an Iron pin; thence South 7 degrees 26 minutes 18 seconds West a distance of 123.13 feet to the Northeast corner of J. & J. Motors; thence North 82 degrees 33 minutes 42 seconds West and along the North line of J. & J. Motors a distance of 200 feet containing 0.565 of an Acre.

Surveyed by,

Theodore C. Boldt
Wm. K. Galligher

N.

O.

L.

V. WITTE ET AL

0.565 AC

4

7

FORMER CORP LINE 7

250'

J. & J. MOTTERS

581° 46' 42" E 624.71' T = 69.23 Δ = 10° 05' 30" R = 789.02' L = 138.08 571° 41' 12" E 58.96'

LINCOLN WAY E.

203.64'

SURVEY

PT. O.L. 417 IN THE CITY OF MASSILLON
STARK COUNTY OHIO

BOLDT & GALLIGHER
REG. SURVEYORS
No. 4852 No. 4680
5005 - 16th St. N.W.
CANTON, OHIO 44708
Dial GR 7-6426
OR 455-4942

Scale: 1" = 60' Date: 4-17-68

W. OR SEC LINE OF N.E. OR SEC. 9 PERKY

D E S C R I P T I O N

Part of O.L. 330

Known as and being part of O.L. 330 in the City of Massillon, Stark County, Ohio and being more fully described as follows:

Beginning at the southeast corner of the Northwest Quarter of Section 9, Perry Township (T-10, R-9), Stark County, Ohio, thence $N6^{\circ}19'40''E$ along the east line of said Quarter Section, a distance of 15.95' to a point in the center of Lincoln Way, East; thence $N82^{\circ}04'00''W$ and along the center of said Lincoln Way, East, a distance of 400.16' to the true place of beginning of the tract herein described;

Thence continuing $N82^{\circ}04'00''W$, a distance of 141.54' to a point;

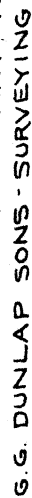
Thence continuing along the center of said Lincoln Way, East $N71^{\circ}02'00''W$, a distance of 49.88' to a point;

Thence $N6^{\circ}19'40''E$, a distance of 203.91' to a point;

Thence $S83^{\circ}40'20''E$, a distance of 190.00' to a point;

Thence $S6^{\circ}19'40''W$, a distance of 218.79' to the true place of beginning, containing 0.937 acres of land, more or less.

Robert J. McLaughlin



2155

MEADOWS PLAZA

O. L. 420

N 6° 19' 40" E

S 83° 40' 20" E
279.9

0.481 ACRES

N 83° 40' 20" W
279.9

75.0

S 6° 19' 40" W

TRUE PLACE OF BEGINNING

129.1'

OUTLOT LINE

178.00

9.00

S 83° 40' 20" E

190.00

O. L.

0.937 ACRES.

N 6° 19' 40" E

203.91

S 6° 19' 40" W

218.79

33' R/W

49.88' N 82° 04' W
141.54'

TRUE PLACE OF BEGINNING

MASSILLON

330 MOTEL LIMITED

50' R/W

400.16' N 82° 04' W

400.00

Q.R. SEC. LINE

N 6° 19' 40" E

415.95'

CENTER
PERRY
SEC. 9
TWP.

15.95'

LINCOLN WAY EAST

Q.R. SEC. LINE

REVISIONS

NO.	DATE	BY
1		
2		
3		
4		
5		

PT. O. L. 420 & PT. O. L. 330
MASSILLON, STARK CO., OHIO

FOR HARRY W. GILTZ, II

BY ROBERT E. WAGONER, REG. SURVEYOR

DRAWN BY
R.F.W.SCALE
1" = 100'

MATERIAL

CHK'D

DATE
DEC. 14, 1978

DRAWING NO.

TRACED

APP'D

D E S C R I P T I O N

PT. O.L. 420
Massillon, Stark Co., Ohio

Known as and being a part of O.L. 420 in the City of Massillon, Stark County, Ohio and being described as follows:

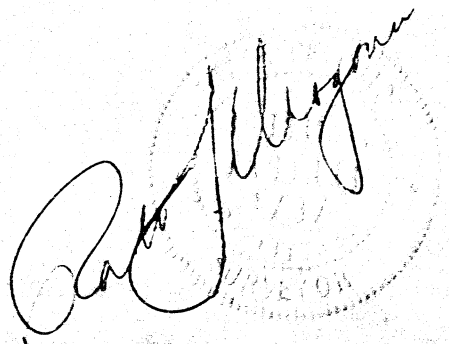
Beginning at the southeast corner of the Northwest Quarter of Section 9, Perry Township (T-10, R-9), Stark County, Ohio; thence $N6^{\circ}19'40''E$ with the east line of said Quarter Section, a distance of 415.95' to the true place of beginning of the tract herein described;

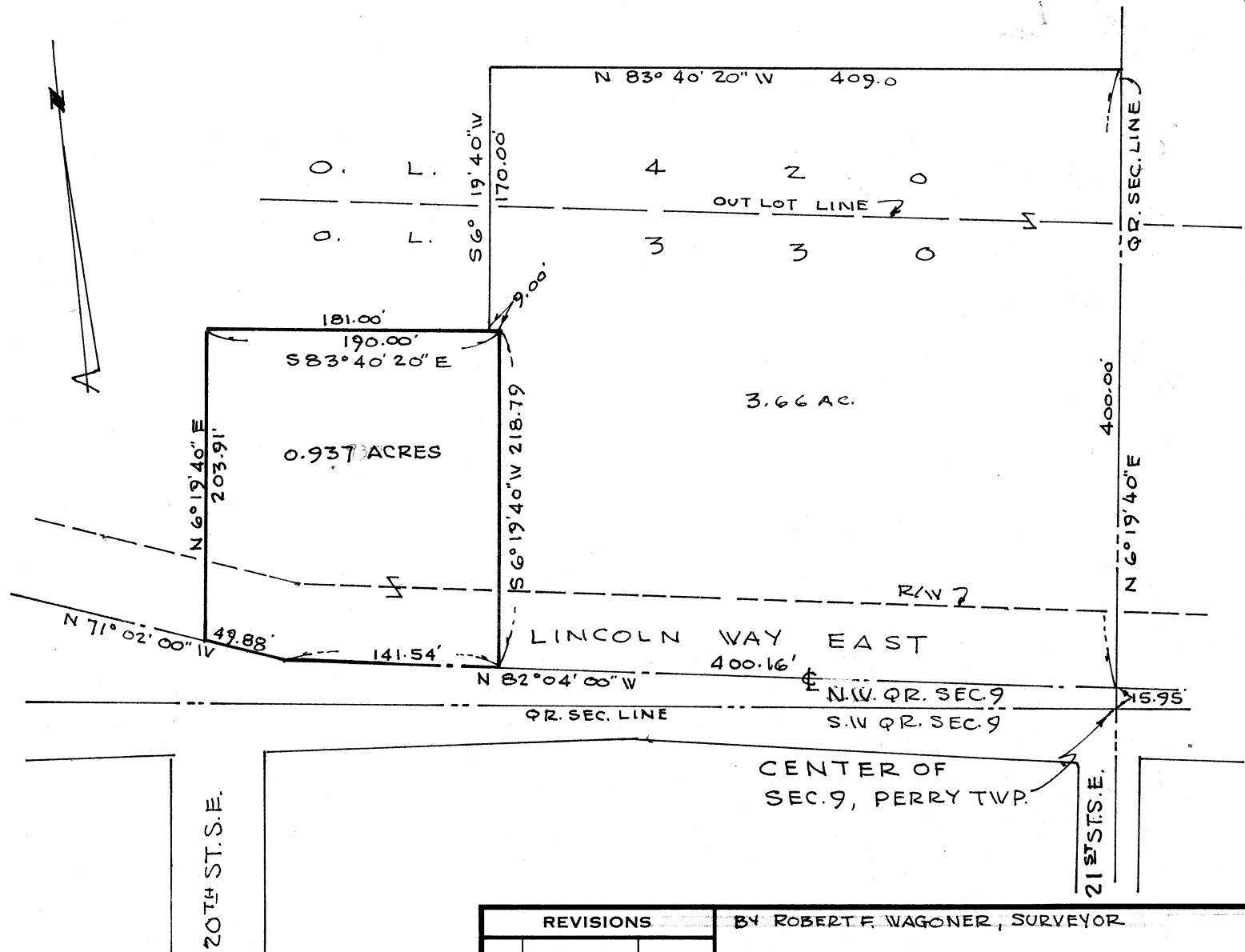
Thence $N83^{\circ}40'20''W$, a distance of 279.9';

Thence $N6^{\circ}19'40''E$, a distance of 75.00';

Thence $S83^{\circ}40'20''E$, a distance of 279.9' to a point on the east line of said O.L. 420;

Thence $S6^{\circ}19'40''W$ with the east line of said O.L. 420, a distance of 75.00' to the true place of beginning, containing 0.481 acres of land, more or less, subject to all leases, easements, conditions and restrictions of record.

A handwritten signature in cursive script is written over a circular notary seal. The seal contains the word "NOTARY" at the bottom and some illegible text around the perimeter.



REVISIONS			BY ROBERT F. WAGONER, SURVEYOR		
NO.	DATE	BY	PT. O. L. 330, MASSILLON, STARK, OHIO		
1					
2					
3					
4					
5					
			DRAWN BY R.F.W.	SCALE 1" = 100'	MATERIAL
			CHK'D	DATE JULY, 1975	DRAWING NO.
			TRACED	APP'D	

D E S C R I P T I O N

Part of O.L. 330

Known as and being part of O.L. 330 in the City of Massillon, Stark County, Ohio and being more fully described as follows:

Beginning at the southeast corner of the Northwest Quarter of Section 9, Perry Township (T-10, R-9), Stark County, Ohio, thence $N6^{\circ}19'40''E$ along the east line of said Quarter Section, a distance of 15.95' to a point in the center of Lincoln Way, East; thence $N82^{\circ}04'00''W$ and along the center of said Lincoln Way, East, a distance of 400.16' to the true place of beginning of the tract herein described;

Thence continuing $N82^{\circ}04'00''W$, a distance of 141.54' to a point;

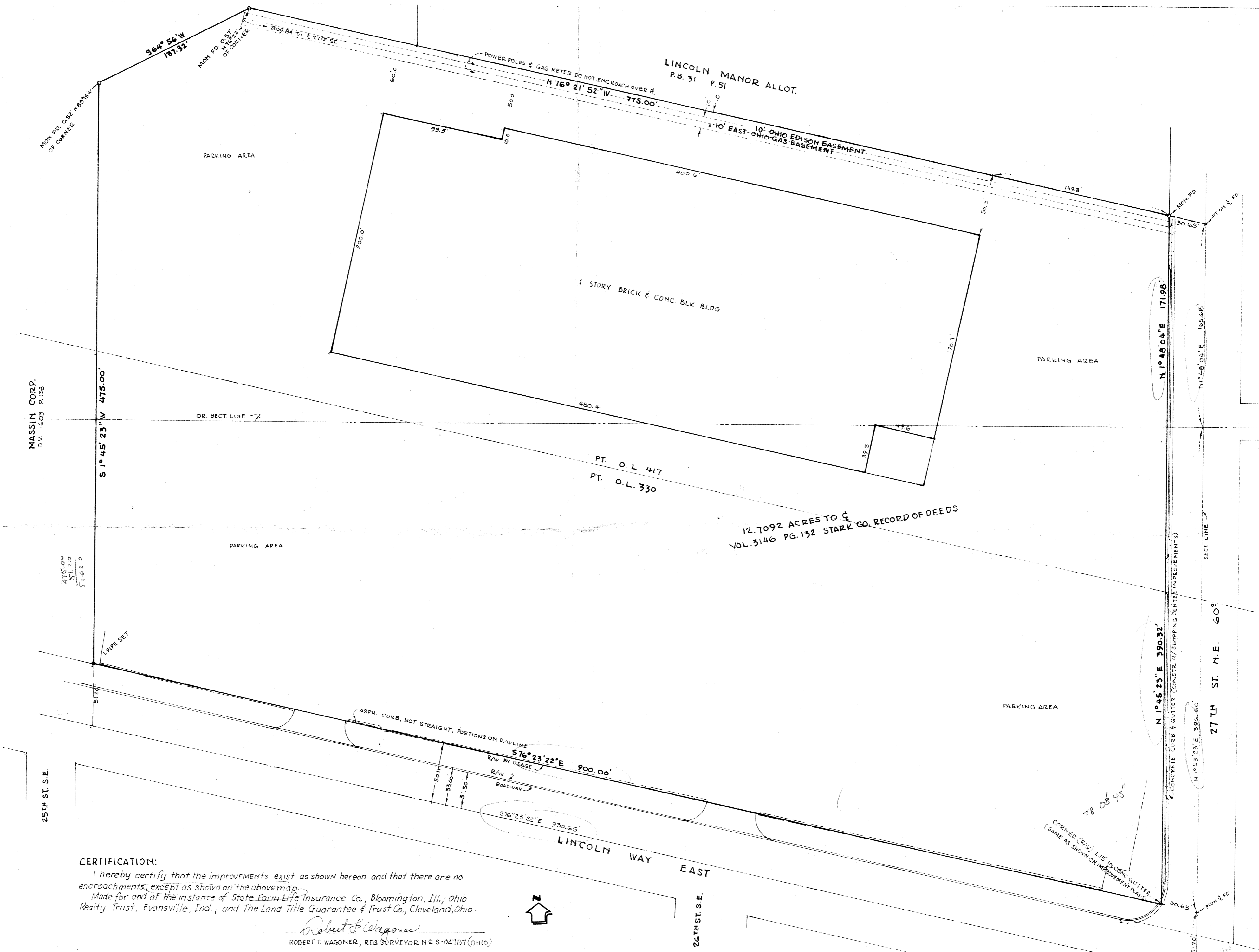
Thence continuing along the center of said Lincoln Way, East $N71^{\circ}02'00''W$, a distance of 49.88' to a point;

Thence $N6^{\circ}19'40''E$, a distance of 203.91' to a point;

Thence $S83^{\circ}40'20''E$, a distance of 190.00' to a point;

Thence $S6^{\circ}19'40''W$, a distance of 218.79' to the true place of beginning, containing 0.937 acres of land, more or less.

Robert J. Hargrave
11/31
MASSILLON, OHIO
SURVEYOR



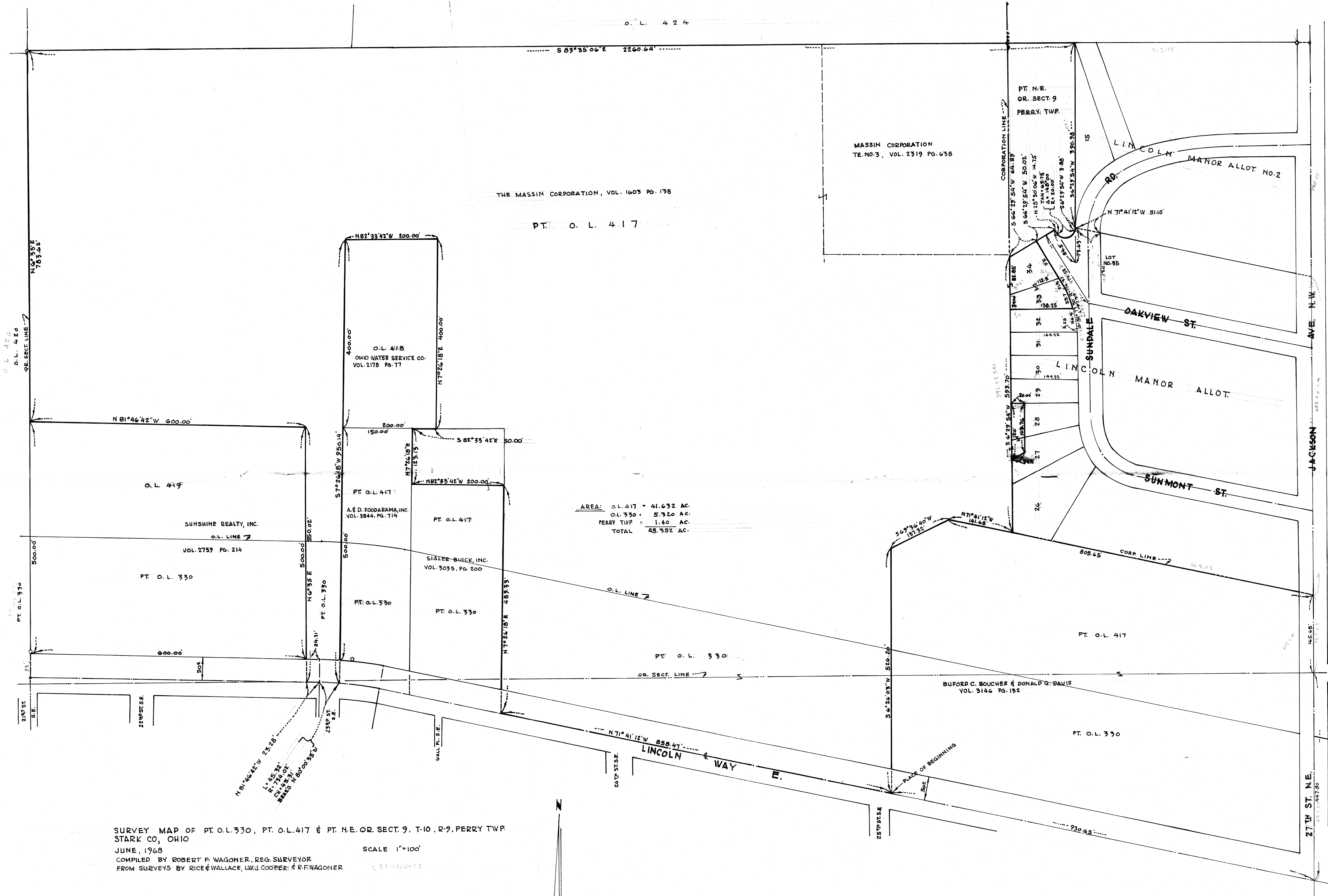
CERTIFICATION:

I hereby certify that the improvements exist as shown hereon and that there are no encroachments, except as shown on the above map.
Made for and at the instance of State Farm Life Insurance Co., Bloomington, Ill.; Ohio Realty Trust, Evansville, Ind.; and The Land Title Guarantee & Trust Co., Cleveland, Ohio.

Robert F. Wagoner
ROBERT F. WAGONER, REG. SURVEYOR NO. S-04787 (OHIO)



SURVEY OF PARTS OF O.L. 417 & O.L. 330, CITY OF MASSILLON, STARK CO., OHIO
APRIL 29, 1967 SCALE 1"=50'
ROBERT F. WAGONER, REG. SURVEYOR, OHIO S-04787



AREA: O.L. 417 - 41.632 AC.
O.L. 330 - 5.720 AC.
PERRY TWP - 1.40 AC.
TOTAL 48.752 AC.

SURVEY MAP OF PT. O.L. 330, PT. O.L. 417 & PT. N.E. OR. SECT. 9, T-10, R-9, PERRY TWP.
STARK CO, OHIO
JUNE, 1968
COMPILED BY ROBERT F. WAGONER, REG. SURVEYOR
FROM SURVEYS BY RICE & WALLACE, L.W.J. COOPER & R.F. WAGONER

SCALE 1"=100'



2155
GRANTS

ON SECT. L.

5.95

N 82°04'W 541.7

250.1

400.16

150.06

141.54

N 71°02'W 165.0

N 67°11'40" W 384.89

N 69°14'0" E 219.79

N 69°14'0" E 170'

S 83°40'20" E 181.0

O.L. 330

N 64°38'40" W 605.4

N 67°11'40" W 407.57

N 71°02'W 125.97

N 82°04'W 504.26

S 83°40'20" E 409.00

N 50°41'20" E 561.00

244.28

N 84°10'W 75.63

N 50°38'10" E 608.63

458.63

150.0

57.0

S 88°07'E

S 83°35'10" E 1103.80

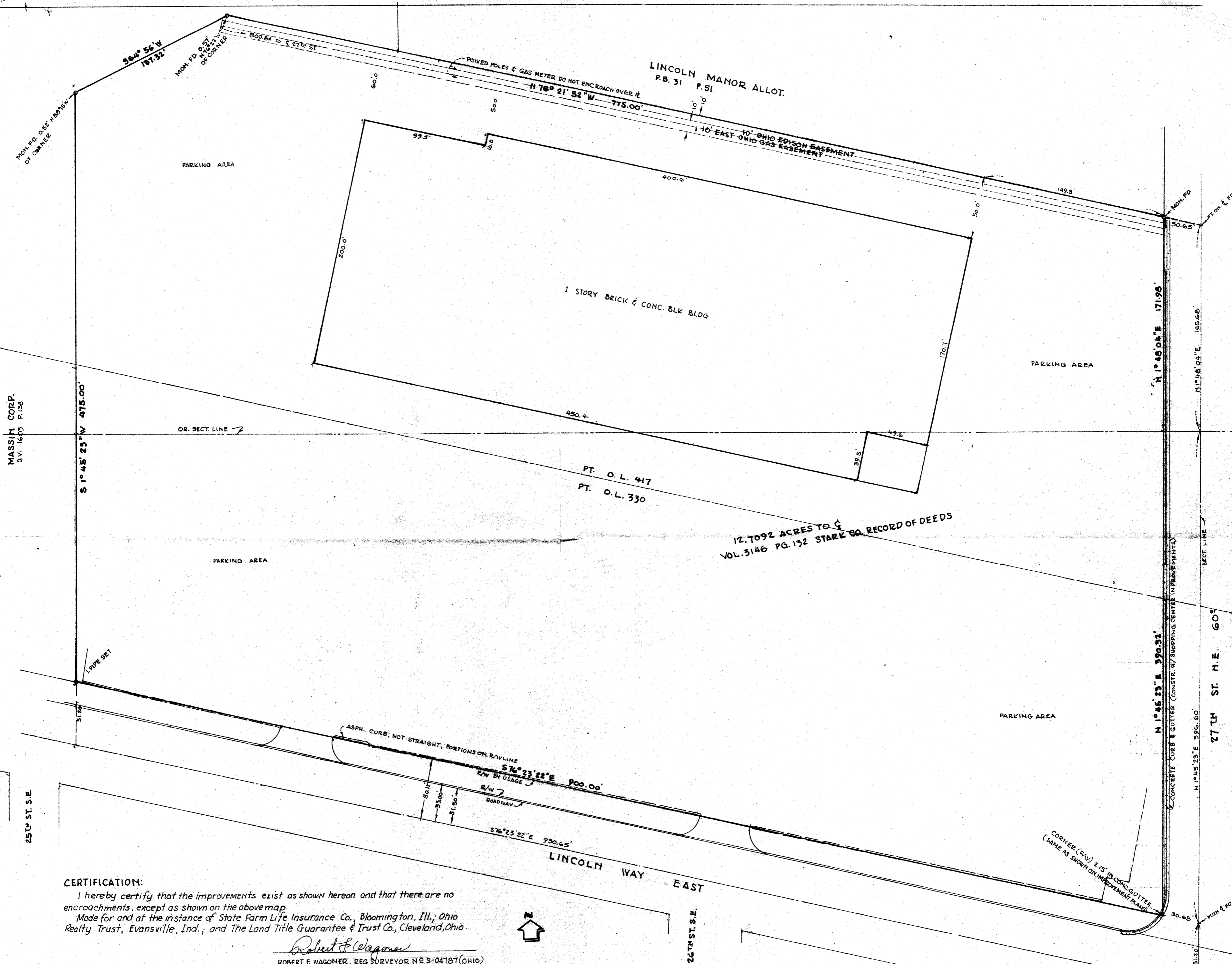
Sur. Richard J. Paulhaber

MAY 1970

877.06

S 6°19'40" W

300.12



CERTIFICATION:
I hereby certify that the improvements exist as shown hereon and that there are no encroachments, except as shown on the above map.
Made for and at the instance of State Farm Life Insurance Co., Bloomington, Ill.; Ohio Realty Trust, Evansville, Ind.; and The Land Title Guarantee & Trust Co., Cleveland, Ohio.

Robert F. Wagoner
ROBERT F. WAGONER, REG. SURVEYOR N.E. S-04187 (OHIO)

SURVEY OF PARTS OF O.L. 417 & O.L. 330, CITY OF MASSILLON, STARK CO., OHIO
APRIL 29, 1967 SCALE 1"=50'
ROBERT F. WAGONER, REG. SURVEYOR, OHIO S-04187

Part Out Lot 417, Northeast Quarter Section 9

Perry Township, Stark County, State of Ohio

Known as and being part of the Northeast Quarter Section 9,
Perry Township, Stark County, Ohio, also known as part of Out Lot
417 in the City of Massillon, Ohio.

Beginning at an iron pin set in concrete 1314.5' South of a
stone monument at the Northwest corner of said Quarter Section; said
iron pin being the true place of beginning of the tract herein des-
cribed; thence S 87° 01' 36" E, 882.95' to a point; thence S 3° 35'
28" W, 407.59' to an iron pin at the Northeast corner of a 1.84 acre
tract owned by the Ohio Water Service Company; thence N 86° 24' 32" W
along the North line of the Ohio Water Service Company tract 200.00'
to an iron pin; thence S 3° 35' 28" W along the West line of said
Ohio Water Service Company tract 400.00' to an iron pin; thence N 85°
13' 14" W along the North line of a tract owned by Forest City
Enterprise, Inc. 676.60' to an iron pin; thence N 3° 08' 30" E along
the West line of the Northeast Quarter Section 9, 783.62' to the
true place of beginning containing 14.23 Acres.