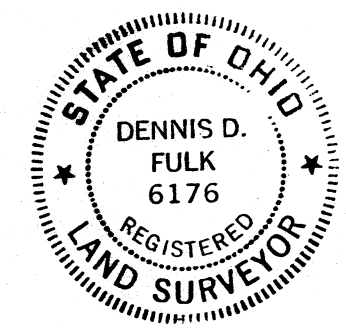


- NOTES:
- 1) BASIS FOR BEARINGS IS S1°21'58"E FOR 8<sup>TH</sup> ST. S.W.
  - 2) REFERENCES:
    - PRIOR AREA SURVEY BY COOPER & ASSOCIATES
    - RIGHT-OF-WAY PLANS FOR RELOCATION OF ROUTE 241



Dennis D. Fulk, P.S.  
September, 1992

MAP OF SURVEY	
PART OF OUT LOT 291, CITY OF MASSILLON, STARK COUNTY, OHIO.	
DENNIS D. FULK, P.S. 6176 MASSILLON, OHIO 837-9683	SEPT., 1992 1"=100'

WEBB

0 L 2 9 2

EL 990.0

EL 985.0

EL 1010.0

EL 1000.0

EL 978.2  
WATER

ZONED RESIDENTIAL

EL 980.0

TYSON LAND

IN CITY 17.69 A.

10365

EL 982.0

EL 983.0

Common Prop. So.

EL 986.0

LITTLE LEAGUE

EL 985.0

PROPOSED  
3.62 A. LOT.

RT

MASSILLON CORP LINE  
PERRY TRSA

OF THIS LINE ZONED IND'L

WEBB

0 L 2 9 2

EL. 990.0

EL. 985.0

EL. 1010.0

EL. 1000.0

EL. 998.3  
WATER

ZONED RESIDENTIAL

EL. 980.0

TYSON LAND

IN CITY 17.69 A.

10365

EL. 982.0

EL. 983.0

EL. 988.0

EL. 985.0

0

PROPOSED  
2.62 A. LOT.

RT

25

MASSILLON CORP. LINE  
FERRY TRSP.

SOUTH OF THIS LINE ZONED IND'L



DENNIS D. FULK

*Registered Surveyor*

3444 BANYAN STREET, N.W.

MASSILLON, OHIO 44646

216-837-9683



*Handwritten signature and initials.*

September 28, 1992

DESCRIPTION OF A 2.752 ACRE TRACT OF LAND

Situated in the City of Massillon, County of Stark, State of Ohio, and known as being part of Out Lot Number 291 of said City of Massillon; more fully bounded and described as follows, to-wit:

Beginning at the southwest corner of said Out Lot Number 291; thence N 5°08'01" E along the centerline of Ninth Street SW a distance of 506.46 feet to a nail set and the true place of beginning for the tract of land herein described;

- 1) Thence continuing N 5°08'01" E along the centerline of said Ninth Street SW a distance of 120.14 feet to an iron bar found;
- 2) Thence N 4°03'58" E and continuing along the centerline of said Ninth Street SW a distance of 205.10 feet to the southwest corner of a tract of land now or formerly owned by O.V. Lynch;
- 3) Thence S 89°39'14" E along the south line of said Lynch tract a distance of 275.58 feet to an iron bar found at the southeast corner of said Lynch tract.
- 4) Thence S 00°22'10" W a distance of 420.66 feet to an iron bar set on the proposed northerly right-of-way line of relocated State Route Number 241;
- 5) Thence S 89°18'58" W along the proposed northerly right-of-way line of said relocated State Route Number 241 a distance of 262.00 feet to a point;
- 6) Thence N 12°00'12" W along the proposed northerly right-of-way line of said relocated State Route Number 241 a distance of 102.09 feet to a point;
- 7) Thence N 84°51'59" W a distance of 15.00 feet and returning to the true place of beginning.

The above described tract of land contains 2.752 acres as surveyed by Dennis D. Fulk, Registered Surveyor Number 6176, of Massillon, Ohio, in September of 1992. This description is based upon said survey.

Subject to all legal highways, easements, leases, or other restrictions of record.

The basis for bearings used is that of N 1°21'58" W for the centerline of Eighth Street SW as found on the right-of-way plans for the relocation of State Route Number 241.

**GENERAL WARRANTY DEED****WITH RESERVATION OF EASEMENTS AND RIGHTS**

KNOW ALL MEN BY THESE PRESENTS that, **BONKS PROPERTIES, INC.**, an Ohio corporation, the Grantor, which claims title by and through the instrument recorded in Volume 499, Page 763, of the Stark County Recorder's office, for the consideration of FIFTY THOUSAND DOLLARS (\$50,000) received to its full satisfaction grants, with general warranty covenants to **M.E. DEVELOPERS**, an Ohio general partnership, the Grantee, whose address is 2398 Ashdale Street, North Canton, Ohio 44720, the following described premises:

Situated in the City of Massillon, County of Stark, State of Ohio, and known as being part of Out Lot Number 291 of said City of Massillon; more fully bounded and described as follows, to-wit:

Beginning at an iron bar found near the center of said Out Lot Number 291;

- 1) Thence N 0°22'10" E along the centerline of Eighth Street SW a distance of 420.66 feet to an iron bar;
- 2) Thence S 89°18'58" W a distance of 262.00 feet to a iron bar found near the southern portion of Out Lot No. 291;
- 3) Thence N 12°00'12" W a distance of 102.09 feet of said Out Lot Number 291;
- 4) Thence N 84°51'59" W a distance of 15 feet to an iron bar found on said Out Lot Number 291;
- 5) Thence N 04°03'58" E along the centerline of said Ninth Street SW a distance of 325.54 feet to an iron bar found on said Out Lot Number 291;
- 6) Thence S 89°39'14" E along the north line of said Out Lot Number 291 a distance of 275.58 feet and returning to the true place of beginning.

The above described tract of land contains 2.752 acres as surveyed by Dennis D. Fulk, Registered Surveyor Number 6176, of Massillon, Ohio, in September of 1992. This description is based upon said survey.

The basis for bearings used is that of N 1°21'58" E for the centerline of Eighth Street SW as found on the right-of-way plans for the relocation of State Route Number 241.

**SUBJECT TO:**

Conditions and Restrictions filed for record March 8, 1922 and recorded in Volume 756, Page 295 of the Stark County Records. The Conditions and Restrictions provide that the Conditions and Restrictions shall expire on January 1, 1935.

Drainage Easement to City of Massillon dated August 31, 1977 and recorded in Volume 4038, Page 52 of the Stark County Records.

Easement to Ohio Edison Company dated March 3, 1994 and recorded in Volume 1622, Page 221 of the Stark County Official Records.

Easement to Ohio Edison Company dated July 17, 1981 and recorded in Volume 4359, Page 73 of the Stark County Records.

Easement to Ohio Edison Company dated April 4, 1956 and recorded in Volume 2448, Page 477 of the Stark County Records.

Right-of-Way to The Ohio Bell Telephone Company, dated January 7, 1994 and recorded in Volume 1573, Page 178 of the Stark County Official Records.

Right-of-Way to The State of Ohio, dated November 13, 1992 and recorded in Volume 1332, Page 132 of the Stark County Official Records.

Right-of-Way to Bonks Properties Inc., dated November 13, 1992 and recorded in Volume 1332, Page 150, re-recorded September 3, 1994 @ 11:57 A.M. in Volume 1715, Page 35 of the Stark County Official Records.

Right-of-Way to Everflow Eastern Inc., dated January 22, 1988 and recorded in Volume 666, Page 636 of the Stark County Official Records.

TO HAVE AND TO HOLD the above-granted and bargained premises, with the appurtenances thereof, unto the said Grantee, his successors and assigns forever.



GRANTOR HEREBY RESERVES THE FOLLOWING DESCRIBED TEN (10) FOOT EASEMENTS FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF AN OIL AND GAS PIPELINE TO BE LOCATED ON A PORTION OF THE ABOVE-DESCRIBED PREMISES WITH SAID EASEMENT BEING DESCRIBED AS FOLLOWS:

1. Commencing at the southwest corner of the above-described premises, thence north along a line parallel to the west boundary line of the above-described premises a distance of 325.54 feet, then continuing east along said north boundary line a distance of 275.58 feet, along a line parallel to the north boundary line of the above-described premises.
2. Commencing at the southwest corner of the above-described tract containing 2.752 acres, thence southeast 102.09 feet to the south line of the above-described tract containing 2.752 acres.

Grantor, at its expense, reserves the right to connect to and hook into the gas line along Ninth Street or the western boundary of the above-described tract containing 2.752 acres.

Grantor reserves the right to use additional property, on a temporary basis, that is adjacent to the easements for the purpose of installing, maintaining, and constructing the oil and/or gas lines.

The ten (10) foot easements are shown as the Easement Area on the plat attached hereto and made a part hereof as Exhibit A.

Said reservation shall be for Grantor and its successors and assigns, forever. Any and all pipeline appliances shall be constructed and maintained in a reasonable manner at Grantor's sole expense. Grantee shall have the non-exclusive right to use the easement premises described herein for purposes not inconsistent with Grantor's full enjoyment of the rights hereby granted, provided that Grantee shall not erect or construct any building or other structure or install any additional below ground improvements, utility or otherwise, or operate any well or any other improvement within the easement without the express written consent from Grantor or its successors or assigns.



GRANTOR HEREBY RESERVES ANY AND ALL OIL, GAS AND MINERAL RIGHTS  
IN THE PREMISES CONVEYED HEREIN.

And the said Grantor, does for itself and its successors and assigns,  
covenant with the said Grantee, his successors and assigns, that at and until the  
ensealing of these presents, it is well-seized of the above-described premises, as a  
good and indefeasible estate in fee simple and has good right to bargain and sell  
the same in manner and form as above-written, and that the same are free and  
clear from all encumbrances whatsoever except taxes and assessments which shall  
be prorated to the date of delivery of this deed and except as set forth  
hereinabove, and that the Grantor shall warrant and defend said premises, with the  
appurtenances thereunto belonging, to the said Grantee, his successors and assigns,  
against all lawful claims and demands whatsoever except as stated above.

IN WITNESS WHEREOF, the undersigned officers of **BONKS PROPERTIES,**  
**INC.**, on behalf of said Corporation, have hereunto set their hands this 15th day  
of September, 1995.

Witnesses:

**BONKS PROPERTIES, INC.,**  
**an Ohio Corporation**

Christine M. Staley  
Christine M. Staley  
(Type or print name in black ink)

By: 

Scott L. Swallen, President  
Duly Authorized

By: \_\_\_\_\_

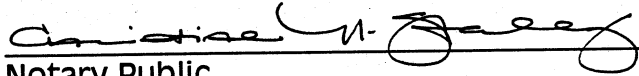
Ronald B. Pribich, Secretary  
Duly Authorized

\_\_\_\_\_  
(Type or print name in black ink)

STATE OF OHIO, STARK COUNTY, SS:

Before me, a Notary Public in and for said County and State, personally appeared the above-named BONKS PROPERTIES, INC., an Ohio corporation, by Scott L. Swallen, its President, and Ronald B. Pribich, its Secretary, who acknowledged that they did sign the foregoing instrument, and that the same is the free act and deed of said corporation, and the free act and deed of each of them personally and as such officers.

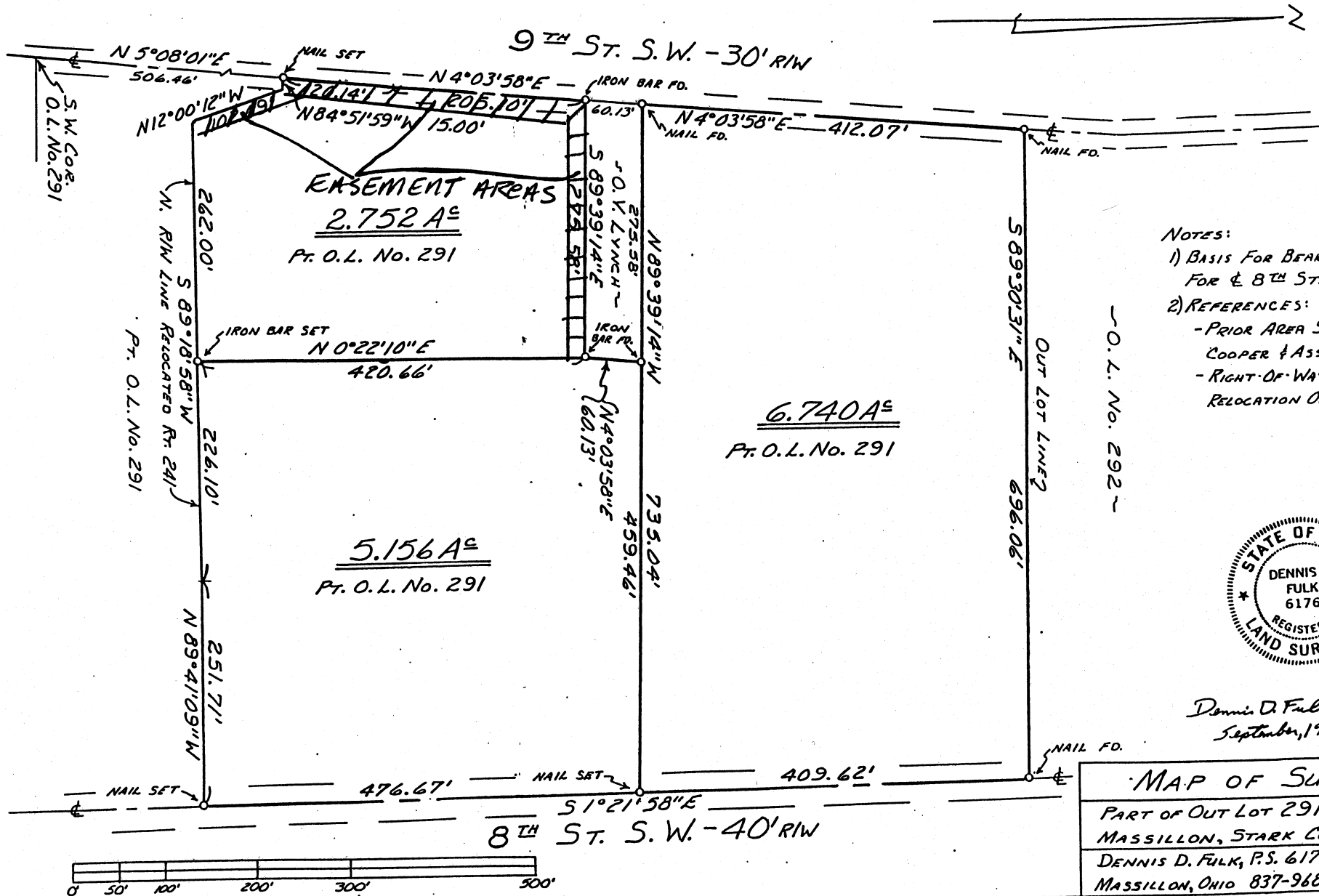
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Canton, Ohio, this 15th day of September, 1995.

  
Notary Public

This Instrument Prepared By:

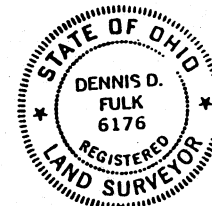
Terry A. Moore, Esq.  
KRUGLIAK, WILKINS, GRIFFITHS  
& DOUGHERTY CO., L.P.A.  
4775 Munson Street, N.W.  
P. O. Box 36963  
Canton, Ohio 44735-6963  
Phone: (216) 497-0700  
Fax: (216) 497-4020

CHRISTINE M. STALEY  
Notary Public, State of Ohio  
My Commission Expires Oct. 28, 1998



**NOTES:**

- 1) BASIS FOR BEARINGS IS  $51^{\circ}21'58''$  FOR  $\pm$  8<sup>TH</sup> ST. S.W.
- 2) REFERENCES:
  - PRIOR AREA SURVEY BY COOPER & ASSOCIATES
  - RIGHT-OF-WAY PLANS FOR RELOCATION OF ROUTE 241

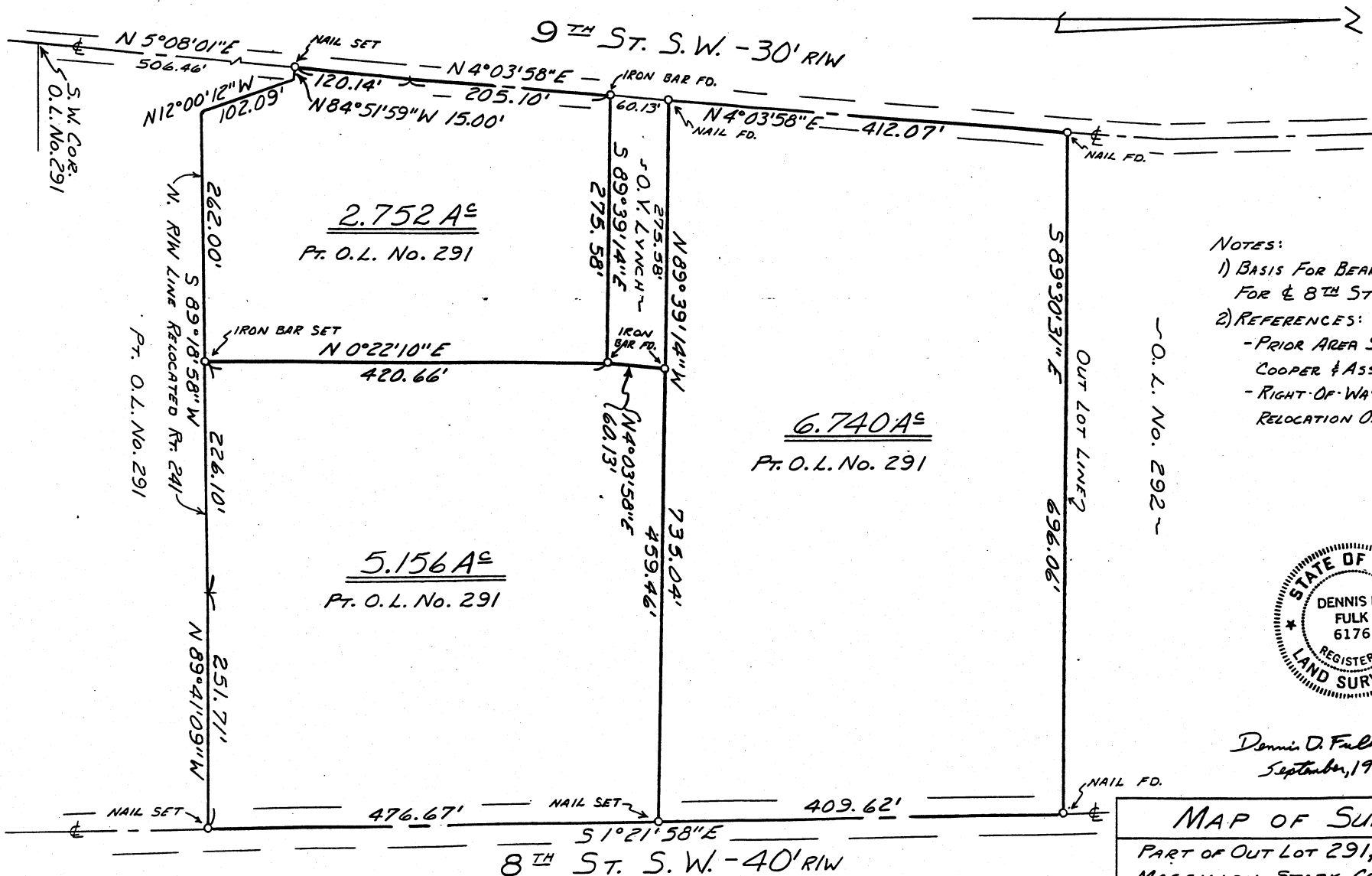


Dennis D. Fulk, P.S.  
 September, 1992

**MAP OF SURVEY**

PART OF OUT LOT 291, CITY OF MASSILLON, STARK COUNTY, OHIO.

DENNIS D. FULK, P.S. 6176 MASSILLON, OHIO 837-9683	SEPT., 1992 1"=100'
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- NOTES:
- 1) BASIS FOR BEARINGS IS S1°21'58"E FOR E 8<sup>TH</sup> ST. S.W.
  - 2) REFERENCES:
    - PRIOR AREA SURVEY BY COOPER & ASSOCIATES
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