

EASEMENT **For Pedestrian and Vehicular Access**

This Easement is granted by Cellar Lumber Company, an Ohio Corporation (hereinafter the "Grantor"), to Judy C. Baker (hereinafter the "Grantee"), presently residing at 170 South Columbus Street, Sunbury, Ohio 43074.

RECITALS

Grantor is the owner in fee simple of the following real property:

Being in the State of Ohio, County of Delaware and Village of Sunbury:

See Exhibit A, attached hereto.

Prior Instrument Reference: Deed Volume 333, Page 563, Recorder's Office, Delaware County, Ohio.

Grantee is the owner in fee simple of the following real property:

Being in the State of Ohio, County of Delaware and Village of Sunbury:

See Exhibit B, attached hereto.

Prior Instrument Reference: Official Records Volume 310, Page 2016, Recorder's Office, Delaware County, Ohio.

EASEMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, Grantor does hereby grant, bargain, sell, convey and release to the said Grantee and her successors and assigns, forever, a perpetual non-exclusive easement for access for vehicular and pedestrian purposes over the existing paved drive presently used as, and commonly known as, South Vernon Street, and the existing stone drive leading therefrom to the existing garage located in the northeast corner of Grantee's property, as depicted on Exhibit C, attached hereto. Grantee is solely responsible for the repair and maintenance of said improvements, and shall keep said improvements in good repair. The easement for access shall terminate if and when the easement area is no longer used for vehicular or pedestrian access purposes.

EXECUTED this 10th day of February, 2006.

CELLAR LUMBER COMPANY,
an Ohio corporation

By John B. Miller, President
By John B. Miller, President

STATE OF OHIO
COUNTY OF DELAWARE SS:

On this 10th day of February, 2006, before me, a Notary Public, personally appeared John B. Miller, President of Cellar Lumber Company, an Ohio corporation, on behalf of the corporation, who acknowledged that he did sign the foregoing instrument, and that the same is his free and voluntary act and deed.

Mary A. Bell
NOTARY PUBLIC

This instrument prepared by:
William D. Fergus Jr.,
Attorney at Law
103 North Union Street, Suite A
Delaware, Ohio 43015
(740) 363-1324

Mary A. Bell
Notary Public, State of Ohio
My Commission Expires June 17, 2007

The Grantor Has Complied With
Section 319.202 Of The R.C.
DATE 2-16-06 Transfer Tax Paid 0
TRANSMITTED OR TRANSFER NOT NECESSARY
Delaware County Auditor By S. C. Bell

200600005664
Filed for Record in
DELAWARE COUNTY, OHIO
02-16-2006 At 03:13 pm.
EASEMENT
DR Book 688 Page 1129 - 1133
SCOTT MILLER-BOX

UNITED TITLE SERVICE
OF DELAWARE, INC.
4911

EXHIBIT A

ALL THAT PARCEL of land situate in the Village of Sunbury, County of Delaware and State of Ohio, being part of Lot No. 10, Section 4, Township 4, Range 17, bounded and described according to a plan of survey made by Evans, Mechwart, Hambleton & Tilton, Inc., Consulting Engineers and Surveyors, dated December 1, 1966, as follows, viz:—

BEGINNING at a point where the Southeasterly line of the parcel of land acquired by The Cellar Lumber Company as recorded in Deed Record Volume 162 at Page 257, in the Office for the Recording of Deeds, in and for said County of Delaware, meets the Westerly line of Vernon Street (45 feet wide) distant 100 feet Northwestwardly at right angles from the center line of the main track of railroad of The Connecting Railway Company known as the Akron Branch;—

EXTENDING from said beginning point the following five courses and distances, the first two thereof being by remaining land of said Railway Company: (1) S. 1° 47' W., along the prolongation of said Westerly line of Vernon Street, 51.19 feet to an iron pin distant 60 feet Northwestwardly at right angles from said center line of main track; (2) S. 53° 10' W., parallel with said center line of main track, passing through an iron pin at 48.71 feet from the end of the course being described, 586.95 feet to the center line of Columbus Street; (3) N. 10° 31' E., along said center line of Columbus Street, 327.52 feet to the Southerly line of land now or formerly of R. M. Watts; (4) S. 88° 30' E., being partly by said last mentioned land and partly by said land of The Cellar Lumber Company, passing through iron pins at 38.42 feet and 210.83 feet from the beginning of the course being described, 293.31 feet to a corner of said land of The Cellar Lumber Company, distant 100 feet Northwestwardly at right angles from said center line of main track; and (5) N. 53° 10' E., parallel with said center line of main track, being by said last mentioned land, 147.95 feet to the place of beginning—

CONTAINING 1.426 acres, ±.

Save and except the following tracts:

EXCEPTION NUMBER ONE:

Situated in the State of Ohio, County of Delaware, Village of Sunbury, being a part of Lot No. 10, Section 4, Township 4, Range 17, and being part of that tract of land as conveyed to Cellar Lumber Co., by deed of record in Deed Book 333, page 561, all references being to records of the Recorder's Office, Delaware County, Ohio, and being more particularly bounded and described as follows:

Beginning at a point in the centerline of Columbus Street, said point being located North 10° 31' 00" East, a distance of 32.00 feet from a point where the centerline of said Columbus Street intersects the northerly right-of-way line of the Pennsylvania Railroad; thence North 10° 31' 00" East, continuing with the centerline of said Columbus Street, a distance of 251.78 feet to a point; thence South 83° 37' 00" East (passing an iron pin at 33.09 feet), a distance of 254.16 feet to a p.k. nail; thence South 53° 42' 02" West (passing an iron pin at 322.19 feet), a distance of 370.42 feet to the place of beginning, containing 0.733 acre of land, more or less. Subject, however, to all legal rights-of-way and/or easements of previous record.

EXCEPTION NUMBER TWO:

Situated in the Village of Sunbury, County of Delaware, State of Ohio, located in Farm Lot 10, Section 4, Township 4, Range 17, United States Military Lands, being a 0.145 Acre Tract of land out of an original 1.426 Acre Tract conveyed to The Cellar Lumber Company in Deed Book 333, Page 561, and being more particularly described as follows:

Commencing for reference, at the intersection of the centerlines of Columbus Street (60' in width) and Letts Avenue (50' in width);

Thence North 12°47'37" East, along the centerline of said Columbus Street, (passing over a railroad spike found at 36.90 feet) for a total distance of 174.19 feet to a railroad spike found at the northwesterly corner of a 0.753 Acre Tract of land conveyed to Preservation Parks of Delaware County as recorded in Official Record Volume 83, Page 1283 being the southwesterly corner of said original 1.426 Acre Tract and also being the **TRUE PLACE OF BEGINNING** of the herein described tract;

Thence North 12°47'37" East, along said centerline of Columbus Street, a distance of 32.00 feet to a railroad spike set at a corner of a 19.039 Acre Tract conveyed to Plantinum Industries Corporation, LTD. as recorded in Deed Book 597, Page 661;

Thence North 55°58'08" East, along a southerly line of said 19.039 Acre Tract (passing an iron pin set at 43.79 feet) for a total distance of 302.85 feet to an iron pin set;

Thence South 14°14'53" East, (through said original 1.426 Acre Tract) for a distance of 20.11 feet to an iron pin found at the northwesterly corner of a 0.608 Acre Tract conveyed to Cellar Lumber Company as recorded in Deed Book 629, Page 463, also being the northeast corner of said 0.753 Acre Tract;

Thence South 55°26'06" West, (passing an iron pin found at 270.65 feet) for a total distance of 319.39 feet to the **TRUE PLACE OF BEGINNING**.

Containing 0.145 acres of land more or less.

EXHIBIT B

Situated in the Village of Sunbury, County of Delaware and State of Ohio:

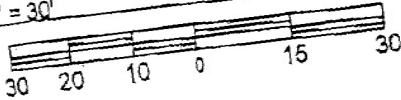
Being in Range 17, Township 4, Section 4, and middle part of Farm Lot 10, beginning on the north line of the Pennsylvania R.R. Station Grounds 12 feet west of a stone on post at the intersection of a lot division line; thence run North $88-1/1$ W. on said north line 172.325 feet to the east line of South Columbus Street in said Village; thence North on said east line 40 feet; thence East parallel with the south line hereof 172.325 feet; thence South 40 feet to the place of beginning.

Parcel No. 41741116056000

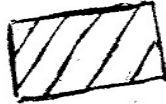
Street Address: 170 S. Columbus Street, Sunbury, Ohio 43074

EXHIBIT C

OWNER: SCOTT B. & KAREN M. BAKER
 ADDRESS: 170 S. COLUMBUS ST.
 AT BOOK: _____ PAGE: _____
 SCALE: 1" = 30'

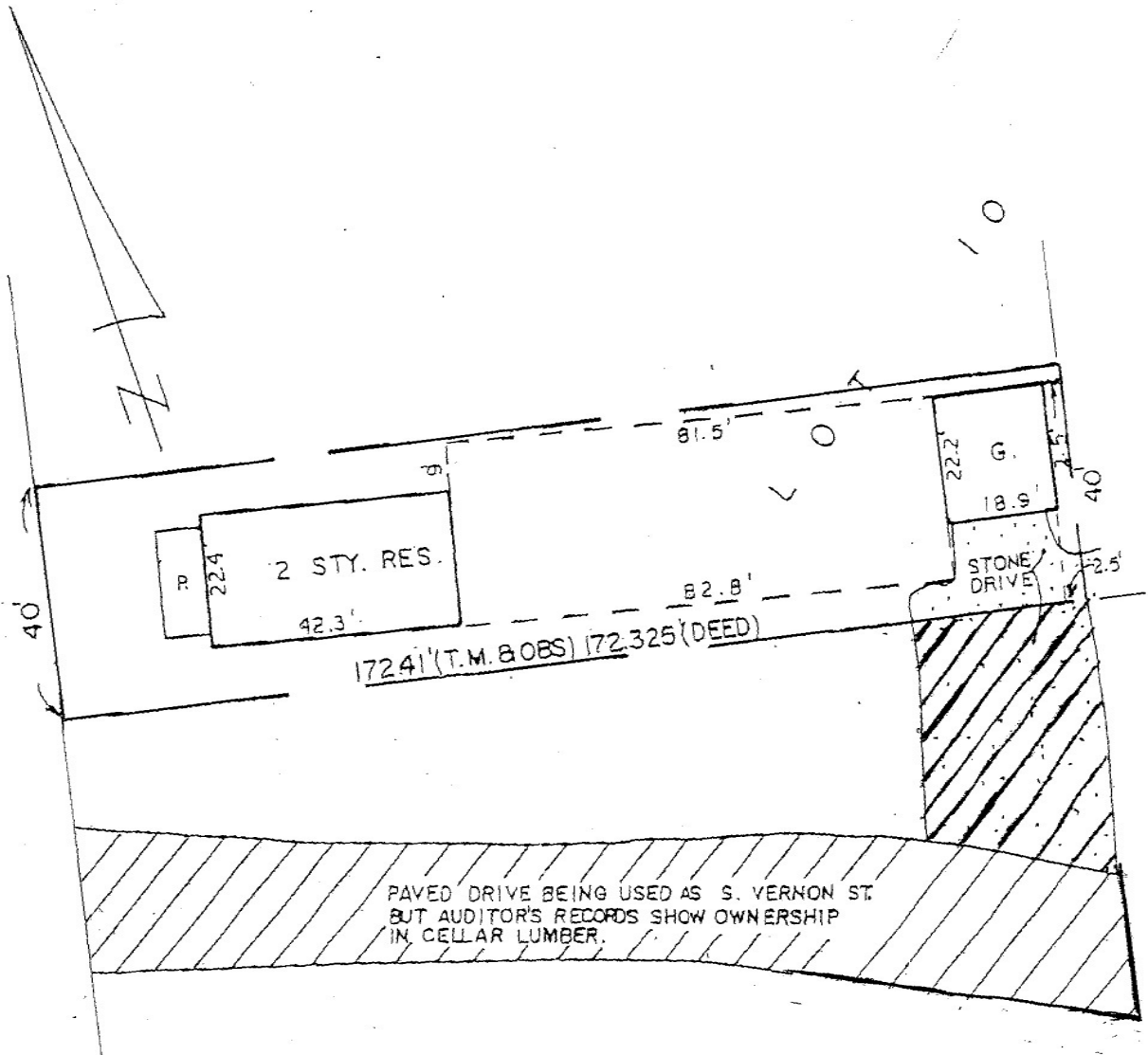


ALLOTMENT: PT. FARM LOT 10
 CITY OR VILLAGE: SUNBURY
 COUNTY: DELAWARE
 TOWNSHIP: 4 RANGE: 17
 SECTION: 4 QTR: 1/4(S)
 GREAT LOT: _____



EASEMENT AREA

COLUMBUS ST. - 60'



PAVED DRIVE BEING USED AS S. VERNON ST.
 BUT AUDITOR'S RECORDS SHOW OWNERSHIP
 IN CELLAR LUMBER.