

200000029087
 Filed for Record in
 DELAWARE COUNTY, OHIO
 KAY E. CONKLIN
 On 10-05-2000 At 10:00 am.
 DEED 26.00
 OR book 52 Page 2421 - 2425

General Warranty Deed

Bruner Land Company, Inc., an Ohio corporation of Guernsey County, Ohio for valuable consideration paid, grant(s) with general warranty covenants, to **Bruner Land Company, Inc., an Ohio corporation** whose tax-mailing address is Box 98, Byesville, Ohio 43723, the following **REAL PROPERTY**: Situated in the County of Delaware the State of Ohio and in the Township of Marlboro.

200000029087
 BRUNER LAND CO
 PO BOX 98
 BYESVILLE, OH 43723

(For legal description see attached sheets.)

Real Estate is being sold without any guarantee of specific zoning or issuance of building permits and health department approval of private septic systems and water well on the tract(s). Any permanent dwelling placed upon the above premises shall have not less than 1200 square feet of living space. These premises cannot be used for the establishment of a junk yard, or for the storage of tires or other debris.

The property described above is subject to the following covenants, conditions, and restrictions attached hereto as Exhibit A, and are to run with the land and be binding upon and inure to the benefit of all persons claiming title to said property and shall be effective henceforth.

Parcel Number: Out of 619-100-01-014-000

Prior Instrument Reference: Vol. 25 Pg. 548 of the Deed Records of Delaware County, Ohio.

Witness his hand(s) this 24 day of Aug, 2000.

Signed and acknowledged in presence of: Bruner Land Company, Inc.

Karen Chapman
 Karen Chapman

By: Harry E. Bruner
 Harry E. Bruner, President

Carolyn R. Waite
 Carolyn R. Waite

State of Ohio County of Guernsey ss.

BE IT REMEMBERED, That on this 24 day of Aug, 2000, before me, the subscriber, a notary public in and for said state, personally came, Bruner Land Company, Inc., by Harry E. Bruner, President, the Grantor(s) in the foregoing deed, and acknowledged the signing thereof to be his voluntary act and deed and voluntary act and deed of the corporation.

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

Karen Chapman

This instrument was prepared by Bruner Land Company, Inc.

Delaware County
 The Grantor Has Complied With
 Section 319.202 Of The R.C.
 DATE 10/2/00 Transfer Tax Paid 00
 TRANSFERRED OR TRANSFER NOT NECESSARY
 Delaware County Auditor By H. O. S. Bennett



KAREN CHAPMAN
 Notary Public, State of Ohio
 My Commission Expires 10-28-03

00-1755

EXHIBIT A

BRUNER MCKENZIE FARM PROTECTIVE COVENANTS

The following protective covenants are covenants running with the land until 1/1/2075, and may be enforced (through injunction or otherwise) by any owner acquiring any part of the land acquired by the undersigned in Marlboro Township by Deed recorded in Vol. 25 Pg. 548 in the land records of Delaware County.

No more than two residences per tract shall be permitted.

Permanent dwellings shall be restricted to the specifications of HUD approved sectional homes, the Ohio Basic Building Code on modular homes setting upon either a crawl space or basement and new constructed site built homes. Any homes will be new at the time of placement and built with new materials.

No single wide mobile homes shall be permitted on the above subject property.

No noxious or offensive activity shall be carried on upon any lot.

No inoperative or unlicensed vehicles may be placed on said lot. No accumulation of discarded personal effects, debris, waste, garbage or any unsightly object or matter will be permitted on any lot.

Before occupancy of any house, a sewage disposal system shall be installed in conformity with the minimum standards required by the County Board of Health.

Before any construction takes place purchaser must contact the local government authority to make sure they are in compliance with the local laws.

All lots are to be used for residential purposes, (though the lot owner may store equipment and material used in a business in a well constructed enclosed building on the property). The property is not to be used for commercial enterprises (with customers coming and going) with the exception of churches, riding stables, horse farm, cattle farm, or truck farm (fruits and vegetable).

1.) Swine are permitted but shall be limited to two (2) swine and three (3) fowl per lot. Larger domestic farm animals (including but not limited to horses, cattle, sheep, goats and llamas) are permitted, but shall be limited to one (1) per one (1) acre of fenced pasture. The pasture shall not be over grazed but shall be healthy and thick, and weeds shall be controlled. Noise and odors from any animal shall be controlled so that neither shall be offensive to adjoining neighbors.

2.) Dogs, cats and other household pets shall not be bred or maintained for commercial purposes.

No tent, camper, school bus, or recreational vehicles shall be used as a residence, either temporary or permanent.

Any residence erected on said lots shall be at least 1200 square feet of indoor heated area (excluding basement and garage) and shall have a finished siding such as rustic wood, frame, brick veneer, press board, or contemporary siding.

Any building or structure placed on said property shall be set back a minimum of 60 feet from the center of the existing road unless a lesser set-back is requested by public authority.

Where protective covenants and Delaware County of Marlboro Township Zoning Ordinances are in conflict, the stricter requirement will prevail.

Invalidation of any of these covenants by judgment of court order shall, in no way affect any of the other provisions, which shall remain in full force and effect.

Nothing contained herein shall be construed as creating any obligation on the part of Bruner Land Company, Inc. to enforce these Protective Covenants.

The purchasers of this farm, for themselves, their heirs and assigns, by the acceptance of the conveyance of this farm, agree to be bound by the covenants contained herein and are the primary enforcers of these covenants.

Provisions contained in any deed or other instrument for the conveyance of a dwelling which restrict the sale, rental or use of the property because of race or color are invalid under federal law and are unenforceable.

CONSULTING ENGINEERING
LAND PLANNING
LAND SURVEYING
HIGHWAY DESIGN
SUBDIVISION DESIGN
FEASIBILITY STUDIES
LANDSCAPE ARCHITECTURE
COMMUNITY PLANNING



**STULTS and
ASSOCIATES, INC.**
**ENGINEERS • PLANNERS
SURVEYORS**

H. EDWARD SNODGRASS
PRESIDENT

EXHIBIT A

August 28, 2000

585 SUNBURY ROAD
DELAWARE, OHIO 43015-9795
(740) 363-6792
(740) 363-6536 FAX
E-mail: stults1@midohio.net
R. SCOTT CROWDER, C.P.A.
JOHN R. FABER, P.S.
GUY W. GRIDDALE, P.S.
GLENN A. HALMBACHER, P.E., P.S.
CHARLES L. ORTH, REG. L.A.
MOE TAHARI, P.E.
DANIEL W. WHITED, P.E.
THOMAS R. WILEY, P.E.
WILLIAM R. WINTER, P.S.

JAE C. KAUF, A.I.A.
CONSULTANT

Description of a 2.853 acre tract for Bruner Land Company, Inc..

Situated in the Township of Marlboro, County of Delaware, State of Ohio, located in part of Farm Lot A, Section 1, Township 6, Range 19, United States Military Lands, being 2.853 acres out of an original 23.476 acre tract conveyed to Bruner Land Company, Inc. in Official Record 0025, Page 548 and being more particularly described as follows:

Commencing, for reference, at a railroad spike set at the intersection of the centerline of State Route 229 and the southerly line of said Farm Lot "A", being the southeasterly corner of said original 23.476 acre tract and in the north line of lands conveyed to the United States of America in Deed Book 227, Page 104, said spike being North 88° 57' 13" West, a distance of 129.44 feet from the southeasterly corner of said Farm Lot "A";

Thence, North 88° 57' 13" West, along said farm lot line and southerly line of said original 23.476 acre tract (passing an iron pin set at 78.62 feet and passing a U.S.A. monument found at 711.27 feet, being 2.40 feet south of said farm lot line), a total distance of 1104.49 feet to an iron pin set, said iron pin being the TRUE PLACE OF BEGINNING of the tract herein to be described;

Thence from said TRUE PLACE OF BEGINNING, North 88° 57' 13" West, continuing along said southerly farm lot line, a distance of 204.52 feet to an iron pin set;

Thence, North 39° 10' 27" East, leaving said southerly farm lot line, through original 23.476 acre tract, a distance of 279.15 feet to an iron pin set;

Thence, North 89° 56' 18" East, continuing through said original 23.476 acre tract, a distance of 197.42 feet to an iron pin set;

Thence, North 39° 10' 27" East, continuing through said original 23.476 acre tract (passing an iron pin set at 370.78 feet), a total distance of 400.78 feet to a railroad spike set in said centerline of State Route 229 and the northerly line of said original 23.476 acre tract;

Thence, South 50° 49' 33" East, along said centerline and said northerly line, a distance of 175.00 feet to a railroad spike set;

Thence, South 39° 10' 27" West, leaving said centerline and said northerly line, through said original 23.476 acre tract (passing an iron pin at set 30.00 feet), a total distance of 388.25 feet to an iron pin set;

Thence, North 88° 57' 13" West, continuing through said original 23.476 acre tract, a distance of 212.33 feet to an iron pin set;

Thence, South 39° 10' 27" West, continuing through original 23.476 acre tract, a distance of 159.18 feet to the TRUE PLACE OF BEGINNING.

2.657 Acre Tract for Bruner Land Company, Inc.
August 28, 2000

Containing 2.853 acres of land, more or less, according to a survey by Stults and Associates, Inc. all of which is out of said original 23.476 acre tract and Farm Lot "A".

The above description is based on and referenced to a "Plat of Survey for Bruner Land Company, Inc." prepared by Stults and Associates, Inc. dated August 28, 2000 (see attached "Exhibit B"), which was based on a survey dated February 11, 2000, performed by Samuel W. Vance (R.S. 6553) as recorded in Official Record 0025, Page 550.


Subject to a flood easement as conveyed to the United States of America in Deed Book 224, Page 665.

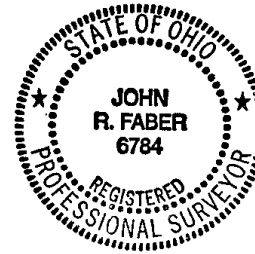
Subject however, to all other easements, restrictions and rights-of-way of record, if any.

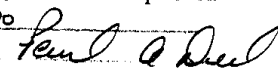
Bearings are based on the centerline of State Route 229 (South 50° 49' 33" East) as contained in Official Record 0025, Page 548.

All iron pins set are 5/8-inch solid iron pins with yellow plastic caps stamped "Stults & Assoc".

All references are to the records of the Recorder's Office of Delaware County, Ohio.


John R Faber OHIO P.S. No. 6784



APPROVED
Delaware County Regional
Planning Commission
• No Plat Required •
This Approval will expire on
12/11/00
Signed 
00-1755



**STULTS and
ASSOCIATES, INC.**
**ENGINEERS • SURVEYORS
PLANNERS**

585 SUNBURY ROAD (U.S. 36)
DELAWARE, OHIO 43015-9795
(740) 363-6792
FAX (740) 363-6536

PLAT OF SURVEY FOR BRUNER LAND CO., INC.

FARM LOT "A", SECTION 1, TOWNSHIP 6, RANGE 19,
UNITED STATES MILITARY LANDS
MARLBORO TOWNSHIP, DELAWARE COUNTY, OHIO
EXHIBIT "B"

NOTE

A DEVELOPMENT PLAN IS ON FILE WITH THE DELAWARE COUNTY HEALTH DEPARTMENT SHOWING THE MINIMUM FINISHED FLOOR ELEVATION, BUILDING ENVELOPE AND SEPTIC SYSTEM LAYOUT. PERMIT WILL ONLY BE ISSUED BASED UPON COMPLIANCE WITH THIS PLAN.

R=14625.00'
 $\Delta=01^{\circ}14'13''$ —
 A=315.77'
 B=N $51^{\circ}28'40''$ W
 CH=315.76'

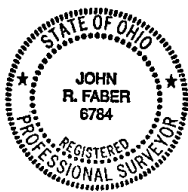
FLOOD ZONE "A"
ELEVATION NOT
DETERMINED

NOTE

Flood Zone scaled from Delaware County GIS.
Location is approximate.

BRUNER LAND COMPANY, INC.
23.476 ACRES
O.R. 25, PAGE 548

BRUNER LAND COMPANY, INC.
23.476 ACRES
O.R. 25, PAGE 548



LEGEND

- ▲ =STONE FOUND
- =IRON PIN FOUND
- =SPIKE OR P. K. NAIL FOUND
- =5/8" SOLID IRON PIN SET W/
YELLOW PLASTIC CAP STAMPED
"STULTS & ASSOC."
- =RAILROAD SPIKE SET
- ⊗ =USA MONUMENT FOUND

FLOOD DESIGNATION

SUBJECT PROPERTY LIES WITHIN FLOOD
ZONE "X", AN AREA BEING OUTSIDE THE
500 YEAR FLOODPLAIN AND ZONE "A", AN
AREA WITH NO BASE FLOOD ELEVATION
DETERMINED, AS DETERMINED BY THE
FEDERAL EMERGENCY MANAGEMENT AGENCY
COMMUNITY PANEL NO. 390146 0050 J
DATED APRIL 21, 1999.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE CENTERLINE OF
COUNTY ROAD 229 (S 50° 49' 33" E) AS
RECORDED IN OFFICIAL RECORD 0025, PAGE 548.

SETBACKS (PER CURRENT ZONING)

FRONT = 130' (FROM CENTERLINE)
SIDE = 25'
REAR = 80'

NOTE:

SURVEY BASED ON A SURVEY DATED FEBRUARY 11, 2000, PERFORMED BY SAMUEL W. VANCE(R.S. 6553) AS RECORDED IN OFFICIAL RECORD 0025, PAGE 548.

We hereby certify that the above plat was prepared from an actual survey and to the best of our knowledge, information and belief is correct.

John R. Faber
Registered Professional Surveyor No. 6784

August 28, 2000
Date

File No. 00-031A

APPROVED
Delaware County Regional
Planning Commission

• No Plat Required •
This Approval will expire on

Signed Paul A. Paul
00-1755