

EASEMENT

MICHAEL A. THOMPSON and ETHEL KATHLEEN THOMPSON, husband and wife, ("Grantors") whose address is 341 South Bird Road, Springfield, Ohio 45505 for valuable consideration paid, grants to BECHTLE AVENUE PROPERTIES LIMITED LIABILITY COMPANY, an Ohio limited liability company ("Grantee") whose address is 3565 Urbana Road, Springfield, Ohio 45502 a perpetual Easement for the purpose of installing, constructing, maintaining, repairing, altering and inspecting a storm sewer line and all appurtenances thereto on, over, under and upon the real estate described on the attached Exhibit A which is incorporated herein by this reference (the "Easement Area").

The Easement Area is graphically depicted on Exhibit B attached hereto and incorporated herein by this reference.

This Easement is granted subject to the following terms and conditions:

1. Grantors reserve the right to use the Easement Area for any purposes not inconsistent with the rights granted by this Easement.
2. No buildings or other structures shall be constructed in the Easement Area by Grantors, nor shall Grantors cause any excavating or filling to be done which, in the reasonable judgment of the Grantee, would impair Grantee's exercise of the rights granted by this Easement or its ability to maintain its utility facilities. Grantors reserve the right, however, to construct driveways, sidewalks, surface roads and similar improvements across the Easement Area.
3. Grantee agrees to maintain the Easement Area and the storm sewer line placed therein and agrees to defend, indemnify and hold the Grantors harmless from any and all loss, liability, damages, expenses, costs or causes of action, claims or judgments (including court costs and reasonable attorneys' fees) arising from the exercise of the rights granted pursuant to this Easement. If the Grantee disturbs the Easement Area by reason of its exercise of its rights under this Easement, the area disturbed shall promptly be restored by Grantee.
4. The easements, agreements, restrictions and covenants contained herein shall be deemed easements, agreements, restrictions and covenants running with the land and

shall inure to the benefit of and be binding upon the parties hereto, their respective heirs,
successors and assigns, including without limitation, any subsequent owners of the
Easement Area and any persons claiming through them.

Executed by the Grantors on the 28 day of ^{December}~~October~~, 2006.

Michael A. Thompson
MICHAEL A. THOMPSON
Ethel Kathleen Thompson
ETHEL KATHLEEN THOMPSON

STATE OF OHIO
COUNTY OF CLARK, SS:

BEFORE ME, a Notary Public in and for said County and State, personally
appeared the above named MICHAEL A. THOMPSON and ETHEL KATHLEEN
THOMPSON, husband and wife, who acknowledged that they did sign the foregoing
instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at
Springfield, Ohio, this 29th day of ^{December}~~October~~, 2006.



This instrument was prepared by:
James F. Peifer, Attorney at Law
P O Box 1087, The Edison Center
20 South Limestone Street, Suite 300
Springfield, Ohio 45501
(937) 325-7365

Charles D. Swanoy
NOTARY PUBLIC, STATE OF OHIO

Charles D. Swanoy, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.B.

TRANSFER
NOT NECESSARY
JAN 29 2007
GEORGE A. SODDERS
AUDITOR

HOPPES ENGINEERING AND SURVEYING COMPANY

1533 MOOREFIELD ROAD
SPRINGFIELD, OHIO 45503 5798
PHONE 937 399 1532
FACSIMILE 937 399 1534

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200700001772 OR 1805 225

EX 'A'



Bechtle Avenue Properties
Storm Sewer Easement
Pt. 16-5-9
September 22, 2006

Situate in the State of Ohio, County of Clark, and Township of Springfield and being part of Section 16, Town 5, Range 9, Between the Miami Rivers Survey and being part of lots 1 and 2 on the plat of Colonade Park recorded Book 10, Page 117 of the Plat Records of Clark County, Ohio and being a storm sewer easement 20-feet in width, 10-feet on each side of the following described centerline:

Commence at the southwest corner of lot 2 as numbered and designated on the Plat of Colonade Park recorded Book 10 Page 117 of the Plat Records of Clark County, Ohio; thence measure with the west line of said lot 2, North 23 degrees 20 minutes 55 seconds East, 114.92 feet; thence measure with the south line of premises described in deed to Bechtle Avenue Properties recorded Volume 1533, Page 1599 of the Official Deed Records of Clark County, Ohio, North 84 degrees 19 minutes 42 seconds West, 10.50 feet to the TRUE POINT OF BEGINNING herein;

thence, South 23 degrees 20 minutes 55 seconds West, 121.49 feet;

thence, South 53 degrees 29 minutes 21 seconds East, 98.70 feet;

thence, South 15 degrees 10 minutes 58 seconds East, 188.74 feet to the south line of said lot 1, the point of ending;




Terry A. Hoppes, P.S. 6352

TAH/hld
Bechtle 1-legal

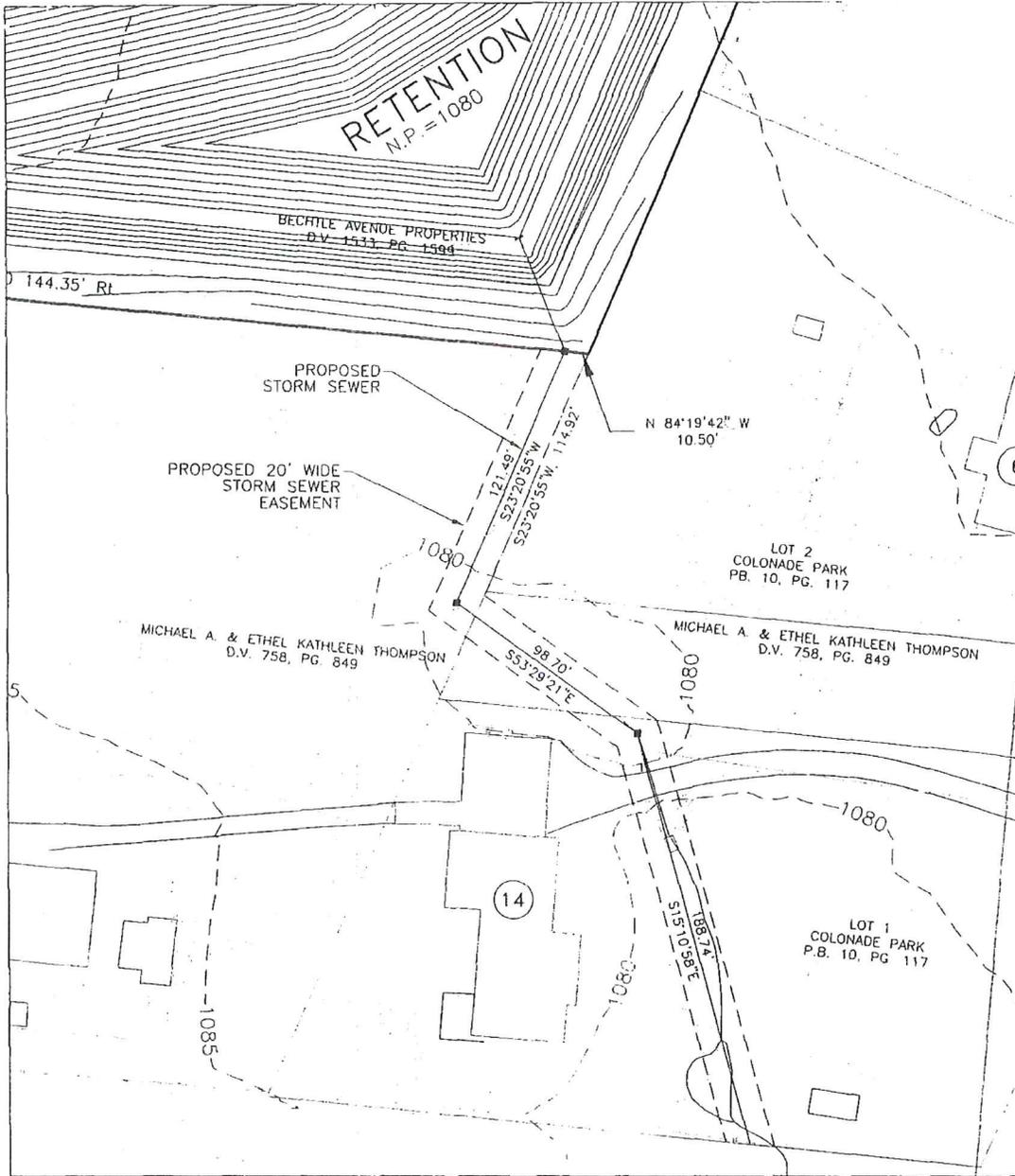


EXHIBIT B STORM SEWER EASEMENT

ALL DRAIN TILES AND SUMP PUMP DISCHARGES SHALL BE CONNECTED TO THE PROPOSED STORM SEWER. STORM SEWER SHALL BE DESIGNED TO CLARK COUNTY/CITY OF SPRINGFIELD STANDARDS.

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SCHENK SPENCER HASSELBACH
HOLD