

Know all Men by these Presents

That

DANNY SIMMS, single,
P.O. Box 543
Nelsonville, Ohio 45764

of the City of Nelsonville, County of Athens
and State of Ohio Grantor, in consideration of the sum of

One Dollar (\$1.00) and other good and valuable considerations

to him paid by LAWRENCE G. DAFT and FRED A G. DAFT

of the of County of
and State of Ohio Grantee s, the receipt whereof is hereby
acknowledged, do es hereby grant, bargain, sell and convey to the said
Grantee s LAWRENCE G. DAFT and FRED A G. DAFT

their heirs and assigns forever, the
following Real Estate situated in the County of Athens
in the State of Ohio, and in the City of
Nelsonville and bounded and described as follows:

Being a part of River Lot Numbers 649, 650, and 651 (also referred to as being in Sections 24 and 34), Township 12 North, Range 15 West, York Township, City of Nelsonville, Athens County, Ohio and being more particularly described as follows:

Beginning for reference at the northwest corner of River Lot 651; thence South 85° 28' 59" East 431.75 feet along the north line of Lot 651 to a seven inch hickory tree and the principal place of beginning of the tract to be described; thence continuing along the north line of Lots 651 and 650, South 85° 28' 59" East 925.85 feet to an iron pin found, passing the line between Lot 651 and 650 at 437.47 feet; thence South 85° 23' 24" East 555.15 feet with the north line of Lots 650 and 649 to an iron pin found, passing the line between Lot 650 and 649 at 380.80 feet; thence South 5° 18' 19" West 427.96 feet to an iron pin found; thence South 26° 49' 40" East 383.12 feet to an iron pin found; thence South 30° 37' 24" West 299.78 feet to an iron pin found; thence South 56° 04' 53" West 176.25 feet to an iron pin found; thence North 85° 45' 24" West 182.51 feet to an iron pin set; thence North 82° 20' 53" West 917.22 feet to an iron pin set in the centerline of an existing drive; thence North 50° 26' 54" West 240.88 feet to an iron pin set; thence North 76° 13' 08" West 119.09 feet to an iron pin found; thence North 0° 51' 02" West 50.25 feet to an iron pin found; thence North 13° 18' 41" West 201.04 feet to an iron pin found; thence North 11° 03' 53" West 199.11 feet to an iron pin found; thence North 83° 48' 30" East 66.90 feet to an iron pin found; thence North 11° 55' 15" East 486.45 feet to the principal place of beginning. The tract as surveyed contains 39.514 acres, more or less (5.714 acres being in River Lot 649, 22.452 acres being in River Lot 650 and 11.348 acres being in River Lot 651), subject to all legal highways and easements of record.

Also granted is the right to the full use and enjoyment of the 26 foot wide easement situated between Lots D-3 and D-5 as shown on the Dorr Run Subdivision Plat.

Also granted is the right to the full use and enjoyment of a 26 foot wide easement the centerline of which is described as follows:

106
21

Beginning at the centerline of the 26 foot wide easement between Lot D-3 and D-5 as shown on the Dorr Run Subdivision Plat on the east side of said lots; thence North 71° 38' 23" East 103.33 feet to a point; thence North 57° 27' 44" East 237.78 feet to an iron pin set and the ending point of the centerline of the 26 foot wide easement.

The bearing in the above description are based on the north line of River Lot 651 bearing South 85° 28' 59" East. Iron pins set are 5/8 inch rebar, 30 inches long with plastic identification caps.

The above survey was made by Ronald M. Merckle, Ohio Registered Surveyor No. 6473, on November 5, 1984.

This conveyance is subject to the following conditions, which are accepted by the grantees by the recording of this instrument.

1. Grantor reserves all rights to the Simms #1 oil and gas well and all oil and gas produced therefrom until such time as the well is plugged and abandoned, along with rights to operate the well and to remove oil and gas produced from the well by pipelines or other convenient methods. Grantor agrees to plug and abandon the well at such time as the well interferes with the operations of the grantees. However, if the well is plugged and abandoned at the request of grantees, the grantees will pay all costs of plugging the well up to \$2,000. At such time as the well is plugged and abandoned all oil and gas rights in the well unit shall revert to the grantees. Grantor agrees to use all reasonable means to operate this well without interfering with operations of the grantees on the real estate herein conveyed.

(see back page)

Last Transfer: Deed Record Volume 367 , Page 755
362 , Page 375

To have and to hold *said premises, with all the privileges and appurtenances thereunto belonging, to the said Grantees, LAWRENCE G. DAFT and FREDA G. DAFT*
their *heirs and assigns forever.*

And the said Grantor DANNY SIMMS

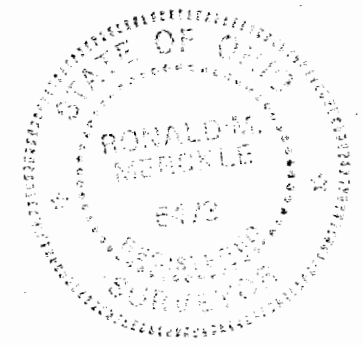
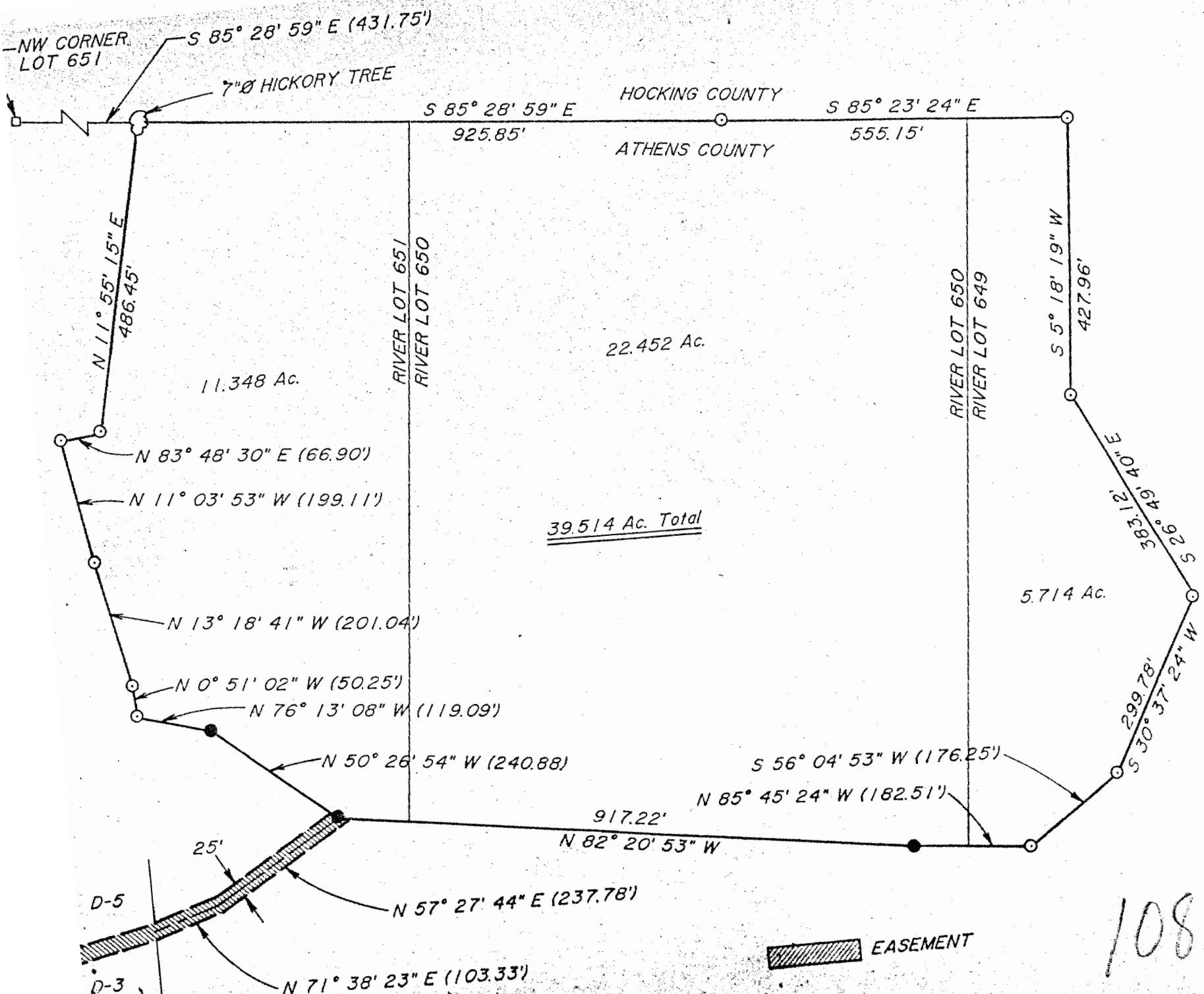
for himself and his heirs
do es hereby covenant with the said Grantees

LAWRENCE G. DAFT and FREDA G. DAFT

their *heirs and assigns, that* he is *lawfully seized of the premises*
aforsaid; that the said premises are Free and Clear from all Incumbrances whatsoever

except accrued and undetermined real estate taxes for the year 1984, which shall be prorated between the parties hereto as of the date of this instrument, and all other easements, restrictions, leases, and rights of way of record,

107



THE TCW COMPANY
 BOX 848, NEW LEXINGTON, OHIO 43764 614-342-5131

SURVEY FOR: DAET COAL COMPANY DATE: 11/5/84

● IRON PIN SET	RANGE: <u>15 W</u>
○ IRON PIN FOUND	TOWNSHIP: <u>12 N</u>
⊕ POST	SECTION: <u>24 & 30</u>
▲ RAILROAD SPIKE SET	POL. TOWNSHIP: <u>YORK</u>
△ R.R. SPIKE FOUND	COUNTY: <u>ATHENS</u>
* FENCE POINT	SCALE: <u>1" = 200'</u>

Ronald M. Merckle
 RONALD M. MERCKLE
 OHIO REG. SURVEYOR NO. 8473

THOMAS C. WILSON
 OHIO REG. SURVEYOR NO. 8485