

EXHIBIT "A"

16.625 Acre - TRACT "A"

"PLAT OF SURVEY" (Exhibit "B") is attached to, and made a part of, this description.

- 1) Being part of the real estate owned by Eileen M. Clark as recorded as the First Tract (46.168 Acres) in Official Record 357 at page 2543 in the Athens County Recorder's Office, Athens County, Ohio, and, being situate in Lease Lot No. 3 (Section 23), Town-8-North, Range-14-West, Alexander Township, Athens County, State of Ohio, USA, and being more particularly described as follows:
- 2) **COMMENCING** at an iron pin w/cap stamped "L.F.Swoyer-P.S.6765" found in the Grantor's (E.M Clark- OR.357/Pg.2543) Northwest property corner of said 46.168 Acre First Tract and the Northwest corner of Lease Lot No. 3 (Section 23);
- 3) Thence **S 05°26'04" W**, along the Grantor's (E.M Clark- OR.357/Pg.2543) West property line of said 46.168 Acre First Tract and the West line of Lease Lot No. 3 (Section 23), **1,271.51 feet** to a 6" x 2" broken stone found in the Grantor's (E.M Clark- OR.357/Pg.2543) Southwest property corner of said 46.168 Acre First Tract and the Northwest property corner of a 47.54 acre (by deed) tract owned by Tina P. Jeffers as recorded in OR.260/Pg.1063;
- 4) Thence **S 84°21'41" E**, along the Grantor's (E.M Clark- OR.357/Pg.2543) South property line of said 46.168 Acre First Tract and the North property line of said Tina P. Jeffers (OR.260/Pg.1063), **215.45 feet** to a point in the middle of an Un-named Run, said point also being the real **POINT OF BEGINNING** of the **16.625 Acre - TRACT "A"** herein described:
- 5) Thence the following fourteen (14) new courses **DOWNSTREAM** along the approx. center of said Un-named Run along new lines through the lands of the Grantor's (E.M Clark- OR.357/Pg.2543) said 46.168 Acre First Tract;
1. **N 30°06'27" E - 186.97 feet** to an iron pin w/cap set, passing through an iron pin w/cap set for reference at 9.77 feet;
 2. **N 51°25'40" E - 39.98 feet** to an iron pin w/cap set;
 3. **N 27°57'28" E - 63.17 feet** to an iron pin w/cap set;
 4. **N 68°38'04" E - 82.60 feet** to an iron pin w/cap set;
 5. **N 89°09'40" E - 88.95 feet** to an iron pin w/cap set;
 6. **N 62°17'49" E - 100.53 feet** to an iron pin w/cap set;
 7. **N 87°32'26" E - 89.16 feet** to an iron pin w/cap set;
 8. **N 50°03'23" E - 102.47 feet** to an iron pin w/cap set;
 9. **N 68°15'10" E - 139.24 feet** to an iron pin w/cap set;
 10. **N 02°20'59" E - 30.15 feet** to an iron pin w/cap set;
 11. **N 63°00'59" E - 129.01 feet** to an iron pin w/cap set;
 12. **N 44°54'41" E - 119.14 feet** to an iron pin w/cap set;
 13. **N 72°26'59" E - 136.45 feet** to an iron pin w/cap set, and;
 14. **N 74°28'33" E - 201.36 feet** to an iron pin w/cap set;
- 6) Thence the following five (5) new courses along new lines through the lands of the Grantor's (E.M Clark- OR.357/Pg.2543) said 46.168 Acre First Tract;
1. **S 00°34'23" W - 197.40 feet** to an iron pin w/cap set;
 2. **S 03°54'40" W - 262.62 feet** to an iron pin w/cap set;
 3. **S 29°03'16" E - 29.70 feet** to a point at the **TERMINUS POINT** of the **"50.0' WIDE PRIVATE INGRESS-EGRESS RIGHT-OF-WAY (EASEMENT)"** described herein;
 4. **S 29°03'16" E - 43.91 feet** to an iron pin w/cap set, and;
 5. **S 46°23'22" E - 45.87 feet** to a point in one of the Grantor's (E.M Clark-OR.357/Pg.2543) Easterly property corners of said 46.168 Acre First Tract, one of the Grantor's (E.M Clark-OR.357/Pg.2543) Westerly property corners of a 2.920 Acre (by deed) Tract Two, and, said point also being in the flow line of the East Branch of Margaret's Creek, said point being witnessed by an iron pin w/cap set that bears: **N 16°48'11" E, 16.53 feet FROM** said point;

Exhibit "A" - 16.625 Acre - TRACT "A" Cont'd.

7) Thence the following fourteen (14) courses UPSTREAM along the said flow line of the East Branch of Margaret's Creek, along Easterly lines of the Grantor's (E.M Clark- OR.357/Pg.2543) said 46.168 Acre First Tract and along Westerly and Southerly lines of the Grantor's (E.M Clark- OR.357/Pg.2543) said 2.920 Acre Tract Two;

1. S 01°04'36" W - 62.10 feet to a point;
2. S 55°39'33" E - 57.64 feet to a point;
3. S 88°44'34" E - 96.67 feet to a point;
4. S 58°07'32" E - 85.00 feet to a point;
5. S 62°51'53" E - 164.93 feet to a point;
6. S 67°02'54" E - 78.26 feet to a point;
7. N 28°59'16" E - 101.50 feet to a point;
8. N 66°44'18" E - 50.72 feet to a point;
9. N 83°59'31" E - 58.34 feet to a point;
10. S 61°37'30" E - 66.40 feet to a point;
11. S 56°18'27" E - 109.75 feet to a point;
12. S 41°05'12" W - 87.97 feet to a point;
- 13.. S 57°00'27" E - 88.62 feet to a point, and;
14. S 47°34'04" E - 26.44 feet to a point in the Grantor's (E.M Clark-OR.357/Pg.

2543) Southeast property corner of said 46.168 Acre First Tract, said point also being in the North property line of a 29.404 acre (by deed) tract owned by Tina P. Jeffers as recorded in OR.327/Pg.2583:

8) Thence N 84°21'40" W, along the Grantor's (E.M Clark- OR.357/Pg.2543) South property line of said 46.168 Acre First Tract and the North property lines of said Tina P. Jeffers (OR.327/Pg.2583 - 29.404 acres and OR.260/Pg.1063 - 47.54 acres), **2,063.66 feet to the point of beginning**, passing through iron pins found at 60.23 feet and 916.86 feet, and, **containing 16.625 acres.**

9) **The above described 16.625 Acre - TRACT "A" is to be accessed over, through and across the following described "50.0' Wide PRIVATE INGRESS-EGRESS RIGHT-OF-WAY (Easement)" which is included for the BENEFIT of the above described 16.625 Acre - TRACT "A":**

**" 50.0' Wide PRIVATE INGRESS-EGRESS
RIGHT-OF-WAY (Easement) "**

10) **BEING 25.0' EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:**

11) **COMMENCING** at a point in the Grantor's (E.M Clark- OR.357/Pg.2543) Northeast property line of said 2.920 Acre Tract Two, said point also being in the centerline of Fisher Road (Athens County Road No.17), said point bearing: S 75°24'44" E - 2,949.97 feet FROM the Northwest corner of Lease Lot No. 3 (Section 23), said point also bearing: N 34°51'25" W - 26.43 feet FROM the Grantor's (E.M Clark- OR.357/Pg.2543) Northeast property corner of said 2.920 Acre Tract Two, said point also being the real **POINT OF BEGINNING** of the **CENTERLINE** of the **"50.0' Wide PRIVATE INGRESS-EGRESS RIGHT-OF-WAY (Easement)"** herein described:

12) Thence the following thirteen (13) new courses along the new lines through the lands of the Grantor's (E.M Clark - OR.357/Pg.2543) said 2.920 Acre Tract Two, and, the Grantor's (E.M.Clark - OR.416/Pg.1639) 0.1899 Acre Parcel No.3 and 1.5487 Acre Parcel No.4;

1. S 36°17'26" W - 933.92 feet to a point;
2. N 84°27'30" W - 46.31 feet to a point;
3. N 56°35'42" W - 49.19 feet to a point;

Description Checked for
Mathematical Accuracy
Athens County
ENGINEER'S OFFICE
BY: S. Blaise
DATE: 10-5-07

Exhibit "A" - "CENTERLINE of 50.0' Wide PRIVATE INGRESS-EGRESS R/W (Easement)" Cont'd.

4. N 37°00'04" W - 57.06 feet to a point;
5. N 21°21'03" W - 60.05 feet to a point;
6. N 24°32'50" W - 12.87 feet to a point;
7. N 27°15'14" W - 45.40 feet to a point;
8. N 37°24'08" W - 49.66 feet to a point;
9. N 50°00'12" W - 38.13 feet to a point;
10. N 58°01'25" W - 44.84 feet to a point;
11. Along and with the arc of a NON-TANGENT curve to the LEFT to a point, said curve having an arc length of 139.94 feet, a radius of 250.00 feet, a delta of 32°04'16", the long chord bearing: N 86°39'48" W-138.12 feet to said point;
12. Along and with the arc of a NON-TANGENT curve to the RIGHT to a point, said curve having an arc length of 344.48 feet, a radius of 825.00 feet, a delta of 23°55'26", the long chord bearing: N 81°36'04" W-341.98 feet to said point, and;
13. N 66°49'58" W - 260.55 feet to the TERMINUS POINT (as specified in course No.3 in paragraph No.6 herein) of the CENTERLINE of the "50.0' Wide PRIVATE INGRESS-EGRESS RIGHT-OF-WAY (Easement)" herein described.

13) The above described "50.0' Wide PRIVATE INGRESS-EGRESS RIGHT-OF-WAY (Easement)" is subject to the following "MAINTENANCE AGREEMENT", which shall be binding upon the Grantor/s and Grantee/s herein, and any subsequent owners, heirs or assigns taking title through, or from, them:

" MAINTENANCE AGREEMENT" for the "50.0' Wide PRIVATE INGRESS-EGRESS RIGHT-OF-WAY (Easement) "

- 14) 1) The owner/s of the herein described 16.625 Acre - Tract "A" above described and the adjoining 33.964 Acre - RESIDUE Tract, will be jointly responsible for the total maintenance cost of the "50.0' Wide PRIVATE INGRESS-EGRESS RIGHT-OF-WAY (Easement)" Roadway from Fisher Road (Co.Rd.No.17) to the TERMINUS POINT at the Easterly property line of said 16.625 Acre - Tract "A", the total centerline length being 2,116.60 feet.
- 2) Maintenance will be considered every spring as to whether there is still 4" of aggregate on the "50.0' Wide PRIVATE INGRESS-EGRESS RIGHT-OF-WAY (Easement)" Roadway, that said Roadway surface is a minimum of 10 feet in width, that the drainage is adequate, and whether any additional repairs need to be made on said PRIVATE Roadway surface.
- 3) In the event of a dispute, all parties agree to have the dispute settled in Small Claims Court.
- 4) All parties agree, now and forever, that the "50.0' Wide PRIVATE INGRESS-EGRESS RIGHT-OF-WAY (Easement)" Roadway SHALL have a MINIMUM of four (4) inches of aggregate on it, and, be a MINIMUM of ten (10) feet in width.
- 5) For further regulations concerning the "50.0' Wide PRIVATE INGRESS-EGRESS RIGHT-OF-WAY (Easement)", reference is made to the "SUBDIVISION REGULATIONS of ATHENS COUNTY, OH" as found in the Athens County Recorder's Office.

15) The above described 16.625 Acre - TRACT "A" comes ENTIRELY out of what is currently (September 26, 2007) known as *Auditor's Parcel No. B0100100530.04* .

16) The bearings used in the above description are based on the North line of Lease Lot No. 3 (Section 23) as bearing: S 84°40'46" E and are only for the determination of relative angles.

Exhibit "A" Cont'd.

17) Subject to all legal highways and easements.

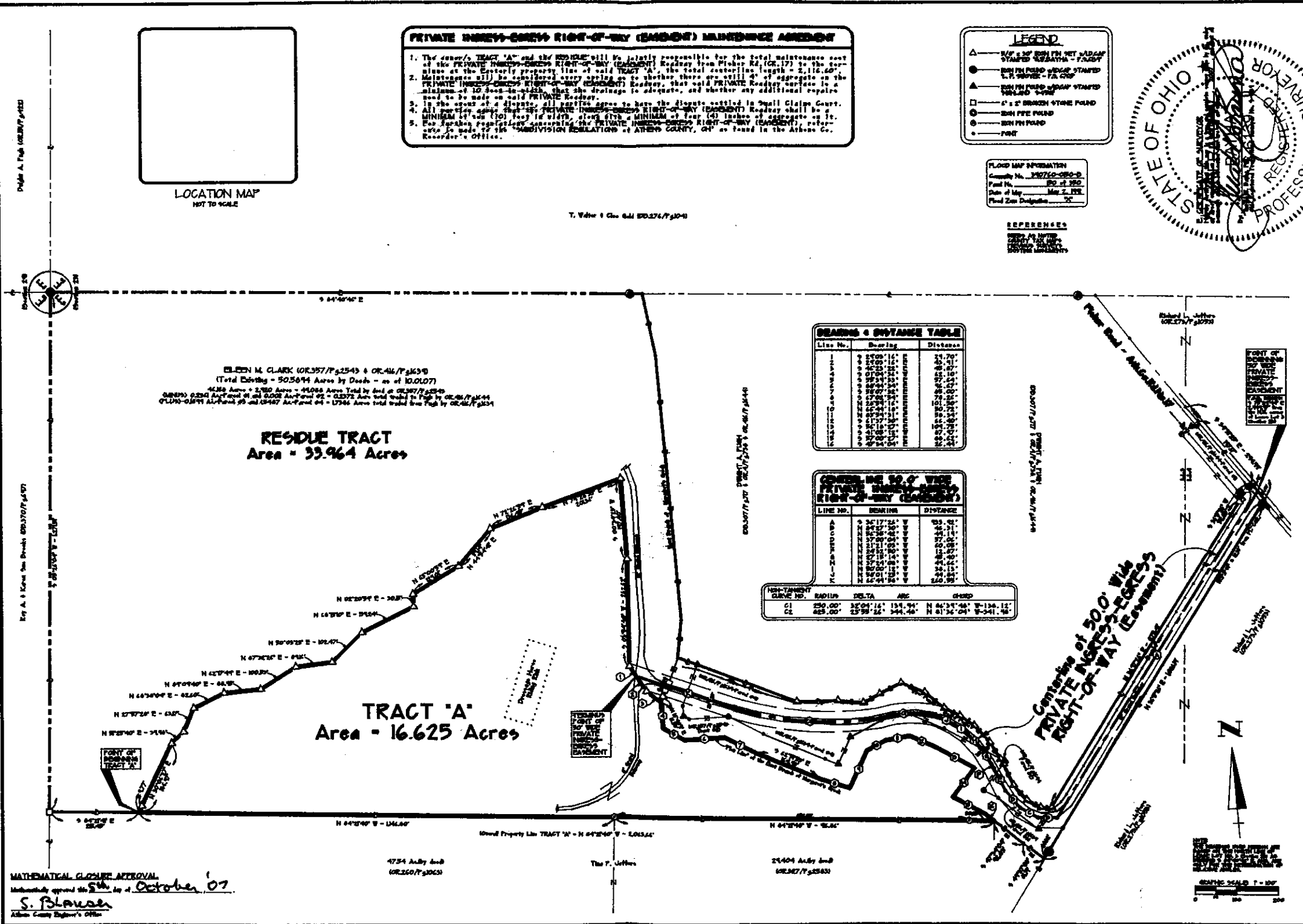
18) All iron pins w/cap set referred to in the description above are 5/8" x 30" iron pins with 1-3/8" diameter flourescent pink plastic I.D. caps stamped " G. W. BAYHA - P.S.6139 (740-593-5686) ”.

19) The above described **16.625 Acre - TRACT "A"** and **" 50.0' Wide PRIVATE INGRESS - EGRESS RIGHT-OF-WAY (Easement) ”** were surveyed by Gerald W. Bayha, P.S., Ohio Registered Professional Surveyor No. S-6139 (*Job No. 0807-01*), with the field work being completed on September 17, 2007, the "Plat of Survey" (Exhibit "B") being last revised on October 02, 2007, and, the "Legal Description" (Exhibit "A") being completed on October 05, 2007.


Gerald W. Bayha, P.S. 6139 Date Signed 10.05.07



EXHIBIT 'B'



PLAT OF SURVEY

Being part of Leases Lot No's. 3 & 4, (Section 23)
 Town-6-North, Range-14-West,
 Alexander Township, Athens County, State of Ohio, U.S.A.

STATE OF OHIO
RECORDED
PROFESSOR

W. W. DeWitt, P.S.
 State of Ohio
 License No. 10111
 Date of Expiration: 12/31/2008

W. W. DeWitt, P.S.
 State of Ohio
 License No. 10111
 Date of Expiration: 12/31/2008

2006 World W. DeWitt, P.S.