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EASEMENT 50.00
Book 450 Page 2408

EASEMENT AND AGREEMENT

This Agreement and Easement entered into this 30th day of JULY, 2022, by and between Derek M. Gearhart and David A. Gerdeman with Diana L. Bauer, Co-Trustees of the Otto J. Gerdeman Trust dated Mar. 31, 1995, WITNESSETH:

Whereas, Derek M. Gearhart is the owner in fee simple of the following described premises:

Situated in the Township of Defiance, County of Defiance and State of Ohio and known as:

A part of the Northwest Quarter (1/4) of Section Thirty (30), Town Four (4) North, Range Four (4) East, and being more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter (1/4) of Section Thirty (30), monumented by an iron pin; thence on an assumed bearing of South 89 degrees 17 minutes 00 seconds East on the South line of the Northwest Quarter (1/4), 1289.88 feet to the point of beginning; thence North 01 degrees 11 minutes 18 seconds West, 50.00 feet to an Iron pin set; thence continuing North 01 degrees 11 minutes 18 seconds West, 1090.00 feet to an Iron pin set; thence North 89 degrees 17 minutes 00 seconds West, 166.00 feet to an Iron pin set; thence North 00 degrees 19 minutes 11 seconds East, 600 feet to a point set; thence South 89 degrees 17 minutes 00 seconds East, 282.00 feet to an Iron pin set; thence South 00 degrees 19 minutes 11 seconds West, 600.00 feet to an Iron pin set; thence North 89 degrees 17 minutes 00 seconds West, 56.00 feet to an Iron pin set; thence South 01 degrees 11 minutes 18 seconds East, 1090.00 feet to an Iron pin set; thence continuing South 01 degrees 11 minutes 18 seconds East, 50.00 feet to a point on the South line of the Northwest Quarter (1/4); thence North 89 degrees 17 minutes 00 seconds West, 60.00 feet to the point of beginning, containing 5.455 acres, more or less, subject to legal highways, easements, restrictions and zoning regulations.

Parcel No.: B11-0030-0-006-04

And being more particularly described in a Warranty Deed recorded in Volume 353, Page 419 of the Defiance County, Ohio, Official Records.

Whereas, David A. Gerdeman and with Diana L. Bauer, co-Trustees of the Otto J. Gerdeman Trust dated Mar. 31, 1995 are the owners in fee simple of the following described premises:

Situated in the Township of Defiance, County of Defiance and State of Ohio and known as:

A part of the Northwest Quarter (1/4) of Section Thirty (30), Town Four (4) North, Range Four (4) East, and being more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter (1/4) of Section Thirty (30), monumented by an iron pin; thence on an assumed bearing of South 89 degrees 17 minutes 00 seconds East on the South line of the Northwest Quarter (1/4), 1349.88 feet to the point of beginning; thence North 01 degrees 11 minutes 18 seconds West, 50.00 feet to an Iron pin set; thence continuing North 01 degrees 11 minutes 18 seconds West, 1090.00 feet to an Iron pin set; thence South 89 degrees 17 minutes 00 seconds East,

56.00 feet to an Iron pin set; thence North 00 degrees 19 minutes 11 seconds East, 600.00 feet to an Iron pin set; thence North 89 degrees 17 minutes 00 seconds West, 282.00 feet to an Iron pin set; thence North 00 degrees 19 minutes 11 seconds East, 807.07 feet to the water's edge of the Maumee River; thence South 85 degrees 51 minutes 44 seconds East, on and along the water's edge of the Maumee River, 125.22 feet; thence South 82 degrees 25 minutes 17 seconds East, on the water's edge 297.52 feet; thence South 00 degrees 19 minutes 10 seconds West, 50.00 feet to an Iron pin set; thence continuing South 00 degrees 19 minutes 10 seconds West, 2400.81 feet to an Iron pin set; thence continuing South 00 degrees 19 minutes 10 seconds West, 52.64 feet to the South line of the Northwest Quarter (1/4), thence North 89 degrees 17 minutes 00 seconds West, on the South line of the Northwest Quarter (1/4), 164.10 feet to the point of beginning, containing in said parcel 14.188 acres, more or less, subject to legal highways, easements, restrictions and zoning regulations.

Parcel No.: B11-0030-0-006-03 (Split from Tax Parcel No.: B11-0030-0-006-00)

And being more particularly described in a Warranty Deed recorded in Volume 66, Page 893 of the Defiance County, Ohio, Official Records.

Derek M. Gearhart and David A. Gerdeman with Diana L. Bauer, co-Trustees of the Otto J. Gerdeman Trust dated Mar. 31, 1995, agree to the Termination of the Agreement to Easement as described and recorded in Volume 114 Pages 1019-1021, dated November 14, 2000, and as described below.

Situated in the Township of Defiance, County of Defiance, and State of Ohio, and known as:

A part of the Northwest Quarter (1/4) of Section Thirty (30), Town Four (4) North, Range Four (4) East, and being more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter (1/4) of Section Thirty (30), monumented by an iron pin; thence on an assumed bearing of South 89 degrees 17 minutes 00 seconds East on the South line of the Northwest Quarter (1/4), 1289.88 feet to the place of beginning; thence North 01 degrees 11 minutes 18 seconds West, 50.00 feet to an Iron pin set; thence continuing North 01 degrees 11 minutes 18 seconds West, 1690.00 feet to a point; thence South 89 degrees 17 minutes 00 seconds East, 116.00 feet to an Iron pin set; thence South 00 degrees 19 minutes 11 seconds West, 600.00 feet to an Iron pin set; thence North 89 degree 17 minutes 00 seconds West, 56.00 feet to an Iron pin set; thence South 01 degrees 11 minutes 18 seconds East, 1090.00 feet to an Iron pin set; thence continuing South 01 degrees 11 minutes 18 seconds East, 50.00 feet to a point on the South line of the Northwest Quarter (1/4); thence North 89 degrees 17 minutes 00 seconds West, 60.00 feet to the place of beginning.

Derek M. Gearhart hereby grants to David A. Gerdeman and with Diana L. Bauer, co-Trustees of the Otto J. Gerdeman Trust dated Mar. 31, 1995, two easements and right of ways over the real estate described below for ingress and egress.

Situated in the Township of Defiance, County of Defiance, and State of Ohio, and known as:

A part of the Northwest Quarter (1/4) of Section Thirty (30), Town Four (4) North, Range Four (4) East, and being more particularly described as follows:

First Easement:

Commencing at the Southwest corner of the Northwest Quarter (1/4) of Section Thirty (30), monumented by an iron pin, thence on an assumed bearing of South 89 degrees 17 minutes 00 seconds East on the South line of the Northwest Quarter (1/4) 1289.88 feet to

the place of beginning; thence North, 01 degrees 11 minutes 18 seconds West 50.00 feet to an iron pin set; thence continuing North 01 degrees 11 minutes 18 seconds West 850.00 feet to a point; thence South 89 degrees 17 minutes 00 seconds East 60 feet to a point; thence South 01 degrees 11 minutes 18 seconds East 850.00 feet to an iron pin set; thence continuing South 01 degrees 11 minutes 18 seconds East 50 feet to a point on the South line of the Northwest Quarter (1/4); thence North 89 degrees 17 minutes West 60 feet to the place of beginning.

Second Easement:

Commencing at the Southwest corner of the Northwest Quarter (1/4) of Section Thirty (30), monumented by an iron pin, thence on an assumed bearing of South 89 degrees 17 minutes 00 seconds East on the South line of the Northwest Quarter (1/4) 1093.88 feet to a pin; thence North 00 degrees 19 minutes 11 seconds East 48.70 feet to an iron pin; thence continuing North 00 degrees 19 minutes 11 seconds East 1690.70 feet to an iron pin; thence South 89 degrees 17 minutes 00 seconds East 162.00 feet to the place of beginning; thence South 45 degrees 00 minutes 00 seconds East 170.90 feet to a point; thence North 00 degrees 19 minutes 11 seconds East 120.85 feet to iron pin; thence North 89 degrees 17 minutes 00 seconds West 120.00 feet to the place of beginning.

The parties hereto agree that the cost of maintaining and repairing the driveway lying within the above granted easement shall be shared equally by the parties hereto, except that any damage beyond ordinary wear and tear by either of the parties shall be paid for by that party.

The parties hereto agree that the easements and right of ways shall be kept open at all times and neither of the parties shall permit any vehicle to be parked or any obstruction of any kind to exist in the easements and right of ways which will in any way prevent or obstruct free ingress and egress to and from the land of either party.

This agreement shall be binding upon the respective successors and assigns of the parties hereto.

In Witness Whereof, we have hereunto set our hands, this 30th day of JULY, 2022.

Signed and acknowledged in the presence of:

Derek M. Gearhart

Derek M. Gearhart

Steven Gerdeman

Steven Gerdeman (Witness name)

David A. Gerdeman

David A. Gerdeman, Trustee
for Otto J. Gerdeman Trust

Diane L. Gerdeman

Diane L. Gerdeman (Witness name)

Diana L. Bauer

Diana L. Bauer, Trustee
for Otto J. Gerdeman Trust

Dennis A. Gerdeman

DENNIS A. GERDEMAN (Witness name)

THE STATE OF OHIO, DEFIANCE COUNTY, ss:

BEFORE ME, a Notary Public in and for said county, personally appeared the above named Grantor, Derek M. Gearhart, 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, this 30th day of July, 2022.



Megan Fischer
Notary Public, State of Ohio
My Commission Expires 11-28-23

Notary Public -- State of Ohio:

My commission expires: 11-28-23

THE STATE OF OHIO, DEFIANCE COUNTY, ss:

BEFORE ME, a Notary Public in and for said county, personally appeared the above named Grantee, David A. Gerdeman, Trustee, 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, this 30th day of July, 2022.

SEAL



Megan Fischer
Notary Public, State of Ohio
My Commission Expires 11-28-23

Notary Public -State of Ohio:

My commission expires: 11-28-23

THE STATE OF OHIO, DEFIANCE COUNTY, ss:

BEFORE ME, a Notary Public in and for said county, personally appeared the above named Grantee, Diana L. Bauer, Trustee, 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, this 30th day of July, 2022.

SEAL



Megan Fischer
Notary Public, State of Ohio
My Commission Expires 11-28-23

Notary Public -- State of Ohio:

My commission expires: 11-28-23

This document was prepared by Dennis A. Gerdeman.