

**PRELIMINARY
CERTIFICATE OF TITLE**

Prepared for: Dye Real Estate & Land Co.

File # 2023-19

Property Address: Bellefontaine Road, Lima, OH 45804 (PPN 47-1100-01-002.000)

& 5100 Bellefontaine Road, Lima, OH 45804 (PPN 47-1200-02-005.000)

This certifies that the undersigned, Cory, Meredith, Witter & Smith, a Legal Professional Association, has examined all of the public records relative to real estate titles of the county and state in which the land hereinafter described is situated, said search extending back over a period of not less than forty-two (42) years.

After such examination, it is the opinion of the undersigned that, subject to all legal highways, easements, rights-of-way, restrictions, reservations, covenants, set-back lines, platting and zoning regulations, and conditions of record or in use on said premises and subject to the mortgage(s), lien(s), and other matters commented upon, the fee simple, marketable title to the premises was, at the date of this certificate, indefeasibly vested in:

Platinum Path, LLC

OR 2019, Page 5955 – recorded 06/18/2019

1. RECORDED MORTGAGES OR DEEDS OF TRUST:

None identified for search period.

2. MECHANIC'S OR MATERIALMEN'S AND/OR OTHER LIENS:

None identified for search period.

3. LAND CONTRACTS OR RECORDED LEASES:

None identified for search period.

4. SUITS PENDING OR LIS PENDENS AFFECTING TITLE:

None identified for search period.

5. PARTY WALL AGREEMENTS AND EASEMENTS:

a. Parcel# 47-1200-02-005.000

1. Easement over the premises to Ohio Fuel Gas Company as shown in Deed Volume 319, Page 182 and filed on 10/17/1951.

2. Easement for general pipeline purposes granted to Columbia Gas Transmission Corporation, all as more fully set forth in the instrument recorded on 05/08/1995 in Volume 803, Page 63.

3. Easement for general telephone purposes granted to United Telephone Company, all as more fully set forth in the instrument recorded on 11/24/1993 in Volume 784, Page 281.

4. Easement for general pipeline purposes granted to Marathon Pipe Line, LLC, all as more fully set forth in the instrument recorded on 10/17/2016 in OR 2016, Page 11301.

There is an unrecorded Addendum to Permanent Easement Agreement dated 08/31/2016.

b. Parcel# 47-1100-01-002.000

1. Easement to Ohio Power Company filed 04/09/1938 in Deed Volume 225, Page 333, with a statement that it is for a pole line to be located along State Route 117

6. ENFORCEABLE RESTRICTIONS:

None identified for search period.

7. TAXES: Parcel # 47-1100-01-002.000 – 122.09 acres

	<u>1st Half -2022</u>	<u>2nd Half – 2022</u>
Taxes	\$1,414.71	\$1,414.71
Assessments	\$52.21	\$45.19
Penalties	\$0.00	\$0.00
Paid	\$1,466.92	\$1,459.90
Balance	\$0.00	\$0.00

Parcel # 47-1200-02-005.000 – 127.51 acres

	<u>1st Half -2022</u>	<u>2nd Half – 2022</u>
Taxes	\$1,419.63	\$1,419.63
Assessments	\$2,488.19	\$2,486.16
Penalties	\$0.00	\$0.00
Paid	\$3,907.82	\$3,905.79
Balance	\$0.00	\$0.00

The 2022 taxes are a lien not yet due and payable.
 Both parcels appear on the AGRICULTURAL LAND TAX LIST (CAUV). No liability is assumed for any lien which may arise by reason of the real estate being so listed.

8. OTHER CONDITIONS AFFECTING TITLE AND COMMENTS:


This opinion does not cover matters not of record in the County Courthouse in which the land hereinafter described is situated, including rights of persons in possession, questions which a correct survey or inspection would disclose, right to file Mechanic's Liens, special taxes and assessments not shown by the County Treasurer' Records, zoning and other governmental regulations and matters in the Federal Courts, and names on the U.S. Department of the Treasury Office of Foreign Assets Control List, and unfiled liens of the United States and State of Ohio, or their agencies, under hazardous wastes or RICO acts or Patriot Act.

9. ACCURATE DESCRIPTION OF PROPERTY:

See attached title document(s).

Title examined to, and this certificate dated the 26th day of January, 2023, at 7:30 a.m.

CORY, MEREDITH, WITTER & SMITH

By 
 Robert J. Meredith
 101 N. Elizabeth Street, 6th Floor
 Lima, Ohio 45801

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This Conveyance has been examined
and the Grantor has complied with
Section 319.202 of the Revised Code.


Fee \$ 4618.90

Exempt _____

Transferred 6-18-19

Fee 3.00 KH

Rachael S. Gilroy Allen County Auditor


Instr: 201906180005955 6/18/2019
P: 1 of 6 F:\$60.00 10:48 AM
Mona S Lash T20190008300
Allen County V:2019 P:05955

OHIO GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that, TMC FARMS, LLC, an Ohio Limited Liability Company (herein called "Grantor"), who claims title by or through the instrument recorded in OR 2013, Page 14017 and OR 2014, Page 4221, in the Allen County Recorder's Office, for valuable consideration received of PLATINUM PATH, LLC, an Ohio Limited Liability Company, (herein called "Grantee"), whose tax mailing address will be 4233 N. Cool Rd Lima, OH 45801, grants with general warranty covenants, to the Grantee, its successors and assigns, the following described premises, situated in the Township of Perry, County of Allen, and State of Ohio, to-wit:

See attached Exhibit A.

Parcel# 47-0200-04-004.000 – 14.00 acres – Perry Chapel Road, Lima, OH 45804
Parcel# 47-0200-04-005.000 – 8.37 acres – South Thayer Road, Lima, OH 45806
Parcel# 47-1100-01-001.001 – 3.99 acres – Thayer Road, Lima, OH 45806
Parcel# 47-1100-01-002.000 – 89.35 acres – Bellefontaine Road, Lima, OH 45804
Parcel# 47-1100-02-017.000 – 4.82 acres – Bellefontaine Road, Lima, OH 45804
Parcel# 47-1200-02-005.000 – 127.51 acres – 5100 Bellefontaine Road, Lima, OH 45804

To have and to hold the premises with the appurtenances thereto belonging, to Grantee, Grantee's successors and assigns, forever. Grantor covenants with Grantee that Grantor is lawfully seized in fee simple of the above described premises, and has a good right to sell and convey the same in manner and form as above written; that the premises are free from all encumbrances, save and except legal highways, easements, restrictions, covenants and reservations of record; and that Grantor does warrant and will defend the premises to the Grantee, and Grantee's successors and assigns forever against the lawful claims and demands of all persons.

Taxes and any annual installments of assessments which are a lien on the premises shall be prorated between Grantor and Grantee to the date of closing of this transaction. For proration purposes, the rate and valuation shown on the last available tax duplicate shall be used, but excluding any homestead exemption unless proper application has been made and approved for the current year. Grantor warrants that there are no special assessments levied against the premises except such as appear on the last available tax duplicate.

This deed is delivered and accepted by the parties with the premises in its "as is/where is" condition.

Grantor has executed this deed this 18 day of June, 2019.

TMC Farms, LLC


By: Matt Treglia, Authorized Member

(Execution in accordance with Chapter 5301 of the Revised Code)

STATE OF OHIO, COUNTY OF ALLEN §:

The foregoing deed was acknowledged before me by Matt Treglia, the authorized member of TMC Farms, LLC, an Ohio Limited Liability Company this 18 day of June, 2019.


Notary Public - State of Ohio



CHRISTINE K DuBOIS
Notary Public, State of Ohio
My Commission Expires
June 22, 2022

This instrument prepared by: Derek A. Younkman, Esquire – Cory Meredith Witter & Smith, LPA,
101 North Elizabeth Street, 6th Floor, Lima, Ohio 45801

Exhibit A

The following described parcel of land is situated in the southeast quarter of Section 2 and the north half of Section 11, Township 4 South, Range 7 East, Perry Township, Allen County, Ohio and is more particularly described as follows:

Beginning at a monument box marking the northeast corner of the northeast quarter of Section 11, also being the intersection of the centerline of Clum Road with the centerline of Thayer Road;

thence with the centerline of Thayer Road S 00° 31' 32" W, a distance of 158.00 feet to a railroad spike (found);

thence N 88° 48' 13" W, a distance of 182.33 feet to a 5/8 inch iron pin (set) passing at 20.00 feet a 5/8 inch iron pin (set);

thence S 33° 39' 25" W, a distance of 45.30 feet to a 5/8 inch iron pin (found);

thence S 72° 01' 32" W, a distance of 122.84 feet to a 5/8 inch iron pin (found);

thence S 32° 48' 17" W, a distance of 113.40 feet to a 5/8 inch iron pin (set);

thence N 88° 09' 38" W, a distance of 303.95 feet to a 5/8 inch iron pin (found);

thence S 00° 20' 24" W, a distance of 467.40 feet to a 5/8 inch iron pin (found);

thence S 88° 46' 14" E, a distance of 4.23 feet to a 5/8 inch iron pin (found);

thence S 00° 10' 28" E, a distance of 189.04 feet to a 5/8 inch iron pin (found);

thence S 88° 46' 14" E, a distance of 660.00 feet to a PK nail (found) in the centerline of Thayer Road, passing at 640.00 feet a 5/8 inch iron pin (found);

thence with the centerline of Thayer Road S 00° 31' 32" W, a distance of 1,285.76 feet to a PK nail (found) marking the intersection of the centerline of Thayer Road with the centerline of State Route 117;

thence with the centerline of State Route 177, N 66° 55' 03" W, a distance of 3,088.02 feet to a PK nail (found);

thence N 00° 34' 20" E, a distance of 1,118.57 feet to a 5/8 inch iron pin (found);

thence S 88° 48' 47" E, a distance of 181.90 feet to a stone (found) marking the northeast corner of the northwest quarter of Section 11;

thence with the west line of the southeast quarter of Section 2, N 00° 44' 08" E, a distance of 513.38 feet to a 5/8 inch iron pin (found) at the south line of the former Erie-Lackawanna Railroad, passing at 503.32 feet a 5/8 inch iron pin (found);

thence with said south line S 82° 43' 39" E, a distance of 1,343.20 feet to a 15 inch wood post (found);

thence N 00° 20' 24" W, a distance of 76.29 feet to a 5/8 inch iron pin (set);

thence S 82° 43' 07" E, a distance of 1,342.75 feet to a mag nail (set) in the centerline of Thayer Road, passing at 1,322.58 feet a 5/8 inch iron pin (set);

thence with the centerline of Thayer Road S 00° 20' 52" W, a distance of 100.03 feet to a PK nail (found);

thence N 83° 24' 41" W, a distance of 537.23 feet to a 5/8 inch iron pin (found) passing at 20.00 feet a 5/8 inch iron pin (found);

thence S 00° 18' 30" W, a distance of 249.48 feet to a 5/8 inch iron pin (set);

thence S 88° 24' 41" E, a distance of 534.00 feet to the POINT OF BEGINNING passing at 514.00 feet a 5/8 inch iron pin (set). This parcel contains 122.080 acres, more or less, subject to all legal highways and easements of record. This description is based on a field survey performed in October, 2013 and was prepared by Leland D. Yoakam L.S. No. 7676. All markers are accurate as to material and location and are in place. All bearings refer to the east line of the northeast quarter of Section 11 as being S 00° 31' 32" W

Parcel #s 47-0200-04-004.000; 47-0200-04-005.000;
47-1100-01-001.001; 47-1100-01-002.000;
47-1100-02-017.000
SOT: OR 2013, Pg. 14017

EXHIBIT A

PARCEL "A"

The following described parcel of land is situated in the west half of Section 12, Township 4 South, Range 7 East, Perry Township, Allen County, Ohio and is more particularly described as follows:

Commencing at a monument box marking the northwest corner of the northwest quarter of Section 12 also being the intersection of the centerline of Thayer Road with the centerline of Clum Road;

thence with the centerline of Clum Road S 89° 08' 02" E, a distance of 587.81 feet to a mag nail (set) at the POINT OF BEGINNING for the parcel to be described;

thence continuing with the centerline of Clum Road S 89° 08' 02" E, a distance of 724.83 feet to a PK nail (found);

thence S 00° 00' 07" E, a distance of 1,318.55 feet to a 5/8 inch iron pin (found) passing at 30.00 feet a 5/8 inch iron pin (found);

thence S 89° 04' 56" E, a distance of 313.50 feet to a 5/8 inch iron pin (found);

thence S 00° 00' 39" W, a distance of 1,318.80 feet to a 5/8 inch iron pin (found);

thence S 00° 01' 38" W a distance of 430.81 feet to a railroad spike (found) in the centerline of State Route 177 passing at 394.41 feet a 5/8 inch iron pin (found);

thence with the centerline of State Route 117, N 65° 58' 55" W, a distance of 666.01 feet to a railroad spike (found);

thence continuing with said centerline N 67° 31' 24" W, a distance of 1,355.47 feet to a railroad spike (found);

thence continuing with said centerline N 67° 28' 26" W, a distance of 16.53 feet to a railroad spike (found) marking the intersection of the centerline of State Route 117 with the west line of the northwest quarter of Section 12 also being the centerline of Thayer Road;

thence with the centerline of Thayer Road N 00° 00' 59" W, a distance of 529.96 feet to a PK nail (found);

thence S 89° 25' 17" E, a distance of 200.00 feet to a 5/8 inch iron pin (found) passing at 30.00 feet a 5/8 inch iron pin (found);

thence N 00° 00' 59" W, a distance of 1,450.89 feet to a 5/8 inch iron pin (set);

thence S 89° 08' 02" E, a distance of 387.81 feet to a 5/8 inch iron pin (set);

thence N 00° 00' 59" W, a distance of 280.40 feet to the POINT OF BEGINNING passing at 280.40 feet a 5/8 inch iron pin (set). This parcel contains 78.336 acres, more or less, subject to all legal highways and easements of record. This description is based on a field survey performed in March, 2014 and was prepared by Leland D. Yoekam L.S. No. 7676. All markers are accurate as to material and location and are in place. All bearings refer to the west line of the northwest quarter of Section 12 as being N 00° 00' 59" W

Prior Deeds: Deed Volume 832 Page 271 Deed Volume 954 Page 428

Parcel # 47-1200-02-005 000 OR 2014, Pg. 4221

EXHIBIT APARCEL "B"

The following described parcel of land is situated in the northwest quarter and southwest quarter of Section 12 and the northeast quarter of Section 11, Township 4 South, Range 7 East, Perry Township, Allen County, Ohio and is more particularly described as follows:

Commencing at a monument box marking the northwest corner of the northwest quarter of Section 12 also being the intersection of the centerline of Cum Road with the centerline of Thayer Road;

thence with the centerline of Thayer Road S 00° 00' 59" E, a distance of 2,272.25 feet to a railroad spike (found) marking the intersection of the centerline of Thayer Road with the centerline of State Route 117 and the POINT OF BEGINNING for the parcel to be described;

thence with the centerline of State Route 117, S 67° 28' 28" E, a distance of 16.53 feet to a railroad spike (found);

thence continuing with the centerline of State Route 117, S 67° 31' 24" E, a distance of 1,133.09 feet to a mag nail (set);

thence S 34° 01' 05" W, a distance of 565.92 feet to a 5/8 inch iron pin (set) passing at 30.00 feet a 5/8 inch iron pin (set);

thence S 55° 58' 55" E, a distance of 811.54 feet to a 5/8 inch iron pin (set);

thence N 34° 01' 05" E, a distance of 570.40 feet to a PK nail (found) in the centerline of State Route 117 passing at 540.40 feet a 5/8 inch iron pin (found);

thence with the centerline of State Route 117, S 55° 58' 55" E, a distance of 370.16 feet to a railroad spike (found);

thence S 33° 37' 08" W, a distance of 388.68 feet to a 5/8 inch iron pin (found), passing at 30.00 feet a 5/8 inch iron pin (set);

thence N 56° 22' 52" W, a distance of 35.00 feet to a 5/8 inch iron pin (found);

thence S 33° 37' 08" W, a distance of 50.00 feet to a 5/8 inch iron pin (found);

thence S 56° 22' 52" E, a distance of 50.00 feet to a 5/8 inch iron pin (found);

thence S 33° 37' 08" W, a distance of 431.10 feet to a 5/8 inch iron pin (found);

thence N 89° 12' 14" W, a distance of 1,408.26 feet to a 5/8 inch iron pin (set) in the west line of the southwest quarter of Section 12;

thence with said west line N 00° 03' 02" W, a distance of 1,335.65 feet to a stone (found) marking the southwest corner of the northwest quarter of Section 12;

thence with the west line of the northwest quarter of Section 12, N 00° 00' 59" W, a distance of 107.66 feet to a 5/8 inch iron pin (found);

thence N 89° 20' 27" W, a distance of 165.00 feet to a 5/8 inch iron pin (found);

thence N 00° 00' 59" W, a distance of 321.29 feet to a PK nail (found) in the centerline of State Route 117 passing at 256.33 feet a 5/8 inch iron pin (found);

thence with the centerline of State Route 117, S 67° 28' 28" E, a distance of 178.84 feet to the POINT OF BEGINNING containing 44.173 acres, more or less, subject to all legal highways and easements of record. This description is based on a field survey performed in March, 2014 and was prepared by Leland D. Yoskam

L.S. No. 7678. All markers are accurate as to material and location and are in place. All bearings refer to the west line of the northwest quarter of Section 12 as being

N 00° 00' 59" W

Prior Deed: Deed Volume 854 Page 426

Parcel # 47-1200-02-005.000 OR 2014, Pg 4221

EXHIBIT APARCEL "C"

The following described parcel of land is situated in the southwest quarter of Section 12, Township 4 South, Range 7 East, Perry Township, Allen County, Ohio and is more particularly described as follows:

Commencing at a monument box marking the northwest corner of the northwest quarter of Section 12 also being the intersection of the centerline of Clum Road with the centerline of Thayer Road;
 thence with the centerline of Thayer Road S 00° 00' 59" E, a distance of 2,272.25 feet to a railroad spike (found) marking the intersection of the centerline of Thayer Road with the centerline of State Route 117;
 thence with the centerline of State Route 117, S 67° 28' 26" E, a distance of 16.53 feet to a railroad spike (found);
 thence continuing with said centerline S 67° 31' 24" E, a distance of 1,133.09 feet to a mag nail (set) at the POINT OF BEGINNING for the parcel to be described;
 thence continuing with said centerline S 67° 31' 24" E, a distance of 22.38 feet to a railroad spike (found);
 thence continuing with the centerline of State Route 117, S 55° 58' 55" E, a distance of 178.07 feet to a PK nail (found);
 thence S 34° 01' 05" W, a distance of 194.31 feet to a 5/8 inch iron pin (found) passing at 30.00 feet a 5/8 inch iron pin (found);
 thence S 55° 58' 55" E, a distance of 30.00 feet to a 5/8 inch iron pin (found);
 thence S 34° 01' 05" W, a distance of 133.69 feet to a 5/8 inch iron pin (found);
 thence S 55° 58' 55" E, a distance of 381.54 feet to a 5/8 inch iron pin (found);
 thence with a new division line S 34° 01' 05" W, a distance of 242.40 feet to a 5/8 inch iron pin (set);
 thence N 55° 58' 55" W, a distance of 611.54 feet to a 5/8 inch iron pin (set);
 thence N 34° 01' 05" E, a distance of 585.92 feet to the POINT OF BEGINNING passing at 535.92 feet a 5/8 inch iron pin (set). This parcel contains 5.000 acres, more or less, subject to all legal highways and easements of record. This description is based on a field survey performed in March, 2014 and was prepared by Leland D. Yoakam L.S. No. 7678. All markers are accurate as to material and location and are in place. All bearings refer to the west line of the northwest quarter of Section 12 as being N 00° 00' 59" W
 Prior Deed: Deed Volume 954 Page 426

Parcel # 47-1200-02-005.000 OR 2014, Pg 4221