

GRANT OF EASEMENT



KNOW ALL MEN BY THESE PRESENTS, that **Mason Christian Village, Inc.**, an Ohio non-profit corporation, (**Grantor**), the Fee Simple owner of the real estate (the Property), described, marked and as illustrated upon Exhibit A (the Easement Area), attached hereto and made a part hereof, within the City of Mason, Ohio, identified in Official Record Book 2028, Page 755, Official Record Book 1546, page 607, Official Record Book 1130, page 776, and Official Record Book 1130, page 785 of the Records of Warren County, Ohio, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, does hereby grant, bargain, sell, convey and release to the **City of Mason, Ohio** an Ohio municipal corporation, (**Grantee**), and to its successors and assigns forever, **a non-exclusive, permanent easement and right of way for public highway, and road purposes, including but not limited to utility construction, relocation and/or utility maintenance** for the use by Grantee, its agents, employees and contractors as deemed reasonably appropriate by the Grantee, on and through that portion of the aforementioned Property.

All costs and expenses associated with the **Grantee's** construction, operation, maintenance, repair, replacement and restoration activities within the Easement Area shall be borne solely by the **Grantee**. Grantee, at Grantee's sole expense, shall maintain the Easement Area in good condition and repair. Grantee's obligations shall include, without limitation, grading and seeding, and repairing and/or replacing the paving thereon and keeping the area free from potholes as and when necessary.

Grantor shall not construct any improvements within or upon the Easement Area or otherwise use the Easement Area in a manner that would materially interfere with the exercise by **Grantee** of its rights provided by this document. Grantee shall not construct any improvements within or upon the Easement Area or otherwise use the Easement Area in a manner that would materially interfere with Grantor's full use and enjoyment of the Easement Area, except for such use as may materially and unreasonably interfere with, impair or be inconsistent with the easements and rights granted herein. Access to Grantor's property shall be maintained at all times.

Grantee shall, promptly after the completion of any construction, maintenance, repair or replacement activities, restore, in a good and workman-like manner, the surface of the Easement Area and any adjacent portions of Grantor's property to the same condition or better as existed immediately prior to the commencement of such activities by **Grantee** or its agents, employees or contractors, including, without limitation, the following: lawn areas cleared of rocks, graded, seeded with a good quality grass seed and stabilized; driveways, parking areas, and fences properly repaired; trees located on Grantor's property outside the Easement Area that are damaged or removed shall be replaced (including professional installation by a reputable nursery) with trees of approximately the same size (not to exceed ten (10) feet in height); and felled trees, stumps and refuse disposed of in a lawful manner satisfactory to Grantor.

It is understood and agreed that Grantee shall include as a provision in any construction contract that the driveway to Grantor's property be constructed in two phases to provide a smooth entry and exit and ensure that access is maintained at all times.

Grantee shall be liable for any and all damage, cost and expense, including but not limited to reasonable attorneys' fees, for injury, death, loss or damage of whatever nature to any person, or property, or other claim in connection with the Easement Area.

The terms and agreement set forth herein shall be deemed to be covenants running with the land and shall inure to the benefit of and be binding upon, as the case may be, the parties and their respective successors and assigns.

Grantor, for itself and for its successors and assigns, does hereby COVENANT with the said Grantee, its successors and assigns, that it is the true and lawful owner of the said premises, has full power to convey said easement.

It is agreed that wherever a party is named in this instrument there shall be intended and included, in each case, that party, his heirs, administrators, successors, and assigns.

Executed by PATRICK O. LARRICK, as BOARD CHAIR of Mason Christian Village, Inc., who has hereunto set his hand this 13th day of MAY, 2008.

Mason Christian Village, Inc.

By: Patrick O. Larrick

Name: PATRICK O. LARRICK

Title: BOARD CHAIR

State of Ohio, County of Warren ss:

The foregoing instrument was signed and acknowledged before me, a Notary Public, this 13th day of MAY, 2008, by PATRICK LARRICK, as the BOARD CHAIR of Mason Christian Village, Inc., an Ohio non-profit corporation, on behalf of the corporation.



TERRI BURKHARDT
Notary Public, State of Ohio
My Commission Expires
June 17, 2009

Terri Burkhardt
Notary Public

CITY OF MASON, OHIO
ACCEPTED BY:

Eric Hansen
Eric Hansen, City Manager

State of Ohio, County of Warren ss:

The foregoing instrument was signed and acknowledged before me, a Notary Public, this 20 day of MAY, 2008, by Eric Hansen, City Manager of the City of Mason, Ohio, an Ohio municipal corporation, on behalf of the corporation.

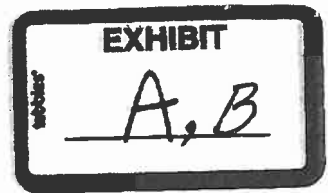
Joan Bernard
Notary Public

JOAN BERNARD
Notary Public, State of Ohio
My Commission Expires May 7, 2010

APPROVED AS TO FORM:

Jeffrey Sklar
Law Director
342129.4

This instrument was prepared by: Wood & Lamping, LLP.



STANDARD HIGHWAY EASEMENT
WESTERN ROW ROAD
Parcel 16SH
Mason Christian Village, Inc.

P.L. 16-34-127-011 E/O
S

Situate in Section 34, Town 4 East, Range 2 North, Between the Miamis Survey, in the City of Mason, Warren County, State of Ohio, and being part of a 24.595 acre parcel of land conveyed to Mason Christian Village, Inc., by instrument as recorded in Official Record 1130, Page 785 of the records of the Warren County Recorder, and Parcel 16SH being more particularly bounded and described, per a survey performed by LJB, Inc. in 2004 with bearings based on Ohio State Plane Coordinates, South Zone (NAD83), as follows:

Commencing at a railroad spike found in the north line of said section at the northwest corner of Christ's Church at Mason, Section 1 as recorded in Plat Book 62, Page 47 of the Plat Records of Warren County, also being the northeast corner of an 11.623 acre tract of land as conveyed to Mason Christian Village, Inc. by instrument as recorded in Official Record 2028, Page 755 of the records of the Warren County Recorder, being 8.80 feet left of the centerline of construction of Western Row Road Station 40+95.84;

Thence with the north line of said section North 88° 59' 11" West 30.08 feet to the northeast corner of said 24.595 acre parcel of land, also being the northwest corner of a 5.003 acre tract of land as conveyed to MCV Health Care Facilities, Inc. by instrument as recorded in Official Record 2019, Page 921 of the records of the Warren County Recorder, being 9.35 feet left of centerline of construction of Western Row Road Station 40+65.77, said point being the TRUE POINT OF BEGINNING;

Thence with the east line of the said 24.595 acre parcel and the west line of the said 5.003 acre tract South 05° 16' 10" West 50.64 feet to an iron pin set in the new south right of way line of Western Row Road, being 41.08 feet right of the centerline of construction of Western Row Road Station 40+61.09;

Thence leaving the east line of the said 24.595 acre parcel and with the said new south right of way line North 88° 58' 47" West 34.99 feet to an iron pin set in the existing south right of way line of Western Row Road, being 40.43 feet right of the centerline of construction of Western Row Road Station 40+26.11;

Thence with the existing south right of way line of Western Row Road South 01° 00' 49" West 4.50 feet to an iron pin set, being 44.93 feet right of the centerline of construction of Western Row Road Station 40+26.02;

Thence continuing with the existing south right of way line of Western Row Road North 88° 59' 11" West 85.00 feet to an iron pin set, being 44.01 feet right of the centerline of construction of Western Row Road Station 39+41.84;

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Thence continuing with the existing south right of way line of Western Row Road North 01° 00' 49" East 4.51 feet to an iron pin set in the new south right of way line of Western Row Road, being 39.50 feet right of the centerline of construction of Western Row Road Station 39+41.84;

Thence with the new south right of way line of Western Row Road North 88° 58' 47" West 955.00 feet to an iron pin set in the existing south right of way line of Western Row Road, being 39.50 feet right of the centerline of construction of Western Row Road Station 29+86.84;

Thence with the existing south right of way line of Western Row Road South 01° 00' 49" West 2.62 feet to an iron pin set, being 42.12 feet right of the centerline of construction of Western Row Road Station 29+86.84;

Thence continuing with the existing south right of way line of Western Row Road North 88° 59' 11" West 31.00 feet to an iron pin set, being 42.13 feet right of the centerline of construction of Western Row Road Station 29+55.84;

Thence continuing with the south right of way line of Western Row Road North 01° 00' 49" East 2.63 feet to an iron pin set in the new south right of way line of Western Row Road, being 39.50 feet right of the centerline of construction of Western Row Road Station 29+55.84;

Thence with the said new south right of way line of Western Row Road North 88° 58' 47" West 102.63 feet to an iron pin set in the west line of the said 24.595 acre parcel and the east line of Western Estates, Section One as recorded in Plat Book 11, Pages 37 and 38 of the Plat Records of Warren County, being 39.50 feet right of the centerline of construction of Western Row Road Station 28+53.21;

Thence with the west line of the said 24.595 acre parcel and the east line of said Western Estates, Section One, North 01° 00' 49" East 50.36 feet to the northwest corner of said 24.595 acre parcel, being in the north line of said section, being 10.86 feet left of the centerline of construction of Western Row Road Station 28+53.21;

Thence with the north line of said 24.595 acre parcel and the north line of said section South 88° 59' 11" East 1212.37 feet to the POINT OF BEGINNING, containing 1.412 acres, more or less, subject to all legal easements and restrictions of record.

The description for parcel number 16SH above was calculated and derived from a survey made under the supervision of Harry G. Herbst III, Ohio Registered Surveyor Number 6596.

The above described area is contained within the Warren County Auditor's Parcel Identification Number 16341270110. Within said bounds of the 1.412 acres, more or less, is the present road right of way, which occupies 1.150 acres, more or less.

SR 131-79

Gross Take	1.412 Ac
P.R.O.	1.150 Ac
Net Take	0.262 Ac

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STANDARD HIGHWAY EASEMENT
WESTERN ROW ROAD
Parcel 24SH
Mason Christian Village, Inc.

8
Pt. 16-34-200-048 E/O

Situate in Section 34, Town 4 East, Range 2 North, Between the Miamis Survey, in the City of Mason, Warren County, State of Ohio, and being part of an 11.623 acre parcel of land conveyed to Mason Christian Village, Inc., by instrument as recorded in Official Record Book 2028 Page 755 of the deed records of Warren County, and Parcel 24SH being more particularly bounded and described, per a survey performed by LJB, Inc. in 2004 with bearings based on Ohio State Plane Coordinates, South Zone (NAD83), as follows:

BEGINNING at a railroad spike found in the north line of said section at the northeast corner of said 11.623 acre parcel, also being the northwest corner of Christ's Church at Mason, Section 1 as recorded in Plat Book 62, Page 47 of the Plat Records of Warren County, being 8.80 feet left of the centerline of construction of Western Row Road Station 40+95.84;

Thence with the east line of the said 11.623 acre parcel and the west line of said Christ's Church at Mason, Section 1 South 05° 16' 10" West 50.65 feet to an iron pin set in the new south right of way line of Western Row Road, being 41.63 feet right of the centerline of construction of Western Row Road Station 40+91.16;

Thence with the new south right of way line of Western Row Road North 88° 58' 47" West 20.05 feet to an iron pin set in the west line of the said 11.623 acre parcel and the east line of a 5.003 acre tract of land as conveyed to MCV Health Care Facilities, Inc. by instrument as recorded in Official Record 2019, Page 921 of the records of the Warren County Recorder, being 41.26 feet right of the centerline of construction of Western Row Road Station 40+71.12;

Thence with the west line of the said 11.623 acre parcel and the east line of said 5.003 acre tract North 05° 16' 10" East 50.64 feet to the northwest corner of said 11.623 acre parcel and the northeast corner of said 5.003 acre tract, also being in the north line of said section, being 9.17 feet left of the centerline of construction of Western Row Road Station 40+75.80;

Thence with the north line of the said 11.623 acre parcel and the north line of said section South 88° 59' 11" East 20.05 feet to the POINT OF BEGINNING, containing 0.023 acres, more or less, subject to all legal easements and restrictions of record.

The description for parcel number 24SH above was calculated and derived from a survey made under the supervision of Harry G. Herbst III, Ohio Registered Surveyor Number 6596.

The above described area is contained within the Warren County Auditor's Parcel Identification Number 16342000480. Within said bounds of the 0.023 acres, more or less, is the present road right of way which occupies 0.018 acres, more or less.

Gross Take 0.023 Ac.
P.R.O. 0.018 Ac.
Net Take 0.005 Ac

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TRANSFER NOT NECESSARY
NICK NELSON, AUDITOR
WARREN COUNTY, OHIO

JUN 26 2008

NICK NELSON
AUDITOR, WARREN COUNTY, OHIO

BETH DECKARD - WARREN COUNTY RECORDER
Doc #: 699481 Type: EASM
Filed: 6/27/2008 8:54:27 \$ 52.00
OR Volume: 4704 Page: 431 Return: M
Rec#: 11020
CITY OF MASON
Pages: 5

SR 131-79

11/100

#3

Parcel nos. 16-34-200-011, 16-34-200-048


CONSENT OF MORTGAGEE

The undersigned, Church Development Fund, Inc., is the owner and holder of an existing Open- End Mortgage, recorded in Official Record Book 4173, page 140, and UCC Financing Statement recorded as FS 68729 and FS 69593 of the Warren County, Ohio Recorder's office. This Consent of Mortgagee shall affect the property described on Exhibit "A" attached hereto and incorporated herein by reference.

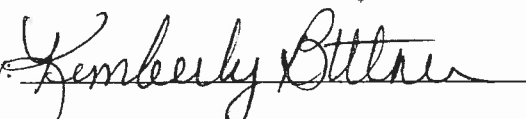
This Consent shall not be construed or operate as a release of the above-referenced encumbrances/liens owned and held by the undersigned, or any part thereof.

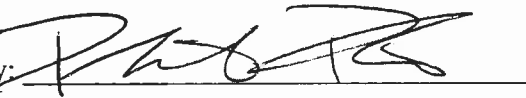
The mortgagee/lienholder hereby acknowledges receipt of a copy of the Public Highway Easement. As such mortgagee and lienholder, KIMBERLY BITTNER, as Sr. Vice President and PHIL PIKE, as Vice President on behalf of Church Development Fund, Inc., do/does hereby consent to the Easement this 8th day of April, 2008.

Witness:


Jim J. Collins

Church Development Fund, Inc.

By: 
Kimberly Bittner - Sr. Vice President

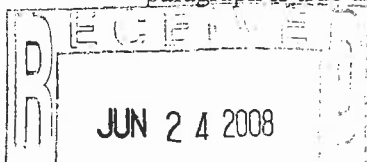
By: 
Phil Pike - Vice President

State of California)
)SS.
County of Orange)

On April 8, 2008 before me, Joel R. McAnear, a notary public, personally appeared Kimberly Bittner and Phil Pike, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

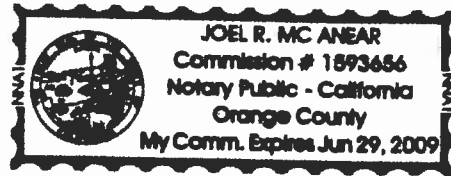
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

BOOK 4704 PAGE 440



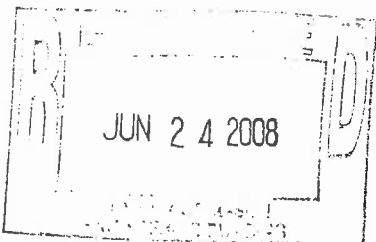
WITNESS my hand and official seal.

Signature: 
NOTARY PUBLIC



Prepared by: Wood & Lamping, LLP, 600 Vine St, Suite 2500, Cincinnati, Ohio 45202

340116.1



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STANDARD HIGHWAY EASEMENT
WESTERN ROW ROAD
Parcel 16SH
Mason Christian Village, Inc.

Pt. 16-34-127-011
8

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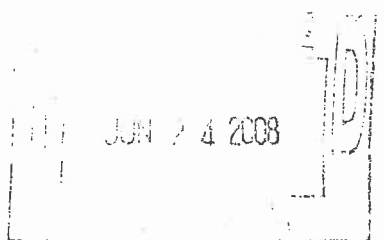
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STANDARD HIGHWAY EASEMENT
WESTERN ROW ROAD

Parcel 24SH
Mason Christian Village, Inc.

Plat 16-34-200-048

8

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Thence with the north line of the said 11.623 acre parcel and the north line of said section South 88° 59' 11" East 20.05 feet to the POINT OF BEGINNING, containing 0.023 acres, more or less, subject to all legal easements and restrictions of record.

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P.R.O. 0.018 Ac.
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Parcel nos. 16-34-200-011, 16-34-200-048

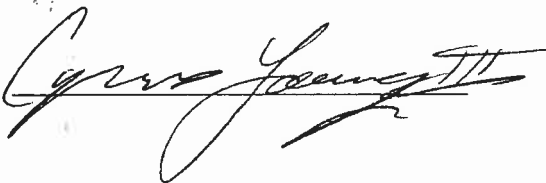
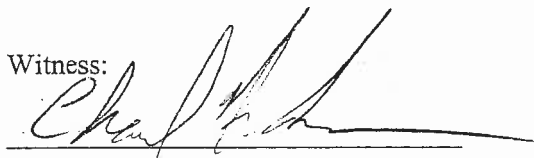
CONSENT OF MORTGAGEE

The undersigned, REPACS Trust Series Tourmalet II, is the owner and holder of an existing Mortgage, Assignment of Rents and Security Agreement, recorded in Official Record Book 2557, page 312, and Loan Modification Agreement recorded in Official Record Book 3431, page 648, assigned at Official Record Book 4436, page 881, Open End Construction Mortgage, Assignment of Rents and Security Agreement, recorded in Official Record Book 3319, page 35, assigned at Official Record Book 4436 page 886 of the Warren County, Ohio Recorder's office. This Consent of Mortgagee shall affect the property described on Exhibit "A" attached hereto and incorporated herein by reference.

This Consent shall not be construed or operate as a release of the above-referenced encumbrances/liens owned and held by the undersigned, or any part thereof.

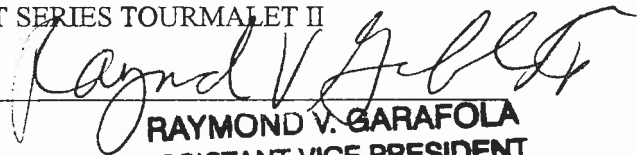
The mortgagee/lienholder hereby acknowledges receipt of a copy of the Public Highway Easement. As such mortgagee and lienholder, Ray Garafola, as trustee and Stacey Pellicano, as trustee on behalf of REPACS Trust Series Tourmalet II, do/does hereby consent to the Easement this 14th day of April, 2008.

Witness:




REPACS TRUST SERIES TOURMALET II,
by The Bank of New York not in its individual
capacity but solely as Trustee on behalf of REPACS
TRUST SERIES TOURMALET II

By:


RAYMOND V. GARAFOLA
ASSISTANT VICE PRESIDENT
print name and officer position

By:


STACEY PELLICANO
ASSISTANT VICE PRESIDENT
print name and officer position

STATE OF New York

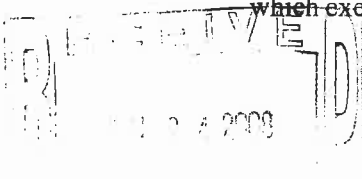
COUNTY OF Suffolk

SS:

PETER J. LOPEZ
Notary Public, State of New York
No. 01LO6117957
Qualified in Suffolk County
Commission Expires Nov. 1, 2008


BE IT REMEMBERED that on this 14th day of April, 2008, before me, the subscriber, a Notary Public in and for said County and State, personally came Stacey Pellicano as AVP and Raymond Garafola as AVP of the corporation named above, which executed the foregoing instrument, who acknowledged that he/she/they did sign said instrument

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as such officer on behalf of said corporation and by authority of the Board of Directors; that said instrument was signed as his/her/their free act and deed individually, and the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name affixed my notarial seal on the day and year first above written.

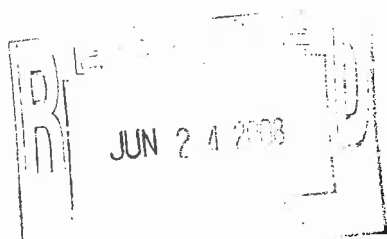


Notary Public
My commission expires: 11/1/2008

Prepared by: Wood & Lamping, LLP, 600 Vine St, Suite 2500, Cincinnati, Ohio 45202

340116.2

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STANDARD HIGHWAY EASEMENT
WESTERN ROW ROAD
Parcel 16SH
Mason Christian Village, Inc.

Pt. 16 34-127-011 *E*

Situate in Section 34, Town 4 East, Range 2 North, Between the Miamis Survey, in the City of Mason, Warren County, State of Ohio, and being part of a 24.595 acre parcel of land conveyed to Mason Christian Village, Inc., by instrument as recorded in Official Record 1130, Page 785 of the records of the Warren County Recorder, and Parcel 16SH being more particularly bounded and described, per a survey performed by LJB, Inc. in 2004 with bearings based on Ohio State Plane Coordinates, South Zone (NAD83), as follows:

Commencing at a railroad spike found in the north line of said section at the northwest corner of Christ's Church at Mason, Section 1 as recorded in Plat Book 62, Page 47 of the Plat Records of Warren County, also being the northeast corner of an 11.623 acre tract of land as conveyed to Mason Christian Village, Inc. by instrument as recorded in Official Record 2028, Page 755 of the records of the Warren County Recorder, being 8.80 feet left of the centerline of construction of Western Row Road Station 40+95.84;

Thence with the north line of said section North 88° 59' 11" West 30.08 feet to the northeast corner of said 24.595 acre parcel of land, also being the northwest corner of a 5.003 acre tract of land as conveyed to MCV Health Care Facilities, Inc. by instrument as recorded in Official Record 2019, Page 921 of the records of the Warren County Recorder, being 9.35 feet left of centerline of construction of Western Row Road Station 40+65.77, said point being the TRUE POINT OF BEGINNING;

Thence with the east line of the said 24.595 acre parcel and the west line of the said 5.003 acre tract South 05° 16' 10" West 50.64 feet to an iron pin set in the new south right of way line of Western Row Road, being 41.08 feet right of the centerline of construction of Western Row Road Station 40+61.09;

Thence leaving the east line of the said 24.595 acre parcel and with the said new south right of way line North 88° 58' 47" West 34.99 feet to an iron pin set in the existing south right of way line of Western Row Road, being 40.43 feet right of the centerline of construction of Western Row Road Station 40+26.11;

Thence with the existing south right of way line of Western Row Road South 01° 00' 49" West 4.50 feet to an iron pin set, being 44.93 feet right of the centerline of construction of Western Row Road Station 40+26.02;

Thence continuing with the existing south right of way line of Western Row Road North 88° 59' 11" West 85.00 feet to an iron pin set, being 44.01 feet right of the centerline of construction of Western Row Road Station 39+41.84;

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Thence continuing with the existing south right of way line of Western Row Road North 01° 00' 49" East 4.51 feet to an iron pin set in the new south right of way line of Western Row Road, being 39.50 feet right of the centerline of construction of Western Row Road Station 39+41.84;

Thence with the new south right of way line of Western Row Road North 88° 58' 47" West 955.00 feet to an iron pin set in the existing south right of way line of Western Row Road, being 39.50 feet right of the centerline of construction of Western Row Road Station 29+86.84;

Thence with the existing south right of way line of Western Row Road South 01° 00' 49" West 2.62 feet to an iron pin set, being 42.12 feet right of the centerline of construction of Western Row Road Station 29+86.84;

Thence continuing with the existing south right of way line of Western Row Road North 88° 59' 11" West 31.00 feet to an iron pin set, being 42.13 feet right of the centerline of construction of Western Row Road Station 29+55.84;

Thence continuing with the south right of way line of Western Row Road North 01° 00' 49" East 2.63 feet to an iron pin set in the new south right of way line of Western Row Road, being 39.50 feet right of the centerline of construction of Western Row Road Station 29+55.84;

Thence with the said new south right of way line of Western Row Road North 88° 58' 47" West 102.63 feet to an iron pin set in the west line of the said 24.595 acre parcel and the east line of Western Estates, Section One as recorded in Plat Book 11, Pages 37 and 38 of the Plat Records of Warren County, being 39.50 feet right of the centerline of construction of Western Row Road Station 28+53.21;

Thence with the west line of the said 24.595 acre parcel and the east line of said Western Estates, Section One, North 01° 00' 49" East 50.36 feet to the northwest corner of said 24.595 acre parcel, being in the north line of said section, being 10.86 feet left of the centerline of construction of Western Row Road Station 28+53.21;

Thence with the north line of said 24.595 acre parcel and the north line of said section South 88° 59' 11" East 1212.37 feet to the POINT OF BEGINNING, containing 1.412 acres, more or less, subject to all legal easements and restrictions of record.

The description for parcel number 16SH above was calculated and derived from a survey made under the supervision of Harry G. Herbst III, Ohio Registered Surveyor Number 6596.

The above described area is contained within the Warren County Auditor's Parcel Identification Number 16341270110. Within said bounds of the 1.412 acres, more or less, is the present road right of way, which occupies 1.150 acres, more or less.

SR 131-79

Gross Take	1.412 Ac
P.R.O.	1.150 Ac
Net Take	0.262 Ac

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STANDARD HIGHWAY EASEMENT
WESTERN ROW ROAD
Parcel 24SH
Mason Christian Village, Inc.

Pl. 16-34-200-048

2

Situate in Section 34, Town 4 East, Range 2 North, Between the Miamis Survey, in the City of Mason, Warren County, State of Ohio, and being part of an 11.623 acre parcel of land conveyed to Mason Christian Village, Inc., by instrument as recorded in Official Record Book 2028 Page 755 of the deed records of Warren County, and Parcel 24SH being more particularly bounded and described, per a survey performed by LJB, Inc. in 2004 with bearings based on Ohio State Plane Coordinates, South Zone (NAD83), as follows:

BEGINNING at a railroad spike found in the north line of said section at the northeast corner of said 11.623 acre parcel, also being the northwest corner of Christ's Church at Mason, Section 1 as recorded in Plat Book 62, Page 47 of the Plat Records of Warren County, being 8.80 feet left of the centerline of construction of Western Row Road Station 40+95.84;

Thence with the east line of the said 11.623 acre parcel and the west line of said Christ's Church at Mason, Section 1 South 05° 16' 10" West 50.65 feet to an iron pin set in the new south right of way line of Western Row Road, being 41.63 feet right of the centerline of construction of Western Row Road Station 40+91.16;

Thence with the new south right of way line of Western Row Road North 88° 58' 47" West 20.05 feet to an iron pin set in the west line of the said 11.623 acre parcel and the east line of a 5.003 acre tract of land as conveyed to MCV Health Care Facilities, Inc. by instrument as recorded in Official Record 2019, Page 921 of the records of the Warren County Recorder, being 41.26 feet right of the centerline of construction of Western Row Road Station 40+71.12;

Thence with the west line of the said 11.623 acre parcel and the east line of said 5.003 acre tract North 05° 16' 10" East 50.64 feet to the northwest corner of said 11.623 acre parcel and the northeast corner of said 5.003 acre tract, also being in the north line of said section, being 9.17 feet left of the centerline of construction of Western Row Road Station 40+75.80;

Thence with the north line of the said 11.623 acre parcel and the north line of said section South 88° 59' 11" East 20.05 feet to the POINT OF BEGINNING, containing 0.023 acres, more or less, subject to all legal easements and restrictions of record.

The description for parcel number 24SH above was calculated and derived from a survey made under the supervision of Harry G. Herbst III, Ohio Registered Surveyor Number 6596.

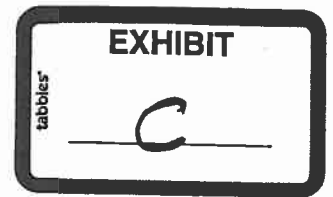
The above described area is contained within the Warren County Auditor's Parcel Identification Number 16342000480. Within said bounds of the 0.023 acres, more or less, is the present road right of way which occupies 0.018 acres, more or less.

SR 131-79

Gross Take	0.023 Ac.
P.R.O.	0.018 Ac.
Net Take	0.005 Ac

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4/44



GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that **MCV Health Care Facilities, Inc.**, an Ohio non-profit corporation, (**Grantor**), the Fee Simple owner of the real estate (the Property), described, marked and as illustrated upon Exhibit A (the Easement Area), attached hereto and made a part hereof, within the City of Mason, Ohio, identified in Official Record Book 2019, Page 921, of the Records of Warren County, Ohio, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, does hereby grant, bargain, sell, convey and release to the **City of Mason, Ohio** an Ohio municipal corporation, (**Grantee**), and to its successors and assigns forever, a **non-exclusive, permanent easement and right of way for public highway, and road purposes, including but not limited to utility construction, relocation and/or utility maintenance** for the use by Grantee, its agents, employees and contractors as deemed reasonably appropriate by the Grantee, on and through that portion of the aforementioned Property.

All costs and expenses associated with the **Grantee's** construction, operation, maintenance, repair, replacement and restoration activities within the Easement Area shall be borne solely by the **Grantee**. Grantee, at Grantee's sole expense, shall maintain the Easement Area in good condition and repair. Grantee's obligations shall include, without limitation, grading and seeding, and repairing and/or replacing the paving thereon and keeping the area free from potholes as and when necessary.

Grantor shall not construct any improvements within or upon the Easement Area or otherwise use the Easement Area in a manner that would materially interfere with the exercise by **Grantee** of its rights provided by this document. Grantee shall not construct any improvements within or upon the Easement Area or otherwise use the Easement Area in a manner that would materially interfere with Grantor's full use and enjoyment of the Easement Area, except for such use as may materially and unreasonably interfere with, impair or be inconsistent with the easements and rights granted herein. Access to Grantor's property shall be maintained at all times.

Grantee shall, promptly after the completion of any construction, maintenance, repair or replacement activities, restore, in a good and workman-like manner, the surface of the Easement Area and any adjacent portions of Grantor's property to the same condition or better as existed immediately prior to the commencement of such activities by **Grantee** or its agents, employees or contractors, including, without limitation, the following: lawn areas cleared of rocks, graded, seeded with a good quality grass seed and stabilized; driveways, parking areas, and fences properly repaired; trees located on Grantor's property outside the Easement Area that are damaged or removed shall be replaced (including professional installation by a reputable nursery) with trees of approximately the same size (not to exceed ten (10) feet in height); and felled trees, stumps and refuse disposed of in a lawful manner satisfactory to Grantor.

It is understood and agreed that Grantee shall include as a provision in any construction contract that the driveway to Grantor's property be constructed in two phases to provide a smooth entry and exit and ensure that access is maintained at all times.

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Grantee shall be liable for any and all damage, cost and expense, including but not limited to reasonable attorneys' fees, for injury, death, loss or damage of whatever nature to any person, or property, or other claim in connection with the Easement Area.

The terms and agreement set forth herein shall be deemed to be covenants running with the land and shall inure to the benefit of and be binding upon, as the case may be, the parties and their respective successors and assigns.

Grantor, for itself and for its successors and assigns, does hereby **COVENANT** with the said **Grantee**, its successors and assigns, that it is the true and lawful owner of the said premises, has full power to convey said easement.

It is agreed that wherever a party is named in this instrument there shall be intended and included, in each case, that party, his heirs, administrators, successors, and assigns.

Executed by Patrick Larrick, as BOARD CHAIR of **MCV Health Care Facilities, Inc.**, who has hereunto set his hand this 13th day of MAY, 2008.



TERRI BURKHARDT
Notary Public, State of Ohio
My Commission Expires
June 17, 2009

MCV Health Care Facilities, Inc.

By: [Signature]
Name: PATRICK O. LARRICK
Title: BOARD CHAIR

State of Ohio, County of Warren ss:

The foregoing instrument was signed and acknowledged before me, a Notary Public, this 13th day of MAY, 2008, by PATRICK LARRICK as the BOARD CHAIR of MCV Health Care Facilities, Inc., an Ohio non-profit corporation, on behalf of the corporation.



TERRI BURKHARDT
Notary Public, State of Ohio
My Commission Expires
June 17, 2009

[Signature]
Notary Public

CITY OF MASON, OHIO
ACCEPTED BY:

[Signature]
Eric Hansen, City Manager

State of Ohio, County of Warren ss:

The foregoing instrument was signed and acknowledged before me, a Notary Public, this 20 day of MAY, 2008, by Eric Hansen, City Manager of the City of Mason, Ohio, an Ohio municipal corporation, on behalf of the corporation.

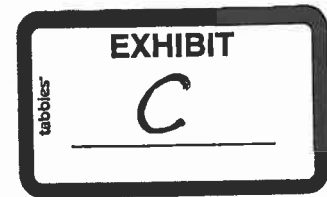
[Signature]
Notary Public
JOAN BERNARD
Notary Public, State of Ohio
My Commission Expires May 7,

APPROVED AS TO FORM:

[Signature]
Law Director
342129.4

This instrument was prepared by: Wood & Lamping, LLP.

STANDARD HIGHWAY EASEMENT
WESTERN ROW ROAD
Parcel 21SH
MCV Health Care Facilities, Inc.



Pl. 16-34-200-046 E/O
SC

Situate in Section 34, Town 4 East, Range 2 North, Between the Miamis Survey, in the City of Mason, Warren County, State of Ohio, and being part of a 5.003 acre parcel of land conveyed to MCV Health Care Facilities, Inc., by instrument as recorded in Official Record Book 2019, Page 921 of the records of the Warren County Recorder, and Parcel 21SH being more particularly bounded and described, per a survey performed by LJB, Inc. in 2004 with bearings based on Ohio State Plane Coordinates, South Zone (NAD83), as follows:

Commencing at a railroad spike found in the north line of said section at the northwest corner of Christ's Church at Mason, Section 1 as recorded in Plat Book 62, Page 47 of the Plat Records of Warren County, also being the northeast corner of an 11.623 acre tract of land as conveyed to Mason Christian Village, Inc. by instrument as recorded in Official Record 2028, Page 755 of the records of the Warren County Recorder, being 8.80 feet left of the centerline of construction of Western Row Road Station 40+95.84;

Thence with the north line of said section and the north line of said 11.623 acre tract North 88° 59' 11" West 20.05 feet to the northwest corner of said 11.623 acre tract and the northeast corner of said 5.003 acre parcel, being 9.17 feet left of centerline of construction of Western Row Road Station 40+75.80, said point being the TRUE POINT OF BEGINNING;

Thence with the east line of said 5.003 acre parcel and the west line of said 11.623 acre tract South 05° 16' 10" West 50.64 feet to an iron pin set in the new south right of way line of Western Row Road, being 41.26 feet right of centerline of construction of Western Row Road Station 40+71.12;

Thence with the new south right of way line of Western Row Road North 88° 58' 47" West 10.03 feet to an iron pin set on the west line of said 5.003 acre parcel and the east line of a 24.595 acre tract of land as conveyed to Mason Christian Village, Inc. by instrument as recorded in Official Record 1130, Page 785 of the records of the Warren County Recorder, being 41.08 feet right of centerline of construction of Western Row Road Station 40+61.09;

Thence with the west line of said 5.003 acre parcel and the east line of said 24.595 acre tract North 05° 16' 10" East 50.64 feet to the northwest corner of the said 5.003 acre parcel and the northeast corner of the said 24.595 acre tract, also being in the north line of said section, being 9.35 feet left of centerline of construction of Western Row Road Station 40+65.77;

Thence with the north line of the said 5.003 acre parcel and the north line of said section South 88° 59' 11" East 10.03 feet to the TRUE POINT OF BEGINNING, containing 0.012 acres, more or less, subject to all legal easements and restrictions of record.

The description for parcel number 21SH above was calculated and derived from a survey made under the supervision of Harry G. Herbst III, Ohio Registered Surveyor Number 6596.

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The above described area is contained within the Warren County Auditor's Parcel Identification Number 16342000460. Within said bounds of the 0.012 acres, more or less, is the present road right of way, which occupies 0.009 acres, more or less.

SR 131-79

Gross Take: 0.012 Ac.
P.R.O.: 0.009 Ac.
Net Take: 0.003 Ac.

TRANSFER NOT NECESSARY
NICK NELSON, AUDITOR
WARREN COUNTY, OHIO

JUN 26 2008

NICK NELSON
AUDITOR, WARREN CO. OHIO

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BETH DECKARD - WARREN COUNTY RECORDER
Doc #: 639482 Type: EASM
Filed: 6/27/2008 8:54:28 \$ 44.00
OR Volume: 4704 Page: 436 Return: N
Rec#: 11020 Pages: 4
CITY OF MASON

[Consents to be attached to the Easement agreement]

CONSENT:

Lancaster Pollard Mortgage Company f/k/a LPC Mortgage Company, holder of the mortgage on that certain real property located at 411 Western Row Road, Mason, Ohio 45040, which Mortgage Deed is recorded in Official Record Book 2030, Page 38, Warren County, Ohio Records (the "Mortgage"), hereby consents to this Grant of Easement agreement.

**LANCASTER POLLARD MORTGAGE
COMPANY**

By: Michelle A Kenney

Name: Michelle A Kenney

Title: Vice President

STATE OF OHIO)

) ss:

COUNTY OF FRANKLIN)

BE IT REMEMBERED, that on this 18 day of June, 2008, before me, the subscriber, a Notary Public in and for said county, personally came Michelle A Kenney, the Vice President of Lancaster Pollard Mortgage Company, an Ohio corporation, and acknowledged that he signed the foregoing instrument on behalf of said corporation, and that the signing thereof is his voluntary act and deed and the voluntary act and deed of said corporation.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.

[SEAL]

Ashley Higgins
Notary Public

Formerly: Higgins



ASHLEY HIGGINS
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES MARCH 22, 2011

BETH DECKARD - WARREN COUNTY RECORDER
Doc #: 699483 Type: CONSENT
Filed: 6/27/2008 8:54:29 \$ 100.00
OR Volume: 4704 Page: 440 Return: M
Recd: 11020 Pages: 11
CITY OF MASON

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