

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS

That **WILLIAM P. TOBE**, married, of Darke County, Ohio; **THOMAS C. TOBE**, married, of Mercer County, Ohio; **MICHAEL A. TOBE**, married, of Miami County, Ohio; **DEBORAH A. HEMMELGARN**, married, of Darke County, Ohio; **CHERYL A. HOELSCHER**, married, of Darke County, Ohio; and **PHILIP W. TOBE**, married, of Mercer County, State of Ohio, for valuable consideration paid, grant with general warranty covenants, to **H. TOBE ENTERPRISES, LLC.**, whose tax mailing address is 4951 Houk Road, Rossburg, Ohio 45362, the following property:

*Please see Exhibit A, attached hereto and incorporated herein by reference.*

**BETTY J. TOBE**, Wife of **WILLIAM P. TOBE**; **CHERYL L. TOBE**, Wife of **THOMAS C. TOBE**; **DEBRA A. TOBE**, Wife of **MICHAEL A. TOBE**; **DAVID J. HEMMELGARN**, Husband of **DEBORAH A. HEMMELGARN**; **STANLEY L. HOELSCHER**, Husband of **CHERYL A. HOELSCHER**; **SHARON A. TOBE**, Wife of **PHILIP W. TOBE**, hereby release all rights of dower therein.

Executed this 8 day of September 2006.

DESCRIPTION  
SUFFICIENT  
FOR TAX MAPPING PURPOSES

OCT 18 2006

MERCER COUNTY  
TAX MAP DEPARTMENT

William P. Tobe  
WILLIAM P. TOBE

Betty J. Tobe  
BETTY J. TOBE

STATE OF OHIO

COUNTY OF

TRANSFERRED

OCT 18 2006

MARK GIESIGE  
COUNTY AUDITOR  
MERCER COUNTY, OHIO

Exemption paragraph, conveyance fee EM  
The Grantor and Grantee of this deed have complied with the provisions of R. C. Sec. 319, 202 Mark Giesige Mercer County Auditor.

KP 10.18.06  
Deputy Aud. Date

The foregoing instrument was executed and acknowledged before me on the date first above written by **WILLIAM P. TOBE and BETTY J. TOBE, husband and wife**, under penalty of violating Section 2921.13 of the Ohio Revised Code, and who hereby acknowledges that they did sign the foregoing instrument and that said signing is their free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal, at North Star, Ohio, this 8 day of September ~~August~~ P.T. A.D. 2006.

Penny C. Freon  
NOTARY PUBLIC  
my commission expires may 20, 2008

Executed this 8 day of September, 2006.

SEAL

Thomas C. Tobe  
THOMAS C. TOBE  
Cheryl L. Tobe  
CHERYL L. TOBE

STATE OF OHIO :  
:SS  
COUNTY OF :

The foregoing instrument was executed and acknowledged before me on the date first above written by **THOMAS C. TOBE and CHERYL L. TOBE, husband and wife**, under penalty of violating Section 2921.13 of the Ohio Revised Code, and who hereby acknowledges that they did sign the foregoing instrument and that said signing is their free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal, at North Star, Ohio, this 8 day of September A.D. 2006.

Penny C. Freon  
NOTARY PUBLIC  
my commission expires may 20, 2008

SEAL

Executed this 8 day of September, 2006.

Michael A. Tobe  
MICHAEL A. TOBE

Debra A. Tobe  
DEBRA A. TOBE

STATE OF OHIO :  
:SS  
COUNTY OF :

*The foregoing instrument was executed and acknowledged before me on the date first above written by **MICHAEL A. TOBE and DEBRA A. TOBE, husband and wife**, under penalty of violating Section 2921.13 of the Ohio Revised Code, and who hereby acknowledges that they did sign the foregoing instrument and that said signing is their free act and deed.*

In Testimony Whereof, I have hereunto set my  
hand and official seal, at North Star, Ohio,  
this 8 day of September A.D. 2006.

Penny C. Freon  
NOTARY PUBLIC  
*my commission expires May 20, 2008*

Executed this 8 day of September, 2006.

SEAL

Deborah A. Hemmelgarn  
DEBORAH A. HEMMELGARN

David J. Hemmelgarn  
DAVID J. HEMMELGARN

STATE OF OHIO :  
:SS  
COUNTY OF :

The foregoing instrument was executed and acknowledged before me on the date first above written by **DEBORAH A. HEMMELGARN and DAVID J. HEMMELGARN, wife and husband**, under penalty of violating Section 2921.13 of the Ohio Revised Code, and who hereby acknowledges that they did sign the foregoing instrument and that said signing is their free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal, at North Star, Ohio, this 8 day of September A.D. 2006.

Penny C. Freon  
NOTARY PUBLIC  
My commission expires May 20, 2008

Executed this 8 day of September, 2006.

SEAL

Cheryl A Hoelscher  
CHERYL A. HOELSCHER

Stanley L Hoelscher  
STANLEY L. HOELSCHER

STATE OF OHIO :  
:SS  
COUNTY OF :

The foregoing instrument was executed and acknowledged before me on the date first above written by **CHERYL A. HOELSCHER and STANLEY L. HOELSCHER, wife and husband**, under penalty of violating Section 2921.13 of the Ohio Revised Code, and who hereby acknowledges that they did sign the foregoing instrument and that said signing is their free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal, at North Star, Ohio, this 8 day of September A.D. 2006.

Penny C. Freon  
NOTARY PUBLIC  
My commission expires May 20, 2008

SEAL

Executed this 8 day of September, 2006.

Philip W Tobe  
PHILIP W. TOBE

Sharon A. Tobe  
SHARON A. TOBE

STATE OF OHIO :  
:SS  
COUNTY OF :

*The foregoing instrument was executed and acknowledged before me on the date first above written by **PHILIP W. TOBE and SHARON A. TOBE, husband and wife**, under penalty of violating Section 2921.13 of the Ohio Revised Code, and who hereby acknowledges that they did sign the foregoing instrument and that said signing is their free act and deed.*

In Testimony Whereof, I have hereunto set my  
hand and official seal, at North Star, Ohio,  
this 8 day of September A.D. 2006.

Penny C. Freon  
NOTARY PUBLIC  
*my commission expires May 20, 2008*

SEAL

**WITHOUT BENEFIT OF TITLE EXAMINATION**

*This instrument prepared by:*

Raymond M. Donadio, Jr., Attorney at Law,  
Donadio & Wagner, Ltd.  
1400 N. Broadway, Greenville, Ohio 45331

realestate/ Tobe - EnterpriseDeed..ele

**EXHIBIT A**

**Parcel I:**

Being a parcel of land situated in Gibson Township, Mercer County, Ohio, in the west part of fractional Section 18, Township 15 North, Range 2 East. Being more particularly described as follows:

Commencing for reference at the cornerstone at the southwest corner of fractional Section 25, Recovery Township -

Thence, South 76° 30' 00 East, along the north line of fractional Section 18 and the centerline of Fort Recovery-Minster Road, a distance of 839.43 feet to a spindle.

Said point being the place of beginning for the parcel of land to be conveyed by this instrument -

Thence, continuing South 76° 30' 00" East, along the last described line, a distance of 450.00 feet to a spindle -

Thence, South 01° 13' 21" West, a distance of 447.57 feet to a 5/8 inch iron bar -

Thence, North 88° 46' 39" West, a distance of 439.71 feet to a 5/8 inch iron bar -

Thence, North 01° 13' 21" East, a distance of 543.26 feet to the place of beginning.

Containing 5.001 acres of land more or less. Subject to all easements and right-of-way of record.

Reference is made to a survey of this area by James W. Geeslin, Professional Surveyor # 7764, dated February 11, 2002. On file in the County Engineer's Office.

Parcel No: 16-045700.0000

Tax Map #14-18-300-003

**Excepting;**

Being a parcel of land situated in Gibson Township, Mercer County, Ohio, in the west half of fractional Section 18, Township 15 North, Range 2 East. Being more particularly described as follows:

Commencing for reference at the cornerstone at the southwest corner of fractional Section 25, Township 7 South, Range 1 East -

Thence, South 76° 30' 00" East, along the north line of the west half of said fractional Section 18 and the centerline of Fort Recovery - Minster Road, a distance of 864.94 feet to a Mag nail. Said point being the place of beginning for the parcel of land to be conveyed by this instrument -

Thence, continuing, South 76° 30' 00" East, along the last described line, a distance of 260.30 feet to a Mag nail -

Thence, South 01° 13' 21" West, a distance of 174.46 feet to a 5/8 inch iron bar -

Thence, North 88° 46' 39" West, a distance of 254.35 feet to a 5/8 inch iron bar -

Thence, North 01° 13' 21" East, a distance of 229.81 feet to the place of beginning.

Containing 1.180 acres of land, more or less.

Subject to all easements and rights-of-way of record.

Reference is made to a survey of this area by James W. Geeslin, Professional Surveyor 7764, dated March 17, 2006. On file in the County Engineer's Office.

**ALSO**, situated in the Township of Gibson, County of Mercer, and State of Ohio, and bounded and described as follows:

Fifty-four (54) Acres off of the East end of the West half (½) of Fractional Section Eighteen (18), Town Fifteen (15), Range Two (2) East, less three (3) acres out of the northeast corner of the above described land, leaving the amount hereby at Fifty-one (51) acres, and being part of lots No. 3 and 4, of the aforesaid fractional section No. 18.

Also Lot No. Two (2) of the west half (½) of fractional section Eighteen (18) Town Fifteen (15) North, Range Two (2) east, containing Thirty-seven (37) acres of land more or less, in Gibson Township, Mercer County, Ohio.

**EXCEPT:** Being a parcel of land situated in Gibson Township, Mercer County, Ohio, in the west part of fractional Section 18, Township 15 North, Range 2 East. Being more particularly described as follows:

Commencing for reference at the cornerstone at the southwest corner of fractional Section 25, Recovery Township -

Thence, South 76° 30' 00 East, along the north line of fractional Section 18 and the centerline of Fort Recovery-Minster Road, a distance of 839.43 feet to a spindle. Said point being the place of beginning for the parcel of land to be conveyed by this instrument -

Thence, continuing South 76° 30' 00" East, along the last described line, a distance of 450.00 feet to a spindle -

Thence, South 01° 13' 21" West, a distance of 447.57 feet to a 5/8 inch iron bar -

Thence, North 88° 46' 39" West, a distance of 439.71 feet to a 5/8 inch iron bar -

Thence, North 01° 13' 21" East, a distance of 543.26 feet to the place of beginning.

Containing 5.001 acres of land more or less. Subject to all easements and right-of-way of record.

Reference is made to a survey of this area by James W. Geeslin, Professional Surveyor # 7764, dated February 11, 2002. On file in the County Engineer's Office.

Also three (3) acres of land, commencing at the northeast corner of a tract of land in said Lot Number four (4) in the said Section No. 18, Town No. 15 (fifteen), Range Two (2) East and owned by James Tunney; thence south Thirty (30) rods, thence West Sixteen (16) rods, thence North Thirty (30) rods to the Indian Boundary Line, thence East on and along said Indian Boundary Line, to the place of beginning, all in Gibson Township, Mercer County, Ohio.

Prior Instrument Reference: Deed Volume 162, Page 31.

**ALSO EXCEPT:**

Situated in the Township of Gibson, County of Mercer and State of Ohio:

The following described real estate situated in Gibson Township, Mercer County, Ohio, and being one (1.00) acre out of the northwest corner of Lot No. 2 of the West half of fractional Section 18, Town 15 North, Range 2 East and more particularly described as follows:

Beginning at a point on the centerline of Ft. Recovery-Minster Road, also being the north line of Gibson Township, said point bearing North 76° 30' West 2487.50 feet from the stone at the intersection of the Township Line with the half Section line of fractional Section 25 in Recovery Township and said point also being at the northwest corner of said Lot No. 2; thence with the Township Line and the centerline of Ft. Recovery-Minster Road South 76° 30' East 175.00 feet to a point marked by a R.R. Spike; thence South 01° 14' 30" West 236.14 feet to a point marked by an iron pipe; thence North 88° 45' 30" West 171.01 feet to a point on the West line of said Lot No. 2, said point marked by an iron pipe; thence with the west line of said Lot No. 2 North 1° 14' 30" East 273.30 feet to the place of beginning.

Containing 1.00 acres more or less,

Tax Parcel ID 16-045800.0000

Tax Map #14-18-300-002

16-045700.0000

**Parcel II:**

Situated in the Township of Gibson, County of Mercer, and State of Ohio, and bounded and described as follows:

A tract of land in Inlot 4, in fractional Section 18, Town 15, Range 2 East, calling for 20 acres being and lying west of a certain tract of land in Lot 4 in fractional Section 18, Town 15, Range 2 East, and sold to John Ennis, containing 20 acres. Said land conveyed to said John Ennis is off the east end of Lot 4 as aforesaid.

Parcel I.D. #160457000000

Prior Instrument Reference: Deed Volume 209, Page 354.



Tax Map #14-18-300-004

**Parcel III:**

Situated in the Township of Recovery, County of Mercer, and State of Ohio, and bounded and described as follows:

Being the North half of the Southeast quarter of Section twenty three (23), Recovery Township, Mercer County, Ohio. Also Town 7 South Range one (1) East containing eighty (80) acres of land, more or less.

Parcel I.D. #380382000000

Prior Instrument Reference: Deed Volume 224, Page 430.

Tax Map # 10-23-400-001

**Parcel IV:**

Being a parcel of land situated in Recovery Township, Mercer County, Ohio, in the west half of Fractional Section 25, Township 7 South, Range 1 East. Being more particularly described as follows:

Commencing for reference at a 5/8 inch iron bar at the northwest corner of Fraction Section 25

Thence, south 00° 12' 44" west, along the west line of said Fractional Section 25 and the centerline of Erastus-Durbin Road, a distance of five hundred nineteen and 24/100 (510.24) feet to a railroad spike at the southwest corner of a 11.845 acre tract of land conveyed to the Wendelin Sports Club by deed recorded in Deed Volume 268, Page 201. Said point being the place of beginning for the parcel to be conveyed by this instrument.

Thence, continuing south 00° 12' 44" west, along the last described line, a distance of one thousand one hundred forty-six and 98/100 (1146.98) feet to a corner stone.

Thence, south 77° 49' 10" east, along the south line of the west half of Fractional Section 25 and the centerline of Fort Recovery-Minster Road, a distance of one thousand three hundred fifty-six and 03/100 (1356.03) feet to a boat spike.

Thence, north 00° 12' 44" east, a distance of one thousand four hundred twenty-eight and 37.100 (1428.37) feet to a 5/8 inch iron bar.

Thence, north 89° 47' 54" west, along the extension of the south line of the aforementioned Wendelin Sports Club tract and the south line of same, a distance of one thousand three hundred twenty-six and 55/100 (1326.55) feet to the place of beginning. Containing 39.214 acres of land more or less.

Parcel I.D. #380392000100

Prior Instrument Reference: Deed Volume 302, Page 591.

Tax Map #10-25-100-003

**Excepting;**

Being a parcel of land situated in Recovery Township, Mercer County, Ohio, in the west half of fractional Section 25, Township 7 South, Range 1 East. Being more particularly described as follows:

Commencing for reference at the cornerstone at the southwest corner of fractional Section 25, Township 7 South, Range 1 East -

Thence, South 76° 30' 00" East, along the south line of the west half of said fractional Section 25 and the centerline of Fort Recovery-Minster Road, a distance of 1198.26 feet to a Mag nail. Said point being the place of beginning for the parcel of land to be conveyed by this instrument -

Thence, continuing, South 76° 30' 00" East, along the last described line, a distance of 157.77 feet to a railroad spike -

Thence, North 01° 31' 54" East, a distance of 581.95 feet to a 5/8 inch iron bar -

Thence, North 88° 46' 39" West, a distance of 154.35 feet to a 5/8 inch iron bar -

Thence, South 01° 31' 54" West, a distance of 548.40 feet to the place of beginning.

Containing 2.003 acres of land, more or less.

Subject to all easements and rights-of-way of record.

Reference is made to a survey of this area by James W. Geeslin, Professional Surveyor 7764, dated March 17, 2006. On file in the County Engineer's Office.