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GEAUGA COUNTY OHIO
SHARON C GINGERICH,
12-17-2010 At 02:17 PM.
ESMT AMEND 44.00
DR Book 1893 Page 1390 - 1393

AMENDMENT TO GRANT OF CONSERVATION EASEMENT

AND

COVENANT FOR STEWARDSHIP FEES

LAWYERS TITLE OF CHARDON

100340e

This Amendment to Grant of Conservation Easement and Covenant for Stewardship Fees (this "Amendment") is entered into by and between Russell Township Park Commission of Geauga County, Ohio ("Grantor"), a political subdivision of the State of Ohio, and Western Reserve Land Conservancy ("Grantee"), an Ohio non-profit corporation.

RECITALS

1. Grantor, by an instrument titled Grant of Conservation Easement and Covenant for Stewardship Fees (the "Conservation Easement"), which was recorded December 30, 1999 at Volume 1275, Page 585 of Geauga County Records, granted to Grantee a conservation easement covering approximately 106.79 acres of real property owned by Original Grantor in Russell Township, Geauga County, Ohio.
2. Grantor has acquired an additional parcel of real estate contiguous to such 106.79 acres, which additional parcel (the "4.89-Acre Parcel") Grantor and Grantee desire to add to Exhibit A of the Conservation Easement.

AGREEMENTS

NOW, THEREFORE, in consideration of the mutual promises contained herein and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee agree as follows:

- A. The 4.89-Acre Parcel, a legal description of which is attached hereto as Attachment 1, is, effective as of the date this Amendment is recorded, added to Exhibit A of the Conservation Easement and becomes part of the Protected Property, as that form is defined in the Conservation Easement.
- B. No Further Effect. Except as otherwise amended by this Amendment, the Conservation Easement remains unmodified and unamended, and the Conservation Easement, as amended by this Amendment, is hereby ratified, confirmed, and remains in full force and effect. In the event of any inconsistency or conflict between the Conservation Easement and this Amendment, the terms of this Amendment shall control.

GRANTEE:

WESTERN RESERVE LAND CONSERVANCY

By: Edward F. Meyers

Edward F. Meyers

Its: Assistant Secretary

Date Signed: November 24, 2010

STATE OF OHIO)

COUNTY OF Yauga)

SS:

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named Western Reserve Land Conservancy by Edward F. Meyers, its Assistant Secretary, who acknowledged that he did execute the foregoing instrument on behalf of Grantee and that the same is his free act and deed and the free act and deed of Grantee.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this 24 day of November, 2010.

Leah Whidden
Notary Public

LEAH W. WHIDDEN
NOTARY PUBLIC, STATE OF OHIO CIVIL CTY.
MY COM. EXPIRES 5, 2013

Instrument prepared by:
Western Reserve Land Conservancy
P.O. Box 314
Novelty, Ohio 44072
(440) 729-9621

EXHIBIT "A"

Situated in the Township of Russell, County of Geauga and State of Ohio: And being a part of Lot No. 4 of Section No. 5 of Tract No. 1 within the said Township and described as follows:

Beginning at a point in the center line of Fullertown Road, so called at the north westerly corner of lands conveyed by Vaughn R. Dibble, February 2, 1929 to L.F. Kramer by deed recorded at Volume 182, Page 551 of Geauga County Records of Deeds. Said point also being the south easterly corner of lands conveyed to W.F. Dibble, September 7, 1910 by deed recorded at Volume 130, Page 377 of Geauga County Records of Deeds;

Thence South 14 degrees 8' East, along the road center line a distance of 200.1 feet;

Thence North 84 degrees 3' 20" West, a distance of 1168.7 feet to the easterly line of lands (Parcel No. 1) conveyed October 24, 1910 to William Heim by deed recorded at Volume 138, Page 455 of Geauga County Records of Deeds;

Thence North 5 degrees 16' 40" East, along the easterly line of said Heim lands, a distance of 188.0 feet to an iron pipe stake the north easterly corner thereof, and the south westerly corner of the aforementioned W.E. Dibble lands;

Thence South 84 degrees 3' 20" East, along the southerly line of the said Dibble lands a distance of 1102.5 feet to the place of beginning and through an iron pipe 26.6 feet therefrom, containing 4.89 acres according to F.R. Zethmayr, Surveyor April, 1939, being a parcel from the northerly side of lands (lying westerly of the said Fullertown Road) conveyed August 20, 1919 to Vaughn R. Dibble by deed recorded at Volume 156, Page 16 of Geauga County Records of Deeds, be the same more or less.

Property Address: Sperry Road, Russell, OH 44072
Tax ID No.: 26-001200