

NOTICE

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

L. Bennnett Coy, being first duly cautioned and sworn, deposes and says that he is the Secretary of The Miami Conservancy District, a body corporate and a political subdivision of the State of Ohio; that on February 28, 1918 in Case No. 36847, Common Pleas Court, Montgomery County, Ohio, The Miami Conservancy District, by appropriation, acquired certain flooding easements by Decree filed therein and recorded in Minute Book 76, Page 88 of the records of the Clerk of the Common Pleas Court of Montgomery County, Ohio, and filed in the Clerk's and Recorder's offices in Miami County pursuant to Sections 6101.37 and 6101.38 R.C.; further that certain building restrictions were contained in said easement as follows: No new building shall be constructed within any retarding basin lower than five feet below the elevation of the spillway of that basin, and that all existing buildings in any retarding basin on land having an elevation lower than ten feet below the elevation of the spillway of that basin shall be removed when required by order of the Board of Directors of the District; further that the following-described real estate is subject to the aforesaid easement and restrictions.

Situate in the County of Miami, in the State of Ohio and in the Township of Monroe, and bounded and described as follows, viz:

Lying in the Southeast corner of the Northwest Quarter of Section 26, Town 4, Range 6 to wit: Beginning in the center of the Wyattsville and Dayton Free Pike at a point where the South line of the lands owned by Isaac Heikes crosses the same; thence East with the South line of said lands to the track of the Dayton and Michigan Railroad; thence Southerly with the track of said company to the center of the road leading from the Wyattsville and Dayton Free Pike to the Miami and Erie Canal; thence West with the center of said road to the center of said Free Pike; thence Northerly with said free pike to the place of beginning containing 32 acres of land more or less.

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That said real estate is now owned by Maple Hill Cemetary Association by Deed recorded in Deed Book 54, Page 547, of the Deed Records of Miami County, Ohio.

Further affiant saith not.

*L. Bennett Coy*  
Secretary

Sworn to before me and subscribed in my presence by the said L. Bennett Coy, this 28 day of September, 1964.

*George M. Evans*

Notary Public  
GEORGE M. EVANS, Notary Public  
In and for Montgomery County, Ohio  
My Commission Expires July 5, 1967

This instrument prepared by:  
R. H. McDonnell, Jr., Attorney-at-Law

TRANSFER NOT NECESSARY  
9/28 1964  
CARL DAVIS, Auditor  
MIAMI COUNTY, OHIO

200  
RECEIVED  
11:30 O'CLOCK - A.M.  
SEP 28 1964  
RECORDED 9-29-64  
BOOK 410 IN RECORD PAGE 445  
MARY B. GUSTIN  
RECORDER, MIAMI COUNTY, OHIO

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