

Instrument 20040003555 OR Volume Page 390 1677

20040003555
Filed for Record in
WASHINGTON COUNTY, OHIO
TRACY WRIGHT
04-09-2004 At 10:42 am.
DEED 36.00
OR Volume 390 Page 1677 - 1679

GENERAL WARRANTY DEED

DANIEL K. GRAHAM, Married, of Washington County, Ohio, for valuable consideration paid, grants with general warranty covenants, to DANIEL K. GRAHAM and EVA MAY GRAHAM, Husband and Wife, for their joint lives, remainder to the survivor, whose tax-mailing address is 117 Merryhill Drive, Marietta, Ohio 45750, the following Real Property:

Situate in the State of Ohio, County of Washington, City of Marietta, to-wit:

TRACT ONE: Being Lot No. 31 of North Hills Addition No. 3 to the City of Marietta as shown on the plat thereof, recorded in Volume 8, Pages 64-65, Plat Records of Washington County, Ohio.

Reference is made to the Warranty Deed from Frank L. Christy and Winifred G. Christy to Kris-Mar, Inc., dated January 15, 1954, and recorded in Volume 268, Page 319. Deed Records of Washington County, Ohio.

SUBJECT TO the following restrictive covenants:

As a part of the consideration for this conveyance, and in consideration of the incorporation of like covenants in any and all conveyances of Lots 20 through 48, inclusive, in said North Hills Addition No. 3 to the City of Marietta, Ohio, Grantees, herein, for themselves and their heirs, executors, administrators and assigns, hereby covenant and agree to and with the said Grantor, its successors and assigns for the use and benefit of former Grantor, Kris-Mar, Inc., its successors and assigns, and of every other person who shall or may become the owner of, or have any title derived immediately or remotely from, through or under said former Grantor, its successors and assigns, to any of said Lots, as follows:

1. Said premises shall be used exclusively for residential purposes with gardening incidental thereto.
2. There shall not be erected, placed or suffered to remain on said premises any dwelling or structure whatever other than one dwelling house with garage and/or outbuilding appurtenant thereto, and such dwelling house, garage and/or other outbuildings appurtenant thereto, shall be constructed, erected, placed, located and/or maintained only pursuant to and in accordance with, all and

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singular, the covenants and agreements of the Grantees herein contained and not otherwise.

3. No dwelling house shall be erected on said premises with less than 1200 square feet of living area floor space.
4. Said former Grantor, its successors and assigns, shall have the right to lay, install and maintain in, across, through and over said premises, sewer, water, and gas pipes and conduits and overhead lines and telephones and electric power lines for the use and benefit of the premises hereby conveyed and adjacent and neighboring premises, together with the right to enter upon said premises for the purpose of laying, installing, repairing, relaying and maintaining the same, provided, however, that every pipe, conduit, or overhead line shall be so placed and maintained as not to unnecessarily interfere with any building or buildings now on or which may hereafter be constructed on the premises conveyed by this Deed.
5. The several covenants and agreements hereinbefore contained in paragraphs numbered from one (1) to four (4) inclusive, shall run with the land hereby conveyed and shall be binding upon the Grantees, their heirs and executors, and administrators and assigns, for and during the term of fifty years from January 27, 1960.

Tract One taxed as Parcel No 24-39944.000.

TRACT TWO: Being a part of Lot No. 2 of North Hills Addition No. 3, to-wit:

Beginning at an iron pipe set at the Northeasterly corner of Lot No. 2 of North Hills Addition No. 3 (Plat Book 8, Pages 64-65); thence South $47^{\circ} 20'$ West along the line between Lots Nos. 2 and 31, a distance of 36.13 feet to an iron pipe; thence South $20^{\circ} 36'$ West and continuing along the line between said Lots No. 2 and No. 31, a distance of 155.25 feet to an iron pipe set at the southwest corner of Lot No. 31; thence North $64^{\circ} 00'$ West, along the Westerly extension of the South line of said Lot No. 31, a distance of 69.20 feet to an iron pipe; thence North $19^{\circ} 52'$ East, a distance of 228.45 feet to an iron pipe set in the Southwesterly line of Merryhill Street; thence with a curve to the left, having a radius of 149.366 feet, a distance of 18.85 feet to an iron pipe; thence South $42^{\circ} 40'$ East, along the Southwesterly line of Merryhill Street, a distance of 81.15 feet to the Place of Beginning. Tract Two taxed as Parcel No. 24-42582.

Reference is made to the Warranty Deed from Frank L. Christy and Winifred G. Christy to Kris-Mar, Inc., dated January 15, 1954, and of record in Volume 268, Page 319, Deed Records of Washington County, Ohio.

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The above described FIRST TRACT and SECOND TRACT being the same premises conveyed to Patrick C. Fourney and Ruby L. Fourney by Deed dated June 26, 1964 and recorded in Volume 349, Page 542, Deed Records of Washington County, Ohio.

PRIOR INSTRUMENT REFERENCE: OR Volume 224, Page 406, Deed Records of Washington County, Ohio.

EVA MAY GRAHAM, Spouse of Grantor, releases all rights of dower therein.

Signed this 7th day of April, 2004.

Acknowledged in the Presence of:

Daniel K. Graham
Daniel K. Graham

Eva May Graham
Eva May Graham

200400003555
BERTRAM LAW OFFICE
PICK UP

STATE OF OHIO, COUNTY OF WASHINGTON, SS:

BE IT REMEMBERED, that on this 7th day of April, 2004, before me, the subscriber, a Notary Public in and for said County, personally came DANIEL K. GRAHAM and EVA MAY GRAHAM and acknowledged the signing of the foregoing *General Warranty Deed* to be their voluntary act and deed.

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



JOHN M. HALLIDAY, Attorney At Law
Notary Public, State of Ohio
My Commission has no Expiration Date
Section 147.09 O.R.C.

John M. Halliday
Notary Public

THIS INSTRUMENT PREPARED BY:
JOHN M. HALLIDAY
Attorney at Law
412 Third Street
Marietta, Ohio 43750
740-373-1155

DATE: APR 09 2004
BY: Robert Erwin Ladner
ROBERT ERWIN LADNER
Washington County
Engineer P.E.P.S.

TRANSFERRED TO
TRANSFERRED BY
APR 09 2004
PLANNED
WASHINGTON COUNTY, OHIO
BY: Robert Erwin Ladner