CENTRAL WOODS BUSINESS PARK

This information is taken from public records filed with the Lucas County Recorder’s Office. Port Lawrence Title and Trust Company assumes no liability for the accuracy or completeness of the information contained herein.
WAIVER AND CONSENT TO BUILDING LINE ENCROACHMENT

This Waiver and Consent to Building Line Encroachment ("Waiver and Consent") is made and entered into as of the 29th day of May, 1992 by and among White Brothers Properties ("White Brothers"), an Ohio general partnership with address at P. O. Box 296, Sylvania, Ohio 43560, D. James Yark, Jr. and Susan P. Yark, husband and wife (collectively, "Yark"), with address at 6016 West Central Avenue, Toledo, Ohio 43615, Pierce Hardy Real Estate, Inc., a Pennsylvania corporation ("Pierce"), with address at 4121 Washington Road, McMurray, Pennsylvania 15317, Raymond J. Bauman, an unmarried individual ("Bauman"), with offices at 2921 Fairbanks Avenue, Toledo, Ohio 43615, and Jim White Agency Company, an Ohio corporation ("White Agency Company"), with address at P. O. Box 296, Sylvania, Ohio 43560 (collectively, the "Owners").

WHEREAS, the plat ("Plat") of Central Woods Business Park, a subdivision located in Sylvania Township, Lucas County, Ohio, was recorded on August 12, 1983 at Volume 100, Page 71 of the Lucas County, Ohio Plat Records (the "Subdivision").

WHEREAS, White Brothers is the owner of lots nos. 1, 2, 9, 10 and 11 in the Subdivision.

WHEREAS, Yark is the owner of lots nos. 3 and 4 in the Subdivision.

WHEREAS, Pierce is the owner of lots nos. 5 and 6 in the Subdivision.

WHEREAS, Bauman is the owner of lot no. 7 in the Subdivision.

WHEREAS, White Agency Company is the owner of lot 8 in the Subdivision.

WHEREAS, the Owners, collectively, are the owners of all of the lots created by the Plat and comprising the Subdivision.

WHEREAS, the easterly boundary lines of lots nos. 9 and 10 in the Subdivision are adjacent and contiguous to the Fairbanks Avenue public right-of-way.

WHEREAS, pursuant to the Plat, lot no. 10 in the Subdivision is subject to a 25-foot building line along its easterly boundary line, and lot no. 9 in the Subdivision is subject to...
to a 40-foot building line along its easterly boundary line (collectively, the "Building Lines").

WHEREAS, White Brothers has proposed to construct certain improvements on lots nos. 9 and 10 in the Subdivision, and such improvements are intended to encroach and extend over the Building Lines to a distance of up to, but not more than, six (6) feet from the easterly boundary line of lots nos. 9 and 10 in the Subdivision.

WHEREAS, the Owners have agreed to waive and consent to said encroachment of the improvements to be constructed by White Brothers over the Building Lines located along the easterly portions of lots nos. 9 and 10 in the Subdivision.

NOW, THEREFORE, the Owners hereby (a) consent to the location, construction and operation by White Brothers or its successors and assigns of a building and improvements on lots nos. 9 and 10 in the Subdivision at a distance of not less than six (6) feet from the easterly boundary line of lots nos. 9 and 10 in the Subdivision, and (b) waive the encroachment of the above-described building and improvements over the Building Lines.

This Waiver and Consent shall run with the land and shall be binding upon and inure to the benefit of the Owners and their respective heirs, executors, personal representatives, successors and assigns.

IN WITNESS WHEREOF, this Consent has been executed by the Owners effective as of the date first set forth above.

Signed and acknowledged in the presence of:

Henry J. Okrzeski

Signed and acknowledged in the presence of:

L. Delmar Singletary

WHITE BROTHERS PROPERTIES

By

General Partner

D. James Yark, Jr.

Susan P. Yark
Signed and acknowledged in the presence of:

[Signatures]

PIERCHE HARDY REAL ESTATE, INC.
By ____________________________
Its VP

By ____________________________
Its ____________________________

Signed and acknowledged in the presence of:

Raymond J. Bauman

JIM WHITE AGENCY COMPANY
By H. David White, President
By James F. White, Jr.
Secretary

STATE OF OHIO ) SS:
COUNTY OF LUCAS )

The foregoing instrument was acknowledged before me this day of May, 1992, by James F. White, Jr., a general partner of White Brothers Properties, an Ohio general partnership, on behalf of the partnership.

Notary Public
Signed and acknowledged in the presence of:

______________________________

______________________________

Signed and acknowledged in the presence of:

______________________________

______________________________

Signed and acknowledged in the presence of:

______________________________

______________________________

PIERCHE HARDY REAL ESTATE, INC.

By ________________________________

Its ________________________________

By ________________________________

Its ________________________________

RAYMOND J. BAUMAN

JIM WHITE AGENCY COMPANY

By ________________________________

H. David White, President

By ________________________________

James F. White, Jr. Secretary

STATE OF OHIO } ) SS:
COUNTY OF LUCAS )

The foregoing instrument was acknowledged before me this day of May, 1992, by James F. White, Jr., a general partner of White Brothers Properties, an Ohio general partnership, on behalf of the partnership.

______________________________

Notary Public
Signed and acknowledged in the presence of:

________________________________________

________________________________________

________________________________________

Signed and acknowledged in the presence of:

________________________________________

Signed and acknowledged in the presence of:

________________________________________

________________________________________

Signed and acknowledged in the presence of:

________________________________________

________________________________________

STATE OF OHIO  /  SS:

COUNTY OF LUCAS  }

The foregoing instrument was acknowledged before me this 29th day of May, 1992, by James F. White, Jr., a general partner of White Brothers Properties, an Ohio general partnership, on behalf of the partnership.

________________________________________
Notary Public

SHERRY L. OKOROWSKI
Notary Public, State of Ohio
My Commission Expires May 23, 1996
The foregoing instrument was acknowledged before me this 23rd day of May, 1992, by D. James Yark, Jr. and Susan P. Yark, individuals who are husband and wife.

SHERRY L. OKOROWSKI
Notary Public
My Commission Expires May 24, 1996

The foregoing instrument was acknowledged before me this ______ day of May, 1992, by ______________________, the ______________________, and by ______________________, the ______________________, of Pierce Hardy Real Estate, Inc., a Pennsylvania corporation, on behalf of the corporation.

Notary Public

The foregoing instrument was acknowledged before me this ______ day of May, 1992, by Raymond J. Bauman, an individual who is unmarried.

Notary Public
STATE OF OHIO  
COUNTY OF LUCAS  

The foregoing instrument was acknowledged before me this day of May, 1992, by D. James Yark, Jr. and Susan P. Yark, individuals who are husband and wife.

________________________________________
Notary Public

STATE OF OHIO  
COUNTY OF LUCAS  

The foregoing instrument was acknowledged before me this 31st day of May, 1992, by Todd Redmond, the Vice-President, and by _________, the _________, of Pierce Hardy Real Estate, Inc., a Pennsylvania corporation, on behalf of the corporation.

________________________________________
Notary Public

STATE OF OHIO  
COUNTY OF LUCAS  

The foregoing instrument was acknowledged before me this day of May, 1992, by Raymond J. Bauman, an individual who is unmarried.

________________________________________
Notary Public
STATE OF OHIO  )
          ) SS:
COUNTY OF LUCAS  )

The foregoing instrument was acknowledged before me this______ day of May, 1992, by D. James Yark, Jr. and Susan P. Yark, individuals who are husband and wife.

__________________________
Notary Public

STATE OF OHIO  )
          ) SS:
COUNTY OF LUCAS  )

The foregoing instrument was acknowledged before me this______ day of May, 1992, by ______________________, the______________________, and by ______________________, the ______________________, of Pierce Hardy Real Estate, Inc., a Pennsylvania corporation, on behalf of the corporation.

__________________________
Notary Public

STATE OF OHIO  )
          ) SS:
COUNTY OF LUCAS  )

The foregoing instrument was acknowledged before me this28th day of May, 1992, by Raymond J. Bauman, an individual who is unmarried.

__________________________
Notary Public
SHERRY L. OKOROWSKI
Notary Public, State of Ohio
My Commission Expires May 23, 1996
STATE OF OHIO  
COUNTY OF LUCAS  

The foregoing instrument was acknowledged before me this 29th day of May, 1992, by H. David White, the President, and by James F. White, Jr., the Secretary of Jim White Agency Company, an Ohio corporation, on behalf of the corporation.

[Signature]
Notary Public

SHERRY L. OKOROWSKI
Notary Public, State of Ohio
My Commission Expires May 29, 92

This instrument prepared by:
Joseph A. Rideout
Shumaker, Loop & Kendrick - Boy
North Courthouse Square
1000 Jackson
Toledo, Ohio 43624

RECEIVED &Recorded
AUG 14 1992
SUE RIOUX
RECORDER LUCAS COUNTY, OHIO
92 368A09