

ATTORNEY'S CERTIFICATE OF TITLE

To: Halderman Real Estate & Farm Management

The undersigned hereby certifies that she has made a thorough examination of the records of Preble County, Ohio, since January 2, 1957 at 3:47 p.m. for 60.88 acres located in the Northwest Part of the Northeast Quarter, Section 24, Lanier Township, Preble County, Ohio; and 62.769 acres located in the Northeast Quarter, Section 24, Lanier Township, Preble County, Ohio, as disclosed by the public indexes in accordance with the Ohio Marketable Title Act, relating to premises hereinafter described.

This certificate does not purport to cover matters not of record in said County, including right of persons in possession, questions which a correct survey or inspection would disclose, rights to file mechanic's liens, special taxes and assessments not shown by the County Treasurer's records, Federal bankruptcy records, or zoning and other governmental regulations, including flood zone determination, or liens asserted by the United States or State of Ohio, their agencies and officers under the Ohio Solid Hazardous Waste Disposal Act, Federal Super Fund Amendments, and under Racketeering Influence Corrupt Organization Acts and Receivership Liens, unless the lien is filed in the public records of the county in which the property is located.

The undersigned further certifies that, in her opinion, based upon said records, the fee simple title to said premises is vested of record in **BNA&H, LLC, and Ohio Limited Liability Company**, by a Quit Claim Deed from Dirk E. Earley, Trustee to Reconvey, dated 9/24/2025, filed 9/25/2025 at 12:11 p.m., and recorded in Official Records Volume 471, Page 477, Recorder's Office, Preble County, Ohio; and further by a Warranty Deed from BNA&H, LLC, and Ohio Limited Liability Company, to Dirk E. Earley, as Trustee to Reconvey, dated 9/24/2025, filed 9/25/2025 at 12:11 p.m., and recorded in Official Records Volume 471, Page 469, Recorder's Office, Preble County, Ohio; BNA&H, LLC, and Ohio Limited Liability Company, by a Warranty Deed from BNA&H, LLC, and Ohio Limited Liability Company, dated 8/26/2019, filed 9/3/2019 at 3:40 p.m., and recorded in Official Records Volume 396, Page 406, Recorder's Office, Preble County, Ohio; and that as appears from said records, the title is marketable and free from encumbrances except and subject to the matters set forth herein below, exclusive.

1. Taxes and assessments are carried under parcel number(s):

H25-5324-200-00-002-002 (original 60.88 acre parent parcel) and are **paid** for the first half of the 2024 taxes, in the amount of \$2,008.33, which includes \$1,057.17 for general delinquencies. Second half taxes for the 2024 tax year are **paid** in the amount of \$951.16.

H25-5324-200-00-002-001 (original 62.769 acre parent parcel) and are **paid** for the first half of the 2024 taxes, in the amount of \$2,306.62, which includes \$1,214.18 for general delinquencies. Second half taxes for the 2024 tax year are **paid** in the amount of \$1,092.44.

Subject to taxes and assessments for the year 2025, payable in 2026, which are undetermined and not yet payable, but a lien against the premises. Subject to taxes or assessments approved, levied or enacted by the State, County, Municipality, Township or similar taxing authority, but not yet certified to the tax duplicate of the County in which the land is situated, including any retroactive increases in taxes or assessments resulting from a retroactive increase in the valuation of the land by the State, County, Municipality, Township or other taxing authority. Taxes are figured at CAUV rates and if the land is taken out of agricultural use there arises a charge levied upon said land in an amount equal to the tax savings for the three preceding tax years. The undersigned does not certify against loss or damage nor will it pay attorney's fees or costs for recoupment of taxes pursuant to RC Chapter 5713 et seq. if said land or any part thereof is or has been converted to non-agricultural use.

2. Preble County Commission Resolution #425-24-208 designating the entirety of the unincorporated area of Lanier Township as a "Restricted Area" against economically significant wind farms, large wind farms and large solar facilities. Said Resolution dated 9/16/2024, filed 9/18/2024 at 10:05 a.m. and recorded in Official Record Volume 459, Page 802, Recorder's Office, Preble County, Ohio.

3. Covenants running with the land as contained within a Warranty Deed from James W. Hora and Anita G. Hora, aka Anita Hora, husband and wife, to James W. Hora, Trustee of the James W. Hora Revocable Trust dated October 6, 2006 and Anita G. Hora, Trustee of the Anita G. Hora Revocable Trust dated October 6, 2006, deed dated 10/6/2006, filed 11/1/2006 at 9:32 p.m. and recorded in Official Record Volume 255, Page 1054, Recorder's Office, Preble County, Ohio.
4. Right-of-way from James W. Hora and Anita G. Hora, husband and wife, to ANR Pipeline Company, a Delaware Corporation, its successors and assigns Pipeline Company, a Delaware Corporation, dated 9/27/1989, filed 1/24/1990 at 11:56 a.m. and recorded in Deed Record Volume 358, Page 191, Recorder's Office, Preble County, Ohio.
5. Right-of-Way from D.W. Bell and Mary Bell, his wife, to The Dayton Power and Light Company, its successors and assigns, dated 3/15/1940, filed 3/27/1940 at 2:20 p.m. and recorded in Deed Record Volume 163, Page 403, Recorder's Office, Preble County, Ohio.
6. Oil and Gas Lease from James W. Hora and Anita G. Hora, husband and wife, to Ohio Oil & Gas Co., its successors and assigns, dated 7/28/1981, filed 9/14/1981 at 11:30 a.m. and recorded in Lease Book Volume 10, Page 236, Recorder's Office Preble County, Ohio.
7. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 USC 499 a, et seq.) or the Poultry and Stockyards Act (7 USC 181 et seq.) or under similar laws.
8. The legal description for the examined tract is stamped "Does not meet Preble County Engineering Standards. A new survey is recommended." This stamp does not mandate a new survey. The property can continue to be transferred using the current description.
9. Any and all railroad right-of-ways for switch, spur, or other tracks, on, over, across or along the Land described herein, by condemnation, license, deed, possession or otherwise.
10. The existence of any reversionary interest, possibility of reverter, power of termination, right of first refusal, or similar interest, of the United States of America, or any other person or entity in that portion of said land lying within the railroad right of way.
11. Any failure to comply with any requirements of approval, consent, exemption or other action by, notice to or filing with the Interstate Commerce Commission, or any public utility commission or other similar regulatory authority, relating to the abandonment, cessation or rail operations, or other disposition of that portion of said land lying within the railroad right of way.
12. Notwithstanding the reference to acreage or square footage in the description set forth below, this certificate does not insure nor guarantee the acreage or quantity of land set forth herein.
13. Rights of the public in and to that portion of the land lying within the bounds of any legal highway, including Preble County Line Road.

Said property is situated in the County of Preble, State of Ohio, and is described as follows:

SEE ATTACHED EXHIBIT A

Dated this 26th day of September, 2025 at 7:59 a.m.

Jill E. Hittle

Jill E. Hittle, Attorney at Law
112 N. Barron Street
Eaton, OH 45320
Telephone: 937-456-4104
Fax: 937-336-5033

**PROPERTY DESCRIPTION
FOR
TRACT #1 – 9.130 Acres**

Situate in the Northeast Quarter of Section Twenty-Four (24), Township Five (5) North, Range Three (3) East, Lanier Township, Preble County, Ohio and being the Northwest part of a 60.880 acre tract of land described as (Exhibit "A" – Tract III) in Official Deed Record Volume 335, Page 812 in the Office of the Preble County Ohio Recorder and being more particularly described as follows:

Beginning at a Mag Spike found for the Northwest corner of said Northeast Quarter, said spike is located along the centerline of Spitler Road and is witnessed by a railroad spike found, South 89 degrees 58 minutes 31 seconds East, at a distance of 5.69 feet; thence South 89 degrees 58 minutes 31 seconds East, along the North line of said Quarter and the North line of a 5.0 acre tract of land described as (Exhibit "A" – Tract 2) in Official Deed Record Volume 439, Page 250 and following the centerline of said Spitler Road, for a distance of 209.15 feet to a Mag Spike set for the Northeast corner of the aforementioned 60.88 acre tract and being the TRUE POINT OF BEGINNING of the tract herein described, said spike is witnessed by a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA", South 00 degrees 06 minutes 34 seconds West, at a distance of 30.00 feet;

thence continuing South 89 degrees 58 minutes 31 seconds East, along the North line of said Quarter and said 60.88 acre tract, for a distance of 594.02 feet to a Mag Spike set, said spike is witnessed by a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA", South 00 degrees 06 minutes 34 seconds West, at a distance of 30.00 feet;

thence along new division lines across the aforementioned 60.88 acre tract, for the following Two (2) courses:

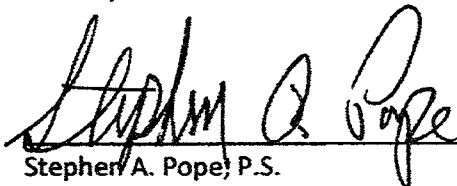
1. South 00 degrees 06 minutes 34 seconds West, being parallel with the East line of the aforementioned 5.00 acre tract, for a distance of 669.52 feet to a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA";
 2. North 89 degrees 58 minutes 31 seconds West, for a distance of 594.02 feet to a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA" on the East line of the aforementioned 5.00 acre tract;
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Property Description
TRACT #1 – 9.130 Acres
Page Two

thence North 00 degrees 06 minutes 34 seconds East, along the East line of the aforementioned 5.00 acre tract, for a distance of 669.52 feet to the TRUE POINT OF BEGINNING, containing 9.130 acres of land more or less and being subject to all legal easements and highways of record. Of the area described above, 0.409 acres are located within the right-of-way of said Spitler Road, leaving a net area of 8.721 acres. Bearings are based on the Ohio State Plane Coordinate System, South Zone. The description written above is the result of a field survey completed in September of 2025 by Stephen A. Pope, Ohio Professional Land Surveyor #6761.

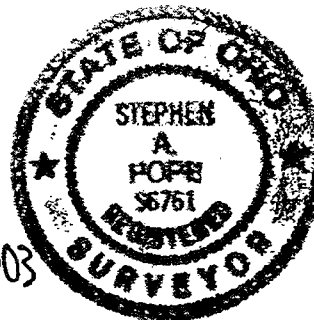
Surveyed and Prepared By:

S.A. Pope & Associates

 Date 09/10/2025
Stephen A. Pope, P.S.
Ohio Professional Land Surveyor #6761

Parcel #25532420000002003

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**PROPERTY DESCRIPTION
FOR
TRACT #2 – 12.400 Acres**

Situate in the Northeast Quarter of Section Twenty-Four (24), Township Five (5) North, Range Three (3) East, Lanier Township, Preble County, Ohio and being the Southeast part of a 60.880 acre tract of land described as (Exhibit "A" – Tract III) in Official Deed Record Volume 335, Page 812 and the Northeast part of a 62.769 acre tract of land described as (Exhibit "A" – Tract #2) in Official Deed Record Volume 396, Page 406 in the Office of the Preble County Ohio Recorder and being more particularly described as follows:

Beginning at a railroad spike found along the centerline of the Preble County Line Road for the Southeast corner of said Northeast Quarter and being the Southeast corner of a 19.565 acre tract of land described as (Exhibit "A" – TRACT 1) in Official Deed Record Volume 397, Page 930, said spike is witnessed by an iron pin found, North 89 degrees 55 minutes 58 seconds West, at a distance of 30.00 feet; thence North 00 degrees 37 minutes 58 seconds East, along the East line of said Quarter and said 19.565 acre tract and following the centerline of said road, for a distance of 762.95 feet to a Mag Spike found for the Northeast corner of said tract and being the TRUE POINT OF BEGINNING of the tract herein described, said spike is witnessed by an iron pin found, North 89 degrees 49 minutes 58 seconds West, at a distance of 30.00 feet;

thence North 89 degrees 49 minutes 58 seconds West, along the North line of the aforementioned 19.565 acre tract and the South line of the aforementioned 62.769 acre tract, for a distance of 1055.54 feet to an iron pin found for the Northwest corner of the aforementioned 19.565 acre tract;

thence along new division lines across the aforementioned 62.769 acre tract and the 60.88 acre tract for the following Two (2) courses:

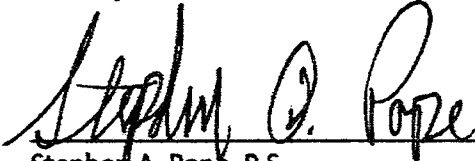
1. North 16 degrees 21 minutes 11 seconds East, for a distance of 648.94 feet to a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA";
 2. South 80 degrees 35 minutes 21 seconds East, for a distance of 890.11 feet to a Mag Spike set on the East line of said Quarter and the centerline of said road, said spike is witnessed by a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA", North 80 degrees 35 minutes 21 seconds West, at a distance of 30.36 feet;
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Property Description
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thence South 00 degrees 37 minutes 58 seconds West, along the East line of said Quarter and following the centerline of said road, for a distance of 480.26 feet to the TRUE POINT OF BEGINNING, containing 12.400 acres of land more or less and being subject to all legal easements and highways of record. Of the area described above, 0.332 acres are located within the right-of-way of said Preble County Line Road, leaving a net area of 12.068 acres. Bearings are based on the Ohio State Plane Coordinate System, South Zone. The description written above is the result of a field survey completed in September of 2025 by Stephen A. Pope, Ohio Professional Land Surveyor #6761.

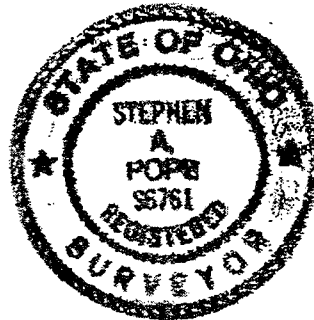
Surveyed and Prepared By:

S.A. Pope & Associates

 Date 09/10/2025
Stephen A. Pope, P.S.
Ohio Professional Land Surveyor #6761

Parcel
H25532420000002001

MT



**PROPERTY DESCRIPTION
FOR
TRACT #3 – 104.886 Acres**

Situate in the Northeast Quarter of Section Twenty-Four (24), Township Five (5) North, Range Three (3) East, Lanier Township, Preble County, Ohio and being the West part of a 62.769 acre tract of land described as (Exhibit "A" – TRACT #2) in Official Deed Record Volume 396, Page 406 and the remaining part of a 60.88 acre tract of land described as (Exhibit "A" – Tract III) in Official Deed Record Volume 335, Page 812 in the Office of the Preble County Ohio Recorder and being more particularly described as follows:

Beginning at an "+" on a stone found for the Southwest corner of said Northeast Quarter and the Southwest corner of the aforementioned 62.769 acre tract;

thence North 00 degrees 17 minutes 05 seconds East, along the West line of said Quarter, being the East line of a 97.840 acre tract of land described as (Exhibit "A") in Official Deed Record Volume 452, Page 2177 and the East line of a 61.588 acre tract of land described as (Exhibit "A"- Tract 1) in Official Deed Record Volume 439, Page 250, for a distance of 1669.39 feet to an iron pin found for the Southwest corner of a 5.00 acre tract of land described as (Exhibit "A" – Tract 2) in said Official Deed Record Volume 439, Page 250, said pin is witnessed by the center of a six (6) inch diameter wooden corner post found, North 50 degrees 19 minutes West, at a distance of 10.1 feet;

thence South 76 degrees 01 minutes 18 seconds East, along the South line of the aforementioned 5.00 acre tract, for a distance of 218.61 feet to a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA" for the Southeast corner of said tract;

thence North 00 degrees 06 minutes 34 seconds East, along the East line of the aforementioned 5.00 acre tract, for a distance of 392.33 feet to a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA";

thence along new division lines across the aforementioned 60.88 acre tract for the following Two (2) courses:

1. South 89 degrees 58 minutes 31 seconds East, being parallel with the North line of said Quarter, for a distance of 594.02 feet to a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA";
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Property Description

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2. North 00 degrees 06 minutes 34 seconds East, being parallel with the East line of the aforementioned 5.00 acre tract, for a distance of 669.52 feet to a Mag Spike set on the North line of said Quarter and centerline of Spitler Road, said spike is witnessed by a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA", South 00 degrees 06 minutes 34 seconds West, at a distance of 30.00 feet;

thence South 89 degrees 58 minutes 31 seconds East, along the North line of said Quarter and following the centerline of said Spitler Road, for a distance of 803.27 feet to a Mag Spike set for the Northwest corner of a 14.188 acre tract of land described as (Exhibit "A") in Official Deed Record Volume 373, Page 1504, said spike is witnessed by a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA", South 43 degrees 08 minutes 05 seconds East, at a distance of 41.13 feet;

thence South 43 degrees 08 minutes 05 seconds East, along the Southwest line of the aforementioned 14.188 acre tract, for a distance of 1199.74 feet to a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA" at a point of tangency along said line;

thence in a Southeast direction continuing along the Southwest line of the aforementioned 14.188 acre tract, following the arc of a curve to the left, having a radius of 2258.95 feet, through a central angle of 08 degrees 47 minutes 28 seconds, for an arc distance of 346.60 feet a Mag Spike set on the East line of said quarter and centerline of the Preble County Line Road for the Southeast corner of said tract, said spike is witnessed by a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA" on said curve, North 51 degrees 26 minutes 37 seconds West, at a distance of 38.03 feet, chord for said curve bears, South 47 degrees 31 minutes 50 seconds East, at a distance of 346.26 feet;

thence South 00 degrees 37 minutes 58 seconds West, along the East line of said Quarter and following the centerline of said road, for a distance of 328.54 feet to a Mag Spike set, said spike is witnessed by a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA", North 80 degrees 35 minutes 21 seconds West, at a distance of 30.36 feet;

thence along new division lines across the aforementioned 60.88 acre tract and the 62.769 acre tract for the following Two (2) courses:

1. North 80 degrees 35 minutes 21 seconds West, for a distance of 890.11 feet to a five-eighths (5/8) inch diameter iron pin set with cap stamped "S POPE-OHIO INDIANA";
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Property Description
TRACT #3 – 104.886 Acres
Page Three

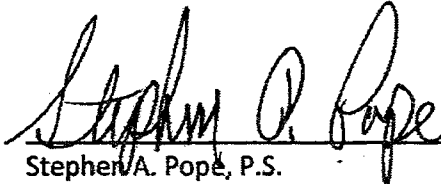
2. South 16 degrees 21 minutes 11 seconds West, for a distance of 648.94 feet to an iron pin found for the Northwest corner of a 19.565 acre tract of land described as (Exhibit "A" – TRACT 1) in Official Deed Record Volume 397, Page 930;

thence South 09 degrees 33 minutes 03 seconds West, along the West line of the aforementioned 19.565 acre tract, for a distance of 775.35 feet to a point on the South line of said quarter for the Southwest corner of said tract, said point is witnessed by an iron pin found, South 09 degrees 33 minutes 03 seconds East, at a distance of 2.18 feet;

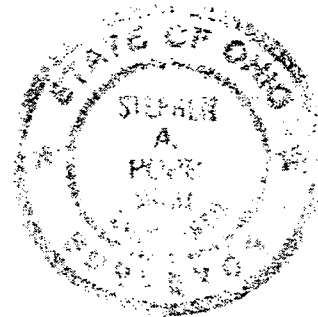
thence North 89 degrees 55 minutes 58 seconds West, along the South line of said Quarter, for a distance of 1502.32 feet to the point of beginning, containing 104.886 acres of land more or less and being subject to all legal easements and highways of record. Of the area described above, 0.796 acres are located within the right-of-way of said Spitler Road and Preble County Line Road, leaving a net area of 104.090 acres. Bearings are based on the Ohio State Plane Coordinate System, South Zone. The description written above is the result of a field survey completed in September of 2025 by Stephen A. Pope, Ohio Professional Land Surveyor #6761.

Surveyed and Prepared By:

S.A. Pope & Associates

 Date 09/10/2025
Stephen A. Pope, P.S.
Ohio Professional Land Surveyor #6761

Parcel H25532420000002002
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The Grantors state that the above-described property has qualified for Current Agricultural Use Valuation Ohio Revised Code Section 5713.30) for the preceding or current tax year. Grantees, by the acceptance and delivery of this Deed, acknowledges that if the property does not continue to qualify, it will be subject to recoupment charges as described in O.R.C. 5713.30(C) and 5713.34, and that Grantees assume and agree to pay any recoupment levied or charged by reason thereof.

The above statement serves to satisfy the requirements of O.R.C. Section 319.202(B)2.