

Ex. A RESTRICTIVE COVENANT - Mermill Rd. properties-

Parcel No. K40-409-140000013000

Parcel No.K 40-409-230000003000

Parcel No.K 40-409-230000004000

NOTE: A restrictive covenant is being established on each parcel and will run with the land for a period of not less than 20 years. IT IS INTENDED THAT THIS LAND WILL BE USED STRICTLY FOR AGRICULTURAL USE.

THE RESTRICTIVE COVENANT specifically prohibits the use of this land for the purpose of operating a concentrated animal feed (CAFO) or breeding operation for bovine animals including but not limited to cows, livestock including but not limited to hogs, chickens, poultry, and their waste, the establishment of a manure lagoon(s) or the storage or application of manure, in liquid, or injectible form. No manure shall be applied to frozen fields. It shall not be considered a violation to apply dry or pelletized manure on an annual basis.

A restrictive covenant is also being established and will run with the land for a period of not less than 20 years specifically prohibiting the use of the land for the establishment of a solar or wind field, solar arrays or wind turbines, solar substation or the like on the property. This covenant does not restrict the use of solar panels on a house or barn for residential use on the property.

Any violation of the restrictive covenant in any form, in whole or in part, by an individual or entity will be considered a breach of this agreement and will be subject to a claim(s) not limited to breach of contract, breach of covenant, loss of enjoyment or loss of valuation and or use of the property, in a court of competent jurisdiction in Wood County, Ohio and will liable to pay all damages, not limited to the breach of contract and covenant, including loss of valuation, loss of enjoyment, injury or loss of production and or costs to return the property to its original agriculture use, court costs and attorney's fees, and such other damages and costs as may be awarded under law.

