

AGREEMENT

This agreement made by and between the Austria-Hungary Yad Charucim Congregation, also known as the Yad Charutain Congregation of Cincinnati, Ohio, a religious society created and existing under the laws of the State of Ohio, hereinafter designated "Seller", and the Congregation Tikwoh Chadaschoh (New Hope), of Cincinnati, Ohio, hereinafter designated "Purchaser".

Whereas, Purchaser has contracted to buy a part of the cemetery of the Congregation Sons of Abraham, and

Whereas, the said land has certain restrictions, as contained in Agreement referred to below and in Deed in Deed Book 1812, Page 558, on it, and

Whereas, an agreement was entered into on the 23rd day of November, 1938, between the Congregation Sons of Abraham and the Seller, providing that the breaking of any of the covenants therein shall cause all of the land of the said Congregation Sons of Abraham to revert back to Seller, and

Whereas, in said agreement between Seller and the Congregation Sons of Abraham, the latter Congregation was not allowed to sell any of said premises without the express permission of Seller;

WITNESSES

That the parties in consideration of the mutual benefits to be derived by each party to this agreement it is hereby agreed as follows:

1. Seller hereby consents to the sale of the following described premises to be purchased by the Congregation Tikwoh Chadaschoh (New Hope):

Situate in the County of Hamilton, State of Ohio, in Section 13, Town 2, Fractional Range 2, Green Township, Miami Purchase, being part of Lot 1, Abigail Wilson's Subdivision, as per Plat recorded in Plat Book 8, Vol. II, Page 14, Hamilton County, Ohio, Recorder's Office, and more particularly described as follows:

Beginning at a point located 105 feet East of the West line of said Lot 1 of Abigail Wilson's Subdivision aforesaid (as measured parallel to the center line of Sidney Road, formerly Muddy Creek Pike), and 516.50 feet North of the center line of said Sidney Road (as measured parallel to the West line of said Lot 1); thence Northwardly, parallel to said West line of said Lot 1, 197.69 feet to a point in the North line of the tract described in the deed to Congregation Sons of Abraham, recorded in Deed Book 1812, Page 558, Hamilton County, Ohio, Records; thence North 48 degrees 38 minutes East, along said North line in Deed Book 1812, Page 558, 43.60 feet; thence Southwardly, parallel to the West line of said Lot 1, 228.78 feet; thence Westwardly, parallel to the center line of Sidney Road, 31 feet to the place of beginning.

Being part of the premises conveyed to Congregation Sons of Abraham by Deed from Austria-Hungary Yad Charucim Congregation, dated January 31, 1939, and recorded in Deed Book 1812, Page 558, Hamilton County, Ohio Records.

2. Seller agrees to grant an easement in the now existing walks on its cemetery to Purchaser for use in all connections with the use of the land it has contracted to buy from the Congregation Sons of Abraham for cemetery purposes only, and for no other purpose, provided however, that said easement is not to be used by automobile, hearse, or other vehicle except that it may be used in the same,