

PRELIMINARY CERTIFICATE OF TITLE

CLIENT:
Dye Real Estate & Land Company
2045 Heather Drive
Lima, Ohio 45804

Jauert & Burton LLP
Olivia C. Arnett
103 South Blackhoof Street
PO Box 1957
Wapakoneta, Ohio 45895
Phone: (419) 738-9274
Fax: (419) 738-3403
oarnett@jauertburton.com

PROPERTY:
Parcel No. B0601902800 (Tract 1)
Parcel No. B0503500100 (Tract 2)

The undersigned hereby certifies that a careful search and examination has been made of the records of Auglaize County, Ohio, relating to the following described premises, which premises are fully and correctly bounded and described as follows, viz:

See legal description on the attached **Exhibit A**.

Also, the property is conveyed subject to, and there are hereby excepted from the general warranty covenants, the following:

- (i) All easements, right-of-way, restrictions, covenants, reservations, and encumbrances of record;
- (ii) All legal highways;
- (iii) Building and zoning statutes, ordinances, code, rules, and regulations;
- (iv) Real estate taxes and assessments currently a lien on the Property.

That the indefeasible fee simple title to the above described premises is vested absolutely in Beatrice K. Dunlap, who acquired title thereto by Survivorship deed with her husband Paul Dunlap, dated January 17, 2008, filed for record January 17, 2008, in Official Records Volume 562, Page 1480 in Auglaize County; a following Survivorship Affidavit, to remove her deceased husband, was filed for record April 3, 2020 at 9:12 am and recorded in Official Records Volume 702, Page 4538 of the records of the county in which the premises are located; and that said title in the opinion of the undersigned Attorney is a good, safe, marketable, fee simple title and is such as can be safely accepted and relied upon by said Client, except and subject to the following matters:

Section 1. TAXES AND ASSESSMENTS:

PARCEL NO. B060192800 (Tract 1)
TAX VALUE \$250,610.00
BUILDING \$135,700.00
LAND \$114,910.00

The special assessments and charges for the property is \$22.00. The installment of taxes and assessments for the first half of 2022 in the amount of \$714.49, are paid. The installment of taxes and assessments for the second half of 2022 in the amount of \$692.49, are paid. Taxes for the year 2023 are a lien, amount unknown.

PARCEL NO. B0503500100 (Tract 2)
TAX VALUE \$549,040.00
BUILDING \$0
LAND \$549,040.00

The special assessments and charges for the property is \$5.80. The installment of taxes and assessments for the first half of 2022 in the amount of \$694.96, are paid. The installment of taxes and assessments for the second half of 2022 in the amount of \$689.16, are paid. Taxes for the year 2023 are a lien, amount unknown.

Section 2. MORTGAGES:

There are no mortgages on the Property.

Section 3. LEASES OF RECORD:

None.

Section 4. RESTRICTIVE COVENANTS, as to use and occupancy, building restrictions, easements or rights-of-way:

Subject to easements and conditions of record.

Section 5. JUDGMENTS; SUITS PENDING:

None.

Section 6. OUTSTANDING BONDS, relating to property:

None.

Section 7. OTHER MATTERS or information on record, including mechanics liens:

Utility easement to the Village of Cridersville, dated October 16, 1980, recorded October 24, 1980, at OR Volume 251, Page 256, copy attached. (Tract 1)

Right of way easement to the Village of Cridersville, dated December 29, 1978, recorded January 25, 1979, at OR Volume 246, Page 311, copy attached. (Tract 1)

This certificate does not purport to cover the following: any matters which are not of public record in said county, or discernible by reasonable examination thereof; taxes and assessments, or either one of them, not posted to the County Treasurer's Tax Duplicate; U. S. Tax liens not recorded in said County; liens arising pursuant to Chapter 1309, Revised Code of Ohio; matters disclosed by the records of the United States Courts; rights to file mechanics' liens; rights of parties in possession; matters which would be disclosed by accurate survey or inspection of the premises; assessments not certified to the County Auditor; rights acquired by adverse possession or use; unpaid water or sewer bills; zoning ordinances and restrictions; fraud, forgery or incapacity in the execution of title instruments; heirs or devisees undisclosed by public record; failure of or ineffective delivery of title instrument; computer or input errors, or retrieval methods not made known to the public at large, resulting in information not disclosed or erroneously disclosed due to the use of known retrieval methods; improper indexing; Court reversal of a line of title decisions and invalidity of statute; liens of any governmental or quasi-governmental agency which are not recorded in said county; competing interests arising from an independent chain of title recorded during the period covered by this examination; liens asserted by the United States of America and/or the State of Ohio, their agencies and officers under the Ohio Solid and Hazardous Waste and Disposal Act and Federal Super Fund Amendment, or under Racketeering Influence and Corrupt Organization acts or receivership liens, unless the lien is filed in the public records of the county in which the property is located. Taxes and/or assessments are shown as we are able to find them listed as of the date hereof, and the same are shown for informational purposes only.

This report is made at the insistence of Dye Real Estate & Land Company hereinabove referred to as Client, and is not descendible nor assignable, and is not to be relied upon by any other person or corporation. At Client's request the search was limited to the period shown and we are not responsible for matters existing prior to said period.

This certificate covers a period of time beginning with a certain conveyance or other root of title transaction in the above-named record owner's chain of title, which was the most recent to be recorded as of a date at least forty (40) years ago, which evidence of title, together with subsequent proper record evidence in the above-named record owner's chain of title constitute the basis upon which this certificate and opinion is rendered.

Dated at Wapakoneta, County of Auglaize, State of Ohio, this 11th day of September, 2023 at 7:59 A.M.

Jauert & Burton LLP

By: 
Olivia C. Arnett

EXHIBIT "A"

Situate in the Township of Duchouquet, County of Auglaize and State of Ohio, to-wit:

TRACT 1:

The northwest quarter of the southwest quarter of Section 35, Town 4 South of Range 6 East, containing 40 acres.

TRACT 2:

All that part of the southwest quarter of the northwest quarter of said Section 35, Town 4 South, Range 6 East, Auglaize County, Ohio, lying east of the Dayton & Michigan Railroad and south of Daniel Phillips and Murdock's respective Additions to the Village of Cridersville, there being excepted therefrom Fraction 18 heretofore sold to the Village of Cridersville for reservoir purposes; the said Fraction so containing .42 acres, and that part hereby described containing 28.58 acres of land, more or less; except the following described tract of land, to-wit:

1.08 acre sold by John Naylor and wife to E. F. Reichelderfer and recorded in volume 85, page 257; 1 acre sold by John W. Naylor and wife to August Steveley and recorded in volume 88, page 286; and ½ acre of land sold by John W. Naylor and wife to the Village of Cridersville, Ohio, and recorded in volume 132, at page 12, Deed Records of Auglaize County, Ohio. This tract is located in the Village of Cridersville.

TRACT 3:

The northeast quarter of the southwest quarter of Section 35, Town 4 South, Range 6 East, containing 40 acres.

LESS AND EXCEPT:

PARCEL I

Being part of Fraction 19, Village of Cridersville, Duchouquet Township, Auglaize County, Ohio, and being more particularly described as follows:

Beginning at an iron pipe found 16.5 feet south of the southwest corner of Lot 9, said point also being the intersection of the east line of Waverly Street Extended with the south line of a 16.5 foot alley of Daniel and Phillips Addition as recorded in Plat Book 1, Page 355, of Auglaize County Recorder's Office.

(1) Thence south 1° 29' 17" west for a distance of 120.0 feet to an iron pin set; (2) thence west for a distance of 52.72 feet to an iron pin set; (3) thence north 1° 29' 17" east for a distance of 120.0 feet to an iron pin set on the south line of a 16.5 foot alley; (4) thence east for a distance of 52.72 feet to the point of beginning.

Containing in all 0.145 acres, 630.75 square feet.

PARCEL II

Being part of Fraction 19, Village of Cridersville, Duchouquet Township, Auglaize County, Ohio, and being more particularly described as follows:

Beginning at an iron pipe found 16.5 feet south of the southwest corner of Lot 9, said point also being the intersection of the east line of Waverly Street Extended with the south line of a 16.5 foot alley of Daniel and Phillips Addition as recorded in Plat Book 1, Page 355, of Auglaize County Recorder's Office.

(1) Thence east along the south line of said alley and an existing fence line a distance of 235.40 feet to an iron pipe found on the east side of an 8 inch corner post; (2) thence south $1^{\circ} 29' 17''$ west along an existing fence line a distance of 958.39 feet to an iron pipe found; (3) thence north $89^{\circ} 06' 59''$ west for a distance of 235.33 feet to an iron pipe found; (4) thence north $1^{\circ} 29' 17''$ east for a distance of 954.76 feet to the point of beginning passing an iron pipe set at 834.76 feet.

Containing in all 5.168 acres (225,118 square feet).

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

Mary Ann Shearer
Notary Public

This instrument was prepared by Kemp & Huber, Home Bank Building, St. Marys, Ohio 45885

1. Name of Grantor(s) and marital status.
2. Description of land or interest therein, and encumbrances, reservations, exceptions, taxes and assessments, if any.
3. Date(s) which ever does not apply.
4. Execution in accordance with Chapter 5301 of the Revised Code of Ohio.

Notary Seal: *Mary Ann Shearer*
 Auditor's and Recorder's Stamp: *Cancelled 1-25-78*
 This instrument has been recorded and the amount paid therefor is \$100.00

WARRANTY DEED, short form, with release of dower - No. 22

Know All Men by These Presents

VOL 246 PAGE 311

That PAUL L. DUNLAP AND BEATRICE K. DUNLAP, Husband and Wife, the Grantors
 of Auglaize County, Ohio,
 in consideration of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION
 to them in hand paid by THE VILLAGE OF CRIDERSVILLE, OHIO, the Grantees
 whose address is Cridersville, Ohio
 do hereby Grant, Bargain Sell and Convey
 to the said Village of Cridersville successors
 in its whosoever

and assigns forever, ~~the following described Real Estate,~~ an easement over and through the following described real estate:

Situate in the Village of Cridersville, Auglaize County, State of Ohio, to-wit:

Commencing for reference at the southeast corner of Lot 8, in Daniel and Phillips Addition, to the Village of Cridersville, said point also being on the westerly right-of-way line of Waverly Street and the northerly line of a 16.5 foot alley-

Thence south a distance of 16.5 feet to the southerly line of a 16.5 foot alley and marking the point of beginning for the easement to be described by this instrument -

Thence from this point of beginning, south a distance of 3.5 feet -

Thence west, parallel to the southerly line of a 16.5 foot alley, a distance of 200 feet to a point 3.5 feet south of the southerly line of a 16.5 foot alley, said point also being 20.00 feet south of the southwest corner of Lot 5, in Daniel and Phillips Addition to the Village of Cridersville -

Thence continuing west to a point on the easterly right-of-way line of the B. & O. Railroad -

Thence northerly to a point on the northerly line of a 16.5 foot alley extended, said point also being the southwest corner of a lot known as Town Pond -

Thence east along the northerly line of a 16.5 foot public alley extended, a distance of 443.73 feet to the southwest corner of Lot 5, said point also being on the northerly line of a 16.5 foot alley -

Thence south a distance of 16.5 foot to the southerly line of a 16.5 foot alley -
 Thence east, along the southerly line of a 16.5 foot alley a distance of 203 feet to and all the Estate, Right, Title and Interest of the said grantors in and to said premises; To have and to hold the same, with all the privileges and appurtenances thereunto belonging, to said grantee. its

successors
~~and assigns~~ forever. And the said Grantors

do hereby Covenant and Warranty that the ~~title~~ ^{easement} so conveyed is Clear, Free and Unincumbered, and that they will Defend the same against all lawful claims of all persons whomsoever.

PRIOR DEED VOLUME 168, Page 191



(*) Include reference to volume and page of next preceding recorded instrument through which grantor claims title (R.C. § 319.20)

the point of beginning. Containing 9,725 square feet more or less.

Mortgage Deed

To

County Auditor

January 25 1979

[Signature]
County Auditor

Ohio Auglaize County, S. S.
Book 340 Page 79
Date Jan. 25 1979
Vol. 246 Page 311-312
Fee \$5.00
[Signature]
Recorder, Auglaize Co., Ohio

In Witness Whereof, the said PAUL L. DUNLAP AND BEATRICE K. DUNLAP, HUSBAND and WIFE hereby release their right and expectancy of dower in said premises, have hereunto set their hands, this 29th day of December in the year A. D. nineteen hundred and seventy-eight (1978).

Signed and acknowledged in presence of us:
[Signature]
[Signature]

[Signature]
PAUL L. DUNLAP
[Signature]
BEATRICE K. DUNLAP

State of Ohio, AUGLAIZE County, ss.
On this 29th day of December, 1978, before me, a notary public in and for said County, personally came PAUL L. DUNLAP AND BEATRICE K. DUNLAP, husband and wife the grantors in the foregoing deed, and acknowledged the signing thereof to be their voluntary act and deed.



[Signature]
CHERYL A. BROOKHART
Notary Public, State of Ohio
My Commission Expires March 24, 1983

This instrument was prepared by Kenneth E. Hitchen, Attorney at Law, St. Marys, Ohio 45885

8021 8
1208
P.O. Box 100 Dayton, Ohio 45402
Dayton Legal Blank Co.

v. 251 256

EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS:

That PAUL L. DUNLAP and BEATRICE K. DUNLAP, husband and wife, in consideration of the sum of ONE AND 00/100 DOLLARS (\$1.00) and other valuable considerations to them paid by the Village of Cridersville, Ohio, receipt of which is acknowledged, does hereby grant and release to said VILLAGE OF CRIDERSVILLE, OHIO, forever, the right, privilege and easement to construct, maintain, tap into and repair a storm sewer line through the following described real estate:

Being a 20 foot utility easement situated in the Village of Cridersville, Auglaize County, Ohio, and being more particularly described as follows:

Commencing for reference at the southeast corner of Lot 8, in Daniel and Phillips Addition, to the Village of Cridersville, said point also being on the westerly right-of-way line of Waverly Street and the northerly line of a 16.5 foot alley; thence south a distance of 40.00 feet to the point of beginning for the easement to be described by this instrument; thence from this point of beginning west, parallel to the southerly line of a 16.5 foot alley, a distance of 200 feet to a point, said point also being 40.00 feet south of the southwest corner of Lot 5, in Daniel and Phillips Addition to the Village of Cridersville; thence continuing west to a point on the easterly right-of-way line of the B. & O. Railroad; thence northerly 20.00 feet to a point, said point being 20.00 feet south of the southwest corner of a lot known as Town Pond; thence east, a distance of 643.73 feet to a point 20.00 feet south of Lot 8 in Daniel & Phillips Addition to the Village of Cridersville; thence south 20.00 feet to the point of beginning.

Containing 12,874 square feet (0.29 acres) of land.

Said Grantee is to have the right and privilege of entering upon the above described premises through itself, employees, and contractors, to construct, maintain, tap into and repair the sewer line along the line above set forth.

As further consideration for this easement, Grantee agrees to restore the said premises to its original condition, as near as possible, after construction, repair or replacement of said sewer line.

The Grantor shall have full right to use the land within the said right-of-way easement for any purpose consistent with the rights herein granted to the Grantee, its successors and assigns; provided, however, that no buildings or other structures shall be erected within the limits of said right of way and easement by the Grantor or any other party claiming title or possession under said Grantor.

IN WITNESS WHEREOF, the said PAUL L. DUNLAP and BEATRICE K. DUNLAP, hereunto subscribe their names on this 10th day of October, 1980.

IN WITNESS WHEREOF:

David W. Boyer

James D. Boyer

v. 251 257

Paul L. Dunlap
PAUL L. DUNLAP

Beatrice K. Dunlap
BEATRICE K. DUNLAP