

**Administrator's or Executor's Deed**

(Private Sale. Appraisement in Inventory)

**Know all Men by these Presents:**

That Whereas, on the 29th day of January 1999  
 James M. Linehan  
 duly appointed and qualified as Administrator DBN  
 of the estate of Merrill Leroy Swartz, Jr. aka Merrill L. Swartz, Jr., deceased, late of  
 Fairfield County, Ohio, by the Probate Court of said County; and  
 afterwards, to-wit: on the 3rd day of March 1999, said  
 James M. Linehan filed his certain petition and then and  
 thereby commenced an action in the Probate Court of Fairfield  
 County, Ohio, against Joy Ann Cook, et al.,

and numbered on the Docket of said Court as Case No. 58096, praying  
 among other things, for an order of sale of certain real estate therein mentioned  
 and hereinafter described.

And Whereas, such proceedings were had in said action, that on the 3rd  
 day of March 1999, said Court, finding the allegations of the petition  
 true, that an appraisement of such real estate is contained in the inventory, and that  
 said real estate ought to be sold as prayed for in said petition, ordered that another  
 appraisement be dispensed with, and further ordered that said James M. Linehan  
 proceed according to law to sell said real estate at private sale for not less than the  
 appraised value thereof, the above estate therein of

And on the same day, in pursuance of said order and judgment, an order of  
 sale, with said real estate therein described, was issued by said Court, under the  
 seal thereof, to the said James M. Linehan  
 as Administrator DBN  
 as aforesaid, commanding him to execute the said order, and of the same to-  
 gether with his proceedings thereon, to make due return;

And Whereas, said James M. Linehan, Administrator DBN

having on the 4th day of March 1999 returned said order of sale to said Court as commanded, with his proceedings thereon, stating in substance that in obedience to said order he sold said premises on the 4th day of March 1999 to Shawn M. Cook and Joy A. Cook, for their joint lives, remainder to the survivor of them, for the sum of Seventy-Six Thousand and No/100 Dollars, said sum being the appraised value of the same; said sale being made after diligent endeavor to obtain the best price for said property, and for the highest price he could get therefor;

~~the undersigned hereby certifies that~~

And Whereas, on the 5th day of March 1999, the said Court having examined the proceedings of the said James M. Linehan, Administrator DBN aforesaid, under said order of sale, and it appearing to the Court that said sale was in all respects legally made, ordered that the same be approved and confirmed, and that said James M. Linehan should execute and deliver a proper deed to the purchaser of the real estate so sold.

All of which will more fully appear by the records of said Court, to which reference is here made.

Now therefore I, the said James M. Linehan, Administrator DBN of the estate of Merrill Leroy Swartz, Jr. aka Merrill L. Swartz, Jr. deceased aforesaid, by virtue of said judgment, order of sale, sale and confirmation and of the statutes in such cases made and provided, and of the powers vested in him and for and in consideration of the premises, and the sum of Seventy-Six Thousand and No/100 Dollars (\$76,000.00), paid or secured to be paid to him by said Shawn M. Cook and Joy A. Cook the receipt whereof is hereby acknowledged, does hereby Grant, Bargain, Sell, and Convey to the said Shawn M. Cook and Joy A. Cook, for their joint lives, remainder to the survivor of them, 1179 Coonpath Road, Lancaster, Ohio, 43130, their heirs and assigns forever, the following Real Estate, situated in the County of Fairfield in the State of Ohio and in the Township of Greenfield, and bounded and described as follows:

\* TRACT ONE: Being a part of the Northeast Quarter of Section 23, Township 15, Range 19 and bounded and described as follows: Beginning at a point in the center of the Coonpath Road, which point is 917.5 feet West of the Northeast corner of Section 23 and the intersection of the Coonpath Road and the Baltimore-Lancaster State Route No. 158; said point also being the Northeast corner of a One acre tract of land conveyed to Carl Rose by deed dated September 2, 1949, and recorded in Volume 232, Page 516 of the Fairfield County, Ohio, Records; thence South 1 degree 23 minutes West 440 feet along the East line of said Carl Rose tract to an iron pin at the Southeast corner of said Carl Rose tract; thence North 89 degrees 9 minutes East 100 feet to an iron pipe; thence North 1 degree 23 minutes East 440 feet to the center of

683-168

the Coonpath Road; thence South 89 degrees 9 minutes West 100 feet along the center line of the Coonpath Road to the place of beginning, containing 1.01 acres, more or less. Subject to all legal highway rights-of-way.

Subject to conditions, restrictions, easements, leases and utility rights-of way of record.

TRACT TWO: Being a part of the Northeast Quarter of Section 23, Township 15, Range 19, bounded and described as follows: Beginning at a point in the center of the Coonpath Road, which point is 1017.5 feet West of the Northeast corner of Section 23 and the intersection of the Coonpath Road and the Lancaster-Baltimore State Highway No. 158; said point also being the Northeast corner of a One acre tract of land belonging to Thomas R. Davis; thence South 1 degree 23 minutes West 440 feet along the East line of Thomas R. Davis tract to a point, which is also the Southeast corner of said Thomas R. Davis tract; thence North 89 degrees 9 minutes East 100 feet to a point; thence North 1 degree 23 minutes East 440 feet to the center of Coonpath Road; thence South 89 degrees 9 minutes West 100 feet to the place of beginning, containing 1.01 acres, more or less.

Subject to conditions, restrictions, easements, leases and utility rights-of way of record.

LAST TRANSFER: Volume 537, Page 648, Deed Records, Fairfield County, Ohio.

TRANSFERRED

MAR 08 1999

*Barbara Curtiss*  
County Auditor, Fairfield County, Ohio

DESCRIPTION REVIEWED AND APPROVED  
FOR TRANSFER OF FAIRFIELD COUNTY  
# 03-0A-1999-168  
BY 7/11/99 DATE 3-5-99  
013 00/00 00

REAL ESTATE CONVEYANCE

Fee \$ 76.00

Exempt # \_\_\_\_\_

*Barbara Curtiss*  
Auditor, Fairfield County, Ohio

9900006371  
Filed for Record in  
FAIRFIELD CO, OH  
GENE WOOD  
On 03-0A-1999 At 01:13 pm.  
DEED 22.00  
Book OR Vol. 683 Pg. 166 169

19-15 23

.....*document as aforesaid.*.....  
\*Include reference to volume and page of the recording of the next preceding recorded instrument by or through which the grantor or grantors claim title.

To Have and to Hold said premises, with all the privileges and appurtenances thereto belonging, to the said Shawn M. Cook and Joy A. Cook, their heirs and assigns forever, as fully and completely as I, the said James M. Linehan as such Administrator DBN by virtue of said judgment, order of sale, sale and confirmation, and of the statute made and provided for such cases, might or should sell and convey the same.

In Witness Whereof, The said James M. Linehan as such Administrator DBN has hereunto set his hand, this 5th day of March 19 99

Signed and acknowledged in presence of James M. Linehan, Administrator DBN

of the Estate of Merrill Leroy Swartz, Jr. aka Merrill L. Swartz, Jr.

The State of Ohio, Fairfield County.

Be It Remembered, That on this 5th day of March 1999 before me, the subscriber, a Notary Public in and for said County, personally came the above named James M. Linehan as Administrator DBN of the Estate of Merrill Leroy Swartz, the Grantor in the foregoing Deed, and acknowledged the signing of the same to be his voluntary act and deed as such Administrator DBN for the uses and purposes therein mentioned.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

This Instrument prepared by:

JAMES M. LINEHAN, ATTORNEY AT LAW, LANCASTER, OHIO.

G. Brian Boltz, Notary Public State of Ohio, Lifetime Commission

Administrator's or Executor's

## DEED

From

James M. Linehan, Adm. DBN of the Estate of Merrill Leroy Swartz, Jr. aka Merrill L. Swartz, Jr.

To

Shawn M. Cook and Joy A. Cook 1179 Coonpath Road Lancaster, Ohio 43130

Received 19 at o'clock M. Recorded 19 In County Record of Deeds, Vol. Page

Recorder Recorder's Fee - \$ TRANSFERRED 19 Auditor

By dn Notary Public

BARNETT BROTHERS PUBLISHERS 9966004 DNB