

WARRANTY DEED

Image ID: 000001000168 Type: OFF
 Recorded: 10/24/2006 at 01:56:24 PM
 Fee Amt: \$52.00 Page 1 of 5
 Instr# 200600017695
 Muskingum County
 Karen Vincent County Recorder
BK 2064 PG 27

KNOW ALL MEN BY THESE PRESENTS

THAT, J. J. DETWEILER ENTERPRISES, INC., a corporation under the laws of the State of Ohio, the Grantor, for the consideration of Six Thousand Nine Hundred Fifty and 00/100 Dollars, (\$6,950.00), received to its full satisfaction of **CRAIG N. FOUST, SR. AND SONYA L. FOUST**, husband and wife, the Grantees, whose tax mailing address will be 9115 Center Road, Blue Rock, Ohio 43720, does **GIVE, GRANT, BARGAIN, SELL AND CONVEY** unto the said Grantees, their heirs and assigns, the following described premises situated in the Township of Brush Creek, County of Muskingum, and State of Ohio:

TRACT #8 - 5.002 ACRES**SEE ATTACHED LEGAL DESCRIPTION MARKED AS EXHIBIT "A"****Prior Deed: Volume 1070, Page 229****Part of Parcel #08-70-08-12-000****Permanent Parcel # _____****ADDENDUM**

Subject to easements, mineral leases, zoning and allotment restrictions, and all other restrictions of record. Seller hereby reserves the right for itself, its successors and assigns, of an area forty feet wide along the total frontage of the above described premises for the purpose of installation and maintenance of any public utility lines, specifically including, but not limited to gas, and/or electrical lines. Seller retains all rights to royalties from mineral, oil and gas leases on existing wells.

1. No old cars, trucks, tires, refuse of any kind, "junk" vehicles or trailers are to be stored on the Property.
2. That said property will be used for residential and farming purposes, and conforms to local zoning regulations.
3. That there shall be no excessive noise in or near the Property and that Buyer may not commit any act, which causes a nuisance to Buyer's neighbors or the neighborhood.
4. Buyer will keep the property in a clean, sanitary and sightly condition, and in compliance with all laws or regulations imposed by any governmental authority having jurisdiction over any Property for the care, safety, health and upkeep of real estate.
5. That Buyer will not, nor will Buyer permit, the storage of refuse, trash, or hazardous materials on the Property, nor may the Property be used as a dump or landfill site.
6. That Buyer will comply with all laws, rules or regulations of Federal, State or local agencies for protection of the environment ("E.P.A.") now or hereafter imposed concerning the treatment of storage of materials or substances; Buyer will defend and hold Seller harmless with respect to any violations, including, without limitation, the payment of Seller's attorneys fees required to defend same.
7. If the Property is not wooded Buyer will cause same to be mowed at least twice per year.
8. Before Buyer may place any dwelling or mobile home on the Property, Buyer must provide Seller proof of compliance with septic codes.
9. If Buyer undertakes to erect any structures on the Property, all exterior construction must be of new material. The Exterior of new Buildings must be completed within six (6) months from start of construction.
10. Mobile homes may be permitted, if permitted, must not be more than ten (10) years old and minimum of 14'x 54' in size. Wheels must be removed and set up for permanent living.
11. Mobile homes must be skirted with new mobile home type skirting.
12. All camper units must have holding tanks. No on-ground dumping is permitted. Campers may not be used for permanent living.
13. All structures and facilities must be maintained so as not to become unsightly.

001685

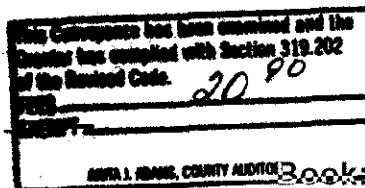
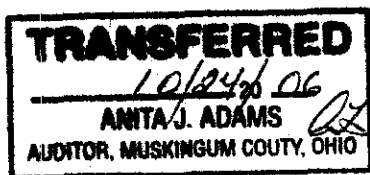


Image ID: 000001000169 Type: OFF
Page 2 of 5

BK 2064 PG 28

TO HAVE AND TO HOLD the above granted and bargained premises with the appurtenances thereunto belonging unto the said Grantees, their heirs and assigns, forever. And the said Grantor does for itself and its successors and assigns covenant with the said Grantees, their heirs and assigns, that at and until the ensealing of these presents it is well seized of the above described premises as a good and indefeasible estate in **FEE SIMPLE**, and has good right to bargain and sell the same in manner and form as above written; that the same are free and clear from all encumbrances whatsoever, except see above addendum.

Taxes and Assessments to be prorated to April 2, 1994.

And that it will **WARRANT AND DEFEND** said premises, with the appurtenances thereunto belonging to the said Grantees, their heirs and assigns, forever, against all lawful claims and demands whatsoever, except as set forth above.

IN WITNESS WHEREOF said corporation set its hand and corporate seal, by JOSEPH J. DETWEILER, its President, this 26th day of September, 2006.

J. J. DETWEILER ENTERPRISES, INC.

BY: 
JOSEPH J. DETWEILER, PRESIDENT

STATE OF OHIO

COUNTY OF STARK

SS:

BEFORE ME, a Notary Public in and for said County, personally appeared the above named J. J. DETWEILER ENTERPRISES, INC., by JOSEPH J. DETWEILER, its President, who acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of said Corporation and the free act and deed of him personally and as such officer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Uniontown, Ohio, this 26th day of September 2006.

My Commission Expires: 1-3-10


NOTARY PUBLIC



TAMMY HIPPERT, Notary Public
Residence - Portage County
State Wide Jurisdiction, Ohio
My Commission Expires January 3, 2010

This instrument prepared by J. J. DETWEILER ENTERPRISES, INC.



Image ID: 000001000170 Type: OFF

Page 3 of 5

BK 2064 PG 29

Description of Parcel 8

Situated in the State of Ohio, County of Muskingum, Township of Brush Creek, being in the northeast quarter of Section 8, Range 13 West, Township 10 North, of "The Congress Lands East of the Scioto River", and being bounded and described as follows:

Commencing for reference at an iron pin set at the northeast corner of Section 8 (Note: Reference bearing on the north line of Section 8 used as South 88°33'21" East.);

thence, with the east line of Section 8, South 01°41'10" West a distance of 2,022.61 feet to an iron pin set at the northeast corner of a 39.59 acres tract as conveyed to Ronald B. Miracle by Deed Volume 986, Page 97 of the Muskingum County Recorder's Office;

thence, with the north line of said Miracle property, North 59°02'04" West a distance of 1,559.34 feet to an iron pin set;

thence North 01°09'46" East a distance of 1,484.98 feet to an iron pin set, being THE TRUE POINT OF BEGINNING for this description;

thence, from said Point of Beginning continuing, North 01°09'46" East a distance of 217.19 feet to an iron pin set;

thence North 88°51'54" East a distance of 966.40 feet to a point in the centerline of State Route 555, passing through two iron pins set at distances of plus 836.40 feet and plus 936.40 feet, respectively;

thence, with the centerline of State Route 555, South 16°55'11" East a distance of 226.62 feet to a point;

thence, leaving the road, South 88°55'24" West a distance of 1,036.75 feet to the Point of Beginning, passing through two iron pins set at distances of plus 90.00 feet and plus 190.00 feet, respectively;

containing 5.002 acres, more or less, out of Parcel No. 08-08-70-08-12-000.

Subject to all legal right-of-ways, easements, restrictions, reservations, and zoning regulations of record.

Subject to the right-of-way of State Route 555.

Subject to the 100 year Flood Plain restrictions.

Image ID: 000001000171 Type: OFF
Page 4 of 5

BK 2064 PG 30

Page 2 of 2
Description of Parcel 8

Subject to any facts that may be disclosed by a full and accurate title search.

Subject to a 40.00 feet wide easement being reserved unto the grantor, his heirs, and/or assigns, forever. Said easement is for the purposes of running utilities to other parcels of land on or near State Route 555. Said easement runs in a north-south direction across the east end of the above described property with the east line of said easement being the centerline of State Route 555. Containing 0.208 acres, more or less, of easement.

TOGETHER WITH a 40.00 feet wide right-of-way, for the purposes of ingress from State Route 555. The centerline of said right-of way being described as follows:

Beginning in the centerline of State Route 555 at the southeast corner of the above described 5.002 acres tract;

thence, from said Point of Beginning with the south line of said 5.002 acres tract, South 88°55'24" West a distance of 90.00 feet to The Point of Ending for this right-of-way description;

Containing 0.083 acres, more or less, of right-of-way.

Subject to all of the above described 40.00 feet wide right-of-way being also reserved unto the grantor, his heirs, and/or assigns, forever, for the purposes of ingress and egress to any and all tract of land which may join said right-of-way.

All iron pins set are rebar with yellow caps labeled "Claus 6456".

The bearings in this description are for angle calculations only and are based on the north line Section 8 used as an assumed bearing of South 88°33'21" East.

The above description prepared by Roger W. Claus, Registered Surveyor No. 6456, based on a new survey of September 30, 1992.

Prior Deeds: Deed Volume _____, Page _____.

APPROVED FOR CLOSURE

J.L. Gamble 10/8/92
AS

EXEMPT FROM
PLANNING COMMISSION

Roger W. Claus

DESCRIPTION APPROVED
FOR AUDITOR'S TRANSFER

by J.L. Gamble

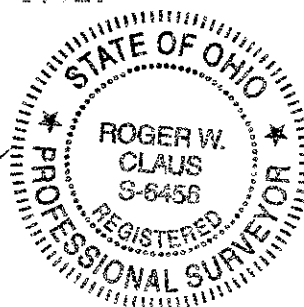




Image ID: 000001000172 Type: OFF
Page 5 of 5

BK 2064 PG 31

- = 1/2" IRON PIN SET CAPPED "CLAUS 6456"
- + = SURVEY ANGLE POINT
- = EXISTING PROPERTY LINES
- = LINES OF THIS SURVEY

Line	Bearing	Distance
12	S 19°45'16"E	311.02'
13	S 16°55'11"E	226.62'
14	S 88°55'24"W	60.00'
15	S 88°55'24"W	30.00'
16	S 88°55'24"W	100.00'
17	N 1°09'46"E	217.19'
18	N 88°51'54"E	100.00'
19	N 88°51'54"E	30.00'

THE BEARINGS ON THIS PLAT ARE FOR ANGLE CALCULATIONS ONLY AND ARE BASED ON AN ASSUMED BEARING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 8 USED AS NORTH 88°33'21" WEST.

SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, RESTRICTIONS, RESERVATIONS, AND ZONING REGULATIONS OF RECORD. SUBJECT TO 100 YEAR FLOOD PLAIN RESTRICTIONS, IF APPLICABLE. SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED IN A FULL AND ACCURATE TITLE SEARCH.

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT IT WAS PREPARED FROM AN ACTUAL FIELD SURVEY OF THE PREMISES ON SEPTEMBER 28, 1992.

ROGER W. CLAUS, REG. SURVEYOR 6456 DATE: 10-06-06
33310 CHRISTMAN RIDGE ROAD
LEWISVILLE, OHIO 43754
1-740-567-3168
1-740-567-3106 FAX

SURVEY PLAT FILE: 020321F8

SURVEY PLAT FOR

J. DETWEILER ENTERPRISES

NEW SPLIT OUT OF PARCEL NO. 08-08-70-08-12-000

OHIO POWER
45.23 ACRES
D.V. 279, PG. 200

SECTION 5

NORTH 88°33'21" WEST
BASIS OF BEARINGS

SECTION 8

EXEMPT FROM
PLANNING COMMISSION

10/12/2006

N 88°51'54"E 836.40'
N 88°51'54"E 966.40' TOTAL

5.002 ACRES

SEE FEMA FLOOD MAP 390-4250175 C

S 88°55'24"W 846.75'
S 88°55'24"W 1036.75' TOTAL

SITUATED IN THE STATE OF OHIO, COUNTY OF MUSKINGUM, TOWNSHIP OF BRUSH CREEK, BEING IN THE NORTHEAST QUARTER OF SECTION 8, RANGE 13 WEST, TOWNSHIP 10 NORTH, OF "THE CONGRESS LANDS EAST OF THE SCIOTO RIVER".

PERTINENT DOCUMENTS

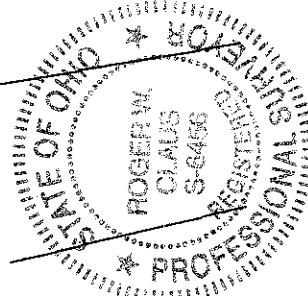
- (1) ALL DEEDS AS SHOWN.
- (2) COUNTY TAX MAPS.
- (3) SURVEY PLAT BY CLAUS SURVEYING

N 89°02'04"W 1559.34'

C/L S.R. 555
(CENTER RD.)

40' WIDE
COMMON-USE
RIGHT-OF-WAY
0.083 ACRE

P.O.B. FOR
PARCEL 8



S 1°41'10"W 2022.61'

APPROVED FOR TRANSFER
10-8-92
J.L. G. M. B. 10-8-92

SCALE 1" = 200'

0' 200' 400'

APPROVED FOR CLOSURE

J.L. Claus 10/16/92