

HARRISON COUNTY AUDITOR
PATRICK J. MOORE
REAL ESTATE TRANSFER BY WAB
CONV.FEE EX ☒
TRAN.FEE 1.00 DATE 10-30-17

Instrument Book Page
201700003436 OR 251 1941
201700003436
Filed for Record in
HARRISON COUNTY, OHIO
JOSHUA M A WILLIS, RECORDER
10-30-2017 At 04:04 pm.
QUIT CLAIM 44.00
OR Book 251 Page 1941 - 1944

DEED APPROVED FOR TRANSFER
DATE 10/30/17 BY CAH
ROBERT STERLING
HARRISON COUNTY ENGINEER

201700003436
NOMAD TITLE

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, Samuel David Smith, married, hereinafter referred to as Grantor, who claim title through the Quit-Claim Deed recorded in Volume 247, Page 1138, Harrison County Official Records, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, received to the full satisfaction of **Samuel David Smith and Lee Ann Smith**, does hereby REMISE, RELEASE AND FOREVER QUIT CLAIM unto said **Samuel David Smith and Lee Ann Smith, husband and wife**, for their joint lives, remainder to the survivor of them, his or her heirs and assigns, whose tax mailing address is PO Box 207, 74815 Fairpoint-New Athens Road, New Athens, Ohio 43981, the following Property (the "Property").

Tract One:

Situated State of Ohio, County of Harrison, Township of Athens, Village of New Athens, and being part of the Southwest Quarter of Section 35, Township 8, Range 4, and the Northwest Quarter of Section 34, Township 8, Range 4 in the Steubenville Land District, and being a part of a 3.005 acre tract (Second Tract), and part of a 8.7146 acre tract (First Tract) claimed by Samuel David Smith, and recorded in ORV. 247, Page 1138 of the Harrison County Records, and described as:

Beginning on the west line of Range 4, in the traveled portion of S.R. 9, and at the Southwest corner of Section 35;

Thence from said beginning and with the west line of the aforementioned Second Tract, N. 2° 06' 56" E, 272.31 feet to the northwest corner of the same;

Thence with the north line of the aforementioned Second Tract, S. 87° 55' 34" E, 18.08 feet to an "X" cut found at the northwest corner of a 0.646 acre tract claimed by Edward and Carla Rutter (ORV. 198, Pg. 1315, Tract One);

Thence with the west line of the 0.646 acre tract and the west line of a 0.549 acre tract also claimed by Edward and Carla Rutter (ORV. 198, Pg. 1315, Tract Two), S. 2° 04' 26" W, 272.32 feet to a 1/2 inch iron pin found at the southwest corner of the 0.549 acre tract, and in the north line of the aforementioned 8.7146 acre Smith tract;

Thence with the south line of the 0.549 acre tract and the north line of the Smith tract, S. 87° 53' 04" E, 301.50 feet to an iron pin set at the northeast corner of the parcel herein described, passing on line an axle found at the southeast corner of the 0.549 acre tract at 195.50 feet;

Thence with a line dividing the 8.7146 acre Smith tract, the following 2 (two courses):

1) S. 2° 04' 26" W, 125.77 feet to an iron pin set at the southeast corner of the parcel herein described;

2) Thence, S. 89° 44' 14" W, 318.33 feet to a point in the west line of Range 4, in the west line of Township 34, in the west line of the Smith 8.7146 acre tract, in the traveled portion of S.R. 9, and at the southwest corner of the parcel herein described, passing on line capped (JAH) iron pins found at 234.71 feet, and 284.71 feet;

Thence continuing with the aforementioned bounds, N. 1° 21' 56" E, 138.99 feet to the Place of Beginning, and **Containing 1.0830 acres by survey;**

Of which 0.1137 acres are a part of Auditor's Parcel # 03-0000199.000 and within the Village of New Athens, and 0.9693 acres are a part of Auditor's Parcel # 02-0000283.000 and in Athens Township;

Subject however to all easements, restrictions and reservations of record;

This description is based on a field survey performed on or about September 25, 2017, under the supervision of Richard L. Celestino, PS # 8220, and is in accordance of Administrative Code 4733-37. Iron pins set are 30" x 5/8" O.D. with plastic caps inscribed "CELESTINO PS 8220". Bearings herein contained were determined by GPS Observations and are related to the Ohio Coordinate System, North Zone.

Saving and Excepting all that certain vein of coal being in and underlying the same known as the No. 8 or Pittsburgh vein, together with mining rights and privileges as contained in a deed conveying the same by a former owner, as found on record in Volume 61, Page 213 of Harrison County Deed Records. (This savings and exception strictly applies to the acreage derived from Parcel No. 02-0000283.000 in consisting 0.9693 acres as described above.)

Parcel Number: 02-0000283.003

Prior Deed Reference: Volume 247 Page 1138, Harrison County Official Records

Tract Two:

OK Situated State of Ohio, County of Harrison, Township of Athens, Village of New Athens, and being part of the Southwest Quarter of Section 35, Township 8, Range 4, and being the residue of a 3.005 acre tract (Second Tract), claimed by Samuel David Smith, and recorded in ORV. 247, Page 1138 of the Harrison County Records, and described as:

Beginning on the south line of Section 35, at an axle found at the southeast corner of a 0.549 acre tract claimed by Edward and Carla Rutter (ORV. 198, Pg. 1315, Tract Two), and being the southwest corner of the parcel herein described, the southwest corner of Section 35 bears N. 87° 53' 04" W, 213.78 feet;

Thence from said beginning and with the westerly bounds of the aforementioned 0.549 acre tract, and the bounds of a 0.646 acre tract also claimed by Edward and Carla Rutter (ORV. 198, Pg. 1315, Tract One) the following 3 (three) courses:

1) N. 2° 04' 26" E, 122.36 feet to an axle found at the northeast corner of the 0.549 acre tract;

2) Thence, N. 87° 55' 34" W, 8.00 feet to a 1/2 inch iron pin found at the southeast corner of the 0.646 acre tract;

3) Thence, N. 2° 04' 26" E, 150.10 feet to a capped (JAH) iron pin found at the northeast corner of the 0.646 acre tract, in the north line of the 3.005 acre tract, in the south line of a 3.30 acre tract claimed by T. Henderson, ETAL (ORV. 249, Pg. 614), and also being the northwest corner of the parcel herein described;

Thence with the north line of the 3.005 acre tract, and the south line of the Henderson tract, S. 87° 55' 34" E, 487.42 feet to an iron pin set in the westerly bounds of a 204.22 acre tract claimed by Richard Knupp, ETAL (ORV. 205, Pg. 572), at the northeast corner of the 3.005 acre tract, and also being the northeast corner of the parcel herein described;

Thence continuing with the east line of the 3.005 acre tract, and the westerly bounds of the Knupp parcel, S. 2° 06' 56" W, 272.81 feet to a survey nail set on the south line of Section 35, at the southeast corner of the 3.005 acre tract, and also being the southeast corner of the parcel herein described;

Thence continuing with the section line, N. 87° 53' 04" W, 479.22 feet to the Place of Beginning, and **Containing 3.0276 acres by survey;**

And being all of the residue of Auditor's Parcel # 03-0000199.000;

Subject however to all easements, restrictions and reservations of record;

This description is based on a field survey performed on or about September 25, 2017, under the supervision of Richard L. Celestino, PS # 8220, and is in accordance of Administrative Code 4733-37. Iron pins set are 30" x 5/8" O.D. with plastic caps inscribed "CELESTINO PS 8220". Bearings herein contained were determined by GPS

Parcel Number: 03-0000199.000

Prior Deed Reference: Volume 247 Page 1138, Harrison County Official Records

TO HAVE AND TO HOLD said premises, with all the privileges and appurtenances thereunto belonging, to the said Grantee, her heirs and assigns.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed as of the

29th day of October, 2017.

Grantor:

Samuel David Smith
Samuel David Smith

ACKNOWLEDGMENT

STATE OF OHIO)
) ss
COUNTY OF HARRISON)

On this 29th day of October, 2017, before me, a Notary Public, personally appeared Samuel David Smith, known to be (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

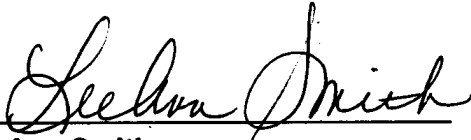


ANNETTE MCCUE
Notary Public, State of Ohio
My Commission Expires
4/11/2022

Signature/Notary Public: *Annette McCue*
Name/Notary Public (print): Annette McCue
My Commission Expires: 4-11-22

Release of Dower

And for valuable consideration Lee Ann Smith, does hereby remise, release and forever quit claim unto the said Grantee, all of Lee Ann Smith's rights and expectancy of dower in the above described premises.



Lee Ann Smith

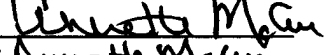
STATE OF OHIO
COUNTY OF HARRISON

On this 29th day of October, 2017, before me, a Notary Public, personally appeared Lee Ann Smith, known to be (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



ANNETTE MCCUE
Notary Public, State of Ohio
My Commission Expires
4/11/2022

Signature/Notary Public: 
Name/Notary Public(print): Annette McCue
My Commission Expires: 4-11-22

This instrument prepared by:
Charles L. Kidder, Esq.
Kidder Law Firm, LLC
131 West Market Street
Cadiz, Ohio 43907

When recorded return to:
Charles L. Kidder, Esq.
Kidder Law Office, LLC
131 West Market Street
Cadiz, Ohio 43907

The preparer of this document has been engaged solely for the purpose of preparing this instrument, has prepared the instrument only from the information provided and has not been requested to provide, nor has the preparer provided, an examination of the legal description, an opinion on title or advice on the tax, legal or non-legal consequences that may arise as a result of the conveyance, nor has such preparer verified the accuracy of the amount of consideration stated to have been paid or upon which any tax may have been calculated.