

Know all Men by These Presents

That, Whereas, on the 2nd day of September, 1981, the last Will and Testament of Chester Foust, deceased, was admitted to Probate and record in the Probate Division of the Court of Common Pleas of Montgomery County, Ohio, and on the 2nd day of September, 1981, Ruth Frymeyer was duly appointed and qualified as Executrix of said decedent's estate by said Probate Division, and she is now the lawful Executrix of the estate of said testator.

And Whereas, said last Will and Testament, among other provisions, contains the following, to-wit:

I nominate, constitute and appoint my daughter, Ruth Frymeyer, as and for the Executrix of this my Last Will and Testament and express the wish that letters testamentary issue to her without bond.

In addition to the powers given them by the laws of the State of Ohio, I authorize my fiduciary, successors, or substitutes and each of them to have the following powers and discretions, as in the unrestricted judgment of my said personal representative are deemed advisable for the better management and preservation of my estate, without resort to any person or court for further authority; to sell any of the property in my estate, real and personal, for cash or on such other terms as may seem advisable; to borrow money and make such pledges and mortgages in connection therewith as may be reasonably necessary; to hold my estate in the form of cash, free from any liability for failure to convert such cash into productive investments; to make distribution hereunder either in cash or in kind at fair market value; to settle or compromise all claims against my estate or those my estate may have against others; to retain any investments received by them as part of my estate or sell the same or any part thereof and reinvest the proceeds, not being confined to those investments authorized by law for the investment of funds held by a fiduciary; and to execute, acknowledge and deliver any and all instruments of conveyance, or transfer, powers of attorney, proxies, or other paper writings, by them deemed necessary or incident to the plenary exercise of the powers in or by this my Last Will vested in or conferred upon them.

All interest that I own in real estate at the time of my death shall be treated as though my fiduciary were the owner thereof, with all privileges and powers conferred by Ohio Revised Code Section 2113.311 and successor and similar statutes and subject to the limitations thereof, from the date of my death until such interest in real estate has been duly transferred in the administration of my estate.

And Whereas, the testat or died seized in fee simple of the real estate hereinafter described, and in order to carry out the provisions of said last Will and Testament, it is necessary to sell said real estate.

Now, Therefore, Ruth Frymeyer, Executrix

_____ as
aforesaid, in pursuance of the said provisions of the said last Will and Testament of said
Chester Foust, deceased, and by virtue
of the statute in such cases made and provided, and of the powers vested in her, and for
and in consideration of the premises, and the sum of TEN THOUSAND

_____ Dollars (\$ 10,000.00) paid or
secured to be paid to her by said Thomas Fenner

whose address is 7849 St. Rt. 219, Celina, Ohio,
the receipt whereof is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey
to the said Thomas Fenner

h is heirs and assigns forever, the following described **Real Estate**, situated in the County
of Mercer, in the State of Ohio, and in
the Township of Franklin, and bounded and described as follows:

Lot number seven (7) of DAY'S ADDITION as the same appears upon the
recorded plat thereof in Plat Book 5, Page 18 of the Mercer County,
Ohio, Record of Plats.

Last transfer of record appears in Volume 284, Page 794 of the Mercer
County, Ohio, Deed Records.

Grantees to have the right and privilege of docking one boat in the
channel at said landing.

APPROVED
MERCER COUNTY TAX MAP DEPT.

Date 6-3-82
By M. B.

~~Remission paragraph~~, conveyance Fee 10.00
The Grantor and Grantee of this deed have
complied with the provisions of A. C. Sec.
319,202 Roger A. Schwieterman, Mercer
County Auditor.

SAK 6-3-82
Deputy Aud Date

To Have and to Hold said premises, with all the privileges and appurtenances thereto belonging, to the said Thomas Fenner VOL 286 PAGE 450

_____, his heirs and assigns forever, as fully and completely as

I _____, the said Ruth Frymeyer

_____ as such Executrix

by virtue of said last Will and Testament, and of the statute made and provided for such cases, might or should sell and convey the same.

In Witness Whereof, The said Ruth Frymeyer

_____ as such Executrix

has hereunto set her hand, this _____ day of May, A.D. 1982.

Signed and acknowledged in presence of

[Signature]
[Signature]

Ruth Frymeyer
Ruth Frymeyer

Executrix of the Estate

~~XXXXXX~~ of Chester Foust,
deceased

THE STATE OF OHIO. }
Montgomery County, } ss.

Be it Remembered, That on this 28th day of May, 1982,
before me, the subscriber, a Notary Public in and for said County
personally came the above named Ruth Frymeyer
as Executrix of the estate of Chester Foust,
the Grantor in the foregoing Deed, and acknowledged the signing of the same to be her
voluntary act and deed as such Executrix 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.

[Signature]
ROBERT E. MESSHAM, JR.
Notary Public - State of Ohio
My Commission has no Expiration Date
Sec. 147.03 R. C.

Depd 4968

Administrator's or Executor's

From

Ruth Frymeyer, Executrix

To

Thomas Fenner

TRANSFERRED

JUN 3 1982

ROGER A. SCHULTE
COUNTY AUDITOR
MERCER COUNTY, OHIO

PRESENTED FOR RECORD
On the 3 day of June 82
at 12:02 P.M.
recorded June 8 82

in Mercer Co., Ohio, Recorder
Vol. 286 Pg. 448-511
Clarence M. Fenner
702

RECORDER - MERCER CO.