

TRANSFERRED

Instrument 200300008476 DR Book Page 172 1103

AUG 11 2003

MARK GIESIGE
COUNTY AUDITOR
MERCER COUNTY, OHIO

AFFIDAVIT

STATE OF OHIO, DARKE COUNTY, SS:

Exemption paragraph, ~~conveyance fee~~ E(N)
The Grantor and Grantee of this deed have
complied with the provisions of R. C. Sec.
319, 202 Mark Giesige Mercer
County Auditor.
10 JB 8-11-03
Deputy Aud. Date

MARIANNE W. SMITH, being first duly sworn according to law on her oath deposes and says that she is the surviving spouse of EUGENE SMITH, deceased, who died on the 25th day of February, 2002; that during the lifetime of the said EUGENE SMITH, there was conveyed to him and this Affiant as joint tenants, certain real estate described as follows:

TRACT 1: (Residence)

Situated in the Township of Franklin, County of Mercer and State of Ohio: Being all of Lot Number Fifteen (15) of Turtle Neck Point, as the same appears upon the recorded plat thereof, subject to the easement of all other lot owners in Turtle Neck Point for the use of the water well and connecting water lines thereto, which well is located on Lot Number Fifteen (15) of said Addition.

TRACT 2: (Boat Dock)

Parcel A:

Situated in the Northwest Quarter (1/4) of Section Twenty (20), Township Six (6) South, Range Three (3) East, and being a part of a tract as described in Mercer County Deed Records Volume 298, Page 470, and being more particularly described as follows:

Beginning at a pipe in the Northeast corner of Lot 8-H of Section One (1) of Coldwater Beach as recorded in Mercer County Plat Book 4, Page 39; thence south 88° 43' 53" East Twenty-five and Forty Hundredths (25.40) feet to an axle on the East side of North Shore Drive; thence South 09° 17' 29" East One Hundred Twenty-four and Fifteen Hundredths (124.15) feet along said East line to an iron pin, said iron pin being the TRUE POINT OF BEGINNING for the tract described herein; thence North 85° 32' 19" East Eighty-two and One Hundredth (82.01) feet passing an iron pin at Fifty-five and One Hundredth (55.01) feet to a point; thence South 29° 13' 42" West Twelve and Eighteen Hundredths (12.18) feet to a point; thence South 85° 32' 19" West Seventy-four and Forty Hundredths (74.40) feet passing an iron pin at Twenty-two (22.00) feet, to an iron pin on the East right-of-way of said North Shore Drive; thence North 09° 17' 29" West Ten and Seventeen Hundredths (10.17) feet along said East line to the place of beginning containing 0.018 acres, more or less, (793 sq. ft.) being subject to all legal highways and easements of record.

Parcel B:

BEING AN UNDIVIDED ONE-FOURTH (1/4) INTEREST in the following described parcel:

Tax ID # 9-044900.0000; 9-036700.0400; 9-036700.0100;

9-036700.0200

Tax map # 09-20-177-017

-001

-018

Situated in the Northwest Quarter (1/4) of Section Twenty (20), Township Six (6) South, Range Three (3) East, Franklin Township, Mercer County, Ohio, and being a part of a tract as described in Mercer County Deed Records Volume 298, Page 470, and being more particularly described as follows:

Beginning at a pipe in the Northeast corner of Lot 8-H of Section One (1) of Coldwater Beach as recorded in Mercer County Plat Book 4, Page 39; thence South 88° 43' 53" East Twenty-five and Forty Hundredths (25.40) feet to an axle on the East side of North Shore Drive; thence South 09° 17' 29" East One Hundred Forty-four and Forty-nine Hundredths (144.49) feet along said East line to an iron pin, said iron pin being the TRUE POINT OF BEGINNING for the tract described herein; thence North 85° 32' 19" East Sixty-six and Seventy-nine Hundredths (66.79) feet, passing an iron pin at Fifty-one and Seventy-nine Hundredths (51.79) feet to a point; thence South 29° 13' 42" West Twelve and Eighteen Hundredths (12.18) feet to a point; thence South 85° 32' 19" West Fifty-nine and Seventeen Hundredths (59.17) feet passing an iron pin at Eight (8.00) feet to an iron pin on the East right-of-way of said North Shore Drive; thence North 09° 17' 29" West Ten and Seventeen Hundredths (10.17) feet along said East line to the place of beginning containing 0.015 acres, more or less (638 sq. ft.) being subject to all legal highways and easements of record.

PARCEL C:

BEING AN UNDIVIDED ONE-FOURTH (1/4) INTEREST in the following described parcel:

Situated in the Northwest Quarter (1/4) of Section Twenty (20), Township Six (6) South, Range Three (3) East, Franklin Township, Mercer County, Ohio, and being a part of a tract as described in Mercer County Deed Records Volume 298, Page 470, and being more particularly described as follows:

Beginning at a pipe in the Northeast corner of Lot 8-H of Section One (1) of Coldwater Beach as recorded in Mercer County Plat Book 4, Page 39; thence South 88° 43' 53" East Twenty-five and Forty Hundredths (25.40) feet to an axle on the East side of North Shore Drive; thence South 09° 17' 29" East One Hundred Thirty-four and Thirty-two Hundredths (134.32) feet along said East line to an iron pin, said iron pin being the TRUE POINT OF BEGINNING for the tract described herein; thence North 85° 32' 19" East Seventy-four and Forty Hundredths (74.40) feet passing an iron pin at Fifty-two and Forty Hundredths (52.40) feet to a point; thence South 29° 13' 42" West Twelve and Eighteen Hundredths (12.18) feet to a point; thence South 85° 32' 19" West Sixty-six and Seventy-nine Hundredths (66.79) feet passing an iron pin at Fifteen (15.00) feet to an iron pin on the East right-of-way of said North Shore Drive; thence North 09° 17' 29" West Ten and Seventeen Hundredths (10.17) feet along said East line to the place of beginning containing 0.016 acres, more or less, (715 sq. ft.) being subject to all legal

Reg. Dist. No. 19
Primary Reg. Dist. No. 1900
Registrar's No. 92

Ohio Department of Health
VITAL STATISTICS
INSTRUMENT
200300008476 DR 172 1105
CERTIFICATE OF DEATH
State File No.
TYPE OR PRINT IN PERMANENT BLACK INK

1. Decedent's Name (First, Middle, Last) EUGENE SMITH				2. Sex Male		3. Date Of Death (Month, Day, Year) Feb 25, 2002	
4. Social Security Number [REDACTED]		5a. Age-Last Birthday (Years) 65		5b. Under 1 Year Months Days		5c. Under 1 Day Hours Minutes	
6. Date of Birth (Month, Day, Year) June 8, 1936		7. Birthplace (City and State or Foreign Country) Chillicothe OH					
8. Was Decedent Ever In U.S. Armed Forces? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				9. Place of Death (Check Only One) <input type="checkbox"/> Hospital <input type="checkbox"/> Inpatient <input type="checkbox"/> ER/Outpatient <input type="checkbox"/> DOA <input type="checkbox"/> Other <input type="checkbox"/> Nursing Home <input checked="" type="checkbox"/> Residence <input type="checkbox"/> Other (Specify)			
9b. Facility Name (If Not Institution, Give Street And Number) 2579 Albright Rd.				9c. City, Village, Twp., or Location of Death Arcanum		9d. County of Death Darke	
10. Marital Status-Married, Never Married, Widowed, Divorced (Specify) Married		11. Surviving Spouse(If Wife, Give Maiden Name) Marianne Butler		12a. Decedent's Usual Occupation (Give kind of work done during most of working life. Do not use Retired.) Sales		12b. Kind Of Business/Industry Food Products	
13a. Residence-State OH		13b. County Darke		13c. City, Town, Twp., or Location Arcanum		13d. Street and Number 2579 Albright Rd.	
13e. Inside City Limits? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		13f. ZIP Code 45304		14. Was Decedent of Hispanic Origin? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If Yes, Specify Cuban, Mexican, Puerto Rican, etc.)		15. Race-American Indian, Black, White, etc. (Specify) White	
16. Decedent's Education (Specify Only Highest Grade Completed) Elementary/Secondary (0-12) 12 College (1-4 or 5+)							
17. Father's Name (First, Middle, Last) Raymond Minnard				18. Mother's Name (First, Middle, Maiden Surname) Evelyn Welbaum Ballard			
19a. Informant's Name (Type/Print) Marianne Smith				19b. Mailing Address (Street and Number or Rural Route Number, City or Town, State, ZIP Code) 2579 Albright Rd., Arcanum, OH 45304			
20a. Method of Disposition <input checked="" type="checkbox"/> Burial <input type="checkbox"/> Cremation <input type="checkbox"/> Removal from State <input type="checkbox"/> Donation <input type="checkbox"/> Other (Specify)		20b. Place of Disposition (Name of Cemetery, Crematory or Other Place) Minnich Cemetery		20c. Location City Or Town, State Union, OH 45322			
20d. Date of Disposition Mar 1, 2002		21a. Name of Embalmer Geary Fraley		21b. License Number 8444-A			
22a. Signature of Funeral Director or Other Person [Signature]		22b. License Number (of Licensee) 6257		23. Name and Address of Facility Hale-Sarver Funeral Home 284 N.Miami St. West Milton, OH 45383-			
24. Registrar's Signature [Signature]		25. Date Filed (Month, Day, Year) 3/11/02					
26a. Signature of Person Issuing Permit [Signature]				26b. Dist. No. 57		27. Date Permit Issued 3-1-02	
28a. Certifier (Check Only One) <input checked="" type="checkbox"/> Coroner On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.							
28b. Time of Death 6:15 P M		28c. Date pronounced Dead (Month, Day, Year) February 25, 2002		28d. Was Case Referred to Coroner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
28e. Signature And Title of Certifier [Signature] James O. Armacost, DO, Coroner				28f. License Number 34-00-2085		28g. Date Signed (Month, Day, Year) March 5, 2002	
29. Name And Address of Person who Completed Cause of Death (Type/Print) James O. Armacost, DO, Coroner, 115 W., 4th St., Greenville Ohio 45331							
30. Part I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line. Type or print in permanent black ink.							
Immediate Cause (Final disease or condition resulting in death) → Ruptured abdominal aortic aneurysm		Approximate Interval Between Onset and Death					
Sequentially list conditions, if any, leading to the immediate cause. Enter Underlying Cause Last (Disease or Injury that initiated events resulting in death) Arteriosclerotic and hypertensive cardiovascular disease							
Part II. Other Significant Conditions contributing to death but not resulting in the underlying cause given in Part I.							
32. Manner Of Death <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Pending Investigation <input type="checkbox"/> Accident <input type="checkbox"/> Suicide <input type="checkbox"/> Homicide		33a. Date of Injury (Month, Day, Year)		33b. Time of Injury M		33c. Injury at Work? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
33e. Place of Injury - At Home, Farm, Street, Factory, Office Building, etc (Specify)		33d. Describe How Injury Occurred					
33f. Location (Street and Number or Rural Route Number, City or Town, State)							

Registrar of Vital Statistics

Date Signed

Terence L. Holman, DVM

3-11-02

I, hereby, certify this certificate to be a true copy of the record of death as filed with the Darke County General Health District, Greenville, Ohio 45331.

200300008476
Filed for Record in
MERCER COUNTY, OHIO
TAMARA K BARGER
08-11-2003 At 03:37 pm.
AFFIDAVIT 48.00
OR Book 172 Page 1103 - 1106

highways and easements of record.

The description of the above parcels in Tract 2 was prepared from an actual survey completed in May, 1986, by Richard T. Mote, Registered Surveyor No. 5552.

The parcels in Tract Two are subject to a number of miscellaneous restrictions as same are set forth in Deed Volume 299, Page 776, which shall run with the land.

ENG. MAP#: 005-2024-01-027-00-09, 005-2024-01-028-00-09, 005-2024-01-037-00-09,
005-2024-01-029-00-09

that the granting clause in said deed was as follows: "GIVE, GRANT, BARGAIN, SELL AND CONVEY unto the said Grantees, EUGENE SMITH and MARIANNE W. SMITH, husband and wife, a joint life estate with remainder over in fee simple to the survivor of them"; that the deed was a Warranty Deed - Survivorship, that said deed was dated June 20, 1997, filed for record June 24, 1997, and recorded at Deed Volume 31, Page 246, Deed Records, Mercer County, Ohio; that no estate taxes were found to be due; and that by virtue of the death of EUGENE SMITH and the granting clause of the deed as aforesaid, MARIANNE W. SMITH is now the owner in fee simple of the above described real estate.

That attached to this Affidavit is a certified copy of the death certificate of EUGENE SMITH.

Further Affiant sayeth not.

Marianne W. Smith
MARIANNE W. SMITH

Sworn to before me and subscribed in my presence this 23rd day of MAY, 2003.



PHILLIP R. GARBIG, Attorney at Law
In and For the State of Ohio
My Commission Has No Expiration Date
Section 147.03 O.R.C.

Phillip R. Garbig
NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY GARBIG & BLINN, LLC, PHILLIP R. GARBIG, ATTORNEY, 2840 ALT ST RTE 49N, P. O. BOX 100, ARCANUM, OHIO 45304

DESCRIPTION
SUFFICIENT
FOR TAX MAPPING PURPOSES

AUG 11 2003

MERCER COUNTY
TAX MAP DEPARTMENT

200300008476
GARBIG & BLINN LLC
PO BOX 100
ARCANUM, OH 45304-0100