

DESCRIPTION
SUFFICIENT
FOR TAX MAPPING PURPOSES

JUL 29 2013

MERCER COUNTY
TAX MAP DEPARTMENT

TRANSFERRED

JUL 29 2013

RANDALL E. GRAPNER
COUNTY AUDITOR
MERCER COUNTY, OHIO

Exemption paragraph, conveyance fee ET
The Grantor and Grantee of this deed have
complied with the provisions of R.C. Sec 848,
202 Randall E. Grapner Mercer County Auditor.

KP 7-29-13
Deputy Aud. Bate

FIDUCIARY DEED

PATRICK A. ELDER, TRUSTEE, OR HIS SUCCESSORS IN TRUST, UNDER THE JOAN M. ELDER REVOCABLE LIVING TRUST DATED JANUARY 26, 1981, AND ANY AMENDMENTS THERETO ("Grantor"), for valuable consideration paid to him by PATRICK A. ELDER, TRUSTEE, OR HIS SUCCESSORS IN TRUST, UNDER THE JOAN M. ELDER MARITAL TRUST ("Grantee"), grants with general warranty covenants to said Grantee, its successors and assigns forever, the following described real estate (the "Property"):

**SEE EXHIBIT "A" ATTACHED
HERETO AND MADE A PART HEREOF**

There are excepted from the fiduciary covenants and the Property is conveyed subject to legal highways, easements, conditions, restrictive covenants of record, and installments of taxes and assessments due and payable after the date hereof.

Tax Mailing Address: 8397 N. Kimmel Road, Clayton, Ohio 45315

Prior Instrument Reference: Instrument No. 2013 0000 4569, Mercer County, Ohio Records.

Grantor has executed this Deed this 16 day of July, 2013.

GRANTOR:

By: Patrick A. Elder
Patrick A. Elder, Trustee of the Joan M. Elder Revocable Living Trust dated January 26, 1981, and any amendments thereto

STATE OF OHIO)
: SS:
COUNTY OF MONTGOMERY)

The foregoing instrument was acknowledged before me this 16 day of July, 2013, by PATRICK A. ELDER, TRUSTEE OF THE JOAN M. ELDER REVOCABLE LIVING TRUST DATED JANUARY 26, 1981, AND ANY AMENDMENTS THERETO.



This instrument prepared by:
Ted Gudorf, J.D., LL.M.
Gudorf Law Group, LLC
8153 North Main Street
Dayton, Ohio 45415

H. Schultz
H. Schultz, Notary Public
In and For the State of Ohio
My commission expires Dec. 23, 2016

EXHIBIT A

Parcel I:

Situated in the Township of Franklin, County of Mercer and State of Ohio:

and also being part of Section 18, Township 6 South, Range 3 East and being known as "Anise Island" as shown on pages 17 and 18 of the Ohio Canal Commission Survey of the St. Marys or Mercer County Reservoir, and being more particularly described as follows:

Beginning at the South West corner of Section 18, thence with the South line of Section 18, East a distance of 68.55 chains to a point; thence South $44\frac{1}{2}^{\circ}$ West a distance of 3.89 chains to a point on "Brush Island"; thence North 51° West a distance of 16.54 chains to a point on "Anise Island" said point being the TRUE POINT OF BEGINNING of this description;

Thence along the State Property Line as shown on pages 17 and 18 of the OHIO CANAL COMMISSION SURVEY of the St. Marys or Mercer County Reservoir the following 6 courses;

- (1) South $43\frac{1}{2}^{\circ}$ East a distance of 2.40 chains to a point;
- (2) North 41° East a distance of 3.60 chains to a point;
- (3) North $25\frac{1}{4}^{\circ}$ West a distance of 2.50 chains to a point;
- (4) South $85\frac{1}{2}^{\circ}$ West a distance of 1.40 chains to a point;
- (5) South 35° West a distance of 3.00 chains to a point;
- (6) South $12\frac{1}{2}^{\circ}$ East a distance of 0.68 chains to the TRUE POINT OF BEGINNING, containing 1.25 acres, more or less.

Parcel ID: 09-004050.0000

Map No. 09-18-400-001

Parcel II:

Situated in the Township of Franklin, County of Mercer and State of Ohio:

Being Lot Number Four (4), Dorsten's First (1st) Addition in Club Island, Franklin Township, Mercer County, Ohio.

Grantor herein also assigns her interest in a certain BOAT DOCK EASEMENT as recorded in Volume 318, Page 105, of the Mercer County Recorder's Records of Easements, to Grantee. Said assignment is subject to the approval of the Club Island Association, Inc.

ALSO:

Being that part of the real estate owned by the Grantor in the northeast quarter of the northwest quarter of Section 23, Town 6 South, Range 3 East, lying between lots numbered one through ten of Dorsten's Club Island Addition and the Raudabaugh Survey line to the north, as shown on the recorded plat thereof, and bounded and described as follows:

Beginning at the northwest corner of Lot #4 of Dorsten's Club Island Addition; thence northerly on and along the west line of said Lot #4 extended northward to where it intersects the Raudabaugh Survey line; thence eastward following the Raudabaugh Survey Line to a point of intersection with the east

line of said Lot #4 extended northward; thence southward on and along the east line of said Lot #4 as extended northward to the northeast corner of said Lot #4; thence westward on and along the north line of said Lot #4 to the place of beginning.

Parcel ID: 09-088400.0000
Map No. 09-23-127-008

Parcel III:

Situated in the Township of Franklin, County of Mercer and State of Ohio:

Being Parcel Number Fifty-four – One Hundred Forty-nine (54-149) as recorded in the Mercer County Recorder’s Office in a book entitled “Subdivision of Parts of Lands of the State of Ohio at Grand Lake St. Marys Reservoir # 3 on October 1, 1974 in Section 30, Town 6 South, Range 3 East.

Parcel ID: 09-123900.0000
Map No. 0930-226-002

Parcel IV:

Situated in the Township of Franklin, County of Mercer and State of Ohio:

Being that part of Montezuma Island located in the Southeast corner of Section Nineteen (19), Town Six (6) South, Range Three (3) East, together with parcel #54-150 as recorded in the the Mercer County, Ohio Recorder’s Office in Book Title Subdivision of Parts of lands of State of Ohio at Grand Lake St. Marys Reservoir No. 3 on October 1, 1974

ALSO:

That part of Parcel 54-149 located in Sections Twenty (20) and Twenty-Nine (29), Town Six (6) South, Range Three (3) East, as recorded in the Mercer County, Ohio, Recorder’s Office in Book Titled Subdivision of Parts of lands of State of Ohio at Grand Lake St. Mary’s Reservoir No. 3 of October 1, 1974.

Parcel ID: 09-012500.0000	Map No. 09-19-477-002
Parcel ID: 09-004700.0000	Map No. 09-19-477-000
Parcel ID: 09-055800.0000	Map No. 09-20-353-001
Parcel ID: 09-118900.0000	Map No. 09-29-101-001

Subject to any and all outstanding easements, rights, permits and right-of-way license agreements for the installation and maintenance of gas lines, water lines, sewers, telephone, telegraph and power transmission lines, which may have been granted by the Department of Natural Resources whether or not the same may be of record and subject to the retention of any and all riparian and littoral rights by the grantor, State of Ohio, and a flowage easement over the above described land.