

TRANSFER NOT NECESSARY



APR 20 2015

RANDALL E. GRAPNER
COUNTY AUDITOR
MERCER COUNTY, OHIO

Affidavit of Trustee of Record Conveying Real Property (Title Standard 3.18)

1. The following trust, which is in full force and effect, is the subject of this Affidavit:

Joan M. Elder Marital Trust dated April 18, 2013

2. The name and address of the current Trustee is Patrick A. Elder, 8397 Kimmel Road, Clayton, Ohio 45315.

3. The Trustee holds title to real property described as follows:

See Exhibit A

4. The deed vesting title in the Trustee is recorded at Mercer County Deed Instrument No. 201300004570.

5. The operative provisions of the trust, including powers specified in the trust relative to the acquisition, sale, or encumbering of real property by the Trustee(s) or the transfer of real property by the Trustee(s), and any restrictions upon those powers are:

My Trustee may sell at public or private sale, convey, purchase, exchange, lease for any period, mortgage, manage, alter, improve and in general deal in and with real property in such manner and on such terms and conditions as my Trustee deems appropriate.

My Trustee may grant or release easements in or over, subdivide, partition, develop, raze improvements, and abandon, any real property.

My Trustee may manage real estate in any manner that my Trustee deems best and shall have all other real estate powers necessary for this purpose.

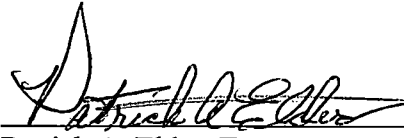
My Trustee may enter into contracts to sell real estate. My Trustee may enter into leases and grant options to lease trust property even though the term of the agreement extends beyond the termination of the trust and beyond the period that is required for an interest created under this agreement to vest in order to be valid under the rule against perpetuities. For such purposes, my Trustee may enter into any contracts, covenants and warranty agreements that my Trustee deems appropriate.

My Trustee may encumber trust property by mortgages, pledges and other hypothecation and shall have the power to enter into any mortgage, whether as a mortgagee or mortgagor even though the term may extend beyond the

termination of the trust and beyond the period that is required for an interest created under this agreement to vest in order to be valid under the rule against perpetuities.

My Trustee may purchase, sell at public or private sale, trade, renew, modify, and extend mortgages. My Trustee may accept deeds in lieu of foreclosure.

6. The foregoing provisions are a true transcription of text in the trust.
7. The information in this Affidavit shall be presumed to continue to be accurate, and in the future it may be relied upon as to the authority of the above named Trustee(s) and as an affidavit complying with OSBA Title Standard 3.18, effective as amended May 18, 1995, unless an instrument revoking, amending, or otherwise modifying this Affidavit is recorded in the office of the county recorder in which this Affidavit has been recorded.



Patrick A. Elder, Trustee

Joan M. Elder MARITAL TRUST DATED

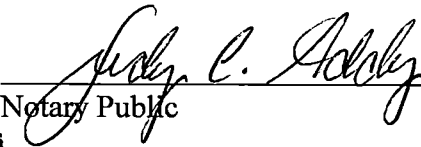
4-18-2013

State of Ohio, County of Montgomery, SS:

Signed and sworn (or affirmed) before me on the 16th day of March, 2015, by Patrick A. Elder, Trustee.



JUDY C. ADDY, Notary Public
In and for the State of Ohio
My Commission Expires May 31, 2015



This instrument was prepared by: Ted Gudorf, J.D., LL.M., 8153 North Main Street, Dayton, Ohio 45415. After recording, please return to same.

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) (1) South $43\frac{1}{2}^{\circ}$ East a distance of 2.40 chains to a point;
- (2) (2) North 41° East a distance of 3.60 chains to a point;
- (3) (3) North $25\frac{1}{4}^{\circ}$ West a distance of 2.50 chains to a point;
- (4) (4) South $85\frac{1}{2}^{\circ}$ West a distance of 1.40 chains to a point;
- (5) (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

Prior Instrument Reference: Instrument No. 201300003945, Mercer County Records, Ohio.

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

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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
Prior Instrument Reference: Instrument No. 201300003948, Mercer County Records, Ohio.

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
Prior Instrument Reference: Instrument No. 201300003946, Mercer County Records, Ohio.

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

Prior Instrument Reference: Instrument No. 201300003947, Mercer County Records, Ohio.

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.