

TRANSFERRED  
CONVEYANCE EXAMINED  
AND SECT 319.202 R.C.

COMPLIED WITH     C    

NOV 16 2005

Patrick J. Marshall  
Jefferson County Auditor

BY  
NO.

    CY 1329    

204129

256 Township Rd 111

11-16-2005  
PAUL H. BL...  
RECORDER  
FEE \$ 44<sup>00</sup>

Nov 16 10 04 AM '05

OR VOL 725 PG 716

# Warranty Deed

Know All Men By These Presents

That, **Warren Township Trustees, (Grantors)** for valuable consideration paid, grants with general warranty covenants to **Warren Township Trustees, their successors and permitted assigns** whose tax mailing address is **302 Walden Avenue, Tiltonsville, Ohio 43963 (Grantee)**.

**Whereas**, The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended (The Stafford Act) identified the sue of disaster relief funds under Section 404 (Hazard Mitigation Grant Program, "HMGP"), including the acquisition and relocation of flood damaged property.

**Whereas**, Section 404 of the Stafford Act provides a process for a community, through the State, to make application for funding to be used to acquire interest in property, including the purchase of flood damaged buildings, to demolish and remove the buildings, and to convert the land use into perpetual open space.

**Whereas**, the Ohio Emergency Management Agency (EMA) has made such application and has entered into a FEMA-State Agreement dated March 7, 2005.

**Whereas**, Warren Township has entered into a cooperative grant agreement with Ohio EMA in which Warren Township is authorized to acquire certain flood damaged, real property.

**Whereas**, the terms of the Stafford Act, regulations promulgated thereunder (44 CFR 206.434), and the Grant Agreement required that the Grantee agree to conditions which are intended to restrict the use of the land to open space in perpetuity; and

**Whereas**, Warren Township has determined that it is necessary in order to promote the public interest for the purpose provided in the Act to acquire fee simple title to this certain real property owned by the Grantor:

Description of a 0.225 acre tract of land situated in Section 24, Twp. 4, Range 2 of the Township of Warren, County of Jefferson, State of Ohio, being the same tract of land conveyed to Andy Klika, Jr. and Alexandria Klika by deed recorded in Volume 199, Page 158, being more particularly described as follows:

Beginning at an iron pin set on the Northwest corner of the said 0.225 acre tract on the West line of Peck Street, from which an iron pin found on the Southwest corner of a 0.149 acre tract recorded in Volume 650, Page 902, bears N. 04 deg. 57' 08" W. 362.65 feet, bearing on the South line of the 0.149 acre tract being S. 78 deg. 03' 39" E. thence from the place of beginning following the South line of a 0.357 acre tract recorded in Volume 571, Page 29, S. 78 deg. 03' 39" E. 100.04 feet to an iron pin set on the West line of Stern Drive; thence, along the West line of Stern Drive, South 13 deg. 29' 31" W. 98.04 feet to an iron pin set on the North side of Twp. Rd. #111; thence along the Twp. Rd. N. 78 deg. 03' 39" W. 100.04 feet to an iron pin set on the East line of Peck Street; thence, with the said East line, N. 13 deg. 29' 31" E. 98.04 feet to the place of beginning, containing 0.225 acres.

APPROVED  
JEFFERSON COUNTY ENGINEER & SURVEYOR  
# 30-A  
C.C.

There is excepted from the said 0.225 acre tract of land any previous right of way or minerals.

The above description was prepared by John M. Green, PS 6608, from an actual survey made in September of 2005.

Bearings are based on those in deed book Volume 426, Page 888.

All iron pins set are 5/8" rebar with yellow caps stamped "Green 6608".

Auditor's Parcel Number 41-00787

**The purpose of this deed is to recorded a new survey of the premises.**

PRIOR INSTRUMENT REFERENCE: OR Vol. 717, Page 046 and OR Vol. 199, Page 158, Jefferson County Records.

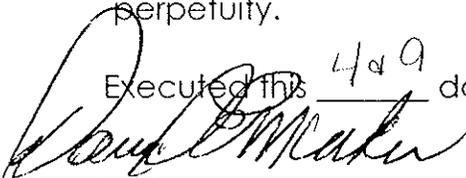
The Grantors release and quitclaim unto the Grantee, all right, title and interest which Grantor may have in the banks, bed and waters opposite to or fronting upon said land, and in any alleys, roads, streets, way, strip, gores and railroad rights of way abutting or adjoining said land, and in any means of ingress and egress appurtenant thereto.

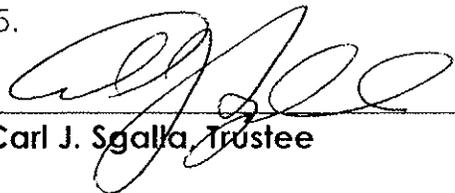
This conveyance is expressly subject to rights outstanding in their parties for existing easements for public roads and highways, public utilities, railroads and pipelines.

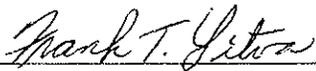
The Grantee accepts this conveyance and, by causing its duly authorized representative to sign this instrument on its behalf, agrees to hold the herein described real estate subject to the terms of this Stafford Act, regulations promulgated thereunder (44CFR 206.434), as they read now and may be amended in the future, and the Grant Agreement, which documents and regulations include, among other provisions, the following conditions and restrictions.

1. The Grantee agrees the land shall be used only for purposes compatible with open space, recreational, or wetlands practices.
2. The Grantee agrees that no new structures or improvements shall be erected on the premises other than a restroom or public facility that is open on all sides and functionally related to the open space use;
3. The Grantee acknowledges that it will not be considered for any future disaster assistance for any purpose relating to the subject land from any Federal source, and agrees not to seek the same.
4. The Grantee agrees that it shall convey the property only to another public entity and only with prior approval from Ohio EMA and the Regional Director of FEMA. Such conveyance shall be made expressly subject to the above reference conditions and restrictions which shall run with the property in perpetuity.

Executed this 4<sup>th</sup> day of November, 2005.

  
 \_\_\_\_\_  
 Daniel Meeker, Trustee

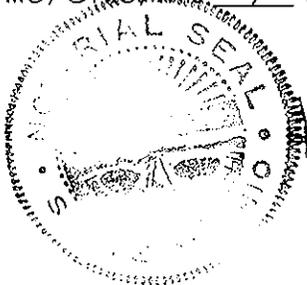
  
 \_\_\_\_\_  
 Carl J. Sgalla, Trustee

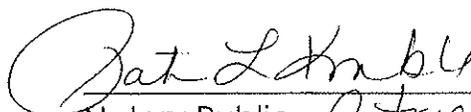
  
 \_\_\_\_\_  
 Frank Litva, Trustee

STATE OF OHIO, COUNTY OF JEFFERSON, SS:

Before me, a Notary Public, in and for said County and State personally appeared the above named **Warren Township Trustees by Daniel Meeker, Trustee**, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

In testimony whereof, I have hereunto set my hand and official seal at Tiltonsville, Ohio, this 4 day of November, 2005.



  
 \_\_\_\_\_  
 Notary Public Patricia L. Kimble  
 Commission Expires: 3-30-2009

STATE OF OHIO, COUNTY OF JEFFERSON, SS:

Before me, a Notary Public, in and for said County and State personally appeared the above named **Warren Township Trustees by Frank Litva, Trustee**, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

In testimony whereof, I have hereunto set my hand and official seal at Tiltonsville, Ohio, this 9<sup>th</sup> day of November, 2005.



Patricia L Kimble  
Notary Public Patricia L Kimble  
Commission Expires: 3-30-2009

STATE OF OHIO, COUNTY OF JEFFERSON, SS:

Before me, a Notary Public, in and for said County and State personally appeared the above named **Warren Township Trustees by Carl J. Sgalla, Trustee**, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

In testimony whereof, I have hereunto set my hand and official seal at Tiltonsville, Ohio, this 4<sup>th</sup> day of November, 2005.



Patricia L Kimble  
Notary Public Patricia L Kimble  
Commission Expires: 3-30-2009

PREPARED BY:

Atty. Lawrence T. Piergallini  
P.O. Box 7, 131 Third Street  
Tiltonsville, Ohio 43963  
(740) 859-2178