

TRANSFERRED
CONVEYANCE EXAMINED
AND SEC 319.202 R.C.

COMPLETED WITH

A

SEP - 1 2006

RECORDED
PAUL R. MCKEE
RECORDER
FEE \$

9-1-2006

88 Shear St.

4400

SEP 1 3 47 PM '06

Patrick J. Marshall
Jefferson County Auditor

213727

OR VOL 769 PG 529

BY
NO

Ext 1013

Warranty Deed

Know All Men By These Presents

That, **Gary N. Kourim and Joyce J. Kourim, husband and wife, (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:

Situated in the State of Ohio, County of Jefferson, Township of Warren and being a part of the Village of Connorville located in Section 24, Twp. 4, Range 2.

Beginning for description at a stake marking the Southeast corner of the Edna Y. Alberth 0.23 acre lot as recorded in Volume 316, Page 570, Jefferson County, Ohio, Records of Deeds; thence with and along the South boundary of said 0.23 acre tract N. 74 deg. 00' W. a distance of 100.00 feet to a stake on the East boundary of a 12.0 ft.; alley S. 22 deg. 00' 00" W. a distance of 200.00 feet to a point on the North bank of Short Creek; thence with said Creek S. 62 deg. 31' 20" E. a distance of 99.91 feet to a point on the North bank of Short Creek; thence N. 22 deg. 00' 00" E. with the West boundary of a 12.0 ft. alley a distance of 220.00 feet to the place of beginning, containing 0.4795 acres more or less. Being the same tract as conveyed to E. & L. Masters by deed recorded in Volume 349, Page 593, Records of Deeds. R. J. Prokes, Registered Surveyor #4597.

Excepting and reserving a 0.066 acre tract as conveyed and described in the deed to Edward T. Masters and Laura E. masters dated October 30, 1979 in Deed Book 570, Page 609.

Auditor's Parcel Number 41-02597

PRIOR INSTRUMENT REFERENCE: Vol. 637, Page 162, Jefferson County Deed 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.

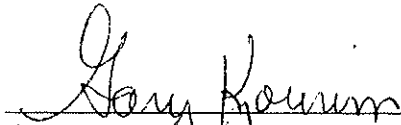
The Grantee accepts this conveyance and, by causing its duly authorized representative to sign this instrument on its behalf, agrees to hold the herein described real estate subject to the terms of this Stafford Act, regulations promulgated thereunder (44CFR 206.434), as they read now and may be amended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

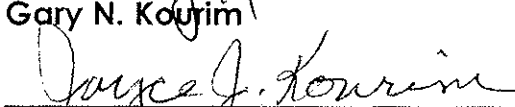
1. The Grantee agrees the land shall be used only for purposes compatible with open space, recreational, or wetlands practices.

CC # 38
 PROPOSED
 JEFFERSON COUNTY TRANSFER
 DEPARTMENT

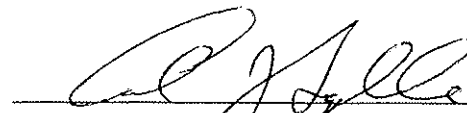
2. The Grantee agrees that no new structures or improvements shall be erected on the premises other than a restroom or public facility that is open on all sides and functionally related to the open space use;
3. The Grantee acknowledges that it will not be considered for any future disaster assistance 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 31st day of August, 2006.



Gary N. Kourim


Joyce J. Kourim



Carl J. Sgalla, 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 **Gary N. Kourim and Joyce J. Kourim, husband and wife**, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

In testimony whereof, I have hereunto set my hand and official seal at Tiltonsville, Ohio, this 31st day of August, 2006.



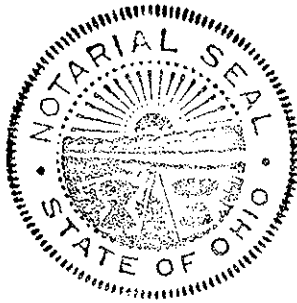


Notary Public - Patricia L. Kimble
Commission Expires: 3/30/2009

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 31st day of August, 2006.



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