

208184

318  
Township Rd 111RECORDED 3-29-2006  
PAUL R. MCKEEGAN  
RECORDER 4400  
FEE \$

MAR 29 11 17 AM '06

# Warranty Deed

Know All Men By These Presents

OR VOL 744 PG 622

That, **Daniel J. Grant and Tiffany Grant, 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:

Located in Jefferson County, Ohio, and being in Warren Township, Section 24, Twp 4, Range 2, and being that same tract as owned by Daniel J Grant as recorded in O.R. Vol. 184, Pg. 442, and being more correctly described as follows;

Beginning for description at a 5/8" iron pin found in the east line of a 12 ft alley, and marking the NW corner of Parcel 1 of Vol. 593, Pg. 623, owned by V & G Letroye, thence with the east line of the alley, S 13° 44' 54" W 174.00 ft to a 5/8" capped iron pin (CIP) set, marking the SW corner of the 0.14 acre tract owned by D & J Grant as recorded in Parcel 1 of O.R. Vol. 8, Pg. 75, and also marking the NW corner of the tract owned by Daniel J. Grant as recorded in O.R. Vol. 184, Pg. 442, and thereby marking the NW corner and TRUE PLACE OF BEGINNING of the parcel here-in described.

Thence, from said place of beginning, and leaving the alley, and with the north line of the aforementioned Daniel Grant tract, and with the south line of the aforementioned Parcel 1 of O.R. Vol. 8, Pg. 75, S 67°35'57" E 100.000 ft to a 5/8" CIP set in the west edge of the pavement of County Road # 14, marking the NE corner of said Daniel Grant tract, and thereby marking the NE corner of the parcel here-in described.

Thence with the east line of said Daniel Grant tract, S 13°44'54" W 156.000 ft to a point near the west edge of said road, marking the SE corner of said Grant tract, and thereby marking the SE corner of the parcel here-in described, a 5/8" CIP set on the west side of County Road #14, and on the north side of Twp Rd #11, bears N 60 deg. 57'09" W 25.00 ft.

Thence with the south line of the aforementioned Daniel Grant tract, and along the north side of the Twp Road, N 60 deg. 57'09" W 102.494 ft to a 5/8" CIP set on the north side of said road, and in the east line of the aforementioned 12 ft alley, marking the SW corner of said Grant tract, and thereby marking the SW corner of the parcel here-in described.

Thence with the west line of said Grant tract, and with the east line of the alley, N 13°44'54" E 144.000 ft to the place of beginning, containing 0.340434 acres, more or less, and subject to all legal highways, rights of way, and/or easements, and subject to any and all conditions and/or restrictions, and/or reservations, and/or exceptions as may be applicable, and to all applicable zoning regulations, or ordinances.

The bearings given are for angle calculation only, and are not based on any known meridian.

This description from a field survey conducted in March, 2006, by Vincent Dowdle P.S. #7396, a plat of which was made and filed at the mapping office, and any interpretation of the information with-in this description should not be made with-out the inclusion of the information and notes on said plat, said survey being subject to any facts that may be disclosed in a full and accurate title search.

Subject to the right of way of County Road #14, and all other legal highways.

Subject to all prior records.

Auditor's Parcel Number 41-00417

PRIOR INSTRUMENT REFERENCE: OR Vol. 184, Page 442, Jefferson County Records.

47  
#14

APPROVED  
BY THE BOARD OF SUPERVISORS  
JEFFERSON COUNTY, OREGON

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.

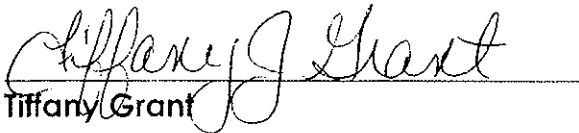
The Grantee accepts this conveyance and, by causing its duly authorized representative to sign this instrument on its behalf, agrees to hold the herein described real estate subject to the terms of this Stafford Act, regulations promulgated thereunder (44CFR 206.434), as they read now and may be amended 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 24<sup>th</sup> day of March, 2006.



Daniel J. Grant



Tiffany Grant

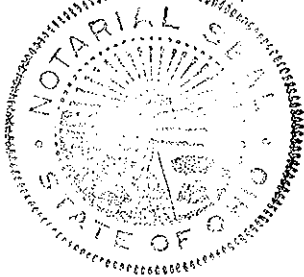


Carl J. Sgalla, Trustee

STATE OF OHIO, COUNTY OF JEFFERSON, SS:

Before me, a Notary Public, in and for said County and State personally appeared the above named **Daniel J. Grant and Tiffany Grant, 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 24<sup>th</sup> day of March, 2006.

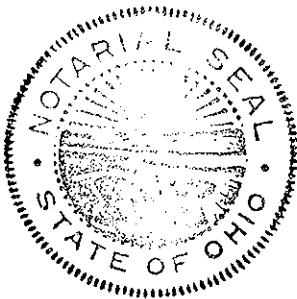


*Patricia L. Kimble*  
 Notary Public *Patricia L. Kimble*  
 Commission Expires: 3-30-2009

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 24<sup>th</sup> day of March, 2006.



*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

**TRANSFERRED**  
 CONVEYANCE EXAMINED  
 AND SECT 319 202 R C

COMPLIED WITH A

**MAR 29 2006**

Patrick J. Marshall  
 Jefferson County Auditor

BY JP  
 NO EX 356