

TRANSFERRED
CONVEYANCE EXAMINED
AND SECT 319.202 R.C.

COMPLIED WITH

A

SEP 23 2005

202149

Patrick J. Marshall
Jefferson County Auditor

by
NO

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EX 1090

224 Twp. Rd. 211

RECORDED 9-23-2005
PAUL R. HOLT
RECORDER
FEE \$ 44⁰⁰

SEP 23 2 22 PM '05

Warranty Deed

Know All Men By These Presents

OR VOL 717 PG 008

That, **Jerome Lucarelli, married; and, Darlene Lucarelli, divorced and not remarried, (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 Section 24, Twp. 4 and Range 2, Warren Twp., Village of Connorville, Jefferson County, and State of Ohio.

Being a part of Anna V. Litva's 27,900 square feet tract recorded in Volume 529 at Page 477.

Beginning at an iron pin on the North side of Township Road 113 and at the Southwest corner of Anna V. Litva's 27,900 square feet tract, recorded in Volume 529 at Page 477; thence from the place of beginning, North 15 deg. 15' East 279.00 feet to an iron pin at the Northwest corner of the 27,900 square feet tract; thence South 76 deg. 15' East 100.00 feet to an iron pin on the West line of a 12 feet alley and at the Northeast corner of the 27,900 square feet tract; thence along the West line of the 12 feet alley South 15 deg. 15' West 139.00 feet to an iron pin; thence North 76 deg. 15' West 46.00 feet to an iron pin; thence South 15 deg. 15' West 140.00 feet to an iron pin on the south line of the 27,900 square feet tract and on the North side of Township Road No. 113; thence North 76 deg. 15' West 54.00 feet to the place of beginning, containing 21,460 square feet, more or less.

Subject to all legal highways. Also subject to an easement found at Volume 593, Page 418.

The above description prepared by Hector P. Gothot, Registered Surveyor #2530, dated April 19, 1976.

Auditor's Parcel Number 41-02393

PRIOR INSTRUMENT REFERENCE: Vol. 624, Page 678, 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.

#27-A
C.C.

APPROVED
JEFFERSON COUNTY CLERK
JEFFERSON COUNTY ENGINEERING 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.

Cheryl Ann Lucarelli, wife of Jerome Lucarelli, Grantor, hereby releases all rights of dower therein.

Executed this 23rd day of September, 2005.

Jerome J. Lucarelli
Jerome Lucarelli

Carl J. Sgalla
Carl J. Sgalla, Trustee

Cheryl A. Lucarelli
Cheryl Ann Lucarelli

Darlene Lucarelli
Darlene Lucarelli

STATE OF OHIO, COUNTY OF JEFFERSON, SS:

Before me, a Notary Public, in and for said County and State personally appeared the above named **Jerome Lucarelli and Cheryl Ann Lucarelli, 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 23rd day of September, 2005.



Lawrence Pierce
Notary Public

Commission Expires: _____

LAWRENCE PIERCE - Notary At Law
Notary Public - State of Ohio
My Commission has no expiration date

STATE OF OHIO, COUNTY OF JEFFERSON, SS:

Before me, a Notary Public, in and for said County and State personally appeared the above named **Darlene Lucarelli, divorced and not remarried**, who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

In testimony whereof, I have hereunto set my hand and official seal at Tiltonsville, Ohio, this 23rd day of September, 2005.




Notary Public

Commission Expires: _____

LAWRENCE PIERGALLINI, Attorney At Law
Notary Public - State of Ohio
My Commission has no expiration date

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 23rd day of September, 2005.




Notary Public

Commission Expires: _____

LAWRENCE PIERGALLINI, Attorney At Law
Notary Public - State of Ohio
My Commission has no expiration date

PREPARED BY:

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