



202100003405 11/04/2021 02:21 PM  
Filed for Record in HARRISON County, OH  
Joshua Willis, Recorder Rec Fees: \$66.00  
FID OR Vol 276 Pgs 4740 - 4745

HARRISON COUNTY AUDITOR  
ALLISON M. ANDERSON  
REAL ESTATE TRANSFER BY MH  
CONV.FEE 960 EX 11-4-21  
TRAN.FEE 50 DATE 11-4-21

NOMAD TITLE

DEED APPROVED FOR TRANSFER  
DATE 11-4-21 BY BS

Inst #202100003405

HARRISON COUNTY ENGINEER

**FIDUCIARY'S DEED**  
(Ohio Statutory Form)  
[O.R.C. 5302.09]

KNOWN ALL MEN BY THESE PRESENTS that **Craig Allen Gooding** and **Cortney Price**, the duly-appointed and acting Co-Executors of the **Estate of Linda Gooding**, who died June 1, 2021, resident of Harrison County, Ohio, by the power conferred by the Probate Division of the Common Pleas Court of Harrison County, Ohio, and every other power for valuable consideration paid, grants with fiduciary covenants, to **Nicholas C Wood**, whose tax mailing address is P.O.Box 505, Hopedale, Ohio 43048, the following real property:

Situated in the State of Ohio, County of Harrison, Township of Cadiz, in the Village of Cadiz, being in the southwest quarter of Section 36, Range 4 West, Township 9 North, of "The Old Seven Ranges Survey", and being bounded and described as follows:

Commencing for Reference at a marked stone found at the southeast corner of Section 36 (Note: Reference bearing on the east line of the southeast quarter of Section 36 used as North 00°38' 19" East);

Thence, with the east line of the southeast quarter of Section 36, North 00°38'19" East a distance of 560.89 feet to a 5/8" iron pin found capped "Cole 6995" at the southeast corner of the land of Jean Saffell Estate as described in the First Tract of Exhibit "A" of Deed Volume 225, Page 111 of the Harrison County Recorder's Office.

Thence, with the south line of said Saffell property, North 88°46'31" West a distance of 931.17 feet to a point in the centerline of Ohio Street (old Township Road No. 601), passing through a 5/8" iron pin found capped "Cole 6995" at a distance of plus 908.09 feet;

Thence, with the centerline of Ohio Street, the following two courses:

- (1) North  $00^{\circ}46'26''$  East a distance of 390.58 feet to a point;
- (2) Thence North  $00^{\circ}50'59''$  East a distance of 720.22 feet to a point, being **THE TRUE POINT OF BEGINNING** for this description,

Thence, from said Point of Beginning and leaving the road, South  $29^{\circ}25'59''$  West a distance of 566.21 feet to an iron pin set, passing through three iron pins set at distances of plus 31.18 feet, plus 131.18 feet, and plus 516.21 feet, respectively,

Thence South  $74^{\circ}56'10''$  West a distance of 380.64 feet to a 5/8" iron pin found capped "Cole 6995" at the northeast corner of a 6.000 acres tract as conveyed to Dean and Sharon Manbeck by Official Records Volume 55, Page 194 of the Harrison County Recorder's Office;

Thence, with the north line of said Manbeck property, North  $56^{\circ}26'46''$  West a distance of 371.68 feet to a 5/8" iron pin found capped "PAN 7894" at the southeast corner of a 1.056 acres tract as conveyed to Dean and Sharon Manbeck by Official Records Volume 16, Page 220 of the Harrison County Recorder's Office;

Thence, with the east line of said Manbeck's 1.056 acres tract, North  $38^{\circ}30'06''$  East a distance of 318.38 feet to a 5/8" iron pin found capped "PAN 7894" in the south line of a 1.056 acres tract as conveyed to Clifton and Darla Brewer by Tract One of Official Records Volume 95, Page 782 of the Harrison County Recorder's Office;

Thence, with the south line of said Brewer property, South  $62^{\circ}18'02''$  East a distance of 174.54 feet to a 5/8" iron pin found capped "Cole 6995" at the southeast corner of a 5.000 acres tract as conveyed to Clifton and Darla Brewer by Tract Two of Official Records Volume 95, Page 782 of the Harrison County Recorder's Office,

Thence, with the east line of said Brewer property, North  $23^{\circ}20'38''$  East a distance of 307.76 feet to an iron pin set;

Thence, leaving the Brewer property line, South  $82^{\circ}03'51''$  East a distance of 382.39 feet to an iron pin set, passing through an iron pin set at a distance of plus 317.39 feet; Thence North  $54^{\circ}01'30''$  East a distance of 127.78 feet to a point in the centerline of Ohio Street, passing through an iron pin set at a distance of plus 101.02 feet;

Thence, with the centerline of Ohio Street, South  $00^{\circ}50'59''$  West a distance of 86.25 feet to The Point of Beginning;

Containing 8.034 acres, more or less, being a new split out of Parcel No.05-0231.001.

Subject to all legal right-of-ways, easement, restrictions, reservations, and zoning regulations of record.

Subject to the right-of-way of Ohio Street {old Township Road No. 601}.

Subject to the 100-Year Flood Plain restrictions, if applicable.

Subject to a 50.00 feet wide easement being reserved unto the grantors (Bruner Land Company, Inc.), their heirs, and/or assigns, forever. Said easement being for the purpose of running utilities to other parcels of land on or near Ohio Street. Said easement runs in a north-south direction across the east end of the above-described property with the east line of said easement being the centerline of Ohio Street. Containing 0.102 acre, more or less, of easement.

Subject to a 25.00 feet wide water line and sewer easement being reserved by the Grantors (Bruner Land Company, Inc.), their heirs, and/or assigns, forever. Together with all rights necessary to install, upgrade, and/or maintain any possible future water line or sewer line. Said easement being bounded and described as follows:

Beginning at a 5/8" iron pin found capped "Cole 6995" at the southeast corner of a 5.000 acres tract as conveyed to Clifton and Darla Brewer by Tract Two of Official Records Volume 95, Page 782 of the Harrison County Recorder's Office and being at a comer in the west line of the above described 8.034 acres tract;

Thence, from said Point of Beginning and leaving the Brewer property line, North 39°23'08" East a distance of 198.73 feet to a point;

Thence North 74°38'59" East a distance of 321.67 feet to an iron pin set in the north line of the above described 8.034 acres tract;

Thence, with the north line of the above described 8.034 acres tract, South 82°03'51" East distance of 25.09 feet to an iron pin set;

Thence, leaving the north line of the above described 8.034 acres tract, South 12°54'15" West a distance of 17.12 feet to a point;

Thence South 74°38'59" West a distance of 328.67 feet to a point;

Thence South 39°23'08" West a distance of 196.80 feet to a point;

Thence South 02°29'27" West a distance of 341.52 feet to a point in the south line of the above described 8.034 acres tract;

Thence, with the south line of the above described 8.034 acres tract, South 74°56'10" West a distance of 26.22 feet to a point;

Thence, leaving the south line of the above described 8.034 acres tract, North 02°29'27"

East a distance of 345.67 feet to a point;

Thence North 62°18'02" West a distance of 181.56 feet to a point in the east line of a 1.056 acres tract as conveyed to Dean and Sharon Manbeck by Official Records Volume 16, Page 220 of the Harrison County Recorder's Office;

Thence, with the east line of said Manbeck's 1.056 acres tract, North 38°30'06" East a distance of 25.45 feet to a 5/8" iron pin found capped "PAN 7894" in the south line of a 1.056 acres tract as conveyed to Clifton and Darla Brewer by Tract One of Official Records Volume 95, Page 782 of the Harrison County Recorder's Office,

Thence, with the south line of said Brewer property, South 62°18'02" East a distance of 174.54 feet to The Point of Beginning;

Containing 0.611 acre, more or less, of water line and sewer easement.

All iron pins set are 5/8" x 30" rebar capped and labeled "Claus 6456".

The bearings in this description are for angle calculations only and are based on the east line of the southeast quarter of Section 36 used as North 00°38' 19" East.

A plat of the above-described survey has been submitted for file at the County Engineer's Office

The above description prepared by Roger W Claus, Registered Surveyor No. 6456, based on an actual field survey of March 14, 2002; said survey being subject to any facts that may be disclosed in a full and accurate title search.

UNDER AND SUBJECT to any and all exceptions, reservations, restrictions, easements, rights of way, highways, estates, covenants and conditions apparent on the premises or shown by instruments of record.

By accepting this deed GRANTEE acknowledges that mining operations have been conducted on and under the premises and GRANTEE specifically waives and releases the GRANTOR from any and all claims for damages as a result of such mining activities or related subsidence.

By accepting this deed GRANTEE also acknowledges that it has inspected the premises and is acquiring the same as a result of such inspection in its present condition and circumstance, and by accepting this deed and as a part of the consideration for this conveyance, GRANTEE covenants and agrees to assume

any and all risks of the premises and GRANTEE, for itself and its successors and assigns, hereby expressly waives all rights relative to and releases GRANTOR, its successors and assigns, from any and all liability, claims, demands, actions or causes of action, present or future, legal or equitable, of every kind, nature and description.

Excepting all coal previously conveyed #6 and below in and underlying the premises together with mining privileges as conveyed in deeds recorded in Volume 170, Page 119; Volume 162, Page 820; Volume 163, Page 815; and volume 182, Page 131, Harrison County Deed Records.

Excepting, however all of the minerals in and underlying the above described premises.

The within described premise are sold subject to the following restrictions which shall run with the land:

1. The premises shall not be subdivided into lots smaller than one acre.
2. The premises shall be used solely for residential, recreational and agricultural purposes.
3. No residence or dwelling shall be erected on the subject premises smaller than 1500 square feet floor area exclusive of basement, porches, garages and breezeways.
4. No building may be erected closer than ten feet to any property line.
5. Any residence built on the subject premises or structures commonly known as double wide mobile or manufactured homes or modular homes (that meet the above minimum square footage requirement) shall be erected on a permanent concrete block and mortar or similar masonry foundation.
6. No basements or subgrade structures shall be constructed and used for living quarters.
7. There shall be no dismantling or wrecking of automobiles or other vehicles or machinery on the premises and there shall be no storage of wrecked or dismantled vehicles or machinery on the premises. No campers, truck campers, travel trailers, motor homes or mobile homes or like vehicles shall be used as a permanent or temporary habitation on the subject premises. No campers, truck campers, travel trailers, motor homes or mobile homes or like vehicles shall be parked or stored on the subject premises unless titled to the property owner. No structure of a temporary character, basement, tent, shack, garage, barn or other out building shall be used at any time as a residence either permanently or temporarily.
8. No obnoxious or offensive activity shall be carried on upon the subject premises, nor shall anything be done thereon which may be or may become an annoyance or nuisance to neighboring owners. The premises shall not be used for any illegal or immoral purpose, nor shall the Grantee permit any disorderly, boisterous or indecent acts upon the premises, nor permit the premises to be used in any way so as to disturb the quiet enjoyment of adjoining owners.

**Parcel Number: 05-0002331.019**

**[SIGNATURE AND ACKNOWLEDGMENT PAGE TO FOLLOW]**

IN WITNESS WHEREOF, the said **Craig Allen Gooding and Cortney Price**, the duly-appointed and acting Co-executors of the **Estate of Linda Gooding**, has set their hands at CAMDEN, SOUTH CAROLINA this 12<sup>th</sup> day of October, 2021.

Craig Allen Gooding  
Craig Allen Gooding  
Cortney Price  
Cortney Price

STATE OF SC  
SS:  
COUNTY OF Kershaw

Before me, a Notary Public in and for the State and County aforesaid, personally appeared the above **Craig Allen Gooding and Cortney Price**, the duly-appointed and acting Co-Executors of the **Estate of Linda Gooding**, who acknowledged that they did sign the foregoing in such capacity for the uses and purposes therein set forth and that the same is their free act and deed.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at Camden, SC, this 12 day of October, 2021.

Zach Hornsby  
Notary Public  
My Commission Expires 1-6-31

THIS INSTRUMENT PREPARED BY:  
BEETHAM LAW OFFICE BUILDING  
T. OWEN BEETHAM, ESQ.  
PO BOX 128  
CADIZ, OHIO 43907  
(740)942-2356

