

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That Marshal Smith and Janet Smith, husband and wife, hereinafter referred to as the Grantors, who claim title by or through an instrument recorded in Volume 216, Page 218, Harrison County Recorder's Office, in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, to them paid by Bonnie K. Beetham and Rupert N. Beetham, hereinafter referred to as Grantees, whose TAX MAILING ADDRESS is 422 St. Clair Avenue, Cadiz, Ohio 43907, the receipt whereof is hereby acknowledged, do hereby REMISE, RELEASE AND FOREVER QUIT-CLAIM, to the said Grantees, their heirs and assigns, and to the survivor of them, his or her separate heirs and assigns, the following described real estate:

Being all the interest of William Cochran, deceased, to the income from any minerals sold from the real estate described as follows:

FIRST TRACT: 170.514 acres situated in the Village of Cadiz, County of Harrison, State of Ohio and bounded and described as follows: Being a part of the West one-half of Section 36, Township 9, Range 4 of Cadiz Township. Beginning for the same at an iron pin beside a corner post at the Southwest corner of Section 36, Township 9, Range 5; thence along the South line of the same bearing S. 88° 10' 25" E. 2722.01 feet to an iron pin beside a corner post at the Southeast corner of said half section; thence along the East line of the same bearing N. 1° 32' 09" E. 2460.60 feet to an iron pin beside a corner post; thence leaving said East line N. 87° 34' 42" W. 815.60 feet to an iron pin in Township Road No. 601 at the S.W. corner of a 2.00 acre tract owned by the Cleveland Contractors Equipment Co.; thence along the aforesaid road bearing N. 10° 38' 22" E. 419.06 feet to an iron pin, from which an iron pin on the West side of said road bears N. 87° 50' 58" W. 25.92 feet; thence leaving said road and bearing N. 87° 50' 58" W. 1901.07 feet to an iron pin at the intersection of the West line of Section 36 with the aforesaid North line, bearing N. 2° 57' 27" E. 55.80 feet from the South right of way line of U.S. Highway No. 22; thence along the West line of Section 36 bearing S. 2° 57' 27" W. 2894.47 feet to the place of beginning and containing 170.514 acres, more or less, but subject to all legal highways.

There is reserved a 25 foot wide right of way extending from Township Road No. 601 easterly to the James E. Johnson property, and being more fully described as follows: Beginning at an iron pin beside a corner post on the East line of the West one-half of Section 36 and bearing N. 1° 32' 09" E. 2460.60 feet from an iron pin at the S.E. corner of said half section; thence N. 87° 34' 43" W. 815.60 feet to an iron pin in Township Road No. 601; thence along said road S. 10° 38' 22"

W. 25.26 feet; thence parallel to and 25.00 feet South of the first described line bearing S. 87° 34' 43" E. 819.60 feet to a point in the East line of said half quarter section; thence along said line N. 1° 32' 09" E. 25.00 feet to the place of beginning and containing 0.469 acres, more or less. To be used in common with the Grantee and others as a means of ingress and egress to adjoining properties.

Subject to an easement granted the Village of Cadiz, Ohio for the construction and maintenance of a sanitary sewer line across and under the above described tract, as described in Deed Volume 164, Page 239 of the Harrison County Deed Records.

This tract is subject to an easement for highway purposes appropriated by the Director of Highways of the State of Ohio in Case No. 11761, Common Pleas Court of Harrison County, Ohio, and being 0.0753 acres out of the N.W. corner of the same.

Being a part of the same premises conveyed by the Will of Robert Reid Cochran, Deceased, to Frank M. Cochran, et al., shown by Will Certificate recorded in Deed Record 126, Page 580, Deed Records of Harrison County, Ohio.

SECOND TRACT: 58.299 acres situated in the Village of Cadiz, County of Harrison, State of Ohio and bounded and described as follows: Being a part of the N.E. quarter of Section 5, Township 10, Range 5 of Cadiz Township. Beginning for the same at an iron pin at the N.E. corner of said quarter section; thence along the East line of the same bearing S. 2° 57' 27" W. 1129.71 feet to an iron pin at the N.E. corner of Lot No. 1 of the Allen-Cadiz Addition to the Village of Cadiz, Ohio, from which an iron pin beside a corner post at the West corner between Sections 35 and 36, Township 9, Range 4 bears N. 2° 57' 27" E. 17.03 feet; thence along the North line of said addition N. 79° 02' 17" West 1596.73 feet to a corner stone at the N.W. corner of said Addition; thence N. 79° 33' 05" W. 1119.68 feet to a point in the center of the pavement of State Highway No. 9, from which an iron pin in the East berm of said highway bears S. 79° 33' 05" E. 15.00 feet. Said point in the center of the Highway being on the West line of the N.E. quarter of Section 5; thence along said West line and the Highway N. 2° 49' 10" E. 762.73 feet to a cross cut in the concrete pavement of the highway and being the N.W. corner of the N.E. quarter of Section 5; thence along the North line of the quarter section S. 87° 00' 50" E. 2693.13 feet to the place of beginning and containing 58.299 acres, more or less, but subject to all legal highways.

There is reserved a right of way deeded the P.C.C. & St. L.R.R. Co. as recorded in Deed Volume 128, Page 65 of the Harrison County Deed Records, and being more fully described as follows: Beginning for the same at an iron pin on the North line of the N.E. quarter of Section 5, Township 10, Range 5 from which the N.W. corner of said quarter section bears N. 87° 00' 50" W. 176.02 feet; thence continuing along said North line S. 87° 00' 50" E. 175.93 feet to an iron pin; thence along the East right of way of the railroad the following two courses and distances: (1) S. 8° 28' 12" E., 521.40 feet; (2) S. 22° 22' 58" E. 373.40 feet to an iron pin on S. line of the above described 58.299 acre tract; thence

along said S. line N. $79^{\circ} 33' 05''$ W. 153.29 feet to an iron pin; thence leaving said South line along the East right of way line of the railroad the following three courses and distances: (1) N. $25^{\circ} 45' 03''$ W. 102.90 feet; (2) N. $6^{\circ} 33' 33''$ W. 202.47 feet; (3) N. $17^{\circ} 47' 44''$ W. 576.17 feet to the place of beginning and containing 2.447 acres, more or less.

There being conveyed 58.299 acres, less 2.447 acres or 55.852 acres, of which 54.830 acres lies within the Village of Cadiz, Ohio and 1.022 acres lies in Section 5, Township 10, Range 5 of Cadiz Township.

Subject to easements granted the Village of Cadiz, Ohio for the construction and maintenance of sanitary sewer lines and a sewage pumping station across and under the above described tract, as described in Special Record No. 9 at Page 649 and Deed Volume 164, Page 239 of the Harrison County Deed Records.

This tract is subject to an easement for highway purposes appropriated by the Director of Highways of the State of Ohio in Case No. 11761, by the Common Pleas Court of Harrison County, Ohio and being 1.486 acres out of the N.W. corner of same.

Being a part of the same premises conveyed by the Will of Robert Reid Cochran, deceased, to Frank M. Cochran, et al. shown by Will Certificate recorded in Deed Record 126, Page 580, Deed Records of Harrison County, Ohio.

Prior deed reference Volume A, Page 133, Harrison County Deed Records.

THIRD TRACT: 1.302 acres situated in the Village of Cadiz, County of Harrison, State of Ohio and bounded and described as follows: Being a part of the N.W. quarter of Section 35, Township 9, Range 4 of Cadiz Township.. Beginning for the same at an iron pin beside a corner post at the N.W. corner of the aforesaid quarter section; thence along the West line of the same bearing S. $2^{\circ} 57' 27''$ W. 519.43 feet to an iron pin on the East side of County Highway No. 5; thence leaving said West line along an old abandoned road bearing N. $25^{\circ} 36' 19''$ E. 567.51 feet to an iron pin on the North line of the quarter section; thence along said line N. $88^{\circ} 10' 25''$ W. 218.57 feet to the place of beginning and containing 1.302 acres, more or less, but subject to all legal highways.

There is reserved a right of way for a roadway or driveway purposes lying South of and adjoining the North line of the above described tract and extending from County Highway No. 5, East to the easterly line of the above described tract to be used, in common with the Grantee and others, as a means of ingress and egress to adjoining properties.

Subject to an easement granted the Village of Cadiz, Ohio for the construction and maintenance of a sanitary sewer line across and under the above described tract, as described in Deed Volume 164, Page 239 of the Harrison County Deed Records.

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FOURTH TRACT: 118.505 acres situated part in the Village of Cadiz and part in Cadiz Township, County of Harrison, State of Ohio and bounded and described as follows:

Being a part of the S.E. quarter of Section 6, Township 10, Range 5 of Cadiz Township. Beginning for the same at an iron pin at the S.E. corner of the aforesaid quarter section; thence along the East line of said quarter bearing N. $2^{\circ} 57' 27''$ E. 2063.88 feet to an iron pin at the intersection of said East line with the Northwesterly right of way line of U.S. Highway No. 22; thence leaving said East line N. $88^{\circ} 02' 07''$ W. 2393.49 feet to an iron pin on the easterly right of way line of the Cadiz Branch line of the P.C.C. & St. L.R.R. Co.; thence along said easterly line S. $25^{\circ} 34' 35''$ W. 10.93 feet to an iron pin at a point of curvature in said line; thence along said curve, having a radius of 612.70 feet; an arc distance of 449.44 feet to an iron pin on the West line of the S.E. quarter of Section 6. The chord subtending the aforesaid arc bearing S. $46^{\circ} 35' 27''$ W. 436.94 feet; thence along said West line S. $2^{\circ} 45' 10''$ W. 603.11 feet to an iron pin on the East side of State Highway No. 9 at the N.W. corner of lands owned by the P.C.C. & St. L.R.R. Co.; thence along the Northeasterly line of said lands S. $43^{\circ} 50' 10''$ E. 398.82 feet to an iron pin at the Northeasterly corner of same; thence along the East line S. $1^{\circ} 58' 30''$ W., 805.12 feet to an iron pin at the S.E. corner of same, (passing the iron pin at 544.50 feet); thence along the South line of the same N. $87^{\circ} 00' 50''$ W. 301.00 feet to a point in State Highway No. 9 on the West line of said S.E. quarter; thence along said West line S. $2^{\circ} 49' 10''$ W. 13.75 feet to a cross cut in the concrete pavement of said highway at the S.W. corner of the S.E. quarter of Section 6; thence along said South line S. $87^{\circ} 00' 50''$ E. 2693.13 feet to the place of beginning and containing 118.505 acres, more or less, but subject to all legal highways.

There is reserved a right of way deeded the P.C.C & St. L.R.R. Co. as recorded in Deed Volume 128, Page 65 of the Harrison County Deed Records and being more fully described as follows: To find the place of beginning, start at a cross cut in the concrete pavement of State Highway No. 9 at the S.W. corner of the S.E. quarter of Section 6; thence along the South line of said quarter Section S. $87^{\circ} 00' 50''$ E. 176.02 feet to a point at the intersection of the quarter section line with the West right of way line of said railroad, and place of beginning for the tract herein described; thence along said right of way line the following five courses and distances; (1) N. $13^{\circ} 29' 10''$ W. 14.33 feet; (2) S. $87^{\circ} 00' 50''$ E. 129.00 feet; (3) N. $1^{\circ} 58' 30''$ E. 260.62 feet; (4) S. $8^{\circ} 28' 12''$ 279.90 feet; (5) N. $87^{\circ} 00' 50''$ W. 175.93 feet to the place of beginning and containing 0.199 acres, more or less.

Second Exception: Railroad Right-of-Way

To find the place of beginning start at a cross cut in the concrete pavement of State Highway No. 9 at the S.W. corner of the S.E. quarter of Section 6; thence along the West line of said quarter Section N. $2^{\circ} 45' 10''$ E. 1091.65 feet to an iron pin on the East side of said highway at the N.W. corner of the railroad property; thence leaving said West line bearing S. $43^{\circ} 50' 10''$ E. 38.61 feet to an iron pin which is the S.W. corner and place of beginning for the tract herein described;

thence along the West right of way line of the P.C.C. & St. L.R.R. Co., the following five courses and distances: (1) N. $4^{\circ} 57' 58''$ E. 154.62 feet; (2) N. $40^{\circ} 56' 30''$ E. 144.78 feet; (3) N. $25^{\circ} 55' 02''$ E., 246.23 feet; (4) N. $33^{\circ} 26' 10''$ E. 260.00 feet; (5) N. $40^{\circ} 54' 31''$ E. 305.01 feet to an iron pin at the intersection of said right of way line with the North line of the above described 118.505 acre tract; thence along said North line S. $88^{\circ} 02' 07''$ E. 153.39 feet to an iron pin at the intersection of said line with the East right of way line of said railroad; thence along said East line the following four courses and distances: (1) S. $52^{\circ} 54' 58''$ W. 165.99 feet; (2) S. $38^{\circ} 36' 10''$ W. 190.55 feet; (3) S. $33^{\circ} 26' 10''$ W., 334.25 feet; (4) S. $15^{\circ} 51' 50''$ W. 551.36 feet to an iron pin; thence N. $43^{\circ} 50' 10''$ W. 181.91 feet to the place of beginning and containing 3.111 acres, more or less.

There being conveyed as the Fourth Tract 118.505 acres less the two exceptions of 0.199 acre and 3.111 acres leaving 115.195 acres of which 53.951 acres is within the corporate limits of the Village of Cadiz, Ohio and 61.244 acres being in the S.E. quarter of Section 6, Township 10, Range 5.

This tract is subject to an easement for highway purposes appropriated by the Director of Highways of the State of Ohio, in Case No. 11761, Common Pleas Court, Harrison County, Ohio.

Subject to an easement granted the Village of Cadiz, Ohio, for the construction and maintenance of a sanitary sewer line across and under the above described tract, as described in Deed Volume 164, Page 239 of the Harrison County Deed Records.

Being a part of the same premises conveyed by the Will of Robert Reid Cochran, deceased, to Frank M. Cochran, et al., shown by Will Certificate recorded in Deed Record 126, Page 580, Deed Records of Harrison County, Ohio.

Survey and description of all four tracts by Paul J. McCullough, Registered Surveyor No. 2513 and Robert K. Sterling, Registered Surveyor No. 6513.

Date: October and November, 1980.

Being the mineral income reserved by William Cochran in deed to Robert Fleagane of record in Deed Volume 202, Page 635, of the Deed Records of Harrison County, Ohio.

And for valuable consideration, Marshall Smith and Janet Smith, do hereby remise, release and forever quit-claim unto the said Grantees, jointly, their heirs and assigns, all their right and expectancy of dower in the above-described premises.

IN TESTIMONY WHEREOF, Marshall Smith and Janet Smith have hereunto set their hands at Cadiz, Ohio, this eleventh day of February, in the year of our Lord one thousand nine hundred and eighty-five.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:

Elvie Thompson

Marshall Smith
Marshall Smith

Jackie Brown

Janet Smith
Janet Smith

STATE OF OHIO

SS:

COUNTY OF HARRISON

Before me, a Notary Public in and for said County and State, personally appeared the above-named Marshall Smith and Janet Smith, 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 affixed my official seal this eleventh day of February, A.D. 1985, at Cadiz, Ohio.

Jacqueline D. Brown
Notary Public

This instrument prepared by:
BEETHAM LAW OFFICES
146 SOUTH MAIN STREET
CADIZ, OHIO 43907

JACQUELINE D. BROWN
Notary Public, State of Ohio
My Commission Expires September 30, 1983

NOT NECESSARY
Transferred SEPT. 11 1985
MABEL L LEACH, Auditor
FEE BY S.E.J.

40359 ✓ a NY

LABAN C. BLACKBURN	
Harrison Co. Recorder	
Received <u>SEPT. 11 1985</u>	
at <u>10:55</u> o'clock	A.M.
Recorded <u>SEPT. 11 1985</u>	

\$18.00
Pa.

