

Don R. Wallick Auctions, Inc.

965 N. Wooster Avenue - Strasburg, Ohio 44680 - www.WallickAuctions.com
Toll Free: 1-866-348-9446 - Tel: 330-878-0075 - Fax: 330-878-7318



THE TUSCARAWAS COUNTY TITLE COMPANY

203 Fair Avenue N.E. - P. O. Box 548
New Philadelphia OH 44663
Phone: (330) 364-4450 Fax: (330) 343-2976
Email: tusctitle@tusctitle.net

TAX AND LEGAL REPORT

DATE:

REQUESTED BY: Don Wallick Wallick Auctions

PROPERTY ADDRESS: 124 Canal St. Bolivar Ohio

PRESENT OWNER: Bernice L. Smitley, Trustee of the Charles E. Smitley
QTIP Marital Trust Dated December 22, 2006

VOLUME: 1289

PAGE: 262

TRANSFER: July 31, 2008

PARCEL NO.: 37-00250.000

=====

REAL ESTATE TAXES ARE CURRENTLY LISTED ON THE 2008 TAX DUPLICATE IN THE
NAME OF

Bernice L. Smitley Trustee C Smitley QTIP Marital Trust

PARCEL NO.: 37-00250.000

DESC. PR 7 1/2

VALUATIONS:

LAND: 3,170
BUILDING: 10,990
TOTAL: 14,160
AUV:

TAXES:

GENERAL TAXES: \$ 444.91
TAX REDUCTION: \$ - 74.50
10% ROLLBACK: \$
2 1/2% REDUCTION \$
HOMESTEAD CREDIT \$
TOTAL PER 1/2 YEAR \$ 370.41
UNPAID REAL \$
CURRENT SA: \$ 6.00
PENALTY: \$
PRIOR DEL: \$
TOTAL DUE: \$ -0-

Special Assessments: MWCD

Taxes for the year 2008 are paid
Taxes for the year 2009 are undetermined but not yet due.

Approved: Previously Approved

Not Approved: _____

BY: Laura J. Andrews

PRIOR FILE NO.

This information, including any lot dimensions shown, is derived solely from public records and the internet. While the information is usually reliable, it cannot be guaranteed without a full title examination and a current survey to verify its accuracy.

IP
 28 S67-48E
 44 60
 1-24-1996
 38,8,59
 MUEL J & KAREN S
 000
 1-24-1996
 38,8,60

6 1/2 80
 LLOYD SAMUEL J & KAREN S
 37-00165-001
 1-24-1996
 38,8,35

CHERRY ST SE

44 409 VUW VIRGINIA R
 6-19-1980
 38,8,64
 45
 AHLER TRUDY W
 37-00276-001
 8-2481
 9-5-2001
 38,8,64,01
 27E 75,35
 75,32
 S21-11W
 30
 -NSN-
 30
 HOWENSTINE TED D & MARCIA A
 37-00252-000
 12-9-1999
 38,8,61
 752-191
 60
 60
 THE HUNTINGTON NA
 37-00153-000
 VolPge
 4-27-1979
 38,8,65

SASSAFRAS ALLEY SE

N21-11E
 9 1/2 80
 THE BELLIAR STATE BANK
 37-00522-000
 VolPge
 38,8,31
 69
 S68-53E-80
 81,26
 38
 THE HUNTINGTON NATIONAL
 37-00524-000
 VolPge
 38,8,32
 38
 -NSN- N68-53W
 81,26
 CANAN LAND REALTY LLC
 37-00251-000
 1212-2341
 1/13/2006
 38,8,33,000
 5
 SMITLEY BERNICE L
 37-00250-000
 1289-2627
 7/31/2008
 38,8,34,000
 185
 80
 18
 MASTER C SMITLEY AND MARITAL TRUST
 37-00250-000
 40,000
 38,8,34,000
 18
 BANK

CANAL ST SE

66
 N 22°15' E
 40,00'
 FISHER SCOTT S
 37-00618-000
 662-4701
 0132
 N 67°48' W
 39,85'
 24
 38,8,24,000
 P/23/1992
 144,72
 PATRICIA V
 15,998
 40
 FORT LAURENS POST
 AMERICAN LEGION 190
 37-00151-000
 VolPge
 4-14-1970
 38,8,26
 N24-59E
 60,25
 FORT LAUREN
 AMERICAN LEG
 37-00152-000
 VolPge
 15
 4-38,
 S68-1
 76,1
 GRAEF HARRY T
 37-00146-000
 570-8617
 20
 10-5-1982
 38,8,28
 9
 MAIM JEAN BARC
 37-00309-000
 3/16/2007
 38,8,29,000
 1250-2606
 0,000
 N 15°27'30" E
 65,50'
 THE VILLAGE OF BTH
 37-00180-001
 1093-205
 0,000
 N 68°18'17" V
 100,00'
 N 68°18'17" V

N27-36E
 66



AGENCY DISCLOSURE STATEMENT



The real estate agent who is providing you with this form is required to do so by Ohio law. You will not be bound to pay the agent or the agent's brokerage by merely signing this form. Instead, the purpose of this form is to confirm that you have been advised of the role of the agent(s) in the transaction proposed below. (For purposes of this form, the term "seller" includes a landlord and the term "buyer" includes a tenant.)

Property Address: 124 CANAL ST BOLIVAR, OHIO

Buyer(s): _____

Seller(s): SMITLEY TRUST

I. TRANSACTION INVOLVING TWO AGENTS IN TWO DIFFERENT BROKERAGES

The buyer will be represented by _____ AGENT(S) _____, and _____ BROKERAGE _____

The seller will be represented by _____ AGENT(S) _____, and _____ BROKERAGE _____

II. TRANSACTION INVOLVING TWO AGENTS IN THE SAME BROKERAGE

If two agents in the real estate brokerage _____ represent both the buyer and the seller, check the following relationship that will apply:

- Agent(s) _____ work(s) for the buyer and Agent(s) _____ work(s) for the seller. Unless personally involved in the transaction, the broker and managers will be "dual agents", which is further explained on the back of this form. As dual agents they will maintain a neutral position in the transaction and they will protect all parties' confidential information.
- Every agent in the brokerage represents every "client" of the brokerage. Therefore, agents _____ and _____ will be working for both the buyer and seller as "dual agents". Dual agency is explained on the back of this form. As dual agents they will maintain a neutral position in the transaction and they will protect all parties' confidential information. Unless indicated below, neither the agent(s) nor the brokerage acting as a dual agent in this transaction has a personal, family or business relationship with either the buyer or seller. *If such a relationship does exist, explain:* _____

III. TRANSACTION INVOLVING ONLY ONE REAL ESTATE AGENT

Agent(s) Don R. Wallace Auction and real estate brokerage Pisocora Martin Realty will

be "dual agents" representing both parties in this transaction in a neutral capacity. Dual agency is further explained on the back of this form. As dual agents they will maintain a neutral position in the transaction and they will protect all parties' confidential information. Unless indicated below, neither the agent(s) nor the brokerage acting as a dual agent in this transaction has a personal, family or business relationship with either the buyer or seller. *If such a relationship does exist, explain:* _____

represent only the (check one) seller or buyer in this transaction as a client. The other party is not represented and agrees to represent his/her own best interest. Any information provided the agent may be disclosed to the agent's client.

CONSENT

I (we) consent to the above relationships as we enter into this real estate transaction. If there is a dual agency in this transaction, I (we) acknowledge reading the information regarding dual agency explained on the back of this form.

| | | | | |
|--------------------|------------|-------------------------|-----------------------|---------------------|
| BUYER/TENANT _____ | DATE _____ | <u>X. F. O. Spender</u> | SELLER/LANDLORD _____ | DATE <u>9-17-09</u> |
| BUYER/TENANT _____ | DATE _____ | SELLER/LANDLORD _____ | DATE _____ | |

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

(i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

(ii) Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (check (i) or (ii) below):

(i) Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

(ii) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgment (Initial)

(c) Purchaser has received copies of all information listed above.

(d) Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*.

(e) Purchaser has (check (i) or (ii) below):

(i) received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

(ii) waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (Initial)

(f) *DMW* Agent has informed the seller of the seller's obligations under 42 U.S.C.4852d and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

| | | | |
|----------------------|------------------------|-----------|------|
| <i>XFO</i> Seller | <i>9-17-09</i> Date | Seller | Date |
| Purchaser | Date | Purchaser | Date |
| Agent | Date | Agent | Date |

Auction Conducted By:
Don R. Wallick Auctions, Inc.
Auctioneers: Don R. Wallick
Brennan R. Wallick
Ryan W. Wallick

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