

# 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



## Connolly, Hillyer & Welch Title Services, Inc.

### TAX & LEGAL REPORT Schedule A

Effective Date: 8/29/12

Property Address: 4602 Broadway St, Midvale, Ohio 44653

Vested In: Doris A. McComb, unmarried and Jeffrey L. McComb, unmarried by virtue of Quit-Claim Deed Survivor recorded June 23, 2010 at Volume 1333, Page 1215 Deed/Official Records of Tuscarawas County, Ohio.

Parcel No.(s): 27-00204-000 Please Note THAT THE PROPERTY IS RED STAMPED ON DEED AND ON MAP THAT IS ATTACHED.

Legal Description(s): 1 8 4 W/2 33 .115A

### Schedule B

#### Taxes:

Parcel No. 27-00204-000;

Description 1 8 4 W/2 33 .115A;

Assessed Valuations: Land 1,440 Improvements 16,180 Total 17,620;

Appraised Valuations: Land 4,100 Improvements 46,220 Total 50,320;

Taxes per half are \$187.67 including Special Assessments, after a Homestead Exemption of \$179.21 per half;

Taxes and Special Assessments for the year of 2011 are paid.

Taxes and Special Assessments for the year of 2012 and thereafter are lien on said premises but are not yet due and available for payment;

No liability is assumed for tax increases occasioned by retroactive revaluation change in land usage, or loss of any homestead exemption status for insured premises.

Connolly, Hillyer & Welch Title Services, Inc.

Brad L. Hillyer

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

"Complete Real Estate Title and Escrow Services"  
Agents for Commonwealth Land Title Insurance Company

109 Front Ave SE • New Philadelphia, Ohio 44663 • (330) 602-1800 • Fax (330) 602-1808  
201 N Main ST • P.O. Box 272 • Uhrichville, Ohio 44683 • (740) 922-4151 • Fax (740) 922-1473  
139 E Main ST • P.O. Box 71 • Newcomerstown, Ohio 43832 • (740) 498-5198 • Fax (740) 498-5197

Vol 1333 Page 1215

20100005742  
Filed for Record in  
TUSCARAWAS COUNTY, OH  
LORI L SMITH, RECORDER  
06-23-2010 at 01:24 pm.  
QUIT CLAIM 28.00  
OR Volume 1333 Page 1215 - 1216

**TRANSFERRED**

TRANSFERRED BY  
COMPUTER PROGRAM  
DEC 27 09 02 AM '07 10:02:00 AM

JUN 23 2010

AMT 0

Tuscarawas County Auditor



**QUIT-CLAIM DEED**

Doris A. McComb, unmarried, of Tuscarawas County, Ohio, for valuable consideration paid, grants to Doris A. McComb, unmarried, and Jeffrey L. McComb, unmarried, for their joint lives the remainder to the survivor of them, whose tax-mailing address is P.O. Box 193, Midvale, Ohio 44653 the following **REAL PROPERTY**:

Situated in the Village of Midvale, County of Tuscarawas and State of Ohio:

Tract #1. Being a parcel of land in Lot #33 of the Fourth Quarter of Township 8, Range 1, U. S. Military Lands and being bounded as follows:

Beginning at a stake located 112 feet southerly at right angles from the South line of Broadway and 116.7 feet Westerly at right angles from the West line of South Street; thence South 6 deg. 26 min. West, 30 feet to a corner of the tract of 0.173 acres conveyed by Robert Rutledge et. al. to William J. Leggett, by deed recorded in Deed Record Vol. 240 at Page 125; thence North 79 deg. 41 min. West, 27.5 feet to another corner of said 0.173 acre tract; thence North 6 deg. 26 min. East, 30 feet; thence South 79 deg. 41 min. East, 27.5 feet to the beginning, containing 0.018 acres, more or less, but subject to all legal highways.

Tract #2. Situated in the Village of Midvale, County of Tuscarawas and State of Ohio, and being a part of Lot #33 of the Fourth Quarter of Township 8, Range 1, U.S. Military Lands and being bounded and described as follows: Beginning on the South line of Broadway, 74 feet West of the Northwest corner of Lot No. 132 in J. M. Rutledge's Second Addition to the Village of Midvale, which corner is 52 feet West of the West line of South Street; thence West along the south line of Broadway, 50 feet; thence south, parallel with South Street, 100 feet to an alley or driveway; thence East, parallel with Broadway, 50 feet; thence North 100 feet to the beginning, containing 0.115 acres, more or less, but subject to all legal highways.

THE ABOVE WAS PREPARED AT THE SPECIFIC REQUEST OF GRANTOR/GRANTEE BASED SOLELY UPON INFORMATION SUPPLIED BY ONE OR MORE OF THE PARTIES TO THIS CONVEYANCE, AND WITHOUT EXAMINATION OF TITLE OR ABSTRACT. THE DRAFTER ASSUMES NO LIABILITY FOR ANY ERRORS, INACCURACIES, OR OMISSIONS IN THIS INSTRUMENT RESULTING FROM THE INFORMATION PROVIDED AND MAKES NO ASSERTIONS WITH RESPECT TO LIENS WHICH MAY BE AGAINST THIS PROPERTY, AND THE PARTIES HERETO SIGNIFY THEIR ASSENT TO THE DISCLAIMER BY THE GRANTOR'S EXECUTION AND THE GRANTEE'S ACCEPTANCE OF THIS INSTRUMENT.

Parcel Number: 27-00204 and 27-00205

Prior Instrument Reference: Volume 1, Page Tuscarawas County Deed Records.

KL 333 PNE 1216

Executed this 22 day of June, 2010.

Doris A. McComb  
Doris A. McComb

State of Ohio, County of Tuscarawas, SS:

The foregoing instrument was acknowledged before me this 22 day of June, 2010 by Doris A. McComb, unmarried, the said Grantor, and that the same was her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my name and official seal.

Kim R. Stull

Notary Public



KIM R. STULL, Notary Public  
State of Ohio  
My Commission Expires 7-22-13

20100005742  
ALBAN TITLE  
PICKUP.

This instrument prepared by Michael A. Cochran, Attorney at Law, Gnadshutzen, Ohio

2010  
 PARCEL 27-09285-000 TUSCIGANAS COUNTY LARRY LINDING COMMENTS/MPDO 27-09285-000  
 DISTRICT 27-60-SHEP-TWP-MIDVALE CORP CARD 1 OF 1  
 MAP NUMBER 9  
 SECTION & PLAT  
 BLOCKING NUMBER SE-803  
 PROPERTY CLASS 530-SINGLE FAMILY DRWR OCCUPIE  
 PROPERTY ADD 4502 BROADWAY ST  
 METE-BORNDOM 00350  
 LOTS/BLK AREA 1.074

1 8 4 W/2 33 .1154  
 PERMIT # DATE CC PERMITS DESCRIPTION % AMOUNT

TOPOGRAPHY	UTILITIES	STREET/ROAD	METROPHOOD	ASSESSMENT	VALUATION	2008	2010
LEVEL	PAVED	TYPE/PAVING	PARCELT	LAND	4,050	4,180	4,180
BUILDING	SEWER	PROPOSED	ADJUST	IMPR	57,228	46,228	46,228
LOW	ELECTRIC	DECLINING	REASON	TOTAL	56,958	38,328	38,328
HEIGHT	SIDS	ALLEY	ADJUSTED	LAND	3,500	1,400	1,400
	WELL		FACTOR	IMPR	18,200	16,180	16,180
			TOTAL	TOTAL	15,450	17,860	17,860

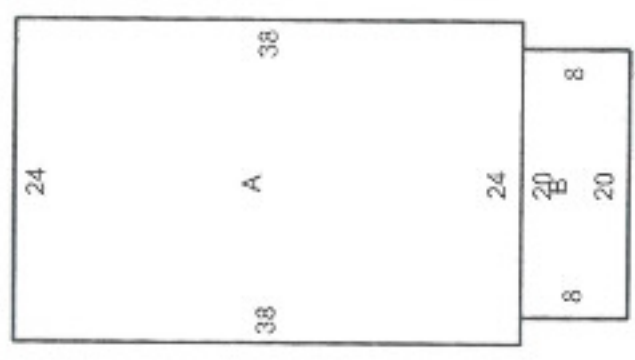
LAND USE	SOIL ID/ACTUAL FR	ACR/FEET	SOIL DEPTH	BASE RATE	FCR	BASE VALUE	ADJUSTED REASON	ADJUST FACTR	BCR	MARKET VALUE
FR	50	100	100	100	02	4,180				4,180

TOTAL		CONSTRUCTION DATA		PRICING LEGEND	
OCCUPANCY	BL-SINGLE FAMIL	LEVEL	BASE AREA	FIN AREA	VALUE
9 UNITS	1	EXTERIOR	912	912	53,328
STORY HEIGHT	2	FRAME/ALUMINUM	912	912	39,452
ATTIC	X	STUCCO			
CRAM/FR	X	TILE			
PLUMBING		CONCRETE BLOCK			
BASES		METAL			
FULL BATHS	2-NORMAL	CONCRETE			
HALL BATHS		BRICK			
OTHER FEATURES	1	STONE			
MO PLUMBING		FRAME/MASONRY			
POLE		POLE			
CONCRETE BOTTOM		CONCRETE			
STAYED/ROOF		FRONT/CEILING			
CLAY		CLAY			
ASPHALT		ASPHALT			
CYCLONE		CYCLONE			
STONE AND GLASS		STONE AND GLASS			
STONE/CONCRETE FL		STONE/CONCRETE FL			
POLE AND FRAME		POLE AND FRAME			
METAL AND GLASS		METAL AND GLASS			
CONCRETE AND GLAS		CONCRETE AND GLAS			
BRICK VENER IN N		BRICK VENER IN N			
BLCK ON CONCRETE		BLCK ON CONCRETE			
LOK		LOK			
NYL		NYL			

3D	USE	ST MT	SIZE	AREA	ADD-ONS	GRD	REPRODUCTION COST	YEAR BUILT	YEAR REPOD	COND	NHL DEP	OBS DEP	DOB	TRUE CASH VALUE
04ELL						C-15	115,548	1920	1970	F	60			46,228

TRANSFER DATE	MARK OF PREVIOUS OWNER	SALES AMOUNT	DEED TYPE	TOTAL
08/22/10	WILLIAM DORTS A			46,228
08/23/10	WILLIAM DONALD D & DORTS A			306,000
				98,000

APPRaiser: \_\_\_\_\_ DATE: \_\_\_\_\_ LISTED: \_\_\_\_\_ REVIEWED: \_\_\_\_\_







**COMMITMENT FOR TITLE INSURANCE**

Issued by



Commitment No. 2012-0432

COMMONWEALTH LAND TITLE INSURANCE COMPANY, a Nebraska corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate 180 days after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

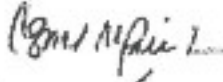

IN WITNESS WHEREOF, the Company has caused this Commitment to be signed with the facsimile signatures of its President and Secretary and sealed as required by its By-Laws.

Connolly, Hillyer & Welch Title Services, Inc.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

By:   
Brad L. Hillyer, Authorized Agent



By:   
ATTEST:  President  
Secretary

**CONDITIONS**

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and Stipulations and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.



## Commonwealth Land Title Insurance Company

### SCHEDULE A

Commitment No.: 2012-0432-PROFORMA

File No.: 2012-0432

1. Effective Date: August 27, 2012 at 04:00 PM
2. Policy or Policies to be Issued: Amount
  - a. Owner's Policy 06/17/06  
Proposed Insured:  
To Be Determined (TBD)
  - b. Loan Policy 06/17/06  
Proposed Insured:

3. The estate or interest in the land described or referred to in this Commitment is :  
Fee Simple

4. Title to the Fee Simple estate or interest in the land is at the Effective Date vested in:  
Doris A. McComb and Jeffrey L. McComb, by virtue of Quit-Claim Deed (Survivorship) recorded June 23,  
2010 at Volume 1333, Page 1215 Official Records of Tuscarawas County, Ohio.

5. The land referred to in this Commitment is described as follows:

Situated in the Village of Midvale, County of Tuscarawas and State of Ohio, and being a part of Lot #33 of  
the Fourth Quarter of Township 8, Range 1, United States Military Lands and being bounded and described  
as follows:

Beginning on the South line of Broadway, 74 feet West of the Northwest corner of Lot Number 132 in J.M.  
Rutledge's Second Addition to the Village of Midvale, which corner is 52 feet West of the West line of South  
Street;

Thence West along the south line of Broadway, 50 feet;

Thence South, parallel with South Street, 100 feet to an alley or driveway;

Thence East, parallel with Broadway, 50 feet;

Thence North 100 feet to the beginning, containing 0.115 acres, more or less, but subject to all legal  
highways.

Parcel Number: 27-00204-000

Property Address: 4602 Broadway St., Midvale, Ohio 44653

#### Insurance Fraud Warning

Any person who, with intent to defraud or knowing  
that he is facilitating a fraud against an Insurer,  
submits an application or files a claim containing

ALTA CF  
(06/17/06)

Connolly, Hillyer & Weich Title Services, Inc.

By:

Brad L. Hillyer, Authorized Agent



**SCHEDULE A**  
(Continued)

false or deceptive statement is guilty of insurance fraud.

**SCHEDULE B - SECTION I  
REQUIREMENTS**

The following are the requirements to be complied with:

1. Payment to or for the account of the persons entitled thereto of the full consideration for the estate or interest and mortgage thereon covered by said policy or policies of title insurance.
2. Instruments in insurable form creating the estate or interest and mortgage thereon to be insured which must be executed, delivered, and duly filed for record:
3. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
4. Satisfactory evidence should be had the improvements and/or repairs or alterations thereto are completed; that contractor, sub-contractors, labor and materialmen are all paid; and have released of record all liens or notice to intent to perfect a lien for labor or material.
5. Owners/Sellers Affidavit covering matters of title in a form acceptable to the Company.
6. The current Boundary Description/Survey has been determined as "Inadequate" or "Re Stamped" by the County Engineer/Auditor/Map Office. A new Boundary Description/Survey, completed by a licensed professional surveyor will be required to transfer the real estate. Said Boundary Description/Survey must be included as part of the Deed and Title Policy(-ies).
7. Satisfaction of the Mortgage executed by Doris A. McComb, a unmarried person and Jeffrey L. McComb, a married person, The Commercial & Savings Bank, recorded June 23, 2010 at Volume 1333, Page 1217 Official Records of Tuscarawas County, Ohio securing the principal of \$18,500.00.

**SCHEDULE B - SECTION II  
EXCEPTIONS**

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Special Assessments not yet certified to the County Auditor and/or Treasurer.
3. Any lien or right to a lien for service, labor or material hereto or hereafter furnished, imposed by law and not shown by the public records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Title to that portion of the property, if any, within the bounds of any legal highways.
6. Any inaccuracy in the specific quantity of acreage contained on any survey, if any, or contained within the legal description of the premises insured herein.
7. Rights of upper and lower riparian owners and any changes in boundary lines as a result of avulsion, accretion, erosion or reliction.
8. No Examination has been made of the U.S. District Court of Bankruptcy Court Records.
9. Oil and gas leases, pipeline agreements or any other instrument related to the production or sale of oil and gas which may arise subsequent to the date of the Policy.
10. Any lease, grant, exception or reservation of minerals or mineral rights together with any rights appurtenant thereto.
11. Parcel No. 27-00204-000  
Description 1 8 4 W/2 33 .115A  
Assessed Valuation: Land 1,440.00 Improvements 16,180.00 Total 17,620.00  
Appraised Valuation: Land 4,100.00 Improvements 46,220.00 Total 50,320.00  
Taxes and Special Assessments are \$187.67 per half after a Homestead Exemption of \$179.21 per half;  
Taxes and Special Assessments for the year of 2011 are paid;  
Taxes and Special Assessments for the year of 2012 and thereafter are lien on said premises but are not yet due and available for payment;  
No liability is assumed for tax increases occasioned by retroactive revaluation change in land usage, or loss of any homestead exemption statutes for insured premises.
12. Temporary Construction Easement for laying of sewer pipe (2 years) to Board of Commissioners Tuscarawas County recorded at Volume 618, Page 534 Deed Records Records of Tuscarawas County, Ohio. Subject to terms, conditions and assignment of records, if any. We have made no further examination under the above instrument.
13. Mortgage executed by Doris A. McComb, a unmarried person and Jeffrey L. McComb a married person, to The Commercial & Savings Bank, recorded June 23, 2010 at Volume 1333, Page 1217 Official Records of Tuscarawas County, Ohio securing the principal of \$18,500.00.

**NOTE**

The Policy(ies) of insurance may contain a clause permitting arbitration of claims at the request of either the

Commitment No.: 2012-0432-PROFORMA  
File No.: 2012-0432

**SCHEDULE B - SECTION II**  
(Continued)

Insured or the Company. Upon request, the company will provide a copy of this clause and the accompany arbitration rules prior to the closing of the transaction.

## Fidelity National Financial, Inc. Privacy Statement

Fidelity National Financial, Inc. and its subsidiaries ("FNF") respect the privacy and security of your non-public personal information ("Personal Information") and protecting your Personal Information is one of our top priorities. This Privacy Statement explains FNF's privacy practices, including how we use the Personal Information we receive from you and from other specified sources, and to whom it may be disclosed. FNF follows the privacy practices described in this Privacy Statement and, depending on the business performed, FNF companies may share information as described herein.

### Personal Information Collected

We may collect Personal Information about you from the following sources:

- Information we receive from you on applications or other forms, such as your name, address, social security number, tax identification number, asset information, and income information;
- Information we receive from you through our Internet websites, such as your name, address, email address, Internet Protocol address, the website links you used to get to our websites, and your activity while using or reviewing our websites;
- Information about your transactions with or services performed by us, our affiliates, or others, such as information concerning your policy, premiums, payment history, information about your home or other real property, information from lenders and other third parties involved in such transaction, account balances, and credit card information; and
- Information we receive from consumer or other reporting agencies and publicly recorded documents.

### Disclosure of Personal Information

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To insurance agents, brokers, representatives, support organizations, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers for the purpose of determining your eligibility for an insurance benefit or payment and/or providing you with services you have requested;
- To an insurance regulatory authority, or a law enforcement or other governmental authority, in a civil action, in connection with a subpoena or a governmental investigation;
- To companies that perform marketing services on our behalf or to other financial institutions with which we have joint marketing agreements and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

We may also disclose your Personal Information to others when we believe, in good faith, that such disclosure is reasonably necessary to comply with the law or to protect the safety of our customers, employees, or property and/or to comply with a judicial proceeding, court order or legal process.

**Disclosure to Affiliated Companies** - We are permitted by law to share your name, address and facts about your transaction with other FNF companies, such as insurance companies, agents, and other real estate service providers to provide you with services you have requested, for marketing or product development research, or to market products or services to you. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

**Disclosure to Nonaffiliated Third Companies** - We do not disclose Personal Information about our customers or former customers to nonaffiliated third parties, except as outlined herein or as otherwise permitted by law.

### Confidentiality and Security of Personal Information

We restrict access to Personal Information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard Personal Information.

### Access to Personal Information/

#### Requests for Correction, Amendment, or Deletion of Personal Information

As required by applicable law, we will afford you the right to access your Personal Information, under certain circumstances to find out to whom your Personal Information has been disclosed, and request correction or deletion of your Personal Information. However, FNF's current policy is to maintain customers' Personal Information for no less than your state's required record retention requirements for the purpose of handling future coverage claims.

For your protection, all requests made under this section must be in writing and must include your notarized signature to establish your identity. Where permitted by law, we may charge a reasonable fee to cover the costs incurred in responding to such requests. Please send requests to:

Chief Privacy Officer  
Fidelity National Financial, Inc.  
601 Riverside Avenue  
Jacksonville, FL 32204

### Changes to this Privacy Statement

This Privacy Statement may be amended from time to time consistent with applicable privacy laws. When we amend this Privacy Statement, we will post a notice of such changes on our website. The effective date of this Privacy Statement, as stated above, indicates the last time this Privacy Statement was revised or materially changed.



STATE OF OHIO  
DEPARTMENT OF COMMERCE

11/6/08

RESIDENTIAL PROPERTY DISCLOSURE FORM

Pursuant to section 5302.30 of the Revised Code and rule 1301.5-6-10 of the Administrative Code.

TO BE COMPLETED BY OWNER (Please Print)

Property Address: 41602 Broadway St. Midvale, Ohio 44133  
Boris McComb Sandra Dronchuk, POA

Owners Name(s):

Date: 8/16, 2012

Owner is  occupying the property. If owner is occupying the property, since what date: \_\_\_\_\_

**Purpose of Disclosure Form:** This is a statement of the condition of the property and of information concerning the property actually known by the owner as required by Ohio Revised Code Section 5302.30. Unless otherwise advised in writing by the owner, the owner, other than having lived at or owning the property, possesses no greater knowledge than that which could be obtained by a careful inspection of the property by a potential purchaser. Unless otherwise advised, owner has not conducted any inspection of generally inaccessible areas of the property. THIS STATEMENT IS NOT A WARRANTY OF ANY KIND BY THE OWNER OR BY ANY AGENT OR SUBAGENT REPRESENTING THE OWNER OF THE PROPERTY. THIS STATEMENT IS NOT A SUBSTITUTE FOR ANY INSPECTIONS. POTENTIAL PURCHASERS ARE ENCOURAGED TO OBTAIN THEIR OWN PROFESSIONAL INSPECTION.

**Owner's Statement:** The representations contained on this form are made by the owner and are not the representations of the owner's agent or subagent. This form and the representations contained in it are provided by the owner exclusively to potential purchasers in a transfer made by the owner, and are not made to purchasers in any subsequent transfers. The information contained in this disclosure form does not limit the obligation of the owner to disclose an item of information that is required by any other statute or law to be disclosed in the transfer of residential real estate. For example, although some questions are limited to the past five years material problems or defects that occurred over five years ago that have not been fully corrected are required to be disclosed.

**Instructions to Owner:** (1) Answer ALL questions. (2) Identify any material matters in the property that are actually known. (3) Attach additional pages with your signature if additional space is needed. (4) Complete this form yourself. (5) If some items do not apply to your property, write NA (not applicable). If the item to be disclosed is not within your actual knowledge, indicate Unknown.

THE FOLLOWING STATEMENTS OF THE OWNER ARE BASED ON OWNER'S ACTUAL KNOWLEDGE

A) WATER SUPPLY: The source of water supply to the property is (check appropriate boxes):

- Public Water Service
- Private Water Service
- Private Well
- Shared Well
- Holding Tank
- Cistern
- Spring
- Pond
- Unknown
- Other \_\_\_\_\_

Do you know of any current leaks, backups or other material problems with the water supply system or quality of the water?

Yes  No If "Yes", please describe: \_\_\_\_\_

Is the quantity of water sufficient for your household use? (NOTE: water usage will vary from household to household)  Yes  No

If owner knows of any leaks, backups or other material problems with the water supply system or quality or quantity of the water since owning the property (but not longer than the past 5 years), please describe and indicate any repairs completed: \_\_\_\_\_

Owner's Initials SO Date 8/16/12 Purchaser's Initials \_\_\_\_\_ / \_\_\_\_\_ Date \_\_\_\_\_ / \_\_\_\_\_

Property Address 4602 Broadway St. Midvale, O. 44133

**B) SEWER SYSTEMS:** The nature of the sanitary sewer system servicing the property is (check appropriate boxes):

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Public Sewer | <input type="checkbox"/> Private Sewer | <input type="checkbox"/> Septic Tank    |
| <input type="checkbox"/> Leach Field             | <input type="checkbox"/> Aeration Tank | <input type="checkbox"/> Filtration Bed |
| <input type="checkbox"/> Unknown                 | <input type="checkbox"/> Other _____   |   |

If not a public or private sewer, date of last inspection: \_\_\_\_\_

Do you know of any current leaks, backups or other material problems with the sewer system servicing the property?  Yes  No

If "Yes", please describe: \_\_\_\_\_

If owner knows of any leaks, backups or other material problems with the sewer system since owning the property (but not longer than the past 5 years), please describe and indicate any repairs completed: \_\_\_\_\_

Information on the operation and maintenance of the type of sewage system serving the property is available from the department of health or the board of health of the health district in which the property is located.

**C) ROOF:** Do you know of any current leaks or other material problems with the roof or rain gutters?  Yes  No

If "Yes", please describe: \_\_\_\_\_

If owner knows of any leaks or other material problems with the roof or rain gutters since owning the property (but not longer than the past 5 years), please describe and indicate any repairs completed: \_\_\_\_\_

**D) WATER INTRUSION:** Do you know of any previous or current water leakage, water accumulation, excess moisture or other defects to the property, including but not limited to any area below grade, basement or crawl space?  Yes  No

If "Yes", please describe and indicate any repairs completed: \_\_\_\_\_

Do you know of any water or moisture related damage to floors, walls or ceilings as a result of flooding, moisture seepage, moisture condensation, ice damming, sewer overflow/backlog, or leaking pipes, plumbing fixtures, or appliances?  Yes  No

If "Yes", please describe and indicate any repairs completed: \_\_\_\_\_

Purchaser is advised that every home contains mold. Some people are more sensitive to mold than others. If concerned about this issue, purchaser is encouraged to have a mold inspection done by a qualified inspector. Have you ever had the property inspected for mold by a qualified inspector?

Yes  No If "Yes", please describe and indicate whether you have an inspection report and any remediation undertaken: \_\_\_\_\_

**E) STRUCTURAL COMPONENTS (FOUNDATION, BASEMENT/CRAWL SPACE, FLOORS, INTERIOR AND EXTERIOR WALLS):**

Do you know of any movement, shifting, deterioration, material cracks/settling (other than visible minor cracks or blemishes) or other material problems with the foundation, basement/crawl space, floors, or interior/exterior walls?

Yes  No If "Yes", please describe: \_\_\_\_\_

If owner knows of any repairs, alterations or modifications to control the cause or effect of any problem identified above, since owning the property (but not longer than the past 5 years), please describe: \_\_\_\_\_

Do you know of any previous or current fire or smoke damage to the property?  Yes  No

If "Yes", please describe and indicate any repairs completed: \_\_\_\_\_

**F) MECHANICAL SYSTEMS:** Do you know of any current problems or defects with the following mechanical systems? If your property does not have the mechanical system, mark N/A (Not Applicable).

- |                             | YES                      | NO                                  | N/A                                 |                               | YES                      | NO                                  | N/A                      |
|-----------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------|--------------------------|-------------------------------------|--------------------------|
| 1) Electrical               | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 8) Water softener             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2) Plumbing (pipes)         | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | a. Is water softener leased?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3) Central heating          | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 9) Security System            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4) Central Air conditioning | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | a. Is security system leased? | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 5) Sump pump                | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 10) Central vacuum            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6) Fireplace/chimney        | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 11) Built in appliances       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7) Lawn sprinkler           | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 12) Other mechanical systems  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If the answer to any of the above questions is "Yes", please describe and indicate any repairs to the mechanical system since owning the property (but not longer than the past 5 years): \_\_\_\_\_

Owner's Initials SD / \_\_\_\_\_ Date 8/16/12 Purchaser's Initials \_\_\_\_\_ / \_\_\_\_\_ Date \_\_\_\_\_ / \_\_\_\_\_

Property Address 4602 Broadway St. Medvale, Ohio 44663

G) **WOOD BORING INSECTS/TERMITES:** Do you know of the presence of any wood boring insects/termites in or on the property or any existing damage to the property caused by wood boring insects/termites?  Yes  No  
If "Yes", please describe: \_\_\_\_\_

If owner knows of any inspection or treatment for wood boring insects/termites, since owning the property (but not longer than the past 5 years), please describe: \_\_\_\_\_

H) **PRESENCE OF HAZARDOUS MATERIALS:** Do you know of the previous or current presence of any of the below identified hazardous materials on the property?

	Yes	No	Unknown
1) Lead-Based Paint	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Asbestos	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Urea-Formaldehyde Foam Insulation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Radon Gas	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. If "Yes", indicate level of gas if known _____			
5) Other toxic or hazardous substances	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If the answer to any of the above questions is "Yes", please describe and indicate any repairs, remediation or mitigation to the property: \_\_\_\_\_

D) **FLOOD PLAIN/LAKE ERIE COASTAL EROSION AREA:**

	Yes	No	Unknown
Is the property located in a designated flood plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the property or any portion of the property included in a Lake Erie Coastal Erosion Area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

J) **DRAINAGE/EROSION:** Do you know of any current flooding, drainage, settling or grading or erosion problems affecting the property?  Yes  No  
If "Yes", please describe: \_\_\_\_\_

If owner knows of any repairs, modifications or alterations to the property or other attempts to control any flooding, drainage, settling, grading or erosion problems since owning the property (but not longer than the past 5 years), please describe: \_\_\_\_\_

K) **ZONING/CODE VIOLATIONS/ASSESSMENTS/HOME OWNERS ASSOCIATION:** Do you know of any violations of building or housing codes, zoning ordinances affecting the property or any nonconforming uses of the property?  Yes  No  
If "Yes", please describe: \_\_\_\_\_

Is the structure on the property designated by any governmental authority as a historic building or as being located in an historic district? (NOTE: such designation may limit changes or improvements that may be made to the property).  Yes  No  
If "Yes", please describe: \_\_\_\_\_

Do you know of any recent or proposed assessments, which could affect the property?  Yes  No  
If "Yes", please describe: \_\_\_\_\_

Is the property subject to any rules or regulations of, or the payment of any fees or charges to, a Homeowners Association, Condominium Association or any other Community Association?  Yes  No  
If "Yes", please describe: \_\_\_\_\_

Owner's Initials JA Date 8/16/12 Purchaser's Initials \_\_\_\_\_ / \_\_\_\_\_ Date \_\_\_\_\_ / \_\_\_\_\_



Property Address 4602 Broadway St. Midvale, O 441053

L) **BOUNDARY LINES/ENCROACHMENTS/SHARED DRIVEWAY/PARTY WALLS:** Do you know of any of the following conditions affecting the property?

	Yes	No		Yes	No
1) Boundary Agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4) Shared Driveway	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Boundary Dispute	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5) Party Walls	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Recent Boundary Change	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6) Encroachments From or on Adjacent Property	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If the answer to any of the above questions is "Yes", please describe: \_\_\_\_\_

M) **UNDERGROUND STORAGE TANKS/WELLS:** Do you know of any underground storage tanks (existing or removed), oil or natural gas wells (plugged or unplugged), or abandoned water wells on the property?  Yes  No  
If "Yes", please describe: \_\_\_\_\_

N) **OTHER KNOWN MATERIAL DEFECTS:** The following are other known material defects in or on the property: \_\_\_\_\_  
\_\_\_\_\_

For purposes of this section, material defects would include any non-observable physical condition existing on the property that could be dangerous to anyone occupying the property or any non-observable physical condition that could inhibit a person's use of the property.

Owner represents that the statements contained in this form are made in good faith based on his/her actual knowledge as of the date signed by the Owner. Owner is advised that the information contained in this disclosure form does not limit the obligation of the owner to disclose an item of information that is required by any other statute or law or that may exist to preclude fraud, either by misrepresentation, concealment or nondisclosure in a transaction involving the transfer of residential real estate.

OWNER: Sandra Donohue, POA DATE: 8/16/12  
OWNER: \_\_\_\_\_ DATE: \_\_\_\_\_

**RECEIPT AND ACKNOWLEDGEMENT OF POTENTIAL PURCHASERS**

Potential purchasers are advised that the owner has no obligation to update this form but may do so according to Revised Code Section 5302.30(G). Pursuant to Ohio Revised Code Section 5302.30(K), if this form is not provided to you prior to the time you enter into a purchase contract for the property, you may rescind the purchase contract by delivering a signed and dated document of rescission to Owner or Owner's agent, provided the document of rescission is delivered prior to all three of the following dates: 1) the date of closing; 2) 30 days after the Owner accepted your offer; and 3) within 3 business days following your receipt or your agent's receipt of this form or an amendment of this form.

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS DISCLOSURE FORM AND UNDERSTAND THAT THE STATEMENTS ARE MADE BASED ON THE OWNERS ACTUAL KNOWLEDGE AS OF THE DATE SIGNED BY THE OWNER.

Owner makes no representations with respect to any offsite conditions. Purchaser should exercise whatever due diligence purchaser deems necessary with respect to offsite issues that may affect purchaser's decision to purchase the property. Purchaser should exercise whatever due diligence purchaser deems necessary with respect to Ohio's Sex Offender Registration and Notification Law (commonly referred to as "Megan's Law"). This law requires the local Sheriff to provide written notice to neighbors if a sex offender resides or intends to reside in the area. The notice provided by the Sheriff is a public record and is open to inspection under Ohio's Public Records Law. If concerned about this issue, purchaser assumes responsibility to obtain information from the Sheriff's office regarding the notices they have provided pursuant to Megan's Law.

My/Our Signature below does not constitute approval of any disclosed condition as represented herein by the owner.

PURCHASER: \_\_\_\_\_ DATE: \_\_\_\_\_  
PURCHASER: \_\_\_\_\_ DATE: \_\_\_\_\_



# 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: 4602 Broadway St Midvale

Buyer(s): \_\_\_\_\_

Seller(s): McLomb

## I. TRANSACTION INVOLVING TWO AGENTS IN TWO DIFFERENT BROKERAGES

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

The seller will be represented by \_\_\_\_\_, and \_\_\_\_\_  
AGENT(S) 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) Wallace Anderson and real estate brokerage Fisaca 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 \_\_\_\_\_

Spadia Doukhe, P.A. / 8/16/10  
SELLER/LANDLORD \_\_\_\_\_ DATE \_\_\_\_\_

BUYER/TENANT \_\_\_\_\_ DATE \_\_\_\_\_

SELLER/LANDLORD \_\_\_\_\_ DATE \_\_\_\_\_

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

Property Address 4602 Broadway ST Midvale

**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) LW Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852(d) 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.

Sandra Donohue, POA 8/16/12  
Seller Date Seller Date

Purchaser Date Purchaser Date

Alan W. Wall 8/16/12  
Agent Date Agent Date



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

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