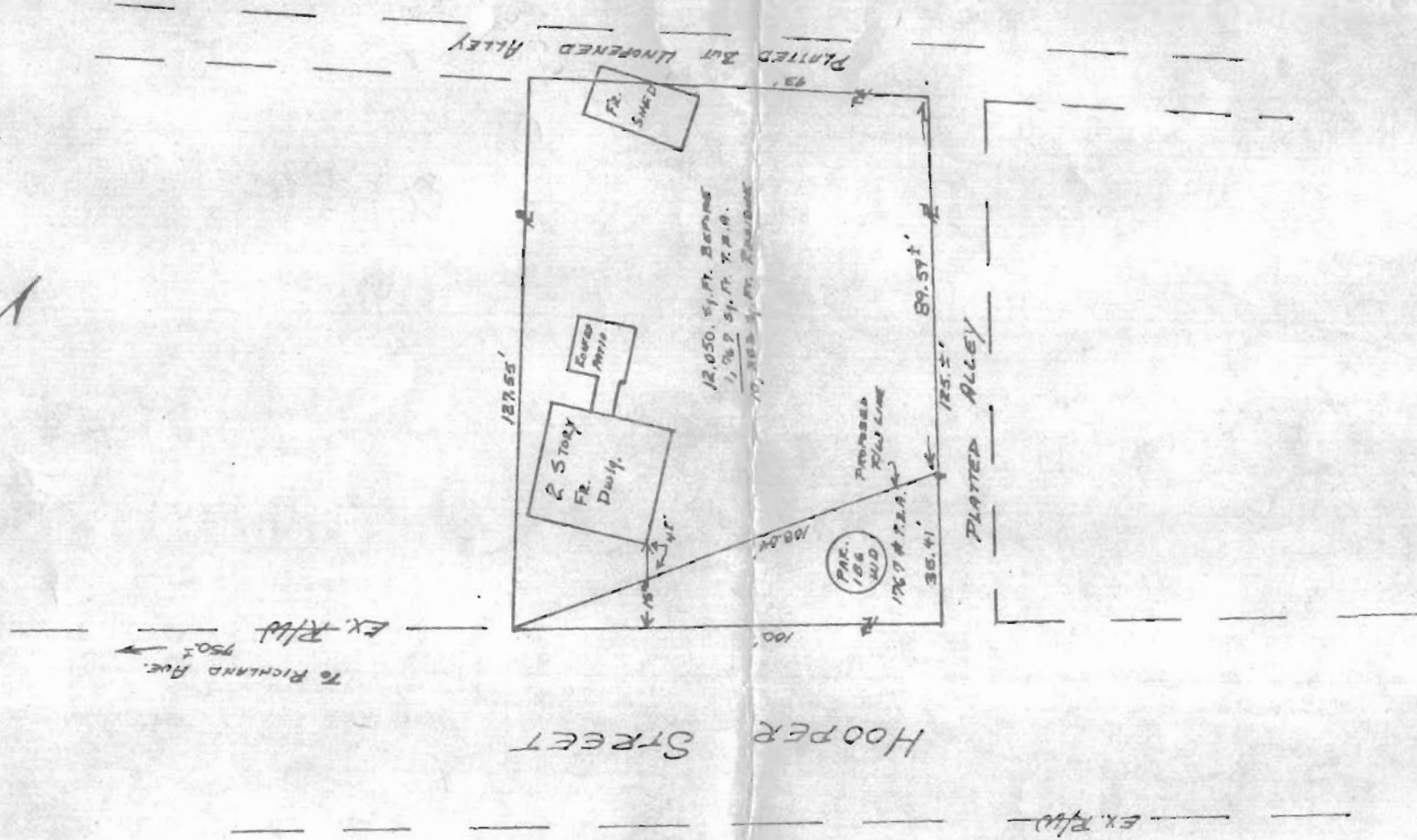
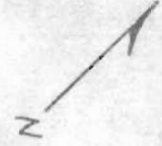


SEC 8(W-24) ATHENS

Previously Checked  
By Ernie

June 28



JOHN WALDECK  
PAR 186 WD

50

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS on the 13th day of January, 1975, the Last Will and Testament of John Waldeck, deceased, was admitted to probate and recorded in the Probate Division of the Court of Common Pleas of Athens County, Ohio, and on the 13th day of January, 1975, as shown by Docket 43, Page 94, Cause No. 29557, Richard Gunther was duly appointed and qualified as Executor of said Last Will and Testament of said deceased by said court, and is now the lawful Executor of said Last Will and Testament.

THAT said Last Will and Testament, among other provisions, contains the following, to-wit:

"ITEM IV. Reposing special trust and confidence in my good friend, Richard Gunther, Glouster, Ohio, I make, nominate and appoint him to be the Executor of this, my LAST WILL AND TESTAMENT, and request that he be required to give no bond for the performance of his duties as such or otherwise.

"ITEM V. My Executor shall have full power and authority to retain any investments in my estate in the same form as received by him; to sell, transfer, dispose of, assign, lease and convey any property investments or securities held by him, including by way of example only, real estate, stocks and bonds, without notice, advertisement, appraisal, valuation or court order or other legal formality, at public or private sale, for such amount and on such terms as he may deem advisable. He shall also have full power and authority to invest and reinvest any moneys in his hands and to change investments in such investments, securities or property as he deems best, without regard to the statutes of any state or the rules of any court relating to investments by executors. No purchaser need look to the application of the purchase money.

"My said Executor has the right, without court order or other legal formality, to compromise any and all claims in favor of or against my estate as he may deem proper."

AND, WHEREAS, the said testator died seized fee simple of the real estate hereinafter described and in order to carry out the provisions of said Last Will and Testament of said John Waldeck, deceased, it is necessary to sell said real estate. NOW, THEREFORE, I, Richard Gunther, Executor as aforesaid, in pursuance of said provisions of the said Last Will and Testament of John Waldeck deceased, and by virtue of the statutes in such cases made and provided, and of the powers vested in me, and for and in consideration of the premises, and the sum of THREE THOUSAND FIVE HUNDRED AND NO/100 (\$3,500.00) DOLLARS, Richard Gunther, Executor, the receipt whereof is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and CONVEY to the said State of Ohio, its successors and assigns forever, the following real estate situated in the City of Athens, County of Athens, and in Lease Lot 40, Town 9N. Range 14 W., Ohio Company Purchase, and bounded and described as follows: Parcel No. 186WD

Being a parcel of land lying on the left side of the centerline of a survey, made by the Department of Highways, and recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, of the records of Athens County, Ohio, and being located within the following described points in the boundary thereof.

Beginning at a point in the existing northerly right-of-way line of Hooper Street in the northeast corner of the grantor's property, in the southwesterly line of a dedicated alley and in the northeast corner of Lot No. 71, in G. W. Hooper's Addition to the City of Athens, as the same is numbered and delineated upon the plat thereof, recorded in Plat Book 5, Page 58, of the records of Athens County, Ohio, said point also being 307.88 feet left of Station 660+28.93, in the centerline of a survey made in 1969 for U.S.R. 33, Section 16.30, in the City of Athens and in the Township of Athens, Athens County, Ohio;

thence along the grantor's northeasterly property line, the northerly right-of-way line of Hooper Street and the northeasterly line of said Lot No. 71, South  $38^{\circ} 26' 05''$  West a distance of 100.00 feet to a point in the proposed westerly right-of-way line of relocated Hooper Street, the southwest corner of the grantor's property and in the southwest corner of Lot No. 70 of G. W. Hooper's Addition, said point being 273.31 feet left of U.S.R. 33 and U.S.R. 50 Station 659+35.10;

51

thence along said proposed westerly right-of-way line North 19°20'27" East a distance of 108.04 feet to a point in the grantor's northeasterly property line, in the northeasterly line of Lot 71 and in the south-westerly line of a dedicated alley, said point being 341.77 feet left of U.S.R. 33 and U.S.R. 50 Station 660+18.68;

thence along said property and Lot line South 48° 10' 04" East a distance of 35.41 feet to the place of beginning, containing 1,767 square feet, more or less.

EXCEPT that the Grantor reserves the right of ingress and egress to Hooper Street to be constructed on the lands described herein.

This description is based on a survey made under the supervision and direction of Harold E. Miles, Registered Surveyor No. 5392.

REFERENCE: Volume 265, Page 384, Athens County Deed Records.

TO HAVE AND TO HOLD said premises, with all the privileges and appurtenances thereto belonging as fully and completely as I, the said Richard Guinther, as such Executor, by virtue of said Last Will and Testament, and of the statutes made and provided for such case, might or should sell and convey the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of April, 1975, at Athens, Ohio.

SIGNED IN THE PRESENCE OF:

\_\_\_\_\_  
Richard Guinther, Executor

STATE OF OHIO

SS:

COUNTY OF ATHENS

BEFORE ME, a notary public in and for said county and state, personally appeared the above named Richard Guinther, Executor of the Last Will and Testament of John Waldeck, deceased, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed as such Executor.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at Athens, Ohio, this \_\_\_\_\_ day of April, 1975.

\_\_\_\_\_  
Notary Public

S E A L

THIS INSTRUMENT PREPARED BY: J. B. Yanity, Jr., Attorney at Law  
P. O. Box 661, Athens, Ohio 45701

Description checked for  
Mathematical Accuracy  
ATHENS COUNTY  
ENGINEER'S OFFICE

BY: Bruce Hann

DATE: 4-9-75

52