

# Survivorship Deed

**WILLIAM E. BOGGESS and BARBARA J. BOGGESS**, husband and wife, of Belleair Beach, Florida for valuable consideration paid, grants with general warranty covenants, to **PHILLIP A. SMITH and SANDRA L. SMITH**, for their joint lives, remainder to the survivor of them, whose tax-mailing address is: 3501 Factory Rd., Albany, Ohio 45710 the following **REAL PROPERTY**: Situated in the County of Athens in the State of Ohio and in the Township of Lee:

SITUATED IN THE TOWNSHIP OF LEE, COUNTY OF ATHENS, STATE OF OHIO.

TRACT ONE:

Being a part of the tract of land that is now or formerly in the name of William E. and Barbara J. Boggess as recorded in Deed Book 327 at Page 793, Athens County Recorder's Office, said tract being part of the Deed First Tract situated in F.R. 6 (Section 15) T10N, R15W, Lee Township, Athens County, State of Ohio and being more particularly described as follows:

Beginning, for reference, at the southeast corner of F.R. 36 (Section 15) and the southwest corner of F.R. 6 (Section 15);

Thence along the south line of F.R. 36 (Section 15), North 77 degrees 14 minutes 37 seconds West a distance of 13.00 feet to a 5/8" X 30" iron pin with a plastic identification cap set in an existing fence line;

Thence leaving the south line of F.R. 36 (Section 15) and along said fence line the following five courses:

1. North 12 degrees 54 minutes 36 seconds East a distance of 282.48 feet to a 5/8" X 30" iron pin with a plastic identification cap set;
2. North 12 degrees 48 minutes 34 seconds East a distance of 232.64 feet to a 5/8" X 30" iron pin with a plastic identification cap set;
3. North 12 degrees 42 minutes 41 seconds East a distance of 232.64 feet to a 5/8" X 30" iron pin with a plastic identification cap set;

**\*\*Continued on attached EXHIBIT A.\*\***

Prior Instrument Reference: Volume 24, Page 128 of the Athens County Official Records, Athens County, Ohio.

Witness their hands this 15<sup>th</sup> day of March, 1999.

Signed and acknowledged in presence of:

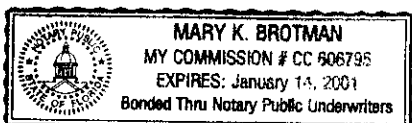
David S. Honour Special Notary Public William E. Boggess  
 Witness DIXIE S. HONOUR SANDRA L. SMITH William E. Boggess  
DIXIE S. HONOUR SANDRA L. SMITH Barbara J. Boggess  
 Witness Barbara J. Boggess

State of FLORIDA

County of Pinellas ss.

**BE IT REMEMBERED**, That on this 15<sup>th</sup> day of March, 1999, before me, the subscriber, a Notary Public in and for said state, personally came, William E. Boggess and Barbara J. Boggess, the Grantors in the foregoing deed, and acknowledged the signing thereof to be their voluntary act and deed.

**IN TESTIMONY THEREOF**, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



Mary K. Brotman  
 Notary Public

This Conveyance has been examined and the Grantor has complied with Section 319.202 of the Revised Code.

No. 210 Transfer Fee Paid \$ 417.00  
 David L. Lovett, Athens County Auditor

By [Signature] Deputy Auditor

This instrument was prepared by:  
**CHRISTIAN S. GERIG, ATTORNEY AT LAW, ATHENS, OHIO**

EXHIBIT A / Page 1 of 2

4. North 12 degrees 35 minutes 50 seconds East a distance of 460.39 feet to a 5/8" X 30" iron pin with a plastic identification cap set, and;

5. North 12 degrees 56 minutes 12 seconds East a distance of 156.04 feet to a 5/8" X 30" iron pin with a plastic identification cap set;

Thence leaving said fence line, South 72 degrees 03 minutes 10 seconds East a distance of 99.63 feet to a 5/8" X 30" iron pin with a plastic identification cap set and the principal place of beginning for the tract herein described;

Thence with a new line through the grantor's land the following five courses:

1. North 17 degrees 56 minutes 50 seconds East a distance of 295.92 feet to a 5/8" X 30" iron pin with a plastic identification cap set;

2. South 72 degrees 03 minutes 10 seconds East a distance of 209.15 feet to a 5/8" X 30" iron pin with a plastic identification cap set;

3. North 17 degrees 56 minutes 50 seconds East a distance of 370.00 feet to a 5/8" X 30" iron pin with a plastic identification cap set;

4. North 70 degrees 27 minutes 05 seconds East, passing through a power pole at 13.1 feet, going a total distance of 160.03 feet to a 5/8" X 30" iron pin with a plastic identification cap set, and;

5. North 52 degrees 58 minutes 09 seconds East a distance of 35.33 feet to a point in the center of County Road 14 and on the grantor's north line;

Thence along the center of said road and the grantor's north line, South 40 degrees 31 minutes 08 seconds East a distance of 68.10 feet to a point;

Thence leaving the center of said road and the grantor's north line and with a new line through the grantor's land the following three courses:

1. South 52 degrees 58 minutes 09 seconds West a distance of 23.78 feet to a 5/8" X 30" iron pin with a plastic identification cap set;

2. South 12 degrees 54 minutes 46 seconds West a distance of 701.02 feet to a 5/8" X 30" iron pin with a plastic identification cap set, said line being 70.0 feet westerly of and parallel to the grantor's east line, and;

3. North 76 degrees 51 minutes 23 seconds West a distance of 463.93 feet to the principal place of beginning, containing 5.0055 acres, more or less, all of which is out of the Deed First Tract, F.R. 6 (Section 15) herein cited, and subject to the right-of-way of County Road 10, County Road 14 and all easements of record.

All 5/8" X 30" iron pins with a plastic identification cap set are stamped "Seymour Associates".

The bearings used in the above described tract were based on the east line of F.R. 36 (Section 15) as bearing North 12 degrees 54 minutes 46 seconds East and are for the determination of angles only.

The above described tract was surveyed by Seymour & Associates under the direct supervision of Gerald W Bayha, Ohio Professional Surveyor No. 6139. October 24, 1997.

TRACT TWO:

Being a part of the tract of land that is now or formerly in the name of William E. and Barbara J. Boggess as recorded in Deed Book 327 at Page 793, Athens County Recorder's Office, said tract being part of the Deed First Tract and part of the Deed Second Tract situated in F.R. 6 (Section 15) T10N, R15W, Lee Township, Athens County, State of Ohio and being more particularly described as follows:

Beginning, for reference, at the southeast corner of F.R. 36 (Section 15) and the southwest corner of F.R. 6 (Section 15);

Thence along the south line of F.R. 36 (Section 15), North 77 degrees 14 minutes 37 seconds West a distance of 13.00 feet to a 5/8" X 30" iron pin with a plastic identification cap set in an existing fence line;

Thence leaving the south line of F.R. 36 (Section 15) and along said fence line the following five courses:

1. North 12 degrees 54 minutes 36 seconds East a distance of 282.48 feet to a 5/8" X 30" iron pin with a plastic identification cap set;

2. North 12 degrees 48 minutes 34 seconds East a distance of 232.64 feet to a 5/8" X 30" iron pin with a plastic identification cap set;

3. North 12 degrees 42 minutes 41 seconds East a distance of 232.64 feet to a 5/8" X 30" iron pin with a plastic identification cap set;

4. North 12 degrees 35 minutes 50 seconds East a distance of 460.39 feet to a 5/8" X 30" iron pin with a plastic identification cap set, and;

5. North 12 degrees 56 minutes 12 seconds East a distance of 156.04 feet to a 5/8" X 30" iron pin with a plastic identification cap set;

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Thence leaving said fence line, South 72 degrees 03 minutes 10 seconds East a distance of 99.63 feet to a 5/8" X 30" iron pin with a plastic identification cap set;

Thence North 17 degrees 56 minutes 50 seconds East a distance of 295.92 feet to a 5/8" X 30" iron pin with a plastic identification cap set and the principal place of beginning for the tract herein described;

Thence with a new line through the grantor's land North 17 degrees 56 minutes 50 seconds East, passing through a 5/8" X 30" iron pin with a plastic identification cap set at 546.88 feet, going a total distance of 576.88 feet to a point in the center of County Road 14 and on the grantor's north line;

Thence along the center of said road and the grantor's northerly line the following three courses:

1. South 63 degrees 08 minutes 03 seconds East a distance of 206.74 feet to a point;
2. South 57 degrees 56 minutes 45 seconds East a distance of 127.69 feet to a point, and;
3. South 40 degrees 31 minutes 08 seconds East a distance of 33.21 feet to a point;

Thence leaving the center of said road and with a new line through the grantor's land the following four courses:

1. South 52 degrees 58 minutes 09 seconds West a distance of 35.33 feet to a 5/8" X 30" iron pin with a plastic identification cap set;
2. South 70 degrees 27 minutes 05 seconds West, passing through a power pole at 146.9 feet, going a total distance of 160.03 feet to a 5/8" X 30" iron pin with a plastic identification cap set;
3. South 17 degrees 56 minutes 50 seconds West a distance of 370.00 feet to a 5/8" X 30" iron pin with a plastic identification cap set, and;
4. North 72 degrees 03 minutes 10 seconds West a distance of 209.15 feet to the principal place of beginning, containing 3.0179 acres, more or less, of which 2.6261 acres is out of the Deed First Tract and 0.3918 acre is out of the Deed Second Tract, F.R. 6 (Section 15) herein cited, and subject to the right-of-way of County Road 14 and all easements of record.

All 5/8" X 30" iron pins with a plastic identification cap set are stamped "Seymour & Associates".

The bearings used in the above described tract were based on the east line of F.R. 36 (Section 15) as bearing North 12 degrees 54 minutes 46 seconds East and are for the determination of angles only.

The above described tract was surveyed by Seymour & Associates under the direct supervision of Gerald W. Bayha, Ohio Professional Surveyor No. 6139, October 24, 1997.

And the Grantee, for himself, his heirs, devisees, successors and assigns, in consideration of the execution and delivery of this deed, hereby covenants and agrees with, and for the benefit of the Grantor, and the Athens County Planner, its successors and assigns, to hold said premises hereby conveyed, upon the following term: The premises hereby conveyed consisting of two parcels shall be held as one contiguous tract and shall not be subdivided, unless nor until the plat showing such proposed subdivision shall have been submitted to the Athens County Planner and the written consent of said Athens County Planner for such subdivision has been obtained.

9900002519  
Filed for Record in  
ATHENS COUNTY, OHIO  
JULIA MICHAEL SCOTT  
On 03-26-1999 At 03:35:43 pm.  
DEED 22.00  
OR Book 284 Page 921 - 924

9900002519  
CHRISTIAN GERIG  
GERIG & GERIG LAW OFFICE

# EXHIBIT "B"

COPY REDUCED

COPY REDUCED

THESE INSTRUMENTS HAVE BEEN FILED FOR RECORD IN THE PUBLIC OFFICE OF THE COUNTY CLERK OF ATHENS COUNTY, OHIO, AND THE DATE OF RECORDING IS AS SHOWN ON THE FACE OF EACH INSTRUMENT.

THE LAST RECORDING HAS BEEN IN THE PUBLIC OFFICE OF THE COUNTY CLERK OF ATHENS COUNTY, OHIO, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_\_.

W. B. BRYAN, P.E.  
PROFESSIONAL SURVEYOR NO. 699

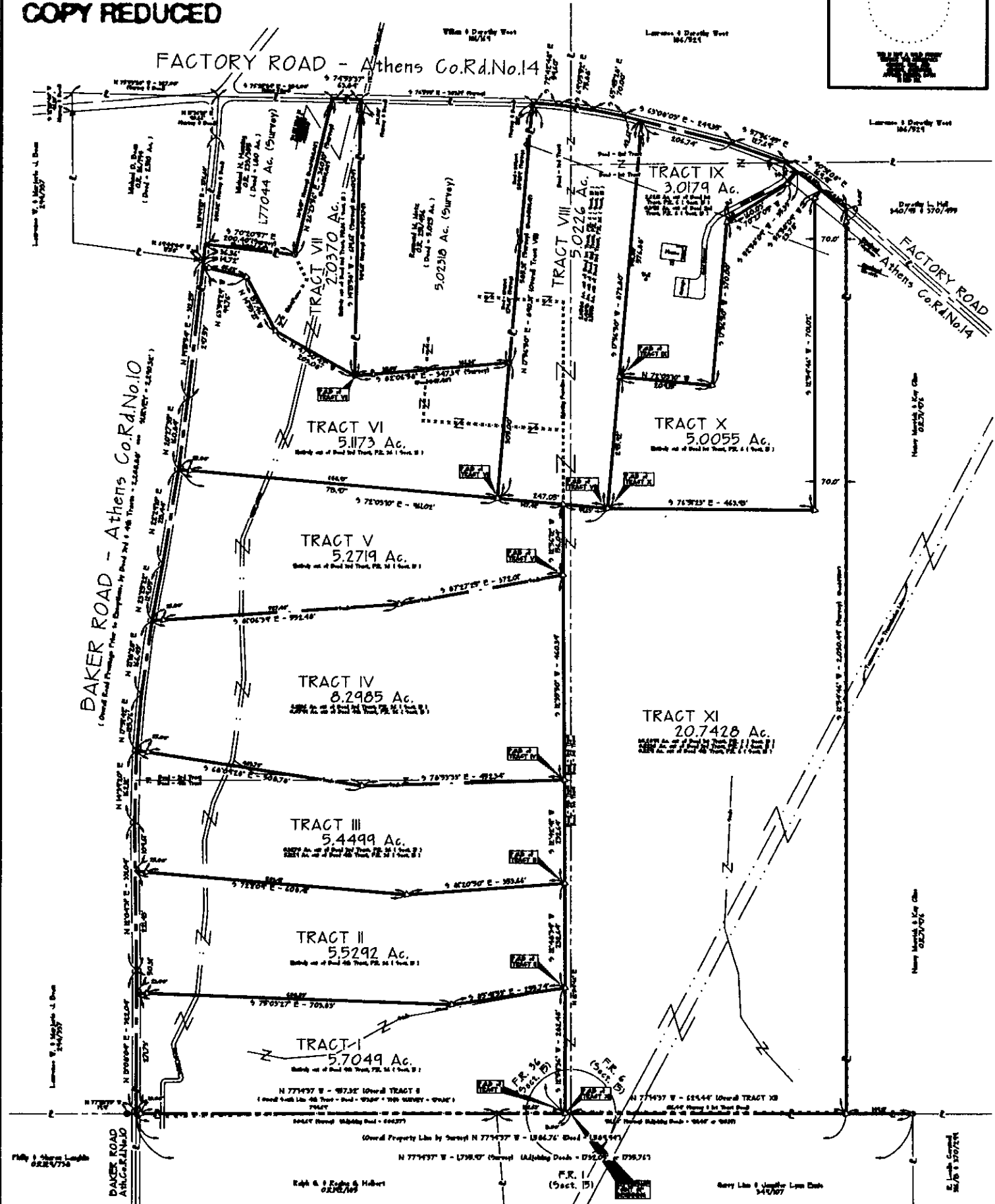
Current Owners of TRACTS I - XI:  
William E. & Barbara J. Bogges  
(Dead Book 327 @ Page 743)

Tract	Dead Area	SURVEY AREA
1st Tract	29.82 Ac.	29.98 AC.
2nd Tract	0.5 Ac.	0.80 AC.
3rd Tr. (w/excepts)	24.16 Ac.	23.75 AC.
4th Tract	16.53 Ac.	16.667 AC.
TOTAL EXISTING - 71.01 Ac.		71.97 ACRES

**LEGEND**

- △ - 9/16" x 1/2" IRON PIN SET w/ADCAP STAMPED "SEYMOUR I ASSOC"
- - POINT
- - IRON PIN FOUND
- ▲ - IRON PIN FOUND w/ADCAP STAMPED "SEYMOUR I ASSOC"
- - IRON PIN FOUND w/ADCAP STAMPED "SEYMOUR I ASSOC"

COPY REDUCED



## PLAT OF SURVEY

BEING PART OF F.R. 6 & F.R. 36 (SECTION 15),  
TOWN-10-NORTH, RANGE-15-WEST, LEE TOWNSHIP,  
ATHENS COUNTY, STATE OF OHIO, U.S.A., NORTH AMERICA, EARTH.



**SEYMOUR I ASSOCIATES**

PROFESSIONAL SURVEYORS

1000 W. BRYAN BLVD.  
ATHENS, OHIO 45701

PHONE: 513-863-1111  
FAX: 513-863-1112

Description checked for  
Mathematical Accuracy  
ATHENS COUNTY  
ENGINEER'S OFFICE  
BY: S. Blause  
DATE: 11-13-97

# EXHIBIT "B"

Instrument  
9900002520

O.R. 0284 PAGE 092 COPY REDUCED