

**ORDINANCE TO PURCHASE REAL ESTATE KNOWN AS 0.319 ACRES PART OUTLOT 26 AND 0.185 ACRES PART OUTLOT 26 OF THE VILLAGE OF LEWISBURG, PREBLE COUNTY, OHIO, FROM DUSTY FARLER AND MELISSA FARLER, HUSBAND AND WIFE**

That Whereas, Melissa Farler, a married woman, owns land known as 0.319 acres part outlot 26 and 0.185 acres part outlot 26 of the Village of Lewisburg, Preble County, Ohio, and her husband, Dusty Farler, has a dower interest in said land;

And Whereas, said real estate is located at a historic location at the intersection of Main Street and Cumberland Street, the acquisition of which is of historic value to the Village of Lewisburg and other public purposes;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LEWISBURG, PREBLE COUNTY, OHIO, AS FOLLOWS:**

**Section 1.** Dusty Farler and Melissa Farler, husband and wife, have agreed to sell and the Village of Lewisburg, Ohio, has agreed to buy land known as 0.319 acres part outlot 26 and 0.185 acres part outlot 26 of the Village of Lewisburg, Preble County, Ohio, located at and adjacent to 303 West Cumberland Street, Lewisburg, Ohio, 45338, Parcel I.D. No.'s: D13-001200300025-000 and D13-001200300025-001, for the sum of \$6,000.00. Evidence of this agreement is the written approval of Dusty Farler and Melissa Farler at the bottom of this Ordinance.

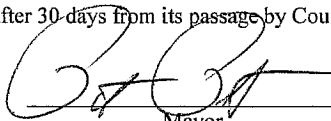
**Section 2.** The following are miscellaneous terms of the sale:

- (A) The deed of conveyance shall be by a recordable General Warranty Deed, with the closing to occur within 45 days of the date of passage of this Ordinance.
- (B) The Village of Lewisburg shall pay the County Auditor's conveyance fee (\$3.00 per \$1,000.00 of the sale price), if any, and notation fee (\$.50 per tract or parcel), and the Village of Lewisburg shall pay the County Recorder's fee to record the General Warranty Deed.
- (C) Real Estate Taxes and Assessments for calendar year 2016 (due and payable in calendar year 2017) shall be paid by the Village of Lewisburg, Ohio.
- (D) The Village of Lewisburg, Ohio, shall have all the closing documents prepared at its expense and all other closing costs shall be paid by the Village of Lewisburg.
- (E) This sale shall be binding upon and inure to the benefit of Dusty Farler and Melissa Farler, husband and wife, and the Village of Lewisburg, and their respective heirs, executors, administrators, successors, or assigns. Time is of the essence in the completion of this sale.

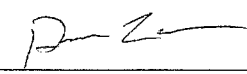
**Section 3.** The Municipal Manager and the Fiscal Officer shall or have come up with a means of financing this transaction, either out of current Village funds or by bond or other debt financing. Council shall approve the financing of this transaction by other Motion or Ordinance, as appropriate.

**Section 4.** This Ordinance shall be effective from and after 30 days from its passage by Council.

Dated: 2-2-2017

  
\_\_\_\_\_  
Mayor

Attest:   
\_\_\_\_\_  
Clerk of Council

Approved by Real Estate Seller as of January 23, 2017:   
\_\_\_\_\_  
Dusty Farler

  
\_\_\_\_\_  
Melissa Farler

D1088

Richard V. Faber, Jr.  
Attorney and  
Counselor at Law  
10 N. Commerce St.  
P.O. Box 517  
Lewisburg, Ohio  
45338  
Phone:  
(937) 962-4341  
or 962-4523

January 23, 2017 (effective date)

Municipal Manager Jeffrey A. Sewert  
Village of Lewisburg Municipal Offices  
112 South Commerce Street  
Lewisburg, Ohio 45338

Re: Sale of Real Estate  
Dusty Farler and Melissa Farler to Village of Lewisburg

Dear Mr. Sewert:

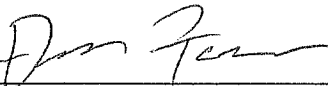
We are the titled owner (Melissa Farler) and dower interest holder (Dusty Farler) of the real estate located at and adjacent to 303 West Cumberland Street, Lewisburg, Ohio, 45338, Parcel I.D. No.'s: D13-001200300025-000 and D13-001200300025-001.


We are herein offering to sell said real estate to the Village of Lewisburg "as is" for \$6,000.00.

Enclosed herein are the following: (1) Ordinance covering the general terms of the sale which we have signed by way of offer and consent (2) a copy of the real estate description. The approval of the Ordinance by the Village Council shall constitute an acceptance of our offer.

If there are any questions, let us know.

Respectfully submitted,

  
\_\_\_\_\_  
Dusty Farler

  
\_\_\_\_\_  
Melissa Farler

**CORRECTIVE**  
**QUIT CLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS**

THAT, Dusty Farler, married, Grantor, in consideration of One Dollar and Other Valuable Considerations, to him in hand paid by

Melissa Farler, Grantee,

does hereby Remise, Release and Forever Quit Claim, to the said

Melissa Farler, Grantee,

whose mailing address is 8896 Number Nine Road, Brookville, Ohio 45309

her successors and assigns forever, the following described Real Estate:

**Tract 1:**

Situated in the Northeast Quarter of Section Twenty-Eight (28), and the Northwest Quarter of Section 27, Township Seven (07) North, Range Three (03) East, Village of Lewisburg, Harrison Township, Preble County, Ohio, being part of Out Lot 26 as described in Deed Records Volume 392, Page 470, in the office of the Preble County Recorder, and being more particularly described as follows:

Commencing at an iron pin found over a stone at the northeast corner of said Northeast Quarter;

Thence South 00° 41' 51" West 1601.61 feet along the east line of said Northeast Quarter, in Main Street, to a point, being the TRUE POINT OF BEGINNING of the tract herein described;

Thence continuing South 00° 41' 51" West 164.49 feet along the east line of said Northeast Quarter, to an iron pin set;

Thence North 88° 49' 22" West 133.38 feet along the south line of Out Lot 26, to a point, witness an iron post found North 02° 07' 08" West 0.80 feet;

Thence North 02° 07' 08" West 40.28 feet along the west line of said Out Lot 26, to an iron pin set;

Thence North 87° 20' 09" East 70.00 feet along a new division line, to an iron pin set;

Thence North 02° 07' 08" West 115.00 feet along a new division line, to an iron pin set;

Thence North 87° 20' 09" East 71.24 feet along the south right-of-way of U.S. 40, to the point of beginning, containing 0.319 acres, more or less, being subject to the legal right-of-way of the public road and any easements of record.

Bearings for the above descriptions are based upon the east line of Section Twenty-Eight being South 00° 41' 51" West per plat of Apple Valley Estates Section One as recorded in Plat Book 12, Page 131.

Iron pin set in the above descriptions are 5/8 inch by 30 inch reinforcing rod, with aluminum "Kramer, Richmond, Eaton."

Surveyed and prepared by Gordon E. Moore, Registered Surveyor #7588 on May 15, 1997, as shown on Revised Drawing, D-879 by Kramer & Associates, 101 North Barron Street, Eaton, Ohio.

RE:ecd:WorkFiles:LegalDescriptions:Farler-0.319AcNeQtSec28andNwQtSec27VlgLewisburg

**Tract 2:**

Situated in the Northeast Quarter of Section Twenty-Eight (28), Township Seven (07) North, Range Three (03) East, Village of Lewisburg, Harrison Township, Preble County, Ohio, being part of Out Lot 26 as described in Deed Records Volume 392, Page 470, in the office of the Preble County Recorder, and being more particularly described as follows:

Commencing at an iron pin found over a stone found at the northeast corner of said Northeast Quarter;

Thence South 00° 41' 51" West 1601.61 feet along the east line of said Northeast Quarter, in Main Street, to a point; thence South 87° 20' 09" West 71.24 feet, along the south right-of-way of U.S. 40, to an iron pin set, being the TRUE POINT OF BEGINNING, for the tract herein described;

Thence South 02° 07' 08" East 115.00 feet along a new division line, to an iron pin set;

Thence South 87° 20' 09" West 70.00 feet along a new division line, to an iron pin set;

Thence North 02° 07' 08" West 115.00 feet along the west line of Out Lot 26, to an iron pipe found;

Thence North 87° 20' 09" East 70.00 feet along the south right-of-way of U.S. 40 to the point of beginning, containing 0.185 acres, more or less, being subject to legal easements of record.

Bearings for the above description are based upon the east line of Section Twenty-Eight being South 00° 41' 51" West per plat of Apple Valley Estates Section One as recorded in Plat Book 12, Page 131.

Iron pin set in the above descriptions are 5/8 inch by 30 inch reinforcing rod, with aluminum caps stamped "Kramer, Richmond, Eaton".

Surveyed and prepared by Gordon E. Moore, Registered Surveyor #7588 on April 17, 1997, as shown on Revised Drawing D-879 by Kramer & Associates, 101 North Barron Street, Eaton, Ohio.

RE:ecd:WorkFiles:LegalDescriptions:Farler-0.185AcNeQtSec28VlgLewisburg

Auditor's Parcel No.: Tract 1: D13-0012-003-00-025-000

Tract 2: D13-0012-003-00-025-001

Prior Deed Reference: Official Record Volume 296, Page 2004

and all the **Estate, Right, Title and Interest** of the said grantor in and to said premises; **To have and to hold** the same, with all the privileges and appurtenances thereunto belonging, to said grantee, her successors and assigns forever.

Executed by us this 23<sup>rd</sup> day of January, 2017.

Melissa Farler  
Melissa Farler

Dusty Farler  
Dusty Farler

State of Ohio, Preble County, SS:

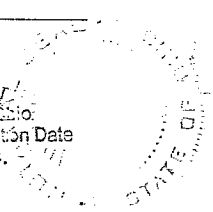
On this 23<sup>rd</sup> day of January, 2017, before me, a Notary Public in and for said County and State, personally appeared Dusty Farler, married, with wife Melissa Farler signing solely to release his dower interest, the grantors in the foregoing deed, who acknowledged before me to be said persons and who signed the foregoing instrument and acknowledged the same as their voluntary act and deed.

Witness my official signature and seal on the day last above mentioned.

Jill E. Hittle  
Notary Public, State of Ohio

This Instrument Prepared By:  
Jill E. Hittle, Attorney at Law  
112 N. Barron St.  
Eaton, Ohio 45320

Jill E. Hittle, Attorney  
Notary Public - State of Ohio  
My Commission Has No Expiration Date  
Section 147.03 O.R.C.



NOTE: This Deed is being re-recorded to correct a scrivener's error in the legal description contained in Official Record Volume 296, Page 2004, Recorder's Office, Preble County, Ohio.