

## **Schnelle Law Office, LLC**

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### **PRELIMINARY TITLE OPINION** (101 N. Main St., Buckland, Ohio 45819) (AUCTION #2)

The undersigned hereby certifies that it has made a thorough examination of the records of Auglaize County, Ohio, as disclosed by the public indexes, in accordance with the Ohio Marketable Title Act, relating to the property described on Exhibit "A" attached (the "Property").

The undersigned further certifies that, in its opinion based upon said records, the fee simple title to said Property is vested in:

Sunrise Cooperative, Inc., an Ohio corporation  
(as successor by consolidation of Trupointe Cooperative, Inc, and Sunrise Cooperative, Inc (See OR 670 page 2144); Trupointe Cooperative was the successor by merger of Advanced Agri-Solutions, Inc. and Auglaize Farmers Cooperative Inc. (See OR 575, page 2622))

As to Tract I: by a warranty deed recorded at Official Record Volume 670, Page 1254, Auglaize County, Ohio

As to Tract II: by a warranty deed recorded at Deed Volume 144, Page 547, Auglaize County, Ohio;

As to Tract III: by a quit claim deed recorded at Deed Volume 238, Page 392, Auglaize County, Ohio; and,

As to Tract IV: by a warranty deed recorded at Official Record Volume 88, Page 949, Auglaize County, Ohio

that, as appears from said records except as to those matters set forth below and that there are no liens, encumbrance or pending suits against the Property or the owner thereof affecting the title thereto.

#### **Tract I**

Parcel I.D. No. F20-001-068-00

Taxes and Assessments: \$9.46 - first half total, and \$7.37 - second half total.

#### **Tracts II & III**

Parcel I.D. No. F20-005-001-00

Taxes and Assessments: \$2,483.84 - first half total, and \$2,461.84 - second half total.

**Tract IV**

Parcel I.D. No. F20-005-004-00

Taxes and Assessments: \$85.19 - first half total, and \$83.19 - second half total.

This Preliminary Title Opinion does not purport to cover matters not of record in Auglaize County, Ohio, and further excepted are rights of persons in possession, questions which a correct survey or inspection would disclose, rights to file mechanic's liens against the Property, special taxes and assessments not shown by the County Treasurer's records, federal court or bankruptcy proceedings, zoning and other government regulations, or liens asserted by the United States of America or State of Ohio, their agencies and officers, under the Ohio Solid Hazardous Waste Disposal Act, Federal Superfund Amendment, or Racketeering Influence Corrupt Organization Acts and receivership liens, unless the lien is filed in the public records of the county in which the Property is located.

Exceptions to and explanation of any of the above are:

1. As to Tract I, the tax figures given above include an assessment for Trotter Ditch Maintenance in the amount of \$2.09 payable with the first half taxes only.
2. As to Tracts II & III, the tax figures given above include assessments for Trotter Ditch Maintenance in the amount of \$2.09 and Landfill Monitoring Fee in the amount of \$20.00, both payable with the first half taxes only.
3. As to Tract IV, the tax figures given above include an assessment for Trotter Ditch Maintenance in the amount of \$2.00 payable with the first half taxes only.
4. As to Tracts I, II, III & IV, taxes and assessments are paid through the first half of calendar year 2017. Taxes and assessments for the second half of calendar year 2017 and calendar year 2018 are a lien, but not yet due and payable.
5. Tracts III and IV have no direct access to a dedicated street or highway and can be transferred to adjoining landowners only.
6. The Property is subject to mortgage liens in favor of CoBank, ACB, as recorded at Official Record Volume 263, Page 545 and Official Record Volume 537, Page 1315, Auglaize County, Ohio. Sunrise Cooperative, Inc. will have these liens released prior to closing on a sale.
7. Access Easement in favor of Continental Oil Company as recorded at Deed Volume 183, Page 719, Auglaize County, Ohio.

This Opinion is issued solely as a preliminary report of title in connection with a scheduled public auction of the Property and may not be quoted or relied upon, or used for any other purpose, without our prior written consent.

SCHNELLE LAW OFFICE, LLC

By:



Keith M. Schnelle

Dated: February 16, 2018 at 7:59 a.m.

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**EXHIBIT "A"**  
**(AUCTION#2-Buckland)**

**Tract I:**

BEING PARCEL NUMBER F20-001-068-00, A 0.093-ACRE TRACT OF LAND OWNED BY BUCKLAND COOPERATIVE, INC. AS DESCRIBED IN OFFICIAL RECORD 670, PAGE 1254 OF THE AUGLAIZE COUNTY DEED RECORDS, SITUATE IN THE NORTHEAST QUARTER OF SECTION 10, TOWN 5 SOUTH, RANGE 5 EAST, LOGAN TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at a monument box found at the southeast corner of the northeast quarter of Section 10 and being on the centerline of Main Street;

thence, North 00°-29'-13" East, 1436.87 feet, along the east line of east line of Section 10 and the centerline of Main Street to a point on the north right-of-way of the railroad;

thence, South 49°-59'-40" West, 43.39 feet, along the north right-of-way line of the railroad to a point on the west right-of-way line of Main Street to a Mag Nail set on the southeast corner of a tract of land owned by Buckland Volunteer Fire Department, Inc. as described in Official Record 670, Page 1251 and being on the northerly line of a 1.529-acre tract of land owned by the Buckland Cooperative, Inc as described in Deed Book 144, Page 574;

thence, South 49°-59'-40" West, 71.98 feet, along the south line of said Buckland Volunteer Fire Station and the north line of said 1.529-acre Buckland Cooperative tract to a point on the face of a building and being the principal place of beginning of the tract herein described;

thence, South 49°-59'-40" West, 125.26 feet, along the northerly line of said 1.529-acre Buckland Cooperative tract to a point;

thence, North 00°-29'-13" East, 48.60 feet, along the easterly line of said 1.529-acre Buckland Cooperative tract to a point on the south line of said Buckland Volunteer Fire Department tract and being on the face of the existing building;

thence, North 50°-05'-58" East, 93.58 feet, along the southerly line of said Buckland Volunteer Fire Department, Inc. tract and the face of the building to a point;

thence, South 40°-11'-45" East, 36.79 feet, along the southerly line of said Buckland Volunteer Fire Department, Inc. tract and the face of the building to the place of beginning.

Containing 0.093 acres more or less and all being subject to any legal highways and easements of record. The bearings are based on NAD 83 CORS 2011 adjustment, Ohio North Zone, ODOT VRS CORS Network.

The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a field survey performed under his direct supervision and dated August 18, 2017.

**Tract II:**

BEING PARCEL NUMBER F20-005-001-00, A 1.529-ACRE TRACT OF LAND OWNED BY BUCKLAND COOPERATIVE, INC. AS DESCRIBED IN DEED BOOK 144, PAGE 574 OF THE AUGLAIZE COUNTY DEED RECORDS, SITUATE IN THE NORTHEAST QUARTER OF SECTION 10, TOWN 5 SOUTH, RANGE 5 EAST, LOGAN TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at a monument box found at the southeast corner of the northeast quarter of Section 10 and being on the centerline of Main Street;

thence, North  $00^{\circ}-29'-13''$  East, 1436.87 feet, along the east line of east line of Section 10 and the centerline of Main Street to a point on the north line of Railroad right-of-way line;

thence, South  $49^{\circ}-59'-40''$  West, 43.39 feet, along the north right-of-way line of the railroad to a Mag nail set on the west right-of-way line of Main Street and being on the southeast corner of a tract of land owned by the Buckland Volunteer Fire Department, Inc. as recorded in Official Record 670, Page 1251 and being the principle place of beginning of the tract herein described;

thence, South  $00^{\circ}-29'-13''$  West, 21.04 feet, along the west right-of-way line of Main Street to a Mag nail set;

thence, South  $49^{\circ}-59'-40''$  West, 601.86 feet, along the north right-of-way line of the railroad to an iron pin with cap set on the easterly corner of a 0.795-acre tract of land owned by Buckland Cooperative, Inc. as described in Deed Book 238, Page 392;

thence, North  $40^{\circ}-00'-20''$  West, 72.00 feet, along the easterly line of said 0.795-acre Buckland Cooperative, Inc. tract to an iron pin with cap set;

thence, South  $49^{\circ}-59'-40''$  West, 215.00 feet, along the easterly line of said 0.795-acre Buckland Cooperative, Inc. tract to an iron pin with cap set;

thence, North  $40^{\circ}-00'-20''$  West, 44.00 feet, along the easterly line of said 0.795-acre Buckland Cooperative, Inc. tract to an iron pin with cap set on the southerly line of a 3.211-acre tract of land owned by Buckland Cooperative, Inc. tract as described in Official Record 88, Page 949;

thence, North  $49^{\circ}-32'-29''$  East, 613.93 feet, along the southerly line of said 3.211-acre tract of land owned by Buckland Cooperative, Inc. tract and it's extension to an iron pin with cap set on

the south line of a tract of land owned by Laura Norman as described in Official Record 465, Page 1042;

thence, North 59°-35'-29" East, 77.55 feet, along the southerly line of said Norman tract to an iron pin with cap set;

thence, North 29°-07'-29" East, 34.01 feet, to a Mag nail set on the west line of said Buckland Volunteer Fire Department tract;

thence, South 00°-29'-13" West, 136.85 feet, along the west line of said Buckland Volunteer Fire Department tract to a point and it's extension to a point;

thence, North 49°-59'-40" East, 197.24 feet, to the principal place of beginning.

Containing 1.529 acres more or less and all being subject to any legal highways and easements of record. The bearings are assumed and used to denote angles only.

The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a field survey performed under his direct supervision and dated August 18, 2017.

**Tract III:**

BEING PARCEL NUMBER F20-005-001-00, A 0.795-ACRE TRACT OF LAND OWNED BY BUCKLAND COOPERATIVE, INC. AS DESCRIBED IN DEED BOOK 238, PAGE 392 OF THE AUGLAIZE COUNTY DEED RECORDS, SITUATE IN THE NORTHEAST QUARTER OF SECTION 10, TOWN 5 SOUTH, RANGE 5 EAST, LOGAN TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at a monument box found at the southeast corner of the northeast quarter of Section 10 and being on the centerline of Main Street;

thence, North 00°-29'-13" East, 1436.87 feet, along the east line of east line of Section 10 and the centerline of Main Street to a point on the north railroad right-of-way line;

thence, South 49°-59'-40" West, 43.39 feet, along the north right-of-way line of the railroad to a Mag nail set on the west right-of-way line of Main Street and being on the northeast corner of a 1.529 acre tract of land owned by Buckland Cooperative, Inc. as described in Deed Book 144, Page 574;

thence, South 00°-29'-13" West, 21.04 feet, along the east line of said 1.529-acre Buckland Cooperative, Inc. tract and the west right-of-way line of Main Street to a Mag nail set;

thence, South 49°-59'-40" West, 601.86 feet, along the north right-of-way line of the railroad and the south line of said 1.529-acre Buckland Cooperative, Inc. tract to an iron pin with cap set and being the principal place of beginning of the tract herein described;

thence, South 49°-59'-40" West, 380.00 feet, along the north line of the railroad right-of-way to an iron pin with cap set;

thence, North 40°-00'-20" West, 116.00 feet, to an iron pipe found bent on the southerly line of a 3.211-acre tract of land owned by Buckland Cooperative, Inc tract as described in Official Record 88, Page 949;

thence, North 49°-59'-40" East, 165.00 feet, along the southerly line of said 3.211-acre Buckland Cooperative, Inc tract to an iron pin with cap set on the northwest corner of said 1.529-acre Buckland Cooperative, Inc. tract;

thence, South 40°-00'-20" East, 44.00 feet, along the west line of said 1.529-acre Buckland Cooperative, Inc tract to an iron pin with cap set;

thence, North 49°-59'-40" East, 215.00 feet, along a southerly line of said 1.529-acre Buckland Cooperative, Inc tract to an iron pin with cap set;

thence, South 40°-00'-20" East, 72.00 feet, to the principal place of beginning.

Containing 0.795 acres more or less and all being subject to any legal highways and easements of record. The bearings are based on NAD 83 CORS 2011 adjustment, Ohio North Zone, ODOT VRS CORS Network.

The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a field survey performed under his direct supervision and dated August 18, 2017.

**Tract IV:**

BEING PARCEL NUMBER F20-005-004-00, A 3.211-ACRE TRACT OF LAND OWNED BY BUCKLAND COOPERATIVE, INC. AS DESCRIBED IN OFFICIAL RECORD 88, PAGE 949 OF THE AUGLAIZE COUNTY DEED RECORDS, SITUATE IN THE NORTHEAST QUARTER OF SECTION 10, TOWN 5 SOUTH, RANGE 5 EAST, LOGAN TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at a monument box found at the southeast corner of the northeast quarter of Section 10 and being on the centerline of Main Street;

thence, North 00°-29'-13" East, 1436.87 feet, along the east line of east line of Section 10 and the centerline of Main Street to a point on the north right-of-way line of the railroad;

thence, South 49°-59'-40" West, 43.39 feet, along the north right-of-way line of the railroad to a Mag nail set on the west right-of-way line of Main Street and being on the northeast corner of a 1.529 acre tract of land owned by Buckland Cooperative, Inc. as described in Deed Book 144, Page 574;

thence, South 00°-29'-13" West, 21.04 feet, along the east line of said 1.529-acre Buckland Cooperative, Inc. tract and the west right-of-way line of Main Street to a Mag nail set;

thence, South 49°-59'-40" West, 981.86 feet, along the north right-of-way line of the railroad and the south line of said 1.529-acre Buckland Cooperative, Inc. tract to an iron pin with cap set at the southwesterly corner of a 0.795-acre tract owned by Buckland Cooperative, Inc. as described in Deed Book 238, Page 292;

thence, North 40°-00'-20" West, 16.00 feet, along the west line of said 0.795-acre Buckland Cooperative, Inc. tract to a wood post found and being the principal place of beginning of the tract herein described;

thence, South 49°-59'-40" West, 212.00 feet, along the north right-of-way of the railroad to an iron pin with cap set on a southeasterly corner of a tract of land owned by Joseph R. Kohler and Mary T. Kohler, Trustees as described in Official Record 323, Page 664;

thence, North 06°-29'-40" East, 641.00 feet, along the southeasterly of said Kohler tract to an iron pin with cap set;

thence, North 89°-49'-53" East, 402.61 feet, along a southeasterly line of said Kohler tract to an 8" metal post found;

thence, South 02°-51'-12" East, 101.21 feet, along a southeasterly line of said Kohler tract to an iron pin with cap set on the north line of said 1.529-acre Buckland Cooperative, Inc. tract;

thence, South 49°-32'-29" West, 336.00 feet, along the north line of said 1.529-acre Buckland Cooperative, Inc. tract to an iron pin with cap set on a northeasterly corner of said 0.795-acre tract owned by Buckland Cooperative, Inc.;

thence, South 49°-59'-40" West, 165.00 feet, along the north line of said 0.795-acre Buckland Cooperative, Inc. tract to an iron pipe found (bent);

thence, South 40°-00'-20" East, 100.00 feet, to the principal place of beginning.

Containing 3.211 acres more or less all being subject to any legal highways and easements of record. The bearings are based on NAD 83 CORS 2011 adjustment, Ohio North Zone, ODOT VRS CORS Network.