

## **Schnelle Law Office, LLC**

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### **PRELIMINARY TITLE OPINION** (415 Bellbrook Ave., Xenia, Ohio 45385) (Auction#4- Tract 2)

The undersigned hereby certifies that it has made a thorough examination of the records of Greene 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

(Sunrise Cooperative, Inc. is the successor by consolidation of Trupointe Cooperative, Inc. and Sunrise Cooperative, Inc. (See OR Volume 3782, Page 560, Greene County, Ohio); Trupointe Cooperative, Inc was the successor by merger of Southwest Landmark, Inc. and Advanced Agri-Solutions Co-op, Inc. (See OR Volume 3097, Page 188, Greene County, Ohio));

pursuant to a quit claim deed recorded as Instrument #2017021347 of the records of Greene 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.

New Parcel I.D. No. M40000100160011400.

This Preliminary Title Opinion does not purport to cover matters not of record in Greene 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. This tract is a recent split out of a larger tract and separate tax valuation and tax figures are not yet available. Real Estate Taxes and assessments on the larger tract are paid through calendar year 2016. Real estate taxes and assessments for the first half of 2017 larger tract are due and payable by February 23, 2018. Real estate taxes and assessments for the second half of calendar year 2017 and calendar year 2018 are a lien, but not yet due and

payable. **NOTE:** Estimated taxes for this parcel, per the Greene County Auditor are \$5,367.05 annually.

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 #4 -Tract 2)**

SITUATE IN VIRGINIA MILITARY SURVEY 2241, CITY OF XENIA, GREENE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at an iron pin found at the southeast corner of a 3.768-acre tract of land owned by Sunrise Cooperative Incorporated as conveyed in Official Record 1214, Page 548 and with merger Official Record 3097, Page 188 and being on the west right-of-way line of Walnut Street and the north right-of-way line of Elm Street;

thence, North 27°-42'-59" West, 343.33 feet, along the west right-of-way line of Walnut Street to an iron pin with cap set at a new division line and being the principal place of beginning of the tract herein conveyed;

thence, South 71°-23'-42" West, 186.55 feet, along a new division line to an iron pin with cap set;

thence, North 16°-46'-59" West, 222.68 feet, to an iron pin with cap set the northeast corner of a 0.468-acre tract of line owned by Sunrise Cooperative Incorporated as conveyed in Official Record 1870, Page 368 and being on the south right-of-way line of Bellbrook Avenue;

thence, North 61°-46'-00" East, 141.97 feet, along the south right-of-way line of Bellbrook Avenue to an iron pin with cap set on the west right-of-way line of Walnut Street, passing for reference an iron pipe found at 138.55 feet;

thence, South 27°-42'-59" East, 249.46 feet, along the west right-of-way line of Walnut Street to the principal place of beginning.

Containing 0.883 acres more or less with all being subject to any legal highway and easements of record. The bearings are based on NAD 83 CORS 2011 Adjustment, Ohio South Zone, ODOT VRS CORS Network.

The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a survey performed under his direction and dated November 6, 2017.