

ENTERED

Civil Rule 53(E)

COURT OF COMMON PLEAS
PROBATE DIVISION
HAMILTON COUNTY, OHIO

ENTERED

JUN 26 1997

IMAGE No. _____

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IN THE MATTER OF THE ESTATE : No. 176
OF : ORDER AUTHORIZING TRUSTEE
ETHAN STONE, DECEASED : TO SELL AND RELEASE RIGHT
: TO GROUND RENT AT PRIVATE
: SALE AND TO EXECUTE DEED,
: AND ALLOWING ATTORNEY FEE

This cause coming on to be heard upon the Application of The Fifth Third Bank, Successor Trustee under the Will of Ethan Stone, Deceased, for an Order authorizing said Trustee to accept the offer of James C. Young^{JA} and Susan A. Young to purchase the interest of the Trust Estate in the real estate described as follows:

A perpetual leasehold estate in the following real property:
Situate in the State of Ohio, County of Hamilton and in the City of Cincinnati and more particularly described as follows:

Situate in Section 29, Town 4, Fractional Range 1, Storrs Township, City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

Commencing at the intersection of the center line of a sixteen (16) foot easement (private road) and the westerly line of River Road (West Sixth Street) said point lying North 38° 32' East one hundred eighty-nine and 21/100 (189.21) feet north of the intersection of the northerly line of Mt. Echo Road (Kansas Avenue) and the westerly line of River Road (West Sixth Street) as recorded by a survey dated May 24, 1927, in Plat Book 29, page 189, in the Hamilton County, Ohio, Surveyor's Office; thence from said point southwardly along the westerly line of River road (West Sixth Street) South 38° 32' West fifty-four and 87/100 (54.87) feet to the real place of beginning for this description: thence continuing southwardly along the westerly line of River Road (West Sixth Street) South 38° 32' West twenty-three and 09/00 (23.09) feet to a point; thence North 56° 55' West one hundred ninety-two and 72/100 (192.72) feet to a point; thence North 33° 12' East twenty-three and 35/100 (23.35) feet to a point; thence South 56° 48' East one hundred ninety-four and 88/100 (194.88) feet to a point in the westerly line of River

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Road (West Sixth Street) to the place of beginning. Subject to all easements of record.

Subject to annual ground rent of \$5.00.

And upon the affidavits of three disinterested persons resident in Hamilton County, Ohio, and the evidence; on consideration whereof, the Court finds that said Trustee is the owner in fee simple of said real estate subject to a perpetual lease for which it is entitled to receive ground rent in the sum of Five Dollars (\$5.00) per annum, that the leasehold estate is vested in James C. Young Jr., and Susan A. Young; that the offer of said to purchase the interest of the Trust Estate in said real estate for the net sum of Seven Hundred Seventy Dollars (\$770.00), which sum includes the costs of Probate Court proceedings and attorney's fees; is the full value thereof and the best price obtainable; and that it is in the best interests of the Trust Estate and of all persons having an interest in said Trust under the Will of Ethan Stone, Deceased, that the Trustee's right, title and interest in and to the foregoing real estate be sold at private sale to James C. Young Jr., and Susan A. Young, the owners of said leasehold estate.

IT IS THEREFORE ORDERED that The Fifth Third Bank, Trustee as aforesaid, be and hereby is authorized and directed to accept such offer to purchase the interest of the Trust Estate in the real estate hereinabove described, for the sum of Seven Hundred Seventy Dollars (\$770.00), which sum includes the costs of Probate Court proceedings and attorney's fees, and upon payment of such sum, or securing the same to be paid, to execute and

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deliver proper Quit Claim Deed, conveying all of the right, title and interest of the Trustee in and to said real estate from all obligation to the Estate of Ethan Stone, Deceased, for the payment of aid ground rent reserved, and that said Trustee is allowed a sum of Three Hundred Fifty Dollars (\$350.00) out of the proceeds of sale for attorney's fees.

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Judge

Wayne F. Wilk

Stanley L. Stanford

Stanley L. Stanford
Attorney for The Fifth Third
Bank, Successor Trustee of the
Estate of Ethan Stone, Deceased

0144809.WP
6/24/97

W. F. Wilk
Magistrate