ENTERED

AUG 13 1997

IMAGE No. 46

COURT OF COMMON PLEAS
PROBATE DIVISION
HAMILTON COUNTY, OHIO

IN THE MATTER OF THE ESTATE	:	**No. 176**
OF	:	**ORDER AUTHORIZING TRUSTEE TO SELL AND RELEASE RIGHT**
ETHAN STONE, DECEASED	:	**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 Carl Anthony Axtmann, Jr. to purchase the interest of the Trust Estate in the real estate described as follows:

A perpetual leasehold estate in the following real property:

Situated in the City of Cincinnati, County of Hamilton and State of Ohio, to-wit: Being Lot No. Two (2) of the Subdivision made by the Commissioners in Partition in Case No. 105,839, Hamilton County Common Pleas court, in Section 29, Township 4 and Fractional Range 1, of the Miami Purchase, as per plat recorded in said case; said lot fronting thirty (30) feet on the north side of Lower River Road, now known as River Road, and extending back northwardly between parallel lines, same width in rear as in front, one hundred and ten (110) feet to the south line of Lot No. Seventeen (17) of the same subdivision. Premises now being known, numbered and designated as No. 2534 River Road, Cincinnati, Hamilton County, Ohio.

Prior Instrument recorded in Book 2404, Page 16 & Book 4219, Page 1722 of the Hamilton County Deed Records.

Subject to an annual ground rent of $4.00.

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

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in the sum of Four Dollars ($4.00) per annum, that the leasehold estate is vested in Carl Anthony Axtmann, Jr.; that the offer of said to purchase the interest of the Trust Estate in said real estate for the net sum of Six Hundred Twenty Three Dollars ($623.00), which sum includes the costs of probate Court proceedings, and attorneys' 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 Carl Anthony Axtmann, Jr., the owner 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 Six Hundred Twenty Three Dollars ($623.00), 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 deliver proper quite 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.

Donald A. Schenck (21880)
Attorney for The Fifth Third
Bank, Successor Trustee of
the Estate of Ethan Stone, Deceased.

Judge

ENTER Magistrate
Civil Rule 53 (E)