

JAN 30 2026

Tax year 2025 BOR no. 2025-030
County Clark Date received 1/30/2026

DTE 1
Rev. 12/22

Complaint Against the Valuation of Real Property

HILLARY HAMILTON
AUDITOR

Answer all questions and type or print all information. Read instructions on back before completing form.
Attach additional pages if necessary.

This form is for full market value complaints only. All other complaints should use DTE Form 2

Original complaint Counter complaint

Notices will be sent only to those named below.

Name		Street address, City, State, ZIP code	
1. Owner of property	HARBROS HOLDING CO LLC	9946 S Charleston Pk, S Charelston, Oh 45368	
2. Complainant if not owner	Matt Harbage		
3. Complainant's agent			
4. Telephone number and email address of contact person 937.815.4183 matt@har-bros.com			
5. Complainant's relationship to property, if not owner.			
If more than one parcel is included, see "Multiple Parcels" Instruction.			
6. Parcel numbers from tax bill		Address of property	
130-08-00031-000-063		OLD 70 RD	
7. Principal use of property AG VACANT LAND - CAUV			
8. The increase or decrease in market value sought. Counter-complaints supporting auditor's value may have -0- in Column C.			
Parcel number	Column A Complainant's Opinion of Value (Full Market Value)	Column B Current Value (Full Market Value)	Column C Change in Value
130-08-00031-000-063	\$556,885.79	\$612,430.00	-\$55,544.21
9. The requested change in value is justified for the following reasons: Change in value is justified because acreage is overstated by 5ac on parcel: Current Value column B \$612,430 divided by 55.13ac (57.02ac - 1.89ac ROW) = \$11,108.833 per ac value. \$11,108.833 multiplied by 50.13 (55.13ac - 5ac overstated) = \$556,885.79 Column A opinion of value. Survey and deed prove this to be accurate.			

10. Was property sold within the last three years? Yes No Unknown If yes, show date of sale 1/29/2025
and sale price \$ see attached ; and attach information explained in "Instructions for Line 10" on back.

11. If property was not sold but was listed for sale in the last three years, attach a copy of listing agreement or other available evidence.

12. If any improvements were completed in the last three years, show date _____ and total cost \$ _____.

13. Do you intend to present the testimony or report of a professional appraiser? Yes No Unknown

14. If you have filed a prior complaint on this parcel since the last reappraisal or update of property values in the county, the reason for the valuation change requested must be one of those below. Please check all that apply and explain on attached sheet. See R.C. section 5715.19(A)(2) for a complete explanation.

- The property was sold in an arm's length transaction.
- The property lost value due to a casualty.
- A substantial improvement was added to the property.
- Occupancy change of at least 15% had a substantial economic impact on my property.

15. If the complainant is a legislative authority and the complaint is an original complaint with respect to property not owned by the complainant, R.C. 5715.19(A)(8) requires this section to be completed.

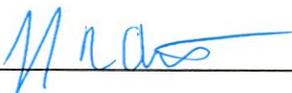
- The complainant has complied with the requirements of R.C. section 5715.19(A)(6)(b) and (7) and provided notice prior to the adoption of the resolution required by division (A)(6)(b) of that section as required by division (A)(7) of that section.

I declare under penalties of perjury that this complaint (including any attachments) has been examined by me and to the best of my knowledge and belief is true, correct and complete.

Date 1/21/2026 Complainant or agent (printed) Matthew Harbage Title (if agent) owner

Complainant or agent (signature) 

Sworn to and signed in my presence, this 21 day of January 2026

Notary 



Jennifer R. Alltop
Notary Public, State of Ohio
My Commission Expires April 19, 2027

January 21, 2026

Supporting information for complaint filed with form DTE1 – Complaint Against the Valuation of Real Property.

Item 8: Change in value is justified because acreage was overstated by 5ac on parcel: Current Value column B \$612,430 divided by 55.13ac (57.02ac - 1.89ac ROW) = \$11,108.833 per ac value. \$11,108.833 multiplied by 50.13 (55.13ac - 5ac overstated) = \$556,885.79 Column A opinion of value. Surveys, Deeds and Affidavit in Aid of Title prove this to be accurate.

Recommended solution: I am asking for the values of my 2025 RE Taxes due in 2026 to be adjusted by the amounts as stated in item 8 of the form DTE1 so it reflects accurate acreage and taxes due. This mistake was not my mistake; the error was the surveyors stemming back to 2022 and further missed by the County survey review process on the original transfer Exhibit A and again with transfer in Exhibit D resulting in inaccurate values and taxes on the parcel. Therefore, I think it reasonable for the County to adjust my 2025 RE tax liability and parcel information for 2025 and moving forward.

Facts as known are stated as follows:

- Exhibit A: 11.28.2022, Darrell and Jennie Tooker sold to Kevin and Melissa Spears 66.656ac parcel survey S22-228 with legal description stamped “approved” 12.1.22 by the County Tax Map department. **Acreage was overstated by 5.00ac per the Surveyor as documented in Exhibit E, F and G.**
- Exhibit B: 10.23.2023, Kevin and Melissa Spears sold to Melissa and Kendall Hanuska 2.587ac parcel survey S22-228A with a legal description stamped “approved” 10.24.2023 by the County Tax Map department. **Acreage was accurate.**
- Exhibit C: 03.15.2024, Kevin and Melissa Spears sold to Joseph and Kimberly Reid 7.05ac parcel survey S22-228A with a legal description stamped “approved” 03.21.2024 by the County Tax Map department. **Acreage was accurate.**
- Exhibit D: 01.29.2025, Kevin and Melissa Spears sold to Harbros Holding Co LLC 57.02ac for \$858,000.00. Acreage was calculated using Exhibit A description less Exhibit B and Exhibit C, thus arriving at the 57.02ac. Legal description stamped “approved” 01.30.2025 by the County Tax Map department. **Acreage was overstated by 5.00ac per the Surveyor as documented in Exhibit E, F and G.**

Exhibit E: 08.04.2025, Surveyor McCarty Associates LLC and Capital Specialty Insurance Corporation settled dispute for \$77,671.30 over misstated acreage and purchase price. As part of the settlement agreement McCarty prepared a corrected survey and description correcting the 5.00ac overstated acreage, affidavit as seen in Exhibit F was filed and new quit claim deed as seen in Exhibit G was filed with the recorder to correct the error.

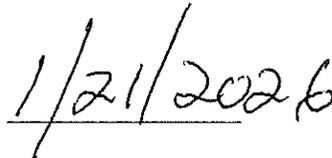
Exhibit F: 08.12.2025, Affidavit in Aid of Title was filed and correct survey was filed at clark county engineers Volume 33 Page 193.

Exhibit G: 08.27.2025, Quit Claim Deed from Harbros Holding Co LLC to Harbros Holding Co LLC was filed with corrected survey and description for 52.02 acres.



Matthew Harbage, Owner/Member

Harbros Holding Co LLC



Date

Exhibit A

APPROVED
Clark County Tax Map

Transferred
Sale Price 494,000
5/16/21 JSC
DEC - 1 2022

202200017602 12/01/2022 11:36 AM
Filed for Record in CLARK County, Ohio
Nancy Pence, Recorder Rec Fees: \$50.00
SURV OR Vol 2218 Pgs 3096 - 3099

DEC 01 2022
R.M.H.
 Legal Description
 Survey Plat / Lotsplit
 Subdivision / Association

John S. Federer
Auditor

SURVIVORSHIP DEED

Darrell T. Tooker and Jennie G. Tooker, husband and wife, Grantors, for valuable consideration paid, grant with general warranty covenants to Kevin Spears and Melissa Spears, husband and wife, Grantees, for their joint lives, remainder to the survivor of them, whose tax mailing address is 6890 Nagley Road, South Charleston, OH 45368 the following real property: *aka Kevin Douglas Spears and Melissa Arin Spears
See Exhibit "A" Attached

Subject to all covenants, restrictions, easements, conditions and zoning of record; and to the real estate taxes and assessments due and payable from the date of this instrument.

Prior Instrument Reference: Volume 2008, Page 2480
Parcel No. 130-08-00031-000-039
Address: 6396 Old 70 Road, South Charleston, OH 45368

Grantees herein assumes and agrees to pay all taxes and assessments now or hereafter due and payable.

EXECUTED by them this 28th day of November, 2022.

Darrell T. Tooker
Darrell T. Tooker

Jennie G. Tooker
Jennie G. Tooker

STATE OF Florida
COUNTY OF Lake

The foregoing instrument was acknowledged before me this 28th day of November, 2022, by Darrell T. Tooker and Jennie G. Tooker, husband and wife.

Kathleen S. Bath
Notary Public

This Instrument Prepared By:
COLE ACTON HARMON DUNN
A Legal Professional Association
333 North Limestone Street
P.O. Box 1687
Springfield, OH 45501
Phone: (937) 322-0891



COLE ACTON HARMON DUNN
HOLD

McCARTY ASSOCIATES, LLC

ARCHITECTS—ENGINEERS—SURVEYORS

HILLSBORO ————— WASHINGTON C.H. ————— LOVELAND

213 N. HIGH ST., HILLSBORO, OHIO 45133 PH 937-393-9971 FAX 937-393-2480
Michael L. McCarty, P.E., P.S. — Thomas E. Puntel, P.S. — Jason C. McConnaughey, P.S. — Douglas L. Karnes, AIA

File No. S22-228
September 15, 2022

LEGAL DESCRIPTION

Darrell T. Tooker and Jennie G. Tooker
66.656 Acres Tract

Situated in the Township of Harmony, County of Clark, State of Ohio, being a part of Section 31, Town 6, Range 9, and being all that remains (66.508 acres) of the original 145.62 "Tract I" and all (0.148 acre) of the 0.17 acre "Tract II" as conveyed to Darrell T. Tooker and Jennie G. Tooker and recorded in Official Record 2008, Page 2480 of the Clark County Recorder's Office, and being further bounded and described as follows:

Beginning at a mag nail (set) at the intersection of the centerline of Old 70 Road and the southerly line of Section 32, Town 6, Range 9 and the northerly line of Section 31, Town 6, Range 9 of which this is a part, said mag nail being the southwesterly corner of a 46.720 acres "Tract III" as conveyed to John A. Harbage and Debra J. Harbage (O.R. 1806, Page 1779) and found in Clark County Engineer's Revised Record of Land Surveys 22, Pages 20 and having Ohio State Plane Coordinates Northing 684,272.144 feet, Easting 1,631,833.649 feet South Zone and based upon NAD 83 (2011);

thence with the Section Line and a southerly line of the aforesaid 46.720 acres "Tract III" S 84°04'54" E passing a 5/8" iron pin (found) at 40.08 feet, a total distance of 110.10 feet to a 24" round glacial stone (found) marking the Half Section corner;



202200017602
BK 2218 PG 3098

thence with Continuing with the Section Line and another southerly line of the aforesaid 46.720 acres "Tract III" S 83°55'47" E passing a 5/8" iron pin (found) at 1075.16 feet, a total distance of 1090.39 feet to a point in the southwesterly line of Dayton, Toledo, and Ironton Railroad (Formerly S.J. and P. Railroad-D.V. 127, Page 214);

thence with the lines of Dayton, Toledo, and Ironton Railroad for the next 3 calls:

- 1) S 43°32'28" E, a distance of 919.19 feet to a 5/8" iron pin (set);
- 2) with a curve to the right, having an arc length of 1403.34 feet, a radius of 3249.05 feet, and a chord bearing S 28°06'16" E, a distance of 1392.46 feet to a 5/8" iron pin (set);
- 3) S 18°05'34" E, a distance of 213.06 feet to a 5/8" iron pin (set) in the southerly line of Section 25, Town 6, Range 9 and marking the northerly most corner of a 2.67 acres tract as conveyed to Dennis Allen Brooks (O.R. 814, Page 725);

thence with the Section Line and the westerly line of the aforesaid 2.67 acres tract S 06°36'54" W passing a 5/8" iron pin (set) at 680.55 feet, a total distance of 715.55 feet to a mag nail (set) in the centerline of Old 70 Road;

thence with the centerline of Old 70 Road for the next 5 calls:

- 1) N 84°02'16" W, a distance of 155.92 feet to a 5/8" iron pin (set) at the point of intersection of said centerline;
- 2) N 38°24'51" W, a distance of 1697.99 feet to a mag nail (found) at the intersection of said centerline with the centerline of Dolly Varden Road;

- 3) N 38°35'53" W, a distance of 211.96 feet to a spike (found) under the pavement;
- 4) N 38°27'33" W, a distance of 1652.84 feet to a mag nail (set);
- 5) N 36°58'34" W, a distance of 160.21 feet to the point of beginning, **containing 66.656 acres of land.**

The above described 66.656 acres tract contains 2.651 acres within the right-of-way of Old 70 Road.

Subject to all legal easements and rights-of-way of record.

Bearings are based upon the Grid Azimuth (Az 125° 16' 12.8") between National Geodetic Survey CORS Station "OHCL" and McCarty Associates Geodetic Local Control Monument "2001" and derived from GPS observations taken September 8, 2022, utilizing the ODOT Ohio Real Time Network (Trimble Virtual Reference System).

Land surveyed in September 2022, under the direction of Jason C. McConnaughey, Professional Surveyor No. 8509, the survey plat of which is referred to as Project No. S22-228 on file in the office of McCarty Associates, LLC, Hillsboro, Ohio.

All iron pins (set) are 5/8" diameter with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".



Jason C. McConnaughey 9-15-22
Jason C. McConnaughey, P.S. 8509 Date

Exhibit B



202300012066 10/24/2023 10:24 AM
Filed for Record in CLARK County, Ohio
Nancy Pence, Recorder Rec Fees: \$34.00
SURV OR Vol 2229 Pgs 3786 - 3787

APPROVED Transferred
Clark County Tax Map Sale Price 140,000

OCT 24 2023
Rmt
 Legal Description
 Survey Plat - Lvsplit
 Subdivision - Annexation

3721 J8L
OCT 24 2023

AUDITOR

SURVIVORSHIP DEED

Kevin Spears aka Kevin Douglas Spears and Melissa Spears aka Melissa Arin Spears, husband and wife, Grantors, for valuable consideration paid, grant with general warranty covenants to Melissa Hanuska and Kendall Hanuska, wife and husband, Grantees, for their joint lives, remainder to the survivor of them, whose tax mailing address is 6396 Old 70 Road, South Charleston, OH 45368, the following real property:

See attached Exhibit "A"

Subject to all covenants, restrictions, easements, conditions and zoning of record; and to the real estate taxes and assessments due and payable from the date of this instrument.

Prior Instrument Reference: Volume 2226, Page 3002, Volume 2218, Page 3096
Parcel No. 130-08-00031-000-064
Address: 6396 Old 70 Road, South Charleston, Ohio 45368

Grantees herein assumes and agrees to pay all taxes and assessments now or hereafter due and payable.

EXECUTED by them this 23rd day of October, 2023.

Kevin Spears
Kevin Spears aka Kevin Douglas Spears

Melissa Spears
Melissa Spears aka Melissa Arin Spears

STATE OF OHIO
COUNTY OF CLARK

The foregoing instrument was acknowledged before me this 23rd day of October 2023, by Kevin Spears aka Kevin Douglas Spears and Melissa Spears aka Melissa Arin Spears, husband and wife.

Scott B. Beals
Notary Public

This Instrument Prepared By:
COLE ACTON HARMON DUNN
A Legal Professional Association
333 North Limestone Street
P.O. Box 1687
Springfield, OH 45501
Phone: (937) 322-0891



SCOTT B. BEALS
Notary Public
State of Ohio
Commission Indefinite

COLE ACTON HARMON DUNN
HOLD



EXHIBIT "A"

Situated in the Township of Harmony, County of Clark, State of Ohio, being a part of Section 31, Town 6, Range 9, Between the Miami River Survey, and being part of the 66.656 acres tract as conveyed to Kevin Spears and Melissa Spears and recorded in Official Record 2218, Page 3096 of the Clark County Recorder's Office and found in Clark County Engineer's Revised Record of Land Surveys 31, Page 175, and being further bounded and described as follows:

Commencing at a mag nail (found) at the intersection of the centerline of Old 70 Road and the westerly line of Section 25, Town 6, Range 9 and the easterly line of Section 31, Town 6, Range 9 of which this is a part, said mag nail being the southwesterly corner of a 2.67 acres tract as conveyed to Dennis Allen Brooks (O.R. 814, Page 725) and the southeasterly corner of the 66.656 acres tract of which this is a part;

thence with the centerline of Old 70 Road N. 84° 02' 16" W., a distance of 155.92 feet to a 5/8" iron pin (set) at the point of intersection of said centerline;

thence with the centerline of Old 70 Road N. 38° 24' 51" W. passing a mag nail (set) at 590.70 feet, a total distance of 1328.07 feet to a mag nail (set) marking the true point of beginning of the tract of land herein described and having Ohio State Plane Coordinates Northing 682,394.392 feet, Easting 1,633,320.081 feet Ohio South Zone and based upon NAD 83 (2011);

thence with the centerline of Old 70 Road N. 38° 24' 51" W., a distance of 362.20 feet to a mag nail (set);

thence with a new division line for the next 3 calls:

1. N. 47° 32' 44" E. passing a 5/8" iron pin (set) at 31.15 feet, a total distance of 355.32 feet to a 5/8" iron pin (set);
2. S. 24° 26' 39" E., a distance of 387.09 feet to a 5/8" iron pin (set);
3. S. 49° 02' 29" W. passing a 5/8" iron pin (set) at 235.37 feet, a distance of 261.25 feet to the true point of beginning, containing 2.587 acres of land.

The above described 2.587 acres tract contains 0.250 acres within the right-of-way of Old 70 Road.

Subject to all legal easements and rights-of-way of record. Bearings are based upon the Grid Azimuth (Az 148° 01' 14") between National Geodetic Survey Monuments "CLARK 50" and "CLARK 221" and derived from GPS observations taken September 8, 2022, utilizing the ODOT Ohio Real Time Network (Trimble Virtual Reference System).

Land surveyed in September 2022 and March 2023, under the direction of Jason C. McConnaughey, Professional Surveyor No. 8509, the survey plat of which is referred to as Project No. S22-228A on file in the office of McCarty Associates, LLC, Hillsboro, Ohio.

All iron pins (set) are 5/8" diameter with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".

Property Address: 6396 Old 70 Road, South Charleston, Ohio 45368
Parcel No. 130-08-00031-000-064

Exhibit C

202400003449 03/21/2024 03:31 PM
Filed for Record in CLARK County, Ohio
Nancy Pence, Recorder Rec Fees: \$50.00
SURV OR Vol 2234 Pgs 5795 - 5798

APPROVED
Clark County Tax Map

Transferred
Sale Price 95,000
1024 MAR 21 2024 JBA

MAR 21 2024
JSM
 Legal Description
 Survey Plat / Lotsplit
 Subdivision / Annexation

HILLARY HAMILTON
AUDITOR

SURVIVORSHIP DEED

File # 59580

KNOW ALL MEN BY THE PRESENTS THAT; Kevin Spears and Melissa Spears, Husband and Wife, Grantor(s), for Ten Dollars (\$10.00) and other good and valuable consideration paid, grant(s), with general warranty covenants, to Joseph Reid and Kimberly S. Reid, Husband and Wife, Grantee(s), for their joint lives, remainder to the survivor of them, whose Tax Mailing Address will be 3276 E. Pithin Rd., Springfield OH 45502.

The following described real property:

SEE ATTACHED EXHIBIT "A"

Parcel Number: 130-08-00031-000-065
Known as: 0 Old 70 Road
South Charleston, OH 45368

This conveyance is subject to all taxes and assessments which are now or may hereafter become liens on said premises, and is subject to all covenants, easements, restrictions, conditions, reservations, reverters, legal highways, zoning laws and ordinances, and governmental regulations, if any, of record, and all coal, oil, gas and other mineral rights and interests previously conveyed, transferred, or reserved of record.

Prior Instrument Number: OR Vol 2226, Page 4142 and ORV 2218, Page 3096,
of the Records of the office of the Recorder, Clark
County, Ohio

FIRST OHIO TITLE INSURANCE
3452 YORK COMMONS BLVD
DAYTON, OH 45414



20240003449
BK 2234 PG 5796

Witness his/her/their hand(s) this 15th day of March, 2024.

Kevin Spears
Kevin Spears

Melissa Spears
Melissa Spears

State of Ohio)
County of Clark) SS

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named Kevin Spears and Melissa Spears, Grantor(s) who acknowledged that they/he/she did sign this Warranty Deed and the same is their/his/her free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal, this 15th day of March, 2024.



RON E WEAVER
Notary Public - State of Ohio
Commission Expires July 11, 2025

[Signature]
Notary Public
Commission Expiration
Date: _____

This instrument prepared by:
Blum & Associates Co., LPA
29325 Chagrin Boulevard
Suite 200
Pepper Pike, OH 44122
File # 59580

First Ohio Title Insurance
3452 York Commons Blvd.
Dayton, OH 45414



202400003449
BK 2234 PG 5797

McCARTY ASSOCIATES, LLC

ARCHITECTS—ENGINEERS—SURVEYORS

HILLSBORO ————— WASHINGTON C.H. ————— LOVELAND

213 N. HIGH ST., HILLSBORO, OHIO 45133 PH 937-393-9971 FAX 937-393-2480
Michael L. McCarty, P.E., P.S. — Thomas E. Purtell, P.S. — Jason C. McConaughy, P.S. — Douglas L. Karnes, AIA

File No. S22-228A
April 19, 2023

LEGAL DESCRIPTION

Kevin Spears and Melissa Spears
7.050 Acres Tract

Situated in the Township of Harmony, County of Clark, State of Ohio, being a part of Section 31, Town 6, Range 9 Between the Miami River Survey, and being part of the 66.656 acres tract as conveyed to Kevin Spears and Melissa Spears and recorded in Official Record 2218, Page 3096 of the Clark County Recorder's Office and found in Clark County Engineer's Revised Record of Land Surveys 31, Page 175, and being further bounded and described as follows:

Beginning at a mag nail (set) at the intersection of the centerline of Old 70 Road and the westerly line of Section 25, Town 6, Range 9 and the easterly line of Section 31, Town 6, Range 9 of which this is a part, said mag nail being the southwesterly corner of a 2.67 acres tract as conveyed to Dennis Allen Brooks (O.R. 814, Page 725) and having Ohio State Plane Coordinates Northing 681,337.600 feet, Easting 1,634,300.346 feet Ohio South Zone and based upon NAD 83 (2011);

thence with the centerline of Old 70 Road N 84°02'16" W, a distance of 155.92 feet to a 5/8" iron pin (set) at the point of intersection of said centerline;

thence with the centerline of Old 70 Road N 38°24'51" W, a distance of 590.70 feet to a mag nail (set);

thence with a new division line N 51°06'30" E passing a 5/8" iron pin (set) at 32.78 feet, a total distance of 691.69 feet to a 5/8" iron pin (set) in the southwesterly line of Dayton, Toledo, and Ironton Railroad (Formerly S.J. and P. Railroad-D.V. 127, Page 214);



20240003449
BK 2234 PG 5798

thence with the lines of Dayton, Toledo, and Ironton Railroad S 18°05'34" E, a distance of 213.06 feet to a 5/8" iron pin (set) in the southerly line of Section 25, Town 6, Range 9 and marking the northerly most corner of the aforementioned 2.67 acres tract as conveyed to Dennis Allen Brooks (O.R. 814, Page 725);

thence with the Section Line and the westerly line of the aforesaid 2.67 acres tract S 06°36'54" W passing a 5/8" iron pin (set) at 680.55 feet, a total distance of 715.55 feet to the point of beginning, **containing 7.050 acres of land.**

The above described 7.050 acres tract contains 0.423 acres within the right-of-way of Old 70 Road.

Subject to all legal easements and rights-of-way of record.

Bearings are based upon the Grid Azimuth (Az 148° 01' 14") between National Geodetic Survey Monuments "CLARK 50" and "CLARK 221" and derived from GPS observations taken September 8, 2022, utilizing the ODOT Ohio Real Time Network (Trimble Virtual Reference System).

Land surveyed in September 2022 and March 2023, under the direction of Jason C. McConnaughey, Professional Surveyor No. 8509, the survey plat of which is referred to as Project No. S22-228A on file in the office of McCarty Associates, LLC, Hillsboro, Ohio.

All iron pins (set) are 5/8" diameter with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".



Jason C. McConnaughey 4-19-23
Jason C. McConnaughey, P.S. 8509 Date

Exhibit D



202500001170 01/30/2025 02:59 PM
Filed for Record in CLARK County, Ohio
Nancy Pence, Recorder Rec Fees: \$55.00
WARR OR Vol 2247 Pgs 4941 - 4944

APPROVED

Clark County Tax Map

Transferred

Sale Price 323,000
323 Jr.

JAN 30 2025

JAN 30 2025

JEM
 Legal Description
 Survey Plat / Lotsplit
 Subdivision / Annexation

HILLARY HAMILTON
AUDITOR

This Instrument prepared by:
Elder & Elder, Attorneys at Law
2233 N. Limestone Street
Springfield, Ohio 45503

WARRANTY DEED

Kevin Spears, aka Kevin Douglas Spears, and Melissa Spears, aka Melissa Arin Spears, husband and wife, of Clark County, Ohio, for valuable consideration paid, grant(s) with General Warranty covenants, to Harbros Holding Co LLC, whose tax billing address is 9880 S. Charleston Pike, South Charleston, Ohio, 45368, the following real property:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR COMPLETE LEGAL DESCRIPTION.

P.P. #130-08-00031-000-063
Commonly known as: Old St. Rt. 70, South Charleston, Ohio 45368

EXCEPTIONS TO THE WARRANTIES: Except as hereinbefore provided, except all easement, leases, conditions and restrictions of record, if any, and except real estate taxes for the year 2024, and thereafter for which taxes any adjustment has been made between the parties and which, therefore, the Grantees herein assume and agree to pay.

Prior Deed Ref.: Vol. 2218, Pg. 3096, Official Records of Clark County, OH
Vol. 2229, Pg. 3786 Official Records of Clark County, OH (2.587 acres)
Vol. 2234, Pg. 5795 Official Records of Clark County, OH (7.050 acres)

EXECUTED this 29th day of January, 2025.

Kevin Spears

Kevin Spears
Melissa A Spears

Melissa Spears

STATE OF OHIO, COUNTY OF CLARK, SS:

BE IT REMEMBERED, that on this 29th day of January, 2025, before me, the subscriber, a Notary Public in and for said state, personally came Kevin Spears, aka Kevin Douglas Spears, and Melissa Spears, aka Melissa Arin Spears, husband and wife, the Grantors in the foregoing deed, and acknowledged the signing thereof to be their voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

ELDER ELDER
HOLD

Kenneth M. Elder

Notary Public

KENNETH M. ELDER, Attorney At Law
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.



EXHIBIT "A"

Situated in the Township of Harmony, County of Clark, State of Ohio, being a part of Section 31, Town 6, Range 9, and being all that remains (66.508 acres) of the original 145.62 "Tract I" and all (0.148 acre) of the 0.17 acre "Tract II" as conveyed to Darrell T. Tooker and Jennie G. Tooker and recorded in Official Record 2008, Page 2480 of the Clark County Recorder's Office, and being further bounded and described as follows:

Beginning at a mag nail (set) at the intersection of the centerline of Old 70 Road and the southerly line of Section 32, Town 6, Range 9 and the northerly line of Section 31, Town 6, Range 9 of which this is a part, said mag nail being the southwesterly corner of a 46.720 acres "Tract III" as conveyed to John A. Harbage and Debra J. Harbage (O.R. 1806, Page 1779) and found in Clark County Engineer's Revised Record of Land Surveys 22, Pages 20 and having Ohio State Plane Coordinates Northing 684,272.144 feet, Easting 1,631,833.649 feet South Zone and based upon NAD 83 (2011);

thence with the Section Line and a southerly line of the aforesaid 46.720 acres "Tract III" S 84 deg. 04' 54" E passing a 5/8" iron pin (found) at 40.08 feet, a total distance of 110.10 feet to a 24" round glacial stone (found) marking the Half Section corner;

thence with Continuing with the Section Line and another southerly line of the aforesaid 46.720 acre "Tract III" S 83 deg. 55' 47" E passing a 5/8" iron pin (found) at 1075.16 feet, a total distance of 1090.39 feet to a point in the southwesterly line of Dayton, Toledo, and Ironton Railroad (Formerly S.J. and P. Railroad-D.V. 127, Page 214);

thence with the lines of Dayton, Toledo, and Ironton Railroad for the next 3 calls:

- 1) S 43 deg. 32' 28" E, a distance of 919.19 feet to a 5/8" iron pin (set);
- 2) with a curve to the right, having an arc length of 1403.34 feet, a radius of 3249.05 feet, and a chord bearing S 28 deg. 06' 16" E, a distance of 1392.46 feet to a 5/8" iron pin (set);
- 3) S 18 deg. 05' 34" E, a distance of 213.06 feet to a 5/8" iron pin (set) in the southerly line of Section 25, Town 6, Range 9 and marking the northerly most corner of a 2.67 acres tract as conveyed to Dennis Allen Brooks (O.R. 814, Page 725);

thence with the Section Line and the westerly line of the aforesaid 2.67 acre tract S 06 deg. 36' 54" W passing a 5/8" iron pin (set) at 680.55 feet, a total distance of 715.55 feet to a mag nail (set) in the centerline of Old 70 Road;

thence with the centerline of Old 70 Road for the next 5 calls;

- 1) N 84 deg. 02' 16" W, a distance of 155.92 feet to a 5/8" iron pin (set) at the point of intersection of said centerline;
- 2) N 38 deg. 24' 51" W, a distance of 1697.99 feet to a mag nail (found) at the intersection of said centerline with the centerline of Dolly Varden Road;
- 3) N 38 deg. 35' 53" W, a distance of 211.96 feet to a spike (found) under the pavement;
- 4) N 38 deg. 27' 33" W, a distance of 1652.84 feet to a mag nail (set);
- 5) N 36 deg. 58' 34" W, a distance of 160.21 feet to the point of beginning,
containing 66.656 acres of land.

The above described 66.656 acre tract contains 2.651 acres within the right-of-way of Old 70 Road.

Subject to all legal easements and right-of-way of record.

Bearings are based upon the Grid Azimuth (Az 125 deg. 16' 12.8") between National Geodetic Survey CORS Station "OHCL" and McCarty Associates Geodetic Local Control Monument "2001" and derived from GPS observations taken September 8, 2022,



utilizing the ODOT Ohio Real Time Network (Trimble Virtual Reference System).

Land surveyed in September 2022, under the direction of Jason C. McConnaughey, Professional Surveyor No. 8509, the survey plat of which is referred to as Project No. S22-228 on file in the office of McCarty Associates, LLC, Hillsboro, Ohio.

All iron pins (set) are 5/8" diameter with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PREMISES:

Situated in the Township of Harmony, County of Clark, State of Ohio, being a part of Section 31, Town 6, Range 9, Between the Miami River Survey, and being part of the 66.656 acres tract as conveyed to Kevin Spears and Melissa Spears and recorded in Official Record 2218, Page 3096 of the Clark County Recorder's Office and found in Clark County Engineer's Revised Record of Land Surveys 31, Page 175, and being further bounded and described as follows:

Commencing at a mag nail (found) at the intersection of the centerline of Old 70 Road and the westerly line of Section 25, Town 6, Range 9 and the easterly line of Section 31, Town 6, Range 9 of which this is a part, said mag nail being the southwesterly corner of a 2.67 acres tract as conveyed to Dennis Allen Brooks (O.R. 814, Page 725) and the southeasterly corner of the 66.656 acres tract of which this is a part;

thence with the centerline of Old 70 Road N 84 deg. 02' 16" W, a distance of 155.92 feet to a 155.92 feet to a 5/8" iron pin (set) at the point of intersection of said centerline;

thence with the centerline of Old 70 Road N 38 deg. 24' 51" W passing a mag nail (set) at 590.70 feet, a total distance of 1328.07 feet to a mag nail (set) marking the true point of beginning of the tract of land herein described and having Ohio State Plane Coordinates Northing 682,394.392 feet, Easting 1,633,320.081 feet Ohio South Zone and based upon NAD 83 (2011);

thence with the centerline of Old 70 Road N 38 deg. 24' 51" W, a distance of 362.20 feet to a mag nail (set);

thence with a new division line for the next 3 calls:

- 1) N 47 deg. 32' 44" E passing a 5/8" iron pin (set) at 31.15 feet, a total distance of 355.32 feet to a 5/8" iron pin (set);
- 2) S 24 deg. 26' 39" E, a distance of 387.09 feet to a 5/8" iron pin (set);
- 3) S 49 deg. 02' 29" W passing a 5/8" iron pin (set) at 235.37 feet, a distance of 261.25 feet to the true point of beginning, **containing 2.587 acres of land.**

The above described 2.587 acres tract contained 0.250 acres within the right-of-way of Old 70 Road.

Subject to all legal easements and rights-of-way of record.

Bearings are based upon the Grid Azimuth (Az 148 deg. 01' 14") between National Geodetic Survey Monuments "CLARK 50" and "CLARK 221" and derived from GPS observations taken September 8, 2022, utilizing the ODOT Ohio Real Time Network (Trimble Virtual Reference System).

Land surveyed in September 2022 and March 2023, under the direction of Jason C. McConnaughey, Professional Surveyor No. 8509, the survey plat of which is referred to as Project No. S22-228A on file in the office of McCarty Associates, LLC, Hillsboro, Ohio.

All iron pins (set) are 5/8" diameter with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PREMISES:

Situated in the Township of Harmony, County of Clark, State of Ohio, being a part of Section 31, Town 6, Range 9 Between the Miami River Survey, and being part of the 66.656 acres tract as conveyed to Kevin Spears and Melissa Spears and recorded in Official Record 2218, Page 3096 of the Clark County Recorder's Office and found in Clark County Engineer's Revised Record of Land Surveys 31, Page 175, and being further bounded and described as follows:

Beginning at a mag nail (set) at the intersection of the centerline of Old 70 Road



and the westerly line of Section 25, Town 6, Range 9 and the easterly line of Section 31, Town 6, Range 9 of which this is a part, said mag nail being the southwesterly corner of a 2.67 acres tract as conveyed to Dennis Allen Brooks (O.R. 814, Page 725) and having Ohio State Plane Coordinates Northing 681,337.600 feet, Easting 1,634,300.346 feet Ohio South Zone and based upon NAD 83 (2011);

thence with the centerline of Old 70 Road N 84 deg. 02' 16" W, a distance of 155.92 feet to a 5/8" iron pin (set) at the point of intersection of said centerline;

thence with the centerline of Old 70 Road N 38 deg. 24' 51" W, a distance of 590.70 feet to a mag nail (set);

thence with a new division line N 51 deg. 06' 30" E passing a 5/8" iron pin (set) at 32.78 feet, a total distance of 691.69 feet to a 5/8" iron pin (set) in the southwesterly line of Dayton, Toledo, and Ironton Railroad (Formerly S.J. and P. Railroad-D.V. 127, Page 214);

thence with the lines of Dayton, Toledo, and Ironton Railroad S 18 deg. 05' 34" E, a distance of 213.06 feet to a 5/8" iron pin (set) in the southerly line of Section 25, Town 6, Range 9 and marking the northerly most corner of the aforementioned 2.67 acres tract as conveyed to Dennis Allen Brooks (O.R. 814, Page 725);

thence with the Section Line and the westerly line of the aforesaid 2.67 acres tract S 06 deg. 36' 54" W passing a 5/8" iron pin (set) at 680.55 feet, a total distance of 715.55 feet to the point of beginning, containing **7.050 acres of land**.

The above described 7.050 acres tract contains 0.423 acres within the right-of-way of Old 70 Road.

Subject to all legal easements and right-of-way of record.

Bearings are based upon the Grid Azimuth (Az 148 deg. 01' 14") between National Geodetic Survey Monuments "CLARK 50" and "CLARK 221" and derived from GPS observations taken September 8, 2022, utilizing the ODOT Ohio Real Time Network (Trimble Virtual Reference System).

Land surveyed in September 2022 and March 2023, under the direction of Jason C. McConnaughey, Professional Surveyor No. 8509, the survey plat of which is referred to as Project No. S22-228A on file in the office of McCarty Associates, LLC, Hillsboro, Ohio.

All iron pbins (set) are 5/8" diameter with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".

Permanent Parcel Number: 130-08-00031-000-063

Being commonly known as: Old St. Rt. 70, South Charleston, Ohio 45368

Exhibit E



CapSpecialty®

A BERKSHIRE HATHAWAY COMPANY

CityPlace I
185 Asylum Street, Suite 1600
Hartford, CT 06103
Phone: 800.394.7806
CapSpecialty.com

August 04, 2025

500 North Fountain Avenue
P.O. Box 1488
Springfield, OH 45501
Via Priority Mail

Re: **Named Insured:** McCarty Associates LLC
File Number: 310333
Matter: Harbros Holdings Matter

Dear Mr. Flax :

Capitol Specialty Insurance Corporation, ("CSIC"), on behalf of its Insured, McCarty Associates LLC, and pursuant to the settlement agreement in this matter, encloses payment to Harbros Holdings Co, LLC in the amount of \$77,671.30. This payment concludes the settlement in this matter.

Please contact Daniel Harkins at with any concerns.

Thank you,

Samantha Ostreicher

Sam Ostreicher

Claims Specialist

(860)734-1257

sostreicher@CapSpecialty.com

Exhibit F



202500011061 08/28/2025 08:40 AM
Filed for Record in CLARK County, Ohio
Nancy Pence, Recorder Rec Fees: \$83.00
MISC OR Vol 2256 Pgs 5094 - 5098

**AFFIDAVIT IN AID OF TITLE
(Ohio Revised Code Section 5301.252)**

Regarding: Old St. Rt. 70, South Charleston, Ohio 45368
52.020 Acres, Harmony Township, Clark County, Ohio (PPN:1300800031000063)
Deed recorded at Vol. 2247, Pages 4941, Official Records of Clark County, Ohio

STATE OF OHIO)
)
COUNTY OF HIGHLAND) SS:

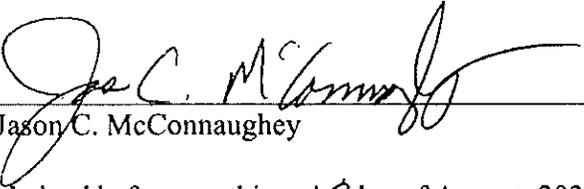
I, Jason C, McConnaughey, having been first duly sworn, states:

1. I am a professional Surveyor who is registered with the State of Ohio (Registration No. 8509).
2. On or about December 1, 2022, a Deed was recorded the with the Clark County Recorder in Volume 2218, Page 3096 of the Official Records of Clark County, Ohio for the Premises.
3. Although the legal description attached to the said Deed correctly defined the metes and bounds of the Premises, it erroneously provided the incorrect acreage for the Premises.
4. On or about January 29, 2025, Kevin Spears and Melissa Spears conveyed by General Warranty Deed to Harbros Holding Co., LLC property which is commonly known as Old St. Rt. 70, South Charleston, Ohio 45368, PPN: 1300800031000063 (the "Premises"). The Deed incorporated the said legal description which erroneously overstated the acreage that was conveyed. The Deed was recorded in Volume 2247, Pages 4941-4944 of the Official Records of Clark County, Ohio and included the following prior Deed references, all in the Official Records of Clark County, Ohio: Volume 2218, Page 3096, Volume 2229, Page 3786 (excepting 2.587 acres) and Volume 2234, Page 5795 (excepting 7.050 acres).
5. The correct acreage for the Premises is 52.020 acres as shown in Exhibit A attached hereto. A corrective Deed stating the correct acreage is being filed contemporaneously with this Affidavit.
6. The Survey with the correct acreage for the Premises was filed at Volume 33, Page 193 of the Clark County, Ohio Engineer's Survey Records.

DAN HARKINS
HOLD



202500011061
BK 2256 PG 5095

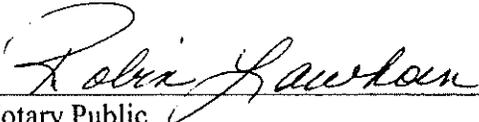


Jason C. McConnaughey

The foregoing instrument was acknowledged before me this 12 day of August, 2025 by Jason C. McConnaughey.



ROBIN LAWHORN
Notary Public, State of Ohio
My Commission Expires 2-14-2026



Notary Public

Instrument Prepared By:

Daniel C. Harkins, Esq.
333 North Limestone St., Suite 203
Springfield, Ohio 45503
(937) 324-8482



202500011061
BK 2256 PG 5096

EXHIBIT A



MCCARTY ASSOCIATES, LLC.

ARCHITECTS | ENGINEERS | SURVEYORS

213 N. High St. Hillsboro, Oh 45133

937.393.9971

McCartyAssociates.com

Michael L. McCarty, P.E., P.S.
Cody W. Beucler, P.E.

Thomas E. Purtell, P.S.
Jason C. McConnaughey, P.S.

Douglas L. Karnes, A.I.A.
Dallas M. Puckett, A.I.A.

File No. S22-228B
July 25, 2025

LEGAL DESCRIPTION
Harbros Holding Co LLC
52.020 Acres Tract

Situated in the Township of Harmony, County of Clark, State of Ohio, being a part of Section 31, Town 6, Range 9 Between the Miami River Survey, and being part of the 61.656 acres as corrected by recalculations for the 66.656 acres tract as conveyed to Harbros Holding Co LLC and recorded in Official Record 2247, Page 4941 of the Clark County Recorder's Office and found in Clark County Engineer's Revised Record of Land Surveys 31, Page 175, and being further bounded and described as follows:

Beginning at a mag nail (set) at the intersection of the centerline of Old 70 Road (60' right-of-way) and the southerly line of Section 32, Town 6, Range 9 and the northerly line of Section 31, Town 6, Range 9 of which this is a part, said mag nail being the southwesterly corner of a 46.720 acres "Tract III" as conveyed to John A. Harbage and Debra J. Harbage (O.R. 1806, Page 1779) and found in Clark County Engineer's Revised Record of Land Surveys 22, Pages 20 and having Ohio State Plane Coordinates Northing 684,272.144 feet, Easting 1,631,833.649 feet South Zone and based upon NAD 83 (2011);

thence with the Section Line and a southerly line of the aforesaid 46.720 acres "Tract III" S 84°04'54" E passing a 5/8" iron pin (found) at 40.08 feet, a total distance of 110.10 feet to a 24" round glacial stone (found) marking the Half Section corner;

thence continuing with the Section Line and another southerly line of the aforesaid 46.720 acres "Tract III" S 83°55'47" E passing a 5/8" iron pin (set) at 1075.16 feet, a total distance of 1090.39 feet to a



202500011061
BK 2256 PG 5097

5/8" iron (set) in the southwesterly line of a tract of land as conveyed to The Clark County Fayette County Port Authority (O.R. 867, Page 573);

thence with the lines of The Clark County Fayette County Port Authority's tract S 43°32'28" E, a distance of 919.19 feet to a 5/8" iron pin (set);

thence continuing with the lines of The Clark County Fayette County Port Authority's tract with a curve to the right, having an arc length of 1403.34 feet, a radius of 3249.05 feet, and a chord bearing S 28°06'16" E, a distance of 1392.46 feet to a 5/8" iron pin (set) marking the northerly most corner of a 7.050 acres tract as conveyed to Joseph Reid and Kimberly S. Reid (O.R. 2234, Page 5795) and found in Clark County Engineer's Revised Record of Land Surveys 32, Page 26;

thence with the northwesterly line of the aforesaid 7.050 acres tract S 51°06'30" W passing a 5/8" iron pin (set) at 658.91 feet, a total distance of 691.69 feet to a mag nail (set) in the centerline of Old 70 Road;

thence with the centerline of Old 70 Road N 38°24'51" W, a distance of 737.37 feet to a mag nail (set) marking the southerly most corner of a 2.587 acres tract as conveyed to Melissa Hanuska and Kendall Hanuska (O.R. 2229, Page 3786) and found in Clark County Engineer's Revised Record of Land Surveys 32, Page 26;

thence with the lines of the aforesaid 2.587 acres tract for the next 3 calls:

- 1) N 49°02'29" E passing a 5/8" iron pin (set) at 25.88 feet, a total distance of 261.25 feet to a 5/8" iron pin (set);
- 2) N 24°26'39" W, a distance of 387.09 feet to a 5/8" iron pin (set);
- 3) S 47°32'44" W passing a 5/8" iron pin (set) at 324.17 feet, a total distance of 355.32 feet to a mag nail (set) in the centerline of Old 70 Road;

thence with the centerline of Old 70 Road for the next 4 calls:

- 1) N 38°24'51" W, a distance of 7.72 feet to a mag nail (found) at the intersection of said centerline with the centerline of Dolly Varden Road;



202500011061
BK 2256 PG 5098

- 2) N 38°35'53" W, a distance of 211.96 feet to a spike (found) under the pavement;
- 3) N 38°27'33" W, a distance of 1652.84 feet to a mag nail (set);
- 4) N 36°58'34" W, a distance of 160.21 feet to the point of beginning, containing 52.020 acres of land.

The above described 52.020 acres tract contains 1.582 acres within the right-of-way of Old 70 Road.

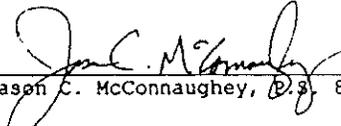
Subject to all legal easements and rights-of-way of record.

Bearings are based upon the Grid Azimuth (Az 148° 01' 14") between National Geodetic Survey Monuments "CLARK 50" and "CLARK 221" and derived from GPS observations taken September 8, 2022, utilizing the ODOT Ohio Real Time Network (Trimble Virtual Reference System).

Land surveyed in September 2022, March 2023, and April 2025, under the direction of Jason C. McConnaughey, Professional Surveyor No. 8509, the survey plat of which is referred to as Project No. S22-228B on file in the office of McCarty Associates, LLC, Hillsboro, Ohio.

All iron pins (set) are 5/8" diameter with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".




 Jason C. McConnaughey, P.S. 8509 7-25-25 Date

Address: Old St. Rt. 70, South Charleston, Ohio 45368
 Permanent Parcel No. 1300800031000063
 Prior Deed Reference: Book 2247, Pages 4941-4944, Official Records of Clark County, Ohio

Exhibit G

TRANSFER
NOT NECESSARY

AUG 28 2025

HILLARY HAMILTON
AUDITOR



202500011062 08/28/2025 08:40 AM
Filed for Record in CLARK County, Ohio
Nancy Pence, Recorder Rec Fees: \$83.00
QC OR Vol 2256 Pgs 5099 - 5102

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that **HARBROS HOLDING CO, LLC**, an Ohio limited liability company, whose tax mailing address is 9946 South Charleston Pike, South Charleston, Ohio 45368, for valuable consideration paid, grants and quit claims to **HARBROS HOLDING CO, LLC**, an Ohio limited liability company, whose tax mailing address is 9946 South Charleston Pike, South Charleston, Ohio 45368, its entire interest in the following real property:

See attached Exhibit A

This Deed is being recorded to place of record the new legal description of the property. It corrects the description used in the Deed recorded at Official Record Volume 2247, Page 4941, including correcting the amount of acreage conveyed. See the Affidavit in Aid of Title recorded at Official Record Volume 2256, Page 5094-5098

WITNESS my hand this 27th day of August, 2025.

HARBROS HOLDING CO, LLC

By [Signature]
Luke A. Harbage, Manager

STATE OF OHIO)
)ss:
COUNTY OF CLARK)

The foregoing instrument was acknowledged before me this 27th day of August, 2025, by **Luke A. Harbage, Manager of HARBROS HOLDING CO, LLC.**

[Signature]
Notary Public

Instrument Prepared By:

Daniel C. Harkins, Esq.
333 North Limestone St., Suite 203
Springfield, Ohio 45503
(937) 324-8482



AVERY DUMBECK
Notary Public
State of Ohio
My Comm. Expires
April 6, 2028

DAN HARKINS
HOLD

APPROVED
Clark County Tax Map

AUG 28 2025

33/193 TSM
 Legal Description
 Survey Plat/Lotsplit
 Subdivision/Annexation



202500011062
BK 2256 PG 5100

EXHIBIT A



MCCARTY ASSOCIATES, LLC.

ARCHITECTS | ENGINEERS | SURVEYORS

213 N. High St. Hillsboro, Oh 45133

937.393.9971

McCartyAssociates.com

Michael L. McCarty, P.E, P.S.
Cody W. Beucler, P.E.

Thomas E. Purtell, P.S.
Jason C. McConnaughey, P.S.

Douglas L. Kernes, A.I.A.
Dallas M. Puckett, A.I.A.

File No. S22-2288

July 25, 2025

LEGAL DESCRIPTION

Harbros Holding Co LLC
52.020 Acres Tract

Situated in the Township of Harmony, County of Clark, State of Ohio, being a part of Section 31, Town 6, Range 9 Between the Miami River Survey, and being part of the 61.656 acres as corrected by recalculations for the 66.656 acres tract as conveyed to Harbros Holding Co LLC and recorded in Official Record 2247, Page 4941 of the Clark County Recorder's Office and found in Clark County Engineer's Revised Record of Land Surveys 31, Page 175, and being further bounded and described as follows:

Beginning at a mag nail (set) at the intersection of the centerline of Old 70 Road (60' right-of-way) and the southerly line of Section 32, Town 6, Range 9 and the northerly line of Section 31, Town 6, Range 9 of which this is a part, said mag nail being the southwesterly corner of a 46.720 acres "Tract III" as conveyed to John A. Harbage and Debra J. Harbage (O.R. 1806, Page 1779) and found in Clark County Engineer's Revised Record of Land Surveys 22, Pages 20 and having Ohio State Plane Coordinates Northing 684,272.144 feet, Easting 1,631,833.649 feet South Zone and based upon NAD 83 (2011);

thence with the Section Line and a southerly line of the aforesaid 46.720 acres "Tract III" S 84°04'54" E passing a 5/8" iron pin (found) at 40.08 feet, a total distance of 110.10 feet to a 24" round glacial stone (found) marking the Half Section corner;

thence continuing with the Section Line and another southerly line of the aforesaid 46.720 acres "Tract III" S 83°55'47" E passing a 5/8" iron pin (set) at 1075.16 feet, a total distance of 1090.39 feet to a



202500011062
BK 2256 PG 5101

5/8" iron (set) in the southwesterly line of a tract of land as conveyed to The Clark County Fayette County Port Authority (O.R. 867, Page 573);

thence with the lines of The Clark County Fayette County Port Authority's tract S 43°32'28" E, a distance of 919.19 feet to a 5/8" iron pin (set);

thence continuing with the lines of The Clark County Fayette County Port Authority's tract with a curve to the right, having an arc length of 1403.34 feet, a radius of 3249.05 feet, and a chord bearing S 28°06'16" E, a distance of 1392.46 feet to a 5/8" iron pin (set) marking the northerly most corner of a 7.050 acres tract as conveyed to Joseph Reid and Kimberly S. Reid (O.R. 2234, Page 5795) and found in Clark County Engineer's Revised Record of Land Surveys 32, Page 26;

thence with the northwesterly line of the aforesaid 7.050 acres tract S 51°06'30" W passing a 5/8" iron pin (set) at 658.91 feet, a total distance of 691.69 feet to a mag nail (set) in the centerline of Old 70 Road;

thence with the centerline of Old 70 Road N 38°24'51" W, a distance of 737.37 feet to a mag nail (set) marking the southerly most corner of a 2.587 acres tract as conveyed to Melissa Hanuska and Kendall Hanuska (O.R. 2229, Page 3786) and found in Clark County Engineer's Revised Record of Land Surveys 32, Page 26;

thence with the lines of the aforesaid 2.587 acres tract for the next 3 calls:

- 1) N 49°02'29" E passing a 5/8" iron pin (set) at 25.88 feet, a total distance of 261.25 feet to a 5/8" iron pin (set);
- 2) N 24°26'39" W, a distance of 387.09 feet to a 5/8" iron pin (set);
- 3) S 47°32'44" W passing a 5/8" iron pin (set) at 324.17 feet, a total distance of 355.32 feet to a mag nail (set) in the centerline of Old 70 Road;

thence with the centerline of Old 70 Road for the next 4 calls:

- 1) N 38°24'51" W, a distance of 7.72 feet to a mag nail (found) at the intersection of said centerline with the centerline of Dolly Varden Road;



202500011062
BK 2256 PG 5102

- 2) N 38°35'53" W, a distance of 211.96 feet to a spike (found) under the pavement;
- 3) N 38°27'33" W, a distance of 1652.84 feet to a mag nail (set);
- 4) N 36°58'34" W, a distance of 160.21 feet to the point of beginning, containing 52.020 acres of land.

The above described 52.020 acres tract contains 1.582 acres within the right-of-way of Old 70 Road.

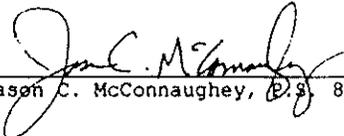
Subject to all legal easements and rights-of-way of record.

Bearings are based upon the Grid Azimuth (Az 148° 01' 14") between National Geodetic Survey Monuments "CLARK 50" and "CLARK 221" and derived from GPS observations taken September 8, 2022, utilizing the ODOT Ohio Real Time Network (Trimble Virtual Reference System).

Land surveyed in September 2022, March 2023, and April 2025, under the direction of Jason C. McConnaughey, Professional Surveyor No. 8509, the survey plat of which is referred to as Project No. S22-228B on file in the office of McCarty Associates, LLC, Hillsboro, Ohio.

All iron pins (set) are 5/8" diameter with 1-1/4" diameter plastic caps stamped "McCARTY ASSOCIATES".



 7-25-25
 Jason C. McConnaughey, P.S. 8509 Date

Address: Old St. Rt. 70, South Charleston, Ohio 45368
 Permanent Parcel No. 1300800031000063
 Prior Deed Reference: Book 2247, Pages 4941-4944, Official Records of Clark County, Ohio

RESIDENTIAL PROPERTY RECORD CARD

CLARK COUNTY

Situs : 6396 OLD 70 RD

Map ID: 130-08-00031-000-063

LUC: 110-AG VACANT LAND-CAUV

Card: 1 of 0

Tax Year: 2025

Printed: 01/30/26

CURRENT OWNER

SPEARS KEVIN & MELISSA

GENERAL INFORMATION

Routing No. HSW1-00 044-00
 Class A
 Living Units 1
 Neighborhood 130A00000
 District
 Zoning
 Alternate Id
 Tax District Harmony Township Nelisd

CAUV Y
 Field Review Flag:

Property Notes

TY24 SPLIT OUT 064 & 065
 TY23 COMB. -002 & -039 TO BE 063

Note Codes:

Land Information

Type	Size	Influence Factors	Influence %	Value
A-Tillable	AC 53.2900			599,510
A-Pasture	AC .0800			600
A-Woodland	AC 1.7600			12,320
A-Right Of Way	AC 1.8900			

Total Acres: 57.02

Legal Acres: 57.0200

NBHD Fact: 1.0000

Assessment Information

	Assessed	Appraised	Cost	Income	Market
Land	35,210	612,430	612,430	0	612,430
Building	0	0	0	0	52,300
Total	35,210	612,430	612,430	0	664,730

Value Flag 1-COST APPROACH
 Manual Override Reason
 Base Date of Value
 Effective Date of Value
 Owner Occupied N

Entrance Information

Date	ID	Entry Code	Source
11/12/24	KQ	10-Adv	3-Other
07/31/18	GSK	R-Review	3-Other
12/27/17	GSK	10-Adv	3-Other
01/27/12	JHC	5-Occupant Not Home	3-Other
08/30/06	AC		

Sales/Ownership History

Transfer Date 01/30/25
 Price 858,000
 Type 1-Land

Validity 0-Valid Sale

Deed Reference WD-General Warranty Deed
 Deed Type
 Grantor SPEARS KEVIN & MELISSA

Permit Information

Date Issued	Number	Price	Purpose	Note	Status

Property Factors

Topo: 4-Rolling
 Utilities: 5-Well
 Street/Road: 1-Paved
 Traffic: 1-Light

6-Septic

Legal Description

Parcel Tieback:
 Range - Township - Section: 09 - 06 - 31
 Legal Descriptions:
 N E COR N W QR

Addl. Tieback:

RESIDENTIAL PROPERTY RECORD CARD

CLARK COUNTY

Situs : 6396 OLD 70 RD

Parcel Id: 130-08-00031-000-063

LUC: 110-AG VACANT LAND-CAUV

Card: 1 of 0

Tax Year: 2025

Printed: 01/30/26

Dwelling Information

Story height	Total Rooms
Exterior Walls	Bedrooms
Style	Family Rooms
Year Built	Full Baths
Eff Year Built	Half Baths
Year Remodeled	Addl. Fixtures
Kitchen Remod	Total Fixtures
Bath Remod	
Basement	

Heat Type	Masonry Trim
Fuel Type	Unfinished Area
System Type	Rec Rm Size
Attic	FBLA Size
Phy. Condition	Openings
Int vs Ext	# Car Bsmt Gar
Stacks	
Pre-Fab	
Misc	Qty

Grade C	Functional
CDU	Economic
AV-AVERAGE	% Good Ovr
Market Adj	NBHD Fact
% Complete	
Cost & Design	

Dwelling Computations

Base Price	% Good
Plumbing	Market Adj
Basement	Functional
Heating	Economic
Attic	% Complete
Other Features	C&D Factor
Subtotal	Adj Factor
	Additions
Ground Floor Area	Dwelling Value
Total Living Area	
Building Notes	

Misc & Gross Building Values

Misc Building No	Misc Adjusted Value
Gross Building:	

Additions

Line	Low	1st	2nd	3rd	Area	Yr-Bit	Eff Yr	Grade	CDU	%Comp	Value
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Outbuilding Data

Type	Yr-Bit	Eff Yr	Size	Area	Gr	Qty	ModCd	PH	FV	MA	%Comp	Value
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Condominium / Mobile Home Information

Complex Name	Number
Condo Model	Unit Type
Unit Number	Unit View
Unit Level	Model (MH)
	Model Make (MH)