

# SCHERGER AUCTION

## Saturday, May 14, 2016 @ 10:30 A.M

### 40 ACRES GREAT COUNTRY HOMESTEAD

**TRACT 1:** Spacious 2 story Country home which has been remodeled and tastefully decorated. 3 bedrooms; 1 1/2 baths; dining and living rooms; central air; combination furnace; oversized two car garage; move in condition. 40 x 100 storage barn w 12 ft. high doors; 40 x 60 pole barn w/attached sheds; work-shop. Plenty of room for livestock; machinery; camper or boat storage. All situated on 3+/- acres! HOME AND BUILDINGS MUST BE VIEWED TO BE APPRECIATED.

**TRACT 2:** 24.3 +/- acres of farmland. 8 acres of growing wheat crop to go 100% to new buyer. Spring farming rights on balance of land upon receipt of down-payment.

**TRACT 3:** 13.7 +/- acres of woods with 60 ft. owned access from C.R 43 included. Great recreational woodland. Have your own camping, hiking or 4 wheeler getaway or just enjoy wildlife.

**INSPECTION: Sunday, April 24th 2-4 P.M. Tuesday, April 26th 5:30-7:00 P.M.**

**check website for list  
of personal property  
coming soon!**

**LOCATED ON A QUIET COUNTRY ROAD**  
Farm will be offered in individual tracts and combinations.  
**TERMS:** Down payment: Tract 1 \$7,500, Tracts 2 & 3 \$5,000 each. Balance due upon delivery of deed within 30 days. **Taxes:** prorated. **Possession:** Buildings and wood-land at closing.



Located: 5892 E. Twp. Rd. 138, Tiffin, Ohio



**VIC SMITH JR.**  
**AUCTIONEER**  
(419) 585-8271

**WMS**  
Auction & Marketing Services



**For additional information contact  
auctioneer:**

Vic Smith Jr. @ 419-585-8271

Office: 419-294-4366

**www.wmsOhio.com**

**WMS Marketing Services, Inc**

**Ohio Real Estate Auctions**

1400 E. Wyandot Ave.

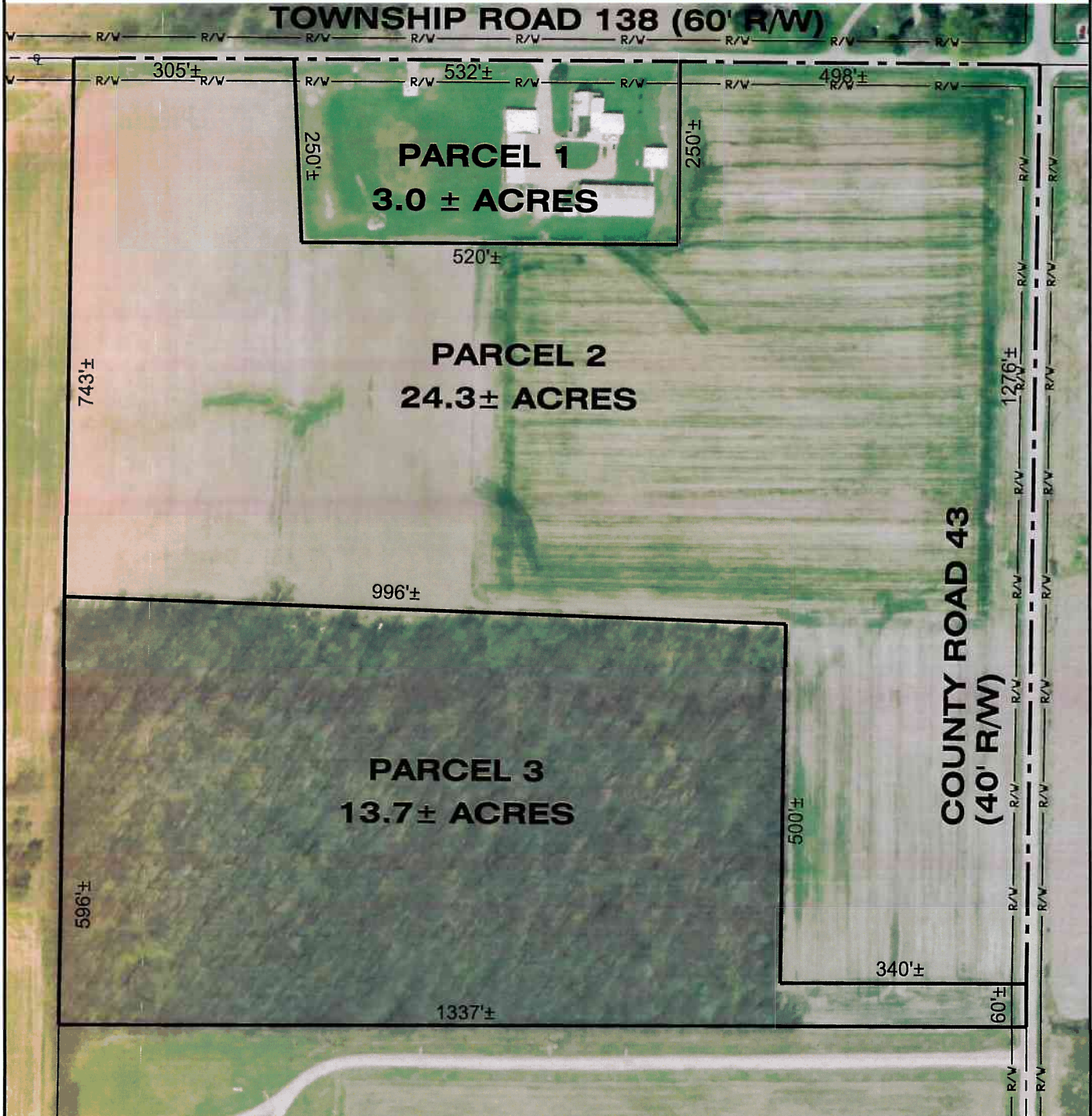
Upper Sandusky, OH 44881





# SCHERGER AUCTION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 31, ADAMS TOWNSHIP,  
TOWNSHIP-3-NORTH, RANGE-16-EAST, SENECA COUNTY, OHIO.



ALL PARCELS, DISTANCES AND ACREAGES ARE SUBJECT TO A BOUNDARY SURVEY  
AND ALL PARCELS ARE SUBJECT TO SENECA COUNTY HEALTH DEPARTMENT AND  
SENECA COUNTY REGIONAL PLANNING COMMISSION APPROVALS.

VIC SMITH JR AUCTIONEER  
1323 SOUTH COUNTY ROAD 43  
TIFFIN, OH 44883  
PHONE: (419) 585-8271



HANK AND ASSOCIATES, INC.  
137 S. WASHINGTON STREET  
TIFFIN, OHIO 44883  
PHONE: (419) 447-4300

**AUCTION**  
**40 +/- Acres**  
**Location: 5892 E. Township Road 138, Tiffin, Ohio 44883**  
**Adams Twp., Section 31, Seneca County**

**TRACT ONE:** 3 Acres +/- Home & Buildings \* TILLABLE: N/A

**TRACT TWO:** 24.3 Acres +/- Farmland \* TILLABLE: 24.3 +/-

**TRACT THREE:** 13.7 Acres +/- Wooded \* TILLABLE: N/A

**CRP:** N/A

**TERMS:** Tract One: \$7,500 Down Auction Day (non-refundable). Tract Two & Three: \$5,000 each. Balance of purchase price due at closing on or before June 13, 2016. Sale is not contingent upon financing. Have your financing pre-arranged. Taxes/Farm Programs: Prorated to day of closing. Possession: Buildings and woods at closing.

Property being sold in as-is condition with no warranties of any kind. Farm selling subject to all legal highways, easements, restrictions, agreements and right-of-ways of record and any lease, grant, exception, or reservation of coal, oil, gas and other mineral rights and interests previously transferred or reserved of record, if any. If farm is under CAUV and buyer changes usage, any recoupment will be at the buyer's expense. All announcements made auction day take precedence over all printed materials.

**DISCLAIMER:** All information contained in this brochure and any related materials are believed to be accurate but is subject to verification by all parties relying on it. Auction company accepts no liability for its accuracy, errors or omissions.





# AGENCY DISCLOSURE STATEMENT



The real estate agent who is providing you with this form is required to do so by Ohio law. You will not be bound to pay the agent or the agent's brokerage by merely signing this form. Instead, the purpose of this form is to confirm that you have been advised of the role of the agent(s) in the transaction proposed below. (For purposes of this form, the term "seller" includes a landlord and the term "buyer" includes a tenant.)

Property Address: 5892 E TR 138 Titlin, Ohio

Buyer(s): \_\_\_\_\_

Seller(s): James A. Scherger + Cynthia A. Scherger

### I. TRANSACTION INVOLVING TWO AGENTS IN TWO DIFFERENT BROKERAGES

The buyer will be represented by \_\_\_\_\_, and \_\_\_\_\_  
AGENT(S) BROKERAGE

The seller will be represented by \_\_\_\_\_, and \_\_\_\_\_  
AGENT(S) BROKERAGE

### II. TRANSACTION INVOLVING TWO AGENTS IN THE SAME BROKERAGE

If two agents in the real estate brokerage \_\_\_\_\_ represent both the buyer and the seller, check the following relationship that will apply:

- Agent(s) \_\_\_\_\_ work(s) for the buyer and Agent(s) \_\_\_\_\_ work(s) for the seller. Unless personally involved in the transaction, the broker and managers will be "dual agents", which is further explained on the back of this form. As dual agents they will maintain a neutral position in the transaction and they will protect all parties' confidential information.
- Every agent in the brokerage represents every "client" of the brokerage. Therefore, agents \_\_\_\_\_ and \_\_\_\_\_ will be working for both the buyer and seller as "dual agents". Dual agency is explained on the back of this form. As dual agents they will maintain a neutral position in the transaction and they will protect all parties' confidential information. Unless indicated below, neither the agent(s) nor the brokerage acting as a dual agent in this transaction has a personal, family or business relationship with either the buyer or seller. *If such a relationship does exist, explain:* \_\_\_\_\_

### III. TRANSACTION INVOLVING ONLY ONE REAL ESTATE AGENT

Agent(s) Vic Smith Jr and real estate brokerage Ohio Real Estate Auctions will

be "dual agents" representing both parties in this transaction in a neutral capacity. Dual agency is further explained on the back of this form. As dual agents they will maintain a neutral position in the transaction and they will protect all parties' confidential information. Unless indicated below, neither the agent(s) nor the brokerage acting as a dual agent in this transaction has a personal, family or business relationship with either the buyer or seller. *If such a relationship does exist, explain:* \_\_\_\_\_

represent only the (check one)  seller or  buyer in this transaction as a client. The other party is not represented and agrees to represent his/her own best interest. Any information provided the agent may be disclosed to the agent's client.

### CONSENT

I (we) consent to the above relationships as we enter into this real estate transaction. If there is a dual agency in this transaction, I (we) acknowledge reading the information regarding dual agency explained on the back of this form.

BUYER/TENANT \_\_\_\_\_ DATE \_\_\_\_\_

BUYER/TENANT \_\_\_\_\_ DATE \_\_\_\_\_

James A. Scherger Apr 9 2016  
SELLER/LANDLORD DATE

Cynthia A. Scherger Apr 7 2016  
SELLER/LANDLORD DATE



# DUAL AGENCY

Ohio law permits a real estate agent and brokerage to represent both the seller and buyer in a real estate transaction as long as this is disclosed to both parties and they both agree. This is known as dual agency. As a dual agent, a real estate agent and brokerage represent two clients whose interests are, or at times could be, different or adverse. For this reason, the dual agent(s) may not be able to advocate on behalf of the client to the same extent the agent may have if the agent represented only one client.

**As a dual agent, the agent(s) and brokerage shall:**

- Treat both clients honestly;
- Disclose latent (not readily observable) material defects to the purchaser, if known by the agent(s) or brokerage;
- Provide information regarding lenders, inspectors and other professionals, if requested;
- Provide market information available from a property listing service or public records, if requested;
- Prepare and present all offers and counteroffers at the direction of the parties;
- Assist both parties in completing the steps necessary to fulfill the terms of any contract, if requested.

**As a dual agent, the agent(s) and brokerage shall not:**

- Disclose information that is confidential, or that would have an adverse effect on one party's position in the transaction, unless such disclosure is authorized by the client or required by law;
- Advocate or negotiate on behalf of either the buyer or seller;
- Suggest or recommend specific terms, including price, or disclose the terms or price a buyer is willing to offer or that a seller is willing to accept;
- Engage in conduct that is contrary to the instructions of either party and may not act in a biased manner on behalf of one party.

**Compensation:** Unless agreed otherwise, the brokerage will be compensated per the agency agreement.

**Management Level Licensees:** Generally the broker and managers in a brokerage also represent the interests of any buyer or seller represented by an agent affiliated with that brokerage. Therefore, if both buyer and seller are represented by agents in the same brokerage, the broker and manager are dual agents. There are two exceptions to this. The first is where the broker or manager is personally representing one of the parties. The second is where the broker or manager is selling or buying his own real estate. These exceptions only apply if there is another broker or manager to supervise the other agent involved in the transaction.

**Responsibilities of the Parties:** The duties of the agent and brokerage in a real estate transaction do not relieve the buyer and seller from the responsibility to protect their own interests. The buyer and seller are advised to carefully read all agreements to assure that they adequately express their understanding of the transaction. The agent and brokerage are qualified to advise on real estate matters. **IF LEGAL OR TAX ADVICE IS DESIRED, YOU SHOULD CONSULT THE APPROPRIATE PROFESSIONAL.**

**Consent:** By signing on the reverse side, you acknowledge that you have read and understand this form and are giving your voluntary, informed consent to the agency relationship disclosed. If you do not agree to the agent(s) and/or brokerage acting as a dual agent, you are not required to consent to this agreement and you may either request a separate agent in the brokerage to be appointed to represent your interests or you may terminate your agency relationship and obtain representation from another brokerage.

Any questions regarding the role or responsibilities of the brokerage or its agents should be directed to an attorney or to:

Ohio Department of Commerce  
Division of Real Estate & Professional Licensing  
77 S. High Street, 20<sup>th</sup> Floor  
Columbus, OH 43215-6133  
(614) 466-4100





# CONSUMER GUIDE TO AGENCY RELATIONSHIPS



## Ohio Real Estate Auctions LLC

We are pleased you have selected **Ohio Real Estate Auctions LLC** to help you with your real estate needs. Whether you are selling, buying or leasing real estate, **Ohio Real Estate Auctions LLC** can provide you with expertise and assistance. Because this may be the largest financial transaction you will enter into, it is important to understand the role of the agents and brokers with whom you are working. Below is some information that explains the various services agents can offer and their options for working with you.

For more information on agency law in Ohio you can also contact the Ohio Division of Real Estate & Professional Licensing at (614) 466-4100, or on their website [www.com.state.oh.us](http://www.com.state.oh.us).

### Representing Sellers

Most sellers of real estate choose to list their home for sale with a real estate brokerage. When they do so, they sign a listing agreement that authorizes the brokerage and the listing agent to represent their interests. As the seller's agent, the brokerage and listing agent must: follow the seller's lawful instructions, be loyal to the seller, promote the seller's best interests, disclose material facts to the seller, maintain confidential information, act with reasonable skill and care and, account for any money they handle in the transaction. In rare circumstances, a listing broker may offer "subagency" to other brokerages which would also represent the seller's interests and owe the seller these same duties.

### Representing Buyers

When purchasing real estate, buyers usually choose to work with a real estate agent as well. Often the buyers want to be represented in the transaction. This is referred to as buyer's agency. A brokerage and agent that agree to represent a buyer's interest in a transaction must: follow the buyer's lawful instructions, be loyal to the buyer, promote the buyer's best interests, disclose material facts to the buyer, maintain confidential information and account for any money they handle in the transaction.

### Dual Agency

Occasionally the same agent and brokerage who represents the seller also represents the buyer. This is referred to as dual agency. When a brokerage and its agents become "dual agents," they must maintain a neutral position in the transaction. They may not advocate the position of one client over the best interests of the other client, or disclose any confidential information to the other party without written consent.

### Representing Both the Buyer & Seller

On occasion, the buyer and seller will each be represented by two different agents from the same brokerage. In this case the agents may each represent the best interest of their respective clients. Or, depending on company policy, the agents may both act as dual agents and remain neutral in the transaction. When either of the above occurs, the brokerage will be considered a dual agent. As a dual agent the brokerage and its managers will maintain a neutral position and cannot advocate for the position of one client over another. The brokerage will also protect the confidential information of both parties.

### Working With Ohio Real Estate Auctions LLC

**Ohio Real Estate Auctions LLC** does offer representation to both buyers and sellers. Therefore the potential exists for one agent to represent a buyer who wishes to purchase property listed with another agent in our company. If this occurs each agent will represent their own client, but **Ohio Real Estate Auctions LLC** and its managers will act as a dual agent.

This means the brokerage and its managers will maintain a neutral position and not take any actions that will favor one side over the other. **Ohio Real Estate Auctions LLC** will still supervise both agents to assure that their respective clients are being fully represented and will protect the parties' confidential information.



In the event that both the buyer and seller are represented by the same agent, that agent and **Ohio Real Estate Auctions LLC** will act as dual agents but only if both parties agree. As dual agents they will treat both parties honestly, prepare and present offers at the direction of the parties, and help the parties fulfill the terms of any contract. They will not, however, disclose any confidential information that would place one party at an advantage over the other or advocate or negotiate to the detriment of either party.

If dual agency occurs you will be asked to consent to it in writing. If you do not agree to your agent acting as a dual agent, you can ask that another agent in our company be assigned to represent you or you can seek representation from another brokerage.

As a buyer, you may also choose to represent yourself on properties **Ohio Real Estate Auctions LLC** has listed. In that instance **Ohio Real Estate Auctions LLC** will represent the seller and you would represent your own best interests. Because the listing agent has a duty of full disclosure to the seller you should not share any information with the listing agent that you would not want the seller to know.

**Working With Other Brokerages**

When **Ohio Real Estate Auctions LLC** lists property for sale it also cooperates with, and offers compensation to, other brokerages that represent buyers. **Ohio Real Estate Auctions LLC** does reserve the right, in some instances, to vary the compensation it offers to other brokerages. As a seller, you should understand that just because **Ohio Real Estate Auctions LLC** shares a fee with a brokerage representing the buyer, it does not mean that you will be represented by that brokerage. Instead that company will be looking out for the buyer and **Ohio Real Estate Auctions LLC** will be representing your interests. When acting as a buyer's agent, **Ohio Real Estate Auctions LLC** also accepts compensation offered by the listing broker. If the property is not listed with any broker, or the listing broker does not offer compensation, we will attempt to negotiate for a seller-paid fee.

**Fair Housing Statement**

It is illegal, pursuant to the Ohio Fair Housing Law, division (H) of Section 4112.02 of the Revised Code and the Federal Fair Housing Law, 42 U.S.C.A. 3601, as amended, to refuse to sell, transfer, assign, rent, lease, sublease or finance housing accommodations, refuse to negotiate for the sale or rental of housing accommodations, or otherwise deny or make unavailable housing accommodations because of race, color, religion, sex, familial status as defined in Section 4112.01 of the Revised Code, ancestry, disability as defined in that section, or national origin or to so discriminate in advertising the sale or rental of housing, in the financing of housing, or in the provision of real estate brokerage services. It is also illegal, for profit, to induce or attempt to induce a person to sell or rent a dwelling by representations regarding the entry into the neighborhood of a person or persons belonging to one of the protected classes.

We hope you find this information to be helpful to you as you begin your real estate transaction. When you are ready to enter into a transaction, you will be given an Agency Disclosure Statement that specifically identifies the role of the agents and brokerages. Please ask questions if there is anything you do not understand.

Because it is important that you have this information, Ohio law requires that we ask you to sign below, acknowledging receipt of this Consumer Guide. Your signature will not obligate you to work with our company if you do not choose to do so.

*James A. Scherger*

*Cynthia A. Scherger*

Name (Please Print)

Name (Please Print)

*James A. Scherger April 8, 2016*

*Cynthia A. Scherger Apr. 8, 2016*

Signature Date

Signature Date







STATE OF OHIO  
DEPARTMENT OF COMMERCE

2013

RESIDENTIAL PROPERTY DISCLOSURE FORM

**Purpose of Disclosure Form:** This is a statement of certain conditions and information concerning the property actually known by the owner. An owner may or may not have lived at the property and unless the potential purchaser is informed in writing, the owner has no more information about the property than could be obtained by a careful inspection of the property by a potential purchaser. Unless the potential purchaser is otherwise informed, the owner has not conducted any inspection of generally inaccessible areas of the property. This form is required by Ohio Revised Code Section 5302.30.

THIS FORM IS NOT A WARRANTY OF ANY KIND BY THE OWNER OR BY ANY AGENT OR SUBAGENT REPRESENTING THE OWNER. THIS FORM IS NOT A SUBSTITUTE FOR ANY INSPECTIONS. **POTENTIAL PURCHASERS ARE ENCOURAGED TO OBTAIN THEIR OWN PROFESSIONAL INSPECTION(S).**

**Owner's Statement:** The statements contained in this form are made by the owner and are not the statements of the owner's agent or subagent. The statements contained in this form are provided by the owner only to potential purchasers in a transfer made by the owner. The statements are not for purchasers in any subsequent transfers. The information contained in this disclosure form does not limit the obligation of the owner to disclose an item of information that is required by any other statute or law to be disclosed in the transfer of residential real estate.

OWNER INSTRUCTIONS

**Instructions to Owner:** (1) Answer ALL questions. (2) Report known conditions affecting the property. (3) Attach additional pages with your signature if additional space is needed. (4) Complete this form yourself. (5) If some items do not apply to your property, write NA (not applicable). If the item to be disclosed is not within your actual knowledge, indicate Unknown.

Owner's Initials JS Date 4-9-16  
Owner's Initials CA Date 4/9/16

Purchaser's Initials \_\_\_\_\_ Date \_\_\_\_\_  
Purchaser's Initials \_\_\_\_\_ Date \_\_\_\_\_



2013

STATE OF OHIO DEPARTMENT OF COMMERCE

RESIDENTIAL PROPERTY DISCLOSURE FORM

Pursuant to section 5302.30 of the Revised Code and rule 1301:5-6-10 of the Administrative Code.

TO BE COMPLETED BY OWNER (Please Print)

Property Address: 5892 E TR 138, Tiffin OH 44883

Owners Name(s): JAMES + Cynthia Scherger

Date: \_\_\_\_\_, 20\_\_\_\_

Owner [X] is [ ] is not occupying the property. If owner is occupying the property, since what date: Aug 1977

THE FOLLOWING STATEMENTS OF THE OWNER ARE BASED ON OWNER'S ACTUAL KNOWLEDGE

A) WATER SUPPLY: The source of water supply to the property is (check appropriate boxes):

- Public Water Service, Private Water Service, Private Well, Shared Well, Holding Tank, Cistern, Spring, Pond, Unknown, Other

Do you know of any current leaks, backups or other material problems with the water supply system or quality of the water? [ ] Yes No [X] If "Yes", please describe and indicate any repairs completed (but not longer than the past 5 years):

Is the quantity of water sufficient for your household use? (NOTE: water usage will vary from household to household) [X] Yes [ ] No

B) SEWER SYSTEM: The nature of the sanitary sewer system servicing the property is (check appropriate boxes):

- Public Sewer, Private Sewer, Leach Field, Unknown, Aeration Tank, Other, Septic Tank, Filtration Bed

If not a public or private sewer, date of last inspection: unknown Inspected By:

Do you know of any previous or current leaks, backups or other material problems with the sewer system servicing the property? Yes [ ] No [X] If "Yes", please describe and indicate any repairs completed (but not longer than the past 5 years):

Information on the operation and maintenance of the type of sewage system serving the property is available from the department of health or the board of health of the health district in which the property is located.

C) ROOF: Do you know of any previous or current leaks or other material problems with the roof or rain gutters? [ ] Yes [X] No If "Yes", please describe and indicate any repairs completed (but not longer than the past 5 years):

D) WATER INTRUSION: Do you know of any previous or current water leakage, water accumulation, excess moisture or other defects to the property, including but not limited to any area below grade, basement or crawl space? [X] Yes [ ] No

If "Yes", please describe and indicate any repairs completed: Occasional water through wall of Basement

Owner's Initials JS Date 4-9-16
Owner's Initials CS Date 4/9/16

Purchaser's Initials \_\_\_\_\_ Date \_\_\_\_\_
Purchaser's Initials \_\_\_\_\_ Date \_\_\_\_\_



Property Address 5892 E TR 138 Tiffin OH 44883

Do you know of any water or moisture related damage to floors, walls or ceilings as a result of flooding; moisture seepage; moisture condensation; ice damming; sewer overflow/backup; or leaking pipes, plumbing fixtures, or appliances?  Yes  No  
If "Yes", please describe and indicate any repairs completed: \_\_\_\_\_

Have you ever had the property inspected for mold by a qualified inspector?  Yes  No  
If "Yes", please describe and indicate whether you have an inspection report and any remediation undertaken: \_\_\_\_\_

**Purchaser is advised that every home contains mold. Some people are more sensitive to mold than others. If concerned about this issue, purchaser is encouraged to have a mold inspection done by a qualified inspector.**

**E) STRUCTURAL COMPONENTS (FOUNDATION, BASEMENT/CRAWL SPACE, FLOORS, INTERIOR AND EXTERIOR WALLS):** Do you know of any previous or current movement, shifting, deterioration, material cracks/settling (other than visible minor cracks or blemishes) or other material problems with the foundation, basement/crawl space, floors, or interior/exterior walls?  
 Yes  No If "Yes", please describe and indicate any repairs, alterations or modifications to control the cause or effect of any problem identified (but not longer than the past 5 years): \_\_\_\_\_

Do you know of any previous or current fire or smoke damage to the property?  Yes  No  
If "Yes", please describe and indicate any repairs completed: \_\_\_\_\_

**F) WOOD DESTROYING INSECTS/TERMITES:** Do you know of any previous/current presence of any wood destroying insects/termites in or on the property or any existing damage to the property caused by wood destroying insects/termites?  Yes  No  
If "Yes", please describe and indicate any inspection or treatment (but not longer than the past 5 years): \_\_\_\_\_

**G) MECHANICAL SYSTEMS:** Do you know of any previous or current problems or defects with the following existing mechanical systems? If your property does not have the mechanical system, mark N/A (Not Applicable).

	YES	NO	N/A		YES	NO	N/A
1) Electrical	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8) Water softener	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Plumbing (pipes)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	a. Is water softener leased?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Central heating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9) Security System	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Central Air conditioning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	a. Is security system leased?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Sump pump	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10) Central vacuum	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6) Fireplace/chimney	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	11) Built in appliances	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7) Lawn sprinkler	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	12) Other mechanical systems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If the answer to any of the above questions is "Yes", please describe and indicate any repairs to the mechanical system (but not longer than the past 5 years): \_\_\_\_\_

**H) PRESENCE OF HAZARDOUS MATERIALS:** Do you know of the previous or current presence of any of the below identified hazardous materials on the property?

	Yes	No	Unknown
1) Lead-Based Paint	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Asbestos	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Urea-Formaldehyde Foam Insulation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Radon Gas	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. If "Yes", indicate level of gas if known _____			
5) Other toxic or hazardous substances	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If the answer to any of the above questions is "Yes", please describe and indicate any repairs, remediation or mitigation to the property: \_\_\_\_\_

Owner's Initials JS Date 4-9-16  
Owner's Initials JS Date 4/9/16

Purchaser's Initials \_\_\_\_\_ Date \_\_\_\_\_  
Purchaser's Initials \_\_\_\_\_ Date \_\_\_\_\_

Property Address 5892 E TR 138, Tiffin OH 44883

I) UNDERGROUND STORAGE TANKS/WELLS: Do you know of any underground storage tanks (existing or removed), oil or natural gas wells (plugged or unplugged), or abandoned water wells on the property?  Yes  No  
If "Yes", please describe: \_\_\_\_\_

Do you know of any oil, gas, or other mineral right leases on the property?  Yes  No

Purchaser should exercise whatever due diligence purchaser deems necessary with respect to oil, gas, and other mineral rights. Information may be obtained from records contained within the recorder's office in the county where the property is located.

J) FLOOD PLAIN/LAKE ERIE COASTAL EROSION AREA: Yes No Unknown  
Is the property located in a designated flood plain?     
Is the property or any portion of the property included in a Lake Erie Coastal Erosion Area?

K) DRAINAGE/EROSION: Do you know of any previous or current flooding, drainage, settling or grading or erosion problems affecting the property?  Yes  No  
If "Yes", please describe and indicate any repairs, modifications or alterations to the property or other attempts to control any problems (but not longer than the past 5 years): \_\_\_\_\_

L) ZONING/CODE VIOLATIONS/ASSESSMENTS/HOMEOWNERS' ASSOCIATION: Do you know of any violations of building or housing codes, zoning ordinances affecting the property or any nonconforming uses of the property?  Yes  No  
If "Yes", please describe: \_\_\_\_\_

Is the structure on the property designated by any governmental authority as a historic building or as being located in an historic district? (NOTE: such designation may limit changes or improvements that may be made to the property).  Yes  No  
If "Yes", please describe: \_\_\_\_\_

Do you know of any recent or proposed assessments, fees or abatements, which could affect the property?  Yes  No  
If "Yes", please describe: \_\_\_\_\_

List any assessments paid in full (date/amount) \_\_\_\_\_  
List any current assessments: \_\_\_\_\_ monthly fee \_\_\_\_\_ Length of payment (years \_\_\_\_\_ months \_\_\_\_\_)

Do you know of any recent or proposed rules or regulations of, or the payment of any fees or charges associated with this property, including but not limited to a Community Association, SID, CID, LID, etc.  Yes  No  
If "Yes", please describe (amount) \_\_\_\_\_

M) BOUNDARY LINES/ENCROACHMENTS/SHARED DRIVEWAY/PARTY WALLS: Do you know of any of the following conditions affecting the property? 

Yes	No	Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

  
1) Boundary Agreement   4) Shared Driveway    
2) Boundary Dispute   5) Party Walls    
3) Recent Boundary Change   6) Encroachments From or on Adjacent Property    
If the answer to any of the above questions is "Yes", please describe: \_\_\_\_\_

N) OTHER KNOWN MATERIAL DEFECTS: The following are other known material defects in or on the property:  
N/A

For purposes of this section, material defects would include any non-observable physical condition existing on the property that could be dangerous to anyone occupying the property or any non-observable physical condition that could inhibit a person's use of the property.

Owner's Initials JS Date 4-9-16  
Owner's Initials DR Date 4/9/16

Purchaser's Initials \_\_\_\_\_ Date \_\_\_\_\_  
Purchaser's Initials CB Date 4/9/16



Property Address 5892 E TR 138 Tiffin OH 44883

**CERTIFICATION OF OWNER**

Owner certifies that the statements contained in this form are made in good faith and based on his/her actual knowledge as of the date signed by the Owner. Owner is advised that the information contained in this disclosure form does not limit the obligation of the owner to disclose an item of information that is required by any other statute or law or that may exist to preclude fraud, either by misrepresentation, concealment or nondisclosure in a transaction involving the transfer of residential real estate.

OWNER: James A. Scherger DATE: April 9-2016  
OWNER: Cynthia A. Scherger DATE: April 9, 2016

**RECEIPT AND ACKNOWLEDGEMENT OF POTENTIAL PURCHASERS**

Potential purchasers are advised that the owner has no obligation to update this form but may do so according to Revised Code Section 5302.30(G). Pursuant to Ohio Revised Code Section 5302.30(K), if this form is not provided to you prior to the time you enter into a purchase contract for the property, you may rescind the purchase contract by delivering a signed and dated document of rescission to Owner or Owner's agent, provided the document of rescission is delivered prior to all three of the following dates: 1) the date of closing; 2) 30 days after the Owner accepted your offer; and 3) within 3 business days following your receipt or your agent's receipt of this form or an amendment of this form.

Owner makes no representations with respect to any offsite conditions. Purchaser should exercise whatever due diligence purchaser deems necessary with respect to offsite issues that may affect purchaser's decision to purchase the property.

Purchaser should exercise whatever due diligence purchaser deems necessary with respect to Ohio's Sex Offender Registration and Notification Law (commonly referred to as "Megan's Law"). This law requires the local Sheriff to provide written notice to neighbors if a sex offender resides or intends to reside in the area. The notice provided by the Sheriff is a public record and is open to inspection under Ohio's Public Records Law. If concerned about this issue, purchaser assumes responsibility to obtain information from the Sheriff's office regarding the notices they have provided pursuant to Megan's Law.

Purchaser should exercise whatever due diligence purchaser deems necessary with respect to abandoned underground mines. If concerned about this issue, purchaser assumes responsibility to obtain information from the Ohio Department of Natural Resources. The Department maintains an online map of known abandoned underground mines on their website at [www.dnr.state.oh.us](http://www.dnr.state.oh.us).

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS DISCLOSURE FORM AND UNDERSTAND THAT THE STATEMENTS ARE MADE BASED ON THE OWNERS ACTUAL KNOWLEDGE AS OF THE DATE SIGNED BY THE OWNER.

My/Our Signature below does not constitute approval of any disclosed condition as represented herein by the owner.

PURCHASER: \_\_\_\_\_ DATE: \_\_\_\_\_

PURCHASER: \_\_\_\_\_ DATE: \_\_\_\_\_

ADDENDUM # 3

DISCLOSURE OF INFORMATION ON LEAD-BASED PAINT AND LEAD-BASED PAINT HAZARDS For use by Members of the Heartland Board of REALTORS® when concerned with SALES of residential real property.

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Property Address: 5892 Titus Ohio 44083
Street/P.O. Box City State Zip

I. SELLER'S DISCLOSURE (Check appropriate boxes and initial on lines provided.)

- A. Presence of lead-based paint and/or lead-based paint hazards. [Check (1) or (2)]
(1) Known lead-based paint and/or lead-based paint hazards are present in the housing. Explain:
(2) Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
B. Records and reports available to the seller. [Check either (1) or (2)]
(1) Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents in the space provided).
(2) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

II. PURCHASER'S ACKNOWLEDGEMENT (Initial on lines provided.)

- A. Purchaser has received copies of all information listed above. (See I B)
B. Purchaser has received the pamphlet "Protect Your Family from Lead in Your Home."
C. Purchaser has: [Check (1) or (2)]
(1) Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection of the presence of lead-based paint or lead-based paint hazards (Attach Lead-Based Paint Inspection Addendum); OR
(2) Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

III. AGENT'S ACKNOWLEDGEMENT (Initial on line provided.)

Agent has informed the Seller of the Seller's obligation under 42 U.S.C. 4852 d and is aware of his/her responsibility to ensure compliance.

IV. CERTIFICATION OF ACCURACY

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information provided by the signatory is true and accurate.

Jama A Scherger Seller Date
Cynthia A. Scherger Seller Date
Vic Swell J Agent 4-3-16 Date

Purchaser Date
Purchaser Date
Agent Date



# Seneca County, Ohio - Property Record Card

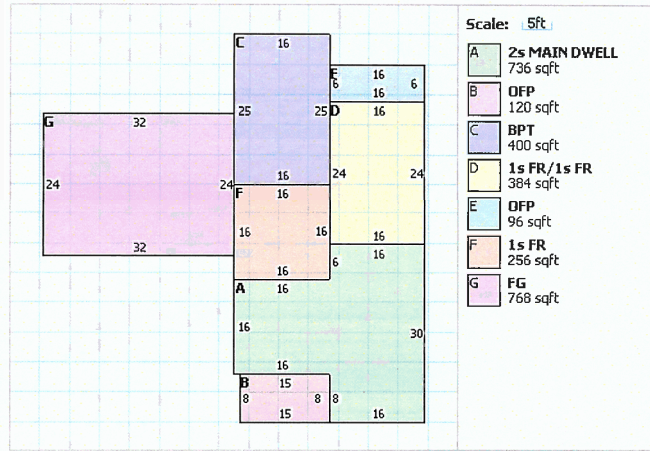
## Parcel: A02000017840000 Card: 1

**Owner** SCHERGER JAMES A & CYNTHIA A JT SUR  
**Address** 5892 E TR 138  
**Land Use** (111) A - CASH GRAIN OR GENERAL FARM  
**Class** AGRICULTURAL  
**Legal Description** NE1/4 NE1/4  
**Range Township Section** 0-0-31

### MAP



### SKETCH



### RESIDENTIAL

Building Style	OLD STYLE	FullBaths	1
Sq.Ft.	2496	Half Baths	1
Year Built	1870	Basement	FULL
Stories	2	Basement Area	0
Exterior Wall	ALUMINUM/VINYL	Rec Room Area	0
Rooms	8	Heat Fuel Type	OIL
Bedrooms	3	Heat/Cool	CENTRAL AIR CONDITION
Family Rooms	1	Attic	NONE
Fireplace Openings(Stacks)	0(0)	Trim	0

### LAND

Code	Frontage	Depth	Acreage	SqFt	Value
1	0	0	1	N/A	\$24,050.00
2	0	0	22.41	N/A	\$99,050.00
4	0	0	13	N/A	\$33,800.00
5	0	0	0.5	N/A	\$140.00
9	0	0	3.09	N/A	\$0.00

### VALUATION

	Appraised	Assessed
Land Value	\$157,040.00	\$54,960.00
Building Value	\$116,630.00	\$40,820.00
Total Value	\$273,670.00	\$95,780.00
CAUV Value	\$115,890.00	
Taxable Value	\$81,380.00	

### PERMITS

Number	Date	Purpose	Amount
03-10	23-APR-03	ADDITION	

### IMPROVEMENTS

Card	Description	Year Built	Dimensions	Value
1	AW2 - SWINE	1977	40x100	\$3,520.00
1	AP1 - FOUR SIDE	1972	40x60	\$3,690.00
1	RS2 - METAL UTILITY	1972	24x24	\$500.00
1	AP3 - ONE SIDE OPEN	1992	30x40	\$2,790.00
1	RC2 - CANOPY	1990	8x14	\$100.00

### SALES

Date	Buyer	Seller	Price	Validity
1/4/2007	SCHERGER JAMES A	SCHERGER JAMES A	\$0.00	4 RELATED INDIV

## Data For Parcel A02000017840000

### Base Data

<b>Parcel:</b>	A02000017840000
<b>Owner:</b>	SCHERGER JAMES A & CYNTHIA A JT SUR
<b>Address:</b>	5892 E TR 138



[+] Map this property.

### Mailing Address

<b>Mailing Name:</b>	SCHERGER JAMES A & CYNTHIA A JT SUR
<b>Address:</b>	5892 E TOWNSHIP RD 138
<b>City State Zip:</b>	TIFFIN OH 44883

### Geographic

<b>City:</b>	UNINCORPORATED
<b>Township:</b>	ADAMS TOWNSHIP
<b>School District:</b>	CLYDE-GREEN SPRINGS LSD

### Legal

<b>Neighborhood:</b>	00001004	<b>Legal Acres:</b>	40
<b>Legal Description:</b>	NE1/4 NE1/4	<b>Land Use:</b>	(111) A - CASH GRAIN OR GENERAL FARM
		<b>Property Class:</b>	AGRICULTURAL
<b>Map Number:</b>	A031-00-008-00	<b>Range Township Section:</b>	0-0-31

### Valuation

	Appraised	Assessed (35%)
<b>Land Value:</b>	\$157,040.00	\$54,960.00
<b>Building Value:</b>	\$116,630.00	\$40,820.00
<b>Total Value:</b>	\$273,670.00	\$95,780.00
<b>CAUV Value:</b>	\$115,890.00	
<b>Taxable Value:</b>	\$81,380.00	

### Tax Credits

<b>2.5% Homesite Rollback:</b>	YES
<b>Homestead Reduction:</b>	NO

### Notes

<b>Notes:</b>	

GIS parcel shapefile last updated 12/8/2015 2:00:54 PM.  
 CAMA database last updated 4/18/2016 10:22:01 PM.



## Data For Parcel A02000017840000

### Agricultural Data

<b>Parcel:</b>	A02000017840000
<b>Owner:</b>	SCHERGER JAMES A & CYNTHIA A JT SUR
<b>Address:</b>	5892 E TR 138



[+] Map this property.

### Agricultural

Soil Type	Soil Use Code	Acres	Agricultural Use Value
HM1	HOME	1.000	\$24,050.00
BOA	ROW	1.793	\$0.00
BOB	CROP	14.447	\$39,300.00
GWB	CROP	1.125	\$2,350.00
PA	WOOD	0.018	\$30.00
PA	CROP	1.430	\$4,080.00
BOB	WOOD	7.512	\$12,920.00
BOA	WOOD	5.238	\$10,630.00
BOA	CROP	7.437	\$22,530.00

### Agricultural Totals

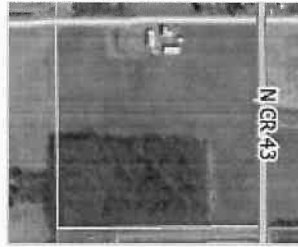
<b>Total Acres:</b>	40
<b>Total Agricultural Use Value:</b>	\$115,890.00

GIS parcel shapefile last updated 12/8/2015 2:00:54 PM.  
 CAMA database last updated 4/18/2016 10:22:01 PM.

## Data For Parcel A02000017840000

### Land Data

**Parcel:** A02000017840000  
**Owner:** SCHERGER JAMES A & CYNTHIA A JT SUR  
**Address:** 5892 E TR 138



[+] Map this property.

### Land

Description	Effective Lot Size	Act. Frontage	Acres	Sq. Foot	Value
HOMESITE (REGULAR)	N/A	0	1	N/A	\$24,050
TILLABLE	N/A	0	22.41	N/A	\$99,050
WOODLAND	N/A	0	13	N/A	\$33,800
WASTELAND	N/A	0	0.5	N/A	\$140
RIGHT OF WAY	N/A	0	3.09	N/A	\$0

### Land Totals

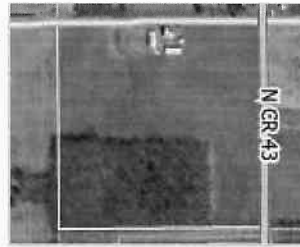
<b>Effective Total Acres:</b>	40
<b>Effective Total Square Footage:</b>	0
<b>Total Value:</b>	\$157,040

*GIS parcel shapefile last updated 12/8/2015 2:00:54 PM.  
 CAMA database last updated 4/18/2016 10:22:01 PM.*

# Data For Parcel A02000017840000

## Residential Data

<b>Parcel:</b>	A02000017840000
<b>Owner:</b>	SCHERGER JAMES A & CYNTHIA A JT SUR
<b>Address:</b>	5892 E TR 138



[+] Map this property.

Card 1 of 1

### Residential

<b>Number of Stories:</b>	2	<b>Style:</b>	OLD STYLE
<b>Year Built:</b>	1870	<b>Year Remodeled:</b>	1990
<b>Total Number of Rooms:</b>	8	<b>Number of Bedrooms:</b>	3
<b>Number of Full Baths:</b>	1	<b>Number of Half Baths:</b>	1
<b>Number of Family Rooms:</b>	1	<b>Basement:</b>	FULL
<b>Exterior Wall:</b>	ALUMINUM/VINYL	<b>Heating System Type:</b>	
<b>Heat:</b>	CENTRAL AIR CONDITION	<b>Attic:</b>	NONE
<b>Heating Fuel Type:</b>	OIL	<b>Property Class:</b>	AGRICULTURAL
<b>Grade:</b>	C0	<b>Ground Floor Area:</b>	736
<b>Total Living Area (Includes Finished Basement):</b>	2496	<b>Unfinished Area:</b>	384
<b>Recreation Room Area:</b>	0	<b>Finished Basement Area:</b>	0
<b>Brick/Stone Trim:</b>	0	<b>Fireplace Stacks:</b>	0
<b>Fireplace Openings:</b>	0	<b>PreFab Fireplaces:</b>	0
<b>Percent Complete:</b>	0		

GIS parcel shapefile last updated 12/8/2015 2:00:54 PM.

CAMA database last updated 4/18/2016 10:22:01 PM.

# Data For Parcel A02000017840000

## Sketch Data

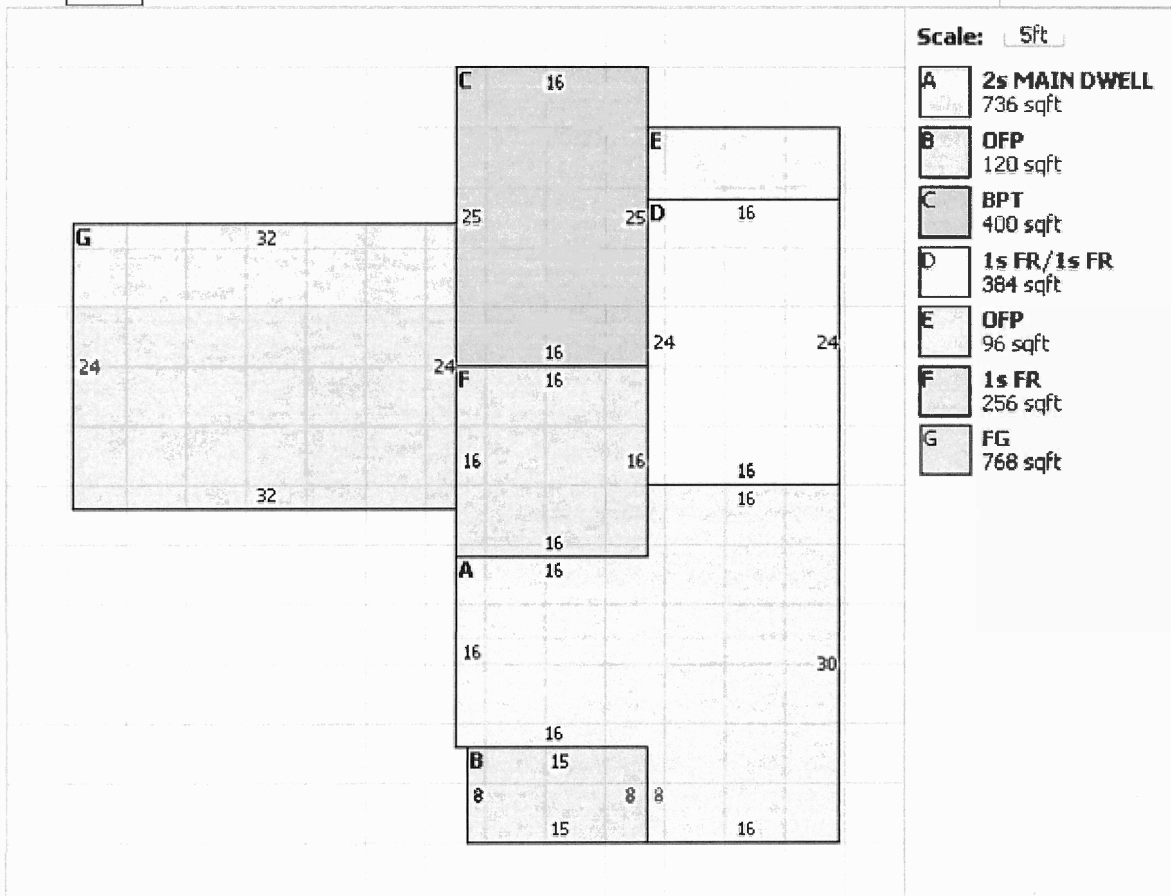
<b>Parcel:</b>	A02000017840000
<b>Owner:</b>	SCHERGER JAMES A & CYNTHIA A JT SUR
<b>Address:</b>	5892 E TR 138



[+] Map this property.

## Sketch

Card: 01 ▾



## Sketch Labels

Description
1s FR - FRAME
BPT - CONCRETE/MASONRY PATIO
FG - FRAME GARAGE
OFP - OPEN FRAME PORCH

GIS parcel shapefile last updated 12/8/2015 2:00:54 PM.

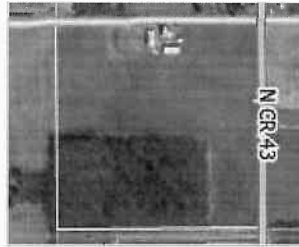
CAMA database last updated 4/18/2016 10:22:01 PM.



# Data For Parcel A02000017840000

## Improvements Data

**Parcel:** A02000017840000  
**Owner:** SCHERGER JAMES A & CYNTHIA A JT SUR  
**Address:** 5892 E TR 138



[+] Map this property.

Card 1 of 1

### Improvements

Card	Description	Year Built	Year Remodelled	Dimensions	Grade	Condition	Depreciation	Appraised Value	Assessed Value
1	AW2 - SWINE CONFINEMENT BARN	1977		40x100	E	P	8.80%	\$3,520.00	\$1,230.00
1	AP1 - FOUR SIDE CLOSED METAL POLE BLDG	1972		40x60	C	F	10.26%	\$3,690.00	\$1,290.00
1	RS2 - METAL UTILITY SHED	1972		24x24	D	P	8.72%	\$500.00	\$180.00
1	AP3 - ONE SIDE OPEN METAL POLE BLDG	1992		30x40	D	A	6.64%	\$2,790.00	\$980.00
1	RC2 - CANOPY	1990		8x14	C	F	6.16%	\$100.00	\$40.00

### Improvements Totals

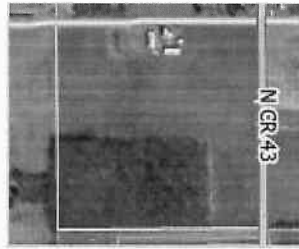
<b>Total Appraised Value:</b>	\$10,600.00
<b>Total Assessed Value:</b>	\$3,710.00

GIS parcel shapefile last updated 12/8/2015 2:00:54 PM.  
 CAMA database last updated 4/18/2016 10:22:01 PM.

# Data For Parcel A02000017840000

## Tax Data

**Parcel:** A02000017840000  
**Owner:** SCHERGER JAMES A & CYNTHIA A JT SUR  
**Address:** 5892 E TR 138



[+] Map this property.

[Click here to view Levy Calculator data for this parcel.](#)

**Change Tax Year:** 2015

## Property Tax

	Tax Year 2015 Payable 2016	
	First Half	Second Half
<b>Gross Charge:</b>	\$2,940.67	\$2,940.67
<b>Reduction Factor:</b>	(\$1,040.07)	(\$1,040.07)
<b>10% Rollback:</b>	(\$169.85)	(\$169.85)
<b>2.5% Homesite Rollback:</b>	(\$23.76)	(\$23.76)
<b>Homestead Reduction:</b>	\$0.00	\$0.00
<b>Special Assessments:</b>	\$0.00	\$0.00
<b>CAUV Recoupment:</b>	\$0.00	\$0.00
<b>Penalties And Adjustments:</b>	\$0.00	\$0.00
<b>Subtotals:</b>	\$1,706.99	\$1,706.99
<b>Prior Charges:</b>	\$0.00	
<b>Full Year Total:</b>	\$3,413.98	
<b>Payments:</b>	(\$1,706.99)	
<b>Half Year Due:</b>	\$0.00	
<b>Full Year Due:</b>	\$1,706.99	

## Special Assessments

No data found for this parcel.

## Payments

Date	Amount
2/13/2016	(\$6.99)
1/4/2016	(\$1,700.00)

GIS parcel shapefile last updated 12/8/2015 2:00:54 PM.  
 CAMA database last updated 4/18/2016 10:22:01 PM.

[Print](#) | [Back](#)

### Seneca County GIS



Notes



See Page 2 for non-discriminatory Statements.

**Abbreviated 156 Farm Record**

State : OHIO  
County : SENECA

Farm Number : 4574

Operator Name : JAMES A SCHERGER  
Farms Associated with Operator : 39-147-4574  
CRP contract numbers :

*ARC-CO*

**Farm Land Data**

Farmland	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Farm Status	Number Of Tracts	
39.79	23.31	23.31	0.00	0.00	0.00	0.00	Active	1	
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	FWP	FAV/WR History	Acre Election	EWP	DCP Ag. Related Activity
0.00	0.00	23.31	0.00	0.00	0.00	No	No	0.00	0.00

**DCP Crop Data**

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PTPP Reduction Acres	Direct Yield	Counter Cyclical Yield
Wheat	5.20	0.00	0.00	45	45
Corn	12.80	0.00	0.00	105	105
Soybeans	5.30	0.00	0.00	28	28
<b>TOTAL</b>	<b>23.30</b>	<b>0.00</b>	<b>0.00</b>		

**NOTES**

State : OHIO  
County : SENECA

Farm Number : 4574  
Tract Number : 1093

Description : L4/2B SEC 31 ADAMS

FAV/WR History : No

BIA Unit Range Number :  
HEL Status : HEL field on tract.Conservation system being actively applied  
Wetland Status : Wetland determinations not complete  
WL Violations :  
Owners : JAMES A SCHERGER  
Other Producers :

**Tract Land Data**

Farm Land	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	
39.79	23.31	23.31	0.00	0.00	0.00	0.00	
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	FWP	EWP	DCP Ag. Related Activity
0.00	0.00	23.31	0.00	0.00	0.00	0.00	0.00

**DCP Crop Data**

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PTPP Reduction Acres	Direct Yield	Counter Cyclical Yield
Wheat	5.20	0.00	0.00	45	45
Corn	12.80	0.00	0.00	105	105

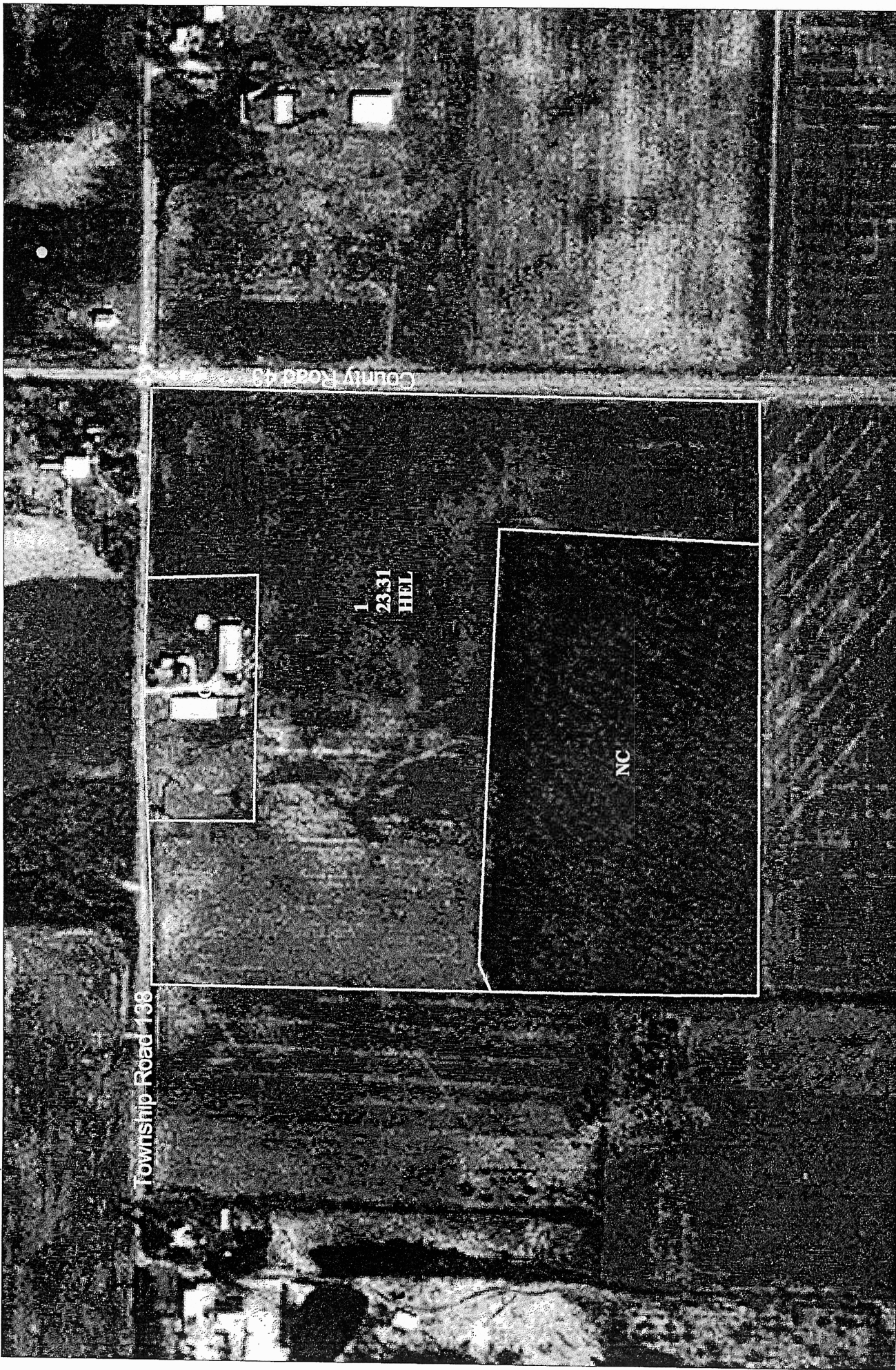




Seneca County FSA Office  
 3140 S State Route 100  
 Tiffin, OH 44883  
 Phone: 419-447-7071  
 Fax: 419-447-8082

**Farm: 4574**  
**Tract: 1093**

*If the lines defined on this map do not accurately represent the current field boundaries, then contact this office within 30 calendar days as instructed by the enclosed letter.*



Legend:  
 ● CLU Boundary  
 ● Welland Boundary  
 ● Seneca Church Roads

NC = Non-cropland  
 CRP = Conservation Reserve Program

Printed: 03/15/2005



## Irrevocable Letter of Instruction Re: Down Payment

I have purchased the real estate located at 5892 E. Township Road 138, Tiffin, Ohio 44883  
under the terms and conditions of the attached Contract to Purchase at Public Auction dated  
May 14, 2016.

As part of this transaction I am to make a down payment of money to "Ohio Real Estate Auctions" who will then transfer that money to Ohio Real Estate Auctions which will hold the money until it is time for closing.

I understand that the funds I have provided to Ohio Real Estate Auctions are to be used as part of the purchase price. However, in the event I do not close on this property, I irrevocably instruct Ohio Real Estate Auctions to disburse my down payment as required under paragraph 2 of the contract; see below.

Paragraph 2 states:

*A non-refundable (except in the case of a non-marketable title) down payment of TBD to apply toward Purchase Price and to be deposited by Broker, upon acceptance of this offer, in a non-interest bearing trust account pending closing. In the event this Contract to Purchase does not close for any reason than as agreed, Purchaser agrees that the down payment shall be disbursed by Broker 5 days from closing date unless Broker is previously notified in writing by purchaser that litigation has been filed with a court of competent jurisdiction. A copy of the filing must be attached.*

Pursuant to paragraph 2, upon written instructions from the Broker and the authority granted in this Irrevocable Letter of Instruction I authorize and approve Ohio Real Estate Auctions, to follow the instructions from the Broker as to the distribution of my down payment.

Further, I agree to hold Ohio Real Estate Auctions harmless for any such expenditures to any individuals or entities.

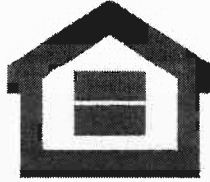
I have reviewed the Contract to Purchase at Public Auction dated May 14, 2016, and this Irrevocable Letter of Instruction:

1. I understand the terms and conditions of both documents.
2. I am voluntarily entering these agreements.
3. I realize that this authorization could result in none of my down payment being returned to me.

Dated: May 14, 2016

\_\_\_\_\_

\_\_\_\_\_



EQUAL HOUSING  
OPPORTUNITY

**It is Illegal To Discriminate Against Any Person Because of Race, Color, Religion, Sex, Familial Status, National Origin, Military Status, Disability or Ancestry**

- In the sale or rental of housing or residential lots
- In advertising the sale or rental of housing
- In the financing of housing
- In the provision of real estate brokerage services

**Blockbusting is also illegal.**

The Broker and Sales Associates are licensed by the Ohio Department of Commerce, Division of Real Estate & Professional Licensing. The division may be contacted for inquiries and complaints and for information on the Real Estate Recovery Fund (Section 4735.12 of the Revised Code) as a source of satisfaction for unsatisfied civil judgments against a licensee.

**Ohio Department of Commerce**  
**Division of Real Estate & Professional Licensing**  
77 South High Street • 20<sup>th</sup> Floor  
Columbus, OH 43215-6133  
(614) 466-4100 FAX (614) 644-0584

[www.com.ohio.gov/real](http://www.com.ohio.gov/real)

PROVIDED BY THE OHIO REAL ESTATE COMMISSION

Effective 3/25/2008



# Protect Your Family From Lead in Your Home



United States Environmental Protection Agency



United States Consumer Product Safety Commission



United States Department of Housing and Urban Development

September 2013

## Lead Gets into the Body in Many Ways

### Adults and children can get lead into their bodies if they:

- Breathe in lead dust (especially during activities such as renovations, repairs, or painting that disturb painted surfaces).
- Swallow lead dust that has settled on food, food preparation surfaces, and other places.
- Eat paint chips or soil that contains lead.

### Lead is especially dangerous to children under the age of 6.

- At this age, children's brains and nervous systems are more sensitive to the damaging effects of lead.
- Children's growing bodies absorb more lead.
- Babies and young children often put their hands and other objects in their mouths. These objects can have lead dust on them.



### Women of childbearing age should know that lead is dangerous to a developing fetus.

- Women with a high lead level in their system before or during pregnancy risk exposing the fetus to lead through the placenta during fetal development.

2

## Are You Planning to Buy or Rent a Home Built Before 1978?

Did you know that many homes built before 1978 have lead-based paint? Lead from paint, chips, and dust can pose serious health hazards.

### Read this entire brochure to learn:

- How lead gets into the body
- About health effects of lead
- What you can do to protect your family
- Where to go for more information

### Before renting or buying a pre-1978 home or apartment, federal law requires:

- Sellers must disclose known information on lead-based paint or lead-based paint hazards before selling a house.
- Real estate sales contracts must include a specific warning statement about lead-based paint. Buyers have up to 10 days to check for lead.
- Landlords must disclose known information on lead-based paint and lead-based paint hazards before leases take effect. Leases must include a specific warning statement about lead-based paint.

### If undertaking renovations, repairs, or painting (RRP) projects in your pre-1978 home or apartment:

- Read EPA's pamphlet, *The Lead-Safe Certified Guide to Renovate Right*, to learn about the lead-safe work practices that contractors are required to follow when working in your home (see page 12).

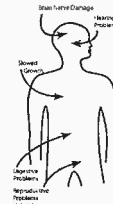


## Health Effects of Lead

Lead affects the body in many ways. It is important to know that even exposure to low levels of lead can severely harm children.

### In children, exposure to lead can cause:

- Nervous system and kidney damage
- Learning disabilities, attention deficit disorder, and decreased intelligence
- Speech, language, and behavior problems
- Poor muscle coordination
- Decreased muscle and bone growth
- Hearing damage



While low-lead exposure is most common, exposure to high amounts of lead can have devastating effects on children, including seizures, unconsciousness, and, in some cases, death.

Although children are especially susceptible to lead exposure, lead can be dangerous for adults, too.

### In adults, exposure to lead can cause:

- Harm to a developing fetus
- Increased chance of high blood pressure during pregnancy
- Fertility problems (in men and women)
- High blood pressure
- Digestive problems
- Nerve disorders
- Memory and concentration problems
- Muscle and joint pain

3

## Where Lead-Based Paint Is Found

In general, the older your home or childcare facility, the more likely it has lead-based paint.<sup>1</sup>

Many homes, including private, federally-assisted, federally-owned housing, and childcare facilities built before 1978 have lead-based paint. In 1978, the federal government banned consumer uses of lead-containing paint.<sup>2</sup>

Learn how to determine if paint is lead-based paint on page 7.

### Lead can be found:

- In homes and childcare facilities in the city, country, or suburbs
- In private and public single-family homes and apartments
- On surfaces inside and outside of the house, and
- In soil around a home. (Soil can pick up lead from exterior paint or other sources, such as past use of leaded gas in cars.)

Learn more about where lead is found at [epa.gov/lead](http://epa.gov/lead).

<sup>1</sup> "Lead-based paint" is currently defined by the federal government as paint with lead levels greater than or equal to 1.0 milligram per square centimeter (mg/cm<sup>2</sup>) or more than 0.5% by weight.

<sup>2</sup> "Lead-containing paint" is currently defined by the federal government as lead in new dried paint in excess of 90 parts per million (ppm) by weight.

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## Simple Steps to Protect Your Family from Lead Hazards

### If you think your home has lead-based paint:

- Don't try to remove lead-based paint yourself.
- Always keep painted surfaces in good condition to minimize deterioration.
- Get your home checked for lead hazards. Find a certified inspector or risk assessor at [epa.gov/lead](http://epa.gov/lead).
- Talk to your landlord about fixing surfaces with peeling or chipping paint.
- Regularly clean floors, window sills, and other surfaces.
- Take precautions to avoid exposure to lead dust when remodeling.
- When renovating, repairing, or painting, hire only EPA- or state-approved Lead-Safe Certified renovation firms.
- Before buying, renting, or renovating your home, have it checked for lead-based paint.
- Consult your health care provider about testing your children for lead. Your pediatrician can check for lead with a simple blood test.
- Wash children's hands, bottles, pacifiers, and toys often.
- Make sure children avoid fatty (or high fat) foods and eat nutritious meals high in iron and calcium.
- Remove shoes or wipe soil off shoes before entering your house.

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## Check Your Family for Lead

Get your children and home tested if you think your home has lead.

Children's blood lead levels tend to increase rapidly from 6 to 12 months of age, and tend to peak at 18 to 24 months of age.

Consult your doctor for advice on testing your children. A simple blood test can detect lead. Blood lead tests are usually recommended for:

- Children at ages 1 and 2
- Children or other family members who have been exposed to high levels of lead
- Children who should be tested under your state or local health screening plan

Your doctor can explain what the test results mean and if more testing will be needed.

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## Identifying Lead-Based Paint and Lead-Based Paint Hazards

Deteriorating lead-based paint (peeling, chipping, chalking, cracking, or damaged paint) is a hazard and needs immediate attention. Lead-based paint may also be a hazard when found on surfaces that children can chew or that get a lot of wear and tear, such as:

- On windows and window sills
- Doors and door frames
- Stairs, railings, banisters, and porches

Lead-based paint is usually not a hazard if it is in good condition and if it is not on an impact or friction surface like a window.

Lead dust can form when lead-based paint is scraped, sanded, or heated. Lead dust also forms when painted surfaces containing lead bump or rub together. Lead paint chips and dust can get on surfaces and objects that people touch. Settled lead dust can reenter the air when the home is vacuumed or swept, or when people walk through it. EPA currently defines the following levels of lead in dust as hazardous:

- 40 micrograms per square foot (µg/ft<sup>2</sup>) and higher for floors, including carpeted floors
- 250 µg/ft<sup>2</sup> and higher for interior window sills

Lead in soil can be a hazard when children play in bare soil or when people bring soil into the house on their shoes. EPA currently defines the following levels of lead in soil as hazardous:

- 400 parts per million (ppm) and higher in play areas of bare soil
- 1,200 ppm (average) and higher in bare soil in the remainder of the yard

Remember, lead from paint chips—which you can see—and lead dust—which you may not be able to see—both can be hazards.

The only way to find out if paint, dust, or soil lead hazards exist is to test for them. The next page describes how to do this.

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## Checking Your Home for Lead

You can get your home tested for lead in several different ways:

- A lead-based paint inspection tells you if your home has lead-based paint and where it is located. It won't tell you whether your home currently has lead hazards. A trained and certified testing professional, called a lead-based paint inspector, will conduct a paint inspection using methods, such as:
  - Portable x-ray fluorescence (XRF) machine
  - Lab tests of paint samples



- A risk assessment tells you if your home currently has any lead hazards from lead in paint, dust, or soil. It also tells you what actions to take to address any hazards. A trained and certified testing professional, called a risk assessor, will:
  - Sample paint that is deteriorated on doors, windows, floors, stairs, and walls
  - Sample dust near painted surfaces and sample bare soil in the yard
  - Get lab tests of paint, dust, and soil samples

- A combination inspection and risk assessment tells you if your home has any lead-based paint and if your home has any lead hazards, and where both are located.

Be sure to read the report provided to you after your inspection or risk assessment is completed, and ask questions about anything you do not understand.

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## Checking Your Home for Lead, continued

In preparing for renovation, repair, or painting work in a pre-1978 home, Lead-Safe Certified renovators (see page 12) may:

- Take paint chip samples to determine if lead-based paint is present in the area planned for renovation and send them to an EPA-recognized lead lab for analysis. In housing receiving federal assistance, the person collecting these samples must be a certified lead-based paint inspector or risk assessor
- Use EPA-recognized tests kits to determine if lead-based paint is absent (but not in housing receiving federal assistance)
- Presume that lead-based paint is present and use lead-safe work practices

There are state and federal programs in place to ensure that testing is done safely, reliably, and effectively. Contact your state or local agency for more information, visit [epa.gov/lead](http://epa.gov/lead), or call **1-800-424-LEAD (5323)** for a list of contacts in your area.<sup>3</sup>

<sup>3</sup> Hearing- or speech-challenged individuals may access this number through TTY by calling the Federal Relay Service at 1-800-877-8339.

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## What You Can Do Now to Protect Your Family

If you suspect that your home has lead-based paint hazards, you can take some immediate steps to reduce your family's risk:

- If you rent, notify your landlord of peeling or chipping paint.
- Keep painted surfaces clean and free of dust. Clean floors, window frames, window sills, and other surfaces weekly. Use a mop or sponge with warm water and a general all-purpose cleaner. (Remember: never mix ammonia and bleach products together because they can form a dangerous gas.)
- Carefully clean up paint chips immediately without creating dust.
- Thoroughly rinse sponges and mop heads often during cleaning of dirty or dusty areas, and again afterward.
- Wash your hands and your children's hands often, especially before they eat and before nap time and bed time.
- Keep play areas clean. Wash bottles, pacifiers, toys, and stuffed animals regularly.
- Keep children from chewing window sills or other painted surfaces, or eating soil.
- When renovating, repairing, or painting, hire only EPA- or state-approved Lead-Safe Certified renovation firms (see page 12).
- Clean or remove shoes before entering your home to avoid tracking in lead from soil.
- Make sure children avoid fatty (or high fat) foods and eat nutritious meals high in iron and calcium. Children with good diets absorb less lead.

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## Reducing Lead Hazards

Disturbing lead-based paint or removing lead improperly can increase the hazard to your family by spreading even more lead dust around the house.



- In addition to day-to-day cleaning and good nutrition, you can temporarily reduce lead-based paint hazards by taking actions, such as repairing damaged painted surfaces and planting grass to cover lead-contaminated soil. These actions are not permanent solutions and will need ongoing attention.
- You can minimize exposure to lead when renovating, repairing, or painting by hiring an EPA- or state-certified renovator who is trained in the use of lead-safe work practices. If you are a do-it-yourselfer, learn how to use lead-safe work practices in your home.
- To remove lead hazards permanently, you should hire a certified lead abatement contractor. Abatement (or permanent hazard elimination) methods include removing, sealing, or enclosing lead-based paint with special materials. Just painting over the hazard with regular paint is not permanent control.

**Always use a certified contractor who is trained to address lead hazards safely.**

- Hire a Lead-Safe Certified firm (see page 12) to perform renovation, repair, or painting (RRP) projects that disturb painted surfaces.
- To correct lead hazards permanently, hire a certified lead abatement professional. This will ensure your contractor knows how to work safely and has the proper equipment to clean up thoroughly.

Certified contractors will employ qualified workers and follow strict safety rules as set by their state or by the federal government.

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## Reducing Lead Hazards, continued

If your home has had lead abatement work done or if the housing is receiving federal assistance, once the work is completed, dust cleanup activities must be conducted until clearance testing indicates that dust levels are below the following levels:

- 40 micrograms per square foot (µg/ft<sup>2</sup>) for floors, including carpeted floors
- 250 µg/ft<sup>2</sup> for interior window sills
- 400 µg/ft<sup>2</sup> for window troughs

For help in locating certified lead abatement professionals in your area, call your state or local agency (see pages 14 and 15), or visit [epa.gov/lead](http://epa.gov/lead), or call 1-800-424-LEAD.

## Renovating, Remodeling, or Repairing (RRP) a Home with Lead-Based Paint

If you hire a contractor to conduct renovation, repair, or painting (RRP) projects in your pre-1978 home or childcare facility (such as pre-school and kindergarten), your contractor must:

- Be a Lead-Safe Certified firm approved by EPA or an EPA-authorized state program
- Use qualified trained individuals (Lead-Safe Certified renovators) who follow specific lead-safe work practices to prevent lead contamination
- Provide a copy of EPA's lead hazard information document, *The Lead-Safe Certified Guide to Renovate Right*



RRP contractors working in pre-1978 homes and childcare facilities must follow lead-safe work practices that:

- **Contain the work area.** The area must be contained so that dust and debris do not escape from the work area. Warning signs must be put up, and plastic or other impermeable material and tape must be used.
- **Avoid renovation methods that generate large amounts of lead-contaminated dust.** Some methods generate so much lead-contaminated dust that their use is prohibited. They are:
  - Open-flame burning or torching
  - Sanding, grinding, planing, needle gunning, or blasting with power tools and equipment not equipped with a shroud and HEPA vacuum attachment and
  - Using a heat gun at temperatures greater than 1100°F
- **Clean up thoroughly.** The work area should be cleaned up daily. When all the work is done, the area must be cleaned up using special cleaning methods.
- **Dispose of waste properly.** Collect and seal waste in a heavy duty bag or sheeting. When transported, ensure that waste is contained to prevent release of dust and debris.

To learn more about EPA's requirements for RRP projects visit [epa.gov/getleadSAFE](http://epa.gov/getleadSAFE), or read *The Lead-Safe Certified Guide to Renovate Right*.

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## U. S. Environmental Protection Agency (EPA) Regional Offices

The mission of EPA is to protect human health and the environment. Your Regional EPA Office can provide further information regarding regulations and lead protection programs.

<p><b>Region 1</b> (Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont)</p> <p>Regional Lead Contact U.S. EPA Region 1 5 Post Office Square, Suite 100, OES 05-4 Boston, MA 02109-3912 (888) 372-7341</p>	<p><b>Region 4</b> (Arkansas, Louisiana, New Mexico, Oklahoma, Texas, and 66 Tribes)</p> <p>Regional Lead Contact U.S. EPA Region 4 1445 Ross Avenue, 12th Floor Dallas, TX 75202-2713 (214) 565-3724</p>
<p><b>Region 2</b> (New Jersey, New York, Puerto Rico, Virgin Islands)</p> <p>Regional Lead Contact U.S. EPA Region 2 280 Woodbridge Avenue Building 205, Mail Stop 225 Edison, NJ 08837-3279 (781) 321-6671</p>	<p><b>Region 7</b> (Iowa, Kansas, Missouri, Nebraska)</p> <p>Regional Lead Contact U.S. EPA Region 7 11201 Beaver Blvd. WVWPD/TOPE Levonia, IN 46033-2119 (800) 223-0425</p>
<p><b>Region 3</b> (Delaware, Maryland, Pennsylvania, Virginia, DC, West Virginia)</p> <p>Regional Lead Contact U.S. EPA Region 3 1650 Arch Street Philadelphia, PA 19103 (215) 814-2038</p>	<p><b>Region 8</b> (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming)</p> <p>Regional Lead Contact U.S. EPA Region 8 1525 Wyntonway St. Denver, CO 80202 (303) 317-6060</p>
<p><b>Region 4</b> (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee)</p> <p>Regional Lead Contact U.S. EPA Region 4 AFC Tower, 128th Street, Av. Pesticides &amp; Toxics 61 Forsyth Street, SW Atlanta, GA 30303 (404) 562-0788</p>	<p><b>Region 9</b> (Arizona, California, Hawaii, Nevada)</p> <p>Regional Lead Contact U.S. EPA Region 9 (CAND-4-2) 715 Hawthorne Street San Francisco, CA 94105 (415) 947-4280</p>
<p><b>Region 5</b> (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin)</p> <p>Regional Lead Contact U.S. EPA Region 5 (D'48) 77 West Jackson Boulevard Chicago, IL 60604-3666 (312) 886-1936</p>	<p><b>Region 10</b> (Alaska, Idaho, Oregon, Washington)</p> <p>Regional Lead Contact U.S. EPA Region 10 Sund House &amp; Toxics Unit (RMC-128) 1200 Skene Avenue, Suite 900 Seattle, WA 98101 (206) 533-1200</p>

## Other Sources of Lead

While paint, dust, and soil are the most common sources of lead, other lead sources also exist:

- **Drinking water.** Your home might have plumbing with lead or lead solder. You cannot see, smell, or taste lead, and boiling your water will not get rid of lead. If you think your plumbing might contain lead:
  - Use only cold water for drinking and cooking.
  - Run water for 15 to 30 seconds before drinking it, especially if you have not used your water for a few hours.

Call your local health department or water supplier to find out about testing your water, or visit [epa.gov/lead](http://epa.gov/lead) for EPA's lead in drinking water information.
- **Lead smelters** or other industries that release lead into the air.
- **Your job.** If you work with lead, you could bring it home on your body or clothes. Shower and change clothes before coming home. Launder your work clothes separately from the rest of your family's clothes.
- **Hobbies** that use lead, such as making pottery or stained glass, or refinishing furniture. Call your local health department for information about hobbies that may use lead.
- **Old toys and furniture** may have been painted with lead-containing paint. Older toys and other children's products may have parts that contain lead.<sup>4</sup>
- **Food and liquids** cooked or stored in **lead crystal** or **lead-glazed pottery** or **porcelain** may contain lead.
- **Folk remedies**, such as "greta" and "azarcon," used to treat an upset stomach.

<sup>4</sup> In 1978, the federal government banned toys, other children's products, and furniture with lead-containing paint (16 CFR 1303). In 2008, the federal government banned lead in most children's products. The federal government currently bans lead in excess of 100 ppm by weight in most children's products (16 CFR 444.63).

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## For More Information

### The National Lead Information Center

Learn how to protect children from lead poisoning and get other information about lead hazards on the Web at [epa.gov/lead](http://epa.gov/lead) and [hud.gov/lead](http://hud.gov/lead), or call 1-800-424-LEAD (5323).

### EPA's Safe Drinking Water Hotline

For information about lead in drinking water, call 1-800-426-4791, or visit [epa.gov/lead](http://epa.gov/lead) for information about lead in drinking water.

### Consumer Product Safety Commission (CPSC) Hotline

For information on lead in toys and other consumer products, or to report an unsafe consumer product or a product-related injury, call 1-800-638-2772, or visit CPSC's website at [cpsc.gov](http://cpsc.gov) or [saferproducts.gov](http://saferproducts.gov).

### State and Local Health and Environmental Agencies

Some states, tribes, and cities have their own rules related to lead-based paint. Check with your local agency to see which laws apply to you. Most agencies can also provide information on finding a lead abatement firm in your area, and on possible sources of financial aid for reducing lead hazards. Receive up-to-date address and phone information for your state or local contacts on the Web at [epa.gov/lead](http://epa.gov/lead), or contact the National Lead Information Center at 1-800-424-LEAD.

Hearing- or speech-challenged individuals may access any of the phone numbers in this brochure through TTY by calling the toll-free Federal Relay Service at 1-800-877-8339.

## Consumer Product Safety Commission (CPSC)

The CPSC protects the public against unreasonable risk of injury from consumer products through education, safety standards activities, and enforcement. Contact CPSC for further information regarding consumer product safety and regulations.

CPSC  
4330 East West Highway  
Bethesda, MD 20814-4421  
1-800-638-2772  
[cpsc.gov](http://cpsc.gov) or [saferproducts.gov](http://saferproducts.gov)

## U. S. Department of Housing and Urban Development (HUD)

HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. Contact HUD's Office of Healthy Homes and Lead Hazard Control for further information regarding the Lead Safe Housing Rule, which protects families in pre-1978 assisted housing, and for the lead hazard control and research grant programs.

HUD  
451 Seventh Street, SW, Room 8236  
Washington, DC 20410-3000  
(202) 402-7698  
[hud.gov/offices/lead/](http://hud.gov/offices/lead/)

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U.S. EPA Washington, DC 20460  
U.S. CPSC Bethesda, MD 20814  
U.S. HUD Washington, DC 20410

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