

# Important OHIO LAND AUCTION

WASHINGTON COURT HOUSE • FAYETTE CO • UNION TWP



## 516<sup>±</sup> acres

OFFERED IN 9 TRACTS

*Ranging from 6<sup>±</sup> to 123<sup>±</sup> Acres*

• 430+ ES A Tracts

# INFORMATION Booklet

• 507 US 62 Interchange

• 100+ (5) Roads

- (4) Homes Including Picturesque Farmstead w/Barns
- 37,000 Bushel of Storage w/Nice 60' x 80' Machine Shed
- Potential Wooded and Open Land Building Tracts

**2020 Crop Rights  
Available to Buyer!**

## THURSDAY, APRIL 30

**AUCTION STARTS AT 11AM • ONLINE BIDDING AVAILABLE**  
at Fayette County Fairgrounds (Mahan Building), Washington Court House, OH

50 Miles to DAYTON  
75 Miles to CINCINNATI  
40 Miles to COLUMBUS

 **SCHRADER**  
Real Estate and Auction Company, Inc.

800.451.2709 • [SchraderAuction.com](http://SchraderAuction.com)

# DISCLAIMER

All information contained is believed to be accurate and from accurate resources. However, buyers are encouraged to do their own due diligence. Schrader Auction Company assumes no liability for the information provided.

**AUCTION MANAGERS:** Andy Walther • 765.969.0401 • Travis Kelley • 740.572.1525



950 N. Liberty Dr., Columbia City, IN 46725  
800.451.2709 | 260.244.7606 | [www.schraderauction.com](http://www.schraderauction.com)

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# **BIDDER PRE-REGISTRATION FORM**

**THURSDAY, APRIL 30, 2020**

**516 ACRES – WASHINGTON COURTHOUSE, OH**

For pre-registration, this form must be received at Schrader Real Estate and Auction Company, Inc.,  
P.O. Box 508, Columbia City, IN, 46725,  
Email to [auctions@schraderauction.com](mailto:auctions@schraderauction.com) or fax to 260-244-4431, no later than Thursday, April 23, 2020.  
Otherwise, registration available onsite prior to the auction.

## **BIDDER INFORMATION**

(FOR OFFICE USE ONLY)

Name \_\_\_\_\_

Bidder # \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Telephone: (Res) \_\_\_\_\_ (Office) \_\_\_\_\_

My Interest is in Tract or Tracts # \_\_\_\_\_

## **BANKING INFORMATION**

Check to be drawn on: (Bank Name) \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Contact: \_\_\_\_\_ Phone No: \_\_\_\_\_

## **HOW DID YOU HEAR ABOUT THIS AUCTION?**

Brochure  Newspaper  Signs  Internet  Radio  TV  Friend

Other \_\_\_\_\_

## **WOULD YOU LIKE TO BE NOTIFIED OF FUTURE AUCTIONS?**

Regular Mail  E-Mail E-Mail address: \_\_\_\_\_

Tillable  Pasture  Ranch  Timber  Recreational  Building Sites

What states are you interested in? \_\_\_\_\_

*Note: If you will be bidding for a partnership, corporation or other entity, you must bring documentation with you to the auction which authorizes you to bid and sign a Purchase Agreement on behalf of that entity.*

I hereby agree to comply with terms of this sale including, but not limited to, paying all applicable buyer's premiums, and signing and performing in accordance with the contract if I am the successful bidder. Schrader Real Estate and Auction Company, Inc. represents the Seller in this transaction.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Online Auction Bidder Registration  
516± Acres • Fayette County, Ohio  
Thursday, April 30, 2020**

**This form and deposit are only required if you cannot attend the auction and wish to bid remotely through our online bidding system.**

This registration form is for the auction listed above only. The person signing this form is personally responsible for any bids placed on the auction site, whether bidding on behalf of their personal account or on behalf of a corporation or other third party. If you are bidding on behalf of a third party, you are responsible for obtaining the necessary documentation authorizing you to bid on behalf of the third party. Schrader Real Estate and Auction Co., Inc. will look to the herein registered bidder for performance on any bid placed on this auction if you are the successful high bidder.

As the registered bidder, I hereby agree to the following statements:

1. My name and physical address is as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

My phone number is: \_\_\_\_\_

2. I have received the Real Estate Bidder's Package for the auction being held on Thursday, April 30, 2020 at 11:00 AM.
3. I have read the information contained in the Real Estate Bidder's Package as mailed to me or by reading the documents on the website ([www.schraderauction.com](http://www.schraderauction.com)) and understand what I have read.
4. I hereby agree to comply with all terms of this sale, including paying all applicable buyer's premiums, and signing and performing in accordance with the Real Estate Purchase Agreement if I am the successful bidder.
5. I understand that Schrader Real Estate and Auction Co., Inc. represent the Seller in this transaction.
6. I am placing a deposit with Schrader Real Estate and Auction Co., Inc. Escrow in the amount of \$\_\_\_\_\_. I understand that the maximum bid or combination of bids I place may not exceed an amount equal to ten times the amount of my deposit. My deposit is being conveyed herewith in the form of a cashier's check payable to Schrader Real Estate and Auction, Co., Inc. Escrow or via wire transfer to the escrow account of Schrader Real Estate and Auction, Co., Inc. per the instructions below. I understand that my deposit money will be returned in full via wire transfer on the next business day if I am not the successful high bidder on any tract or combination of tracts.

Schrader Real Estate & Auction Company, Inc.  
950 North Liberty Drive / P.O. Box 508, Columbia City, IN 46725  
Phone 260-244-7606; Fax 260-244-4431

For wire instructions please call 1-800-451-2709.

7. My bank routing number is \_\_\_\_\_ and bank account number is \_\_\_\_\_.  
(This for return of your deposit money). My bank name, address and phone number is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. **TECHNOLOGY DISCLAIMER:** Schrader Real Estate and Auction Co., Inc., its affiliates, partners and vendors, make no warranty or guarantee that the online bidding system will function as designed on the day of sale. Technical problems can and sometimes do occur. If a technical problem occurs and you are not able to place your bid during the live auction, Schrader Real Estate and Auction Co., Inc., its affiliates, partners and vendors will not be held liable or responsible for any claim of loss, whether actual or potential, as a result of the technical failure. I acknowledge that I am accepting this offer to place bids during a live outcry auction over the Internet *in lieu of actually attending the auction* as a personal convenience to me.

9. This document and your deposit money must be received in the office of Schrader Real Estate & Auction Co., Inc. by **4:00 PM, Thursday, April 23, 2020**. Send your deposit and return this form via fax to: **260-244-4431**.

I understand and agree to the above statements.

\_\_\_\_\_  
Registered Bidder's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

***This document must be completed in full.***

**Upon receipt of this completed form and your deposit money, you will be sent a bidder number and password via e-mail. Please confirm your e-mail address below:**

E-mail address of registered bidder: \_\_\_\_\_

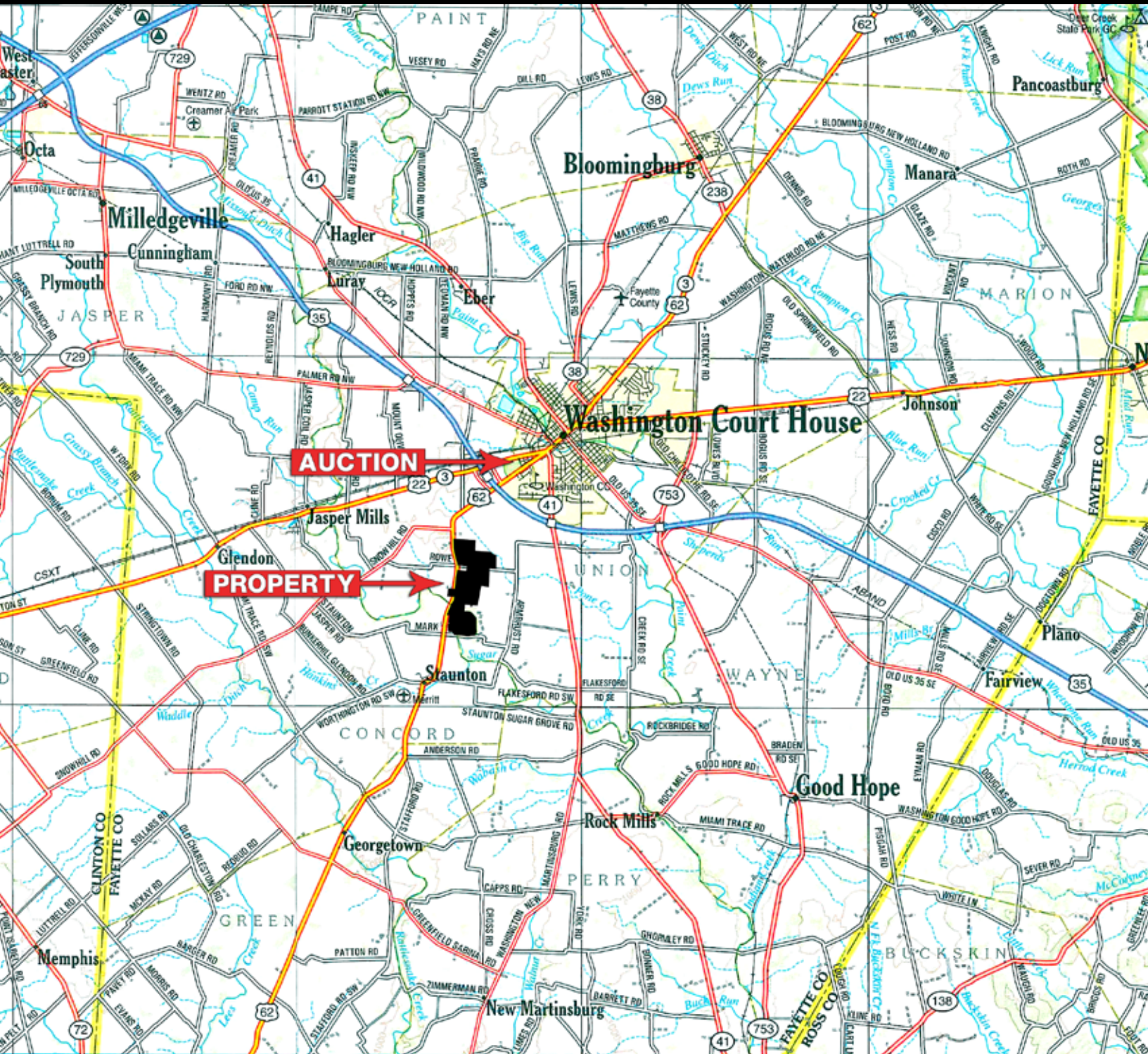
Thank you for your cooperation. We hope your online bidding experience is satisfying and convenient. If you have any comments or suggestions, please send them to:  
kevin@schraderauction.com or call Kevin Jordan at 260-244-7606.





# **LOCATION MAP**

# LOCATION MAP



**PROPERTY LOCATION:** From the intersection of US 35 and US 62, travel south 1 mile to the farm. Frontage on US 62 SW, Rowe Ging Rd. and Mark Road. Main farmstead is located at 3131 US HWY 62 SW, Washington Court House, OH 43160.

**AUCTION SITE:** Mahan Building at the FAYETTE COUNTY FAIRGROUNDS located at 213 Fairview Ave. Washington Court House, OH 43160.



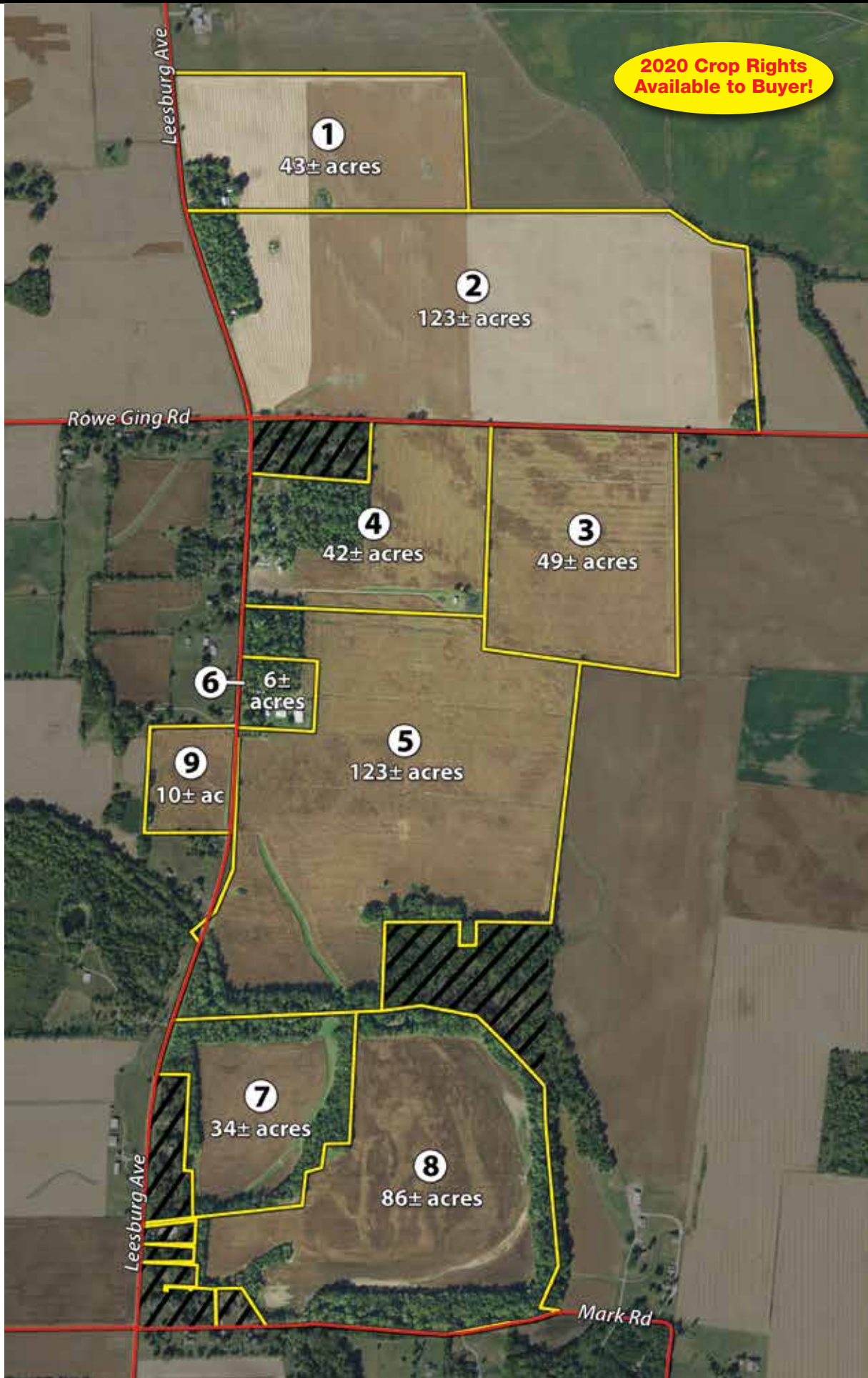
You may bid online during the auction at [www.schraderauction.com](http://www.schraderauction.com). You must be registered **One Week in Advance of the Auction**. For online bidding information, call Schrader Real Estate and Auction Company - 800-451-2709.





# **TRACT MAP**

# TRACT MAP







# **TRACT DESCRIPTIONS**

*Important*

# OHIO LAND AUCTION

WASHINGTON COURT HOUSE • FAYETTE CO • UNION TWP

## 516<sup>±</sup> acres OFFERED IN 9 TRACTS

*All Acreages are Approximate* **THURSDAY, APRIL 30**  
Auction Starts at 11am • Online Bidding Available  
*Ranging from 6± to 123± Acres*

**TRACT 1: 43± Acres** mostly tillable with great visibility. Just south of the city limits with US HWY 62 frontage. Consider adding this to your farming operation or examine the long term development potential. Includes 3± Acres of wooded land with 3 BR/1.5 BA home. This is an older farmstead with several outbuildings and barns. Address: 2461 US Hwy. 62 SW.

**TRACT 2: 123± Acres** nearly all tillable. This tract has 3,500'± of frontage along Rowe Ging Rd. and US 62 frontage. Nice investment opportunity. Large field for ease of farming operations. Includes 4± Acres of wooded land with 1 BR / 1 BA income producing rental house. Address: 2631 US Hwy. 62 SW.

**TRACT 3: 49± Acres** nearly all tillable. Nice size investment piece with predominantly Brookston soil. 1,225'± frontage on Rowe Ging Rd.

**TRACT 4: 42± Acres** with 28± tillable acres. Frontage and farm lane entrance off of Rowe Ging Rd. and additional frontage on US 62 includes an open grass meadow and woods along with a 3 BR/ 1 BA home with outbuildings. Address: 2953 US Hwy. 62 SW. Examine the potential of splitting part of this off for your feature building site.

**TRACT 5: 123± Acres** with 110± FSA tillable acres. Quality soils and nice large field. Bordered to the south by an open ditch for potential improved drainage. Includes 4± acres of wooded land along US 62.

**TRACT 6: 6± Acres** farmstead with an attractive "turn-of-the-century" 2-story home with approx. 2,600 sf of living space featuring 3 BR and 1.5 BA. The tract has 37,000± bushel of grain storage, a nice 60'x80' machinery shed and additional outbuildings. Nice place in the country with mature trees and plenty of barn space. Address: 3131 US Hwy. 62 SW., Washington Court House, OH.

**TRACT 7: 34± Acres** with 20± FSA tillable acres that are systematically tiled. Frontage and access off of US 62 (Leesburg Road). Nice mix of trees and income producing tillable land.

**TRACT 8: 86± Acres** with 61± FSA tillable acres. This tract has frontage on Mark Road and access points off of US HWY 62. Great mix of recreational land and income producing tillable land with a beautiful tree-lined creek along Mark Rd.

**TRACT 9: 10± Acres** nearly all tillable. Productive field for row crops or consider this as an estate-sized building site.

**OWNER:** Duff Farm Company LTD

### INSPECTION DATES

Wednesday, April 8, 15 & 22 • 10am-Noon or Call for Private Showing!  
Meet a Schrader Representative at Tract 6.

### Terms and Conditions:

**PROCEDURES:** The property will be offered in 9 individual tracts, any combination of tracts, or as a total 516± acre unit. There will be open bidding on all tracts and combinations during the auction as determined by the Auctioneer.

**DOWNPAYMENT:** 10% down payment on the day of the auction with the balance in cash at closing. The down payment may be made in the form of cash, cashier's check, personal check or corporate check. Your bidding is not conditional upon financing, so be sure you have arranged financing, if needed and are capable of paying cash at closing.

**ACCEPTANCE OF BID PRICES:** Successful bidder(s) will be required to enter into a purchase agreement at the auction site immediately following the close of the auction. All final bid prices are subject to the Seller's acceptance or rejection.

**EVIDENCE OF TITLE:** The Seller will provide a Preliminary Title Opinion for the review of the prospective buyer(s). If Buyer(s) elect to have title insurance, the entire cost of the owner's title insurance will be the responsibility of the Buyer(s). Seller agrees to provide merchantable title to the property subject to matters of record. All tracts sold "As-Is".

**DEED:** Seller(s) shall provide a Warranty Deed(s)

**CLOSING:** The balance of the real estate purchase price is due at closing, which will take place on or before June 12, 2020.

**POSSESSION:** Possession for standard farming practices will be available immediately after

**the auction by executing a Pre-Closing Access Agreement.** Possession of all houses will be conveyed 30 days after closing. Possession of Grain Bins on Tract 6 will be August 1, 2020.

**CROP RIGHTS:** Buyer to receive all 2020 cropping rights. (See agent for potential leaseback options)

**REAL ESTATE TAXES / ASSESSMENTS:** Taxes will be pro-rated to the date of closing. The property is currently enrolled in the CAUV program. Current whole farm tax is \$ 21,053.00 / year.

**ACREAGE:** All boundaries are approximate and have been estimated based on current legal descriptions.

**SURVEY:** A new survey will be made where there is no existing legal description or where new boundaries are created by the tract divisions in this auction. Any need for a new survey shall be determined solely by the Seller. Seller and successful bidder shall each pay half (50:50) of the cost of the survey. The type of survey performed shall be at the Seller's option and sufficient for title transfer.

**EASEMENTS & LEASES:** Sale of the property is subject to any and all easements of record.

**MINERAL RIGHTS:** The sale shall include 100% of the mineral rights owned by the Seller.

**AGENCY:** Schrader Real Estate and Auction Company, Inc. and its representatives are exclusive agents of the seller.

**DISCLAIMER AND ABSENCE OF WARRANTIES:** All information contained in this brochure and all related materials are subject to the Terms and Conditions outlined in the Purchase Agreement. The property is being sold on "AS IS, WHERE IS" basis, and no warranty or representation, either express or implied, concerning the property is made by the seller or the auction company. Each potential bidder is responsible for conducting his or her own independent inspections, investigations, inquiries, and due diligence concerning the property. The information contained in this brochure is subject to verification by all parties relying on it. No liability for its accuracy, errors or omissions is assumed by the Sellers or the Auction Company. Conduct of the auction and increments of bidding are at the direction and discretion of the Auctioneer. The Sellers and Selling Agents reserve the right to preclude any person from bidding if there is any question as to the person's credentials, fitness, etc. All decisions of the Auctioneer are final. **ANY ANNOUNCEMENTS MADE THE DAY OF THE SALE TAKE PRECEDENCE OVER PRINTED MATERIAL OR ANY OTHER ORAL STATEMENTS MADE. AUCTION COMPANY OR OWNER NOT RESPONSIBLE FOR ACCIDENTS.**



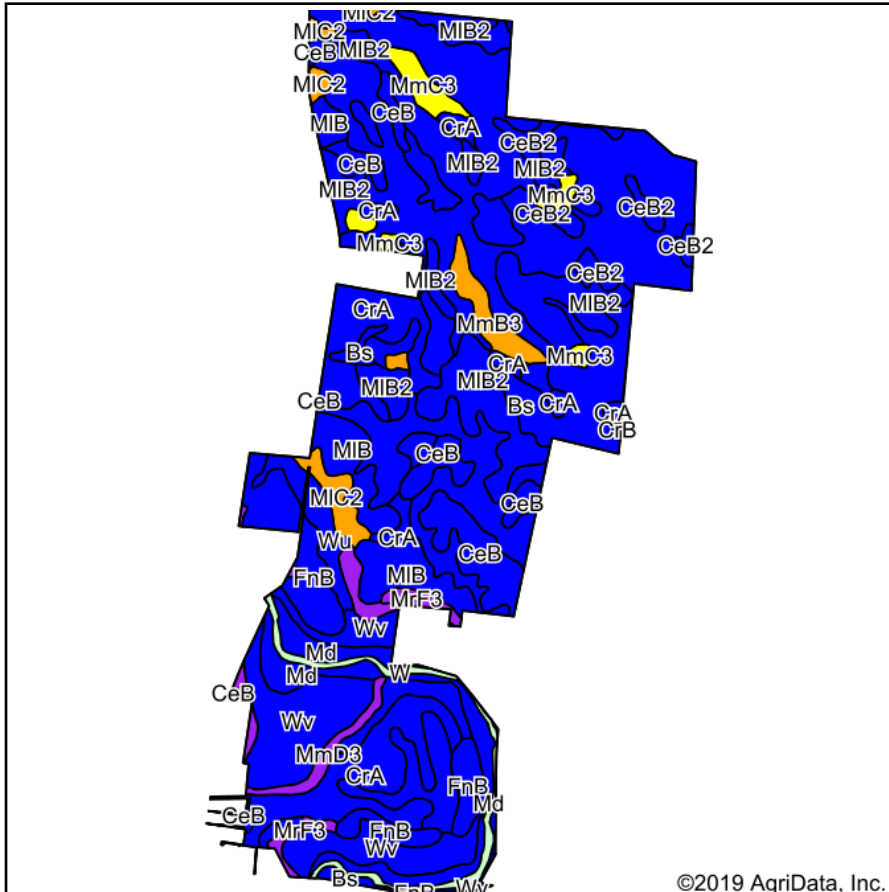
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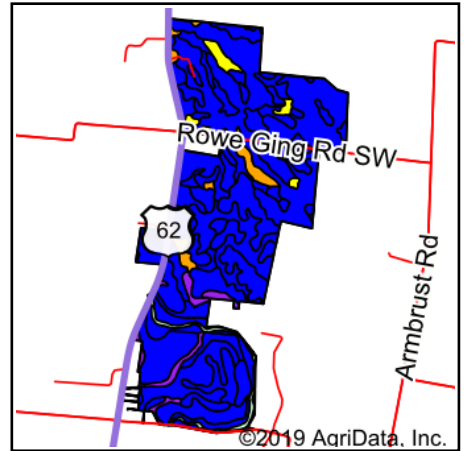
# **SOILS MAP**

# SOILS MAP



Soils data provided by USDA and NRCS.

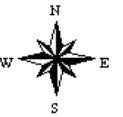
©2019 AgriData, Inc.



State: **Ohio**  
County: **Fayette**  
Location: **39° 29' 55.85, -83° 28' 6.62**  
Township: **Union**  
Acres: **518.24**  
Date: **3/16/2020**

 **SCHRADER**  
Real Estate and Auction Company, Inc.

Maps Provided By:  
 **surety**<sup>®</sup>  
CUSTOMIZED ONLINE MAPPING  
© AgriData, Inc. 2019 [www.AgriDataInc.com](http://www.AgriDataInc.com)





# SOILS MAP

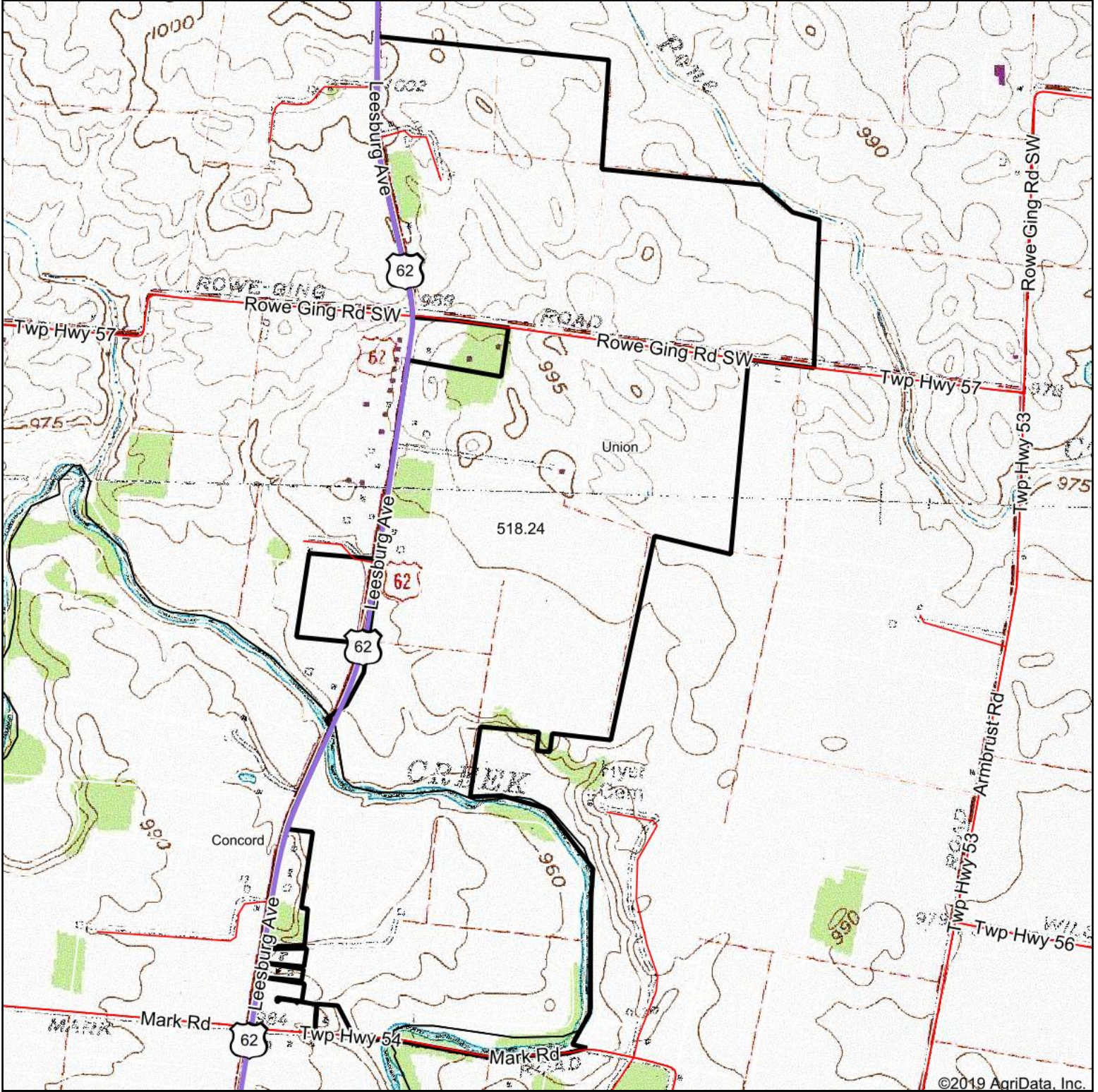
Area Symbol: OH047, Soil Area Version: 17															
Code	Soil Description	Acres	Percent of field	Non-Irr Class Legend	Non-Irr Class	Canarygrass ladino hay	Corn	Grass legume hay	Oats	Pasture	Soybeans	Tall fescue	Wheat	Winter wheat	*eFOTG PI
Bs	Brookston silty clay loam, fine texture, 0 to 2 percent slopes	178.35	34.4%		llw	4.3	129	4.5			48	9		51	87
MB2	Miamian silt loam, 2 to 6 percent slopes, eroded	63.54	12.3%		lle		119				36	4.9		48	73
CrA	Crosby silt loam, Southern Ohio Till Plain, 0 to 2 percent slopes	52.82	10.2%		llw		120	5			46	6.8		48	81
Wv	Westland silty clay loam, overwash	42.91	8.3%		llw	4.6	130	5	75		38	9.2		35	80
MIB	Miamian silt loam, 2 to 6 percent slopes	31.08	6.0%		lle		130	4.3		8.6	46			59	76
CeB	Celina silt loam, 2 to 6 percent slopes	27.84	5.4%		lle		131	4.3	70	8.7	46			58	76
FnB	Fox silt loam, 2 to 6 percent slopes	24.96	4.8%		lle		95	4	75		30			40	68
Md	Medway silt loam	21.53	4.2%		llw		125	5	80		45			40	88
CeB2	Celina silt loam, 2 to 6 percent slopes, eroded	19.10	3.7%		lle		115	4.3	74.2	8	39	5.5	40	51	73
MmC3	Miamian clay loam, shallow to dense till substratum, 6 to 12 percent slopes, severely eroded	9.88	1.9%		Ive		98.2	1		7	37.4			41	61
MmD3	Miamian clay loam, shallow to dense till substratum, 12 to 18 percent slopes, severely eroded	9.01	1.7%		Vle		60	2.4			22			25	47
MIC2	Miamian silt loam, 6 to 12 percent slopes, moderately eroded	8.81	1.7%		llle		95	4	70		30			35	70
Wu	Westland silty clay loam, Southern Ohio Till Plain, 0 to 2 percent slopes	8.25	1.6%		llw		142	5		12	46			53	83
W	Water	7.87	1.5%												0
MmB3	Miamian clay loam, 2 to 6 percent slopes, severely eroded	7.23	1.4%		llle		70	3	45		30			25	64
MrF3	Miamian and Hennepin soils, 18 to 35 percent slopes, severely eroded	4.25	0.8%		Vlle			1.8							0
FrE2	Fox, Casco, and Rodman soils, 12 to 25 percent slopes, moderately eroded	0.57	0.1%		Vle			2.5	48					28	37
CrB	Crosby silt loam, Southern Ohio Till Plain, 2 to 6 percent slopes	0.24	0.0%		lle		123		63		46	6.2		63	76
<b>Weighted Average</b>						<b>1.9</b>	<b>118.6</b>	<b>3.8</b>	<b>21.5</b>	<b>1.6</b>	<b>41.5</b>	<b>5.4</b>	<b>1.5</b>	<b>46.4</b>	<b>77.5</b>

The background features a series of overlapping, wavy, light gray bands that create a sense of depth and movement. A prominent, solid black horizontal band runs across the center of the image. The text 'TOPOGRAPHY MAP' is centered within this black band in a bright yellow, bold, sans-serif font. The overall aesthetic is modern and technical.

# **TOPOGRAPHY MAP**



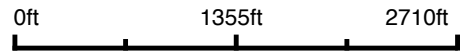
# TOPOGRAPHY MAP



©2019 AgriData, Inc.



map center: 39° 29' 55.85, -83° 28' 6.62



Fayette County  
Ohio



3/16/2020

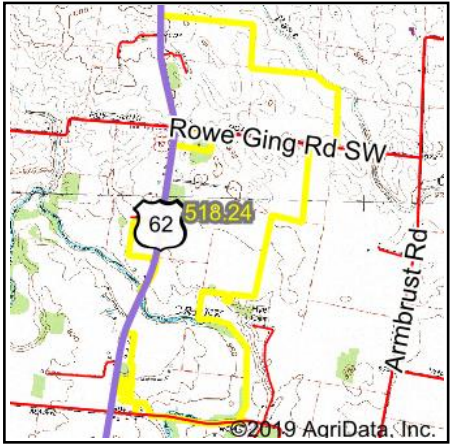
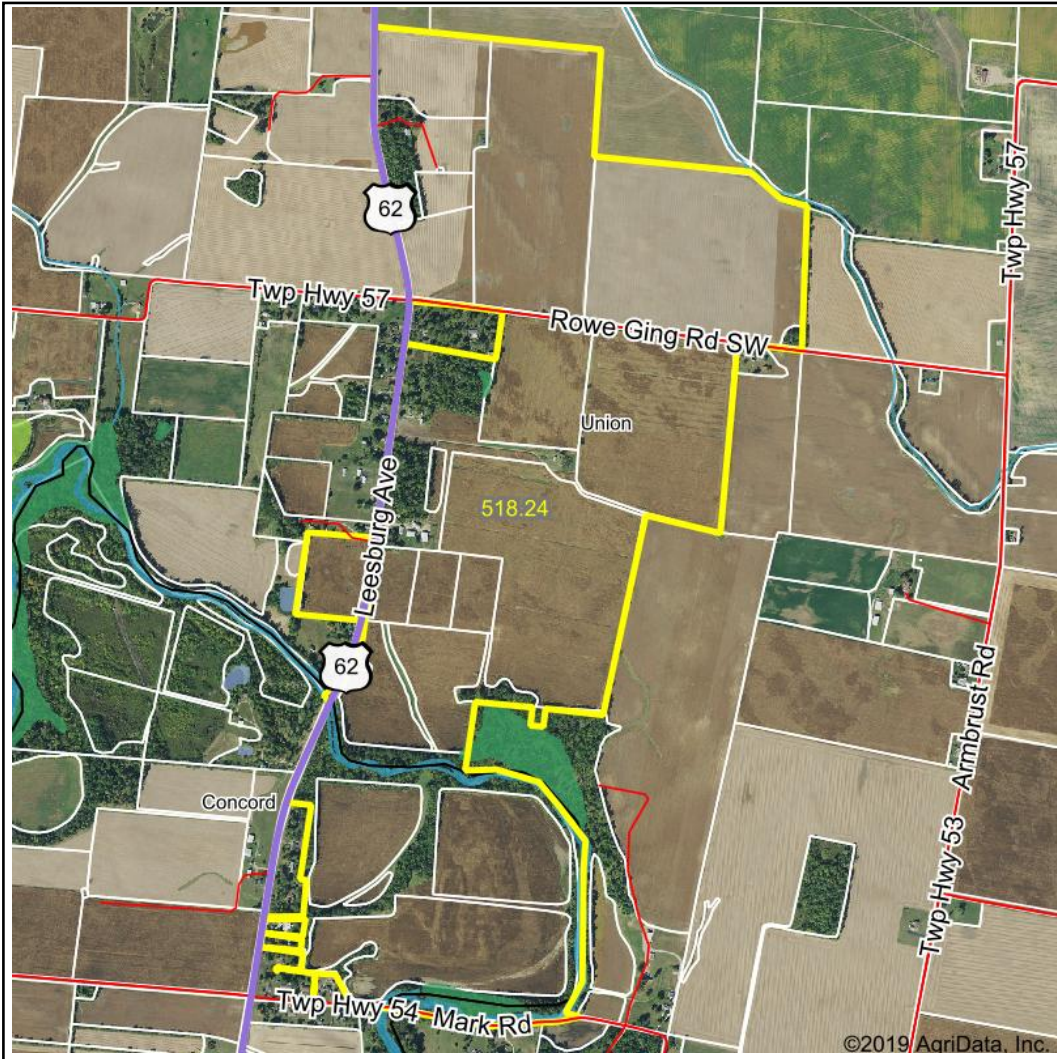
Field borders provided by Farm Service Agency as of 5/21/2008.





# **WETLANDS MAP**

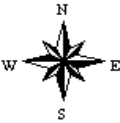
# WETLANDS MAP



State: **Ohio**  
 Location:  
 County: **Fayette**  
 Township: **Union**  
 Date: **3/16/2020**



Maps Provided By:  
  
 CUSTOMIZED ONLINE MAPPING  
 © AgriData, Inc. 2019 www.AgriDataInc.com



0ft                      1969ft                      3937ft

Classification Code	Type	Acres
R2UBH	Riverine	8.44
PFO1A	Freshwater Forested/Shrub Wetland	3.39
PFO1C	Freshwater Forested/Shrub Wetland	0.38
R5UBH	Riverine	0.08
PSS1A	Freshwater Forested/Shrub Wetland	0.02
PUBGh	Freshwater Pond	0.00
Total Acres		12.31

Data Source: National Wetlands Inventory website. U.S. DoI, Fish and Wildlife Service, Washington, D.C. <http://www.fws.gov/wetlands/>



# **USDA INFORMATION**



# USDA INFORMATION

OHIO  
FAYETTE  
Form: FSA-156EZ



United States Department of Agriculture  
Farm Service Agency

FARM : 3819  
Prepared : 3/30/20 2:47 PM  
Crop Year : 2020

See Page 2 for non-discriminatory Statements.

## Abbreviated 156 Farm Record

Operator Name :  
Farms Associated with Operator :  
CRP Contract Number(s) : None  
Recon ID : None  
Transferred From : None  
ARCPLC G/F Eligibility : Eligible

### Farm Land Data

Farmland	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane	Farm Status	Number Of Tracts
525.00	430.59	430.59	0.00	0.00	0.00	0.00	0.00	Active	1
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped		MPL	Acre Election	EWP	DCP Ag.Rel. Activity	Broken From Native Sod
0.00	0.00	430.59	0.00		0.00		0.00	0.00	0.00

### Crop Election Choice

ARC Individual	ARC County	Price Loss Coverage
None	CORN, SOYBN	None

### DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield	HIP
Corn	267.80	0.00	135	
Soybeans	114.90	0.00	49	
<b>TOTAL</b>	<b>382.70</b>	<b>0.00</b>		

### NOTES

--

Tract Number : 3202

Description : G8  
FSA Physical Location : OHIO/FAYETTE  
ANSI Physical Location : OHIO/FAYETTE  
BIA Unit Range Number :  
HEL Status : HEL field on tract.Conservation system being actively applied  
Wetland Status : Wetland determinations not complete  
WL Violations : None  
Owners : DAVID DWIGHT DUFF  
Other Producers : None  
Recon ID : None

### Tract Land Data

Farm Land	Cropland	DCP Cropland	WBP	WRP	CRP	GRP	Sugarcane
525.00	430.59	430.59	0.00	0.00	0.00	0.00	0.00
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL	EWP	DCP Ag. Rel Activity	Broken From Native Sod
0.00	0.00	430.59	0.00	0.00	0.00	0.00	0.00

### DCP Crop Data

Crop Name	Base Acres	CCC-505 CRP Reduction Acres	PLC Yield

# USDA INFORMATION

OHIO  
FAYETTE  
Form: FSA-156EZ



United States Department of Agriculture  
Farm Service Agency

## Abbreviated 156 Farm Record

FARM : 3819  
Prepared : 3/30/20 2:47 PM  
Crop Year : 2020

### Tract 3202 Continued ...

Corn	267.80	0.00	135
Soybeans	114.90	0.00	49
<b>TOTAL</b>	<b>382.70</b>	<b>0.00</b>	

### NOTES

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) e-mail: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.

# Farm 3819

## Tract 3202




2020 Program Year  
Map Created February 27, 2020

Fayette County  
Farm Service Agency  
1415 US 22 SW-Suite 700  
Washington CH, OH 43160-8654  
740-335-0890 (p)  
855-842-7995 (f)

### Common Land Unit

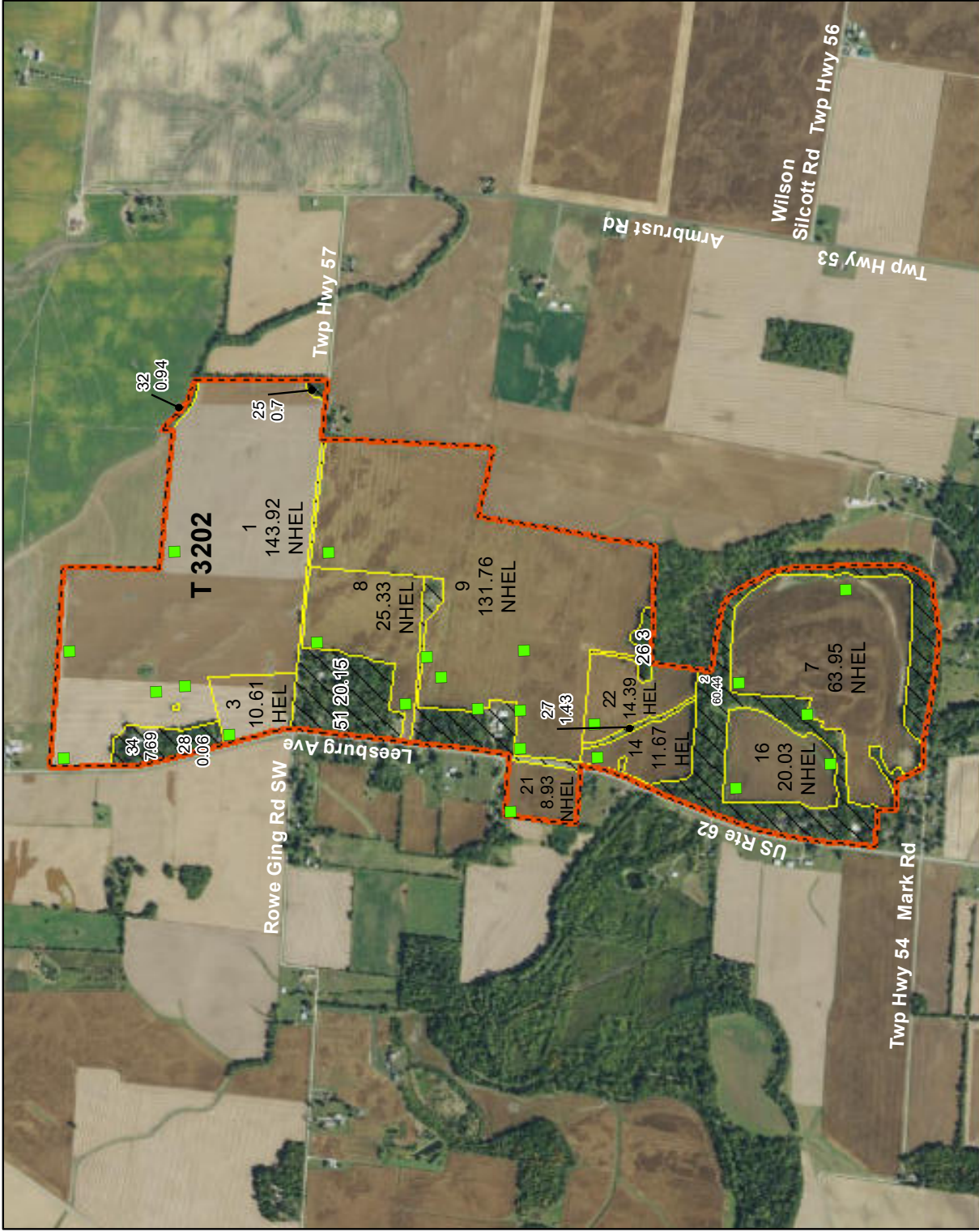
-  Non-Cropland
-  Cropland
-  CRP
-  Tract Boundary

### Wetland Determination Identifiers

-  Restricted Use
-  Limited Restrictions
-  Exempt from Conservation Compliance Provisions

All of the following are true unless otherwise indicated:

- All Crops=NI
- All Crops=GR
- Corn=YEL
- Soybeans=COM
- Wheat=SRW



Tract Cropland Total: 430.59 acres

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather, it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination CPA-026 and attached maps for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).





**PRELIMINARY TITLE**

# PRELIMINARY TITLE

## Title Insurance Commitment

By

***Old Republic Title Insurance Company***

File No.: **20068**

1. Effective Date: **March 13, 2020, at 8:00 am**

2. Policy (or Policies) to be issued: AMOUNT

a.  ALTA Owner's Policy of Title Insurance (6-17-06) **\$TBD**

ALTA Homeowner's Policy of Title Insurance (rev. 2-3-10)

Other

Proposed Insured: **TBD**

b.  ALTA Loan Policy of Title Insurance (6-17-06)

ALTA Expanded Coverage Residential Loan Policy (2-3-10)

ALTA Short Form Residential Loan Policy - Ohio (5/1/08)

Proposed Insured: its successors and/or assigns as their interests may appear, as defined in the Conditions and Stipulations of this policy.

3. The estate or interest in the land described or referred to in this Commitment is: **Fee Simple**

4. Title to the **Fee Simple** estate or interest in the land is at the Effective Date vested in: **Duff Farm Co., Ltd.**

5. The land referred to in this Commitment is described as follows:

**Situated in the State of Ohio, County of Fayette, and in the Townships of Union and Concord, and being further described in Exhibit A, attached hereto and incorporated herein by reference**

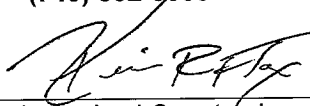
Issuing Agent: **Midland Title West, LLC**

Agent ID No.: **1**

Address: **117 West High St., Suite 105**

City, State, Zip: **London, OH, 43140**

Telephone: **(740) 852-3000**

By:   
Authorized Countersignature  
(This Schedule A valid only when Schedule B is attached)

**INSURANCE FRAUD WARNING: ANY PERSON WHO, WITH INTENT TO DEFRAUD OR KNOWING THAT HE IS FACILITATING A FRAUD AGAINST AN INSURER, SUBMITS AN APPLICATION OR FILES A CLAIM CONTAINING A FALSE OR DECEPTIVE STATEMENT IS GUILTY OF FRAUD.**

# PRELIMINARY TITLE

## Title Insurance Commitment

By

***Old Republic Title Insurance Company***

File No.: 20068

### REQUIREMENTS

The following requirements must be satisfied:

1. Payment of the full consideration to, or for the account of, the grantors or mortgagor, and the payment of the premium due on the title insurance policies to be issued in accordance with this commitment.
2. Instrument(s) in insurable form creating the estate or interest to be insured, must be approved by title company, properly executed, delivered and filed for record.
3. For Lender Title Insurance policies, a properly executed and recordable Mortgage Deed from the legally required owner(s) (with release of dower, if applicable) to proposed Mortgagee insured conveying and/or encumbering the premises described in Schedule A, Item 5, hereof.
4. Properly recorded release(s) of the Property from any mortgage(s) or lien(s) listed in Schedule BII, below.
5. Furnishing to the Closing Agent any documentation required by Title Insurance Agent showing proof of authority for the execution of documents and/or for the determination that a party is in good standing. Closing Agent may require some such documentation to be recorded.

Other Requirements, if any:

6. **Approval of Old Republic Title Insurance Company ("Old Republic") to issue excess risk policy, and furnishing any documentation required by Old Republic.**



# PRELIMINARY TITLE

## Title Insurance Commitment

By

***Old Republic Title Insurance Company***

File No.: 20068

### EXCEPTIONS

The policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this commitment.
2. Any facts, rights, interests, or claims that are not shown in the public records but that could be ascertained by an inspection of the land or by making inquiry of persons in possession of the land.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the public records.
4. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown in the public records.
5. Rights of parties in possession of all or any part of the premises, including, but not limited to, easements, claims of easements or encumbrances that are not shown in the public records.
6. The lien of the real estate taxes or assessments imposed on the title by a governmental authority that are not shown as existing liens in the records of any taxing authority that levies taxes or assessments on real property or in the public records.
7. The property address and tax parcel identification number listed are provided solely for informational purposes, without warranty as to accuracy or completeness are not hereby insured.
8. INTENTIONALLY BLANK
9. The following exception will appear in any loan policy to be issued pursuant to this commitment: Oil and gas leases, pipeline agreements, or any other instruments related to the production or sale of oil or natural gas which may arise subsequent to the Date of Policy
10. Subject to any of the parties being a debtor or the land being involved in any Bankruptcy proceedings; the land must be released from any such proceeding.
11. Coal, oil, natural gas, or other mineral interests and all rights incident thereto now or previously conveyed, transferred, leased, excepted or reserved.
12. **The title insurance policy or certification shall not guarantee the amount of acreage stated in the legal description of the property.**

# PRELIMINARY TITLE

13. Subject to the rights of the public and public authorities to use and regulate the use of any of the land within a road right of way. If a title insurance policy will be issued, the following applies: Although the policy to be issued insures legal access to and from the land (unless otherwise stated), it will not insure the right of the insured to build a driveway connecting to a public highway.
14. Subject to the recoupment of taxes as a result of the land being removed from the County CAUV Program. Farm acreage may be enrolled in other Government Programs (Conversation, Set-aside, Drainage maintenance, etc.) at Federal, State, or Local levels that require repayment/recoupment of benefits if the acreage is not continued on the Government Program. Buyer and/or Lender must inquire and satisfy themselves in regard to the applicability of such other Government Programs. Title Agent, Closing Agent, and Attorney do not assume any liability therefore.
15. Restrictions, easements, and setbacks as shown on the plat (including amendments, if any) containing the land as recorded at the Fayette County Recorder.

16. Taxes:

Parcel Number: 010-017-0-00-012-00

The Fayette County Auditor shows taxes in the name of Duff Farm Co., Ltd. Taxes for the first half of 2019 are paid in the amount of \$526.20. Continuing assessments included in that amount are \$NONE. If the amount due (below) is higher than the taxes and assessments per half, there may be a delinquency; some delinquencies may accrue interest; please check with the County Treasurer.

The total amount of taxes and assessments now due, including delinquencies, is \$NONE. Taxes for the second half of 2019 are a lien, but not yet due. Taxes for the current year is a lien, but undetermined and not due. The aforementioned parcel number is qualified for Current Agricultural Use Valuation (CAUV).

Parcel Number: 010-017-0-00-013-00

The Fayette County Auditor shows taxes in the name of Duff Farm Co., Ltd. Taxes for the first half of 2019 are paid in the amount of \$1,228.75. Continuing assessments included in that amount are \$NONE. If the amount due (below) is higher than the taxes and assessments per half, there may be a delinquency; some delinquencies may accrue interest; please check with the County Treasurer.

The total amount of taxes and assessments now due, including delinquencies, is \$NONE. Taxes for the second half of 2019 are a lien, but not yet due. Taxes for the current year is a lien, but undetermined and not due. The aforementioned parcel number is qualified for Current Agricultural Use Valuation (CAUV).

Parcel Number: 190-024-0-00-004-00

The Fayette County Auditor shows taxes in the name of Duff Farm Co., Ltd. Taxes for the first half of 2019 are paid in the amount of \$151.60. Continuing assessments included in that amount are \$NONE. If the amount due (below) is higher than the taxes and assessments per half, there may be a delinquency; some delinquencies may accrue interest; please check with the County Treasurer.

The total amount of taxes and assessments now due, including delinquencies, is \$NONE. Taxes for the second half of 2019 are a lien, but not yet due. Taxes for the current year is a lien, but undetermined and not due. The aforementioned parcel number is qualified for Current Agricultural Use Valuation (CAUV).

Parcel Number: 190-025-0-00-003-00

The Fayette County Auditor shows taxes in the name of Duff Farm Co., Ltd. Taxes for the first half of 2019 are paid in the amount of \$3,936.02. Continuing assessments included in that amount are \$NONE. If the amount due (below) is higher than the taxes and assessments per half, there may be a delinquency; some delinquencies may accrue interest; please check with the County Treasurer.

# PRELIMINARY TITLE

The total amount of taxes and assessments now due, including delinquencies, is \$NONE. Taxes for the second half of 2019 are a lien, but not yet due. Taxes for the current year is a lien, but undetermined and not due. The aforementioned parcel number is qualified for Current Agricultural Use Valuation (CAUV).

Parcel Number: 190-025-0-00-019-00

The Fayette County Auditor shows taxes in the name of Duff Farm Co., Ltd. Taxes for the first half of 2019 are paid in the amount of \$2,190.44. Continuing assessments included in that amount are \$NONE. If the amount due (below) is higher than the taxes and assessments per half, there may be a delinquency; some delinquencies may accrue interest; please check with the County Treasurer.

The total amount of taxes and assessments now due, including delinquencies, is \$NONE. Taxes for the second half of 2019 are a lien, but not yet due. Taxes for the current year is a lien, but undetermined and not due. The aforementioned parcel number is qualified for Current Agricultural Use Valuation (CAUV).

Parcel Number: 190-028-0-00-011-00

The Fayette County Auditor shows taxes in the name of Duff Farm Co., Ltd. Taxes for the first half of 2019 are paid in the amount of \$2,246.65. Continuing assessments included in that amount are \$NONE. If the amount due (below) is higher than the taxes and assessments per half, there may be a delinquency; some delinquencies may accrue interest; please check with the County Treasurer.

The total amount of taxes and assessments now due, including delinquencies, is \$NONE. Taxes for the second half of 2019 are a lien, but not yet due. Taxes for the current year is a lien, but undetermined and not due. The aforementioned parcel number is qualified for Current Agricultural Use Valuation (CAUV).

Parcel Number: 190-028-0-00-012-00

The Fayette County Auditor shows taxes in the name of Duff Farm Co., Ltd. Taxes for the first half of 2019 are paid in the amount of \$1.13. Continuing assessments included in that amount are \$NONE. If the amount due (below) is higher than the taxes and assessments per half, there may be a delinquency; some delinquencies may accrue interest; please check with the County Treasurer.

The total amount of taxes and assessments now due, including delinquencies, is \$NONE. Taxes for the second half of 2019 are a lien, but not yet due. Taxes for the current year is a lien, but undetermined and not due. The aforementioned parcel number is qualified for Current Agricultural Use Valuation (CAUV).

Parcel Number: 190-028-0-00-013-00

The Fayette County Auditor shows taxes in the name of Duff Farm Co., Ltd. Taxes for the first half of 2019 are paid in the amount of \$745.81. Continuing assessments included in that amount are \$NONE. If the amount due (below) is higher than the taxes and assessments per half, there may be a delinquency; some delinquencies may accrue interest; please check with the County Treasurer.

The total amount of taxes and assessments now due, including delinquencies, is \$NONE. Taxes for the second half of 2019 are a lien, but not yet due. Taxes for the current year is a lien, but undetermined and not due. The aforementioned parcel number is qualified for Current Agricultural Use Valuation (CAUV).

17. Subject to an easement for highway purposes to the Fayette County Commissioners recorded at Official Records Volume 157, Page 276, Fayette County Recorder.
18. Subject to a right of way and easement for communication systems to AT&T Communications of Ohio, Inc., recorded at Official Records Volume 160, Page 644, Fayette County Recorder.



# PRELIMINARY TITLE

19. Subject to rights of way and easements to The Dayton Power and Light Company recorded at Deed Records Volume 120, Page 696, and Deed Records Volume 164, Page 197, and subsequent assignments and assumptions of easement and/or right of way to Indiana Gas Company, Inc., and Vectren Energy Delivery of Ohio, Inc., recorded at Official Records Volume 76, Page(s) 109 and 112, Fayette County Recorder.
20. Subject to game refuge lease to the Wildlife Council of the State of Ohio recorded at Lease Records Volume 7, Page 39, Fayette County Recorder.
21. Subject to an agreement for channel change with the Department of Highways, State of Ohio, recorded at Deed Records Volume 89, Page 2, Fayette County Recorder.
22. Subject to an easement and right of way for public highway and road purposes to the State of Ohio recorded at Deed Records Volume 89, Page 3, Fayette County Recorder.
23. Subject to oil and gas leases to Page Petroleum Inc. recorded at Lease Records Volume 15, Page(s) 642 and 651, and subsequent assignment(s) of oil and gas leases and/or overriding royalty at various references, Fayette County Recorder
24. Subject to an easement to The Ohio Fuel Gas Company recorded at Deed Records Volume 84, Page 181, Fayette County Recorder.
25. Subject to restriction(s) set forth in those certain instruments recorded at Deed Records Volume 85, Page(s) 171, 465, 499; Deed Records Volume 86, Page(s) 538 and 545; Deed Records Volume 89, Page 423; Deed Records Volume 91, Page 476; Deed Records Volume 94, Page 23; Deed Records Volume 103, Page(s) 555 and 652; Deed Records Volume 106, Page(s) 207 and 272; and Deed Records Volume 113, Page 599, Fayette County Recorder.
26. Subject to reservation of right to laying a pipe line for natural gas in those certain instruments recorded at Deed Records Volume 85, Page(s) 171, 465, 499; Deed Records Volume 86, Page(s) 538 and 545; Deed Records Volume 89, Page 423; Deed Records Volume 91, Page 476; Deed Records Volume 94, Page 23; Deed Records Volume 103, Page(s) 555 and 652; Deed Records Volume 106, Page(s) 207 and 272; and Deed Records Volume 113, Page 599, and subsequent affidavit in aid of title recorded at Deed Records Volume 167, Page 1088, Fayette County Recorder.
27. Subject to an easement for a drain set forth in that certain instrument recorded at Deed Records Volume 103, Page 652, Fayette County Recorder.
28. Subject to the regulation of the governmental entity to approve any alternation(s) to Sugar Creek and/or its tributaries.
29. Subject to right(s) of upper and lower riparian owner(s) of Sugar Creek, and the uninterrupted, natural flow thereof.
30. The land shall not be deemed to include any part thereof, resulting through the change in the course of Sugar Creek occasioned by other than natural causes or by natural cause other than accretion.
31. The title insurance policy or certification shall not insure or guarantee riparian rights to Sugar Creek and/or its tributaries.
32. \$4,105,695.21 Commercial Open-End Mortgage to Farm Credit Mid-America, PCA, recorded on 1/29/2020 at Official Record Volume 221, Page 1158, Fayette County Recorder.

End of Schedule



# **PROPERTY PHOTOS**



























**TRACT 1**



**TRACT 1**



**TRACT 1**





**TRACT 2**



**TRACT 2**





**TRACT 4**



**TRACT 4**





**TRACT 4**



**TRACT 4**







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