

# OHIO LAND AUCTION

## 160± Acres

Offered in 5 Tracts



Property Location:  
8715 & 8772 Detrick Jordan Pike  
NEW CARLISLE, OH 45344.

Located in Section 13 of Pike Twp.  
(additional frontage on Utery Rd.)

- Investment Quality Kokomo and Crosby Soils
- 153± FSA Tillable Acres
- 2022 Crop Rights to Buyer(s)
- Picturesque farmstead with house, barns, & bins
- (2) Rural homes
- 7,500± feet of Road Frontage on (2) P...
- Larger level fields for...

INSPECTION DATES:  
10 - 11 AM  
Monday October 4<sup>th</sup>  
Monday, Octob...

# INFORMATION BOOKLET

4.5 mi SE of PIQUA, OH  
 **SCHRADER**  
Real Estate and Auction Company, Inc.

## MONDAY, OCTOBER 25<sup>TH</sup> - 6PM

Auction Site: SHRINE CLUB (Springfield). 471 Shrine Rd. Springfield, OH 45501.

call: 800.451.2709 | visit: [SchraderAuction.com](http://SchraderAuction.com)

## DISCLAIMER:

This information booklet includes information obtained or derived from third-party sources. Although believed to be accurate and from reliable sources, such information is subject to verification and is not intended as a substitute for a prospective buyer's independent review and investigation of the property. Prospective buyers are responsible for completing their own due diligence.

THIS PROPERTY IS OFFERED "AS IS, WHERE IS". NO WARRANTY OR REPRESENTATION, STATED OR IMPLIED, IS MADE CONCERNING THE PROPERTY. Without limiting the foregoing, Owner and Auction Company and their respective agents and representatives, assume no liability for (and disclaim any and all promises, representations and warranties with respect to) the information and reports contained herein.

**OWNER: Hoberty Farms LLC**

**AUCTION COMPANY: Schrader Real Estate and Auction Company, Inc.**

SAL.2012001611, 63198513759, SAL.2008003813



**SCHRADER REAL ESTATE & AUCTION CO., INC.**  
950 N. Liberty Dr., Columbia City, IN 46725  
**260-244-7606 or 800-451-2709**  
**SchraderAuction.com**

### AUCTION TERMS & PROCEDURES

**PROCEDURES:** The property will be offered in 5 individual tracts, any combination of tracts, or as a total 160± 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 December 1, 2021.

**POSSESSION:** Possession will be delivered at closing subject to 2021 lease and crop removal.

**REAL ESTATE TAXES / ASSESSMENTS:** Seller will pay the 2021 taxes payable in 2022 by giving a credit at closing. The property is currently enrolled in the CAUV program.

**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.**

# BOOKLET INDEX

- **BIDDER PRE-REGISTRATION FORM**
- **ONLINE BIDDING REGISTRATION FORM**
- **LOCATION MAP & AERIAL TRACT MAP**
- **SOIL INFORMATION (Soils, Wetland, Topo Contours Maps)**
- **FSA/USDA INFORMATION**
- **PRELIMINARY TITLE**
- **PHOTOS**

**For Information Call Sale Managers: Andy Walther, 765-969-0401 • Travis Kelley, 740-572-1525**



**Tracts 1 & 2**

# REGISTRATION FORMS

# **BIDDER PRE-REGISTRATION FORM**

**MONDAY, OCTOBER 25, 2021**  
**160 ACRES – NEW CARLISLE, OHIO**

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 Monday, October 18, 2021.  
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**  
**160± Acres • Clark County, Ohio**  
**Monday, October 25, 2021**

**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 Monday, October 25, 2021 at 6:00 PM.
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, Monday, October 18, 2021**. 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:**

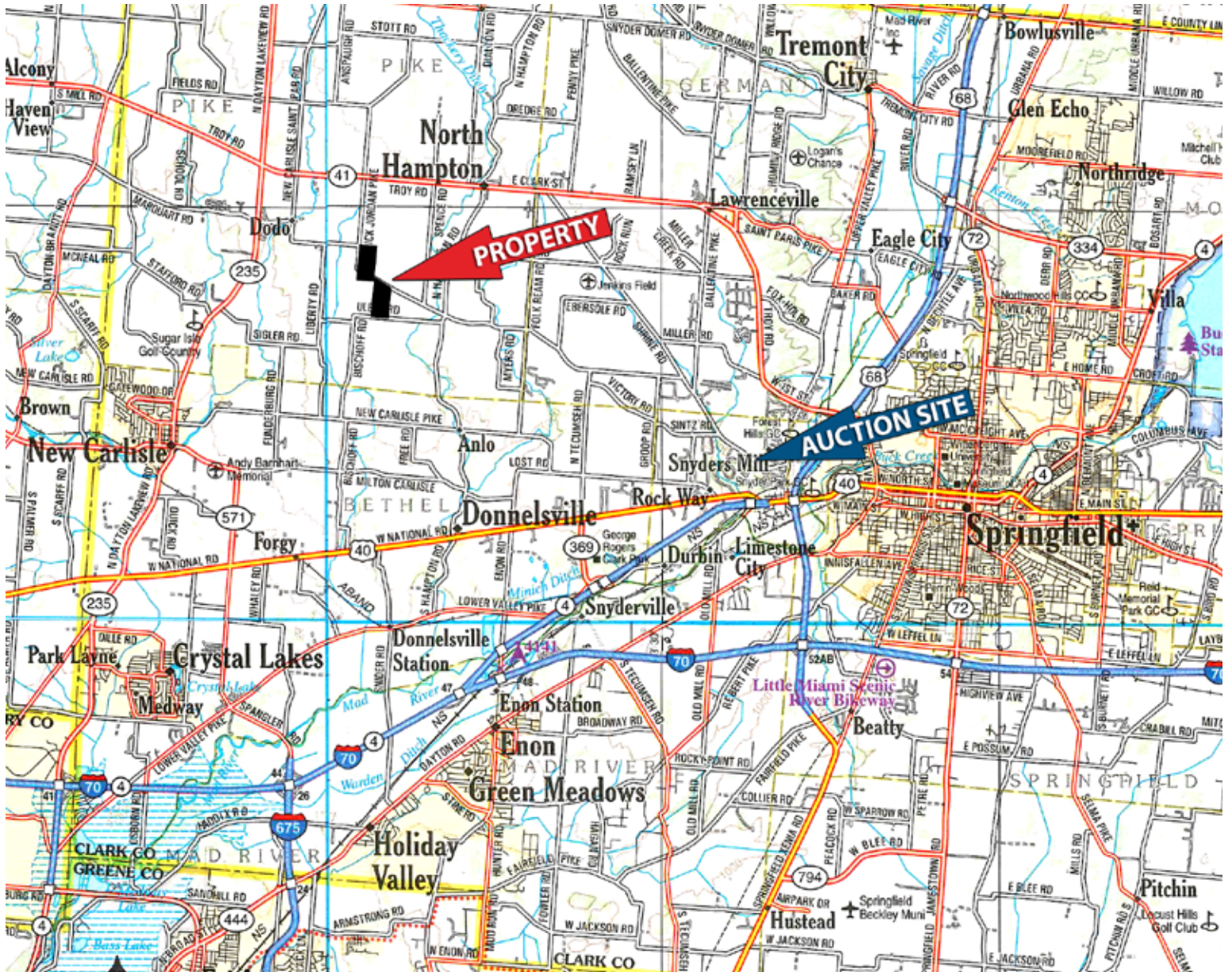
E-mail address of registered bidder: \_\_\_\_\_

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 & AERIAL TRACT MAP**

# LOCATION MAP



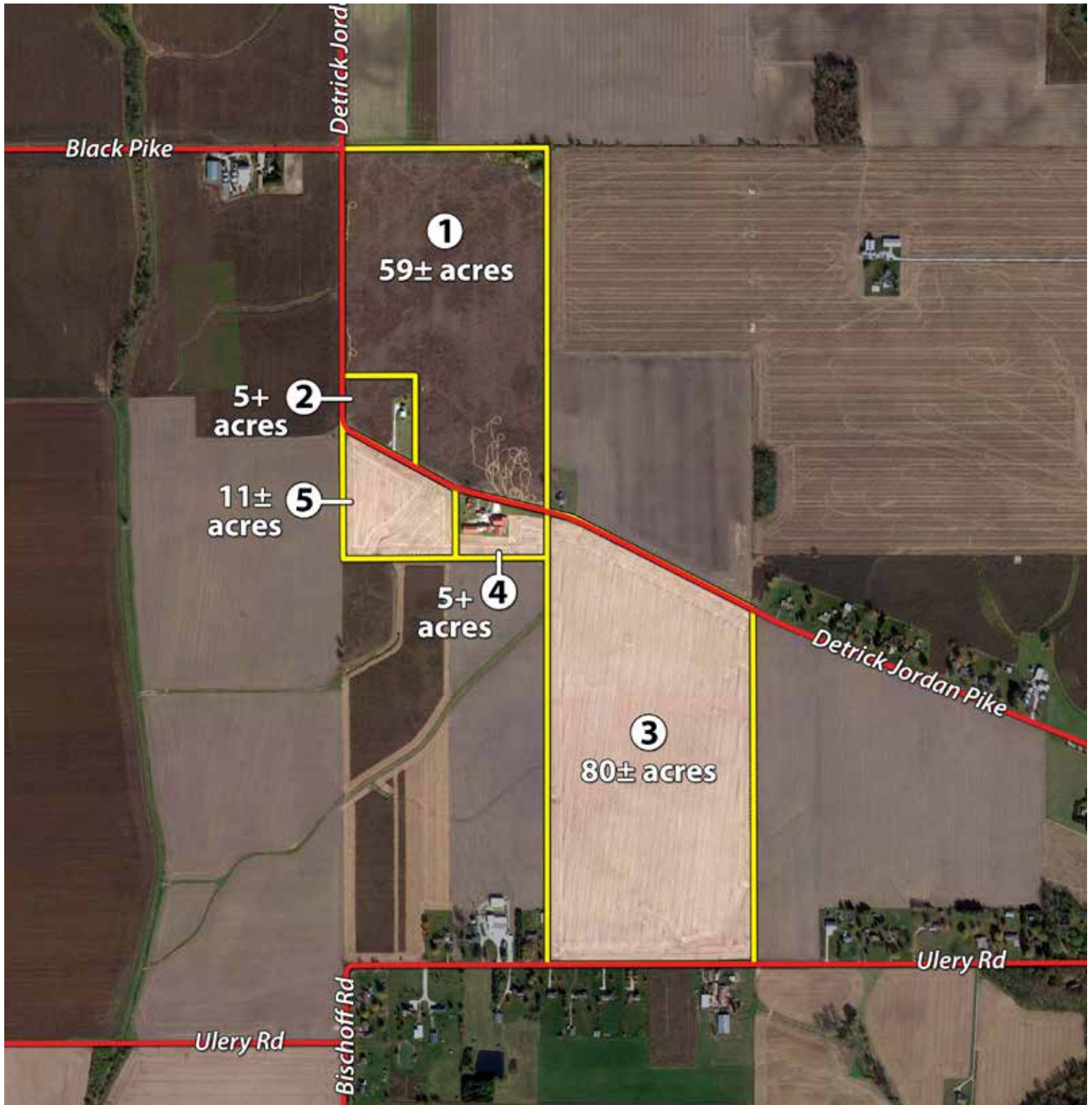
**PROPERTY LOCATION:** 8715 & 8772 Detrick Jordan Pike, NEW CARLISLE, OH 45344.  
*Located in Section 13 of Pike Twp. (additional frontage on Ulery Rd.)*

- 10 mi NW of SPRINGFIELD • 20 mi SW of URBANA
- 23 mi SE of PIQUA, OH

**DIRECTIONS:** From New Carlisle, OH, travel north on OH 235 4 miles to OH 41, then east 2 miles to Detrick Jordan Pike. Turn south (right) and travel 2 miles, the farm will start on your left.

**AUCTION SITE:** SHRINE CLUB (Springfield), 471 Shrine Rd., Springfield, OH 45501.  
*From the intersection of OH 4 and OH 41, take Upper Valley Rd north ½ mile to Shrine Rd. Then left ¼ mile to the auction site. Or from the farm, travel southeast on Detrick Jordan Pk. 5 miles to Shrine Rd. Then south (right) 1.7 miles to Auction site.*

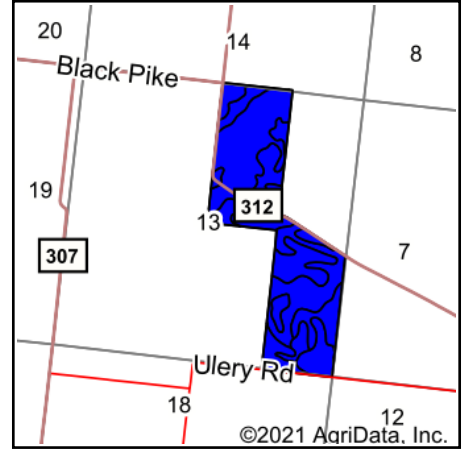
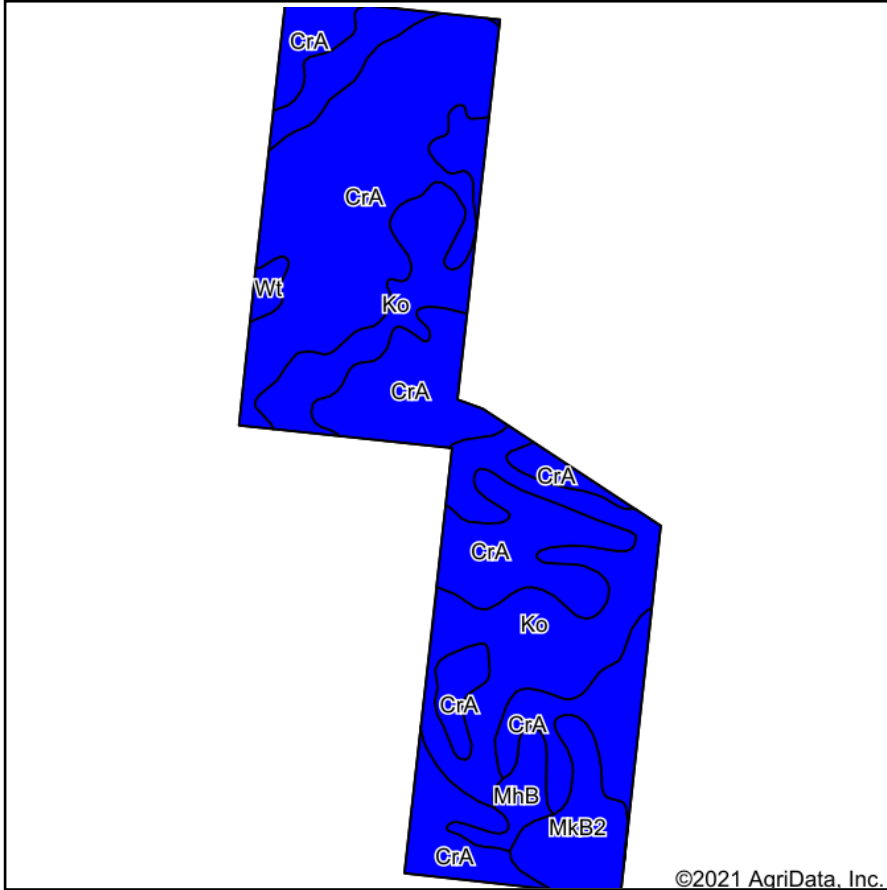
# AERIAL TRACT MAP





# **SOIL INFORMATION**

# SOIL MAP



State: **Ohio**  
 County: **Clark**  
 Location: **13-3E-10N**  
 Township: **Pike**  
 Acres: **161.71**  
 Date: **8/11/2021**



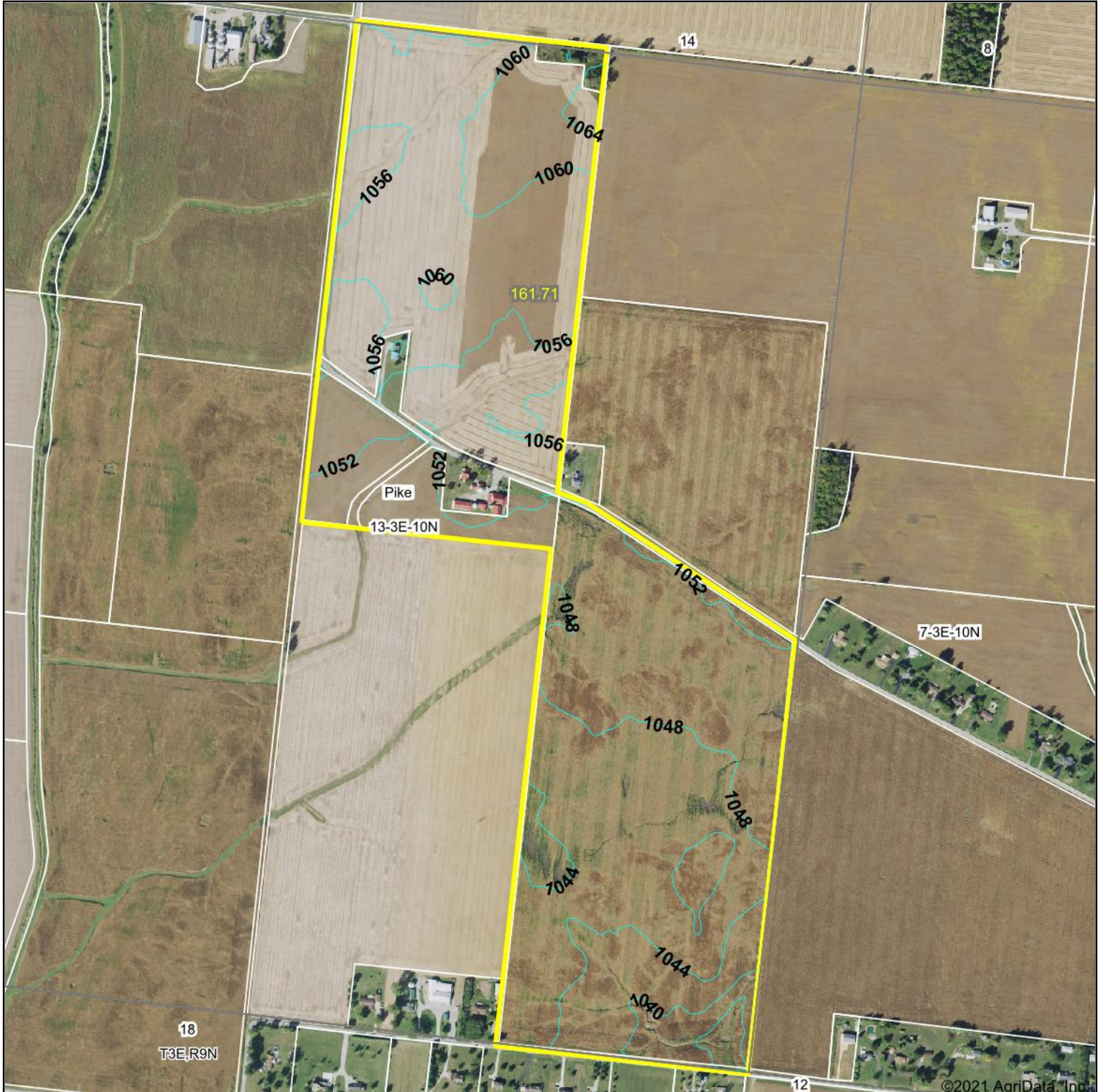
Soils data provided by USDA and NRCS.

Area Symbol: OH023, Soil Area Version: 19

| Code                    | Soil Description  | Acres | Percent of field | Non-Irr Class Legend | Non-Irr Class | Corn         | Grass legume hay | Oats       | Pasture    | Soybeans    | Tall fescue | Winter wheat | *eFOTG PI   |
|-------------------------|---|-------|------------------|----------------------|---------------|--------------|------------------|------------|------------|-------------|-------------|--------------|-------------|
| CrA                     | Crosby silt loam, Southern Ohio Till Plain, 0 to 2 percent slopes         | 96.46 | 59.6%            |                      | Ilw           | 120          | 5                |            |            | 46          | 6.8         | 48           | 81          |
| Ko                      | Kokomo silty clay loam, 0 to 2 percent slopes                             | 49.78 | 30.8%            |                      | Ilw           | 167          | 5.6              |            | 11         | 48          |             | 66           | 87          |
| Mkb2                    | Miamian silty clay loam, 2 to 6 percent slopes, eroded                    | 9.94  | 6.1%             |                      | Ile           | 110          |                  | 70         |            | 40          |             | 48           | 71          |
| MhB                     | Miamian silt loam, 2 to 6 percent slopes                                  | 4.18  | 2.6%             |                      | Ile           | 130          | 4.3              |            | 8.6        | 46          |             | 59           | 76          |
| Wt                      | Westland silty clay loam, Southern Ohio Till Plain, 0 to 2 percent slopes | 1.35  | 0.8%             |                      | Ilw           | 142          | 5                |            | 12         | 46          |             | 53           | 83          |
| <b>Weighted Average</b> |   |       |                  |                      |               | <b>134.3</b> | <b>4.9</b>       | <b>4.3</b> | <b>3.7</b> | <b>46.2</b> | <b>4.1</b>  | <b>53.9</b>  | <b>82.1</b> |

\*efotg PI: Obtained from the NRCS eFOTG (<http://efotg.sc.egov.usda.gov>)  
 Soils data provided by USDA and NRCS.

# TOPO CONTOURS MAP



Source: USGS 3 meter dem

Interval(ft): 4.0

Min: 1,033.0

Max: 1,065.2

Range: 32.2

Average: 1,051.5

Standard Deviation: 6.27 ft

0ft 822ft 1645ft



8/11/2021

**13-3E-10N**  
**Clark County**  
**Ohio**

Map Center: 39° 58' 13.08, -83° 58' 11.96

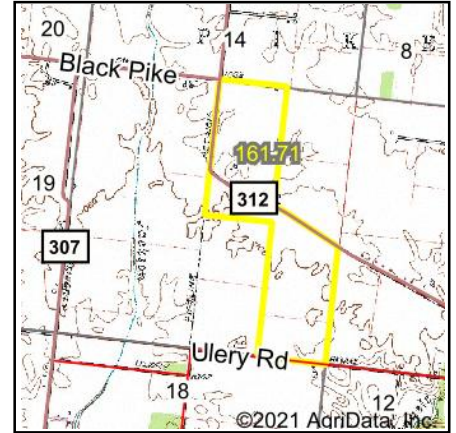
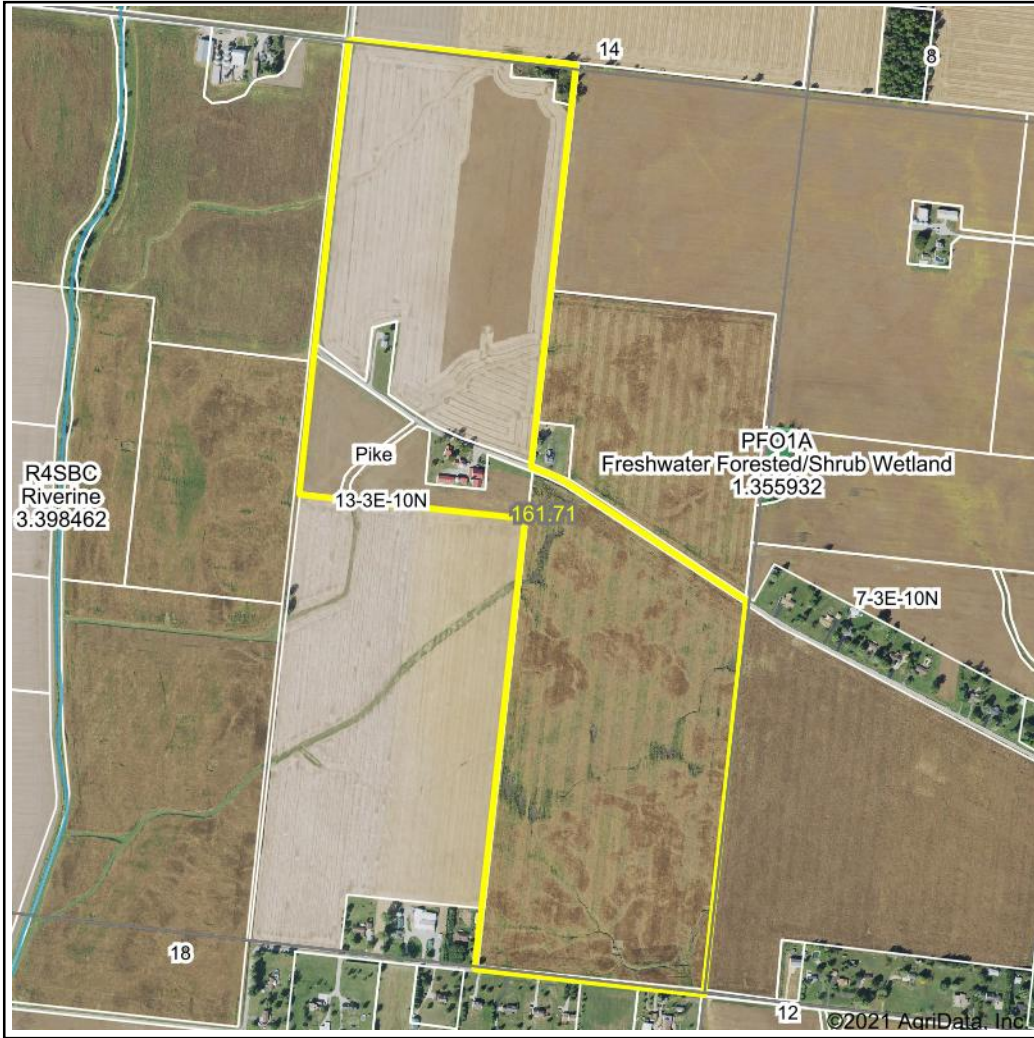
Maps Provided By:



© AgriData, Inc. 2021 www.AgrDataInc.com

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

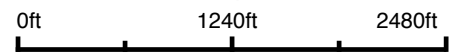
# WETLANDS MAP



State: **Ohio**  
 Location: **13-3E-10N**  
 County: **Clark**  
 Township: **Pike**  
 Date: **8/11/2021**



Maps Provided By  
  
 CUSTOMIZED ONLINE MAPPING  
 © AgriData, Inc. 2021 www.AgriDataInc.com



| Classification Code | Type | Acres            |
|---------------------|------|------------------|
|                     |      | Total Acres 0.00 |

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



# **FSA/USDA INFORMATION**

# FSA INFORMATION

Ohio U.S. Department of Agriculture FARM: 1128  
 Clark Farm Service Agency Prepared: 9/21/21 8:21 AM  
 Report ID: FSA-156EZ Abbreviated 156 Farm Record Crop Year: 2021  
 Page: 1 of 2

DISCLAIMER: This is data extracted from the web farm database. Because of potential messaging failures in MIDAS, this data is not guaranteed to be an accurate and complete representation of data contained in the MIDAS system, which is the system of record for Farm Records.

Operator Name Farm Identifier

Farms Associated with Operator:  
 2387, 3727

ARC/PLC G/F Eligibility: Eligible

CRP Contract Number(s): None

| Farmland           | Cropland           | DCP Cropland           | WBP            | WRP     | EWP | CRP Cropland | GRP | Farm Status | Number of Tracts |
|--------------------|--------------------|------------------------|----------------|---------|-----|--------------|-----|-------------|------------------|
| 159.46             | 152.89             | 152.89                 | 0.0            | 0.0     | 0.0 | 0.0          | 0.0 | Active      | 1                |
| State Conservation | Other Conservation | Effective DCP Cropland | Double Cropped | MPL/FWP |     |              |     |             |                  |
| 0.0                | 0.0                | 152.89                 | 18.6           | 0.0     |     |              |     |             |                  |

| ARC/PLC |              |        |             |                |                |
|---------|--------------|--------|-------------|----------------|----------------|
| PLC     | ARC-CO       | ARC-IC | PLC-Default | ARC-CO-Default | ARC-IC-Default |
| WHEAT   | CORN , SOYBN | NONE   | NONE        | NONE           | NONE           |

| Crop                     | Base Acreage | PLC Yield | CCC-505 CRP Reduction |
|--------------------------|--------------|-----------|-----------------------|
| WHEAT                    | 26.3         | 84        | 0.00                  |
| CORN                     | 61.3         | 162       | 0.00                  |
| SOYBEANS                 | 81.8         | 46        | 0.00                  |
| <b>Total Base Acres:</b> | 169.4        |           |                       |

Tract Number: 200 Description C4/2a  
 FSA Physical Location : Clark, OH ANSI Physical Location: Clark, OH  
 BIA Range Unit Number:  
 HEL Status: NHEL: no agricultural commodity planted on undetermined fields  
 Wetland Status: Wetland determinations not complete  
 WL Violations: None

| Farmland           | Cropland           | DCP Cropland           | WBP            | WRP     | EWP | CRP Cropland | GRP |
|--------------------|--------------------|------------------------|----------------|---------|-----|--------------|-----|
| 159.46             | 152.89             | 152.89                 | 0.0            | 0.0     | 0.0 | 0.0          | 0.0 |
| State Conservation | Other Conservation | Effective DCP Cropland | Double Cropped | MPL/FWP |     |              |     |
| 0.0                | 0.0                | 152.89                 | 18.6           | 0.0     |     |              |     |

| Crop     | Base Acreage | PLC Yield | CCC-505 CRP Reduction |
|----------|--------------|-----------|-----------------------|
| WHEAT    | 26.3         | 84        | 0.00                  |
| CORN     | 61.3         | 162       | 0.00                  |
| SOYBEANS | 81.8         | 46        | 0.00                  |

# FSA INFORMATION

Ohio  
Clark  
Report ID: FSA-156EZ

U.S. Department of Agriculture  
Farm Service Agency  
**Abbreviated 156 Farm Record**

**FARM: 1128**  
Prepared: 9/21/21 8:21 AM  
Crop Year: 2021  
Page: 2 of 2

DISCLAIMER: This is data extracted from the web farm database. Because of potential messaging failures in MIDAS, this data is not guaranteed to be an accurate and complete representation of data contained in the MIDAS system, which is the system of record for Farm Records.

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| Crop              | Base<br>Acreage | PLC<br>Yield | CCC-505<br>CRP Reduction |
|-------------------|-----------------|--------------|--------------------------|
| Total Base Acres: | 169.4           |              |                          |

Owners:

Other Producers: None

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# USDA INFORMATION



Clark County, Ohio



**Farm 1128**  
**Tract 200**

**2021 Program Year**  
Map Created November 03, 2020

Madison/Clark County  
Farm Service Agency  
829 US Highway 42 NE  
London, OH 43140  
740-852-4003 (p)  
855-839-5688 (f)

**Common Land Unit**

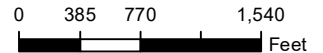
- Non-Cropland
- Cropland
- CRP
- Tract Boundary

**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



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

|   |  |
|---|--|
| <br><b>First American Title™</b> | <b>ALTA Commitment for Title Insurance</b>                 |
|   | ISSUED BY<br><b>First American Title Insurance Company</b> |
| <b>Schedule A</b>   |  |

**Transaction Identification Data for reference only:**

Issuing Agent: CAHD Title Agency, LLC  
ALTA® Universal ID:  
Commitment No.:  
Property Address: See Address Exhibit  
Revision No.:

Issuing Office:  
Loan ID No.:  
Issuing Office File No.:

## SCHEDULE A

1. Commitment Date: September 27, 2021
2. Policy to be issued:
  - (a) ALTA® Owner's Policy of Title Insurance (6-17-06)  
  
Proposed Insured: TBD  
Proposed Policy Amount: \$ TBD
  - (b)  ALTA® Loan Policy of Title Insurance (6-17-06)  
 ALTA® Expanded Coverage Residential Loan Policy (Rev. 12-2-13)  
Proposed Insured: TBD, its successor and/or assigns, as their interests may appear  
Proposed Policy Amount: \$ TBD
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 Commitment Date vested in: Hoberty Farms, LLC
5. The Land is described as follows: The address and/or tax parcel numbers shown herein are provided solely for informational purposes without warranty as to accuracy or completeness.  
(See Attached Exhibit A)

### FIRST AMERICAN TITLE INSURANCE COMPANY

Issuing Agent: CAHD Title Agency, LLC  
Agent ID No.: 12272069  
Address: 333 N. Limestone St.  
City, State, Zip: Springfield, OH 45503  
Telephone: 937-322-0891

By:   
Authorized Signatory

**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.

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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# PRELIMINARY TITLE

|   |  |
|---|--|
| <br><b>First American Title™</b> | <b>ALTA Commitment for Title Insurance</b>                 |
|   | ISSUED BY<br><b>First American Title Insurance Company</b> |
| <b>Schedule BI &amp; BII</b>  |  |

Commitment No.:

## SCHEDULE B, PART I

### Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

The County Auditor will require a new legal description survey of the subject real estate prior to any future conveyances.

Subject to the production of a Certificate of Good Standing from the Ohio Secretary of State for Hoberty Farms, LLC.

Subject to the production of an Operating Agreement setting for the authority to sell real estate or Resolution signed by all members of Hoberty Farms, LLC authorizing the sale of the real estate and appointing a signer on behalf of the Seller.

Subject to the filing of a good and sufficient warranty deed from Hoberty Farms, LLC, an Ohio limited liability company, to TBD.

The Proposed Insured and Policy Amount must be disclosed to the Company, and are subject to approval of the Company. Until the amount of the policy to be issued and Proposed Insured shall be determined, and entered as aforesaid, this Commitment shall not be binding to any proposed insured.

Additional requirements may be made as additional information is provided to the Company, including Proposed Insured, legal description and insured Amount, and said information may cause the Company to add matters to be excepted in Schedule BII.

## SCHEDULE B, PART II

### Exceptions

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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# PRELIMINARY TITLE

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
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.

|  |  |
|--|--|
|  <b>First American Title™</b> | <b>ALTA Commitment for Title Insurance</b>                 |
|  | ISSUED BY<br><b>First American Title Insurance Company</b> |
| <b>Schedule BI &amp; BII (Cont.)</b>   |  |

Commitment No.:

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 following exception will appear in any loan policy to be issued pursuant to this commitment: Oil and gas leases, pipeline agreements, or any other instrument related to the production or sale of oil or natural gas which may arise subsequent to the Date of Policy.
8. Coal, oil, natural gas, or other mineral interests and all rights incident thereto now or previously conveyed, transferred, leased, excepted or reserved.
9. *The 2020 real estate taxes in the amount of \$1,535.45 per half are paid in full. The 2021 taxes are undetermined, This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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# PRELIMINARY TITLE

- but do constitute a lien against the premises. Parcel No. 250-01-00013-000-015.*
10. *The 2020 real estate taxes in the amount of \$1,407.84 per half are paid in full. The 2021 taxes are undetermined, but do constitute a lien against the premises. Parcel No. 250-01-00013-000-011.*
  11. *The 2020 real estate taxes in the amount of \$961.49 per half are paid in full. The 2021 taxes are undetermined, but do constitute a lien against the premises. Parcel No. 250-01-00013-000-006.*
  12. *The 2020 real estate taxes in the amount of \$228.97 per half are paid in full. The 2021 taxes are undetermined, but do constitute a lien against the premises. Parcel No. 250-01-00013-000-010.*
  13. *The 2020 real estate taxes in the amount of \$984.14 per half are paid in full. The 2021 taxes are undetermined, but do constitute a lien against the premises. Parcel No. 250-01-00013-000-007.*
  14. *The above taxes are based upon an agricultural valuation and will be subject to a maximum three year recoupment under Ohio Revised Code Section 5713.34 if the agricultural use is not maintained. A purchaser should obtain a tax proration including the amount of recoupment if purchaser does not intend to maintain agricultural use of the real estate.*
  15. *Notwithstanding the reference to acreage or square footage in the legal description set forth in Schedule A herein, this policy does not insure nor guarantee the acreage or quantity of land set forth therein.*
  16. *An easement for electric distribution lines granted to Ohio Edison Company by Calvin Lester Hoberty and Mary Laurena Hoberty, filed for record on June 23, 1975 and recorded in Volume 709, Page 36 of the Deed Records of Clark County, Ohio.*
  17. *An easement for sanitary sewer facilities granted to the Village of North Hampton, Ohio by Calvin L. Hoberty and Mary Laurena Hoberty, filed for record on February 3, 1999 and recorded in Volume 1370, Page 73 of the Official Records of Clark County, Ohio.*
  18. *A permanent highway easement granted to the Board of County Commissioners of Clark County, Ohio by Calvin L. Hoberty and Mary L. Hoberty, Trustees, filed for record on June 23, 2003 and recorded in Volume 1613, Page 1604 of the Official Records of Clark County, Ohio.*
  19. *The County Auditor will require a new legal description survey prior to any further conveyance.*
  20. *Rights of the public to use those portions of the subject premises lying within the bounds of any legal highway.*
  21. *Potential statutory trust could arise under the Perishable Agricultural Commodities Act (PACA)(7 U.S.C. ?? 499a, et seq.) or the Packers and Stockyards Act (PSA)(7 U.S.C. ?? 181, et seq.).*

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# PRELIMINARY TITLE

## Address Exhibit

### PARCEL I:

Property Address: Detrick Jordan Pike, New Carlisle, OH 45344

Parcel No. 250-01-00013-000-015

### PARCEL II:

Property Address: 8715 Detrick-Jordan Pike, New Carlisle, OH 45344

Parcel No. 250-01-00013-000-011

### PARCEL III:

Property Address: Detrick Jordan Pike, New Carlisle, OH 45344

Parcel No. 250-01-00013-000-006

### PARCEL IV:

Property Address: Detrick Jordan Pike, New Carlisle, OH 45344

Parcel No. 250-01-00013-000-010

### PARCEL V:

Property Address: 8772 Detrick-Jordan Pike, New Carlisle, OH 45344

Parcel No. 250-01-00013-000-007

# PRELIMINARY TITLE

## EXHIBIT A

Situate in the State of Ohio, County of Clark, and Township of Pike.

### TRACT I

Parcel One. Being the East half of the Southeast quarter of Section 13, Township 3, Range 10, M.R.S., containing 80 acres, more or less, and being the same premises conveyed to Henderson Stewart by deed of Philip Grabill and wife, dated March 3, 1856, and recorded in Vol. 33, Page 131, Deed Records of Clark County, Ohio. EXCEPTING therefrom the tract of land conveyed by said Henderson Stewart and wife to Henry Snyder by deed dated April 27, 1887, and recorded in Vol. 97, Page 400 of said Deed Records, and bounded as follows: Beginning at the Southeast corner of the land of Henry Snyder in said section, and running thence South, with the Section line 20 poles and 7 feet to the center of the Black and Marquart Turnpike; thence Northwest with the angle with the center of said Turnpike 45 poles 5 feet and 10 inches to a stone in the center of said Turnpike; thence East with the South line of the lands of Henry Snyder 20 poles and 7 feet to the place of beginning. Containing in said excepted tract 2 57/100 acres, more or less, and being the same premises conveyed to John B. Thomas and wife by T. E. Lott, Sheriff, by deed dated August 9, 1894, and recorded in Vol. 112, Page 54, Deed Records of Clark County, Ohio.

Parcel Two. Being part of the East half of the Northeast quarter of Sec. 13, Twp. 3, Range 10, M.R.S. Beginning at a stone planted as a monument in the center of the free turnpike known as "Robt. Black Improved Road" and in the south line of said half quarter-section and midway between Southeast and Southwest corner of said quarter section; running thence with the center of said road and with the meanderings of same in a Northwesterly direction 19 81/100 poles to a stake in the center of said road; thence South parallel to the East line of said quarter section to stake in the South line of said half quarter section; thence East with said South line of said half quarter section 9.46 poles to the place of beginning. Containing one acre of land, be the same, more or less, and being the same premises conveyed to the said John B. Thomas and wife by Stephen A. Thomas and wife by deed dated October 5, 1897, and recorded in Vol. 120, Page 567, Clark County Deed Records

(PPN 250-1 13-0-015, consisting of 78.43 acres)

### TRACT II

Parcel One. Being part of the West half of the Northeast quarter of Sec. 13, Township 3, Range 10, M.R.S. Beginning at the Southeast corner of the said half quarter, running thence North with the East line of the same 27 1/2 poles to a stone in said line; thence West parallel with the South line of said quarter 35 poles to a stake in the East line of Robert Collins' land in said half quarter; thence South with the East line of the same 27 1/2 poles to the South line of said half quarter and Southeast corner of said Collins' land; thence East with the South line of the said half quarter section to the place of beginning. Containing six acres neat measure.

Parcel Two. Being part of the Northeast quarter of Section 13, Township 3, Range 10, M.R.S. Commencing in the North line of the 10 acre tract of land heretofore conveyed to William Q. Thomas and Ada N. Thomas by Robert Collison and wife by deed dated March 27, 1901, and recorded in Vol. 132, Page 134, Deed Records of Clark County, Ohio, and at a point in said line, said point being the Southwest corner of a 6 acre tract of land now owned by said John B. Thomas and wife in said Northeast quarter

# PRELIMINARY TITLE

of section aforesaid; thence North along the West line of said Thomas land to the center of the turnpike in said quarter section; thence Westerly with the center line of said turnpike 18 feet; thence South parallel with the first described line 18 feet distant therefrom to the South line of said Northeast quarter section 13, Township 3, Range 10, and to the North line of said ten acre tract of land owned by Eli C. Bower; thence East with the quarter section line and North line of said 10 acre tract 18 feet to the place of beginning. Containing  $\frac{3}{16}$  of an acre, more or less - the intention of the grantors to convey to the said John B. Thomas a strip of land 18 feet wide in said Northeast quarter Sec. 13, Township 3, Range 10, extending North from said 10 acre tract to said turnpike aforesaid referred to, the said strip abutting the lands of said Thomas on the West side thereof. And being the same premises conveyed to John B. Thomas and wife by Eli C. Bower and wife by deed dated June 18, 1917 and recorded in Vol. 202, Page 77 of Deed Records, Clark County, Ohio.

Parcel Three. Being a part of the East half of the Northeast quarter of Section 13, Township 3, Range 10, M.R.S. Beginning at a stone at the Southwest corner of said half quarter section, running thence North with the West line of said half quarter section 18 poles to a stake in said line and the center line of the free pike known as "Robert Black Improved Road"; thence with the center line of said Road South  $72\frac{1}{2}^{\circ}$  East 8 poles to a stake; thence with the center line of said road South  $60\frac{1}{4}^{\circ}$  East 38 poles to a stone in said road and in the South line of said half quarter section, which said stone stands midway between the Southwest and Southeast corner of said half quarter section; thence West with the South line of said half quarter section 40 poles, more or less, to the beginning. Containing 2.57 acres, more or less. EXCEPTING a tract or lot of one acre more or less heretofore conveyed to Hattie Nauman off the East end of the above described tract.

(PPN 250-1-13-0-011, consisting of 7.56 acres)

## TRACT III

Being part of the northeast quarter of section thirteen, Town 3, Range 10, M.R.S., and further described as follows.

Parcel One. Beginning at the northwest corner of said quarter section; thence east along the north line of the same eighty (80) poles; thence south parallel with the west line of the same sixty-six (66) poles; thence west parallel with the north line of the same eighty (80) poles to the west line of said quarter; thence north along the west line of the same sixty-six (66) poles to the place of beginning. Containing thirty-three (33) acres of land.

Parcel Two. Beginning at the southeast corner of the above described tract of land (Parcel One); thence south parallel with the west line of said quarter to the south line of the same; thence west along the south line of said quarter to the southeast corner of lands now owned by Robert Callison (now Sturgeon); thence north along the east line of said Callison's land to the northeast corner of the same; thence east to the place of beginning, containing 20 acres of land. EXCEPTING six (6) acres off of the south end thereof.

(PPN 250-1-13-0-006, consisting of 47.5 acres)

# PRELIMINARY TITLE

## TRACT IV

Being part of the northeast quarter of Section thirteen, Town 3, Range 10, M.R.S. Beginning at a stone on the south line of said quarter at J. B. Thomas Smith's west corner; thence north  $4^{\circ} 45'$  E. 26.70 poles to an iron bar in the center of the Detrick Pike; thence with the Detrick Pike No. 57° W. 51.49 poles to a point in the west line of said quarter and an angle in said pike; thence with the west line of said quarter S.  $4^{\circ} 25'$  W. 51.21 poles to an iron bar in the center of said Section 13; thence with the south line of said quarter S.  $85^{\circ} 15'$  E. 45.31 poles to the place of beginning. Containing 11.02 acres. EXCEPTING out of the above described tract a strip of land off of the east side thereof 18 feet wide, containing .18 acres, sold to William Q. Thomas for a right of way, leaving 10.96 acres conveyed.

(PPN 250-1-13-0-010, consisting of 10.96 acres)

## TRACT V

Being part of the northeast quarter of Section thirteen, Town 3, Range 10, M.R.S. Commencing at the southwest corner of said quarter; thence North with the west line of said quarter 94 poles, or to land now owned by William W. Sturgeon, formerly Jacob Otewalt; thence east along said Sturgeon's land 45 poles; thence south parallel with the west line of said quarter 94 poles to the south line of said quarter; thence west with said line to the place of beginning. Containing 26 acres, more or less. EXCEPTING therefrom 11.02 acres off of the south end. Was formerly conveyed to Oliver S. Thomas by deed of Robert Callison as recorded in Vol. 136, Page 15, Deed Records of Clark County, Ohio.

Being the same premises conveyed to Weller A. Sturgeon by affidavit for transfer, dated January 7, 1926, and recoded in Vol. 243, Page 169, Deed Records, Clark County, Ohio, from the estate of William W. Sturgeon. Also see Vol. 406, Page 304, dated May 27, 1949, Clark County, Ohio Deed Records. Subject to Will restrictions.

(PPN 250-1 13-0-007, consisting of 15.48 acres)

Subject to conditions, restrictions, and easements of record, and to real estate taxes and assessments.



**PHOTOS**

# PHOTOS





# PHOTOS



**TRACTS 1 & 2**



**TRACT 1**

# PHOTOS



**TRACT 1**



**TRACT 2**

# PHOTOS



# PHOTOS



**TRACT 3**



**TRACT 3 - Road Frontage**

# PHOTOS



# PHOTOS



**TRACT 4**



**TRACT 4**

# PHOTOS





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