

TUSCARAWAS COUNTY, OHIO - DEED CONVEYANCE REQUIREMENTS FORM

-NO ORIGINALS FOR PRE-APPROVAL-

Pre-Approvals Require A Minimum of 2 Days (The day dropped off does for 2020)
Must present this form including all pages that were submitted (STAPLED TOGETHER) for Pre-Approval at time of recording with the New Deed
Last Recordings Must be in GIS-Map Office recording bin By 3:30pm in order to be processed that day

Whole Lot Straight Transfer ReSurvey Split LandContract AnnexPlat PrivatePlat DeedPlat VacationPlat Other _____
Tuscarawas Co. Auditor Office

Title Office/Attorney: Tusc. Title/ORTA - 2160008-KC Drop Off Date: September 12, 2025

Parcel #'s. : 58-01047-006; 58-~~01047-007~~ 58-01047-003; 58-01047-004; 58-01047-005;
58-00493-000; 58-01048-000; and 58-00702-000

Grantor: Pirates Cove Development, LLC SEP 19 2025 Grantee: TBD

Needs Filled	General Required Items	Tuscarawas Co. Auditor Office	YES	NO	N/A	Comments
	Auditor - Parcel Identification Numbers Listed with each corresponding description		/			Middle
	Auditor - Property is Listed under CAUV/HMSTD					Blank
	Map -Parcel Numbers & Prior Deed References & Acreage Listed with Corresponding Description		/			
	Village / City Approval / Zoned (if applicable)					
	Driveway Access Management (Engineer's Office or ODOT Approval)					
	All Parcel Splits Must have this. Regional Approval Form or Letter or Deed Signed Off					Engineer for County & Township Roads ODOT District 11 for State Routes & US Routes
	Regional Planning/Sanitary Eng/Health Dept. Regional Approval Form (if applicable)					
	Recording - Margin Area for County Stamps HB 525 (ORC 317.114)					NO - Additional \$20.00 Recording Fee
	Recorded Lots		YES	NO	N/A	Comments
	Current Lot Number					
	Official Subdivision/Addition Name -with Plat Book & Page-Date Reference					
	Unrecorded Plats must have Metes & Bounds Description.					
	Portions of Recorded Lots must have Metes & Bounds Description.					
	Existing Survey Metes and Bounds Description of Record		YES	NO	N/A	Comments
	Map Office Verification that Description is Adequate and Verbatim		/			
	Closure more then 1/2000 feet if before 12/6/1996 after 12/7/1996 it's 1/10,000		/			
	Residual Acreage Must Agree in GIS-Map Office and Auditor's Office		/			
	Parcels Newly Annexed Since Last Transfer must have Correct Jurisdiction					
	Verbatim Exceptions - Total Acreage to be conveyed must be listed for each parcel with exceptions					
	Four (4) Exceptions previous to current transfer requires new survey of parent tract					
	New Survey Metes and Bounds Descriptions		YES	NO	N/A	Comments
	State, County, Township, Municipality, Range, Section, Quarter Section (if applicable)					
	Title and Prior Deed Reference					
	Description tied to identifiable point on map					
	Clockwise direction on all courses					
	Bearing expressed in degrees, minutes, seconds, feet and decimal parts thereof					
	Monumentation cited					
	Curves, Direction, Radius, Long Chord, Distance					
	Reference, Current or Existing Recorded Names or Numbers					
	Survey Information					
	Ambiguous content has statement of clarification					
	Closure more then 1/10,000 feet					
	Adequate Plat Acreage					
	Calculation to Third Decimal Place (Square Footage may also be mentioned)					
	Description encompasses 2 or more tax districts. Total acreage must be broken down into current tax districts					
	Railroads		YES	NO	N/A	Comments
	Referenced to Auditor's Appraisal of Railroads Real Estate Report, Section A or B					
	Alleys		YES	NO	N/A	Comments
	Newly Vacated Alleys/Streets have Metes and Bounds Survey					
	Does survey show what owners get in relation to vacated portion of Alley/Street					
	Comments:					

Approved By: SJ Date: 9-16-25

Approved By: Sub Date: 9-23-25

Tuscarawas Co. Auditor Office

FORM rev09/2012

*58-00861-000 9/16/24 V1660 P5439 - John L Mast & Jacquelyn Mast
it's an exception it looks like. (11)
OK-off took
SEP 16 2025

GENERAL WARRANTY DEED

(Statutory Form O.R.C. Section 5302.05-.06
and see Section 5302.17 Ohio Revised Code)

PIRATES COVE DEVELOPMENT, LLC, an Ohio Limited Liability Company, for valuable consideration paid, grants with general warranty covenants to **TBD**, for their joint lives, remainder to the survivor of them, whose tax-mailing address is _____, the following **REAL PROPERTY**:

**SEE EXHIBIT "A" ATTACHED
HERETO AND MADE A PART HEREOF**

The real property described herein is conveyed subject to all items listed above or in any attached Exhibit A, which are exempted from the general warranty covenants, and is also conveyed subject to the following items, which are also exempted from the general warranty covenants: all reservations, easements, rights of way, leases, covenants, conditions, restrictions and out conveyances of record; all legal highways; zoning, building and other laws, ordinances and regulations; real estate taxes and assessments not yet due and payable; rights of parties in possession; and discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which are not shown by the public records, but would be shown in a correct survey of premises.

Parcel No.: _____, **58-01047-006; 58-01047-007; 58-01047-003; 58-01047-004; 58-01047-005; 58-00493-000; 58-01048-000; and 58-00102-000**

Prior Instrument Reference: Volume 1660, Page 44, Tuscarawas County Official Records.

EXECUTED AND ACKNOWLEDGED this _____ day of _____, 2025.

**PIRATES COVE DEVELOPMENT, LLC, an
Ohio Limited Liability Company**

BY:
ITS:

STATE OF OHIO)
): SS:
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2025 by _____ of **PIRATES COVE DEVELOPMENT, LLC, an Ohio Limited Liability Company**, on behalf of said Limited Liability Company.

Notary Public

This instrument prepared by:
Attorney Gregory D. Swope
Fitzpatrick Zimmerman & Rose Co., L.P.A.
Attorneys at Law File #216068
140 Fair Avenue NW - P. O. Box 1014
New Philadelphia, Ohio 44663

EXHIBIT "A"

PARCEL NO. 1:

Being a part of the Village of Sugarcreek and situated in the southeast quarter of section 3, Sugarcreek Township, T-8 N, R-4 W, Tuscarawas County, Ohio, also known as part of a 65.04 acre tract conveyed to Eli J.C. Yoder in Deed vol. 373 page 537 and Official Record vol. 1201 page 1460, #58-00861-000.

Described as follows:

Commencing at a 3/4 inch rebar found marking the southwest corner of Lot 702 of the Village of Sugarcreek, thence S 62 degrees 27' 00" E 266.79 feet along the lot line and along LBA Enterprises, Ltd.'s (Deed vol. 765 page 5) north line to a 1/4 inch rebar found, thence S 27 degrees 33' 00" W 247.78 feet along said LBA Enterprises, Ltd.'s east line and along Moomaw Manor Ltd. Partnership's (Deed vol. 583 page 737) west line to a 5/8 inch rebar found on Cletus & Norma Yoder's (Deed vol. 610 page 401) north line, thence S 63 degrees 07' 00" E 38.62 feet along said Cletus & Norma Yoder's north line and along said Moomaw Manor Ltd. Partnership's west line to a 5/8 inch rebar found the TRUE POINT OF BEGINNING, thence with the following SEVEN (7) COURSES:

- 1) S 63 degrees 07' 00" E 135.46 feet along said Moomaw Manor Ltd. Partnership's west line to an iron pin set, witnessed by a 3/4 inch rod found N 26 degrees 48' 07" E 1.07 feet, also witnessed by a 3/4 inch rod found S 71 degrees 02' 47" E 7.01 feet;
- 2) S 10 degrees 21' 16" W 134.58 feet along said Moomaw Manor Ltd. Partnership's west line to a 3/4 inch rod found;
- 3) S 35 degrees 34' 28" W 432.55 feet along said Moomaw Manor Ltd. Partnership's west line to a 3/4 inch rod found on Belden Brick Company's (Deed vol. 610 page 783) north line;
- 4) N 54 degrees 25' 32" W 420.86 feet along said Belden Brick Company's north line to a point in S.R. 93, witnessed by an iron pin set S 54 degrees 25' 32" E 56.21 feet;
- 5) N 25 degrees 15' 16" E 222.50 feet along S.R. 93 and along Jeffrey Troyer, Pamela Russell, Brent & Douglas Troyer's (Deed vol. 763 page 872) east line to a point, witnessed by a 5/8 inch rebar found S 75 degrees 27' 01" E 41.13 feet;
- 6) S 75 degrees 27' 01" E 360.13 feet along said Cletus & Norma Yoder's south line to a 5/8 inch rebar found;
- 7) N 15 degrees 49' 31" E 197.34 feet along said Cletus & Norma Yoder's east line to the TRUE POINT OF BEGINNING.

This parcel contains 3.735 acres, but subject to all highways and easements of record.

All iron pins set are 5/8 inch rebars with a plastic identification cap marked "Baker 6938" . Bearings from Deed vol. 765 page 5.

This survey made and description prepared by Jamie D. Darr P.S. 7755. January 10, 2007

SAVING AND EXCEPTING THE FOLLOWING:

Being a part of the Village of Sugarcreek and situated in the southeast quarter of section 3, Sugarcreek Township, T-8 N, R-4 W, Tuscarawas County, Ohio, also known as part of a 3.735 acre tract conveyed to Eli J.C. Yoder in Official Record vol. 1252 page 2599, #58-00861-000.

Described as follows:

3.10733
-0.6228

3.735

Commencing at a 3/4 inch rebar found marking the southwest corner of Lot 702 of the Village of Sugarcreek, thence S 62 degrees 27' 00" E 266.79 feet along the lot line and along LBA Enterprises, Ltd.'s (Deed vol. 765 page 5) north line to a 1/4 inch rebar found, thence S 27 degrees 33' 00" W 247.78 feet along said LBA Enterprises, Ltd.'s east line and along Moomaw Manor Ltd. Partnership's (Deed vol. 583 page 737) west line to a 5/8 inch rebar found on Cletus & Norma Yoder's (Deed vol. 610 page 401) north line, thence S 63 degrees 07' 00" E 38.62 feet along said Yoder's north line and along said Moomaw Manor Ltd. Partnership's south line to a 5/8 inch rebar found the TRUE POINT OF BEGINNING.

thence with the following THREE (3) COURSES:

- 1) S 63 degrees 07' 00" E 48.24 feet along said Moomaw Manor Ltd. Partnership's south line to an iron pin set;
- 2) S 29 degrees 57' 14" W 193.96 feet through the lands of said Eli J.C. Yoder to a 5/8 inch rebar found;
- 3) N 15 degrees 49' 31" E 197.34 feet along said Cletus & Norma Yoder's east line to the TRUE POINT OF BEGINNING.

This parcel contains 0.107 acres, but subject to all easements of record. All iron pins set are 5/8 inch rebars with a plastic identification cap marked "Baker 6938". Bearings from Deed vol. 765 page 5.

This survey made and description prepared by Jamie D. Darr P.S. 7755. July 18, 2007

Leaving to be conveyed 3.628 acres, more or less

Parcel No.: 58-00861-000
PARCEL NO. 2:

Situated in the Village of Sugarcreek in the County of Tuscarawas, the State of Ohio.

Being located in the Southeast Quarter of Section 3 in Township 8, Range 4 of the United States Military Lands and being a part of the residue of a 12.597 acre tract (AP #58-01047.000) heretofore conveyed to David P. Shutt II (1/3 interest), Christine S. Parson (1/3 interest), Jessica Numbers (1/6 interest) and Anthony Immel (1/6 interest) in Official Record 1519 at Page 2385 of the Tuscarawas County Official Records with the tract to be conveyed being more fully described as follows:

Commencing at a 5/8" iron pin found capped Pyle Survey at the northeast corner of Lot 892 of Shutt Allotment as set forth in Plat Book 27 at Page 1 and being also at the TRUE PLACE OF BEGINNING of the tract herein to be described;

Thence with the north line of said Lot 892 North 27 deg. 05 min. 54 sec. West, 202.19 feet to an iron pin set;

Thence through the bounds of the aforesaid residue 12.597 acre parent tract North 43 deg. 30 min. 59 sec. East, 360.06 feet to an iron pin set on the south bound of a 0.583 acre tract heretofore conveyed to David P. Shutt II (1/3 interest), Christine S. Parson (1/3 interest), Jessica Numbers (1/6 interest) and Anthony Immel (1/6 interest) (O.R. 1519 - Pg. 2385);

Thence with the bounds of said 0.583 acre tract the following two courses;

(1) thence South 42 deg. 05 min. 54 sec. East, 184.84 feet to an iron pin set;

(2) thence North 43 deg. 58 min. 25 sec. East, 108.03 feet to an iron pin set at the southwest corner of a 0.417 acre tract heretofore conveyed to Robert D. & Roxie L. Gerber (O.R. 1377-Pg. 1311);

Thence with the bounds of said 0.417 acre tract the following two courses;

(1) thence South 45 deg. 38 min. 35 sec. East, 72.35 feet to a 1/2" iron pin found;

(2) thence North 44 deg. 21 min. 25 sec. East, 3.07 feet to an iron pin set on a north bound of the residue 12.597 acre parent tract;

Thence with the north bound of said residue 12.597 acre parent tract South 42 deg. 58 min. 17 sec. East, 284.59 feet to a 3/4" iron pin found at the northwest corner of a 0.50 acre tract heretofore conveyed to Nicholas L. & Kara M. Neuenschwander (O.R. 1278- Pg. 1761);

Thence with the bounds of said 0.50 acre tract the following two courses;

(1) thence South 38 deg. 02 min. 11 sec. West, 110.27 feet to a bent 3/4" iron pin found;

(2) thence South 43 deg. 21 min. 29 sec. East, 200.00 feet to a 3/4" iron pin found on the west bound of a 1.906 acre tract heretofore conveyed to Kayla D. Eicher (O.R. 1487- Pg. 2077);

Thence with the west bound of said 1.906 acre tract and with the west bound of the residue of a 2.129 acre tract heretofore conveyed to Melissa J. Miller (O.R. 1313 - Pg. 65) and with the west bound of a 0.897 acre tract heretofore conveyed to Scott & Lori Wright (O.R. 1499- Pg. 2276) South 37 deg. 55 min. 40 sec. West, 480.57 feet to a 5/8" iron pin found at the northeast corner of a 0.349 acre tract heretofore conveyed to George J. & Margaret M. Nagy (D. V. 702- Pg. 535) and passing on line a 5/8" iron pin found at 193.71 feet and a 5/8" iron pin found capped Pyle Survey at 445.95 feet;

Thence with the bounds of said 0.349 acre tract the following two courses;

(1) thence North 47 deg. 00 min. 59 sec. West, 154.01 feet to a 5/8" iron pin found capped Pyle Survey;

(2) thence South 35 deg. 38 min. 47 sec. West, 100.73 feet to a bent 5/8" iron pin found on the north line of Miller Avenue SW;

Thence with said Miller Avenue SW and with a bound of the residue 12.597 acre parent tract North 46 deg. 57 min. 00 sec. West, 50.36 feet to a 5/8" iron pin found at the southeast corner of Lot 889 of the aforesaid Shutt Allotment;

Thence with the east line of said lot North 35 deg. 39 min. 16 sec. East, 200.00 feet to a 5/8" iron pin found capped Pyle Survey at the northeast corner of said lot;

Thence with the north line of Lot 889, Lot 890 and Lot 891 of said Shutt Allotment North 46 deg. 57 min. 00 sec. West, 390.00 feet (passing on line 5/8" iron pins found capped Pyle Survey at 130.00 feet and at 260.00 feet) to the TRUE PLACE OF BEGINNING, containing 8.472 Acres, more or less but subject to all legal highways, rights-of-way, easements, leases and restrictions of record or otherwise legally established.

The above-described tract consists of part of AP #58-01047.000.

Bearings herein are oriented to Ohio State Plane North Zone NAD 83 and all iron pins set are 5/8"x30" re-bars with blue plastic caps stamped R.A.W. 8401.

Survey and description by R. Aaron Wells, Professional Surveyor #8401 in August 2018.

Parcel No.: 58-01047-006

PARCEL NO. 3:

Situated in the Village of Sugarcreek in the County of Tuscarawas, the State of Ohio.

Being located in the Southeast Quarter of Section 3 in Township 8, Range 4 of the United States Military Lands and being part of Lot 892 (AP #58-01047.002) of Shutt Allotment as set forth in Plat Book 27 at Page 1 in the Village of Sugarcreek heretofore conveyed to David P. Shutt II (1/3 interest), Christine S. Parson (1/3 interest), Jessica Numbers (1/6 interest) and Anthony Immel (1/6 interest) in Official Record 1519 at Page 2385 of the Tuscarawas County Official Records with the tract to be conveyed being more fully described as follows:

Commencing at a 5/8" iron pin found capped Pyle Survey at the northeast corner of said Lot 892 and being also at the TRUE PLACE OF BEGINNING of the tract herein to be described;

Thence with the east line of said lot and with the west line of Lot 891 of said allotment South 35 deg. 39 min. 16 sec. West, 208.23 feet to a 5/8" iron pin found capped Pyle Survey at the southeast corner of said Lot 892;

Thence with the south line of said Lot 892 and with the north line of Miller Avenue SW North 62 deg. 15 min. 42 sec. West, 188.53 feet to an iron pin set;

Thence through the bounds of said Lot 892 the following two courses;

- (1) thence North 26 deg. 42 min. 02 sec. East, 130.62 feet to an iron pin set;
- (2) thence North 43 deg. 30 min. 59 sec. East, 199.61 feet to an iron pin set on the north line of said lot;

Thence with said north line South 27 deg. 05 min. 54 sec. East, 202.19 feet to the TRUE PLACE OF BEGINNING, containing 1.215 Acres, more or less but subject to all legal highways, rights-of-way, easements, leases and restrictions of record or otherwise legally established.

The above-described tract consists of part of AP #58-01047.002.

Bearings herein are oriented to Ohio State Plane North Zone NAD 83 and all iron pins set are 5/8"x30" re-bars with blue plastic caps stamped R.A.W. 8401.

Survey and description by R. Aaron Wells, Professional Surveyor #8401 in August 2018.

Parcel No.: 58-01047-007

PARCEL NO. 4-6:

Being Lots 889, 890 and 891 in the Village of Sugarcreek, Ohio. Subject to all matters set forth on the Plat of the Shutt Allotment, Tuscarawas County Plat Volume 27, Page 1.

Parcel No.: 58-01047-003 (Lot 889); 58-01047-004 (Lot 890); 58-01047-005 (Lot 891)
PARCEL NO. 7:

Situated in the Village of Sugarcreek, County of Tuscarawas and State of Ohio:

Being known as part of the Southeast Quarter of Section 3, Township 8 and Range 4 of the United States Military Lands and being more fully described as follows:

Beginning at an iron pin at the intersection of the east line of said quarter section with the northwesterly line of the most northwesterly alley in Baker's Triangle Allotment in Shanesville; thence with the northwesterly alley line, North 53 deg. 58 min. East, 210.0 feet to a point in Ragersville Road; thence with said road, North 41 deg. 53 min. West, 276.1 feet to the TRUE PLACE OF BEGINNING of the tract herein described; thence from said true place of beginning, South 37 deg. 31 min. West, 26.90 feet to an iron pin; continuing South 37 deg. 31 min. West, 188.75 feet to an iron pin; thence North 43 deg. 11 min. West, 204.83 feet to a point; thence North 44 deg. 23 min. East, 186.98 feet to an iron pin; thence continuing North 44 deg. 23 min. East, 26.57 feet to a point in Ragersville Road; thence with said road, South 43 deg. 00 min. East, 179.08 feet to the TRUE PLACE OF BEGINNING, containing 0.94 of an acre.

0.94
- 0.59

0.35

Survey and description by Edward P. Gasser, Surveyor #4681.

SAVING AND EXCEPTING the following:

Being known as part of the Southeast Quarter of Section 3, Township 8 and Range 4 of the United States Military Lands and being more fully described as follows:

Beginning at an iron pin at the intersection of the east line of said quarter section with the northwesterly line of the most northwesterly alley in Baker's Triangle Allotment in Shanesville; thence with the northwesterly alley line, North 53 deg. 58 min. East, 210.0 feet to a point in Ragersville Road; thence with said road, North 41 deg. 53 min. West, 276.10 feet to a point at the most northerly corner of a tract of land heretofore conveyed to Ranson G. Andreas by deed recorded in Volume 361, Page 257, Deed Records of Tuscarawas County; thence North 43 deg. 00 min. West, 107.08 feet to the TRUE PLACE OF BEGINNING of the tract herein described; thence from said true place of beginning and continuing North 43 deg. 00 min. West, 72.00 feet to a point; thence South 44 deg. 23 min. West, 26.57 feet to an iron pin; thence continuing South 44 deg. 23 min. West, 186.98 feet to an iron pin; thence South 43 deg. 11 min. East, 72.00 feet to an iron pin; thence North 44 deg. 23 min. East, 186.77 feet to an iron pin; thence continuing North 44 deg. 23 min. East, 26.57 feet to the TRUE PLACE OF BEGINNING, containing 0.35 of an acre.

Leaving to be conveyed 0.59 acre, more or less, in Tract 1

Parcel No.: 58-00493-000

PARCEL NO. 8:

Situated in the Village of Sugarcreek, County of Tuscarawas and State of Ohio: Being a part of the Southeast Quarter of Section 3, Township 8, Range 4 of the United States Military Lands and being a part of a 12.597 acre tract as conveyed to David P. and Norma J. Shutt by Warranty Deed recorded in Volume 487, Page 644, Deed Records of Tuscarawas County and being more fully described as follows:

Beginning at an iron pin at the intersection of the east line of said quarter section with the northwesterly line of the most northwesterly alley in Baker's Triangle Allotment in Shanesville (now Sugarcreek); thence with the northwesterly alley line, North 53 deg. 58 min. East, 210.0 feet to a point in Ragersville Road; thence with said road, North 41 deg. 53 min. West, 276.1 feet to the most easterly corner of a 0.59 acre tract; thence with the southeasterly line of said 0.59 acre tract, South 37 deg. 31 min. West, 215.65 feet to an iron pin at the most easterly corner of the above mentioned 12.597 acre tract and being the PLACE OF BEGINNING of the tract herein to be conveyed; thence from said beginning point with the southeasterly line of said 12.597 acre tract, South 38 deg. 09 min. West, 110.15 feet to an iron pin; thence North 43 deg. 11 min. West, 200.0 feet to an iron pin; thence North 38 deg 09 min. East, 110.15 feet to an iron pin on the northeasterly line of said 12.597 acre tract; thence with said northeasterly line, South 43 deg. 11 min. East, 200.0 feet to the PLACE OF BEGINNING, containing 0.50 of an acre, more or less.

The above description prepared by Frank E. Bair, Registered Surveyor #5918.

Parcel No.: 58-01048-000

PARCEL NO. 9:

Situated in the Village of Sugarcreek, County of Tuscarawas and State of Ohio:

Being located in the Southeast Quarter of Section 3 in Township 8, Range 4 of the United States Military Lands and consisting of part of a 0.35 acre tract (Tract 1) heretofore conveyed to Mary Eckert in Official Record 1304, Page 1495 of the Tuscarawas County Official Records with the tract to be conveyed being more fully described as follows:

Commencing at the northeast corner of the Southeast Quarter of Section 3;

Thence with the bounds of a 1.084 acre tract as calculated from Deed Volume 747, Page 765, the following three (3) courses;

- (1) thence South 0 deg. 33 min. 38 sec. West, 25.00 feet;
- (2) thence South 66 deg. 17 min. 30 sec. East, 30.33 feet;
- (3) thence South 27 deg. 33 min. 38 sec. West, 271.50 feet to a point in West Main Street at the southmost corner of said tract and passing on line a 5/8" iron pin capped "Pyle Survey 6533" (found) at 239.74 feet;

Thence continuing South 27 deg. 33 min. 38 sec. East, 2.76 feet to a point in West Main Street on the northeast line of the residue of a 0.94 acre tract heretofore conveyed to Nicholas L. and Kara M. Neuenschwander (O.R. 1278, Pg. 1761);

Thence with said line and running in said street, North 43 deg. 00 min. 00 sec. West, 8.56 feet to a point at the eastmost corner of the aforesaid 0.35 acre parent tract being also the TRUE PLACE OF BEGINNING of the tract herein described;

Thence with the southeast line of said tract, South 44 deg. 04 min. 48 sec. West, 213.37 feet to an iron pin (set) on the northeast line of a 0.50 acre tract heretofore conveyed to Nicholas L. and Kara M. Neuenschwander (O.R. 1278, Pg. 1761) and passing on line a 3/4" iron pin (found - bent) at 26.43 feet;

Thence with said line, North 43 deg. 11 min. 00 sec. West, 67.17 feet to a 3/4" iron pin (found) at the northmost corner of said tract;

Thence through the bounds of the aforesaid parent tract, North 46 deg. 16 min. 28 sec. East, 213.33 feet to a point in West Main Street on the northeast line of the aforesaid parent tract and passing on line an iron pin (set) at 186.88 feet;

Thence with said line and running in said street, South 43 deg. 00 min. 00 sec. East, 59.00 feet to the TRUE PLACE OF BEGINNING, containing 0.309 acre more or less, but subject to all legal highways, rights-of-way, easements, leases and restrictions of record or otherwise legally established.

The above described tract consists of part of AP# 58-00102.000.

Bearings herein are oriented to Deed Volume 487, Page 644. All iron pins set are 5/8"x30" re-bars with yellow plastic caps stamped "WARD 7356".

Survey and description by Samuel C. Ward, Professional Surveyor #7356 in February, 2013.

Parcel No.: 58-00102-000

TRANSFERRED
TRANSFER FEE
CONVEYANCE EXAMINED WITH
SEC. 319-202 R.C. COMPLIED WITH

AUG 16 2024

AMT
LARRY LINDBERG
Tuscarawas County Auditor



20240007126 08/16/2024 01:08:13 PM
Filed for Record in TUSCARAWAS County, OH
Lori L. Smith Recorder
WARRANTY DEED
OR Vol 1660 Pgs 44 - 51
Rec Fees: \$82.00

GENERAL WARRANTY DEED

(Statutory Form O.R.C. Section 5302.05-.06)

RBK HOLDINGS, LLC, an Ohio Limited Liability Company with Ohio Secretary of State Entity Number 1944298, of Tuscarawas County, Ohio, for valuable consideration paid, grants with general warranty covenants, to **PIRATES COVE DEVELOPMENT, LLC**, an Ohio Limited Liability Company with Ohio Secretary of State Entity Number 5252326, of Tuscarawas County, Ohio, whose tax-mailing address is: 4167 Winklepleck Road N.W., Sugarcreek, Ohio 44681, the following *REAL PROPERTY*:

Situated in the Village of Sugarcreek, County of Tuscarawas and State of Ohio and being more fully described on the attached Exhibit "A".

Parcel No: 58-00861-000; 58-01047-006; 58-01047-007; 58-01047-003; 58-01047-004; 58-01047-005; 58-00493-000; 58-01048-000; and 58-00102-000

Prior Instrument Reference: Volume 1554, Page 1439 Tuscarawas County Official Records, Volume 1568, Page 2137 Tuscarawas County Official records, and Volume 1578, Page 1442 Tuscarawas County Official Records.

The real property described herein, is conveyed subject to any items listed above, or in any attached exhibit a, which are exempted from the general warranty covenants, along with the following items which are also exempted from the general warranty covenants: all reservations, easements, rights of way, leases, covenants, conditions, restrictions and out conveyances of record; all legal highways; zoning, building and other laws, ordinances and regulations; real estate taxes and assessments not yet due and payable; rights of parties in possession; and discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which are not shown by the public records, but would be shown in a correct survey of premises.

THE ABOVE WAS PREPARED AT THE SPECIFIC REQUEST OF GRANTOR/GRANTEE BASED SOLELY UPON INFORMATION SUPPLIED BY ONE OR MORE OF THE PARTIES TO THIS CONVEYANCE, AND WITHOUT EXAMINATION OF TITLE OR ABSTRACT. THE DRAFTER ASSUMES NO LIABILITY FOR ANY ERRORS, INACCURACIES OR OMISSIONS IN THIS INSTRUMENT RESULTING FROM THE INFORMATION PROVIDED AND MAKES NO ASSERTIONS WITH RESPECT TO LIENS WHICH MAY BE AGAINST THIS PROPERTY, AND THE PARTIES HERETO SIGNIFY THEIR ASSENT TO THE DISCLAIMER BY THE GRANTOR'S EXECUTION AND THE GRANTEE'S ACCEPTANCE OF THIS INSTRUMENT.

EXECUTED AND ACKNOWLEDGED this 15th day of August 2024.


REUBEN J. BURKHOLDER,
MEMBER

STATE OF OHIO)
TUSCARAWAS COUNTY) SS:

The foregoing instrument was acknowledged before me this 15th day of August 2024, by **REUBEN J. BURKHOLDER, MEMBER OF RBK HOLDINGS, LLC.**

Kandy Close
NOTARY PUBLIC



This instrument prepared by:

*Michael A. Warkall, Esq.
Fitzpatrick Zimmerman & Rose Co., L.P.A.
140 Fair Avenue N.W., P.O. Box 1014
New Philadelphia, Ohio 44663*

KANDY CLOSE
Notary Public
My Comm. Exp. 10/31/2026

EXHIBIT "A"**PARCEL NO. 1:**

Being a part of the Village of Sugarcreek and situated in the southeast quarter of section 3, Sugarcreek Township, T-8 N, R-4 W, Tuscarawas County, Ohio, also known as part of a 65.04 acre tract conveyed to Eli J.C. Yoder in Deed vol. 373 page 537 and Official Record vol. 1201 page 1460, #58-00861-000.

Described as follows:

Commencing at a 3/4 inch rebar found marking the southwest corner of Lot 702 of the Village of Sugarcreek, thence S 62 degrees 27' 00" E 266.79 feet along the lot line and along LBA Enterprises, Ltd.'s (Deed vol. 765 page 5) north line to a 1/4 inch rebar found, thence S 27 degrees 33' 00" W 247.78 feet along said LBA Enterprises, Ltd.'s east line and along Moomaw Manor Ltd. Partnership's (Deed vol. 583 page 737) west line to a 5/8 inch rebar found on Cletus & Norma Yoder's (Deed vol. 610 page 401) north line, thence S 63 degrees 07' 00" E 38.62 feet along said Cletus & Norma Yoder's north line and along said Moomaw Manor Ltd. Partnership's west line to a 5/8 inch rebar found the TRUE POINT OF BEGINNING, thence with the following SEVEN (7) COURSES:

- 1) S 63 degrees 07' 00" E 135.46 feet along said Moomaw Manor Ltd. Partnership's west line to an iron pin set, witnessed by a 3/4 inch rod found N 26 degrees 48' 07" E 1.07 feet, also witnessed by a 3/4 inch rod found S 71 degrees 02' 47" E 7.01 feet;
- 2) S 10 degrees 21' 16" W 134.58 feet along said Moomaw Manor Ltd. Partnership's west line to a 3/4 inch rod found;
- 3) S 35 degrees 34' 28" W 432.55 feet along said Moomaw Manor Ltd. Partnership's west line to a 3/4 inch rod found on Belden Brick Company's (Deed vol. 610 page 783) north line;
- 4) N 54 degrees 25' 32" W 420.86 feet along said Belden Brick Company's north line to a point in S.R. 93, witnessed by an iron pin set S 54 degrees 25' 32" E 56.21 feet;
- 5) N 25 degrees 15' 16" E 222.50 feet along S.R. 93 and along Jeffrey Troyer, Pamela Russell, Brent & Douglas Troyer's (Deed vol. 763 page 872) east line to a point, witnessed by a 5/8 inch rebar found S 75 degrees 27' 01" E 41.13 feet;
- 6) S 75 degrees 27' 01" E 360.13 feet along said Cletus & Norma Yoder's south line to a 5/8 inch rebar found;
- 7) N 15 degrees 49' 31" E 197.34 feet along said Cletus & Norma Yoder's east line to the TRUE POINT OF BEGINNING.

This parcel contains **3.735 acres**, but subject to all highways and easements of record.

All iron pins set are 5/8 inch rebars with a plastic identification cap marked "Baker 6938". Bearings from Deed vol. 765 page 5.

This survey made and description prepared by Jamie D. Darr P.S. 7755. January 10, 2007

SAVING AND EXCEPTING THE FOLLOWING:

Being a part of the Village of Sugarcreek and situated in the southeast quarter of section 3, Sugarcreek Township, T-8 N, R-4 W, Tuscarawas County, Ohio, also known as part of a 3.735 acre tract conveyed to Eli J.C. Yoder in Official Record vol. 1252 page 2599, #58-00861-000.

Described as follows:

Commencing at a 3/4 inch rebar found marking the southwest corner of Lot 702 of the Village of Sugarcreek, thence S 62 degrees 27' 00" E 266.79 feet along the lot line and along LBA Enterprises, Ltd.'s (Deed vol. 765 page 5) north line to a 1/4 inch rebar found, thence S 27 degrees 33' 00" W 247.78 feet along said LBA Enterprises, Ltd.'s east line and along Moomaw Manor Ltd. Partnership's (Deed vol. 583 page 737) west line to a 5/8 inch rebar found on Cletus & Norma Yoder's (Deed vol. 610 page 401) north line, thence S 63 degrees 07' 00" E 38.62 feet along said Yoder's north line and along said Moomaw Manor Ltd. Partnership's south line to a 5/8 inch rebar found the TRUE POINT OF BEGINNING.

thence with the following THREE (3) COURSES:

- 1) S 63 degrees 07' 00" E 48.24 feet along said Moomaw Manor Ltd. Partnership's south line to an iron pin set;
- 2) S 29 degrees 57' 14" W 193.96 feet through the lands of said Eli J.C. Yoder to a 5/8 inch rebar found;
- 3) N 15 degrees 49' 31" E 197.34 feet along said Cletus & Norma Yoder's east line to the TRUE POINT OF BEGINNING.

This parcel contains 0.107 acres, but subject to all easements of record. All iron pins set are 5/8 inch rebars with a plastic identification cap marked "Baker 6938". Bearings from Deed vol. 765 page 5.

This survey made and description prepared by Jamie D. Darr P.S. 7755. July 18, 2007

Leaving to be conveyed 3.628 acres, more or less

Parcel No.: 58-00861-000

PARCEL NO. 2:

Situated in the Village of Sugarcreek in the County of Tuscarawas, the State of Ohio.

Being located in the Southeast Quarter of Section 3 in Township 8, Range 4 of the United States Military Lands and being a part of the residue of a 12.597 acre tract (AP #58-01047.000) heretofore conveyed to David P. Shutt II (1/3 interest), Christine S. Parson (1/3 interest), Jessica Numbers (1/6 interest) and Anthony Immel (1/6 interest) in Official Record 1519 at Page 2385 of the Tuscarawas County Official Records with the tract to be conveyed being more fully described as follows:

Commencing at a 5/8" iron pin found capped Pyle Survey at the northeast corner of Lot 892 of Shutt Allotment as set forth in Plat Book 27 at Page 1 and being also at the TRUE PLACE OF BEGINNING of the tract herein to be described;

Thence with the north line of said Lot 892 North 27 deg. 05 min. 54 sec. West, 202.19 feet to an iron pin set;

Thence through the bounds of the aforesaid residue 12.597 acre parent tract North 43 deg. 30 min. 59 sec. East, 360.06 feet to an iron pin set on the south bound of a 0.583 acre tract heretofore conveyed to David P. Shutt II (1/3 interest), Christine S. Parson (1/3 interest), Jessica Numbers (1/6 interest) and Anthony Immel (1/6 interest) (O.R. 1519 - Pg. 2385);

Thence with the bounds of said 0.583 acre tract the following two courses;

(1) thence South 42 deg. 05 min. 54 sec. East, 184.84 feet to an iron pin set;

(2) thence North 43 deg. 58 min. 25 sec. East, 108.03 feet to an iron pin set at the southwest corner of a 0.417 acre tract heretofore conveyed to Robert D. & Roxie L. Gerber (O.R. 1377-Pg. 1311);

Thence with the bounds of said 0.417 acre tract the following two courses;

- (1) thence South 45 deg. 38 min. 35 sec. East, 72.35 feet to a 1/2" iron pin found;
- (2) thence North 44 deg. 21 min. 25 sec. East, 3.07 feet to an iron pin set on a north bound of the residue 12.597 acre parent tract;

Thence with the north bound of said residue 12.597 acre parent tract South 42 deg. 58 min. 17 sec. East, 284.59 feet to a 3/4" iron pin found at the northwest corner of a 0.50 acre tract heretofore conveyed to Nicholas L. & Kara M. Neuenschwander (O.R. 1278- Pg. 1761);

Thence with the bounds of said 0.50 acre tract the following two courses;

- (1) thence South 38 deg. 02 min. 11 sec. West, 110.27 feet to a bent 3/4" iron pin found;
- (2) thence South 43 deg. 21 min. 29 sec. East, 200.00 feet to a 3/4" iron pin found on the west bound of a 1.906 acre tract heretofore conveyed to Kayla D. Eicher (O.R. 1487- Pg. 2077);

Thence with the west bound of said 1.906 acre tract and with the west bound of the residue of a 2.129 acre tract heretofore conveyed to Melissa J. Miller (O.R. 1313 - Pg. 65) and with the west bound of a 0.897 acre tract heretofore conveyed to Scott & Lori Wright (O.R. 1499- Pg. 2276) South 37 deg. 55 min. 40 sec. West, 480.57 feet to a 5/8" iron pin found at the northeast corner of a 0.349 acre tract heretofore conveyed to George J. & Margaret M. Nagy (D.V. 702- Pg. 535) and passing on line a 5/8" iron pin found at 193.71 feet and a 5/8" iron pin found capped Pyle Survey at 445.95 feet;

Thence with the bounds of said 0.349 acre tract the following two courses;

- (1) thence North 47 deg. 00 min. 59 sec. West, 154.01 feet to a 5/8" iron pin found capped Pyle Survey;
- (2) thence South 35 deg. 38 min. 47 sec. West, 100.73 feet to a bent 5/8" iron pin found on the north line of Miller Avenue SW;

Thence with said Miller Avenue SW and with a bound of the residue 12.597 acre parent tract North 46 deg. 57 min. 00 sec. West, 50.36 feet to a 5/8" iron pin found at the southeast corner of Lot 889 of the aforesaid Shutt Allotment;

Thence with the east line of said lot North 35 deg. 39 min. 16 sec. East, 200.00 feet to a 5/8" iron pin found capped Pyle Survey at the northeast corner of said lot;

Thence with the north line of Lot 889, Lot 890 and Lot 891 of said Shutt Allotment North 46 deg. 57 min. 00 sec. West, 390.00 feet (passing on line 5/8" iron pins found capped Pyle Survey at 130.00 feet and at 260.00 feet) to the TRUE PLACE OF BEGINNING, **containing 8.472 Acres**, more or less but subject to all legal highways, rights-of-way, easements, leases and restrictions of record or otherwise legally established.

The above-described tract consists of part of AP #58-01047.000.

Bearings herein are oriented to Ohio State Plane North Zone NAD 83 and all iron pins set are 5/8"x30" re-bars with blue plastic caps stamped R.A.W. 8401.

Survey and description by R. Aaron Wells, Professional Surveyor #8401 in August 2018.

Parcel No.: 58-01047-006

PARCEL NO. 3:

Situated in the Village of Sugarcreek in the County of Tuscarawas, the State of Ohio. Being located in the Southeast Quarter of Section 3 in Township 8, Range 4 of the United States Military Lands and being part of Lot 892 (AP #58-01047.002) of Shutt Allotment as set forth in Plat Book 27 at Page 1 in the Village of Sugarcreek heretofore conveyed to David P. Shutt II (1/3

interest), Christine S. Parson (1/3 interest), Jessica Numbers (1/6 interest) and Anthony Immel (1/6 interest) in Official Record 1519 at Page 2385 of the Tuscarawas County Official Records with the tract to be conveyed being more fully described as follows:

Commencing at a 5/8" iron pin found capped Pyle Survey at the northeast corner of said Lot 892 and being also at the TRUE PLACE OF BEGINNING of the tract herein to be described;

Thence with the east line of said lot and with the west line of Lot 891 of said allotment South 35 deg. 39 min. 16 sec. West, 208.23 feet to a 5/8" iron pin found capped Pyle Survey at the southeast corner of said Lot 892;

Thence with the south line of said Lot 892 and with the north line of Miller Avenue SW North 62 deg. 15 min. 42 sec. West, 188.53 feet to an iron pin set;

Thence through the bounds of said Lot 892 the following two courses;

(1) thence North 26 deg. 42 min. 02 sec. East, 130.62 feet to an iron pin set;

(2) thence North 43 deg. 30 min. 59 sec. East, 199.61 feet to an iron pin set on the north line of said lot;

Thence with said north line South 27 deg. 05 min. 54 sec. East, 202.19 feet to the TRUE PLACE OF BEGINNING, containing 1.215 Acres, more or less but subject to all legal highways, rights-of-way, easements, leases and restrictions of record or otherwise legally established.

The above-described tract consists of part of AP #58-01047.002.

Bearings herein are oriented to Ohio State Plane North Zone NAD 83 and all iron pins set are 5/8"x30" re-bars with blue plastic caps stamped R.A.W. 8401.

Survey and description by R. Aaron Wells, Professional Surveyor #8401 in August 2018.

Parcel No.: 58-01047-007

PARCEL NO. 4-6:

Being Lots 889, 890 and 891 in the Village of Sugarcreek, Ohio. Subject to all matters set forth on the Plat of the Shutt Allotment, Tuscarawas County Plat Volume 27, Page 1.

Parcel No.: 58-01047-003 (Lot 889); 58-01047-004 (Lot 890); 58-01047-005 (Lot 891)
PARCEL NO. 7:

Situated in the Village of Sugarcreek, County of Tuscarawas and State of Ohio:

Being known as part of the Southeast Quarter of Section 3, Township 8 and Range 4 of the United States Military Lands and being more fully described as follows:

Beginning at an iron pin at the intersection of the east line of said quarter section with the northwesterly line of the most northwesterly alley in Baker's Triangle Allotment in Shanesville; thence with the northwesterly alley line, North 53 deg. 58 min. East, 210.0 feet to a point in Ragersville Road; thence with said road, North 41 deg. 53 min. West, 276.1 feet to the TRUE PLACE OF BEGINNING of the tract herein described; thence from said true place of beginning, South 37 deg. 31 min. West, 26.90 feet to an iron pin; continuing South 37 deg. 31 min. West, 188.75 feet to an iron pin; thence North 43 deg. 11 min. West, 204.83 feet to a point; thence North 44 deg. 23 min. East, 186.98 feet to an iron pin; thence continuing North 44 deg. 23 min. East, 26.57 feet to a point in Ragersville Road; thence with said road, South 43 deg. 00 min. East, 179.08 feet to the TRUE PLACE OF BEGINNING, containing 0.94 of an acre.

Survey and description by Edward P. Gasser, Surveyor #4681.

SAVING AND EXCEPTING the following:

Being known as part of the Southeast Quarter of Section 3, Township 8 and Range 4 of the United States Military Lands and being more fully described as follows:

Beginning at an iron pin at the intersection of the east line of said quarter section with the northwesterly line of the most northwesterly alley in Baker's Triangle Allotment in Shanesville; thence with the northwesterly alley line, North 53 deg. 58 min. East, 210.0 feet to a point in Ragersville Road; thence with said road, North 41 deg. 53 min. West, 276.10 feet to a point at the most northerly corner of a tract of land heretofore conveyed to Ranson G. Andreas by deed recorded in Volume 361, Page 257, Deed Records of Tuscarawas County; thence North 43 deg. 00 min. West, 107.08 feet to the TRUE PLACE OF BEGINNING of the tract herein described; thence from said true place of beginning and continuing North 43 deg. 00 min. West, 72.00 feet to a point; thence South 44 deg. 23 min. West, 26.57 feet to an iron pin; thence continuing South 44 deg. 23 min. West, 186.98 feet to an iron pin; thence South 43 deg. 11 min. East, 72.00 feet to an iron pin; thence North 44 deg. 23 min. East, 186.77 feet to an iron pin; thence continuing North 44 deg. 23 min. East, 26.57 feet to the TRUE PLACE OF BEGINNING, **containing 0.35 of an acre.**

Leaving to be conveyed 0.59 acre, more or less, in Tract 1

Parcel No.: 58-00493-000

PARCEL NO. 8:

Situated in the Village of Sugarcreek, County of Tuscarawas and State of Ohio:
Being a part of the Southeast Quarter of Section 3, Township 8, Range 4 of the United States Military Lands and being a part of a 12.597 acre tract as conveyed to David P. and Norma J. Shutt by Warranty Deed recorded in Volume 487, Page 644, Deed Records of Tuscarawas County and being more fully described as follows:

Beginning at an iron pin at the intersection of the east line of said quarter section with the northwesterly line of the most northwesterly alley in Baker's Triangle Allotment in Shanesville (now Sugarcreek); thence with the northwesterly alley line, North 53 deg. 58 min. East, 210.0 feet to a point in Ragersville Road; thence with said road, North 41 deg. 53 min. West, 276.1 feet to the most easterly corner of a 0.59 acre tract; thence with the southeasterly line of said 0.59 acre tract, South 37 deg. 31 min. West, 215.65 feet to an iron pin at the most easterly corner of the above mentioned 12.597 acre tract and being the PLACE OF BEGINNING of the tract herein to be conveyed; thence from said beginning point with the southeasterly line of said 12.597 acre tract, South 38 deg. 09 min. West, 110.15 feet to an iron pin; thence North 43 deg. 11 min. West, 200.0 feet to an iron pin; thence North 38 deg 09 min. East, 110.15 feet to an iron pin on the northeasterly line of said 12.597 acre tract; thence with said northeasterly line, South 43 deg. 11 min. East, 200.0 feet to the PLACE OF BEGINNING, **containing 0.50 of an acre**, more or less.

The above description prepared by Frank E. Bair, Registered Surveyor #5918.

Parcel No.: 58-01048-000

PARCEL NO. 9:

Situated in the Village of Sugarcreek, County of Tuscarawas and State of Ohio:

Being located in the Southeast Quarter of Section 3 in Township 8, Range 4 of the United States Military Lands and consisting of part of a 0.35 acre tract (Tract 1) heretofore conveyed to Mary Eckert in Official Record 1304, Page 1495 of the Tuscarawas County Official Records with the tract to be conveyed being more fully described as follows:

Commencing at the northeast corner of the Southeast Quarter of Section 3;

Thence with the bounds of a 1.084 acre tract as calculated from Deed Volume 747, Page 765, the following three (3) courses;

- (1) thence South 0 deg. 33 min. 38 sec. West, 25.00 feet;
- (2) thence South 66 deg. 17 min. 30 sec. East, 30.33 feet;
- (3) thence South 27 deg. 33 min. 38 sec. West, 271.50 feet to a point in West Main Street at the southmost corner of said tract and passing on line a 5/8" iron pin capped "Pyle Survey 6533" (found) at 239.74 feet;

Thence continuing South 27 deg. 33 min. 38 sec. East, 2.76 feet to a point in West Main Street on the northeast line of the residue of a 0.94 acre tract heretofore conveyed to Nicholas L. and Kara M. Neuenschwander (O.R. 1278, Pg. 1761);

Thence with said line and running in said street, North 43 deg. 00 min. 00 sec. West, 8.56 feet to a point at the eastmost corner of the aforesaid 0.35 acre parent tract being also the TRUE PLACE OF BEGINNING of the tract herein described;

Thence with the southeast line of said tract, South 44 deg. 04 min. 48 sec. West, 213.37 feet to an iron pin (set) on the northeast line of a 0.50 acre tract heretofore conveyed to Nicholas L. and Kara M. Neuenschwander (O.R. 1278, Pg. 1761) and passing on line a 3/4" iron pin (found - bent) at 26.43 feet;

Thence with said line, North 43 deg. 11 min. 00 sec. West, 67.17 feet to a 3/4" iron pin (found) at the northmost corner of said tract;

Thence through the bounds of the aforesaid parent tract, North 46 deg. 16 min. 28 sec. East, 213.33 feet to a point in West Main Street on the northeast line of the aforesaid parent tract and passing on line an iron pin (set) at 186.88 feet;

Thence with said line and running in said street, South 43 deg. 00 min. 00 sec. East, 59.00 feet to the TRUE PLACE OF BEGINNING, containing 0.309 acre more or less, but subject to all legal highways, rights-of-way, easements, leases and restrictions of record or otherwise legally established.

The above described tract consists of part of AP# 58-00102.000.

Bearings herein are oriented to Deed Volume 487, Page 644. All iron pins set are 5/8"x30" re-bars with yellow plastic caps stamped "WARD 7356".

Survey and description by Samuel C. Ward, Professional Surveyor #7356 in February, 2013.

Parcel No.: 58-00102-000

FITZPATRICK ZIMMERMAN ROSE
PICK UP

Inst #202400007126