



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

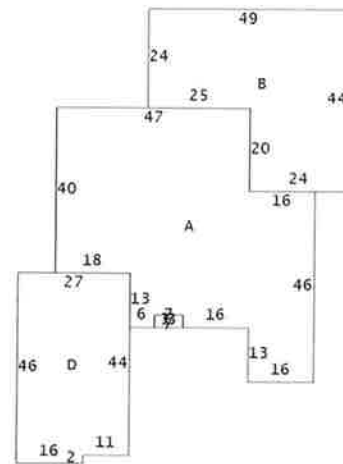
Linda Oda
Recorder

Parcel ID	531300032	Current Owner	JOHNSTON, JOSHUA L. & ELA	Account Number	0143562
Property Address	285 BINKLEY LN SPRINGBORO 45066	Legal Description	3.2796 ACRES	Neighborhood ID	59002
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	511 - SGL. FAMILY DWG. 0 TO 9.99 AC.	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$665,000	Bedrooms	5
Last Sale Date	09/11/2007	Exterior	MASONRY
Owner Occupied	Y	Above Grade Living Area	2972 sq. ft.
Homestead Exemption	N	Finished Basement/Attic	2972 sq. ft.
Year Built	2007	Total Living Area	5,944sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$95,150	\$33,300
BUILDING	\$802,270	\$280,790
TOTAL	\$897,420	\$314,090
CAUV	\$0	-

Parcel ID 531300032

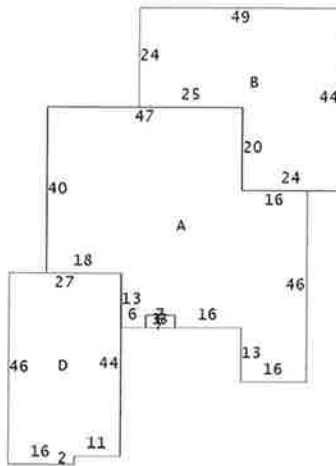
Current Owner JOHNSTON, JOSHUA L. & ELA

Account Number 0143562

Residential Building Details

Building 1 of 1

Building Sketch



Sketch Details

B	FRAME	OPEN PORCH	1656
C	FRAME	OPEN PORCH	21
A	BRICK	SPLIT LEVEL	2972
D	BRICK	GARAGE	1220

Occupancy	1 FAMILY UNIT
Construction Year	2007
Remodel Year 1	0
Remodel Year 2	0
Condition	EXCELLENT
Construction Cost	\$0.00
Remodel Cost	\$0.00
Foundation	CONCRETE
Exterior	MASONRY
Basement	FULL

Finished Basement	2972 sq. ft.
Unfinished Attic	0 sq. ft.
Finished Attic/Living Area	0 sq. ft.
Number of Bedrooms	5
Family/Rec Room	YES
Wood Fireplace	1
Gas Fireplace	0
Heating System	FORCED AIR
Heat Source	GAS
Central Air Conditioning	YES
Full Baths	4
Half Baths	1
True Value	\$604,850.00

Special Features	
3 EXTRA FIXTURES	\$0.00
QUAD LEVEL	\$0.00

Parcel ID

531300032

Current Owner

JOHNSTON, JOSHUA L. & ELA

Account Number

0143562

Sales History

Sale Date	Grantor	Grantee	Consideration	Convey No.
09-11-2007	CREW CUT HOMES, INC.	JOHNSTON, JOSHUA L. & ELA	\$665,000.00	2007-6492
09-01-2006	JOHNSTON, JOSHUA	CREW CUT HOMES, INC.	\$0.00	2006-7415
08-11-2006	LOGAN, CHARLES J. & DOROT	JOHNSTON, JOSHUA	\$0.00	2006-6827

Parcel ID	531300032	Current Owner	JOHNSTON, JOSHUA L. & ELA	Account Number	0143562
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Outbuildings

Qty	Structure	Material	Year Built	Condition	Height Ft.	Width Ft.	Length Ft.	Square Ft.	Rate	Phys Dep %	Obs %	Value
0	CANOPY/LEAN-TO (R)	WOOD FRAME	2013	AVERAGE	0	21	21	0	0.00	10	0	\$5,300.00
0	MISC. BLDG.	WOOD FRAME	2020	AVERAGE	0	20	28	0	0.00	10	0	\$6,800.00

Logan Survey

Section 31, Town 3, Range 5, M.Rs. Clearcreek Township, Warren County, Ohio 3.2796 Acres

VOLUME 129 PLAT NO. 116
WARREN COUNTY ENGINEERS
RECORD OF LAND DIVISION

DEED REFERENCE:
O.R. VOL 1253, PG. 66

PRELIMINARY ACCESS APPROVAL
Granted — Not Applicable

Neil F. Tuntison P.E., P.S.
Warren County Engineer

Surveyor's Notes:

Lines of occupation, where existing, agree in general with property lines. Intermittent fence line found along south property line.

Owner Information:

Charles J. & Dorothy C. Logan
287 Binkley Lane
Springboro, Ohio 45086

Other sources of information for this survey are as shown on drawing.

Bearing system based on SR 53-05, the centerline of right-of-way line of Binkley Lane, bearing S 86°50'22" E.

Existing structures to remain.

Area	From
3.2698 Ac.	O.R. 1253, Pg. 66, Parcel IV
0.0098 Ac.	O.R. 1253, Pg. 66, Parcel I
3.2796 Ac.	Total

Charles J. & Dorothy C. Logan
Parcel I
27.13 Acres
O.R. 1253, Pg. 66
SR 13-78

Charles J. & Dorothy C. Logan
Parcel IV
18.034 Acres Originally
O.R. 1253, Pg. 66
SR 53-05

Charles J. & Dorothy C. Logan
Parcel IV
18.034 Acres Originally
O.R. 1253, Pg. 66
SR 53-05

Charles J. & Dorothy C. Logan
Parcel IV
18.034 Acres Originally
O.R. 1253, Pg. 66
SR 53-05

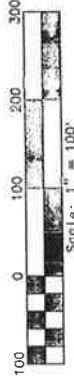
B. Glenn & Sherry L. Miller
0.546 Acres
O.R. 1372, Pg. 406

Richard L. Wiersma, Trustee
Partners 45.317 Acres
O.R. 1796, Pg. 86

Legend

- - Found Pinched Pipe
 - ⊗ - Found 1/2" Iron Pipe
 - ⊠ - Found 1" Iron Pipe
 - - Set 5/8" Capped Iron Pin
 - △ - Found Railroad Spike
- All monumentation straight and in good condition, except as noted.

Number	Bearing	Distance
L1	N 00°29'30" E	20.03'



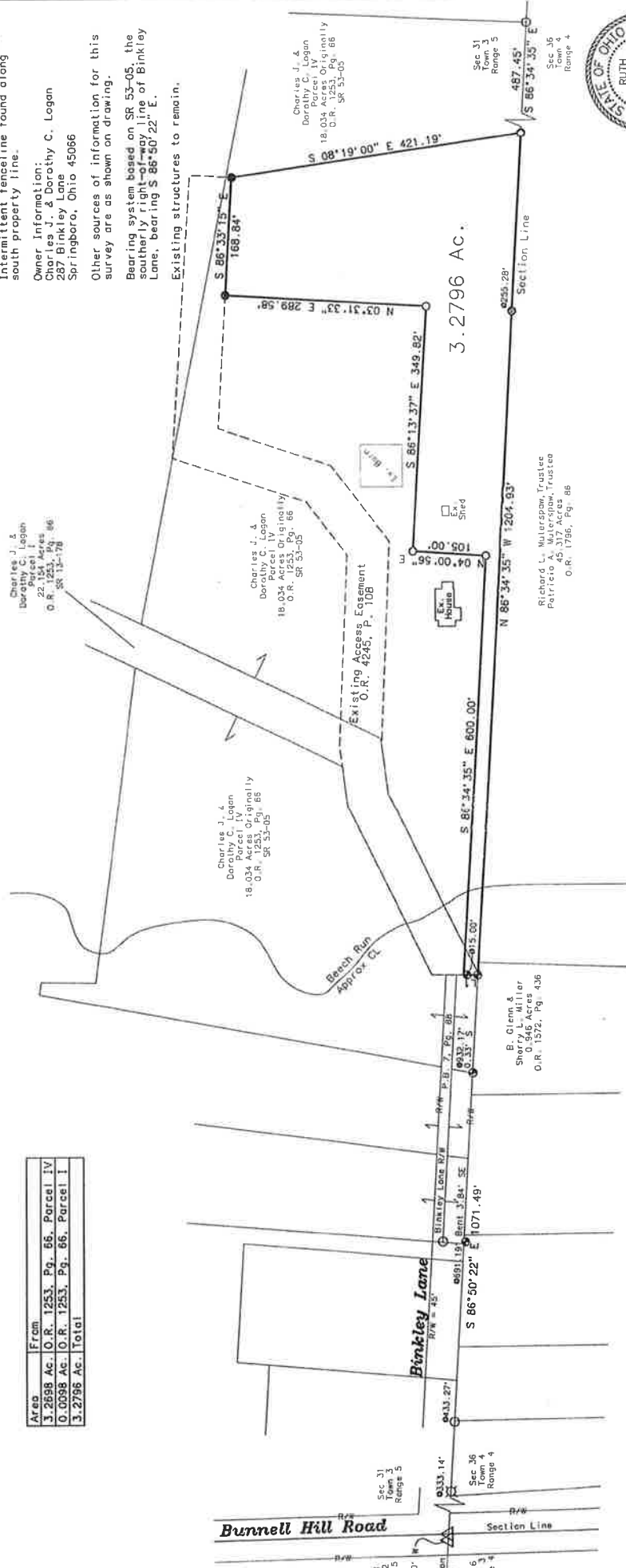
REVISIONS

SURVEY RECORD

DESIGNED BY: JM	HORIZ. SCALE: 1" = 100'
DATE: 6/07/06	VERT. SCALE: N/A
DWG. NO.: 1146	ENC. of

WYCO CONSULTING, INC.
10 Stadia Drive
Franklin, Ohio 45005
(937) 745-9926

Ruth H. Campbell
Registered Professional Surveyor
#7628 State of Ohio



3/24

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Joshua Johnston, unmarried, for valuable consideration paid, grant(s) with general warranty covenants to Crew Cut Homes, Inc., whose tax mailing address is 200 Charles Drive, Carlisle, OH 45005 the following described real property:

SEE ATTACHED EXHIBIT 'A' FOR LEGAL DESCRIPTION

Prior Deed Reference: Deed Book 4245, Page 108, Deed Records of Warren County, Ohio.

This conveyance is subject to all legal highways and easements, all restrictions, conditions and covenants of record, all zoning restrictions, and all taxes and assessments not yet payable.

Executed this 16th day of August, 2006.


Joshua Johnston

STATE OF OHIO }
 } SS:
COUNTY OF Montgomery }

The foregoing instrument was acknowledged before me this 16th day of August, 2006 by Joshua Johnston, unmarried.


Notary Public

This instrument prepared without the benefit of a title search

This Instrument Prepared By:
James E. Hedrick, Attorney-at-Law
HEDRICK & JORDAN CO., LPA
124 East Third Street, Suite 300
Dayton, OH 45402
(937) 228-3889



JOYCE WHITAKER HILER, Notary Public
In and for the State of Ohio
My Commission Expires Sept. 2, 2007

BOOK 4280 PAGE 251

EXHIBIT "A"

05-31-300-032

ACH

Situate in Section 31, Town 3, Range 5, Clearcreek Township, Warren County, Ohio and being part of an 18.034 acre parcel as deeded to Charles J. and Dorothy C. Logan and recorded in Official Record 1253, Page 66, Parcel IV of the Warren County Deed Records, ~~beginning at a 22.154 acre parcel as deeded to Charles J. and Dorothy C. Logan and recorded in Official Record 1253, Page 66, Parcel I of the Warren County Deed Records~~, and being more particularly described as follows:

Beginning at a point in the centerline of Bunnell Hill Road, said point being the Southwest corner of Section 31, thence, with a Southerly line of said Section 31 and the South right-of-way line of Binkley Lane, South 86 degrees 50 minutes 22 seconds East, a distance of 1071.49 feet, passing a found 1" iron pipe at 333.14 feet, passing a found pinched pipe at 433.27 feet, to a found 1/2" iron pipe and the True Place of Beginning for this parcel;

Thence, with a Westerly line of said 22.154 acre parcel, North 00 degrees 29 minutes 30 seconds East, a distance of 20.03 feet, passing a found 1/2" iron pipe at 15.00 feet, to a point;

Thence, with a new division line, South 86 degrees 34 minutes 35 seconds East a distance of 600.00 feet, to a set 5/8" capped iron pin;

Thence, with a new division line, North 04 degrees 00 minutes 56 seconds East, a distance of 105.00 feet, to a set 5/8" capped iron pin;

Thence, with a new division line, South 86 degrees 13 minutes 37 seconds East a distance of 349.82 feet, to a set 5/8" capped iron pin;

Thence, with a new division line, North 03 degrees 31 minutes 33 seconds East a distance of 289.58 feet, to a set 5/8" capped iron pin;

Thence, with a new division line, South 86 degrees 33 minutes 15 seconds East a distance of 168.84 feet, to a set 5/8" capped iron pin;

Thence, with a new division line, South 08 degrees 19 minutes 00 seconds East a distance of 421.19 feet, to a set 5/8" capped iron pin;

Thence, with the Southerly line of Section 31 and the Southerly line of said 18.034 acre parcel, North 86 degrees 34 minutes 35 seconds West a distance of 1204.93 feet, passing a set 5/8" capped iron pin at 255.28 feet, to the True Place of Beginning;

Containing 3.2796 acres (3.2698 acres from O.R. 1253, Page 66, 18.034 acre Parcel IV and 0.0098 acres from O.R. 1253, Page 66, 22.154 acre Parcel I) and subject to all legal easements, rights-of-way, and restrictions of record.

EXCEPTING THEREFROM 30 feet measured from the centerline of Binkley Lane by a parallel line across the front of the lot for a permanent easement for public road and utility purposes for the benefit of Warren County, Ohio as recorded in Official Records Volume 4265, page 448.

The above description is a result of a survey prepared by WYCO Consulting, Inc., Ruth H. Campbell, Ohio Registered Surveyor No. 7628 dated June 7, 2006, the survey of which is filed in Volume 129, Plat No. 16 of the Warren County Engineer's Record of Land Surveys.

Together with an easement 60 feet wide for access and to install, repair and maintain all utilities (gas, electric, water, sewer, cable, telephone, etc.) as granted to Joshua Johnston as fully set forth in Official Records Volume 4245, page 108 and fully described as follows:

Situate in Section 31, Town 3, Range 5, Clearcreek Township, Warren County, Ohio being an Access and Utility
WARREN COUNTY 613287 PAGE 2 OF 3

(2006-1802.PFD/2006-1802/20)

BOOK 4280 PAGE 252

Easement 60 feet wide, being part of an 18.034 acre parcel as deeded to Charles J. and Dorothy C. Logan and recorded in Official Record 1253, Page 66, Parcel IV of the Warren County Deed Records, being part of a 1.109 acre parcel as deeded to Charles J. and Dorothy C. Logan and recorded in Official Record 1253, Page 66, Parcel I - Roadway of the Warren County Deed Records, and being part of a 2.989 acre parcel as deeded to Charles J. and Dorothy C. Logan and recorded in Official Record 1253, Page 66, Parcel III and being more particularly described as follows:

Starting at a point in the Southeast corner of the 15 foot wide right-of-way dedicated per Plat Book 7, Page 88 of the Warren County Plat Records for Binkley Lane, thence, South 0 degrees 29 minutes 30 seconds West, a distance of 15.03 feet, to a found 1/2" iron pin and the True Place of Beginning for the Survey Line of this easement;

Thence, with said Survey Line along the following five calls, said Survey Line being 15 feet from the Southerly and Easterly line of the 60 foot wide easement;

- 1) North 63 degrees 41 minutes 21 seconds East, a distance of 286.00 feet,
- 2) North 82 degrees 30 minutes 38 seconds East, a distance of 75.00 feet,
- 3) South 87 degrees 19 minutes 42 seconds East, a distance of 285.58 feet,
- 4) North 52 degrees 33 minutes 48 seconds East, a distance of 126.37 feet,
- 5) North 18 degrees 26 minutes 36 seconds East, a distance of 191.62 feet;

Thence, with said Survey Line, South 86 degrees 33 minutes 15 seconds East, a distance of 367.24 feet to the termination of the easement, said Survey Line being 30 feet from the Southerly and Easterly line of the 60 foot wide easement;

Containing 1.8358 acres (1.0651 acres from said Parcel IV, 0.5283 acres from said Parcel I, and 0.2424 acres from said Parcel III) and subject to all legal easements, rights-of-way, and restrictions of record.

Parcel No. ~~05-31-300-032~~

PT. 05-31-300-033 } EASE ONLY
PT. 05-31-300-014 }
(HCH)

NOTE: The preamble to said description has been amended to omit the following:

"being a part of a 22.154 acre parcel as deeded to Charles J. Logan & Dorothy C. Logan as recorded in Official Records Volume 1253, page 66" due to the fact that the 22.154 acres does not embrace any part of said 3.2796 acres.

BETH DECKARD - WARREN COUNTY RECORDER

Doc #: 613287 Type: DEED

Filed: 9/01/2006 10:50:15 \$ 36.00

OR Volume: 4280 Page: 251 Return: B

Rec#: 17364 Pages: 3

DAVE JONES

TRANSFERRED

SEP 01 2006

SEC. 319.902 COMPLIED WITH
NICK NELSON, Auditor
WARREN COUNTY, OHIO

WARREN COUNTY
BOOK 4280 PAGE 253

PAGE 3 OF 3
(2006-1602.PFD/2006-1602/20)

24/30

WARRANTY DEED
KNOW ALL MEN BY THESE PRESENTS
THAT CHARLES J. LOGAN and DOROTHY C. LOGAN,
husband and wife,

of Warren County, State of Ohio, for valuable consideration paid, grant(s) with general warranty covenants to:

JOSUHA JOHNSTON, unmarried,

the following real property:

see exhibit attached

Prior Instrument Recording: OR 1253, Page 66

subject to all access and utility easements of record.

Executed this 19th day of July, 2006.

Charles J. Logan
Charles J. Logan

Dorothy C. Logan
Dorothy C. Logan

STATE OF OHIO, COUNTY OF WARREN) SS

Before me, a notary public, in and for said county and state, personally appeared the above named Charles J. Logan and Dorothy C. Logan, husband and wife, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Springboro, Ohio, this 19th day of July, 2006.

Cheryl L. Smith
NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY:
RONALD G. LOGAN, 0022444
1336 Woodman Drive
Dayton, Ohio 45432
937-254-0054



CHERYL L. SMITH, Notary Public
Notary Public, State of Ohio
My Comm. Expires: March 10, 2007

NO PLAT REQUIRED

Approval Date: 8/19/06
PAGE 7
By: [Signature]
Ex. Dir. Warren Co. Regional Plan. Comm.

WARREN COUNTY BOOK 4265 PAGE 448

BOOK 4416 PAGE 614

APPROVED
WARREN CO. MAP DEPT.

DATE 8-11-06

BY DWB

3.2796 Acre Parcel

Old 05-31-300-019 17.987ac
New 05-31-300-032 3.2796ac
Rem. 05-31-300-023 14.7074ac.

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Thence, with a westerly line of said 22.154 acre parcel, N 00° 29' 30" E, a distance of 20.03 feet, passing a found 1/2" iron pipe at 15.00 feet, to a point;

Thence, with a new division line, S 86° 34' 35" E a distance of 600.00 feet, to a set 5/8" capped iron pin;

Thence, with a new division line, N 04° 00' 56" E, a distance of 105.00 feet, to a set 5/8" capped iron pin;

Thence, with a new division line, S 86° 13' 37" E a distance of 349.82 feet, to a set 5/8" capped iron pin;

Thence, with a new division line, N 03° 31' 33" E a distance of 289.58 feet, to a set 5/8" capped iron pin;

Thence, with a new division line, S 86° 33' 15" E a distance of 168.84 feet, to a set 5/8" capped iron pin;

Thence, with a new division line, S 08° 19' 00" E a distance of 421.19 feet, to a set 5/8" capped iron pin;

Thence, with the southerly line of Section 31 and the southerly line of said 18.034 acre parcel, N 86° 34' 35" W a distance of 1204.93 feet, passing a set 5/8" capped iron pin, 253.28 feet, to the True Place of Beginning;

Containing 3.2796 acres (3.2698 acres from O.R. 1253, Pg. 66, 18.034 acre Parcel IV and 0.0098 acres from O.R. 1253, Pg. 66, 22.154 acre Parcel I) and subject to all easements, rights-of-way, and restrictions of record.

The above description is the result of a survey prepared by WYCO Consulting, Inc., R.W. H. Campbell, Ohio Registered Surveyor No. 7628 dated June 7, 2006, the survey of which is filed in Volume _____, Plat No. _____ of the Warren County Engineer's Record Land Surveys.

Prior Deed Ref: O.R. 1253, Pg. 66

Grantor hereby reserves as a permanent easement for the benefit of Warren County the following described property for public road and utility purposes: 30 feet measured from the centerline of Binkley Lane by a parallel line across the front of the lot.

TRANSFER NOT NECESSARY
NICK NELSON, AUDITOR
WARREN COUNTY, OHIO

MAR 14 2007

NICK NELSON
AUDITOR, WARREN CO. OHIO

TRANSFERRED

AUG 11 2006

SEC. 319.002 COMPLETED WITH
NICK NELSON, Auditor
WARREN COUNTY, OHIO

BOOK 4416 PAGE 615

BOOK 4265 PAGE 449

BE: 01/02/00 - WARREN COUNTY RECORDER
Doc #: 639868 Type: CORR / OFF
Filed: 3/14/2007 9:27:18 \$.00
OK Volume: 4416 Page: 608 Return: B
Recd: 4008 Pages: 9
WARREN COUNTY TAX MAP DEPT

WARREN COUNTY

639868

PAGE 9 OF 9

BOOK 4416 PAGE 616

PROSECUTING ATTORNEY'S OFFICE

WARREN COUNTY COURT HOUSE

LEBANON, OHIO, 45038

MORRIS A. FURMELSON, PROSECUTOR
BLANDY STREET, LEBANON, OHIO 45038
DANIEL J. COOPER, CLERK, 100 N. WHEELER ST.

TELEPHONE 518-0321/4040
EXTENSION 228



RECEIVED 1978

February 23, 1978

Mr. Donald Cotterill
80 East State Route 73
Springboro, Ohio 45066

Dear Mr. Cotterill:

This letter is written in response to your request for a summary of the events that have transpired to date in the so-called Binkley Lane case, i.e. Donald Cotterill, et. al. vs. Merle Madaffer, et. al., Warren County Common Pleas No. 39359.

You will recall that the case began on January 21, 1976, with the filing of a complaint for Declaratory Judgment. On December 7, 1976, the case came on for trial, without a jury, before the Honorable William W. Young, Judge of the Common Pleas Court. Essentially, two issues were litigated at that trial—the proper location of Binkley Lane, and the existence of an easement over a strip of land adjacent to Binkley Lane. Judge Young rendered a written opinion in the case on March 8, 1977. The Court decided both issues in favor of the Clearcreek Township Trustees. To be specific, the Court ruled that Binkley Lane was located entirely to the North of a Section line, dividing Sections 31 and 36 of Clearcreek Township; and that a road easement existed over the 15 foot wide strip of land situated adjacent to, and north of, Binkley Lane. On September 20, 1977, at the request of defendants Mr. and Mrs. Merle Madaffer, the Court issued written Findings of Fact and conclusions of law. Subsequently, the Madaffer's filed a notice of their intention to appeal Judge Young's decision to the First District Court of Appeals in Cincinnati. Later, however, the Madaffer's dismissed their appeal. Hopefully, this matter has been concluded to your satisfaction and to the benefit of your constituents.

I enclose for your records the following documents: One copy of Court Decision dated March 8, 1977; Copy of Finding of Fact and Conclusions of Law issued by Court on September 20, 1977; Decision and Judgment of Court dated October 25, 1977. I believe that I already delivered to you a copy of the paper by which the Madaffer's dismissed their appeal.

Springboro Ohio
February 24, 1978

The Clearcreek Township Trustees met in Regular session with the following members present: Poe and Wade.

Minutes of February 10, 1978 read and approved.

The following bills were presented for payment:

9594	Ohio Bell Telephone	\$ 396.30	9613	Jack Burnett	310.76
9595	Huntington Bank of Franklin	1138.10	9614	W. Leisz	246.47
9596	Wisconsin Life Ins. Co.	703.92	9615	C. Marcks	230.85
9597	Richard Kruer	112.00	9616	J. Manning	406.99
9598	Herb Chenault	180.00	9617	B. Patrick	288.59
9599	Brants Inc.	3.94	9618	J. Thomas	282.45
9600	Lebanon Ford Tractor	17.00	9619	W. Rapier	254.69
9601	Weiler Welding	29.25	9620	M. Arbaugh	173.01
9602	Lindon Sales & Service	249.98	9621	L. Cramer	173.01
96.03	Lynn Eaton	425.25	9622	P. Hunt	31.30
9604	Domestic Linen Supply	8.11	9623	C. Zimmerman	121.54
9605	Tom Barber	20.00	9624	S. Haltom	127.31
9606	Tom Metzger	30.00	9625	G. Eckhart	15.20
9607	Walter Stephens Jr.	3.45	9626	F. Walters	66.96
9608	Allied Supply Co.	162.50	9627	J. Anders	45.30
9609	J. T. Crouch	21.00	9628	J. Smith	89.45
9610	Hood Auto Parts	137.86	9629	L. Hayes	64.66
9611	Franklin Chronicle	25.90	9630	E. Burkhart	341.58
9612	Warren County Disaster Serv	935.52			
9613					

Mr. Wade moved and seconded by Mr. Poe that the above bills be allowed and paid. Motion carried.

Mr. Russell Blankenship was present and asked the Trustees the procedure in Appeals, he was directed to call the Appeals Board Chairman requesting a meeting.

Mr. Poe moved and seconded by Mr. Wade that the Trustees borrow \$ 20,000.00 from the Huntington Bank of Franklin, \$10,000.00 for the Road & Bridge Fund, \$ 10,000.00 for the Police Levy Fund, this action is necessary to take care of current expenses and other expenditures of said Board of Trustees. The County Auditor has not mailed out the tax bills and the February settlement of taxes will not be made until June or July. Motion carried. Copy of Resolution attached.

The Trustees received a letter from the Prosec. Attorney on the matter of Binkley Lane, stating that Binkley Lane has been officially declared a dedicated road and a 15 foot easment has been ruled as was found in favor of the Trustees.

A letter from the Disaster Services of the 75% disaster reimbursement to be adjusted to Townships was read. Mr. Wade agreed to hand carry the application.

A letter was read from Congressman Tom Kindness concerning a letter received from Owen Mercer 1750 West Pekin Rd.

A letter from Les Spaeth, County Auditor, explaining the delay in tax collections was read.

A new application and release form, pertaining to future Police employees has been adopted by the Trustees.

Police Report: 1 agg. burglary, 2 B&E, 2 vandalism complaints, 1 family complaint, 4 accidents, 10 assists to other dept., 32 citizen complaints, 492 security checks, 5380 miles driven.

Mr. Poe moved and seconded by Mr. Wade that the resignation of Danny Fueston as part time or aux. patrolman be accepted. Motion carried.

Mr. Poe moved and seconded by Mr. Wade that the application of William L. Bretscher as part time patrolman be accepted. Motion carried.

Mr. Dick Goes was present and suggested the Township attend the meetings in Springboro when they draw up their master plan.

Mr. Wade moved and seconded by Mr. Poe that we adjourn. Motion carried.

Ernest F Burkhardt Jr. CLERK

Noel D. Poe. TRUSTEE

E. Edward Wade TRUSTEE

_____ TRUSTEE

STATE OF OHIO, COUNTY OF WARREN
COURT OF COMMON PLEAS

Donald Cotterill, et al
Plaintiffs,
vs
Merle C. Madaffer, et al
Defendants

Case No. 39359

106-325
D E C I S I O N
and
J U D G M E N T

The Court previously rendered a Decision in this file on March 8, 1977, and thereafter on March 9, 1977, the Defendants requested the Court to state in writing its Findings of Fact and Conclusions of Law. The Court ordered both sides to prepare Purposed Findings of Fact and Conclusions of Law so that the Court could make its findings and determination accordingly. By entry dated September 19, 1977, and filed September 20, 1977, the Court adopted the Findings and Fact and Conclusions of Law as prepared by the Plaintiffs, and the Court signed and caused to be filed the same.

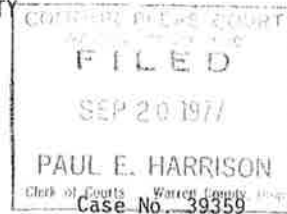
So as to insure that there is no further confusion in the record, the Court agains adopts and confirms the previous finding as filed on September 20, 1977.


Judge

cc: James Flannery
William G. Fowler

STATE OF OHIO, WARREN COUNTY

COMMON PLEAS COURT



DONALD COTTERILL, et al,

Plaintiffs,

-VS-

MERLE MADAFFER, et al,

Defendants.

*

*

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

This declaratory judgment action was tried to the Court without a jury on December 7, 1976. The Court considered the evidence and the arguments of counsel and announced its decision on March 8, 1977. On March 9, 1977, defendants, Merle and Leona Madaffer, filed a Request for Findings of Fact and Conclusions of Law. Pursuant to Civil Rule 52, the Court hereby makes the following Findings of Fact and Conclusions of Law, consistent with its decision of March 8, 1977.

FINDINGS OF FACT

1. That Binkley Lane is a public road situated in Clearcreek Township, Warren County, Ohio.

2. That the Board of Trustees of Clearcreek Township established Binkley Lane as a public road in 1872.

3. That the Clearcreek Township records, Volume 1, Page 119, establish that the public road known as Binkley Lane is thirty (30) feet in width.

4. That the records referred to in paragraph three establish that the section line dividing sections 31 and 36 of Clearcreek Township is the southern boundary of Binkley Lane, and that therefore, Binkley Lane is situated entirely to the north of such section line.

5. That defendants, Merle and Leona Madaffer, are the record owners of certain real property situated in Clearcreek Township, Warren County, Ohio, by virtue of two (2) deeds recorded in the Warren County Deed Records at Volume 288, Page 489, and Volume 365, Page 371.

6. That both deeds referred to in paragraph five (5) contain a provision stating that the real property conveyed by those deeds is subject to "a roadway fifteen (15) feet in width along the north line of the existing thirty (30) foot public roadway, recorded in Township Record No. 1, Page 119, making a roadway

forty-five (45) feet in width along the south side of the above described tract,
to be used, together with others, as a means of ingress and egress."

CONCLUSIONS OF LAW

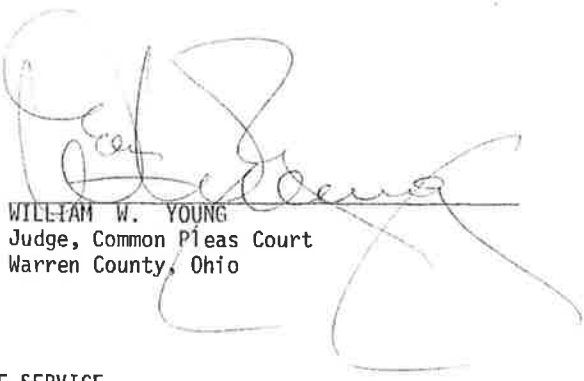
1. That the legal effect of the two (2) deeds delivered by the grantors, defendants Marvin and Esther Binkley, to the grantees, defendants Merle and Leona Madaffer, was to convey to the grantees a fee-simple estate subject to a road easement over the fifteen (15) feet wide strip of land adjacent to, and north of, Binkley Lane, in favor of the grantors and all other persons owning property abutting Binkley Lane and their successors in interest.

2. That the counter-claim of defendants, Merle and Leona Madaffer, should be dismissed.

3. That the declaratory judgment sought by plaintiffs, Donald Cotterill, et al, should be granted.

IT IS SO ORDERED, and counsel for
plaintiffs will submit appropriate judgment in accordance herewith.

DATED: September 19, 1977



WILLIAM W. YOUNG
Judge, Common Pleas Court
Warren County, Ohio

PROOF OF SERVICE

I hereby certify that a copy of the foregoing proposed Findings of Fact and Conclusions of Law was sent by ordinary U.S. mail to William G. Fowler, Attorney for defendants, Merle and Leona Madaffer, this 20th day of September, 1977.



JAMES L. FLANNERY
Assistant Prosecuting Attorney



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

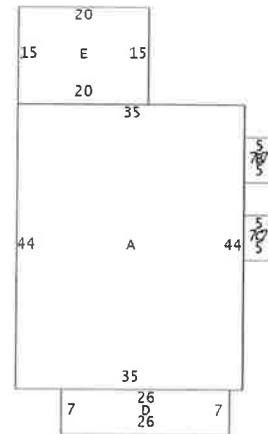
Linda Oda
Recorder

Parcel ID	936126001	Current Owner	MUTERSPAW, RICHARD L. & P	Account Number	0112593
Property Address	210 LOWER SPRINGBORO RD SPRINGBORO 45066	Legal Description	45.3170 ACRES	Neighborhood ID	99001
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	111 - C.A.U.V. GENERAL FARM	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$0	Bedrooms	3
Last Sale Date	07/19/1999	Exterior	WOOD SIDING
Owner Occupied	Y	Above Grade Living Area	1540 sq. ft.
Homestead Exemption	Y	Finished Basement/Attic	0 sq. ft.
Year Built	1916	Total Living Area	1,540sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$363,960	\$27,460
BUILDING	\$114,490	\$40,070
TOTAL	\$478,450	\$67,530
CAUV	\$78,460	-



Linda Oda
Recorder



WARREN COUNTY

People's Choice

Matt Nolan
Auditor

Barney Wright
Treasurer

Linda Oda
Recorder

Parcel ID	531400004	Current Owner	SCOUT RANCH LLC	Account Number	0105686
Property Address	0 E ROUTE 73 SPRINGBORO 45066	Legal Description	9.5410 ACRES	Neighborhood ID	59002
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	110 - C.A.U.V. VACANT LAND	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch

No Sketch Available



Building & Last Sale Summary

Last Sale Amount	\$950,000	Bedrooms	
Last Sale Date	05/16/2022	Exterior	
Owner Occupied	N	Above Grade Living Area	
Homestead Exemption	N	Finished Basement/Attic	
Year Built		Total Living Area	

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$82,150	\$1,410
BUILDING	\$0	\$0
TOTAL	\$82,150	\$1,410
CAUV	\$4,030	-



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

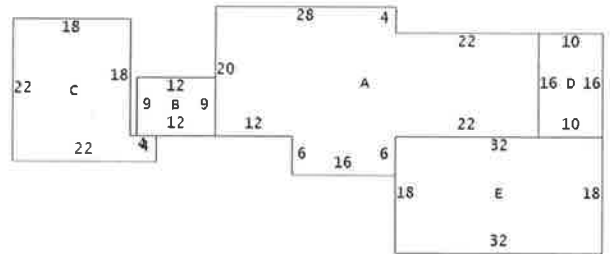
Linda Oda
Recorder

Parcel ID	531400001	Current Owner	SCOUT RANCH LLC	Account Number	0105694
Property Address	609 E ROUTE 73 SPRINGBORO 45066	Legal Description	24.7030 ACRES	Neighborhood ID	59002
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	111 - C.A.U.V. GENERAL FARM	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$950,000	Bedrooms	3
Last Sale Date	05/16/2022	Exterior	VINYL / ALUM
Owner Occupied	N	Above Grade Living Area	2196 sq. ft.
Homestead Exemption	N	Finished Basement/Attic	0 sq. ft.
Year Built	1942	Total Living Area	2,196sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$240,980	\$16,570
BUILDING	\$226,640	\$79,320
TOTAL	\$467,620	\$95,890
CAUV	\$47,350	-



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

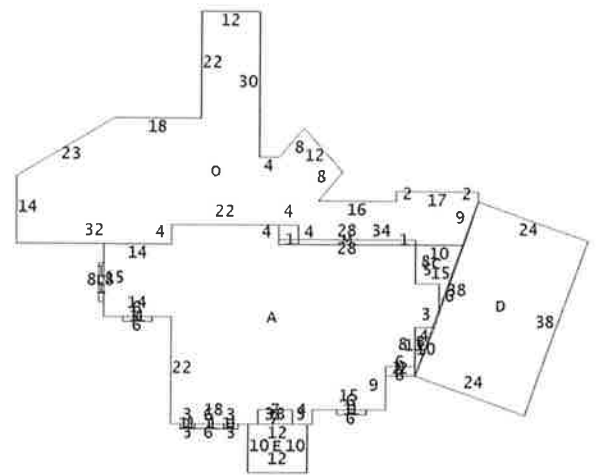
Linda Oda
Recorder

Parcel ID	531300020	Current Owner	METRO, LOUIS C. & KAREN M	Account Number	0128929
Property Address	441 E ROUTE 73 SPRINGBORO 45066	Legal Description	3.5250 ACRES	Neighborhood ID	59002
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	511 - SGL. FAMILY DWG. 0 TO 9.99 AC.	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$625,000	Bedrooms	5
Last Sale Date	12/21/1993	Exterior	MASONRY
Owner Occupied	Y	Above Grade Living Area	4479 sq. ft.
Homestead Exemption	N	Finished Basement/Attic	2054 sq. ft.
Year Built	1983	Total Living Area	6,533sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$157,170	\$55,010
BUILDING	\$815,810	\$285,530
TOTAL	\$972,980	\$340,540
CAUV	\$0	-



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

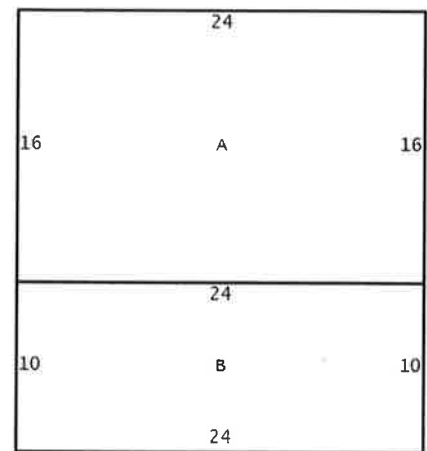
Linda Oda
Recorder

Parcel ID	531300039	Current Owner	METRO, LOUIS C. & KAREN M	Account Number	0119601
Property Address	0 E ROUTE 73 SPRINGBORO 45066	Legal Description	5.3861 ACRES	Neighborhood ID	59002
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	501 - RES. VAC. LAND- 0 TO 9.99 AC.	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$908	Bedrooms	0
Last Sale Date	07/19/2018	Exterior	LOG
Owner Occupied	N	Above Grade Living Area	384 sq. ft.
Homestead Exemption	N	Finished Basement/Attic	0 sq. ft.
Year Built	1	Total Living Area	384sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$85,180	\$29,810
BUILDING	\$37,760	\$13,220
TOTAL	\$122,940	\$43,030
CAUV	\$0	



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

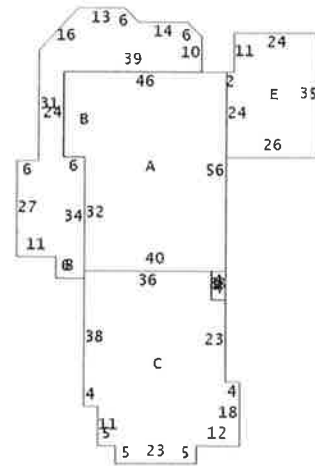
Linda Oda
Recorder

Parcel ID	531300004	Current Owner	HUTCHESON, JONATHAN	Account Number	0112674
Property Address	291 E ROUTE 73 SPRINGBORO 45066	Legal Description	35.8060 ACRES	Neighborhood ID	59002
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	101 - GRAIN OR GENERAL FARM	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$999,000	Bedrooms	4
Last Sale Date	08/26/2016	Exterior	WOOD SIDING
Owner Occupied	Y	Above Grade Living Area	5490 sq. ft.
Homestead Exemption	N	Finished Basement/Attic	0 sq. ft.
Year Built	1968	Total Living Area	5,490sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$422,680	\$147,940
BUILDING	\$703,140	\$246,100
TOTAL	\$1,125,820	\$394,040
CAUV	\$0	



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

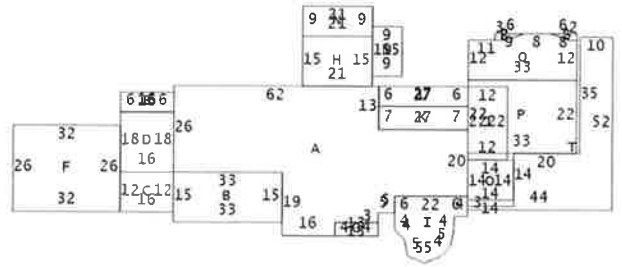
Linda Oda
Recorder

Parcel ID	531300031	Current Owner	ROSE'S ABODE, INC.	Account Number	0136980
Property Address	215 E ROUTE 73 SPRINGBORO 45066	Legal Description	43.2290 ACRES	Neighborhood ID	59002
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	515 - SGL FAMILY DWG. 40 OR MORE AC.	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$0	Bedrooms	7
Last Sale Date	01/22/2004	Exterior	MASONRY
Owner Occupied	N	Above Grade Living Area	10276 sq. ft.
Homestead Exemption	N	Finished Basement/Attic	669 sq. ft.
Year Built	1959	Total Living Area	10,945sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$575,150	\$201,300
BUILDING	\$1,202,300	\$420,810
TOTAL	\$1,777,450	\$622,110
CAUV	\$0	-



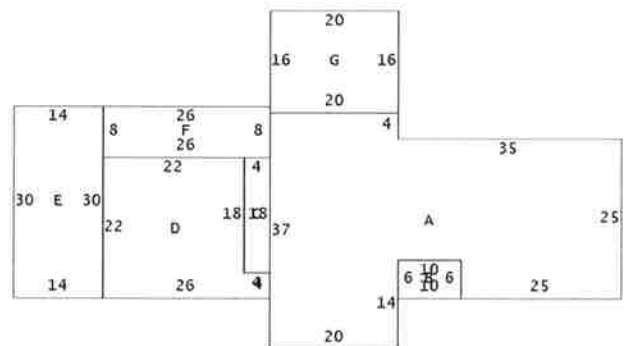
Linda Oda
Recorder

Parcel ID	531300036	Current Owner	ROSE'S ABODE, INC.	Account Number	0143951
Property Address	7000 BUNNELL HILL RD SPRINGBORO 45066	Legal Description	2.5619 ACRES	Neighborhood ID	59002
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	511 - SGL. FAMILY DWG. 0 TO 9.99 AC.	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$250,000	Bedrooms	3
Last Sale Date	11/06/2019	Exterior	MASONRY
Owner Occupied	N	Above Grade Living Area	1875 sq. ft.
Homestead Exemption	N	Finished Basement/Attic	0 sq. ft.
Year Built	1960	Total Living Area	1,875sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$58,030	\$20,310
BUILDING	\$204,830	\$71,690
TOTAL	\$262,860	\$92,000
CAUV	\$0	-



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

Linda Oda
Recorder

Parcel ID	531300035	Current Owner	MADAFFER, LINDA L.	Account Number	0143950
Property Address	0 BINKLEY LN SPRINGBORO 45066	Legal Description	2.0011 ACRES	Neighborhood ID	59002
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	501 - RES. VAC. LAND- 0 TO 9.99 AC.	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture

No Photo Available



Primary Sketch

No Sketch Available



Building & Last Sale Summary

Last Sale Amount	\$0	Bedrooms	
Last Sale Date	12/28/2007	Exterior	
Owner Occupied	N	Above Grade Living Area	
Homestead Exemption	N	Finished Basement/Attic	
Year Built		Total Living Area	

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$27,070	\$9,470
BUILDING	\$0	\$0
TOTAL	\$27,070	\$9,470
CAUV	\$0	-



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

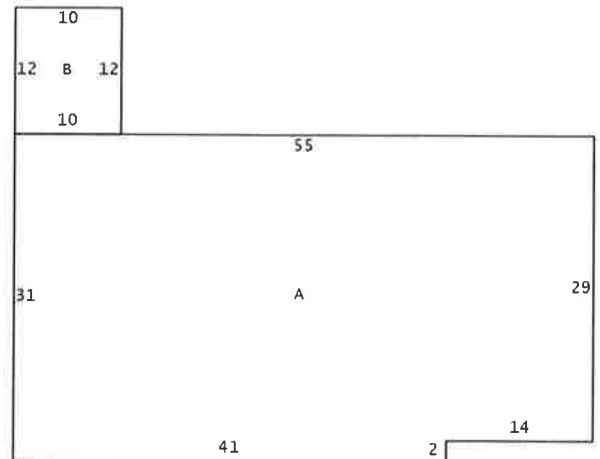
Linda Oda
Recorder

Parcel ID	531300006	Current Owner	BOWLING, ROBERT L. & WILM	Account Number	0102393
Property Address	132 BINKLEY LN SPRINGBORO 45066	Legal Description	2.0910 ACRES	Neighborhood ID	59002
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	511 - SGL. FAMILY DWG. 0 TO 9.99 AC.	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount		Bedrooms	3
Last Sale Date		Exterior	MASONRY
Owner Occupied	Y	Above Grade Living Area	1677 sq. ft.
Homestead Exemption	Y	Finished Basement/Attic	0 sq. ft.
Year Built	1969	Total Living Area	1,677sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$53,000	\$18,550
BUILDING	\$173,220	\$60,630
TOTAL	\$226,220	\$79,180
CAUV	\$0	-



WARREN COUNTY

Property Services

Matt Nolan
Auditor

Barney Wright
Treasurer

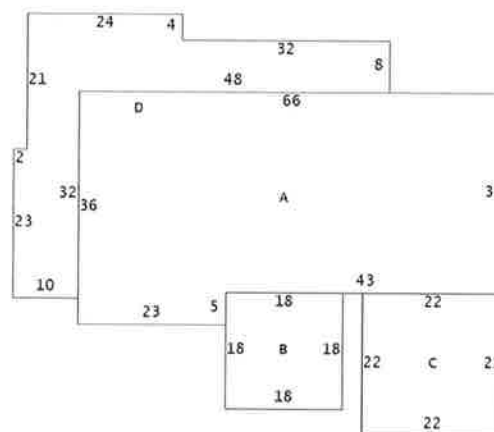
Linda Oda
Recorder

Parcel ID	531300007	Current Owner	CASSEL, SAMUEL E. &	Account Number	0105449
Property Address	136 BINKLEY LN SPRINGBORO 45066	Legal Description	2.1970 ACRES	Neighborhood ID	59002
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	511 - SGL. FAMILY DWG, 0 TO 9.99 AC.	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$185,000	Bedrooms	3
Last Sale Date	01/22/2016	Exterior	MASONRY
Owner Occupied	Y	Above Grade Living Area	2161 sq. ft.
Homestead Exemption	N	Finished Basement/Attic	0 sq. ft.
Year Built	1968	Total Living Area	2,161sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$54,560	\$19,100
BUILDING	\$228,330	\$79,920
TOTAL	\$282,890	\$99,020
CAUV	\$0	-



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

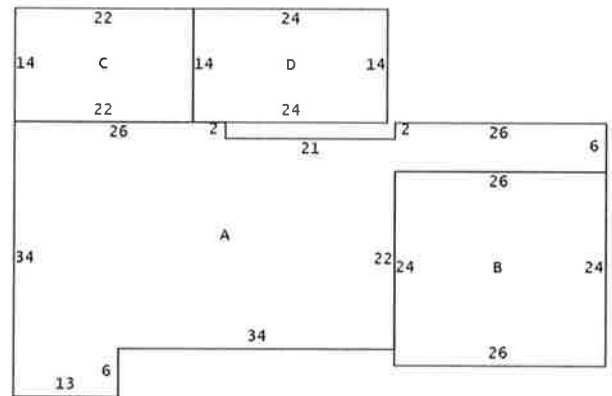
Linda Oda
Recorder

Parcel ID	936101003	Current Owner	SMITH, TIMOTHY S & FAITH	Account Number	0107492
Property Address	89 BINKLEY LN SPRINGBORO 45066	Legal Description	0.5000 ACRES	Neighborhood ID	99001
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	511 - SGL. FAMILY DWG. 0 TO 9.99 AC.	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$223,335	Bedrooms	3
Last Sale Date	05/19/2022	Exterior	WOOD SIDING
Owner Occupied	Y	Above Grade Living Area	1508 sq. ft.
Homestead Exemption	N	Finished Basement/Attic	1508 sq. ft.
Year Built	1972	Total Living Area	3,016sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$25,090	\$8,780
BUILDING	\$180,490	\$63,170
TOTAL	\$205,580	\$71,950
CAUV	\$0	-



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

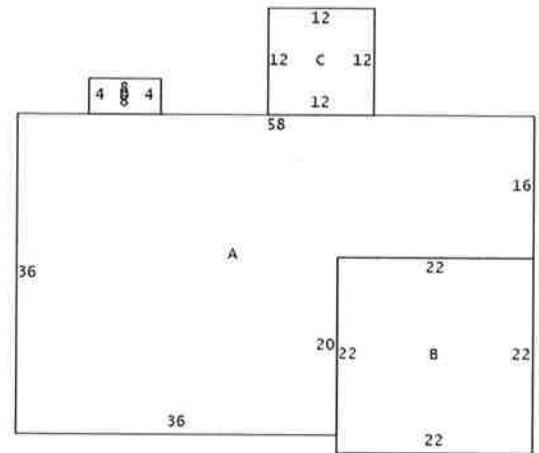
Linda Oda
Recorder

Parcel ID	936101008	Current Owner	HAMRIC, DANIEL	Account Number	0126284
Property Address	111 BINKLEY LN SPRINGBORO 45066	Legal Description	1 BEECH RUN 0.0000 ACRES <i>1.010 AC</i>	Neighborhood ID	99001
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	511 - SGL. FAMILY DWG. 0 TO 9.99 AC.	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$193,500	Bedrooms	3
Last Sale Date	10/04/2021	Exterior	VINYL / ALUM
Owner Occupied	Y	Above Grade Living Area	1648 sq. ft.
Homestead Exemption	N	Finished Basement/Attic	0 sq. ft.
Year Built	1989	Total Living Area	1,648sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$37,050	\$12,970
BUILDING	\$171,920	\$60,170
TOTAL	\$208,970	\$73,140
CAUV	\$0	-



Parcel ID	936101009	Current Owner	HAMRIC, DANIEL	Account Number	0126292
Property Address	111 BINKLEY LN SPRINGBORO 45066	Legal Description	2 BEECH RUN 0.0000 ACRES <i>1.2626</i>	Neighborhood ID	99001
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	501 - RES. VAC. LAND- 0 TO 9.99 AC.	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch

No Sketch Available



Building & Last Sale Summary

Last Sale Amount	\$193,500	Bedrooms	
Last Sale Date	10/04/2021	Exterior	
Owner Occupied	N	Above Grade Living Area	
Homestead Exemption	N	Finished Basement/Attic	
Year Built		Total Living Area	

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$40,790	\$14,280
BUILDING	\$0	\$0
TOTAL	\$40,790	\$14,280
CAUV	\$0	-



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

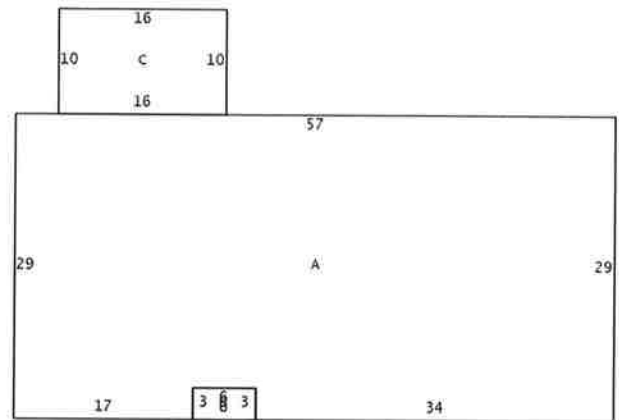
Linda Oda
Recorder

Parcel ID	936101004	Current Owner	HENDERSON, ZACH & BREANNE	Account Number	0101729
Property Address	185 BINKLEY LN SPRINGBORO 45066	Legal Description	0.9460 ACRES	Neighborhood ID	99001
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	510 - SINGLE FAMILY DWG (PLATTED)	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$348,000	Bedrooms	2
Last Sale Date	10/23/2023	Exterior	MASONRY
Owner Occupied	Y	Above Grade Living Area	1635 sq. ft.
Homestead Exemption	Y	Finished Basement/Attic	0 sq. ft.
Year Built	2001	Total Living Area	1,635sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$37,650	\$13,180
BUILDING	\$165,770	\$58,020
TOTAL	\$203,420	\$71,200
CAUV	\$0	-



WARREN COUNTY

Property Search

Matt Nolan
Auditor

Barney Wright
Treasurer

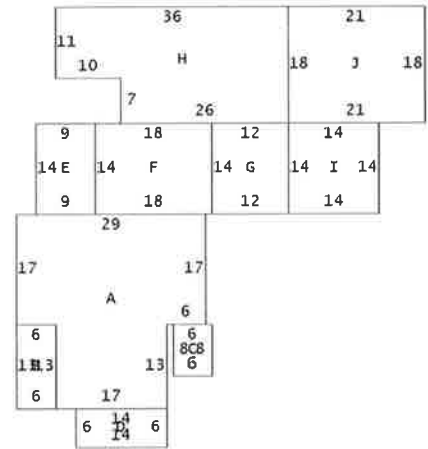
Linda Oda
Recorder

Parcel ID	936101022	Current Owner	SEIDENSCHMIDT, DAVID C. &	Account Number	0101681
Property Address	60 LOWER SPRINGBORO RD SPRINGBORO 45066	Legal Description	17.2050 ACRES	Neighborhood ID	99001
Tax District	1 CLEARCREEK TWP SPRINGBORO CSD	State Use Code	111 - C.A.U.V. GENERAL FARM	OH Public School Dist No	8302
		School District	SPRINGBORO CSD		

Primary Picture



Primary Sketch



Building & Last Sale Summary

Last Sale Amount	\$260,000	Bedrooms	4
Last Sale Date	05/25/2011	Exterior	VINYL / ALUM
Owner Occupied	Y	Above Grade Living Area	1449 sq. ft.
Homestead Exemption	N	Finished Basement/Attic	0 sq. ft.
Year Built	1900	Total Living Area	1,449sq.ft.

Value Summary

VALUATION	TRUE VALUE	ASSESSED VALUE
LAND	\$216,300	\$19,950
BUILDING	\$253,130	\$88,600
TOTAL	\$469,430	\$108,550
CAUV	\$57,000	-