

LAW OFFICES OF  
**PLOSSMAN, RUPP, HENSAL & SHORT**

302 NORTH DEFIANCE STREET

P.O. BOX 178

**ARCHBOLD, OHIO 43502-0178**

TELEPHONE 419-445-8815

TELECOPIER 419-445-1080

HAROLD H. PLASSMAN  
DAVID P. RUPP, JR.  
JAMES HENSAL  
PETER D. SHORT  

---

MARK D. HAGANS

OWEN RICE  
(1900-78)

E-MAIL [prhs@bright.net](mailto:prhs@bright.net)

September 4, 2001

**Mr. Brent Damman**  
**Municipal Building**  
City of Napoleon  
255 Riverview Avenue  
Napoleon, Ohio 43545

630  
Trail  
Dr.

Dear Brent:

Enclosed herewith please find a proposed deed from Keith and Bonnie Fruchey to Fruchey Real Estate, Ltd. For your information the East eight feet of Lot 5 of the Subdivision of Lot No. 3 is in Fruchey Real Estate, Ltd. and this deed will simply consolidate the balance of Lot 5 in the Fruchey Company. Also enclosed is a check in the amount of \$5.00 payable to the Napoleon Planning Commission to process this split.

It would be my understanding that the City of Napoleon would authorize the sale of the lot from Keith and Bonnie Fruchey to Frederick and Marilyn Freytag only on the condition that the Frucheyes would precede that sale with the recording of the deed to the balance of the 43.30 feet into their company, thereby allowing the consolidation of this 43.30 strip into the taxing parcel comprising the balance of Lot 5 and all of Lot 4.

If you have any questions in this regard, please call. Otherwise I will anticipate receiving word from you when this split is approved.

Very truly yours,

**PLOSSMAN, RUPP, HENSAL & SHORT**



Peter D. Short

PDS/bt  
Enclosure

**APPLICATION FOR MINOR SUBDIVISION OF LAND IN  
ACCORDANCE WITH CITY OF NAPOLEON OHIO CODE  
OF GENERAL ORDINANCES SECTION 1105.06 ENTITLED  
VARIANCES AND EXCEPTIONS.**

DATE: 9-10-01

FEE: \$5.00

TOWNSHIP NAME: Napoleon SECTION #: 11

SUBDIVISION NAME: Beck & Schutty Sub of lot 3 LOT: 4+5

ADDRESS OF SUBDIVISION: 630 Trail Dr.

NAME OF CURRENT OWNER: Keith Frueh

OWNER ADDRESS: 16203 State Route 424

CITY: Napoleon STATE: Ohio ZIP: 43545

OWNER PHONE: 419 762-5152

NAME OF PURCHASER: Frederick Freytag

PURCHASER ADDRESS: 18713 County Road Q1

CITY: Napoleon STATE: Ohio ZIP: 43545

PURCHASER PHONE: 419 758-3898

SURVEYOR NAME: Paul J. Westhoven

SURVEYOR ADDRESS: 523 E. Riverview Ave. Napoleon, Ohio

SURVEY DRAWING #: 7053-H-CN-8-21-00

APPLICANT SIGNATURE: \_\_\_\_\_

CITY ZONING ADMINISTRATOR: Brent Dammann

**COPIES OF THIS APPLICATION TO: HENRY COUNTY ENGINEER, OWNER, APPLICANT AND CITY ZONING DEPARTMENT.**

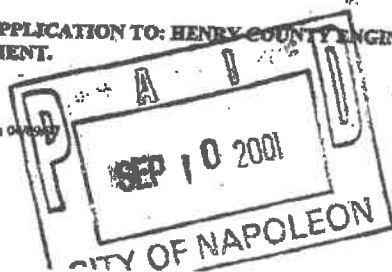
**APPLICATION FOR MINOR SUBDIVISION OF LAND IN  
ACCORDANCE WITH CITY OF NAPOLEON OHIO CODE  
OF GENERAL ORDINANCES SECTION 1105.06 ENTITLED  
VARIANCES AND EXCEPTIONS.**

DATE: 9-10-01 FEE: \$5.00  
TOWNSHIP NAME: Napoleon SECTION #: 11  
SUBDIVISION NAME: Beck & Schully Sub of lot 9 LOT: 4+5  
ADDRESS OF SUBDIVISION: 630 Trail Dr.  
NAME OF CURRENT OWNER: Keith Frueh  
OWNER ADDRESS: 16203 State Route 424  
CITY: Napoleon STATE: Ohio ZIP: 43545  
OWNER PHONE: 419 762-5152  
NAME OF PURCHASER: Frederick Frueh  
PURCHASER ADDRESS: 18713 County Road Q1  
CITY: Napoleon STATE: Ohio ZIP: 43545  
PURCHASER PHONE: 419 758-3898  
SURVEYOR NAME: Paul J. Westhorpe  
SURVEYOR ADDRESS: 523 E Riverview Ave. Napoleon, Ohio  
SURVEY DRAWING #: 7053-H-CN-8-21-00  
APPLICANT SIGNATURE: Peter D. Short

CITY ZONING ADMINISTRATOR: Brent M. Damman

COPIES OF THIS APPLICATION TO: HENRY COUNTY ENGINEER, OWNER, APPLICANT AND CITY ZONING DEPARTMENT.

DOC SUBDIVEXCEPT.Scm 04/03/01



**APPROVED**  
*BM*

*Leto - Please*

COPY

**QUITCLAIM DEED**

PDS/bt

KNOW ALL MEN BY THESE PRESENTS THAT Keith A. Fruchey and Bonnie L. Fruchey,  
husband and wife, Grantor(s),  
grant(s) to Fruchey Real Estate, Ltd., an Ohio limited liability company, Grantee(s),  
whose tax mailing address is 620 Trail Drive, Napoleon, Ohio 43545  
the following real property:

**Situated in the City of Napoleon, County of Henry and State of Ohio, and described as follows:**

**The West 43.30 feet of the East 51.30 feet of Lot 5 of the Subdivision of Lot No. 3 of Beck and Schultz Subdivision.**

Prior Instrument Reference(s): Volume 64, Page 978  
Permanent Parcel Number: 41-119044-006.000  
County Engineer Survey Reference(s): Prepared by Paul J. Westhoven Survey No. 7053-H-CN-8-21-00

Signed this            day of September, 2001.

Signed and acknowledged  
in presence of

\_\_\_\_\_  
Keith A. Fruchey

\_\_\_\_\_  
Bonnie L. Fruchey

STATE OF OHIO, COUNTY OF HENRY. The foregoing instrument was acknowledged before me this            day of September, 2001, by Keith A. Fruchey and Bonnie L. Fruchey.

\_\_\_\_\_  
Notary Public-State of Ohio  
My Commission Expires:

LAW OFFICES OF  
**Plassman, Rupp, Hensal & Short**

302 NORTH DEFIANCE STREET

P.O. BOX 178

ARCHBOLD, OHIO 43502-0178

TELEPHONE 419-445-8815

TELECOPIER 419-445-1080

HAROLD H. PLASSMAN  
DAVID P. RUPP, JR.  
JAMES HENSAL  
PETER D. SHORT  

---

MARK D. HAGANS

OWEN RICE  
(1900-78)

E-MAIL prhs@bright.net

September 7, 2001

**Mr. Brent Damman**  
**Municipal Building**  
City of Napoleon  
255 Riverview Avenue  
Napoleon, Ohio 43545

Re: Fruchey-Freytag transaction

Dear Brent:

Enclosed herewith please find a ( )  
enclosed please find two deeds, one to F  
reviewed this transaction with Nancy in  
suffice.

Please call me Monday morning

I did not make reference to Trail  
City of Napoleon and there are no require  
If I am mistaken, please advise.

oned matter. Also  
Ltd. I have  
two deeds now will

will suffice.

ed roadway in the  
cross said property.

**ORT**

9/10/01  
Brent,  
Please call Frite @ Frite's Tie  
Rack first before you go out. His phone  
# 419-599-8473.  
Thanks,  
Sandy

PDS/bt  
Enclosures

COPY

**WARRANTY DEED**

HHP/kdk

KNOW ALL MEN BY THESE PRESENTS THAT Keith A. Fruchey and Bonnie L. Fruchey,  
husband and wife, Grantor(s),

for valuable consideration paid, grant(s), with general warranty covenants, to Frederick P. Freytag  
and Marilyn R. Freytag, husband and wife, for their joint lives, remainder to the survivor of them,  
Grantee(s),

whose tax mailing address is 18713 Co. Rd. Q1, Napoleon, Ohio 43545  
the following real property:

**SEE SCHEDULE A HERETO ATTACHED**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

Signed and acknowledged  
in presence of

\_\_\_\_\_  
Keith A. Fruchey

\_\_\_\_\_  
Bonnie L. Fruchey

STATE OF OHIO, COUNTY OF HENRY: The foregoing instrument was acknowledged before  
me this \_\_\_\_\_ day of \_\_\_\_\_, 2001, by Keith A. Fruchey and Bonnie L.  
Fruchey.

\_\_\_\_\_  
Notary Public-State of Ohio  
My Commission Expires:

## SCHEDULE A

Situated in the City of Napoleon, County of Henry and State of Ohio, and described as follows:

Lot 5 of the Subdivision of Lot No. 3 of Beck and Schultz Subdivision, **EXCEPTING THEREFROM** the East 51.30 feet thereof, containing .448 acre, more or less, subject, however, to the following:

1. Subsisting easements, restrictions and zoning ordinances.
2. Taxes and installments of assessments, if any, for the tax year 2002 and thereafter, which the Grantees herein assume and agree to pay.

**RESERVING, HOWEVER,** for the benefit of Grantors and their successors in interest as owners of real estate abutting the East boundary of the real estate herein conveyed a non-exclusive easement of ingress and egress over the East 20 feet of the real estate herein conveyed, concerning which one-half of the expense of maintenance thereof shall be borne by Grantors and their successors in interest as owners of real estate abutting the East boundary of the real estate herein conveyed.

Prior Instrument Reference(s): Volume 64, Page 978

Permanent Parcel Number: 41-119044-006.000

County Engineer Survey Reference(s): Prepared by Paul J. Westhoven

Survey number 7053-H-CN-8-21-00

COPY

**QUITCLAIM DEED**

PDS/bt

KNOW ALL MEN BY THESE PRESENTS THAT Keith A. Fruchey and Bonnie L. Fruchey,  
husband and wife, Grantor(s),

grant(s) to Fruchey Real Estate, Ltd., an Ohio limited liability company, Grantee(s),

whose tax mailing address is 620 Trail Drive, Napoleon, Ohio 43545  
the following real property:

**See Schedule A Attached Hereto**

Prior Instrument Reference(s): Volume 64, Page 978

Permanent Parcel Number: 41-119044-006.000

County Engineer Survey Reference(s): Prepared by Paul J. Westhoven Survey No. 7053-H-CN-8-21-00

Signed this \_\_\_\_\_ day of September, 2001.

Signed and acknowledged  
in presence of

\_\_\_\_\_  
Keith A. Fruchey

\_\_\_\_\_  
Bonnie L. Fruchey

STATE OF OHIO, COUNTY OF HENRY. The foregoing instrument was acknowledged before  
me this \_\_\_\_\_ day of September, 2001, by Keith A. Fruchey and Bonnie L. Fruchey.

\_\_\_\_\_  
Notary Public-State of Ohio  
My Commission Expires:



## SCHEDULE A

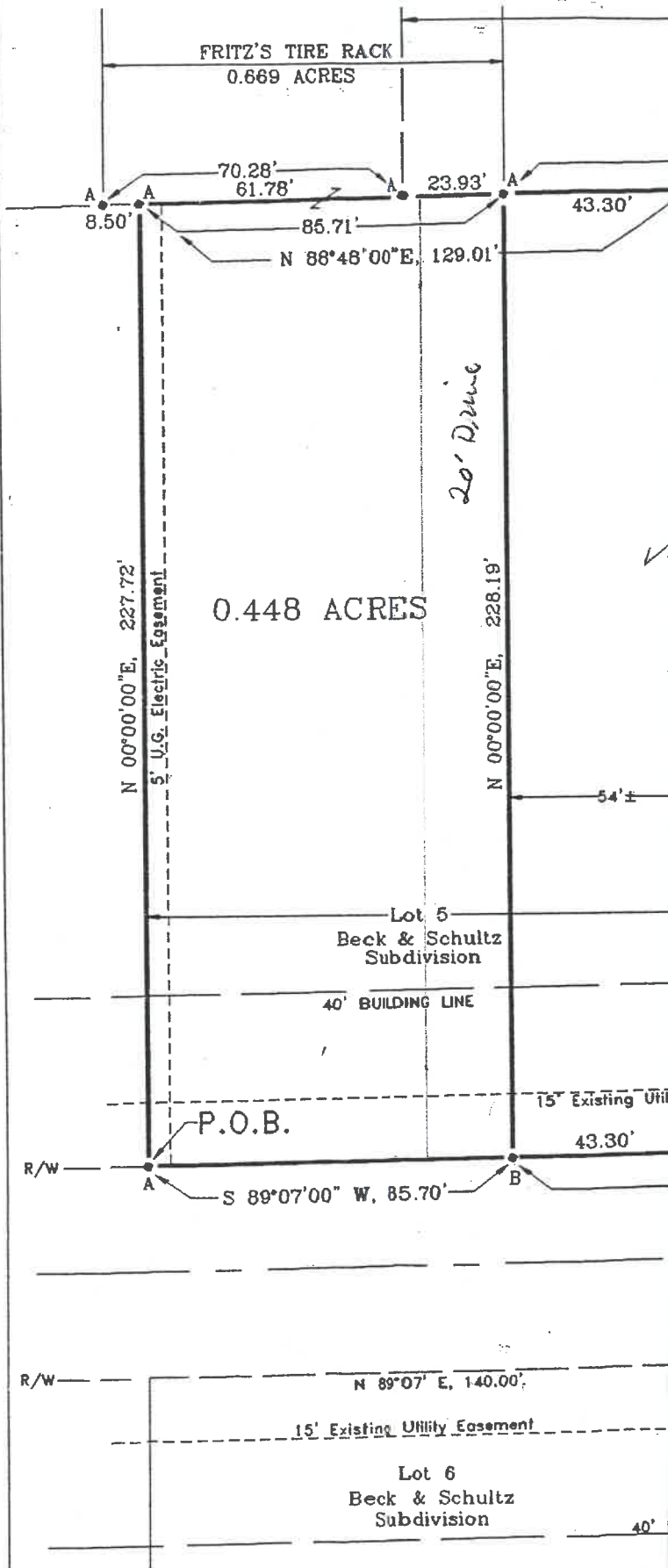
Situated in the City of Napoleon, County of Henry and State of Ohio, and known as:

The East 51.30 feet of Lot 5 and Lot 4, **EXCEPT** the East 49.00 feet of the South 169.39 feet thereof, both lots being in Subdivision of Lot No. 3 of Beck and Schultz Subdivision, said real estate more particularly described as follows:

Commencing at an iron pin on the South line of the said Lot 5 being North 89 degrees 07 minutes 00 seconds East 85.70 feet from the Southwest corner of said Lot 5; thence North 00 degrees 00 minutes 00 seconds East 228.19 feet to an iron pin on the North line of said Lot 5; thence North 88 degrees 48 minutes 00 seconds East, binding upon the North line of said Lots 4 and 5 a distance of 160.22 feet to an iron pin; thence South 00 degrees 00 minutes 00 seconds West, binding upon the East line of said Lot 4 a distance of 60.00 feet to an iron pin; thence South 90 degrees 00 minutes 00 seconds West 19.91 feet; thence South 00 degrees 00 minutes 00 seconds West 169.39 feet to a point on the South line of said Lot 4; thence South 89 degrees 07 minutes 00 seconds West binding upon the South line of said Lots 4 and 5 a distance of 140.29 feet to the place of beginning, containing .763 acre of land, more or less.

# OF SURVEY

(5) AND THE WEST PART OF  
 (4) OF THE SUBDIVISION OF  
 (3) OF BECK AND SCHULTZ  
 THE SOUTHEAST QUARTER (1/4)  
 (11), T-5-N, R-6-E, NAPOLEON  
 NAPOLEON, HENRY COUNTY, OHIO



## LEGEND:

from previous survey.  
 pin & reference cap set this survey.  
 in previous survey.

## ZONING ADMINISTRATOR

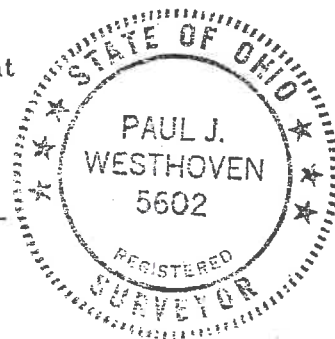
Chapter 711 of the Ohio Revised Code and  
 City of Napoleon Code of Ordinances, I hereby  
 recording.

Brent Damman, Zoning Administrator

## C A T E

made by me, that  
 the specified  
 location is

*Paul J. Westhoven*  
 P.S.  
 Surveyor #5602



subdivision  
 measurement  
 north.