

IN THE COURT OF COMMON PLEAS
PROBATE DIVISION
PORTAGE COUNTY, OHIO

PORTAGE COUNTY
FILED

2021 MAR 30 PM 2:35

LARRY J. CARVER

Plaintiff

-vs-

LAURA A. LINDBERG

and

BRIAN S. LINDBERG

Defendants/Counterclaimants

-vs-

LARRY J. CARVER

and

LARRY J. CARVER, EXECUTOR OF
THE ESTATE OF DORIS E. CARVER

Counterclaim Defendants

CASE NO. 2021 CV 00001

JUDGE PATRICIA J. SMITH

ANSWER

and

COUNTERCLAIM

ANSWER

Now come Defendants, Laura A. Lindberg and Brian S. Lindberg, by and through counsel, attorney Ralph C. Megargel, and for their Answer to the Verified Amended Complaint state as follows:

FIRST DEFENSE

The Complaint fails to state a claim against Defendants upon which relief can be granted.

SECOND DEFENSE

Defendants admit the allegations set forth in paragraphs 1, 2, 3, and 19 of the Plaintiff's Amended Complaint.

Defendants admit that, in the event an action is properly commenced regarding the matters complained of in the Plaintiff's Amended Complaint, venue would be proper in Portage County, Ohio, but does not thereby waive any defense, affirmative or otherwise, listed in Civ. R. 8 and 12, or permitted at common law; Defendants deny any remaining allegations or legal conclusions contained in paragraph 5 of the Plaintiff's Amended Complaint.

Defendants admit that Exhibit A to the Plaintiff's Amended Complaint states what it states within its four corners, but deny the remaining allegations set forth in paragraph 9 of the Plaintiff's Amended Complaint.

Defendants admit that the Office of the Portage County Recorder maintains records of real property transfers at the instrument numbers set forth in paragraph 10 of the Plaintiff's Amended Complaint, but deny the remaining allegations set forth in paragraph 10 of the Plaintiff's Amended Complaint for lack of grammatical clarity to which a definite response can be made.

Defendants admit that the documents maintained by the Portage County Recorder at the instrument numbers referenced contain legal descriptions of real property located in Portage County, Ohio, and permanent parcel numbers assigned to those parcels by the Portage County Auditor, but deny any remaining allegations set forth in paragraph 11 of the Plaintiff's Amended Complaint.

Defendants admit that the Will admitted to probate in the matter *Estate of Doris E. Carver*, 2020ES00161, states the nominations, devises, bequests and other provisions set forth therein, but deny any remaining allegations contained in paragraph 12 of the Plaintiff's Amended Complaint.

Defendants admit that Doris E. Carver conveyed real property to them with right of survivorship by deed recorded at Instrument Number 201716175 Portage County Records, and that, without waiving any objection under Evid.R. 1002, Exhibit C to Plaintiff's Amended Complaint appears to be a copy of said instrument, but deny any remaining allegations set forth in paragraph 14 of the Plaintiff's Amended Complaint.

Defendants admit that the deed recorded at Instrument Number 201716175 Portage County Records contains a legal description of the property conveyed by it, but deny any remaining allegations set forth in paragraph 15 of the Plaintiff's Amended Complaint.

Defendants admit that, without waiving any objection under Evid.R. 1002, Exhibit D to the Plaintiff's Amended Complaint is a copy of a promissory note executed by them as Makers in favor of Doris E. Carver in the principal amount of \$281,250.00, which they made in consideration of Doris E. Carver's transfer to them of real property described in Instrument Number 201716175 Portage County Records, Permanent Parcel Numbers 08-055-00-00-004-000, 08-054-00-00-001-000, 08-055-00-00-003-003, and 08-055-00-00-003-004, and that Defendant Laura Lindberg satisfied said note by paying to the *Estate of Doris E. Carver*, 2020-ES-00161, the sum of \$281,250.00, which such sum was on deposit in the Estate bank account at the time she turned said account over to Plaintiff as Successor Executor, but deny the remaining allegations set forth in paragraph 17 of the Plaintiff's Amended Complaint.

Defendants admit that, without waiving any objection thereto under Evid.R. 1002, Exhibit F to the Plaintiff's Amended Complaint is a copy of the Inventory

Defendant Laura Lindberg submitted in the *Estate of Doris E. Carver*, 2020-ES-00161, but deny the remaining allegations set forth in paragraph 20 of the Plaintiff's Amended Complaint.

Defendants admit that Exhibit F to the Plaintiff's Amended Complaint sets forth the assets and values listed on it, but deny the remaining allegations set forth in paragraph 21 of the Plaintiff's Amended Complaint.

Defendants admit that the Affidavits for Transfer of Joint and Survivorship Property recorded at instrument numbers 201703171 and 201703172 Portage County Records, the Power of Attorney, a copy of which is attached to Plaintiff's Amended Complaint as Exhibit A, the Last Will and Testament of Doris E. Carver admitted to probate in this Court in the matter *Estate of Doris E. Carver*, 2020-ES-00161, the deed recorded at instrument number 201716175 Portage County Records, and the promissory note of August 31, 2017 were prepared by attorney Douglas M. Kehres, but deny the remaining allegations set forth in paragraph 22 of the Plaintiff's Amended Complaint.

Defendants admit that the journal maintained by this Court in the matter *Estate of Doris E. Carver*, 2020-ES-00161 accurately reflects the items entered upon it, but deny the remaining allegations set forth in paragraphs 23, 25, and 26, of the Plaintiff's Amended Complaint.

Defendants admit that Larry Carver applied to be appointed Successor Executor in the matter *Estate of Doris E. Carver*, 2020-ES-00161, but deny the remaining allegations set forth in paragraph 24 of the Plaintiff's Amended Complaint.

Defendants deny the allegations set forth in paragraphs 6, 7, 8, and 13 of the Plaintiff's Amended Complaint for want of knowledge sufficient to form an opinion as to the truth or falsity thereof.

Defendants deny the allegations set forth in paragraphs 4, 16, 18, 27, 28, 29, 30, 31, 32, 34, 35, 37, 38, 40, 41, 43, 44, 46, 47, 49, 50, 52, 53, 55, 56, 58, 59, 61, 62, 64, 65, 67, 68, 70, 71, 73, 74, 76, 77, 79, 80, 82, 83, 85, 86, of the Plaintiff's Amended Complaint as being either factually untrue, or containing sufficient adjectives, adjectival phrases, or inuendo, that no reasonable response other than a denial can be made thereto, or both.

Defendants deny the allegations set forth in paragraphs 33, 36, 39, 42, 45, 48, 51, 54, 57, 60, 63, 66, 69, 72, 75, 78, 81, and 84, of the Plaintiff's Amended Complaint to the extent they set forth any allegations or incorporate allegations not otherwise separately addressed herein.

Defendants deny each and every allegation set out in the Plaintiff's Complaint not otherwise specifically answered herein.

THIRD DEFENSE

Plaintiff has failed to obtain service of process against Defendants or either of them pursuant to Civil Rule; Defendants herein each separately assert insufficiency of service of process.

FOURTH DEFENSE

Process, if served, is insufficient; Defendants herein each separately assert insufficiency of process.

FIFTH DEFENSE

Plaintiff has failed to join a person or persons who is (are) subject to service of process, and in who's absence complete relief cannot be accorded among the parties.

SIXTH DEFENSE

(6.1) Doris Carver (Doris) and Jesse Carver were farmers in Portage County, Ohio and had two children: Larry Carver (Larry) and Laura Lindberg (Laura). Together, Doris and Jesse worked the farm they purchased in 1964, located at 8465 State Route 224, Deerfield, Portage County, Ohio (The Farm), until Jesse Carver passed away in November of 2016 at the age of 83.

(6.2.) In December of 2016, Doris contacted her attorney Douglas Kehres to prepare Affidavits of Survivorship to The Farm and develop an estate plan (The Plan). The Plan was to appraise The Farm; to transfer The Farm to Laura for half the appraised value in the form of a Promissory Note payable upon Doris's death; for Doris to leave the Promissory Note to Larry in her will; for Doris to retain a life estate in The Farm; and for Laura to sell her home and move to The Farm with Doris and help her continue to reside at The Farm (Doris was 81 years old).

(6.3) At all points in the development of The Plan, Larry Carver was an active participant in the process; attended meetings at attorney Kehres' office together with Doris and Laura; and acquiesced in and agreed to each step in furtherance of The Plan.

(6.4) Together Doris, Larry, and Laura agreed to use Jack Kohl (listed on this Court's list of suitable appraisers) to appraise the four parcels that comprised The Farm: permanent parcel numbers: 08-055-00-00-004-000; 08-054-00-00-001-000; 08-055-00-00-003-003; and 08-055-00-00-003-004. Jack Kohl appraised the four parcels together as a whole for a total of between \$550,000.00 and 575,000.00 (a copy of Jack Kohl's appraisal is attached hereto as Exhibit 1). Together Doris, Larry, and Laura agreed to split the difference in the range of values

Jack Kohl provided and use \$562,500.00 as the value of the farm, and that Laura would execute a promissory note to Doris for half that amount—\$281,250.00.

(6.5) Attorney Kehres prepared two Affidavits of Survivorship, putting The Farm in Doris's name alone (from Jesse); a Survivorship Deed, transferring The Farm to Laura and her husband Brian Lindberg, and retaining a life estate in herself; a Promissory Note with Laura and Brian as makers in favor of Doris for \$281,250.00, payable following her death or on demand; and Doris's Last Will Testament. Doris executed the Affidavits of Survivorship on December 13, 2016 (recorded February 1, 2017); executed the Will on August 3, 2017 (admitted to probate herein on May 6, 2020); and executed and delivered the Survivorship Deed on August 31, 2017 (recorded September 22, 2017). Laura and Brian executed and delivered the Promissory Note on August 31, 2017, and accepted the Survivorship Deed that same day (copies of the Affidavits of Survivorship are attached hereto as Exhibits 2 and 3; a copy of the Survivorship Deed is attached hereto as Exhibit 4; a copy of the Promissory Note is attached hereto as Exhibit 5).

(6.6) The Survivorship Deed conveyed the four parcels Jack Kohl appraised and that were transferred by the Affidavits of Survivorship: permanent parcel numbers: 08-055-00-00-004-000; 08-054-00-00-001-000; 08-055-00-00-003-003; and 08-055-00-00-003-004.

(6.7) Following Doris Carver's death, and per the terms of the Promissory Note, Laura paid the balance due of \$281,250.00 to Doris' Estate.

SEVENTH DEFENSE

(7.1) Attorney Kehres prepared the two Affidavits for Transfer of Joint and Survivorship Property of the Farm, which Doris Carver executed on December 13,

2016, and were recorded on February 1, 2017 at Instrument Numbers 701703171 and 701703172. Attorney Kehres prepared the Survivorship Deed, which Doris executed on August 31, 2017, and recorded it on September 22, 2017 at Instrument Number 201716175.

(7.2) The legal descriptions set forth on the Affidavits for Transfer of Joint and Survivorship Property and the legal description set forth on the Survivorship Deed were the same, containing the four parcels 08-055-00-00-004-000; 08-054-00-00-001-000; 08-055-00-00-003-003; and 08-055-00-00-003-004.

(7.3) Thereafter, and upon running the Survivorship Deed through Portage County Tax Map for approval for recording, attorney Kehres was informed that the legal description of two of the parcels were deficient because the criterion for legal descriptions in Portage County had changed since the last deed of transfer was recorded in 1987 (Vol. 1048 Page 697).

(7.4) In Portage County, a deed cannot be recorded until it receives Tax Map approval.

(7.5) In order to comply with Tax Map's updated criterion for legal descriptions, attorney Kehres retained the services of surveyor Beth Pearson, (Registered Surveyor No. 8430) to re-survey the deficient parcels and prepare a sufficient legal description for Tax Map approval. Surveyor Pearson prepared an updated legal description re-describing the two parcels whose descriptions were determined to be deficient in the Survivorship Deed, and attorney Kehres sent the deed and new description back to Tax Map, where it was now deemed sufficient.

(7.6) Tax Map then crossed out the deficient description, attached the new sufficient description to the deed, stamped it with Tax Map approval, and the deed was recorded on September 22, 2017.

(7.7) The deed recorded on September 22, 2017 described the same property as the deed delivered on August 31, 2017.

(7.8) This scenario is replayed regularly in Portage County because of the new criterion put in place by the Tax Map department, and the re-surveying of land in order to obtain a sufficient legal description has occurred hundreds if not thousands of times.

(7.9) The fact that Tax Map determined the legal description to the two parcels 08-055-00-00-004-000 and 08-054-00-00-001-000 to be deficient, requiring a re-survey before the next transfer could be recorded, is evidenced on the Affidavit for Transfer of Joint and Survivorship Property recorded at Instrument number 701703171, at the top of the second page in the TAX MAP stamp:

2-1-2017
TAX MAP DEPT.
LEGAL DESCRIPTION
☐ SUFFICIENT ☒ DEFICIENT
☒ NO DIVISION OF LAND
SURVEY BEFORE
NEXT TRANSFER
PN 08-055-00-00-004 ✓
08-054-00-00-001 ✓

(7.10) This stamp can be compared to the one on the Affidavit for Transfer of Joint and Survivorship Property recorded at Instrument number 701703172 for the two parcels PPN 08-055-00-00-003-003 and PPN 08-055-00-00-003-004, and its TAX MAP stamp:

2-1-2017
TAX MAP DEPT.
LEGAL DESCRIPTION
☒ SUFFICIENT ☐ DEFICIENT
☒ NO DIVISION OF LAND

(7.11) Hence, the legal description of the parcels conveyed by the Affidavit recorded at Instrument number 701703172 are repeated in the deed of transfer, but the legal description of the parcels conveyed by the Affidavit recorded at Instrument number 701703171 had to be re-described following a survey.

(7.12) Regardless of the redrafting of the legal descriptions, the deed as delivered by Doris Carver to Laura and Brian Lindberg on August 31, 2017 was effective upon that delivery, and conveyed all four parcels: 08-055-00-00-004-000; 08-054-00-00-001-000; 08-055-00-00-003-003; and 08-055-00-00-003-004.

EIGHTH DEFENSE

Plaintiff complains at paragraph 30 of his Complaint that the following items of personalty were not listed on Laura's Inventory when she submitted it to this Court as Executor of her mother's estate, and asserts at paragraph 31 that Defendants have concealed said items from administration:

household supplies (such as foodstuffs, storage containers, mops, cleaning products, brooms, buckets, dresses, pants, blouses, pajamas, slippers, hats, gloves, etc.) jewelry, purses, wallets, clothing (such as shoes, boots, coats, spending money" / cash on-hand, books, tools, sofas, beds, refrigerator, freezer, miscellaneous furniture (such as chairs, tables, cabinets, large and small appliances (such as a stove, washer and dryer, toaster, microwave, electronic devices (such as clocks, televisions, radios, record players, etc.), table lamps, vases, bed linens, pots and pans, plates, bowls, platters, drinking cups and cooking and eating utensils, framed pictures and/or glasses, figurines, photographs, holiday decorations, paintings, rugs, collectibles, yard/garden implements (such as family mementos , clippers, mowers, shovels, rakes equipment and supplies, etc.

It is the customary practice in probating estates in Portage County not to list ephemera and bric-a-brac as assets of an estate on inventories and have them appraised. This is especially true concerning personalty such as foodstuffs, storage containers, mops, cleaning products, brooms, buckets, dresses, pants, blouses,

pajamas, slippers, hats, gloves, purses, wallets, shoes, boots, coats, books, toasters, microwave ovens, clocks, televisions, radios, record players, table lamps, vases, bed linens, pots and pans, plates, bowls, platters, drinking cups, cooking and eating utensils, pictures, glasses, figurines, photographs, holiday decorations, paintings, rugs, collectibles, yard and garden implements, clippers, mowers, shovels, rakes equipment and supplies.

Laura does not deny that her mother possessed many of these items at the time of her death, but her failure to list them as assets of the estate to be administered on her Inventory and have them appraised was not an attempt to conceal, hide, or spirit them away, but, rather, was for two reasons.

First, they have no appreciable value, and it would have been odd, to say the least, to set them forth on an inventory and have them appraised.

Second, on February 20, 2020, nine months prior to Laura submitting her Inventory herein, Larry reached out to her, through counsel, in writing, and provided a list of the personal property located at The Farm that he wanted from the Estate, and Laura provided those items of personalty to Larry (a copy of the February 20, 2020 letter and enclosed list is attached hereto as Exhibit 6). Laura assumed that, having received a request for "personal property items having particular significance to Mr. Carver that he would like to receive from the estate," and having provided the same to him, that there was no tangible personal property remaining to be administered in the estate. If there are additional items of tangible personalty that Larry neglected to request in the February 20, 2020 letter, he need not bring suit in order to obtain them, he need simply tell Laura what he wants and she will again provide them.

Finally, it is against public policy to require fiduciaries to list such items as mops, pots and pans, clothing, and foodstuffs, etc., on their Inventories and have them appraised, as such a requirement would place an unnecessary burden and expense on fiduciaries, and lead to an endless waste of Probate Court time and personnel accounting for such items.

NINETH DEFENSE

Larry complains that Laura withdrew \$81,192.01 from Doris's checking account during her life under a Power of Attorney, and bases one claim in concealment upon those funds. Without making any admission as to the truth of Larry's allegations, while serving as Executor herein, Laura deposited \$11,300.00 of her own funds into the Estate Checking account, which such funds remained in the estate checking account when she transferred it to Larry Carver, leaving a balance of \$69,892.01 that Larry could complain of in this regard. Having otherwise separately addressed the specific allegations by numbered paragraph in her Second Defense, above, and for purposes of the allegations of concealment, Laura has deposited \$69,892.01 into the IOLTA account of Megargel Eskridge & Mullins, LLP, her attorneys in this matter, in order that no funds can be said to be concealed, in that their location is known, so that the proper characterization and disposition of said funds can be accomplished within the herein matter.

FIRST AFFIRMATIVE DEFENSE

Plaintiff's claims, if any, are barred by the Statute of Frauds.

SECOND AFFIRMATIVE DEFENSE

Plaintiff's claims, if any, are barred by the applicable Statute of Limitations.

THIRD AFFIRMATIVE DEFENSE

Plaintiff's claims, if any, are barred by an Accord and Satisfaction.

FOURTH AFFIRMATIVE DEFENSE

Plaintiff's claims, if any, are barred by a Failure of Consideration.

FIFTH AFFIRMATIVE DEFENSE

Plaintiff's claims, if any, are barred by the Doctrine of Laches.

SIXTH AFFIRMATIVE DEFENSE

Plaintiff's claims, if any, are barred by the Doctrine of Unclean Hands.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiff has Waived any claims he may or may not have had in this matter.

EIGHTH AFFIRMATIVE DEFENSE

Plaintiff's claims, if any, are subject to Estoppel.

WHEREFORE, having answered Plaintiff's Complaint, Defendants prays for judgment in their favor and for dismissal of Plaintiff's Complaint at Plaintiff's cost, together with such other relief that this Court deems just and equitable.

.....
COUNTERCLAIM

Now come Defendants, Laura A. Lindberg and Brian S. Lindberg, by and through counsel, attorney Ralph C. Megargel, and for their Counterclaim against Larry Carver, individually and as Executor of the Estate of Doris E. Carver, state as follows:

1. Without requiring separate response to this paragraph, Defendants Counterclaimants (Laura and Brian) repeat and reallege those allegations set forth in the Plaintiff's (Larry's) Complaint that they admit in the Second Defense of their above Answer as if fully rewritten here.

2. Without requiring separate response to this paragraph, Laura and Brian state as negative assertions their denial of those allegations (other than those

denied for want of knowledge) set forth in Larry's Complaint that they deny in the Second Defense of their above Answer as if fully rewritten here.

3. Without requiring separate response to this paragraph, Counterclaim Defendants do not by this Counterclaim waive any of the defenses and affirmative defenses set forth in their above Answer.

4. The real estate that is the subject matter of this Counterclaim is located in Portage County, Ohio; the acts complained of took place in Portage County, Ohio; Counterclaim Defendants have availed themselves of the Portage County Courts and/or have invoked the jurisdiction of this Court over themselves and/or this matter; and therefore, this Court has jurisdiction over this Counterclaim and Counterclaim Defendants.

5. The real estate that is the subject matter of this Counterclaim is located in Portage County, Ohio; the acts complained of took place in Portage County, Ohio; Counterclaim Defendants initiated this action; and therefore, Portage County is the appropriate venue for this Counterclaim to be heard.

6. Laura and Brian repeat as allegations the matters set forth in their Sixth Defense in their above Answer as separately numbered paragraphs here, 6.1 through 6.7.

7. Laura and Brian repeat as allegations the matters set forth in their Seventh Defense in their above Answer as separately numbered paragraphs here, 7.1 through 7.12.

8. On or about January 19, 2021 Larry, acting both in his individual capacity and as Executor of the Estate of Doris Carver, recorded an Affidavit with the

Portage County Recorder at Instrument Number 202101102 (a copy of the Affidavit of Larry Carver is attached hereto as Exhibit 7).

COUNT ONE—QUIET TITLE
R.C. §5303.01

9. Without requiring separate response to this paragraph, Defendants Counterclaimants repeat and reallege those allegations contained in the preceding paragraphs of their counterclaim as if fully rewritten here.

10. Larry's Affidavit places a cloud upon Laura and Brian's title to the parcels conveyed to them by the Survivorship Deed 08-055-00-00-004-000; 08-054-00-00-001-000; 08-055-00-00-003-003; and 08-055-00-00-003-004, and a judicial determination is necessary in order to clear the cloud from the title.

COUNT TWO—SLANDER OF TITLE

11. Without requiring separate response to this paragraph, Defendants Counterclaimants repeat and reallege those allegations contained in the preceding paragraphs of their counterclaim as if fully rewritten here.

12. Larry's Affidavit contains statements about Laura and Brian's real property that are untrue that he made knowing them to be untrue.

13. Larry's Affidavit contains statements about Laura and Brian's real property that are untrue that he made in reckless disregard of the truth or falsity thereof.

14. Larry's untrue statements in his Affidavit were published through recordation with specific intent to cause third parties to rely upon them.

15. Laura and Brian have suffered actual financial harm attributable to and substantially caused by Larry's publishing through recordation of his false statements.

WHEREFORE, Defendants Counterclaimants Laura Lindberg and Brian Lindberg seek judgment as follows:

On their First Count: a judgment declaring that they own legal and beneficial title free and clear of any claim of Plaintiff Counterclaim Defendant Larry Carver individually and as Executor of the Estate of Doris E. Carver, his successors and assigns, to the four parcels of real property located in Portage County, Ohio known by permanent Parcel Numbers 08-055-00-00-004-000; 08-054-00-00-001-000; 08-055-00-00-003-003; and 08-055-00-00-003-004, as set forth and more fully described in the Survivorship Deed recorded at Instrument No. 201716175 Portage County Records, and that said Survivorship Deed was a valid conveyance of said four parcels to them, together with their costs of this action, and such other relief as this Court deems just and equitable.

On their Second Count: judgment against Plaintiff Counterclaim Defendant Larry Carver individually in the amount of their actual damages and ongoing damages up to and including the day of trial in an amount to be proved at trial; an Order of this Court that Plaintiff Counterclaim Defendant Larry Carver individually and as Executor of the Estate of Doris E. Carver publish through recordation a full retraction of his Affidavit recorded at Instrument Number 202101102; together with the costs of this action, their attorney's fees herein, such punitive damages as are allowed by law and that this Court deems sufficient and appropriate, and such other relief as this Court deems just and equitable.

Respectfully submitted,

/s/ Ralph C. Megargel

Ralph C. Megargel (0060014)
Attorney for Laura and Brian Lindberg
Defendants/Counterclaimants
Megargel Eskridge & Mullins LLP
231 S. Chestnut Street
Ravenna, OH 44266
330-297-7030 Phone
330-297-7202 Fax
rmegargel@memlawohio.com

PROOF OF SERVICE

I hereby Certify that a true and accurate copy of the foregoing was sent on the 30th day of March, 2021, via the following method provided for under Civ. R. 5(B)(2) or (3) to the following:

- ☐ (a) handing it to the person;
- ☐ (b) leaving it:
 - ☐ (i) at the person's office with a clerk or other person in charge or, if no one is in charge, in a conspicuous place in the office; or
 - ☐ (ii) if the person has no office or the office is closed, at the person's dwelling or usual place of abode with someone of suitable age and discretion who resides there;
- ☒ (c) mailing it to the person's last known address by United States mail, in which event service is complete upon mailing;
- ☐ (d) delivering it to a commercial carrier service for delivery to the person's last known address within three calendar days, in which event service is complete upon delivery to the carrier;
- ☐ (e) leaving it with the clerk of court if the person has no known address; or
- ☐ (f) sending it by electronic means to a facsimile number or e-mail address provided in accordance with Civ.R. 11 by the attorney or party to be served, in which event service is complete upon transmission, but is not effective if the serving party learns that it did not reach the person served.
- ☐ (3) Using court facilities. If a local rule so authorizes, a party may use the court's transmission facilities to make service under Civ.R. 5(B)(2)(f) (Courthouse Mail).

Craig T. Conley
Attorney for Plaintiff Larry J. Carver
604 Huntington Plaza
220 Market Ave. S
Canton, OH 44702

/s/ Ralph C. Megargel

Ralph C. Megargel (0060014)
Attorney for Defendants/Counterclaimants



June 19, 2017
Doug Kehres
Attorney at Law
638 W Main St.
Ravenna, OH 44266

Re: Market Analysis for Carver Doris E. for the following property located at 8465 St. Rt. 224, Deerfield, Ohio 44411.

Dear Mr. Kehres;

At your request, I have made a market analysis of the property referenced above for the purpose of establishing its market value.

Market value is defined as being the highest price estimated in terms of money that a willing buyer would pay a willing seller, both parties being familiar with the property and all the uses to which it might be put, allowing a reasonable time for exposure in the market.

As a result of this analysis, it is my opinion as of the date of this letter that a fair and reasonable market value of the subject property would be in the range of \$550,000.00 to \$575,000.00

Legal Description: Lot 55 E
Permanent Parcel #: 08-055-00-00-003-004

Legal Description: LOT 55 E
Permanent Parcel #: 08-055-00-00-003-003

Legal Description: LOT 55 E
Permanent Parcel #: 08-055-00-00-004-000

Legal Description: LOT 54
Permanent Parcel #: 08-054-00-00-001-000

This parcel consists of a 2900 sq. ft. Beautifully Restored Victorian Farm House featuring, 4 bedrooms and 3 full baths, indoor pool, large country kitchen with fire place, formal living and dining room, with a wraparound porch, multiple large out buildings situated on 142+ acres in Deerfield Township.

I have considered this property as a whole owned in fee simple with no consideration to legal boundaries of the subject property.

Jack Kohl
Realty &
Insurance

141 East Main Street • Ravenna, Ohio 44266

Phone: 330.296.9997 • Fax 330.296.9998

www.jkohlre.com

Sincerely;



Jack F. Kohl II

Agent/Broker

Jack Kohl Realty LLC.





Umx(2)
LORI CALCEI
PORTAGE CO. RECORDER

TRANSFERRED
Sec.319.54 (F-2) 1.00
Sec.319.202 1.00

201703171 W245

FEB 24 2017

Danet Spoothe
Portage County Auditor

RECEIVED FOR RECORD
AT 10:33:40
FEE 44.00

INDEXED

STATE OF OHIO)
) SS
COUNTY OF PORTAGE)

Doris E. Carver ("Affiant"), being duly cautioned and sworn, and having personal knowledge of the facts and being competent to testify as to these matters, deposes and says as follows:

1. Affiant's Husband, Jesse Carver, formerly of Portage County, died testate on November 1, 2016, a legal resident of the State of Ohio.

2. A certified copy of the Death Certificate is attached to this Affidavit.

3. The decedent and this Affiant were the grantees in a certain deed dated March 9, 1987 and recorded at Volume 1048 and Page 0697 of the Deed Records of Portage County, Ohio (the "Deed"), with respect to the property legally described as follows:

Situated in the Township of Deerfield, County of Portage and State of Ohio:

TRACT ONE: Known as being the whole Lot No. 54 in said township, containing according to the current tax books and maps 154 acres of land, excepting therefrom 40 acres off the east side of said Lot No. 54, conveyed to Clayton Wilcox by deed from Alva A. Loomis, Executor of the estate of Humbert S. Loomis, deceased, dated April 1, 1920, and recorded in Volume 225, Page 146, of the records of Portage County, Ohio, said 40 acres being bounded and described as follows: On the North, East and South by the original lot lines of said lot and on the West by a line parallel with the east line of said Lot No. 54, and far enough West there from to contain 40 acres, being bounded on the West by lands now owned by Harold P. and Mary Steckel, Martha P. and Howard Cook, and William J. Boyer and containing 114 acres of land.

TRACT TWO: Situated in the Township, County and State aforesaid, and known as being

2-1-2017
TAX MAP DEPT.
LEGAL DESCRIPTION
O SUFFICIENT ☒ DEFICIENT
☒ NO DIVISION OF LAND
SURVEY BEFORE
NEXT TRANSFER
PN 08-055-00-00-004 ✓
08-054-00-00-001 ✓

a part of Lot No. 55 in said township, bounded and described as follows: On the North, East and South by the North, East and South original lines of said lot, and on the West by lands in said lot now or formerly owned or occupied by Richard and Hanna Spires, and containing 88 acres of land, more or less.

EXCEPTING THEREFROM the following:

Excepting and reserving from the above-described premises located in and know as being a part of Lot No. 55 in said township of Deerfield, more fully bounded and described as follows: Beginning in the south line of Lot No. 55 which is also the centerline of St. Rt. 224, W. 420.50 feet from the southeast corner of said Lot No. 55; thence continuing along said lot line and St. Rt. 224, centerline West 1070.00 feet to the southeast corner of lands of Mildred Kays as shown in Vol. 574, Page 419, Portage County Records; thence N. 0 deg. 12' E. along the east line of said Kays' land (passing over an iron pin at 33 feet) 2617.10 feet to a post in the north line of Lot No. 55; thence along the north lot line N. 89 deg. 57' E. 1320.00 feet or 80 rods to an iron pipe; thence S. 0 12' W. 1915.90 feet to an iron pipe; thence W. 250 feet to an iron pipe; thence S. 0 deg. 12' W. (passing over an iron pipe at 660 feet) 700 feet to the place of beginning, and containing 75.271 acres as surveyed in October 1958 by Leo E. Martin, Registered Surveyor No. 2587.

INCLUDING in said Second Tract 12.73 acres by Tax Maps and 14.28 acres by survey, more or less.

INTENDING TO INCLUDE in both Tract One and Tract Two above all remaining lands in said Lots 54 and 55 as owned by Floyd F. Forney and Emma K. Forney, Grantors herein.

SUBJECT TO reservation of life use in dwelling house as set forth in separate Agreement this day executed between Grantors and Grantees and filed for record with the Recorder of Portage County, Ohio.

4. In the Deed, the grantees designated are Jesse and Doris Carver, husband and wife, for their joint lives, remainder to the survivor of them.

5. Doris E. Carver, one of the grantees named in the Deed, is one and the same person as this Affiant.

6. The address of Affiant is 9465 State Route 224, Deerfield, Ohio 44411.

7. Affiant gives this Affidavit for the purpose of transferring the title to the foregoing property to Affiant on the records to the Recorder's Office in Portage County, Ohio.

Doris Carver
DORIS E. CARVER

STATE OF OHIO

SS

COUNTY OF PORTAGE

BEFORE ME, A NOTARY PUBLIC, in and for said County and State did personally appear, Doris E. Carver, who acknowledged that she did sign the foregoing instrument and that her signing was her free act.

SWORN TO BEFORE ME, A NOTARY PUBLIC, in and for said County and State this 13th day of December, 2016, at Ravenna, Ohio.

Doris Worthington
NOTARY PUBLIC

X
This instrument was prepared by Douglas M. Kehres, Attorney at Law. 12/13/20

Reg. Dist. No. 50
Primary Reg. Dist. No. 5000
Registrar's No. 2016-002754

Ohio Department of Health - Vital Statistics
CERTIFICATE OF DEATH
Type or print in permanent blue or black ink

State File No. 2016100344

1. Decedent's Legal Name (First, Middle, Last, Suffix) (Include AKA's if any)		2. Sex	3. Date of Death (Mo/Day/Year)
JESSE E CARVER		MALE	NOVEMBER 01, 2016
4. Social Security Number	5a. Age (Years)	5b. Under 1 Year Months	5c. Under 1 day Hours Minutes
	83		
6. Date of Birth (Mo/Day/Year)		7. Birthplace (City and State or Foreign Country)	
AUGUST 17, 1933		YALE, OHIO	
8a. Residence State		8b. County	
OHIO		PORTAGE	
8c. City or Town		8d. Zipcode	
DEERFIELD		44411	
8e. Apt. No.		8f. Inside City Limits?	
		NO	
9. Ever in US Armed Forces?		10. Marital Status at Time of Death	
NO		MARRIED	
11. Surviving Spouse's Name (If wife, give name prior to first marriage)		12. Decedent's Education	
DORIS E BASINAIS		COLLEGE, BUT NO DEGREE	
13. Decedent of Hispanic Origin		14. Decedent's Race	
NO		WHITE	
15. Father's Name		16. Mother's Name (prior to first marriage)	
JESSE L CARVER		MAUDE BARTHOLOMEW	
17a. Informant's Name		17b. Relationship to Decedent	
DORIS E CARVER		WIFE	
18a. Place of Death		17c. Mailing Address (Street and Number, City, State, Zip Code)	
HOME AWAY FROM HOME		8465 STATE ROUTE 224	
18b. Facility Name (If not institution, give street & number)		18d. County of Death	
13600 CHURCH STREET		MAHONING	
18c. City or Town, State and Zip Code		18e. Date of Death	
BELOIT, OH 44609		NOVEMBER 01, 2016	
19. Signature of Registrar		20. I solemnly swear that I am a duly qualified Registrar	
Erin Bishop		YES	
21. Signature of Decedent		22. Date of Disposition (Mo/Day/Year)	
NANCY K CASTELLUCCI		NOVEMBER 05, 2016	
23. Method of Disposition		24. Date of Disposition (Mo/Day/Year)	
BURIAL		NOVEMBER 05, 2016	
25. Place of Disposition (Name of Cemetery, Crematory, or other place)		26. Location (City/Town and State)	
DEERFIELD CEMETERY		DEERFIELD, OH	
27. Registrar's Signature		28. Date Filed (Mo/Day/Year)	
Erin Bishop		11-09-2016	
29a. Name of Person Issuing Disposition Permit		29b. District No.	
BISHOP, ERIN		5000	
29c. Date Disposition Permit Issued (Mo/Day/Year)		29d. Date Disposition Permit Issued (Mo/Day/Year)	
11-03-2016		11-03-2016	
30a. Certifier (Check only one)		30b. Date of Death	
<input checked="" type="checkbox"/> Certifying Physician		1320	
<input type="checkbox"/> Coroner or Medical Examiner		30c. Date Pronounced Dead (Mo/Day/Year)	
		Nov 1 2016	
30d. Time of Death		30e. Was the Medical Examiner or Coroner Contacted?	
1320		NO	
30f. Signature and Title of Certifier		30g. License number	
Erin Bishop		35.045065	
30h. Date Signed (Mo/Day/Year)		30i. Date Signed (Mo/Day/Year)	
11/7/2016		11/7/2016	
31. Name (First, Middle, Last) and Address of Person who Completed Cause of Death			
DUANE CHARLES KUENTZ, 270 EAST STATE ST, ALLIANCE, OH 44601			
32. Part 1. Enter the disease, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line. Type or print in permanent blue or black ink.			
Immediate Cause (Final disease or condition resulting in death)			
Failure to thrive			
33. Approximate Interval Between Onset and Death			
months			
34. Sequentially list conditions, if any, leading to immediate cause.			
Dementia			
35. Approximate Interval Between Onset and Death			
months			
36. Enter Underlying Cause (Disease or injury that initiated events resulting in a death)			
Congestive heart failure			
37. Approximate Interval Between Onset and Death			
years			
38. Due to (or as Consequence of)			
arteriosclerosis			
39. Part 2. Other significant conditions contributing to death but not resulting in the underlying cause given in Part 1.			
39a. Was An Autopsy Performed?		39b. Were Autopsy Findings Available Prior To Completion Of Cause of Death?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Not Applicable	
39c. Manner of Death		39d. Homicide	
<input checked="" type="checkbox"/> Natural		<input type="checkbox"/> Homicide	
<input type="checkbox"/> Accident		<input type="checkbox"/> Pending Investigation	
<input type="checkbox"/> Suicide		<input type="checkbox"/> Could not be determined	
39e. Did Tobacco Use Contribute to Death?		39f. If Transportation Injury, Specify:	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Unknown <input type="checkbox"/> Probably		<input type="checkbox"/> Driver/Operator <input type="checkbox"/> Pedestrian <input type="checkbox"/> Passenger	
39g. Date of Injury (Mo/Day/Year)		39h. Time of Injury	
39i. Place of Injury (e.g., Decedent's home, construction site, restaurant, wooded area)		39j. Injury at Work?	
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
39k. Location of Injury (Street and Number or Rural Route Number, City or Town, State)			
39l. Describe How Injury Occurred:			
39m. If Transportation Injury, Specify:			
<input type="checkbox"/> Driver/Operator <input type="checkbox"/> Pedestrian <input type="checkbox"/> Passenger			
39n. Other:			

HEA 2724 Rev. 07/15-09/19

Erin Bishop - Local Registrar

NOV 09 2016

Erin M. Bishop

TRANSFERRED
Sec.319.54 (F-2) 7.00
Sec.319.202

FEB 24 2017

Janet Epworth
Portage County Auditor



LORI CALCEI
PORTAGE CO. RECORDER

201703172 #245

RECEIVED FOR RECORD
AT 10:33:44
FEE 5200

INDEXED

STATE OF OHIO)
) SS
COUNTY OF PORTAGE)

Doris E. Carver ("Affiant"), being duly cautioned and sworn, and having personal knowledge of the facts and being competent to testify as to these matters, deposes and says as follows:

1. Affiant's Husband, Jesse Carver, formerly of Portage County, died testate on November 1, 2016, a legal resident of the State of Ohio.
2. A certified copy of the Death Certificate is attached to this Affidavit.
3. The decedent and this Affiant were the grantees in a certain deed dated March 16, 2016 and recorded at PPN: 08-055-00-00-003-003 ✓ and 08-055-00-00-003-004 ✓ of the Deed Records of Portage County, Ohio (the "Deed"), with respect to the property legally described as follows:

Parcel #1

Situated in the Township of Deerfield, County of Portage and the State of Ohio and being part of said Township Lot 55 and part of the lands conveyed to Jean Adams by Deed Volume 881, Page 220 of the Portage County Records of Deeds and being more particularly bounded and described as follows:

Commencing at the southwest corner of said Township Lot 55 same being the intersection of the centerline of U.S. Route 224 a.k.a. Akron-Canfield Road (66' right-of-way) and the south line of said Township Lot 55 with the centerline of State Route 183 a.k.a. Alliance-Yale Road and the West line of said Township Lot 55;

Thence, along the centerline of said U.S. Route 224 and the south line of said Township Lot 55, EAST 1788.56 feet to the principal place of beginning for the parcel of land herein to be

2-1-2017 *JS*
TAX MAP DEPT.
LEGAL DESCRIPTION
JS SUFFICIENT ☐ DEFICIENT
JS NO DIVISION OF LAND

described;

Thence, leaving said centerline and Lot, N. 00 degrees 12" 00" E, passing thru a ½" capped rebar stamped "MILLMAN" set at 35.00 feet, a total distance of 1149.85 feet to a ½" capped rebar set stamped "MILLMAN" in the southeasterly line of lands conveyed to William J. Nappier by O.R. 550, Page 860 of the Portage County Records of Deeds;

Thence, along the southeasterly line of said Napier lands, EAST 194.00 feet to a ½" capped rebar set stamped "MILLMAN";

Thence, leaving said Napier lands, S 00 degrees 12' 00" W. 1149.85 feet to the centerline of said U.S. Route 224 and the south line of said Township Lot 55. Witness a ½" capped rebar set stamped "MILLMAN" 35.00 feet distant therefrom along the last described course;

Thence, along said centerline and lot line, WEST 194.00 feet to the place of beginning and containing 5.1210 acres of land but subject to all legal highways, easements and restrictions as surveyed by Deron J. Millman P.S. No. S-7717 for and on behalf of Millman Surveying, Inc. in September of 2000.

The meridian for all bearings stated herein is the centerline of Akron-Canfield Road as being (WEST) per survey prepared by Leo E. Martin dated October of 1958 and filed at the Portage County Tax Map Department.

Parcel #2

Situated in the Township of Deerfield, County of Portage, State of Ohio and being part of said Township Lot 55 and part of the lands conveyed to Jean Adam by Deed Volume 881, Page 220 of the Portage County Records of Deeds and being more particularly bounded and described as follows:

Commencing at the southwest corner of said Township Lot 5, same being the intersection of the centerline of U.S. Route 224 a.k.a. Akron-Canfield Road (66' right-of-way) and the south line of said Township Lot 55 with the centerline of State Route 183 a.k.a. Alliance-Yale Road and the west line of said Township Lot 55;

Thence, along the centerline of said U.S. Route 224 and the south line of said Township Lot 55, EAST 1982.56 feet to the principal place of beginning for the parcel of land herein to be described;

Thence, leaving said centerline and lot N. 00 degrees 12" 00" E., passing thru a ½" capped rebar stamped "MILLMAN" set at 35.00 feet, a total distance of 1149.85 feet to a ½" capped rebar set stamped "MILLMAN" in the southeasterly line of lands conveyed to William J. Nappier by O.R. 550, Page 860 of the Portage County Records of Deeds;

Thence, along the southeasterly line of said Napier lands, EAST 506.00 feet to a point in

the westerly line of lands conveyed to J.J. or D.E. Carver by Deed Volume 1048, Page 697 of the Portage County Records of Deeds. Said point being witnessed by 1/2" rebar found 0.54 feet EAST, 0.16 feet SOUTH;

Thence, leaving said Napier lands along the westerly line of said Carver lands, S 00 degrees 12' 00" W. Passing by a 1" iron pipe found bent at 399.27 feet, 2.86 feet WEST a total distance of 449.85 feet to an angle point therein. Said point being witness by 1/2" rebar found 1.45 feet NORTH, 0.37 feet EAST;

Thence continuing along the westerly line of said Carver lands, WEST 250.00 feet to an angle point therein. Said point being witnessed by 1/2" rebar found 1.69 feet NORTH, 0.29 feet EAST;

Thence, continuing along the westerly line of said Carver lands S. 00 degrees 12' 00" W. 700.00 feet to the southwest corner of said Carver lands in the centerline of said U.S. Route 224 and the south line of Township Lot 55. Witness a 1/2 rebar found 34.55 feet distant therefrom and 0.53 feet WEST of the last described course;

Thence, along said centerline and lot line, WEST 256.00 feet to the place of beginning and containing 9.3393 acres of land but subject to all legal highways, easements and restrictions as surveyed by Deron J. Millman P.S. No. S-7717 for and on behalf of Millman Surveying, Inc. In September of 2000.

The meridian for all bearings stated herein is the centerline of Akron-Canfield Road as being (WEST) per survey prepared by Leo E. Martin dated October of 1958 and filed at the Portage County Tax Map Department.

4. In the Deed, the grantees designated are Jesse and Doris Carver, husband and wife, for their joint lives, remainder to the survivor of them.

5. Doris E. Carver, one of the grantees named in the Deed, is one and the same person as this Affiant.

6. The address of Affiant is 9465 State Route 224, Deerfield, Ohio 44411.

7. Affiant gives this Affidavit for the purpose of transferring the title to the foregoing property to Affiant on the records to the Recorder's Office in Portage County,

Ohio.

Doris E. Carver
DORIS E. CARVER

STATE OF OHIO

SS

COUNTY OF PORTAGE

BEFORE ME, A NOTARY PUBLIC, in and for said County and State did personally appear, Doris E. Carver, who acknowledged that she did sign the foregoing instrument and that her signing was her free act.

SWORN TO BEFORE ME, A NOTARY PUBLIC, in and for said County and State this 13th day of December, 2016, at Ravenna, Ohio.

Doris Worthington
NOTARY PUBLIC

This instrument was prepared by Douglas M. Kehres, Attorney at Law.

2016 DEC 13 10:20

Reg. Dist. No. 50
Primary Reg. Dist. No. 5000
Registrar's No. 2016-00344Ohio Department of Health - Vital Statistics
CERTIFICATE OF DEATH
Type or print in permanent blue or black ink

State File No. 2016100344

1. Decedent's Legal Name (First, Middle, Last, Suffix) (Include AKA's if any)		2. Sex	3. Date of Death (Mo/Day/Year)
JESSE E CARVER		MALE	NOVEMBER 01, 2016
4. Social Security Number	5a. Age (Years)	5b. Under 1 Year Months	5c. Under 1 day Hours Minutes
	83		
6. Date of Birth (Mo/Day/Year)		7. Birthplace (City and State or Foreign Country)	
AUGUST 17, 1933		YALE, OHIO	
8a. Residence State		8b. County	
OHIO		PORTAGE	
8c. City or Town		8d. Zip Code	
DEERFIELD		44411	
8e. Apt. No.		8f. Inside City Limits?	
		NO	
9. Ever in US Armed Forces?		10. Marital Status at Time of Death	
NO		MARRIED	
11. Surviving Spouse's Name (If wife, give name prior to first marriage)		12. Decedent's Education	
DORIS E BASINAI		COLLEGE, BUT NO DEGREE	
13. Decedent of Hispanic Origin		14. Decedent's Race	
NO		WHITE	
15. Father's Name		16. Mother's Name (prior to first marriage)	
JESSE L CARVER		MAUDE BARTHOLOMEW	
17a. Informant's Name		17b. Relationship to Decedent	
DORIS E CARVER		WIFE	
17c. Mailing Address (Street and Number, City, State, Zip Code)		17d. County of Death	
8465 STATE ROUTE 224		DEERFIELD, OHIO 44411	
18a. Place of Death		18b. City or Town, State and Zip Code	
HOME AWAY FROM HOME		BELOIT, OH 44609	
18c. Facility Name (If not institution, give street & number)		18d. County of Death	
13600 CHURCH STREET		MAHONING	
19. Signature of Funeral Services Licensee or Other Agent		20. License Number (of licensee)	
NANCY K CASTELLUCCI		009311	
21. Name and Complete Address of Funeral Facility		22a. Method of Disposition	
CASSADAY-TURKLE-CHRISTIAN INC		BURIAL	
22b. Date of Disposition (Mo/Day/Year)		22c. Place of Disposition (Name of Cemetery, Crematory, or other place)	
NOVEMBER 05, 2016		DEERFIELD CEMETERY	
22d. Location (City/Town and State)		22e. Date Filed (Mo/Day/Year)	
DEERFIELD, OH		11-09-2016	
23. Registrar's Signature		24. Date Filed (Mo/Day/Year)	
Erin Bishop		11-09-2016	
25a. Name of Person Issuing Disposition Permit		25b. District No.	
BISHOP, ERIN		5000	
25c. Date Disposition Permit Issued (Mo/Day/Year)		25d. Date Disposition Permit Issued (Mo/Day/Year)	
11-03-2016		11-03-2016	
26a. Certifier (Check only one)		26b. Time of Death	
<input checked="" type="checkbox"/> Certifying Physician To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner stated. <input type="checkbox"/> Coroner or Medical Examiner On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner stated.		1320	
26c. Date Pronounced Dead (Mo/Day/Year)		26d. Was the Medical Examiner or Coroner Contacted?	
Nov 1 2016		NO	
26e. Signature and Title of Certifier		26f. License number	
Duane Kuentz		35.045065	
26g. Date Signed (Mo/Day/Year)		26h. Date Signed (Mo/Day/Year)	
11/7/2016		11/7/2016	
27. Name (First, Middle, Last) and Address of Person who Completed Cause of Death			
DUANE CHARLES KUENTZ, 270 EAST STATE ST, ALLIANCE, OH 44601			
28. Part I. Enter the disease, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line. Type or print in permanent blue or black ink.			
Immediate Cause (Final disease or condition resulting in death)		Approximate Interval Between Onset and Death	
Failure to thrive		months	
Sequentially list conditions, if any, leading to immediate cause.		months	
Enter Underlying Cause (Disease or injury that initiated events resulting in a death)		years	
Congestive heart failure		years	
Arteriosclerosis		years	
Part II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I.			
29a. Was An Autopsy Performed?		29b. Were Autopsy Findings Available Prior to Completion of Cause of Death?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Not Applicable	
30. Did Tobacco Use Contribute to Death?		31. If Female, Pregnancy Status	
<input type="checkbox"/> Yes <input type="checkbox"/> Unknown <input checked="" type="checkbox"/> No <input type="checkbox"/> Probably		<input type="checkbox"/> Not pregnant within past year <input type="checkbox"/> Pregnant at time of death <input type="checkbox"/> Not pregnant, but pregnant within 42 days of death <input type="checkbox"/> Not pregnant, but pregnant 43 days to 1 year before death <input type="checkbox"/> Unknown if pregnant within the past year	
32. Manner of Death		33. Injury at Work?	
<input checked="" type="checkbox"/> Natural <input type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Pending Investigation <input type="checkbox"/> Suicide <input type="checkbox"/> Could not be determined		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
33a. Date of Injury (Mo/Day/Year)		33b. Time of Injury	
33c. Place of Injury (e.g., Decedent's home, construction site, restaurant, wooded area)		33d. Injury at Work?	
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
33e. Location of Injury (Street and Number or Rural Route Number, City or Town, State)		33f. Describe How Injury Occurred:	
33g. If Transportation Injury, Specify:		33h. If Transportation Injury, Specify:	
<input type="checkbox"/> Driver/Operator <input type="checkbox"/> Pedestrian <input type="checkbox"/> Passenger		<input type="checkbox"/> Driver/Operator <input type="checkbox"/> Pedestrian <input type="checkbox"/> Passenger	
Other:		Other:	

HEA 2724 Rev. 07/15-09/16

Erin Bishop - Local Registrar

NOV 09 2016

Erin M. Bishop

TRANSFERRED
Sec. 319.54 (F-2) 2.00
Sec. 319.202

SEP 22 2017 *di*

Janet Epworth
Portage County Auditor



LORI CALCEI
PORTAGE CO. RECORDER

201716175 & 22

RECEIVED FOR RECORD
AT 15:23:13
FEE 76.00

INDEXED

SURVIVORSHIP DEED
AKA Doris E. Carver AKA Doris Elaine Carver

I, Doris Carver, a widowed woman of Portage County, Ohio for valuable consideration paid, grant(s) with general warranty covenants, to Brian S. Lindberg and Laura A. Lindberg, Husband and Wife for their joint lives, remainder to the survivor of them, whose tax-mailing address is 8465 State Route 224, Deerfield, OH 44411 the following REAL PROPERTY:

GRANTOR RESERVES AN EXCLUSIVE LIFE ESTATE IN THE FOLLOWING DESCRIBED PROPERTY.

Parcel #1

Situated in the Township of Deerfield, County of Portage and the State of Ohio and being part of said Township Lot 55 and part of the lands conveyed to Jean Adams by Deed Volume 881, Page 220 of the Portage County Records of Deeds and being more particularly bounded and described as follows:

Commencing at the southwest corner of said Township Lot 55; same being the intersection of the centerline of U.S. Route 224 a.k.a. Akron-Canfield Road (66' right-of-way) and the south line of said Township Lot 55 with the centerline of State Route 183 a.k.a. Alliance-Yale Road and the West line of said Township Lot 55;

Thence, along the centerline of said U.S. Route 224 and the south line of said Township Lot 55, EAST 1788.56 feet to the principal place of beginning for the parcel of land herein to be described;

Thence, leaving said centerline and Lot, N. 00 degrees 12' 00" E, passing thru a 1/2" capped rebar stamped "MILLMAN" set at 35.00 feet, a total distance of 1149.85 feet to a 1/2" capped rebar set stamped "MILLMAN" in the southeasterly line of lands conveyed to William J. Napier by O.R. 550, Page 860 of the Portage County Records of Deeds;

Thence, along the southeasterly line of said Napier lands, EAST 194.00 feet to a 1/2" capped rebar set stamped "MILLMAN";

Thence, leaving said Napier lands, S 00 degrees 12' 00" W. 1149.85 feet to the centerline of said U.S. Route 224 and the south line of said Township Lot 55. Witness a 1/2" capped rebar set stamped "MILLMAN" 35.00 feet distant therefrom along the last described course;

Thence, along said centerline and lot line, WEST 194.00 feet to the place of beginning and containing 5.1210 acres of land but subject to all legal highways, easements and restrictions as surveyed by Deron J. Millman P.S. No. S-7717 for and on behalf of Millman Surveying, Inc. in September of 2000.

The meridian for all bearings stated herein is the centerline of Akron-Canfield Road as

being (WEST) per survey prepared by Leo E. Martin dated October of 1958 and filed at the

Portage County Tax Map Department.

Parcel #2

Situated in the Township of Deerfield, County of Portage, State of Ohio and being part of said Township Lot 55 and part of the lands conveyed to Jean Adam by Deed Volume 881, Page 220 of the Portage County Records of Deeds and being more particularly bounded and described as follows:

Commencing at the southwest corner of said Township Lot 55, same being the intersection of the centerline of U.S. Route 224 a.k.a. Akron-Canfield Road (66' right-of-way) and the south line of said Township Lot 55 with the centerline of State Route 183 a.k.a. Alliance-Yale Road and the west line of said Township Lot 55;

Thence, along the centerline of said U.S. Route 224 and the south line of said Township Lot 55, EAST 1982.56 feet to the principal place of beginning for the parcel of land herein to be described;

Thence, leaving said centerline and lot N. 00 degrees 12' 00" E., passing thru a 1/2" capped rebar stamped "MILLMAN" set at 35.00 feet, a total distance of 1149.85 feet to a 1/2" capped rebar set stamped "MILLMAN" in the southeasterly line of lands conveyed to William J. Nappier by O.R. 550, Page 860 of the Portage County Records of Deeds;

Thence, along the southeasterly line of said Napier lands, EAST 506.00 feet to a point in the westerly line of lands conveyed to J.J. or D.E. Carver by Deed Volume 1048, Page 697 of the Portage County Records of Deeds. Said point being witnessed by 1/2" rebar found 0.54 feet EAST, 0.16 feet SOUTH;

Thence, leaving said Napier lands along the westerly line of said Carver lands, S 00 degrees 12' 00" W. Passing by a 1" iron pipe found bent at 399.27 feet, 2.86 feet WEST a total distance of 449.85 feet to an angle point therein. Said point being witness by 1/2" rebar found 1.45 feet NORTH, 0.37 feet EAST;

Thence continuing along the westerly line of said Carver lands, WEST 250.00 feet to an angle point therein. Said point being witnessed by 1/2" rebar found 1.69 feet NORTH, 0.29 feet EAST;

Thence, continuing along the westerly line of said Carver lands S. 00 degrees 12' 00" W. 700.00 feet to the southwest corner of said Carver lands in the centerline of said U.S. Route 224 and the south line of Township Lot 55. Witness a ½ rebar found 34.55 feet distant therefrom and 0.53 feet WEST of the last described course;

Thence, along said centerline and lot line, WEST 256.00 feet to the place of beginning and containing 9.3393 acres of land but subject to all legal highways, easements and restrictions as surveyed by Deron J. Millman P.S. No. S-7717 for and on behalf of Millman Surveying, Inc. In September of 2000.

~~TRACT ONE: Known as being the whole Lot No. 54 in said township, containing according to the current tax books and maps 154 acres of land, excepting therefrom 40 acres off the east side of said Lot No. 54, conveyed to Clayton Wilcox by deed from Alva A. Loomis, Executor of the estate of Humbert S. Loomis, deceased, dated April 1, 1920, and recorded in Volume 225, Page 146, of the records of Portage County, Ohio, said 40 acres being bounded and described as follows: On the North, East and South by the original lot lines of said lot and on the West by a line parallel with the east line of said Lot No. 54, and far enough West there from to contain 40 acres, being bounded on the West by lands now owned by Harold P. and Mary Steckel, Martha P. and Howard Cook, and William J. Boyer and containing 114 acres of land.~~

~~TRACT TWO: Situated in the Township, County and State aforesaid, and known as being a part of Lot No. 55 in said township, bounded and described as follows: On the North, East and South by the North, East and South original lines of said lot, and on the West by lands in said lot now or formerly owned or occupied by Richard and Hanna Spires, and containing 88 acres of land, more or less.~~

EXCEPTING THEREFROM the following:

~~Excepting and reserving from the above-described premises located in and know as being a part of Lot No. 55 in said township of Deerfield, more fully bounded and described as follows: Beginning in the south line of Lot No. 55 which is also the centerline of St. Rt. 224, W. 420.50 feet from the southeast corner of said Lot No. 55; thence continuing along said lot line and St. Rt. 224, centerline West 1070.00 feet to the southeast corner of lands of Mildred Kays as shown in Vol. 574, Page 419, Portage County Records; thence N. 0 deg. 12' E. along the east line of said Kays' land (passing over an iron pin at 33 feet) 2617.10 feet to a post in the north line of Lot No. 55; thence along the north lot line N. 89 deg. 57' E. 1320.00 feet or 80 rods to an iron pipe; thence S. 0 12' W. 1915.90 feet to an iron pipe; thence W. 250 feet to an iron pipe; thence S. 0 deg. 12' W. (passing over an iron pipe at 660 feet) 700 feet to the place of beginning, and containing 75.271 acres as surveyed in October 1958 by Leo E. Martin, Registered Surveyor No. 2587.~~

~~INCLUDING in said Second Tract 12.73 acres by Tax Maps and 14.28 acres by survey, more or less.~~

~~INTENDING TO INCLUDE in both Tract One and Tract Two above all remaining lands in said Lots 54 and 55 as owned by Floyd F. Forney and Emma K. Forney, Grantors herein.~~

SUBJECT TO reservation of life use in dwelling house as set forth in separate Agreement this day executed between Grantors and Grantees and filed for record with the Recorder of Portage County, Ohio.

The meridian for all bearings stated herein is the centerline of Akron-Canfield Road as being (WEST) per survey prepared by Leo E. Martin dated October of 1958 and filed at the Portage County Tax Map Department.

EXECUTED this 31ST day of August, 2017.

Doris Worthington
Witness

Doris E. Carver
Grantor-Doris E. Carver

[Signature]
Witness

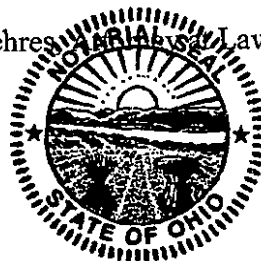
STATE OF OHIO)
) SS:
COUNTY OF PORTAGE)

BE IT REMEMBERED, That on this 31ST day of August, 2017 before me, a notary public, in and for said state, personally came Doris E. Carver, the Grantor in the foregoing deed, and acknowledged the signing thereof to be her voluntary act and deed.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my Notary Seal on the day and year last aforesaid.

Doris Worthington
NOTARY PUBLIC

This instrument was prepared by Douglas M. Kehres, Notary Public, Law.



Doris Worthington
Notary Public
State of Ohio
My Commission Expires
September 17, 2020

PEARSON SURVEYING, LLC

(330) 296-9200 OFFICE (330) 298-9184 FAX

~~PARCEL 1~~
PROPERTY DESCRIPTION
119.1208
ACRE TRACT

Situated in the Township of Deerfield, County of Portage, and the State of Ohio, and being part of Lot 54, in said Township and being all of the tract of land transferred to Doris E. Carver as recorded in File #201703171 (parcel 1), and further described as follows to wit:

Beginning at a pk nail set at the intersection of the centerline of State Route 224 (Akron – Canfield Road - S.H. 87 – 66' r/w) and the southwest corner of Lot 54, which is the True Place of Beginning for the property herein described;

1. Thence **North 00°41'51" West**, along the west line of a Lot 54, (and passing over a capped pin set at a distance of **33.00** feet), a total distance of **2609.76** feet to a ½" iron pipe found at the northwest corner of Lot 54;
2. Thence **North 89°08'46" East**, along the north line of Lot 54, a distance of **1978.59** feet to a capped pin found (Hohnhorst);
3. Thence **South 01°07'01" East**, along the west line of tracts of land now or formerly owned by B.S. Lindburg (File #201318880), M. Geovese (D.V. 1139, Pg. 323), J.W. Russell (File #201001532), C.A. McDonald (File #200920426), K.M. Woodford (File #201214525), F.A. Rolland, Jr. (File #201316985) and G.G. El-Mobasher (File #201412701), (and passing over a 1/2" iron pipe found at a distance of **2580.37** feet), a total distance of **2610.12** feet to a point in the centerline of State Route 224;
4. Thence **South 89°09'22" West**, along the centerline of State Route 224, (which is also the south line of Lot 54), a distance of **1997.70** feet to the True Place of Beginning of the herein described parcel.

Containing **119.1208** acres of land, based on a field survey by Beth A. Pearson, P.S. #8430 in September 2017.

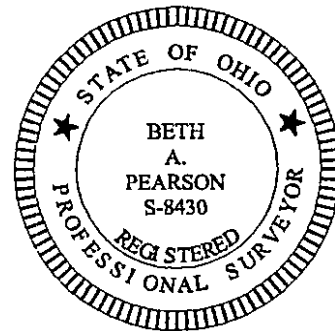
(1.5134 acres – Road r/w)
(117.6074 acres – Lot area)

119.1208 acre parcel – page 2

The basis of bearing is Grid North, Ohio State Plane Coordinate System, North Zone, NAD83.

Subject to all legal highways and any easements or restrictions of record.

Capped rebars set are 5/8" x 30" with "Pearson PS-8430.



Beth A. Pearson 09/19/2017

Beth A. Pearson, PS
Registered Surveyor #8430

CA2017P170908 – Parcel 1

PEARSON SURVEYING, LLC

(330) 296-9200 OFFICE (330) 298-9184 FAX

~~PARCEL 2~~
PROPERTY DESCRIPTION
14.3031 ACRE TRACT

Situated in the Township of Deerfield, County of Portage, and the State of Ohio, and being part of Lot 55, in said Township and being all of the tract of land transferred to Doris E. Carver as recorded in File #201703171 (parcel 2), and further described as follows to wit:

Beginning at a pk nail set at the intersection of the centerline of State Route 224 (Akron - Canfield Road - S.H. 87 - 66' r/w) and the southeast corner of Lot 55, which is the True Place of Beginning for the property herein described;

1. Thence **South 89°03'32" West**, along the centerline of State Route 224, (which is also the south line of Lot 55), a distance of **420.50** feet to a point;
2. Thence **North 00°44'27" West**, along the east line of a tract of land now or formerly owned by D.E. Carver (File #201703172 - parcel 2), (and passing over a capped pin set at a distance of **33.00** feet), a total distance of **702.03** feet to a 5/8" iron bar found;
3. Thence **North 89°03'15" East**, along the south line of the aforesaid D.E. Carver tract, a distance of **250.15** feet to a 5/8" iron bar found;
4. Thence **North 00°44'59" West**, along the east line of the aforesaid D.E. Carver tract, and a tract of land now or formerly owned by W.J. Napier (File #200016154), a distance of **1907.69** feet to a capped pin found (Millman);
5. Thence **North 89°03'23" East**, along the north line of Lot 55, a distance of **172.62** feet to a 1/2" iron pipe found at the northeast corner of Lot 55;
6. Thence **South 00°41'51" East**, along the east line of a Lot 55, (and passing over a capped rebar set at a distance of **2576.76** feet), a total distance of **2609.76** feet to the True Place of Beginning of the herein described parcel.

Containing **14.3031** acres of land, based on a field survey by Beth A. Pearson, P.S. #8430 in September 2017.

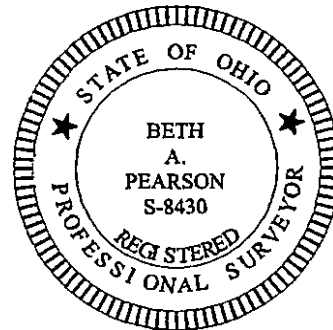
(0.3185 acres - Road r/w)
(13.9846 acres - Lot area)

14.3031 acre parcel – page 2

The basis of bearing is Grid North, Ohio State Plane Coordinate System, North Zone, NAD83.

Subject to all legal highways and any easements or restrictions of record.

Capped rebars set are 5/8" x 30" with "Pearson PS-8430.



Beth A. Pearson 09/19/2017
Beth A. Pearson, PS
Registered Surveyor #8430

C:\2017\PI70908 - Parcel 2

08-055-00-00-003.003 $\frac{1}{2}$ - 003.004

JBD TAX MAP DEPT. 9/22/2017
LEGAL DESCRIPTION
☒ SUFFICIENT ☐ DEFICIENT
☒ NO DIVISION OF LAND
(P-18120)

RESURVEY 08-055-00-00-004.000 14.3031 Ac.
RESURVEY 08-054-00-00-001.000 119.121 Ac.

PROMISSORY NOTE

\$ 281,250.00



Date August 31, 2017

FOR VALUE RECEIVED, WE, Brian S. Lindberg and Laura A. Lindberg promise to pay to the order of Doris E. Carver, the sum of **Two Hundred Eighty-One Thousand Two Hundred Fifty and 00/100 DOLLARS (\$281,250.00)**, at a rate of 0% interest payable on or before one year after the death of Doris E. Carver or on written demand by Doris E. Carver.

It is agreed that time is of the essence of this contract, and that in the event of default in the making of any payments herein provided for, or if default be made in the performance of any of the agreements or conditions of this note, the holder of this note may, at its option, declare all the remainder of said debt due and collectible, and any failure to exercise said option shall not constitute a waiver of the right to exercise the same at any other time. In the event of default in the making of any payments herein provided for or in the event of the whole of said debt is declared to be due.

I, whether principal, surety, guarantor, endorser, or other party hereto, agree to waive any exemption rights as against this debt, and I further waive demand, protest and notice of demand, protest, or non-payment and presentation

THIS PROMISSORY NOTE EXECUTED IN PORTAGE COUNTY, STATE OF OHIO.

Doris Worthington
WITNESS

Doug Kuhn
WITNESS

WITNESS

Brian S. Lindberg
PROMISSOR: BRIAN S. LINDBERG

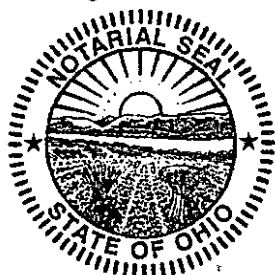
Laura A Lindberg
PROMISSOR: LAURA A. LINDBERG

Doris E Carver
PROMISSEE: DORIS E. CARVER

STATE OF OHIO)
) SS
COUNTY OF PORTAGE)

BEFORE ME, A NOTARY PUBLIC, in and for said County and State, did personally appear, Brian S. Lindberg and Laura A. Lindberg, who acknowledged that they did sign the foregoing instrument and that their signing was their free act.

SWORN TO BEFORE ME, A NOTARY PUBLIC, in and for said County and State, this 31st day of August, 2017.



Doris Worthington
NOTARY PUBLIC
Doris Worthington
Notary Public
State of Ohio
My Commission Expires
September 17, 2020



BRUCE E. SMITH
ATTORNEY AT LAW

1844 W. State St., Suite A
Alliance, Oh. 44601

Direct Dial: (330) 238-9276
Office: (330) 821-1430
Fax: (330) 821-2217
E-Mail: bes@ramlaw.com

February 20, 2020

Doug Kehres
Attorney at Law
638 W. Main Street
Ravenna, Ohio 44266

Re: Estate of Doris Carver

Dear Mr. Kehres:

As promised, I am enclosing a list of items furnished to me by my client, Larry Carver. The items at the top of the list are personal property items of Mr. Carver that were stored at the property. The items at the bottom of the list are personal property items having particular significance to Mr. Carver that he would like to receive from the estate.

I would appreciate being advised immediately as to your intentions regarding the opening of the estate. If nothing is done soon, it is our intention to petition the court to open the estate.

Please let me know at your earliest convenience when we can arrange to obtain my client's personal property and your position concerning the other items on the list.

Very truly yours,



Bruce Smith

BES:jg

cc Larry Carver

2 red toolboxes with tools
assorted parts, nuts, bolts, blades, tools and work benches
metal shelving with tools, parts, paint etc. (roughly 25) in shop
Case 444 garden tractor w/ sweeper attached
Case Hydriv lawn tractor
black yard cart
Colt lawn tractor antique
Case 120 lawn tractor antique
Case 120? lawn tractor antique
Ingersoll 1212H lawn tractor
Ingersoll garden tractor with rototiller attached
leaf vac for back of 0 turn
Ingersoll front deck for 0 turn
Case riding mower deck
Generator on a cart
4HP B/S generator
4020 Hood
Craftsman Table Saw
set of tractor weights
riding mower tires
Ingersoll 5822k 0 turn lawn mower
Case 530 tractor
Cimarron brush hog
Woods bat wing mower
Case 930 tractor
finishing mower
(2) old Case DC or SC tractors
Gill blade for back of tractor
old steel watering trough from Grandpa Carver
bucket for a loader
old Case rake
old cultivator
set of duals for tractor
assorted used garden tractor parts, hoods, fenders, partial lawn tractors

Items I have at 8465 SR 224, Deerfield, that are mine:

1. Case 930 tractor
2. 5x16 bottom plow
3. Onan generator
4. Small sickle bar mower
5. Large red tool chest on wheels
6. Aluminum flag pole
7. 15 foot red grain drill
8. Lift chair I bought for my father's use
9. Tapestry hanging above family room heater
10. Victorian picture.
11. Picture of son, Matthew in metal finish of him before he left (newspaper article).

Items I request that were my father's:

1. Case DC tractor
2. Two bottom plow
3. Pictures of our family my mother had on wall in living room - *Antique pic - grandpa's things on lo*
4. My father's .22 rifle
5. 1/2 half of the tools in my father's garage (wrenches, sockets, etc)
6. Glass curio cabinet my wife bought for mother - *Sawmill picture*
- stuffin it as well?

Larry Carver



Doc ID: 005750450003 Type: AFF
Recorded: 01/19/2021 at 11:26:42 AM
Fee Amt: \$42.00 Page 1 of 3
Portage County Ohio
Lori Calcei County Recorder
File **202101102**

**AFFIDAVIT
MADE PURSUANT TO O.R.C. 5301.51 AND O.R.C. 5301.52
REGARDING REAL PROPERTY DESCRIBED IN A SURVIVORSHIP DEED
RECORDED WITH THE PORTAGE COUNTY RECORDER ON SEPTEMBER 22, 2017
AND INDEXED AT 201716175**

STATE OF OHIO)
) SS
COUNTY OF STARK)

Larry J. Carver, being first duly sworn according to law,
deposes and says:

1. I make this Affidavit on the basis of personal knowledge
and am competent to testify concerning the matters set forth
herein.

2. I am the Successor Executor/Estate Fiduciary (and a Co-
Beneficiary) of the Estate of Doris E. Carver, deceased (herein-
after "Decedent" and/or "Grantor"), in Portage County Probate Court
Case No. 2020 ES 161 ("Estate"), having been so-appointed by the
Court on January 14, 2021 after the former Executrix/Estate
Fiduciary Laura A. Lindberg (the only other Estate Co-Beneficiary)
had resigned during pendency of my Motion for Removal of [her as]
Estate Fiduciary.

3. I am also the Complainant/Plaintiff in Portage County

Probate Court Case No. 2021 CV 00001 ("Concealment Action"), which Complaint was filed on January 15, 2021 and wherein Laura A. Lindberg and her husband, Brian S. Lindberg (hereinafter collectively "Grantees"), are the named Respondents/Defendants.

4. As Estate Fiduciary, I make this Affidavit for the Estate's benefit and for purposes of preserving its interest in and claim to the real property described hereinbelow; and, my address of record in that capacity is 12855 Snode Street N.E., Alliance, Ohio 44601.

5. At all times relevant hereto, Decedent owned of record four separate Parcels of real property in Portage County, Ohio, namely, Portage County Permanent Parcel Nos. 08-054-00-00-001-000, 08-055-00-00-004-000, 08-055-00-00-003-003 and 08-055-00-00-003-004, the former of which two Parcels are described in Decedent's December 13, 2016 real property survivorship affidavit as recorded with the Portage County Recorder on February 24, 2017 and Indexed at 201703171 and the latter of which two Parcels are described in Decedent's December 13, 2016 real property survivorship affidavit as recorded with the Portage County Recorder on February 24, 2017 and Indexed at 201703172.

6. On August 31, 2017, Decedent executed a Survivorship Deed ("Deed") subsequently recorded with the Portage County Recorder on

September 22, 2017 and Indexed at 201716175, through which Deed she conveyed to Grantees the aforesaid Portage County Permanent Parcel Nos. 08-055-00-00-003-003 and 08-055-00-00-003-004.

7. At the time of that Deed recordation, two real Property Descriptions for the aforesaid Portage County Permanent Parcel Nos. 08-054-00-00-001-000 and 08-055-00-00-004-000, both dated 09/19/2017, although not in existence on the date of Grantor's execution of the Deed on August 31, 2017, were subsequently, post-execution, added and attached thereto after-the-fact.

8. By and through the Concealment Action, I am seeking to invalidate the Deed in its entirety as the "product" of Grantees' exercise of undue influence over Grantor, or, in the alternative, I am seeking a judicial declaration that the Deed served to convey to Grantees only the aforesaid Portage County Permanent Parcel Nos. 08-055-00-00-003-003 and 08-055-00-00-003-004, not Decedent's other two Parcels as described in paragraph no. 7 hereinabove.

Further Affiant saith not.

PREPARED BY
ATTY CRAIG CONLEY

Larry J. Carver
LARRY J. CARVER

Sworn to and subscribed in my presence at Canton, Ohio, this 18th day of January, 2021.

Mary P. Saylor
NOTARY PUBLIC - Mary P. Saylor
Commission expires 07/27/2024