

75594

No. 222, 223, 249

Know all Men by these Presents

That, Whereas, on the 27th day of May, 1933, the Last Will and Testament of William E. Clingan, deceased, was admitted to probate and record in the Probate Court of Miami County, Ohio, and on the 27th day of May, 1933, H. W. Wilson was duly appointed and qualified as executor in said estate being numbered 22984, Docket 16, Page 321, and is now the lawful executor of said Will and Testament, and,

That, Whereas, said Last Will and Testament, among other provisions contains the following, to wit:

In Item Fifth: . . . "I hereby authorize and empower said executor and his successors in trust to sell and convey, by proper instrument of conveyance, any and all real estate of which I may die seized, for such prices and on such terms and conditions as said trustee or executor and his successors may deem best; . . .", and

Whereas, the property herein was conveyed to this executor and his successor, in trust, for purposes mentioned in the Will and this executor and his successors in trust were in said Will authorized to sell any of said property, this grantor therefore acts in capacity as executor-trustee and the use of the word executor herein is to be considered as including the executor in his trust capacity, and,

Whereas, all of the beneficiaries under said trust have consented to the sale of this property to this grantee herein, as evidenced by written instrument filed simultaneously herewith for record, and,

Whereas, the said testator died seized in fee simple of the real estate hereinafter described, and in order to carry out the provisions of said Last Will and Testament of said deceased, it is necessary to sell said real estate:

Now, therefore, I, H. W. Wilson, executor as aforesaid, in pursuance of the said provisions of the Last Will and Testament of said William E. Clingan, deceased, and by virtue of the statutes in such cases made and provided, and of the powers vested in me, and for and in consideration of the premises, and the sum of Ten Thousand Five Hundred Dollars (\$10,500.00) paid to me by Helen W. Dodds, Tipp City, Ohio, the receipt whereof is hereby acknowledged,

do hereby grant, bargain, sell and convey to the said Helen W. Dodds, her heirs and assigns forever, the following real estate:

Situate in the County of Miami, in the State of Ohio,
and in the Township of Monroe, and bounded and described
as follows:

The Southwest Quarter of Section Twenty-seven (27), Town Four (4), Range Six (6), East, excepting therefrom the lands heretofore conveyed to The Dayton and Troy Electric Railway Company; and the lands North and West of said Railway Company heretofore conveyed to F. M. Karns.

Being the premises acquired by decedent by deed recorded in Vol. 161, Page 145, Miami County Deed Records.

This conveyance is made subject to a life estate in Mae Wilson, grantee herein accepting conveyance subject to such terms and conditions, the said Mae Wilson having been given by the Will of the decedent the right to receive part of the income from the property herein conveyed, after \$360 annual payment to Mary Clingan, to which conveyance is also subject. To Have and To Hold said premises, with all the privileges

and appurtenances thereto belonging, to the said Helen W. Dodds, her heirs and assigns forever, as fully and completely as I, the said H. W. Wilson, as such executor, by virtue of said Last Will and Testament, and of the statutes made and provided for such cases, might or should sell and convey the same.

IN WITNESS WHEREOF, the said H. W. Wilson as such executor, has hereunto set his hand, this 11th day of February, 1955.

Signed and acknowledged in presence of:

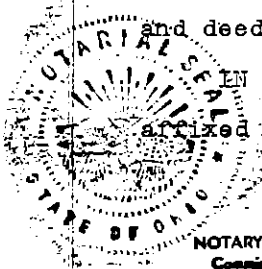
Ellis W. Kerr
Lucile W. Kerr

H. W. Wilson
H. W. Wilson, Executor of the Estate of William E. Clingan, Deceased.

STATE OF OHIO, MIAMI COUNTY, SS:

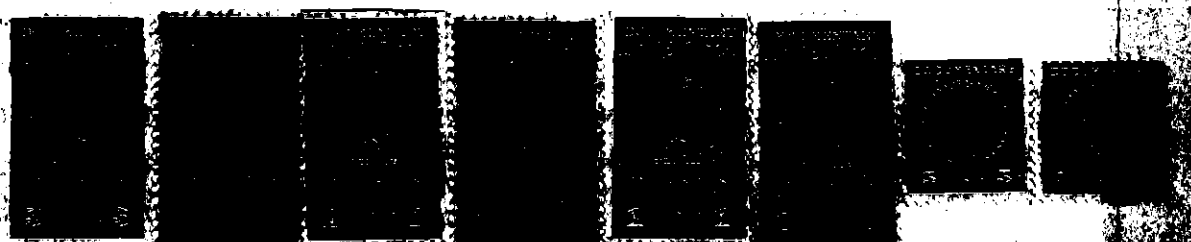
On this 11th day of February, 1955, before me, the subscriber, a Notary Public in and for said State, personally appeared the above named H. W. Wilson, executor of the Last Will and Testament of William E. Clingan, deceased, the grantor in the foregoing deed, and acknowledged that he did sign the foregoing instrument and that the signing of the same was his voluntary act and deed as such executor for the uses and purposes therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



ELLIS W. KERR
NOTARY PUBLIC, STATE OF OHIO
Commission Expires Nov. 26, 1956

Ellis W. Kerr



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FEB-14-1955

TRANSFERRED
FEB 14 1955
CHAS. S. ROSS, ATTORNEY
221 COM. BLDG.

Handwritten notes in the left margin:
This volume recorded in Vol. 161, Page 145
1945
Helen W. Dodds, Disputing