

54894

AFFIDAVIT OF FACTS
RELATING TO TITLE
ORC 5302.25.2

1. KNOW ALL MEN BY THESE PRESENTS, that the undersigned, Robert T. Whitaker after being duly cautioned and sworn according to law, deposes and says as provided in that the following facts are true and affect the following property: located in the County of Licking, State of Ohio and Township of Lima and bounded and described as follows:

- a) In Deed Book Number 345, pages 440-441 which show the Warranty Deed that granted ownership of 107.78 acres to the Four Dinkelaker Brothers and their wives on July 17, 1941. There currently remains as of this date, approximately 54.38 acres described by Licking County Treasurer's Office as 15-1-3, Lot 36, Sec 3, Parcel No. 44-140436-00.000.
- b) In Deed Book Number 484, pages 471-472 which show the QUIT-CLAIM DEED signed by the four brothers and their wives for the purpose of releasing rights of dower of 4.701 acres to partner, Robert T. Whitaker and wife Evelyn Whitaker (now deceased). This document and property was dated June 30, 1956 and is described by the Licking County Treasurer as lot 36, Sec. 3, 4.701 acres Parcel No. 44-141822-00-000.
- c) In Deed Book Number 641, pages 536-537 show the certificate for Transfer of Real Estate in the matter of The Estate of Amelia M. Dinkelaker (Mother). Arthur G. Whitaker was executor for her Estate and the 1.064 acres she owned was transferred to the Four Brother Estate Partnership, with one fourth interest in this property (1.064 acres) going to each of the Four Brothers Partnership and their wives. This document was dated November 26, 1968 and the 1.064 acres is listed by the Licking County Treasurer's Office as Lot 36, Sec. 3, 1.064 acres, Parcel No 44-141804.00.000.
- d) Included in the remaining 54.38 acres, as referenced in paragraph 1(a) above, are Reserve A and Reserve B as access entrances to the 54.38 acres from Taylor Rd. The Reserve A and B accesses are listed by the Licking County Treasurer's Office as Reserve A, Thousand Pines Sub.-00A and Reserve B, Thousand Pines Sub.-00A, Parcel Nos. 44-144444-00-000 and 44-144360-00-000 respectively.
- e) In Record of Deeds, Volume 484, pages 480, 481 and one half of 482, which show the QUIT-CLAIM DEED signed by the four brothers and their wives for the purpose of releasing rights of dower of 4.71 acres to partner Christian A Whitaker and wife Dolores E. Whitaker (both now deceased). This property was inherited by their daughter Dolores Sue Whitaker and son Christian A. Whitaker Jr. This document was dated June 30, 1956 and is described by the Licking County Treasurer as Lot 36, Sec. 3, 4.71 acres, Parcel No. 44-141816-00.000.

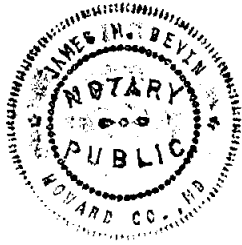
2. FACTS: I am the surviving brother of the four Dinkelaker/Whitaker brothers, to wit: Christian A. Dinkelaker, Sr., Arthur G. Dinkelaker, George W. Dinkelaker, and Robert T. Dinkelaker (myself) and I have personal knowledge that the following facts are true:

- a) In 1941, John and Olivia Woodruff conveyed 107.8+/-Acres to the four of us brothers; Christian A. Dinkelaker, Sr., Arthur G. Dinkelaker, George W. Dinkelaker and Robert T Dinkelaker. This was by deed recorded in Deed Book 345, Page 440 Licking County Recorder's Office on August 23, 1941.
- b) In 1946 Christian A. Dinkelaker, Sr. and wife Dolores Dinkelaker, Arthur G. Dinkelaker and wife Pauline Dinkelaker undertook to change their last names to Whitaker. George W. Dinkelaker and wife chose not to change their names. I understand that the court records of the Franklin County Probate Court show that there was a name change listed as Case Number 120187, Civil Docket Volume 751, Page 96 showing the Judgment of the Court ordering the name change for the above referenced persons. They have gone by the name of Whitaker ever since.
- c) On June 28, 1943 Robert T. Dinkelaker and wife Evelyn L. Dinkelaker had their names changed to Robert T. Whitaker and Evelyn L. Whitaker by Probate Court, Richland County, Ohio Order.
- d) The persons known as Christian A. Whitaker, Sr., Arthur G. Whitaker, Robert T. Whitaker and George W. Dinkelaker after 1943 and 1946 are the same persons formerly known as Christian A. Dinkelaker, Sr., Arthur G. Dinkelaker, Robert T. Dinkelaker and George W. Dinkelaker who purchased the aforementioned property in 1941. Of the above brothers listed, only Robert T. Whitaker remains living.
- e) My brother Christian A. Whitaker, Sr., (formerly Christian A. Dinkelaker, Sr.) died an unmarried widower, leaving as next of kin his children, Christian A. Whitaker, Jr. and Dolores Sue Whitaker, who now retain one fourth interest in the properties listed under paragraphs 1(a), 1(c), 1(d) and full ownership of the property listed under 1(e) above.
- f) My brother Arthur G. Whitaker, (formerly Arthur G. Dinkelaker) died leaving his widow Pauline S. Whitaker as his survivor. She has not remarried and retains one fourth interest in the properties listed under Paragraphs 1(a), 1(c) and 1(d) above.
- g) My brother George W. Dinkelaker died leaving his widow Sarah E. Dinkelaker as his survivor. She has not remarried and retains one fourth interest in the properties listed under Paragraphs 1(a), 1(c) and 1(d) above which are now entered and retained in the Sarah E. Dinkelaker, TTEE, Living Trust dated May 13, 1992 and amended Dec. 13, 1994.

h) My wife Evelyn L. Whitaker died leaving her husband Robert T. Whitaker (me) as her survivor. I, Robert T. Whitaker, have not remarried and retain one fourth interest in the properties listed under Paragraphs 1a, 1c, and 1d, and full ownership of the property listed under 1b above. All of the aforementioned properties are now entered and retained in the Robert T. Whitaker "Living Trust" dated July 29, 1994.

Robert T. Whitaker
Robert T. Whitaker

Sworn to and subscribed in my presence by Robert T. Whitaker on 12/13/95



James M. Devin
Notary Public
JAMES M. DEVIN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires October 23, 1999

This Affidavit shall be filed in the Licking County Recorder's Office pursuant to Section 5302.25.2 of the Ohio Revised Code, to put all interested parties on notice of the forgoing facts about the persons shown to have had or still having any interest in the subject real estate.

The Licking County Recorder is requested to make a marginal notation of this affidavit upon the following real estate records:

Deed Book 345, Pages 440-441	Plat Book 11, Page 39 and 40
Deed Book 484, Pages 471-472, 480, 481 & 482	Official Record 616, Page 95.
Deed Book 641, pages 536-537	
Official Record 60, page 128	

This instrument prepared by:
Robert T. Whitaker with
paralegal assistance.
912 Malta Lane, Silver
Spring, Md. 20901-1135
Phone 1-301-593-3957

54894
RECEIVED & RECORDED JUN 25 1996
AT 3:10 O'CLOCK P.M. IN OFFICIAL RECORD
VOL 769 PAGE 201 FEE 18.00
ROBERT E. WISE, LICKING COUNTY RECORDER
Robt Whitaker